

ITEM #: 16
 DATE: 12/09/08

COUNCIL ACTION FORM

SUBJECT: REZONING OF PROPERTY LOCATED AT 4098 EAST 13TH STREET FROM “PRC” (PLANNED REGIONAL COMMERCIAL) AND “O-GNE” (NORTHEAST GATEWAY OVERLAY DISTRICT) TO “PI” (PLANNED INDUSTRIAL)

BACKGROUND:

On August 14, 2006, the City Council received a letter from Wolford Development Options, LLC expressing its willingness to rezone the “East Barilla” portion of its regional commercial center site from Planned Regional Commercial zoning to Planned Industrial zoning. The land is located on the south side of East 13th Street and east of the proposed “Power Center” commercial site. (See attached Location Map) On August 22, 2006, the City Council approved Resolution 06-344 accepting this proposal. The property is currently zoned “PRC” (Planned Regional Commercial) and “O-GNE” (Northeast Gateway Overlay).

Accordingly, Wolford Development Options LLC now requests rezoning of the 55.18 acres located at 4098 East 13th Street from “PRC” (Planned Regional Commercial) to “PI” (Planned Industrial). Although the applicant did not request it, City staff is suggesting that the Council also consider whether to remove or retain the “O-GNE” (Northeast Gateway Overlay District)

The approved Master Plan for the “Lifestyle Center and Power Center” refers to the subject property as “East Barilla Site: Future Industrial Development.” Its Land Use Policy Plan (LUPP) designation is Planned Industrial. After rezoning and installation of required public improvements, the subject property would be available for development for the industrial uses allowed in the Planned Industrial zoning district. (See attached Applicable Law)

The subject property is legally described in Exhibit A. East 13th Street is the only public street providing frontage and access. The property is served by a City 12-inch diameter water main but not served by City sewer, storm sewer, and electric services. (See attached Utilities Map)

Currently, the property is used for row crop agriculture. The following table describes the current uses, zoning, and land use designations of surrounding property.

Area	LUPP/AUF Designation	Zoning	Land Uses
North	Planned Industrial (Ames Urban Fringe Plan)	A-1 Agriculture (Story County)	Agriculture
South	Agriculture/Long-term Industrial Reserve (Ames Urban Fringe Plan)	A-1 Agriculture (Story County)	Agriculture
East	Planned Industrial (Ames Urban Fringe Plan)	A-1 Agriculture (Story County)	Agriculture
West	Planned Regional Commercial	Planned Regional Commercial and O-GNE” Northeast Gateway Overlay District	Agriculture

(See attached Land Use Policy Plan Map and Existing Zoning Map)

According to the City's Zoning Ordinance, the purposes of its current and proposed zoning designations are as follows.

- The purpose of the current Planned Regional Commercial zoning designation is to accommodate major retail and commercial service centers with clustered and integrated development, located near limited-access highways. This zoning permits office uses and a variety of retail commercial uses.
- The purpose of the current Northeast Gateway Overlay district is to ensure that regional commercial development in this location results in high quality development. This designation includes design standards that integrate open space, landscaping, entry features and artwork, storm water management, buildings, parking, access by all modes of transportation, lighting, and signs in a manner that respects the environment, is representative of the native Iowa landscape, and exhibits energy efficiency.
- The purpose of the proposed Planned Industrial zoning is to provide a desirable industrial environment that accommodates large-scale industrial land uses in a clustered and integrated development in a park-like setting near limited-access highways.

The following Land Use policy Plan goals are pertinent to this proposal. Staff comments follow each goal:

Goal No. 1. Recognizing that additional population and economic growth is likely, it is the goal of Ames to plan for and manage growth within the context of the community's capacity and preferences. It is the further goal of the community to manage its growth so that it is more sustainable, predictable and assures quality of life.

The subject area has never been previously developed. The land adjacent on the west side of the site is planned for commercial development. The subject property's designation on the Ames Urban Fringe Plan Map for Planned Industrial (PI) land use reflects the City's preferences for use of the site.

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.

One of the City's objectives under this goal is to assure the availability of sufficient suitable land resources to accommodate the range of land uses that are planned to meet growth and sufficient to eliminate market constraints. The Industrial Study prepared by City staff in 2002, concluded that after the build-out of land west of Interstate 35 that is currently zoned for industrial uses, 340 acres of additional

industrial land will be needed to meet the City's need through 2030. Of this, 116 acres was identified for the types of uses for which the Planned Industrial land use is designated. The study also recognized the need for land for any future large industrial land users, such as the Barilla manufacturing plant southwest of the subject site.

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.

The 2002 Industrial Study concluded that, once areas that are currently served by City infrastructure are built out, the subject property and property east and north of it offer the most cost-effective location for future industrial expansion, based on existing infrastructure and future infrastructure needs. Public infrastructure will be needed in order to establish industrial development in this location. (See Findings below)

Goal No. 7. It is the goal of Ames to provide greater mobility through more efficient use of personal automobiles and enhanced availability of an integrated system including alternative modes of transportation.

As stated above, the 2002 Industrial Study concluded that this area offers the most cost-effective option for providing transportation systems to serve industrial development. "Findings" below summarizes the transportation improvements needed.

Goal No. 9. It is the goal of Ames to promote expansion and diversification of the economy in creating a base that is more self-sufficient and that is more sustainable with regard to the environment.

The proposed rezoning provides sites for more diversified regional employers involving technology-related services and production, as well as office centers. This may include a small- or medium-size business center that utilizes the skills and products of the area's trained workforce. These are objectives of the City's land use policies.

The five other goals of the City's land use policy are not directly related to this rezoning proposal and are being carried through other policies and projects. All of these goals and objectives can be found on pages 14 through 23 in Chapter One of the Land Use Policy Plan.

The Future Land Use Classification portion of the Land Use Policy Plan describes a Planned Industrial area as a clustered/industrial park setting with a greater integration of uses, access and appearance. Locations should be near limited-access thoroughfares. Since these locations involve main entries to Ames, specific design features are recommended, such as:

- Greater set-back of buildings from major thoroughfares;
- Building design involving a "front" face toward each major thoroughfare;
- Landscape buffer along major thoroughfares; and,
- Storage, assembly yards and parking areas located on the opposite side of the building from a major thoroughfare.

Although the availability of industrial land has not been studied in detail, in August a report to City Council on a zoning code provision made the following observations about industrial land:

Staff has identified eleven parcels of land within the General Industrial district that are vacant and have utilities and street improvements in place. These eleven parcels constitute a total of 54.77 acres. The largest parcels are 14.62 and 14.01 acres in size. The next largest is 7.80 acres. The remaining parcels are less than six acres in size of which six are less than three acres. There is additional land with general industrial zoning, west of Interstate 35, that will require further street and infrastructure extensions to be made fully available and these investments are now being studied. Land zoned Planned Industrial is in the ISU Research Park.

Planned Industrial zoning generally permits office, industrial, transportation, communications, and utility uses. Industrial uses are more limited than in the General Industrial zoning district. (See Applicable Law attached) Although, other than a water main, there is no public infrastructure in place at this time to serve the subject site, these permitted uses will likely have the same or less impact on public infrastructure than uses permitted by the existing commercial zoning of this property. Therefore, the Findings below related to infrastructure are based on the analysis that was completed at the time the property was given the Planned Regional Commercial land use designation.

The proposed rezoning converts productive agricultural land to development. The City does preserve row cropland within its corporate limits in locations not suitable for development due to floodway or other environmental conditions. The subject property does not meet these criteria. City policies support urban expansion within corporate limits, in part, through policies that support rural preservation in its urban fringe by preserving 94% of the high value agricultural land within two miles of Ames.

Findings of Facts and Conclusions.

Findings. Staff makes the following findings of facts:

1. The property at 4308 East 13th Street is designated on the Land Use Policy Plan (LUPP) Map as Planned Industrial (PI).

2. Section 29.902 of the Ames Municipal Code states in part that it is the intent of the PI zone to accommodate large-scale industrial users near limited-access highways. The subject property is less than one-half mile from an Interstate 35 interchange.
3. The property is not within the Floodway Overlay District or the General Flood Plain Overlay District. When work under the approved Conditional Use Permit for the General Flood Plain Overlay District is completed on the property to the west, the subject property will still not fall within the General Flood Plain Overlay District.
4. A 12-inch water main serves the subject site. If the property is subdivided or developed with multiple buildings, smaller water mains will need to be looped through the subject property itself.
5. No existing City sanitary sewer serves the subject site. An estimated 4,000 feet of 18" sanitary sewer will need to be taken from the subject site along East 13th Street to the existing sewer at Dayton Road. This sewer would need to be bored approximately 1,200 feet under Interstate 35, which would be subject to approval by FHWA/IDOT. If the property is subdivided or developed with multiple buildings, additional sanitary sewer mains will need to be constructed through the site. The Zoning Agreement that established Planned Regional Commercial zoning for site to the west requires the developer of that project to extend the 18" sanitary sewer to the northwest corner of the subject property.
6. The 2002 Industrial Study concluded that if water-intensive industrial land uses occur within the subject area, there might be a need to add capacity to the City's water or wastewater treatment facilities.
7. Traffic analysis of the traffic impacts of commercial development on East 13th Street east of Interstate 35, indicated the need for improvements such as additional lanes east of the Interstate and traffic control at intersections east and west of the Interstate. These improvements will still be needed if the use of the subject property changes from commercial to industrial. The Zoning Agreement that established Planned Regional Commercial zoning for site to the west requires the developer of that project to make these traffic improvements.
8. Ames Municipal Code Section 29.902.4 provides for denial of a site development plan in the Planned Industrial zoning district if "the proposed use or structure, as presented by the application, will create a nuisance in terms of diminished air quality, smoke, noise, toxic matter, odor, vibration, glare, sewage waste, water quality, street system capacity, heat or other condition detrimental to the public health and safety or reasonable use, enjoyment and value of other properties; or diminish the quality or quantity of any utility service presently provided by the City." (See Applicable Law attached)
9. The proposed Planned Regional Commercial center has been calculated to be at the outer limit of the City's five-minute emergency response time goal for 85% of the community. The west boundary of the subject site is 1,500 feet beyond this five-minute response time range.

10. Ames Municipal Code Section 29.1507(2) allows owners of 50% or more of the area desired for rezone to file an application requesting City Council to rezone the site. The applicant is the only owner of the site proposed for rezoning, which equates to 100% ownership of the requested rezone area.
11. The application was received on September 18, 2008. The deadline for the Planning & Zoning Commission to file its recommendation to the City Council (pursuant to Ames Municipal Code Section 29.1507(2)) is December 17, 2008.
12. Notice of the map change was mailed to owners of property within 200 feet of the site on November 10, 2008. This is in addition to the notice required no sooner than 7 days prior to the hearing before the City Council (Ames Municipal Code Section 29.1507(4)). As of the date of this report, no public comments have been submitted.

Conclusions. Based upon the above findings, staff concludes as follows:

1. The proposed establishment of the "PI" (Planned Industrial) zone on the subject site is consistent with the Land Use Policy Plan.
2. The proposed designation of the subject site as Planned Industrial is consistent with the intent of this zoning district in that it will accommodate large-scale industrial users near limited-access highways.
3. Rezoning of the subject site is consistent with the City's flood protection policies.
4. The public infrastructure that the developer of the Planned Regional Commercial property to the west is required to install will be adequate to industrial development for the subject property. Therefore, provisions have been made to provide infrastructure at some future time that will be adequate to serve the uses allowed by the proposed zoning designation for the subject site.
5. All rezoning application and processing requirements as specified by State and local codes have been met.

Recommendation of the Planning and Zoning Commission. The Planning and Zoning Commission held its meeting on November 19, 2008, to consider this action. The applicant was present to answer any questions about the request. No one spoke in opposition to the request.

With a vote of 5-0, the Commission recommended to City Council approval of the rezoning of 55.18 acres of land located at 4098 East 13th Street from "PRC" (Planned Regional Commercial) to "PI" (Planned Industrial), and retain the O-GNE" (Northeast Gateway Overlay District) zoning designation based on the staff's findings and conclusions.

