

COUNCIL ACTION FORM

SUBJECT: MASTER PLAN DETERMINATION FOR PENDING FS-RL REZONING APPLICATION FOR PROPERTY AT INTERSECTION OF WESTON DRIVE AND GEORGE WASHINGTON CARVER AVENUE

BACKGROUND:

Hunziker Development Company owns a 123-acre parcel west of George Washington Carver Avenue. This land was annexed into the City in December, 2013 and was previously referred to as the Athen property. See Location Map as Attachment 1.

Upon annexation on December 30, 2013, the area identified for development was designated as Village/Suburban Residential on the Land Use Policy Plan map with an Environmentally Sensitive Lands overlay. The area that was identified on the Urban Fringe Plan as Natural Area became the Environmentally Sensitive Lands designation after annexation. Both of these designations were applied automatically in accordance with Appendix C, Section VII of the Land Use Policy Plan. A map showing the location and the LUPP designations is shown in Attachment 2. In addition to the LUPP designations, the annexation agreement for this property described the intended areas for development as FS-RL zoning and for limited encroachments of low impact amenities and accessory structures within the environmentally sensitive areas.

The owner has submitted a rezoning request to FS-RL and an application for a preliminary plat for development of the site. Approximately 50 percent of the site is shown as developable. The preliminary plat shows the developed portion as lots platted for single-family detached and attached homes. The remainder area along the west edges of the site lies along the steep slopes and flood plain of the Squaw Creek valley.

The Municipal Code requires that, prior to considering an application for a Floating Zone Suburban Low Density or Medium Density rezoning, the City Council shall determine whether it wishes to have a Master Plan prepared to accompany the rezoning request. In order to have a complete application for rezoning, City Council must first indicate its interest in having a Master Plan accompany the requested FS-RL rezoning.

Master Plan Determination:

A Master Plan is intended to provide a broad view of the development concept by describing the intended uses, building types, access points, and protected areas. Section 29.1507.3(b) of the Municipal Code identifies the criteria by which the City Council may require a Master Plan as part of a rezoning application. **If any one of these conditions is met, the City Council may require a Master Plan. Alternatively,**

the City Council may decide that the size or scope of the project does not necessitate an accompanying Master Plan with a rezoning application.

Under this Code section, a Master Plan may be required if a property:

1. Contains more than one type of housing unit and will be developed in phases;
2. Is located on land that is wetlands, flood plain, designated as Greenways or Environmentally Sensitive Area in the LUPP, conservation easement, or other documented sensitive condition or natural resource;
3. May require new or upgraded public improvements; or
4. Has specific conditions or situations that exist on or around the site that require "more careful consideration of how the layout and design of a site affects general health, safety, and welfare...."

The full text of the conditions on which a Master Plan may be required is found in Attachment 2. That attachment also contains the text of the ordinance describing the contents of a Master Plan. Further details would be developed later in the development process in regards to any required applications for a preliminary plat or, possibly, contract rezoning.

Based on an examination of the site and the preliminary conversations with the owner's representative, staff offers the following comments:

1. The development will likely contain two housing types—single family attached and single family detached.
2. This site contains wetlands, flood plain, and other documented sensitive conditions or natural resources. The LUPP designates a portion of this site as Environmentally Sensitive Area.
3. There are several public improvements that will be required, specifically the streets, sanitary sewer, water service and all other infrastructure necessary for residential development.
4. There is a high-pressure natural gas line on this site that will need to be accommodated during the development review and approvals.

To develop the site under FS-RL, a subdivision is needed because of the limits on use to single-family attached or detached homes on individual lots. The owner is seeking rezoning and preliminary plat review concurrently. The final plat will follow at a later date.

ALTERNATIVES:

1. The City Council can require a Master Plan with the FS-RL rezoning application for the subject site.

By addressing the issues related to the gas line and environmentally sensitive overlay in a Master Plan, unexpected constraints identified after the developer has incurred the cost to create the Preliminary Plat can be avoided.

2. The City Council can choose not to require a Master Plan with the FS-RL rezoning application for the subject site.

The issues related to the gas line and environmentally sensitive overlay can be addressed at the time of the review of the Preliminary Plat.

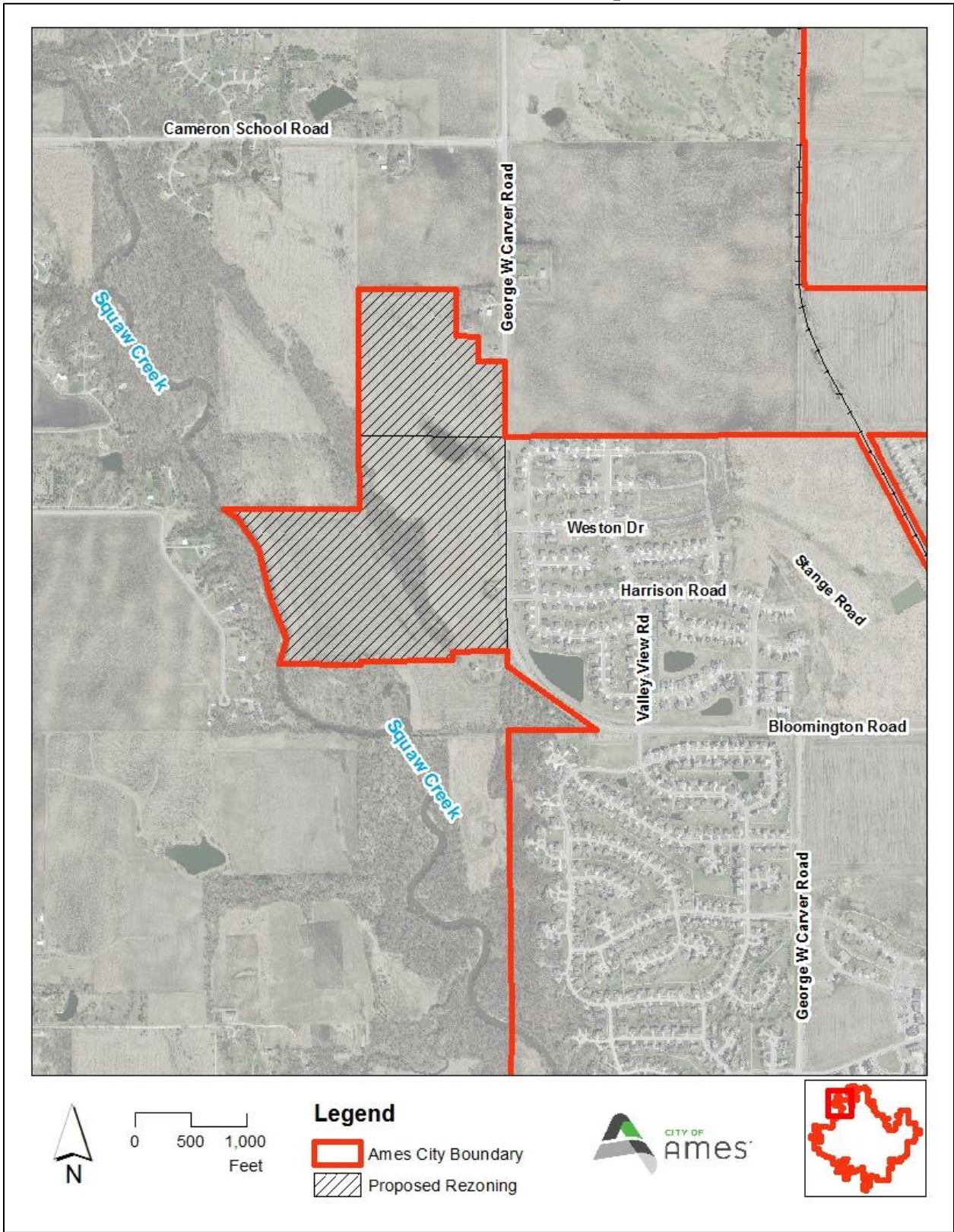
3. Action on this request can be postponed and referred back to City staff and/or the applicant for additional information.

MANAGER'S RECOMMENDED ACTION:

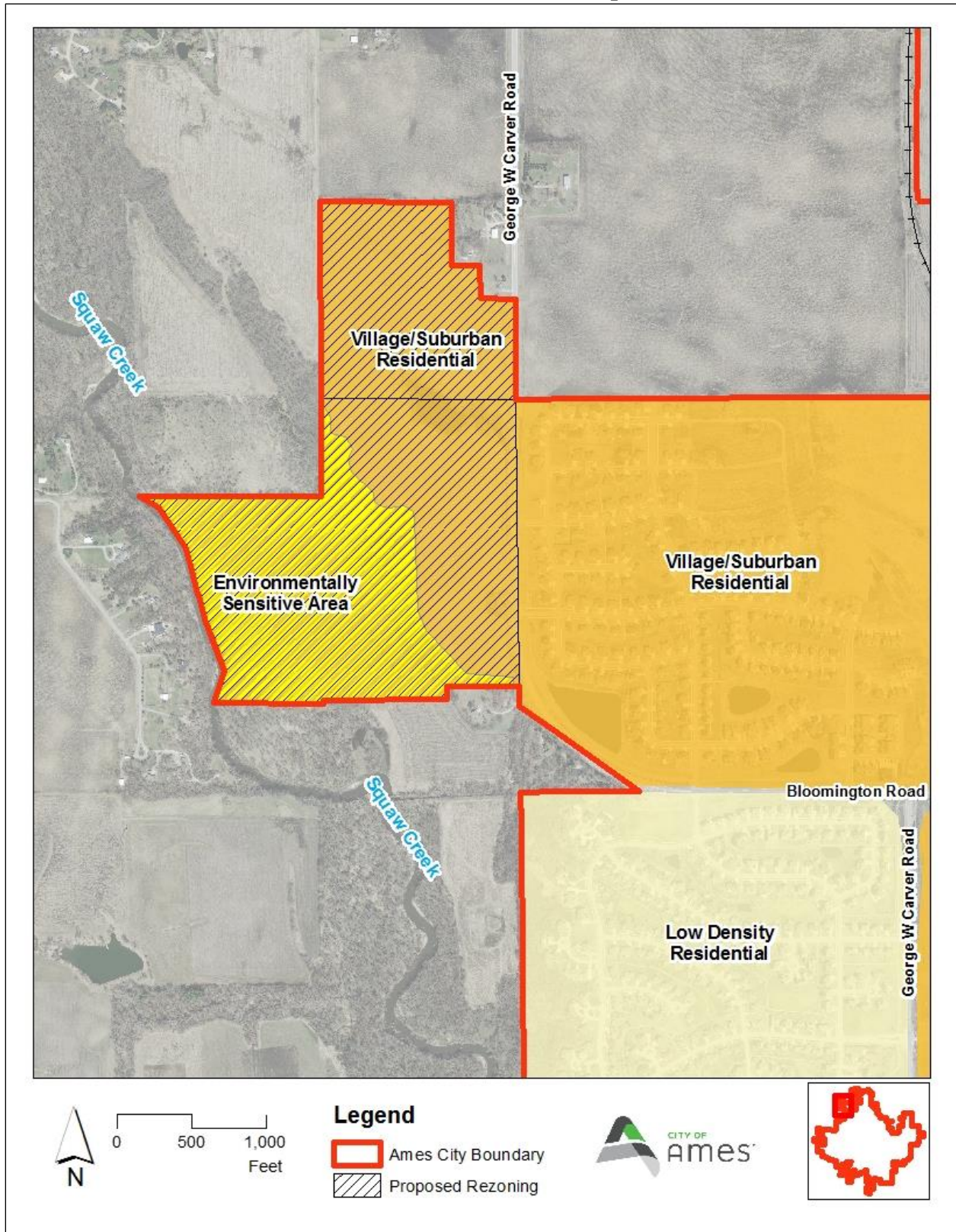
The City Council approved the "Athen" annexation in December 2013 with an annexation agreement that defined some of the parameters for development of this site. However, implementation of the environmental overlay and the layout of the site with the high pressure gas line warrant additional consideration on the arrangement of uses on the site. A Master Plan would allow the applicant to resolve issues relating to layout of uses on the site without additional work on a preliminary plat. However, the applicant could proceed with a concurrent preliminary plat with the Master Plan if they so choose.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby requiring a Master Plan with the FS-RL rezoning application.

Attachment 1: Location Map



Attachment 2: LUPP Excerpt



Attachment 3: Zoning and LUPP Excerpt

Section 29.1507(3)

- (b) The City Council may require a Master Plan to be submitted with a rezoning application if it determines that any one of the following conditions is met:
 - (i) The area to be rezoned will contain more than one type of residential dwelling unit and will be developed in multiple phases.
 - (ii) The area to be rezoned contains designated wetlands; flood plain and floodway boundaries; areas designated by the Ames Land Use Policy Plan as Greenways and Environmentally Sensitive Areas; conservation easements or other documented sensitive environmental conditions or valuable natural resources.
 - (iii) Development of the area with the most intensive uses permitted by the proposed zoning designation may require new, enlarged or upgraded off-site public improvements.
 - (iv) The City Council determines that due to specific conditions that exist on or around the area proposed to be rezoned, or due to situations that require more careful consideration of how the layout and design of a site affects general health, safety, and welfare, a Master Plan is necessary for consideration of the proposed zoning map amendment.
- (c) If the City Council determines that a Master Plan is required it shall be prepared in compliance with the requirements of Section 29.1507(4) and shall be reviewed concurrently with the application for a zoning text amendment.

Section 29.1507(4)

- (4) **Master Plan.** When a Master Plan is required, it shall be submitted in compliance with the following:
 - (a) Submittal Requirements. The Master Plan shall contain the following information:
 - (i) Name of the applicant and the name of the owner of record.
 - (ii) Legal description of the property.
 - (iii) North arrow, graphic scale, and date.
 - (iv) Existing conditions within the proposed zoning boundary and within 200 feet of the proposed zoning boundary: Project boundary; all internal property boundaries; public rights-of-way on and adjacent to the site, utilities; easements; existing structures; topography (contours at two-foot intervals); areas of different vegetation types; designated wetlands; flood plain and floodway boundaries; areas designated by the Ames Land Use Policy Plan as Greenways and Environmentally Sensitive Areas
 - (v) Proposed zoning boundary lines.
 - (vi) Outline and size in acres of areas to be protected from impacts of development
 - (vii) Outline and size in acres of areas proposed of each separate land use and for each residential unit type
 - (viii) Pattern of arterial streets and trails and off-site transportation connections
 - (ix) For proposed residential development provide the number of unit type for each area, expressed in a range of the minimum to maximum number to be developed in each area
 - (x) For proposed residential development provide a summary table describing all uses of the total site area, including the number of units per net acre for each unit type and each zoning area.