

**MINUTES
CITY OF AMES
PLANNING AND ZONING COMMISSION**

Date: February 17, 2016	Debra Lee, Chairperson	2018
	Rob Bowers, Vice Chairperson	2018
Call to Order: 7:00 PM	Yvonne Wannemuehler	2018
	Julie Gould	2016
Place: Ames City Hall Council Chambers	John Tillo	2016
	Carlton Basmajian	2017
Adjournment: 10:36 PM	Matthew Converse	2017

MAJOR TOPICS DISCUSSED:

1. Public Hearing for the Land Use Policy Plan Minor Map Amendment for the End of Cedar Lane (Burgason)
2. Public Hearing for the Land Use Policy Plan Minor Map Amendment for the East Industrial Area
3. Zoning Text Amendment for the Environmentally Sensitive Area Overlay
4. Zoning Text Amendment for Chapter 9 Floodway Regulations Conditional Use Permit Requirements
5. Zoning Text Amendment for Minimum Floor Area Ratio in Downtown Service Center and Campustown Service Center
6. Zoning Text Amendment to Add Funeral Homes to Institutional Uses in Downtown Service Center
7. Public Hearing for the Rezone of Properties Located at 1405, 1415, 1425, 1502, 1510, 1511, and 1519 Baltimore Drive, and for Properties Located at 1428, 1429, 1506, 1514, and 1522 Boston Avenue, from Community Commercial Node to Highway-Oriented Commercial

CALL TO ORDER: Debra Lee, Chairperson, called the meeting to order at 7:00 PM

APPROVAL OF AGENDA:

MOTION: (Wannemuehler/Converse) to approve the February 17, 2016 meeting agenda

MOTION PASSED: (7-0)

APPROVAL OF THE JANUARY 20, 2016 MEETING MINUTES:

MOTION: (Tillo/Gould) to approve the January 20, 2016 meeting minutes

MOTION PASSED: (7-0)

PUBLIC FORUM: There were no public comments.

PUBLIC HEARING FOR THE LAND USE POLICY PLAN MINOR MAP AMENDMENT FOR THE END OF CEDAR LANE (BURGASON)

Case Planner Charlie Kuester explained that in 2006 the City of Ames, Story County, and the City of Gilbert adopted the Ames Urban Fringe (AUF) plan, a multi-jurisdictional plan outlining a vision for development within the two-mile fringe of the City of Ames. The AUF includes three broad categories: Urban Service Area (intended for annexation and future development), Agriculture and Farm Service (meant to preserve agricultural uses), and the Rural/Urban Transition Area (limited residential and commercial development). Throughout the fringe, Story County retains zoning jurisdiction. The applicant, Burgason Enterprises, requested a change in a 9.72-acre agricultural area to Urban Service Area to allow for annexation and development. Mr. Kuester reviewed the subject property on a location map, current and proposed AUF designation maps, and on an Allowable Growth Area map. The property appears as a triangular piece, surrounded by various ISU land holdings, extending south of the growth area boundaries, which were drawn without close examination of ownership patterns. Mr. Kuester stated that it makes sense to include the subject property as part of a future development of Burgason property rather than leaving it as a remnant to be used for agriculture. Burgason believes the property has development potential but has not indicated a timeframe for seeking annexation. The requested Land Use Policy Plan (LUPP) map amendment would allow the subject property to be included in future development. Mr. Kuester explained that with a LUPP change, staff does not examine if a plan is in place to provide all services necessary for urban development, but rather if it is possible using existing extensions of lines to potentially serve an area. At the time of annexation, rezoning, or a preliminary plat, more detailed study of traffic connections, utility extensions, and storm water management would occur. According to Mr. Kuester, the site could be readily served by extending the utility infrastructure that would serve the defined Allowable Growth Area. The subject property could be developed with a maximum of 45 single-family homes. No evidence of natural resources or native vegetation exists. Based on staff's analysis and examination of development potential, it recommended approval of the proposed request.

Debra Lee asked Mr. Kuester if the intent of agricultural designation in the LUPP is for land to remain as agriculture for the long term. Mr. Kuester replied that one of the broad policy goals of the AUF plan is to protect agricultural resources, and is why the subject property was originally designated as such. Ms. Lee asked if surrounding land designations could be easily changed. Mr. Kuester indicated that neighboring land owned by the State of Iowa and by ISU is not subject to City or County zoning regulations, while land privately owned by the ISU Foundation would require review processes to allow for possible development.

Carlton Basmajian asked to see a map showing the full extent of university land holdings surrounding subject property. Mr. Kuester displayed a map showing ISU's land holdings to the south, west, and east of the subject property.

Applicant, Steve Burgason, 3314 Cedar Lane, reported that his family purchased the land about 50 years ago and now desires to consolidate it for development, as it is more difficult to farm 9 acres than 50 acres. He also noted meetings with Story County to discuss turning the abandoned railroad track on the property into a multi-use path connected to the trestle trail to the south. Mr. Burgason indicated his family's land would be one of the more desirable venues for such a trail connection, as it could be done without interrupting major traffic patterns.

John Tillo asked how extensive the Burgason's conversations have been with the County regarding trail development. Mr. Burgason replied that the County presented several scenarios for routing a trail to the High Trestle Bridge Trail, and that he understood that the preferred route would extend through the Burgason land. He said that as long as other land owners are amendable to the idea, the Burgasons would love to have that as part of the overall bike trail

system and also as a connected extension of trails the County is working on with the ISU Research Park.

There were no public comments.

Mr. Tillo expressed support for the applicant request and staff's recommendation.

Mr. Basmajian questioned what the university may do with its property and said he understands that property to be one of ISU's core holdings in agricultural research land. He characterized the subject Burgason property as surrounded, awkwardly-shaped for development, and rather inaccessible. He expressed hesitation about the LUPP amendment request based on questions about whether the land would be appropriate for residential development in the long-term.

Ms. Lee said it is her understanding that the ISU Foundation land is currently being farmed. Kelly Diekmann, Planning and Housing Director, confirmed the land is farmed.

Julie Gould asked if ISU was notified of the LUPP amendment hearing. Mr. Kuester said he had a conversation with a member of the ISU Planning and Facilities Department regarding the implications of the LUPP amendment. ISU did not indicate a position verbally or in writing. Yvonne Wannemuehler stated the ISU Foundation would be a different entity than ISU. Mr. Diekmann reported that the ISU Foundation would have received property owner notification.

MOTION: (Gould/Wannemuehler) to **accept Alternative #1**, which states: that the Planning and Zoning Commission may recommend that City Council approve: (a) an amendment to the Ames Urban Fringe Plan Land Use Framework Map from Agriculture and Farm Service to Urban Residential; (b) an amendment to the Ames Urban Fringe Plan Land Use Classes Map from Rural Services and Agricultural Conservation Area to Urban Services Area; and (c) an amendment to the Land Use Policy Plan Allowable Growth Map to designate this as part of the Southwest II Growth Area.

Ms. Lee said while she shares Mr. Basmajian's qualms, she would support the request because the subject property is an odd result of how property ownership was carved out, and there is not necessarily a right or wrong with either land use designation.

Ms. Gould added that without knowing ISU's intentions, and without interest from the Burgasons in selling the subject property, it would otherwise become a remnant that would be difficult to farm or develop residentially. In her view, it is just as well to allow the Burgasons to have the land along with the other property to eventually develop.

MOTION PASSED: (6-1) Opposed: Basmajian

Mr. Kuester said this item is tentatively scheduled for the March 1, 2016 City Council agenda.

PUBLIC HEARING FOR THE LAND USE POLICY PLAN MINOR MAP AMENDMENT FOR THE EAST INDUSTRIAL AREA

Case Planner Charlie Kuester reported that the City Council has considered the potential of industrial development along the Lincoln Way Corridor for a number of years. For that to occur, the City would need to amend the Ames Urban Fringe (AUF) plan for the area between Ames and Nevada. Mr. Kuester reviewed the current AUF map and highlighted the two-mile fringe area governed by the current AUF plan along with the locations of Highway 30, Interstate 35, the Union Pacific Railroad, East 13th Street/220th Street, and 590th Avenue. He pointed out current

Planned Industrial, Agriculture and Farm Service, and Industrial Reserve areas, and noted that the latter designation amounts to a 'holding pattern' intended to prevent conflict with long-term industrial development and to ensure compatible uses. The City Council has directed staff to examine expanding the Planned Industrial designation along the Lincoln Way Corridor east to 590th Avenue. Mr. Kuester reviewed proposed changes to the Planned Industrial and Industrial Reserve areas on a proposed AUF map. He also pointed out Highway-Oriented Commercial, government, and natural areas that would retain current designations. The LUPP addresses the need for Planned Industrial areas and indicates they should be near limited-access thoroughfares and have specific design features. Staff believes the proposed LUPP map amendment meets this policy goal. The LUPP recommends that new industrial areas be associated with planned industrial parks located in conjunction with a limited-access highway to provide regional-scale activities. While Lincoln Way is not a limited-access road, it does provide access to such a road. Mr. Kuester noted the Department of Transportation has proposed changes to Highway 30 intersections between Nevada and Ames, although the final details are unknown at this time.

Citing the LUPP, Mr. Kuester explained that locating large-scale activities in Planned Industrial parks helps to assure adequate access, utilities, environmental controls, and compatibility with community entryways. The 13th Street/Interstate 35 interchange is the primary recommended Planned Industrial location, he noted. Other Planned Industrial areas are located near the ISU Research Park. While not specifically mentioned in the LUPP, Mr. Kuester said the Lincoln Highway Corridor shares important characteristics with other Planned Industrial areas and also includes service from the Union Pacific Railroad. Much of this impacted area is currently zoned A-1 Agriculture. It is anticipated that County zoning designations will remain until any annexation occurs. The area also includes pockets of commercial, light industrial, and A-2 Agribusiness zoning. Mr. Kuester reviewed staff's analysis of traffic, existing connections with Highway 30 and Interstate 35, and noted that Lincoln Highway is the main east-west arterial in the area, providing direct access to Nevada and Ames. Staff anticipates necessary road and intersection improvements will occur as development proceeds. Water and sanitary services will be able to serve the area via planned extensions of existing lines. Any development would be required to meet storm water standards of Chapter 5B. Mr. Kuester indicated there is no evidence of natural resources or native vegetation for the majority of this area—much of the land has been row-cropped for years. He reviewed areas with Natural Area or General Flood Plain designations that would receive an Environmentally Sensitive Area Overlay upon annexation.

According to Mr. Kuester, with Planned Industrial designation, no further regulatory steps will be needed until annexation of the area. Rezoning and development would depend on demand and needs of area users. Based on LUPP goals for Planned Industrial areas, it is likely staff would wish to amend or create a new zoning category and develop a master plan to incorporate the design features and protections the LUPP calls for, such as the appearance of main entryways to Ames, and limited access along Lincoln Way. Mr. Kuester noted that the Ames Economic Development Commission (AEDC) met with some of the area property owners and indicated there is some support for annexation in a 'short- to medium-term' timeframe. Based on its analysis and review of the request, staff recommended two LUPP map amendments as displayed on the Proposed AUF and AUF Land Use Classes maps and described in Alternative 1 of the staff report.

Kelly Diekmann, Planning and Housing Director, clarified that several properties south of Lincoln Way along 590th Avenue are not included in a recently signed Central Iowa Water contract, and may not be included in the final proposal for Planned Industrial as shown on the proposed AUF map in the staff report.

Mr. Kuester added that any changes to the AUF map needs concurrence of the City of Gilbert and Story County, and each entity would have its own process for approval. The AUF plan is a three jurisdictional plan, and all participants must concur on a shared vision for development.

Mr. Basmajian asked for clarification about 'near term' annexation and/or development. Mr. Diekmann stated the timeline is undefined but probably means utility construction programmed in the Capital Improvements Plan in the next two years. If the LUPP amendment were approved, he explained, annexation applications could be submitted at any time, and rezoning and project requests could be examined while utilities are under construction. The AEDC believes this is a marketable area right now for large industrial users, he reported, not something that will require 10-20 years for development proposals to arrive.

Ms. Lee questioned a sentence appearing on page 4 of the staff report indicating staff does not anticipate annexation proposals until a substantial portion of the Planned Industrial area is developed. Mr. Kuester replied that the intended message from staff is it would expect phased expansion and build out of Planned Industrial areas followed by changing designations for Industrial Reserve areas to Planned Industrial. Mr. Diekmann added that the Industrial Reserve would continue to buffer areas where industrial use is expected in the more distant future.

Mr. Basmajian asked for an estimate of the proposed industrial expansion area. Mr. Diekmann said it spans 1,200 gross acres south of the Union Pacific Railroad tracks. Ms. Wannemuehler asked about the designation of the area to the west and north of the proposed expansion area. Mr. Kuester indicated that area is within the City limits and includes the Barilla industrial area, as well as other areas with Planned Industrial and regional commercial land use designations.

Ms. Lee questioned why the proposed Planned Industrial expansion extends to 590th Avenue at this time. Mr. Diekmann cited leveraging an existing 10-year agreement with Nevada allowing for planned expansion and annexation to that point. He explained the size of the expansion area maximizes rail frontage and also noted the phase one expansion of 1,200 acres is roughly the maximum area that could be served without an additional utility extension into the area beyond what is already planned at this time. Ms. Wannemuehler and Ms. Lee asked about expansion to either the north or south. Ms. Lee questioned the focus on the area along Lincoln Way. Mr. Diekmann explained that utilities beyond current utility extension plans along Lincoln Way would be needed with north or south expansion. He reported that interest along Lincoln Way in this part of the Industrial Reserve is driven by the railroad frontage.

Mr. Basmajian inquired about the number of property owners in the expansion area. Mr. Kuester indicated there are 2-3 acre homesteads along the frontage, along with larger parcels. The notification mailing list for the area included approximately 300 property owners. Mr. Diekmann added that the area is comprised of primarily large properties. Marketing larger areas, without cobbling together small pieces and/or finding willing sellers, is appealing to the AEDC.

Public comment opened at 7:53 PM.

Jarrett Wendt, 58842 Lincoln Highway, Nevada, objected to the proposed LUPP amendment on the grounds that the City has not adequately addressed or provided for negative consequences for area home owners stemming from large-scale factories affecting quality of life and lowering property values. Mr. Wendt requested that the City address concerns before approving the proposed amendment, including: greater definition of policies for Planned Industrial areas to protect residents from light, noise, and air pollution; and adequate setbacks and visual screening beyond considerations given to roads and City entryways. Mr. Wendt stated that proposed industrial development is so upsetting that he is considering cancelling planned additions to his

family's home, built in 1900, and possibly selling the home immediately. The Wendts hoped to raise their family in the home—it was purchased 18 months ago. He asked for consideration of the homeowners' rights and investments, in addition to the consideration given to the good of Ames as a whole. In his view, the area homeowners are under-represented by the 80/20 standard for annexation due to the small size of homestead properties in relation to larger property owners. Mr. Wendt suggested an evaluation based on assessed property value. He thought this would better represent owners' investments and risks.

Randy Collings, 58853 250th Street, Nevada, indicated he owns property located in the southeast quadrant of the Industrial Reserve area. He wished to report that a wind turbine and a measurement tower will soon be constructed on his property.

Brian Wilsey, 21242 590th Avenue, Nevada, agreed with the objections of other speakers. He stated industrial development will lower property values and degrade the area. He cited Ketelsen Marsh and Larson Marsh as features that make the area a nice place to live. In his view, industrial development should not be concentrated in certain areas. He cited the ISU Research Park as a model of smaller industrial development with residential areas mixed in.

Abigail Bloch, 58327 Lincoln Highway, Nevada, indicated her family has lived in its home for five years. She and her husband wish to raise their daughter in a rural Iowa setting. They are not a large farmer and do not have legal representation to advocate for them. She said they are totally against the proposed LUPP map amendment.

Nancy Miller, 57701 East Lincoln Highway, Ames, has lived in her home on three acres since 1980. She said they have raised three children there and have had a great life. She opposes industrial development in the area because she thinks it will have a negative effect on property values and will increase taxes.

Don Schumann, 3209 Jewel Circle, Ames, spoke on behalf of Michael and Linda Badger, 57200 Lincoln Highway, Ames. He reported that the Badgers purchased and refurbished property 25 years ago and were pressured by the City and other entities to sell land that ultimately became the Barilla facility. The couple started again and purchased 80 acres to the east where they built the house they occupy today. Their home is located in the proposed Planned Industrial expansion area. They are concerned about the businesses that may develop and what may happen to area residents. Mr. Schumann indicated the Badgers oppose the proposed changes. He noted a sentence on page 3 of the staff report indicating the City believes property owners along Lincoln Way will apply for annexation in 2016 and pointed out that a map amendment would need to be approved before annexation could occur. Mr. Schumann remarked that it is wrong for governmental agencies to force people to sell their property and live somewhere else.

Mary Jane Doobay, 21286 570th Avenue, Ames, who lives across from Ketelsen Marsh, expressed disappointment that the City has focused on industries that might be interested in the area without mentioning the existing property owners. The area being considered for industrial expansion is not an open field, she said, but rather a collection of people who have spent their lives trying to make their property productive and something to be proud of.

Cheryl Morris, 23092 580th Avenue, Ames, stated she is totally opposed. She said hers is one of the little 'cobbled' pieces of property, at just over two acres. She agrees that smaller property owners do not have the same degree of input into annexation as larger land owners and hoped the smaller owners' concerns would be heard.

Donnette Williams, 57576 Lincoln Highway, Ames, expressed opposition and questioned whether the City of Ames would serve area residents with police and ambulance services, for instance, as well as the County. Her family lives on five acres and hope it retains its rural setting.

Gregg Lovin, 58301 210th Street, Nevada, lives with his wife near the Industrial Reserve. They oppose industrial expansion. They have witnessed some industrial development already that has changed the landscape and nighttime light levels. The Lovins are concerned for value of their acreage. They have lived there for 30 years and have enjoyed its country feel. Mr. Lovin prefers industrial development at 13th Street/Interstate 35 rather than spread along Lincoln Highway. He asked what recourse property owners have in this process. Mr. Diekmann responded that the proposed map change would require the consent of the Story County Board of Supervisors. He also suggested dialogue with elected officials and at future hearings at the time of annexation or rezoning. Mr. Diekmann indicated property owners could also address their concerns in court.

Dr. Elizabeth Kraayenbrink, 56925 245th Street, Ames, said she and her husband moved here one month ago and bought their dream property. They were dismayed to receive a map of the proposed industrial expansion area in the mail. They live on the southern end of the Industrial Reserve but are very concerned and upset by the proposed change. She hoped the concerns and feelings of a simple homeowner could be understood.

Gerald Johnson, 21473 570th Street, Ames, commented that industrial development is incompatible with the marsh preservation he helped accomplish by purchasing both farmland and marsh land that he later sold to the Iowa National Heritage Foundation. He stated this is some of the best farmland in the world, and it should not be buried by concrete.

Lowell Kingsbury, 24215 580th Avenue, stated he has witnessed a lot of good change in Ames during 65 years as a resident. In his view, small town Iowa is going away. He expressed support for the proposed LUPP map amendment and continued development in Ames.

Ms. Lee asked members of the public in attendance about their general awareness of the AUF, and if they were aware that many of their homes are located in an area that had already been designated as Industrial Reserve. Mr. Diekmann said the AUF was not available until 2006. Prior to 2006, only the LUPP existed, which noted general interest in industrial development near the Interstate 35/Highway 30 interchange. Ms. Lee stressed the importance of public awareness of the potential impact of land use planning.

Don Schumann, 3209 Jewel Circle, expanded on his earlier comments with descriptions of the Badgers' investments in landscaping and other property improvements. In response to questions from Mr. Schumann, Mr. Diekmann confirmed that industrial expansion was not planned when the Badgers purchased their property. Mr. Schumann reiterated that annexing the area and changing its zoning is wrong. Mr. Diekmann indicated that current zoning would remain in place unless requests for rezoning were made and then approved. The City would not proactively rezone the entire area to industrial, he explained. Mr. Schumann agreed that progress is progress, but stressed considering people's feelings and disruption from being forced to move.

Public comment closed at 8:24 PM.

Mr. Basmajian said it seemed the AEDC did not do its work very well. He wondered which property owners were approached for feedback, and how these efforts were done. He stated it was a very poor job of outreach. In his view, this type of conflict can be negotiated in good faith. He said it gave him great pause that this amendment was initiated by the AEDC, through the City, with

probably a select group of landowners. He said he would exercise a tremendous amount of caution with a proposal ostensibly driven by government, but ultimately not.

Ms. Lee inquired about Nevada's plans for the Lincoln Highway area to the east of 590th Avenue. Mr. Kuester said there is an annexation on the north side, and Nevada wishes to do backfilling between the ethanol plants going back toward the City. Mr. Kuester was unaware of specific proposals. He noted that marketing efforts for the area have promoted access to the railroad.

Ms. Gould commented that the size of the proposed map amendment seemed excessive and overwhelming, especially absent stated potential industrial users. In her view, the expansion area seemed like a large piece to bite off initially.

John Tillo agreed that the expansion seemed excessive. He stressed that a recommendation for approval would just start the process and other public comment opportunities would accompany annexation and rezoning. Mr. Tillo was also very concerned by the size of the area, particularly because he was confident property owners were unaware of possibly being subject to annexation so soon. Mr. Tillo recited LUPP goals related to growth in the context of community needs and preferences, as well as compatibility with other development. He acknowledged being swayed by so many people speaking out against the proposed map amendment. In his view, it is important to do the most good for the City of Ames, but he has serious reservations about asking the City Council to approve the proposed LUPP map amendment.

Rob Bowers said he appreciated other commissioners' comments about the size of the proposed Planned Industrial area expansion. However, he regarded the current issue as a map designation, like those for other areas in the LUPP. He expressed concern about reducing the scope of the map amendment, as that might create an impression of a different long-term plan for the area. In his view, if the area will eventually have an industrial land use designation, it would be preferable to designate it as such now, rather than in piecemeal fashion.

Mr. Tillo said he agreed with Mr. Bowers' general points but repeated concern about the size of the proposed map amendment, saying it is unprecedented during his tenure as a commissioner. Mr. Tillo advised that circumstances may change, and it may be best not to lock into this land use forecast and instead slowly edge out industrial property. Mr. Tillo expressed empathy for the area homeowners. He stressed that while homeowners would not be forced to move, they could end up with neighbors they do not want. He supported a greatly scaled-back version of the proposed map amendment and asked if the City had considered a smaller designation. Mr. Diekmann said a smaller designation was not considered. Instead, the City adopted a broad approach to the area that looks forward at least 30 years. The City views the area as a sizeable amount of land that could meet both the near- and long-term industrial needs. The plan is driven both by what can be served and by what is thought to be marketable, according to Mr. Diekmann.

Mr. Kuester added that the City is looking at the big picture and noted that the Planned Industrial expansion more or less reflects plans and goals behind the agreement the City made with its buyout of area water rights from Central Iowa Rural Water, i.e., maximizing the buyout area and having a budgeted plan to serve the entire area.

Matt Converse related that construction of the Barilla facility exhausted all of the industrial land available in the City at that time. He stated that a bigger area allowing for future annexation is advisable because it would provide an inventory of land designated for industrial development.

Ms. Gould asked when the City would update its comprehensive plan. Mr. Diekmann indicated the next update process would begin in 2017-18, per City Council directive. Ms. Gould suggested

reducing the scope of the proposed expansion, or even taking it off the table to allow for more community outreach and input as part of the updated comprehensive plan. Mr. Diekmann pointed out that a substantial amount of the subject land appears in the LUPP as Industrial Reserve, and has appeared in the City's plans since 1997 as some level of industrial growth. Mr. Diekmann indicated the extension of industrial land use designation to 590th Avenue, while not in the LUPP, is viewed by staff as a response to Nevada locating industrial plants next to 590th Avenue.

Mr. Basmajian asked if land designations might change with a full comprehensive plan update. Mr. Diekmann said the attributes that make the area desirable for industrial development will not change, e.g., railroad access, large tracts, flat terrain, and ability for logical extension of utilities down Lincoln Highway. Mr. Diekmann speculated that Mr. Basmajian may be questioning if demand for this scale of industrial designation will persist for 30 years. Mr. Diekmann said no one will know that two years from now. In Mr. Basmajian's view, that does not get at the community interest question of what the community wants land to be. Mr. Basmajian thought Mr. Diekmann described an engineering problem, not a planning problem. Mr. Diekmann replied that the current hearing is part of that planning process—an amendment to an adopted plan, where part of the subject land has been in a plan, and part has not. He added there are no other industrial expansion areas in City besides the ISU Research Park Phase II, which is an entirely different type of economic activity than that planned for the subject area. This matter is on the table now to give opportunities for development to occur in an area well suited for industrial uses.

The current AUF map shows substantial areas with Planned Industrial land designation, Mr. Tillo pointed out. He estimated the available Planned Industrial area is well over 200 acres, though not all of it has railroad frontage. He argued that development opportunities are important for the City but he believed it would be appropriate to be more conservative with growth, perhaps starting with the existing Planned Industrial areas with railroad frontage and then mushrooming out a little.

Ms. Basmajian stated he does not believe the issue is growth/no-growth. In his opinion, this issue presumes a certain kind of industrial development, which is one kind of land development out of many kinds of possible growth. He argued that the growth issue is about where, not if, and that the proposed map amendment could be seen as setting the stage for industrial sprawl going to edge of Nevada. He said there is a bigger picture from making these designations that have hidden teeth. Mr. Bowers countered that limiting the potential expansion could also be closing a door on a very prosperous relationship between the community and new or emerging industry. He advised against labeling growth. Mr. Bowers added he believes Ames has erred in the past by trying to label growth. Mr. Basmajian replied that it is not about whether growth can occur, but how growth is shaped and where it occurs, as opposed to whether it will happen.

John Tillo expressed surprise that the City has not considered a more conservative Planned Industrial growth plan to meet more immediate economic drivers. Mr. Diekmann replied that a land use designation change would not mean immediate annexation or proactive rezoning for an entire area. Rather, the City would examine what is needed and what can be served. The perspective is broad now, he said, to accommodate the amount of time required for planning, review processes, adjustments, and efficient infrastructure extensions and investment. The proposed map amendment sets limits for annexation but does not establish a minimum size or define annexation shape. Expansion along Lincoln Highway enables development on both sides of the road and would yield a greater payback on utility investment. Staff believes the first choice of development would be to the north of Lincoln Highway in order to leverage the railroad tracks.

Ms. Lee voiced concern with the process more than the outcome. She recalled discussions related to the need to diversify employment opportunities in Ames, and the need to provide a place for that to happen. She also stated there is value in a defined industrial area that does not

share borders with established residential neighborhoods. Ms. Lee expressed sensitivity for the current residential landowners, and a desire for them to have a greater opportunity to absorb the proposed change and to learn about the vision for the area. In her view, the word 'industry' brings to mind connotations of certain potential types of neighbors. She favored allowing more time for communication prior to approving amendments enabling large-scale change.

Mr. Diekmann added that the industrial land use designation would likely need zoning work to see if it is compatible with existing zoning categories and the type of industry intended to be located next to a railroad. Planned Industrial designation typically accompanies a business park, as opposed to the general industrial users that have been discussed. Mr. Diekmann indicated there is no additional information available at this time about potential industrial users.

Ms. Lee repeated her concern for allowing affected parties more time to familiarize themselves with the potential changes and the review process. Mr. Diekmann noted a hearing with the Story County Planning and Zoning Commission, a hearing with the Story County Board of Supervisors, a hearing with the Ames City Council, and input from the City of Gilbert as multiple subsequent steps that would allow for discussion and public input. All of the entities involved would have to arrive at the same conclusion for the amendment to be passed, he explained.

Ms. Gould asked about public notification of subsequent hearings. Mr. Kuester replied that each entity has its own process. Ms. Gould suggested consulting the various agendas for information.

Ms. Lee reminded the audience that the Planning and Zoning Commission acts as an advisory body, not a decision-making authority. She encouraged discussion with elected officials.

MOTION: (Gould/Basmajian) to **accept Alternative #3**, which states: that the Planning and Zoning Commission may recommend to the City Council the **denial** of the proposed amendments as shown in Attachment C.

MOTION PASSED: (5-2) Opposed: Converse, Bowers

Mr. Diekmann indicated this item could appear on the City Council agenda for March 1 or March 22, 2016. He encouraged monitoring the schedules, agendas, and actions of other agencies.

The meeting recessed at 8:52 PM and reconvened at 8:59 PM.

ZONING TEXT AMENDMENT FOR THE ENVIRONMENTALLY SENSITIVE AREA OVERLAY

Kelly Diekmann, Planning and Housing Director, reminded the Commission it continued this item at its January 20, 2016 meeting to allow staff to respond to information requests. A companion item pertaining to corresponding changes to flood regulations in Chapter 9 of the *Municipal Code* would be discussed after this item. Mr. Diekmann noted a third item, recommended for approval by the Commission at its January 20 meeting, related to adoption of an Environmentally Sensitive Area Overlay (O-E) mapped to the boundaries of the Federal Emergency Management Agency (FEMA) defined floodway throughout the City for all waterways with a FEMA designated floodway. These items are for administration and implementation of the overlay, he explained.

For the current agenda item, Mr. Diekmann said staff provided more information about how the O-E would overlap with Chapter 5B Post-Construction Stormwater Management code. Staff also provided information about an alternative to the discretionary review process. The non-discretionary review alternative would add performance standards into Chapter 9 or Chapter 29 that would limit activities in the floodway but would not necessarily require public hearings with

the Planning and Zoning Commission or the City Council. This alternative would be more restrictive and would not have permitting flexibility. In contrast, the discretionary review process does not restrict anything absolutely, but does require a public hearing process to gauge compatibility and fit on a property. The latter approach provides flexibility and oversight.

Mr. Diekmann characterized the City's Chapter 5B stormwater components as mostly technical elements. Stormwater management requires evaluation of natural resources, soil conditions, and a stream buffer requirement. That information is fed into an evaluation of how a site can treat and manage stormwater. It is not exactly a floodway or an environmentally sensitive area protection measure. The buffer feature is to protect the stream bank and riparian area from encroachment, but the buffer is not necessarily the same distance as the floodway itself. The Stream Buffers and Floodways exhibit from Attachment E of the staff report was reviewed. Case Planner Charlie Kuester clarified the buffer size is 100 feet on both sides of the river bank, or 200 feet in total.

In staff's view, Mr. Diekmann explained, Chapter 5B includes many performance measures that are required of all development regardless of what happens with the proposed text amendment. Chapter 5B does not take exactly the same perspective as what is proposed, however. The difference is that the O-E overlay means to evaluate the suitability of the project, versus Chapter 5B's evaluation of the project's technical compliance with proscribed stormwater management rules. The O-E overlay is a discretionary review of the suitability of the use assuming absolute compliance with stormwater management rules.

Staff believes the most significant effect of the text amendments to Chapter 9 and Chapter 29 is limiting grading or excavation that is currently allowed in the floodway via administrative permits, according to Mr. Diekmann. In addition, the text amendments would limit impervious surfaces (flat surfaces, e.g., loading or parking areas) and require discretionary review instead of administrative permit. Because excavations would be limited, any stormwater feature in a floodway would require a discretionary review process. The proposed changes would capture the three most common development features—i.e., excavation, impervious surfaces, and stormwater—and bring them into the major site plan development review process. He added that restrictions about structures would not change, some amenities for recreational uses would be very similar, and public improvements for pipes, bridges, etc. would also continue to be allowed much like now.

Public comment opened at 9:06 PM.

Scott Renaud, FOX Engineering, 414 South 17th, Street, Suite 107, spoke because he often does work in the floodway. He cited nearly 30 years of experience with flood regulations and expressed total disagreement with the proposed changes. He reviewed the Stream Buffers and Floodways map and noted the Squaw Creek and Skunk River with the floodway overlay. He pointed out the overlay does not appear on top of other streams, which are all covered by the stream buffer. He contended that Chapter 5B does everything and covers all those ancillary small streams. Mr. Renaud recited several passages from Chapter 5B and remarked that if the existing code does not already say what staff is attempting to accomplish with the O-E, he does not know what would. In his view, the proposed change would create an additional step or process, and turn a process handled by staff into a political process. He asked what is the political process trying to resolve?

Mr. Renaud suspected the real issue is that staff does not want parking in the floodway. He said if you want to talk about parking, talk about parking—leave Chapter 5B out of it and do not try to hide it by doing something else—otherwise bad law is written. He said if the City wants a law that says no parking in the floodway, it should write that law and he would not argue. He suggested parking could be divided into commercial and residential. It would make sense to have commercial parking in the floodway because vehicles are only there during the day and can easily be removed

if there is going to be a flood. To him that would be an appropriate and good use, especially when paying \$40 per square foot for ground on Duff Avenue. He would agree with rules against residential parking being allowed in the floodway. Mr. Renaud said Chapter 5B talks about treating stormwater. He thought it seemed ridiculous to have water have to pass through a floodway to get to a stream, and then not be allowed to use that area as part of the 5B stormwater treatment. In addition, if a project edged into the floodway (e.g., square parking lot with edges that intrude into the floodway, secondary or emergency access, or a driveway) the entire parcel would be dragged into consideration, making the whole project more complicated. In his view, the things being moved out of the ordinance are addressed by 5B, which is very stringent. The outcome would be taking area that is prime to accomplish 5B and moving it somewhere else instead of the floodway. This would reduce the amount of developable area, which increases costs. He stated there is really very little of this to deal with (three or four properties) once City, County, ISU, and other properties the City does not have legal access to are removed from the discussion.

Mr. Renaud did not understand the motivation for making changes that would make the process more complicated. He said he did not want to go before the Planning & Zoning Commission and the City Council to discuss stormwater management on every single site. He said he already has enough difficulty explaining things in simple terms, as the 5B ordinance is very complicated and difficult to explain. Similarly, every rezoning would require a discussion of what would happen with the O-E zone. He said if the Commission or City Council did not want parking in the floodway, it could be dealt with in the rezone process as a conditional use on a project-by-project basis. Mr. Renaud thought the Commission should be incensed that the text amendment was even brought before it. He called it a gigantic waste of time and suggested recommending against it.

Public comment closed at 9:16 PM.

Debra Lee asked for additional information about why the City Council requested this effort from staff. Mr. Diekmann reported that about a year ago, the City Council placed potential projects or issues in the Planning Department work program. One of the items was to consider the effects of development within the floodway. Staff's report to the City Council in November 2015 asked the City Council if it wished to create more restrictive standards in the floodway. Staff's direction from the City Council was to pursue an option that allowed for discretionary review. That idea was drafted and is what is being commented upon during the January 20 and February 17 Planning and Zoning Commission meetings. Ms. Lee replied that this is an attempt to engage in discussion with the City Council, and the Commission is the first review. Mr. Diekmann said the exact workings of the idea were not presented in November, so the current task is to review the language and provide comments. The version prepared by staff takes the City Council's direction to the greatest extent of environmental protection—i.e., includes as many things as possible and generates a review process for most disturbances that occur in the floodway.

MOTION: (Gould/Bowers) to **accept Alternative #2**, which states: that the Planning and Zoning Commission can recommend the City Council **decline** to adopt the proposed changes to the language of the O-E district.

Julie Gould believed the proposed text amendment was unnecessary and excessive. She thought it would create an unnecessary hardship on property owners. She agreed with Scott Renaud that it would be an unnecessary layer of review and approval. She believed the necessary environmental safeguards/protections already exist within the code.

Yvonne Wannemuehler was concerned about a potential disconnect with property owners created by administrative approval versus public hearing. She recalled instances when she was asked why someone did not know about an issue. Ms. Gould understood the

concern but stated that people cannot expect everything to go to public hearing, as that would create an almost impossible situation where nothing would get done. In her view, it is necessary to rely on code and administrative approval. Ms. Wannemuehler agreed and said each meeting could have 50 agenda items if all matters required public hearing.

John Tillo stated he had thought about this a lot and reviewed the reports. After hearing comments from Scott Renaud and the Commission, his thinking changed. Even though environmental protection is important and one of the land use goals, he said he was inclined to support motion against the changes. At some point decisions have to be made from a practical standpoint and the Commission has to move forward as a body, he said.

Ms. Lee added she believes the City Council has good intentions with its request. She would like clarification from the City Council about what it is trying to achieve.

MOTION PASSED: (5-0) Abstain: Converse, Basmajian

ZONING TEXT AMENDMENT FOR CHAPTER 9 FLOODWAY REGULATIONS CONDITIONAL USE PERMIT REQUIREMENTS

Kelly Diekmann, Planning and Housing Director, explained how the Commission's decision on the preceding item could influence this companion item. He suggested the Commission may wish to make a recommendation separating the ordinance's two purposes—the administrative item the Department of Natural Resources (DNR) asked staff to adjust, and fundamental changes of Chapter 9 to match changes in Chapter 29 changes. He explained that if the Commission did not alter anything with the current item, the Zoning Board of Adjustment (ZBA) would remain as the approval body for conditional use permit uses in the floodway, i.e., cases would not go to the Planning and Zoning Commission and the City Council as major site development plans. Staff currently approves a number of activities, and the ZBA is involved with conditional use permits.

Case Planner Charlie Kuester reported the DNR asked staff to change Section 9.5(2)(j), which pertains to flood proofing requirements for accessory structures under 600 square feet that are not elevated. He said staff would ask for a recommendation on that component regardless of the Commission's position on other aspects of the proposed changes. He noted if the Commission opted against the O-E approval process, but still wanted to make changes to permitted and conditional uses, it could make those changes as outlined in the staff report attachment or leave them as they are, with some uses requiring staff approval only, and others requiring ZBA approval.

Mr. Diekmann noted staff's strong sense that the Commission opposed a discretionary review process. That would leave a potential recategorization of activities in Chapter 9 as a discussion item. He said if the Commission were interested in an approach where some things move from permitted to requiring ZBA approval, or if Commission wished to prohibit something in the floodway, those changes could happen in Chapter 9 without a discretionary review process.

Ms. Lee asked the Commission if there was consensus for supporting the changes requested by DNR. Mr. Kuester clarified the DNR asked for a change to Section 9.5(2)(j) only; other changes outlined were approved by the DNR but not requested. Ms. Lee noted the Commission could also act on a table included in the staff report outlining items that could be recategorized. Mr. Diekmann stated if the Commission recommended adopting the table, the ZBA would become the discretionary review body rather than the Planning and Zoning Commission and the City Council. That would be a substantial change for some of these uses. The three most affected activities would be excavation, flat surfaces, and stormwater as a result of excavation activities.

Public comment opened at 9:32 PM.

Scott Renaud, FOX Engineering, 414 South 17th, Street, Suite 107, said he agreed with Section 9.5(2)(j) but questioned if the 600 square foot number came from staff or the DNR. Mr. Kuester replied that the figure came from the DNR and meant structures under 600 square feet must be wet-proofed, and those larger than 600 square feet must be elevated. Mr. Renaud said any stormwater features required under Chapter 5B need to be specifically defined as an allowed use, because it is a little fuzzy on whether or not a conditional use is needed for excavation for, say, a detention pond. To this point, staff has determined on its own that those are public facilities, and that is how it is written in 5B. Mr. Renaud said he even has to bond for it for both construction and maintenance as a public facility and give an easement to the City in certain circumstances for that facility. It is unclear, he said, because most are built and operated privately, whether that is an allowed use within the floodway. He specifically asked that this be added to the allowed uses—not a conditional use because that requires going to the ZBA and that makes it a political process. He said the problem with the ZBA is meeting certain conditions and requirements—not like a variance where there might be five things to comply with—and there is still some ambiguity in code and requirements that he regards as best left to staff. In Mr. Renaud's view, for staff's and the City's protection, it would be good to have the 5B requirements built into the allowed uses.

Ms. Gould asked why stormwater detention and retention elements were included in the proposed changes. Mr. Diekmann said stormwater was included specifically because staff was trying to capture any ground disturbance activity and put it into a discretionary review process, which is beyond how the current ordinance is written, except for tree removal, which is not covered. Ms. Gould asked if there is code or regulation for tree removal or mitigation. Mr. Diekmann indicated there is no policy or standard about tree replacement or tree protection, per se. It is possible for staff to request that a tree be protected during minor site plan review, but there is no guiding standard for tree protection or preservation, he explained.

Mr. Renaud remarked that trees are a complicated issue, in some respects. He reported that few trees are native. Most trees in the riparian area (wooded wetlands) are typically invasive, or new—70-80 years old. He cited photos available on the ISU website showing few trees in the 1930s in many locations that are well forested today. In his view, trees are typically not good for bank stabilization or for treating stormwater. However, most of his clients do not have a reason to take them out. He said most trees fall into the stream buffer area where efforts are typically made to minimize the amount of work/disruption. Staff has discretion to say particular trees are valuable and should be preserved and can discuss this in the natural resources inventory component of a plan. He recalled walking project sites with staff to evaluate trees to remove and retain.

Mr. Diekmann noted discussion with City engineering staff about Chapter 5B and stormwater. Staff was not overly concerned that stormwater facilities could be within the floodway. He said stormwater was lumped in there with any disturbances.

Public comment closed at 9:39 PM.

Ms. Lee favored sending the more specific items on to the City Council. She preferred having the City Council decide item by item if it would be appropriate to change existing processes. Ms. Lee noted staff had already taken the time to consider what was drafted. Given the generic nature of the City Council request, she was willing to say the City Council can go through and identify its objectives one by one for permitted activities and those requiring review. Ms. Wannemuehler agreed, noting the items were now organized and the City Council can say what to do with them. Ms. Lee added that the Commission could also recommend wholesale denial of the changes. Mr. Diekmann pointed out that the City Council brought up an issue, but that does not mean the

Commission would need to adopt an all-or-nothing approach. The Commission could also select particular items it found as important and disregard the others, he advised.

Ms. Lee asked staff to summarize the possible decision elements. Mr. Diekmann and Mr. Kuester noted three potential action items: proposed changes to Section 9.5(2)(j); retaining existing Chapter 9 categories of permitted uses (staff approval) and conditional uses (Zoning Board of Adjustment); and retaining current approval processes via the Zoning Board of Adjustment, or requiring discretionary review from the Planning and Zoning Commission and City Council.

MOTION: (Gould/Bowers) that the Planning and Zoning Commission can recommend that the City Council **approve** the proposed changes to Section 9.5(2)(j).

MOTION PASSED: (6-0) Abstain: Converse

Ms. Wannemuehler asked if the other two items would remain the same if the Commission did nothing else. Mr. Diekmann said that was correct.

No other motions were made.

ZONING TEXT AMENDMENT FOR MINIMUM FLOOR AREA RATIO IN DOWNTOWN SERVICE CENTER AND CAMPUSTOWN SERVICE CENTER

Case Planner Justin Moore reported the United Church of Christ (UCC) approached the City Council in late 2015 with a text amendment request related to minimum floor area ratio (FAR) and minimum height requirements in the Downtown Service Center (DSC) in order to facilitate a small expansion project at its facility located at 217 6th Street. The church recently pursued rezoning from Neighborhood Commercial to DSC. At the January 26, 2016 City Council meeting, staff was directed to initiate a text amendment including both the DSC and the Campustown Service Center (CSC), given the similar nature of the two districts. This text amendment would allow uses requiring a Special Use Permit in those districts to be exempt from minimum FAR and minimum height requirements, provided review by the Zoning Board of Adjustment (ZBA) found the design and uses compatible with the surrounding area. The text amendment would apply to a narrow set of uses, primarily institutional uses, according to Mr. Moore.

Kelly Diekmann, Planning and Housing Director, clarified the proposed text amendment does not mean that any use can be exempt from the minimum FAR and height standards—it would only apply to listed Special Use Permit uses. Commercial, trade, office, restaurant, and entertainment uses must comply with these standards unless granted a variance. In short, he explained, the text amendment would allow for a process for uses that are an exception to the rule.

Carlton Basmajian asked for examples of exceptional uses. Mr. Moore cited churches, daycare centers, and social service agencies as examples, and Mr. Diekmann added small production facilities (breweries) to the list. Mr. Basmajian said he understood the text amendment as giving the ZBA the authority to determine if a proposed change would match the character of Downtown and Campustown. Mr. Diekmann agreed and said the approach is to avoid a use and/or design that detracts from the surroundings. Staff anticipated the proposed text amendment would fit unique circumstances—such as the applicant's interests—and would be rarely used.

Debra Lee pointed out changes have been made in the past to address a specific circumstance. She asked if there was any reason to consider other development standards besides minimum FAR and height requirements. Mr. Diekmann indicated the DSC has few other relevant standards.

Mr. Basmajian asked why rezoning was needed in order to build an addition. Mr. Diekmann said the church exceeded the maximums for Neighborhood Commercial zoning and rezoning to DSC would relieve that constraint. Mr. Basmajian asked if the ZBA could have simply issued a variance. Mr. Diekmann said staff believed the required findings for variance approval did not exist—i.e., the bar for approval is set extremely high and UCC would not have been able to prove a hardship if it were unable to construct an addition onto a viable structure. In this case, the LUPP allows for DSC zoning on either side of Sixth Street. UCC took advantage of DSC rezoning, knowing a text amendment was also needed to fully realize its goals. Mr. Basmajian asked if this issue came up before. Mr. Diekmann indicated it had, and that is why the text amendment would apply to both the DSC and CSC districts. Collegiate Methodist Church has dealt with this question twice and received variances despite lack of staff approval. The same language should be applied to Campustown, Mr. Diekmann explained, because of district similarities and because it is difficult to make incremental changes to large properties. The text amendment would allow the ZBA to address certain situations more effectively than a variance.

Public comment opened at 9:57 PM.

John Lott, Benjamin Design Collaborative, 401 Clark Avenue, Suite 200, spoke on behalf of UCC. He reported that the church is enclosing an interior courtyard, a space that has received little use for more than 100 years and is not seen from the street. In his view, addressing zoning and development standards as proposed seems to be an appropriate way of addressing the situation.

Scott Williams, FOX Engineering, 414 South 17th Street, stated he fully supports the proposed change because it is important to be able to address unique instances and variations in the DSC, including buildings with historic significance. The proposed change would allow good flexibility to deal with unique buildings, in his view.

Public comment closed at 9:59 PM.

MOTION: (Bowers/Wannemuehler) to **accept Alternative #1**, which states: that the Planning and Zoning Commission can recommend that the City Council adopt the proposed amendments regarding minimum FAR and building height in the DSC and CSC zoning districts with regard to uses requiring a special use permit.

MOTION PASSED: (7-0)

ZONING TEXT AMENDMENT TO ADD FUNERAL HOMES TO INSTITUTIONAL USES IN DOWNTOWN SERVICE CENTER

Case Planner Justin Moore explained that Adams Funeral Home, located at 502 Douglas Avenue, approached the City Council in January 2016 with a request for a text amendment referral to have its use as a funeral home added to the list of institutional uses in the Downtown Service Center (DSC) district. The current list of allowed uses in the DSC does not include 'funeral home.' Adams Funeral Home believes it would be appropriate to include funeral homes as an allowed use in the district, given its long history in its location and interest in expanding its ability to use its site for new projects and expansions on the property. This addition to the list of allowed uses would also be subject to Special Use Permit review by the Zoning Board of Adjustment (ZBA), as outlined in Section 29.808(2) of the zoning code, Mr. Moore explained.

Julie Gould asked if the code includes, or has separate definitions, for crematories or vaults. Mr. Diekmann indicated 'crematory' falls under the funeral home category, and 'columbarium' has been viewed as an accessory use that does not fall directly under 'funeral home.'

Carlton Basmajian pointed out that if crematories are included under the funeral home definition, the proposed text amendment would allow for the possibility of crematories being located in the DSC. Debra Lee noted crematories would still need Special Use Permit approval. Mr. Basmajian stated that a crematory is a very different use than a funeral home. Yvonne Wannemuehler asked if 'crematory' could be removed from under the 'funeral home' umbrella. Mr. Diekmann recited the existing definition of 'funeral home,' which reads: "any building or portion thereof used for performing funeral services, including preparing the dead for burial and storing funeral supplies in vehicles." Staff views a crematory as falling under this definition of 'funeral home.' Mr. Basmajian said that definition may be something staff needs to review carefully at some point.

The only location funeral homes are allowed presently, Mr. Diekmann reported, is in areas with Highway-Oriented Commercial (HOC) zoning. The text amendment under consideration would add that use allowance to the DSC district.

Ms. Gould asked if the ZBA would be able to deny a Special Use Permit for a crematory in the DSC district if crematories are included in the definition of 'funeral homes.' Mr. Diekmann referenced Article 5 of the zoning code, which lists categories of use and lists specific examples. Article 5 lists crematories, funeral homes, and mortuaries as 'funeral facilities.' This category of 'funeral facilities' is what is regulated, Mr. Diekmann explained. The ability to exclude one or more types of funeral facilities in a definition provides control over uses. As the proposed text amendment is written, it would not include crematories. Mr. Diekmann stated he would want the Commission to clearly state that was its intent if it recommended the proposed text amendment.

John Tillo indicated he would abstain from voting on this case. He asked what the concern would be with a crematory. Mr. Basmajian replied that a crematory is an oven with a smokestack that occasionally belches smoke, and is something that might be undesirable in a downtown setting. He added that crematories are not always well regulated. Ms. Wannemuehler noted the crematory at the ISU Veterinary School is used monthly and it is unpleasant.

Mr. Basmajian stressed the importance of clarity in the language of whether crematories are allowed in the DSC, specifically. Ms. Gould stated that in her experience, crematories and funeral homes had separate definitions and uses were restricted to different districts.

Ms. Lee asked about experiences with public complaints related to crematories. Mr. Diekmann indicated that they are not a popular request and often generate a lot of negative public comment when notices are sent out. Ms. Gould agreed that the subject brings out a lot of public comment. Mr. Diekmann said in his experience public comment occurs at the public hearing stage due to concerns about what comes out of the smokestack, and then stops after the facility is established.

For Mr. Basmajian, the issue amounted to where that smokestack belongs and whether it should be downtown or elsewhere. Mr. Diekmann said in HOC zoning the term is 'funeral facility' which is inclusive of crematories and funeral homes. He said if the Commission specified 'funeral home' in the proposed text amendment for the DSC, that would be exclusively funeral homes. Ms. Wannemuehler said no one knows what the future holds. Ms. Lee agreed and did not want to make a recommendation based solely on Adams Funeral Home. She asked about others' experiences out of concern for improving the experience of the downtown area as a living place. In her view, it may not be a good match to allow crematories in the DSC.

Staff and the commissioners agreed that they were comfortable with the clarity of existing definitions of 'funeral home' and 'funeral facility.'

There were no public comments.

MOTION: (Wannemuehler/Converse) to **accept Alternative #1**, which states: that the Planning and Zoning Commission can recommend that the City Council adopt the proposed amendment adding 'Funeral Home' to the list of institutional uses allowed in the DSC district and requiring a Special Use Permit to operate a funeral home therein.

MOTION PASSED: (6-0) Abstain: Tillo

PUBLIC HEARING FOR THE REZONE OF PROPERTIES LOCATED AT 1405, 1415, 1425, 1502, 1510, 1511, AND 1519 BALTIMORE DRIVE, AND FOR PROPERTIES LOCATED AT 1428, 1429, 1506, 1514, AND 1522 BOSTON AVENUE, FROM COMMUNITY COMMERCIAL NODE TO HIGHWAY-ORIENTED COMMERCIAL

Case Planner Ray Anderson reported this rezoning request includes 12 lots in the Eastgate Subdivision, comprising 13.72 acres. The area is zoned as Community Commercial Node (CCN). The applicant, Friedrich Iowa Realty and Development, requested a zoning change to Highway-Oriented Commercial (HOC) to allow for a wider range of commercial uses. A neighboring 5-acre property owned by Greater Iowa Credit Union (GICU) will be developed for a new GICU facility. GICU did not seek rezoning of its property; however, staff recommended that the GICU property be included in the rezoning for uniformity of boundaries. The change would not affect GICU's site plan. Mr. Anderson displayed a Land Use Policy Plan (LUPP) Future Land Use Map that showed the entire Eastgate Subdivision area with HOC designation. Current and proposed zoning maps were also reviewed. Mr. Anderson displayed a table outlining potential land uses allowed in HOC areas and prohibited in CCN areas. Highlighted items showed examples of allowable uses in HOC areas requiring a Special Use Permit from the Zoning Board of Adjustment. Other allowable uses that only require staff approval were also noted. Mr. Anderson pointed out that many other types of uses are allowed in both HOC areas and CCN areas and were not included in the comparison table. A second table compared CCN and HOC development standards. Noted distinctions included setbacks, maximum building coverage, maximum height, outdoor display, and outdoor storage. Staff recommended approval of the rezoning request, including Lot 14 owned by GICU.

Yvonne Wannemuehler sought confirmation that GICU spoke with staff and agreed to include its property in the proposed rezoning. Mr. Anderson indicated GICU did not formally apply for rezoning but were presented with an explanation from staff. GICU did not express any objections.

Carlton Basmajian pointed out that this site was rezoned in 2000. Mr. Anderson explained that occurred because the entire City was rezoned in 2000 with the adoption of a new zoning map. The subject area was previously zoned as General Commercial. Mr. Basmajian asked why CCN was selected in 2000 instead of HOC. Kelly Diekmann, Planning and Housing Director, indicated CCN zoning was selected because of the node at the intersection of 13th Street/Dayton Avenue. The LUPP targeted CCN to nodes—mixed commercial uses often associated with arterial streets.

Ms. Wannemuehler asked if this was the same land the Commission saw in 2015. Mr. Diekmann described an earlier request for a LUPP amendment for high density development. The Commission recommended denial of the request based on objections from the industrial property to the north. The applicant withdrew the request and has since discussed other viable options for development with staff that would be possible with HOC zoning.

Kurt Friedrich, Friedrich Realty and Friedrich Land Development, 100 Sixth Street, appeared on behalf of the applicant/property owner, Ames National Corporation. He spoke about the owner's request (resisted by BASF) to rezone the property to allow high-density residential development.

Subsequent discussion with staff focused on identifying zoning better suited for the area that would allow for a broader range of potential business uses and make the property more attractive for development. Another factor driving interest in the current rezoning request is the pending sale of Lots 8 and 9, located immediately north of Pizza Ranch. The potential user of that property would be a new Hilton variety hotel. The building height limitations with CCN zoning designation are undesirable, whereas HOC zoning is more flexible with height restrictions, Mr. Friedrich said. The height of the proposed hotel would be about 40 feet. Mr. Friedrich's company sold a lot to GICU for a processing center. Preliminary site grading is done and building will occur in 2016. Mr. Friedrich confirmed that GICU does not oppose the proposed HOC rezoning as long as it would not impact its site plan. He supported staff's recommendation of Alternative #2 and indicated the applicant, Ames National Corporation, would support both Alternative #1 and Alternative #2.

Staff encouraged HOC zoning rather than changing standards for CCN zoning, according to Mr. Diekmann. He characterized 35-foot height restrictions as challenging in a commercial zone, outside of office uses. Staff would not wish to see automotive uses in the area, but is not concerned about this because property along 13th Street will retain CCN zoning and has already been developed. HOC zoning fits with the back portion of the subdivision and gives more flexibility for types of use. These factors led staff to support HOC rezoning rather than a text amendment for CCN. Mr. Diekmann also noted the GICU site plan is approved, and construction may proceed regardless of the outcome of the proposed rezoning. Staff would prefer to include the GICU property in the request for the sake of uniformity, but its inclusion is not essential.

There were no public comments.

Mr. Basmajian asked how the area on 13th Street south of the CCN area is zoned. Mr. Diekmann indicated that area has General Industrial zoning.

Ms. Lee shared her view that the subject property does not support her vision of what CCN is, and may be part of the reason why the area has been difficult to develop. She said she is very comfortable with the proposed zoning change to HOC.

Mr. Basmajian remarked that he found it odd to have an HOC area set back from the road and surrounded by CCN. Mr. Diekmann replied that CCN was written to encourage a different look and feel coming into the City. Given the earlier conversation about future industrial development, Mr. Basmajian added, this area at 13th Street/Dayton Avenue could one day become desirable.

MOTION: (Converse/Wannemuehler) to **accept Alternative #2**, which states: that the Planning and Zoning Commission can recommend that the City Council approve the request for rezoning of the subject properties, and also include Lot 14 of Eastgate Subdivision, at 1509 Baltimore Drive, from Community Commercial Node (CCN) to Highway-Oriented Commercial (HOC), based upon staff's analysis as found in the addendum.

MOTION PASSED: (6-0) Abstain: Tillo

COMMISSION COMMENTS: Mr. Basmajian asked how the Commission will be involved with the Lincoln Way Corridor study. Mr. Diekmann outlined the planned activities. The first phase of assessment and background conditions will be directly reported to the City Council at a workshop in April 2016. Input from the Commission at this workshop may be requested. The Commission will also be responsible for making recommendations for changes in focus areas as they are proposed. Initial direction will come from the City Council on the scope of the work. When the final

product is done it will come through the Commission in different formats, and the Commission will act in its normal advisory role. The public outreach phase is scheduled for March 2-3, 2016. A dedicated interactive website is accessible via a link on the Planning Department homepage.

Mr. Basmajian asked if there were plans to schedule outreach specifically for students on campus. Mr. Diekmann indicated efforts for spring may include a visit with student government in addition to the online engagement. Plans for outreach in late-summer/fall have not been determined.

Ms. Lee requested that directives from the City Council's February 16, 2016 workshop be posted prior to the public meetings scheduled for early March. Mr. Diekmann indicated the meeting minutes would be available. The workshop generated a list of 18 issues related to the Lincoln Way Corridor deemed important by the City Council. The issues were ranked and compiled as the top three City Council priorities for the corridor. Ms. Lee thought that information would be a helpful preview for those participating in the public meetings.

Ms. Gould asked if the *Municipal Code* includes provisions for motion and brightness associated with video signs. Mr. Diekmann referred Ms. Gould to Sara Van Meeteren, Community Codes Liaison in the Inspections Department, who administers the City's sign code. Mr. Diekmann indicated video signs are not prohibited, but he was uncertain about existing rules for their operation. He indicated that staff's work plan includes a review of digital signs.

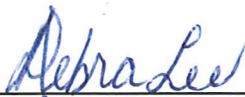
STAFF COMMENTS: Mr. Diekmann announced the cancellation of the Planning and Zoning Commission meeting scheduled for March 2, 2016 due to lack of agenda items.

MOTION TO ADJOURN:

MOTION: (Wannemuehler/Tillo) to adjourn the meeting.

MOTION PASSED: (7-0)

The meeting adjourned at 10:36 PM.



Debra Lee, Chairperson
Planning & Zoning Commission



Joseph C. Newman, Recording Secretary
Department of Planning & Housing