

COUNCIL ACTION FORM

SUBJECT: ZONING CODE TEXT AMENDMENTS PROVIDING FOR CONVERSION OF FORMER SCHOOL BUILDING FOR USE AS APARTMENT DWELLING IN UCRM ZONE

BACKGROUND:

On May 14, 2013, the City Council directed staff to modify Table 29.703(2) of the *Municipal Code* to include the use of a former school building as an adaptive reuse with the approval of the City Council, and to add the phrase “or as specified in an Adaptive Reuse Plan approved by the City Council” at the end of “Section 29.700(3) Residential Density.” These text amendments are necessary to accommodate the adaptive reuse of the Roosevelt School building at 921 9th Street as a residential structure with 23 units.

The Planning and Zoning Commission and the Historic Preservation Commission have reviewed and recommended approval of the proposed zoning code text amendments.

The addendum and attachments to this report provide background information and considerations regarding these text amendments.

ALTERNATIVES:

1. The City Council can approve the text amendment to Section 29.703(2) to allow conversion of a former school building for use as an apartment dwelling in the “UCRM” zone, and approve the text amendment to Section 29.700(3) to allow density in residential zones to be determined by the City Council through approval of an Adaptive Reuse Plan by including the text described in the attached ordinance.
2. The City Council can approve the zoning text amendments with modifications.
3. The City Council can refer these amendments back to City staff for modification.

MANAGER’S RECOMMENDATION:

The proposed zoning text amendment to the “UCRM” list of permitted uses and amendment of the density requirements for residential adaptive reuse projects is necessary to enable the developer of the former Roosevelt School site to reuse this vacant structure in an established residential neighborhood of the city. This change to the density requirements could also enable the future reuse of other elementary school buildings in the community that may no longer be needed as schools.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby approving the attached zoning text amendments.

ADDENDUM

INTRODUCTION:

Dean Jensen, RES Development, Inc., has purchased the former Roosevelt School building from the Ames Community School District. Mr. Jensen proposes to reuse the school building as an apartment dwelling with 23 residential units. The “UCRM” zoning district does not presently allow any new apartment dwellings in the zone. Apartment dwellings that existed at the time the Zoning Ordinance was adopted are allowed as a permitted use if there are 12 or fewer units in the building. To allow a new apartment dwelling in the “UCRM” zone requires approval of the zoning text amendment described in this report. “Apartment Dwelling” is the terminology used in the Zoning code to describe buildings with three or more residential units. In this case, it is the intention of the developer to sell each unit separately as a condominium.

In addition, the maximum allowed density of dwelling units in the “UCRM” zone is 7.26 dwelling units per net acre. The density proposed by Mr. Jensen for the Roosevelt School site exceeds the maximum allowed density. Therefore, a second zoning text amendment is proposed to allow a higher residential density as specified in an Adaptive Reuse Plan approved by the City Council.

PROPOSED AMENDMENTS:

Based upon Council’s direction, staff has prepared the following zoning text amendments.

A text amendment is needed to Table 29.703(2) of the *Municipal Code* to allow a new apartment dwelling in the “UCRM” zone. The proposal is to convert the existing Roosevelt School building to an “Apartment Dwelling” that includes 23 dwelling units for sale as condominiums. Adding the following bolded and underlined text to the “Residential Use” section of the table enables conversion of a former school building for use as an Apartment Dwelling, provided the City Council approves an Adaptive Reuse Plan for the redevelopment of the building and the site. **See the proposed text bolded and underlined in the following table:**

Table 29.703(2)
Urban Core Residential Medium Density (UCRM) Zone Uses

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			
• Single Family Dwelling	Y	ZP	ZEO
• Two Family Dwelling	Y, if pre-existing	ZP	ZEO
• Single Family Attached Dwellings (2 units only)	Y, if pre-existing	SDP Minor	Staff
• Apartment Dwelling (12 units or less)	Y, if pre-existing	SDP Minor	Staff
• <u>Former School Building Converted for Use as an Apartment Dwelling</u>	<u>Y</u>	<u>AR</u>	<u>City Council</u>
• Family Home	Y	ZP	ZEO

- Y = Yes: permitted as indicated by required approval
- N = No: prohibited
- SP = Special Use Permit required; See Section 29.1503
- ZP = Building/Zoning Permit required: See Section 29.1501
- AR** = **Adaptive Reuse approval required: See Section 29.306**
- SDP Minor = Site Development Plan Minor: See Section 29.1502(3)
- SDP Major = Site Development Plan Major: See Section 29.1502 (4)
- HO = Home Occupation
- ZBA = Zoning Board of Adjustment
- ZEO = Zoning Enforcement Officer

A second text amendment is proposed at this time to Section 29.700(3) of the *Municipal Code* to allow greater densities in the residential zones through the approval of an Adaptive Reuse Plan approved by the City Council. Presently, the maximum density allowed in the “UCRM” zone is 7.26 dwelling units per net acre for land zoned as “UCRM.” (This applies only to uses existing prior to 2000 when the new Zoning ordinance was adopted.) The adaptive reuse of Roosevelt School as an Apartment Dwelling exceeds the maximum density allowed in the “UCRM” zone. The following text shown as bolded and underlined could be added to allow a density that exceeds the maximum:

*“(3) Residential Density. In each Residential Base Zone, residential development must be in accordance with the Residential Density standard established for that zone. Residential Density is expressed in terms of the square feet of lot area required per dwelling unit. Residential Density varies by zone. The number of dwelling units that may be built on a given lot is a function of two factors: the lot size and the Residential Density of the Zone. The density of a development shall not exceed the density limits hereby established for Residential Zones as follows, **or as specified in an Adaptive Reuse Plan approved by the City Council.**”*

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING TABLE SECTION 29.703(2) ENACTING A NEW TABLE SECTION 29.703(2) THEREOF, FOR THE PURPOSE OF ALLOWING A NEW APARTMENT DWELLING IN THE UCRM ZONE; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing Table Section 29.703(2) and enacting a new Table Section 29.703(2) as follows:

“Sec. 29.703. "UCRM" URBAN CORE RESIDENTIAL MEDIUM DENSITY ZONE.

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**Table 29.703(2)
Urban Core Residential Medium Density (UCRM) Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			
Single Family Dwelling	Y	AR	City Council
Two Family Dwelling	Y, if pre-existing	AR	City Council
Single Family Attached Dwellings (2 units only)	Y, if pre-existing	SDP Minor	Staff
Apartment Dwelling (12 units or less)	Y, if pre-existing	SDP Minor	Staff
Former School Building Converted for Use as an Apartment Dwelling	Y	AR	City Council
Family Home	Y	AR	City Council
Household Living Accessory Uses			
Home Office	Y	HO	ZBA/Staff
Home Business	Y	HO	ZBA/Staff
Group Living	N, except existing Residences for the physically disabled, mentally retarded or emotionally disturbed which do not meet the definition of Family Home	SP	ZBA
Short Term Lodging	N, except Bed and Breakfast permitted as a Home Occupation.	HO	ZBA/Staff
OFFICE USES			
TRADE USES			
Retail Sales and Services – General	N	--	--
Entertainment, Restaurant and Recreation Trade	N	--	--
INSTITUTIONAL USES			
Colleges & Universities	Y	SP	ZBA
Community Facilities	Y	SP	ZBA
Funeral Facilities	N	--	--
Child Day Care Facilities	Y	HO or SP (depending upon size)	Staff/ZBA
Medical Centers	N	--	--
Religious Institutions	Y	SP	ZBA
Schools	Y	SP	ZBA
Social Service Providers	Y, only if pre-existing	SP	ZBA
TRANSPORTATION, COMMUNICATIONS & UTILITY USES			
Basic Utilities	Y	SDP Major	City Council

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
Essential Public Services	Y	SP	ZBA
Radio & TV Broadcast Facilities	N		
Parks & Open Areas	Y	SDP Minor	Staff
Personal Wireless Communication Facilities	Y	SP	ZBA

- Y = Yes: permitted as indicated by required approval
 - N = No: prohibited
 - SP = Special Use Permit required: See Section 29.1503
 - ZP = Building/Zoning Permit required: See Section 29.1501
 - AR = Adaptive Reuse approval required: See Section 29.306**
 - SDP Minor = Site Development Plan Minor: See Section 29.1502(3)
 - SDP Major = Site Development Plan Major: See Section 29.1502(4)
 - HO = Home Occupation
 - ZBA = Zoning Board of Adjustment
 - ZEO = Zoning Enforcement Officer
- (Ord. No. 3591, 10-10-00)*"

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Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out by law.

Section Three. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Four. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTION 29.700(3) ENACTING A NEW SECTION 29.700(3) THEREOF, FOR THE PURPOSE OF ALLOWING GREATER DENSITIES IN THE RESIDENTIAL ZONES ; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing Section 29.700(3) and enacting a new Section 29.700(3) as follows:

“Sec. 29.700(3) RESIDENTIAL DENSITY.

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(3) Residential Density. In each Residential Base Zone, residential development must be in accordance with the Residential Density standard established for that zone. Residential Density is expressed in terms of the square feet of lot area required per dwelling unit. Residential Density varies by zone. The number of dwelling units that may be built on a given lot is a function of two factors: the lot size and the Residential Density of the Zone. The density of a development shall not exceed the density limits hereby established for Residential Zones as follows, *or as specified in an Adaptive Reuse Plan approved by the City Council.*”

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Ann H. Campbell, Mayor