

COUNCIL ACTION FORM

REQUEST: REZONING OF PROPERTY AT 2622 LINCOLN WAY, 130 S. SHELDON AVENUE AND 119 HAYWARD AVENUE FROM GOVERNMENT-AIRPORT (S-GA) TO CAMPUSTOWN SERVICE CENTER (CSC)

BACKGROUND INFORMATION:

The Collegiate United Methodist Church located at 2622 Lincoln Way owns multiple parcels fronting on Lincoln Way, Sheldon Avenue, and Hayward Avenue. The majority of this land is currently zoned Campustown Service Center (CSC). In 2007 the Church purchased two properties from Iowa State University abutting College Creek (130 S. Sheldon and 119 Hayward). These properties were platted but never rezoned to the CSC zone to match the rest of the church properties.

The Church is now seeking to rezone these properties, along with a sliver of land along the south property line of the main church property (2622 Lincoln Way) which appears to have been an inconsistency of the zoning district line to the property line at the time of adoption of the current zoning map in May of 2000. The location and existing zoning of the properties are shown on Attachment 1.

The request is to rezone three parcels. The first parcel, 130 S. Sheldon, is a 0.37 acre parcel located south of the Lighthouse Baptist Campus Ministry property and east of the existing Collegiate Methodist Church and Wesley Foundation Annex. The second parcel, 119 Hayward Avenue, is a 0.11 acre parcel, located along the eastern boundary of the church properties, south of US Bank and the church parking lot and north of College Creek. The third parcel proposed for rezoning is a 0.06 acre sliver of property along the southern boundary of 2622 Lincoln Way, the main church parcel.

The owner seeks to rezone the three parcels to Campustown Service Center (CSC) in order to unify the site in zoning classification with the intent of constructing an accessory maintenance garage and shop building for the church. To place a structure in this interior location of the site, the zoning lines and property lines must be adjusted. Ultimately a lot consolidation is planned which will require approval of a Plat of Survey by the City Council subsequent to rezoning. Based on the intended size of the accessory structure, a Special Use Permit for the construction of the maintenance garage and potential variances may be needed to meet the development and design standards of the CSC zone. The Special Use Permit and any variances would require approval of the Zoning Board of Adjustment prior to construction.

A full analysis of the rezoning petition is included in the attached addendum.

Planning and Zoning Commission Recommendation. At its public hearing on April 1, 2015, the Planning and Zoning Commission voted 4-0 to recommend that the City Council rezone the subject properties from S-GA to CSC. A representative of the owner

spoke in regards to the rezoning petition. No others spoke in favor of or opposition to the petition.

ALTERNATIVES:

1. The City Council can approve the request for rezoning of the properties at 130 S. Sheldon Avenue, 119 Hayward Avenue and 2622 Lincoln Way from Government-Airport (S-GA) to Campustown Service Center (CSC), based upon staff's findings and conclusions as found in the addendum.
2. The City Council can deny the request for rezoning from Government-Airport (S-GA) to Campustown Service Center (CSC) if it finds that the City's regulations and policies are not met.
3. The City Council can defer action on this request and refer it back to City staff and/or the applicant for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

As noted in the attached addendum, the proposed rezoning is consistent with the Land Use Policy Plan land use designations and policies.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the request for rezoning of the subject parcels from Government-Airport (S-GA) to Campustown Service Center (CSC).

ADDENDUM

REZONING BACKGROUND:

Existing Land Use Policy Plan. The LUPP designation of the entire subject area is Downtown Service Center. This designation applies to the entire area lying south of Lincoln Way from S. Sheldon Avenue to Lynn Avenue (Campustown). An LUPP map of the immediate area can be found in Attachment B. Back in 2006 this area was rezoned to a new CSC zone separate from downtown, created from what was previously known as the Downtown/Campustown Service Center (DCSC) zone. The proposed rezoning is in compliance with the existing Land Use designation of the properties.

Existing Zoning. This rezoning is not intended to change the current use of the subject properties. The religious institution and accessory structures uses with remain on the properties. The subject parcels are currently zoned Government/Airport (S-GA). The remaining Collegiate United Methodist Church properties are zoned Campustown Service Center (CSC), as are the abutting properties to the east and west. The intermodal facility located south and the ISU campus north of the subject sites is zoned Government/Airport.

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

Direction from Subject Property	Existing Land Uses
Subject Property	Permitted and Accessory Religious Uses
North	Iowa State University
East	Commercial
South	College Creek, Intermodal Facility
West	Mixed commercial and multifamily residential

Infrastructure. The Development Review Committee considered this site and found that it is fully served by City infrastructure. Sanitary sewer and water are available, as is electric services. Additional easements may be needed to accommodate the proposed location of the future accessory building which will be determined at the time of Site Plan review.

Access. Access is provided to the site from Lincoln Way, Hayward Avenue and Sheldon Avenue through existing access points and no traffic improvements are anticipated.

Applicant's Statements. The applicant has provided an explanation of the rezoning in Attachment C.

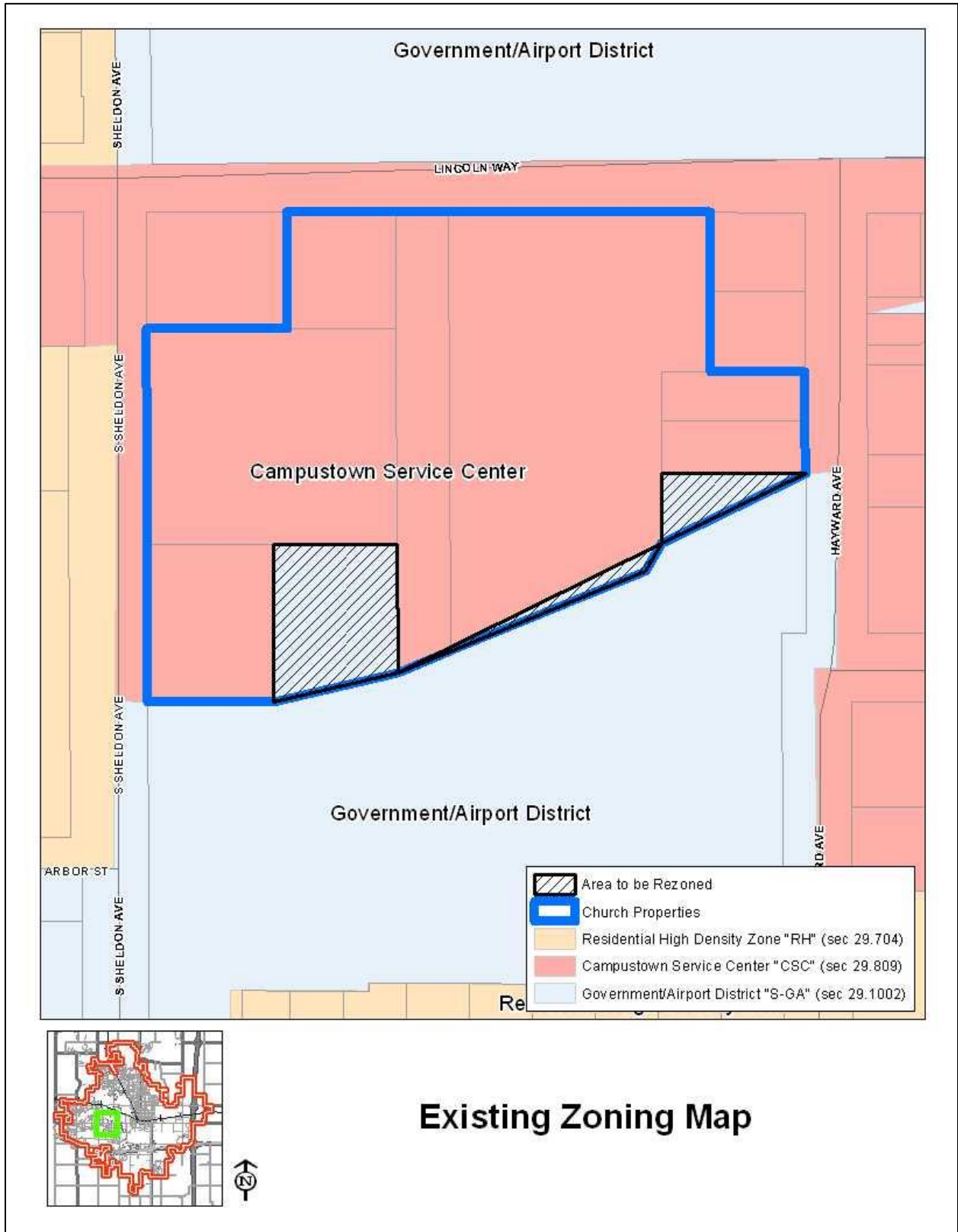
Findings of Fact. Based upon an analysis of the proposed rezoning and laws pertinent to the applicant's request, staff makes the following findings of fact:

