

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

Date: April 7, 2010	Kori Heuss, Chairperson	2011
	Jeff Johnson	2011
Call to Order: 7:00 p.m.	Justin Platts	2012
	Chuck Jons	2012
Place: Ames City Hall	Elizabeth Beck, Vice-Chairperson	2012
Council Chambers	Norman Cloud	2013
	Mark Stenberg	2013
Adjournment: 8:10 p.m.	All Members Were Present	

MAJOR TOPICS DISCUSSED:

1. Land Use Policy Plan (LUPP) Land Use Framework Map Amendment to Change the Land Use Designation of a Portion of the urban Fringe Plan from Priority Transitional Residential
 2. Rezoning of Property Located North of the Intersection of Stange Road and Bloomington Road from Convenience Commercial Node (CVCN) to Convenience General Service
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CALL TO ORDER: Kori Heuss called the meeting to order at 7:00 p.m.

ELECTION OF OFFICERS:

MOTION: (JONS/PLATTS) to nominate Kori Heuss as Chairperson and Elizabeth Beck as Vice-Chairperson of the Planning & Zoning Commission.

MOTION PASSED: 7-0

APPROVAL OF AGENDA:

MOTION: (BECK/JONS) to approve the Agenda for the meeting of April 7, 2010.

MOTION PASSED: 7-0

APPROVAL OF THE MINUTES OF THE MEETING OF MARCH 17, 2010:

MOTION: (CLOUD/JOHNSON) to approve the Minutes of the meeting of March 17, 2010.

MOTION PASSED: 7-0

PUBLIC FORUM: There were no public comments.

Land Use Policy Plan (LUPP) Land Use Framework Map Amendment to Change the Land Use Designation of a Portion of the Urban Fringe Plan from Priority Transitional Residential

Charlie Kuester, planner, gave an overview of the proposed amendment to the Land Use Policy Plan. The City Council referred to staff the request from Story County Land, L.C. to amend the Land Use Policy Plan designation for its property. The request initially was to change the

property from Priority Transitional Residential to Urban Residential to accommodate the proposed Rose Prairie Development. The Planning and Zoning Commission unanimously recommended this change at its regular meeting of March 3, 2010.

Since that recommendation was made, the owner has amended his request. There is an 11-acre tract of land, identified as Canterbrooke that lies at the northwest edge of the Story County Land, LC's property. It is east of and adjacent to the cell tower site on 190th Street. The owner of the Rose Prairie land entered into an agreement to sell this tract containing a horse barn. The owner wishes to submit a subdivision plat to sever this tract from Rose Prairie. Furthermore, the proposed owner does not wish to be annexed when Rose Prairie is developed.

Under the current policies of the Ames Urban Fringe Plan, a tract of land with the designation of Priority Transitional Residential would require the installation of utilities to the site at the time it is subdivided, although the land would not need to be annexed. Under the designation of Urban Residential (that was recommended by the Commission last month), a subdivision would require the installation of utilities and would need to be preceded by annexation. The proposed owner would like to avoid either of these requirements. The current owner has asked that the original request be amended to Agriculture/Farm Service.

It is staff's recommendation that the Planning and Zoning Commission amend its initial recommendation by maintaining the bulk of the subject area as Urban Residential, but recommend the designation of the Canterbrooke tract as rural Transitional Residential. Staff believes that this alternative serves the interest of the City, as well as accommodates the request of the future owners of Canterbrooke and the current owners of the Rose Prairie development.

A brief question and answer period occurred between the commission and staff clarifying the project.

Bob Gibson, Civil Design Advantage, 3450 Southeast Crossroads, Grimes, Iowa, representing the Story County Land developers, said they are in agreement with the proposed amendment to the Land Use Policy Plan. He explained that the arrangement for the Canterbrooke property is different and will not actually be changing ownership; this amendment will finalize a situation that happened back in 2003, and is really to accommodate them.

Russ McCullough, 2054 Cessna Street, Ames, Iowa, one of the owners of the Canterbrooke property, stated that they are in agreement with the proposed Rural Transitional designation as opposed to the Ag Services designation.

Mr. Kuester brought to the Commission's attention letters received from the City of Gilbert and the Story County Board of Supervisors supporting the amendment to the Land Use Policy Plan.

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

The Planning & Zoning Commission amended its initial recommendation to the City Council and designates the Canterbrooke tract as Rural Transitional Residential. The original recommendation of the remainder of the subject area would remain as Urban Residential.

MOTION PASSED: 7-0

Rezoning of Property Located North of the Intersection of Stange Road and Bloomington Road from Convenience Commercial Node (CVCN) to Convenience General Service

Steve Osguthorpe, director, gave an overview of the request for rezoning. The land proposed for this rezoning is located on the north side of Bloomington Road. Three properties are developed as a grocery store, a medical office and clinic, and a car wash. A convenience store is proposed for 3612 Stange Road. The City has not yet received a specific development proposal for 3725 Stange Road.

The following timeline of events occurred for the subject area:

- On May 13, 2008, the City Council changed the Land Use Policy Plan (LUPP) Map designation for the subject area to Convenience Commercial Node (CVCN) with use restrictions that allow only grocery stores, convenience stores, medical offices and clinics, and car washes.
- On June 10, 2008, the City Council approved a development agreement with the owner of the entire subject area at that time that limits uses to only grocery stores, convenience stores (which may include gasoline and food sales – no sit-down restaurants), medical offices and clinics, and car washes. This agreement runs with the land and binds the current and future property owners.
- On June 24, 2008, the City Council amended the zoning map to designate the entire subject area as Convenience Commercial Node (CVCN).
- On March 2, 2010, and March 23, 2010, the City Council approved on first and second reading a zoning ordinance text amendment creating the Convenience General Service (CGS) zoning district designation.
- On March 17, 2010, Elara Jondle, Pelds Engineering, submitted, on behalf of BBNC, LLC, an application to rezone 3612 Stange Road from Convenience Commercial Node (CVCN) to Convenience General Service (CGS).
- On March 30, 2010, the Ames City Council initiated rezoning for the entire subject area.

Justin Platts questioned the text pertaining to the purpose statement on Attachment D. He said the text makes the statement that CGS is similar to the CVCN, except that it is less restrictive because it is less likely to impact surrounding residential development. Mr. Platts said he is having a hard time understanding what would be less likely to influence residential development on this site. Mr. Osguthorpe said that is the criteria the Council has adopted in the CGS zoning standards, and the Commission will need to find and conclude that it meets that purpose statement.

Mark Stenberg asked for clarification on the differences between the two zoning districts. Mr. Osguthorpe stated that the uses will be the same for both districts, with the difference being that instead of requiring a public hearing and a review by the Zoning Board of Adjustment for the convenience store, it would be an outright permitted use with no hearing and no special review.

Norman Cloud asked if the existing businesses that went in under the CVCN zone could expand their signage under the new CGS regulations. Mr. Osguthorpe said that is correct. Mr. Cloud expressed concern for how the less restrictive signage standards could impact the neighboring property owners.

Mr. Kuester clarified the differences between the two zoning districts pertaining to signage and signage lighting standards. He said the signs in the CGS district could double in size over what is allowed in the CVCN district, but they would still have the same lighting restrictions that currently exist in the CVCN district.

Elizabeth Beck asked if the signage that is affixed to a building in the CGS district could double in size to those that are in the CVCN district. Mr. Osguthorpe said that is correct. The signage could have down-cast lighting or be internally illuminated; however, the code requires that they would be required to use a darker background if they are internally illuminated. Ms. Beck asked if that would provide some shielding to the residential neighborhood. Mr. Osguthorpe said the signage will still likely be visible from the residential area; it is a question of if the Commission thinks there will be any glare issues and if the current standards are sufficient to mitigate that impact.

Mr. Cloud said this proposal seems to be a way to get the services in this area by agreeing to some less restrictive allowances for that particular convenience store, but is concerned that these standards could be reversed on the property owners that have already met a more stringent requirement with the CVCN standards. Mr. Osguthorpe explained that, unless somebody comes in with another convenience store, then it would primarily be the signage issue that would be retroactively applied and available to the other property owners.

Ms. Beck said she is not as troubled by that because we have opened it up versus restricting it, and they can choose whether or not they want to promote. She said there are only four uses allowed in this area, and she can't see McFarland Clinic wanting to increase the size of its signs. She said she is comfortable in terms of creating the zone, instead of spot zoning, and this creates a zone to accommodate the use.

Mr. Osguthorpe explained that this isn't a rezoning to accommodate the uses because the uses are already allowed in the CVCN zone. It's just that Casey's had some concerns with the standards for those uses, which have really been the issue, particularly with the number of pumps and the design standards.

Wally Pelds, Pelds Engineering, representing Casey's General Stores, said they have been working on this project for almost two years, and appreciate all of the efforts the City has put forth for their project. He clarified that they had an issue with the way the signage standards were written, explaining that since they were only going to have one sign on the front of their building, they wanted it to be larger than what the City was allowing because it would look better architecturally. He said having more pumps were a big concern for them because the more pumps they have the better they can serve the community. He then showed drawings depicting the proposed pump canopy and signage on the front of the building. He said they are very proud of the building design; it functions very well and blends in with the residential area.

Mr. Cloud said he thinks it is important for everybody to understand how far Casey's has come on this project even though the City is still wrestling with some issues.

Jeff Johnson said he raised the point earlier that Casey's would not be able to build its regular store in Pella and would need to accommodate that community pertaining to design. He said Casey's has made concessions to accommodate where they are going to be located in Ames, and we need to look at our standards to make sure that we are accommodating, which he doesn't have a problem with.

Mr. Pelds reiterated that staff has been very good to work with throughout this process.

Bart Clark, 5743 North Swing, Ames, Iowa, owner of the car wash, said as far as the signage issue goes for them, they like their sign and are happy with it; it's a \$6,000 sign and they are not going to be tearing it out to double it. Mr. Bart further stated that they are in favor of this proposed rezoning request; there have been a lot of discussions and compromises back and forth, and believes this is the best solution for this property.

Mr. Osguthorpe clarified that the pitched roof for a canopy was not a design standard requirement; it was something that was addressed as part of the Special Use Permit process in trying to integrate the design into the surrounding residential development. He explained that the design standards require either a pitched roof or a flat roof with modulation, and the discussion was which would be better. What was proposed was a flat roof without the modulation, which is why there was the request to eliminate the canopy from the standards.

Mr. Platts said the proposed roof looks a lot better than a flat roof, and agrees that eight feet of pitch to accommodate a hip on top of a gas canopy would look a bit odd.

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

The Planning and Zoning Commission recommends that the City Council approve the rezoning of 9.79 acres (12.69 acres including proposed rights-of-way) of land as described by Attachment A from Convenience Commercial Node (CVCN) to Convenience General Service (CGS), with uses limited to only convenience stores (which may include gasoline and food sales – no sit-down restaurants), grocery stores, medical offices and clinics, and car washes, by adopting the findings of fact and the conclusions described above, subject to the condition that the CGS zoning district and regulations are approved by City Council and become effective.

MOTION PASSED: 7-0

COMMISSION COMMENTS: Justin Platts announced that he and his family will be moving away from the Ames area and will resign from the Commission effective May 31. He stated that he has had a lot of fun while he has been on the Commission.

The Commission members wished Justin well. They stated that he has been a valuable voice for the Commission and will be missed.

Mr. Cloud congratulated Kori for taking on the duties as the Chair of the Commission. He then welcomed Mark to the Commission.

STAFF COMMENTS: Mr. Osguthorpe also welcomed Mark to the Commission.

Mr. Osguthorpe mentioned that he will be presenting proposed text amendments pertaining to mechanical screening requirements and outdoor lighting standards to the developers for input at the next quarterly meet-n-eat meeting scheduled for April 29. These text amendments will come back to the Commission for consideration shortly after that meeting.

Mr. Osguthorpe mentioned the joint meeting that is tentatively scheduled for May 18 between the City Council, the Planning and Zoning Commission, and the Historic Preservation Commission. The Council will meet first with the Planning and Zoning Commission followed by the Historic Preservation Commission.

The Commission meeting scheduled for April 21, 2010 is cancelled due to the lack of agenda items.

With no further business coming before the Commission, the Chair declared the meeting adjourned at 8:10 p.m.

Kori Heuss, Chairperson
Planning & Zoning Commission

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

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