

ITEM #: 31
DATE: 1-12-16

COUNCIL ACTION FORM

SUBJECT: Rezone from “RL” (Residential Low Density Zone) to “RH” (Residential High Density) for a property located at 1110 Delaware Avenue

BACKGROUND:

The property owner is interested in rezoning approximately 0.6 acres at 1110 Delaware Avenue (See *Attachment A and Attachment F*) from “RL” Residential Low Density to “RH” High-Density Residential (See *Attachment B and Attachment D*).

The applicant desires to rezone the property for future investment of multi-family construction. Currently, the applicant has no immediate plans to construct a new building on this property. The current home is a single-family detached structure. Changing the zoning to RH would allow up to 12 units to be constructed on the property, subject to conformance with zoning standards. In contrast, with the property maintaining its current RL zoning the property may be able to be subdivided into a flag lot that would allow for one additional home.

The subject property is currently bordered on the north and west by RH zoning. To the east of this property it is bordered by North Dakota Avenue and there is RL zoning east of North Dakota Avenue. RL also exists to the immediately south of the site. The uses in the area are mostly apartments to the north and a mix of two-family types homes to the south.

The Ames Land Use Policy Plan (LUPP) Future Land Use Map shows the subject site with the intersection of the High Density and Low Density land use designation boundaries. (See *Attachment C*) **The applicant believes that the majority of the site is within the High Density Residential Designation and that such a designation supports rezoning to RH.**

Staff concurs that the land use designation for the site supports High Density Residential for the property. Rezoning of the property would make it contiguous to existing RH zoning to the north and west. Thus the requested zoning classification can be justified based upon the same type of zoning bordering this property, the current LUPP designation, and that the actual use of properties in the area is high density housing to the immediate north and west as well as two-family style housing in the RL areas to the immediate south of this property.

The High Density Site Evaluation Matrix has been completed and is attached. Staff overall viewed the site to be an average area for high density based on its location in an existing multi-family area and its proximity to a schools, park, and one transit line on

Ontario Street. (Attachment E)

At the December 16, 2015 Planning & Zoning Commission meeting the Planning & Zoning Commission recommended by a vote of 5-0 to approve rezoning property at 1110 Delaware Avenue from Residential Low Density Zone (RL) to Residential High Density Zone (RH).

ALTERNATIVES:

1. The City Council can approve the request for rezoning from “RL” (Residential Low Density Zone) to “RH” (Residential High Density) for the property located at 1110 Delaware Avenue, based upon the applicant’s project description and staff’s analysis.
2. The City Council can deny the request for rezoning of the property located at 1110 Delaware Avenue, if the Commission finds that the request is not consistent with the City’s regulations and policies.
3. The City Council can defer action on this request and refer it back to City staff and/or the applicant for additional information.

CITY MANAGERS RECOMMENDED ACTION:

The proposed rezoning fits within the context of this block and with the established patterns of use. The LUPP land use designation also supports allowing for the rezoning. The rezoning allows for an increase in development potential from one additional flag lot home to a maximum of 12 units if the house is demolished and the site rebuilt with apartments. However, due to development regulations it may be fewer than 12 units upon redevelopment.

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1, which is to approve the request for rezoning of the property, located at 1110 Delaware Avenue, from “RL” (Residential Low Density) to “RH” (High-Density Residential), as depicted in *Attachment D*.

