

ITEM #: 7a&b  
DATE: 11-06-13

## COMMISSION ACTION FORM

**REQUEST:** Rezone from A-Agriculture to FS-RL Residential (north portion) and FS-RM (south portion) with a Master Plan and Preliminary Plat for two-lot subdivision to allow the development of a church and a senior living facility

### **BACKGROUND INFORMATION:**

Heartland Baptist Church owns 33.67 acres of land bounded by Stange Road, Bloomington Road, and George Washington Carver Avenue (shown on Attachment A). The site is zoned A-Agriculture and has been used for row crops. Development surrounds it on all sides. The church seeks approval of a subdivision to create two lots. The church also seeks a rezoning of the northern lot (about 21 acres) to Suburban Low Density Residential (FS-RL) to allow for the future construction of their new church campus. CCRC of Ames is seeking a rezoning of the southern lot (12 acres) to Suburban Medium Density Residential (FS-RM) to allow the construction of a senior living facility. The senior living facility consists of independent living apartments, assisted living, and a skilled care unit. Future expansion plans will allow for a memory care unit or more independent living apartments. Subsequent to the rezoning of the site, both of the proposed church and senior living facility will need Special Use Permits following a public hearing and review by the Zoning Board of Adjustment.

It should be noted that the senior living facility developer is the same developer that had previously proposed the Athen property northwest of this site off of GW Carver Avenue for a site.

### **ALTERNATIVES:**

1. The Planning and Zoning Commission can recommend that the City Council approve the submitted master plan, the requests for rezoning from A-Agriculture to FS-RL Suburban Low Density Residential and FS-RM Suburban Medium Density Residential with master plan, and the requests for preliminary plat approval for the property addressed as 3333 Stange Road, all based upon staff's findings and conclusions as found in the addendum.
2. The Planning and Zoning Commission can recommend that the City Council deny the submitted master plan, the requests for rezoning from A-Agriculture to FS-RL Suburban Low Density Residential and FS-RM Suburban Medium Density Residential with master plan, and the requests for preliminary plat approval for the property addressed as 3333 Stange Road if the Commission finds that the City's regulations and policies are not met.
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:**

The proposed uses are a good fit for this larger undeveloped tract of land. Both uses envision a large campus that would provide spatial buffers from surrounding arterial streets and adjacent residential uses. More specific design review will need approval from the Zoning Board of Adjustment, but staff has seen and commented upon preliminary designs that are consistent with the proposed Master Plan.

With this proposal, the unfinished portion of Stange Road will be completed. The sidewalk and shared use path systems around this site will also be finished. Traffic demand for the proposed uses will be less than that initially anticipated for a full build out of single family homes. And traffic will be directed to GW Carver Avenue and Stange Road at appropriate locations.

**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 that the City Council approve the submitted master plan, the requests for rezoning from A-Agriculture to FS-RL Suburban Low Density Residential and FS-RM Suburban Medium Density Residential with master plan, and the requests for preliminary plat approval for the property addressed as 3333 Stange Road, all based upon staff's findings and conclusions as found in the addendum.**

## **ADDENDUM**

### **REZONING BACKGROUND:**

**Land Use Designation/Zoning.** The LUPP designation is Village/Suburban Residential. The proposed changes of zone to FS-RL and FS-RM are consistent with that designation. The LUPP designations of this and adjoining properties can be found in Attachment B.

**Existing Zoning.** The site is zoned A-Agriculture. A variety of zoning exists around its perimeter, including RL Low Density Residential, FS-RL Suburban Low Density Residential, FS-RM Suburban Medium Density Residential, F-VR Village, and CGS Community General Services. An excerpt of the zoning map can be found in Attachment C. The proposed rezoning is reflected in Attachment D.

**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</b>
Subject Property	Row cropping
North	Apartments; Retail (Fareway, Casey's)
East	Single-Family Homes (Taylor Glen)
South	Single-Family Homes (Somerset)
West	Single-Family Homes (Northridge)

**Master Plan.** The City Council, at the October 8, 2013 meeting, voted to require a master plan to accompany this rezoning. A master plan is intended to define the general range of uses and location of uses at the time a rezoning is proposed. Additionally, the major points of access and circulation are described to include one entrance from Stange Road and one entrance from GW Carver. The master plan (see Attachment E) shows two lots and the proposed uses for each lot. The north lot would be a church. The south lot would be a senior living facility as defined by the zoning code and include, using the terminology of the zoning ordinance, independent senior living facility, assisted living, and a nursing and convalescent home. A range of senior living types is shown:

Independent living ..... 35-45 units  
Assisted living..... 30-40 units  
Skilled care..... 30-40 units  
Memory care or independent living..... 50-60 units

The master plan will be used when applications are submitted for the Special Use Permits for each use. The proposed developments (church and senior living facility) will need to be consistent with the approved master plan.

**Applicant's Statements.** The applicant has provided an explanation of the reasons for the rezoning in 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 "Village/Suburban Residential."
3. The "Village/Suburban Residential" land use designation supports the "FS-RL Suburban Low Density Residential" and "FS-RM Medium Density Residential" zoning designations. Under a "FS-RL" zoning designation, a church is allowed with the approval of a Special Use Permit. Under a "FS-RM" zoning designation, senior housing, assisted living, and skilled care are allowed with the approval of a Special Use Permit.
4. Staff has determined that adequate public infrastructure exists to serve the site, including the proposed improvements for development of the site.

#### **SUBDIVISION BACKGROUND:**

The owner is proposing a subdivision of two lots. However, since public infrastructure must be installed, this division is classified as a major subdivision plat, requiring the preparation and submittal of a preliminary plat (see Attachment G).

The plat shows the following:

- The installation of a southbound lane on Stange Road
- The installation of an 8' shared use path on the west side of Stange Road
- The dedication of a right-of-way easement to accommodate a portion of the lot that lies within George Washington Carver Avenue.
- The installation of a 4' public sidewalk on the west side of the lots with the appropriate walkway easement (this is necessary due to the storm water ditch on the east side of GW Carver Avenue)
- The extension of an 8" public sanitary sewer main from Sheffield Avenue to serve the two lots, along with the appropriate easement
- A public utility easement along the three street frontages of the lot

No new public streets are proposed to serve these two lots. As has long been anticipated, an additional lane of Stange Road will be built. Sheffield Avenue, to the south, is stubbed to the subject property but has not been proposed to be extended into the site with the senior living facility.

Access to the north lot will be across from Dalton Street to the east. Access to the south lot will be across from Bayberry Road to the west. A technical memorandum was

prepared which verifies that the anticipated traffic from this use is not greater than that if it were developed as for single family lots.

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

1. The required infrastructure will be installed as a part of this preliminary plat. These include the southbound lane of Stange Road, an 8' shared use pat on the west side of Stange Road, the dedication of a right-of-way easement to accommodate a portion of G W Carver Avenue, a 4' sidewalk on the west side of the lots and an easement to accommodate it, a sanitary sewer to serve both proposed lots and an easement to accommodate it, and a public utility easement along all three street frontages.
2. Storm water detention will be reviewed as part of the site development plan to ensure that post development runoff rates do not exceed current runoff rates. Existing storm water facilities are sized to accommodate this development.
3. The City's Public Works Department has indicated that this site is or will be adequately served by utilities, infrastructure, and storm water management, and that the proposal will result in no adverse traffic impacts.
4. In order to ensure the construction of the improvements, the owner shall install them prior to submittal of a final subdivision plat or shall submit financial security along with an improvement agreement stating the time frame in which they shall be installed.

**Applicable Law.** Pertinent for the Planning and Zoning Commission is Sections 23.302(3) and 23.302(4) as described in Attachment H. Staff finds that the proposed subdivision complies with all relevant and applicable design and improvement standards of the Subdivision Regulations and, therefore, the concludes that Ames Municipal Code Section 23.302(3)(b) has been satisfied.

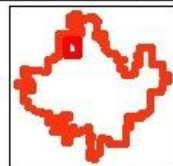
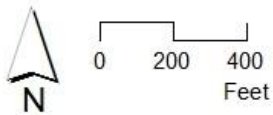
**Public Notice.** Notice was mailed to property owners within 200 feet of the subject site and a sign was posted on the subject property. As of this writing, no comments have been received. The applicant held a public meeting on October 8, 2013, but no members of the public attended the meeting.

**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 further believes that the proposed subdivision meets the Design and Improvement standards of the Ames Subdivision Regulations.



# Attachment A

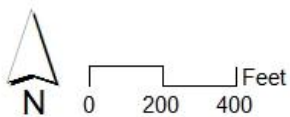
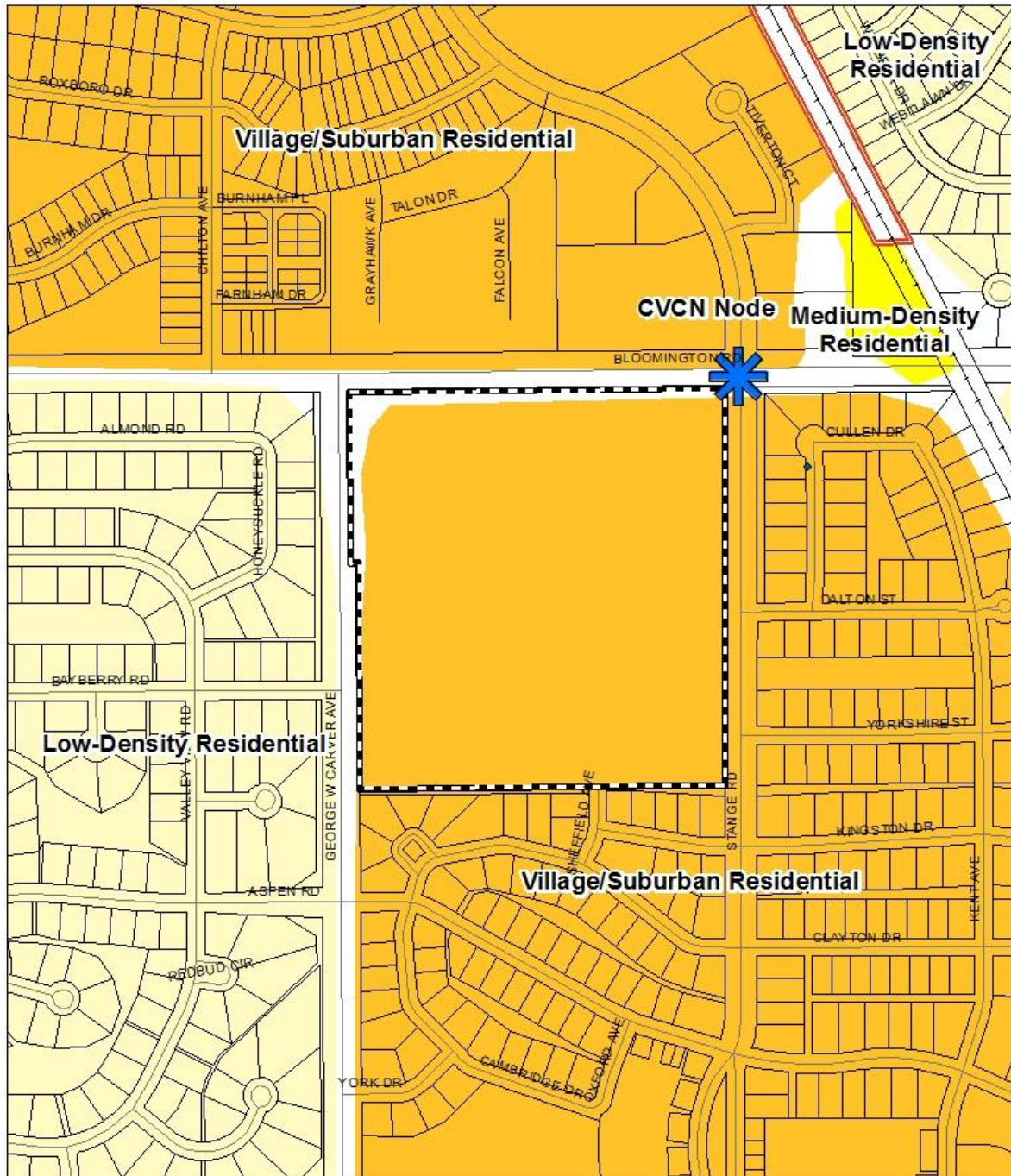
## Location Map



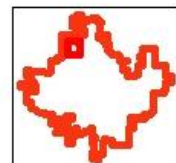


# Attachment B

## LUPP Future Land Use Map

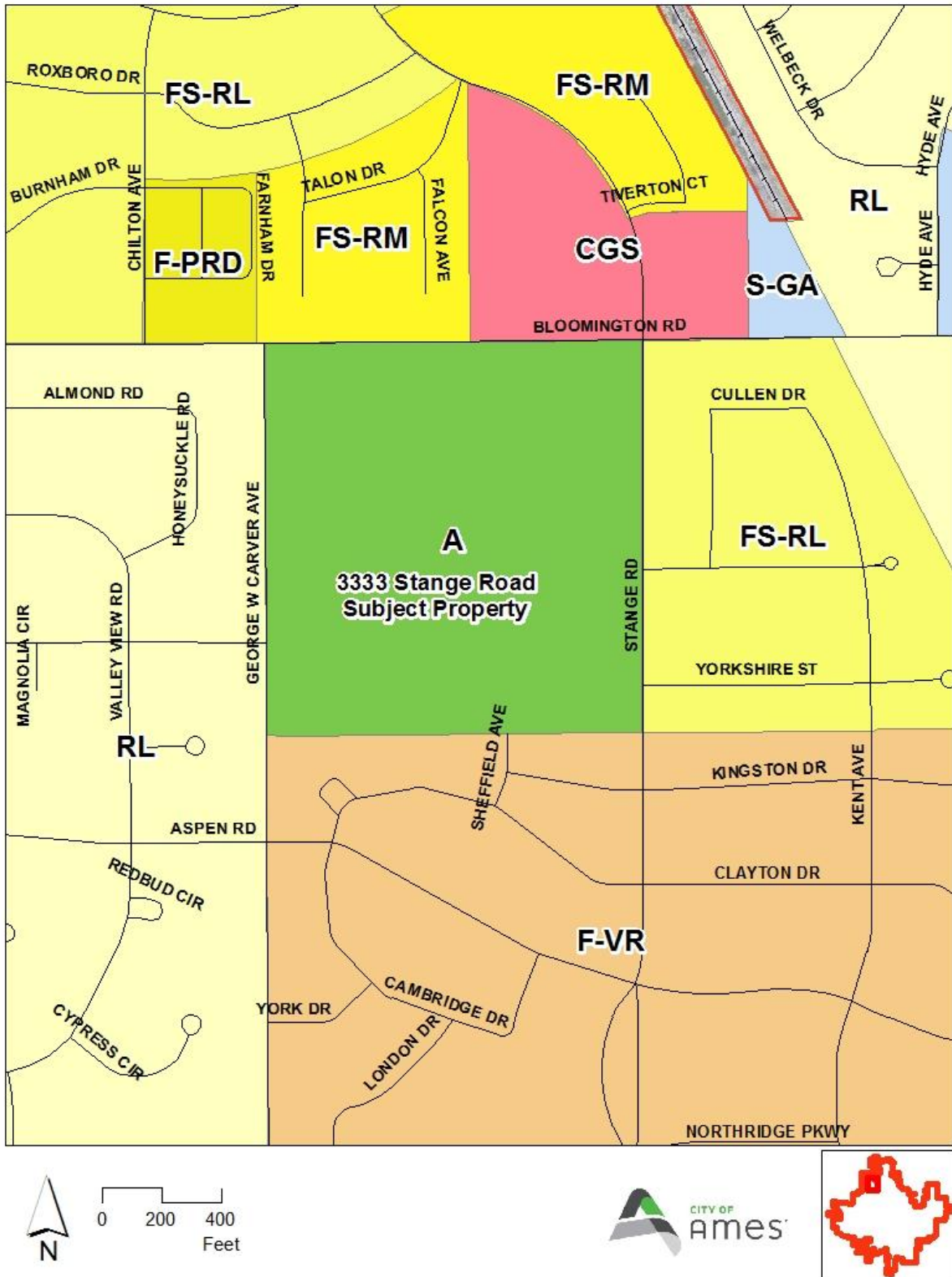


**Legend**  
[Dashed black border] Subject Site



# Attachment C

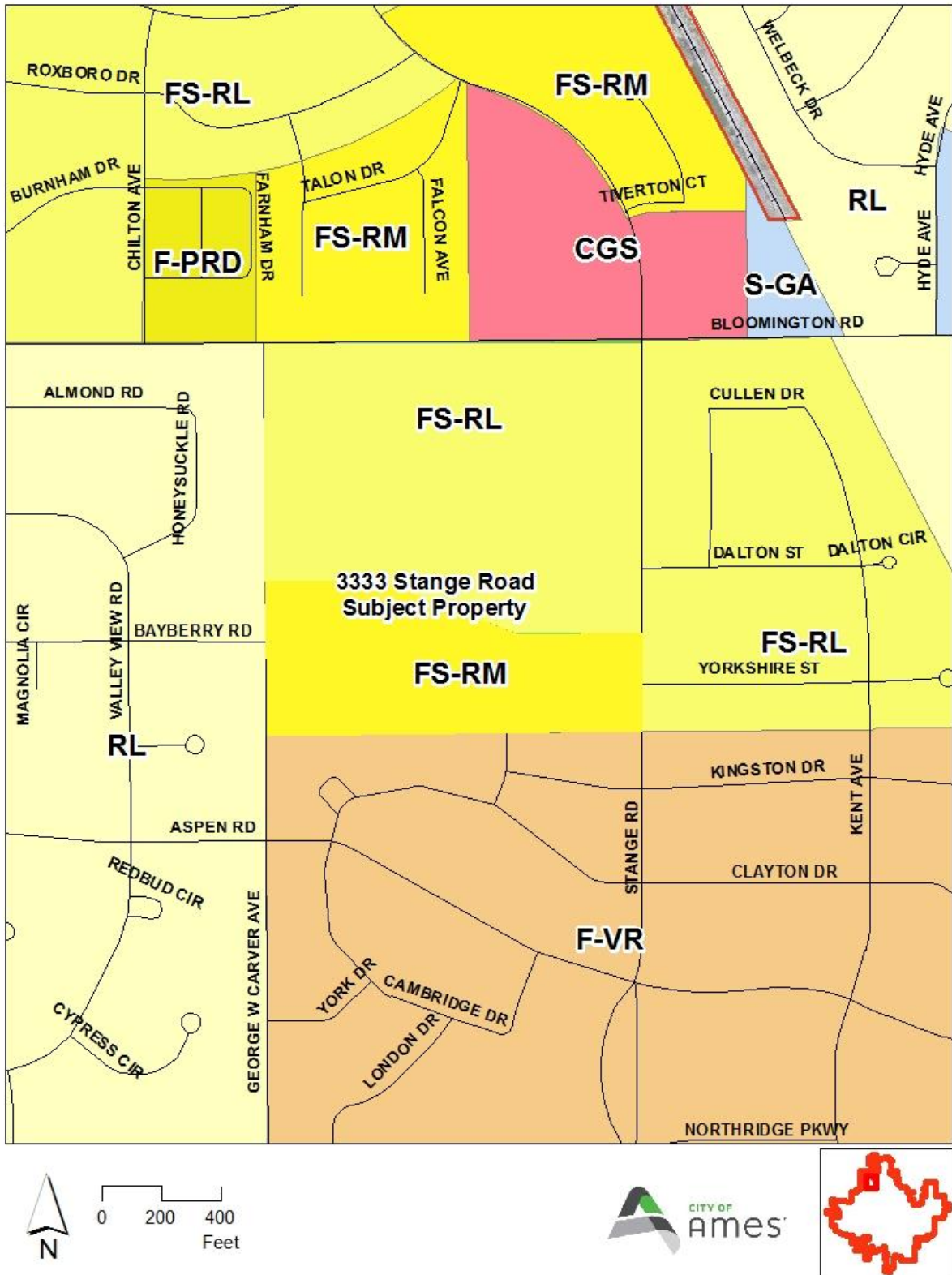
## Existing Zoning





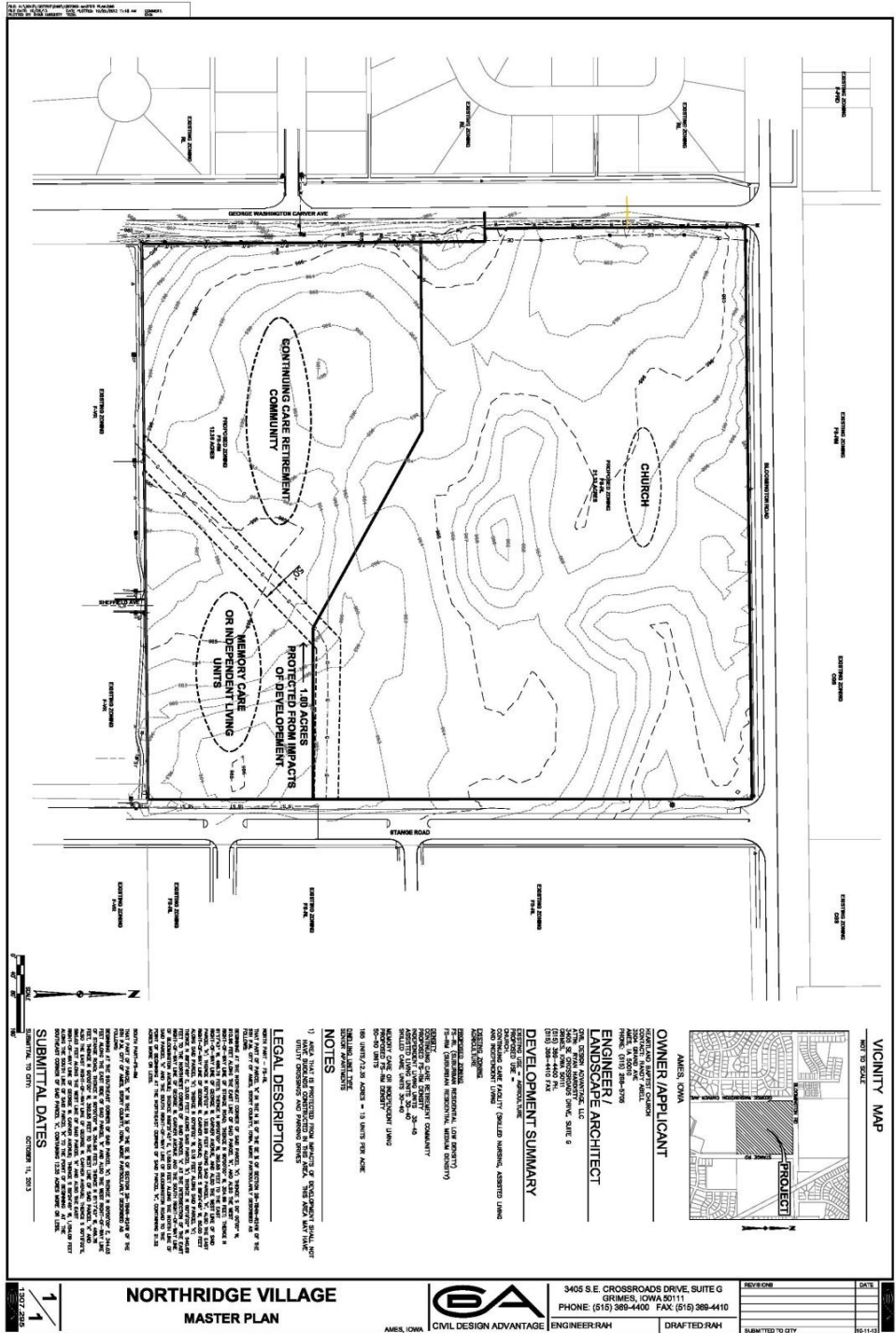
# Attachment D

## Proposed Zoning



# Attachment E

## Master Plan



# Attachment F

## Applicant's Statement

Effective Date: March 25, 2013

### Suburban Residential (F-S) Development

Supporting Information for Property Developed

According to the F-S Requirements

(This form must be filled out completely before your application will be accepted.)

Property that is developed according to the F-S requirements shall create a development pattern that adheres to the following development principles, as set forth in Section 29.1202(2) of the Zoning Ordinance, which are listed below:

(Note: The applicant's explanation of how the request meets each development principle may be attached on a separate sheet if sufficient space is not provided.)

#### 1. Development Principles.

- (a) ***A development pattern that contains generally distinct and homogeneous land uses to occur in the remaining in-fill areas and the targeted growth areas where Village Residential development is not selected by the property owner.***

Explain how the proposal meets this Development Principle.

The property is currently undeveloped and is surrounded by residential development to its south, east, and west. The proposed use is residential, which is homogenous with surrounding land uses.

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- (b) ***An economic and efficient subdivision design with respect to the provision of streets, utilities, and community facilities with limited focus on building and development design integration and a greater emphasis on vehicular mobility.***

Explain how the proposal meets this Development Principle.

The proposed use is a fairly low traffic volume generating use and will require minimal public utilities and community facilities, which are already in place. In addition, no additional public streets will be required.

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**(c) Effective landscaped buffers between distinctly different land uses.**

Explain how the proposal meets this Development Principle.

A 10' buffer is proposed along the south property line the abuts property zoned FS-RL in addition to a 3' to 5' berm which will provide even greater buffer between the different land

use to the south.

**(d) The provision of common open space in residential areas where the maintenance of the open space is the responsibility of those directly benefiting.**

Explain how the proposal meets this Development Principle.

The proposed senior living facility will have a courtyard area for residents in addition to walking trails throughout the site. The proposed church will have recreational fields and open space throughout the site.

**(e) A development pattern that ensures compatibility in the design of buildings with respect to placement along the street, spacing and height of buildings, and provides for spaciousness and effective vehicular pedestrian circulation.**

Explain how the proposal meets this Development Principle.

The proposed senior living facility is 2 stories, which is similar to the surrounding neighborhoods. The proposed building is planned to be setback 50' or greater (at various points) from the public ROW and adjacent private property. Proposed parking areas will be provided at specific wings of the building for residents and visitors. The proposed church is similar to the uses to the north. Parking areas will be provided for church patrons.



- (f) ***A development pattern that is compatible with surrounding neighborhoods and is consistent with the Goals and Objectives of the Land Use Policy Plan.***

Explain how the proposal meets this Development Principle.

A need has been identified for a senior living facility in north Ames. The proposed continuing care retirement community is medium density residential while the surrounding uses are single family residential. The Land Use Policy Plan identifies this site as "one and two family medium density residential," of which the proposed use is consistent with. The church, a religious, institution, also fits the zoning classification and LUPP.

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## Suburban Residential (F-S) Development

### Supporting Information for Rezoning

(This form must be filled out completely before your application will be accepted.)

As part of the process of rezoning property to F-S, the City Council must make the following findings. Please explain how the rezoning proposal meets each of the items listed below.

(Note: The applicant's explanation of how the rezoning request meets each of the items listed below may be attached on a separate sheet if sufficient space is not provided.)

**1. The designation is consistent with the Land Use Policy Plan (LUPP).**

Explain how the proposal meets this requirement for rezoning.

The proposed continuing care retirement community is medium density residential while the surrounding uses are single family residential. The Land Use Policy Plan identifies the site as "one and two family medium density residential," of which the proposed use is consistent with. The church fits within the requirements for FS-RL and LUPP.

**2. The development complies with the requirements of Section 29.1202, "F-S" Suburban Residential Zone.**

Explain how the proposal meets this requirement for rezoning.

The proposed use is homogenous with adjacent land uses. The proposed development supports efficient subdivision design, requiring no public street or utility extensions. Landscape buffers will be provided. The project will incorporate common open space for residents and patrons via a courtyard and walking paths. The building is proposed to be setback from property lines at distances greater than the setbacks required. The development is compatible with the surrounding neighborhoods and is consistent with the goals of the LUPP.

3. *The existing infrastructure system to be utilized by the land proposed to be zoned F-S has the capacity to support the development contemplated.*

Explain how the proposal meets this requirement for rezoning.

Adequate existing storm sewer, water, and sanitary utilities are readily available for the proposed site.

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*The following additional information must be submitted with a Request for Rezoning to Suburban Residential (F-S):*

- 1. **Current zoning** of the subject property: A (Agricultural)
- 2. The **land area** (measured in square feet and/or acres) proposed for rezoning: 12.35 Acres
- 3. A **map** (Please attach.) that includes the following:
  - ☒ Drawn to scale;
  - ☒ Date of submittal;
  - ☒ North arrow;
  - ☒ Boundaries of the property proposed for rezoning.
  - ☒ Label the areas of the proposed development to be rezoned as Suburban Residential Low Density (FS-RL), and as Suburban Residential Medium Density (FS-RM).

# Attachment G Preliminary Plat

## BAPTIST ACRES SUBDIVISION PRELIMINARY PLAT

RECEIVED  
OCT 2 8 2013  
CITY OF AMES, IOWA  
DEPT. OF PLANNING & HOUSING

**OWNER**  
HEARTLAND BAPTIST CHURCH  
3504 GRAND AVENUE  
AMES, IA 50010

**PROJECT LOCATION**

**DEVELOPERS**  
HEARTLAND BAPTIST CHURCH  
3504 GRAND AVENUE  
AMES, IA 50010

**PREPARED BY**  
BOLTON & MENK, INC.  
2720 RAND STREET  
AMES, IA 50010

**SUBMITTAL DATE**  
OCTOBER 11, 2013

### LEGAL DESCRIPTION

THE REMAINDER BOUNDARY OF THIS SUBDIVISION IS DESCRIBED BY THE SURVEY OF RECORD "PARCEL X", INSTRUMENT NO. 00-02345, DATED MARCH 07, 2000, FILED IN THE OFFICE OF THE STONE COUNTY RECORDER.

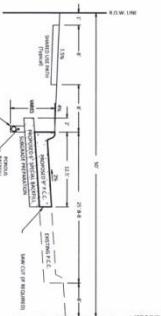
### NOTES

1. PARKING SHALL BE PROVIDED ALONG GEORGE W. CARVER AVENUE, BLOOMINGTON ROAD, AND STANGE ROAD.
2. SOIL EROSION, SEDIMENT CONTROL, STORM WATER MANAGEMENT AND RUN-OFF CONTROL PLANS SHALL BE ACCOMPLISHED AT THE TIME OF SITE PLAN OR SPECIAL USE SUBMITTAL.
3. ALL PRIVATE UTILITIES SHALL BE LOCATED WITHIN PUBLIC UTILITY EASEMENTS. CITY'S USE OF CITY RIGHTS-OF-WAY BY RIGHT-OF-WAY USERS' ORDINANCE.
4. SHARED USE PATH SHALL BE CONSTRUCTED ALONG STANGE ROAD.
5. SEWERAGE SHALL BE CONSTRUCTED ALONG GEORGE W. CARVER AVENUE.

### DETAIL 'A'



### ARTERIAL STREET TYPICAL SECTION (STANGE ROAD)

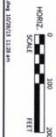
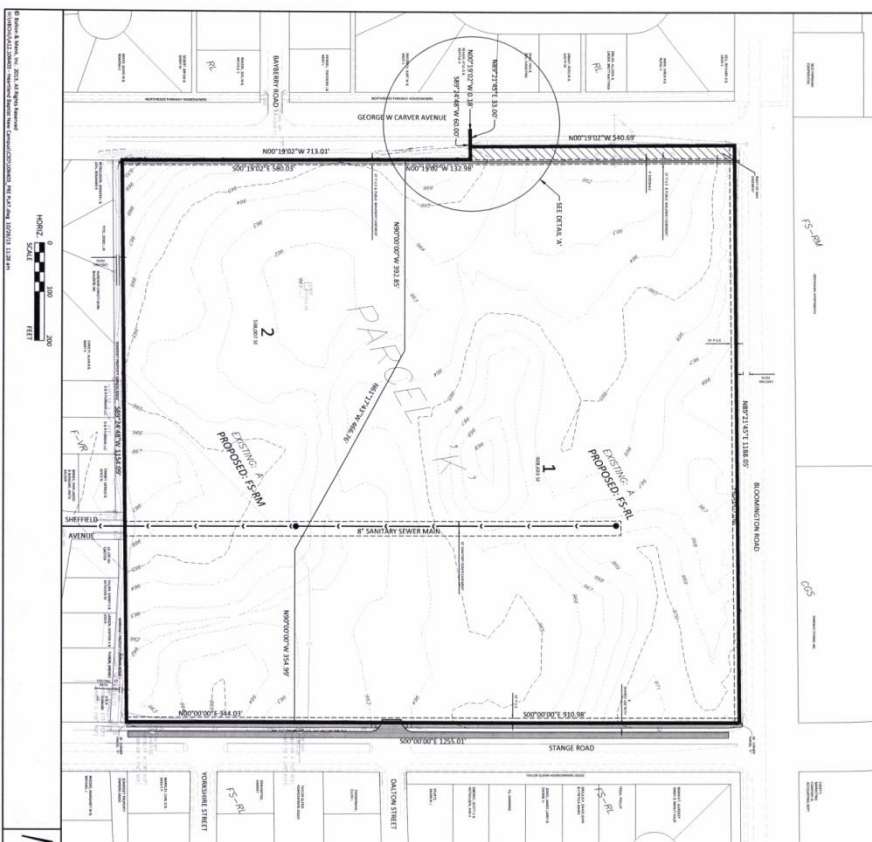


I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF IOWA.  
DATE: 10-28-13  
BY: [Signature]  
PROJECT NO.: 13778  
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2014.  
THIS SHEET

**BOLTON & MENK, INC.**  
Consulting Engineers & Surveyors  
1000 WEST 10TH AVENUE, SUITE 100  
AMES, IA 50010  
PHONE: 515.261.1111 FAX: 515.261.1112

BAPTIST ACRES SUBDIVISION  
PRELIMINARY PLAT  
CITY OF AMES, IOWA

SHEET 1 OF 1



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BOLTON & MENK, INC. 1000 WEST 10TH AVENUE, SUITE 100  
AMES, IA 50010  
PHONE: 515.261.1111 FAX: 515.261.1112



## **Attachment H**

### **APPLICABLE SUBDIVISION LAW**

The laws applicable to this revision to the Preliminary Plat for Ringgenberg Park Subdivision include, but are not limited to, the following: (verbatim language is shown in *italics*, other references are paraphrased):

Code of Iowa Chapter 354, Section 8 requires that the governing body shall determine whether the subdivision conforms to its Land Use Policy Plan.

Ames Municipal Code Chapter 23, Subdivisions, Division I, outlines the general provisions for subdivisions within the City limits and within two miles of the City limits of Ames.

Ames Municipal Code Section 23.302(3):

(3) *Planning and Zoning Commission Review:*

- (a) *The Planning and Zoning Commission shall examine the Preliminary Plat, any comments, recommendations or reports assembled or made by the Department of Planning and Housing, and such other information as it deems necessary or desirable to consider.*
- (b) *Based upon such examination, the Planning and Zoning Commission shall ascertain whether the Preliminary Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan, and to the City's other duly adopted Plans.*

Ames Municipal Code Section 23.302(4):

- (4) *Planning and Zoning Commission Recommendation: Following such examination and within 30 days of the regular meeting of the Planning and Zoning Commission at which a complete Application is first formally received for consideration, the Planning and Zoning Commission shall forward a report including its recommendation to the City Council. The Planning and Zoning Commission shall set forth its reasons for any recommendation to disapprove or to modify any Preliminary Plat in its report to the City Council and shall provide a written copy of such reasons to the developer.*

Ames Municipal Code Section 23.302(5):

- (5) *City Council Review of Preliminary Plat: All proposed subdivision plats shall be submitted to the City Council for review and approval in accordance with these Regulations. The City Council shall examine the Preliminary Plat, any comments, recommendations or reports examined or made by the Planning and Zoning Commission, and such other information as it deems necessary and reasonable to consider.*

Ames Municipal Code Section 23.302(6):

(6) *City Council Action on Preliminary Plat:*

- (a) *Based upon such examination, the City Council shall determine whether the Preliminary Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan and to the City's other duly adopted plans. In particular, the City Council shall determine whether the subdivision conforms to minimum levels of service standards set forth in the Land Use Policy Plan for public infrastructure and shall give due consideration to the possible burden of the proposed subdivision on public improvements in determining whether to require the installation of additional public improvements as a condition for approval.*
- (b) *Following such examination and within 30 days of the referral of the Preliminary Plat and report of recommendations to the City Council by the Planning and Zoning Commission, the City Council shall approve, approve subject to conditions, or disapprove the Preliminary Plat. The City Council shall set forth its reasons for disapproving any Preliminary Plat or for conditioning its approval of any Preliminary Plat in its official records and shall provide a written copy of such reasons to the developer.*