

Pkts. 5-06-22



HASTINGS GARTIN & BOETTGER LLP

ATTORNEYS AT LAW

May 6, 2022

Dear Mayor Haila and Council Members,

Anthony Brock owns a 21-acre, "R" shaped, parcel on the far west side of Ames, in Boone County. The address is 2359 210th Street, Ames. (See Exhibit 1)

He has recently built a large, beautiful home in the far northwest corner of his parcel. We are requesting a subdivision of approximately 6.5 acres of his land, to be used for a private rural residence.

In 2021, Mr. Brock presented a subdivision request to the Ames Planning and Development department, however that request was not approved by the Ames Planning Department, see attached letter. The 2021 request asked for 4 small lots to be created, versus the single, 6.5 acre lot, now proposed.

Mr. Brock's property is in the far western portion of the "Urban Fringe". Under the Ames Plan 2040, the Urban Fringe policy is to **"ensure that non-urban development practices do not negatively affect the City of Ames"** and to preserve **"natural areas and development practices compatible with agricultural needs...critical to the general well-being and welfare of the City of Ames and Story and Boone Counties."**

For the following reasons, among others, we believe the 6.5 acre single-lot, minor, subdivision should be approved:

1. The proposed 6.5 acre subdivided parcel will not commit the city or county to additional capital improvements.
2. The Ames Plan 2040 does not lay out any near-term action steps or proposals that would contradict the subdivision of the 6.5 acre parcel.
3. The subdivision would not change the rural character of the area, and we note that many lots within a stone's throw of the subject property are 3 acres or less.
4. The Urban Fringe map shows that the subdivided parcel has a land use designation of "Open Space", see Exhibit 2. Thus, if a single home with a 3,000 square foot layout were to be built on the 283,000 square foot parcel, the parcel would remain 99% open.



5. The Boone County zoning maps indicate that this area is currently zoned as Rural Residential, and the future use is also Rural Residential, see Exhibits 4 and 5. Thus the proposed subdivision aligns with the Boone County planning expectations.

Thank you in advance for your consideration.

Joseph B. Wallace

Attorney at Law

Hastings, Gartin & Boettger, LLP

409 Duff Ave, Ames, IA 50010

Phone: (515)232-2501

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Exhibit 1 – Future Land Use Map (high resolution)

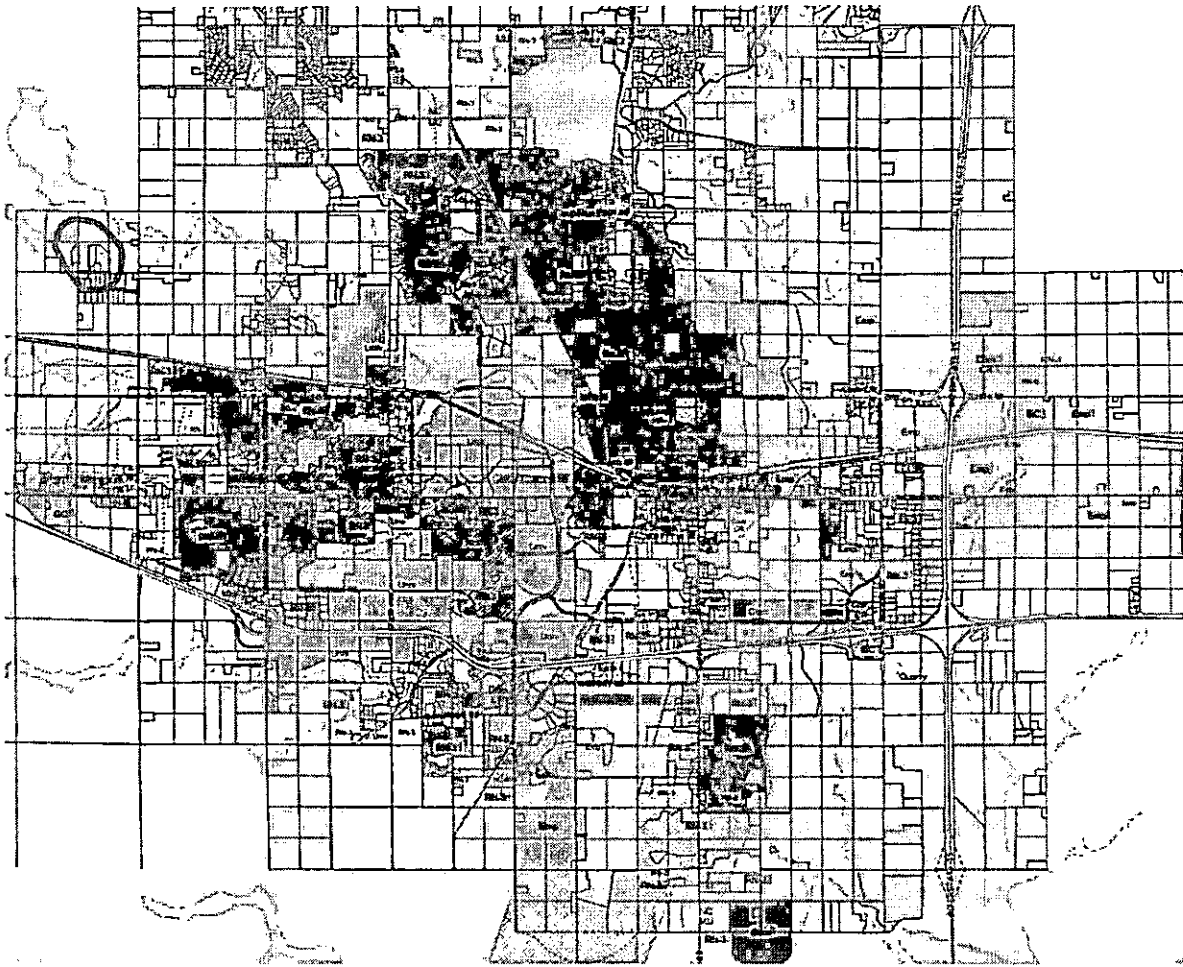




Exhibit 2 – Future Land Use Map (high resolution)

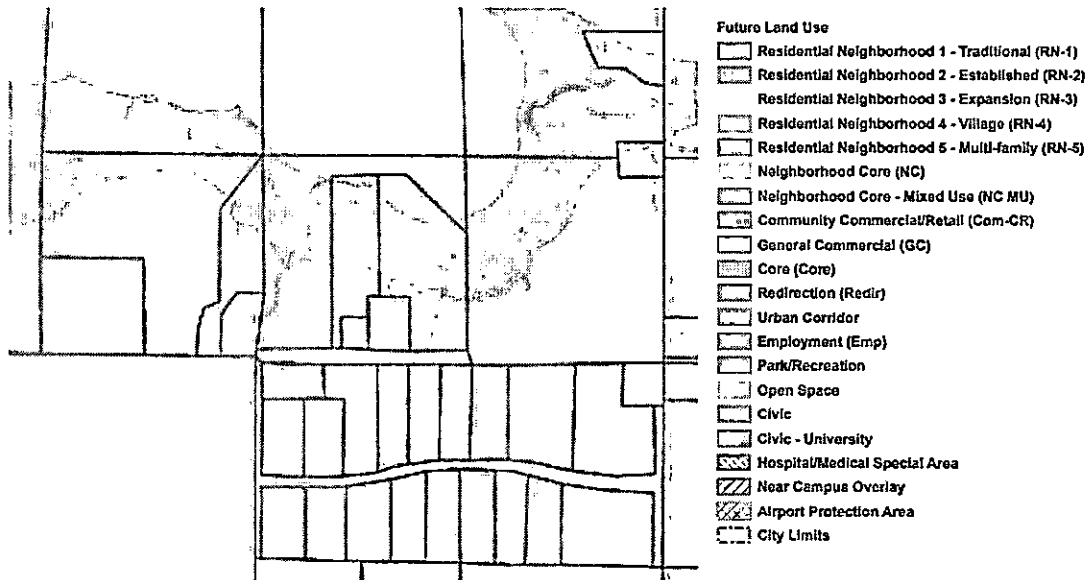


Exhibit 3 – the proposed minor subdivision

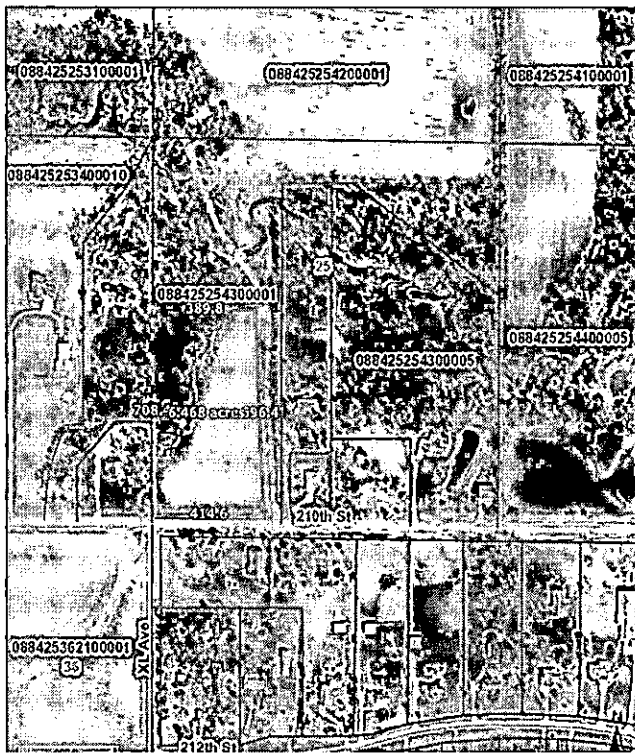




Exhibit 4 – Current Boone County Zoning – Rural Residential (Beacon Website)

Feature data: 27
Land Use - RR
Description - Rural Residential

1320 ft

4860579.03, 3479677.95

Exhibit 5 – Boone County, Future Land Use – Rural Residential (Beacon Website)

Map tip normal mode
Map tip hover mode
Don't show map tips

1320 ft

4859629.75, 3

| | | | |
|-----------------------|-------------------------|----------------|------------------------|
| Parcel ID | 088425361250011 | Alternate ID/s | Owner Address |
| Sec/Twp/Rng | 36-84-25 | Class | R |
| Property Address | 2368 212TH ST | Acreage | 2.99 |
| | AMES | | Miller, David Marshall |
| District | JACKSON TWP UNITED COMM | | Levine, Dana N |
| Brief Tax Description | FIELDSTONE MEADOWS | | 2368 212th St |
| | | | Ames, IA 50014 |



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March 5, 2021

Campbell Engineering & Surveying
Attn: Brian Campbell
301 NE Trilein Drive Ste. #1
Ankeny, IA 50021

RE: Sketch Plan for 2359 210th Street Boone Co., AUF-REV-001137

Dear Brian:

The City has completed its review of the Sketch Plan for the division of a parcel at 2359 210th Street in Boone County within two miles of the Ames city limits in the Ames Urban Fringe (AUF). The Sketch Plan was submitted on February 17th, 2021 to the Planning and Housing Department. The Development Review Committee (DRC) met on February 26th, 2021 for the pre-application conference review, a required first step for any proposed subdivision, lot merger, or boundary line adjustment.

In summary, the property owner is looking to divide the two existing platted lot into four lots. The vast majority of the existing property is designated as "Natural Area" in the Ames Urban Fringe Plan. Below is a portion of the Natural Area policy language involving the 3 main policies.

Natural Area:

NA Policy 1: Natural Areas are composed of the following features and locales that intermingle with each other.

NA Policy 2: Prevent subdivisions for new non-farm residential development. However, Natural Areas may include farm and non-farm residences existing at the time of this Plan or remaining scattered building sites where farmstead homes once existed or homes on very large parcels of ground typical of the agricultural setting.

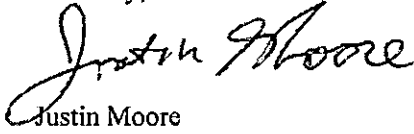
NA Policy 3: Mitigate negative impacts to Natural Areas, including, but not limited to: agricultural chemical application, animal confinement and feeding, agricultural irrigation, miscellaneous agricultural activities like manure and fuel storage, outdated and non-functioning on-site wastewater systems, underground storage tanks, and nutrient-loaded urban stormwater run-off.

Staff finds that based on the Natural Area Designation of the parcel the proposed subdivision is not supported by the Urban Fringe Plan.

If the owner wants to change the land use designation for this property on the Urban Fringe Map a request would need to be made to the Ames City Council to change the Urban Fringe Land Use Map designation for this property.

If you have any questions, please contact me at (515) 239-5400, or by email at: justin.moore@cityofames.org.

Sincerely,

A handwritten signature in black ink that reads "Justin Moore". The signature is written in a cursive style with a large initial "J".

Justin Moore
Planner