



MEMO

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PKTS. 6-10-2022

TO: Ames City Council and Mayor

FROM: Kelly Diekmann, Planning and Housing Director

DATE: June 14, 2022

SUBJECT: **Request by the property owner at 2359 210th Street in Boone County to amend the Ames Plan 2040 Urban Fringe Land Use Map to reclassify portions of the property From Natural Area to Rural Character (Residential)**

BACKGROUND:

City Council referred to staff, at its May 10th, 2022 meeting, a request from Joseph Wallace representing property owners Anthony Brock and Suzanne Leaf-Brock at 2359 210th Street in Boone County a request to reclassify the property on the Ames Urban Fringe map to Rural Character. This request is a follow up to their 2021 request for a similar land use change. The change is intended to allow for the division of the existing lot to create one additional lot. *See Attachment A – Location Map, Attachment B- Land Use Designation & Attachment C–2022 Letters Requesting Land Use Change).*

In May of 2021 the City Council determined that it was most appropriate to wait on considering the request until Ames Plan 2040 was complete. Now that the Ames 2040 Comprehensive Plan is adopted the owners would like this matter considered again. The Ames Plan 2040 land use designation for the property and policies of the Fringe Plan have not been substantially changed since the initial request.

Mr. Wallace explained in his most recent letter to Council that the property owners would like to split the existing 21-acre property into 2 parcels with one parcel being 6.5 acres and the second parcel would be a 14.5-acre flag lot. One house has recently been built on the site. Access for both proposed sites would be from 210th Street. 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, which is prohibited by the current policies of Ames Plan 2040.**

The property currently has two land use designations, which are primarily Natural Area and small amount of Rural Character. The Natural Area designation

encompasses the southern and western half of the property leading from 210th Avenue northward to the north boundary line of the property. The natural is based upon the flow of Onion Creek through the site and its related wooded areas and slopes. Onion Creek is a tributary that flows through the Fringe area and connects to Ioway Creek within Ames.

The requested Rural Character classification is intended to cover broad development patterns, not individual house sites. Plan 2040 describes the designation as applying to areas of existing large lot and acreages generally lacking in urban infrastructure or services that is located within the subdivision jurisdiction of Ames but outside the Urban Reserve. This area may also contain some conservation areas or fringe overlays in areas where residential uses might be existing or permitted.

Ames Plan 2040 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 divisions.** Ames Plan 2040 does not encourage converting Natural Areas into designations that allow for development.

OPTIONS:

The applicant requests the City of Ames change the Land Use Designation on the property at 2359 210th 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.

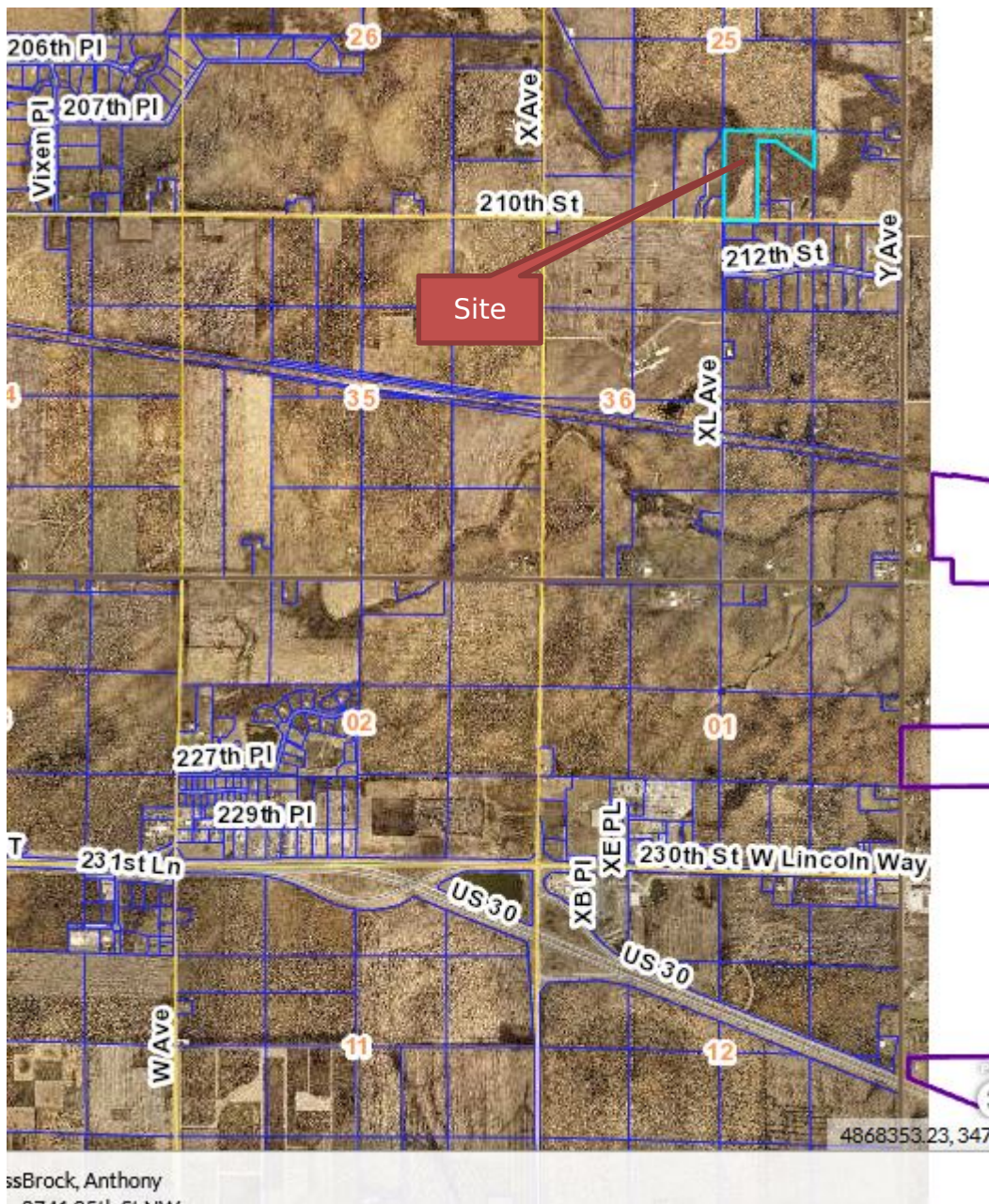
Option 1: The City Council can choose to take no action on the request and retain the existing Land Use Designations on this property and not change some areas of Natural Area to Rural Character. No future subdivision of the natural area would occur.

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 Character.

However, with a partial change of designations, a subdivision within the Natural area to create a new 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 and still be consistent with overall City policy for the Fringe Area.

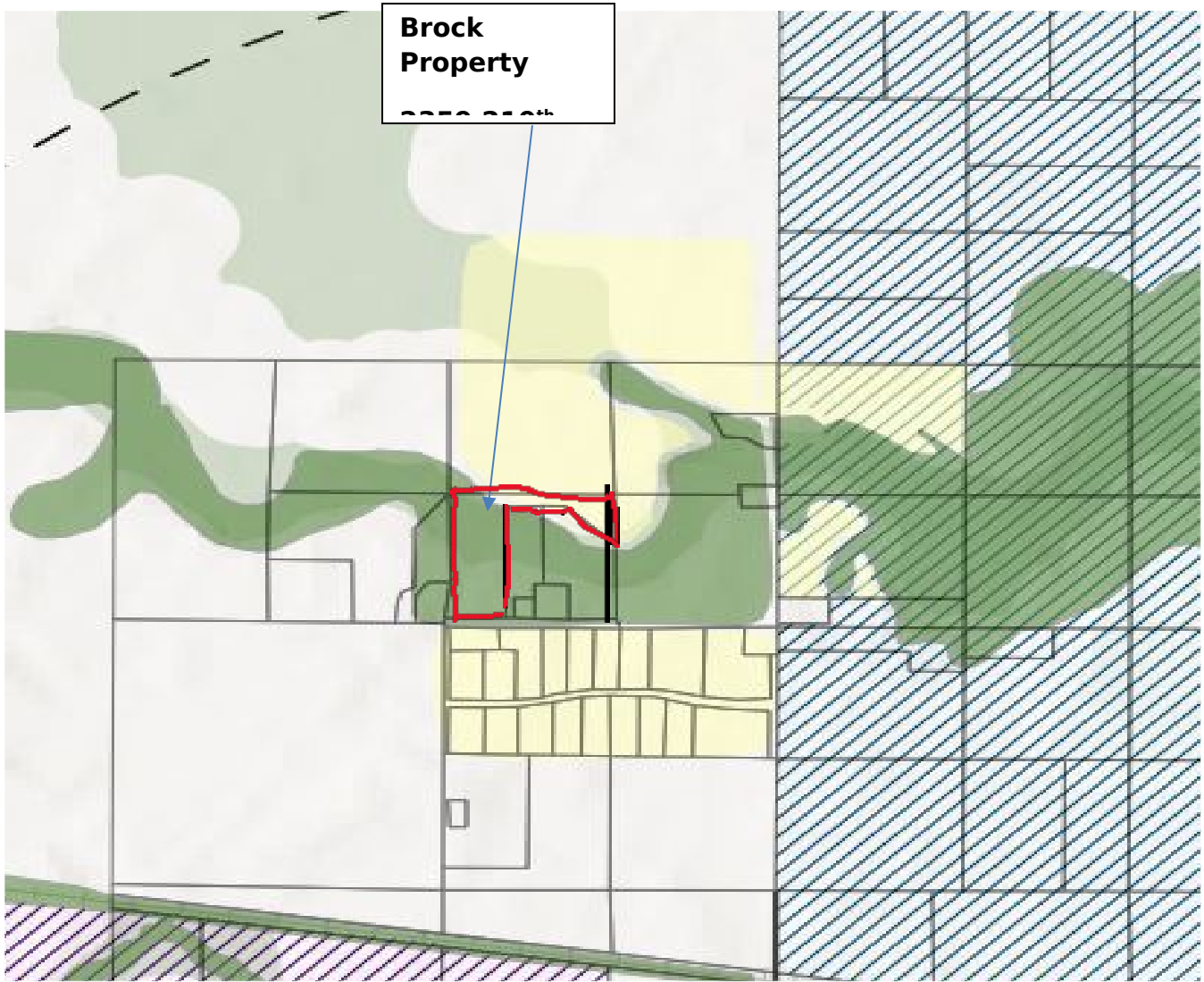
STAFF COMMENTS:

The Ames 2040 Comprehensive Plan has now been finalized. 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. **Staff believes for the most part that further division of this parcel, with the presumed result of a Land Use designation change, does not further the goals of Plan 2040 for managing natural areas or designating areas for rural development.**



ssBrock, Anthony
0711 251 2111

Attachment B – Land Use Map



Fringe Land Use Designations

- Natural Areas
- Rural Character
- Boone County Urban Reserve
- Story County Urban Reserve

Attachment C- May 2022 Letter



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.

Craig R. Hastings (1949-2016) | Timothy L. Gartin | Andrew J. Boettger
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Exhibit 2 – Future Land Use Map (high resolution)

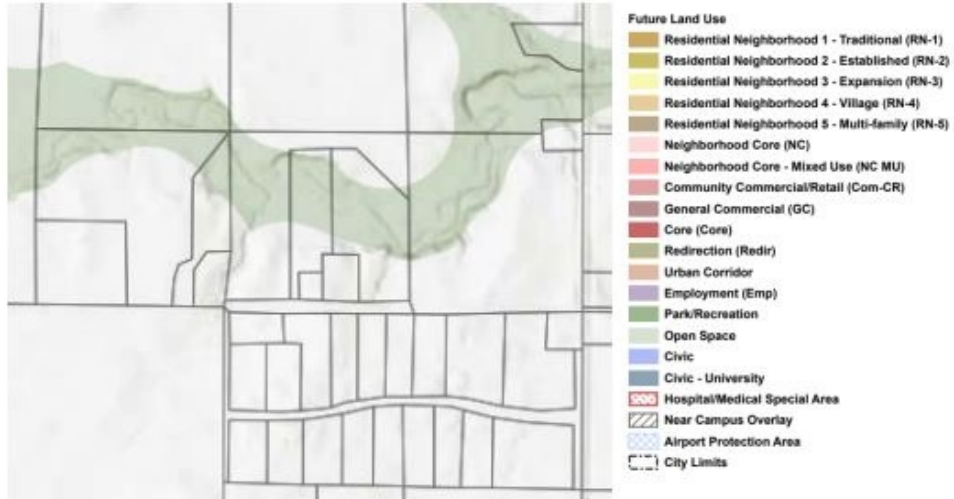


Exhibit 3 – the proposed minor subdivision





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



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

