

Staff Report

UPDATE ON SOUTH DUFF AVENUE LUPP REQUEST

April 16, 2016

BACKGROUND INFORMATION:

In January of 2015, the City Council initiated a Land Use Policy Plan amendment at the request of Dickson Jensen for 57 acres (now reduced to 44 acres) of land he owns on South Duff Avenue. Mr. Jensen has proposed an amendment to the LUPP to allow for high density residential development, while retaining a portion of the site for commercial use.

The City Council considered this request as a Major LUPP Amendment due to the type of change and the size of the request. The Major LUPP Amendment process includes public workshops and initial assessments by the Planning and Zoning Commission and the City Council before holding formal public hearings to make decisions on the request. **This staff report is intended to update the City Council on the status of the review of the Major Amendment, to describe the direction with which staff is moving forward, and to apprise Council of the public hearings anticipated in May. A full analysis of the proposal is not included as part of this report.**

The properties lie on the west side of South Duff Avenue (Highway 69) and east of the Ames airport. They have frontage on the north side and south side of the Memorial Gardens Cemetery (see Attachment A for a location map). The Land Use Policy Plan identifies this area as Highway-Oriented Commercial (see Attachment B). Mr. Jensen's request is for the west and south portion of the property to be designated as High Density Residential while retaining the frontage north of the cemetery as Highway-Oriented Commercial. He believes that the site would accommodate approximately 700 apartment units in a variety of configurations focused mostly on 1-bedroom unit types. Such a development would be built over a number of years.

In accordance with the LUPP amendment process (see Attachment D), City staff held an initial open house on February 17, 2015 to gather input and identify issues regarding the proposal. At that time, the developer's proposal was for approximately 57 acres, which included 13 acres to the north of the current area having access to Kitty Hawk Drive. About three dozen persons attended that meeting, most living or owning property in south Ames. **The two main issues raised at that meeting were the impacts of the development on traffic on US 69, and storm water runoff through the south Ames neighborhood.**

Subsequent to the initial open house and as part of the LUPP Amendment review, the City hired Bolton and Menk to conduct a traffic analysis of the 57 acre proposal to assess the impacts and make suggestions for improvements or mitigation of traffic impacts. The scope of the study analyzed intersections along Duff Avenue from South 16th Street to the southern end of the project. In general, the analysis identified a

number of needed improvements in the corridor based on projected future growth as well as improvements specifically needed due to the proposed residential development on this site. With a combination of planned Long Range Transportation Plan projects and development sponsored improvements, the traffic conditions in both the near term and long term 2035 analysis year could be found to meet City performance requirements with improvements. Some of the key traffic improvements along the frontage of the site are adding a traffic signal at Crystal Street to access the site, and extending the three lane cross section of Duff Avenue to the south entrance of the development.

With regards to storm water, the City had already begun an assessment of drainage improvements for this area. This Tea Garden Drainage Study was instigated as a result of the commercial rezoning request in 2011. That study was completed in 2015 and identified needed improvements in three areas west of South Duff Avenue, two of which could affect this proposed development site.

City staff provided the drainage study information to Mr. Jensen, who had also hired Bolton and Menk as his project engineering firm to determine what needed to be done to accommodate the storm water needs of the City and of the development. **The developer believes from his preliminary analysis that both the regional detention needs of the City and the specific needs for storm water management of his project can be accomplished on the site. If this project moves forward, it is likely there will be coordination between the City and the developer on the storm water improvements necessary to resolve existing issues as well as to accommodate the development. If the project does not move forward, the City has already budgeted funds in the Capital Improvement Program to independently pursue drainage improvements.**

City staff held a second public workshop on March 7, 2016 to report out on the results of these studies and to update the neighborhood on the scope of the project. About 42 people attended the discussion of the proposed amendment and the technical studies. Staff noted that the scope of the project has been reduced from the original 57 acres, which had access to Kitty Hawk Drive, to the current 44 acres with only the frontage on South Duff Avenue.

The Major LUPP Amendment process required City staff to prepare potential amendments to be considered by the Planning and Zoning Commission (see Attachment C: Excerpts of the LUPP Amendment Considerations and Attachment D:LUPP Amendment Process). The Commission was asked to select potential amendments to forward to the City Council. The Commission, at their meeting on March 16, were unable to make a recommendation on the LUPP amendment, deadlocking 2-2 on two separate motions. The Commission discussed the need and location of apartments for this area compared to potentially other areas of the City and how this land may be suited to remain commercial.

The next steps in the Major Amendment process are to conduct a Public Hearing by the Planning and Zoning Commission on May 4. The City Council would tentatively be scheduled for a Public Hearing on May 24 for the proposed LUPP Amendment. If the LUPP Amendment is approved, the developer would then pursue (1) a rezoning request

to Residential High (RH) Density or Planned Residential Development, (2) a subdivision, and (3) site development plan approval.

