

## COUNCIL ACTION FORM

**SUBJECT: LAND USE POLICY PLAN FUTURE LAND MAP AMENDMENT TO CHANGE DESIGNATION OF PROPERTIES AT 712 SOUTH 16<sup>TH</sup> STREET FROM HIGHWAY-ORIENTED COMMERCIAL (HOC) TO HIGH-DENSITY RESIDENTIAL (RH)**

**BACKGROUND:**

On August 24, 2010, the City Council directed staff to process a requested Land Use Policy Plan Future Land Use Map amendment application for property at 712 South 16<sup>th</sup> Street. The Council's directive followed a letter from Matthew Randall, Randall Corporation, requesting a change in the land use designation from Highway-Oriented Commercial (HOC) to High-Density Residential (RH). A complete application was then submitted by Mr. Randall on October 7, 2010, for formal consideration by the City of Ames.

The site under consideration is directly south of South 16<sup>th</sup> Street, east of Creekside Manufactured Home Park, west of Aspen Business Park, and just north of U.S. Highway 30. It is currently vacant. The site consists of two parcels, including Parcel "N" (see attached plat of survey), which totals 19.48 acres, and also a 1.27 acre parcel just south of Parcel N and abutting U.S. Highway 30. However, the proposed LUPP amendment does not encompass all of Parcel "N", because the northern 13.26 acres of that parcel was previously changed from HOC to RH back in August 2003. Since that time, the parcel has been split by the RH zone to the north, and the HOC zone to the south. This request is to apply the RH designation to the 6.22 acre balance of Parcel "N" and also to the abutting 1.27 acre site lying south of Parcel "N". This would eliminate the split zone condition of parcel "N".

Section 29.302(2) of the *Municipal Code* addresses how zoning regulations are applied to properties that are split by a zone boundary line, and reads as follows:

- (2) *"When a lot held in single ownership is divided by a zone boundary line, the entire lot shall be construed to be within **the more restrictive zone** for purposes of complying with the requirements of the Ordinance, unless otherwise indicated on the Official Zoning map or by resolution of City Council."*

Since Parcel "N" is split by HOC and RH zones, and since RH is the more restrictive zone, the requirements for the RH zone apply to development of all of Parcel "N". **This means that the RH zoning standards for uses, setbacks, and all other development standards apply to the 6.22 acres of HOC land, as well as the 13.26 acres of RH land.**

The only portion of these properties where the HOC zone standards apply is the 1.31 acres of land south of Parcel "N" and north of the highway.

As is stated above, the site lies west of Aspen Business Park. The Conceptual Development Plan for Aspen Business Park shows South 17<sup>th</sup> Street extending to the east property line of the subject site. **At this point, South 17<sup>th</sup> Street conceptually connects up to Grand Avenue, which is proposed to extend along the eastern boundary of the subject site and continue south over Highway 30. This is consistent with the 2035 Long-Range Transportation Plan Update, which shows the future extension of the Grand Avenue right-of-way through the subject property (see *attached map*). Therefore, reserving the right-of-way for the extension of Grand Avenue could be accomplished through a Development Agreement at the time of rezoning.**

Based upon the traffic study at this level, there are no impacts associated with this proposal that would trigger the need for the Grand Avenue extension. Moreover, the property has full access without that extension. The acquisition or extension of Grand Avenue is therefore not a consideration with this application.

The applicant submitted a Traffic Study, based upon existing and proposed conditions and projections for trip generation. The study indicated that there will be no significant impacts as a result of the proposed land use change. The City's Traffic Engineer has determined that the information submitted is sufficient to move forward with the amendment to the Future Land Use Map. However, a detailed Traffic Impact Study will be needed at the time development of this property is proposed and more details of the proposed lots, buildings, access points, and roadways are available for analysis.

In reviewing the proposal to change the LUPP Future Land Use Map, staff has examined applicable goals and policies of the Land Use Policy Plan (see pages 14-23 of the LUPP). Based upon this analysis, staff finds no inconsistencies between the proposed amendment and the existing goals and policies of the LUPP. In fact, the subject property is in a prime location as an infill site for high-density residential development given the access to South 16<sup>th</sup> Street (a minor arterial), and future access to the extension of Grand Avenue. The commercial development potential of this site is likely lessened by the fact that it is a significant distance from the South Duff commercial corridor, the most prominent commercially viable corridor in the community. The site's characteristics are very different from the South Duff Avenue corridor in terms of traffic, site visibility, and retail synergy. Moreover, the site is located between existing residential uses and bordered by predominately office uses to the east. Therefore, unlike the South Duff Corridor, the subject area would be suited for lower impact uses, such as transitional residential uses. The more intense, more auto dependent commercial land uses permitted under the Highway-Oriented Commercial zoning designation are less likely to locate in this location, and office uses are more likely to locate on the vacant commercial land that is available in the Aspen Business Park to the east.

This land use change to high-density residential is particularly compelling because it is a logical extension of high-density residential development to the north, and will serve as a transition zone between the low-density manufactured home park to the west and the office park development to the east.

Sufficient land area needed for future growth in commercial community-scale activities has been designated elsewhere in the “New Lands” areas, specifically near the U.S. Highway 30 corridor/Dayton Avenue intersection.

The proposed change to the land use designation will not alter the number of acres of land that can be developed as high-density residential given the split-zoning of the land, and the zoning provisions that require application of the regulations for the more restrictive zone, which is Residential High-Density (RH).

In conclusion, the requested land use change would be a logical extension of the high-density residential land use designation, and would be an effective transitional zone between the manufactured home park on the west and the commercial zoning/office park on the east. The change would apply a single land use designation to the entire property and eliminate the existing split between the RH and HOC designations. Rezoning to adopt RH zoning for the entire parcel would be appropriate to follow a change in the LUPP Future Land Use Map. The zoning boundaries would then follow property lines, which is preferred over dividing the parcel between two zoning districts.

At its meeting of November 3, 2010, with a vote of 6-0, the Planning and Zoning Commission recommended that the City Council approve the LUPP Future Land Use Map to change the land use designation of the properties at 712 South 16<sup>th</sup> Street from Highway-Oriented Commercial to High-Density Residential.

### **ALTERNATIVES:**

1. The City Council can approve an amendment to the LUPP Future Land Use Map to change the land use designation of the properties at 712 South 16<sup>th</sup> Street from Highway-Oriented Commercial to High-Density Residential.
2. The City Council can deny the proposed amendment to the LUPP Future Land Use Map to change the land use designation of the properties at 712 South 16<sup>th</sup> Street from Highway-Oriented Commercial to High-Density Residential.
3. The City Council can refer this request back to staff or the applicant for more information prior to forwarding a recommendation to City Council.

**MANAGER’S RECOMMENDED ACTION:**

After careful analysis, staff believes that the proposed change to the LUPP Future Land Use map is a logical extension of the high-density residential zoning to the north, and will further serve as a transitional area between a low-density residential development and land planned for more intense commercial land use.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the request to change the LUPP Future Land Use Map designation for the properties at 712 South 16<sup>th</sup> Street, as proposed. This action would then allow the applicant to submit a rezoning application to bring the zoning designation in line with the land use designation.

















