

ITEM #: 18  
DATE: 07-28-09

## COUNCIL ACTION FORM

**SUBJECT: REZONING OF PROPERTY LOCATED AT 601 SOUTH 16<sup>TH</sup> STREET FROM F-PRD (FLOATING-PLANNED RESIDENCE DISTRICT) TO HOC (HIGHWAY-ORIENTED COMMERCIAL)**

### **BACKGROUND:**

The Randall Corporation has an opportunity to sell land at 601 South 16<sup>th</sup> Street to a developer of an extended stay hotel. The property is zoned residential for the Aspen Ridge Town Home PRD and therefore a hotel could not be built on it. The Randalls completed the procedure of amending the Future Land Use Map of the Land Use Policy Plan (LUPP) so that the rezone request could be supported. They have therefore submitted an application to rezone 5.14 acres of the existing PRD zone, which would eliminate approximately one third to one half of the Aspen Ridge site. The request is consistent with the LUPP map amendment made by City Council on April 28, 2009, which now designates the area as HOC. The Planning & Zoning Commission reviewed the request on April 15, 2009, and made the recommendation to City Council for approval.

Mr. Scott Renaud, who serves as the engineer for this request, stated that he will not be submitting a revision to the layout of the Aspen Ridge PRD at this time. The City will therefore not be able to issue any building permits beyond phase one of the Aspen Ridge PRD. Eight of the 22 units in phase one have not yet been built. Fourteen have been built. This means that permits for eight more units can be issued before a revision to the plan is needed. The original plan allowed 14 more units between phase one and the new proposed zoning boundary. **Permits for those 14 units cannot be issued if the proposed rezone is approved until both a revision to the PRD plan and the plat creating the lots is also approved by City Council.** (See attached Project Map)

Mr. Renaud has submitted drawings and calculations to demonstrate that the location of the zoning boundary could allow for continued construction in Aspen Ridge that could still meet the minimum open space and density standards listed within the supplemental development standards for PRDs. However, there are some discretionary supplemental development standards and development principles with which compliance cannot be determined without submittal of the revised PRD plan.

**The rezoning request is consistent with the Future Land Use Map of the LUPP and the applicant has demonstrated that the minimum open space and density standards could be met. Further, the applicant is aware that PRD and plat approval is needed before any building permits beyond phase one are issued.**

At the time of this writing, there has been one inquiry as a result of the mailing of the 200 foot notification letter. The phone call inquiry was regarding whether this rezoning would affect the property value of any of the home lots. City staff was unable to answer the question, but did refer them to the City Assessor to assist with any general information about abutting residential and commercial land uses.

**Recommendation of the Planning & Zoning Commission.** At its meeting of July 1, 2009, the Commission had general discussion. Commissioner Elizabeth Beck asked if the Commission would review a site development plan. Planner Sam Perry explained that the development review process for hotels (short-term lodgings) in the HOC zone were by staff only. The property owner and engineer were present and spoke in favor of the request and were in agreement with the staff's recommendation. There was no additional public input. With a vote of 6-0, the Planning and Zoning Commission recommended approval of the proposed rezone of 5.14 acres at 601 South 16<sup>th</sup> Street from F-PRD (Floating-Planned Residence District) to HOC (Highway Oriented Commercial).

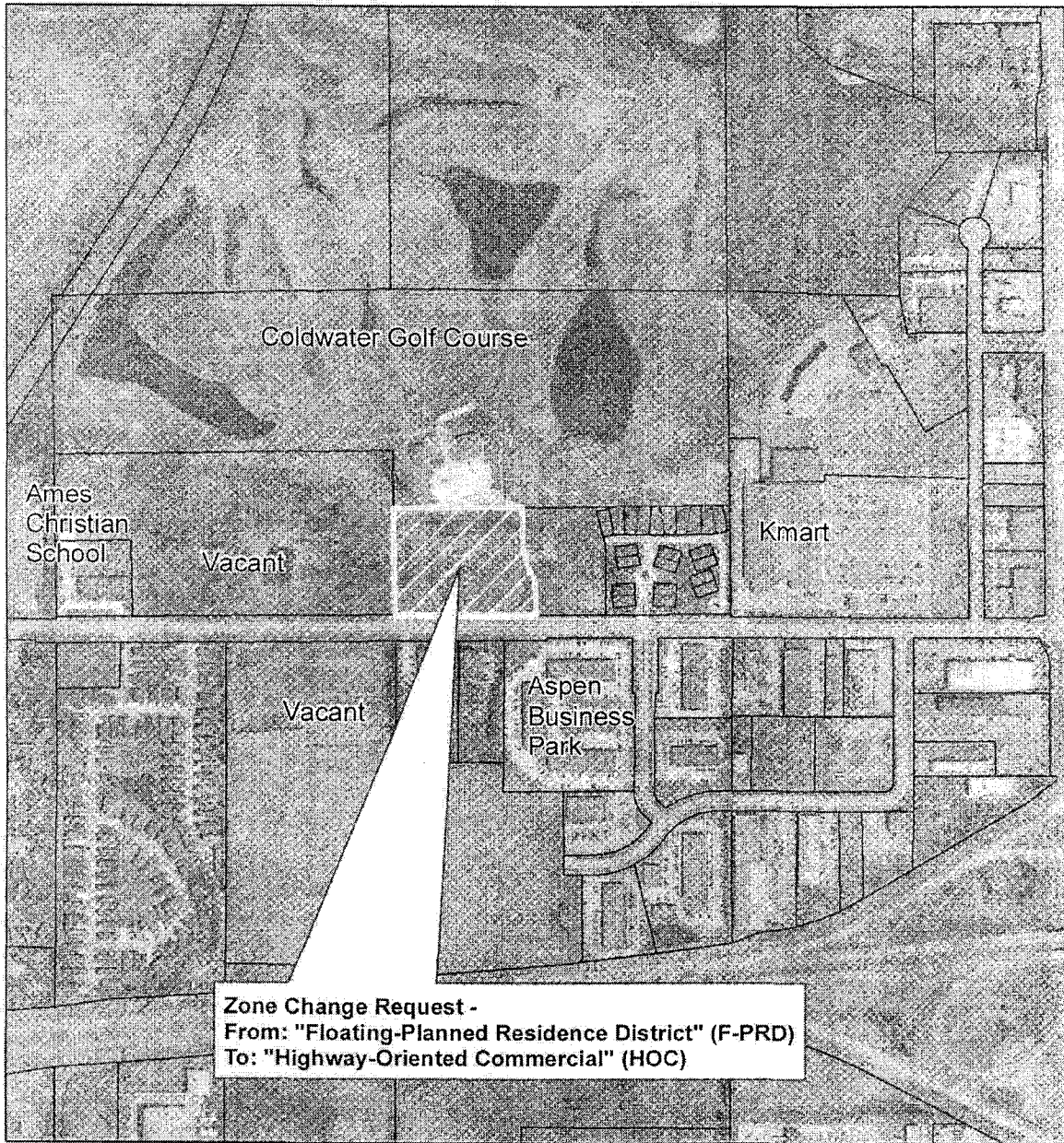
**ALTERNATIVES:**

1. The City Council can approve the proposed rezone of 5.14 acres at 601 South 16<sup>th</sup> Street from F-PRD (Floating-Planned Residence District) to HOC (Highway Oriented Commercial).
2. The City Council can deny the request if it makes conclusions that the application is in conflict with the City Council's objectives.
3. Action on this request can be postponed and referred back to City staff and/or the applicant for additional information.

**MANAGER'S RECOMMENDED ACTION:**

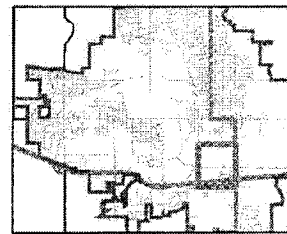
Based on the above analysis, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1, which is to approve the proposed rezone of 5.14 acres at 601 South 16<sup>th</sup> Street from F-PRD (Floating-Planned Residence District) to HOC (Highway Oriented Commercial).

# LOCATION MAP

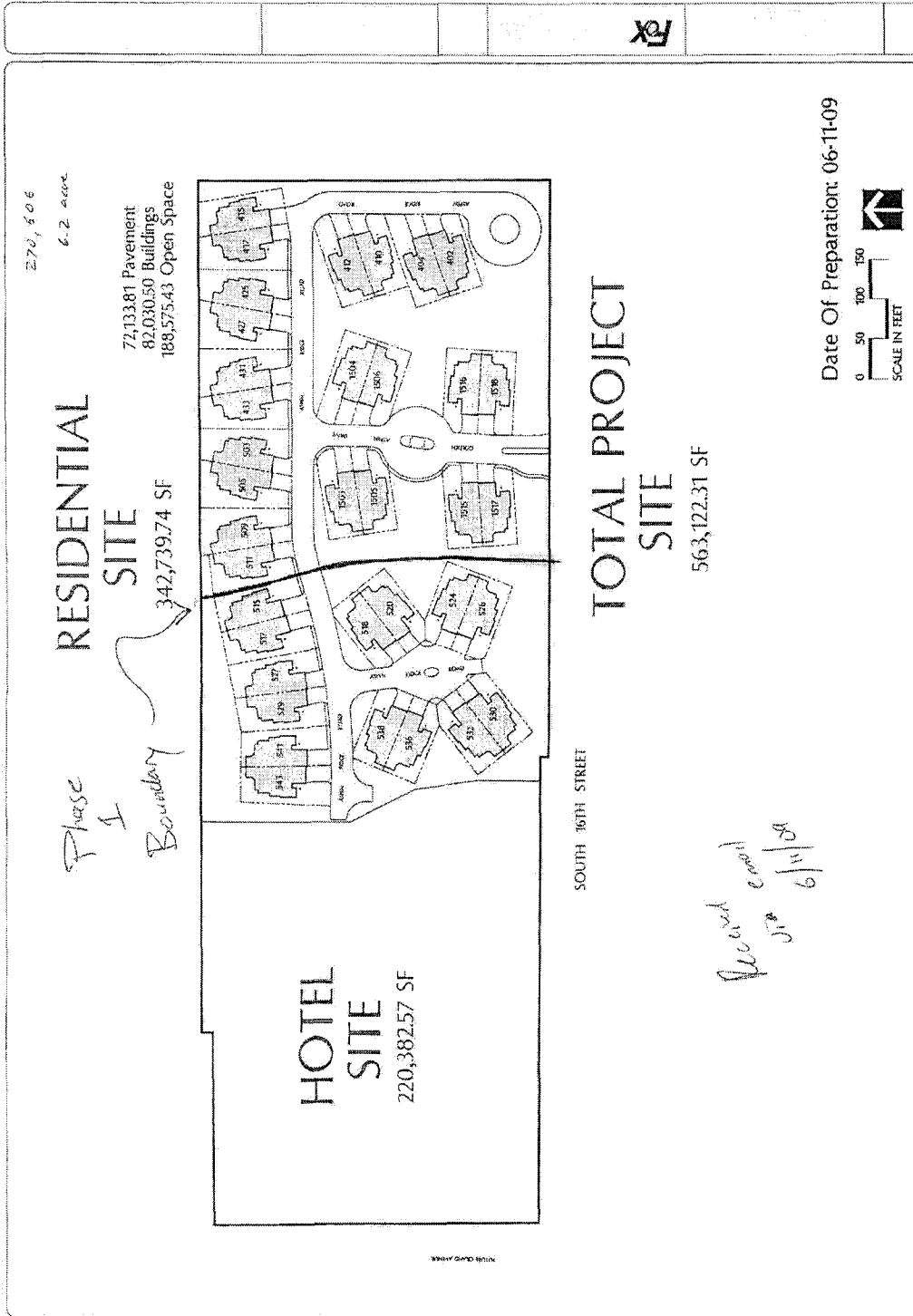


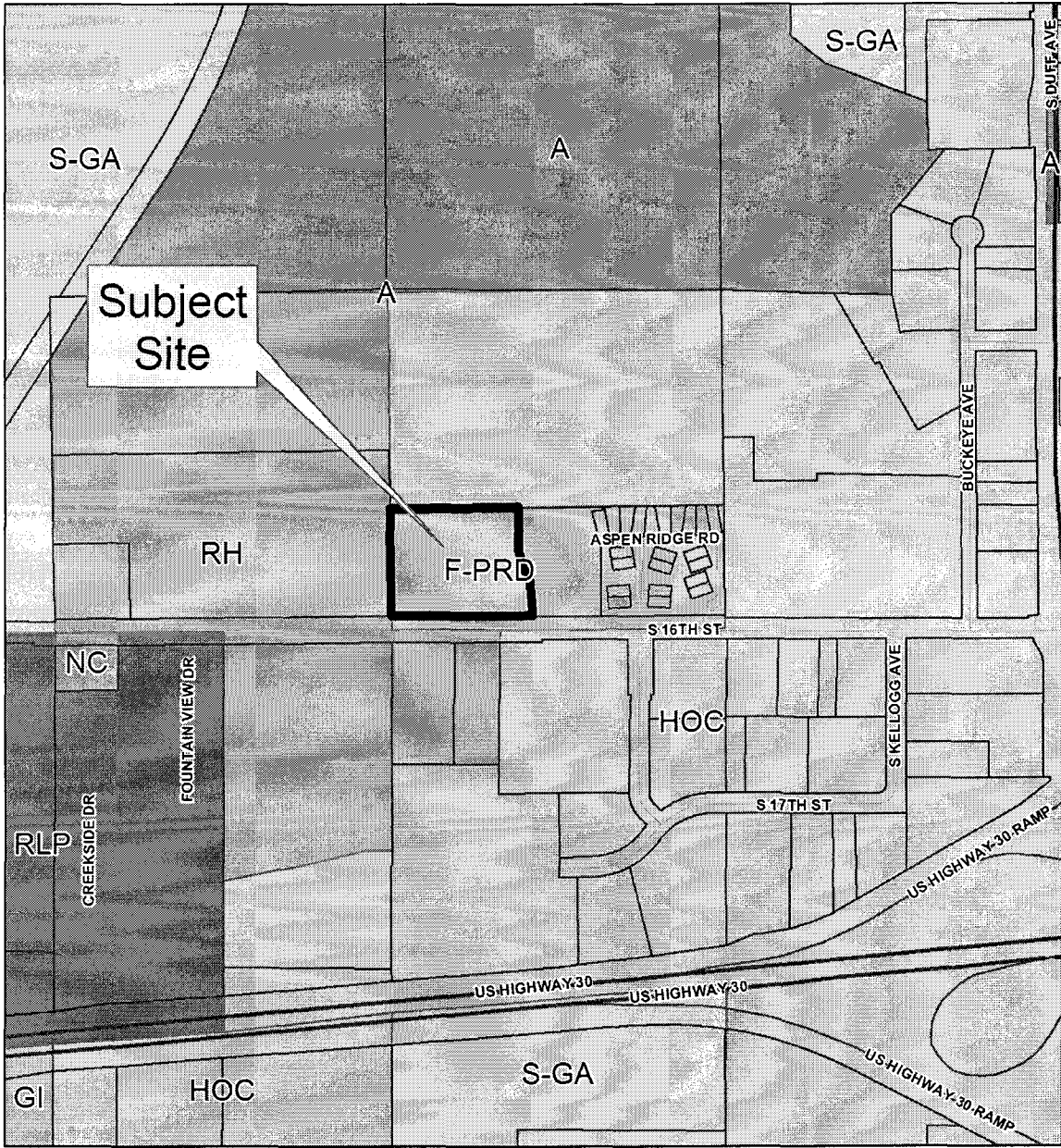
**Rezoning Location Map**  
**Hearing: July 1, 2009**  
**Planning & Zoning Commission**  
**601 S 16th Street**

0 250 500 1,000  
Feet



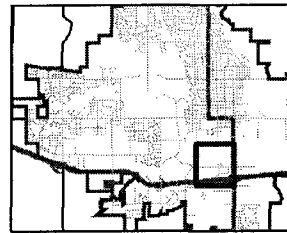
# OVERALL PROJECT MAP

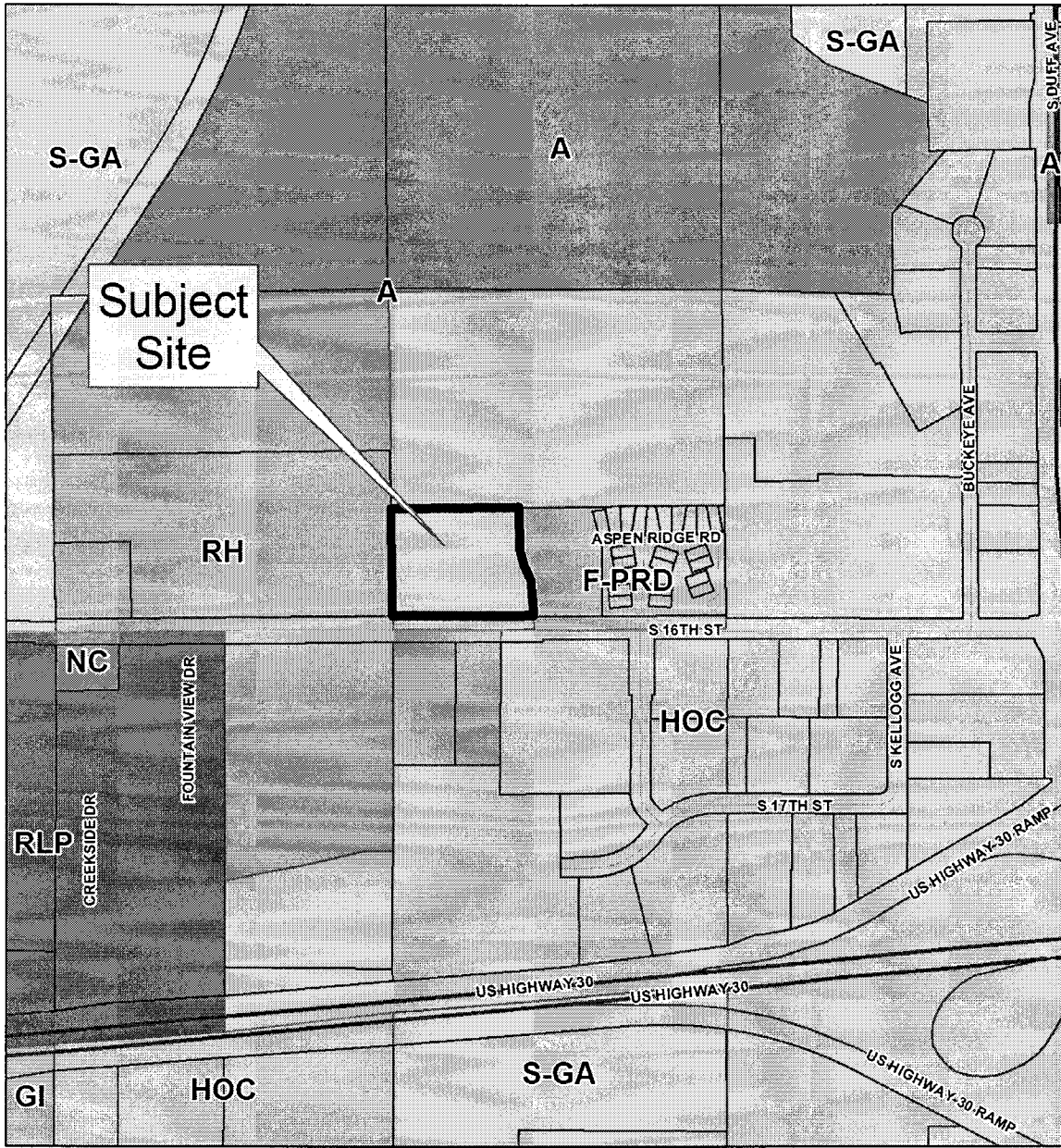




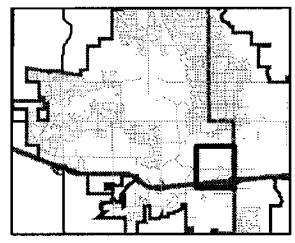
**Existing Zoning  
601 S 16th Street**

0 250 500 1,000 Feet

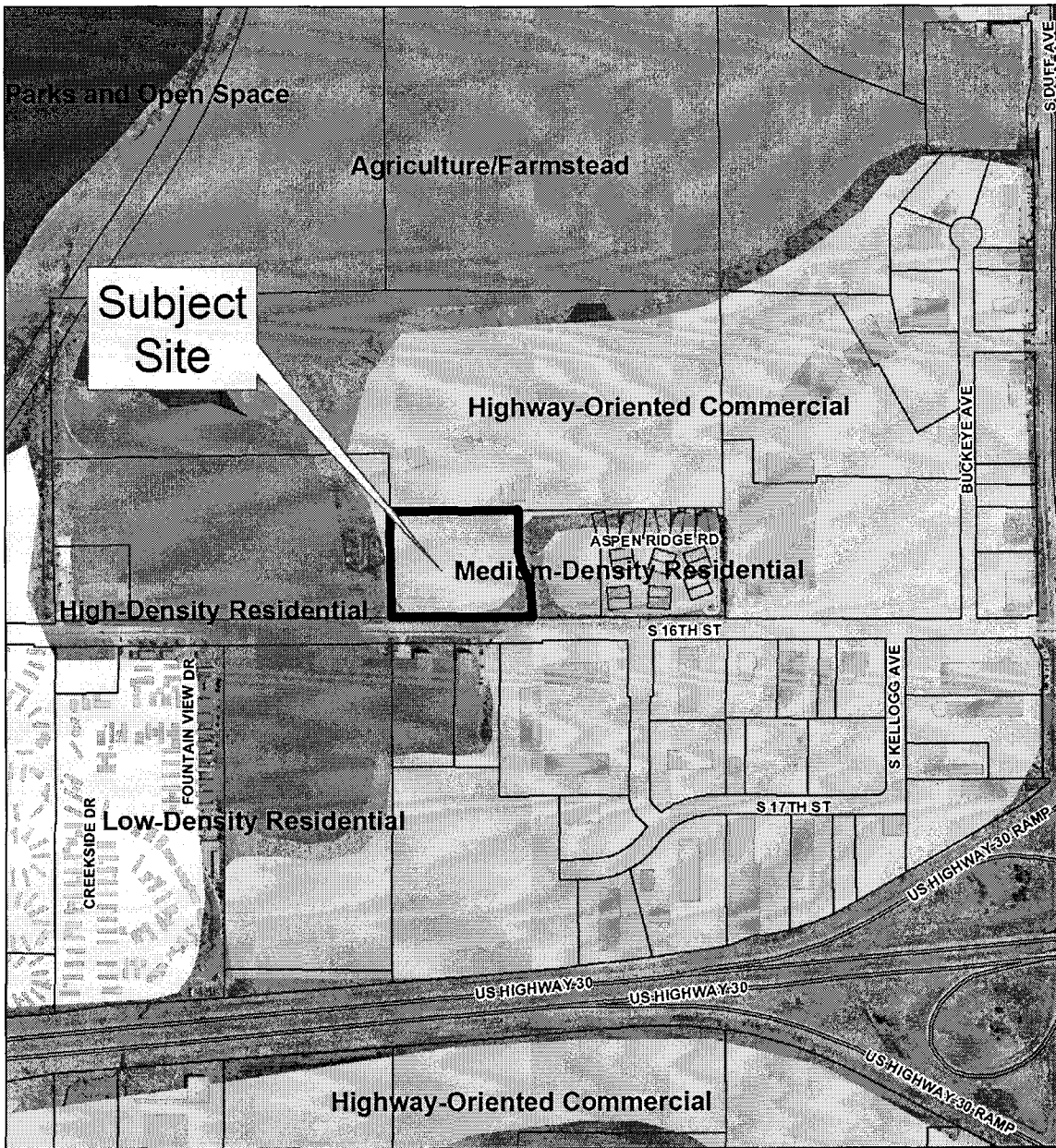




**Proposed Zoning  
601 S 16th Street**

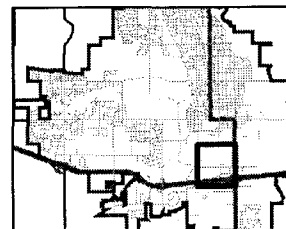






**Future Land Use Map Designation  
Land Use Policy Plan  
601 S 16th Street**

0 250 500 1,000  
Feet



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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

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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 601 South 16<sup>th</sup> Street, is rezoned from "Planned Residence District" (F-PRD) to "Highway-Oriented Commercial" (HOC).

**Real Estate Description:** Part of Outlot B of Aspen Ridge Subdivision in the City of Ames, Story County, Iowa, being more particularly described as follows:

Beginning at the Southwest corner of Said Outlot B; thence N00°33'08"W, 419.99 feet along the west line of said Outlot B to the Northwest Corner of said Outlot B; thence N89°50'12"E, 509.67 feet along the north line of said Outlot B; thence S00°00'00"W, 185.43 feet; thence S27°07'47"E, 92.28 feet; thence S08°00'13"E, 79.02 feet; thence S00°16'57"W, 78.37 feet to a point on the south line of said Outlot B; thence N89°43'03"W, 558.32 feet along said south line to the Point of Beginning, containing 5.14 acres.

Section 2: All other ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.



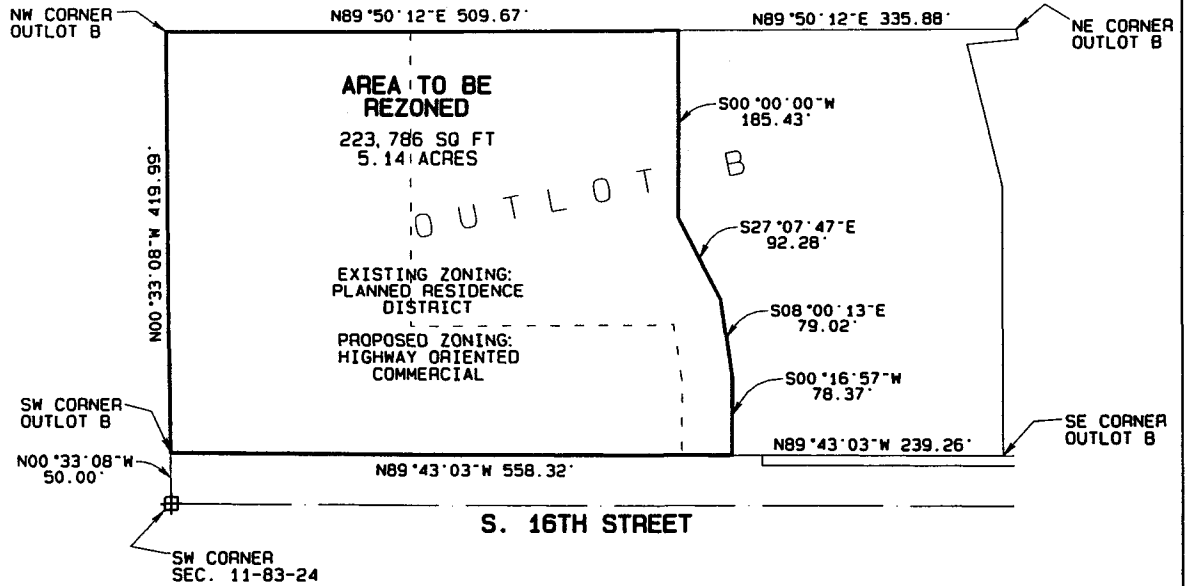
Section 3: This ordinance is in full force and effect from and after its adoption and publication as provided by law.

ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Diane R. Voss, City Clerk

\_\_\_\_\_  
Ann H. Campbell, Mayor

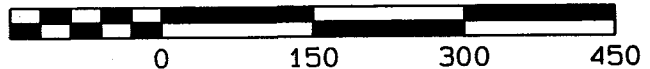
**MAP OF  
PROPOSED REZONING  
CITY OF AMES, IOWA**



Legal Description of property proposed to be rezoned from  
Planned Residence District to Highway Oriented Commercial:

Part of Outlot B of Aspen Ridge Subdivision in the City of Ames, Story County, Iowa, being more particularly described as follows:  
Beginning at the Southwest Corner of said Outlot B; thence N00°33'08"W, 419.99 feet along the west line of said Outlot B to the Northwest Corner of said Outlot B; thence N89°50'12"E, 509.67 feet along the north line of said Outlot B; thence S00°00'00"W, 185.43 feet; thence S27°07'47"E, 92.28 feet; thence S08°00'13"E, 79.02 feet; thence S00°16'57"W, 78.37 feet to a point on the south line of said Outlot B; thence N89°43'03"W, 558.32 feet along said south line to the Point of Beginning, containing 5.14 acres.

GRAPHIC SCALE 1"=150'



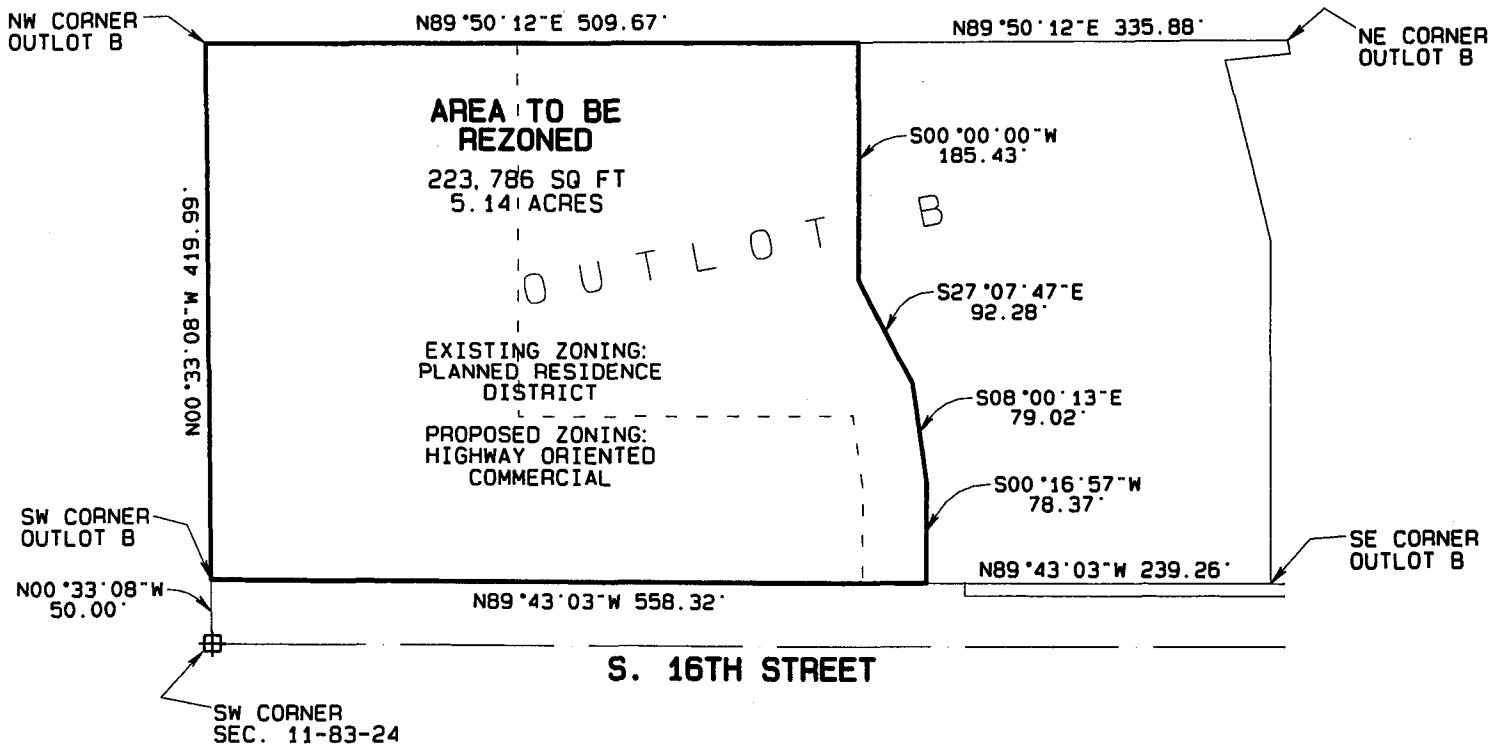
STUMBO AND ASSOCIATES  
LAND SURVEYING  
510 S. 17TH ST., SUITE 102  
AMES, IA 50010  
515-233-3689

Job #15502RZ

Date: 5/04/09

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# MAP OF PROPOSED REZONING CITY OF AMES, IOWA



Legal Description of property proposed to be rezoned from  
Planned Residence District to Highway Oriented Commercial;

Part of Outlot B of Aspen Ridge Subdivision in the City of Ames, Story County, Iowa, being more particularly described as follows:  
Beginning at the Southwest Corner of said Outlot B; thence N00°33'08"W, 419.99 feet along the west line of said Outlot B to the Northwest Corner of said Outlot B; thence N89°50'12"E, 509.67 feet along the north line of said Outlot B; thence S00°00'00"W, 185.43 feet; thence S27°07'47"E, 92.28 feet; thence S08°00'13"E, 79.02 feet; thence S00°16'57"W, 78.37 feet to a point on the south line of said Outlot B; thence N89°43'03"W, 558.32 feet along said south line to the Point of Beginning, containing 5.14 acres.