ADDENDUM

Zoning History

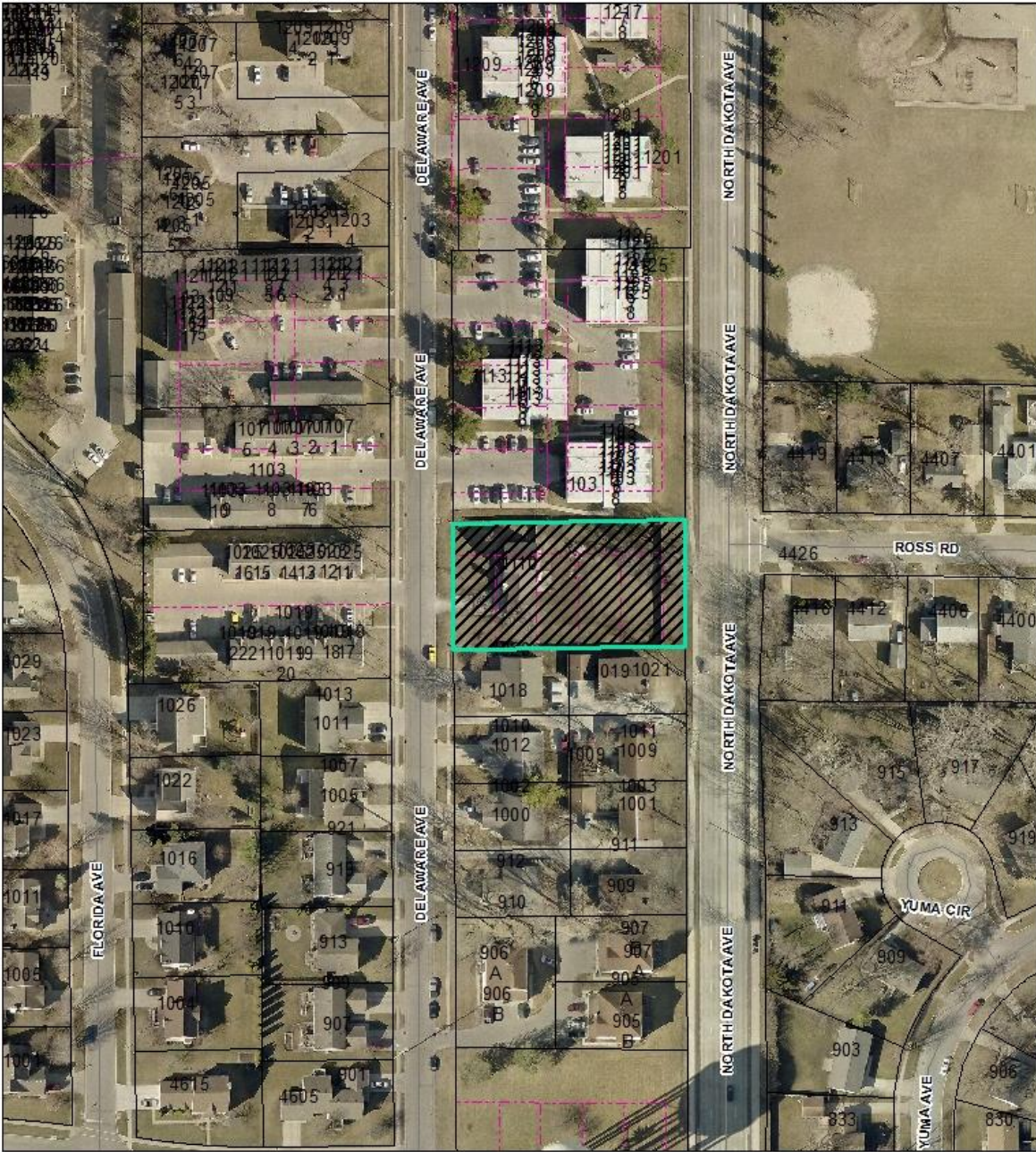
The High Density Residential Zoning district (RH) allows for single-family homes if those homes were pre-existing at the time of rezoning. Prior to the zoning code update in 2000, this property was zoned under the R-2 Low Density Residential zone. R-2 allowed for single family and two-family homes. This property was then brought into the current Low Density Residential (RL) zoning at that time of the adoption of the 2000 zoning ordinance as a pre-existing structure. In this case pre-existing means that the structure in question is built to the legal specifications and requirements of the existing zoning at the time the property on which the structure sits is rezoned. Currently there are no building permits active for this property nor have there been any site plans submitted to the Planning & Housing Department. The applicant's future plans for the property, as stated in the application, do not conflict with allowed uses in the proposed RH zoning classification.

Findings of Fact

Based upon an analysis of the proposed rezoning and laws pertinent to the applicant's request, staff makes the following findings of fact:

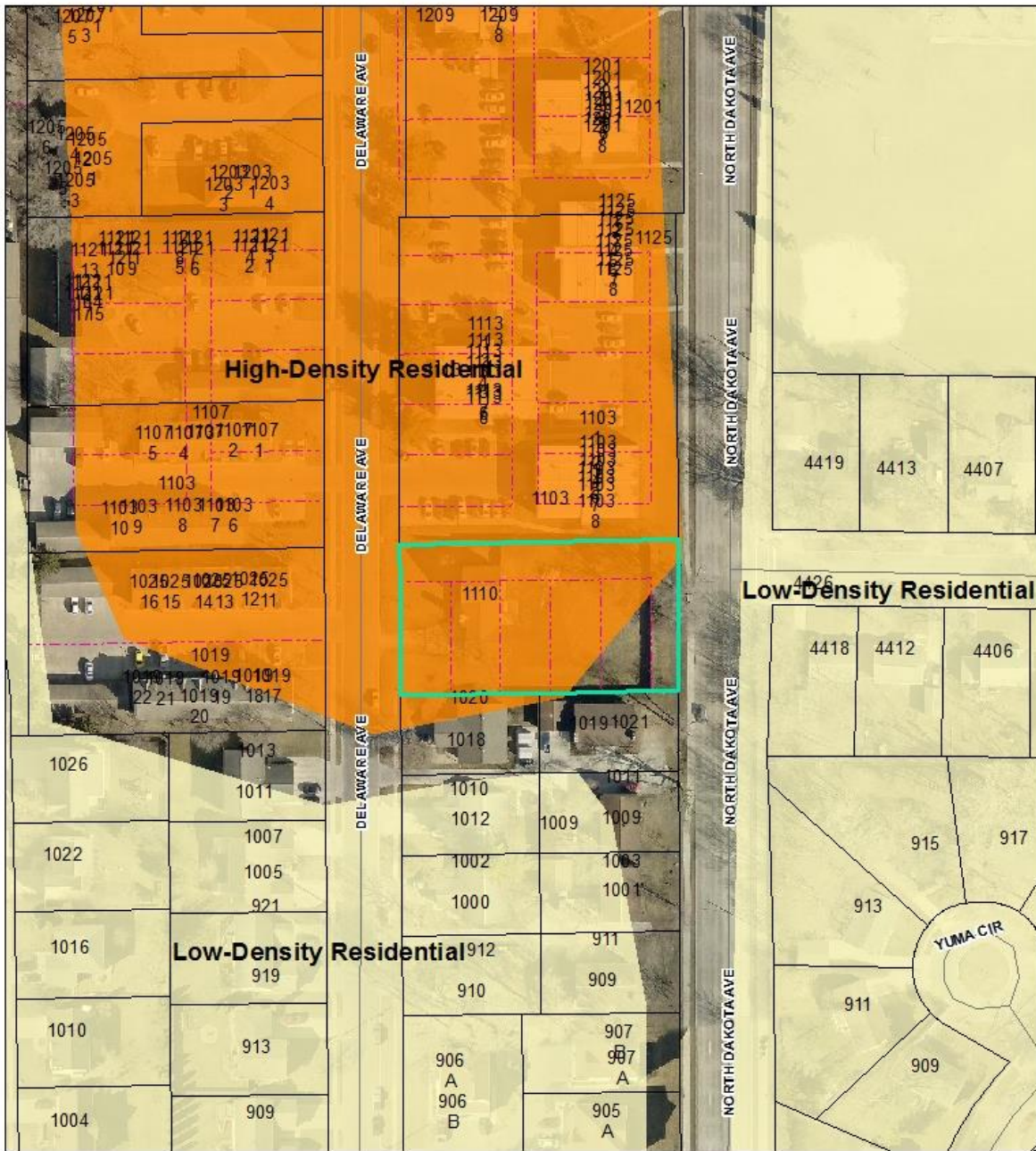
1. *Ames Municipal Code Section 29.1507(2)* allows owners of fifty percent (50%) or more of the area of the lots in any district desired for rezoning to file an application requesting that the City Council rezone the property. The owner of this single parcel has requested the rezoning.
2. The subject property has been designated on the Land Use Policy Plan (LUPP) Future Land Use Map as "Residential High Density."
3. The "Residential High Density" land use designation supports the "RH" (Residential High Density) zoning designation. Under the "RH" zoning designation, multiple-family residential development can be accommodated subject to the Zone Development Standards allowed within this zone, as described in Chapter 29, Article 7, of the Municipal Code.
4. Infrastructure is available to this site. The owner will need to ensure any necessary upgrades to the services at this site are coordinated through public works should a new structure be constructed on this site in the future.
5. Access to this site is from Delaware Avenue, a public street right-of-way. There is no direct access to the minor arterial roadway of North Dakota Avenue.

