

Staff Report

NEIGHBORHOOD REQUEST TO INITIATE REZONING OF PROPERTIES ON THE WEST SIDE OF GROVE AVE FROM 'RH' TO 'RM'

January 11, 2022

BACKGROUND

City Council received a request from Northwood/Overland Heights Neighborhood Association (see letter date October 18, 2021, *Attachment A*) asking the City Council to consider initiating rezoning of properties along the *west side* of Grove Avenue from 'RH' Residential High-Density Zone to 'RM' Residential Medium Density Zone (see current Zoning Map excerpt, *Attachment B*). Previously a similar request was received from a single homeowner, Robert Long, on April 13, 2021, and an accompanying background memo from staff was prepared at City Councils' request. However, City Council took no action at that time as it was viewed as a singular interest of one property owner. City Council referred the Neighborhood Association request to staff on October 26, 2021, to be put on a future agenda for discussion by the City Council.

The Neighborhood Association believes rezoning to a less intensive zone (from RH to RM) would continue to allow compatible residential uses, such as those currently existing. The Neighborhood Association wishes to prevent commercial redevelopment within this block, believing access internal to the neighborhood (from Northwood, Grove, or Duff) would be harmful to the neighborhood. **The existing RH zoning allows mixed use commercial uses as has occurred at the corner of Northwood and Grand Avenue.** Redevelopment of land into an exclusively commercial use would require a change of land use and rezoning. City Council declined to initiate a request to change to highway oriented commercial in 2018.

An analysis of the block indicates that on the west side of the block that is zoned RH there are 25 dwelling units on 8 individual properties. The uses consist of low to medium residential intensities, including single-family homes, duplexes, and apartment buildings of eight units or less. All of the buildings are no greater in height than 3 stories. Residences on the east side of Grove are zoned R-L and are predominantly single-family homes (see *Attachment C, Aerial of Grove Avenue Area*).

At the time of development (1955 – 1972), the zoning district was 'R-3' Medium-Density Zoning, which appears to have been consistent with the land use designation of the time. The 1997 LUPP changed the area to RH, with the area being rezoned to RH as part of the city-wide rezoning action in 2000, thus aligning with the 1997 LUPP.

All of the current uses of property are permissible within RM zoning compared to RH zoning. Notable differences between RH and RM zoning districts are:

- Use allowance for Commercial Mixed Use in 'RH' (up to 5,000 square feet staff approval, exceed 5,000 square feet requires City Council approval);
- Height allowance for 100 feet or 9 stories in 'RH'. 'RM' allows for 50 feet or 4 stories; and
- Density allowance for up 38.56 dwelling units per net acre in 'RH'. 'RM' allows for up to 22.31 dwelling units per net acre.

There are currently 25 units in this area. The theoretical density for the RH zoned area when totaling up each existing lot's development potential is 88 units compared to a theoretical density of 56 units as RM zoning. These calculations do not account for actual site conditions affecting building setbacks and parking requirements based upon apartment bedroom counts which would likely reduce actual yield.

AMES PLAN 2040 REDIRECTION AREA DESIGNATION:

In the last few years, the Northwood/Overland Heights Neighborhood Association has seen redevelopment interest in this area. A mixed-use commercial use on the north side of Northwood Drive and Grand Avenue, has recently developed at the former Mary Kay's Café and Flower Shop site. In 2018, a commercial use change and rezoning request for a Sherwin Williams store at 3115 & 3125 Grove Avenue was declined to be initiated by City Council.

The recently adopted Ames Plan 2040 Future Land Use Map indicates this block as "Redirection" (see Ames Plan 2040 (excerpt), *Attachment D*). The Redirection designation was assigned to the area based upon the existing conditions of the area as well as the recent redevelopment interest in the area. Staff believes this issue is a good first example for dealing with redirection areas and discussing the various policies that would apply.

Ames Plan 2040 describes Redirection areas are those "areas anticipated to have a change in *use or development pattern* over the next 20 years to increase both the efficiency and quality of Ames' urban environment. Infill development may change the types and intensities of land use and introduce new building forms. In some cases, specific plans or zoning may be applied to provide direction for specific types of changes and to address issues of compatibility and transition."...

Redirection areas require an "assessment of community needs and character of the surrounding area to guide planning and policy decisions on specific changes." [G-3. p.31] "Make smooth transitions in scale and intensity of use from pre-existing context to higher intensity development. Support high-density redevelopment only in planned or targeted land use redirection areas. Use prevailing density as the guide for redevelopment, but allow for building variations to meet infill objectives." [G3-3. p.33]

It should be noted that the Redirection Area designation as written within Plan 2040 has no direct effect on the current zoning of the property as the designation is designed for study purposes. Changes to land use or zoning is necessary to "redirect" a site from its current zoning.

PREVAILING CHARACTER OF THE AREA:

Access to the properties from Grand Avenue is not available. Grand Avenue is a restricted access arterial roadway and a state highway subject to IDOT jurisdiction. This means that side street access is required for these properties. The CyRide Brown Route travels on Grand Avenue as well, with a stop at Northwood/Grand Avenue intersection at the north end of the subject area and a stop at Duff/Grand Avenue at the south end of the subject area.

The block itself currently has a slightly higher intensity of use, than the neighborhood. The block includes a mix of low to medium residential intensities, including single-family homes, duplexes, and apartment buildings of eight units or less, with buildings at heights no greater than 3-stories. Buildings line the street with similar setbacks. Parking for more intensive uses are located behind or to the side of buildings. The street frontage along Grove is a primary concern with any redevelopment.

If prevailing density is the guide for redevelopment of this block, then RM could be considered appropriate. However, Action 3 of the Neighborhoods, Housing & Subareas Element states, "Create infill and development standards for compatibility in residential areas and transition areas focused on design over density."

The primary question for the Redirection Area for this situation is whether the existing higher infill density potential is the higher priority compared to a change for more moderate redevelopment options with the neighborhood's primary goal to limit commercial uses?

OPTIONS:

Option 1- Initiate Rezone to RM Zoning with Owner Meeting

This option supports the Neighborhood Association's request for the City to proceed with the rezoning process for the Grove Avenue block from RH to RM. Rezoning to RM would not cause any of the existing uses to become non-conforming. Should redevelopment occur, uses would remain similar to current uses. Building height could not exceed 4 stories or 50 feet. However, under a typical rezoning, no other qualities of neighborhood character and compatibility would be required to be addressed that are not part of the City's zoning ordinance standards.

Staff inventoried all of the properties to estimate each existing lots development potential. All property owners, with the exception of the 5-unit apartments at Duff and Grand Avenue, could add, at least, one additional unit if the site was redeveloped subject to complying with development standards. The primary opportunities to gain dwelling units would be the redevelopment of the single-family home properties to apartments. **Overall redevelopment potential for all lots in total is approximately 30 units less than under RH zoning, and no mixed-use commercial is permitted.**

Neither RH or RM zoning have any specific design requirements to architecture or relationship to streets beyond setback standards. The rezoning of the site to RM reduces

potential degree of change, but does not directly ensure compatible design features for the area.

At this time no property owners of the RH zoned property have been involved in the discussion of the request. An outreach meeting to property owners about their interests would be advisable before progressing to a public hearing on a rezoning with the Planning and Zoning Commission and the City Council.

The projected timeframe for this option would likely be approximately three to four months to meet with owners and to complete the rezoning public hearing process for a City Council decision on rezoning.

Option 2- Retain the RH Zoning

This option retains the current zoning and makes no changes to current allowances. Although the previous zoning was Medium Density Residential, the existing zoning has been in place for more than 20 years. Under current zoning some redevelopment potential exists for all the property owners, with consolidation of properties more intense redevelopment could occur. Conceivably a limited amount of mixed-use development is also an option.

From the perspective of commercial mixed-use development, the most likely marketable scenario would be the redevelopment of the properties at Northwood and Grand Avenue, across from the former Mary Kay location, due to easier access than the other properties. No access would be permitted from Grand Avenue.

The subject properties may be desirable for acquisition and redevelopment since there is limited to no vacant 'RH' zoned land available in the City. Unfortunately, RH has no specific design standards to guide contextual redevelopment and design and future intensification may not be well received in the area.

Option 3- Zoning Text Amendment to RH but limit Mixed Uses

RH allows for commercial uses within a mixed-use building design. This option has rarely been used, but as seen on the former Mary Kays site, it can be a desirable option on the right site. The allowance for commercial could be modified within the zoning ordinance standards in terms of square footage or permitting process, but leave the other residential uses and development standards as is. This type of change would apply citywide.

Staff believes allowing for mixed use in RH is a reasonable use allowance throughout the City. If a text amendment is initiated then staff believes addressing the permitting and design process for commercial would be a better choice than eliminating the option for mixed use within all RH zoning districts.

This option would likely take a minimal amount of effort to amend the text of the Zoning Ordinance and would not involve public outreach due to the narrow scope of the change.

Option 4- Create a Redirection Overlay with Design Standards for the Block

Due to the newness of Ames Plan 2040, its full implementation in terms of Zoning Ordinance changes has not yet occurred. A point of emphasis within the Plan is for infill and intensification to work well within the community, more attention to design requirements and neighborhood context is desirable compared to current standards.

Development of Infill and Development Standards for compatibility with the Northwood/Overland Heights neighborhood could be codified as design standards for a new Overlay Zone for the block. Currently, there are two other examples of small overlay areas in the Zoning Ordinance: ‘O-LMU’ Lincoln Way Mixed Use Overlay and ‘O-SLF’ South Lincoln Fringe Overlay. A broader area example is the Single-Family Conservation overlay for RM properties near Downtown.

This option would likely work best with a relatively generic design overlay so it could be used in multiple locations of the city where redevelopment or infill is desirable. If this proves to be unworkable due to different objectives and characteristics across the city, smaller overlay zones could be adopted for areas such as Grove Avenue.

Although the area has seen some interest in redevelopment, it is not clear whether the creation of an Overlay would incentivize redevelopment or hinder it. The overlay could be applied to either RH or RM as a base zone. The overlay could satisfy compliance with the redirection policies of the Ames Plan 2040 and create clarity for both residents and future developers.

Depending on scope as a city-wide tool or a Grove Avenue specific zoning, this option would involve the most time. This option fits within the general outline of Implementation priorities of Ames Plan 2040, but City Council has not yet prioritized which Zoning Ordinance Updates to address first. City Council will consider its work plan priorities for Planning and Housing and Plan 2040 implementation in the next 4-6 weeks.

STAFF COMMENTS:

For City Council to select an option related to this area it must first answer the question of its priority in promoting intensification with the current RH zoning or to allow for more moderate intensification options with RM zoning. The change of zoning to RM also eliminates the potential for commercial on the properties as mixed use development. **For staff, the issue of residential density and design are the primary policy issues for this area rather than supporting commercial use.** Commercial uses are not a specific use targeted for this area and staff has no concerns about limiting commercial use for the area. The issue of RH or RM zoning for intensity of use is really driven by priorities of competing interests of the City as described in relation to Redirection Areas.

The issue of design compatibility would seem to apply regardless of RH or RM zoning. However, RM zoning has less extreme height and density allowances that ameliorate potentially bulk issues of site and building design. Neither zoning district addresses architectural design features. **Overall staff supports the creation of design standards in support of the prevailing neighborhood characteristics of the Grove Avenue block in some manner as outlined as part of Option 4.** Option 4 could be directed by

Council to apply only to this area, or for it to be part of a wider city infill design policy as an implementation measures of Plan 2040. The staff effort to accomplish this option would need to be prioritized in the Department's work plan.

Attachment A
Neighborhood Association's Letter

18 Oct 2021

Northwood/Overland Heights Neighborhood Association Ames, IA

RE: Current zoning of Grove Ave

To: Mayor and City Council Ames, IA
City Manager and Staff Ames, IA

We, the association, request that the Ames city manager, staff, mayor, and city council discuss the current zoning of Grove Ave.

The association met for our annual gathering on 10 Oct 2021. During open topics we heard from Robert Long (3124 Grove) regarding his concern about Grove Ave zoning. He explained his concerns with the High Density zoning currently in place on the west side of Grove. He informed us that he had reached out to the city regarding this issue and that it was dismissed. A motion was put forward to formally ask the city to re-zone the west side of Grove Ave from high density residential to medium density residential. The motion passed unanimously.

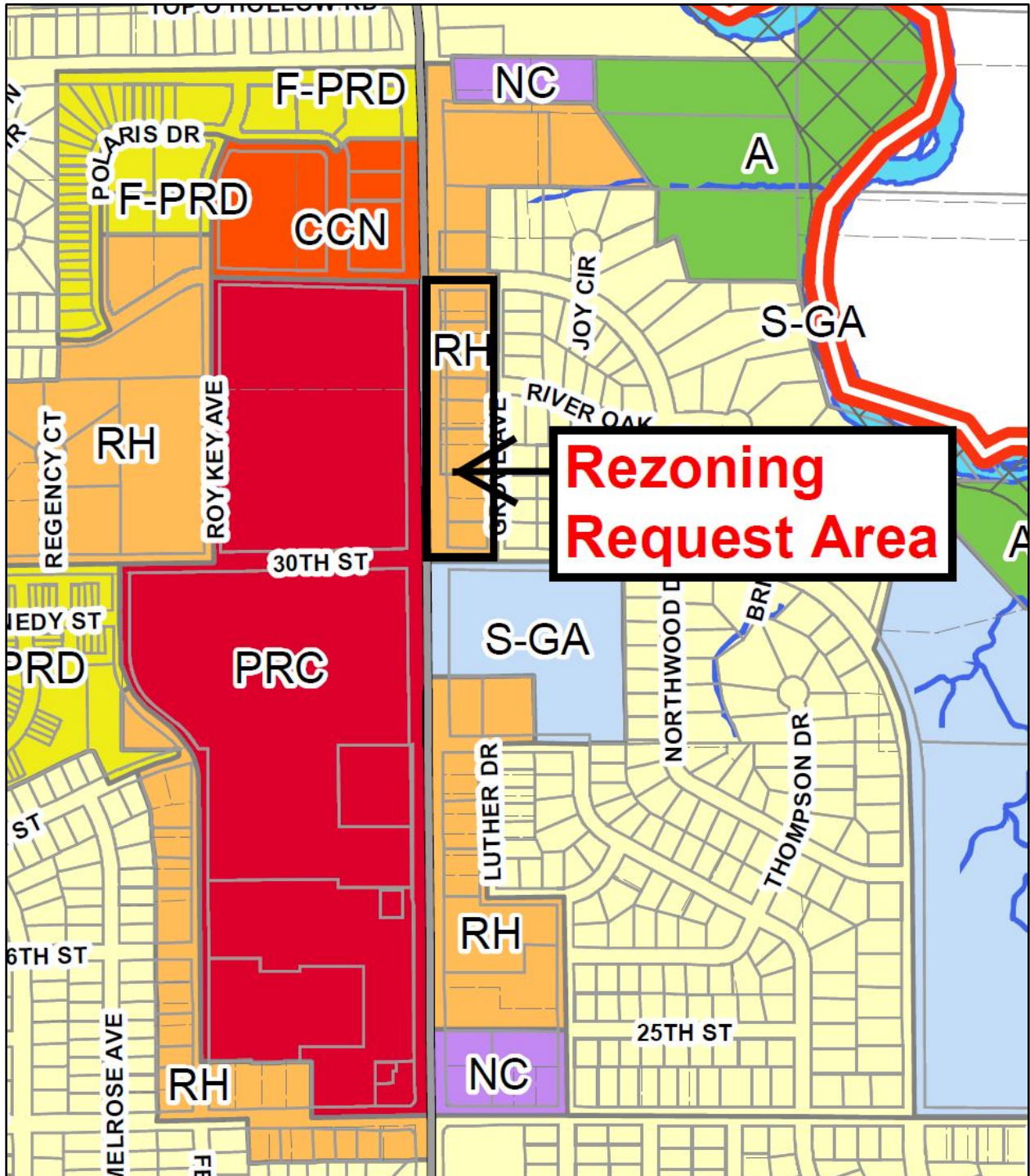
If we understand correctly, the High Density zoning on the west side of Grove Ave. allows for mixed use of commercial and residential. We now have an idea of what that means by the development going up at the former Mary Kay's Café and flower shop. Under this zoning there is no buffer in place between possible high traffic commercial and low density residential that the east side of Grove Ave is zoned.

Our request is to begin the process for the re-zoning of the west side of Grove Ave from high density residential to medium density residential. We believe this change would have NO impact on current property owners and would only prevent future conflicts with how the neighborhood has been built out.

Thank you

Northwood/Overland Heights Neighborhood Association
Leo Milleman primary contact 3112 Northwood Dr (515-232-2210)
Judy Strand secondary contact 3132 Northwood Dr
Bob Long tertiary contact 3124 Grove Ave (515-232-2801)

Attachment B
Current Zoning Map (excerpt)



Attachment D
Ames Plan 2040 (excerpt)

