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TO: Ames City Council and Mayor

FROM: Kelly Diekmann, Planning and Housing Director

DATE: June 22, 2018

SUBJECT: Downtown Gateway Commercial (DGC) Zoning Changes 3rd Reading

City Council reviewed a draft ordinance on June 12th and provided direction to staff to modify the ordinance prior to the 3rd reading scheduled for June 26th.

City Council directed changes to the ordinance to allow current businesses that conform to use classifications of current Highway Oriented Commercial (HOC) and Downtown Service Center (DSC) zoning to be classified as pre-existing rather than nonconforming in the new DGC zoning. Designating a use pre-existing allows for changes to the use, including intensification, as long as the use is not abandoned for more than 12 months.

The pre-existing qualifier only applies to a few uses. Those use types are Retail Trade, Wholesale Trade, Detention Facilities, Warehousing-Mini Storage, Vehicle Service Stations, and Vehicle Repair Facility. Vehicle Service stations includes gas stations, quick lube services, and car washes. Vehicle Repair includes automotive repair, auto body shops, and tire sales and installation, and transmission and muffler repair businesses. Uses types, such as warehousing and industrial service, that were already nonconforming under either HOC or DSC zoning previously were not changed.

Allowing a use type to be considered a permitted use, if pre-existing, does not change a site's status for nonconformities related to structures or other site improvements. No new uses allowed as pre-existing can be established. A site also cannot be expanded for a pre-existing use.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING NEW SECTIONS 29.1004 THEREOF, FOR THE PURPOSE OF DOWNTOWN GATEWAY COMMERCIAL ZONING; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; 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 enacting new Sections 29.1004 as follows:

Sec. 29.1004 "DGC" DOWNTOWN GATEWAY COMMERCIAL

The Downtown Gateway Commercial Zoning District (DGC) is established to implement the vision and objectives of the Lincoln Way Corridor Plan and more specifically for the Downtown Gateway Focus Area.

The City of Ames finds that implementation of the DGC will facilitate redevelopment of the area consistent with the objectives of the Lincoln Way Corridor Plan and create new commercial retail, entertainment, and office uses that are a compliment to the Downtown area north of the Gateway Area. The Gateway Area is a commercial redevelopment area intended to promote an enhanced streetscape, commercial uses complimentary to the broader Downtown area with retail, entertainment, and employment, and in some situations the addition of mixed use residential development.

It is the purpose of the provisions of this Zoning District to promote public health, safety, and general welfare and define development procedures for obtaining the objectives of the Lincoln Corridor Plan with redevelopment of property within the District.

1. Development Process

Development or redevelopment of site is required to conform to this Chapter and the procedures of Article XV. The approval process within the District has been modified to address site size and the types of uses permitted on each site. A Building Design Conformity finding is required with all Site Development Plans, in addition to the criteria of 29.1502.

Major Site Development Plan review is required for mixed-use development. Mixed-use residential development requires a Major Site Development Plan to ensure the primary purpose of commercial development is accomplished in conjunction with the addition of housing. The Major Site Development Plan grants additionally flexibility for the configuration of a site and for the arrangement of uses. No Major Site Development Plan for Mixed-use development shall be approved that does not specify appropriate commercial tenant space sizes, orientation, and total square footage in a project. An appropriate mix of commercial and residential development will be evaluated on case-by-case basis to ensure a mixed-use project fulfills the redevelopment goals of the Lincoln Way Corridor Plan for commercial first redevelopment that incorporates community commercial uses and uses that are complimentary to Downtown.

(a) Standard Site

A standard site is defined as any site that that is less than one acre in net lot area or as a site that exceeds one acre in net lot area that does not include Household Living Mixed Use. A standard site may be developed or redeveloped consistent with the zone development standards. A standard site review process consists of approval of a Zoning/Building Permit, Minor Site Development Plan or Special Use Permit, as applicable to the principle use and scope of the development or redevelopment project. A standard site may be approved for a plat of survey or subdivision consistent with the standard lot zone development standards.

(b) Redevelopment Intensification Site

A Redevelopment Intensification Site is an optional designation requested by a property owner for a site that meets either of the following two thresholds:

- i. 100 feet of Kellogg Avenue street frontage, or

ii. A minimum net lot area of one (1) acre and 100 feet of street frontage.
 A Redevelopment Intensification Site designation allows for approval of Household Living Mixed Use development in addition to the other allowed uses of the zoning district. A Redevelopment Intensification Site is subject to a Major Site Development Plan approval and allowing for additional design flexibility.

2. Use Regulations. The uses permitted in this District are set forth in Table 29.1004(2) below.

**Table 29.1004(2)
 Downtown Gateway Commercial Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			
Group Living	Y, if pre-existing	SP	ZBA
Household Living, Mixed Use Development	Y, on sites greater than one acre in combination with non-residential use. Dwelling units shall be configured as studio, one, or two bedroom dwelling units for a minimum of 75% of the total dwelling units within a building. No more than 10% of the total units may be four bedroom units. No dwelling unit shall consist of five bedrooms or more within any building.	SDP MAJOR	CITY COUNCIL
Short-term Lodging (stand alone or mixed use)	Y	SDP MAJOR	STAFF
OFFICE USES	Y	SDP MINOR	STAFF
TRADE USES			
Drive-Through Facility, trade use	Y*(separation standards)	SDP Major	CITY COUNCIL
Retail Sales and Services - General	Y	SDP MINOR	STAFF
Retail Trade - Automotive, etc.	Y, if pre-existing	ZP	STAFF
Entertainment, Restaurant and Recreation Trade	Y	SDP MINOR	STAFF
Catering Establishments	N	--	--
Lodge or Social Club	N	--	--
Wholesale Trade	Y, if pre-existing	ZP	STAFF
INDUSTRIAL USES			
Industrial Service	N	--	--
Small Production Facility	Y standalone, if Mixed Use Development SDP Major	SP/ SDP MAJOR	ZBA/ CITY COUNCIL
Warehouse, Mini-storage	Y, if pre-existing	SP	ZBA
INSTITUTIONAL USES			
Colleges and Universities	N	--	--
Community Facilities	Y	SDP MINOR	STAFF
Social Service Providers	N	--	--
Medical Centers	N	--	--
Parks and Open Areas	Y	SDP MINOR	STAFF
Religious Institutions	N	--	--
Schools	N	--	--
Funeral Homes	Y	SP	ZBA
TRANSPORTATION, COMMUNICATIONS AND UTILITY USES			
Passenger Terminals	N	--	--
Basic Utilities	Y	SDP MAJOR	CITY COUNCIL
Commercial Parking	Y	SDP MINOR	STAFF
Radio and TV Broadcast Facilities	Y	SP	ZBA
Rail Line and Utility Corridors	Y	SP	ZBA
Railroad Yards	N	--	--

MISCELLANEOUS USES			
Commercial Outdoor Recreation	N	--	--
Child Day Care Facilities	Y	SP	ZBA
Detention Facilities	Y, if pre-existing	ZP	STAFF
Major Event Entertainment	Y	SP	ZBA
Vehicle Service Facilities	N	--	--
Vehicle Service Station	Y, if pre-existing	ZP	STAFF
Vehicle Repair Facility	Y, if pre-existing	ZP	STAFF
Adult Entertainment Business	Y, SUBJECT TO ARTICLE XIII	SDP MINOR	STAFF
Sports Practice Facility	N	--	--

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

(3) **Zone Development Standards.** The zone development standards of the District are set forth in Table 29.1004(3) below. Developments must also meet other generally applicable standards of this chapter.

**Downtown Gateway Commercial Development Standards
Table 29.1004(3)**

DEVELOPMENT STANDARDS	Downtown Gateway Commercial Zone
Standard Site, Minimum Lot Area	0.25 net acres
Standard Site, Minimum Lot Frontage	50 feet
Redevelopment Intensification Site Area	None Kellogg Avenue/ All other sites minimum of one (1.0) net acre
Redevelopment Intensification Site, Minimum Street Frontage along at least one of the following streets: Lincoln Way, Clark Avenue, Kellogg Avenue, South Kellogg Avenue, Duff Avenue.	100 feet
Building Design	Building design and material standards described below.
Minimum Street Building Setbacks*: Lincoln Way Kellogg/ S Kellogg Clark/Walnut Sherman Gilchrist Washington Duff Commerce and Market Grand Avenue	15 feet ground floor/10 feet other floors 5 feet 5 feet 10 feet 10 feet 10 feet 15 feet ground floor/10 feet other floors 5 feet 10 feet *Properties on Kellogg and corner properties along Lincoln Way may have reduced setbacks approved with design review of a Major Site Development Plan when buildings include high levels of quality materials, architectural interest, glazing, and a pedestrian oriented design. Redevelopment intensification sites may be approved with reduced setbacks from any street.
Minimum Side and Rear Setbacks	No minimum setbacks required except for utility service separation and access requirements, typically 10 feet or less along a rear property line.
Maximum Building Coverage	No maximum
Minimum Landscaped Area Percentage	No minimum, determined through Site Development Plan review.
Maximum Building Height	10 Stories/Redevelopment Intensification Site no limit
Minimum Building Height	Kellogg Avenue- two (2) stories No minimum other streets
Parking Allowed Between Buildings and Streets	No, Except Grand, Gilchrist, Commerce, and Market
Drive-Through Facilities	Maximum of one facility per Lincoln Way Block Face, regardless of access to Lincoln Way. No Drive-Through Facilities are permitted for any property with frontage along Kellogg Avenue or S Kellogg Avenue.
Outdoor Display Permitted	Yes. See Section 29.405
Outdoor Storage Permitted	No
Trucks and Equipment Permitted	No

