

COUNCIL ACTION FORM

SUBJECT: REZONING OF PROPERTY LOCATED AT 2008 24th STREET FROM RESIDENTIAL LOW DENSITY (RL) TO RESIDENTIAL HIGH DENSITY (RH)

BACKGROUND:

On June 7, 2012, First Evangelical Free Church (property owner) and Northcrest Community (applicant) submitted a letter to the Ames City Council requesting that the City Council consider their request to grant a Land Use Policy Plan Map Change and a rezoning of the same property at 2008 - 24th Street from Low-Density Residential to High-Density Residential.

On July 10, 2012, the City Council passed a motion directing that the Land Use Policy Plan Map Change be processed as a “minor amendment.”

On August 2, 2012, the applicant submitted a completed application for a Land Use Policy Plan (LUPP) Map Change for analysis by City staff and consideration by the Planning and Zoning Commission and City Council. Northcrest Community intends to purchase the land from First Evangelical Free Church upon City Council approval of the LUPP Map Change and rezoning of the subject property for development as High-Density Residential.

On September 25, 2012 the City Council approved the minor amendment to change the LUPP land use designation to High Density Residential. The City Council also approved a motion for staff to work with the applicant to include conditions on the rezoning that would mirror the existing uses by Northcrest.

The City of Ames laws and policies that are applicable to this proposed rezoning are included in ***Attachment E***.

If approved, the proposed rezoning would bring the subject property into conformance with the Future Land Use Map (***see Attachment B***). The following tables provide the future land use designation and zoning of the subject property and other surrounding properties.

Direction from Subject Property	LUPP Map Designation	Zoning Map Designation
Subject Property	Low-Density Residential	“RL” (Residential Low-Density)
North	Village/Suburban Residential	“S-GA” (Government/Airport)
East	High-Density Residential	“RH” (Residential High-Density)

South	Low-Density Residential	"RL" (Residential Low-Density)
West	Low-Density Residential	"RL" (Residential Low-Density)

Land uses that occupy the subject property and other surrounding properties are described in the following table:

Direction from Subject Property	Existing Land Uses/ Ownership of Properties
Subject Property	Church/ First Evangelical Free Church
North	Vacant Land/ Ames Community Schools
East	Senior Housing/ Northcrest Community
South	Single-Family Homes/ Individual Home Owners
West	Single-Family & Two-Family Homes/ Individual Home Owners

The subject area is already a developed lot and served by all City infrastructure. Public utility mains and streets are immediately adjacent to the subject property with infrastructure to serve a redevelopment of the site.

The present configuration of the subject property allows for access to the north onto 24th Street. If the rezoning is approved, it is the intent of the property owner to complete the purchase of the subject property and consolidate their existing property with the subject property into a single parcel of land.

The rezoning of this one parcel would be an extension of the "RH" (Residential High-Density) zone abutting the east property line of the subject property. The subject property is in a prime location as an infill site for high-density residential development given the access to 24th Street (a minor arterial), and access to 20th Street (a collector).

It should be noted that the Northcrest Community development abuts not only the subject property, but also presently abuts the low-density residential development to the south, occupied by single-family detached homes. Expansion of the Northcrest development would extend senior housing facilities to abut other single-family homes that front Prairie View East Street to the south and two-family dwellings that front Prairie View West Street along the western boundary of the site.

The back yards of the single-family lots to the south serve as a landscaped buffer between the houses and the subject property. It could be reasoned that the existing development as a religious institution is more intense in its nature than would be the extension of senior housing facilities on the subject property. The openness of the existing Northcrest Community development is very different than the large amount of impervious surface composed of buildings and parking lots/drives on the developed

church site. Extension of Northcrest and demolition of the existing church facilities, if developed in a manner similar to the existing senior housing facilities, would greatly increase the on-site open space and landscaped areas for storm water infiltration as compared to the more auto-dependent church development.

This zoning change to high-density residential is particularly compelling because it is a logical extension of high-density residential development to the west, and will transition to lower density development with landscaped back yards to the south and two-family dwellings to the west.

Several of the ten goal statements of the LUPP speak indirectly to this request for rezoning. However, Goal No. 5 seems to address the rezoning proposal most directly since it states that “it is the goal of Ames to establish a cost-effective and efficient growth pattern for development in new areas and in a limited number of existing areas for intensification.” Objective 5.C.states: “Ames seeks continuance of development in emerging and infill areas where there is existing public infrastructure and where capacity permits.” This site could allow for intensification of development in an already developed area by utilizing an existing infill site for development of residential units, in an area where the public utilities are already in place to serve the site.