Based on the preliminary analysis, staff believes that the preferred option is to retain a portion of the Highway Oriented Commercial along the South Duff Avenue frontage north of the cemetery and for the remainder to be High Density Residential. This option matches the developer's request. This would allow for the best commercial area to be reserved for smaller scale neighborhood services near the signalized intersection of Crystal Street, and would allow the remainder of the land to be developed with multi-family housing. A full analysis of this amendment would occur during the public hearing process.

Staff considered other options, but discarded those options from further consideration. Staff has not proposed alternative residential options out of the belief that the area is not strongly suited to low density development due to the neighboring uses. Staff considered medium density options during the past year, but does not feel that a lower density would significantly affect the evaluation of the site as suitable for multi-family residential housing options. Additionally, staff does not find that a different type of commercial designation is appropriate for the area, since Highway Oriented Commercial is the most flexible type available and is marketable to a wide range of users.

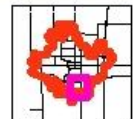
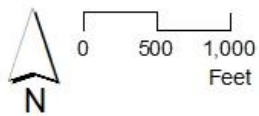
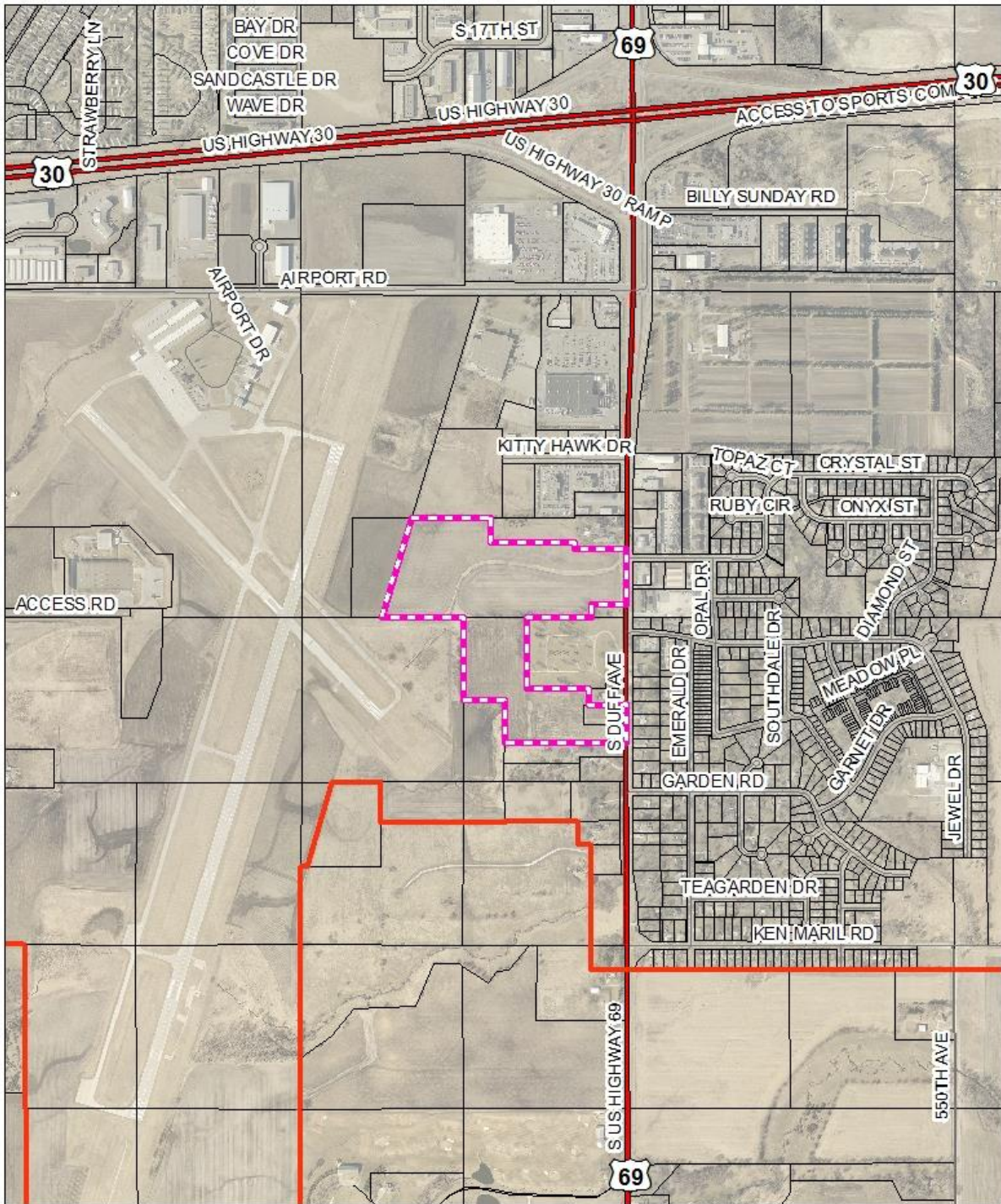
Although the initial request included land along Kitty Hawk Drive for residential uses, staff believes that the Kitty Hawk Drive area should be retained as commercial and that lands along Kitty Hawk should not be included in the LUPP Amendment as potential residential sites. The scope of the amendment should only include the acreage controlled by Mr. Jensen.

STAFF COMMENTS:

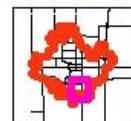
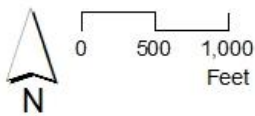
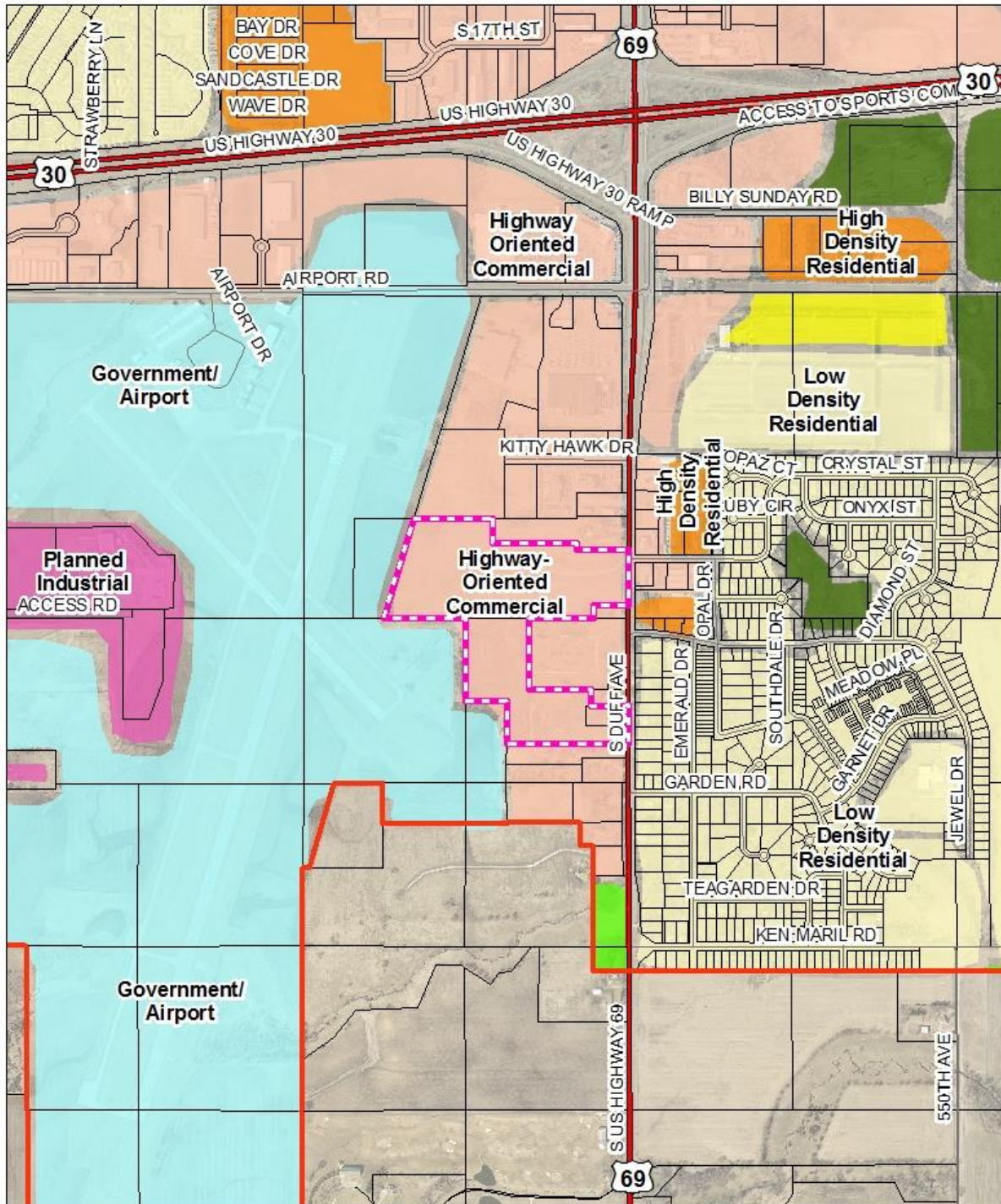
Staff believes the studies that have been completed for the site demonstrate how the site could accommodate a high density residential land use designation. Staff further believes the most viable option, compared to keeping Highway Oriented Commercial for the whole site, is to keep an area reserved for smaller scale commercial uses at Crystal Street in combination with High Density Residential. Therefore, unless the City Council has an alternative preference, staff will move toward setting a public hearings for the Planning and Zoning Commission on May 4 and for the City Council on May 24.

Staff notes that it is not anticipated that there would be an accompanying development agreement with the LUPP Amendment. However, the developer has an interest in exploring cost sharing for road improvements and coordination of the storm water improvements for the project. These issues would likely be part of a development agreement that accompanies any subsequent rezoning request.

Attachment A: Location



Attachment B: Existing LUPP Future Land Use Map [Excerpt]



Attachment C: LUPP Amendment Considerations [Excerpt]

Appendix C of the Land Use Policy Plan describes what considerations should be given when evaluating proposed amendments to the LUPP. These considerations should be kept in mind as the Commission works to develop alternatives to present to the City Council.

When reviewing major and minor proposed amendments to the Land Use Policy Plan, consideration should be given to whether or not the proposed amendment is consistent with the Goals for a New Vision described in the Land Use Policy Plan. These goals, and the related objectives below each goal, should apply to review of both minor and major amendment. In addition to these, it is also helpful to consider for major amendments:

- 1. City resources, including staff, budget, utilities, transportation, parks and/or schools, necessary to implement the proposed amendment.*
- 2. The City's ability to provide the full range of public facilities and services at the planned level of service, or if the proposal will consume public resources otherwise needed to support comprehensive plan implementation strategies.*
- 3. How the proposal relates to current land use allocations and growth projections that are the basis of the comprehensive plan.*
- 4. Compatibility of development allowed under the proposal amendment with neighboring land uses and surrounding neighborhoods, if applicable.*
- 5. Affects of the proposed amendment on historic resources or neighborhoods, or the City's general sense of place.*
- 6. The cumulative impacts of the proposed amendment, in combination with other proposed or recently approved amendments.*

Attachment D: LUPP Amendment Process [Excerpt]

Step 3 - Initial Open House. The public process begins with an open house to introduce the Council's approved review items to the public, receive input, identify potential alternatives, and to facilitate questions and answers. The open house is intended to facilitate casual exchange and dialogue and to identify issues and potential approaches that would be addressed during the next step of the process. The open house is conducted by Planning staff. Planning & Zoning Commission members may attend and observe the proceedings of the open house, but should generally not participate in the proceedings.

Step – 4 Workshop. The next step following the open house is to conduct public workshops. These are more structured in terms of information presented, ideas to be explored, and information to be gleaned. They are intended to facilitate focused discussion with, and participation of, interested parties. Workshops include work stations where the public may focus on items of particular interest. They may be as casual or structured as the issue and public interest dictate. Stations are manned by staff, but participants may help with follow-up research and assignments.

A workshop should proceed as follows:

- a. A workshop is held at least 30 days prior to formal public hearing before the Planning and Zoning Commission. If participants have suggestions or questions that require additional research and/or additional time in workshop settings, follow-up workshops may be scheduled. However, additional workshops should not delay review by the Planning & Zoning Commission more than 90 days from the date of the initial workshop to the date of Commission review.
- b. A workshop summary is prepared by Planning Staff, outlining the issues discussed during workshops, the information acquired, and the alternatives identified.
- c. Based upon the workshop summary, Planning Staff will prepare a list of potential amendments that would be prepared for Planning and Zoning Commission consideration and submittal to the City Council.

Step 5 - Review by the Planning and Zoning Commission. From input received at the workshop, the Planning staff and Commission will develop a list of recommended amendment options to submit for City Council consideration.

Step 6 - Initial Review by City Council. The Planning & Zoning Commission's recommended options will be forwarded to the City Council for its initial review. This provides the Council an opportunity to comment on the recommended amendment options and to determine if they are within the parameters Council established for the major update. The Council's comments are forwarded back to the Planning & Zoning Commission to help the Commission develop a formal draft of amendments for public input.

Step 7 - Public Hearing Before the Planning and Zoning Commission. The Commission conducts a formal public hearing on the draft amendments, and develops a final draft that is then forwarded to the City Council.

Step 8 - Public Hearing Before the City Council. The Council considers the final draft of the Planning & Zoning Commission's recommended amendments to the LUPP.