Attachment A-Location Map



Location Map
1110 Delaware Avenue

Attachment C- LUPP Map



**Current LUPP Designation
1110 Delaware Avenue**

Attachment E- RH Site Evaluation Matrix	Project Consistency		
	High	Average	Low
Location/Surroundings			
Integrates into an existing neighborhood with appropriate interfaces and transitions High=part of a neighborhood, no significant physical barriers, includes transitions; Average=adjacent to neighborhood, some physical barriers, minor transitions; Low=separated from an residential existing area, physical barriers, no transitions available	X		
Located near daily services and amenities (school, park ,variety of commercial) High=Walk 10 minutes to range of service; Average=10 to 20 minutes to range of service; Low= Walk in excess of 20 minutes to range of service. *Parks and Recreation has specific service objectives for park proximity to residential		X	
Creates new neighborhood, not an isolated project (If not part of neighborhood, Does it create a critical mass or identifiable place, support to provide more services?)		X	
Located near employment centers or ISU Campus (High=10 minute bike/walk or 5 minute drive; Average is 20 minute walk or 15 minute drive; Low= exceeds 15 minute drive or no walkability)		X	
Site			
Contains no substantial natural features on the site (woodlands, wetlands, waterways)		X	
Located outside of the Floodway Fringe	X		
Separated adequately from adjacent noise, business operations, air quality (trains, highways, industrial uses, airport approach)		X	
Ability to preserve or sustain natural features		X	
Housing Types and Design			
Needed housing or building type or variety of housing types			X
Architectural interest and character			X
Site design for landscape buffering			X
Includes affordable housing (Low and Moderate Income)			X
			X
Continued next page...			

Transportation			
Adjacent to CyRide line to employment/campus High=majority of site is 1/8 miles walk from bus stop; Average= majority of site 1/4 mile walk from bus stop; Low= majority of site exceeds 1/4 miles walk from bus stop.		X	
CyRide service has adequate schedule and capacity High=seating capacity at peak times with schedule for full service Average=seating capacity at peak times with limited schedule Low=either no capacity for peak trips or schedule does not provide reliable service		X	
Pedestrian and Bike path or lanes with connectivity to neighborhood or commute		X	
Roadway capacity and intersection operations (existing and planned at LOS C)		X	
Site access and safety		X	
Public Utilities/Services			
Adequate storm, water, sewer capacity for intensification High=infrastructure in place with high capacity Average=infrastructure located nearby, developer obligation to extend and serve Low=system capacity is low, major extension needed or requires unplanned city participation in cost.	X		
Consistent with emergency response goals High=Fire average response time less than 3 minutes Average=Fire average response time within 3-5 minutes Low=Fire average response time exceeds 5 minutes, or projected substantial increase in service calls		X	
Investment/Catalyst			
Support prior City sponsored neighborhood/district investments or sub-area planning			X
Creates character/identity/sense of place			X
Encourages economic development or diversification of retail commercial (Mixed Use Development)			X

Attachment F- Property Owner Statement

1/2. Reasons for Requesting Rezoning:

Since the property (located) between high and low density it makes sense to make it attractive for future investment, and

another big reason is the size of the

lot which is over 26000.00 square feet.

3. Current zoning: Low density

4. proposed " : high "

5. proposed use for future : apartments.

6. (Attachment).

7. Land area: over 26,000 ft².

8. (Attachment).

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 1110 Delaware Avenue, is rezoned from Residential Low-Density (RL) to Residential High-Density (RH):

Real Estate Description: Lots One (1), Two (2), Three (3), Four (4), and Five (5), Block Two (2), in the Original Town of New Philadelphia, now situated within and a part of Ames, Iowa, AND one-half or 30 feet of the streets marked and designated on the plat of New Philadelphia which adjoins said Block 2 on the North and the East of said Lots 1, 2, 3, 4, and 5, Block 2, Original Town of New Philadelphia, now situated within and a part of the City of Ames, 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 _____, _____.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor