

ITEM #: 23
DATE: 03-01-16

COUNCIL ACTION FORM

REQUEST: Rezoning of Properties Located at 1405, 1415, 1425, 1502, 1510, 1511, and 1519 Baltimore Drive, and 1428, 1429, 1506, 1514, and 1522 Boston Avenue, from Community Commercial Node (CCN) to Highway-Oriented Commercial (HOC).

BACKGROUND INFORMATION:

Friedrich Iowa Realty and Development, Kurt W. Friedrich, is requesting that Lots 8, 9, 10, 11, 12, 13, 15, 16, 17, 21, 22 and 23, Eastgate Subdivision, at the addresses listed, be rezoned from Community Commercial Node (CCN) to Highway-Oriented Commercial (HOC). A total of 13.72 acres are included in the lots proposed for rezoning (see *Attachments A, C & D – Location Map/Zoning/Proposed Zoning*). Eastgate Subdivision is generally located northwest of the intersection of East 13th Street and Dayton Road (see *Attachment J – Rezoning Plat*). The Final Plat of Eastgate Subdivision was approved in 1999, and the lots proposed for rezoning have been vacant since that time. Community Commercial Node (CCN) has been the zoning classification for the subject property since the CCN zoning district was first established in May, 2000.

The rezoning request is based on the desire to allow for a wider range of commercial uses, which will provide land for development by a broader group of potential business users. The subject properties are within the Land Use Policy Plan (LUPP) Future Land Use Map designation of Highway-Oriented Commercial. Additionally, the LUPP designates land in the vicinity of the East 13th Street/Dayton Road intersection as a Community Commercial Node (see *Attachment B – LUPP Future Land Use Map*). The node represents a cluster of mixed commercial uses typically associated with one or more arterial streets. The proposed rezoning would not change the designation of this area as a Community Commercial Node, in the LUPP.

Lot 14, Eastgate Subdivision, 1509 Baltimore Drive, includes 5.51 acres, is owned by the Greater Iowa Credit Union, and is not part of the rezoning request received from the applicant (see *Attachment A – Location Map*). Staff has reached out to the Credit Union to see their interest in changing zoning. They have an approved site plan under the current CCN zoning, for construction of a new office building, but were willing to consider being part of the rezoning request if it did not affect their approved plans. Staff recommends that for uniformity of boundaries that the property be included in the rezoning. No objection to the rezoning has been received from the Greater Iowa Credit Union.

Planning and Zoning Commission Recommendation: At a public hearing on February 17, 2016, the Planning and Zoning Commission voted (6-0, Abstain: Tillo) to recommend that the City Council rezone the subject properties, and also include Lot 14 of Eastgate Subdivision, at 1509 Baltimore Drive, from Community Commercial Node (CCN) to Highway-Oriented Commercial (HOC), based upon staff's analysis as found in the addendum. There were no comments by the public at the meeting (*see Attachment E – Planning & Zoning Commission Recommendation*).

ALTERNATIVES:

1. The City Council can approve the request for rezoning of the subject properties, as requested by the applicant, from Community Commercial Node (CCN) to Highway-Oriented Commercial (HOC), based upon staff's analysis as found in the addendum.
2. The Council can approve the request for rezoning of the subject properties, as requested by the applicant, and Lot 14, Eastgate Subdivision, at 1509 Baltimore Drive, from Community Commercial Node (CCN) to Highway-Oriented Commercial (HOC), based upon staff's analysis as found in the addendum.
3. The City Council can deny the request for rezoning from Community Commercial Node (CCN) to Highway-Oriented Commercial (HOC) for the subject properties, as requested by the applicant, if the Commission finds that the City's regulations and policies are not met.
4. The City Council can defer action on this request and refer it back to City staff and/or the applicant for additional information.

CITY MANAGER'S RECOMMENDATION:

Staff supports the rezoning of properties located in Eastgate Subdivision, as requested, and recommends that Lot 14, 1509 Baltimore Drive, also be included in the rezoning from Community Commercial Node (CCN) to Highway-Oriented Commercial (HOC). This will enable a wider range of commercial uses to locate in a subdivision for which 14 of the 23 lots have remained vacant since the subdivision was created in 1999.

The Greater Iowa Credit Union owns the property at 1509 Baltimore Drive. Staff has met with Credit Union President to explain that rezoning of their property from CCN to HOC, would not require any changes to the Minor Site Development Plan that has been approved for their new office building at this location. No objections have been received from the Greater Iowa Credit Union.

Based on the analysis in the attached addendum, it is the recommendation of the City Manager that the City Council support Alternative #2, which is approval of the request for rezoning of the subject properties, as requested by the applicant, including Lot 14, Eastgate Subdivision, at 1509 Baltimore Drive, from Community Commercial Node (CCN) to Highway-Oriented Commercial (HOC), based upon staff's analysis as found in the addendum.

ADDENDUM

Existing Land Use Policy Plan. The LUPP designation of the subject properties, on the Future Land Use Map, is Highway-Oriented Commercial, and Community Commercial Node.

The LUPP also has a number of policy statements regarding the amount of commercial land and development impacts on the environment. These are found in *Attachment F*, and are summarized below.

- Additional land for commercial development is needed to accommodate the projected population in 2030.
- Ames seeks further private investment.
- Ames supports infill development where there is existing capacity.
- Development should not impact airport operations with incompatible uses.
- The economic base should be diverse and sustainable.

East 13th Street is designated as a “major arterial”, and Dayton Road is a “minor arterial” in the LUPP, a seemingly appropriate classification for a Highway-Oriented Commercial zoning designation.

Previous and Existing Zoning. The site was annexed into the City of Ames in 1995. At that time, it was zoned General Commercial (GC), and was rezoned to Community Commercial Node (CCN), as the zoning district was first adopted as part of the zoning ordinance in 2000, which is the current zoning.

Development Standards and Permitted Uses for CCN & HOC Zones. A comparison of the development standards and permitted uses for the CCN and the HOC zones is included in *Attachment H – CCN & HOC Development Standards*, and in *Attachment I – CCN & HOC Uses*.

Existing Uses of Land. The subject properties are currently vacant.

Flood Plain. The subject properties are not within a designated Floodway or Floodway Fringe.

Infrastructure. All public utilities have been extended to the subject properties. The owners of individual lots will be required to obtain any easements needed for extensions of service lines, prior to approval of any site development plan.

Access. All properties proposed for rezoning have access from either Baltimore Drive, or Boston Avenue. Eastgate Subdivision has access from E. 13th Street and from Dayton Road.

Traffic Impacts. There are no anticipated impacts to traffic, based on this change of zoning, and anticipated use.

Applicant's Statements. The applicant has provided an explanation of the reasons for the rezoning in *Attachment G – Applicant's Statements*.

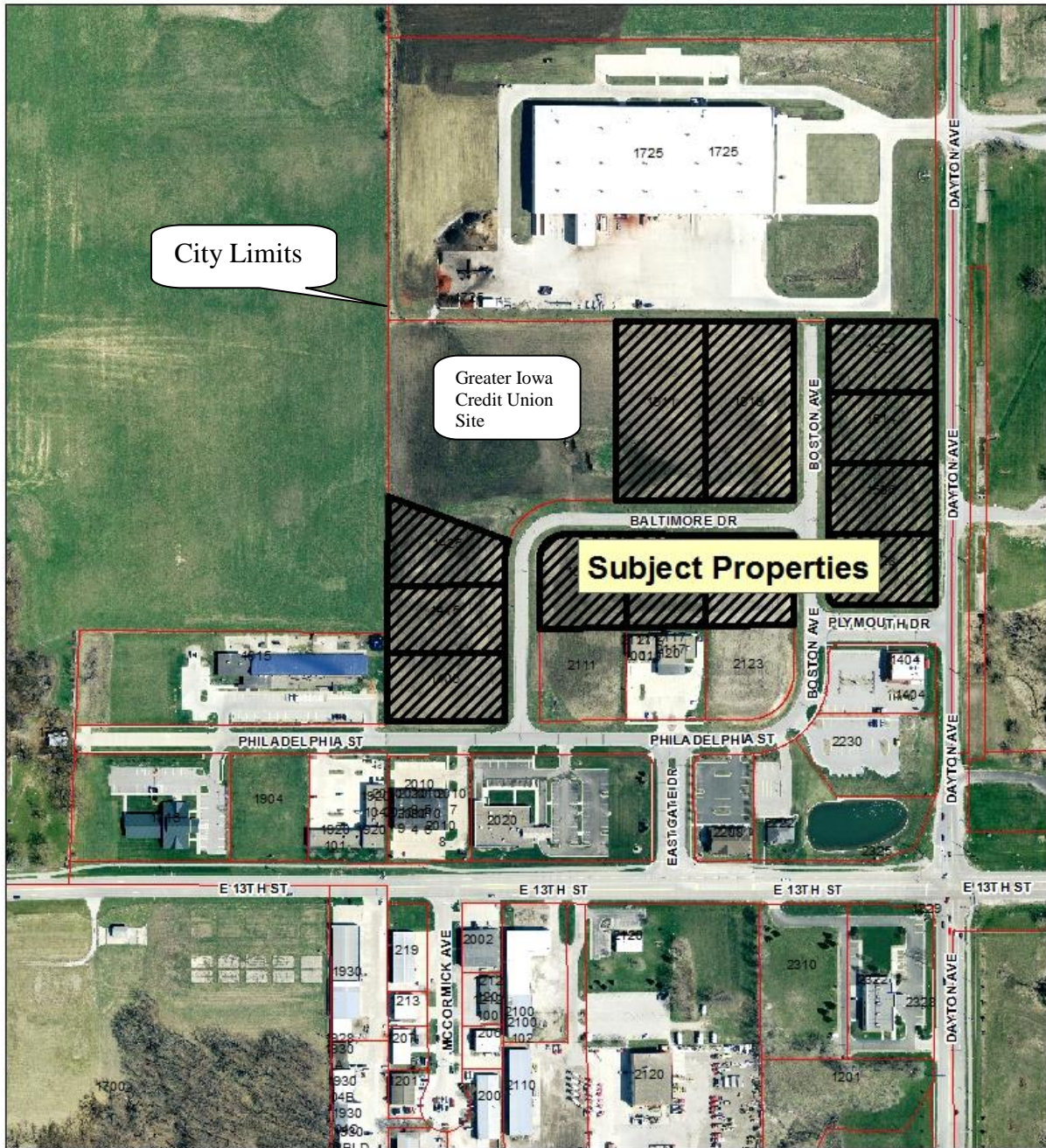
Findings of Fact. Based upon an analysis of the proposed rezoning and laws pertinent to the applicant's request, staff makes the following findings of fact:

1. Ames *Municipal Code Section 29.1507(2)* allows owners of 50 percent 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 these lots has requested the rezoning.
2. The subject properties can reasonably be interpreted to be within the Highway-Oriented Commercial designation on the Land Use Policy Plan (LUPP) Future Land Use Map, and that maintaining CCN on the developed lots in the subdivision meets the intent of the Community Commercial Node in the LUPP.
3. The LUPP Goals 1 and 2 support economic development by responding to needs for diversified employment centers with necessary commercial support uses.
4. The major arterial designation of E. 13th Street and the minor arterial designation of Dayton Road can support anticipated traffic from HOC development.
5. The HOC zoning designation allows for a wider range of uses than the uses allowed in the CCN zone.
6. Public infrastructure has been extended to the subject properties. The owner of each lot will be required to obtain any necessary easements for service line connections to the site.

Public Notice. Notice was mailed to property owners within 200 feet of the subject site. As of this writing, no comments have been received.

Conclusions. Based upon the analysis in this report, staff concludes that the proposed rezoning of the subject properties is consistent with the Goals and Objectives of the City of Ames Land Use Policy Plan and imposes no additional costs or need for services.

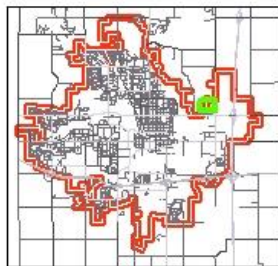
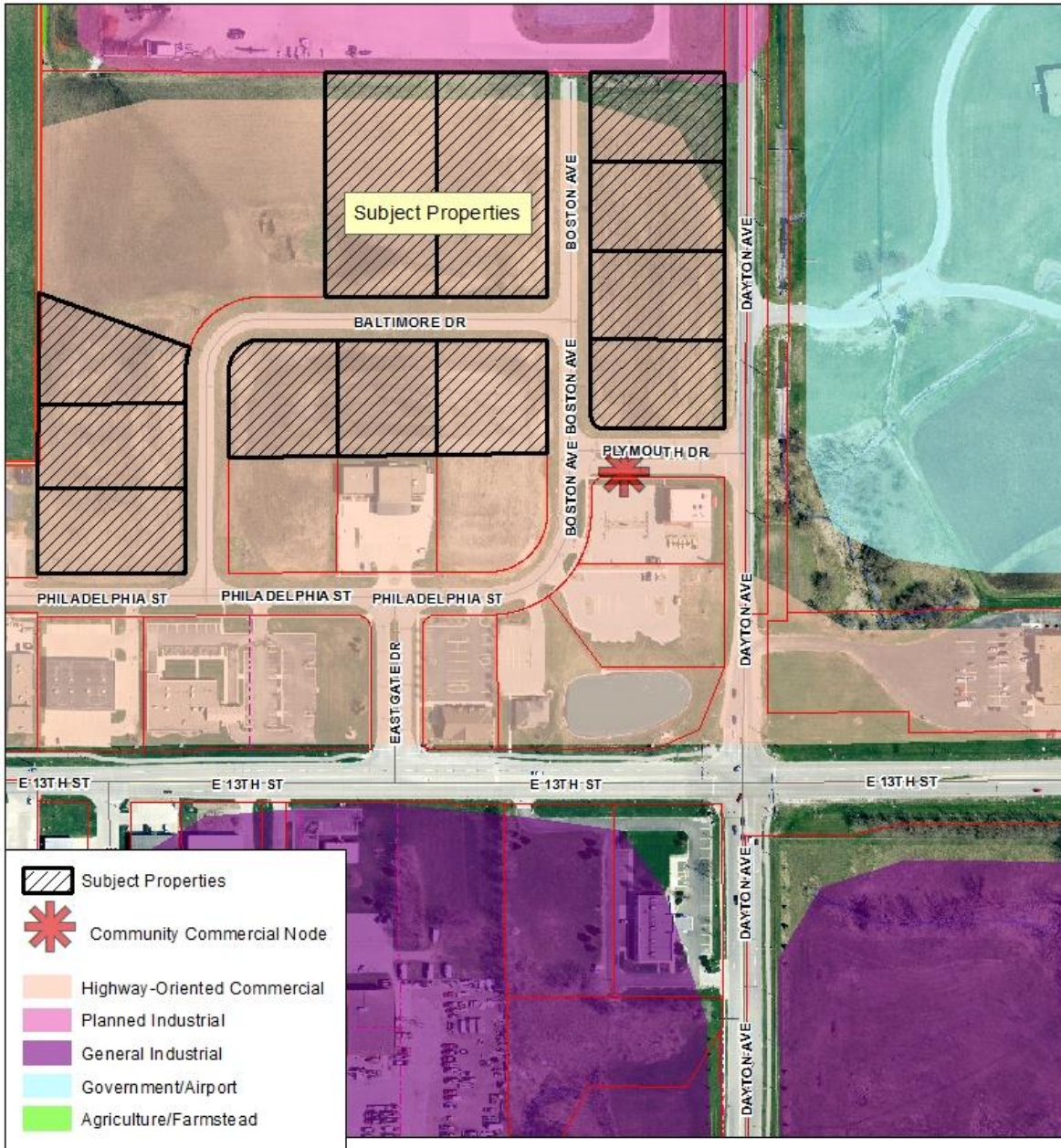
ATTACHMENT A: LOCATION MAP



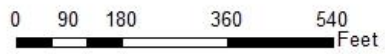
Location Map Eastgate Subdivision Rezoning



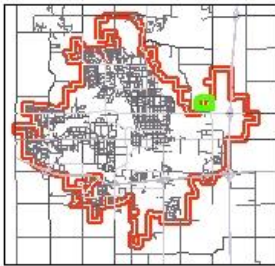
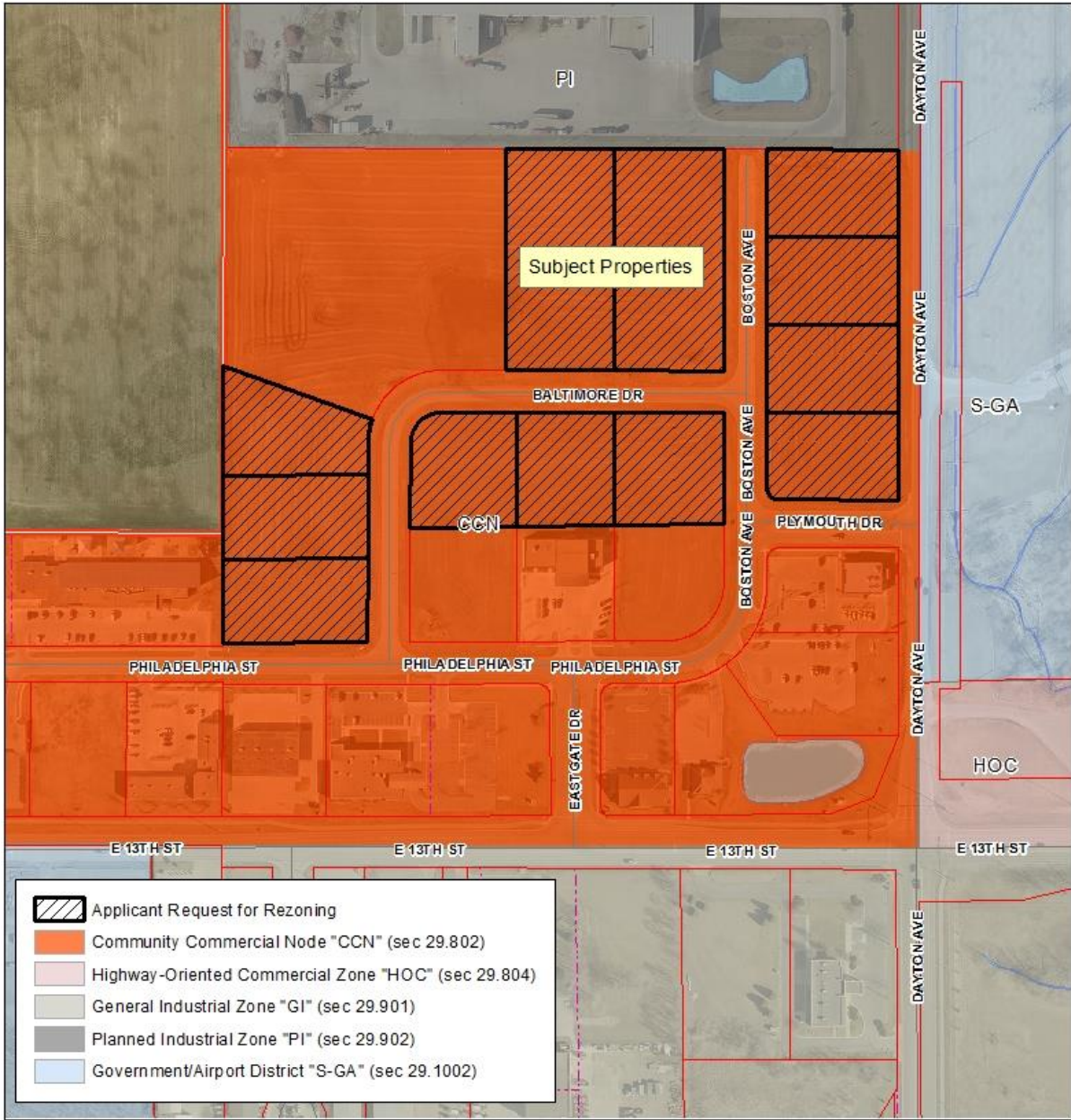
ATTACHMENT B: LAND USE POLICY PLAN FUTURE LAND USE MAP



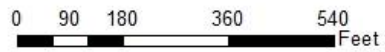
LUPP Future Land Use Map Eastgate Subdivision Lots 8-13, 15-17 & 21-23



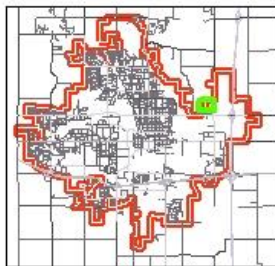
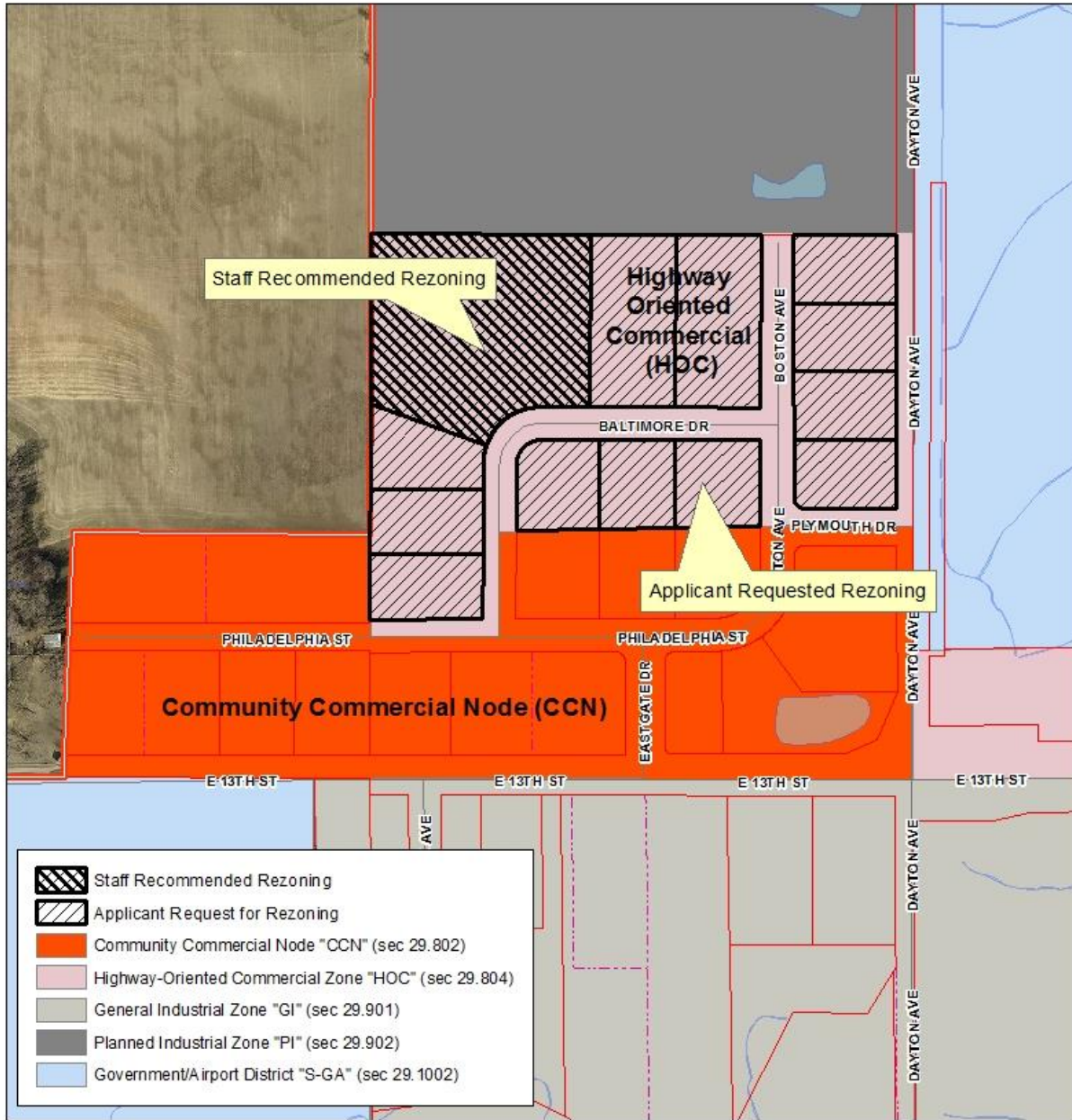
ATTACHMENT C: ZONING MAP



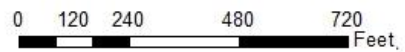
Zoning Eastgate Subdivision Lots 8-13, 15-17 & 21-23



ATTACHMENT D: PROPOSED ZONING MAP



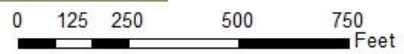
Proposed Zoning Eastgate Subdivision Lots 8-13, 15-17 & 21-23



**ATTACHMENT E: RECOMMENDATION BY THE PLANNING & ZONING COMMISSION
INCLUDE 1509 BALTIMORE DR., LOT 14, EASTGATE SUBDIVISION,
WITH SUBJECT PROPERTIES PROPOSED FOR REZONING BY THE APPLICANT.**



Location Map
Eastgate Subdivision
Rezoning



ATTACHMENT F: LAND USE POLICY PLAN (2011) [EXCERPTS] PAGE 1

Chapter One: Growth Determinants:

Land Use Projections. There are currently 15,677 acres of land within the City limits, an increase from 1999 when there were 13,727 acres. A previous study estimated there are approximately 240 net developable acres remaining in the City for residential development. This can accommodate housing for about 3,000 persons. This is insufficient to meet any but the lowest population projections for Ames within the current City limits.

Commercial. It is estimated that an additional 64 to 385 acres of land will be needed to accommodate the commercial needs to serve the projected population in 2030. This assumes that the current ratio of commercial acreage per capita is to be maintained in the future.

Chapter One: Goals for a New Vision:

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.

- 1.A. Ames seeks to diversify the economy and create a more regional employment and market base. While continuing to support its existing economic activities, the community seeks to broaden the range of private and public investment.

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.

- 2.B. Ames seeks to assure the availability of sufficient suitable land resources to accommodate the range of land uses that are planned to meet growth. Sufficient land resources shall be sought to eliminate market constraints.

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.

- 5.C. Ames seeks the continuance of development in emerging and infill areas where there is existing public infrastructure and where capacity permits.

ATTACHMENT F: LAND USE POLICY PLAN (2011) [EXCERPTS] PAGE 2

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.

- 7.E. Ames seeks a development pattern that protects and supports the airport and its flight approach zones.

Goal No. 9. It is the goal of Ames to promote expansion and diversification of the economy in creating a base that is more self-sufficient and that is more sustainable with regard to the environment.

- 9.A. Ames seeks more diversified regional employment opportunities involving technology-related services and production, office centers and retail centers.
- 9.C. Ames seeks to expand its research and technology development through greater private, public and university coordination and cooperation.

Chapter Two: Land Use:

Highway-Oriented Commercial – scale commercial uses that are associated with strip developments along major thoroughfares. Floor area ratios are between 0.25 and 0.50 depending on location;

ATTACHMENT G: APPLICANT'S STATEMENTS

Reasons for requesting Rezoning to HOC from CCN

1. The property has a current land use designation of HOC; the rezoning request is consistent with the existing land use.
2. The CCN zoning is quite limited in its range of allowable uses. HOC will significantly increase the number of allowable uses, and will make it more attractive to a broader group of potential business users. (We have explored a land use change relative to this site, and Staff prefers the path of working within the Commercial land use that exists presently and providing zoning that is more accommodating to business options, rather than limiting).
3. Compatibility with existing businesses; Any of the properties currently built at Eastgate Subdivision could have also been built under HOC zoning.
4. The properties concerned, have been platted and zoned in existing manner for nearly 20 years, yet remain unsold and unimproved. Changing the zoning, to a more flexible, yet compatible zoning designation (with the existing LUPP), is needed to create a catalyst for buildout of the subdivision, which would be beneficial to all concerned—The existing businesses, new businesses, the Public, and The City of Ames.

ATTACHMENT H - CCN & HOC Development Standards (Page 1)

<i>Development Standard</i>	<i>CCN Zone</i>	<i>HOC Zone</i>
Minimum Building Setbacks	<u>Front Lot Line:</u> 0 ft. <u>Side Lot Line:</u> 0 ft. <u>Rear Lot Line:</u> 0 ft. Lot Line Abutting a Residentially-Zoned Area: 10 ft. side, 10 ft. rear	<u>Front Lot Line:</u> 20 ft., except for a fuel pump canopy, which shall maintain a 10 ft. setback measured from the front edge of the canopy <u>Side Lot Line:</u> 5 ft. <u>Rear Lot Line:</u> 10 ft. Lot Line Abutting a Residentially-Zoned Lot: 20 ft. side, 20 ft. rear
Maximum Height	35 ft.	85 ft. or 7 stories, except for fuel pump canopies, which are limited to 18 ft. with a minimum clearance of 14 ft.
Maximum FAR	.75	.50
Minimum Lot Frontage	60 ft.	50 ft.
Maximum Building Coverage	65%	50%
Outdoor Storage Permitted	No	Yes, see Section 29.405
Outdoor Display Permitted	Plants & produce only, see Section 29.405	Yes, see Section 29.405
Minimum Lot Area	N/A	No minimum except for mixed uses, which must provide 6,000 sf of lot area for the first dwelling unit and 1,000 sf for each additional dwelling unit in a group living use
Minimum Lot Area, Single Building	25,000 sf, 17,500 sf if lot has frontage on a cul-de-sac	N/A
Minimum Lot Area, Center	100,000 sf	N/A
Maximum Building Area, Single Building	150,000 sf	N/A
Maximum Building Area, Center	800,000 sf	N/A

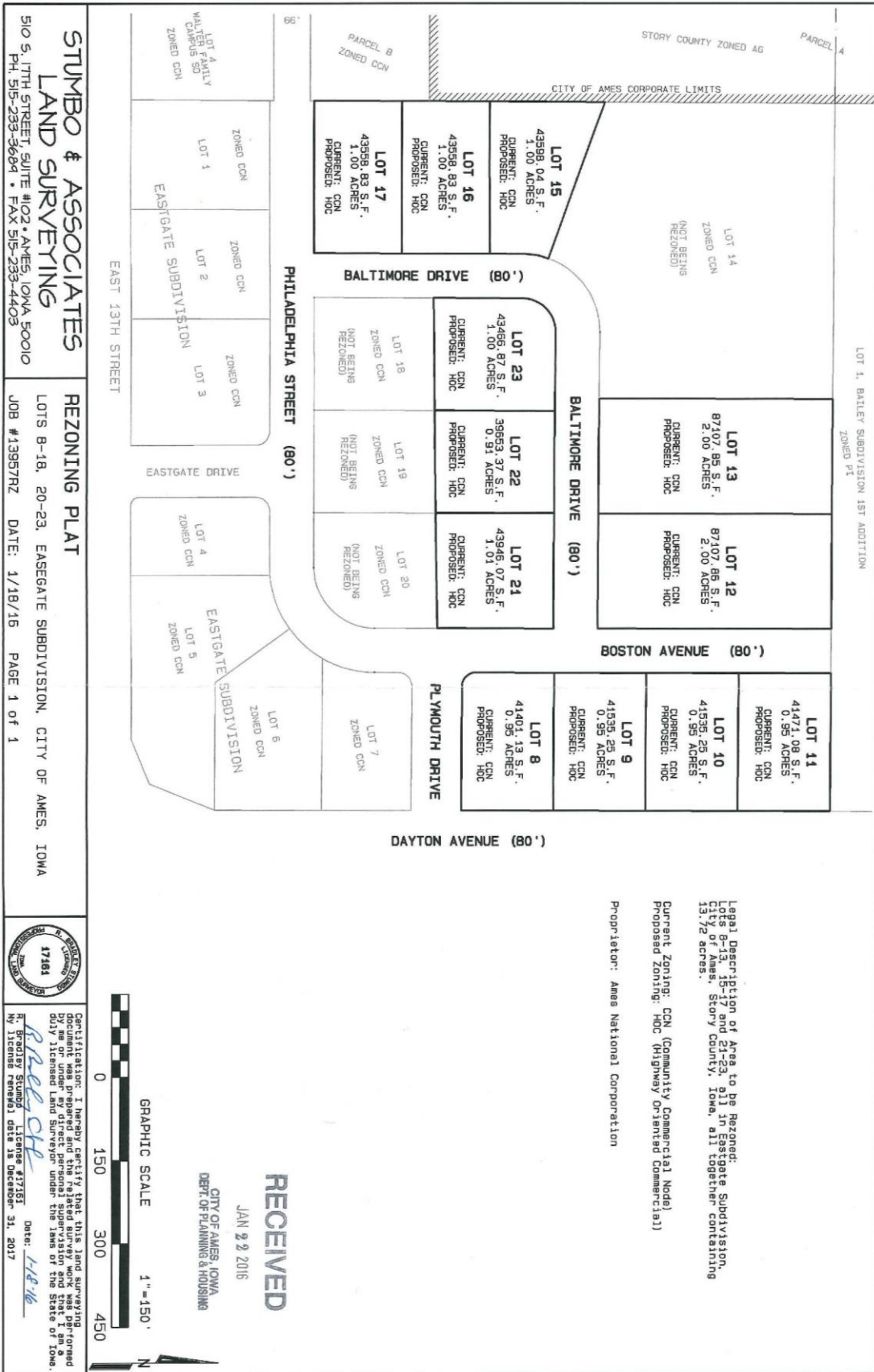
ATTACHMENT H - CCN & HOC Development Standards (Page 2)

<i>Development Standard</i>	<i>CCN Zone</i>	<i>HOC Zone</i>
Minimum Landscaped Area	15%	15%
Landscaping in Setbacks Abutting a Residentially Zoned Lot	5 ft @ L3, See Sec. 29.403	5 ft @ L3, See Sec. 29.403
Parking Allowed Between Buildings and Streets	Yes	Yes
Drive-Through Facilities Permitted	Yes	Yes, See Section 29.1303
Trucks & Equipment Permitted	Yes	Yes

ATTACHMENT I - CCN &HOC Uses (excluding uses permitted in both zones)

<i>Use Category</i>	<i>CCN</i>	<i>HOC</i>	<i>Approval Required</i>	<i>Approval Authority</i>
Group Living	No	No, except Transitional Living Facility	SP	ZBA
Household Living	No	No, except mini-storage warehouse facility (see Section 29.1308)	SP	ZBA
Retail Sales & Services - General	Yes	Retail Sales & Services – General (including printing, publishing, commercial art and reproduction)	SDP Minor	Staff
Retail Trade – Automotive, etc.	No	Yes	SDP Minor	Staff
Wholesale Trade	No	Yes	SDP Minor	Staff
Industrial Service	No	No, except mini-storage warehouse facility (see Section 29.1308)	SP	ZBA
Small Production Facility	No	Yes	SP	ZBA
Colleges & Universities	No	Yes	SP	ZBA
Medical Centers	No	Yes	SP	ZBA
Parks & Open Areas	No	Yes	SP	ZBA
Funeral Facilities	No	Yes	SP	ZBA
Rail Line & Utility Corridors	No	Yes	SP	ZBA
Major Event Entertainment	No	Yes	SDP Minor	Staff
Temporary Concrete & Asphalt Batch Plants (See Sections 29.1311 & 29.1503)	No	Yes	SP	ZBA

ATTACHMENT J: REZONING PLAT



STUMBO & ASSOCIATES
LAND SURVEYING
510 S. 17TH STREET, SUITE #102 • AMES, IOWA 50010
PH: 515-233-3684 • FAX 515-233-4403

REZONING PLAT
LOTS 8-18, 20-23, EASTGATE SUBDIVISION, CITY OF AMES, IOWA
JOB #13957RZ DATE: 1/18/16 PAGE 1 of 1



Scale: 1" = 150'
GRAPHIC SCALE: 0, 150, 300, 450
CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING
JAN 22 2016
RECEIVED
Proprietor: Ames National Corporation
Current Zoning: CCN (Community Oriented Commercial)
Proposed Zoning: HOC (Highway Oriented Commercial)
Legal Description of Area to be Rezoned:
Lots 8-18, 20-23, 211 in Eastgate Subdivision,
City of Ames, Story County, Iowa, 211 together containing
13.72 acres.
R. Bradley Stumbo License #17181 Date: 1-18-16
My license [renewed] date 18 December 31, 2017

DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER
Prepared by: Judy K. Parks, 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

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 1405, 1415, 1425, 1502, 1509, 1510, 1511, and 1519 Baltimore Drive and 1428, 1429, 1506, 1514, and 1522 Boston Avenue, is rezoned from Community Commercial Node (CCN) to Highway-Oriented Commercial (HOC).

Real Estate Description: Lots 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 21, 22, and 23, all in Eastgate Subdivision, City of Ames, Story County, Iowa, altogether containing 19.23 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 _____, _____.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor