

ITEM #: 27  
DATE: 02-28-23  
DEPT: P&H

**COUNCIL ACTION FORM**

**SUBJECT: REZONE A PORTION OF THE PARCEL LOCATED AT 325 BILLY SUNDAY ROAD FROM GOVERNMENT/AIRPORT DISTRICT “S-GA” HIGHWAY ORIENTED COMMERCIAL “HOC”**

**BACKGROUND:**

An accompanying Ames Plan 2040 Future Land Use Map amendment is on the same agenda that proposes to change the land use designation to “Community Commercial/Retail” (Com CR) to allow for approval of this rezoning.

The City of Ames owns a parcel of land located between Highway 30 to the north and Billy Sunday Road on the south that contains approximately 24.5 acres (*see Attachment A- Location Map*). The parcel is currently zoned Government/Airport District (S-GA) (*see Attachment B- Existing Zoning Map*). The proposed rezoning includes approximately 16.5-acres of the parcel (*see Attachment C- Proposed Zoning Map*). The remaining area will retain the S-GA zoning.

**The City of Ames believes a substantial portion of the site could be sold and used for commercial purposes with the retention of part of the site for government facilities. With approval of the rezoning, the City would determine in the future the timing and subdivision of the parcel to allow for it to be sold as surplus property or whether to lease part of the site for a commercial purpose.**

The parcel is predominantly undeveloped, except for the U.S. Army Reserve Center located at 2110 S Duff Ave (North Corner of S Duff & Billy Sunday Road) and the Ames Animal Shelter located at 325 Billy Sunday Road. A 25-foot paved Access Drive extends through the parcel from Billy Sunday Road to the Hunziker Sports Complex located further to the east of the site. The parcel is relatively flat but has a slightly higher elevation next to the Ames Dog Park. Highway 30 abuts the site to the north. An apartment complex and car dealership are located to the south of the site across Billy Sunday Road. The City Dog Park exists at the east end of Billy Sunday, abutting the site.

**The parcel’s visibility and easy access to Highway 30 along with available infrastructure make this site desirable as real estate for future commercial development. The recent installation of a traffic signal at Billy Sunday and Highway 69 also created direct access to the site that did not exist previously.**

## **REZONING:**

The request is to rezone a portion of the parcel equaling approximately 16.5 acres, from Government/Airport District (S-GA) to Highway Oriented Commercial (HOC). The majority of the 16.5-acre site is vacant, except for the Ames Animal Shelter located at 825 Billy Sunday Road.

The remaining eight acres would be retained with the existing Government/Airport District (S-GA) zoning. Although the existing animal shelter would be rezoned, it does not restrict the use of the site as an animal shelter. The shelter will continue to operate as until such time a new location to the east could be developed by the City.

The Ames Plan 2040 Future Land Use Map currently designates the property as “Civic.” The proposed designation for the 16.5 acre site is “Community Commercial/Retail” (Com CR) (see *Attachment D- Proposed Future Land Use Map*). Highway Oriented Commercial is considered a compatible zoning district within the Community Commercial/Retail (Com CR) land use classification. **Rezoning this property to “HOC” (Highway-Oriented Commercial) will enable the surplus government land to be sold and utilized for commercial development.**

The area retaining the existing zoning will include the US Army Reserve at 2110 S Duff and approximately a 1.5 acre area adjacent to the Ames Dog Park as a potential site for relocation and expansion of the Ames Animal Shelter (see *Attachment C- Proposed Zoning Map*).

The proposed “Community Commercial/Retail” (Com CR) land use designation considers HOC zoning as an appropriate zone for implementing its purposes. Much of the area around the interchange is already zoned Highway Oriented Commercial (HOC). Therefore, changing a portion of the site to Highway Oriented Commercial (HOC) would result in development of similar character to that of the area and meet the City goals of utilizing the site for infill commercial purposes.

## **PLANNING & ZONING COMMISSION RECOMMENDATION:**

On February 1, 2023, the Planning & Zoning Commission voted 6-0 to recommend approval of the rezoning.

**ALTERNATIVES:**

1. Approve the request to rezone approximately 16.5 acres of the parcel located at 325 Billy Sunday Road from “S-GA” to “HOC” as illustrated on *Attachment C*.
2. Deny the request to rezone approximately 16.5 acres of the parcel located at 325 Billy Sunday Road from “S-GA” to “HOC.”
3. Defer action on this request and refer it back to City staff and/or the applicant for additional information.

