

COUNCIL ACTION FORM

SUBJECT: REZONING OF PROPERTY LOCATED WITHIN THE AREA PROPOSED FOR DOWNTOWN GATEWAY COMMERCIAL ZONING GENERALLY DESCRIBED AS PROPERTIES ALONG LINCOLN WAY AND SOUTH OF THE RAILROAD BETWEEN GRAND AVENUE AND DUFF AVENUE FOR A TEMPORARY DEFERRAL ON DEMOLITION AND DEVELOPMENT OVERLAY

BACKGROUND:

The City is in the process of creating new zoning standards for the Downtown Gateway Commercial area that is generally described as properties along Lincoln Way and between Grand Avenue and Duff Avenue as well as south of the railroad. The Downtown Gateway Commercial zoning district is intended to implement the vision of the Lincoln Way Corridor Plan for the Downtown Gateway Focus Area. The Planning and Zoning Commission reviewed draft zoning standards at its February 7th meeting and recommended to the City Council approval of the new zoning district. City Council held a public hearing on March 6th for the creation of the Downtown Gateway Commercial Zoning District and directed staff to provide more information concerning nonconforming uses and structures within the proposed rezoning area prior to taking action on the new zoning standards. **City Council then directed staff to prepare a moratorium on the approval of new development in the area while the City Council continued to review the proposed new zoning standards.**

The reasons for the moratorium were to ensure that a new use or development that would not be in keeping with the intent of the Lincoln Way Corridor Plan would not occur while the City Council reviewed specific zoning standards for the area. The proposed new zoning would create new restrictions on specific vehicle oriented uses that are incompatible with the redevelopment goals for the area. Additionally, a number of existing uses may become nonconforming under the proposed Downtown Gateway Commercial zoning standards.

To enact a moratorium for this area in relation to zoning standards requires approval of a rezoning ordinance. **A map of the proposed Overlay area is included as Attachment 1.** The proposed rezoning is for the application of the Temporary Deferral on Demolition and Development Overlay with the current base zones of Highway Oriented Commercial (HOC) and Downtown Service Center (DSC). **Applying the Overlay will prohibit the demolition of existing buildings and the construction of new buildings or the expansion of buildings.** The Overlay does not change the range of permitted uses and does not prohibit maintenance and remodeling of structures when the work does not require Site Development Plan approval.

Staff estimates the need for the Overlay will be for a term of approximately three months. Staff intends to provide the requested Downtown Gateway Commercial

nonconforming information to the City Council in April. City Council can then choose how to proceed with adopting new Downtown Gateway Commercial zoning standards. Once direction is provided on adopting new standards, the property rezoning step will also be initiated.

ALTERNATIVES:

1. The City Council approval of the proposed rezoning for Temporary Deferral on Demolition and Development Overlay as a temporary moratorium on the subject properties within the proposed Downtown Gateway Commercial Area as shown within Attachment 1 with an end date of July 2, 2018.

Staff requests second and third reading of the ordinance.

2. The City Council can modify the proposed boundaries of the Overlay rezoning.
3. The City Council can modify the duration of the of the Overlay rezoning.

This alternative should be selected if the Council wants the ending of the moratorium to be earlier or later than July 2nd.

4. The City Council can decline to adopt the Overlay rezoning.

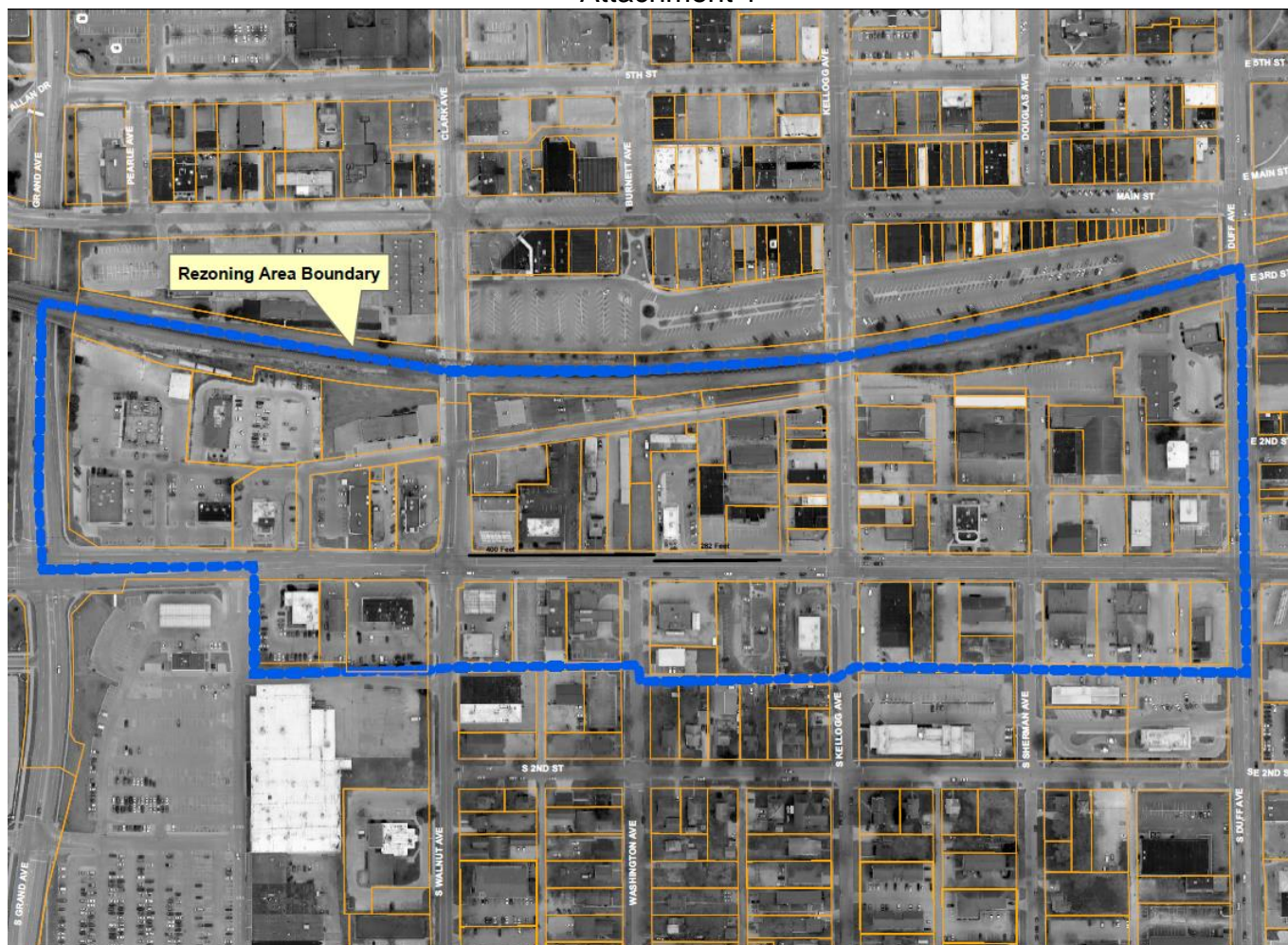
CITY MANAGER’S RECOMMENDED ACTION:

Due to the sensitivity of creating new Downtown Gateway Commercial zoning standards, it is important to ensure that properties are not redeveloped with potentially incompatible uses and buildings while finalizing the details of the new zoning district. The proposed overlay will result in a temporary moratorium and prohibit both the demolition of structures and the construction of new structures.

Staff will be able to respond to the City Council request for information on potential Downtown Gateway Commercial nonconformities at an April City Council meeting. This would allow for City Council to provide direction on the language of the Downtown Gateway Ordinance standards and for adoption of the Downtown Gateway Ordinance in May with third reading in June. The proposed property rezoning would also occur in May and June to coincide with the adoption of new standards and the duration of the moratorium. Establishing the moratorium through July 2nd accommodates the described schedule.

Therefore, it is the recommendation of the City Manager that the City Council approves Alternative #1 thereby establishing the Overlay and setting an ending date for July 1, 2018.

Attachment 1



Rezoning Area Boundary for Demolition and Development Overlay

DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER
Prepared by: City Clerk's Office, 515 Clark Avenue, Ames, IA 50010 Phone: 515-239-5105
Return to: Ames City Clerk, P.O. Box 811, Ames, IA 50010

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF AMES, IOWA, FOR THE PURPOSE OF MAKING A CERTAIN AREA SUBJECT TO TEMPORARY RESTRICTIONS ON THE DEMOLITION OR DEVELOPMENT OF BUILDINGS; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT, PROVIDING A PENALTY; 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 Official Zoning Map of the City of Ames, Iowa, to show that properties in the vicinity of Lincoln Way that are within the area generally described as the area bounded on the north by the Chicago and Northwestern Railroad, on the east by Duff Avenue and South Duff Avenue, on the south by the alley running parallel to Lincoln Way, and on the west by Grand Avenue and legally described as:

BEGINNING AT THE CENTERLINES OF GRAND AVENUE AND THE CHICAGO AND NORTHWESTERN RAILROAD TRANSPORTATION COMPANY RIGHT OF WAY, CITY OF AMES, STORY COUNTY, IOWA; THENCE EASTERLY ON SAID RAILROAD CENTERLINE 2,714.16 FEET TO THE CENTERLINE OF DUFF AVENUE; THENCE SOUTHERLY ON SAID DUFF AVENUE CENTERLINE 882.99 FEET TO THE EXTENSION OF THE EAST-WEST ALLEY CENTERLINE; THENCE WESTERLY APPROXIMATELY 894.93 FEET TO THE CENTERLINE OF SOUTH KELLOGG AVENUE; THENCE SOUTHERLY 25 FEET; THENCE WESTERLY ON CENTERLINE OF ALLEY APPROXIMATELY 459.58 FEET TO CENTERLINE OF WASHINGTON AVENUE; THENCE NORTHERLY APPROXIMATELY 18.16 FEET TO CENTERLINE OF EAST-WEST ALLEY; THENCE WESTERLY 469.01 FEET TO THE SOUTHEAST CORNER OF LOT 1, BLACKS THIRD ADDITION; THENCE WESTERLY ON SOUTHERLY LINE TO THE SOUTHWEST CORNER OF THE NORTHEAST CORNER OF LOT 7, BLACKS THIRD ADDITION; THENCE NORTHERLY 238.422 TO THE CENTERLINE OF LINCOLN WAY; THENCE WESTERLY 462.22 FEET TO THE CENTERLINE GRAND AVENUE; THENCE NORTHERLY TO POINT OF BEGINNING

shall be subject to the applicability of the zoning regulations stated in Section 29.1108, Temporary Deferral on Demolition and Development, of the *Ames Municipal Code*, as an overlay to the established zoning district regulations, during the period beginning after passage and publication as required by law, and ending on the 2nd day of July, 2018.

Section 2: Violation of the provisions of this Ordinance shall constitute a municipal infraction punishable as set out in Section 29.1603 of the Municipal Code.

Section 3: All other ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section 4: This ordinance is in full force and effect from and after its adoption and publication as provided by law and shall end on the 2nd day of July, 2018.

ADOPTED THIS _____ day of _____, _____.

Diane R. Voss, City Clerk

John A. Haila, Mayor