



To: Mayor and City Council

From: Kelly Diekmann, Planning & Housing Director

Date: April 12, 2024

Subject: Request for Zoning Text Amendment for Exception to Minimum FAR and Height along Main Street

Background:

On March 26th the City Council referred to staff a zoning text amendment request from Mike Stott, representing Ames Silversmithing, to allow for his client to take advantage of a zoning exception process for their planned expansion. They desire to demolish the existing 1-story building 15-foot wide building at 218 Main Street that they recently acquired to do an addition to their existing building. **The property owner does not believe it is feasible to meet the minimum 100% Floor Area Ratio (FAR) and 2-story building height requirements for the project they would like to build.**

The City Council has considered multiple requests for changes or exceptions to the minimum FAR and height requirements in DSC over the past few years. **City Council previously emphasized the desire to keep standards that reinforced the current Main Street character, which within the zoning standards is defined as 2-stories and the 100% FAR requirement. There are no other design standards within DSC.**

Currently, there is an exception process available for a limited number of situations. The exception process considers the site situation, proposed design, and intent of the standards. Properties along the north edge of DSC with frontage along 6th Street can apply for an exception to be approved by the Zoning Board of Adjustment (ZBA). Additionally, special uses, such as religious institutions and funeral facilities can request relief from the ZBA.

Mr. Stott is asking to allow for essentially any property in Downtown to be able to seek an exception to these standards, not just those uses outlined above.

Ultimately the ZBA would make a decision on the actual merits of the project if they were allowed to apply for the exception.

Staff also notes from discussion with the applicant, the recently directed 20% zoning variation relief rule does not quite meet their goals for an addition to their building. **The two-story height of the building could likely be made to work, but the size of the addition would likely be less than a 20% reduction in the FAR standards to 80% FAR.**

Options:

The property owner finds it impracticable to reuse the existing building for their purposes and the option to demolish it and build a new building is more appealing. Staff identified three options that could apply to the request.

1. Eliminate the FAR and 2-Story height requirements

City Council has modified zoning standards at least three times for DSC zoning due to the minimum FAR and Height requirements. **However, previously City Council did not remove this standard due to the belief that it helps to reinforce the building design and character of historic Main Street.**

A second version of deleting this requirement would be to exempt additions and apply the requirements only to newly constructed buildings.

Deleting the standard would apply to all properties in Downtown. Deleting the standards would leave no design requirements within the DSC zoning related to historic Main Street character. Deleting it, however, would grant more flexibility to property owner for additions to existing buildings and for new buildings.

If City Council were to delete the requirement, Ames Silversmithing would then proceed with only a staff review of a Minor Site Development Plan to demolish their 15-foot building and construct an addition to their current building.

2. Allow for all uses to apply for an Exception approved by the ZBA

The applicant requested this option believing their specific circumstances would justify granting an exception rather than removing the standard in its entirety. The Text Amendment would simply remove the current limitation that allows exceptions only to properties along 6th Street. This change would then apply throughout the Downtown for all properties and uses. It would require a property owner to demonstrate on a case-by-case basis why compliance would not be feasible and the proposed design would be compatible with the character of Downtown. This is the process that was created and applied to the Friedrich Realty building on 6th and Duff.

3. Apply the 20% Zoning Variation Rule

As mentioned above, the City Council has already initiated a city-wide text amendment to allow for 20% variation from numeric zoning standards. Although this change has not yet been adopted, it is scheduled for City Council consideration in May.

In this case the 20% Rule would lower the minimum building height from requiring two actual floors with usable area or a height of 22 feet to a building height measured to the top of a parapet of 17.6 feet. The FAR would be reduced from 100% to 80%.

Staff reviewed this option with the applicant before they asked for the Council referral. They estimated that would need to make their addition slightly larger to meet this variation allowance, potentially increasing the FAR from approximately 75% to the 80%.

City Council would take no action at this time with this option as the 20% rule ordinance will return for City Council approval in May. The applicant would then proceed with a site design that complies with these 20% reductions and no other amendment would be needed.

Staff Comments:

Alternations of existing one-story buildings downtown are often restricted by the current FAR and height requirements. These standards are meant to reinforce Downtown character and for efficient infill development. As is typical with these types of requests, it is the preference of the owner on how they do the development that drives the need for considering a change to standards. Council will have to weigh the need for the keeping the standards or agreeing to modify them as described in Option 1 or 2. If Council is interested in Option 1 or 2, the item should be referred to a future agenda for discussion.

Option 3 requires no action at this time, but would require the applicant to modify their plans to some degree to meet zoning requirements.