1. *Ames Municipal Code Section 29.1507(2)* allows owners of 50 percent 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 representing 100 percent 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 "Downtown Services Center."
3. The "Downtown Services Center" land use designation already supports the "CSC Campustown Service Center" zoning designation. Under the "CSC" zoning designation religious institutions and accessory structures and garages larger than 900 square feet are permitted with approval of a Special Use Permit by the Zoning Board of Adjustment.
4. Infrastructure is adequate to serve the site. The owner will need to obtain any necessary easements for service line connections to the site.
5. Existing access to this site will remain from Lincoln Way, South Sheldon Avenue and Hayward Avenue.
6. Minimum lot size in CSC is one acre; however, the applicant controls all adjacent lots and intends to merge the individual lots to exceed the 1 acre minimum lot size.

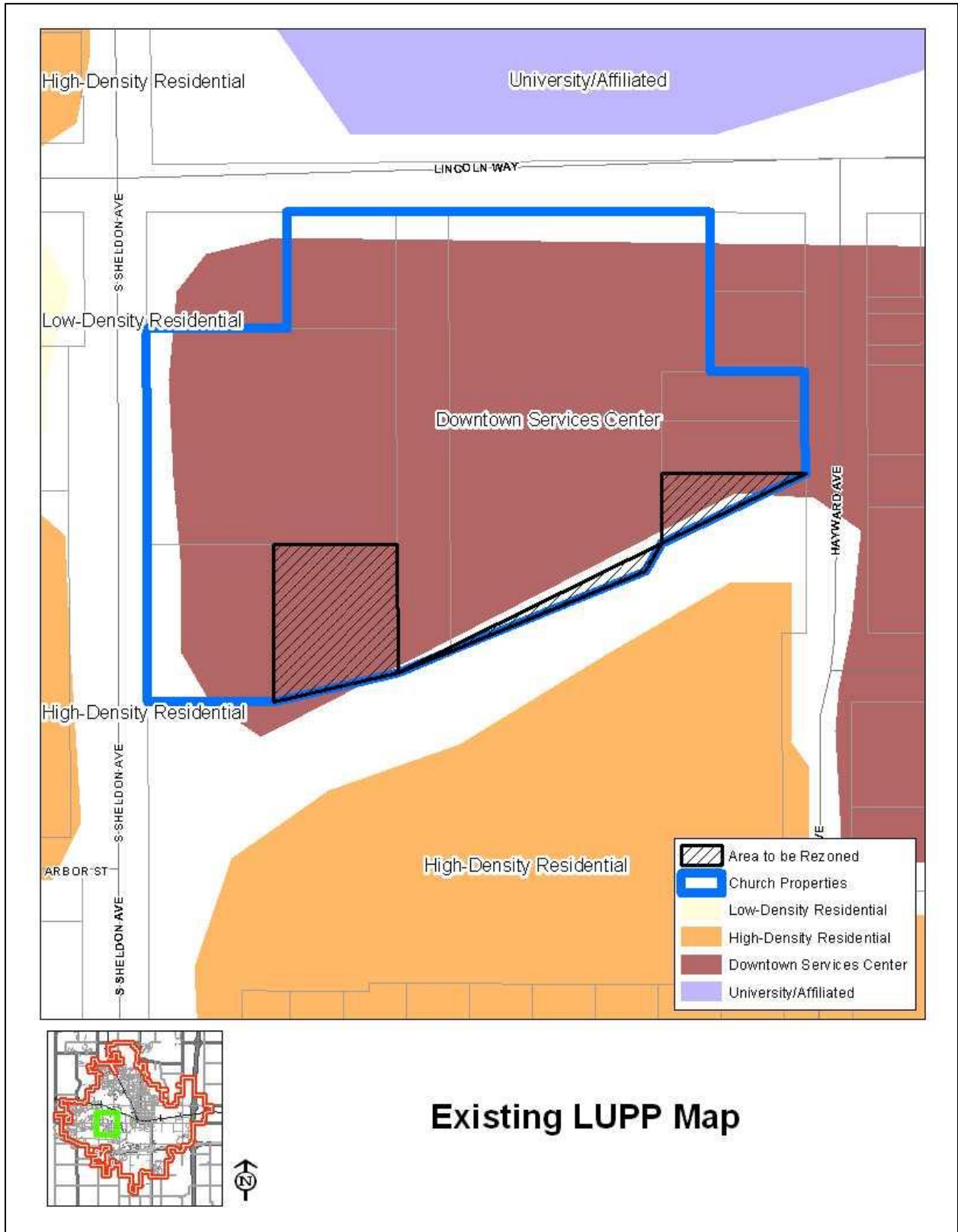
Public Notice. Notice was mailed to property owners within 200 feet of the subject site and a sign was posted on the subject property. As of this writing, no comments have been received.

Conclusions. 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.

Attachment A: Location and Current Zoning



Attachment B: Land Use Policy Plan Map [Excerpt]



Attachment C: Applicant's Statement

Collegiate United Methodist Church Re-Zoning Request, February 27, 2015

Checklist Items

Reason for Requesting Rezoning:

The Church desires to consolidate all nine parcels of land currently owned into one parcel. The two parcels labeled "E" and "F" were purchased from Iowa State University in March of 2007 and at the time of purchased were zoned SG-A. The third parcel labeled as "Lots 1, 3 and 8" currently has approximately 98% of the land zoned as CSC and the remaining portion along the very south edge zoned at SG-A. In order to proceed with the consolidation process all lots will need to be zoned the same.

Consistency of this rezoning with the Land Use Policy Plan

The rezoning will not change the use of this land as the property use will remain a religious organization and consistent with the currently Land Use Policy Plan designating this area as Downtown Services Center.

Current Zoning of the property:

Parcel "E" and "F" are zoned SG-A and approximately 2% of the parcel labeled as Lots 1, 3 and 8 is zoned SG-A with remaining 98% zoned CSC.

Proposed Zoning of the Property

All three parcel would be zoned CSC.

Proposed Use of Property

The use of the property would not change and continue to be utilized as a religious organization.

Complete Legal Description

See the attached Legal Description and Retracement Plat of Survey for each parcel

Land Area

Parcel "E", 0.37 Acres or 16,139 Square Feet

Parcel "F", 0.11 Acres or 4,588 Square Feet

Parcel Labeled as "Lots 1, 3 and 8", 1.93 Acres or 84,115 Square Feet of which approximately 1700 Square Feet is zoned as SG-A

Maps

See attachments

Attachment C, Cont.

Collegiate United Methodist Church Re-Zoning Request, February 27, 2015

Legal Descriptions:

Property #1 Labeled as Parcel "E" Legal Description

DESCRIPTION (INST. NO. 2006-00009492)

A PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 4 IN THE AUDITOR'S PLAT OF BLOCKS 3, 4, AND 5 OF BEARDSHEAR'S ADDITION AND WALTER'S SUBDIVISION IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 9; THENCE N00°05'47"W. 121.71 FEET ALONG THE WEST LINE OF SAID LOT 4; THENCE N89°46'3B"W. 118.61 FEET ALONG THE SOUTH LINE OF THE NORTH 350.00 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 9; THENCE S00°00'00"W. 150.00 FEET; THENCE N76°49'03"E. 122.03 FEET TO THE POINT OF BEGINNING, CONTAINING 0.37 ACRES.

Property #2 Labeled as Parcel "F" Legal Description

DESCRIPTION (INST. NO. 2006-00009493)

A PART OF LOT 2 IN AUDITOR'S PLAT OF BLOCKS 3, 4 AND 5 OF BEARDSHEAR'S ADDITION AND WALTERS SUBDMVISION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2; THENCE S64°23'11"W, 152.87 FEET TO A CORNER ON THE NORTHWESTERLY LINE OF SAID LOT 2; THENCE N00°24'26"E, 66.65 FEET TO THE SOUTHWEST CORNER OF LOT 10 IN SAID AUDITOR'S PLAT; THENCE S89°45'52"E, 137.37 FEET ALONG THE NORTH LINE OF SAID LOT 2 TO THE POINT OF BEGINNING, CONTAINING 0.11 ACRES.

Property #3 Labeled as Lots 1, 3 and 8 Legal Description

LOTS 1, 3 & 8 IN THE AUDITOR'S PLAT OF BLOCKS 3,4,AND 5 OF BEARDSHEAR'S ADDITION AND WALTERS SUBDIVISION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA, CONTAINING 1.93 ACRES.

Attachment C, Cont. 130 S. Sheldon Avenue

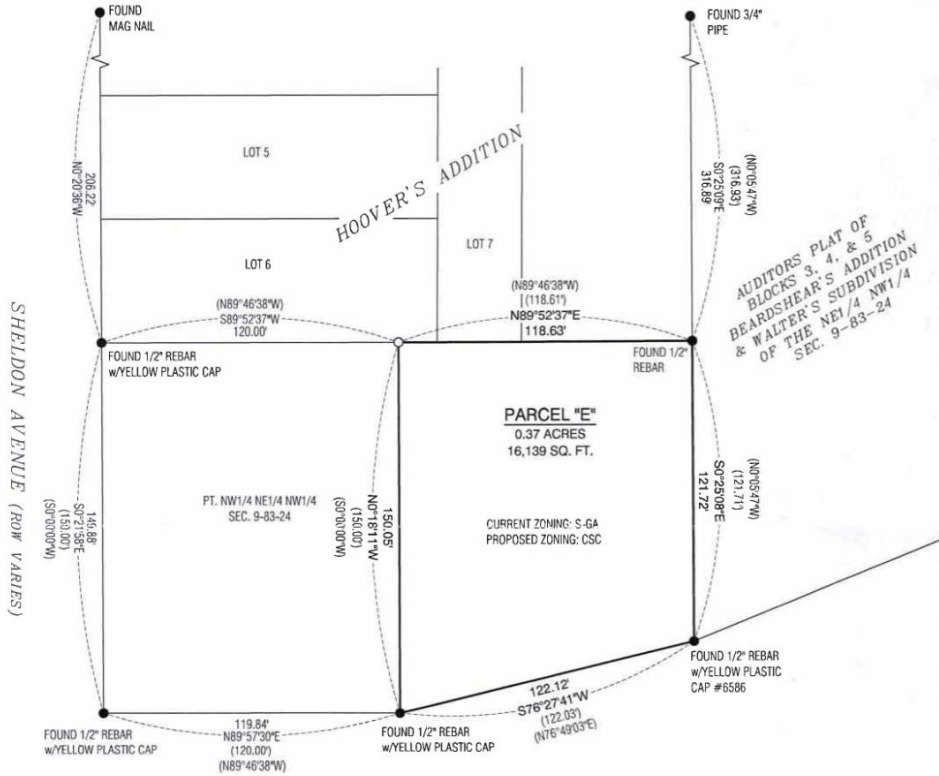
CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

MAR 02 2015

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PREPARED BY - CLAPSADDLE-GARBER ASSOCIATES, INC. 16 EAST MAIN STREET, P.O. BOX 754, MARSHALLTOWN, IOWA 50158 - PHONE 641-752-6701

RETRACEMENT PLAT OF SURVEY



DESCRIPTION (INST. NO. 2006-00009492)

A PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 4 IN THE AUDITOR'S PLAT OF BLOCKS 3, 4, AND 5 OF BEARDSHEAR'S ADDITION AND WALTER'S SUBDIVISION IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 9; THENCE N00°05'47"W. 121.71 FEET ALONG THE WEST LINE OF SAID LOT 4; THENCE N89°46'38"W. 118.61 FEET ALONG THE SOUTH LINE OF THE NORTH 350.00 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 9; THENCE S00°00'00"W. 150.00 FEET; THENCE N76°49'03"E. 122.03 FEET TO THE POINT OF BEGINNING, CONTAINING 0.37 ACRES.
EXISTING ZONING: S-GA
PROPOSED ZONING: CSC

LEGEND:

- ▲ GOVERNMENT CORNER MONUMENT FOUND
- △ GOVERNMENT CORNER MONUMENT SET
- PARCEL OR LOT CORNER MONUMENT FOUND
- SET 1/2" x 30" REBAR w/ORANGE PLASTIC ID CAP #17162
- () RECORDED AS

OWNER OF RECORD: COLLEGIATE UNITED METHODIST CHURCH & WESLEY FOUNDATION
SURVEY REQUESTED BY: COLLEGIATE UNITED METHODIST CHURCH
FIELD WORK COMPLETED: 12-11-2014

NOTE:
ALL BEARINGS ARE THE RESULT OF G.P.S. OBSERVATIONS.

COLLEGIATE UNITED METHODIST CHURCH RETRACEMENT SURVEY
PARCEL "E" IN SECTION 9-83-24
CITY OF AMES, STORY COUNTY, IOWA



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Iowa.

Travis R. Stewart, PLS _____ date _____
Iowa License Number 17162
My License Renewal Date is December 31, 2015
Pages or sheets covered by this seal: THIS SHEET



Clapsaddle-Garber Associates, Inc.
16 East Main Street
Marshalltown, Iowa 50158
Ph 641-752-6701
www.clapsaddle-garber.com

DRAWN	SHEET NO.
WLB	1
DATE	PROJECT NO.
12-18-2014	5529.05

Attachment C, Cont. 119 Hayward Avenue

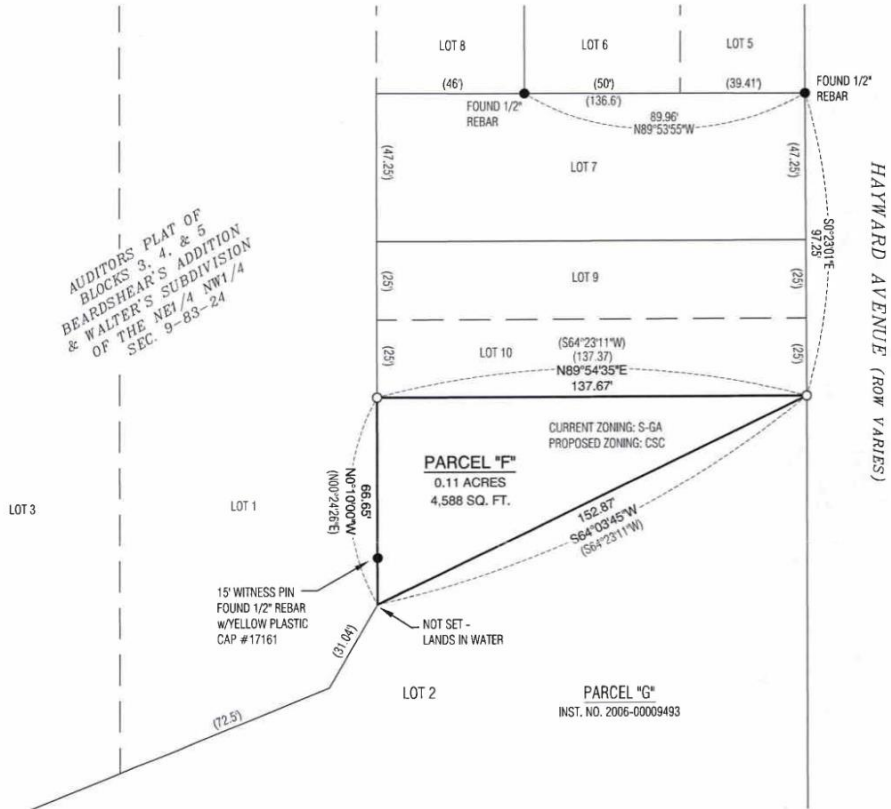
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FEB 27
MAR 02 2015

CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

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RETRACEMENT PLAT OF SURVEY



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EXISTING ZONING: S-GA
PROPOSED ZONING: CSC

OWNER OF RECORD: COLLEGIATE UNITED METHODIST CHURCH & WESLEY FOUNDATION
SURVEY REQUESTED BY: COLLEGIATE UNITED METHODIST CHURCH
FIELD WORK COMPLETED: 12-11-2014

LEGEND:

- ▲ GOVERNMENT CORNER MONUMENT FOUND
- △ GOVERNMENT CORNER MONUMENT SET
- 1/2" x 30" REBAR w/ORANGE PLASTIC ID CAP #17162
- PARCEL OR LOT CORNER MONUMENT FOUND
- SET 1/2" x 30" REBAR w/ORANGE PLASTIC ID CAP #17162
- () RECORDED AS

NOTE:
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	COLLEGIATE UNITED METHODIST CHURCH RETRACEMENT SURVEY PARCEL "F" IN LOT 2, AUDITOR'S PLAT OF BLOCKS 3, 4 & 5 OF BEARDSHEAR'S ADD. AND WALTERS SUBD. OF THE NE 1/4 OF THE NW 1/4 OF SECTION 9-83-24, CITY OF AMES, STORY COUNTY, IOWA		<p>Clapsaddle-Garber Associates, Inc 16 East Main Street Marshalltown, Iowa 50158 Ph 641-752-6701 www.cgaassociates.com</p>								
		I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Iowa.									
Travis R. Stewart, PLS _____ date _____ Iowa License Number 17162 My License Renewal Date is December 31, 2015 Pages or sheets covered by this seal: THIS SHEET		<table border="1"> <tr> <td>DRAWN</td> <td>WLB</td> <td>SHEET NO.</td> <td>1</td> </tr> <tr> <td>DATE</td> <td>12-18-2014</td> <td>PROJECT NO.</td> <td>5529.05</td> </tr> </table>		DRAWN	WLB	SHEET NO.	1	DATE	12-18-2014	PROJECT NO.	5529.05
DRAWN	WLB	SHEET NO.	1								
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J:\5529\Comp\Survey\5529 PARCEL F RETRACEMENT.dwg - Plot.E3L - 12-18-14 - 2:48pm - n8/78

DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER
Prepared by: Judy K. Parks, Ames City Attorney, 515 Clark Avenue, Ames, IA 50010 Phone: 515-239-5146
Return to: Ames City Clerk, P.O. Box 811, Ames, IA 50010 Phone: 515-239-5105

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 130 South Sheldon Avenue, 119 Hayward Avenue, and 2622 Lincoln Way is rezoned from Government/Airport (S-GA) to Campustown Service Center (CSC).

Real Estate Description:

(130 South Sheldon Avenue)

Property #1 Labeled as Parcel "E" Legal Description

DESCRIPTION (INST. NO. 2006-00009492)

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(119 Hayward Avenue)

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(2622 Lincoln Way)

Property #3 Labeled as Lots 1, 3 and 8 Legal Description

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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 _____, _____.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor