

COUNCIL ACTION FORM

SUBJECT: ZONING ORDINANCE TEXT AMENDMENT TO HEIGHT LIMITS FOR PRINCIPAL STRUCTURES IN HOSPITAL MEDICAL ZONING DISTRICT

BACKGROUND:

The City Council referred a letter on April 12, 2011, from Shive-Hattery requesting an amendment to the height limits of principal buildings in the Hospital-Medical (S-HM) zoning district. Shive-Hattery is doing the design work for the proposed expansion to Mary Greeley Medical Center (MGMC) at 1111 Duff Avenue. The preliminary design presents a 6-story structure attached to the west end of the existing hospital. In order to accommodate the appropriate floor-to-ceiling heights and the necessary utility, mechanical, and specialized hospital gear between the ceiling and floor, the proposed height exceeds the 80-foot maximum.

The City's current development standards (Table 29.1001 (3)) limit the height to 80 feet or 6 stories, whichever is less. See the excerpt below:

DEVELOPMENT STANDARDS	REQUIREMENT
...	...
Maximum Height Principal Building	80 ft. or 6 stories, whichever is less
...	...

For a six story building, the setback for a principal building is 25 feet from the front lot line, 20 feet from the rear lot line and 16 feet from a side lot line.

Shive-Hattery has proposed a change in the height limit to allow up to 100 feet (while retaining the maximum of 6 stories) with increased setbacks. Their request is included as Attachment 1. **The proposal would reduce the allowed height limit from 80 feet to 50 feet when the building abuts a residentially zoned property but allow a height up to 100 feet with greater setbacks. This approach offers a tradeoff between greater protection for the neighborhood and increased intensity of development. The proposed language is shown below. (It differs slightly from that offered by the applicant in order to remove some ambiguity.)**

DEVELOPMENT STANDARDS	REQUIREMENT
...	...
Maximum Height Principal Building	<p>Whichever is lower: 6 stories or</p> <p>Where adjacent properties are not zoned residential, 80 ft. at building setback with 10 feet additional height allowed for every additional 30 ft. from setback line not adjacent to a residentially-zoned property to a maximum of 100 ft.</p> <p>Where adjacent properties are zoned residential, 50 ft. at building setback with 10 ft. additional height allowed for every additional 30 ft. from setback line adjacent to residentially-zoned property to a maximum of 100 ft.</p>
...	...

The full text of Section 29.1001 is included as Attachment 2.

Land Use Policy Plan: The Land Use Policy Plan provides some guidance for the Medical Center located in the Urban Core. Below is an excerpt from page 45.

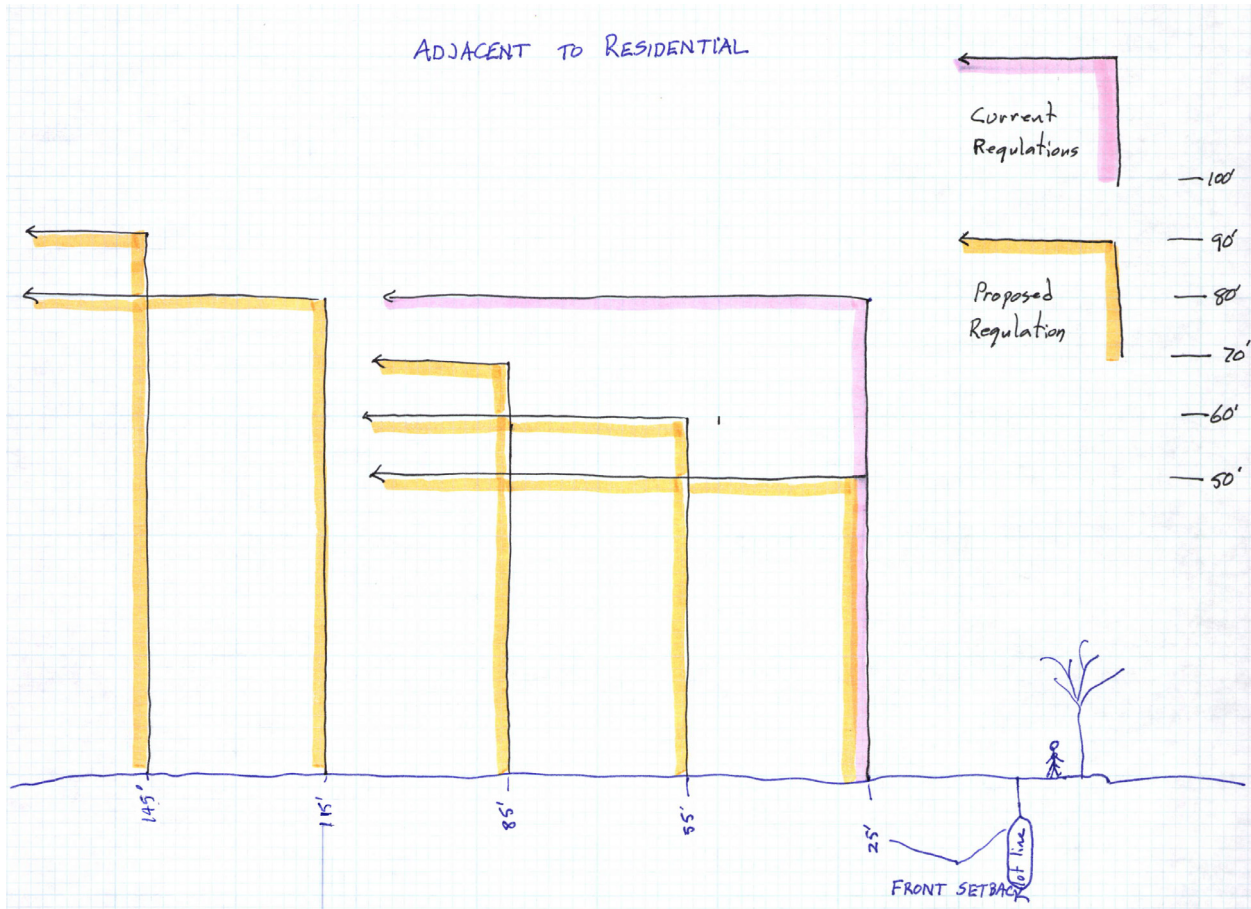
Medical Center. The Medical Center consists of the hospital and several small medical offices nearby. The hospital is a long-established use in the area as evidenced by the older residential structures surrounding. Expansion of the hospital and the medical offices has involved displacement of several residences. There is general incompatibility between the nature and scale of the hospital operation and the surrounding residential neighborhood.

The hospital provides a vital service to the community and region. Increases in demand for services, as well as changes in technology, delivery of care and federal legislation, create a continually evolving environment for the hospital and related uses. Further change and expansion may be a prerequisite to the hospital remaining at its present site. Flexibility for the hospital’s primary functions should be accommodated through further intensification of the present site. Compatibility should be addressed where the hospital and residential uses interface. Compatibility provisions should include careful directing of traffic, landscaping buffers and minimizing the impact of lighting.

The LUPP recognizes the general incompatibility of the hospital and medical offices with the surrounding residential properties. However, it also recognizes the importance of these facilities to the city. **The LUPP advocates for standards to reduce the incompatibility through design management, and also acknowledges the “further**

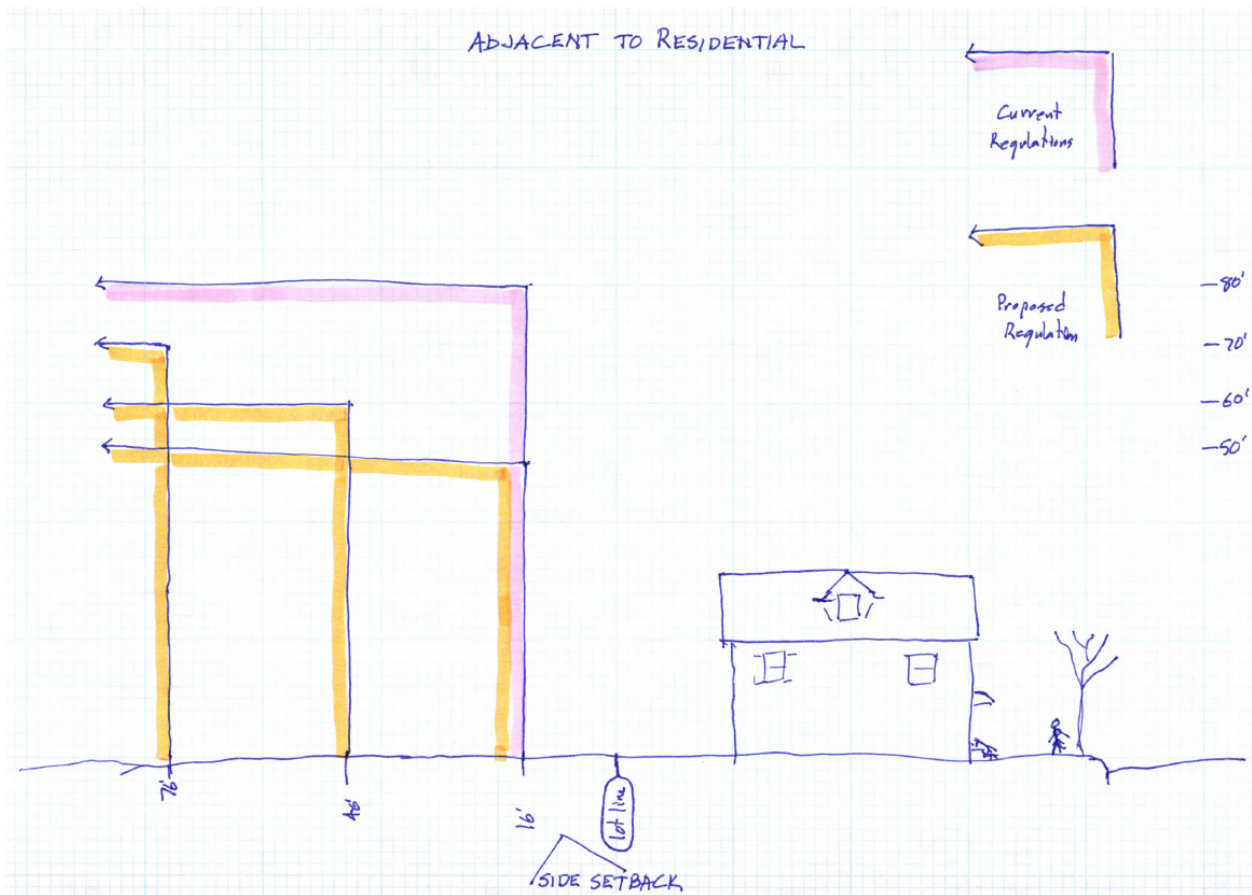
intensification of the present site” to accommodate the future missions of the hospital.

Application and Impact: The graphic below shows the different potential scenarios for construction adjacent to a residential district. Please note that as the front setback increases, the greater is the allowed height.



The pink line shows the current height and setback allowances. The yellow line shows different scenarios of setbacks based on proposed heights of buildings. Note that at the 25-foot setback, the current regulations allow an 80-foot structure; the proposed regulations allow only a 50-foot structure. Under the proposed regulations, an 80-foot structure would need to be set back 115 feet from the front property line adjacent to a residential district.

The graphic below is similar but shows the impact for a side setback adjacent to a residential district.



Note that at the 16-foot setback, a height of 80 feet is allowed under the current regulations. Under the proposed regulations, that same setback would allow only a 50-foot structure; an 80-foot structure would require a setback of 106 feet.

Applicant's Statement. Shive-Hattery, Inc. is the architect for the proposed expansion of Mary Greeley Medical Center. They have provided the attached explanation of the reasons for the text amendment on behalf of MGMC.

Recommendation of the Planning & Zoning Commission. At its meeting of May 18, 2011, with a vote of 5-0, the Commission recommended that the City Council amend Table 29.1001(3) of the *Ames Municipal Code* to regulate the maximum height of principal buildings in the S-HM zoning district with the language changes to the standards as recommended by staff. One person spoke in favor of the proposed text amendment—a neighbor commending the hospital for taking a constructive approach to their expansion needs.

ALTERNATIVES:

1. The City Council can amend Table 29.1001(3) of the *Ames Municipal Code* as shown on page 2 of this report to regulate the maximum height of principal buildings in the S-HM zoning district.

2. The City Council can deny the request to amend Table 29.1001(3) of the Ames *Municipal Code*.
3. The City Council can refer the request to amend the zoning ordinance to staff or the applicant for specific further information or for further options.

MANAGER'S RECOMMENDED ACTION:

The City's Land Use Policy Plan recognizes the inherent incompatibility of a large medical center amidst the residential district north of downtown Ames. It also recognizes the importance of that medical center and supports efforts to ameliorate those incompatible components. The principal tool to ameliorate those incompatibilities is the zoning ordinance. The current zoning ordinance provides landscaping, screening, and buffering standards between the S-HM and adjacent residential areas.

The proposed text amendment further ameliorates the incompatibility of height differences between the S-HM and the adjacent residential districts by reducing the maximum height from 80 feet to 50 feet when abutting a residentially zoned property. **The amendment does increase the maximum height allowed within the district, but requires a further setback of 30 feet for every 10 feet increase in height. This is a tradeoff which better protects adjacent residentially zoned land and allows a greater intensity of the existing medical district. This approach better reflects the policies of the Medical Center as described in the Land Use Policy Plan.**

Therefore, it is the recommendation of the City Manger that the City Council accept Alternative #1, thereby approving the proposed zoning ordinance text amendment as noted above.

ATTACHMENT 1



TEXT AMENDMENT TO THE ZONING ORDINANCE APPLICATION CHECKLIST

1. Explanation of the reasons for zoning text amendment:

This request is being made on behalf of Mary Greeley Medical Center in order to allow for growth of the existing hospital facility in accordance with current healthcare design standards. Modern patient care technologies combined with requirements for air circulation combine to dictate floor to floor heights greater than what can be achieved given existing conditions and current zoning restriction.

2. Description of the properties, zones, and areas that will be affected by the zoning text amendment:

Nearby residential properties along Kellogg Avenue will be the most directly affected by this text amendment.

In order to maintain the frontage of the property we propose a stepped height limitation with higher clearances allowed farther from property lines. In respect for residential properties adjacent to this zoning district, we propose to lower the allowable height at the minimum setback adjacent to residential zoned areas with similar stepped height increase.

3. Explanation of the consistency of this zoning text amendment with the Land Use Policy Plan:

The proposed land use is consistent with the current Land Use Policy Plan.

4. Existing ordinance language for consideration – Maximum Height Principal Building:

80 ft. or 6 stories, whichever is lower

5. Proposed ordinance language for consideration – Maximum Height Principal Building:

Whichever is lower: 6 stores or:

Where adjacent properties are not zoned residential, 80 ft. at building setback with a 10 ft. additional height allowed for every additional 30 ft. from setback line to a maximum of 100 ft.

Where adjacent properties are zoned residential, 50 ft. at building setback with 10 ft. additional height allowed for every additional 30 ft. from setback line to a maximum of 100 ft.

6. Attached: Official request for text amendment for special zoning district S-HM

Project # 4093451

Shive-Hattery, Inc. | 1601 48th Street | Suite 200 | West Des Moines, IA 50266 | 515.273.8104 | fax 515.273.0622 | shive-hattery.com



March 31, 2011

Ames City Council
515 Clark Avenue
Ames, Iowa 50010

RE: Request for Text Amendment for Special Zoning District S-HM

Dear Council Members:

This letter is a request for the City Council to initiate the process for a text amendment modifying the maximum allowable building height dimension in Special Zoning District "S-HM" of the Ames City Zoning Ordinance. This request is being made on behalf of Mary Greeley Medical Center in order to allow for growth of the existing hospital facility in accordance with current healthcare design standards. Modern patient care technologies combined with requirements for air circulation combine to dictate floor to floor heights greater than what can be achieved given existing conditions and current zoning restriction.

The existing restriction reads:

Maximum Height Principal Building	80 ft. or 6 stories whichever is lower
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In order to maintain the frontage of the property we propose a stepped height limitation with higher clearances allowed farther from property lines. In respect for residential properties adjacent to this zoning district, we propose to lower the allowable height at the minimum setback adjacent to residential zoned areas with similar stepped height increase.

A draft of the proposed revision might read:

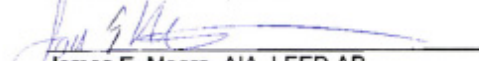
Maximum Height Principal Building	<p>Whichever is lower: 6 stories or</p> <p>Where adjacent properties are not zoned residential, 80 ft. at building setback with 10 ft. additional height allowed for every additional 30 ft. from setback line to a maximum of 100 ft.</p> <p>Where adjacent properties are zoned residential, 50 ft. at building setback with 10 ft. additional height allowed for every additional 30 ft. from setback line to a maximum of 100 ft.</p>
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We request the City Council refer the matter to the Ames Planning and Zoning Department for further discussion and development.

Thank you for your consideration.

Sincerely,

SHIVE-HATTERY, INC.


James E. Moore, AIA, LEED AP

JEM/mhp



ATTACHMENT 2

SECTION 29.1001, ZONING ORDINANCE EXCERPT

Sec. 29.1001. "S-HM" HOSPITAL/MEDICAL DESIGN DISTRICT.

(1) **Purpose.** The intent of the Hospital/Medical Design District is to allow for typical uses associated with a hospital, including outpatient diagnostic and surgical centers and special treatment facilities that involve extended stay to be permitted around existing hospital-medical uses. This District recognizes that medical offices benefit from being close to hospitals. However, expansion of the hospital and medical offices has involved displacement of several residences. There is general incompatibility between the nature and scale of the hospital operation in the surrounding residential neighborhood. This Special Purpose District is designed to accommodate the hospital's primary functions through further intensification of the present site. This District attempts to promote compatibility where hospital and residential uses interface. Compatibility provisions include parking provisions, landscaping buffers and minimizing the impact of lighting.

(2) **Use Regulations.** The uses permitted in the Hospital/Medical Design District are set forth in Table 29.1001(2) below:

**Table 29.1001(2)
Hospital/Medical Design District ("S-HM") Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
Hospital	Y	SDP Minor	Staff
Clinic	Y	SDP Minor	Staff
Medical Laboratory	Y	SDP Minor	Staff
Hearing Testing Services, if pre-existing	Y	SDP Minor	Staff
Pharmacy (limited to sale of prescription and non-prescription drugs)	Y	SDP Minor	Staff
Pharmacy (including sale of sundries)	Y	SDP Minor	Staff
Offices for Dental Care/Surgery	Y	SDP Minor	Staff
Kidney Dialysis Facility	Y	SDP Minor	Staff
Office of Opthamology, Optometrist, or Optician	Y	SDP Minor	Staff
Retail Sales and Service	N	--	--
Child Day Care Facility	Y	SDP Minor	Staff
Multi-Level Parking Facility	Y	SDP Minor	Staff
Nursing Home	N	--	--
Restaurant	N	--	--

- Y = Yes: permitted as indicated by required approval.
- N = No: prohibited
- SP = Special Use Permit required: see Section 29.1503
- SDP Minor = Site Development Plan Minor: See Section 29.1502(3)
- SDP Major = Site Development Plan Major: See section 29.1502(4)
- ZP = Building/Zoning Permit required: see Section 29.1501
- ZBA = Zoning Board of Adjustment
- ZEO = Zoning Enforcement Officer

(3) **Development Standards.** The development standards applicable in the S-HM Design District are set forth in Table 29.1001(3) below:

**Table 29.1001(3)
Hospital/Medical Design District ("S-HM") Development Standards**

DEVELOPMENT STANDARDS	REQUIREMENT
Minimum Lot Area	6,000 sq. ft
Minimum Principal Building Setbacks: Front Lot Line Side Lot Line Rear Lot Line Corner Lots	25 ft. 8 ft for 2 stories; 10 ft for 3 stories; 12 ft for 4 stories; 2 additional feet for each additional story 20 ft Provide 2 front yards and 2 side yards
Minimum Frontage:	35 ft @ street line; 50 ft @ building line
Maximum Building Coverage	65%
Maximum Site Coverage (includes all buildings, paving and sidewalks on lot)	75%
Minimum Landscaped Area	25%
Maximum Height Principal Building	80 ft. or 6 stories, whichever is lower
Minimum Height Principal Building	20 ft or 2 stories, whichever is greater (if any nonconforming structure is enlarged to the extent of 50% or more in floor area, whether through a single or cumulative expansions, such addition shall conform to this requirement)
Parking Between Buildings and Streets	Yes
Drive-Through Facilities	No
Outdoor Display	Yes
Outdoor Storage	No
Trucks and Equipment	Yes

(Ord. No. 3595, 10-24-00; Ord. No. 3911, 04-24-07)

(4) **Off-Street Parking Requirements.** The off street parking requirements for uses in the S-HM Design District are set forth in Table 29.406(2) of this Ordinance.

(5) **Landscaping, Screening and Buffering Requirements.** The landscaping, screening and buffering requirements applicable in the S-HM District for the purpose of providing a transition between S-HM District uses and adjacent residential areas, are set forth in Section 29.403 except as modified below.

(a) Where the boundary of the S-HM District is marked by a street, a buffer area not less than fifteen feet in width shall be maintained abutting the S-HM side of the street right-of-way. No structures shall be

permitted in said buffer area except for a high screen or high wall that conforms to the requirements of Section 29.403(1)(c) or 29.403(1)(d), respectively. The buffer area shall be landscaped in accordance with the L1 standards set forth in Section 29.403(1)(a).

(b) Where the boundary of the S-HM District is marked by a lot line, a buffer area not less than eight feet in width shall be maintained abutting the S-HM side of the lot line. There shall be constructed and maintained in said buffer area, for its entire length, a high screen or high wall that conforms to the requirements of Section 29.403(1)(c) or 29.403(1)(d), respectively. The buffer area shall be landscaped in accordance with the L1 standards set forth in Section 29.403(1)(a).

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY AMENDING SECTION 29.1001 TABLE 29.1001(3) THEREOF, FOR THE PURPOSE OF REGULATING THE MAXIMUM HEIGHT OF PRINCIPAL BUILDINGS IN THE S-HM ZONING DISTRICT; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by amending Table 29.1001(3) as follows:

“Sec. 29.1001. "S-HM" HOSPITAL/MEDICAL DESIGN DISTRICT.

**Table 29.1001(3)
Hospital/Medical Design District ("S-HM") Development Standards**

DEVELOPMENT STANDARDS	REQUIREMENT
Minimum Lot Area	6,000 sq. ft
Minimum Principal Building Setbacks: Front Lot Line Side Lot Line Rear Lot Line Corner Lots	25 ft. 8 ft for 2 stories; 10 ft for 3 stories; 12 ft for 4 stories; 2 additional feet for each additional story 20 ft Provide 2 front yards and 2 side yards
Minimum Frontage:	35 ft @ street line; 50 ft @ building line
Maximum Building Coverage	65%
Maximum Site Coverage (includes all buildings, paving and sidewalks on lot)	75%
Minimum Landscaped Area	25%
Maximum Height Principal Building	Whichever is lower: 6 stories or Where adjacent properties are not zoned residential, 80 ft. at building setback with 10 feet additional height allowed for every additional 30 ft. from setback line not adjacent to residentially-zoned property to a maximum of 100 ft. Where adjacent properties are zoned residential, 50 ft. at building setback with 10 ft. additional height allowed for every additional 30 ft. from setback line adjacent to residentially-zoned property to a maximum of 100 ft.

Minimum Height Principal Building	20 ft or 2 stories, whichever is greater (if any nonconforming structure is enlarged to the extent of 50% or more in floor area, whether through a single or cumulative expansions, such addition shall conform to this requirement)
Parking Between Buildings and Streets	Yes
Drive-Through Facilities	No
Outdoor Display	Yes
Outdoor Storage	No
Trucks and Equipment	Yes

”

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out by law.

Section Three. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Four. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor