

COUNCIL ACTION FORM

REQUEST: **REZONING FROM DOWNTOWN GATEWAY COMMERCIAL TO HIGHWAY-ORIENTED COMMERCIAL WITH MASTER PLAN AT 507 LINCOLN WAY.**

BACKGROUND:

Chuck Winkleblack representing W-S Properties LLC is requesting to rezone .68 acres of vacant land located at 507 Lincoln Way (formerly addressed as 509 & 511 Lincoln Way) currently zoned Downtown Gateway Commercial (DGC) to Highway-Oriented Commercial (HOC) with a proposed Master Plan. (Attachments A and B- Zoning and Location Maps) The site is currently designated as Highway Commercial within the Land Use Policy Plan, but it also within the Lincoln Way Corridor Plan Focus Area. The property was most recently rezoned in 2018 from Highway-Oriented Commercial (HOC) to Downtown Gateway Commercial (DGC) through a rezoning initiated by the City of Ames. The subject site was approved for boundary line adjustment to combine the two parcels into one parcel at the September 10th City Council meeting. The site has contained a drive-through use in past years, up until its recent demolition.

The developer proposes the rezoning in an effort to situate a drive-through facility on the site in a preferred location to support relocating the existing Starbucks coffee shop at 327 Lincoln Way in anticipation of future development within the 300 block of Lincoln Way. Rezoning the site to HOC would permit a site design that allows parking lot area between the building and both Clark Avenue and Lincoln Way, whereas the current DGC zoning does not permit parking between the building and the street. (Attachment D-Master Plan, Attachment E-Letter)

The rezoning to existing Downtown Gateway Commercial zoning occurred as a result of the City's approval of the Lincoln Way Corridor Plan, which provided policy support for a new zoning district in this general area to replace the existing HOC zoning (LUPP Excerpts Attachment F). The DGC zoning standards address a number of site and building design standards along with use requirements. The DGC zoning district allows for standalone commercial use, but also allows for mixed use on larger sites (1.0 acre or larger) if desired by a property owner.

Of note regarding this site, DGC zoning restricts the number of drive through facilities per block face along Lincoln Way to one site and also restricts parking between a building and certain streets, such as Lincoln Way and Clark Avenue. The intent of this standard was to improve the walkability of the area and minimize vehicular driveways and interruptions along Lincoln Way. **Although HOC zoning does not have the same restrictions, the proposed rezoning would not increase the total number of drive through facilities in the area as the project would replace the existing KFC**

restaurant that had a drive through. The rezoning to HOC would only facilitate a configuration that places the facility along the west property line with parking on the Clark Avenue side, see attached Master Plan, that is not permissible under DGC zoning. A full list of applicable zoning standards can be found in the Ames Municipal Code Section [29.804 \(HOC\)](#) and Section [29.1004 \(DGC\)](#).

The proposed rezoning request is the result of a preliminary review meeting with the applicant on options of how to site a drive-through facility on the property. Two primary site plan concerns for the staff Development Review Committee (DRC) were the location of a driveway from Lincoln Way and how to accommodate vehicle stacking on site that minimizes overflow onto a public road way. Although, no precise standard exists in the Zoning Ordinance for queuing, a high number of queuing spaces is needed for the proposed use.

Staff explored three concepts with the applicant. Two were considered technically viable for managing access and queuing. One version that would meet DGC zoning with the building at the corner included a circular drive through pattern to the north of the building. A second version, reflected by the attached master plan, requires HOC zoning in order to comply with standards for location of parking and driveway access. **The applicant has indicated to staff that only the version consistent with the proposed Master Plan would meet the interests of their desired tenant and facilitate their relocation from the other site.**

The Master Plan depicts a general layout for the site with a design that surrounds the building with a drive-through aisle and parking on the east side of the building. The drive-through window is proposed on the west side of the building facing away from Clark and Lincoln Way. The proposed layout in the Master Plan features a Lincoln Way access point that is designed so that drive through stacking has adequate room for approximately 15-17 vehicles through the parking lot and around the building.

The number of stacking spaces will likely minimize issues with traffic extending out into Lincoln Way while waiting in the drive through lane. A final driveway design would be subject to IDOT approval as this part of Lincoln Way is also HWY 69. Landscaping would be placed as required by the Zoning Ordinance in all front yards of the site and for parking lot landscaping. Vehicular stacking capacity from the north at the Gilchrist access point is much less than from Lincoln Way. It is anticipated by the developer that far less stacking will occur at this location with much lower levels of traffic on Gilchrist. The master plan does not describe building materials or represent building façade design as there are no specific standards in HOC compared to the DGC zoning district.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission held a public hearing on September 4th to review the proposed rezoning. Four members of the public spoke on the subject. One speaker addressed what he believed was the poor design of the site facilitated by HOC zoning compared to DGC zoning and potential for traffic issues. The other speakers spoke about the site concerning the process of DGC rezoning last year and the quick change to

another zone. **The Planning & Zoning Commission discussed the differences in zoning and goals of the Corridor Plan, ultimately they voted 3-1 to rezoning this property from DGC to HOC with a master plan.**

ALTERNATIVES:

1. The City Council can approve a rezone from Downtown Gateway Commercial to Highway-Oriented Commercial with Master Plan to allow for Office, Retail, and Restaurant Recreation Entertainment Trade uses with a single point of access from Lincoln Way as well as a single access from Gilchrist, with a general site layout as shown on the attached Master Plan, subject to approval of a Zoning Agreement and Master Plan Exhibit being prepared prior to third reading.

In addition, the City Council should direct that this rezoning request not be approved on third reading until proof, in the form of written agreement, is provided to the City that Starbucks will relocate to 507 Lincoln Way.

2. The City Council can deny a rezone from Downtown Gateway Commercial to Highway-Oriented Commercial with Master Plan and direct the applicant to file a Major Site Development Plan application for development of the site with a drive through facility that complies with DGC zoning.
3. The City Council can defer action on this item and request more information from staff or the applicant.

CITY MANAGER'S RECOMMENDATION ACTION:

The City's LUPP has two purposes for this area in terms of a land use designation of Highway-Oriented Commercial and the Lincoln Way Corridor Plan designation of a Focus Area within the Urban Core Options section of the LUPP. The primary issue between the designations is not the commercial nature of the area, but the design elements for the area that are part of the current DGC zoning that was designed to further goals of the Lincoln Way Corridor Plan. While considering the change of zoning districts from DGC to HOC, it is important to weigh the difference in uses and development standards between the two districts and if the overall vision for the Focus Area can still be attained by changing the zoning to HOC.

The current site is one of two parcels on this block face zoned Downtown Gateway Commercial (DGC) that is located near the western edge of the larger Downtown Gateway zoning district and abuts Highway-Oriented Commercial (HOC) zoned parcels to the immediate west and north. To redevelop this area within the allowed intensification of DGC in manner that differs from typical HOC would require acquisition of the third parcel and replacement of the relatively new building on that site with a large redevelopment in excess of one acre. The current site is eligible for a drive through facility within the DGC zoning or within the HOC zoning, there is no net increase in drive through facilities as a result of the proposed change and with the master plan their will be an

improvement to access management in this area with driveway cuts.

After review and discussions with the developer, staff finds that the developer could redevelop the site as a single-story coffee shop with a drive through under the current Downtown Gateway zoning standards and meet parking, landscaping and access requirements. A design that would meet current standards requires a drive-through that is fully contained in the rear of the property and utilizes driveways and parking lot area for access. This design option is not typical for a commercial site, although it is workable depending on the priorities of a commercial tenant.

However, under the applicant's perspective the site is better suited to community commercial serving uses consistent with the Highway Commercial land use map designation compared to the Downtown Gateway Focus Area emphasis on commercial with different design elements. Additionally, the focus of the Downtown Gateway area in the LUPP as the first priority is the area from Clark eastward to Duff and south of the railroad tracks. Although this intent didn't preclude other adjacent areas from being considered, as where this site exists, it can be found to support this request as a secondary priority and facilitating redevelopment to the east as a primary goal. **Given the existing drive through on the site and the location near the west edge of the Downtown Gateway Commercial zoned area it can be found that rezoning to Highway-Oriented Commercial with a Master Plan is supported and does not conflict with the Land Use Policy Plan.**

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1 which is to approve a rezone 507 Lincoln Way from Downtown Gateway Commercial (DGC) to Highway-Oriented Commercial (HOC) with a Master Plan and use limitations, subject to receipt of zoning agreement prior to completing the third reading of the ordinance.

In addition, staff notes that the applicant has predicated this requested change on the ability to relocate the existing Starbucks to the proposed site in order to facilitate the redevelopment of the block bounded by Clark and Kellogg to the north of Lincoln Way. Therefore, Staff believes that the City Council should not approve this rezoning request on third reading until proof, in the form of written agreement, is provided to the City that Starbucks will relocate to the 507 Lincoln Way.

ADDENDUM

Existing Land Use Policy Plan The Land Use Policy Plan (LUPP) designates these parcels Highway-Oriented Commercial land use. Additionally, the Lincoln Way Corridor Plan has included this area within Focus Area 1 as the Downtown Gateway Area, extending from Grand to Duff. The Corridor Plan describes the intent for the commercial use of the area and as an expansion of uses and redevelopment that support the Downtown area to the north. The heart of the Focus Area planning was the Kellogg/Lincoln Way intersection as the first priority due to the large amount of property in the Focus Area boundary. The Corridor Plan was approved and incorporated in the Land Use Policy Plan in the Urban Core section of Chapter 2 on January 23, 2018.

Relevant excerpts of the LUPP are included in Attachment F.

Existing Uses of Land. Land uses that occupy the subject property and other surrounding properties are commercial in nature and their respective zoning is described in the following table:

Direction from Subject Property	Existing Land Use
Subject Property	Commercial Retail
North	Commercial Office
East	Commercial Retail/Vehicle Service Facility
South	Commercial Retail/Vehicle Service Facility
West	Commercial Retail

Existing Zoning. The land has been zoned as Downtown Gateway Commercial (DGC) since June of 2018. The site is bounded to the west by directly abutting commercial retail zoned as Downtown Gateway Commercial (DGC) and to the north by commercial office uses zoned Highway-Oriented Commercial (HOC). The properties to the east and south are commercial retail and zoned Downtown Gateway Commercial (DGC). (See Attachment A)

The DGC zoning allows for a wide range of commercial uses, focused on general trade, office, and entertainment uses. It allows for mixed use development when sites are greater than 1 acre in size and have frontage along Lincoln Way. DGC also includes design guidelines, such as building materials, window percentages, architectural features, to address the desired community character for the area within the goal to redefine the area from strip commercial to a modern commercial area that is pedestrian friendly. DGC zoning limits the number of drive through facilities to one per block face along Lincoln Way, and prohibits the use all together for sites along Kellogg Avenue.

Master Plan.

The City Council has the authority to require a Master Plan for a rezoning 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. (Section 29.1507(3)(b) (iv). Staff finds that given the recent adoption of the Lincoln Way Corridor Plan, LUPP amendment and rezoning which designated the site with a specific intended design, a master plan is necessary in consideration of rezoning for a use with a high volume of drive through traffic. With the proposed Master Plan the design of the site must reflect what is shown on the Master Plan with regard to site layout and design along with a single point of access from Lincoln Way, as well as access to Gilchrist. The Master Plan also restricts the allowable uses at this location to Office, Retail, and Restaurant Recreation Entertainment Trade uses to avoid having vehicle service facilities such as car dealerships, gas stations and auto repair facilities.

CyRide. CyRide currently provides service along Clark and Lincoln Way with stops located within 1 block of this location to the east along Lincoln Way and to the north near the intersection of Clark and Main Street.