Based upon an analysis of the proposed rezoning and laws pertinent to the applicant’s request, staff makes the following findings of fact:

1. Ames *Municipal Code Section 29.1507(2)* allows owners of 50% or more of the area of the lots in any district desired for rezoning to file an application requesting that the City Council rezone the property. The property represented by the applicant is entirely under one ownership, which meets the minimum requirements for ownership of the property requested for rezoning.
2. The subject property has been designated on the Land Use Policy Plan (LUPP) Future Land Use Map as “High-Density Residential.”
3. The “High-Density Residential” land use designation is implemented through the “RH” (Residential High-Density) zoning designation, which is what the applicant is requesting.

Based upon the analysis in this report, staff concludes that the proposed rezoning of the subject property is consistent with the Future Land Use Map, as well as the Goals and Objectives of the City of Ames Land Use Policy Plan. Staff believes the rezoning of the subject land would be a logical extension of the “RH” (Residential High Density) zoning to the south of this site.

If the zoning classification is changed to High-Density Residential but the subject property is not developed as senior housing, apartment buildings could be constructed on this land. The Zoning change could be approved with conditions that the use of the site be limited to only group living uses, consistent with or existing on the current Northcrest senior care facility property. That could include such uses as senior housing consisting of townhome or apartment style residences, assisted living facilities, nursing

care facilities or specialized care facilities. There could also be a condition to not exceed existing building heights or be limited to 50 feet or 4 stories (this would be in line with the RM zoning district).

Recommendation of the Planning & Zoning Commission. At its meeting of November 28, 2012, with a vote of 6-0, the Planning and Zoning Commission recommended that the City Council approve the rezoning of 2008 24th Street from RL (Residential Low Density) to RH (Residential High Density) with the following conditions;

- 1) The use of the site be limited to only senior housing and/or senior services facilities, consistent with or existing on the current Northcrest senior care facility property, such as; senior housing consisting of townhome or apartment style residences, assisted living facilities, nursing care facilities or specialized care facilities, and
- 2) The maximum building height not exceed the existing building height of the current Northcrest property or 50 feet or 4 stories, whichever is lower.

Mr. David Miller, President of Northcrest, asked that the commission add language regarding “senior services” to the conditions outlined by staff. A member of the community asked the Commission if there was a study done on adjacent property values and also asked if the deal between the church and Northcrest fell through could apartments be built on the site. The Commission clarified that the conditions being discussed would limit the uses to mimic the existing Northcrest facility. Mr. Terry Dezonias, representing the First Evangelical Free Church thanked the staff for their work on this case as well as Northcrest and First Evangelical Free Church. He stated that he and his church are fully supportive of the project.

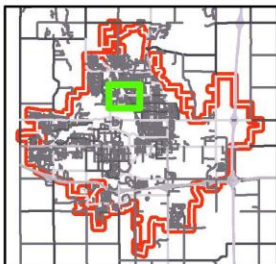
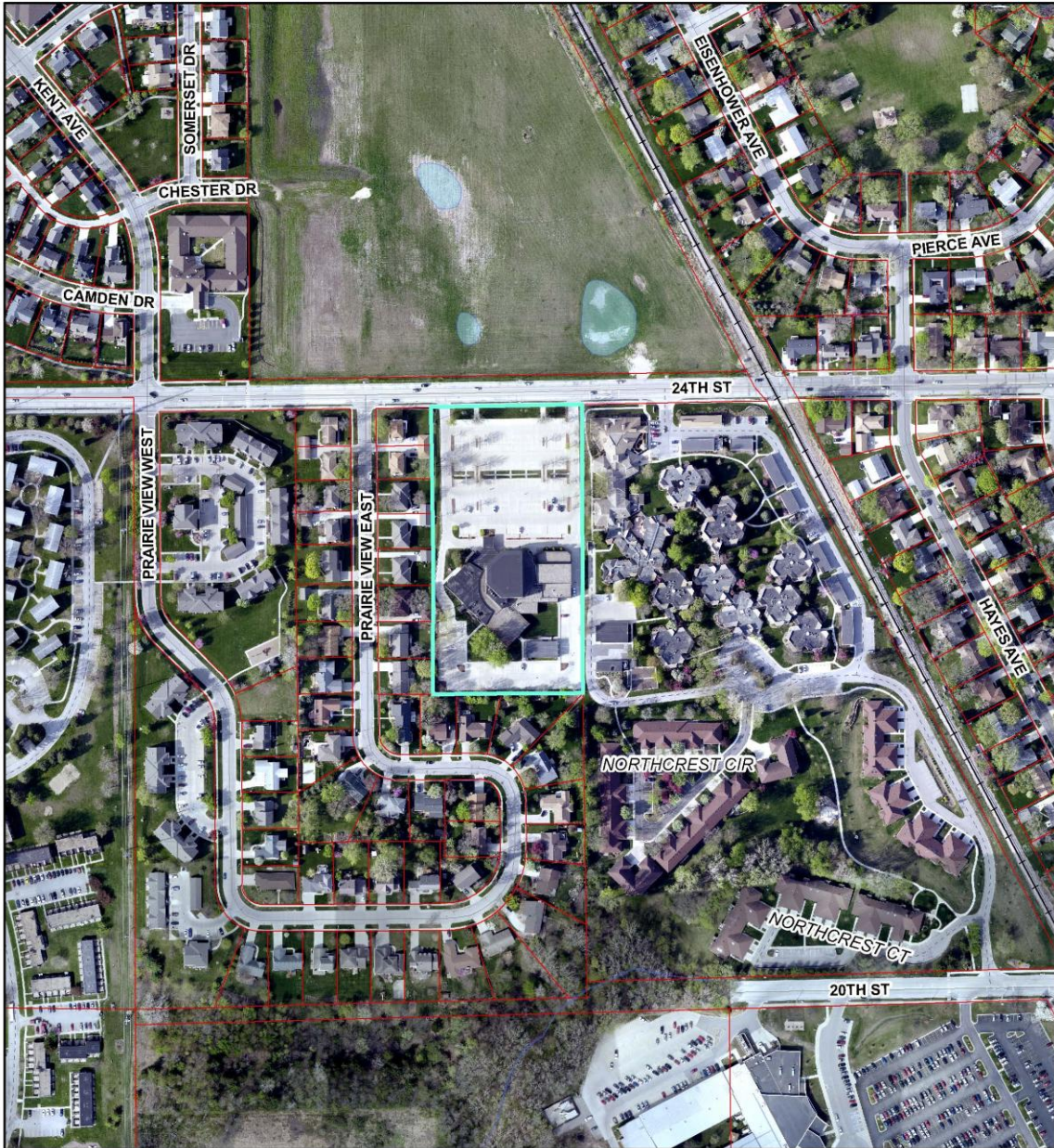
MANAGER’S RECOMMENDED ACTION:

Staff is currently working with the applicant to draft a development agreement to outline the use conditions recommended by the Planning and Zoning Commission and in line with the Council directive. It is anticipated that this work can be completed in time for Council consideration on January 8.

Therefore, it is the recommendation of the City Manager that the City Council open and continue the request for the rezoning of land located at 2008 24th Street from “RL” (Residential Low Density) to “RH” (Residential High Density) to the January 8, 2013, meeting of the City Council.

Attachment A

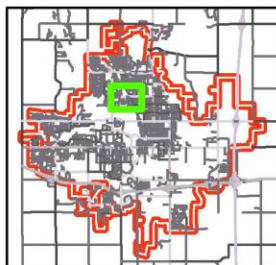
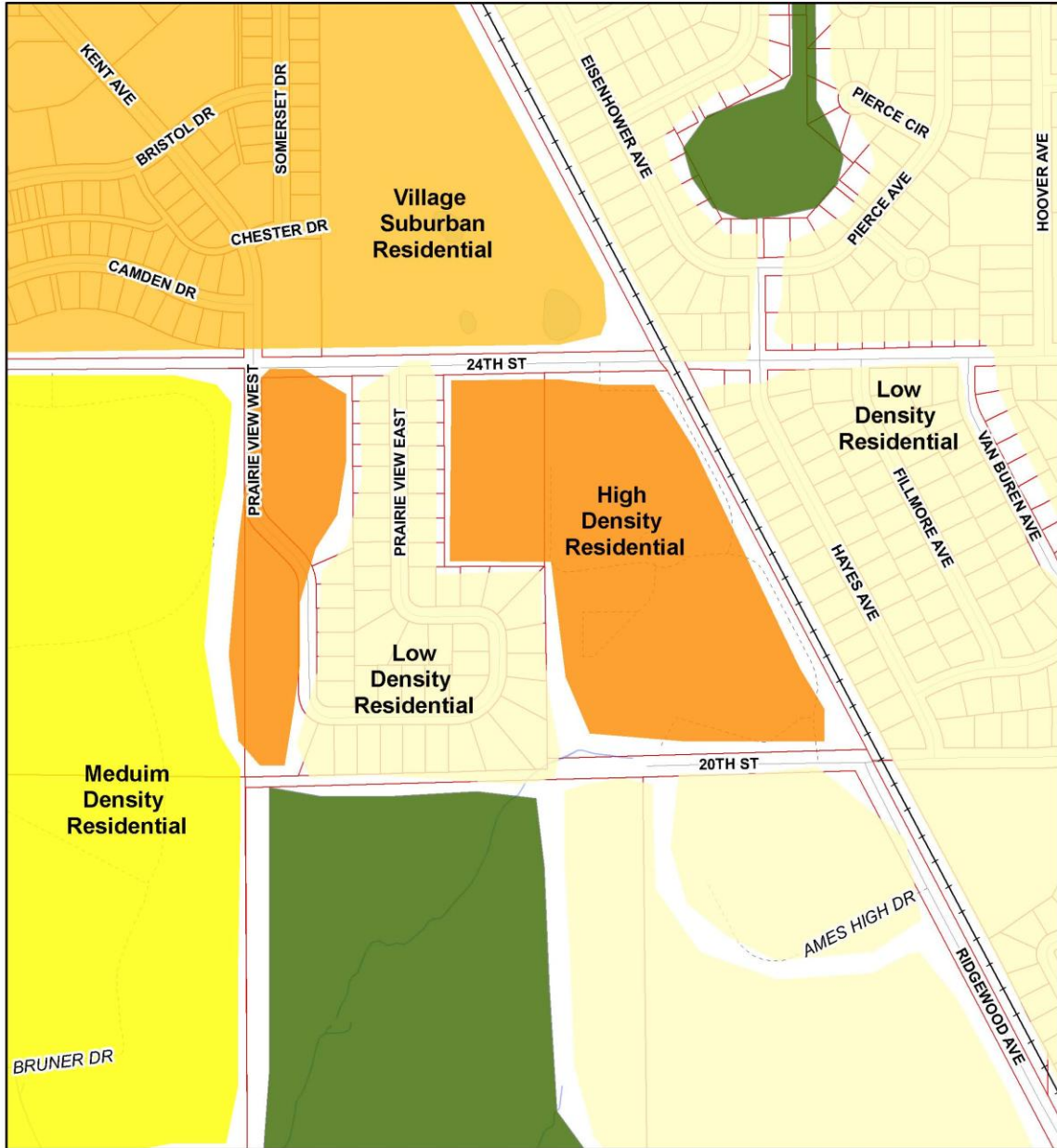
Location Map



Location Map

Attachment B

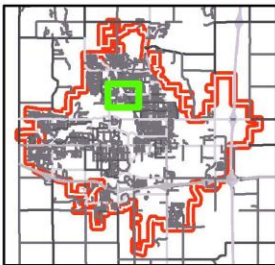
LUPP Future Land Use Map



Land Use Policy Plan Map

Attachment C

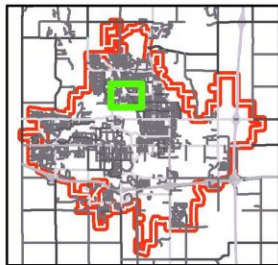
Existing Zoning



Existing Zoning

Attachment D

Proposed Zoning



Proposed Zoning

Attachment E

Applicable Laws and Policies

The laws applicable to the proposed rezoning at 2008 24th Street are as follows:

- Land Use Policy Plan (LUPP) Goals, Policies and the Future Land Use Map:

The Land Use Policy Plan (LUPP) Future Land Use Map identifies the land use designations for the property proposed for rezoning.

- *Ames Municipal Code* Chapter 29, Section 1507, Zoning Text and Map Amendments ,includes requirements for owners of land to submit a petition for amendment, a provision to allow the City Council to impose conditions on map amendments, provisions for notice to the public, and time limits for the processing of rezoning proposals.
- *Ames Municipal Code* Section 29. 701, Residential Low Density, includes a list of uses that are permitted in the Residential Low Density (RL) zoning district and the zone development standards that apply to properties in that zone.
- *Ames Municipal Code* Section 29. 704, Residential High Density, includes a list of uses that are permitted in the Residential High Density (RH) zoning district and the zone development standards that apply to properties in that zone