

ITEM #: 7  
DATE: 4-1-15

## COMMISSION ACTION FORM

**REQUEST:** Rezone from Government-Airport (S-GA) to Campustown Service Center (CSC) property located at 2622 Lincoln Way, 130 S. Sheldon Avenue and 119 Hayward Avenue.

### **BACKGROUND INFORMATION:**

The Collegiate United Methodist Church, located at 2622 Lincoln Way owns multiple parcels fronting on Lincoln Way, Sheldon Avenue, and Hayward Avenue. The majority of the site is currently zoned Campustown Service Center (CSC). In 2007 the Church purchased two properties from Iowa State University abutting College Creek (130 S. Sheldon and 119 Hayward). These properties were platted but never rezoned to the CSC zone to match the rest of the church properties. The Church is also asking to rezone a sliver of land along the south property line of the main church property (2622 Lincoln Way), which appears to have been an inconsistency of the zoning district line to the property line at the time of adoption of the new zoning map in May of 2000. The location and existing zoning of the properties are shown on Attachment 1.

The request is to rezone three parcels. The first parcel, 130 S. Sheldon, is a .37 acre parcel located south of the Lighthouse Baptist Campus Ministry property and east of the existing Collegiate Methodist Church and Wesley Foundation Annex. The second parcel, 119 Hayward Avenue, is a .11 acre parcel, located along the eastern boundary of the church properties, south of US Bank and church parking lot and north of College Creek. The third parcel proposed for rezoning is a .06 acre sliver of property 1.93 acre along the southern boundary of 2622 Lincoln Way, the main church parcel.

The owner seeks to rezone the three parcels to Campustown Service Center (CSC) in order to unify the site in zoning classification with the intent of constructing an accessory maintenance garage and shop building for the church within the interior of the site in an area that would cross current zoning and property lines. To place a structure in this location the zoning lines and property lines must be adjusted. Ultimately a lot consolidation is planned which will require approval of a Plat of Survey by the City Council. Based on the intended size of the accessory structure a Special Use Permit for the construction of the maintenance garage and potential variances may be need to meet the development and design standards of the CSC zone. The Special Use Permit and any variances will require approval of the Zoning Board of Adjustment prior to construction.

A full analysis of the rezoning petition is included in the attached addendum.

### **ALTERNATIVES:**

1. The Planning and Zoning Commission can recommend that the City Council approve the request for rezoning of the properties at 130 S. Sheldon Avenue, 119 Hayward Avenue and 2622 Lincoln Way from Government-Airport (S-GA) to

Campustown Service Center (CSC), 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 request for rezoning from Government-Airport (S-GA) to Campustown Service Center (CSC) 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:**

As noted in the attached addendum, the proposed rezoning is consistent with the Land Use Policy Plan land use designations and policies. Therefore, we recommend that the Planning and Zoning Commission act in accordance with Alternative #1, which is to recommend that the City Council approve the request for rezoning from Government-Airport (S-GA) to Campustown Service Center (CSC), based upon staff's findings and conclusions as found in the addendum.

## **ADDENDUM**

### **REZONING BACKGROUND:**

**Existing Land Use Policy Plan.** The LUPP designation of the entire subject area is Downtown Service Center. This designation applies to the entire area lying south of Lincoln Way from S. Sheldon Avenue to Lynn Avenue (Campustown). An LUPP map of the immediate area can be found in Attachment B. Back in 2006 this area was rezoned to a new CSC zone separate from downtown, created from what was previously known as the Downtown/Campustown Service Center (DCSC) zone. The proposed rezoning is in compliance with the existing Land Use designation of the properties.

**Existing Zoning.** This rezoning is not intended to change the current use of the subject properties. The religious institution and accessory structures uses with remain on the properties. The subject parcels are currently zoned Government/Airport (S-GA). The remaining Collegiate United Methodist Church properties are zoned Campustown Service Center (CSC), as are the abutting properties to the east and west. The intermodal facility located south and the ISU campus north of the subject sites is zoned Government/Airport.

**Existing Uses of Land.** 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	Permitted and Accessory Religious Uses
North	Iowa State University
East	Commercial
South	College Creek, Intermodal Facility
West	Mixed commercial and multifamily residential

**Infrastructure.** The Development Review Committee considered this site and found that it is fully served by City infrastructure. Sanitary sewer and water are available, as is electric services. Additional easements may be needed to accommodate the proposed location of the future accessory building which will be determined at the time of Site Plan review.

**Access.** Access is provided to the site from Lincoln Way, Hayward Avenue and Sheldon Avenue through existing access points and no traffic improvements are anticipated.

**Applicant's Statements.** The applicant has provided an explanation of the rezoning in Attachment C.

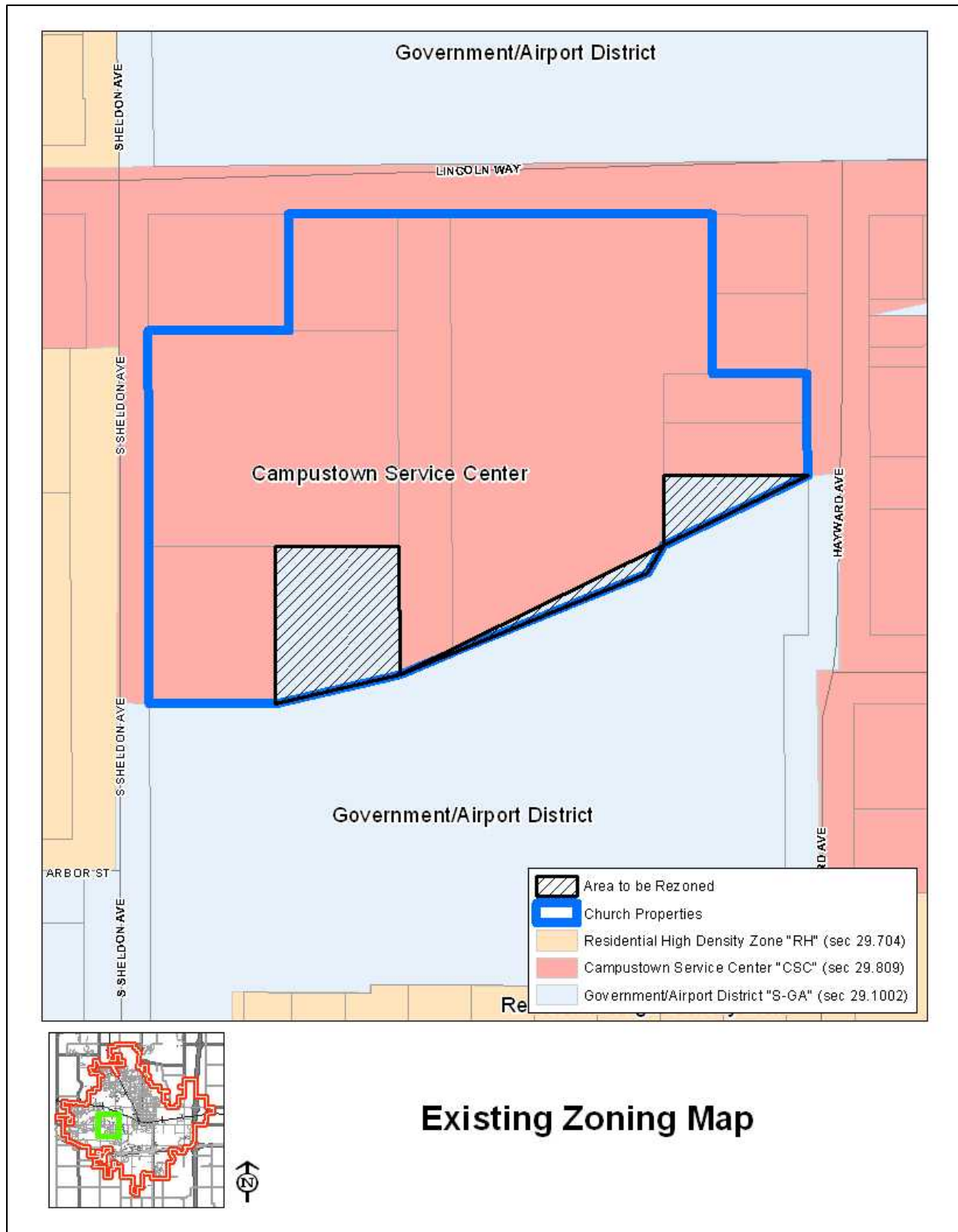
**Findings of Fact.** Based upon an analysis of the proposed rezoning and laws pertinent to the applicant's request, staff makes the following findings of fact:

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 “Downtown Services Center.”
3. The “Downtown Services Center” land use designation already supports the “CSC Campustown Service Center” zoning designation. Under the “CSC” zoning designation religious institutions and accessory structures and garages larger than 900 square feet are permitted with approval of a Special Use Permit by the Zoning Board of Adjustment.
4. Infrastructure is adequate to serve the site. The owner will need to obtain any necessary easements for service line connections to the site.
5. Existing access to this site will remain from Lincoln Way, South Sheldon Avenue and Hayward Avenue.

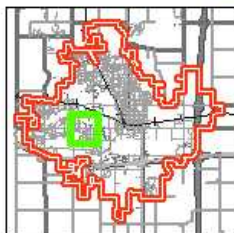
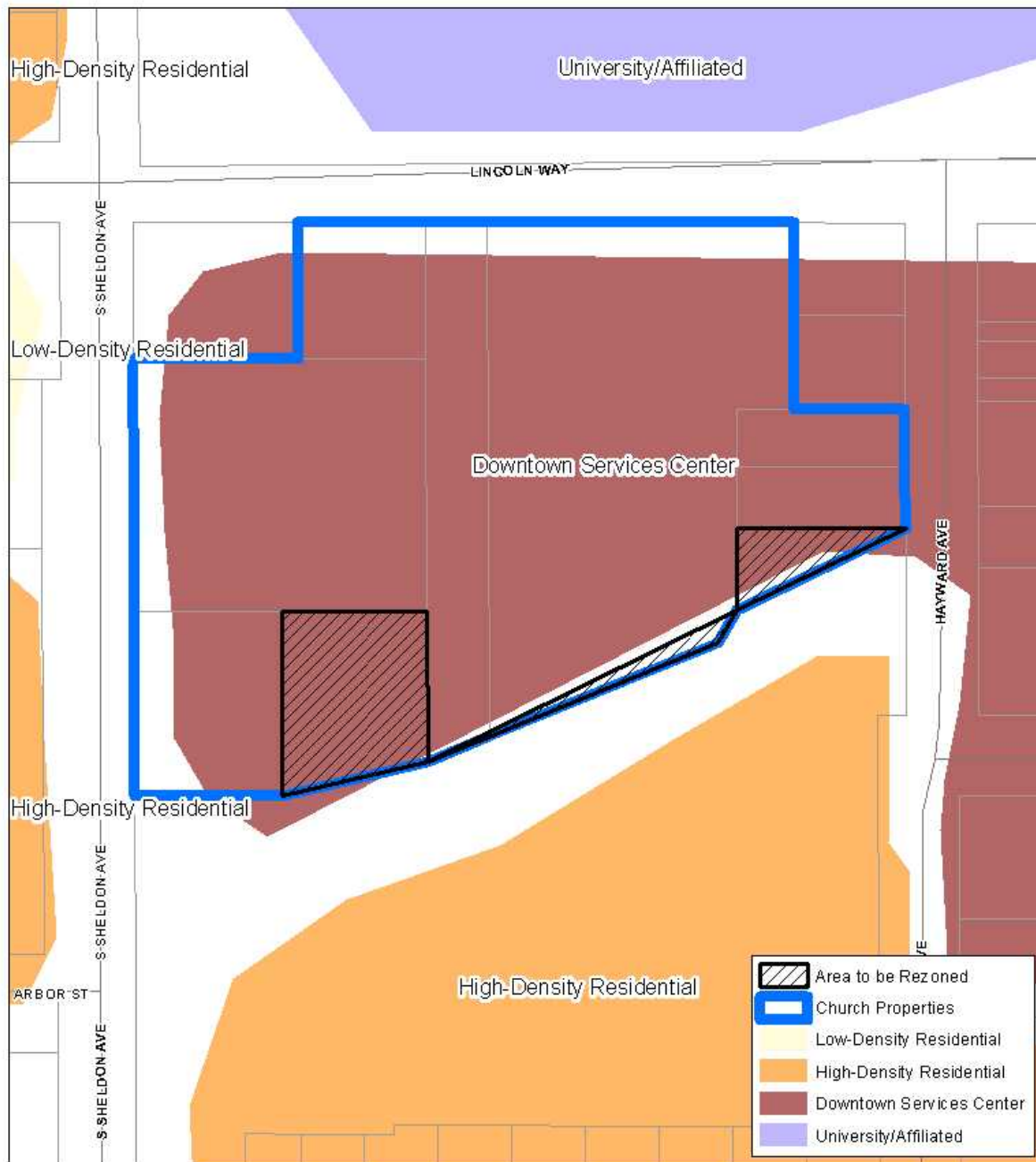
**Public Notice.** Notice was mailed to property owners within 200 feet of the subject site and a sign was posted on the subject property. As of this writing, no comments have been received.

**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.

## Attachment A: Location and Current Zoning



## Attachment B: Land Use Policy Plan Map [Excerpt]



**Existing LUPP Map**

## **Attachment C: Applicant's Statement**

### **Collegiate United Methodist Church Re-Zoning Request, February 27, 2015**

#### **Checklist Items**

##### **Reason for Requesting Rezoning:**

The Church desires to consolidate all nine parcels of land currently owned into one parcel. The two parcels labeled "E" and "F" were purchased from Iowa State University in March of 2007 and at the time of purchased were zoned SG-A. The third parcel labeled as "Lots 1, 3 and 8" currently has approximately 98% of the land zoned as CSC and the remaining portion along the very south edge zoned at SG-A. In order to proceed with the consolidation process all lots will need to be zoned the same.

##### **Consistency of this rezoning with the Land Use Policy Plan**

The rezoning will not change the use of this land as the property use will remain a religious organization and consistent with the currently Land Use Policy Plan designating this area as Downtown Services Center.

##### **Current Zoning of the property:**

Parcel "E" and "F" are zoned SG-A and approximately 2% of the parcel labeled as Lots 1, 3 and 8 is zoned SG-A with remaining 98% zoned CSC.

##### **Proposed Zoning of the Property**

All three parcel would be zoned CSC.

##### **Proposed Use of Property**

The use of the property would not change and continue to be utilized as a religious organization.

##### **Complete Legal Description**

See the attached Legal Description and Retracement Plat of Survey for each parcel

##### **Land Area**

Parcel "E", 0.37 Acres or 16,139 Square Feet

Parcel "F", 0.11 Acres or 4,588 Square Feet

Parcel Labeled as "Lots 1, 3 and 8", 1.93 Acres or 84,115 Square Feet of which approximately 1700 Square Feet is zoned as SG-A

##### **Maps**

See attachments

## **Attachment C, Cont.**

### **Collegiate United Methodist Church Re-Zoning Request, February 27, 2015**

#### **Legal Descriptions:**

##### **Property #1 Labeled as Parcel "E" Legal Description**

###### **DESCRIPTION (INST. NO. 2006-00009492)**

A PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 4 IN THE AUDITOR'S PLAT OF BLOCKS 3, 4, AND 5 OF BEARDSHEAR'S ADDITION AND WALTER'S SUBDIVISION IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 9; THENCE N00°05'47"W. 121.71 FEET ALONG THE WEST LINE OF SAID LOT 4; THENCE N89°46'38"W. 118.61 FEET ALONG THE SOUTH LINE OF THE NORTH 350.00 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 9; THENCE S00°00'00"W. 150.00 FEET; THENCE N76°49'03"E. 122.03 FEET TO THE POINT OF BEGINNING, CONTAINING 0.37 ACRES.

##### **Property #2 Labeled as Parcel "F" Legal Description**

###### **DESCRIPTION (INST. NO. 2006-00009493)**

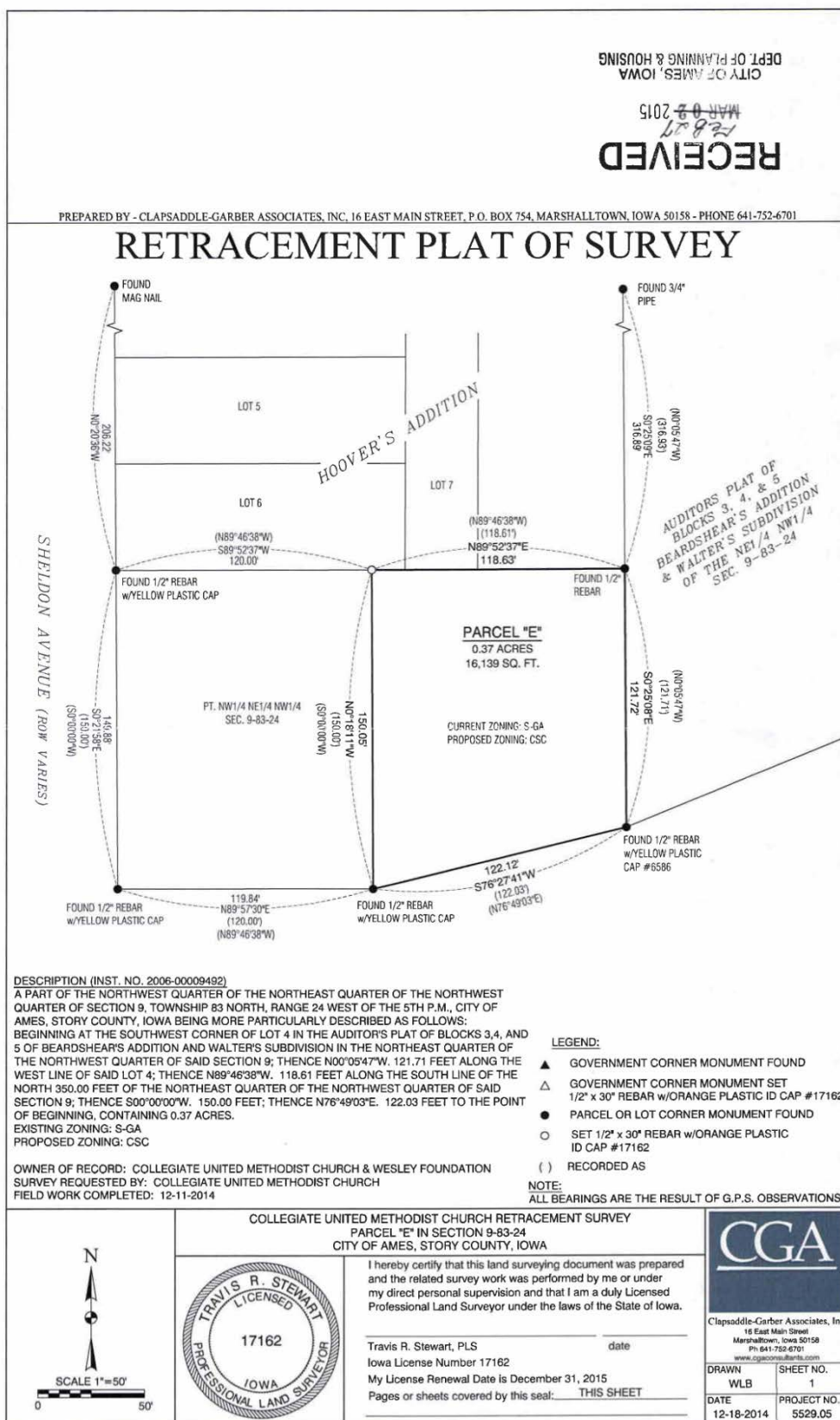
A PART OF LOT 2 IN AUDITOR'S PLAT OF BLOCKS 3, 4 AND 5 OF BEARDSHEAR'S ADDITION AND WALTERS SUBDIVISION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2; THENCE S64°23'11"W, 152.87 FEET TO A CORNER ON THE NORTHWESTERLY LINE OF SAID LOT 2; THENCE N00°24'26"E, 66.65 FEET TO THE SOUTHWEST CORNER OF LOT 10 IN SAID AUDITOR'S PLAT; THENCE S89°45'52"E, 137.37 FEET ALONG THE NORTH LINE OF SAID LOT 2 TO THE POINT OF BEGINNING, CONTAINING 0.11 ACRES.

##### **Property #3 Labeled as Lots 1, 3 and 8 Legal Description**

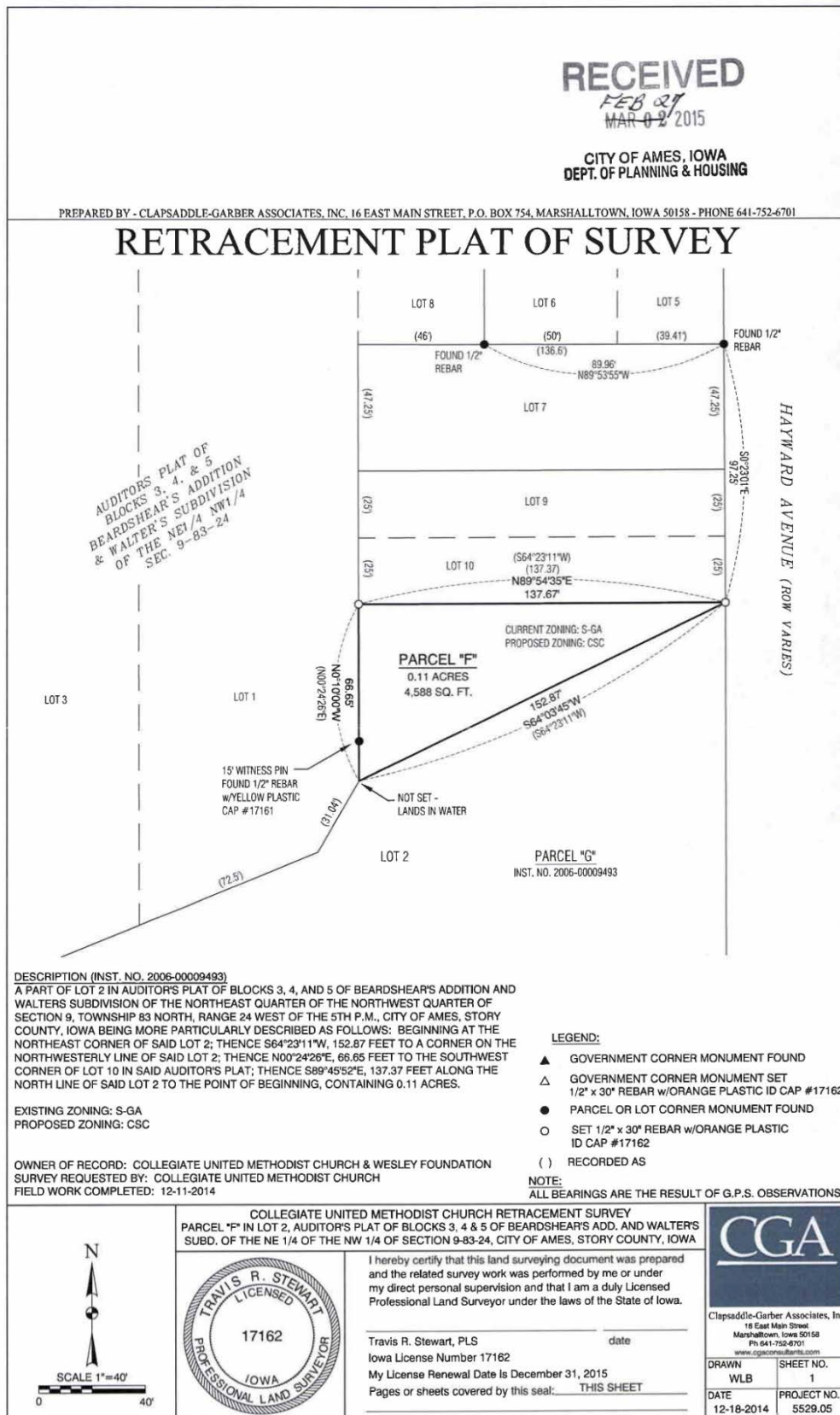
LOTS 1, 3 & 8 IN THE AUDITOR'S PLAT OF BLOCKS 3, 4, AND 5 OF BEARDSHEAR'S ADDITION AND WALTERS SUBDIVISION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA, CONTAINING 1.93 ACRES.



# Attachment C, Cont. 130 S. Sheldon Avenue



# Attachment C, Cont. 119 Hayward Avenue



# Attachment C, Cont. 2622 Lincoln Way