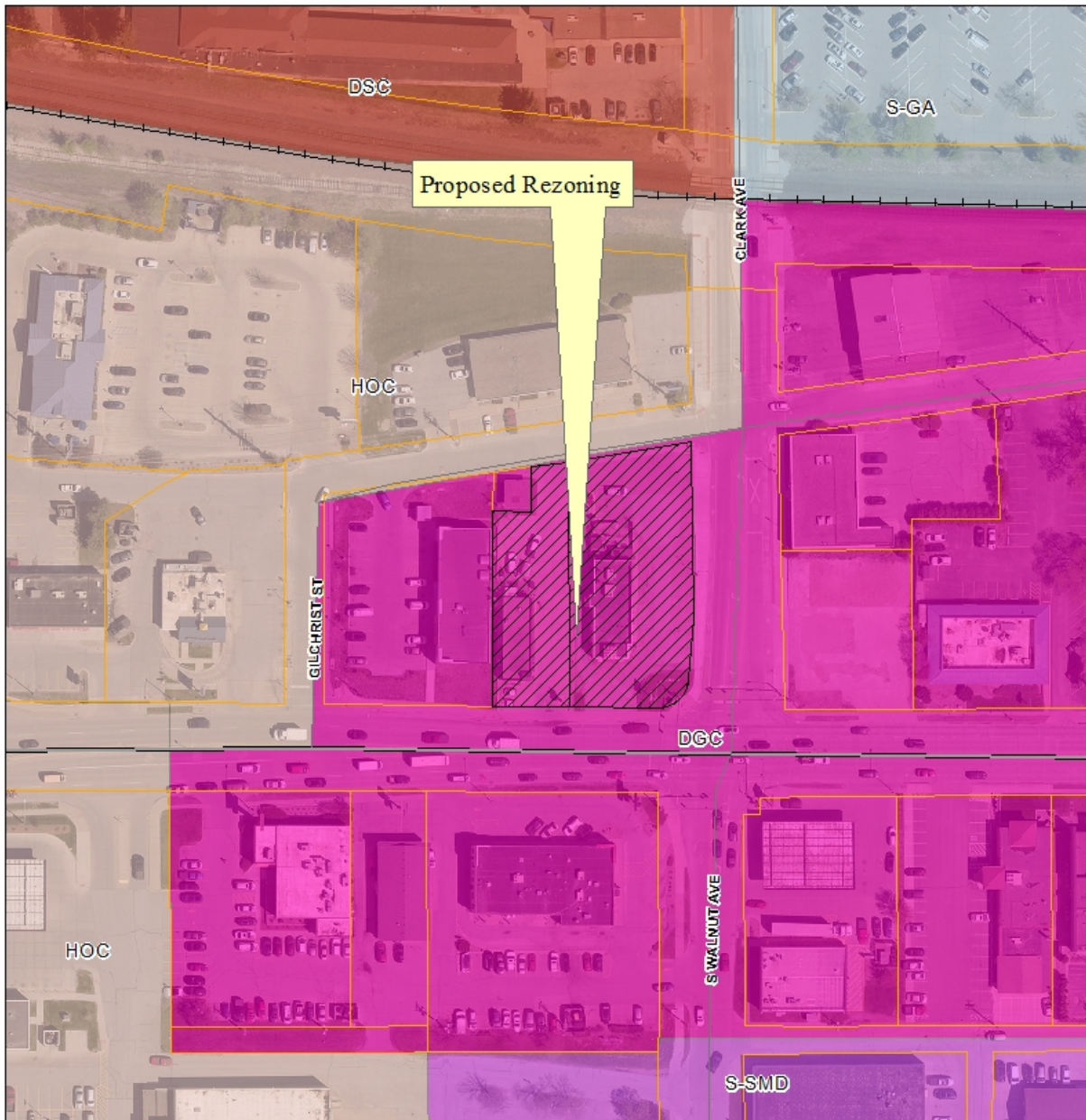
Access. The conceptual plan includes two access points. One with Lincoln Way along the south side of the property and a second to the north side of the property from Gilchrist Avenue. The access points must meet SUDAS and Iowa DOT requirements for spacing from the Clark Avenue and Lincoln Way intersection as well as spacing requirements from the Gilchrist and Clark intersection. Street frontage upgrades, if needed must be completed with approval of the Minor Site Development Plan. IDOT will need to approve the driveway location.

Infrastructure. As part of a rezoning request, the City reviews the potential to serve development with City utilities. The site is able to be served adequately. All City utilities are in place adjacent to the site. The City's traffic engineer did not identify a need for a specific traffic study as the propose use in the Master Plan would replace an already allowed set of commercial and drive through uses.

Applicant's Statements. The applicant has provided an explanation of the reasons for the Zoning amendment with a Master Plan in Attachment E

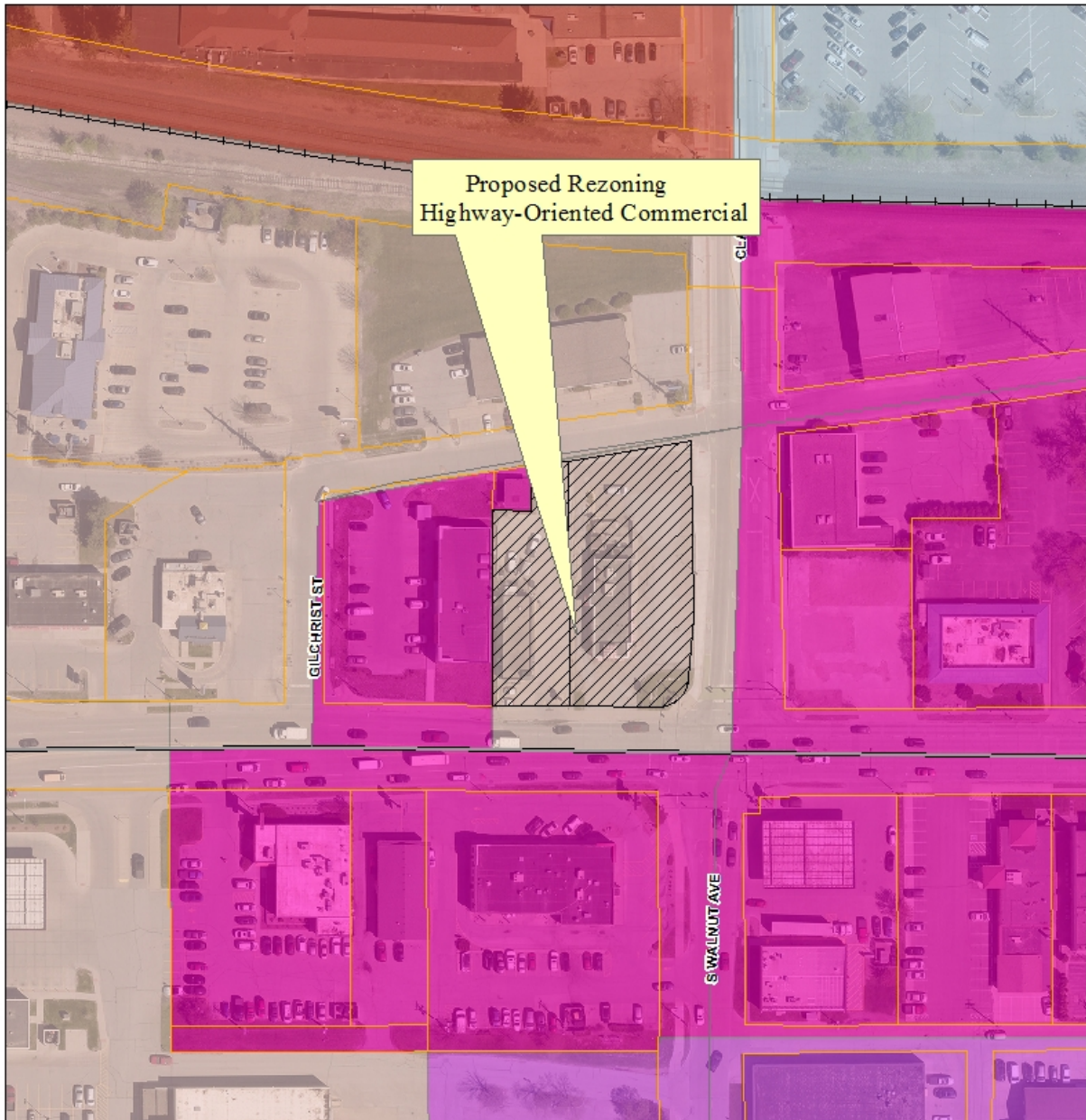
Public Notice. Notice was mailed to property owners within 200 feet of the subject site and a sign was posted on the subject property.

Attachment A- Location And Current Zoning



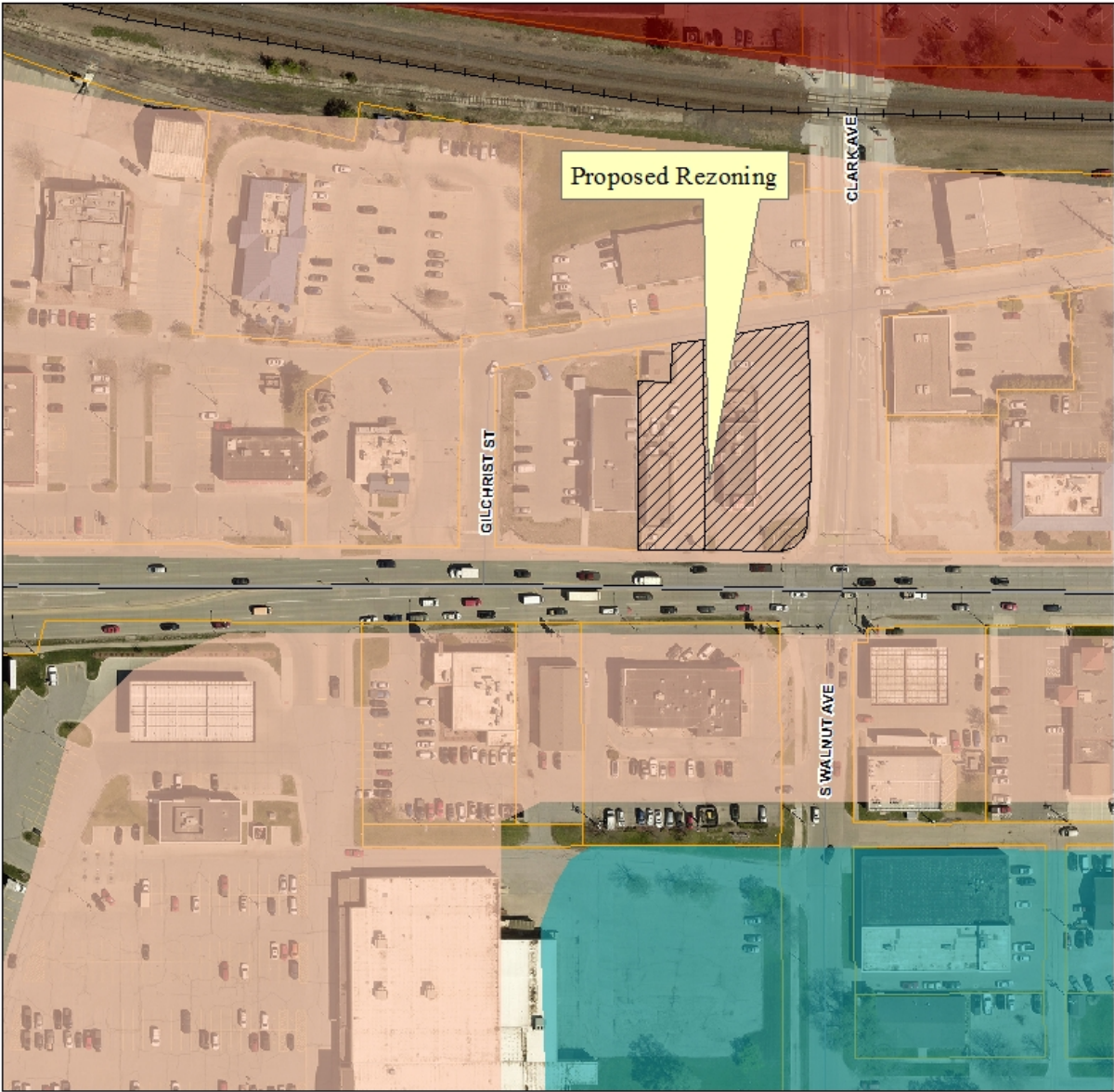
507 Lincoln Way
Location & Current Zoning

Attachment B- Proposed Zoning



Proposed Zoning Designation
Highway-Oriented Commercial
507 Lincoln Way

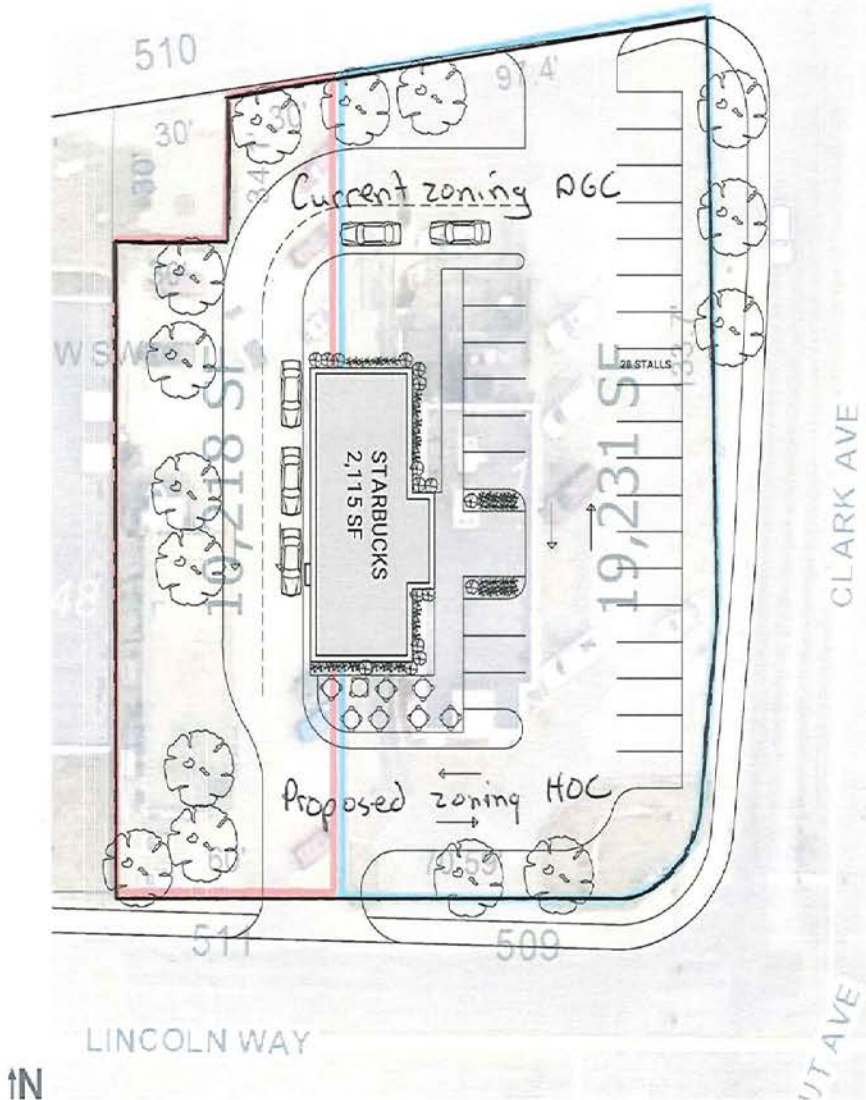
Attachment C- LUPP Designation



Area Land Use Designations
507 Lincoln Way

City Land Use Designations	
Residential	
	South Lincoln Sub-Area Mixed Use District
Commercial	
	Downtown Services Center
	Highway-Oriented Commercial

Attachment D- Master Plan



Attachment E- Applicants Statements

Supplemental documentation for rezoning request for 509-511 Lincoln Way August 16, 2019

The rezoning request is needed to accommodate the drive through facilities of the potential user. We have a specific user for the property, and they cannot develop a suitable site plan for the properties given the constraints that are in place in the DGC zoning.

The Developer believes this zoning change is consistent with the LUPP because the surrounding land is all commercial and Lincoln Way is a commercial corridor with many other properties in proximity zoned HOC.

Current zoning of the property is DGC

Proposed zoning of the property is HOC

We are looking at relocating the Starbucks located at 327 Lincoln Way to this site so that 2 block area to the East of this site can redevelop to the DGC standards.

Fox Engineering has submitted a plat of survey for these 2 lots to combine them into 1 lot but at the time of this submittal the 2 legal descriptions are as follows:

509 Lincoln Way is BLAIRS 4TH ADD LOT 1 EX STREET BLK 48

511 Lincoln Way is BLAIRS 4TH ADD E60' LOT 2 BLK 48 EX BEG 60'W & 182.75 N SE COR LOT 2 S20' E30' N34.1'SWLY TO BEG

Total area of the properties is 29,449 square feet

RECEIVED

AUG 16 2019

CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

Attachment F

Commercial Designation- Page 34 of Chapter 2.

Commercial. Commercial uses include six designations - Highway Oriented Commercial, Neighborhood Commercial, Convenience Commercial, Community Commercial Node, Regional Commercial and Downtown Service Center. The six designations are defined as follows:

- Highway-Oriented Commercial - scale commercial uses that are associated with strip developments along major thoroughfares. Floor area ratios are between 0.25 and 0.50 depending on location;

Urban Core Policy Options-Page 45 of Chapter 2

Lincoln Way Corridor Plan. Lincoln Way is the primary arterial street that interconnects the community from east to west. Lincoln Way is more than a street that provides vehicle, pedestrian, transit, and bicycle circulation as it is also a place that is part of many different neighborhoods and destinations within the City. The Corridor is home to industrial and highway commercial businesses as well as to single-family homes, multi-family residential, Campustown, and the south edge of the Iowa State University Campus. The City of Ames aspires to enhancing Lincoln Way to recognize it as a place and desirable area within the City that is contextual to its surroundings. The City of Ames objectives for enhancing the Corridor include:

- Improving mobility options for bicyclists and pedestrians while maintaining adequate vehicle service levels.
- Supporting select areas of redevelopment to provide for economic development and new infill housing opportunities that are compatible with the surroundings.
- Maintaining Lincoln Way commercial areas to meet the needs of the community.
- Enhancing overall aesthetics and continuity of the Corridor with improved streetscapes and gateways.

Enhancing the Corridor includes an overall framework with context specific implementation measures. The 2017 Lincoln Way Corridor Plan describes the planning context and goals for the Corridor in greater detail. The plan includes concepts for changes in zoning, building types, transportation, and streetscape enhancements. The plan relies upon Focus Areas to illustrate potential changes that meet the objectives for the Corridor.

Due to the breadth of the plan and its long term vision for evolution of the Corridor, the plan is intended to be implemented in phases. The first two priorities are for redevelopment in the Downtown Gateway Focus area and aesthetic enhancements along the Corridor. By reference,

Proposals for zoning amendments or LUPP changes for other areas require authorization or initiation by the City Council. Due to the extensive outreach and details of the Corridor Plan, requests for change that are consistent with Corridor Plan's objectives and Focus Areas may be authorized by the City Council as Minor Amendments. The City Council may also choose to consider concurrent zoning amendments when needed to realize specialty uses or redevelopment options described within the Corridor Plan for individual Focus Area. Concurrent review should only be considered for projects that commit to specific projects and detailed review of plans to ensure compatibility with the surroundings and consistency with the Plan.

Downtown Gateway Focus Area. The City has established the Downtown Gateway Focus Area, located generally from Clark Avenue to Duff Avenue and south of the railroad tracks, as its first development area priority. This Focus Area is within the Downtown Expansion Area Option of the Land Use Policy Plan. The Downtown Gateway is intended to foster redevelopment with a commercial focus that may also include residential development. The area as it is currently developed is a place of community commercial uses formatted in typical highway commercial setting, meaning automobile oriented formats, and providing for retail, office, and restaurant uses.

As redevelopment occurs in the area it is important to maintain a strong commercial base that meets community needs for retail and service use. Redevelopment of the area does not require mixed use residential development, but residential uses can be accommodated when the commercial use goals of the City are met for the area. The goals of redevelopment in this area are not focused on creating student housing options that are already accommodated with the Campustown Service Center area of the Corridor.

The overall character of the area is for development that is complimentary to the use and character of Downtown. Incorporating complimentary uses is a priority for the City and includes accommodating a boutique hotel, entertainment and active retail uses, incorporating outdoor space for events and commercial uses, and maintaining an office and employment presence in the Corridor. Kellogg Avenue is the focal points of the Focus Area and connects to the four-corner heart of Downtown at Main Street. Development along Kellogg must maintain individual building identity and storefront patterns similar to traditional downtown retailing. This type of development pattern can occur through redevelopment of small sites or as part of a larger redevelopment project. In other areas outside of Kellogg Avenue, the Plan encourages aggregation of property in support of a variety of development formats that accommodates the intended commercial uses and for the area.

Facilitating intense redevelopment also allows for collective parking and reduced parking requirements in recognition of the rich transportation options in the area and public parking that exists to the north of the area. Due to potentially large redevelopment sites, design and architectural features are needed that provided variations in appearance of mass and height. Differentiation of façade planes and use of high quality glazing, brick, and metal siding systems is highly desirable to create an attractive and interesting area. Maintaining or creating secondary means of access into the blocks is a priority for the area to ensure that curb cuts onto Lincoln Way are reduced and minimized from existing conditions. Automotive service oriented uses are discouraged from locating in the area. Aggregating property for larger sites may require developers to relocate electric and water utility improvements and potentially have the City

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

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 507 Lincoln Way, is rezoned, with Master Plan, from Downtown Gateway Commercial (DGC) to Highway-Oriented Commercial (HOC).

Real Estate Description:

Survey Description-Parcel B: Lot 1, except that part conveyed to the City of Ames by Deed of Dedication filed in Book 1 B, Page 76, and the East 60 feet of Lot 2, except that part deeded to the City of Ames by Warranty Deed filed in Book 1 B, Page 463, all in Block 48, Fourth Addition to Ames, Story County, Iowa, and all together being more particularly described as follows: Beginning at the Northeast Corner of said Lot 1; thence S00°39'30"E, 134.61 feet along the east line thereof; thence following the west right of way line of Clark Avenue S04°07'30"W, 47.97 feet; thence southwesterly, 37.07 feet along a curve concave to the northwest, having a radius of 25.50 feet, a central angle of 83°17'25" and being subtended by a chord which bears S47°35'11"W, 33.89 feet to the south line of said Lot 1; thence N89°48'56"W, 130.59 feet along said line; thence N00°35'44"E, 153.39 feet along the west line of the East 60 feet of said Lot 2; thence N89°27'17"E, 30.00 feet; thence N00°35'44"E, 33.87 feet to the north line of said Lot 2; thence N82°07'57"E, 126.76 feet to the point of beginning, containing 0.67 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 _____, _____.

Diane R. Voss, City Clerk

John A. Haila, Mayor