ALTERNATIVES:

1. The City Council can approve the rezoning of 55.18 acres of land as legally described in Exhibit A and addressed as 4098 East 13th Street from "PRC" (Planned Regional Commercial) to "PI" (Planned Industrial), based upon the staff's findings and conclusions, and retain the "O-GNE" (Northeast Gateway Overlay District) zoning designation.
2. The City Council can approve the rezoning of 55.18 acres of land as legally described in Exhibit A and addressed as 4098 East 13th Street from "PRC" (Planned Regional Commercial) and "O-GNE" (Northeast Gateway Overlay District) to "PI" (Planned Industrial), based upon the staff's findings and conclusions. This action will remove the overlay zoning designation.
3. The City Council can approve the rezoning of 55.18 acres of land as legally described in Exhibit A and addressed as 4098 East 13th Street from "PRC" (Planned Regional Commercial) to "PI" (Planned Industrial) with specific conditions deemed reasonable and necessary to satisfy public needs which are directly caused by the requested change.
4. The City Council can deny the rezoning of 55.18 acres of land as legally described in Exhibit A and addressed as 4098 East 13th Street from "PRC" (Planned Regional Commercial) to "PI" (Planned Industrial) if the Council finds and concludes that the proposed rezone is not consistent with adopted policies and regulations, or that the rezone will impose impacts that cannot be reasonably mitigated.
5. Action on this request can be postponed and referred back to City staff and/or the applicant for additional information.

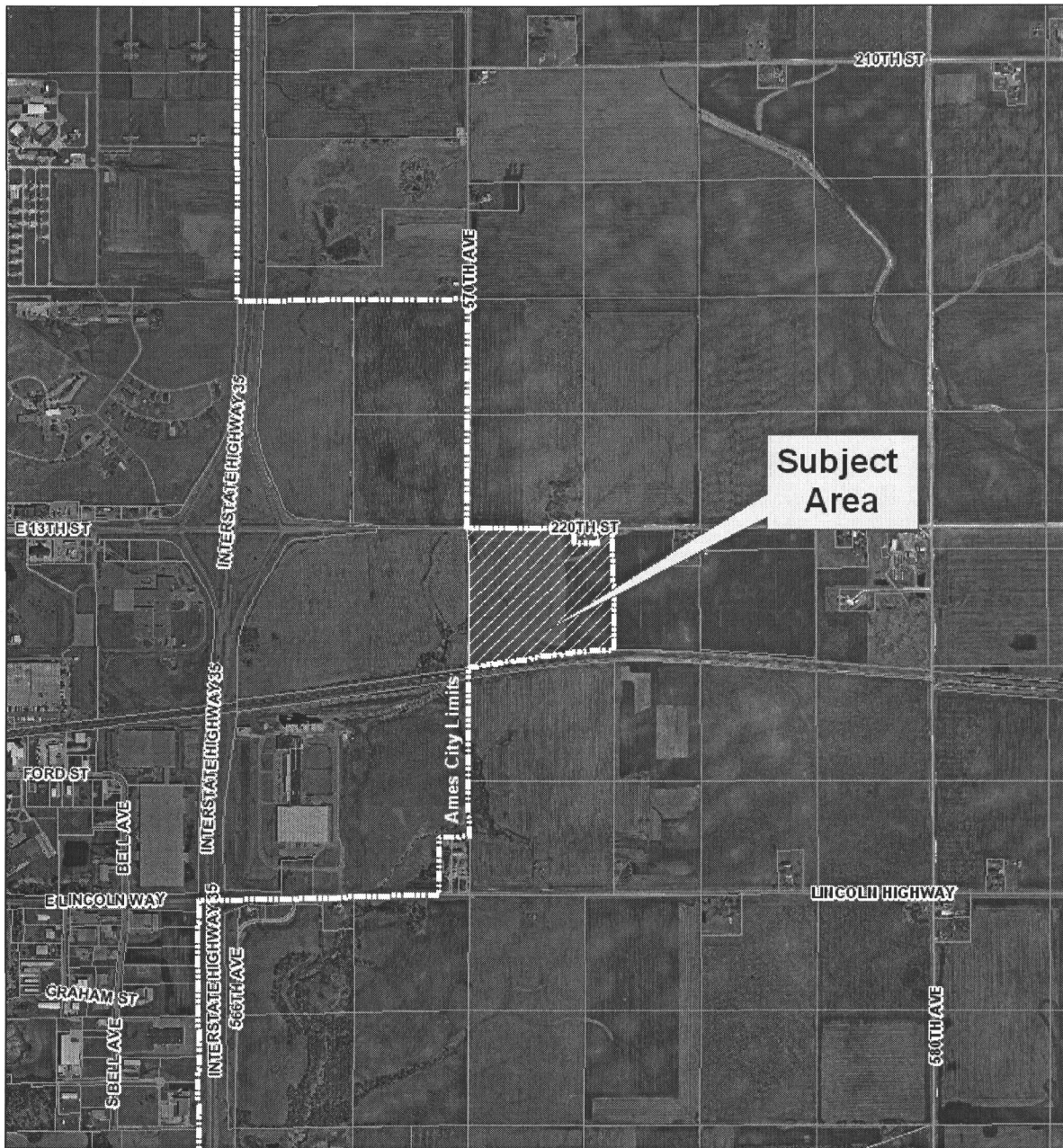
MANAGER'S RECOMMENDED ACTION:

It is clear that rezoning of the subject property to the Planned Industrial zoning district is consistent with the Land Use Policy Plan Map and the Ames Urban Fringe Plan map, and therefore consistent with surrounding uses. The issues to be decided have to do with timing of the rezoning with respect to the status of infrastructure and how the property is developed for industrial uses. The rezoning agreement associated with the larger regional commercial site, of which the subject property is a part, requires that in order to develop the commercial uses approved for that site, the developer will have to install the public improvements. When completed, those public improvements will be adequate to serve the subject site. Any developer of the industrial site can be required to install further improvements within the subject site itself through the subdivision process. If no subdivision is requested, the Planned Industrial zoning ordinance allows the City to deny site development approval until those improvements are installed.

It is the City Manager's recommendation that the City Council act in accordance with Alternative #1, which is to approve the rezoning of 55.18 acres of land as legally described in Exhibit A and addressed as 4098 East 13th Street from "PRC" (Planned Regional Commercial) to "PI" (Planned Industrial), based upon the staff's findings and conclusions, and retain the "O-GNE" (Northeast Gateway Overlay District) zoning designation.

The City Manager does not recommend rezoning to remove the "O-GNE" (Northeast Gateway Overlay District) zoning designation from the subject property. The intent of the design standards of the Northeast Gateway Overlay zoning district is very similar to the design character described in the Land Use Policy Plan for Planned Industrial areas. This design quality is one of the most significant differences between the General Industrial and Planned Industrial land uses. At this time, the Planned Industrial zoning district regulations contain no specific design standards that will achieve this design character. However, since the design standards of the Northeast Gateway Overlay zoning district were created with commercial development in mind, these standards will promote compatibility between the adjacent industrial and commercial uses.

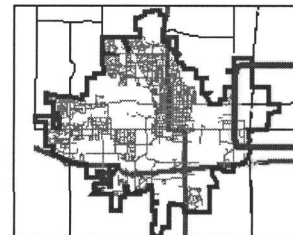
The subject property is a portion of a larger area to the north and east with the land use designation of Planned Industrial use, for which staff is working on an overall plan. Until that plan is completed and specific standards for industrial uses are created and approved by City Council, the existing standards of the Northeast Gateway Overlay zoning district will serve the City's design intentions.



Location Map
4098 East 13th Street



0 900 1,800 3,600
 Feet



Applicable Law

The laws applicable to this case file include, but are not limited to, the following:

Sec. 29.902. "PI" PLANNED INDUSTRIAL ZONE.

(1)Purpose. This District is intended to be applied to those areas where there is a need to provide a desirable industrial environment. It is also intended to:

(a)Accommodate large-scale industrial land uses;

(b)Promote a clustered and integrated development in a park-like setting; and

(c)Locate such developments near limited-access highways, air transportation or the Research Park.

(2)Permitted Uses. The uses permitted in the PI Zone are set forth in Table 29.902(2) below:

**Table 29.902(2)
Planned Industrial (PI) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			
Group Living	N	--	--
Household Living	N	--	--
Short-term Lodgings	N	--	--
OFFICE USES	Y	SDP Minor	Staff
TRADE USES			
Retail Sales and Services - General	N	--	--
Retail Trade - Automotive, etc.	N	--	--
Entertainment, Restaurant and Recreation Trade Except as necessary to an industrial use, in which case a Special Use Permit is required from the ZBA.	N	--	--
Wholesale Trade	N	--	--
INDUSTRIAL USES			
Industrial Service - limited to: printing, publishing, commercial art and reproduction services; and research and development laboratories	Y	SDP Minor	Staff
Manufacturing and Processing - all uses except concrete batching and asphalt mixing; lumber and wood products manufacturing; manufactured homes and prefabricated structures manufacturing; and rock crushing and screening	Y	SDP Minor	Staff
Warehouse and Freight Handling limited to: inter-modal transfer facilities, parcel services, regional postal distribution facilities, and wholesale distribution centers	Y	SDP Minor	Staff
INDUSTRIAL USES			
Industrial Service - limited to: printing, publishing, commercial art and reproduction services; and research and development laboratories	Y	SDP Minor	Staff
Manufacturing and Processing - all uses except concrete batching and asphalt mixing; lumber and wood products manufacturing; manufactured homes and prefabricated structures manufacturing; and rock crushing and screening	Y	SDP Minor	Staff
Warehouse and Freight Handling limited to: inter-modal transfer facilities, parcel services, regional postal distribution facilities, and wholesale distribution centers	Y	SDP Minor	Staff

INSTITUTIONAL USES			
Colleges and Universities	N	--	--
Public Facilities and Services	Y	SDP Minor	Staff
Social Service Providers	N	--	--
Medical Centers	N	--	--
Parks and Open Areas	Y	SP	ZBA
Religious Institutions	N	--	--
Schools	N	--	--
TRANSPORTATION, COMMUNICATIONS AND UTILITY USES			
Passenger Terminals	Y	SDP Minor	Staff
Basic Utilities	Y	SDP Major	City Council
Commercial Parking	Y	SDP Minor	Staff
Personal Wireless Communication Facilities	Y	SP	ZBA
Radio and TV Broadcast Facilities	Y	SDP Minor	Staff
Rail Line and Utility Corridors	Y	SDP Minor	Staff
Railroad Yards	N	--	--
MISCELLANEOUS USES			
Commercial Outdoor Recreation	N	--	--
Child Day Care Facilities	Y	SDP Minor	Staff
Detention Facilities	N	--	--
Major Event Entertainment	N	--	--
Vehicle Service Facilities	N	--	--
Vehicle Repair	N	--	--

- Y = Yes: permitted as indicated by required approval.
N = No: prohibited
SP = Special Use Permit required: See Section 29.1503
SDP Minor = Site Development Plan Minor: See Section 29.1502(3)
SDP Major = Site Development Plan Major: See Section 29.1502(4)
ZBA = Zoning Board of Adjustment

(Ord. No. 3595, 10-24-00)

(3) **Zone Development Standards.** The zone development standards applicable in the PI Zone are set forth in Table 29.902(3) below:

**Table 29.902(3)
Planned Industrial (PI) Zone Development Standards**

DEVELOPMENT STANDARDS	PI ZONE
Maximum FAR	.35
Minimum Lot Area	One Acre
Minimum Lot Frontage	100 ft.
Minimum Building Setbacks:	
Street Lot Line	50 ft.
Side Lot Line	20 ft.
Rear Lot Line	30 ft.
Lot Line Abutting an R Zoned Lot	50 ft. side 50 ft. rear
Maximum Building Setbacks:	None
Street Lot Line	
Landscaping in Setbacks Abutting an R Zoned Lot	20 ft. @ L3. See Section 29.403
Maximum Impervious Surface Coverage	70%
Minimum Landscaped Area	20%
Maximum Height	100 ft.
Parking Allowed Between Buildings and Streets	Yes, except along major thoroughfares
Drive-Through Facilities Permitted	No
Outdoor Display Permitted	No
Outdoor Storage Permitted	Yes, See Section 29.405; Screened per Section 29.403(1)(c)
Trucks and Equipment Permitted	Yes

(4) **Site Development Plan Requirements.**

(a) In addition to Minor or Major Site Development Plan submittals, a Use Analysis Report shall be prepared by the applicant that shows the following:

- (i) Approximate number of employees;
- (ii) Approximate utility needs and effect upon existing systems, e.g., projected water demand (Gallons Per Minute or Gallons Per Day), waste water generation (Gallons Per Day + Chemical oxygen Demand or Biochemical oxygen Demand), electricity demand (Kilowatts), storm water increase (Cubic Feet Per Second), solid waste generation (tons); and

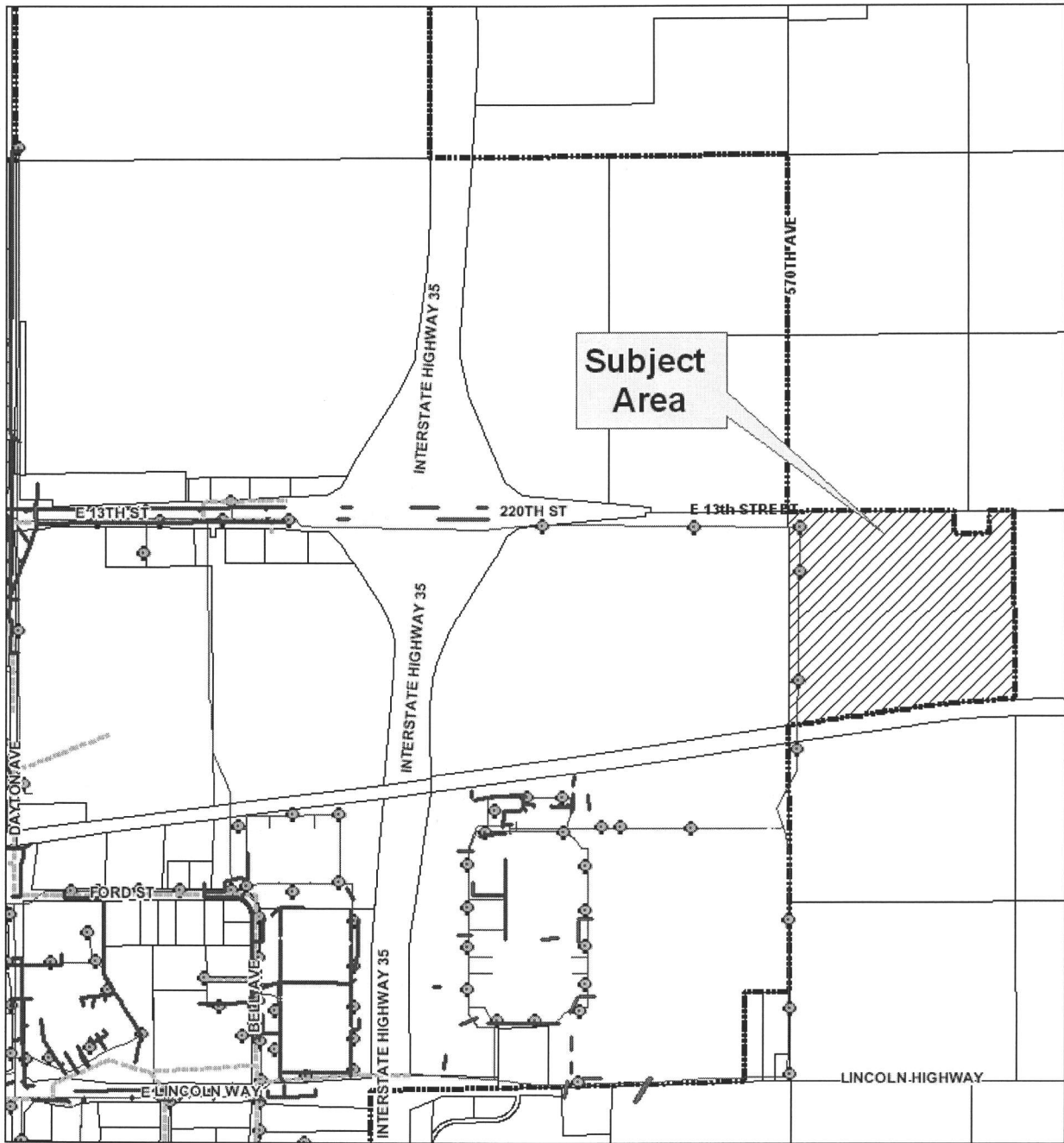
(Ord. No. 3591, 10-10-00)

(iii) Possible nuisance factors and means for alleviating those factors, such as noise, odor, smoke, dust, or fumes, vibration, heat.

(b) No Site Development Plan approval will be issued for any use in the PI District if the determination is made by the approving authority exercising independent judgment, that there is reason to believe that the proposed use or structure, as presented by the application, will create a nuisance in terms of diminished air quality, smoke, noise, toxic matter, odor, vibration, glare, sewage waste, water quality, street system capacity, heat or other condition detrimental to the public health and safety or reasonable use, enjoyment and value of other properties; or diminish the quality or quantity of any utility service presently provided by the City. Furthermore, no approval or permit shall be issued unless there is compliance with all other applicable City, state and federal regulations.

Section 29.1507. Zoning Text and Map Amendments. This section describes the process for reviewing and approving a rezoning proposal.

Iowa Code Section 414.5 Changes – protest. This section allows the City Council to impose reasonable conditions on map amendments, provided that the conditions have been agreed to in writing by the property owner before the required public hearing or any adjournment of the hearing. The conditions must be reasonable and imposed to satisfy public needs, which are directly caused by the requested change. Affected property owners may file a protest of the change prior to or at the public hearing.



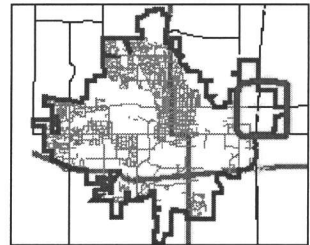
Utilities Map
4098 East 13th Street

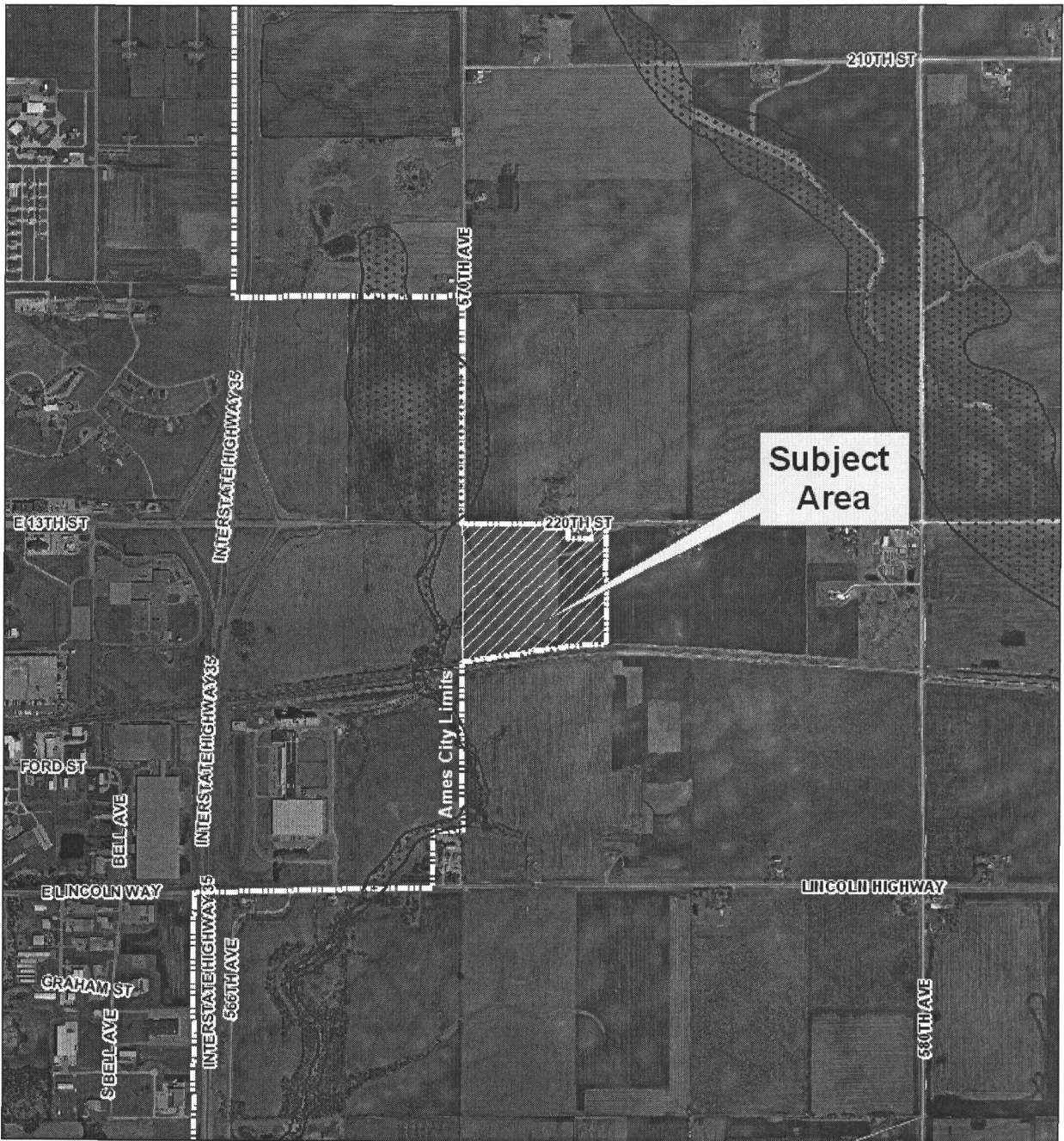


0 600 1,200 2,400
 Feet

Legend

- Storm Pipe Collector
- Storm Outfall
- Storm Culvert
- Sanitary Sewer Sub-Main
- Sanitary Sewer Trunk
- ◆ Fire Hydrants
- Water Main







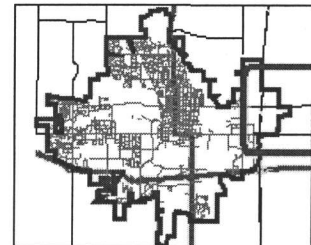
Flood Map
4098 East 13th Street

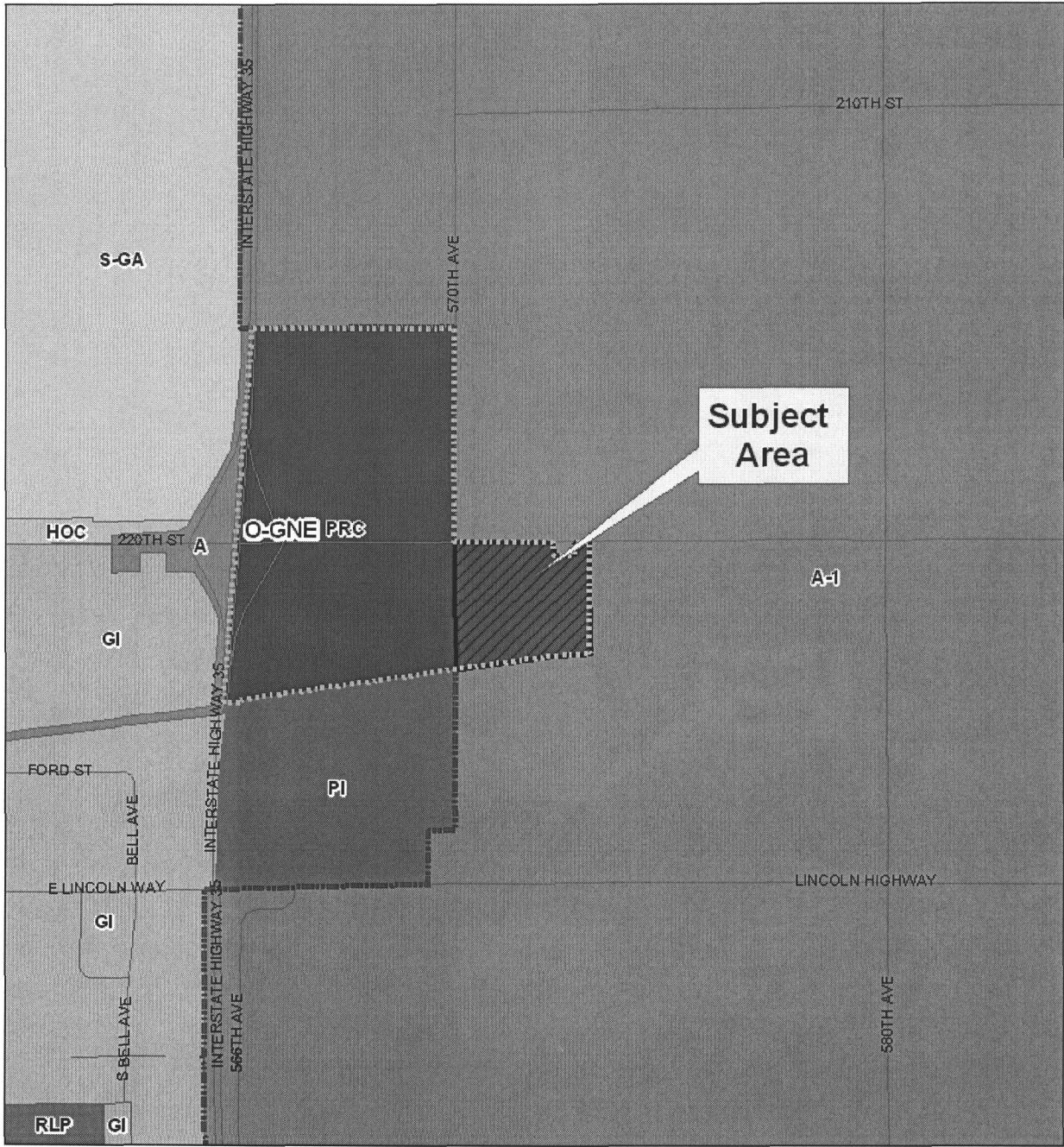


0 900 1,800 3,600
 Feet

Legend

-  1% Annual Chance of Flood Boundary
-  1% Annual Chance of Flood

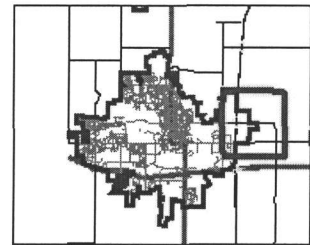


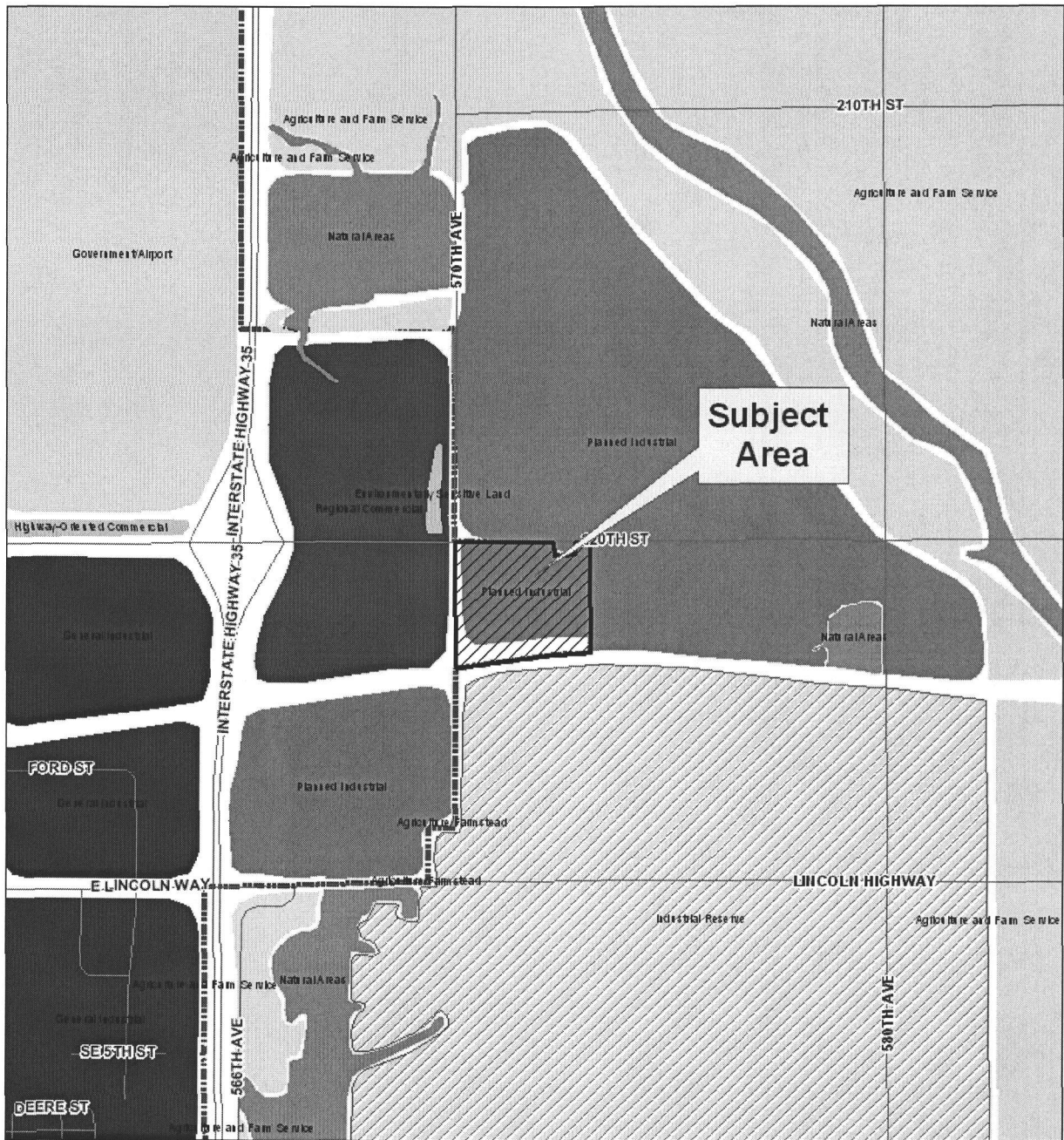


**Existing Zoning Map
4098 East 13th Street**

Legend

-  "O-GNE" Northeast Gateway Overlay District
-  "A/A-1" Agricultural
-  "RLP" Residential Low Density Park
-  "HOC" Highway-Oriented Commercial
-  "PRC" Planned Regional Commercial
-  "GI" General Industrial
-  "PI" Planned Industrial
-  "S-GA" Government/Airport District




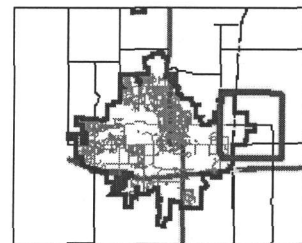


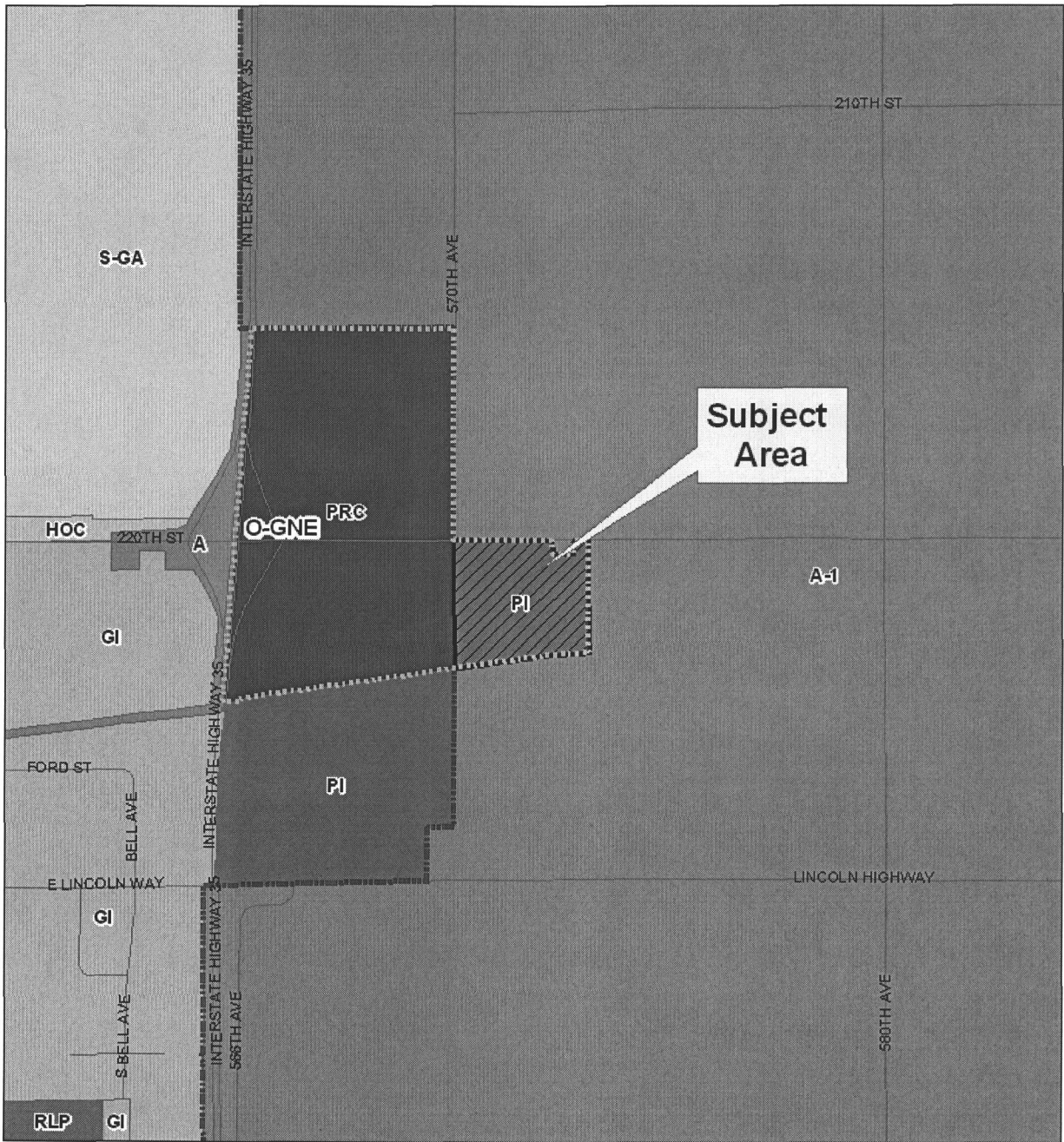
Land Use Map
4098 East 13th Street



Legend

 Ames City Boundary





**Proposed Zoning Map
4098 East 13th Street**



0 1,000 2,000 4,000 Feet

Legend

- ▨ "O-GNE" Northeast Gateway Overlay District
- "A/A-1" Agricultural
- "RLP" Residential Low Density Park
- "HOC" Highway-Oriented Commercial
- "PRC" Planned Regional Commercial
- "GI" General Industrial
- "PI" Planned Industrial
- "S-GA" Government/Airport District

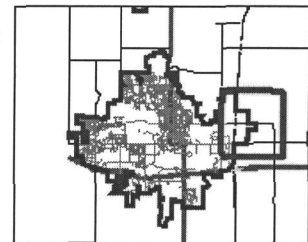


EXHIBIT "A"

EAST BARILLA PARCEL

PARCEL "A" IN THE NORTHWEST FRACTIONAL QUARTER OF SECTION 5, TOWNSHIP 83 NORTH, RANGE 23 WEST OF THE 5TH P.M., STORY COUNTY, IOWA, AS SHOWN ON THE "PLAT OF SURVEY (AMENDED)" FILED IN THE OFFICE OF THE RECORDER OF STORY COUNTY, IOWA, ON THE 12TH DAY OF DECEMBER, 1997, AND RECORDED IN BOOK 15, PAGE 90-91 AND CONTAINING 55.18 ACRES MORE OR LESS.

DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER
Prepared by: Douglas R. Marek, 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 4098 East 13th Street, is rezoned from Planned Regional Commercial (PRC) and Northeast Gateway Overlay District (O-GNE) to Planned Industrial (P-I).

Real Estate Description: Parcel "A" in the Northwest Fractional Quarter of Section 5, Township 83 North, Range 23 West of the 5th P.M., Story County, Iowa, as shown on the "Plat of Survey (Amended)" filed in the Office of the Recorder of Story County, Iowa, on the 12th day of December, 1997, and recorded in Book 15, Page 90-91, and containing 55.18 acres, more or less.

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 _____, 2008.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor