

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

Date: May 20, 2009	Norman Cloud	2010
	Keith Barnes, Chairperson	2010
Call to Order: 7:00 p.m.	* Kori Heuss , Vice-Chairperson	2011
	Jeff Johnson	2011
Place: Ames City Hall	Justin Platts	2012
Council Chambers	* Chuck Jons	2012
	Elizabeth Beck	2012
Adjournment: 9:45 p.m.		
	*Absent	

MAJOR TOPICS DISCUSSED:

1. Preliminary Plat for Grand Aspen Subdivision, 3rd Addition
 2. Zoning Ordinance Text Amendment Related to Screening and Landscaping Around Mechanical Equipment
 3. Zoning Ordinance Text Amendment Pertaining to Sports Practice Facilities
 4. Proposed Changes to Bylaws
 5. Broad Overview of the Goals and Objectives in the Land Use Policy Plan
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CALL TO ORDER: Keith Barnes, Chairperson, called the meeting to order at 7:00 p.m.

APPROVAL OF AGENDA:

MOTION: (PLATTS/JOHNSON) to approve the Agenda for the meeting of May 20, 2009.

MOTION PASSED: 5-0

APPROVAL OF THE MINUTES OF THE MEETING OF MAY 6, 2009:

MOTION: (CLOUD/BECK) to approve the Minutes of the meeting of May 6, 2009.

MOTION PASSED: 5-0

PUBLIC FORUM: There were no public comments.

Preliminary Plat for Grand Aspen Subdivision, 3rd Addition

Ray Anderson, Planner, gave an overview of the proposed preliminary plat. Staff recommends approval of (a) a waiver from the subdivision requirements for street lights along the South 16th Street arterial, and (b) the revised Preliminary Plat for Grand Aspen 3rd Addition Subdivision, located at 917 South 16th Street, subject to the following conditions:

- a. That the developer will construct and dedicate all public improvements described in the above project description to City of Ames Urban Standards, as required, prior to approval of the final plat, or execute an Improvement Agreement to guarantee the completion of all public improvements and provide security in the form of an Improvement Guarantee, as set forth in Section 23.409 of the Ames Municipal Code, or as otherwise described in the final Developer's Agreement.
- b. That the developer's agreement be finalized prior to preliminary plat approval.
- c. Civil drawings of all public improvements shall be submitted to the Public Works Department for review and approval prior to installation and prior to final plat approval.
- d. The final plat shall label the identified bike path along South 16th Street as a "shared use path".
- e. A notation to label the boundary of the "Floodway" shall be added to the preliminary plat before approval.
- f. The statement on the preliminary plat that "Outlot B's uses will be in conformance with the RH zoning" shall be removed from the preliminary plat Sheet 1 of 2.
- g. A perpetual negative easement shall be shown on the face of the official plat of subdivision, with respect to the south line of the site such that there shall be no access to South 16th Street from the site except for one 30 foot intersecting driveway, located directly across from and aligned with Fountain View Drive, to serve as access to Lot 1.

Matt Randall, Randall Corporation, 420 South 17th Street, Ames, Iowa, developer, was present to answer any questions the Commission may have. He stated that they are in agreement with staff's recommendation and conditions. He then explained that the reason they are renegotiating the Developer's Agreement is because there have been a couple of changes in both state and federal law pertaining to bidding processes and practices.

Clete Mercier, 305 Westbrook Lane, Ames, Iowa, spoke to the Commission regarding his concerns about flood plain development. He said he knows that this proposed development is located above the 100-year flood plain, but is wondering if it is located above the 200-year flood plain?

Mr. Randall said the finished development will be three feet above the 100-year flood plain, which is the same elevation as the Ames Christian School.

Mr. Mercier said he has seen some pretty decent floods in the 40 years he has lived in Ames. He asked how many 100-year floods and how many floods less frequent than that have occurred in the last 40 years. He then asked if there has been a recent analysis or study done of the flood plain and the effect of the current construction on floods. He explained that when you start filling in flood plain with structures three and four feet above the 100-year flood elevation, what that does is make the cross section smaller for the flood to go through, making the water go higher. He then asked who would be liable for any flood damage if this area is built up with high-density housing.

Mr. Randall explained that when they built the golf course, they intentionally removed dirt from the flood way, which created capacity. The site we are discussing tonight, as well as the additional site, is actually located outside of any flood plain or flood way. He explained that they worked with the DNR when they built the golf course and removed about 250,000 to 350,000 cubic yards of dirt, which is hundreds of millions of gallons of capacity that was actually added to the flood way.

Mr. Mercier said all that does is increase storage – it does not decrease the cross section for the flood to go down.

Mr. Randall explained that they were required to do hydrologic studies by the City of Ames and the DNR when they designed and constructed the golf course.

Mr. Mercier questioned if the 100-year flood elevation is going to be enough and thinks this is something the Commission should address.

Discussion occurred about development in Outlot B and the requirements for building within the flood plain.

Mr. Randall said all of that property was filled when they constructed the golf course and the only reason it is currently shown in blue is because it is in the flood plain. He said the process for working with the federal government for getting the map change will be easier once this ground is platted. He explained that once they get through this platting process, they will make the request of the federal government that this property no longer be considered to be in the flood plain.

Mr. Mercier asked about if this property will be above a 200-year flood event.

Charlie Kuester, planner, explained that the 200-year flood has never been part of the FEMA flood plain maps -- they look at a 100-year and 500-year flood levels.

Mr. Mercier said we need to be very sensitive to this in view of the floods that have occurred in the last few years.

MOTION: (JOHNSON/BECK) to accept Alternative #1, which states:

The Planning and Zoning Commission can recommend that the City Council approve the revised Preliminary Plat for Grand Aspen 3rd Addition Subdivision, located at 917 South 16th Street, based upon staff's findings and conclusions **(minus the 3 sentences)**, subject to the granting of the street light waiver and subject to the following conditions:

- a. That the developer will construct and dedicate all public improvements described in the above project description to City of Ames Urban Standards, as required, prior to approval of the final plat, or execute an Improvement Agreement to guarantee the completion of all public improvements and provide security in the form of an Improvement Guarantee, as set forth in Section 23.409 of the Ames Municipal Code, or as otherwise described in the final Developer's Agreement.
- b. That the developer's agreement be finalized prior to preliminary plat approval.
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- g. A perpetual negative easement shall be shown on the face of the official plat of subdivision, with respect to the south line of the site such that there shall

be no access to South 16th Street from the site except for one 30-foot intersecting driveway, located directly across from and aligned with Fountain View Drive, to serve as access to Lot 1.

MOTION PASSED: 5-0

Zoning Ordinance Text Amendment Related to Screening and Landscaping Around Mechanical Equipment

Steve Osguthorpe, Director, gave an overview of the proposed text amendment. Approval of the Zoning Ordinance text amendment related to screening and landscaping around mechanical equipment is recommended.

Jeff Johnson said as we think about downtown and yesterday's announcement relative to the Main Street Cultural District, there will be some balancing act with the artwork downtown where this landscaping and screening needs to go. He asked if the City would take into consideration the artwork in downtown when we talk about landscaping in those areas.

Mr. Osguthorpe said our landscaping standards do allow some kind of incident or accent type features within a landscaped area, such as statuary. Even sidewalks are an integral part of the landscape design, such as stepping stones, so it is not that you can't have any non-organic materials in the landscape areas.

Mr. Johnson asked if the mechanical units could be turned into artwork. He mentioned that there are cities that let kids paint the dumpsters, which allow them to become part of the feature. He asked if that flexibility would be allowed in the downtown area.

Mr. Osguthorpe said if we were to take that approach, and electrical services decided they wanted to let the mechanical cabinets become artwork, we would have to consider them like any other piece of art, but he would have to check with the City Attorney to see if they would still be defined as a mechanical unit.

Mr. Johnson said he wanted to put the conversation out there because of his fear that what little bit of green space we have been able to accomplish downtown would go away if we start sticking in more metal pieces.

Ms. Beck suggested that we could be innovative and do mechanical units like cows or horses on parade and fold them into being a green city.

Justin Platts asked if we are talking about pulling items out of the ground and putting them right out onto Main Street.

Mr. Osguthorpe replied that they would; however, some of the units have been identified to be located in the back of the alleys.

Mr. Platts encouraged staff to put some thought into where exactly the utilities are placed on Main Street. For instance, if a 7-foot switch gear or transformer is sitting out there and is something that cannot be screened, we should find another way to dress it up. He said he is fine with the language because he is of the understanding that it is only where it is absolutely necessary where this is going to be a concern, and it is at staff's discretion where it is handled.

Mr. Johnson said the only thing he is uncomfortable with is that it doesn't state that it negatively impacts the aesthetic value or the issues of safety. He said the safety piece is natural.

Norman Cloud said he is hearing two safety concerns – one is access for the unit itself and the other one is for the public and the people around them.

Mr. Osguthorpe said this unit is like what you now see in every yard in every subdivision in front and along the streetscape.

Mr. Cloud said if they are not screened it is not a safety issue -- they don't have to have a fence around it to be safe.

Mr. Osguthorpe said the primary concern for safety is if the screening itself would create a safety problem by being too close, or by not allowing the required access around the unit.

Mr. Cloud asked if there is some leeway on where these units are going to come out of the ground within some certain distance.

Mr. Osguthorpe explained that they would have to be because right now they are in the ground within the right-of-way. He said they cannot bring them above ground if that spot is in a travel lane in the street or the alley.

Mr. Cloud asked if there is language to leave these units bare if they are unable to put landscaping around them.

Mr. Osguthorpe said if we just can't find a way to landscape, then we would have to be satisfied with a bare unit.

Mr. Johnson said the only reason he is bringing this up is because we could end up with these mechanical units and no art. The landscaping and screening is taken care of and the artwork is not, and is he is worried that the artwork downtown would go away.

MOTION: (BECK/PLATTS) to accept Alternative #1, which states:

The Planning and Zoning Commission can recommend that the City Council adopt the zoning text amendments as described above.

MOTION PASSED: 5-0

Zoning Ordinance Text Amendment Pertaining to Sports Practice Facilities

Charlie Kuester, Planner, gave an overview of the proposed text amendment. Approval of the Zoning Ordinance text amendment pertaining to sports practice facilities is recommended.

A lengthy question and answer period occurred between the Commission and staff.

Victoria Feilmeyer, Nyemaster Law Firm, 1416 Buckeye Avenue, Ames, Iowa, attorney, was present on behalf of Jensen Development Corporation. She stated that she is excited to be in front of the Commission with the opportunity for the reduction of parking in an overlay district that is a gateway to our community, and because she is representing a developer with a charitable purpose as this land is going to be donated to Iowa State University.

Ms. Feilmeyer then spoke about the process for determining the amount of parking spaces for this project, as well as coming up with the definition of a “sports practice facility”. She said they think this is an exciting project and support staff’s recommendation as stated in Alternative #1.

MOTION: (PLATTS/CLOUD) to accept Alternative #1, which states:

The Planning and Zoning Commission may recommend to the City Council to adopt the staff’s modified definition of sports practice facility, its modified parking requirement of 2.0 spaces per 1,000 square feet of gross floor area, its use as a Miscellaneous Use, its inclusion in the Use Tables for CCN and HOC, and its exemption from the collective parking provisions.

MOTION PASSED: 5-0

Proposed Changes to Bylaws

The Commission agreed with the proposed changes to the Bylaws presented to them tonight in writing. The Commission will see the proposed changes in the form of a Commission Action Form at the next meeting for consideration.

Broad Overview of the Goals and Objectives in the Land Use Policy Plan

Keith Barnes said he is trying to interpret what the Commission members are saying about the approach that is being taken on this subject since only three members responded to the request for individual comments. He said we can continue with the discussion as we have been allowing the four remaining Commission members to submit their comments, or we can talk about using another approach. He said the discussion that occurred pertaining to the approach at the last Commission meeting was a lot different than what was originally proposed, and wonders if we are just going at it the wrong way. He asked for some direction from the Commission members on what approach should be taken for this process.

Mr. Cloud explained that he watched the tape of the discussion from the last meeting, and it appears that we all agree with many of the goals but how the goals are actually executed is where there is concern. The language that he sees in front of him on proposed changes to the goals he thinks are valid and need to be done. But it is his opinion that we need to update and clarify some of the goals in 2009 from those that were written in 1994-1997, but it’s really the execution to reach these goals that we struggle with. For the City Council meeting, maybe we have to go through the process of agreeing that we agree with the goals with some changes in language, and then move on to how we actually execute to reach these goals.

Mr. Barnes said our initial discussion was about strategy, but this has basically been a discussion about the goals and objectives.

Mr. Cloud spoke about the two items that were previously discussed tonight pertaining to developing in the flood plain and reducing parking. He said the discussions we had tonight about these two issues is somewhat contradictory to what these goals actually say we should be striving to do in many cases, which he cannot reconcile.

Mr. Johnson said this is where he would disagree and thinks this process is doing exactly what we need to be doing. It is very clear to him that this is not an attempt to rewrite the goals or objectives unless we feel: (a) they are not clear; or (b) have things changed so much that the particular goal or objective no longer fits – or are they still relevant. He said those are the kinds of questions we should be asking and thinks we are doing just that.

Mr. Platts said he agrees. He said the only thing he is really concerned about is the relevance of the goals based on information that we have now. He said the last meeting for him was really important because it finally explained that we actually want the .08 percent and now we need to see if we are on track.

Mr. Johnson said he walked away from here feeling much better about his city planning than he ever has. Secondly, this document that staff created (summary of goals and objectives in the LUPP) needs to be more visible, not only in what we do, but to our public. If nothing else, there should be an open forum every now and then just to discuss this and make sure people know that there is something guiding the city and that it is not about all of these ordinances. When you think of the LUPP, this summary document boiled it down to what makes sense in layman's terms and thinks we have had a struggle here because very few people understand the LUPP.

Mr. Barnes said he was amazed at how easy it was to take a look at the goals to create his list. He said he tried to take his blinders off as he went through the goals and discovered that that he didn't need to recommend many changes. He said his major concern is that there is nothing mentioned about Campustown, which is just as important as downtown, and thinks Campustown should be a separate goal. He said the rest of his comments were pretty minor.

Mr. Cloud spoke about the justification of the .08 percent number for everything. Ames historically had this .08 percent growth rate. We also have this .08 growth rate for jobs and housing stock long term. He said it seems to him that it should be pretty straight forward to have three of those charts posted on somebody's wall and is constantly updated to make sure the ratios of those are in balance. If you get your housing stock growing at .08 percent for two years in a row, you are going to be way out of balance. At the same time, if you are not growing your jobs fast enough or much faster than that, you know that the growth rate of the housing stock isn't keeping up. Things have to be in balance, and it is the balance of those three rates of change that keep Ames the way it is over a long period of time, whether people want it to be this way or not.

Mr. Johnson said controlled growth is what he walked out of here with; he no longer goes with this smart growth versus no growth because it is controlled growth. It is also trying to be green and neighborly, and the neighborly piece for this portal perspective is now what scares him. Where is that infrastructure or character change if we are really making a commitment in this document to downtown as a central place and a community focal point and doesn't think that goal can be realized the way it is currently written.

Ms. Beck said she understands that what we are doing is preparing ourselves for a conversation with the City Council. We bring to them our comments and positions that we have agreed upon, and talk to them about what we think needs to happen -- and they will either agree or not agree. If they agree with our position, then the Council will direct staff or put together a task force and we will then move forward.

Mr. Osguthorpe explained that the discussion with the Council ended with a decision that before we get into whether we should change the plan or not, let's make sure we understand it. We were to continue this discussion so that we could come back and review the goals and see how they are implemented. When the Commission met last, we talked about first going over the goals to see if the Commission can agree with the premise itself before you worry about whether you like the way it is implemented. He said the expectation is that we will do the same thing when we go to the City Council, but also be a little more specific about how they are implemented.

Mr. Johnson said he thinks the latter is probably less important to him now than the understanding and the relevance. He said in terms of how they are implemented, staff does a very good job of applying all of the technical stuff.

Mr. Osguthorpe talked about the inconsistencies he is seeing with the Commission's list and how the goals are being viewed by each member. He said there was a recommendation to delete references to minimum densities, which in his mind is an integral part of achieving many of the goals in terms of preserving flood plains, ensuring efficiency of infrastructure, and meeting those targeted populations within the area that we have identified.

Mr. Barnes suggested that maybe we aren't using the right densities in the LUPP.

Mr. Osguthorpe said we have some targeted densities that our projected needs were based upon. He said he wants to make sure we are clear that if you are going to make a recommendation to change the minimum density, that we are clear on what the purpose of that is and how it dovetails with other goals and objectives in the plan.

Mr. Barnes said he thinks there are other ways of achieving density and there is a significant group that believes we are not using the right approach to achieve it. We are the only city and state in the Midwest that does it this way, and thinks there are other ways to achieve density.

Mr. Osguthorpe said this is the kind of discussion that we need to clarify as wasn't quite sure what the concern is about density.

Ms. Beck said this is clearly going to be a long, drawn out process and doesn't think we are going to come to some kind of resolution within three months. She mentioned the Main Street Cultural District and the library being conversations that we now need to be having. There are things happening in Ames that are streaming into our conversations that affect how we meet our objectives and then how we subsequently implement them.

Mr. Cloud said one of the things that clearly came out of the discussion at the last meeting was the slow and steady growth of Ames. Up until a few years ago, we had a lot of communities within driving distance that were booming and sucking up a lot of the potential development resources, and some people thought that Ames was just stagnant and doing nothing. Yet when we get into a downturn like we are now, Ames just sort of plugs along doing the same thing it was doing five years ago, as the dust blows on empty lots in West Des Moines and parts of Ankeny.

Mr. Barnes said he doesn't look at Ames as having controlled growth if you believe that all growth starts with jobs. He said he has never seen anything that he would say was controlled slowly for economic development. If you can get the jobs, then you can start getting the time to do those other things, so certain things then become critical, which is why you are seeing the discussion about economic development in the County. Somebody has got to step up and buy

land and put in infrastructure because it is hard to market 500 acres that has corn growing on it without the infrastructure.

Mr. Johnson said he still doesn't think we have defined who we are, which will remain an issue for him. In terms of how we are growing is less of a tension for him if we can do some of the other stuff because he would like Ames to have an identity.

Mr. Osguthorpe said this discussion has helped us realize that there are some good planning principles in the plan even though he is not sure what those principles lead to. If you were to close your eyes and imagine what Ames looks like and what is it that these planning principles finally lead us to – he is not sure that he would know how to answer that.

Mr. Cloud said he agrees with Jeff and Keith that the economic base is the heart of this. He said he thinks people tonight are defining economic base as not building a bunch of houses, which is not the economic base for this city. The houses come after this economic job base is set in some other way. We are talking about either a manufacturing job or some type of bio-tech job. When he looks at this, what he sees is that we need to recognize that no matter what the City and planning staff does we can only control about 35-40% of the economic base of this town. The rest of that economic base is state and federal jobs that we don't influence. We have to live within the reflection that they can grow quickly, or shrink totally independent of what this city wants to do for that economic base. So our ability to manipulate the economic base is only a percentage of the jobs in this town.

Mr. Barnes said going back and looking at our history (last 15 years), we have had enough growth of the economic base in commercial and industrial because they are taxed at 100% of the property tax rate -- they have paid 100% of the increase in the cost of running the city. Now we have slowed down and is wondering who is going to pay that bill if we want to do more things. He said he thinks there is a kind of a renewed focus on the importance of "let's start working with the engine to start creating more jobs" that will allow us to do the other things that we want to do in this city, which he finds exciting.

Mr. Cloud said he agrees that these other businesses are generating revenue for the city, but views the government jobs in Ames like manufacturing and industrial jobs, and it is the paychecks for those people that tend to get cycled several times, especially if they live within the community. If we all decided to take off and go to West Des Moines to do all of our shopping, we would have a real problem. But believes that economic base is the basis for this city, which gets recycled multiple times before it leaves the city.

Mr. Johnson said we have to remember that we serve the region and there are some folks that work in these government jobs that can't live in Ames. It is not about annexation or anything -- it is about being regional and we haven't captured that in the language in our LUPP.

Mr. Cloud said the people that work here but don't live here are offset by the people that don't live here but come here because of those facilities.

Mr. Johnson said that is why he is saying this is an opportunity to capitalize it and is more of marketing and branding than it is maybe even building something.

Ms. Beck said the statistics of the people that live in Des Moines and come to Ames to work, and the people who live in Ames and go to Des Moines to work is something to think about in terms of your region. She said she would venture to guess that while we have a very stable job employment sector with our government, there is a huge way to grow. If you take a look at what

we could do in the bio-tech industry here, we could create an identity of a research park and do it in terms of green energy. We could become a place to come to and continue to increase our university enrollment if we get that kind of a reputation because those places in research parks take these students in. She said we have to find a way to increase that base in there, and doesn't agree with Norm that money is getting spent in this community to the extent that it should be -- it is going south in terms of retail, which is a real concern for her.

Mr. Johnson said there is nothing on the interstate that is marketing that Ames is here (signage/advertising). It is not about the Land Use Policy Plan, but it is about adding to our tax base, about regionalizing this place, about having this be a vibrant city that you don't just drive by.

Mr. Platts said you are talking about identity and the question is if it is addressed in the goals of the city -- what is the identity of Ames?

Mr. Cloud said we can allow this sort of experiment to play out -- Ankeny has clearly chosen the route that commercial retail is going to be the engine of their economy.

Mr. Johnson said he wants to make it clear that his comments about marketing Ames are not about retail. What he is asking is what is the City's identity relative to, and how do we encourage our tax base if we are not going to build more homes or create more jobs.

Mr. Cloud said he thinks this community should focus on creating industrial, manufacturing, and high-tech jobs; not focus on house construction and commercial retail as the economic engine for this community. The housing construction and the commercial retail will follow if you have the industrial manufacturing and bio-technology base, especially with green energy. People will come here to have jobs, and once they have jobs and money to spend, then they are going to want to spend retail dollars. It's a different view point of where the first dollar comes from, and thinks it should start with manufacturing, even though others say commercial is where you generate more revenue.

Mr. Platts said the difficulty you have with manufacturing in Ames is that Ames is a highly educated workforce. Labor costs here are high compared to eastern Iowa -- it is far cheaper to build something like that in eastern Iowa.

Ms. Beck clarified that what Jeff is saying is that we need a city identity, but we also need to think about the bigger picture for Ames. Ames has its own metro area and we need to think about this metro area. In addition to the government, we do have a regional medical delivery system. She said she thinks the Commission has agreed basically on the goals, and now we are kind of looking at the objectives and the implementation, but we could think about how these city goals in the LUPP might play out in a larger geographical context.

Mr. Barnes said he thinks when we get this worked out amongst ourselves we will do a better job of explaining it to the public. When people hear the words "Land Use Policy Plan" they think it is a bad thing when it is not. It is a good plan -- it just needs to be tweaked a little bit and updated.

It was decided that the four remaining Commission members would send their lists to staff by Tuesday (May 25) to be incorporated into the final comments document, which will be the basis for the discussion at the June 3 Commission meeting.

Mr. Osguthorpe said the purpose of the next meeting is for the Commission to collectively agree to the list that the Commission is individually compiling.

COMMISSION COMMENTS: Justin Platts said staff did a great job tonight. He then congratulated the City on becoming a Main Street community.

Discussion then occurred on the City becoming a Main Street community.

STAFF COMMENTS: Staff reviewed the tentative agenda for the meeting of June 3, 2009.

Mr. Osguthorpe updated the Commission on the outcome of the Renewable Energy workshop and what the next steps will be for this topic. The Commission asked to see the results of the visual preferences for what people liked and didn't like.

With no further business coming before the Commission, the Chair declared the meeting adjourned at 9:45 p.m.

Cindy L. Hollar, Secretary
Department of Planning & Housing

Keith Barnes, Chairperson
Planning & Zoning Commission

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