

**COUNCIL ACTION FORM**

**SUBJECT: TEXT AMENDMENT TO THE “PUD” PLANNED UNIT DEVELOPMENT OVERLAY ZONING DISTRICT TO ADD A COMMERCIAL ALLOWANCE**

**BACKGROUND:**

City Council considered a request from Steve Burgason of Ansley Ames Development Group on August 24<sup>th</sup> to revise the limited commercial allowance within F-PRD zoning districts for their future proposed development. (Attachment A) **After discussion of the request and options provided by staff, City Council gave direction to proceed with changes to the Planned Unit Development Overlay standards rather than the F-PRD standards. City Council was concerned about changes that could affect previously approved F-PRDs compared to modify the recently recreated PUD Overlay zoning district. City Council directed staff to set a limit of up to 35,000 square feet of floor area within a PUD based upon the intent for such as use to be of a smaller scale than planned commercial nodes as were described within the prior Land Use Policy Plan.**

The conceptual plan for Ansley includes over 200 housing units of various types and some commercial development. The applicant desires to have no more than 18,000 square feet of commercial use. The applicant views the commercial as “neighborhood” in scale even if the uses are not typical of such. The applicant also finds it to be a marketable piece of the development overall, more so than trying to establish a commercial node or district. The Burgason’ s desire to have commercial near the north edge of their property if the proposed text amendment is approved. (Attachment B).

The proposed text amendment changes are shown in Attachment C. These changes primarily address City Council’s direction, with one minor correction to a text error related to parking that was part of the initial approval of the PUD Overlay ordinance. Although this request was initiated in response to the future Ansley development proposal, the proposed change would be applicable to all future PUD projects.

*Proposed Text Changes:*

1. Adding a section to Section (3) Establishment giving a means for evaluating the purpose of adding commercial use to a PUD.
2. Clarifying Section (4) Effects of Approval, and (b) Permitted Uses to include commercial uses.
3. Creating standards in Table 29.1114 (5) for commercial use that:
  - a. Include a maximum size (35,000 sq. ft.) and
  - b. Limit the allowable uses to those found in **(Attachment D provides itemized list of example uses):**
    - i. Table 29.501(4)-2: Office Use (all uses) and

- ii. Table 29.501(4)-3: Trade Use:
  1. Entertainment, Restaurant, and Recreational Trade and
  2. Retail Sales and Services – General
4. Correcting an error in Table 29.1114 (5) for parking in low- and moderate-income multifamily developments.
5. Identifying basic design standards in Section (6) Compatibility Standards.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

The Planning and Zoning Commission met on November 17, 2021, to consider the proposed text amendment (Attachment C). The Commissioners voted 6-0-0 to recommend that Council adopt the proposed PUD changes as written.

**ALTERNATIVES:**

1. Approve on first reading a text amendment to modify the PUD Overlay District standards by allowing for a small commercial component to districts, as presented in Attachment C.
2. Direct staff to prepare modifications to the proposed text amendment and return for Council consideration at a later date.
3. Do not approve the proposed text amendment.

**CITY MANAGER’S RECOMMENDED ACTION:**

The PUD overlay standards do not currently allow any commercial activity if it is not a use allowed within a base zone. Most of the City’s zoning districts separate commercial and residential uses to address potential nuisance factors. The Zoning Ordinance, however, was also crafted to encourage developments with mixed commercial and residential uses in certain areas, such as “F-VR” Village Residential District. This zoning category was conceived as containing a mix of uses, as seen today in the Somerset neighborhood. RH zoning also allows for commercial in a mixed-use environment.

The PUD Overlay text change follows this pattern to allow for select commercial uses that are likely compatible with their surroundings and could be integrated into a residential development relatively easily. Commercial uses such as vehicle service facilities, gas stations, wholesale trade, production/manufacturing uses, are examples of uses that are excluded from being within a PUD.

The PUD zoning is discretionary: not every district will be required to have a commercial component and those that do will be subject to Council approval (as will the whole district). As such, staff does not anticipate a negative impact on future residential development. The changes are intended to mirror the scale intended within PRDs that do not rise to the level of an independent commercial node and the need for broader commercial zoning.

The proposed text changes in Attachment C address the ability of a PUD to be more flexible in design. The changes do not alter the fact that PUD overlays are to be primarily residential. The new language should help limited commercial development complement the proposed neighborhoods.

**Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative 1.**

## ADDENDUM

### *Ames Plan 2040:*

The 2040 Ames Comprehensive Plan has among its guiding principles “Quality Urban Experience” (Growth 4) and “Compatibility with Flexibility” (Land Use 2).

Points of emphasis for Quality Urban Experience include:

*“provide public spaces that promote positive interaction and private amenity spaces that support social engagement and interaction” (G4-1) and*

*“incorporate activity centers like neighborhood commercial development or include placemaking features to add character and interest to new development” (G4-2).*

The proposed change to allow for limited commercial is generally consistent with these concepts as it can create an engaging social environment and interest to a development, but it would not rise to the level of a large “activity center” as shown on the future land use map for the larger growth areas of the City. Allowing for limited commercial in a PUD will not undermine the intent of the larger activity centers concept.

Points of emphasis for Land Use include:

*“mixed use, mixed density neighborhoods with a high degree of connectedness and an orientation to pedestrian and bicycle scale” (RN-4).*

With the proposed language of the text amendment the PUD allowance by its nature supports this goal and future commercial uses are intended to fit within the connectedness intent of the Comprehensive Plan.

## Attachment A Request to Council

**Voss, Diane**

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**From:** webnotification@cityofames.org on behalf of City of Ames, IA  
<webnotification@cityofames.org>  
**Sent:** Friday, June 4, 2021 3:06 PM  
**To:** Voss, Diane  
**Subject:** Text Amendment Submission Part 1

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[[External Email]]

Message submitted from the <City of Ames, IA > website.

**Site Visitor Name:** Steve Burgason  
**Site Visitor Email:** sburgason@yahoo.com

June 4, 2021

To the Attention of: Ames City Council

As an introduction to the following "Council Action Request", I would like to let the Ames City Council know of our desire to pursue a PRD Zoned Development in the approximately 60 plus acres of Burgason Enterprise owned land south of Oakwood Road that was recently annexed by the City of Ames. This plan for an "Ansley Ames" development consists of about 120 single residential homes on a range of lot sizes from approximately 4000 square feet to approximately 10,000 square feet. About half of those homes are in pocket neighborhood arrangements surrounded by shared green spaces and walkways. Another 50 plus additional homes are townhomes arranged in four clusters throughout the development that will appear very residential in design. This request for a Text Amendment would help us to service this development community and others in the area without the burden of specific HOA fees that would otherwise be needed to support this type of space.

We appreciate your consideration of this text amendment.

Sincerely,

Steve Burgason/Ansley Ames Development Group

--Please See second Message with Text Amendment

Message submitted from the <City of Ames, IA > website.

**Site Visitor Name:** Steve Burgason  
**Site Visitor Email:** sburgason@yahoo.com

June 4, 2021

COUNCIL ACTION FORM

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SUBJECT: REQUEST FOR A TEXT AMENDMENT TO CLARIFY THE STATEMENT IN TABLE 29.1203(4) WHAT IS PERMISSIBLE AS OFFICE AND TRADE USE "SUPPORTED BY THE RESIDENTS OF THE PROJECT" TO ALLOW FOR OFFICE AND TRADE USES OF UP TO 18,000 SQUARE FEET.

**BACKGROUND:**

This text amendment request is made to allow for a future multi-functional 2 story facility on the northeast corner of the Ansley Ames development project on the east side of Aurora where Aurora enters the Ansley Development along the bike trail. This facility would be privately owned and used as a combination of 1) a small (less than 100 people) event center, 2) a food commissary for the event center, bike trail/development pit stop and local deliverable food product, and 3) an Ansley Ames Sales and Design Office. As such, the patronage of the residents (and future residents) of the project would be a critical but not the sole source of income to support the facility.

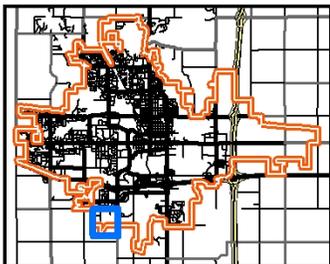
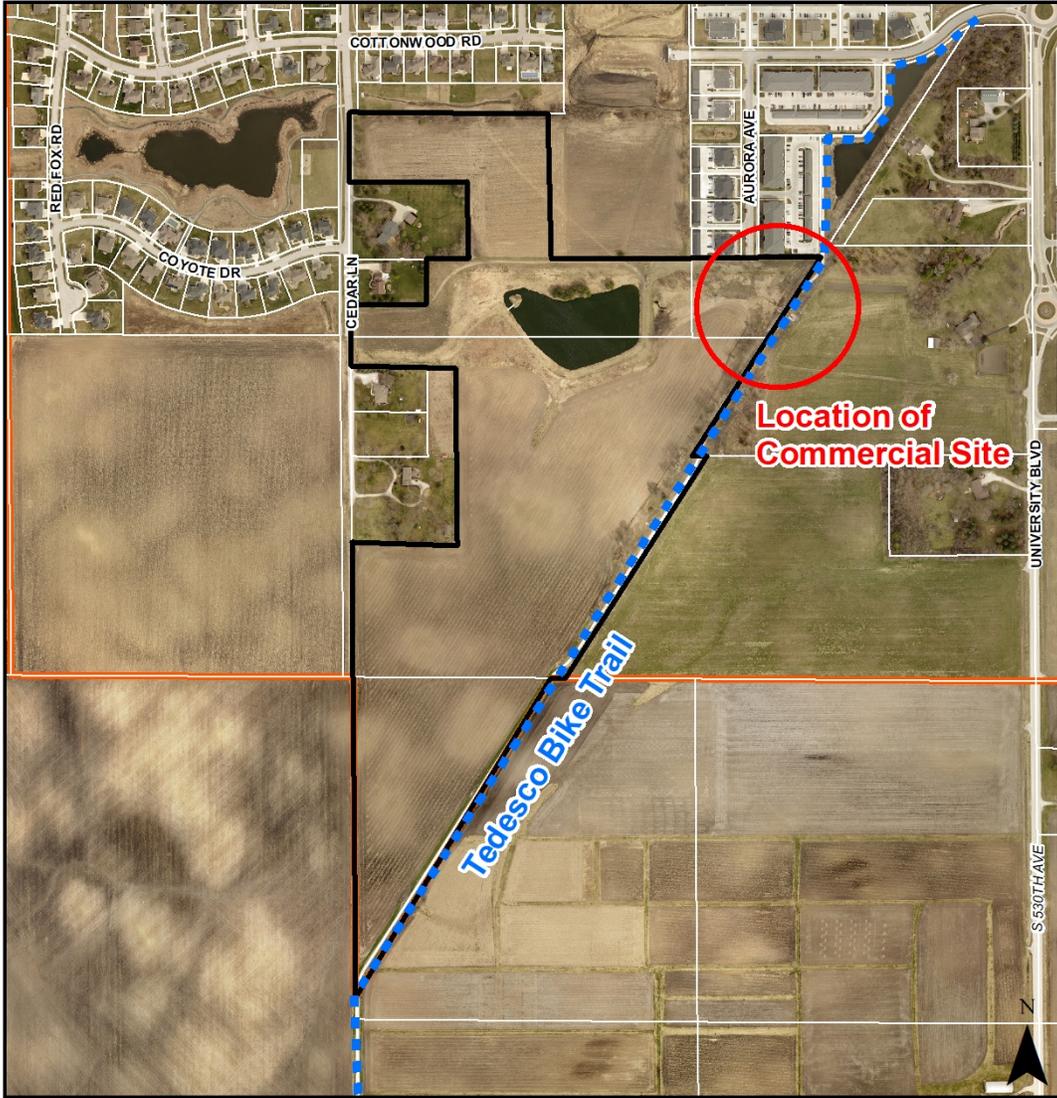
It is our judgement that this would allow for an event location and amenity available to the Ansley Ames Development and bike trail users (we would design this with a back patio area and pick up window for food/beverage) but also be supported by the other income streams of bike trail and area patronage, a design/sales office and a commissary kitchen for the event center and other deliverable foods.

Thank you for your consideration of this text amendment.

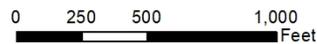
Steve Burgason

Ansley Ames Development Project

# Attachment B Location Map of Ansley



## Ansley Development



**Attachment C**  
**Proposed Text Changes for Planned Unit Development Overlay Districts**

Staff proposes the following changes to the Zoning Ordinance. Text to be removed is ~~struck through~~. Text to be added is underlined.

**Sec. 29.1114 “PUD” PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT**

- (1) Purpose. The Planned Unit Development (PUD) Overlay zone is intended to allow flexibility in Zoning District and General Standards where design flexibility helps further the goals of the Comprehensive Plan and is compatible with its surroundings. The PUD zone is intended to:
  - (a) Provide for innovative and imaginative development through flexibility in the design, placement of buildings, clustering of housing types, use of open space, and related site and architectural design considerations;
  - (b) Increase the stock of diverse housing types for a variety of income levels;
  - (c) Promote efficient land use and infrastructure construction, while maintaining high-quality living environments for privacy, architectural interest, streetscape, walkability, and open spaces for private and common use;
  - (d) Provide for a variety of private and common open space areas corresponding to smaller lot sizes along with additional amenities for larger developments;
  - (e) Encourage and preserve opportunities for energy efficient development; and
  - (f) Encourage context-sensitive infill development.
- (2) Pre-Application Conference. Prior to submittal of an application to rezone property to Planned Unit Development Overlay, a pre-application conference shall be held with the developer and Department of Planning and Housing staff to review the application. Neither the developer nor the City shall be bound by any comments, determination, or decisions of City staff offered or made during the pre-application conference. The following information shall be submitted with the application:
  - (a) Name of the applicant and name of the owner of record.
  - (b) Tax parcel identification number.
  - (c) North arrow, graphic scale, and date.
  - (d) Existing conditions within the proposed zoning boundary and within 200 feet of the proposed zoning boundary: Project boundary; all internal property boundaries; public rights-of-way on and adjacent to the site; utilities; easements; existing structures; topography (contours at two-foot intervals); areas of different vegetation types; designated wetlands; floodplain and floodway boundaries; and other designated environmentally sensitive areas.
  - (e) Conceptual infrastructure extensions, open space, and stormwater treatment areas.
  - (f) A summary table describing all uses of the total site area, including the number of units per net acre for each unit type and each zoning area.
  - (g) Conceptual building design character and any planned deviations from Zoning District standards.

- (3) Establishment. The PUD Overlay zone applies to all lands that are zoned PUD on the Zoning Map. A Zoning Map Amendment may be approved provided the City Council makes the following findings:
- (a) The Zoning District and Overlay are consistent with the comprehensive plan.
  - (b) The property on which the PUD is requested has a residential zoning of RL, RM, UCRM, RH, FS-RL, FS-RM, S-SMD, or is concurrently proposed to be changed to one of these Zoning Districts.
  - (c) The design and use of the commercial area is compatible with the overall PUD design concept and integrated into the development.
  - ~~(e)~~(d) The existing and proposed infrastructure is sufficient in design and capacity to support the project with water, sanitary sewer, storm drainage, streets and other transportation related facilities.
  - ~~(d)~~(e) The PUD Master Plan includes interconnected pedestrian and bicycle circulation routes to the surrounding areas and within the development.
  - ~~(e)~~(f) The proposed PUD Master Plan is consistent with the requirements of this ordinance and all deviations, exceptions, and limitations stated on the Master Plan are clear, identifiable, and necessary in support of the design concept and the purpose statements of the overlay.
  - ~~(f)~~(g) The proposed PUD Master Plan is in harmony with the purpose of the overlay.
  - ~~(g)~~(h) Findings for approval of a Master Plan with a PUD Overlay rezoning may be deferred, when the City Council initiates a property rezoning.
- (4) Effects of Approval.
- (a) Master Plan. Subsequent development must be consistent with the approved Master Plan. Subsequent development is subject to a Major Site Development Plan approval for any and all uses, unless specifically delegated by the City Council to the Planning and Housing Director as part of the Master Plan approval. The City Council may also require a design description or illustrated design guidelines to convey the intended character of the development and to administer subsequent permitting within the PUD for such things as landscape features, signage, and structures.
  - (b) Permitted Uses. Land, buildings, and structures may be used only for the purposes identified within the Zoning District use regulations, unless limited or authorized as additional uses (including accessory dwelling units and commercial uses) by the PUD Master Plan.
  - (c) Building / Zoning Permits. Subsequent to the PUD Overlay approval, development of the property is subject to all provisions of the Ames Municipal Code, including, but not limited to, requirements to proceed with preparation of Preliminary and Final Plats, Zoning Permits, Site Development Plans, Special Use Permits, Building Permits, and other types of permits required by local, state, or federal law for the improvement or development of the land.
  - (d) Phasing. Development of the site may occur in phases, as approved by the City Council with a Major Subdivision or as indicated on the approved Major Site Development Plan. Any change to the approved Phasing Plan must be approved by the City Council.
- (5) Supplemental Development Standards. Property that is zoned PUD shall be developed in accordance with the Zone Supplemental Development Standards listed in Table 29.1114(5) below:

**Table 29.1114 (5)**  
**Planned Unit Development Overlay District (PUD)**  
**Supplemental Development Standards**

<b>SUPPLEMENTAL DEVELOPMENT STANDARDS</b>	<b>PUD ZONE</b>
Area Requirement	Minimum area of two acres or more, except when environmentally sensitive areas, natural features, or scenic assets are being preserved.
Density	<p>Zoning district density requirements shall apply.</p> <p>Where a development encompasses more than one zoning district, each area of the PUD development shall comply with the density requirements that are set by the zone for that area. Density transfer is not permitted.</p> <p>Developments with a minimum of 10% affordable housing units made available for sale or rent to moderate or low-income households as defined by the Federal Housing and Urban Development Department (HUD) for the City of Ames, may include a density bonus of 15% rounding up to the next whole unit, or one (1) dwelling unit, whichever is greater. An affordable housing plan and binding agreement for maintaining affordability must accompany the PUD application.</p>
<u>Commercial Use</u>	<p><u>A PUD may have a commercial component that complies with the following:</u></p> <ol style="list-style-type: none"> <li>1. <u>A maximum of 35,000 square feet of floor area; and</u></li> <li>2. <u>Allowable uses listed in:</u> <ol style="list-style-type: none"> <li>a. <u>Table 29.501(4)-2: Office Use Categories; and/or</u></li> <li>b. <u>Table 29.501(4)-3: Trade Use Categories</u> <ol style="list-style-type: none"> <li>i. <u>Entertainment, Restaurant, and Recreational Trade; and/or</u></li> <li>ii. <u>Retail Sales and Services – General</u></li> </ol> </li> </ol> </li> </ol>
Minimum Lot Area / Width / Frontage	Individual lot area, width, and street frontage may be reduced from the Zoning District and General Standards as long as the lots are sized to accommodate the required development standards of this chapter and comply with the compatibility standards of Section 29.1114(6). All lots must have approved access to a public way or a private street.
Minimum Principal & Accessory Building Setbacks and Lot Coverage	Minimum setbacks and maximum coverage may be modified from the underlying zoning district requirement if the compatibility conditions of Section 29.1114(6) are met. Setbacks at the perimeter of the Overlay may not be reduced along an abutting lot without a finding there are physical circumstances

	<p>justifying a reduction. Reduced setbacks must be identified on the Master Plan.</p> <p>Setback encroachments and exceptions will not apply to reduced yards unless authorized by the PUD.</p> <p>Garage access shall be a minimum setback of 20 feet when accessed from a public street. Reduced setbacks may be permitted along private streets and alleys.</p>
Street Trees and Minimum Landscaped Area	<p>Landscaping and screening shall conform to requirements of this Chapter, unless approved as an Alternative Design. Each development shall include space for the planting and subsequent maturity of street trees. Reduced setbacks shall not encroach upon these defined locations for street trees and other landscape trees. A street tree plan illustrating the location of trees along with proposed building footprint and driveway areas must be approved with the project.</p>
Maximum Height – Principal Building	<p>Zoning District height requirements shall apply to a building within 100 feet of an abutting lot of a different residential zone or residential land use designation.</p>
Parking Requirements	<p>Parking spaces shall be provided as prescribed by this chapter; however, required parking locations may be approved by the City Council in common areas or on a street within the boundaries of the PUD. Affordable housing for low- and moderate-income households may have parking reduced <u>so that an apartment dwelling unit only requires a maximum of two parking spaces regardless of bedroom count per unit.</u> <del>to a maximum of two parking spaces per apartment unit.</del></p>
Street/Infrastructure Improvements	<p>Street improvements, water, sanitary sewer, storm sewer improvements, park dedication, and electric facilities shall be installed in compliance with the subdivision regulations of the City and shall meet the construction specifications of the City. Private streets (if included) must comply with provisions of the Subdivision Code.</p>
Common Open Space and Amenities	<p>Minimum of 10% of the gross area shall be devoted to common open space. The intended purpose of the proposed open space must be set forth in the plan. The land provided for common open space must be improved for its intended purpose, and readily accessible to residents. Provide for the ownership and maintenance of the common open space. Phasing of improvements shall be clearly described in the development plans and may be required to be set forth in a legally binding instrument.</p> <p>Clubhouse, roof deck patios, and similar community amenities may be credited toward the open space requirement.</p>

	<p>Developments exceeding 50 dwelling units shall provide for usable open space and amenities to serve the residents of the development which may include a combination of common area and private usable yard areas located outside front yard setbacks.</p> <p>Development of medium and high-density developments may be exempt from providing common open space area when recreational amenities, such as clubhouses, pools, or sport courts, are sufficiently provided for as an alternative.</p>
<p>Block Design</p>	<p>Layout and design shall create an interconnected network of streets with block faces that do not exceed 660 feet within the development. Where practicable, block lengths are encouraged to be 500 feet or less. Block faces may exceed 660 feet where physical or environmental conditions preclude a more interconnected street network. Use of cul-de-sacs and dead-end streets shall also be limited to these situations.</p> <p>When blocks exceed 600 feet, the PUD shall accommodate pedestrian crossings, walkway connections through a block, or other means of enhancing the pedestrian circulation system for interconnectedness.</p> <p>Use of alleys, off-site parking, or other shared access means is desirable to maintain a consistent street frontage with minimal interruptions by driveways to street trees, lighting, on-street parking, and sidewalks as well as providing opportunities for alternative housing options such as cottage courts.</p>

- (6) Compatibility Standards. Minimum lot area, lot width, lot frontage, setback, and maximum site coverage requirements may be reduced to provide for a variety of dwelling types. Any such modification to the Zoning District requirements must be noted on the Master Plan. Due to the concentration of dwelling units that will occur if these dimensional requirements are reduced, the following compatibility standards are required:
  - (a) Garages and Driveways. Garages and off-street parking areas must be located so that they do not define the front façade of the dwelling. This standard is met when a garage does not protrude forward from the front façade. The development must include adequate right-of-way and driveway spacing to accommodate parking and street trees. The width of driveways may need to be reduced and garages setback an adequate distance to accommodate these elements. Shared driveways are encouraged to address street design goals. Alley or private rear lane access is also an option.
  - (b) Entrances. Main entrances to dwelling units must be clearly identifiable and accessible to the owner and visitors. The main entrance must be demarcated by one of the following: covered porch or stoop; sidelight windows; or other significant architectural treatment that emphasizes main entrances. Main entrances shall be directly connected to the pedestrian circulation system of the development.

- (c) Massing. Multi-family buildings proposed abutting single-family and or two-family buildings should be of a scale, massing, window proportions, and architectural style that is compatible with abutting lower density residential development.
  - (d) Commercial. Commercial buildings shall have main entrances that are clearly identifiable and accessible. The buildings will be oriented towards the street or towards a pedestrian/bicycle corridor.
- (7) Other Conditions. Other conditions may be imposed if found necessary for health, safety, and general welfare. Such conditions include, but are not limited to, the following:
- (a) Future Development. Provide for future development in a manner that does not impede the continued use or development of surrounding properties for uses permitted within the Zoning District or planned for in the comprehensive plan;
  - (b) Existing Trees. The preservation of existing trees shall be considered when siting buildings, underground services, and paved areas;
  - (c) Landscape Buffering. Landscape buffering may be required to maintain privacy or reduce unusual impacts of noise, light, or height on adjoining properties; and
  - (d) Infill Compatibility. The design of the PUD is compatible with its surroundings and/or complementary to adjacent development.
- (8) Minor Changes. Minor changes to the approved Master Plan and subsequent Site Development Plan may occur after a determination by the Department of Planning and Housing staff that the proposed changes are minor in nature, and revised plans have been provided for purposes of keeping the Site Development Plan Major current. However, the Planning Director may refer any change to the City Council for approval. A minor change is defined as a change that satisfies all of the following criteria:
- (a) Does not constitute a change in the land use of the project;
  - (b) Does not change the overall general layout and design of buildings, open spaces, landscaping, parking, and circulation;
  - (c) Does not change the number of buildings or the number of dwelling types by more than 10%;
  - (d) Does not increase the density of units in the project or the intensity of use as related to parking requirements, i.e., floor area of use and bedroom counts, by more than three parking spaces;
  - (e) Does not allow an increase in the height of a building or grading of the site by more than two feet in total. Any height increase must not allow additional stories;
  - (f) Does not exceed the allowed deviation or exception to zoning standards; and does not remove or reduce the quality of architectural character, design features, or use of high-quality building and roofing materials at the time of initial construction.

**Attachment D- Zoning Ordinance**  
**ARTICLE V EXERPT OF ALLOWABLE USE REFERNCES**

**Table 29.501(4)-2**  
**OFFICE USE CATEGORIES**

**Definition.** Activities conducted in an office setting and primarily focusing on administrative, business, government, professional, medical, or financial services. Contractors and others who perform services off-site are included in this Use Category if equipment and materials are not stored on the site and fabrication, services, or similar work is not carried on at the site.

Exception: Offices that are part of and are located with a firm in another category are considered accessory to the firm's primary activity.

**Uses Included**

- Office uses such as:
  - Banking and bank-related services
  - Brokerage houses
  - Data processing centers
  - Government offices
  - Insurance services
  - Lenders and credit services
  - Public utility offices
  - Real estate and related services
  - Sales offices
  - General office uses
  - Medical and dental clinics, laboratories and offices
- Professional service offices such as:
  - Accountants
  - Architects
  - Engineers
  - Lawyers
- Televisions and radio studios

**Accessory Uses**

Cafeterias, health facilities, and other amenities primarily for the use of employees or visitors of the firm or building

**Table 29.501(4)-3  
TRADE USE CATEGORIES**

**Automotive and Marine Craft Trade\***

**\* USES NOT INCLUDED**

**Entertainment, Restaurant and Recreational Trade**

**Definition.** Facilities providing entertainment or recreation services and eating and drinking establishments.

**Uses Included**

- Banquet halls
- Bars and taverns
- Billiards and pool halls
- Bowling alleys
- Catering establishments
- Exhibition and meeting areas (20,000 sf or less)
- Game arcades
- Health clubs and gyms
- Ice or roller skating rinks
- Indoor firing ranges
- Lodges and social clubs
- Membership clubs
- Movie theaters
- Restaurants, cafes, delicatessens (with seating areas)
- Swimming pools
- Tennis courts
- Theaters

**Accessory Uses**

Offices and storage of food and alcohol

**Retail Sales and Services – General**

**Definition.** Uses that involve the sale, lease or rental of new or used consumer products, including prepared foods, to the general public and uses providing services involving predominantly personal or business services, including repair of consumer and business goods.

**Exceptions:** Lumber yards and other building material sales facilities that sell primarily to contractors and do not have a retail orientation are classified as Wholesale Trade. Sales, rental, or leasing of heavy trucks and equipment is classified as Wholesale Trade. Uses for the repair and service of consumer motor vehicles, motorcycles, and light and medium trucks are classified as Vehicle Service Facilities. Repair and service of industrial vehicles and equipment, and heavy trucks is classified as Industrial Service.

## **Uses Included**

### Retail Sales:

Stores selling, leasing, or renting consumer, home, and business goods including:

- Antiques
- Appliances
- Art
- Art supplies
- Automobile supplies (no services)
- Bicycles and Motorized Bicycles
- Books and printed material
- Clothing
- Computer hardware and software sales and service
- Convenience Store
- Dry goods
- Electronic equipment
- Fabric
- Furniture
- Garden supplies
- Gifts
- Groceries
- Hardware
- Home improvements
- Household products
- Jewelry
- Music supplies
- Newspaper distribution
- Office machines
- Package liquor
- Pets
- Pet food
- Pharmaceuticals
- Plants and flowers
- Shoes
- Sporting goods
- Stationery
- Tobacco products
- Toys
- Video

Food sales (not including seating areas):

- Bakeries
- Candy
- Delicatessens

### Retail Personal, Business and Repair Services:

- Animal grooming salons
- Blueprinting and photocopying services
- Branch banks
- Business and commercial trade schools
- Business and management consulting services
- Dance or music schools
- Dry cleaning collection and distribution centers
- Emergency medical care facilities
- Employment agencies
- Hair, tanning, and personal care services
- Kennels
- Laundromats
- Locksmiths
- Martial arts instruction
- Office equipment rental
- Photo drop-off
- Photographic studios
- Quick printing
- Recycling drop-off
- Scientific and professional instrument repair
- Sign making
- Tailors
- Television, bicycle, motorized bicycle, clock, watch, shoe, gun, appliance and office equipment repair
- Upholsterers
- Veterinarian offices

### **Accessory Uses**

Offices and storage of goods, and manufacture or repackaging of goods for on-site sale

### **Wholesale Trade\***

Definition. Uses that involve the sale, lease, or rental of products primarily intended for industrial, institutional, or commercial businesses. Uses emphasize on-site or order-taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on-site or delivered to the customer.

**\* USES NOT INCLUDED**

**Table 29.501(4)-7 MISCELLANEOUS USE CATEGORIES  
NOT INCLUDED**

**ORDINANCE NO.**

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY AMENDING SECTION 29.1114 THEREOF, FOR THE PURPOSE OF ALLOWING COMMERCIAL USES IN PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS; 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 amending Section 29.1114 as follows:

**Sec. 29.1114 “PUD” PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT**

...  
(3) Establishment. The PUD Overlay zone applies to all lands that are zoned PUD on the Zoning Map. A Zoning Map Amendment may be approved provided the City Council makes the following findings:

...  
(c) ~~(d)~~ The design of the commercial area is compatible with the overall PUD design concept and integrated into the development.

(d)~~(e)~~ The existing and proposed infrastructure is sufficient in design and capacity to support the project with water, sanitary sewer, storm drainage, streets and other transportation related facilities.

(e)~~(d)~~ The PUD Master Plan includes interconnected pedestrian and bicycle circulation routes to the surrounding areas and within the development.

(f)~~(e)~~ The proposed PUD Master Plan is consistent with the requirements of this ordinance and all deviations, exceptions, and limitations stated on the Master Plan are clear, identifiable, and necessary in support of the design concept and the purpose statements of the overlay.

(g)~~(f)~~ The proposed PUD Master Plan is in harmony with the purpose of the overlay.

(h)~~(g)~~ Findings for approval of a Master Plan with a PUD Overlay rezoning may be deferred, when the City Council initiates a property rezoning.

...

(4) Effects of Approval

...  
b. Permitted Uses. Land, buildings, and structures may be used only for the purposes identified within the Zoning District use regulations, unless limited or authorized as additional uses (including accessory dwelling units and commercial uses) by the PUD Master Plan.

...

(5) Supplemental Development Standards. Property that is zoned PUD shall be developed in accordance with the Zone Supplemental Development Standards listed in Table 29.1114(5) below:

**Table 29.1114 (5)  
Planned Unit Development Overlay District (PUD)  
Supplemental Development Standards**

SUPPLEMENTAL DEVELOPMENT STANDARDS	PUD ZONE
...	...
Density	...
<u>Commercial Use</u>	<p>A PUD may have a commercial component that complies with the following:</p> <ol style="list-style-type: none"> <li>1. <u>A maximum of 35,000 square feet of floor area; and</u></li> <li>2. <u>Allowable uses listed in:</u> <ol style="list-style-type: none"> <li>a. <u>Table 29.501(4)-2: Office Use Categories; and/or</u></li> <li>b. <u>Table 29.501(4)-3: Trade Use Categories</u>  <u>Entertainment, Restaurant, and Recreational Trade;</u>  <u>and/or</u>  <u>Retail Sales and Services – General</u></li> </ol> </li> </ol>
Minimum Lot Area / Width / Frontage	...
...	...
Parking Requirements	<p>Parking spaces shall be provided as prescribed by this chapter; however, required parking locations may be approved by the City Council in common areas or on a street within the boundaries of the PUD. Affordable housing for low- and moderate-income households may have parking reduced <u>so that an apartment dwelling unit only requires a maximum of two parking spaces regardless of bedroom count per unit to a maximum of two parking spaces per apartment unit.</u></p>
...	...

(6) Compatibility Standards. Minimum lot area, lot width, lot frontage, setback, and maximum site coverage requirements may be reduced to provide for a variety of dwelling types. Any such modification to the Zoning District requirements must be noted on the Master Plan. Due to the concentration of dwelling units that will occur if these dimensional requirements are reduced, the following compatibility standards are required:

- ...
- (d) Commercial. Commercial buildings shall have main entrances that are clearly identifiable and accessible. The buildings will be oriented towards the street or towards a pedestrian/bicycle corridor.

...”

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