

ITEM #: 43  
DATE: 02-28-17

**COUNCIL ACTION FORM**

**SUBJECT: CITY INITIATED REZONING OF EXISTING AND FORMER GOVERNMENT LANDS TO S-GA (GOVERNMENT/AIRPORT) AND RL (RESIDENTIAL LOW DENSITY).**

**BACKGROUND INFORMATION:**

City staff has recently reviewed ownership changes on multiple parcels within the City and determined that rezoning of properties due to acquired ownership by public entities or sale of public land to private holders is needed to align the Zoning Map with current land ownership.

The City's Zoning Ordinance (Chapter 29.1002) includes a special purpose Government/Airport (S-GA) zone which governs "structures and uses related to or owned by federal, state, county, school districts, or municipal governmental authorizes". The S-GA zone does not contain specific regulatory standards, such as use limitations or design standards; rather it exempts publicly owned facilities from local zoning requirements, with the exception of height limitation in the vicinity of any airport. It is expected that public authorities will work with city staff on development standards for public facilities to ensure compatibility with the character of the surrounding area. However, most government facilities are exempt from the City's zoning regulations regardless of the base zoning district.

**Seven properties were identified as needing revisions to their base zoning to reflect their current status and have an up to date Zoning Map with the current ownership and intended use of the property.** (See Attachment A for a Location Map of the subject properties) The properties included in this rezoning request are noted in the table below. The six properties are owned by Iowa State University, City of Ames, and the Ames Community School District (ACSD) are being requested to be rezoned to the S-GA zone. The remaining property, which was sold to a private property owner by the ACSD in 2012, is being requested to be rezoned to Residential Low Density (RL) to match with surrounding single-family housing type in the area.

Parcel #	Owner	Property Address	Acres	Existing Zoning	Proposed Zoning
0528146000	AMES, CITY OF	2901 HARRISON RD	4.00	FS-RL	S-GA
0903402020	DELANEY, BLAKE & KEIVA	1002 6TH ST	2.69	S-GA	RL
0907407000	AMES COMMUNITY SCHOOL DIST	820 MILLER AVE	10.97	RL	S-GA
0908325010	BOARD OF REGENTS, STATE OF IOWA	601 STATE AVE	28.99	RL	S-GA
0915275005	IOWA STATE UNIVERSITY	925 AIRPORT RD	5.05	HOC	S-GA
1007375040	AMES COMMUNITY SCHOOL DISTRICT	1216 S BELL AVE	7.80	GI	S-GA
0907300105	AMES, CITY OF	900 S. 500th AVE	2.56	A	S-GA

Staff also notes that three additional Ames Community School District properties (former Crawford school, former Edwards school, former maintenance shop) are likely to be disposed of by the ACSD as surplus land in the near future. However, their final disposition is not known at this point and is not included in this request for updating the Zoning Map. Each of those ACSD sites will require a separate request for rezoning in the future.

Further analysis of the proposed rezonings is found in the Addendum.

**Planning and Zoning Commission Recommendation:**

The Planning and Zoning Commission reviewed the rezoning request at the public hearing on February 1, 2017. The Commission voted (6-0) to recommend that the City Council rezone the subject properties to RL and S-GA based on the table provide in this report. There were no comments from the public at the meeting.

**ALTERNATIVES:**

1. The City Council can approve the request to rezone the subject properties to the S-GA for currently owner government land and RL for one privately owned property, based upon the property identification table in this report and staff's analysis as found in the addendum.
2. The City Council can deny the rezoning of the subject properties.
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:**

The request for rezoning is consistent with the Land Use Policy Plan and Future Land Use Map as described in the addendum, and the change in zoning designation will not create any additional development impacts on infrastructure and City services than would otherwise occur under the existing zoning designations.

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with **Alternative #1, which is to approve the rezoning of the subject properties to the S-GA and RL zones.**

## ADDENDUM

### REZONING BACKGROUND:

A total of seven properties have been identified for a map amendment to the City Zoning Map. Six of the properties have been identified for a map amendment to clean up the current city zoning map for existing and new publically owned properties. One additional property has been identified for rezoning due to a change of ownership from a public entity to a privately owned property. A description of the each site is below:

