

ITEM #:	<u>46</u>
DATE:	<u>05-26-26</u>
DEPT:	<u>P&H</u>

COUNCIL ACTION FORM

SUBJECT: HEARING ON REZONING OF THE PARCEL AT 5120 TABOR DRIVE FROM A (AGRICULTURAL) AND FS-RL (FLOATING SUBURBAN - RESIDENTIAL LOW DENSITY) TO FS-RL (FLOATING SUBURBAN - RESIDENTIAL LOW DENSITY) WITH A MASTER PLAN

BACKGROUND:

The proposed rezoning is for a 1.95-acre parcel, addressed as 5120 Tabor Drive (Attachment A). The property is currently zoned "A" (Agricultural) (Attachment B); the requested zoning is "FS-RL" (Floating Suburban – Residential Low Density) (Attachment C). **The parcel, currently platted as an outlot of Sunset Ridge Subdivision, 12th Addition, was created in December of 2024 with the subdivision that created the Lutheran Church of Hope property immediately to the south. The property has never been developed.**

A small portion of the property to the west is already zoned FS-RL. This sliver was previously part of an outlot for Sunset Ridge that was incorporated into the Lutheran Church of Hope property when it was platted in 2024. The remaining area is Agricultural zoning as the default zoning district of the City for land when it is first annexed to the City.

The site has two different land conditions. The western half is open area with long grass. The east half is not open and includes trees. Open area and a pond is located to the south of the site on the Church of Hope's property. Across the street from the site, to the north, are single-family detached homes within FS-RL zoning, built within the Sunset Ridge Subdivision.

The zoning request is accompanied by a Master Plan (Attachment D), a discretionary component of an application for FS-RL zoning. The Master Plan designates the entirety of the property as residential and for use as detached single-family dwellings. Total units are described between 7-9 units for the property, which is within the estimated allowed range of 7-19 units.

The minimum density of the site will be subject to review with a future subdivision plat where open space and frontage is analyzed, but the maximum density (9 units) will be set by the Master Plan regardless.

The FS-RL zoning requires that 10% of the development be set aside for usable common open space. The Master Plan does not indicate any open space set asides at this time. The required Open Space set-aside will be determined with a future subdivision plat if it is not designated with the Master Plan.

Since the rezoning application was filed, the developer has indicated that he has been in contact with the Sunset Ridge HOA and intends to join and become part of the larger Sunset Ridge Subdivision. If this occurs, the need for 10% open space would be satisfied within the

larger neighborhood which has sufficient land to accommodate additional open space requirements with additional development. Without joining the Sunset Ridge HOA, the development would have been required to provide 10% common usable open space on-site. If the common open space requirement can be met by taking advantage of the neighboring HOA common open space, the 10% will not be required on the 1.95 acres of this development.

Ames Plan 2040, the City's comprehensive plan, designates the property as "Residential Neighborhood 3: Expansion" (RN-3) (Attachment E). This category is intended for new, greenfield development in undeveloped areas. Applicable zoning categories for RN-3 include the proposed "FS-RL". FS-RL zoning allows for detached, single-family development.

City water, sanitary sewer, and storm sewer already serve this site extending from the right-of-way of Tabor Drive. Access to the property is from Tabor Drive. Drainage for the property is accounted for in the storm water management plan of the Lutheran Church of Hope property to the south and no additional on-site stormwater retention or detention is required.

PUBLIC OUTREACH:

Notice of the rezoning request was sent to property owners within 400 feet and posted on the site.

PLANNING & ZONING COMMISSION:

The Planning and Zoning Commission met on May 6, 2026 to consider the rezoning request.

One neighbor along Tabor, Jonathan Claussen, spoke against the rezoning at the meeting voicing a concern about the environmental conditions and the desire for open space in the area. Prior to the meeting, staff received four responses from neighboring properties within 400 feet of the subject parcel (Attachment H). Three of the responses were opposed to the rezoning, including Mr. Claussen's, and one response from the original owner that was in favor.

At the meeting there was discussion of the conditions of the site and open space requirements. One point of contention was the pond on the Lutheran Church of Hope property and a potential wetland to the south that the neighbor believed could be impacted by the development. The area was previously studied (November of 2024) at the time of development of the Hope property.

A small wetland area along the northeast bank of the pond was identified at that time. The conclusion of the report was that it was likely not a US Army Corps jurisdictional wetland since the pond was man made. The Addendum includes more specific information.

No disturbance of the area was proposed by Hope and it is included in an Open Space area designation with their rezoning Master Plan. Staff noted that at this time, there is no proposal that impacts the pond or wetland conditions on the Hope property, even though storm water is planned to be treated and detained on the Hope property.

The Commission voted 6-0-0 to recommend that Council approve the request to rezone the subject property from "A" and "FS-RL" to "FS-RL" with a Master Plan.

ALTERNATIVES:

1. The City Council may approve on first reading the request to rezone the property at 5120 Tabor Drive from "A" (Agricultural) and "FS-RL" (Floating Suburban - Residential Low Density) to "FS-RL" (Floating Suburban - Residential Low Density) with a Master Plan, subject to updates to the Master Plan noting review of future open space and minimum density requirements and zoning agreement prior to third reading.
2. The City Council may approve the first reading of the request to rezone the property at 5120 Tabor Drive from "A" (Agricultural) and "FS-RL" (Floating Suburban - Residential Low Density) to "FS-RL" (Floating Suburban - Residential Low Density) with a modified Master Plan.
3. The City Council may deny the first reading of the request to rezone the property at 5120 Tabor Drive from "A" (Agricultural) and "FS-RL" (Floating Suburban - Residential Low Density) to "FS-RL" (Floating Suburban - Residential Low Density with a Master Plan.

CITY MANAGER'S RECOMMENDED ACTION:

The request for rezoning is consistent with the adopted *Ames Plan 2040* as described in the Addendum. City staff believes the site can be developed for residential use if it is rezoned as "FS-RL".

Infrastructure improvements will be detailed with a future subdivision approval for development of the site. There are no impacts on infrastructure and City services and the proposed level of development is consistent with what has been anticipated for development in this area.

The Zoning Ordinance does require that FS-RL rezoning application have a developer submit a Master Plan with the application or request a waiver of the requirement. Typically, developments are much larger and less precise than this request and a Master Plan is needed to provide some definition of expectations for future development.

The proposed Master Plan, although no open space is shown, can be found to be consistent with Code requirements about designating the area proposed for development and can be approved with the updated notes that minimum density and open space set asides will be addressed with subdivision review. A rezoning master plan agreement would be required prior to third reading. Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1.

ATTACHMENT(S):

[Addendum.pdf](#)

[Attachment A - Location Map.pdf](#)

[Attachment B - Existing Zoning.pdf](#)

[Attachment C - Proposed Zoning.pdf](#)

[Attachment D - Proposed Master Plan.pdf](#)

[Attachment E - Future Land Use Map.pdf](#)

[Attachment F - Wetlands.pdf](#)

[Attachment G - Supplement.pdf](#)

[Attachment H - Responses from Nearby Property Owners.pdf](#)