**CITY MANAGER’S RECOMMENDED ACTION:**

The request for rezoning is consistent with the Ames Plan 2040 proposed change to the Future Land Use Map as described in the addendum. Rezoning will have no impacts on current infrastructure and City services for this parcel. The change of zoning to “HOC” would allow for a wide range of commercial uses, such as office, retail, and entertainment/restaurants. Adding more commercial land at this location would meet a need of the City for increasing commercial development opportunities within the City.

**By rezoning the site to commercial it would allow for the City to consider leases for use of the site, including potentially for relocation of billboards from The LINC site along Lincoln Way. More importantly, the excess land proposed for rezoning may have substantial value that, if sold or long term leased, could be used to help fund relocation and reconstruction of the animal shelter. Any future leases or sale of the property would be subject to City Council approval.**

**The rezoning and sale of this land could yield two additional benefits; 1) provide revenue to help fund construction of a new Animal Control Shelter and 2) provide a site to relocate an existing billboard from The LINC site on Lincoln Way to a highway oriented area.**

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1.

## ADDENDUM

### REZONING BACKGROUND:

**Legal Description.** The area of change is a portion of a larger parcel. It will include the current private drive that traverses the site, but it does not include the Army Reserve or future animal shelter location. The general area of rezoning is described as follows:

Beginning at the intersection of the centerline of Billy Sunday Road and centerline of a 25' paved access drive to the Hunziker Sports Complex. Continue North along the centerline of the 25' paved access drive for approximately 625' to the property line; Continue along property line in northeast direction approximately 96', NE 199.78'; NE 202.78', NE 470.74', and NE873.4' to eastern property line; then S196.8' to property corner, then W872' to property corner. Continue S365.25', then W235', then S approximately 310' to Centerline of Billy Sunday Road, then W approximately 720.8' along centerline of Billy Sunday Road to the POB. Approximately 16.5 acres.

**Ames Plan 2040.** The Ames Plan 2040 proposed Future Land Use Map designation for the 16.5-acre site is "Community Commercial/Retail" (Com CR) (see *Attachment D-Proposed Future Land Use Map*). Highway Oriented Commercial is considered a compatible zoning district within the "Community Commercial/Retail" (Com CR) land use classification. The wide range of commercial uses allowed within HOC is consistent with zoning of the area and mix of uses in the area. Staff believes the rezoning request is consistent with the goals and policies of the Ames Plan 2040 (see *Attachment E- Ames 2040 Plan Community Commercial/Retail Characteristics*).

**Proposed Zoning.** The city proposes rezoning 16.5 acres of the parcel from "S-GA" (Government/Airport) to "HOC" (Highway-Oriented Commercial). The remaining eight acres will remain "S-GA".

The "HOC" zone is intended to allow auto-accommodating commercial development in areas already predominantly developed for this use. The zone allows a full range of retail and service businesses with a large local or citywide market. Development is expected to be generally auto-accommodating, with access from major traffic ways. HOC zoning includes no specific architectural standards and includes basic front, rear, and side setbacks. A developed site must include at least 15% of the area as landscaping.

The far north east corner of the parcel, adjacent to the first parking lot access of the Hunziker Youth Sports drive is within the flood plain. This area would be subject to Floodway Fringe development standard for placement of fill and elevating or protecting buildings to three feet above base flood elevation.

**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 Primary Land Uses
Subject Property	US Army Reserve, Ames Animal Shelter, & Vacant/Undeveloped (S-GA)
North	Highway 30, Auto Dealership, & Menards Retail (HOC)
East	Ames Dog Park & Hunziker Sports Complex (S-GA)
South	Toyota Auto Dealership (HOC) & Apartments (RH)
West	Auto Dealership (HOC)

**Infrastructure.** Impacts on infrastructure and City services for this parcel are consistent with what is already anticipated for commercial use of the property.

Transportation- Vehicular. The parcel is immediately adjacent to the Highway 30 corridor and the Highway 30 and S Duff (US 69) interchange providing excellent access to two major transportation corridors.

Billy Sunday Road has a direct vehicular connection to S. Duff Avenue (US 69). The intersection is signalized and includes a turn lane into Billy Sunday Road, as you head southbound on S. Duff Avenue.

A 25' paved Access Drive extends north from Billy Sunday Road and then curves to the east along the north side of the property, continuing to the Hunziker Sports Complex.

Pedestrian. A sidewalk exists on the south side of Billy Sunday Road. There are currently no sidewalks on the north side of Sunday Road, nor along the Access Drive. A shared use path exists along S Duff Avenue (Highway 69) on the east side.

Sanitary Sewer- An 8" sanitary sewer stub extends across Billy Sunday Road to the property. Additionally, a 10" sewer line extends along the north side of the property. A 54" and 35" sewer trunkline cuts diagonally across the panhandle portion of the lot connecting across Highway 30 to the northwest and southeasterly down to south Ames.

Water- An 8" water line extends along the north side of Billy Sunday Road. A Fire Hydrant is located at the Ames Animal Shelter (325 Billy Sunday Rd).

Stormwater- A drainage ditch extends along the north side of Billy Sunday Road except in developed areas such as the US Army Reserve and the Ames Animal Shelter. Future development would be subject to the City's storm water management for control of water quantity and quality.

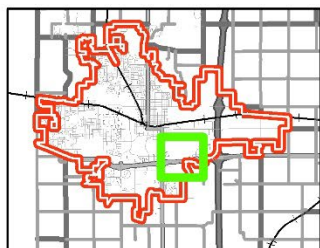
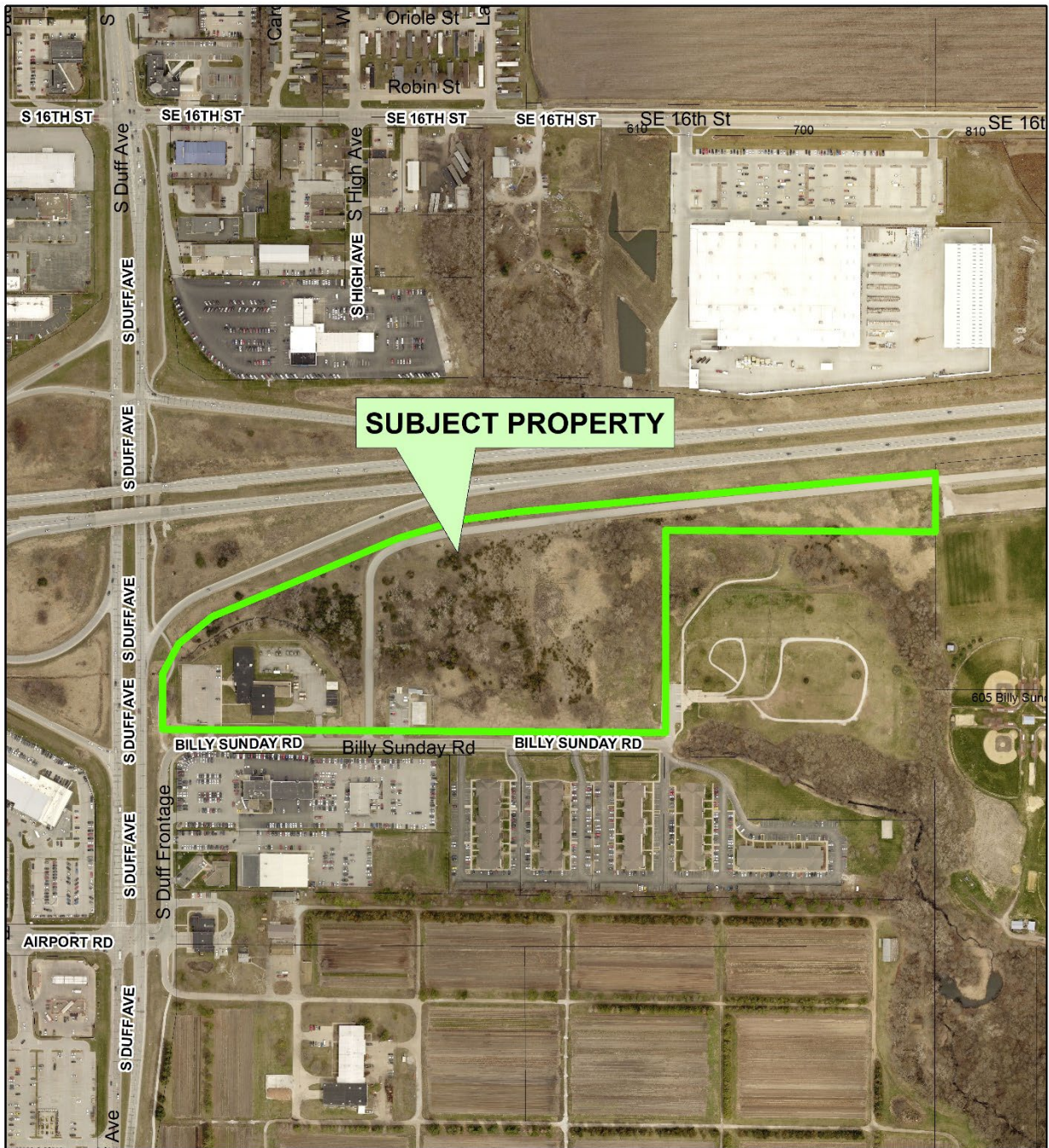
Electric- Ames Electric power lines extend along the north side of Billy Sunday Road.

**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. The subject property is owned by the City of Ames.
2. Ames Municipal Code Section 29.1507(1) allows the City Council to initiate an amendment to the Official Zoning Map.
3. The proposed rezoning is consistent with the designation of “Community Commercial/Retail” (Com CR) identified on the Ames Plan 2040 proposed Future Land Use Map.
4. The proposed rezoning to “HOC” Highway Oriented Commercial zoning is consistent with the existing commercial character of S. Duff Avenue and Billy Sunday Road.
5. The parcel is owned by the City of Ames. Rezoning a portion of the parcel to Highway Oriented Commercial “HOC” would allow the property to be sold and developed in a variety of uses. The subject property includes approximately 16.5 acres of the larger 24.5-acre parcel.
6. Development in the “HOC” zoning district requires a site plan review process to assure that such development and intensity of use assures a safe, functional, efficient, and environmentally sound operation.
7. Impacts on infrastructure and City services for this parcel is consistent with what is already anticipated for the area.

**Public Notice.** The City provided mailed notice to all property owners within 200 feet of the subject property and placed a sign on the property, prior to the City Council meeting in accordance with the notification requirements of Chapter 29.

**Attachment A**  
**Aerial & Location Map**

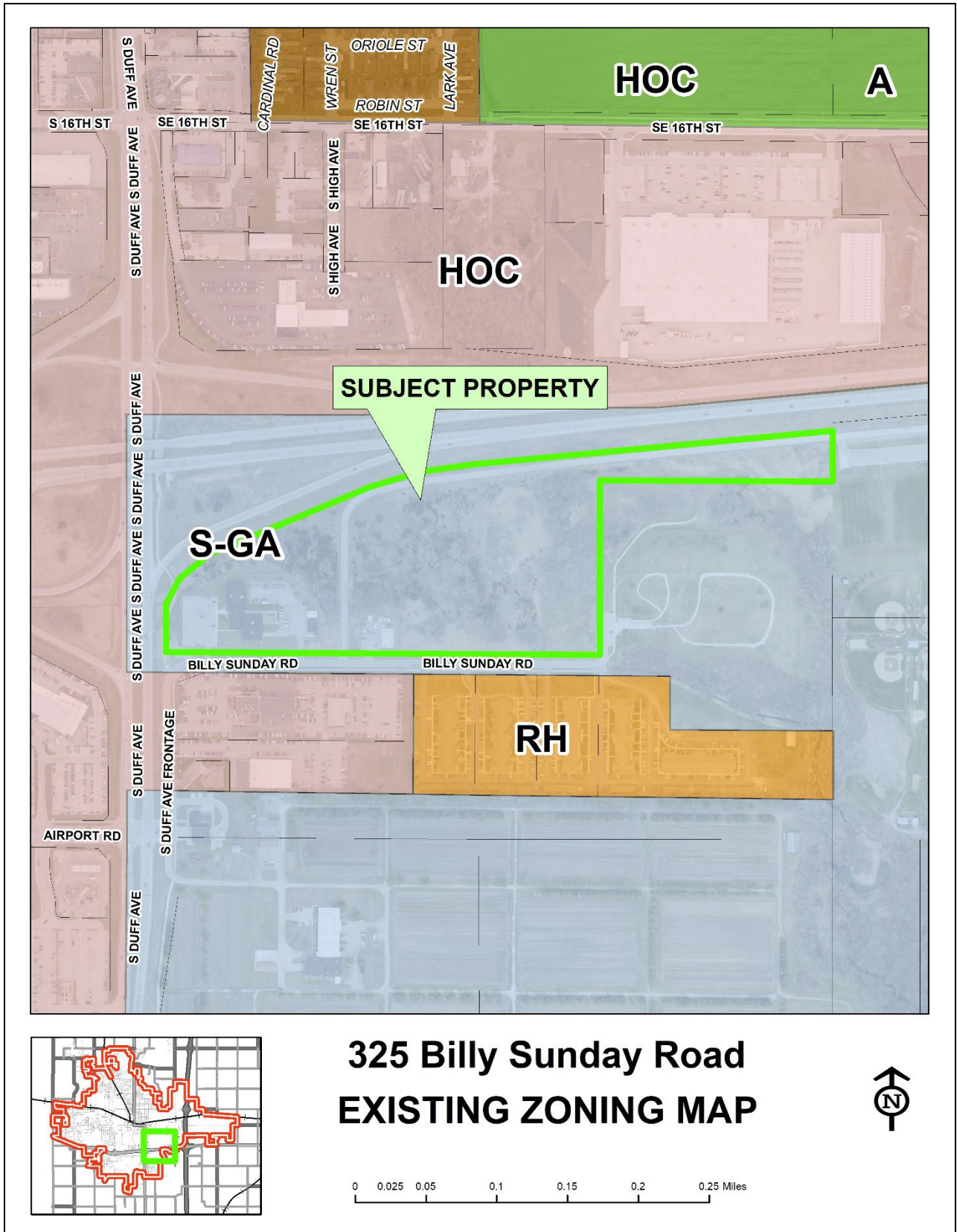


**325 Billy Sunday Road**  
**LOCATION MAP**



0 0.025 0.05 0.1 0.15 0.2 0.25 Miles

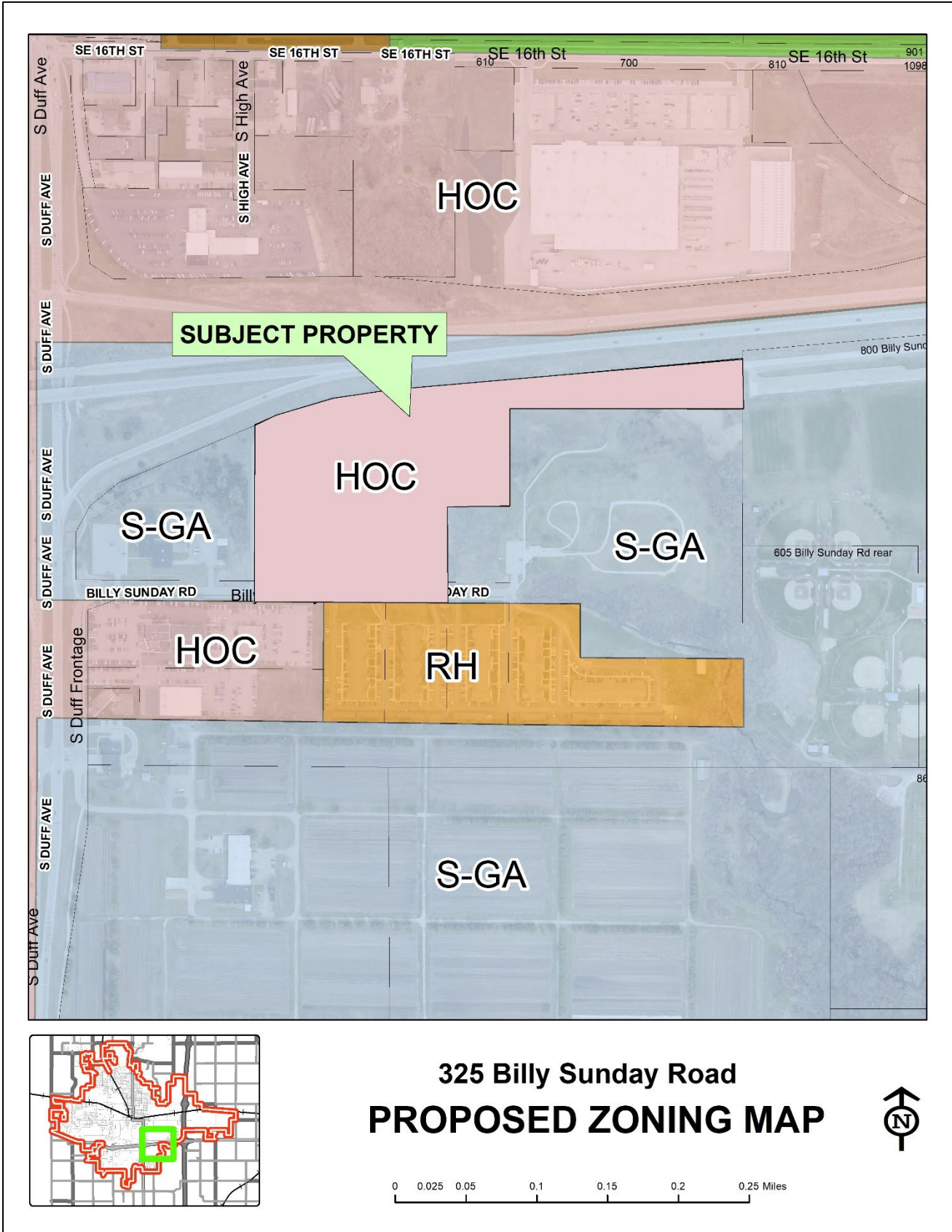
**Attachment B**  
Current Zoning Map (excerpt)



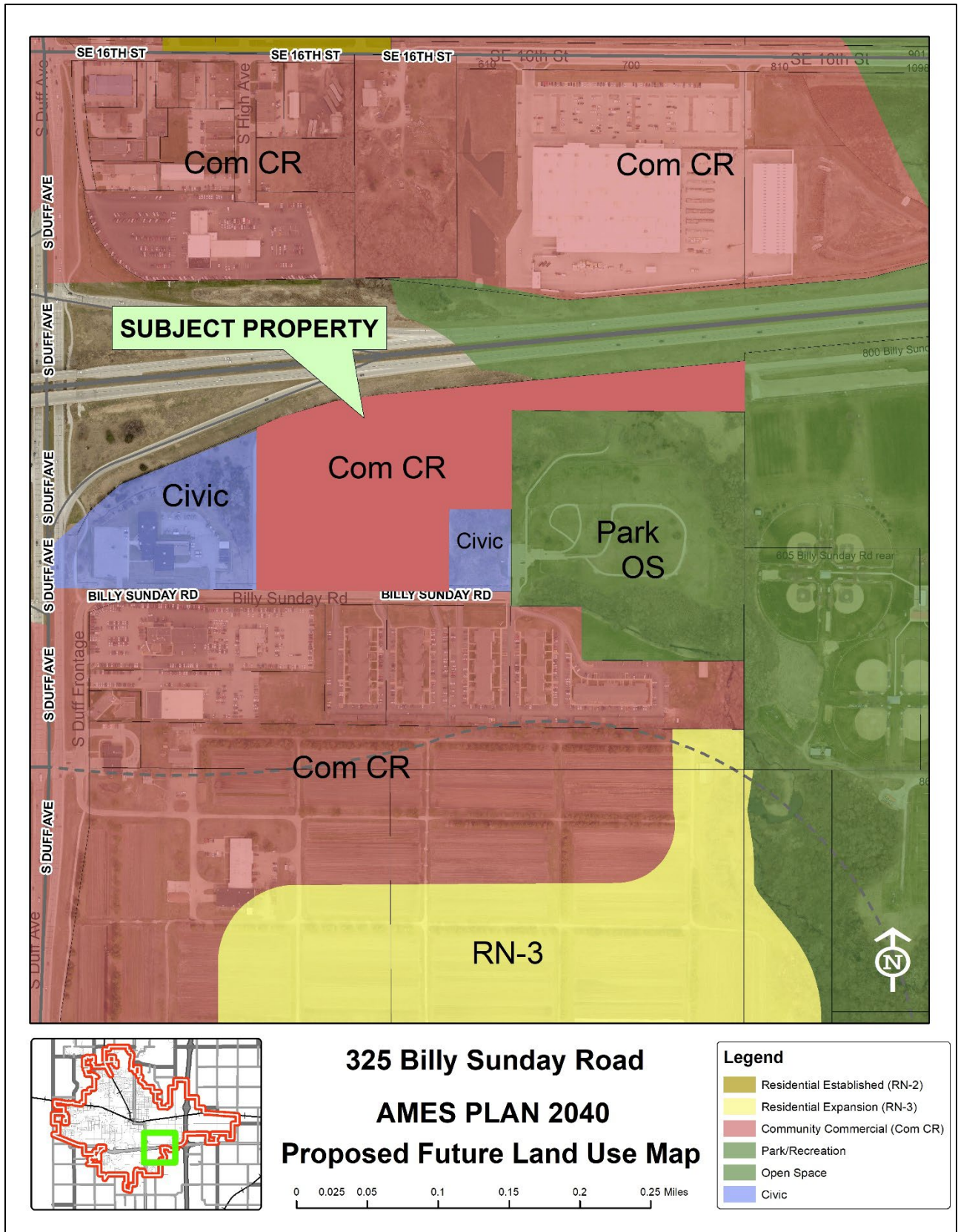
**325 Billy Sunday Road**  
**EXISTING ZONING MAP**



**Attachment C**  
**Proposed Zoning Map (excerpt)**



**Attachment D**  
Ames Plan 2040, proposed Future Land Use Map (excerpt)



# Attachment E

## Ames Plan 2040 (excerpt)

### Community Commercial/Retail Characteristics

## LAND USE: CATEGORIES

### Community Commercial / Retail (Com CR)

#### CHARACTERISTICS

- » Major commercial destinations, with citywide and even regional market reach. Changes in retailing, including the growing importance of on-line sales, will affect mix of retail uses and character of these areas.
- » Includes a variety of settings from North Grand Mall and large-format free-standing commercial.
- » Usually auto-oriented with large parking lots, often sized to peak parking needs.

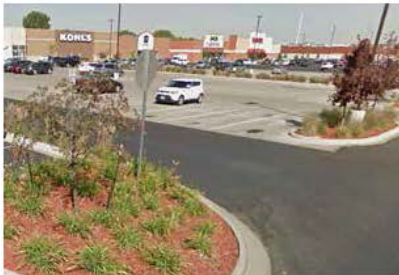
- » Includes major commercial corridors, ordinarily along high traffic arterials - thoroughfares and boulevards.
- » Includes commercial office areas.
- » To date, typically found in single-use commercial environments.
- » Typically separated from street by parking.
- » Arterial or interstate visibility and access.

#### APPLICABLE EXISTING ZONING CATEGORIES

- » CCN Community Commercial Node
- » HOC Highway Oriented Commercial
- » NC Neighborhood Commercial
- » PRC Planned Regional Commercial
- » O-G Gateway Overlay Districts

#### GOALS

- » Maintain viability as major elements of the Ames economy.
- » Improve quality and user experience to maintain competitiveness.
- » Increase efficiency of land use and improve environmental performance.
- » Introduce new and more varied land uses where appropriate.
- » Move away from solely auto-oriented design approaches.



#### DEVELOPMENT GUIDELINES

- » Re-evaluate parking needs in light of changing consumer patterns and potential access via alternative transportation modes.
- » Redesign large parking areas for better user orientation and pedestrian/bicycle access, reduce influence of parking.
- » Improve street orientation and connection of building entrances to the public domain.
- » Implement access management along corridors, reduce the number of curb cuts, and encourage interconnectivity of parking areas and shared access points.
- » Provide secondary circulation where possible to separate local and through traffic streams.
- » Improve the physical appearance and safety and functionality of transportation alternatives, including bicycles and other micro-mobility modes and transit.

#### PUBLIC ACTIONS

- » Develop plans for upgrading major commercial corridors to address functional, aesthetic, and land use issues - access management, streetscape, multi-modal transportation, local circulation, and land use opportunities.
- » Explore public/private partnerships to enhance existing major commercial assets.
- » Develop secondary circulation ways to reduce local traffic on main corridors. Work with major establishments to interconnect parking lots.
- » Encourage creation of a SSMD to help finance district wide improvements.
- » Review commercial design needs and zoning regulations in light of changing consumer patterns.
- » With changing retail markets, provide flexibility to permit the evolution of single-use large commercial projects into new retail formats and mixed use developments.