

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

Date: September 1, 2010	Kori Heuss, Chairperson	2011
	Jeff Johnson	2011
Call to Order: 7:00 p.m.	Debra Lee	2012
	Chuck Jons	2012
Place: Ames City Hall	Elizabeth Beck, Vice-Chairperson	2012
Council Chambers	Norman Cloud	2013
	*Mark Stenberg	2013
Adjournment: 8:15 p.m.		
	*Absent	

MAJOR TOPICS DISCUSSED:

1. Rezoning of Land Located at 1025 Adams Street (proposed Adams Memorial Greenway) from "RL" (Residential Low-Density) to "S-GA" (Government/Airport)
 2. Rezoning of Land Located at 1013 Adams Street (including the Adams Memorial Greenway land at 1025 Adams Street) to establish the "O-H" (Historic Preservation Overlay) District and designate the property as a Local Historic Landmark
 3. Zoning Ordinance Text Amendments for Mechanical Screening Requirements
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CALL TO ORDER: Kori Heuss, Chairperson, called the meeting to order at 7:00 p.m.

APPROVAL OF AGENDA:

MOTION: (BECK/JONS) to approve the Agenda for the meeting of September 1, 2010.

MOTION PASSED: 5-0

APPROVAL OF THE MINUTES OF THE MEETING OF AUGUST 4, 2010:

MOTION: (CLOUD/LEE) to approve the Minutes of the meeting of August 4, 2010.

MOTION PASSED: 5-0

Jeff Johnson was not present when these votes were taken.

PUBLIC FORUM: There were no public comments.

Rezoning of Land Located at 1025 Adams Street (proposed Adams Memorial Greenway) from "RL" (Residential Low-Density) to "S-GA" (Government/Airport)

Ray Anderson, planner, updated the Commission on the proposed rezoning request. On June 16, 2010, the Planning and Zoning Commission took action to recommend approval of the proposed rezoning. Following that meeting, it was proposed by Nancy Carroll, Parks and Recreation Director, that the property lines between the house and the greenway be changed to provide a larger rear yard for the house. This change was prompted by inquiries from prospective buyers of the house concerning the space available for an addition to the rear of the

house. To address this desire and concern by prospective buyers, the plat proposal has been amended to expand the rear yard of the house an additional thirty-one feet further north. This would provide approximately seventy-one feet for the rear yard between the back of the house and the north property line. Since the minimum required rear yard setback is 20 feet, approximately 51 feet of rear yard would remain for an addition to the back side of the house.

The adjusted location of property lines changes the location of the boundaries proposed for rezoning and the amount of land to be rezoned. The adjusted rezoning proposal is to rezone 2.97 acres of land from RL to S-GA, as opposed to the previous proposal to rezone 3.09 acres, for a difference of 0.12 acres (5,259.08 square feet).

Approval of the revised proposal for rezoning of land located at 1025 Adams Street from "RL" (Residential Low-Density) to "S-GA" (Government/Airport) is recommended with the following conditions:

- A. That the proposed rezoning of property at 1025 Adams Street be approved only in conjunction with the approval of the Final Plat of Mary Adams Subdivision.
- B. The rezoning shall not be effective until the recording of the Final Plat of Mary Adams Subdivision.

Nancy Carroll, Parks and Recreation Department, applicant, was present to answer the questions of the Commission. She passed around an aerial map of the property, which was an attachment from a Council Action Form dated September of 2006 when the process for this property first started. She mentioned the call she received after this was before the Commission in June about there not being enough setback on the north property line to put an addition on to the house. She said they then had this property resurveyed, which she believes gets the property back to the original intent of Mary Adams.

Ms. Carroll then addressed the question the Commission had at its June meeting about why the front area isn't considered to be part of the property that goes with the home, and having the entrance to the greenway off of Dawes. She explained that the Dawes grade is too rough and narrow to be an entrance. She further explained that it was Mrs. Adams' vision for the City to retain the whole five acres. However, given the dynamics of how this parcel has been changed by carving out two of the five acres, she thinks they have done their best to honor what the original intent was for this property. Ms. Carroll then mentioned what the greenway would look like and what kind of signage would be present.

Chuck Jons asked if there is going to be any access from Ada Hayden. Ms. Carroll pointed to the areas on the map where there will be access to this property.

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

The Planning and Zoning Commission recommended that the City Council approve the revised proposal for rezoning of land located at 1025 Adams Street from "RL" (Residential Low-Density) to "S-GA" (Government/Airport), based upon the above findings and conclusions, with the following conditions:

- A. That the proposed rezoning of property at 1025 Adams Street be approved only in conjunction with the approval of the Final Plat of Mary Adams Subdivision.
- B. The rezoning shall not be effective until the recording of the Final Plat of Mary Adams Subdivision.

MOTION PASSED: 5-0

Jeff Johnson arrived at 7:12 p.m. and not present when this vote was taken.

Rezoning of Land Located at 1013 Adams Street (including the Adams Memorial Greenway land at 1025 Adams Street) to establish the “O-H” (Historic Preservation Overlay) District and designate the property as a Local Historic Landmark

Ray Anderson, planner, updated the Commission on the proposed rezoning request. On June 16, 2010, the Planning and Zoning Commission took action to recommend approval of the proposed rezoning. Following that meeting, it was proposed by Nancy Carroll, Parks and Recreation Director, that the property lines between the house and the greenway be changed to provide a larger rear yard for the house. This change was prompted by inquiries from prospective buyers of the house concerning the space available for an addition to the rear of the house. To address this desire and concern by prospective buyers, the plat proposal has been amended to expand the rear yard of the house an additional thirty-one feet further north. This would provide approximately seventy-one feet for the rear yard between the back of the house and the north property line. Since the minimum required rear yard setback is 20 feet, approximately 51 feet of rear yard would remain for an addition to the back side of the house.

The adjustment of property lines within the proposed subdivision does not affect the exterior boundaries of the proposed subdivision, nor the amount of land to be rezoned as “O-H.” It does slightly alter the amount and location of land that is planned for private ownership to which the “O-H” regulations will apply. The amount of land planned for private ownership (the lot that includes the existing house) has increased from 1.88 acres to 2.00 acres.

Elizabeth Beck said when this was before the Commission in June, she questioned what the historical part of the greenway was, and Erv Klass explained that it is because it was originally a savanna. She said the plant material there is not a savanna; it’s been grown over by other types of plant materials and now it is going to be changed to tall grasses. She said she still questions where the historical significance of the greenway is if we are making changes within it.

Ms. Carroll said what she believes Mr. Klaas would state, is that we are talking about where the woodland is currently located was the original oak savanna, which they have been trying to restore.

Ms. Beck said she doesn’t have a problem with putting the historic overlay on the house and the acreage the house sits on, but she is not clear why the memorial greenway has any historical significance to it and thinks the two properties should be separated.

Mr. Anderson explained that it’s not so much the historic significance of the greenway, as it is the green space around the house. When the Historic Preservation Commission and the State Historical Society reviewed this, they didn’t want to see other buildings built up around the house – it is really the setting with the openness and the large open area around the house that adds to the significance.

Ms. Beck asked if designating this area as a park prevents any building on the property.

Mr. Anderson said there are no plans for any improvements with structures or buildings of any kind. If any building on the property were proposed in the future, the City would raise the issue about retaining the openness pertaining to the landscaping, which is key to the setting of the house.

Steve Osguthorpe, director, explained that City property is technically exempt from zoning standards and would also be exempt from the overlay zone; however, the City has traditionally applied its adopted standards to itself. He said as we expect private entities to follow the adopted codes, we can show that the City likewise follows its standards and would honor the designation to keep it open.

Mr. Anderson explained that the historic overlay was applied to the greenway when this process started four years ago as one piece of property. When it was decided to divide the property into two, the Historic Preservation Commission and the State Historical Society stated that it was acceptable to keep that overlay on the entire property because it will only enhance the house. It won't hurt anything to have the overlay on the greenway; if anything it will benefit the house.

Mr. Osguthorpe further explained that the City may not have plans to do anything but leave this area open. If in the future the City decided to put up some park-like structures, the overlay designation would be the indication to the City what the plan was for this property from the beginning, which would put us on notice to honor the intent of that entire historic overlay.

Ms. Beck said she thinks these two properties should be split when it comes to the historic overlay. While the intent and first look-see was on five acres, it is now on two separate properties. She said she has no problem with an overlay on the house, but it doesn't make sense to have the overlay on the greenway when the planting materials on the greenway will be evolving over time. If we want to maintain the integrity of what Mary Adams wanted, then the property should look like it did in 2004.

Dennis Wendell, 917 Adams Street, Ames, Iowa, applicant, spoke to the Commission about Mr. Adams' intentions when he built the house on this property.

Discussion then occurred on the possibility of the future property owner of the house putting up a fence. It was suggested that additional criteria may need to be created by the historian for fences.

Kori Heuss said she is okay with the historic overlay for both properties, but would like to see criteria established for the City-owned property like there is for the property with the house.

Mr. Jons said the house has historical significance and has no problem maintaining the house as historical, but doesn't think it makes sense to extend it to the now owned City property. He said not only doesn't it make sense, but it handcuffs the City for how they can best utilize that area if they have to keep coming back here to negotiate changes.

Ms. Heuss said she thinks that if we ask that of private property owners, we have every right to ask that of the City.

Norman Cloud said right now there is a seamless merging of the two properties when it comes to the height of the grass and landscaping. The future owner of the two-acre property could maintain a short cut mown lawn, and the City-owned property is going to be more of a natural area. He said he is envisioning that there is going to be a complete demarcation between the

two properties in the future, and is trying to understand how the historic overlay will end up with two completely looking pieces of property.

MOTION: (BECK/JONS) to accept Alternative #4, which states:

The Planning and Zoning Commission refers this back to staff for additional analysis:

- A. That the request be split and come back as two different proposals
- B. That 1013 Adams Street comes back to the Commission with the historic overlay.
- C. When 1025 Adams Street comes back to the Commission, it should have a list of expectations or criteria of some understanding of the intent of the overlay so that what the donor wanted is preserved.
- D. That the Commission will vote on these as separate issues.

Mr. Osguthorpe responded that, because we are processing the application as it was prepared and submitted, it would not be appropriate for the Commission to refer this back and require that it be submitted into two separate applications. He did suggest that it would be appropriate for the Commission to recommend to the Council that the overlay only be applied to one or the other property.

The motion was withdrawn.

MOTION: (BECK/JOHNSON):

The Planning and Zoning Commission recommended that the City Council approve the application for the historic overlay at 1013 Adams Street (property with the house). That the application for historic overlay on 1025 Adams Street be approved with the conditions that it maintain the openness as designated by the architect and the intent of the donor, and that those statements be attached to the 1025 Adams Street historic preservation overlay document. The following conditions apply:

- A. That the proposed rezoning of properties at 1013 and 1025 Adams Street be approved only in conjunction with the approval of the Final Plat of Mary Adams Subdivision.
- B. The rezoning shall not be effective until the recording of the Final Plat of Mary Adams Subdivision.
- C. That #2 of the proposed Design Criteria, which references substitute materials, be deleted.

MOTION PASSED: 6-0

Zoning Ordinance Text Amendments for Mechanical Screening Requirements

Steve Osguthorpe, director, updated the Commission on the proposed Zoning Ordinance text amendment related to screening of mechanical units. On August 4, 2010, staff presented to the Planning & Zoning Commission draft changes to the screening requirements for mechanical units. Discussion at that meeting focused primarily on three screening issues: (1) whether mechanical units should be completely screened, or just partially screened; (2) to what degree screening materials should match the principal materials on the building; and (3), how far down the road that abuts the subject site should screening no longer be required. During that

discussion, the Commission suggested that screening achieving approximately 75 percent coverage would be adequate. It was also suggested that, due to cost concerns, screening materials need not be the same type and quality as the principal siding materials so long as they were consistent with the principal siding materials. There is a requirement in Section 29.402(4) under setbacks that states that all mechanical units have to be set back 15 feet from the front of the building facing the street. It is suggested that this requirement be deleted because if a mechanical unit meets the screening requirements there is no reason to require that it be set back.

In response to these comments, staff has revised the language pertaining to screening to state that a minimum opacity of 75% shall be achieved for ground-mounted units, and that at least 75% of the height of roof mounted units shall be screened. The revised language also states that materials shall be the same color as the principal siding or trim materials on the building. This would not impose a particular material requirement, but rather, assumes that compatibility will be achieved by use of the same color. This would only apply, however, to the general screening standards. In the more sensitive zones where higher design standards are imposed, current language that requires the same types of materials is retained. Additionally, the revised language exempts units that are visible more than 300 feet beyond the side lot lines that intersect with the abutting street. Finally the revised language would exempt units that are located on roof surfaces at least 6 feet below the ground level of abutting streets or properties. This would provide relief to those situations where you might be looking down on a roof and over the top of typical screening walls.

Notice was sent to local developers informing them that the proposed changes would be reviewed by the Planning & Zoning Commission at its September 1, 2010 meeting. No comments on the draft amendments have been received to date.

The proposed amendments provide needed clarity on screening requirements, particularly in allowable methods for screening based upon the zoning district the units are located in. Staff believes that these changes would be in keeping with the intent of existing regulations, but would provide more reasonable and more easily defined provisions for their application. Staff recommends that the Planning and Zoning Commission recommend that the City Council adopt the changes as proposed.

Chuck Jons asked who the complaint originated from.

Mr. Osguthorpe said staff made the request to the City Council that they refer these amendments because of the problems we are having trying to administer the code. He explained that the proposed language makes the code less stringent and much easier to understand.

Mr. Jons stated that although he appreciates the consolidation and amalgamation of all these variations of different parts of the code, he still maintains that this is make-work and an imposition that the City is placing on others. Mr. Jons applauded staff for consolidating the issues in the latter part of this, but said he can't support adding make-work to a department that is already busy.

Mr. Osguthorpe questioned if the work that Mr. Jons is concerned about is the work that has gone into the amendments.

Mr. Jons said he is concerned that this is frills and an imposition of government into an area that they don't have to be in.

Norman Cloud said what he is hearing from staff is that they are having problems deciding if the mechanical units are meeting the existing code language and having to deal with them on a case-by-case basis.

Mr. Jons said he is all for the consolidation and cleaning up of the code, but thinks we are imposing additional guidelines that in his opinion are frivolous.

Jeff Johnson said when this issue first came up, it was asked if this was an aesthetic issue and had there been complaints from somebody about it. The question is, since there is code already on the books that is now being enforced, is this going to push for more enforcement or is this now imposing enforcement.

Mr. Osguthorpe said this does not impose a standard that is not already in place, and it doesn't mean that because we are changing it that we are now suddenly duty-bound to enforce it. We are duty-bound right now to enforce the current code, but having a difficult time doing so because of the language that has resulted in an inconsistent application, which resulted in a major complaint from a prominent customer of the City's.

Mr. Johnson said that is why he stated the last time this was before the Commission, that it should have been presented as a clean up to the code. These amendments originally came across as an aesthetic issue, but now we understand that aesthetics wasn't the intent.

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

The Planning and Zoning Commission recommended that the City Council adopt the amendments as proposed, and to include the additional changes proposed by staff as follows:

Deletion of Section 29.402(4)
Changing the number of 6 feet to 3 feet on the elevation issue

MOTION PASSED: 5-1 (Chuck Jons voted against this motion)

COMMISSION COMMENTS: There were no Commission comments.

STAFF COMMENTS: Staff reviewed the tentative agenda for the meeting of September 15, 2010.

With no further business coming before the Commission, the Chair declared the meeting adjourned at 8:15 p.m.

Kori Heuss, Chairperson
Planning & Zoning Commission

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