

ITEM #: 6
DATE: 12-2-2015

COMMISSION ACTION FORM

REQUEST: Rezone from “RL” (Residential Low Density Zone) to “RH” (Residential High Density) for a property located at 1110 Delaware Avenue.

BACKGROUND INFORMATION:

The property owner is interested in rezoning approximately 0.6 acres at 1110 Delaware Avenue (See *Attachment A*) from “RL” Residential Low Density to “RH” High-Density Residential (See *Attachment B* and *Attachment D*).

The applicant desires to rezone the property for future investment of multi-family construction. Currently, the applicant has no immediate plans to construct a new building on this property. The current home is a single-family detached structure. Changing the zoning to RH would allow up to 12 units to be constructed on the property, subject to conformance with zoning standards. In contrast, with the property maintaining its current RL zoning the property may be able to be subdivided into a flag lot that would allow for one additional home.

The subject property is currently bordered on the north and west by RH zoning. To the east of this property it is bordered by North Dakota Avenue and there is RL zoning east of North Dakota Avenue. RL also exists to the immediately south of the site. The uses in the area are mostly apartments to the north and a mix of two-family types homes to the south.

The Ames Land Use Policy Plan (LUPP) Future Land Use Map shows the subject site with the intersection of the High Density and Low Density land use designation boundaries.(See *Attachment C*) **The applicant believes that the majority of the site is within the High Density Residential Designation and that such a designation supports rezoning to RH.**

Staff concurs that the land use designation for the site supports High Density Residential for the property. Rezoning of the property would make it contiguous to existing RH zoning to the north and west. Thus the requested zoning classification can be justified based upon the same type of zoning bordering this property, the current LUPP designation, and that the actual use of properties in the area is high density housing to the immediate north and west as well as two-family style housing in the RL areas to the immediate south of this property.

Applicant’s Statements.

The Applicant has provided an explanation of reasons for desiring to rezone to RH and is requesting rezoning to allow for further future investment on the property (See *Attachment E*.)

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

ALTERNATIVES:

1. The Planning and Zoning Commission can recommend that the City Council approve the request for rezoning from “RL” (Residential Low Density Zone) to “RH” (Residential High Density) for the property located at 1110 Delaware Avenue, based upon the applicant’s project description and staff’s analysis.
2. The Planning and Zoning Commission can recommend that the City Council deny the request for rezoning of the property located at 1110 Delaware Avenue, if the Commission finds that the request is not consistent with the City’s regulations and policies.
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 rezoning fits within the context of this block with the established patterns of use. The LUPP land use designation also supports allowing for the rezoning. The rezoning allows for an increase in development potential from one additional flag lot home to a maximum of 12 units if the house is demolished and the site rebuilt with apartments.

Therefore, it is the recommendation of the Planning and Housing Department 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 of the property, located at 1110 Delaware Avenue, from “RL” (Residential Low Density) to “RH” (High-Density Residential), as depicted in *Attachment D*.

ADDENDUM

Zoning History

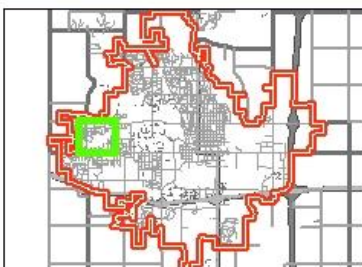
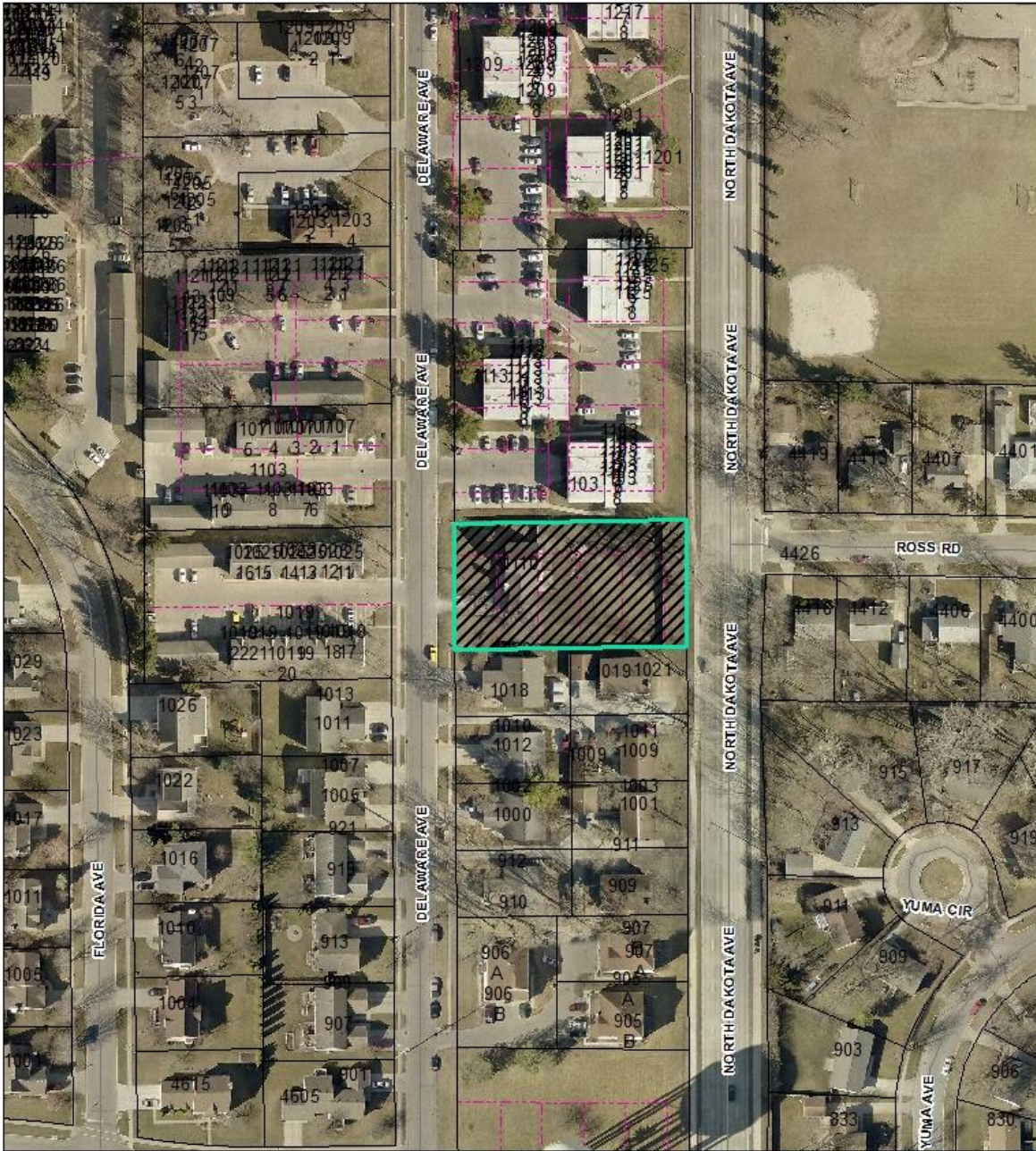
The High Density Residential Zoning district (RH) allows for single-family homes if those homes were pre-existing at the time of rezoning. Prior to the zoning code update in 2000, this property was zoned under the R-2 Low Density Residential zone. R-2 allowed for single family and two-family homes. This property was then brought into the current Low Density Residential (RL) zoning at that time of the adoption of the 2000 zoning ordinance as a pre-existing structure. In this case pre-existing means that the structure in question is built to the legal specifications and requirements of the existing zoning at the time the property on which the structure sits is rezoned. Currently there are no building permits active for this property nor have there been any site plans submitted to the Planning & Housing Department. The applicant's future plans for the property, as stated in the application, do not conflict with allowed uses in the proposed RH zoning classification.

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:

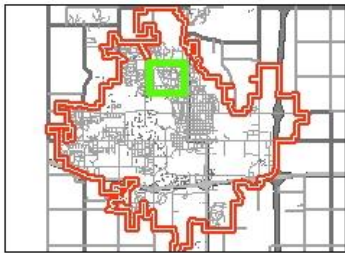
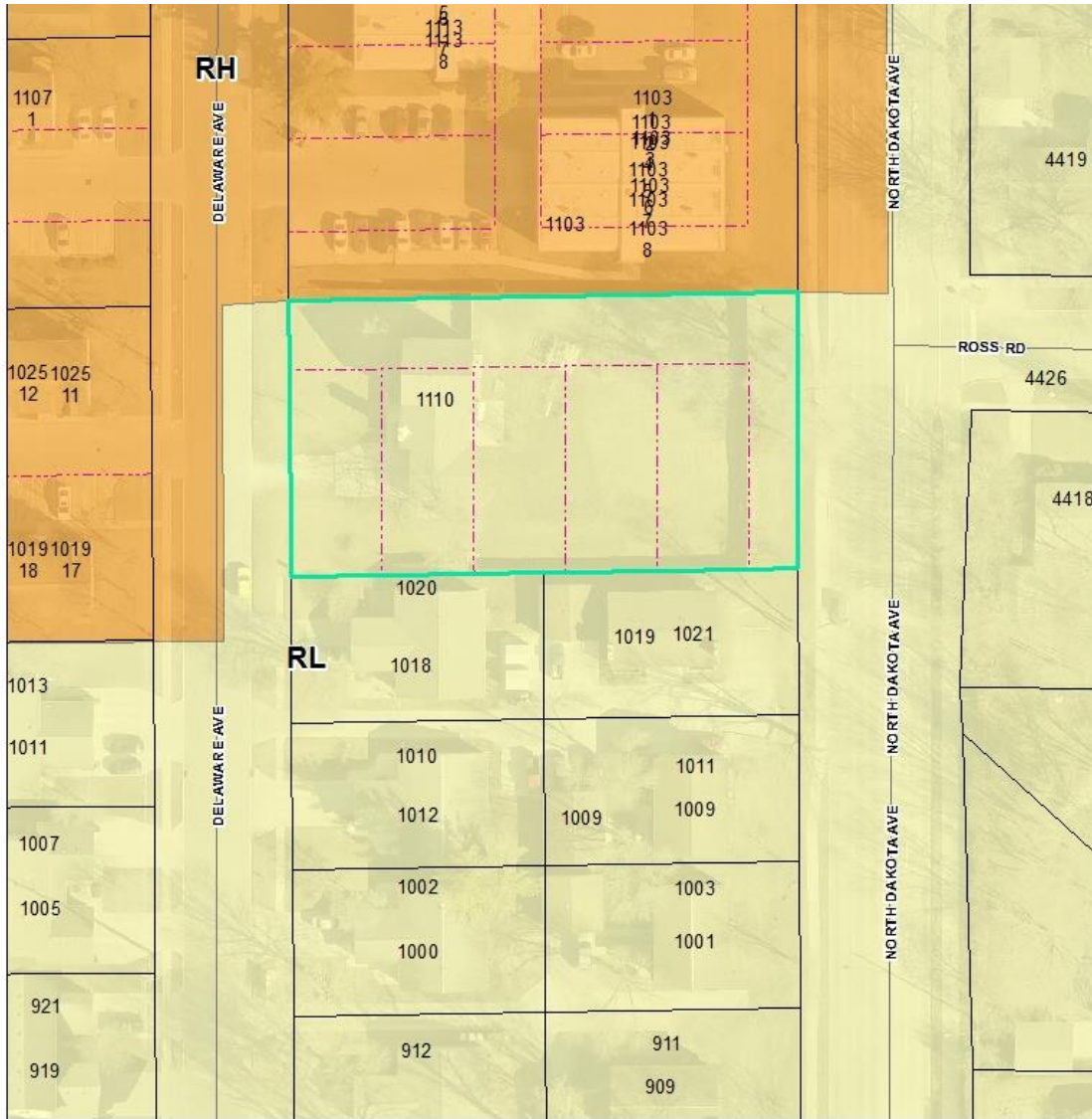
1. *Ames Municipal Code Section 29.1507(2)* allows owners of fifty percent (50%) or more of the area of the lots in any district desired for rezoning to file an application requesting that the City Council rezone the property. The owner of this single parcel has requested the rezoning.
2. The subject property has been designated on the Land Use Policy Plan (LUPP) Future Land Use Map as "Residential High Density."
3. The "Residential High Density" land use designation supports the "RH" (Residential High Density) zoning designation. Under the "RH" zoning designation, multiple-family residential development can be accommodated subject to the Zone Development Standards allowed within this zone, as described in Chapter 29, Article 7, of the Municipal Code.
4. Infrastructure is available to this site. The owner will need to ensure any necessary upgrades to the services at this site are coordinated through public works should a new structure be constructed on this site in the future.
5. Access to this site is from Delaware Avenue, a public street right-of-way. There is no direct access to the minor arterial roadway of North Dakota Avenue.

Attachment A-Location Map



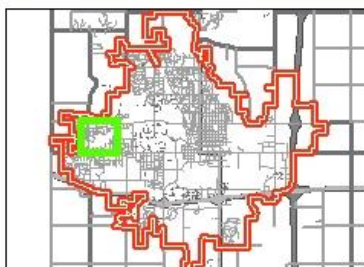
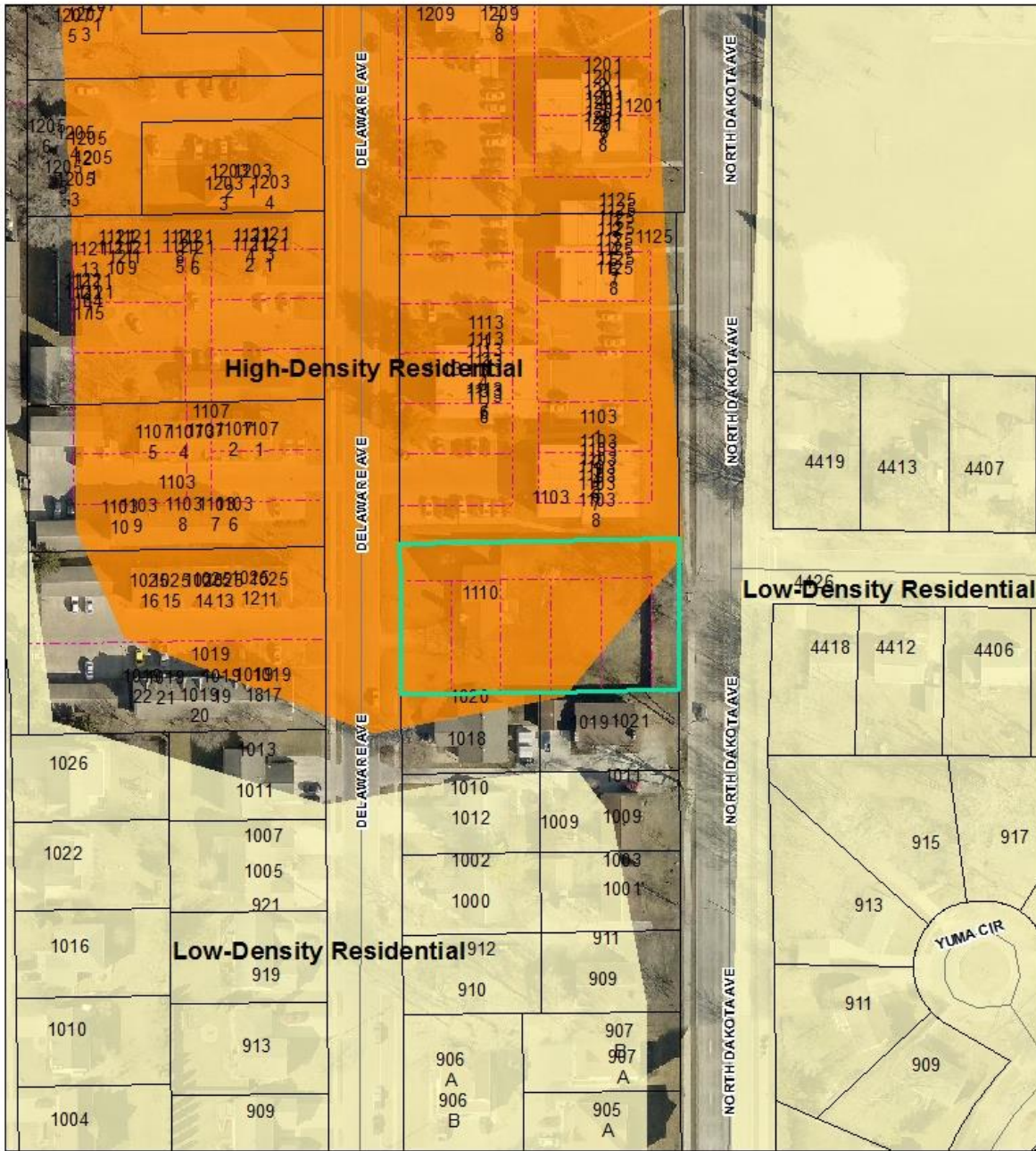
Location Map
1110 Delaware Avenue

Attachment B- Zoning Map Existing



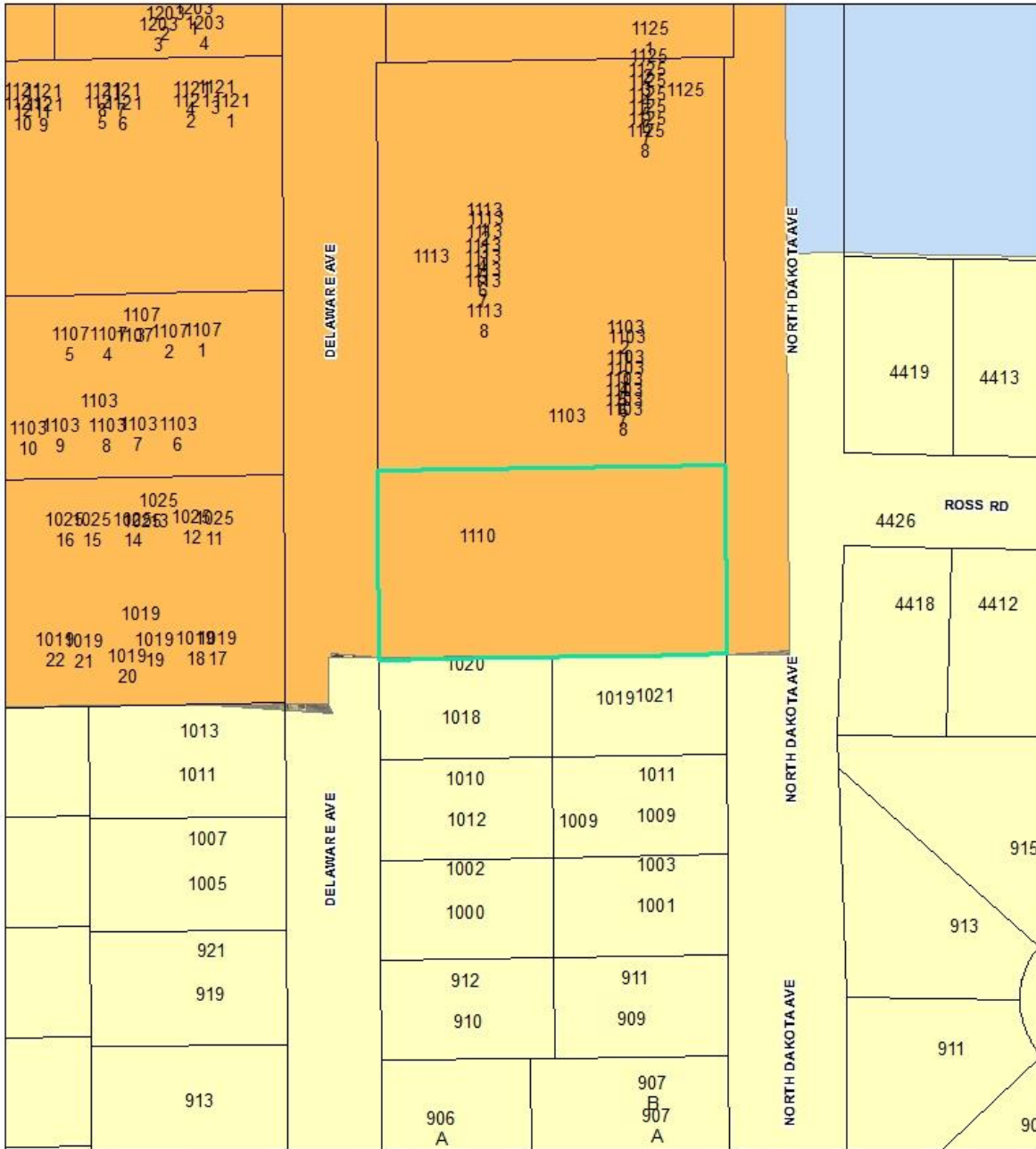
**Current Zoning
1110 Delaware Avenue**

Attachment C- LUPP Map




**Current LUPP Designation
1110 Delaware Avenue**

Attachment D- Proposed Zoning Map



**Proposed RH Zoning
1110 Delaware Avenue**

Attachment E- Property Owner Statement

1/2. Reasons for Requesting Rezoning:

Since the property (located between high and low density) it makes sense to make it attractive for future investment, and

another big reason is the size of the

lot which is over 26000.00 square feet.

3. Current zoning: Low density

4. proposed " : high "

5. proposed use for future : apartments.

6. (Attachment).

7. Land area: over 26,000 ft².

8. (Attachment).