

**PKTS. 4-23-2021**

**TO:** Ames City Council and Mayor

**FROM:** Kelly Diekmann, Planning and Housing Director

**DATE:** April 23, 2021

**SUBJECT:** **Request by the property owner at 2359 210<sup>th</sup> Street in Boone County to amend the Ames Urban Fringe Land Use Map to reclassify portions of the property as Rural Residential.**

**BACKGROUND:**

City Council referred to staff, at its April 13th, 2021 meeting, a request from Brian Campbell representing property owners Anthony Brock and Suzanne Leaf-Brock at 2359 210<sup>th</sup> Street in Boone County requesting the City to reclassify the property on the Ames Urban Fringe map to Rural Residential in order to allow the division of the existing lot for creation of a second lot to construct a new home. *(See Attachment A – Location Map, Attachment B- Land Use Designation & Attachment C – Letter Requesting Rezoning).*

Mr. Campbell explained in his letter to Council that the property owners would like to split the existing 20-acre property into 2 parcels with one parcel being 5 acres and the second parcel would be a 15-acre flag lot. Access would be from 210 Street for both lots. The preliminary sketch has access for the flag lot adding a crossing of Onion Creek. The primary issue with the proposal is the division of land within the Natural Resources designation is inconsistent with the policies of the Fringe Plan. The owner can develop a home on the existing lot, subject to Boone County standards.

The property currently has two land use designations in the LUPP which are Natural Area and Rural Transitional Residential. Natural Area designation encompasses the southern and western half of the property leading from 210<sup>th</sup> Avenue northward to the north boundary line of the property. The Rural Transitional Residential area is located on the northeast half of the property as an extension of the Land Use designation on the properties to the north and northeast, it does not extend south of Onion Creek towards 210<sup>th</sup> Street. Onion Creek bisects the property going east-to-west with considerable woodland around the creek.

The LUPP describes Natural Area as intended for areas in the fringe that include forested land, floodplain, wetlands and sloped areas. The existing property has a significant amount of land that qualifies as Natural Area on it. Exceptions do exist near the southern portion of the property where row crop land is located and the far northeastern portion of the property near the north property line. Natural Areas are not intended to have additional homes built on them and thus do not permit property splits. The LUPP does not encourage converting Natural Areas into designations that allow for development.

The property at 2359 210<sup>th</sup> Street is directly north of land currently designated as Rural Residential which contains a rural subdivision located within it along 212<sup>th</sup> Street. There are other individual homes on large lots along the northside of 210<sup>th</sup> Street in the same Natural Area designation as this site.

**A change in Land Use classification for this property in limited areas from Natural Area to Rural Residential would permit the construction of a new single-family home on any newly created lot to a density not to exceed 1 home per net acre.** While this has not been permitted often there have been limited areas where this has been permitted either as a result of the land not being likely to be annexed by the City of Ames or in locations where subdivisions already existed prior to the adoption of the Ames Urban Fringe Plan, but had not been designated as Rural Residential to reflect the conditions on the land. Changing the Natural Resource land use designation to allow for a division and development within the designation has not been approved to staff's knowledge in the past.

### **OPTIONS:**

The applicant requests the City of Ames change the Land Use Designation on the property at 2359 210<sup>th</sup> Avenue in Boone County inside the Ames Urban Fringe area. Along with this change the applicant would also request waivers to our subdivision standards to allow for rural development by splitting the lot. It is likely the outcome of the request would be the construction of one additional home.

**Option 1:** The City Council can choose to take not action on the request and retain the existing Land Use Designations on this property and not change some areas of Natural Area to Rural Residential. Currently as a single property a new home can be built on this site with no input from the City of Ames under Boone County zoning.

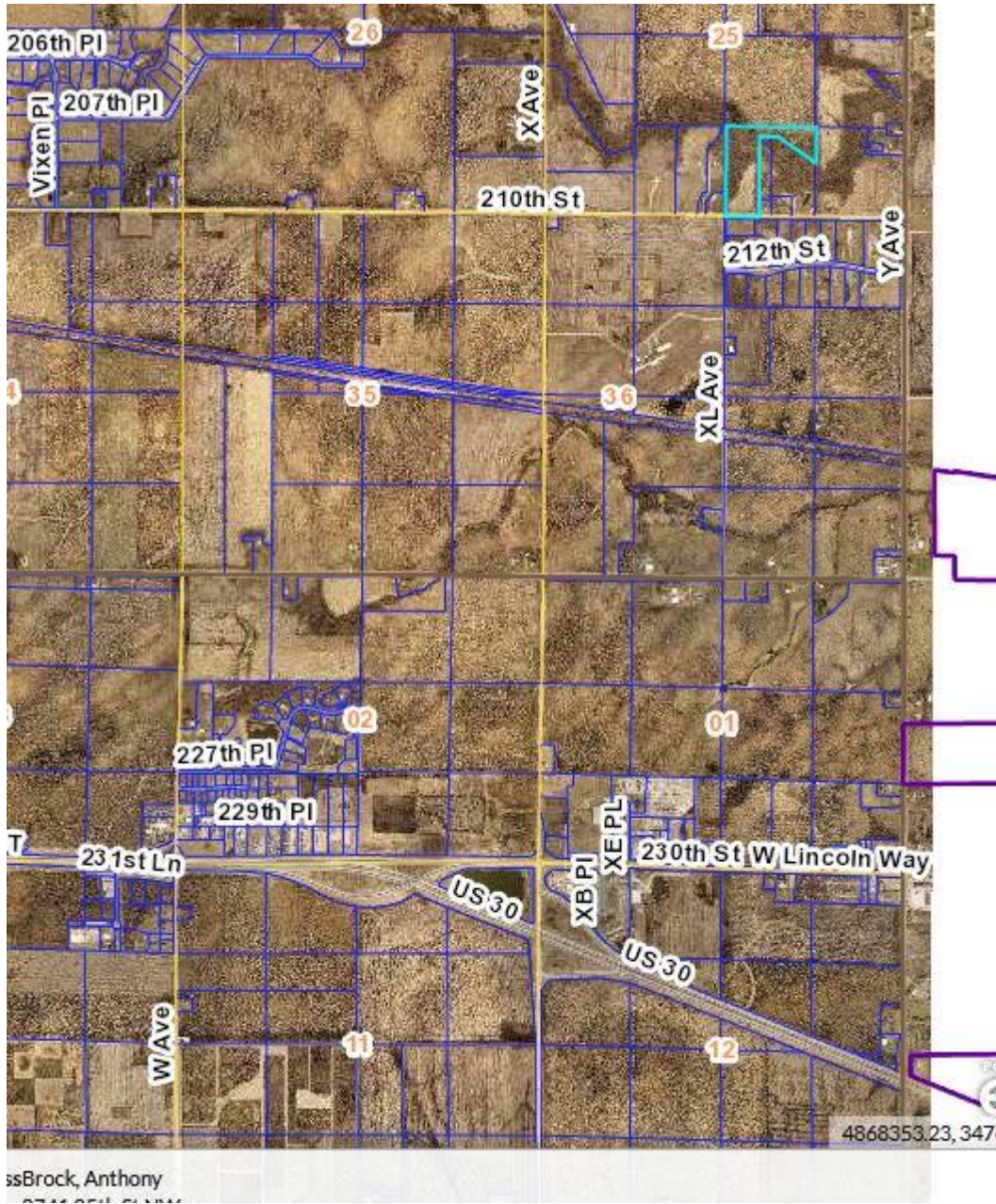
**Option 2:** The City Council can place this issue on a future agenda to discuss initiating an amendment process to allow the property owner to apply for a Minor Amendment to change portions of the property from Natural Area to Rural Residential, in order to create a new parcel to construct a new home. However with a partial change of designations, subdivision within the Natural area to create buildable lot would likely still be inconsistent with the Fringe Plan.

This would have to be reviewed in greater detail with the Minor Amendment process to verify how a future plat could be approved.

