

Staff Report

**REQUEST FOR COMMERCIAL LUPP MAP AMENDMENT AND REZONING OF RESIDENTIAL HIGH-DENSITY PROPERTY AT 3115 AND 3125 GROVE AVE.**

July 31, 2018

**BACKGROUND:**

At the June 12 meeting, the City Council referred a letter (***See Attachment D***) to staff from Heath Bullock for a background memo. The request from Mr. Bullock is for the **rezoning of property at 3115 and 3125 Grove Avenue (*See Attachment A – Location Map – Letter Requesting Rezoning*) to accommodate a proposed 4,000 square foot store for the Sherwin-Williams Company.** At the July 10 meeting, the City Council asked that this item be placed on the agenda for discussion.

Mr. Bullock, on behalf of the Sherwin-Williams Company, is proposing to construct a retail paint store at this location by demolishing the duplex and six-unit apartment building, and combining the two parcels into a single parcel. No residential use of the property is anticipated. **The applicant is requesting the creation of a Convenience Commercial Node in support of the rezoning.**

**Although the request is for rezoning to a commercial zoning designation, use of the property exclusively for commercial would first require a LUPP Future Land Use Map Amendment from High-Density Residential to a commercial designation.**

The combined size of the two properties is approximately 0.78 acres. The site would have frontage along Grand Avenue, but no access from Grove Avenue. The properties are currently designated as High-Density Residential on the Land Use Policy Plan (LUPP) Future Land Use Map, and are zoned as RH (Residential High-Density) (***See Attachment B – LUPP Map and Attachment C – Current Zoning Map***). The east side of Grand Avenue north and south of the site also have a High Density Residential designation reflecting the pattern of multi-family properties along Grand Avenue. **However, properties located across Grove Avenue (to the east) are designated as Low Density Residential and zoned as Low Density Residential (RL).** These homes are also accessed from Grove.

**OPTIONS:**

The applicant requests applying a Convenience Commercial Node to the area to support rezoning of the site to Community Commercial Node zoning. **The primary land use question is consistency of changing the designation of the site to commercial with the policies of the LUPP for the location of commercial uses.** The LUPP does not have a designation for commercial expansion in this area or a policy to consider new “strip commercial” development patterns along arterial roads. Setting a Node would indicate

support for potential expansion in the area. **The change would likely include some adjustment to the text of the LUPP and a Map Amendment to place a Node.**

Chapter 2 of the LUPP (starting pg. 61) describes the planned commercial patterns of the City. **The LUPP has clearly defined commercial boundaries for the west side of Grand Avenue as Planned Regional Commercial zoning for the North Grand Mall and Wal-Mart site and for Community Commercial Node (CCN) zoning for the Northern Lights area. These areas were recognized as part of the commercial services needed to serve north Ames.** Currently, there is vacant space available within these areas that may be suitable for the applicant without establishing a new commercial site.

### **Option 1- Retain the Existing LUPP Designation**

The City Council can choose to retain the existing LUPP designation of High-density Residential. Other uses on the east side of Grand Avenue between Bloomington Road and 24<sup>th</sup> Street are almost entirely residential. Located north of the site is the nonconforming use of Mary Kay's. Single-family homes are located along Grove Avenue across from the subject properties. Retaining the current designation corresponds to the current land use patterns and the policies of the LUPP for siting of new commercial areas. The Sherman Williams store would need to consider a location within an already established commercial area.

### **Option 2- LUPP Map Amendment to Convenience Commercial Node**

The City Council can allow Mr. Bullock to submit an application for a LUPP Map Amendment to place a Convenience Commercial Node in the vicinity of the site. Placing a Node in this area would indicate the potential for expansion of commercial use to the east side of Grand Avenue. Staff notes that Grand Avenue will not have direct access for commercial uses as it is a restricted access arterial roadway and a state highway subject to IDOT jurisdiction. This would mean side street access is required for commercial uses if they are approved in the future.

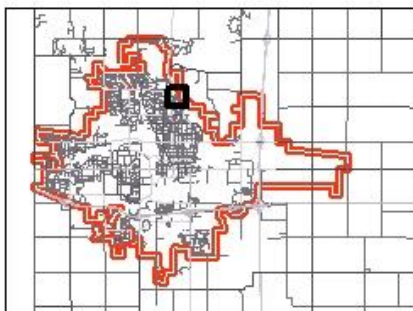
**Staff believes it would be highly unusual for the City Council to pursue Option 2 and carve out a new commercial site adjacent to single-family residential zones given the fact that there are other commercial spaces available in the City.**

### **STAFF COMMENTS:**

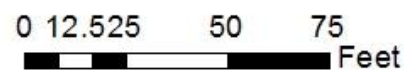
City Council could determine the change warrants a Major or Minor Amendment process. The small size of the site justifies a minor amendment process, whereas the change to creating commercial could be viewed as a major amendment per the policies of the LUPP (Appendix C of the LUPP). A Minor Amendment would warrant an early outreach meeting even if it not part of the Major Amendment process. **The proposed change is likely a moderate level staff time for the overall project and should be prioritized along with similar referral requests.**

If a commercial designation for this area is approved, City Council would then have to consider as a second step the appropriate zoning for the site. The two most likely zoning options would be CCN or Neighborhood Commercial (NC) zoning. Each of these zones has dramatically different design requirements to consider in a rezoning process.

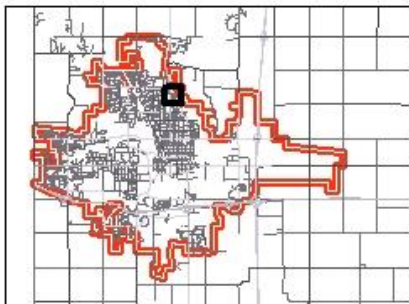
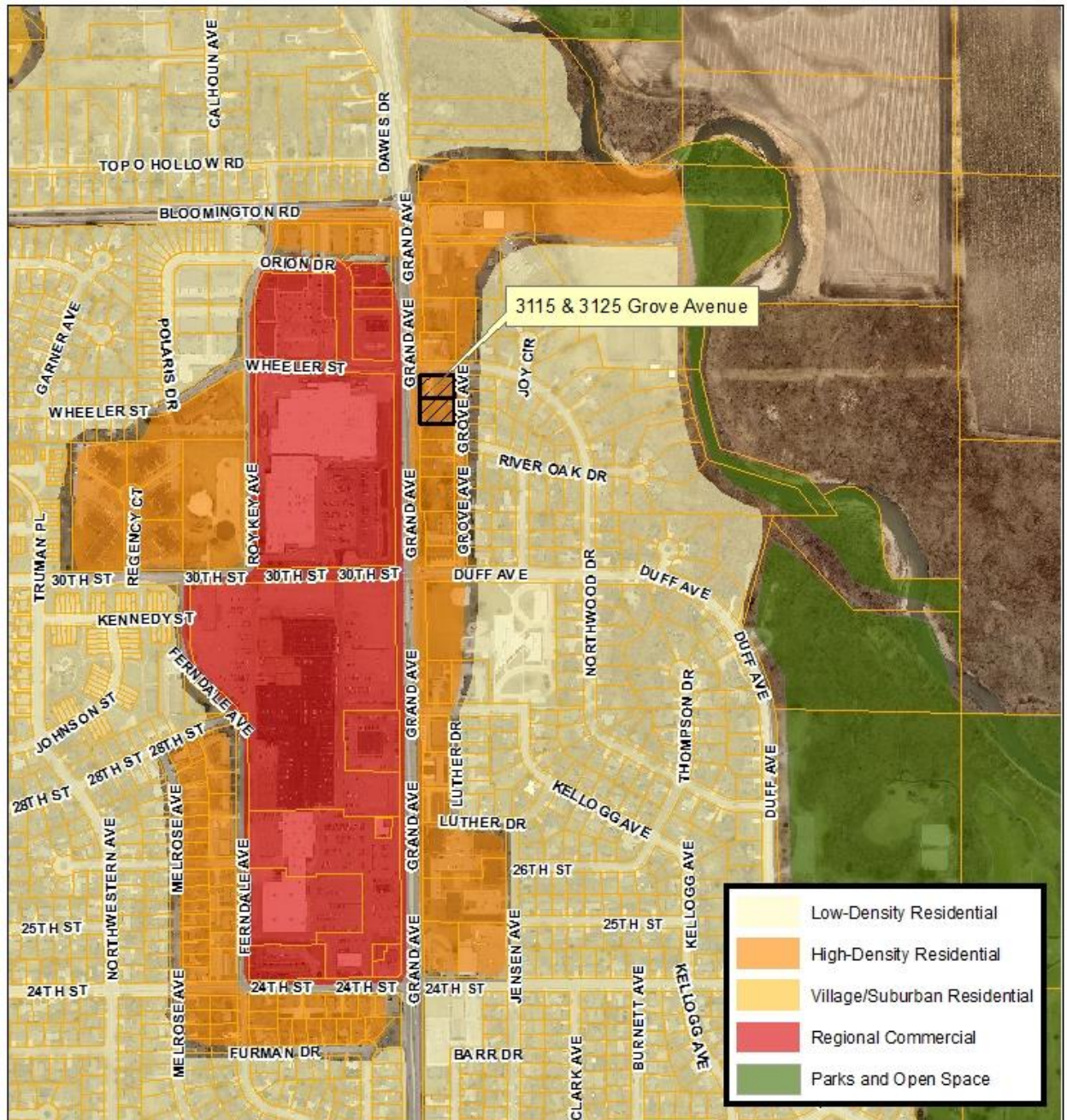
Attachment A – Location Map



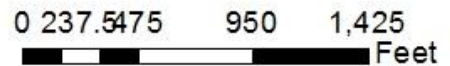
**Location Map**  
**3115 & 3125 Grove Avenue**



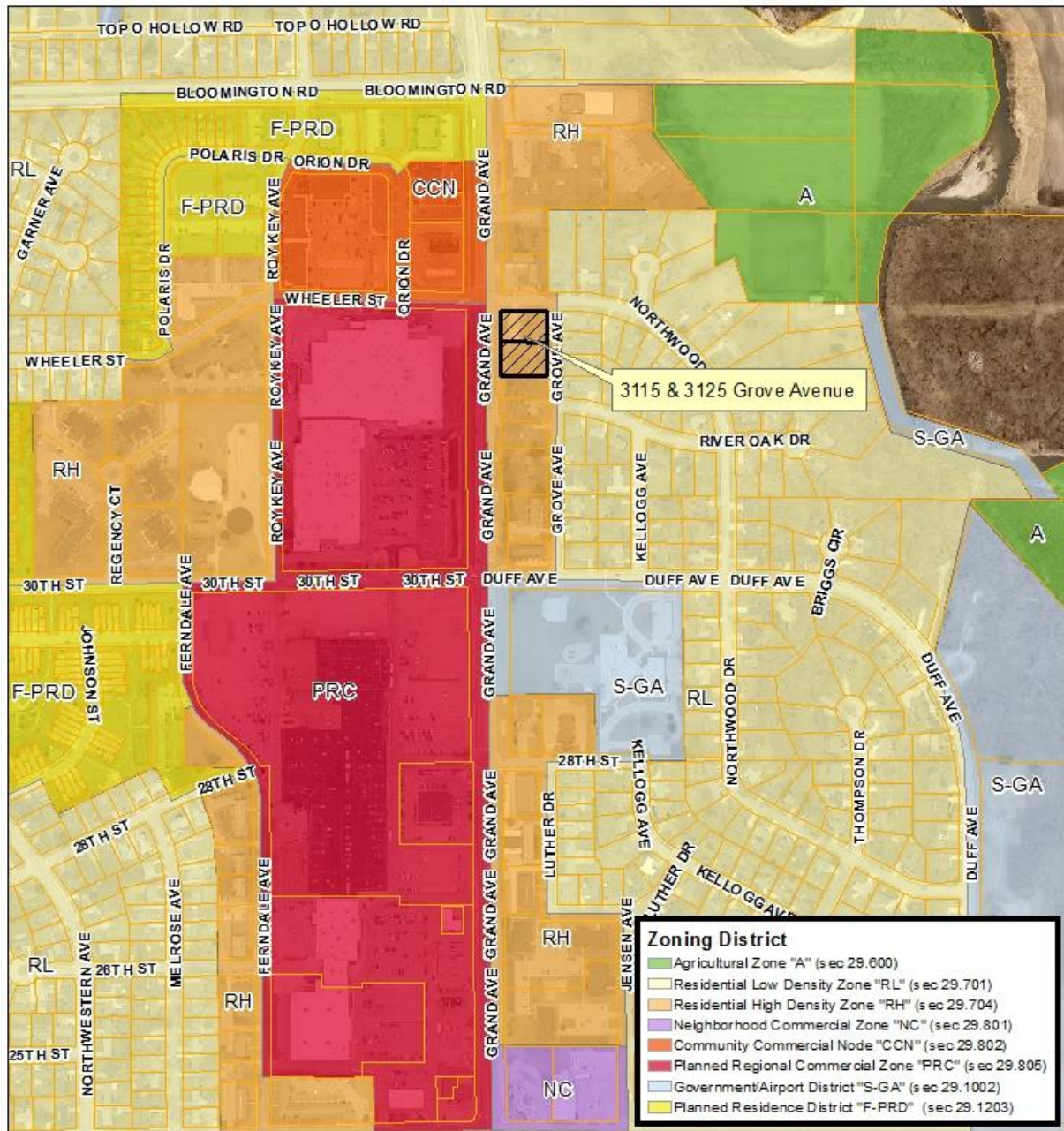
Attachment B – LUPP Map



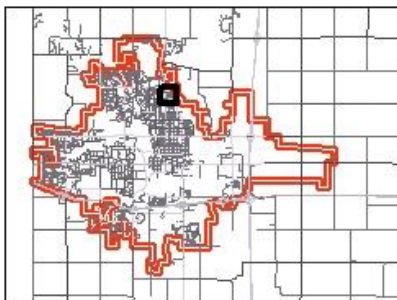
**LUPP Map**  
**3115 & 3125 Grove Avenue**



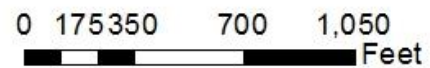
Attachment C – Current Zoning Map



Zoning District	
	Agricultural Zone "A" (sec 29.600)
	Residential Low Density Zone "RL" (sec 29.701)
	Residential High Density Zone "RH" (sec 29.704)
	Neighborhood Commercial Zone "NC" (sec 29.801)
	Community Commercial Node "CCN" (sec 29.802)
	Planned Regional Commercial Zone "PRC" (sec 29.805)
	Government/Airport District "S-GA" (sec 29.1002)
	Planned Residence District "F-PRD" (sec 29.1203)



**Zoning Map**  
**3115 & 3125 Grove Avenue**



## Attachment D – Letter Requesting Rezoning



Heath D. Bullock, CCIM, SIOR  
515-554-7412 | heath.bullock@creciowa.com  
HD2 GROUP, LLC dba CREC IOWA  
5550 Wild Rose Lane, Suite 400  
West Des Moines, IA 50266

June 6, 2018

**Honorable Mayor and City Council**  
City of Ames  
515 Clark Avenue  
Ames, IA 50010

**RE: 3125 & 3115 Grove Avenue, Ames, IA 50010**

**Dear Mayor and City Council:**

I am requesting rezoning of 3115 and 3125 Grove Avenue to accommodate a proposed 4,000 square foot store for the Sherwin-Williams Company. Attached is a map showing the location of the rezoning request. Sherwin-Williams has been a staple in the Ames market and located at 1624 Duff Avenue since 1992. This location is frequently visited and very popular supplier of paint products and supplies. The success at this location is cause for The Sherwin-Williams Company to desire a *second* location in the Ames market. For the past two years I have been working with this client to identify an acceptable site in north Ames which led to the identification of the two under-utilized high density residential properties.

I am leading a development group that is working on behalf of Sherwin-Williams. We completed similar commercial projects in central and northern Iowa. We feel the proposed re-zoning and repurposing of the corner would be appropriate for the following reasons:

- Adjoining commercial development and zoning on the west and north sides
- Located on a Major Arterial Street
- Major commercial adjacent to the site with other regional and national retailers
- Signalized intersection with turn lane improvements in place
- Underutilized high density residential zoning
- Replacement of eight apartment units with higher and better use as single-story commercial
- Provide an additional outlet for retail paint products and supplies alleviating trips on busy Duff Avenue
- Improved appearance and greater assessed valuation
- Additional development and activity for North Grand Mall District

**We are requesting the zoning change from Residential High Density (RH) to Community Commercial Node (CCN).** There is a CCN zone directly NW of this site and Planned Regional Commercial (PRC) for the North Grand Mall to the west across the street. We believe the CCN zone would be appropriate for Sherwin-Williams and the adjacent residential neighbors.

We ask you refer this to Staff and to proceed with the process of rezoning. We appreciate your time and consideration of this request. We are excited to work with the City of Ames to identify a zoning classification that fits this project.

Sincerely,

CREC IOWA

A handwritten signature in black ink that reads "Heath D. Bullock".

Heath D. Bullock, CCIM, SIOR  
President

## Attachment E – LUPP Excerpt Appendix C

### II. AMENDMENT TYPES

Amendments of the LUPP are defined as major or minor, more specifically defined as follows:

1. **Major Amendments.** These include any amendment that is either a *change* to current goals and policies, or that is *inconsistent* with current goals and polices.
2. **Minor Amendments.** These include changes determined by the Council to be of minor consequence. Examples might include:
  - a. Shifting the boundary of a land use designation to account for existing site conditions and/or lot configurations.
  - b. Changing a land use designation to a related type of land use designation, as follows:
    - i. Residential to next level intensity residential.
    - ii. Non-neighborhood commercial to another type of commercial.
    - iii. Commercial node to another type of commercial node.
    - iv. Industrial to next level intensity industrial.
    - v. Any change which the Council determines necessary to address an immediate public need or to provide broad public benefit, and which is determined by the City Council to further the current vision, goals and objectives of the Land Use Policy Plan.

### V. REVIEW CONSIDERATIONS

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 amendments. 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.