1. 2901 Harrison: The property is lot 19 of Northridge Heights Subdivision, 15<sup>th</sup> Addition. The lot was platted and dedicated to the City of Ames with the specific designation of use as a Public Park.
2. 1002 6<sup>th</sup> Street: was sold in 2012 by the Ames Community School District to Blake and Keiva Delaney. The property is approximately 2.7 acres. The property owner owns the abutting property to the west of this site at the corner of 6<sup>th</sup> and N. Hazel. The property is designated in the LUPP as Parks and Open Space and currently zoned S-GA due to the previous school district ownership. The surrounding zoning designation for this property is Residential Low Density which would permit the property to be utilized consistent with other single-family residential zoned properties in the surrounding neighborhood. Access to the lot is restricted due to the presence of the grade separation on 6<sup>th</sup> street. The property could potentially be subdivided under the proposed RL zone; however, staff is not aware of any intention at this time for subdivision of the property for additional home lots. Construction of one single-family home would also require a plat of survey to establish the boundaries of the property as a former conveyance parcel that has not been surveyed.
3. 820 Miller Avenue: is owned by the Ames Community School District and is home of Edwards School which was built in March of 2013. The LUPP designation is Village/Suburban Residential with the current zoning district being Residential Low Density due to the surrounding single-family neighborhood.
4. 601 State Avenue: is owned by Iowa State University after the sale of the property from a private developer in 2015. The LUPP designation of the property was revised in 2014 to Low Density Residential and rezoned from S-GA to Low Density Residential due to the request of the developer at that time to develop the land for residential use. The development of the land fell through and was sold to the current owner, ISU. No development is anticipated at this time for the property.
5. 925 Airport Road: was purchased in 2015 by Iowa State University for a Central Receiving Facility. The property is zoned Highway Oriented Commercial and designate in the LUPP as Highway Oriented Commercial.
6. 1216 Bell Avenue: is owned by the Ames Community School District after purchase of the property in 2015 for the schools Facilities Maintenance and Bus

Storage facility. The property is zoned General Industrial and is designated in the LUPP as General Industrial.

7. 900 S. 500<sup>th</sup> Avenue: was sold to the City of Ames in 2001 for the construction of the City of Ames's water tower that currently exists on the property. The property remained in Story County jurisdiction until annexation of such land in 2015 as part of the Crane Subdivision Annexation. The property is currently designated on the LUPP as Village/Suburban Residential and has remained zoned as Agriculture since annexation in 2015.

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

Goal No. 4 of the LUPP states: "It is the goal of Ames to create a greater sense of place and connectivity, physically and psychologically, in building a neighborhood and overall community identity and spirit. It is further the goal of the community to assure a more healthy, safe and attractive environment."

*Objective 4C applies to the proposed rezoning and reads as follows: "Ames seeks to psychologically connect the various living/activity areas through closer proximity of residential areas and supporting commercial uses, common design elements, and inclusion of community amenities such as parks and schools. The connections should promote community identity."*

The City's Land Use Policy Plan (LUPP) map identifies lands owned by government agencies under the broad titles "Government/Airport" and "University/Affiliated". The City's zoning map identifies these areas as "Government/Airport District". These are areas with land owned by a federal, state, county, school district, or municipal government authority and are therefore not subject to the City's local zoning regulations except for flood regulations and height limitations in the vicinity of the airport. This is an unusual designation in that it is the only designation based solely upon ownership as opposed to allowable land uses.

**Findings of Fact.** Based upon an analysis of the proposed rezoning and laws pertinent to the proposed map amendment, staff makes the following findings of fact:

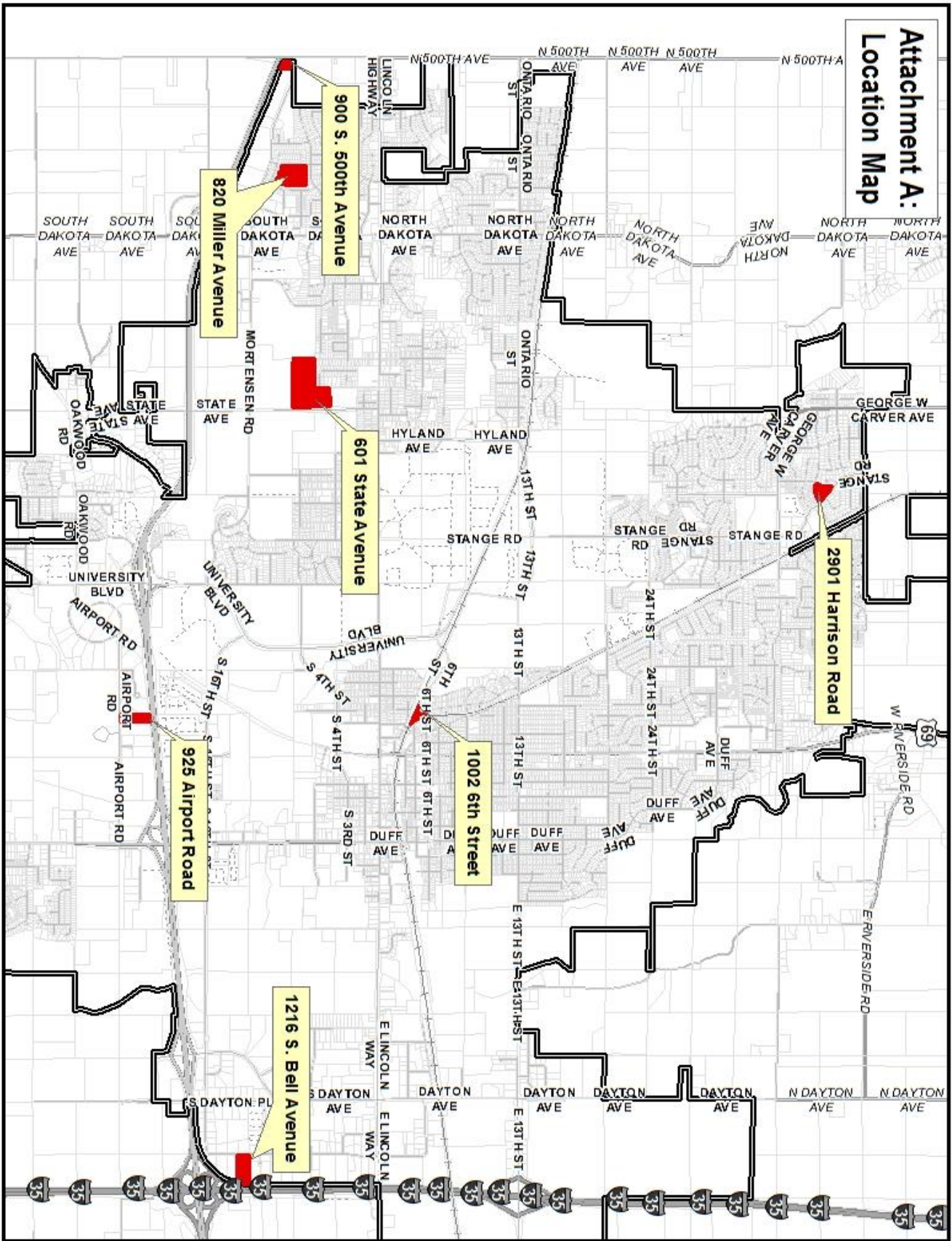
1. Ames Municipal Code Section 29.1507(1) allows the Planning and Zoning Commission to initiate an amendment to the Official Zoning Map and make such a recommendation to the City Council for approval.
2. The stated purpose of the S-GA zoning designation is, in part, to be reserved exclusively for structures and uses related to or owned by federal, state, county, school districts, or municipal government authorities.
3. Six of the subject properties are currently owned by the City of Ames, Ames Community School District, or Iowa State University and are consistent with the regulations of the S-GA zone.

4. The one additional property under private ownership at 1002 6<sup>th</sup> Street has been designated on the Land Use Policy Plan (LUPP) Future Land Use Map as “Parks and Open Space.” The designation of the property to the RL zone would allow for development of site to be consistent with the surrounding single family residential use types.
5. The uses allowed in the “S-GA” (Government/Airport District) and the “RL” (Residential Low Density District) are described in Chapter 29 of the *Municipal Code*. Staff has reviewed the existing uses of the subject properties and has found no inconsistencies with the existing uses or structures of the sites to be inconsistent with the proposed zoning designations.

**Public Notice.** The City identified all properties within 200 feet of the seven subject properties and a notice of public hearing was sent prior to the Planning and Zoning Commission meeting in accordance with the notification requirements of Chapter 29. Staff also provided an email notification to a representative of ISU Facilities Planning & Management and to the ACSD superintendent.

**Conclusions.** Based upon the analysis in this report, staff concludes that the proposed rezoning of properties as identified in this report is consistent with the Goals and Objectives of the City of Ames Land Use Policy Plan.

**Attachment A:  
Location Map**



**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:

2901 Harrison Road, is rezoned from Suburban Residential Low Density (FS-RL) to Government/Airport (S-GA);

1002 6<sup>th</sup> Street, is rezoned from Government/Airport (S-GA) to Residential Low Density (RL);

820 Miller Avenue, is rezoned from Residential Low Density (RL) to Government/Airport (S-GA);

601 State Avenue, is rezoned from Residential Low Density (RL) to Government/Airport (S-GA);

925 Airport Road, is rezoned from Highway-Oriented Commercial (HOC) to Government/Airport (S-GA);

1216 South Bell Avenue, is rezoned from General Industrial (GI) to Government/Airport (S-GA); and,

900 South 500<sup>th</sup> Avenue, is rezoned from Agricultural (A) to Government/Airport (S-GA).

**Real Estate Description:**

2901 Harrison Road:

Lot 19 of Northridge Heights Subdivision, Fifteenth Addition, City of Ames, Story County, Iowa;

1002 6<sup>th</sup> Street:

A part of Block 27, College Park 2nd Addition North to the City of Ames, Iowa, described as follows: "Commencing at the intersection of the south line of 6<sup>th</sup> Street and the east line of Hazel Avenue; thence S88°54'20"E, along the south line of that land deeded to the City of Ames, for street purposes in 1964, a distance of 229.6 ft., to the point of beginning of the tract herein described; starting at this point of beginning, continuing S88°54'20"E, 185.15 ft.; thence continuing along the south line of said deed land, East, 112.45 ft.; thence southeasterly along the southwesterly R.O.W. line of the C & NW R.R., on a 1004.93 ft. radius curve, concave to the northeast the long chord of which bears S32°00'30"E, a chord distance of 557.1 ft.; thence N65°17'40"W, along the northeasterly R.O.W. line of C & NW R.R., a dist. of 560.1 ft.; thence N61°12'20"W, along the R.O.W. line of said R.R., 125.0 ft.; thence N8°03'30"E, 183.5 ft. to the point of beginning of tract." In the above description the south line of the original 6th Street was taken to be due EastWest. Iron pins were set at points indicated on plat. Tract contains 2.69 acres

820 Miller Avenue:

Parcel 'A': Outlot T, except the West 30.00 feet thereof (aka part of Lot A in Longview Subdivision, First Addition to Ames, Iowa, as deeded to the City of Ames for public right of way) in the First Addition of Dauntless Subdivision, Ames, Story County, Iowa, being more particularly described as follows: Beginning at the Northeast Corner of said Outlot T; thence S89°59'47"W, 589.95 feet along the North line thereof to the East right of way line of Miller Avenue; thence following said line S00°00'00"W, 638.89 feet to the beginning of a curve; thence southerly, 102.57 feet along said curve having a radius of 1030.00 feet, concave to the west, and a central angle of 5°42'20" and being subtended by a chord which bears S02°51'48"W, 102.52 feet to the southerly line of said Outlot T; thence following said line S84°18'35"E, 119.98 feet; thence S67°49'43"E, 428.17 feet to the Southeast Corner of said Outlot T; thence following the easterly line of said Outlot T N18°30'24"E, 184.89 feet; thence N06°18'13"E, 186.46 feet; thence N00°00'04"E, 554.14 feet to the point of beginning, containing 10.97 acres;

601 State Avenue:

Lot 2 of Ames Middle School 2003, Plat 2, City of Ames, Story County, Iowa;

925 Airport Road:

Parcel "H", a part of the Southeast Quarter of the Northeast Quarter of Section 15, Township 83 North, Range 24 West of the 5<sup>th</sup> P.M. as shown on the Plat of Survey filed in the office of the Recorder of Story County, Iowa on April 13, 1994, in Book 12, Page 45;



1216 Bell Avenue:

Lot 2 of Dayton Park Subdivision, Fifth Addition, a replat of Outlot W Dayton Park Subdivision, Fourth Addition, City of Ames, Story County, Iowa;

900 S. 500<sup>th</sup> Avenue:

Parcel 'A': Part of the Northwest Fractional Quarter of the Southwest Fractional Quarter of Section 7, Township 83 North, Range 24 West of the 5th P.M., Story County, Iowa, more particularly described as follows: Commencing at the West Quarter Corner of said Section 7; thence N89°35'53"E, 110.00 along the north line of the Southwest Fractional Quarter of said Section 7 to a point on the easterly right of way line of 500<sup>th</sup> Street; thence following said line S0°44'36"E, 100.30 feet to the point of beginning; thence continuing S00°44'36"E, 204.97 feet to a point on the northerly right of way line of U.S. Highway 30; thence S67°46'53"E, 238.31 feet along said line; thence N00°03'46"E, 296.64 feet; thence S89°35'53"W, 223.60 feet to the point of beginning, containing 1.28 acres.

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 \_\_\_\_\_, \_\_\_\_\_.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor