

COUNCIL ACTION FORM

**SUBJECT: CITY INITIATED REZONE FROM GOVERNMENT-AIRPORT (S-GA)
TO LOW DENSITY RESIDENTIAL (R-L) AT 601 STATE AVENUE**

BACKGROUND:

On September 23, 2014 City Council directed staff to prepare a Land Use Policy Plan map amendment to apply the Low Density Residential designation to the entire 29 acre parcel at 601 State Avenue. The proposed map amendment would allow for the entire site to be zoned Residential Low (R-L) density, rather than a split zoning of a Floating Suburban (FS) zoning district and R-L zoning district. On September 23 Council also referred a corresponding R-L zone change to the Planning and Zoning Commission for a recommendation to the Council.

The subject site currently has a split Land Use Policy Plan (LUPP) Future Land Use Map designation of Residential Low Density and Village/Suburban Residential depicted generally by the location of College Creek. A Greenway Overlay also exists over the site in support of the natural areas of College Creek and the City's bike/multi-use path through the property. **The separate proposed LUPP amendment, if approved, would include the whole site as Low Density Residential and keep the Greenway Overlay.** (See attached zoning and land use maps.)

The subject site is currently zoned Government/Airport District (S-GA) as a Special Purpose District intended for areas owned by governmental authorities or for uses related to governmental authorities. The site was acquired on March 11, 2013 by a private property owner, Breckenridge Group LLC. Previously, the subject site had been owned by Iowa State University before its sale to the Ames Community School District. Breckenridge has been seeking to rezone the site for residential development since the spring of 2013. **If this rezoning is approved, Breckenridge would be able to proceed with a subdivision application to develop the property.**

With the subject site designated as Low Density Residential, the implementing zoning district for the site would be R-L. The R-L zoning designation allows for single family development on individual lots. Maximum density within the zoning district is 7.26 units per net acre.

The site has frontage or access to three existing streets of Franklin, Wilmoth, and State. Principal access to the site would be from State Avenue. Staff analysis indicates that public infrastructure is in place or can be extended to serve the site at the time of subdivision. Notably, the nearby intersection of State Avenue and Mortenson Road operates below expected levels of service under existing conditions and new development on this site would incrementally worsen its operations. Other transportation facilities in the area operate consistent with City policies.

If the property is rezoned to R-L, the site will then require subdivision review for development. At the time of subdivision review, the City will review a specific development proposal against the approval criteria of the subdivision ordinance. Development of the site would be required to conform to relevant and applicable design and improvement standards in the subdivision regulations and to other City ordinances and standards.

Public Notice was mailed to property owners within 300 feet of the subject site and a sign was posted adjacent to the subject property.

The Planning and Zoning Commission held a public hearing for the rezoning on October 22, 2014 and recommended approval of the zone change by a 6-0 vote. The property owner submitted a letter stating that they protested the changing of the land use designation and the rezoning of the site to R-L. Under provisions of the Code of Iowa Chapter 414, if 20% of the property owners of land included in the area affected by the rezoning file a protest to that change, it can only be approved by a $\frac{3}{4}$ vote of the City Council. This means that as the sole property owner of the proposed change, it can protest the approval and the R-L rezoning requires five Council Members to vote affirmatively on this action.

ALTERNATIVES:

1. The City Council can approve the ordinance rezoning 601 State Avenue from S-GA to R-L.
2. The City Council may choose to not rezone the site from S-GA to R-L.
3. The City Council can defer action on this request and refer it back to City staff for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

Rezoning this site to R-L will allow for it to be developed residentially in manner that is consistent with its surroundings. LUPP Goals 2, 5, 6 and their objectives support providing for additional housing opportunities and for integration of infill development with existing neighborhoods. Upon approval of the R-L rezoning, Breckenridge would then be able to proceed with development of this site.

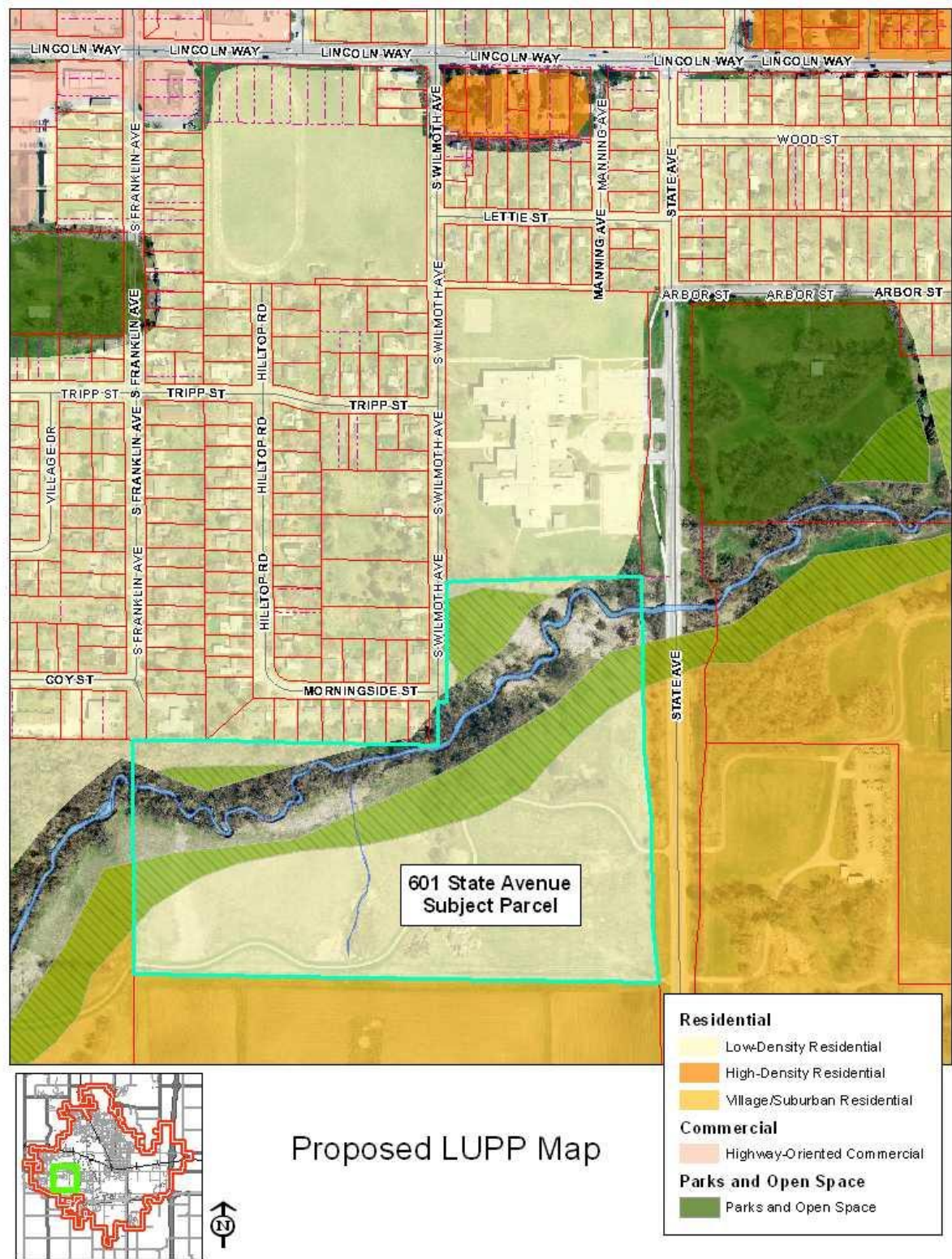
Assuming that the City Council previously approved the LUPP amendment designating this site for Low Density Residential, it is the recommendation of the City Manager that the City Council adopt Alternative 1, thereby approving the rezoning of 601 State Avenue from S-GA to R-L.

It must be noted that, since the property owner has protested the rezoning of this property, five City Council members must vote affirmatively to approve the rezoning.

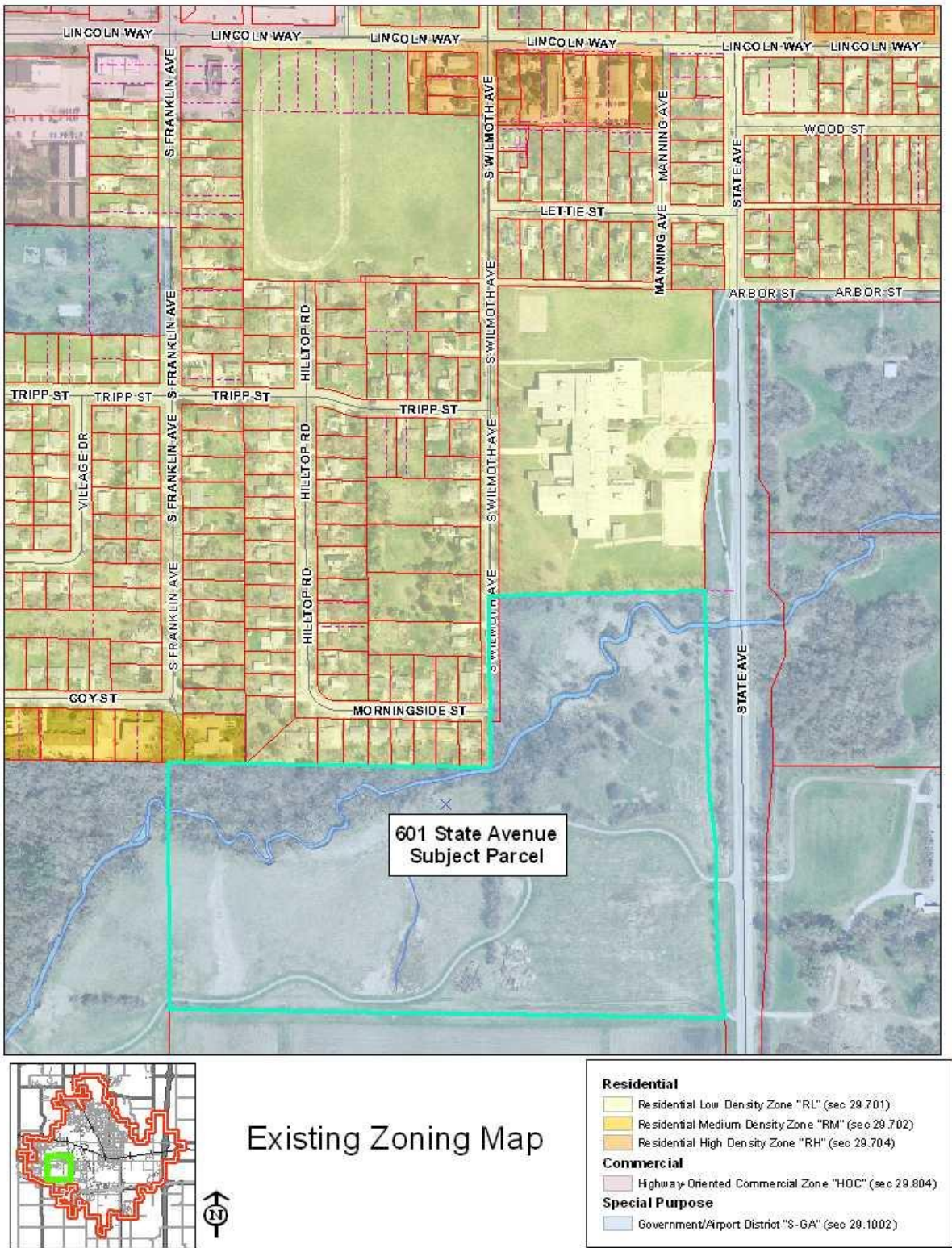
ATTACHMENT A



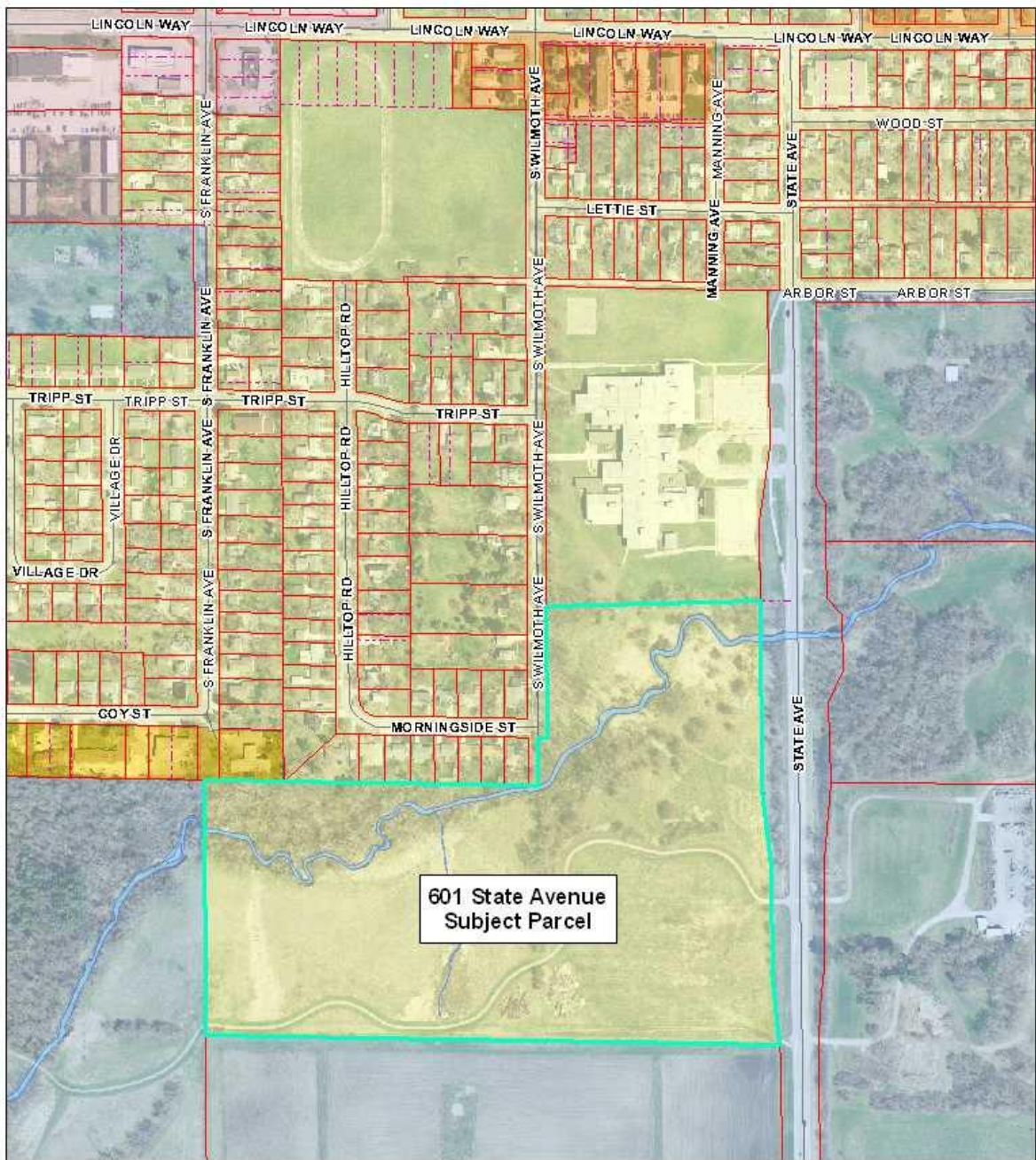
ATTACHMENT B



ATTACHMENT C



ATTACHMENT D



Proposed Zoning Map

- Residential
- Residential Low Density Zone "RL" (sec 29.701)
 - Residential Medium Density Zone "RM" (sec 29.702)
 - Residential High Density Zone "RH" (sec 29.704)
- Commercial
- Highway-Oriented Commercial Zone "HOC" (sec 29.804)
- Special Purpose
- Government/Airport District "S-GA" (sec 29.1002)

Attachment E

Goal No. 2. In preparing for the target population and employment growth, it is the goal of Ames to assure the adequate provision and availability of developable land. It is the further goal of the community to guide the character, location, and compatibility of growth with the area's natural resources and rural areas.

Objectives. In assuring and guiding areas for growth, Ames seeks the following objectives.

- 2.A. *Ames seeks to provide at least 600 to 2,500 acres of additional developable land within the present City and Planning Area by the year 2030. Since the potential demand exceeds the supply within the current corporate limits, alternate sources shall be sought by the community through limited intensification of existing areas while concentrating on the annexation and development of new areas. The use of existing and new areas should be selective rather than general.*
- 2.B. *Ames seeks to assure the availability of sufficient suitable land resources to accommodate the range of land uses that are planned to meet growth. Sufficient land resources shall be sought to eliminate market constraints.*
- 2.C. *Ames seeks a development process that achieves greater compatibility among new and existing development.*
- 2.D. *Ames seeks a development process that achieves greater conservation of natural resources and compatibility between development and the environment.*
- 2.E. *Ames seeks to integrate its planning with that of Story County and surrounding counties in assuring an efficient and compatible development pattern, and in assuring that there are adequate agricultural resources to serve the region.*

Attachment E

Goal No. 5. 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. It is a further goal of the community to link the timing of development with the installation of public infrastructure including utilities, multi-modal transportation system, parks and open space.

Objectives. In defining the growth pattern and timing of development, Ames seeks the following objectives.

- 5.A. *Ames seeks to establish priority areas for growth in which there are adequate and available land resources and infrastructure to meet the major development requirements through the year 2030.*
- 5.B. *Ames seeks to attract public and private capital investment in the priority areas for growth on a concurrency basis (i.e. having infrastructure available at the time of development approval). Public capital improvements (e.g. trunk lines and a major street system) could be used to leverage the location of development and the availability of land.*
- 5.C. *Ames seeks the continuance of development in emerging and infill areas where there is existing public infrastructure and where capacity permits.*
- 5.D. *Ames seeks to have the real costs of development borne by the initiating agent when it occurs outside of priority areas for growth and areas served by existing infrastructure.*
- 5.E. *Ames seeks to integrate its planning with that of Story County and regional planning agencies.*

Attachment E

Goal No. 6. It is the goal of Ames to increase the supply of housing and to provide a wider range of housing choices.

Objectives. In increasing housing opportunities, Ames seeks the following objectives.

- 6.A. *Ames seeks to increase the overall supply of low and moderate-income housing through the following means: (1) conservation of such units in existing areas that are not designated for redevelopment or intensification; and, (2) inclusion of such units in new market-driven housing developments through zoning incentives.*
- 6.B. *Ames seeks to establish densities of a net average 5.6 dwelling units per acre in maximizing the number of housing units in new areas.*
- 6.C. *Ames seeks to establish higher densities in existing areas where residential intensification is designated with the further objective that there shall be use and appearance compatibility among existing and new development.*
- 6.D. *Ames seeks to make housing ownership and rental more available and accessible through relieving the current constraints to land supply/availability. Relief is sought through increasing the supply of land by the following means: (1) releasing lands for development that are currently controlled by institutions; (2) annexing new lands; and (3) expediting development by targeting areas for public and private cooperative efforts.*

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF AMES, IOWA, AS PROVIDED FOR IN SECTION 29.301 OF THE *MUNICIPAL CODE* OF THE CITY OF AMES, IOWA, BY CHANGING THE BOUNDARIES OF THE DISTRICTS ESTABLISHED AND SHOWN ON SAID MAP AS PROVIDED IN SECTION 29.1507 OF THE *MUNICIPAL CODE* OF THE CITY OF AMES, IOWA; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND ESTABLISHING AN EFFECTIVE DATE

BE IT HEREBY ORDAINED by the City Council of the City of Ames, Iowa;

Section 1: The Official Zoning Map of the City of Ames, Iowa, as provided for in Section 29.301 of the *Municipal Code* of the City of Ames, Iowa, is amended by changing the boundaries of the districts established and shown on said Map in the manner authorized by Section 29.1507 of the *Municipal Code* of the City of Ames, Iowa, as follows: That the real estate, generally located at 601 State Avenue, is rezoned from Special Government/Airport (S-GA) to Residential Low-Density (RL).

Real Estate Description: A subdivision of Lot 1, Ames Middle School 2003, City of Ames, Story County, Iowa.

Section 2: All other ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: This ordinance is in full force and effect from and after its adoption and publication as provided by law.

ADOPTED THIS _____ day of _____, _____.