4. Parking Standards

Parking shall be provided in accordance with this Chapter, notwithstanding the modified parking requirements of this zoning district. Uses not listed below are subject to standard parking requirements of Article IV of this Chapter. Development along Kellogg Avenue has reduced commercial parking requirements compared to other areas of the District in recognition of the Kellogg Avenue proximity to public parking and the pedestrian oriented design requirements for the block.

**Table 29.1004(4)-1
Downtown Gateway Commercial Parking Standards General**

Household Living-Apartments	
1 Bedroom Dwelling Unit (DU)	0.8 spaces/DU
2 Bedroom Dwelling Unit	1 space/DU
3 Bedroom Dwelling Unit	2.5 spaces/DU
4 Bedroom Dwelling Unit	3.0 spaces/DU
Short Term Lodging	1 space per room/1 space per 2 employees largest shift/accessory uses for meeting areas at 5 spaces /1000 sq. ft.
General Office	3 spaces /1000 sq. ft.
Medical Office	6 spaces /1000 sq. ft.
Retail and Service-Standalone or Existing	3 spaces/1000 sq. ft.
Restaurant and Fast Food-Standalone or Existing	9 spaces /1000 sq. ft. (gross floor area)
Restaurant or Bar uses with Retail and Service Uses -Redevelopment Intensification Site	5 spaces /1000 sq. ft.
Recreation Use- Redevelopment Intensification Site	Determined by Major Site Development Plan Review

**Table 29.1004(4)-2
Downtown Gateway Commercial Parking Standards Kellogg Avenue**

Household Living-Apartments	
1 Bedroom Dwelling Unit (DU)	0.8 spaces/DU
2 Bedroom Dwelling Unit	1 space/DU
3 Bedroom Dwelling Unit	2.5 spaces/DU
4 Bedroom Dwelling Unit	3.0 spaces/DU
Short Term Lodging	1 space per room/1 space per 2 employees largest shift/accessory uses for meeting areas at 5 spaces /1000 sq. ft.
General Office	None Required
Medical Office	None required for less than 3,000 square feet, 6 spaces /1000 sq. ft. for total square feet of use if exceeds 3,000 square feet within a building
Retail and Service	None Required
Restaurant, Fast Food, or Bar	None Required
Recreation Use- Redevelopment Intensification Site	Determined by Major Site Development Plan Review

Development within the District may seek approval of a parking reduction. Parking reductions are subject to City Council approval with a Major Site Development Plan. Parking requirements may be modified as part of the Major Site Development Plan review process to either reduce parking requirements by twenty percent or to apply a five (5) parking spaces per 1,000 square feet of gross floor area for all Trade Uses. Parking reductions of up to 25% of the required parking may be approved for a site with shared parking or collective parking allowances for use by other adjacent commercial properties that are also approved for collective parking. Residential parking spaces may be approved as part of a shared or collective parking plan for commercial uses when there is at a minimum one parking space available per dwelling unit. City Council may approve use of remote parking or public parking, including credit for on-street parking, for non-residential uses through the Major Site Development Plan review process.

Parking Decks are subject to Article IV standards with the exception of parking setbacks requirements for decks proposed along Gilchrist, Commerce, and Market. City Council may approve additional setback exceptions through the Major Site Development Plan review.

**Table 29.1004(4)-3
Downtown Gateway Commercial Bicycle Parking**

Bicycle Parking	
Non-Residential	Provide a minimum of four visitor bicycle parking spaces for the first 10,000 of commercial space. Provide additional visitor bicycle parking at a rate of one space for every 10,000 square feet of floor area.
Residential	Residential development should include secured bicycle parking for residents and provision of visitor bicycle parking.
Bicycle parking shall be placed in a visible location that is either adjacent to a primary commercial entrance or within a visitable open area of the site. Bicycle rack parking shall provide adequate space and access to permit use of the rack system with the locking of a wheel and frame to the bicycle rack. A parking reduction of one non-residential parking space for each four bicycle parking spaces is permitted up to a maximum of 5 parking spaces.	

5. Building Design Standards

The following development standards apply to all projects subject to a Site Development Plan or Special Use Permit. The intent of the design standards is to promote high levels of architectural interest, enhancement of the pedestrian oriented streetscape, and to accommodate desirable commercial uses as the primary use within the District. Each proposed building shall undergo a design review for conformance to the applicable design standards and objectives for development within the District. Design review will be incorporated into the review of the Site Development Plan or Special Use Permit and require a finding that the proposed project includes conforming design elements that support a high quality building design with architectural interest and enhances the structures appearance in a manner that is compatible with both existing and planned uses adjacent to the site.

(a) Kellogg Avenue Frontage

Buildings with facades along the Kellogg Avenue are intended to be designed in a manner that is compatible with the traditional look of Main Street and incorporate architectural elements that support the transition of the uses from Lincoln Way to Main Street. Buildings are required to consist of a minimum of two stories along Kellogg Avenue. Each building shall incorporate the following design elements into the design.

- i. Transparent windows at ground level. Glazing shall consist of a minimum of 40% to 50% of the façade area at the ground level. Commercial retail storefronts require higher levels of glazing than other uses. Glazing requirements apply along street frontages and to designated activity areas or plaza spaces.

- ii. Each tenant space shall have a pedestrian entrance that connects directly to the street. Corner lots may be required to provide an entryway at a corner or to include two entries.
- iii. Minimum ground floor to ceiling height of 15 feet for all buildings.
- iv. Incorporate wall plane changes and variations in the façade to create visual relief along long facades, e.g. 50 feet of facade length. Incorporate store front pattern and rhythm similar to Main Street, e.g. 25 feet.
- v. Clay brick building materials for front and side facades.
 - a. There is an exception for side facades obscured from view by an abutting building located within 5 feet of the property line.
 - b. Accent materials may be approved in addition to the use of clay brick.
 - c. Buildings with three or more stories may propose to incorporate a secondary façade material in addition to clay brick.
- vi. The building design shall include architectural details to create visual interest and design diversity, such as transoms, brick soldier course, corbel, cornice, lintels, projecting window bays, inset windows, canopies, parapet variation.
- vii. Alternative high interest architectural building materials, such as stone, glass, steel, architectural metal panels may be approved in lieu of clay brick when approved with a Major Site Development Plan.
- viii. Rear facades may include materials other than clay brick that are compatible with the overall design of the building.
- ix. No balconies are permitted along the perimeter of a building adjacent to a street.
- x. Commercial floor area requires a minimum depth of 60 feet, minor variations allowed through Design Review.

(b) Other Street Frontages

Buildings in areas without frontage along Kellogg Avenue may take on a variety of architectural appearances to meet the goals of the District for enhanced architectural design that creates visual interest and identity for the Lincoln Way Corridor. Buildings with facades along streets other than Kellogg shall incorporate the following design elements:

- i. Minimum ground floor to ceiling height of 15 feet.
- ii. Commercial floor area requires a minimum depth of 60 feet, minor variations allowed through Design Review.
- iii. Incorporate pedestrian entrances that lead directly to an abutting street.
- iv. Transparent windows at ground level. Glazing shall consist of a minimum of 30% to 50% of the façade area at the ground level. Commercial retail storefronts require higher levels of glazing than other uses. Glazing requirements apply along primary street frontages and to designated activity areas or plaza spaces.
- v. Clay brick shall be used as a primary building material for front and side facades, unless alternative high interest architectural building materials are approved through a Major Site Development Plan review.
- vi. Incorporate wall plane changes and variations in the façade to create visual relief along long facades, e.g. 50 feet of facade length.
- vii. The building design shall include architectural details to create visual interest and design diversity, such as transoms, brick soldier course, corbel, cornice, lintels, projecting window bays, inset windows, canopies and parapet variation.
- viii. Minimize the placement of balconies along Lincoln Way. When balconies are permitted along Lincoln Way, balconies shall not project more than 2-feet from the front primary building facade. Balconies may not project within 5 feet of the right-of-way.
- ix. Drive-through facilities may require a covered pick-up window and street screen walls with compatible materials to the principal building.”

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

John A. Haila, Mayor