

COUNCIL ACTION FORM

SUBJECT: REZONING AT 5871 ONTARIO STREET FROM A (AGRICULTURAL) TO FS-RL (SUBURBAN RESIDENTIAL LOW DENSITY) WITH A MASTER PLAN

BACKGROUND:

The property owner, D&R Furman LLC, is requesting rezoning of the 33.57 acre property addressed at 5871 Ontario Street located on the north side of Ontario and South of the Union Pacific Railroad line from Agriculture to Suburban Residential Low Density (FS-RL). (See Attachment A Location Map.) The property owner seeks rezoning in order to develop the site for a residential subdivision of single-family detached homes north of Ontario Street (See Attachment D, Proposed Zoning; (Attachment E, Master Plan). The developer's Master Plan indicates a net developable acreage of 19.97 acres for FS-RL, approximately 7.68 acres of open space, detention and buffer area, and 5.92 acres as right-of-way. (See Attachment E.)

This land was annexed by the City on April 26, 2016. Upon annexation, the property was designated as Village/Suburban Residential on the Land Use Policy Plan (LUPP) map consistent with its identification as a "New Lands" area. (See Attachment B, Land Use Policy Plan Map.) The FS-RL zoning district is a zoning option that is consistent with the Village Suburban land use designation. **Ultimately, development of the site will require approval of a Major Subdivision for creation of the lots, layout of streets, and other necessary public improvements.**

The Zoning Ordinance requires that a Master Plan be submitted as part of a rezoning petition for property with the FS zoning designations. A Master Plan provides a broad view of the development concept by describing the intended uses, building types, access points, and protected areas. Approval of rezoning with a Master Plan binds subsequent development to the details included within the Master Plan. A Zoning Agreement must be approved in conjunction with rezoning of property under a Master Plan. The proposed Master Plan includes:

1. FS-RL zoning for 33.57 net acres of the site located north of Ontario Street for development of 70-80 single-family detached/attached dwelling units. Total development density calculated within the FS-RL zone is 3.51-4.01 units per net acre, which will not exceed the maximum 10 units per acre. **Depending on the final accounting of net acres, conformance to the minimum density requirement would require a minimum 75 homes.**
2. The Master Plan identifies a 7.68 acre area as green space, buffers and detention to account for required storm water control, FS open space requirements, and a small

area of flood plain along the western edge of the property.

3. Improvements to Ontario Street on an east-west alignment along the southern property line of the site, which will provide facilities for motor vehicles, pedestrians and bicycles. Additionally, connection points to Kansas Drive, Missouri Street, Maryland Street and Tennessee Street to the east will provide additional motor vehicle, pedestrian and bicycle facilities.
4. A minimum of one north/south access point with a connection to Ontario will be provided that will provide facilities for motor vehicles, pedestrians and bicycles.

The attached addendum includes a full description of the Master Plan and analysis of the rezoning proposal, including conformance to the LUPP policies for “New Lands”. The addendum also addresses infrastructure relating to sanitary sewer, traffic, and CyRide.

With regards to the details of the Master Plan, staff concludes that it appropriately identifies developable and undeveloped areas, range of uses and residential unit types consistent with the proposed FS-RL zoning district.

The Planning and Zoning Commission recommended approval of the rezoning with master plan by a vote of (6-0).

ALTERNATIVES:

1. The City Council can approve the request for rezoning from Agriculture to Suburban Residential Low Density (FS-RL) with the attached Master Plan.
2. The City Council can approve the request for rezoning from Agriculture to Suburban Residential Low Density (FS-RL) with different conditions.
3. The City Council can deny the request for rezoning from Agriculture to Suburban Residential Low Density (FS-RL) with the attached Master Plan if the Council 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 MANAGERS RECOMENDATION:

The proposed development is within the Southwest 1 Allowable Growth area of the City and is supported for development by the Land Use Policy Plan. The developer believes their proposed rezoning and master plan for single-family housing fits the market demands of the community and the attributes of the site that take into account the location along Ontario Street and the surrounding area. Additionally, the majority of the surrounding neighborhoods in the area are also low density residential areas with

attached and detached single family housing.

Therefore, it is the recommendation of the City manager that the City Council accept Alternative #1, thereby approving the request to rezone this property from Agriculture to Suburban Residential Low Density (FS-RL).

ADDENDUM

Existing Land Use Policy Plan. Prior to annexation of the property, the Land Use Policy Plan (LUPP) identified these parcels within the “Southwest I Allowable Growth Area” and designated as Urban Residential. Upon annexation which was approved by City Council on April 24, 2016 the property was designated as “Village/Suburban Residential”, allowing for a broad range of residential development types. Areas annexed to the City are also categorized as New Lands within the LUPP. New development must be a minimum 3.75 units per net acre.

Existing Uses of Land. Land uses that occupy the subject property and other surrounding properties are described in the following table:

Direction from Subject Property	Existing Land Uses
Subject Property	Farmland
North	Farmland
East	Single-Family Homes
South	Ontario Street and Farmland/Homesteads
West	Farmland/Homesteads

Existing Zoning. The land was automatically zoned as Agricultural upon annexation. The site is bounded to the south by Ontario Street and to the north by the Union Pacific Railroad Line. Property to the east of the subject site is zoned Residential Low Density (RL) The property to the west is agricultural land outside of the city limits. (See Attachment C)

The developers on the project are seeking rezoning to FS-RL which is a supported residential zoning designation under the Village/Suburban Residential Land Use designation. The proposed area for rezoning to FS-RL is reflected in Attachment D. Other zoning options the developer could seek are Village or a Planned Residential Development.

Proposed Floating Suburban Zoning. The applicant has requested FS zoning as an alternative to Village Residential Zoning as describe within the LUPP. FS zoning is an option that may be selected by an applicant to create a more homogenous development type as compared to the heterogeneous development pattern of Village Residential. With FS zoning there is an option for Residential Low or Residential Medium density zoning. FS-RL zoning allows for either single family attached or single family detached housing within the same zoning district. However, the applicant has proposed only to include detached single family homes as part of the master plan.

Master Plan. A Master Plan is intended to provide a general description of the intended development of a property. A Master Plan must address natural areas, buildable areas, building types, range of uses and basic access points, as described in zoning

requirements of Section 29.1507(4) (see Attachment F).

The entire property has been in agricultural use for many years. The submitted Master Plan proposes areas for residential development on 19.97 acres of the property, the rights of way being accommodated on 5.92 acres of the site and common open space and detention shown at approximately 7.68 acres. The FS zoning district requires a 10% gross area of landscaping and open space. This ratio will be confirmed at time of platting.

The Master Plan proposes a development pattern that includes single-family detached homes and single-family attached homes. The applicant describes a development of 70-80 units. **The minimum density for the area to be rezoned to FS-RL is 3.75 dwelling units per net acre.** Full review of net acreage will occur with the subsequent preliminary plat subdivision review.

The Master Plan identifies one area of open space for the project on the current Master Plan. Suburban Residential (FS) zoning requires that a minimum of 10% gross area of the development shall be devoted to common open space. While this is not a requirement of the Master Plan such open space areas will be required to meet the minimum standard at the time of subdivision of the property. Both attached and detached single-family homes are required be on individual lots. Layout and specific design of the site will be evaluated at the time of preliminary plat review.

Based on discussions with the applicant, it is anticipated that full build out of the development would take place over a time frame of approximately 5-7 years.

Access. The Master Plan includes five access points that are extensions from existing streets. Four of the access points are to the east and the developer indicates that at least one will be from Ontario Street to the south.

Infrastructure. As part of a rezoning request, the City reviews the potential to serve development with City utilities. City of Ames existing sewer mains extend to the east property line along Ontario Street. Utility connections will be verified at the time of site development based on the use(s) and site layout proposed.

Single-family homes are proposed at this location. Public Works has received general information from the developer regarding sewer loading information for the development which has been reviewed. Public Works has concluded that the current sewer capacity is adequate for the proposed future subdivision.

This area lies within the City's water service territory. A 16" water main intersects with the south east portion of the site from Ontario Street. Water supply is available and adequate to serve the site. Utility connections will be verified at the time of site development based on the use(s) and site layout proposed.

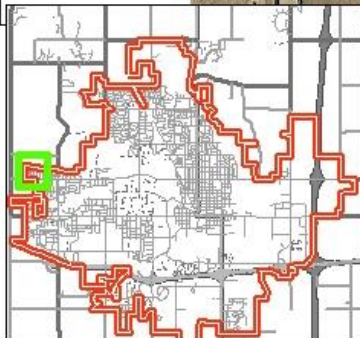
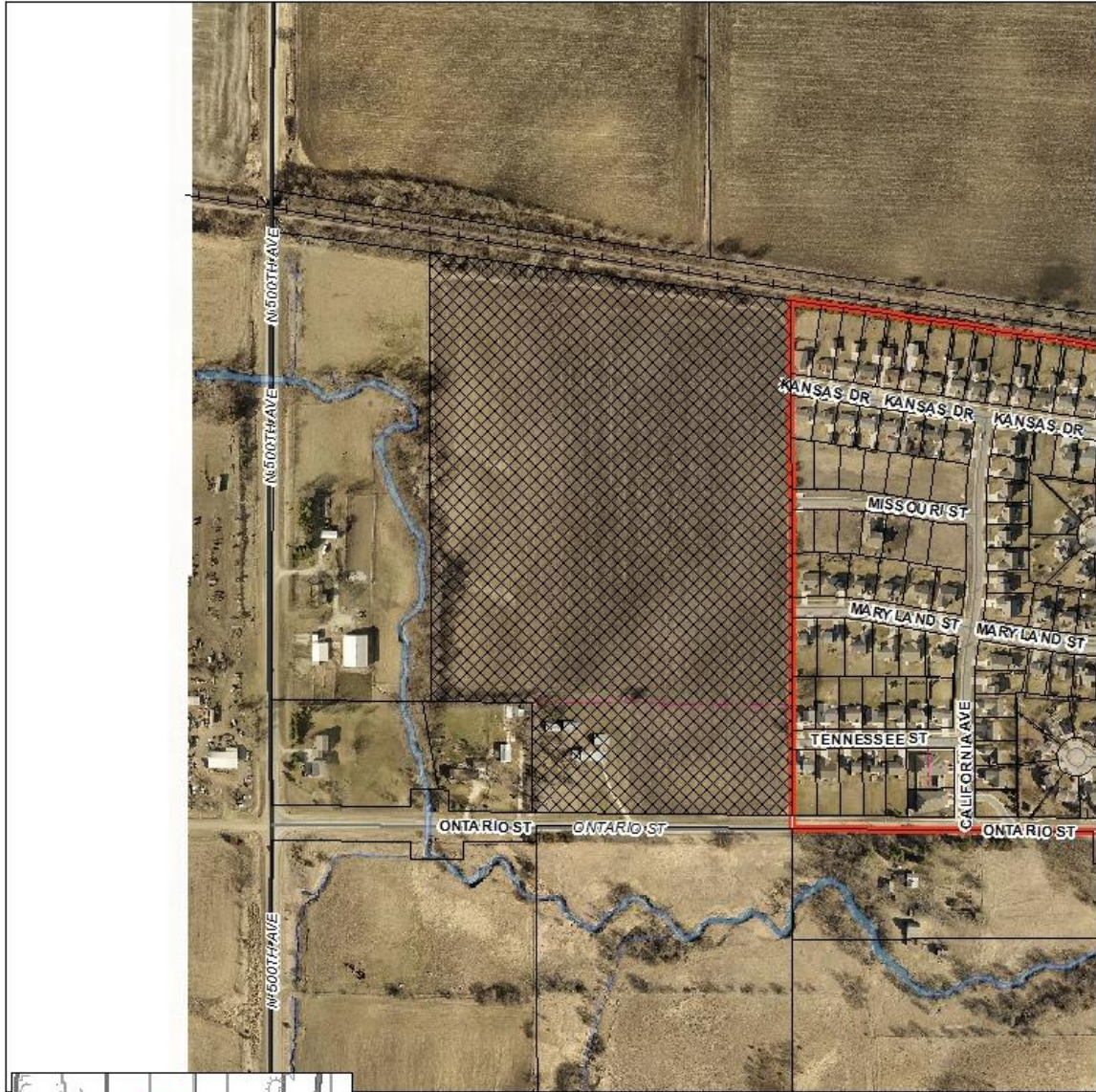
Electric service is provided for by Midland Power. As such Midland will serve the site with electricity. Street lighting structures and equipment will be installed and maintained by Ames Electric per standards.

Development of the site with up to 80 single family homes is consistent with the growth projections that are part of the Long Range Transportation Plan. Due to the limited size of the development, no identified operational deficiencies in the area, and consistency with the Long Range Transportation Plan, no project specific traffic study was completed as part of the rezoning process. If issues were to arise with traffic concerns, they could be addressed during the platting process as well.

CyRide. Currently, CyRide has a route that terminates at the intersection of California Avenue and Ontario Street. CyRide noted that they would not be adding additional service to the area. Residents wishing to use the bus would need to walk to the location at the intersection of California Avenue and Ontario Street.

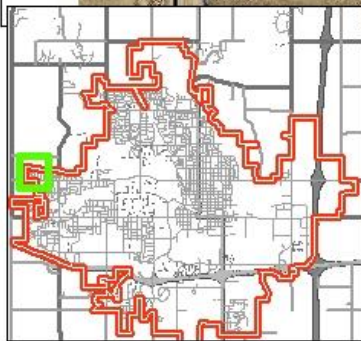
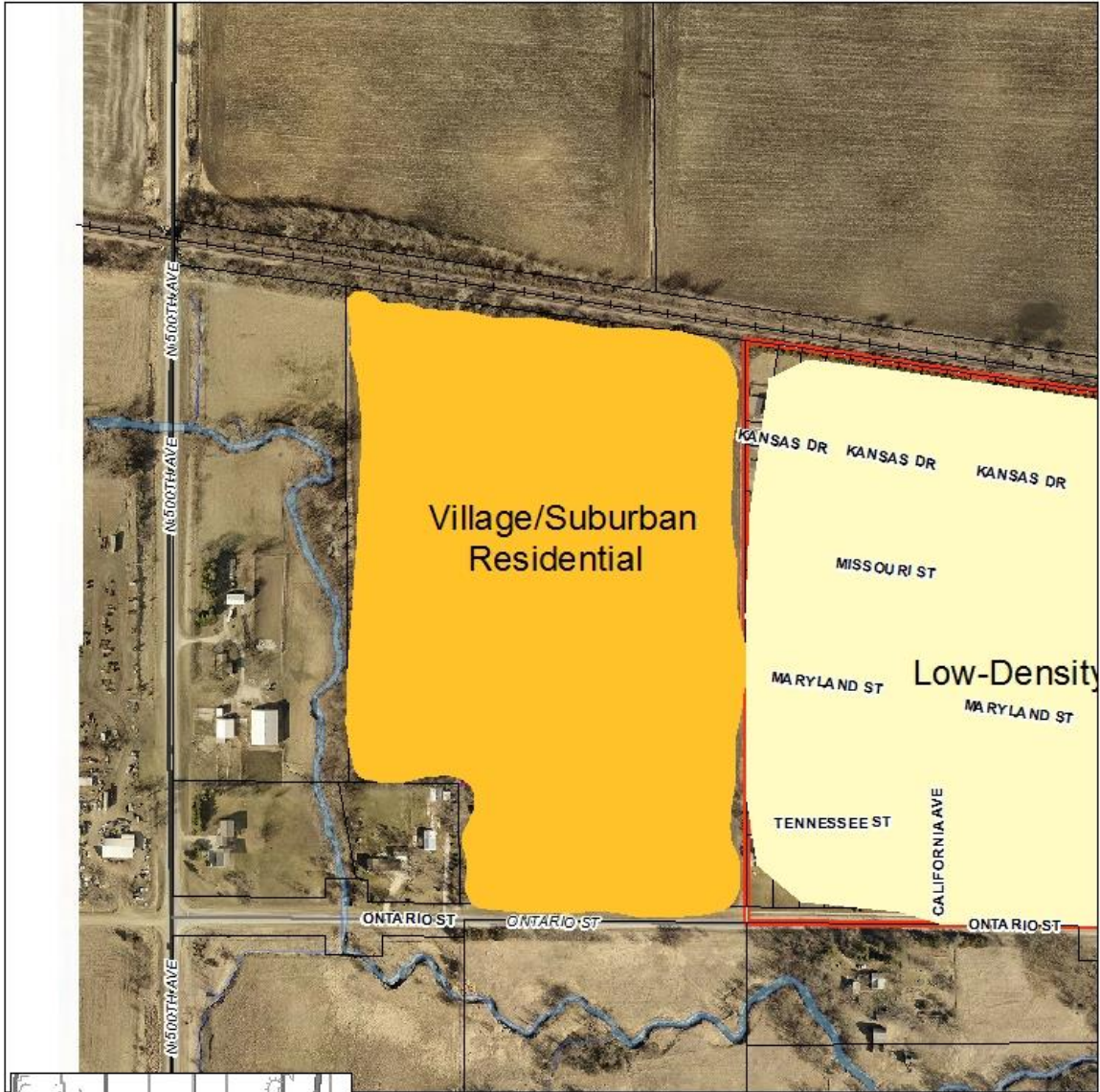
Public Notice. Notice was mailed to property owners within 200 feet of the subject site and a sign was posted on the subject property. As of this writing, no comments have been received.

Attachment A- Location Map

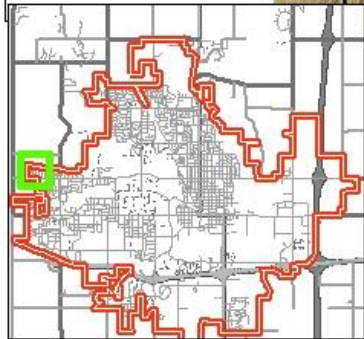


**Location Map
5871 Ontario Street**

Attachment B- LUPP and Ames Urban Fringe Map

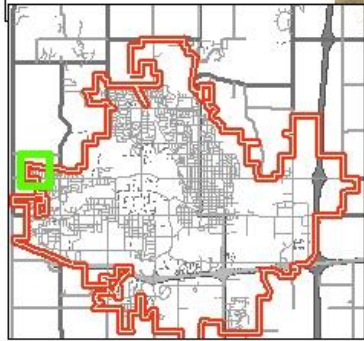
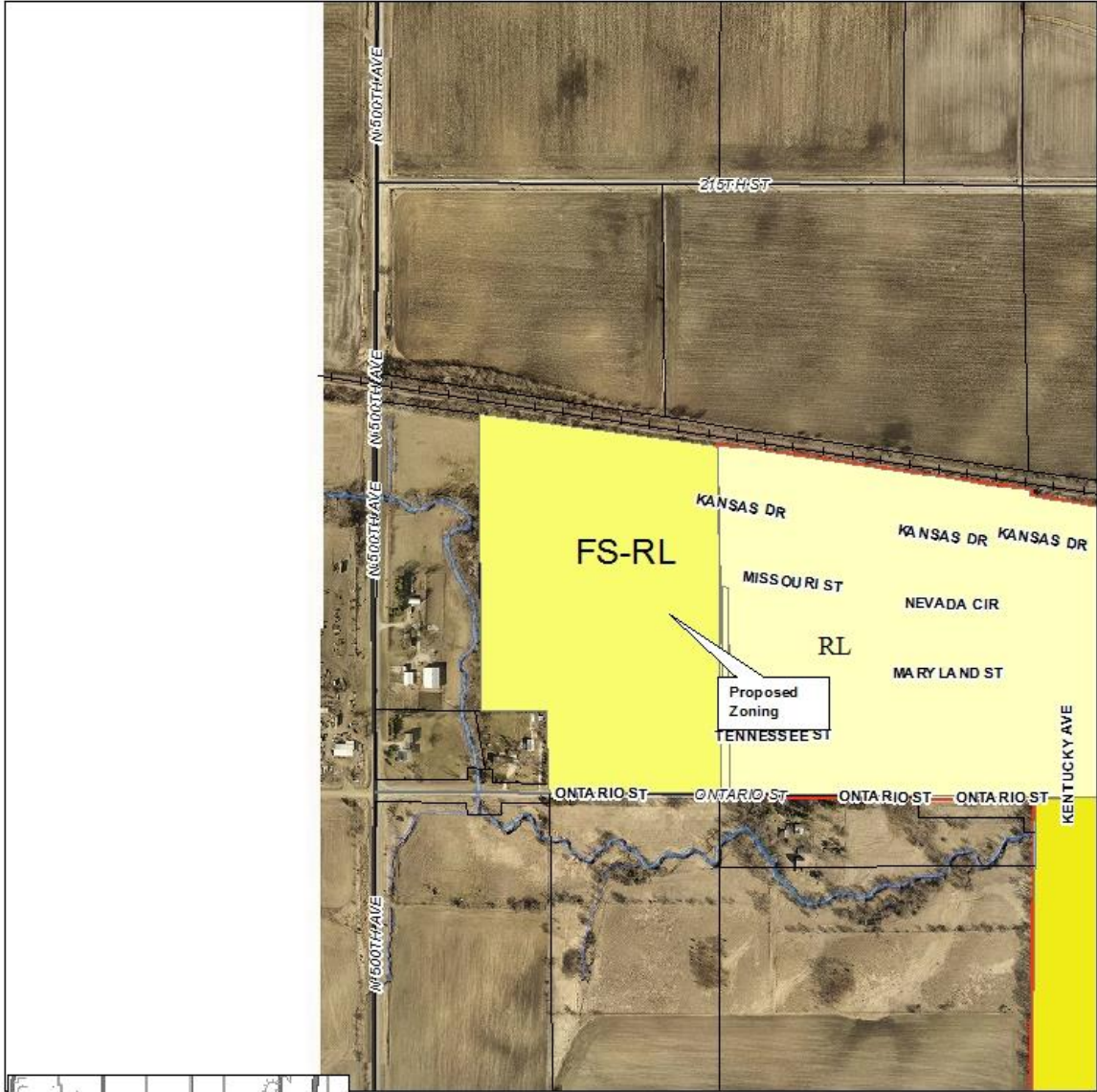


**LUPP Designation
5871 Ontario Street**



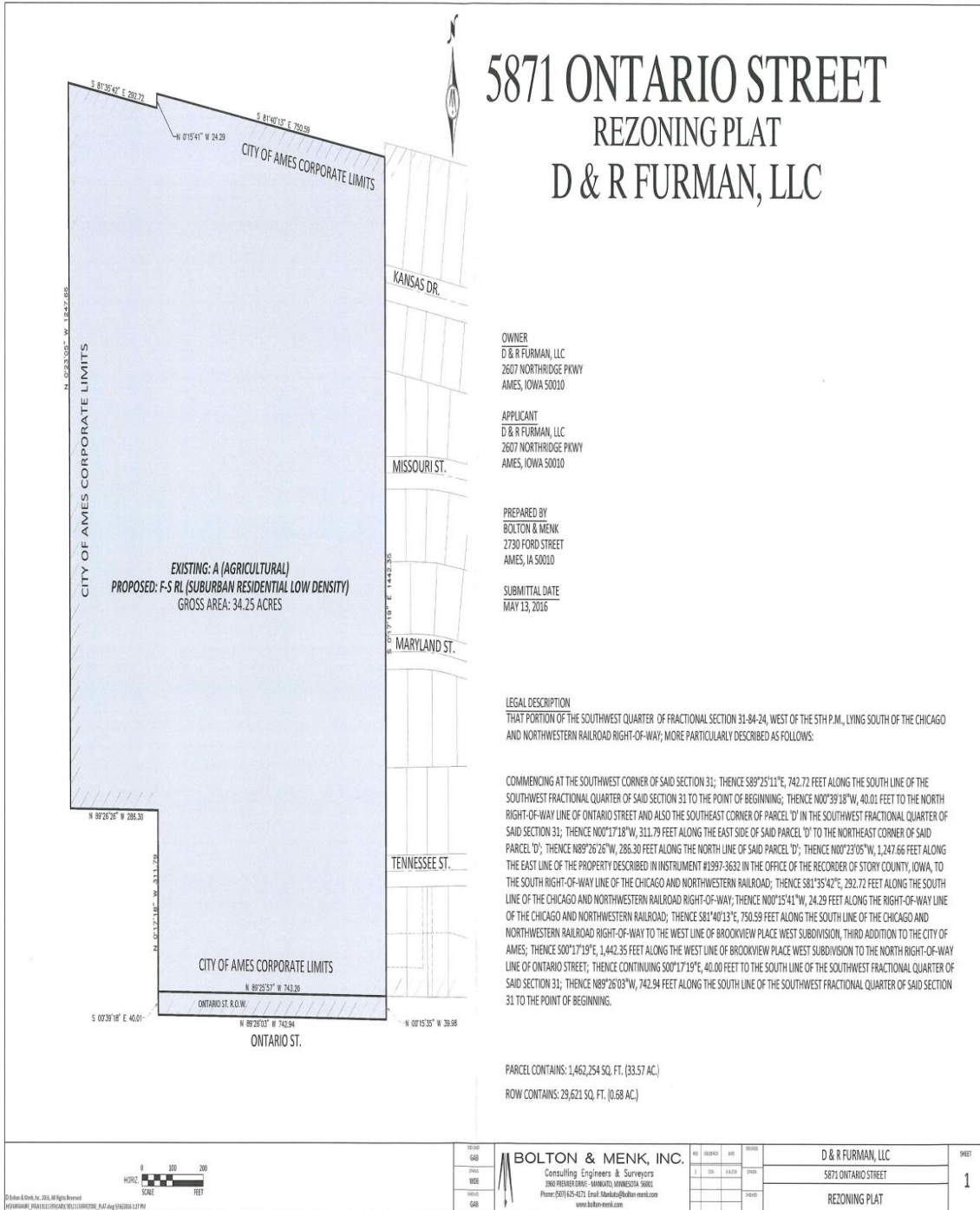
**Current Zoning
5871 Ontario Street**

Attachment D- Proposed Zoning



**Proposed Zoning
5871 Ontario Street**

Attachment F-Rezoning Plat



Attachment G

Applicable Regulations

- Land Use Policy Plan (LUPP) Goals, Policies and the Future Land Use Map:

The Land Use Policy Plan (LUPP) Future Land Use Map identifies the land use designations for the property proposed for rezoning.

- Ames *Municipal Code* Chapter 29, Section 1507, Zoning Text and Map Amendments, includes requirements for owners of land to submit a petition for amendment, a provision to allow the City Council to impose conditions on map amendments, provisions for notice to the public, and time limits for the processing of rezoning proposals.
- Ames *Municipal Code* Chapter 29, Section 1200, Floating Zones, includes a list of uses that are permitted in the Village Residential, Suburban Residential and Planned Residential zoning districts and the zone development standards that apply to properties in those zones.

Per Section 29.1507(4): master plan Submittal Requirements:

- 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.

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 5871 Ontario Street, is rezoned, with Master Plan, from Agricultural (A) to Suburban Residential Low Density (FS-RL).

Real Estate Description:

THAT PORTION OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 31-84-24, WEST OF THE 5TH P.M., LYING SOUTH OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 31; THENCE S89°25'11"E, 742.72 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST FRACTIONAL QUARTER OF SAID SECTION 31 TO THE POINT OF BEGINNING; THENCE N00°39'18"W, 40.01 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ONTARIO STREET AND ALSO THE SOUTHEAST CORNER OF PARCEL 'D' IN THE SOUTHWEST FRACTIONAL QUARTER OF SAID SECTION 31; THENCE N00°17'18"W, 311.79 FEET ALONG THE EAST SIDE OF SAID PARCEL 'D' TO THE NORTHEAST CORNER OF SAID PARCEL 'D'; THENCE N89°26'26"W, 286.30 FEET ALONG THE NORTH LINE OF SAID PARCEL 'D'; THENCE N00°23'05"W, 1,247.66 FEET ALONG THE EAST LINE OF THE PROPERTY DESCRIBED IN INSTRUMENT

#1997-3632 IN THE OFFICE OF THE RECORDER OF STORY COUNTY, IOWA, TO THE SOUTH RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD; THENCE S81°35'42"E, 292.72 FEET ALONG THE SOUTH LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY; THENCE N00°15'41"W, 24.29 FEET ALONG THE RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD; THENCE S81°40'13"E, 750.59 FEET ALONG THE SOUTH LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY TO THE WEST LINE OF BROOKVIEW PLACE WEST SUBDIVISION, THIRD ADDITION TO THE CITY OF AMES; THENCE S00°17'19"E, 1,442.35 FEET ALONG THE WEST LINE OF BROOKVIEW PLACE WEST SUBDIVISION TO THE NORTH RIGHT-OF-WAY LINE OF ONTARIO STREET; THENCE CONTINUING S00°17'19"E, 40.00 FEET TO THE SOUTH LINE OF THE SOUTHWEST FRACTIONAL QUARTER OF SAID SECTION 31; THENCE N89°26'03"W, 742.94 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST FRACTIONAL QUARTER OF SAID SECTION 31 TO THE POINT OF BEGINNING.

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