

COUNCIL ACTION FORM

SUBJECT: DIRECT STAFF TO PUBLISH NOTICE FOR A TEXT AMENDMENT TO DOWNTOWN SERVICE CENTER (DSC) ZONING FOR EXCEPTION TO MINIMUM STORIES AND MINIMUM FLOOR AREA RATIO

BACKGROUND:

The City Council held a workshop on June 19th about Downtown related issues, including development standards. Mr. Friedrich spoke at the workshop and identified minimum development standards of a 1.0 floor area ratio (FAR) and two-stories as constraints on redevelopment. The City Council responded by asking for information about how areas other than Main Street, but within the DSC zoning, might have height and FAR standards that were different.

On July 31st, staff reported back offering alternatives: to amend the FAR standard, to modify the minimum two-story requirement, to modify the exception criteria, or to rezone south side of 6th Street to Neighborhood Commercial. The staff report described the pros and cons of different options and can be found [here](#). **After much discussion of goals for Downtown intensification and integrity of the desired design features for Downtown, City Council initiated a consideration of a change to modify the exception criteria for the perimeter of Downtown, specifically the 6th Street area.**

Per City Council's recent direction to have consideration of comprehensive or contentious changes reviewed prior to publishing notice for a public hearing, staff has returned to Council with draft ordinance language to make the requested changes. **City Council is asked to provide direction to staff on proceeding with completing a draft ordinance and publishing notice for a public hearing. Staff has prepared a draft ordinance for an exception process addressing the following issues:**

1. The proposed project must be an expansion or enlargement of an existing building and not for new construction,
2. The property must have frontage on 6th Street. For properties on a through lot, existing buildings on the south half of the lot shall have a second story along the entire 5th Street frontage,
3. The proposed project must retain or create an active pedestrian street entrance,
4. The proposed project must demonstrate a height and building placement that emphasizes an urban design of Main Street style development characterized by a height compatible with buildings in Downtown and maintaining or creating a street edge with buildings,
5. The proposed project must deemphasize the quantity and visibility of surface

parking spaces, and

6. The proposed project must have a minimum floor area ratio of 0.50

More information on the criteria are included in the addendum. Draft zoning text changes are included as Attachment 3.

The Planning and Zoning Commission reviewed the proposed text amendment at its September 5th meeting. After reviewing the applicability of the proposed exception and discussing how it would relate to properties with 5th street frontage, the Commission voted 6-0 to recommend adopting new exception criteria for building additions on sites with frontage along 6th street.

ALTERNATIVES:

1. The City Council can direct staff to finalize the attached zoning text amendment for minimum number of stories and floor area ratio exceptions for additions within the DSC zoning district and publish notice for a public hearing on adopting an ordinance.
2. The City Council can direct staff to revise the attached zoning text amendment for minimum height and floor area ratio exceptions by including additions and new construction and publish notice for a public hearing on adopting an ordinance.
3. The City Council can recommend alternative language for the proposed text amendment and direct staff to publish notice for a zoning text amendment.
4. The City Council can direct staff to not proceed with publishing notice for a public hearing on a zoning text amendment.

CITY MANAGER'S RECOMMENDED ACTION

The proposed amendment is narrowly scoped to properties with frontage along 6th Street and for additions to existing buildings. The proposed design criteria are meant to ensure a compatible design is part of the evaluation for the exception.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1 which is to direct staff to finalize the zoning text amendment for a DSC zoning exception to minimum stories and FAR for properties along 6th Street and publish a notice for a public hearing to adopt an ordinance.

Addendum

The current standards were adopted in 2000 to further the objectives of the Land Use Policy Plan (LUPP) for the DSC, intended to be the most intense area of development of the city and to ensure new development is of the same character as the current surroundings. Goal 8 of the LUPP addresses Downtown. The Urban Core Policies section of Chapter 2 describe the expected intensity as 1.0 FAR for the traditional Downtown Area. Additionally, the LUPP describes the intent to preserve older buildings and support their reuse versus their demolition and replacement.

The Downtown Service Center zoning district (DCS, shown in Attachment 1) is “intended to provide for high-density development within the City’s Urban Core.... Development is intended to be very dense with high building coverage, large buildings in scale with the predominant building pattern in the Downtown commercial area, and buildings placed close together. Development is intended to encourage pedestrian activity with a strong emphasis on safe, vital and attractive streets.” The Downtown Service Center requirements (Section 29.808) can be found in [Article 8](#) of the Ames Zoning Ordinance.

To that end, the Development Standards for DSC require a minimum Floor Area Ratio¹ (FAR) of 1.0 and a two-story minimum height² (with an exception for certain uses that require a Special Use Permit). The standards also allow for (but do not require) a zero setback on all sides of the building. There are no other specific design standards as part of the zoning, although Design Guidelines exists for projects eligible for Urban Revitalization property tax abatement.

These standards are typical of many cities’ downtown standards and certainly reflect the development patterns of much of the Main Street and 5th Street corridors in Ames. The perimeter of Downtown, including 6th Street, has a less cohesive development pattern than the core of Downtown and more closely resembles the development patter of the Neighborhood Commercial (NC) zoning district on the north side of 6th Street.

The current zoning allows for an exception from the zoning standards in two circumstances. The Zoning Board of Adjustment (ZBA) is able to review, on a case-by-case basis, a request for a reduction in the height based on site specific findings about the unique site and use. Uses requiring a Special Use Permit may also be approved for exceptions to height and FAR. Other permitted uses, such as retail, office, and mixed use are required to conform to both standards. **The proposed text amendment is to create an additional exception option subject to ZBA approval based upon specific criteria. Relevant criteria and options are described below.**

6th Street Only

The exception allowance in Section 29.808 is explicit in referring to only lots that have frontage on 6th Street. Currently, there are twelve lots with frontage on 6th Street between Duff Avenue and Grand Avenue. Of these, 5 are zoned S-GA. The seven

¹ The Floor Area Ratio is calculated by dividing the gross floor area of all buildings on a lot by the lot area.

² The two-story minimum height is intended to apply to the whole building, not just a portion if it does not meet FAR.

impacted parcels are identified in Attachment 2. Additionally, some of the lots have frontage along 5th Street. The intent of the exception process is to retain the requirement for two-story buildings along 5th Street frontage if it is a through lot situation.

New Construction vs. Existing Structures

The proposed exception would apply only to additions and expansions to existing buildings that may not meet current FAR and/or height standards. This substantially limits the use of the exception compared to allowing it to apply to all new construction.

The current general exception for the height requirement for new construction is retained and clarified to apply to height and FAR, but explicitly notes as applying only to new construction. The current exception applies to all of the DSC zoning. The threshold of approval of an exception for new construction is a higher threshold than the criteria proposed by staff.

Construction of a new building should meet the existing height and FAR standards as there would not be similar impediments to meeting those standards. The exception would not be allowed to apply to a surface parking lot only due to the recommendation of at least at 0.50 FAR even with approval of an exception. This standard means each property must be developed with building, not just a parking lot.

Design Criteria

An exception is granted by the Zoning Board of Adjustment per the authority granted in Section 29.1506 (4) in [Article 15](#). Subparagraph 29.1506 (4)(b) will need to be updated to include FAR in the DSC. The intent is to only grant the exception when the proposed design meets the overall objectives of the City and not have it based upon use.

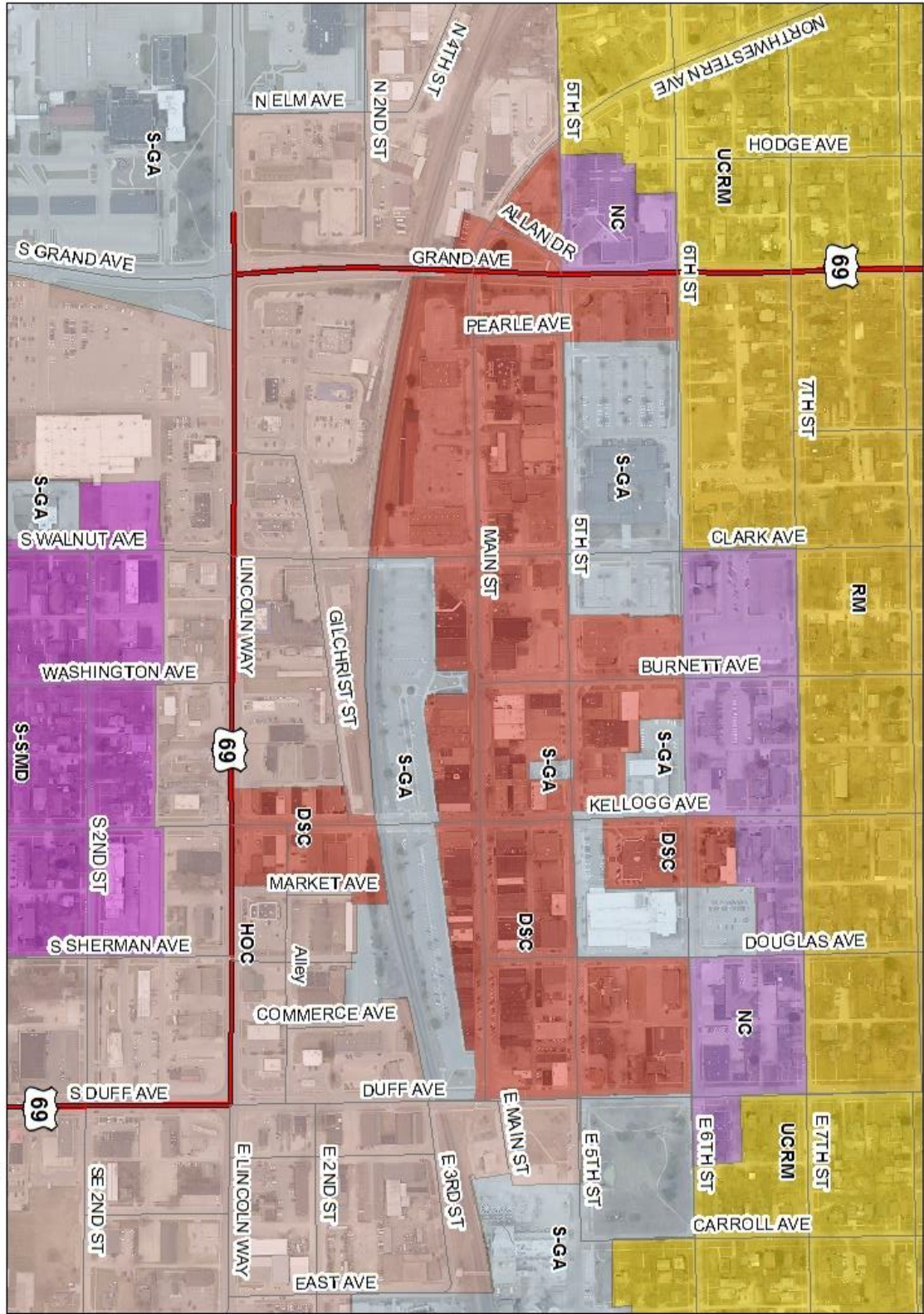
The proposed standards include a requirement that a façade shall support pedestrian orientation with front facade placed near the street and that there be a primary pedestrian entrance. Additional pedestrian entrances may face an adjacent parking lot but, to maintain the pedestrian orientation consistent with the existing built environment in the urban core, there must be a primary street entrance.

The proposed design would also need to be of a height that is compatible with buildings in downtown, meaning that the height of a one story building be extended with a parapet or including some element of two-stories even if there is not a whole second floor. The criteria also include a requirement to maintain or create a building edge along the sidewalk—a feature typical of the urban development patterns of Main Street.

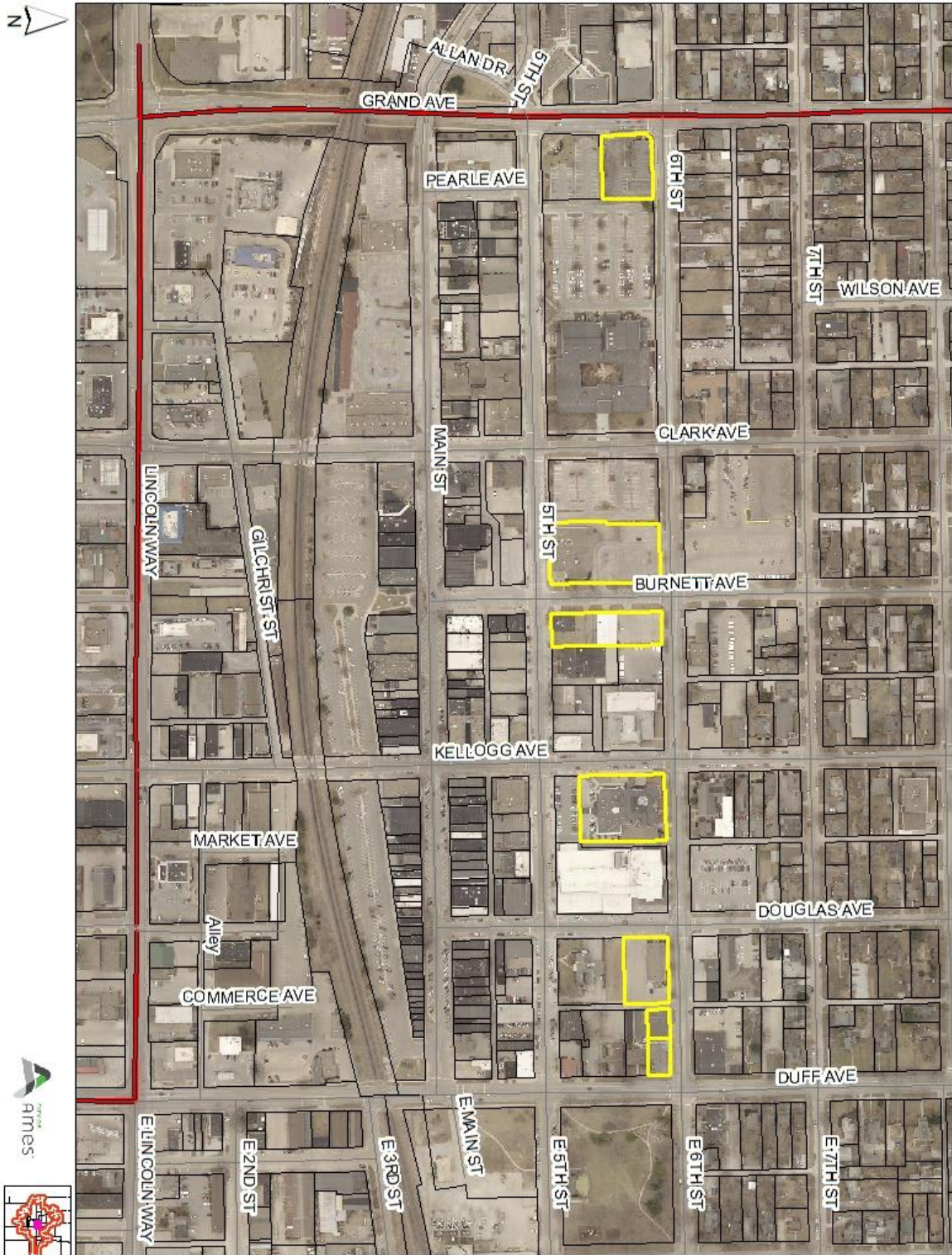
The exception also is written to allow for only a 50% reduction in the minimum required FAR. This assists in assuring the goal for intensity of use is still met and that projects do not focus solely on providing on-site parking with a small amount of building area.

The exception extends design authority to the Site Plan review to consider the whole of the site not just the building to address parking design. The likely replacement of building area with parking and the relationship of the parking to the street is an important consideration with the exception allowance.

Attachment 1: Downtown Service Center Zoning [North to Right]



Attachment 2: 6th Street Corridor [North to Right]



Attachment 3: Proposed Amendments for DSC FAR and Height Requirements

Section 29.808

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(4) Standards for the Granting of Exceptions to the Minimum Requirement for Two Story Buildings and the Minimum 1.0 Floor Area Ratio in the DSC (Downtown Service Center) District. Before an exception to the requirement for two-story buildings or the minimum 1.0 floor area ratio in the DSC (Downtown Service Center) can be granted, the Zoning Board of Adjustment shall establish that the following standards have been, or shall be satisfied:

(a) Standards for New Construction. The Zoning Board of Adjustment shall review each application for the purpose of determining that each proposed one-story building, in the DSC zone, meets the following standards:

- (i) Physical circumstances exist for the property which result in a lot with a size and shape that is not conducive to a multi-story structure, and
- (ii) It can be demonstrated that there is a direct benefit to the community to have a one-story structure, at the proposed location, as opposed to a multi-story structure.

(b) Standards for Existing Structures. The Zoning Board of Adjustment shall review each application for the purpose of determining that each proposed expansion or enlargement of a building not meeting the minimum number of stories or floor area ratio, meets the following standards:

- (i) The proposed project is an expansion or enlargement of an existing building and not for new construction,
- (ii) The property has frontage on 6th Street. For properties on a through lot, existing buildings on the south half of the lot shall have a second story along the entire 5th Street frontage,
- (iii) The proposed project retains or creates an active pedestrian street entrance,
- (iv) The proposed project demonstrates a height and building placement that emphasizes an urban design of Main Street style development characterized by a height compatible with buildings in downtown and maintaining or creating a street edge with buildings,
- (v) The proposed project deemphasizes the quantity and visibility of surface parking spaces, and
- (vi) The proposed project has a minimum floor area ratio of 0.50

(bc) Procedure. The procedure to follow for an “exception” is described in Section 29.1506(3).

Section 29.1506 EXCEPTIONS

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(4) When Authorized. The Zoning Board of Adjustment is authorized to grant the following exceptions:

(a) Parking stall exceptions pursuant to Sec. 29.406(9)(c).

(b) ~~DSC and CSC~~ minimum height exceptions pursuant to ~~Sec. 29.808(4) and 29.809(4)~~. (Ord. No. 3872, 03-07-06)

(c) DSC minimum height and floor area ratio exceptions pursuant to Sec. 29.808(4).

(ed) Exceptions for minor area modifications. The Board is authorized to grant exceptions from the requirements of the zoning ordinance to allow minor area modifications for single family attached and detached dwellings that are existing in developed areas, but not in cases of new construction. These are authorized for the following situations:

(i) reduction of required residential side yard setbacks for principal structures by no more than two feet

(ii) reduction of required residential front and rear yard setbacks for principal structures by no more than five feet;

(iii) reduction of minimum lot area requirements by no more than 10%;

(iv) reduction of required residential front, rear and side yard setbacks without limit as required to provide handicapped access ramps to a dwelling;

(v) reduction of front, rear, and side yard setbacks without limit to allow reconstruction of a historically accurate structure.

~~(de)~~ Commercial Parking lot side and rear landscape setback requirement of 29.403.

~~(ef)~~ Commercial Parking Lot area percentage requirement of 29.403.

(5) Review Criteria. Before an exception can be granted, the Board of Adjustment shall establish that the following standards have been or shall be satisfied:

(a) Parking Stall Dimension Exceptions. The Board may grant specific limited exceptions to the minimum parking space and drive aisle dimensions in accordance with the standards set forth at Sec. 29.406(9)(c).

(b) ~~DSC and CSC~~ Minimum Height Exceptions. The Board may grant exceptions to the minimum height requirements for buildings in the ~~DSC and CSC~~ districts in accordance with the standards set forth at ~~Sec. 29.808(4) and 29.809(4)~~.

(c) DSC Minimum Stories and FAR exceptions. The Board may grant exceptions to the minimum number of stories and floor area ratio requirements for buildings in the DSC district in accordance with the standards set forth at 29.808(4)

(ed)...

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