

**COUNCIL ACTION FORM**

**SUBJECT: REZONING OF PROPERTY AT 516 KELLOGG AVENUE  
FROM GOVERNMENT/AIRPORT TO DOWNTOWN SERVICE CENTER,  
AND REZONING OF PROPERTY AT 500 KELLOGG AVENUE  
FROM DOWNTOWN SERVICE CENTER TO GOVERNMENT/AIRPORT**

**BACKGROUND:**

The first rezoning request was initiated by First United Methodist Church (FUMC), and involves rezoning a strip of land approximately 50 feet wide between Kellogg Avenue and the alley to the east that is currently used as public off-street parking. This proposal is to change the zoning from Government/Airport (S-GA) to Downtown Service Center (DSC). This parking lot immediately south of FUMC was recently purchased by the Church from the City for the purpose of constructing an addition to the south side of the existing church building. The rezoning of the parking lot land is now necessary to construct the proposed building addition so that the entire parcel of church property is zoned as DSC. (See *Attachment A: Current Zoning Map and Attachment B: Proposed Zoning Map*)

A second rezoning of land in this same area is also being initiated by the City. This rezoning is for a second strip of land approximately 19 feet wide that runs between Kellogg Avenue and the alley to the east. This land recently changed ownership from FUMC to the City for the purpose of expanding the existing City parking lot at the northeast corner of Kellogg Avenue and 5<sup>th</sup> Street (500 Kellogg Avenue). This proposal is to change the zoning of this land from DSC to S-GA, which would result in S-GA zoning for the entire City-owned parcel of land. The expanded parking lot will then be available for use as metered public parking. (See *Attachment A: Current Zoning Map and Attachment B: Proposed Zoning Map*)

On May 24, 2011, the City Council approved a developer's agreement between the City and First United Methodist Church which documents the land to be sold to FUMC for the building expansion project and the land to be transferred to the City for expansion of the City parking lot. The agreement stipulates that the FUMC would submit an application for rezoning of the land the church has acquired from the City.

The developer's agreement also stipulates that the City may submit an application for rezoning of the land it is acquiring through the FUMC building expansion project subsequent to the Church's request for rezoning, so that the City's rezoning does not delay the Church's project. *Please note that City staff is proposing to process the two rezoning proposals concurrently to expedite the development process for both the Church expansion and for expansion of the City parking lot.*

A Plat of Survey for the properties at 500 and 516 Kellogg Avenue were also approved by the City Council on May 24, 2011. The Plat of Survey consolidates all of the land now owned by FUMC into Parcel "D" and all of the land now owned by the City of Ames into Parcel "E." The current zoning divides Parcel "D" and Parcel "E" into two zoning districts,

S-GA and DSC. Rezoning of the subject properties would result in all of Parcel “D” zoned as DSC and all of Parcel “E” zoned as S-GA.

This area is already developed and is served by all City infrastructure. Kellogg Avenue between 5<sup>th</sup> and 6<sup>th</sup> Streets is currently being reconstructed. This reconstruction project includes street improvements that will provide additional on-street parking for use by the public. Sidewalk and curb and gutter improvements will account for the former City parking lot access that will be eliminated by expansion of the Church building.

The Future Land Use Map of the Land Use Policy Plan designates both properties as “Downtown Service Center.” (*See Attachment C: Future Land Use Map*)

It can be concluded that the proposed rezoning is consistent with the adopted goals and policies of the Land Use Policy Plan and the Future Land Use Map of the Land Use Policy Plan. It can also be concluded that the change in land use will not create any additional impacts on infrastructure and City services than would otherwise occur under the existing zoning designation.

At its meeting of June 15, 2011, with a vote of 6-0, the Planning and Zoning Commission recommended approval of rezoning both properties.

#### **ALTERNATIVES:**

1. The City Council can approve the rezoning of property at 516 Kellogg Avenue from Government/Airport (S-GA) to Downtown Service Center (DSC), and approve the rezoning of property at 500 Kellogg Avenue from Downtown Service Center (DSC) to Government/Airport (S-GA).
2. The City Council can deny the rezoning of property at 516 Kellogg Avenue from Government/Airport (S-GA) to Downtown Service Center (DSC), and deny the rezoning of property at 500 Kellogg Avenue from Downtown Service Center (DSC) to Government/Airport (S-GA).
3. The City Council can deny one rezoning and approve the other rezoning.
4. The City Council can defer action on this request and refer it back to City staff and/or the applicant for additional information.

#### **MANAGER’S RECOMMENDED ACTION:**

These requests for rezoning are consistent with the Land Use Policy Plan and Future Land Use Map, and the change in land use will not create any additional impacts on infrastructure and City services than would otherwise occur under the existing zoning designation. The rezoning will allow for the building expansion of First United Methodist Church and the expansion of the City’s public parking lot. The zoning of the land owned by FUMC and by the City will then follow the recently approved Plat of Survey boundaries for

Parcels “D” and “E.”

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the rezoning of property at 516 Kellogg Avenue from Government/Airport (S-GA) to Downtown Service Center (DSC) and the rezoning of property at 500 Kellogg Avenue from Downtown Service Center (DSC) to Government/Airport (S-GA).

LEGAL DESCRIPTIONS FOR THE PROPOSED REZONING  
516 and 500 Kellogg Avenue

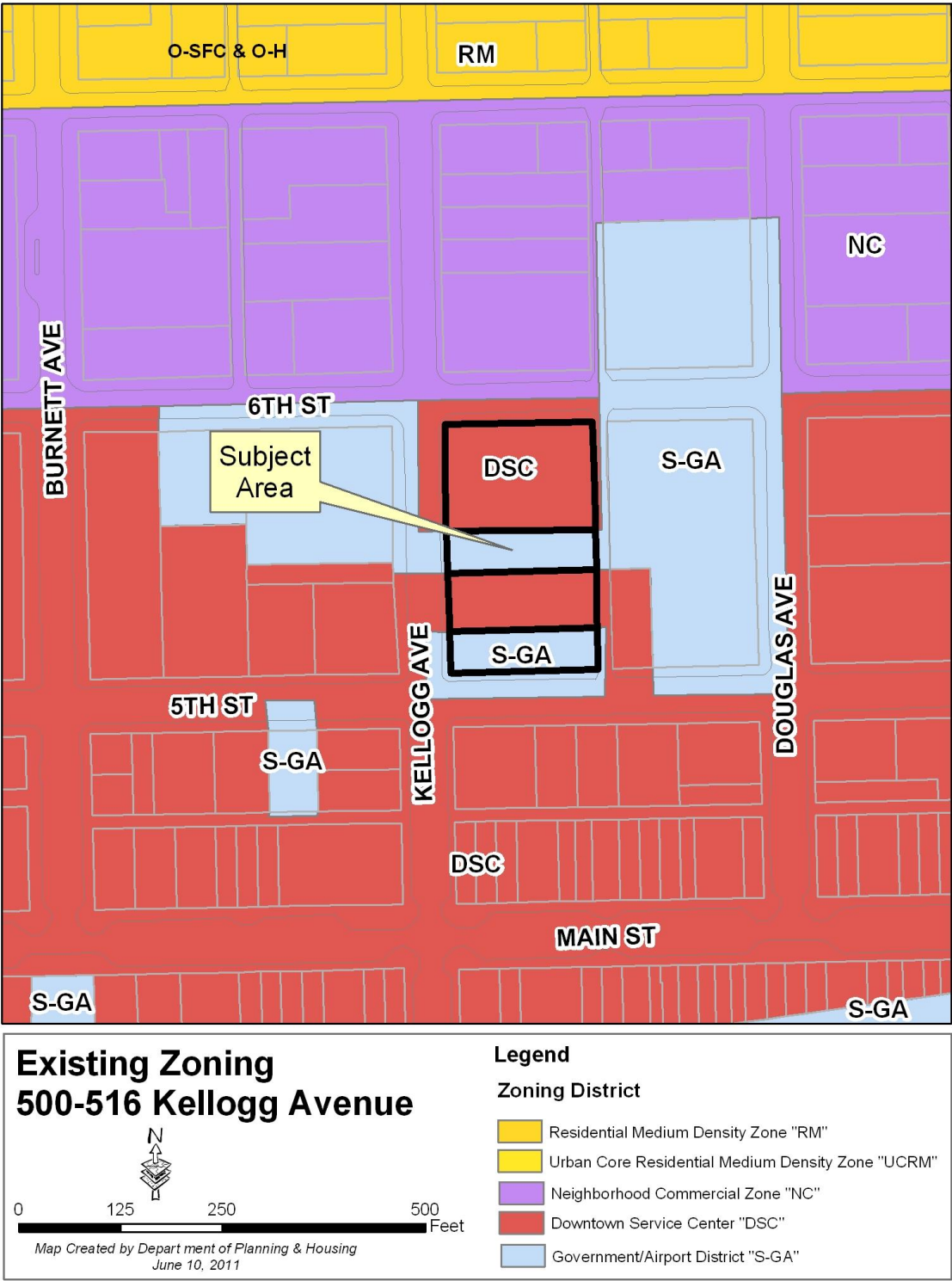
Proposed Rezoning of 516 Kellogg Avenue (First United Methodist Church Property):

- The South Fifty (50) feet of Lot Eight (8), Block Eight (8), Original Town of Ames, in the City of Ames, Story County, Iowa.

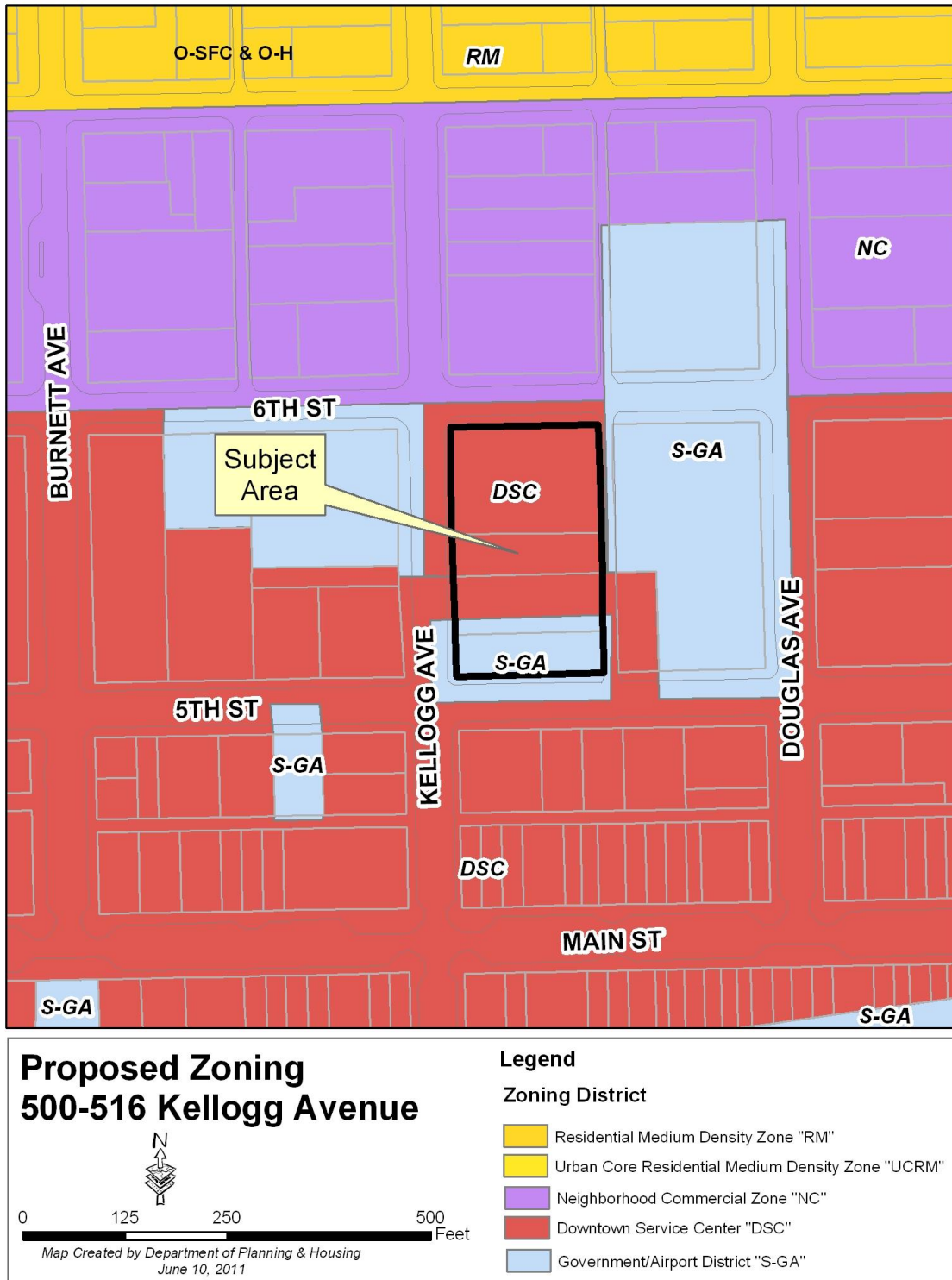
Proposed Rezoning of 500 Kellogg Avenue (City of Ames Property):

- Parcel "E": Lot Six (6) and a part of Lot Seven (7), Block Eight (8), Original Town of Ames, in the City of Ames, Story County, Iowa; as shown on the "Plat of Survey" filed in the office of the Recorder of Story County, Iowa, on May 31, 2011 and recorded as Instrument #11-04939 on slide 406 at Page 7; except that part of Lot 6 in Block 8 in the Original Town of Ames, Iowa, described as follows: Commencing at the Southwest corner of said Lot 6, thence North along the West line thereof a distance of 49.87 feet, thence East to a point on the East line of said Lot 6 which point is 50.04 feet North of the Southeast corner of said Lot 6, thence South along the said East line to the Southeast corner of said Lot 6, thence West to the Southwest corner of said Lot 6.

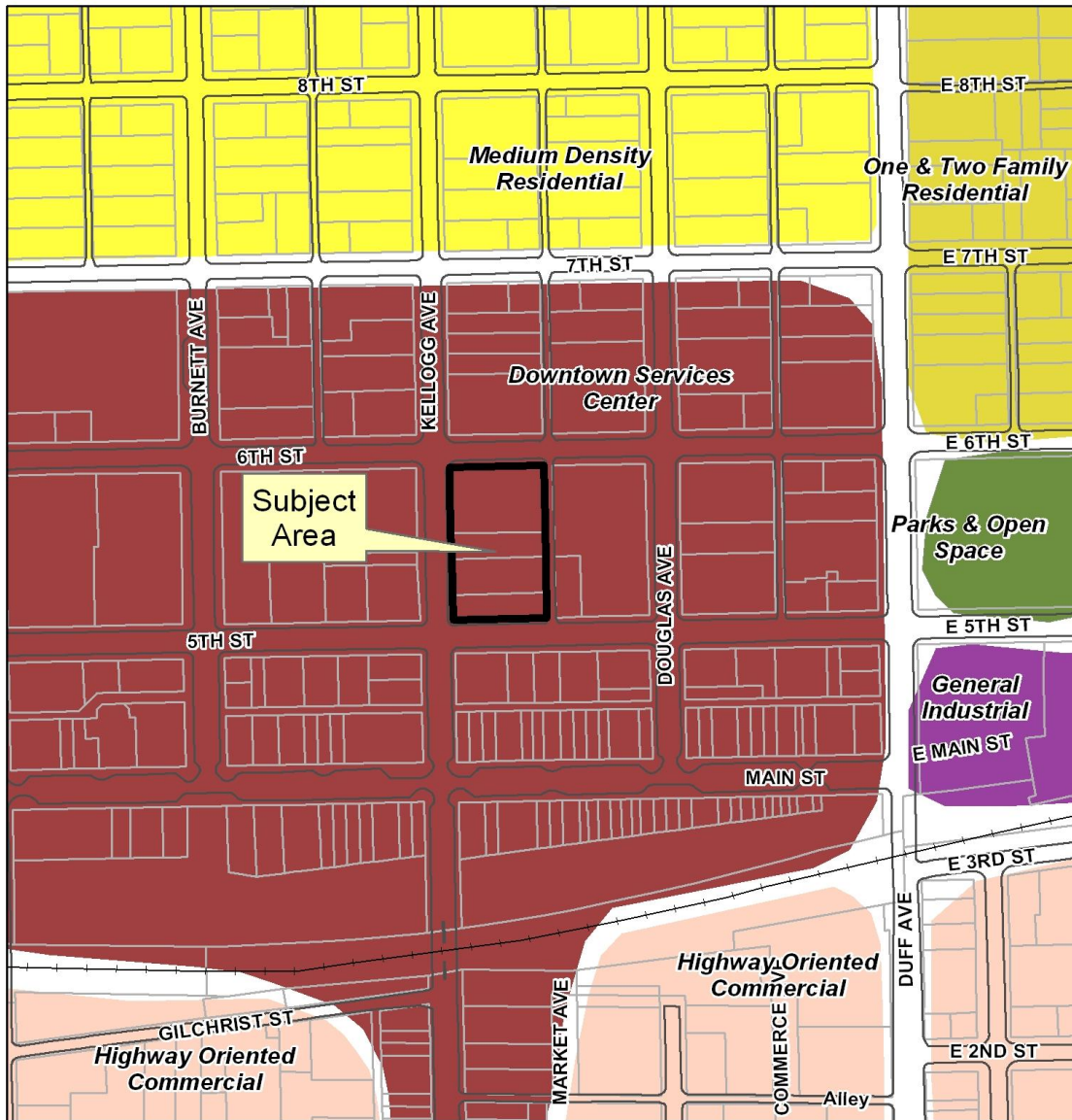
ATTACHMENT A



## ATTACHMENT B



## ATTACHMENT C



### Future Land Use Map Land Use Policy Plan

0 150 300 600 Feet

Map Created by Department of Planning & Housing  
June 10, 2011



### Legend

- One & Two Family Medium-Density Res.
- Medium-Density Residential
- Downtown Services Center
- Highway-Oriented Commercial
- General Industrial
- Parks and Open Space

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 516 Kellogg Avenue, is rezoned from Government/Airport (S-GA) to Downtown Service Center (DSC).

**Real Estate Description:** The South Fifty (50) feet of Lot Eight (8), Block Eight (8), Original Town of Ames, in the City of Ames, Story County, Iowa.

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 \_\_\_\_\_, 2011.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor



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**Real Estate Description:** Parcel "E": Lot Six (6) and a part of Lot Seven (7), Block Eight (8), Original Town of Ames, in the City of Ames, Story County, Iowa; as shown on the "Plat of Survey" filed in the office of the Recorder of Story County, Iowa, on May 31, 2011 and recorded as Instrument #11-04939 on slide 406 at Page 7; except that part of Lot 6 in Block 8 in the Original Town of Ames, Iowa, described as follows: Commencing at the Southwest corner of said Lot 6, thence North along the West line thereof a distance of 49.87 feet, thence East to a point on the East line of said Lot 6 which point is 50.04 feet North of the Southeast corner of said Lot 6, thence South along the said East line to the Southeast corner of said Lot 6, thence West to the Southwest corner of said Lot 6.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor