

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

Date: March 17, 2010	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: 8:53 p.m.		
	* Absent	

**MAJOR TOPICS DISCUSSED:**

1. Rezoning of Property Located at 530 and 900 Southeast 16<sup>th</sup> Street from Agricultural (A) to Highway-Oriented Commercial (HOC)
2. Zoning Ordinance Text Amendment to Reduce the Minimum Number of Off-street Parking Spaces Required for Grocery Stores

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CALL TO ORDER: Keith Barnes, Chairperson, called the meeting to order at 7:00 p.m.

**APPROVAL OF AGENDA:**

MOTION: (BECK/JOHNSON) to approve the Agenda for the meeting of March 17, 2010.

MOTION PASSED: 6-0

**APPROVAL OF THE MINUTES OF THE MEETING OF MARCH 3, 2010:**

MOTION: (CLOUD/HEUSS) to approve the Minutes of the meeting of March 3, 2010.

MOTION PASSED: 6-0

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PUBLIC FORUM: There were no public comments.

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**Rezoning of Property Located at 530 and 900 Southeast 16<sup>th</sup> Street from Agricultural (A) to Highway-Oriented Commercial (HOC)**

Jeff Benson, planner, gave an overview of the proposed rezoning request to rezone all of Pt. Parcels C and D from "A" (Agricultural) to "HOC" (Highway-Oriented Commercial). This entire area is within the general floodplain of the Squaw Creek and the Skunk River. The northeast half of Pt. Parcel D is within the Floodway Overlay Zone. All of Pt. Parcel C and the southwest half of Pt. Parcel D are within the Floodway Fringe Overlay Zone. Rezoning of the properties from A to HOC does not change the floodplain overlay zoning designations.

By July 2009, the Southeast 16<sup>th</sup> Street bridge over the Skunk River was replaced and the street was paved from two blocks east of South Duff Avenue to South Dayton Avenue. None of this land has been developed. According to the rezoning application, the subject properties will be developed to their highest and best use. If rezoned to HOC, the property can be used for any uses permitted in the zoning code for that zoning designation, generally all uses, except residential, industrial, or schools. This is the zoning designation of most of the commercial areas of Ames. However, the floodplain zoning designations limit these uses somewhat and require specific development characteristics to protect people and property from flooding.

The conceptual plan for the Southeast Gateway shows that preservation and restoration of the Skunk River riparian zone would support the city's entryways. It illustrated that this riparian zone would help provide a western boundary for the Southeast Gateway and would also provide an example of the integration of developed areas and greenways that is a distinctive characteristic and asset of Ames.

The subject property is located proximate to two entries designated by the Land Use Policy Plan: the Southeast Gateway, east of the subject property, and the South Duff Gateway, west of the subject property. Therefore, it could be determined that the property should be made part of an entryway overlay zoning district. It could also be determined that the subject property is not associated with either gateway, due to distance from the gateway or intervening land uses or other conditions. In any case, the Agricultural/Farmstead land use designation retained on the northeastern portion of Pt. Parcel D, combined with the Greenway designation east of subject site, provide visual separation between the two designated gateways and also provide greater continuity of the riparian corridor's natural habitat.

Staff finds that rezoning of Pt. Parcel C and the southwest half of Pt. Parcel D for commercial use is consistent with the land use policies of the City, but that rezoning of the northeast half of Pt. Parcel D is not consistent with the land use policies of the City. Therefore, it is the recommendation of the Department of Planning and Housing that the Planning and Zoning Commission recommend that the City Council approve the rezoning of Pt. Parcel C & the southwest half of Pt. Parcel D from "A" (Agricultural) to "HOC" (Highway-Oriented Commercial), leaving the existing zoning of the northeast half of Pt. Parcel D unchanged, subject to the following conditions:

- Require plantings to restore the native riparian landscape on the east 200 feet of Pt. Parcel D.
- Build the sidewalk across the frontage each parcel before approval of an Occupancy Permit for that parcel.
- Before rezoning, provide a legal description for the east line of the Highway-Oriented Commercial Zoning that approximates the Floodway zoning overlay boundary.

If the Planning and Zoning Commission believes that South Duff Gateway standards should be prepared, but that it is acceptable that they not apply all to development on the subject property, then the Planning and Zoning Commission should also recommend that the City Council direct that a South Duff Gateway Overlay zoning district be created.

If the Planning and Zoning Commission believes that South Duff Gateway standards should be prepared, and that all development on the subject property should follow these standards, then the Planning and Zoning Commission should recommend that the City Council defer approval of the requested rezoning until a zoning ordinance is created to apply gateway design standards for this and other properties important to the South Duff Gateway.

Discussion ensued between staff and the Commission about the two possible gateway overlays (Southeast Entryway or South Duff Gateway) being extended into this area proposed for rezoning, which included the types of development scenarios for both of the gateway overlays.

Chuck Jons expressed concern about seeing the back of big box stores on Highway 30, similar to the situation that exists along Interstate 35 as you travel past Ankeny. Steve Osguthorpe, director, said if the Commission believes a gateway overlay is important to address these kinds of concerns, this is the opportunity since we haven't yet established gateway standards for the South Duff interchange; the Commission can decide which issues are important to make that gateway be meaningful and attractive.

Discussion ensued about the standards that are already in place for the Southeast Gateway Overlay zone. It was suggested by staff that, if the Commission believes the standards already adopted for the Southeast Gateway Overlay zone are adequate to address the Commission's concerns, the Commission can recommend that the Southeast Gateway overlay be extended all the way over to this property. Or, the Commission can recommend that a new gateway be established, but apply the same standards and then define where the overlay should be extended beyond this property that might have those same standards.

Jeff Johnson said for him it is about how that property is going to be used and how it will be accessed, and the hope that we can carry out the standards already established for the Southeast Gateway to the South Duff corridor.

Mr. Jons asked if it would be easier to extend the Southeast Gateway west than it would be to create a new South Duff Gateway. Mr. Osguthorpe stated that it would be the quicker way in terms of this property, but what it would not do is address property beyond that interchange node. He said the Commission can propose to expand the gateway to include the Duff Avenue interchange, but then we would have to decide what the outer perimeter of that interchange would be.

Mr. Johnson suggested that we view the whole area along Highway 30 from Interstate 35 to the South Duff corridor as a gateway.

Mr. Osguthorpe mentioned that staff can come back to the Commission with some options on where that boundary line might be before the Commission makes its recommendation to Council on this rezoning proposal.

Norman Cloud said it appears that the river makes a natural boundary between land that can be built upon and land that cannot. He stated that he likes the concept of having any development that occurs in the developable part of Parcels C and D to have some additional standards over HOC, but he doesn't think it is a good idea to extend the Southeast Gateway across the river because it would be ignoring the natural greenway break.

Keith Barnes said it appears that Alternative #2 would get us to the answer that we are going to ultimately need in light of the discussion that we are looking for some type of overlay.

Kori Heuss said she doesn't even know if there should be an overlay until there is a discussion about where the entryway would end for the South Duff area. She said she is leaning towards approving the request for rezoning, but is unsure about the entryways until staff decides where that entryway would end.

Mr. Osguthorpe said staff could come back to the Commission with some possible location boundaries for the overlay if the Commission wants to explore different options.

Mr. Barnes asked staff to clarify that if we don't address the overlay now it won't get addressed. Mr. Osguthorpe said probably not. He said even if it did we would be adopting a standard after this area is already built out.

Mr. Benson said if the Commission really wants to screen something from the highway, whether it be by capital improvements or by standards, the Commission may want to consider the second option and tell the Council that we need to create standards for this property and other properties important for the South Duff Gateway. He said there are other design standards for the building and landscaping, but they specifically do not screen the view from Highway 30.

Mr. Johnson said Highway 30 is our one opportunity to establish a grand entryway into our city and would favor Alternatives 2 or 6 over Alternative 1. He said this one for him is less about the developer and properties owners, than it is about our city and this one chance to get that entryway right.

Elizabeth Beck said she actually favors Alternative 6, because she would like to hear what the City Council has to say. Mr. Osguthorpe said Alternative 6 wouldn't bring this forward to City Council; it would only come back to the Commission with additional information before you make a recommendation to the Council.

Mr. Cloud said he thinks Alternative 6 is the Commission asking staff to provide additional information so that we can make a recommendation to City Council. Alternative 2 seems to be where the Commission is saying we want the City Council to think about what that area is supposed to look like before we can determine how to rezone, which is what he is favoring.

Ms. Beck said there is the option that this area gets its own kind of design standards and zoning, but doesn't know how we can make the South Duff Gateway extend over to these other properties.

Mr. Benson suggested that the Commission could recommend that the Council direct staff to come up with standards for these properties before rezoning them.

Ms. Beck said what she is asking for is for staff to look at this, which is Alternative 6. She said she is not sure that there are four alternatives here; we can create gateways on either end or just do nothing. She said she doesn't think we want to do nothing, but thinks we want some standards to go in here.

Mr. Osguthorpe said if the Commission is interested in creating a new gateway to encompass the South Duff interchange, staff could come back with some possible boundaries based upon property lines and development patterns for the Commission to consider.

Ms. Heuss suggested that the Commission make two motions: one to refer to City Council that a South Duff Gateway overlay district be created, which has nothing to do with deferring this rezoning request; and, a second motion to refer this particular project for a zoning recommendation to City staff, which would separate the gateway issue from this property issue.

Mr. Jons asked if creating a South Duff Gateway would create non-conforming structures and businesses. Mr. Osguthorpe said there may be structures that could become non-conforming if we were to adopt standards for a South Duff Gateway. These non-conforming structures will be

allowed to continue to be maintained, but they will not be able to expand without conforming to the new standards. Mr. Jons said he thinks it was very appropriate to do a Southeast Gateway overlay, but is concerned that imposing these standards in an area that is already built out would be perceived as further regimentation that people do not like.

Mr. Cloud said he shares the same concerns about creating non-conforming structures since many of the properties to the west of Duff Avenue have recently been redeveloped.

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

The Planning and Zoning Commission recommends that the City Council approve the rezoning of Pt. Parcel C & the southwest half of Pt. Parcel D from "A" (Agricultural) to "HOC" (Highway-Oriented Commercial), leaving the existing zoning of the northeast half of Pt. Parcel D unchanged, subject to the conditions outlined below.

- a. Require plantings to restore the native riparian landscape on the east 200 feet of Pt. Parcel D.
- b. Build the sidewalk across the frontage of each parcel before approval of an Occupancy Permit for that parcel.
- c. Consider creating an overlay district affecting these parcels prior to the rezoning becoming effective.
- d. Before rezoning, provide a legal description for the east line of the Highway-Oriented Commercial Zoning that approximates the Floodway zoning overlay boundary.

MOTION PASSED: 6-0

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### **Zoning Ordinance Text Amendment to Reduce the Minimum Number of Off-street Parking Spaces Required for Grocery Stores**

Ray Anderson, planner, explained that on January 19, 2010, the City Council referred a request from Scott Renaud, Fox Engineering, on behalf of Hy-Vee to reduce the minimum number of off-street parking spaces required for grocery stores that are part of a "Retail and Shopping Center." Since that time, Hy-Vee has submitted a formal application for a "Text Amendment to the Zoning Ordinance", which alters their request for an amendment to parking standards, as referred to staff by the City Council. The applicant's request for a text amendment no longer includes a change to the off-street parking standards for grocery stores that are a part of a retail and shopping center. The revised request is to change the minimum number of required parking spaces for "grocery stores" from 1 space/150 square feet of gross floor area to 1 space/250 square feet of gross floor area, as shown in *Table 29.406(2) of the Municipal Code* below.

The question for the Planning and Zoning Commission and the City Council is whether the proposed standard will provide adequate parking for any future grocery stores constructed in Ames. The City Council adopted a lower parking standard for the CVCN zone; however, this included a requirement for additional landscaping. Hy-Vee is also requesting a lower parking standard for grocery stores, not just in a single zoning district, but for all zoning districts in the community that allow grocery stores, except CVCN. The Hy-Vee request includes no proposal for additional landscaping to accompany the lower parking standard. Application of the landscaping requirement for grocery stores in the CVCN zone to grocery store developments in

other zones throughout the community is deserving of consideration by the Planning and Zoning Commission and the City Council.

A consequence of reducing the number of parking spaces for grocery stores is the availability of fewer parking spaces for snow storage on the hard-surfaced parking lot. A potential advantage of fewer parking spaces is the use of a larger percentage of the site for landscaping/green space, which could offset the loss of surplus parking otherwise used for snow storage. While it is not advisable to store snow on landscape shrubbery, increased landscape areas facilitate larger areas of grasses and other groundcovers, which can readily tolerate the impacts of snow storage. Other advantages of increased landscaping in exchange for reduced parking include improved aesthetics of parking lots, improved storm water infiltration, and reduced heat island effects from expansive areas of hard surface (known to increase temperatures in urban areas).

The proposed reduction in the minimum number of parking spaces required for grocery stores in zoning districts throughout the community seems reasonable when the current parking standard is compared with other Iowa communities. A closer examination of the parking requirements for retail sales and services, as described in this report, is warranted if the proposed requirement for grocery store parking is adopted.

Staff is recommending that the Planning and Zoning Commission recommend that the City Council approve the proposed change in required parking for grocery stores in all zoning districts, except CVCN, from 1 space for every 150 square feet of gross floor area to 1 space for every 250 square feet of gross floor area. If the Commission believes that additional landscaping is of benefit, as adopted for grocery stores in the CVCN zoning district, the staff recommends that the Commission choose Alternative #2.

Steve Osguthorpe, director, expressed appreciation for Hy-Vee's interest for further development in Ames. He said after looking at Hy-Vee's site plan, it appears that what they are proposing is almost a wash between the landscaping that they would take out versus the landscaping they would add. He said assuming that is the case, then what we would have if we adopted these standards would be an existing non-conformity; however, as long as Hy-Vee doesn't expand the non-conformity, then it shouldn't be a burden for them. The zoning code states that we should try to reduce non-conformities as much as possible, so we can look at their site plan to try to identify potential areas that might provide more landscaping. He said this change for additional landscaping would really be something more for future grocery stores, where there is a clean slate to start and where there would be a significant notable difference. He mentioned the new Fareway Store, which is located in the CVCN zone, where you can really see the difference with the additional landscaping; this area has a softer look and gives an idea of what impact the additional landscaping could have on a newly developed site.

Jeff Stein, Hy-Vee, 5820 Westown Parkway, West Des Moines, Iowa, applicant, said he appreciates the opportunity to discuss this text amendment with the Commission. He showed a copy of the site plan depicting what the current ordinance requires for parking. He spoke about how the parking area on the north-end, where they are proposing to construct the convenience store, is underutilized with the current layout of the site. Mr. Stein then showed another drawing of the property depicting the landscaping and green space adjacent to and on both sides of the proposed convenience store, as well as the additional landscaping that was part of the right-of-way land swap when Grand Avenue was extended.

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

The Planning and Zoning Commission recommends that the City Council approve the proposed zoning text amendment to reduce the number of required parking spaces for grocery stores in all zoning districts throughout the community that allow grocery stores as a permitted use, with the exception of the CVCN district, from 1 parking space for every 150 square feet of gross floor area to 1 parking space for every 250 square feet of gross floor area.

MOTION PASSED: 6-0

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COMMISSION COMMENTS: The Commission thanked Keith for his time on the Commission.

Mr. Barnes said he has enjoyed being on the Commission for the past five years and proud to serve with his fellow Commission members. He said tonight's discussion on the rezoning request is indicative of how to approach projects and urged the Commission to continue to have these kinds of discussions.

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STAFF COMMENTS: Staff reviewed the tentative agenda for the meeting of April 7, 2010.

Mr. Osguthorpe also thanked Keith for his dedication and hard work while he has been on the Commission.

Mr. Barnes stated that he has enjoyed working with staff and thanked them for their hard work.

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With no further business coming before the Commission, the Chair declared the meeting adjourned at 8:53 p.m.

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Keith Barnes, Chairperson  
Planning & Zoning Commission

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Cindy L. Hollar, Recording Secretary  
Department of Planning & Housing