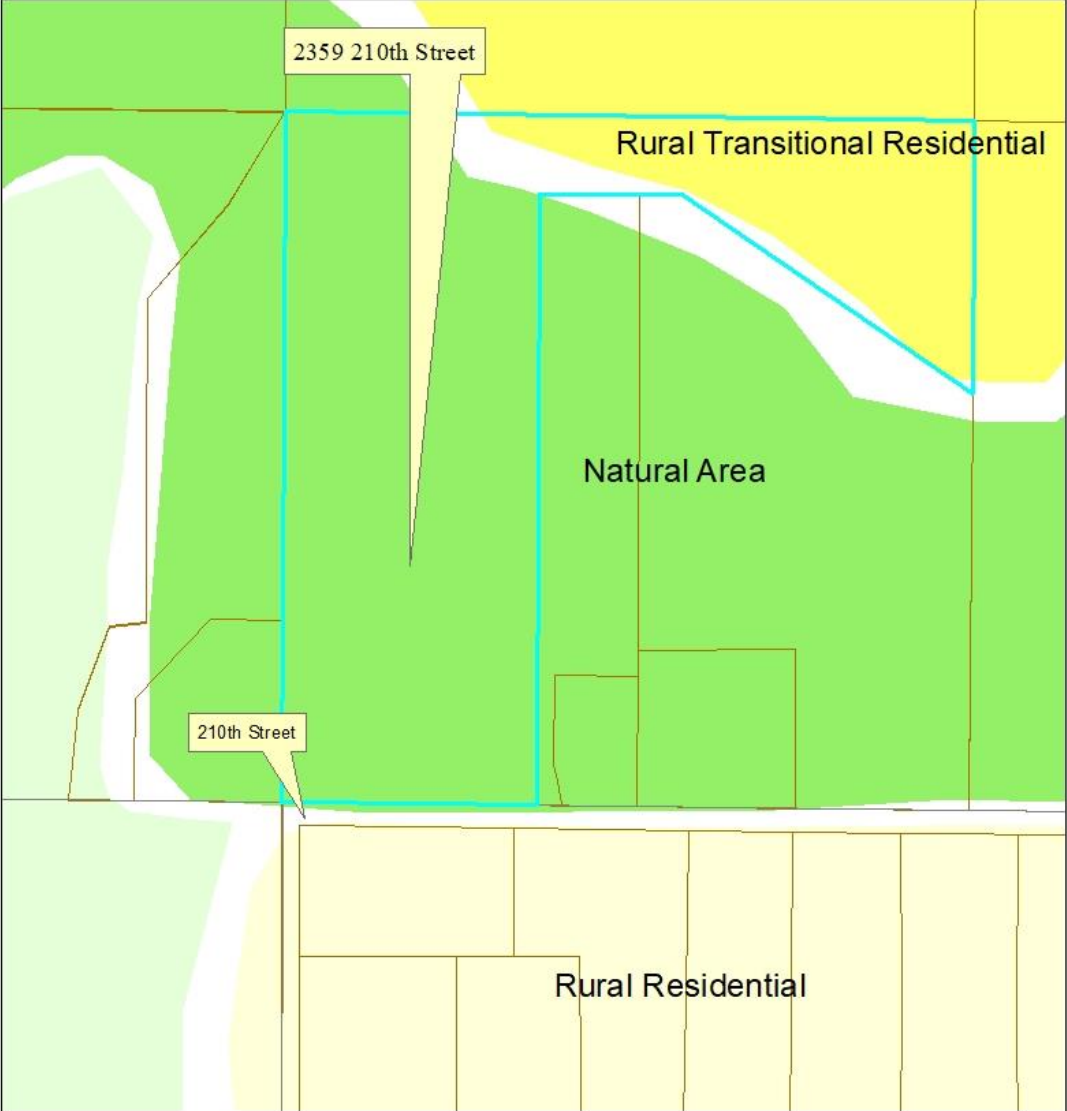
**STAFF COMMENTS:**

The Ames 2040 Comprehensive Plan has not yet been finalized and future growth scenarios have not yet been formally adopted. However, no expansion is planned for this area as part of the Plan, but that does not mean that intensified rural development is expected either. This is especially true in relation to Natural Areas. Therefore, if City Council selects Option 2, there is no certainty that the proposed change will be found to be consistent with the all the policies of the Fringe Plan.

Attachment A – Location Map



Attachment B – LUPP Map



2359 210th Street  
Land Use Classification



Attachment C – Land Use Change Request Letter

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Ankeny, Iowa 50021  
(515) 963-4385

<b>Brian R. Campbell, P.E., P.L.S.</b>	Subdivisions Site Plans Property Surveys	ALTA/ACSM Surveys As-built Surveys Topographic Surveys	Flood Surveys Construction Staking Soil Evaluations
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March 24, 2021

Mayor Haila and City Council  
515 Clark Ave.  
PO Box 811  
Ames, IA 50010

RE: Brock Property – Urban Fringe Map Revision Request

Dear Mayor Haila and City Council:

We are seeking a subdivision of a 20 acre parcel (#088425254300001) owned by Anthony Brock and Suzanne Leaf-Brock located at 2359 210<sup>th</sup> St., Ames in Boone County. The subdivision would create a 3 to 5 acre parcel along the road in the southwest corner of the property and the balance as a remaining parcel. Currently, most of the property is designated as Natural on the Ames Urban Fringe Map. Ames staff indicated the intent was to identify areas of wetland, wooded/sloped, and floodplain for Natural designation. The north boundary of the Brock property fits closely with this definition. However, the south boundary encompasses areas beyond this definition to include moderately sloped areas, low CSR farm ground, and even the roadway. We are requesting the revision of the boundary to follow along the top of the ridge of the steep sloped wooded areas which generally follow parallel to the FEMA flood line and consistent with the north Urban Fringe Map boundary line across this property.

Sincerely,

  
Brian R. Campbell, P.E., P.L.S.

Attachment C-Continued

