

**COUNCIL ACTION FORM**

**SUBJECT: REZONE TWO TRACTS AT 2800 E. 13<sup>th</sup> STREET FROM “A” (AGRICULTURAL) TO “GI” (GENERAL INDUSTRIAL) ZONING DISTRICT**

**BACKGROUND:**

This is a request to rezone property at 2800 E. 13<sup>th</sup> Street from Agricultural to General Industrial. The subject properties consist of two tracts equaling 2.95 acres. In 2004, at the time of annexation, the subject property was assigned an “A” Agricultural zoning classification. The properties have retained the “A” zoning since that time.

When the properties were purchased by the current owner, they were two separate parcels; however recently, the two parcels have been combined with the larger original parcel into a single 56-acre parcel. The original parcel area of the site is zoned “GI” General Industrial. Combining the parcels did not change the zoning designation of the two smaller parcels per the Zoning Ordinance regulations and are currently still “A.”

**Rezoning these former parcels** (now described below as "tracts") **to “GI” General Industrial will provide one consistent zone for the entire property and will allow their use as part of the larger Danfoss manufacturing facility.** A map illustrating the zoning of the subject property and adjacent properties is included as *Attachment A*.

The LUPP Future Land Use Map designates the subject property, and the surrounding properties, as “General Industrial”. See *Attachment B*. Rezoning of the subject property to “GI” (General Industrial) is compliant with the LUPP.

The Planning and Zoning Commission reviewed this request on January 15, 2020 and voted 7-0 to recommend the City Council change the zoning for the property at 2800 E. 13<sup>th</sup> Street to “GI” General Industrial.

**ALTERNATIVES:**

1. Approve on first reading the request to rezone the two tracts totaling 2.95 acres located at 2800 E. 13<sup>th</sup> Street from “A” Agricultural to “GI” General Industrial.
2. Deny the request to rezone the two tracts totaling 2.95 acres located at 2800 E. 13<sup>th</sup> Street from “A” Agricultural to “GI” General Industrial.
3. Defer action on this request and refer it back to City staff and/or the applicant for additional information.

**CITY MANAGER’S RECOMMENDED ACTION:**

The request for rezoning is consistent with the Land Use Policy Plan Future Land Use Map as described in the addendum. Impacts on infrastructure and City services for this parcel are consistent with what has previously been developed in this location and what may be anticipated for redevelopment.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, which is to approve the request to **rezone two separate tracts totaling 2.95 acres located at 2800 E. 13<sup>th</sup> Street from “A” Agricultural to “GI” General Industrial.**

## ADDENDUM

### REZONING BACKGROUND:

The Danfoss Manufacturing Facility, a heavy manufacturing facility, developed at this location in 1971, under the “I-1” zoning that was in place at the time. The area was annexed in 1967 and at the time was the northeastern edge of the City.

Subsequently, properties to the north and east were annexed. However, the two subject properties remained in the County until 2004, when they were brought into the City along with the larger “mall property” located northeast of E. 13<sup>th</sup> and I-35. At the time of annexation, all of the annexed properties were assigned an “A” Agricultural zoning. The two subject properties have remained with an “A” Agricultural zoning since that time.

When the current owner acquired the properties, they were separate parcels. They remained so until just recently when the two parcels were combined with the larger Danfoss “parent parcel” creating one 56-acre parcel. This entire area of the City, which includes lands to the south and east has been designated “GI” General Industrial, since 2000, when the “GI” zoning district was implemented.

Immediately to the east is the I-35 corridor with “PRC” zoning beyond. To the north, a strip of “HOC” zoning occurs along E. 13<sup>th</sup> Street with “S-GA” zoning beyond. South and west of the subject properties is a large area zoned “GI.” The subject properties are the only remaining “A” Agricultural zoned property in this area.

**Land Use Policy Plan Future Land Use Map.** The Land Use Policy Plan (LUPP) Future Land Use Map designates this area as “General Industrial.” See *Attachment B*.

The LUPP text indicates, “An expansion area adjacent to the City’s current industrial area is recommended for General Industrial.” The subject properties although limited in acreage, would be considered an expansion area for the existing “GI” General Industrial zoning district.

**Proposed Zoning.** The subject properties are currently undeveloped. A request to “GI” (General Industrial) is consistent with the use of the “parent parcel.” Rezoning is not mandatory to continue the site’s existing use; however, rezoning the property to “GI” (General Industrial) would allow the full use of the subject properties without limitations of a nonconforming designation.

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

| <b>Direction from Subject Property</b> | <b>Existing Land Uses</b>                              |
|--|--|
| Subject Property                       | Vacant, Undeveloped                                    |
| North                                  | Strip Commercial Uses along E. 13 <sup>th</sup> Street |
| East                                   | I-35; Crop Production                                  |

|       |                     |
|-------|---------------------|
| South | Heavy Manufacturing |
| West  | Strip Commercial    |

**Infrastructure**

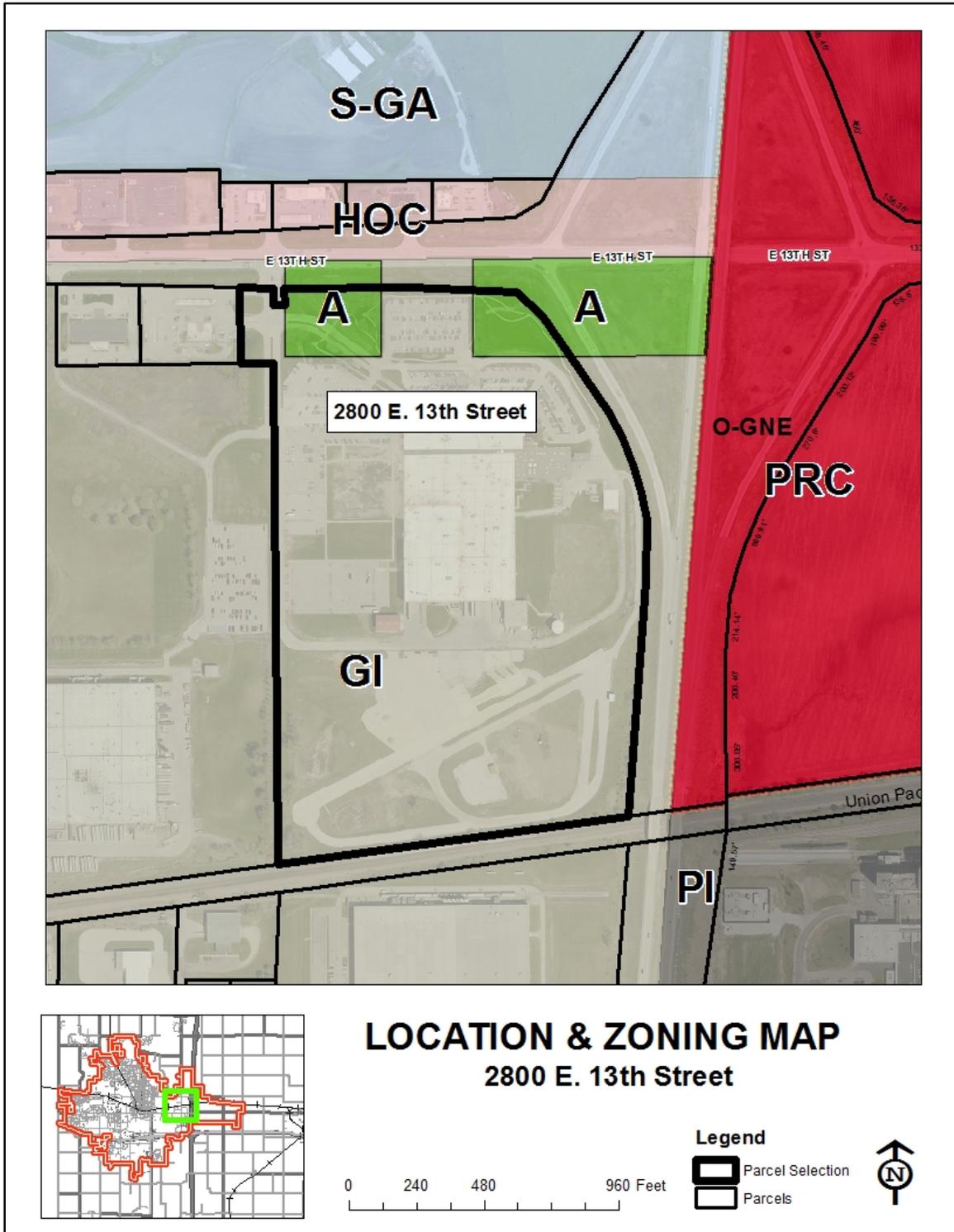
Impacts on infrastructure and City services for this parcel are consistent with what is already anticipated for the Danfoss property, should redevelopment occur.

**Findings of Fact.** Based upon an analysis of the proposed rezoning and laws pertinent to the proposed map amendment, staff makes the following findings of fact:

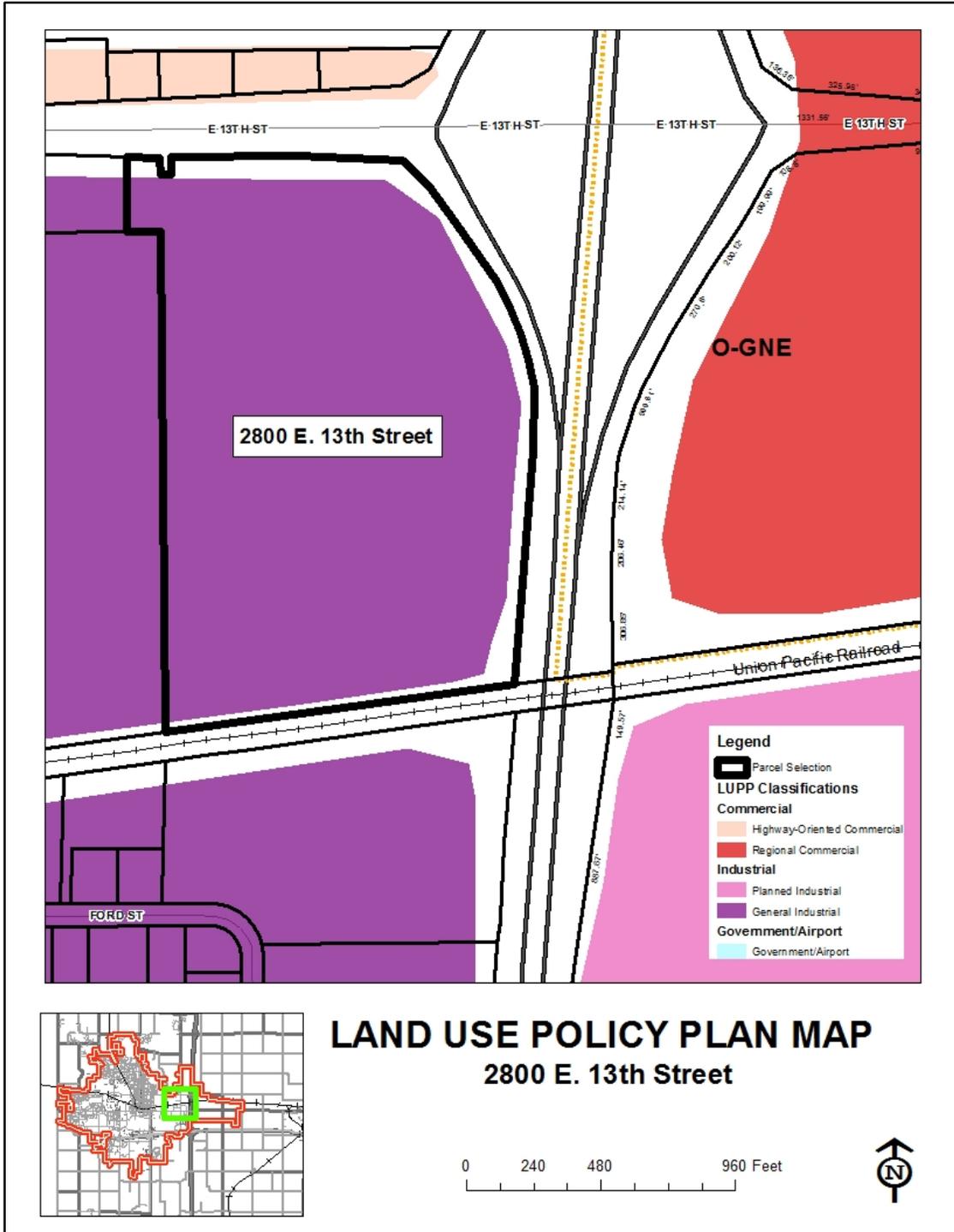
1. The subject property is owned by SUSA Holding of Story County Inc. dba Danfoss. The rezoning request and statement of justification is included as *Attachment C*.
2. Ames Municipal Code Section 29.1507(1) allows the property owner to initiate an amendment to the Official Zoning Map.
3. The subject properties are consistent with the designation of “General Industrial” identified on the Land Use Policy Plan (LUPP) Future Land Use Map.
4. Development in the GI zoning district requires a site plan review process to assure that such development and intensity of use assures a safe, functional, efficient, and environmentally sound operation.
5. Impacts on infrastructure and City services for this parcel is consistent with what is already anticipated for the existing Danfoss development and the “GI” General Industrial area.

**Public Notice.** The City provided mailed notice to all property owners within 200 feet of the subject property in accordance with the notification requirements of Chapter 29.

**ATTACHMENT A  
Location & Zoning Map**



# ATTACHMENT B LUPP Land Use Map



## ATTACHMENT C Applicant's Statement

### Danfoss Rezoning Application – 12/17/2019

RECEIVED

DEC 17 2019

CITY OF AMES, IOWA  
DEPT. OF PLANNING & HOUSING

**1. Written explanation of the reasons for requesting rezoning.**

The property has remained Agricultural (A) since being acquired by the current property owner many years ago. The property to be rezoned was previously 2 separate parcels that have since been combined with the larger "parent parcel" that is zoned General Industrial (GI). Combining the parcels did not change the zoning designation. Rezoning these former parcels (now described below as "tracts") to General Industrial (GI) will provide one consistent zone for the entire property.

**2. Written explanation of the consistency of this rezoning with the Land Use Policy Plan (LUPP).**

The LUPP Future Land Use Map identifies this property as "General Industrial". This request to rezone the described Agricultural (A) tracts to General Industrial (GI) is consistent with that plan.

**3. Current zoning of the subject property.**

Agricultural (A)

**4. Proposed zoning of the subject property.**

General Industrial (GI)

**5. Proposed use of the property.**

The property will continue to be used as part of the larger manufacturing facility.

**6. Legal description of the property proposed for rezoning.**

Tract 1 to be Rezoned:

A part of the Northwest Quarter of Section 6, Township 83 North, Range 23 West of the 5th P.M., Story County, Iowa, described as follows: Commencing at the North Quarter Corner of said Section 6; thence S0°08'E, 350.0 feet along the East line of said Northwest Quarter; thence West, 1210.5 feet to the point of beginning; thence continuing West, 350 feet; thence N0°08'W, 245 feet to the South R.O.W. line of County F.A.S. Road No. 2203 (East 13th Street) as said R.O.W. line is described in that certain Warranty Deed from Gulf Oil Corporation to State of Iowa, recorded in the office of the Recorder of Story County, Iowa, in Book 98, Page 359; thence East along said R.O.W. line 350.0 feet; thence S0°08'E, 245 feet to the point of beginning. [Except the West 70 feet thereof, which is included in Parcel F and already zoned G-].

Tract 2 to be Rezoned:

A part of the Northwest Quarter of Section 6, Township 83 North, Range 23 West of the 5th P.M., Story County, Iowa, described as follows: Commencing at the North Quarter Corner of said Section 6; thence S0°08'E, 350.0 feet along the East line of said Northwest Quarter; thence West, 549.13 feet to the point of beginning; thence continuing West, 341.27 feet; thence N0°08'W, 233.1 feet; thence S86°56'54"E, 154.73 feet along the Southerly R.O.W. line of East 13th Street; thence S48°39'45"E, 126.96 feet along the southwesterly R.O.W. line of "Ramp C"; thence continuing along said R.O.W. line, S33°03'17"E, 168.39 feet to the point of beginning.

**7. Land area of the property proposed for rezoning:**

Tract 1 - 1.59 acres (69,044.89 s.f.)

Tract 2 - 1.36 acres (59,235.49 s.f.)