

## Staff Report

**Request to Initiate a Land Use Policy Plan (LUPP) Amendment  
for 205 S. Wilmoth Avenue**

September 24, 2013

**BACKGROUND**

The City Council referred a letter from Charles Vatterott, representing Breckenridge Ames Iowa, LLC, concerning the former middle school athletic field site at 205 S. Wilmoth Avenue. (See Attachment 1) The request seeks to change the Land Use Policy Plan designation of the site from Low Density Residential (RL) to Medium Density Residential (RM). The request also notes that while the RM classification is desired by the applicant, due to the existing lot configuration and surrounding land uses, there could be an opportunity to discuss a limited amount of Highway Oriented Commercial adjacent to the Lincoln Way frontage if Council would prefer.

The 8.3 acre parcel at 205 S. Wilmoth Avenue is currently designated as Low Density Residential on the LUPP map (See Attachment 2), and is zoned S-GA (Government/Airport District). While addressed from Wilmoth, the site has an almost equal amount (430 feet) of street frontage along Lincoln Way as it does along Wilmoth. The site abuts three parcels to the northeast that are also designated as Low Density, however they are zoned High Density Residential. Further to the northeast there are additional properties designated and zoned High Density Residential with frontage along Lincoln Way. The site abuts low density zoned development to the east, west and south. The parcel also abuts a Wendy's restaurant at the northwest corner of the site, which is designated and zoned as Highway Oriented Commercial. To the north of the site across Lincoln Way there is a split of Highway Oriented Commercial and Low Density Residential zoned land.

This report provides background information to assist the City Council in making the following decisions:

1. Whether to give formal consideration to this request for a land use change and allow the applicant to submit a LUPP Amendment application; and,
2. If City Council decides the request merits further consideration through a formal application, the Council must then determine whether the application will be processed as a Major or Minor Amendment to the Land Use Policy Plan.

**Project Background**

Breckenridge has approached the City to develop/redevelop a total of three parcels of land located at 205 S. Wilmoth Avenue, 321 State Avenue, and 601 State Avenue, respectively. The three properties are currently designated as Low Density Residential or Village/Suburban Residential and all three are zoned Special-Government/Airport (S-G/A). The development concept articulated by the applicant is for a new student

housing rental development that differs from traditional apartment type student housing developments. The concept has been for small individual buildings rather than a development of larger apartment buildings. Development of the properties would first require a rezoning to allow for development consistent with an underlying land use designation.

In March 2013, rezoning applications were submitted for two of the three parcels of land owned by Breckenridge. **The subject Wilmoth property (referenced as the north parcel herein) was not included in the rezoning requests in March as it is viewed as a potential later phase by the applicant.** The first request for rezoning was for 10.8 acres at 321 State Avenue, which is the site of the former Ames Middle School (referred to herein as the middle parcel). That request is to change the zoning designation from S-GA (Special-Government/Airport) to RL (Low-Density Residential) consistent with the current LUPP designation. The second parcel is an undeveloped 28.9 acre site at 601 State Avenue (referred to herein as the south parcel). That request is to change the zoning designation from S-GA to FS-RM (Floating Suburban Residential Medium Density) consistent with the underlying LUPP land use designation.

In response to the applicant's request to initiate a rezoning of the middle and south parcels, the City Council determined a Master Plan was needed to accompany the rezoning request. **City Council directed the applicant to consider a number of concerns related to development of all of the properties and specifically asked that the subject north parcel be included in a Master Plan, even though it had not yet been requested to be rezoned.** See Attachment 3 for a list of zoning code requirements and Council requested Master Plan conditions. Council also recommended that staff work to facilitate a discussion with the neighborhood and the applicant to discuss concerns for the development sites and the integration of the proposed rental development into the neighborhood.

The applicant agreed to series of facilitated neighborhood meetings with Iowa State University representatives and the College Creek/Old Ames Middle School Neighborhood Association representatives in an effort to identify community issues and concerns in relation to the proposed development. A series of three meetings were held in June and July, with a final Neighborhood Association meeting in August to present a collective master plan concept to the neighborhood and the general public. The discussions with ISU and the neighborhood representatives encompassed many concerns and issues for the sites including such items as: land use, density, storm water and utilities, impacts to the surrounding neighborhood, quality of life concerns, on-site amenities, traffic, parking, lighting, and safety. As part of the neighborhood meeting process staff facilitated discussion of the various interests and provided assistance on understanding the various types of permits and development review required prior to approval, beyond just the master planning process.

During the outreach process the applicant presented a development concept on the subject north parcel based upon the maximum density allowed by the underlying low density residential land use designation. However, since that time the applicant is now

requesting a LUPP change to medium density for the north parcel, but is continuing to formalize the application for the Master Plan for the middle and south parcels. The submittal of the Master Plan for the middle and south parcels would then complete the application requirements for two pending rezoning requests. When the rezoning applications are deemed complete; staff will review and process the rezoning requests for the middle and south parcels, pending any future applications for the north parcel.

### **LUPP Amendment Considerations For The North Parcel:**

The first consideration for Council is to determine if the request for a Map Amendment should be given formal consent to proceed with an LUPP amendment application at this time. **City Council may decide that it does not have an interest in reviewing a proposed amendment at this time and choose to not initiate the request or it may allow for an LUPP amendment application to be submitted for formal review.**

The context of the site creates potential competing interests for the City in respect to its land use goals and the request to change land use designations. In considering whether to pursue a potential amendment, the City Council should weigh issues at the basic level of land needs, housing needs, site opportunities, and general compatibility. Some of these same issues also have a relationship to the second consideration of what is the appropriate amendment process.

The subject north parcel was included within the citywide Land Use Policy Plan map amendment study for assigning government land a land use designation for future reuse. The City Council adopted a resolution changing this site from government use to low density residential on February 26, 2008. At that time there was a discussion about the desirability of range of uses for this site as commercial, high density, and low density residential. **The alternative approved by City Council was to designate the site for low density residential in response to a general interest to provide for more single-family home development opportunities in support of the neighborhood and school district interests.**

The current Low Density Residential designation allows for the site to be developed with single-family residential uses to a maximum density of 7.26 dwellings units per net acre. Low density does not allow for use of a site with multi-family building types. Development of the site would require a rezoning and subdivision review. The current land use designation is generally in line with the surrounding neighborhood land use designations on approximately three sides, noting however, there is a small area of high density and highway oriented commercial land use areas abutting the subject property to the northwest and northeast fronting along Lincoln Way.

The applicant's request for Medium Density would introduce a potentially greater variety of housing types and at a higher density of housing units compared to low density. That is not to say a change could not be warranted based on the land use areas to the north and east, and the frontage of the lot on Lincoln Way as a transitional designation into a lower density neighborhood. With a designation of the LUPP to Medium Density

allowable uses would include single family, two family, and multiple family with a minimum density of 7.26 dwelling units per acre to a maximum density of 22.31 dwelling units per acre. Development of the site would require a rezoning and either subdivision review or site plan review depending on the development types proposed in the future.

Additionally, the applicant indicates that a portion of the site could be used for commercial uses. This would logically be the area fronting upon Lincoln Way and staff estimates that it may range in size one to three acres in area based upon the needed depth of the site area and its usability. Development on a portion of the site near Lincoln Way would not be intrusive to the surroundings as it is likely that it would not directly interface with single family-homes. Considering the whole site (8 acres) for commercial would allow for a large shopping center to be built and extend back towards the existing single-family homes to the south, west, and east. Within the discussion of commercial uses, the site could appropriately include mixed-use within a commercial area along Lincoln Way. Development of commercial uses would require a rezoning and site plan review.

The second consideration tonight is that if Council finds that this request should proceed, then it must determine if the application should be a minor amendment or a major amendment. Any proposed change to the LUPP map designations is subject to the amendment process and considerations adopted by the City Council. This process describes two types of amendments (major and minor) and includes criteria for the City Council to use to determine which type is requested. The full text of the process and the consideration for LUPP amendments can be found in Appendix C of the LUPP and at <http://www.cityofames.org/modules/showdocument.aspx?documentid=6625>.

## II. AMENDMENT TYPES

Amendments of the LUPP are defined as major or minor, more specifically defined as follows:

1. **Major Amendments.** These include any amendment that is either a *change* to current goals and policies, or that is *inconsistent* with current goals and policies.
2. **Minor Amendments.** These include changes determined by the Council to be of minor consequence. Examples might include:
  - a. Shifting the boundary of a land use designation to account for existing site conditions and/or lot configurations.
  - b. Changing a land use designation to a related type of land use designation, as follows:
    - i. Residential to next level intensity residential.
    - ii. Non-neighborhood commercial to another type of commercial.
    - iii. Commercial node to another type of commercial node.
    - iv. Industrial to next level intensity industrial.
    - v. Any change which the Council determines necessary to address an immediate public need or to provide broad public benefit, and which is determined by the City Council to further the current vision, goals and objectives of the Land Use Policy Plan.

**The determination of whether the amendment is major or minor is important in determining the process for seeking approval. A major amendment has a greater public input process than does a minor amendment.** Following the determination of whether it is a major or minor amendment, the City Council may choose to either consider the amendment immediately, or else to defer any action on the proposed amendment until the next scheduled review of the entire LUPP.

To determine whether the proposed change is a major or a minor amendment to the Land Use Policy Plan, the City Council should consider whether the proposal is a change to or is inconsistent with current goals and policies. **Pertinent LUPP Goals stated under *Goals for a New Vision* beginning on pg. 18 of the Plan are included in Attachment 4.** The goals relate to management of growth, availability of sufficient land resources and compatibility, sense of place and identity with healthy, safe, and attractive environments, efficient growth patterns and development of infill areas, increasing housing opportunities, and transportation demands.

Staff would note the applicant has recently worked through a neighborhood outreach effort for the rezoning Master Plan process that is similar to the LUPP major amendment public input process. The rezoning Master Plan process allowed for a discussion of the north parcel regarding neighborhood interests and issues related to development of the site. The plan for the north parcel has undoubtedly changed with this current LUPP amendment request since the time of the Master Plan process where an RL plan was presented. However, many of the same public concerns and issues that were presented for the Master Plan will be of concern for any land use designation. While this is not to say it replaces the public comment need if Council feels this request should be processed as a Major LUPP Amendment, there is however, a greater awareness at this point of the community desires for the property than typically seen in a Land Use Policy Plan Amendment initiation request.

#### **Staff Comments:**

The City has a stated interest of providing for a range of housing types citywide while also conserving existing neighborhoods. The City looks for infill opportunities and design compatibility of new development in meeting its broad goals and interests. There is a demand in Ames for both of the basic residential land use types of single-family and multi-family, including student housing and workforce housing. The desirability of this location for either use should be weighed against its appropriateness at this location as well as its relationship to other available sites in the City.

**The City has a known need for single-family home sites and if the City Council desires only single-family home sites at this location, then it should not initiate the request. However, staff believes that this site has many attributes (e.g. arterial frontage, bus service, overall size) that may support different uses as well. If the City Council concurs, then the request for the land use change should proceed as a formal application.**

**Staff believes if the amendment proceeds that it should require consideration of commercial uses as part of the site, not just medium-density residential uses.** Specifically, it should include consideration of neighborhood commercial uses and not just highway oriented commercial uses. Considering mixed use as part of a commercial development component may also be appropriate. In this case neighborhood commercial, with or without mixed use, would be more about the intent of the scale and design of a site than the range of commercial uses that would be allowed.

In regards to the appropriate amendment process, City Council may find that the proposal is generally consistent with the adopted goals and objectives of the Land Use Policy Plan and the request is an example of a minor change based on the one step increase in density and the site's context. Additionally, there has been prior outreach that has identified many neighborhood concerns for the area and this site. If this is the case, Council should determine the amendment proceed as a minor amendment.

If Council determines that the proposed amendment may not be consistent with the goals and policies of the LUPP and the request is not an example of minor amendment because of range of uses that may occur on the site, it should designate the proposal proceed as a major amendment.

**Attachment 1**  
**Request Letter**



August 22, 2013

**Mayor & City Council**  
City of Ames  
515 Clark Avenue  
Ames, Iowa 50010

**RE: Request to Amend the Map and Text for the Land Use Policy Plan from RL to RM for the Parcel at 205 S. Wilmoth Avenue**

Mayor & City Council:

Breckenridge Land Development is requesting a map change for the parcel at 205 S. Wilmoth Avenue from RL to RM. We have attached the plat of survey of the parcel for your review. We believe this is a minor amendment to the Land Use Policy Plan as outlined in Appendix C of the LUPP (attached). Our understanding from Staff is a minor amendment is appropriate for a single step in the change of the land use.

Our reasons for the change are the site is directly adjacent to a Major Arterial Street (Lincoln Way), adjacent to Highway Oriented Commercial (HOC), and to existing residential that is zoning Residential High Density (RH). While Breckenridge is preferring the RM classification we would be agreeable to discuss limited HOC for the property adjacent to Lincoln Way.

We look forward to discussing this proposal with you at the Council Meeting on August 27th.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charlie Vatterott".

Charlie Vatterott  
Breckenridge Ames Iowa, L.L.C.

cc: Kelly Diekmann, Planning Director, City of Ames Planning and Housing Department  
Brian Torresi, Attorney

**Attachment 2  
Existing LUPP Map**



**Existing LUPP Map  
205 S. Wilmoth Avenue**



### Attachment 3 Master Plan Requirements/Conditions

#### COA Code Requirements of Master Plan(Section 29.1507(4))

- a. Name of the applicant and the name of the owner of record.
- b. Legal description of the property.
- c. North arrow, graphic scale, and date.
- d. Existing conditions within the proposed zoning boundary and within 200 feet of the proposed zoning boundary: Project boundary; all internal property boundaries; public rights-of-way on and adjacent to the site, utilities; easements; existing structures; topography (contours at two-foot intervals); areas of different vegetation types; designated wetlands; flood plain and floodway boundaries; areas designated by the Ames Land Use Policy Plan as Greenways and Environmentally Sensitive Areas
- e. Proposed zoning boundary lines.
- f. Outline and size in acres of areas to be protected from impacts of development
- g. Outline and size in acres of areas proposed of each separate land use and for each residential unit type
- h. Pattern of arterial streets and trails and off-site transportation connections
- i. For proposed residential development provide the number of unit type for each area, expressed in a range of the minimum to maximum number to be developed in each area
- j. For proposed residential development provide a summary table describing all uses of the total site area, including the number of units per net acre for each unit type and each zoning area.

#### City Council Conditions of Master Plan (April 9, 2013 Meeting)

- a. The RL zoning designation states, ***“This zone is intended to accommodate primarily single-family dwellings, while accommodating certain existing two-family dwellings and other uses customarily found in low-density residential areas.”*** A large number of single-family homes on a single lot is not a use customarily found in low density residential areas. **The City Council may wish to condition, at least for the middle RL parcels, that only one home be placed on each lot.** This would require the property to be platted as a traditional subdivision, providing each lot with frontage on a street, public utilities and off-street parking. This requirement would still allow for the individual homes to be rented, as envisioned by the owner. It would also allow the integration of this development into the fabric of the adjoining neighborhoods and the community. For the south parcel, it is typical to see multiple apartment buildings on a single lot in an FS-RM area so this issue is not as important there.

If the City Council chose to allow multiple single-family homes on a single lot, then the Council should consider, as a condition of rezoning, that a Major Site Development Plan be submitted and approved prior to construction. This would be similar to the process for allowing apartment buildings in the FS-RM zone.

This would allow staff and the Council to review specific features such as building separation, parking location, landscaping, and buffering.

- b. Descriptions of buffering and security. These should be physical design features that can be expected to be incorporated into the site and building designs, rather than employment of personnel which may be diminished over time.
- c. As part of the Master Plan, the City Council may wish to see a street connection of Tripp Street from Wilmoth Avenue to State Avenue. Such interconnectivity of residential neighborhoods is a consistent expectation of the City Council in reviewing other developments.
- d. As part of the Master Plan, the owner should identify the natural resources of the site, such as the flood plain, Greenway and Environmentally Sensitive Lands of the LUPP, conservation easements. Further, the owner should provide information as to how these resources will be protected as part of the project.
- e. As part of the Master Plan, the owner should identify any common facilities, such as open spaces or amenity buildings.
- f. As part of the Master Plan, the City Council can ask that all three properties be included. Although a rezoning is sought only for the middle and south parcels at this time, it is the owner's expressed expectation that the north parcel would be a later phase.
- g. Items listed as part of the letter submitted from Iowa State University dated April 4, 2013:
  - 1. Impact on adjacent agricultural plot and field work, require adequate fencing
  - 2. Light pollution on adjacent experimental field plots
  - 3. College Creek watershed impact and downstream water management.
  - 4. Portions of State Street are in institutional road. Responsibility for funding road improvements. Who will pay for widening, signalization other possible improvements?
  - 5. This project may require traffic signalization or construction of a roundabout at State Street and Mortensen to safely manage traffic.
  - 6. Adequate parking in the area.
  - 7. CyRide cost increases for bus service. ISU and students fund ~70% of CyRide operations. Where will financial support come from for expanded service?
  - 8. Impact on Arboretum and Cross County Track on east side of State Street.
  - 9. Walking and bicycle paths from the housing area to campus and retail and residential development to the west.
  - 10. Impact on ISU recreations are to east.

11. Law enforcement and fire protection impact.
  12. Campustown revitalization is higher priority for resource commitments and may be a better location for expanded student housing.
  13. Long term ISU enrollment trend. Is housing of this type needed and can it be converted to other uses if there are changes in enrollment trends?
  14. Impact on residential neighborhood and housing that many of our younger faculty and staff occupy. The neighborhood is opposed to the project.
- h. As part of the Master Plan, the City council asked that the plan include the equivalency of subdividing the property so that every building is on a separate lot and meets all City requirements.

## Attachment 4

### Pertinent LUPP Goals

**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.

**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.

**Goal No. 4.** It is the goal of Ames to create a greater sense of place and connectivity, physically and psychologically, in building a neighborhood and overall community identity and spirit. It is the further goal of the community to assure a more healthy, safe, and attractive environment.

**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.

**Goal No. 6.** It is the goal of Ames to increase the supply of housing and to provide a wider range of housing choices.

**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.