

ITEM #: 6  
DATE: 04-22-13

### COMMISSION ACTION FORM

**DATE PREPARED:** April 22, 2013

**REQUEST:** Rezone land from "S-GA" (Government/Airport) to "UCRM" (Urban Core Residential Medium Density).

**PROPERTY OWNER:** Ames Community School District  
415 Stanton Avenue  
Ames, Iowa 50014

**APPLICANT:** Ames Community Preschool Center  
611 Clark Avenue  
Ames, Iowa 50010

**LOCATION:** 920 Carroll Avenue  
(*See Attachment A*)

**ACREAGE:** 2.53 acres

**FUTURE LAND USE DESIGNATION:** One- & Two-Family Medium Density Residential  
(*See Attachment B*)

### **BACKGROUND INFORMATION:**

On April 4, 2013, the Ames Community Preschool Center (applicant) submitted a completed application requesting a rezoning of the property located at 920 Carroll Avenue from Government/Airport to Urban Core Residential Medium Density. The current zoning is shown in Attachment C. If approved, the zoning map would be as shown in Attachment D. The applicant is in the process of purchasing the land from the Ames Community School District and is seeking the required approval of the rezoning and subsequent approval of a Special Use Permit to use the subject property as the new home of the Ames Community Preschool Center.

**Land Use Designation/Zoning.** The LUPP designation is One- and Two-Family Medium Density Residential. The proposed rezoning is consistent with that designation. The following tables provide the future land use designation and zoning of the subject property and other surrounding properties.

<b>Direction from Subject Property</b>	<b>LUPP Map Designation</b>	<b>Zoning Map Designation</b>
Subject Property	One & Two Family Medium Density Residential	"S-GA" (Government/Airport)
North	One & Two Family Medium Density Residential	"UCRM" (Urban Core Residential Medium Density)
East	One & Two Family Medium Density Residential	"UCRM" (Urban Core Residential Medium Density)
South	One & Two Family Medium Density Residential	"UCRM" (Urban Core Residential Medium Density)
West	One & Two Family Medium Density Residential	"UCRM" (Urban Core Residential Medium Density)

**Existing Land Use.** 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/ Ownership of Properties</b>
Subject Property	Ames Community School District
North	Single-Family Homes/ Individual Home Owners
East	Single-Family Homes/ Individual Home Owners
South	Single-Family Homes/ Individual Home Owners
West	Single-Family Homes/ Individual Home Owners

**Infrastructure.** The subject area is already a developed lot and served by all City infrastructure. Public utility mains and streets are immediately adjacent to the subject property with infrastructure to serve the site.

**Access.** The present configuration of the subject property's parking lot and access drive allows for access to the west onto Carroll Avenue.

**Impacts.** The applicant intends to use the subject property as a childcare center. This use is allowed under the requested zoning change with the approval of a Special Use Permit by the Zoning Board of Adjustment. Information supplied by the applicant indicates that the access drive in front of the building will be used for drop offs and pick-ups of children on weekdays. A food delivery truck will make drop offs once per week. Specific impacts of this proposed use will be more specifically addressed at the public hearing by the Zoning Board of Adjustment at a date yet to be determined. Notices will be provided to neighbors prior to that meeting.

**Goals of the Land Use Policy Plan (LUPP).** Several of the ten goal statements of the LUPP speak indirectly to this request for rezoning. However, Goal No. 5 seems to address the rezoning proposal most directly since it states that “it is the goal of Ames to establish a cost-effective and efficient growth pattern for development in new areas and in a limited number of existing areas for intensification.” Objective 5.C.states: “Ames seeks continuance of development in emerging and infill areas where there is existing public infrastructure and where capacity permits.” The plans for this site already have the necessary infrastructure in place and will reuse the building mostly as is.

**Applicable Laws and Policies.** The City of Ames laws and policies that are applicable to this proposed rezoning are included in ***Attachment E***.

**Applicant’s Statements.** The applicant has provided an explanation of the reasons for the rezoning (***see Attachment F***).

**Findings of Fact.** Based upon an analysis of the proposed rezoning and laws pertinent to the applicant’s request, staff makes the following findings of fact:

1. Ames *Municipal Code Section 29.1507(2)* allows owners of 50 percent or more of the area of the lots in any district desired for rezoning to file an application requesting that the City Council rezone the property. The property represented by the applicant is entirely under one ownership representing 100 percent of the property requested for rezoning.
2. The subject property has been designated on the Land Use Policy Plan (LUPP) Future Land Use Map as “One- & Two-Family Medium-Density Residential.”
3. The “One- and Two-Family Residential Medium Density” land use designation supports the “UCRM” (Urban Core Residential Medium Density) zoning designation. Under a “UCRM” zoning designation, a child day care facility is allowed with the approval of a Special Use Permit, which is what the applicant will request upon approval of a rezoning.

**Public Notice.** Notice was mailed to property owners within 200 feet of the rezoning area and a sign was posted on the subject property. As of this writing, no comments have been received.

**Conclusions.** Based upon the analysis in this report, staff concludes that the proposed rezoning of the subject property is consistent with the Future Land Use Map, as well as the Goals and Objectives of the City of Ames Land Use Policy Plan. Staff believes the rezoning of the subject land would be a logical extension of the “UCRM” (Urban Core Residential Medium Density) zoning surrounding this site.

### **ALTERNATIVES:**

1. The Planning and Zoning Commission can recommend that the City Council approve the request for rezoning of land located at 920 Carroll Avenue from "S-GA" (Government/Airport) to "UCRM" (Urban Core Residential Medium Density).
2. The Planning and Zoning Commission can recommend that the City Council deny the request for rezoning of land located at 920 Carroll Avenue from "S-GA" (Government/Airport) to "UCRM" (Urban Core Residential Medium Density).
3. The Planning and Zoning Commission can defer action on this request and refer it back to City staff and/or the applicant for additional information.

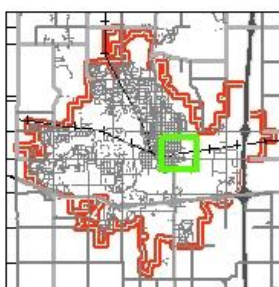
### **RECOMMENDED ACTION:**

Staff has reviewed the proposed rezoning and finds that the proposed zoning change to Urban Core Medium-Density Residential is consistent with the One- & Two-Family Medium Density Residential designation of the Land Use Policy Plan. Further, there are no outstanding issues of utilities, traffic, or access that would preclude the use of this site for uses allowed in the district. Any specific impacts of the proposed development would be examined during the review of the Special Use Permit.

Therefore, it is the recommendation of the Department of Planning and Housing that the Planning and Zoning Commission act in accordance with Alternative #1, which is to recommend to the City Council approval of the request for rezoning of land located at 920 Carroll Avenue from "S-GA" (Government/Airport) to "UCRM" (Urban Core Residential Medium Density) with the noted conditions.

# Attachment A

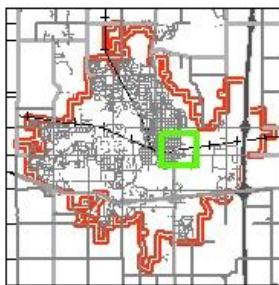
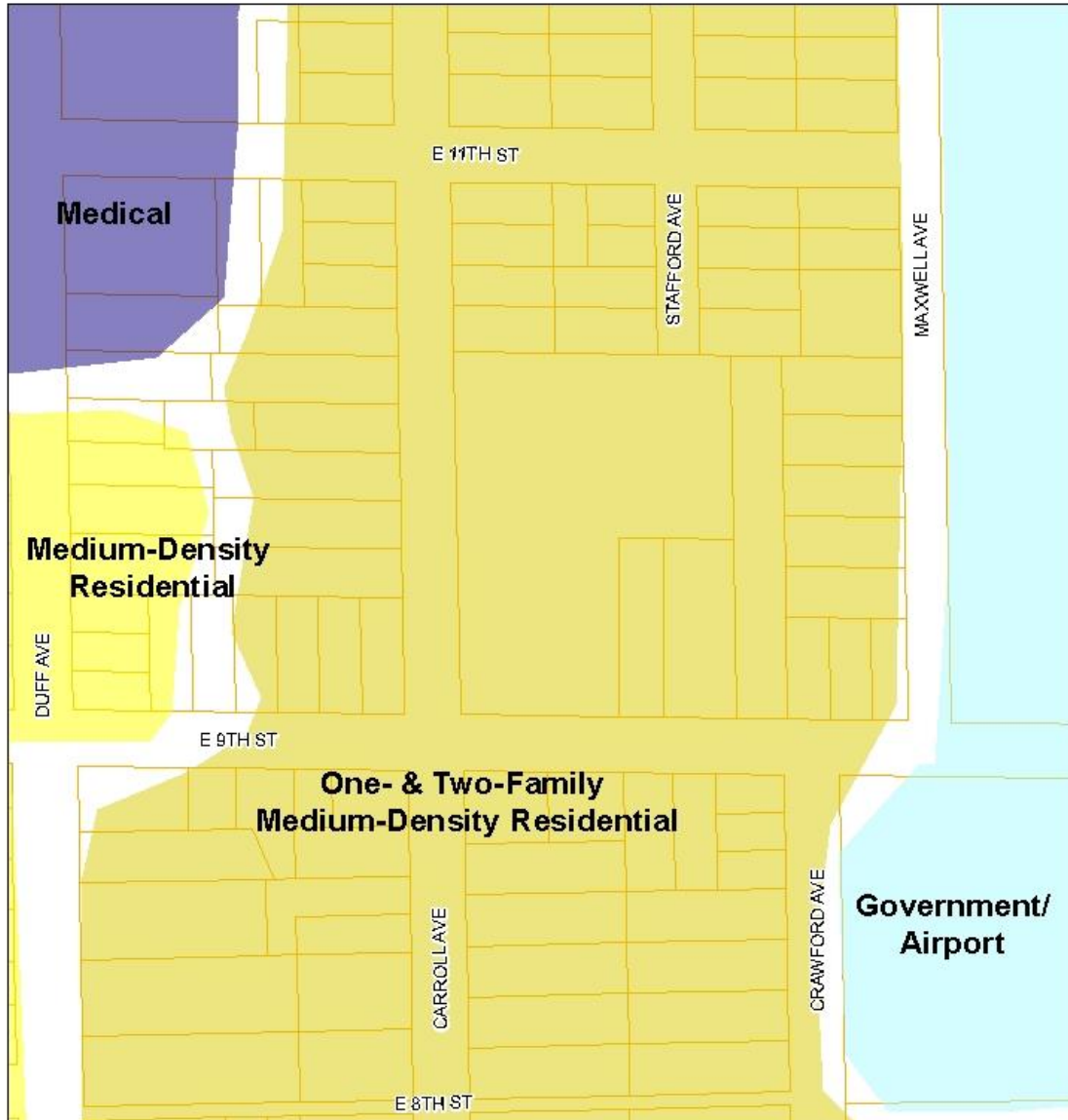
*Location Map*



Location Map

## Attachment B

### LUPP Future Land Use Map

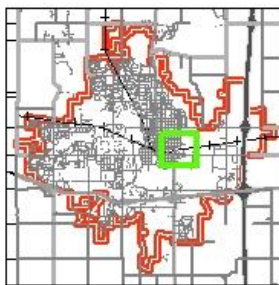
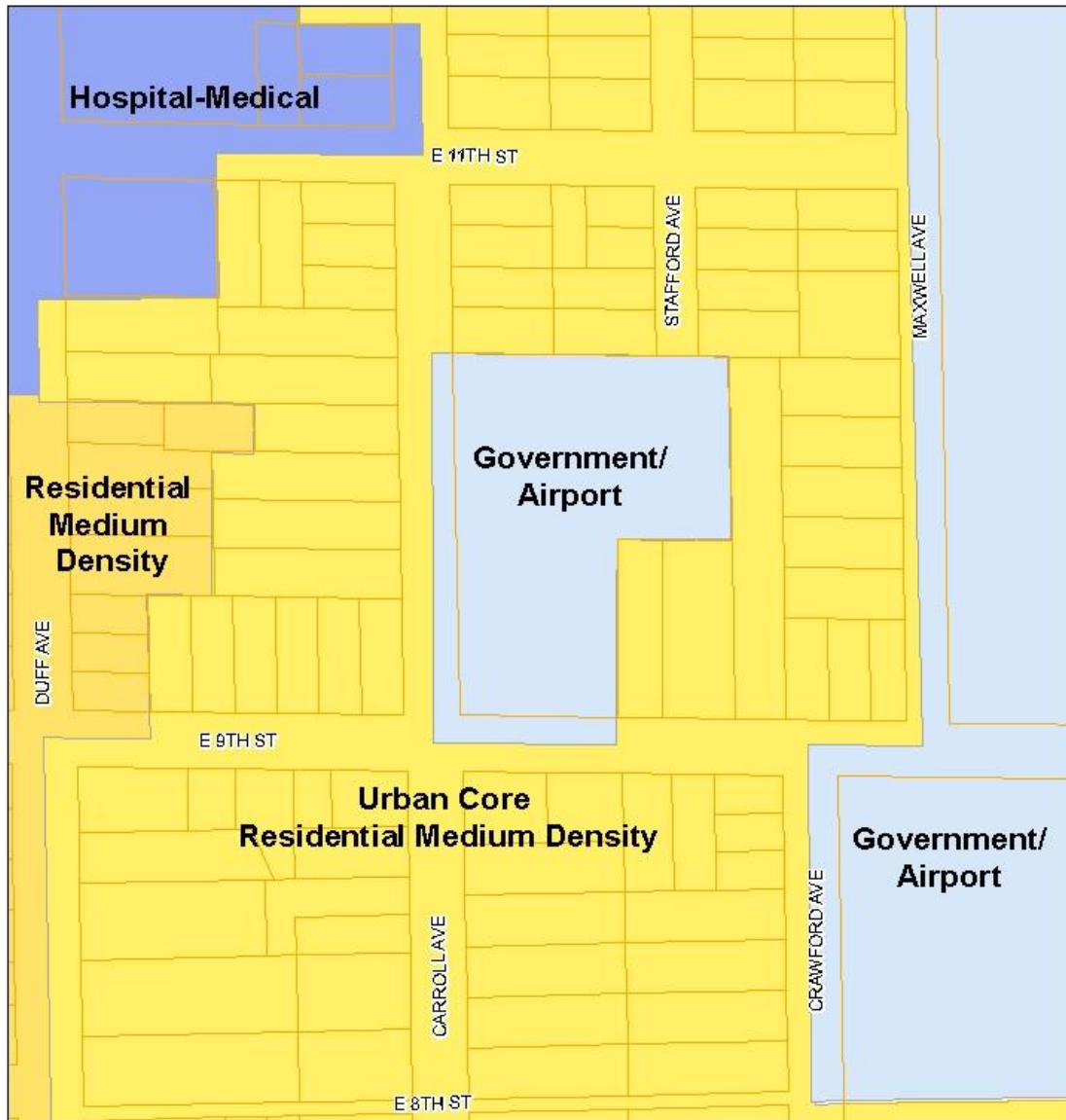


### Land Use Policy Plan Map



# Attachment C

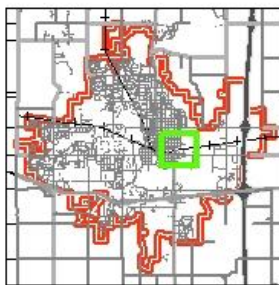
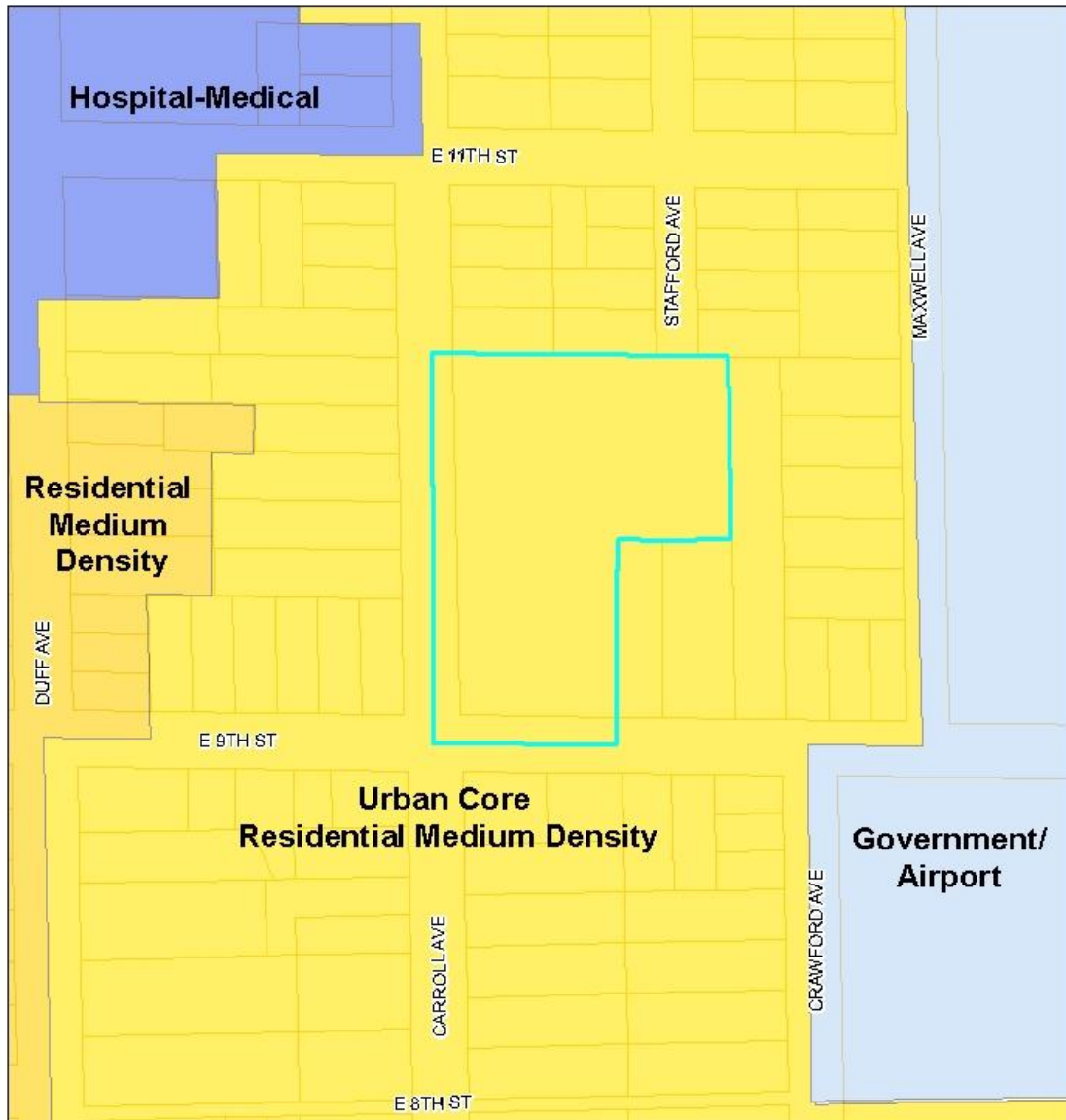
## Existing Zoning



Existing Zoning

## Attachment D

### *Proposed Zoning*



## Proposed Zoning



## **Attachment E**

### ***Applicable Laws and Policies***

The laws applicable to the proposed rezoning at 920 Carroll Avenue are as follows:

- Land Use Policy Plan (LUPP) Goals, Policies and the Future Land Use Map:

The Land Use Policy Plan (LUPP) Future Land Use Map identifies the land use designations for the property proposed for rezoning.

- Ames *Municipal Code* Chapter 29, Section 1507, Zoning Text and Map Amendments ,includes requirements for owners of land to submit a petition for amendment, a provision to allow the City Council to impose conditions on map amendments, provisions for notice to the public, and time limits for the processing of rezoning proposals.
- Ames *Municipal Code* Chapter 29, Section 703, Urban Core Residential Medium Density, includes a list of uses that are permitted in the Urban Core Residential Medium Density (RL) zoning district and the zone development standards that apply to properties in that zone.

# **Attachment F**

## ***Applicant's Statement***

**Ames Community Preschool Center  
611 Clark Avenue  
Ames, IA 50010  
515-233-2901**

April 4, 2013

### **Reasons for Rezoning**

Ames Community Preschool Center (ACPC) has purchased the former Willson-Beardshear School Building, located at 920 Carroll Avenue, Ames, Iowa. The closing date for the transaction is June 1. The building is currently zoned S-GA since it was used as a school building for many years. ACPC is a private non-profit agency which cannot operate with that zoning designation.

### **Land Use Policy Plan Consistency**

The Land Use Policy Plan was instituted with the building being used as an Early Childhood Center. ACPC will continue the building use as an early childhood center.

### **Current Zoning**

The Willson-Beardshear building is currently zoned S-GA.

### **Proposed Zoning**

We are asking for the zoning to be the same designation as the rest of the neighborhood—UCRM.

### **Proposed Use**

ACPC is a licensed nonprofit childcare center. We will provide childcare services for 100+ children in the building. We are also submitting a Special Use Permit to the Zoning Board of Adjustment to operate the childcare center.

### **Legal Description**

Doolittles Add, N211.1 Lot 9 Blk 1 & Pt Lt 10 W1/2 NE  
Sec 2 & Vac St, Ames, Story County , Iowa

### **Land Area**

2.53 acres