

**TO:** Mayor and City Council

**FROM:** Kelly Diekmann, Planning & Housing Director

**DATE:** June 14, 2024

**SUBJECT:** Request to determine the rezoning process for a rezone of 113 North Dakota from Residential Low Density (RL) to Residential Medium Density (RM) within an Urban Corridor Designation.

City Council referred a request on May 28<sup>th</sup> from Luke Jensen, RES Development, regarding the property at 113 North Dakota (*see Attachment A - Request*). The property is 1.69 acres and is located at the northwest corner of North Dakota and Lincoln Way and zoned RL (Residential Low Density). It is presently undeveloped—the single-family dwelling that occupied the property was demolished in 2023. RES Development recently acquired the property and desires to develop it as medium-density residential. RES Development has presented several concepts to staff, including a townhome development.

While the developer desires a greater density and different residential type than allowed in the RL District, the Ames 2040 Comprehensive Plan also designates the site for redevelopment and intensification as part of an Urban Corridor designation (*See Attachment B – Plan 2040 Future Land Use Map Excerpt*).

Urban Corridor (UC) is a new land use designation created at the time of adoption of Plan 2040. The UC designation is focused on intensifying uses in relation to the multi-modal corridor along Lincoln Way. This includes primarily commercial uses and secondarily housing as mixed-use development. Other interests are also described for enhancements to the Lincoln Way corridor (*See Attachment C - Plan 2040 Excerpt*).

There are two main barriers under the UC designation to developing the site as requested by RES:

1. **As a new designation, UC does not have a direct implementing zoning district.** This issue is similar to the Campus Garage rezoning request of 2023 where City Council determined that NC (neighborhood commercial) could be an implementing zone of UC for that site when no zone was specified. Although, NC could be applied to the site, the applicant does not desire to do commercial development and residential uses as allowed within NC and requests direction on other options for rezoning to residential.

2. **While the UC District contemplates medium- and high-density housing as part of a mixed-use development, it does not directly address medium- and high-density housing development as a standalone development without a commercial component.** The developer believes the designation's intent supports not only mixed-use, but in appropriate areas, higher density housing options. If City Council concurred, they could allow for a rezoning application. If they did not concur, the applicant would need a Plan 2040 land use designation amendment and a rezoning to do standalone residential.

### **Options**

The site in question was once the subject of a request to designate it as commercial for construction of an office building. This was one of the reasons the site along with abutting properties were designated UC within Ames Plan 2040.

The current owner does not believe standalone commercial is viable at the site due to no Lincoln Way frontage, site topography, and limited access to right in and right out from North Dakota.

In response to the developer request for residential development and related policies of Plan 2040, staff has prepared the following options for Council consideration:

#### **Option 1 - Interpret that medium-density housing with a Master Plan can be consistent with UC and initiate a rezoning to RM and PUD Overlay.**

To directly allow for the rezoning request, City Council would need to interpret an appropriate corresponding zoning district for Plan 2040's UC designation.

In this case, the RM District would allow the desired townhome project along with a PUD Overlay. **A specific development guideline of UC that may provide a basis for the interpretation that RM is an implementing district is "incorporate medium- and high-density residential use on underused sites, unnecessary parking areas, and gaps along corridors, including Lincoln Way."** The RM District would likely yield the densities envisioned for the UC designation.

**Although the site is under the PUD Overlay typical 2-acre minimum size threshold, a PUD Overlay can be established for the site if initiated by the City Council in response to when environmentally sensitive areas are present. Given the site's steep slopes and proximity to Clear Creek, Plan 2040 designates a portion of the site as Open Space. Staff believes it would meet this acreage exception.**

Staff believes Planned Unit Development (PUD) Overlay Zone with a Master Plan would be necessary as part of a rezoning to RM to govern any future site plan layout for parking, circulation, landscaping, and other site design features to ensure there is appropriate interface with the street and the development meets the goals for the UC designation and for high-quality infill development.

#### **Option 2 - Initiate a change of land use designation to RN-3 with a concurrent rezoning to RM and PUD Overlay, since UC is primarily intended for mixed-use and commercial development.**

If standalone residential is not determined to be allowed in UC, the applicant desires to still pursue medium density development. **If City Council supports residential through a land use change, RN-3 would be appropriate given the request and the existing conditions.** A land use amendment could be initiated

concurrently with the rezoning to RM. With this process, staff would recommend Council also initiate a rezoning to the PUD Overlay Zone to address the same issues identified under Option 1.

**Option 3 - Direct staff to write an implementing zoning district for UC that addresses standards for mixed-use, commercial, and stand-alone housing development.**

This is an implementation step of Plan 2040 and is necessary to support the goals of the UC designation long-term. If Council does not elect for Option 3, the implementing zone will be addressed as part of the comprehensive Zoning Ordinance update staff will begin work on this fall. Completion would likely be in the spring of 2026.

**Option 4 - Take no action with a preference for commercial or mixed-use on the site.**

If Council takes no action to change the site to a residential zoning district, the site would likely need to be rezoned to a commercial zoning district to implement the priorities of the UC designation for commercial development. residential as a mixed-use component. It would likely delay the development of the site until such time adjacent properties are also developed, making commercial or mixed-use development a viable option.

**Staff Comments**

**Staff believes that the site has limited potential for general commercial use as a standalone site due to its frontage limitations.** The original commercial request was to consider use of multiple sites and development was, in part, to be tailored to a specific user for the North Dakota site. Taking no action (Option 4) to facilitate the proposed residential infill development would be City Council's response to the request, because of a preference for a larger redevelopment project that includes commercial development as originally proposed before Plan 2040.

**In regard to residential only development Options (1,2, or 3), staff agrees the North Dakota frontage developed for townhomes with PUD Overlay can be consistent with general infill goals and the intent of the UC designation. Therefore, staff recommends that City Council direct staff to put this item on the a future agenda to discuss the policy of allowing for residential zoning to move forward to the site. Of the three options, staff finds all three to be viable for this situation. Choosing Option 1 would be the most expedient option to move forward if Council determines it is consistent with UC designation's purpose.**

## Attachment A- Request

Schoeneman, Amelia

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**From:** Luke Jensen <luke@resgi.com>  
**Sent:** Monday, May 13, 2024 12:54 PM  
**To:** City Council and Mayor  
**Cc:** Schoeneman, Amelia; Schainker, Steve; Diekmann, Kelly  
**Subject:** Referral Request - 113 N. Dakota

[External Email]

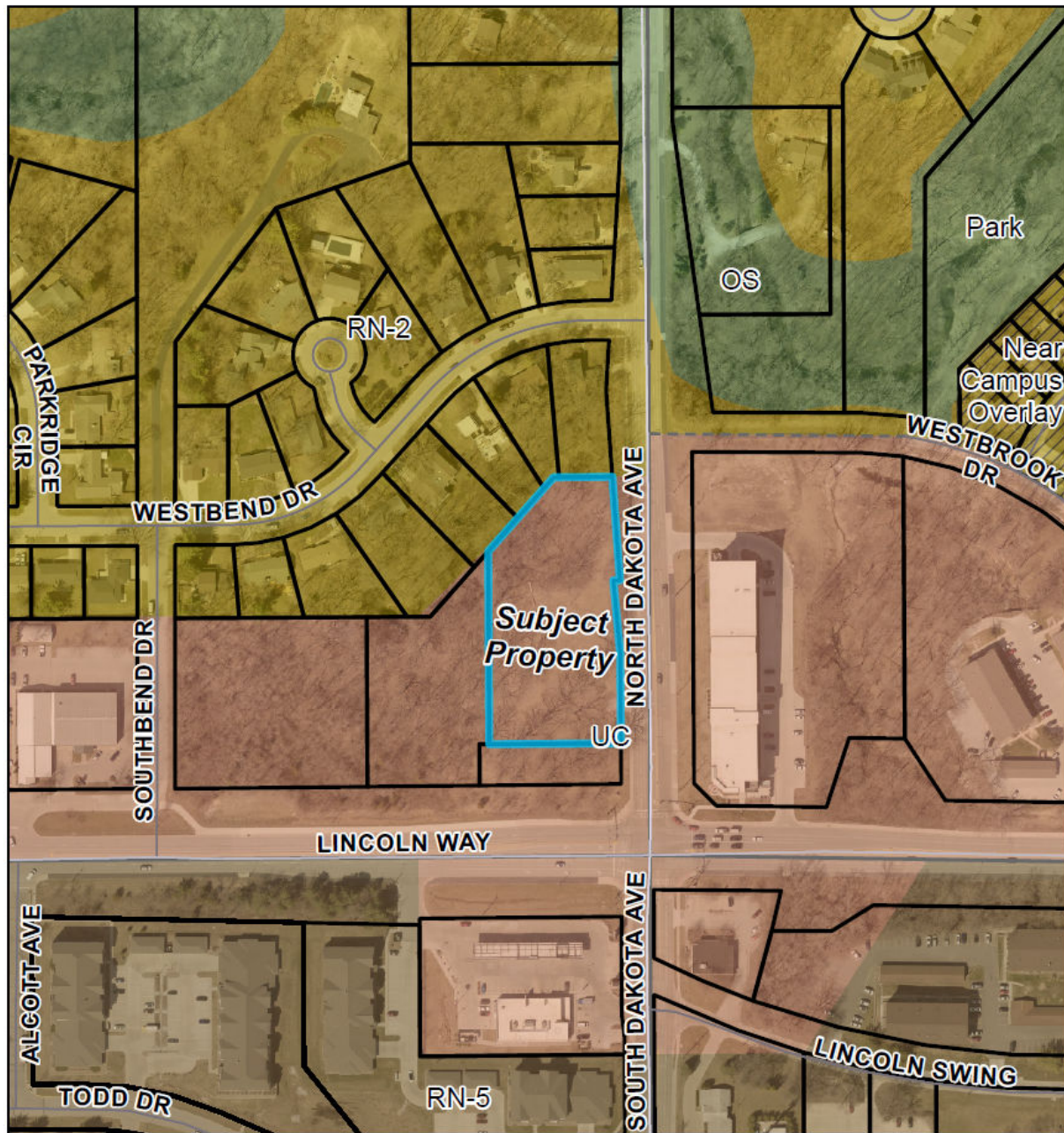
Mayor and City Council,  
RES Development recently acquired 113 N. Dakota (NW Corner of Lincoln Way and North Dakota). The property's future land use is in the new Urban Corridor Designation according to Ames Plan 2040. I want to develop a residential medium density infill project on this site. In working with staff on preliminary concepts, they directed me to request a referral to layout possibilities to allow residential use in the Urban Corridor designation for your consideration. I kindly ask you to refer this letter to staff for a report/memo so we have direction on how to best move forward.  
Thank you in advance,  
Luke

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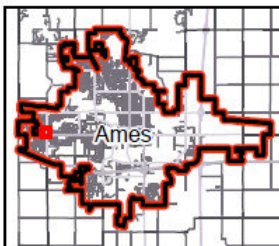


**LUKE JENSEN, CCIM**  
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*Licensed Real Estate Broker in the State of Iowa*

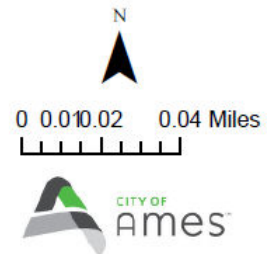
# Attachment B- Ames Plan 2040 Future Land Use Map Excerpt and Location Map



## Ames Plan 2040 Future Land Use Map



- Legend**
- ▬ Parcels
  - Future Land Use
    - Residential
    - Neighborhood 2 - Established (RN-2)
    - Residential
    - Neighborhood 5 - Multi-family (RN-5)
  - Urban Corridor
  - Park/Recreation
  - Open Space
  - Near Campus Overlay





## Attachment C - Ames Plan 2040 (excerpt)

### Urban Corridor Policy Table

## LAND USE: CATEGORIES

### Urban Corridor

- » Major strategic arterial corridors, initially on Lincoln Way but potentially extending to avenues, mixed-use avenues, boulevards, and thoroughfares.
- » Connect regional, community, and neighborhood mixed-use nodes.
- » Auto-dominated public environment and typical development pattern, emphasizing visible parking and road access. Typically include CyRide service.

- » Potential for denser redevelopment with more efficient site design, reuse of unnecessary parking, infilling of left-over sites.
- » Dominant commercial uses but may include residential and sometimes maker and service uses. Older lower-density residential can be in poor condition.
- » Different community roles and business mixes, with high public visibility.

#### APPLICABLE EXISTING ZONING CATEGORIES

- » O-LMU Lincoln Way Mixed Use Overlay District as a pattern for other corridors

#### GOALS

- » Increase diversity of uses along major corridors and recognize their potential as mixed-use urban districts.
- » Encourage positive evolution of corridors through application of Corridor Urbanism principles: respect for past development patterns and existing businesses; increasing the number of people living along appropriate corridors; capitalizing on opportunities presented by oversized parking lots, vacancies, and underused sites; improving transportation function for all modes; and enhancing the street environment.
- » Increase connectivity and improve accommodation for active transportation modes along major streets.



#### DEVELOPMENT GUIDELINES

- » Manage street access and increase parking efficiency by consolidating access points, interconnecting parking lots, and sharing common access points.
- » Incorporate medium- and high-density residential use on underused sites, unnecessary parking areas, and gaps along corridors, including Lincoln Way.
- » Re-purpose aging and outdated buildings.
- » May require specific development plans that establish intensity and density ranges for different contexts.
- » Improve pedestrian connections from public domain to business entrances.

#### PUBLIC ACTIONS

- » Complete corridor development plans using the Lincoln Way model for other candidate corridors. Re-evaluate parking requirements and design standards.
- » Create a new mixed-use urban corridor zoning base or overlay district, reflecting permitted uses and revised standards.
- » Improve accommodations for transit users on key routes, with shelters/stations, arrival information, bicycle parking, and other amenities.
- » Reinvest in the public street environment. Organize corridors increasingly as "districts" with common theming, promotion, and maintenance.
- » Consider development incentives for development projects consistent with specific corridor plans.