

COMMISSION ACTION FORM

SUBJECT: ZONING ORDINANCE TEXT AMENDMENT TO ADD A NEW MINIMUM OFF-STREET PARKING REQUIREMENT FOR RESIDENTIAL UNITS IN INDEPENDENT SENIOR LIVING FACILITIES

BACKGROUND:

On December 20, 2011, the City Council referred to staff a letter from Silverstone Partners, Inc., dated December 15, 2011 (see Attachment A), requesting a zoning text amendment to reduce the number of parking spaces required for a senior housing development. Silverstone Partners, Inc. is a real estate development firm based in Middleton, Wisconsin, that specializes in "Section 42" senior independent living apartments in the Midwest.

On January 11, 2012, Silverstone Partners, Inc. submitted a formal application (see Attachment B) requesting a zoning text amendment to allow a reduced parking standard for residential units in an Independent Senior Living Facility. **The requested zoning text amendment is to establish a requirement of one parking space per unit for apartment dwellings that are deed restricted to persons aged 62 and older, provided that spouses/partners aged less than 62 shall also be allowed.**

The applicant is interested in constructing a 42-unit senior Iowa Finance Authority project on land zoned as F-PRD (Planned Residence District) at 601 South 16th Street, also known as the proposed Aspen Ridge Second Addition, Outlot C. The proposed use is a "permitted principle use" in the F-PRD zoning district. The applicant states that "Based on their experience, they are extremely confident that a 1:1 parking ratio for apartments restricted to those that are 62 years old, or older, is very adequate. Many new residents, but not all, have a car when they move in, but they commonly give up their car after a few years opting for shared transit with other tenants, family members or transportation arranged by the apartment manager." To the best of the applicant's knowledge, their other Senior Living Facilities do not have any tenants that own two cars. **The Commission and City Council should be aware that the proposed zoning text amendment would apply to all zoning districts that allow Apartment Dwellings.**

Approval of this request would require that the minimum off-street parking requirements in Table 29.406(2) of the *Municipal Code* be changed to allow a separate parking standard for "Independent Senior Living Facilities." The applicant has confirmed in conversations with City staff that the facility proposed on the site at 601 South 16th Street meets the definition of an Independent Senior Living Facility.

“Independent Senior Living Facility” is defined in Section 29.201(92A) of the *Municipal Code* as follows:

“Independent Senior Living Facility means an apartment dwelling featuring a central lobby, common dining area, and recreational rooms exclusively for the tenants. Domiciliary care services exclusively for the tenants may also be provided. Accessory support uses exclusively for tenants, such as pharmacies, banking services, barbers/beauticians, etc. may be included. The occupancy of an independent senior living facility shall be limited to:

- (a) Persons of the age of 55 or greater; or***
- (b) ‘Handicapped’ but not including those persons currently illegally using or addicted to a ‘controlled substance’ as defined in the Controlled Substances Act 21 U.S.C. Section 802(6).”***

The current minimum number of off-street parking spaces required for residential units in an Independent Senior Living Facility is the same as that required for “Apartment Dwellings.” The requirement is 1.5 spaces for each “one-bedroom residential unit”, and 1 space per bedroom for units of two bedrooms, or more (as shown below in the section of Table 29.406 that applies to parking for “Apartment Dwellings.”)

Current Parking Requirements for Apartment Buildings:

Table 29.406(2)

Minimum Off-Street Parking Requirements

PRINCIPAL LAND USE	ALL ZONES EXCEPT DOWNTOWN AND CAMPUS TOWN SERVICE CENTER ZONES	DOWNTOWN AND CAMPUS TOWN SERVICE CENTER ZONES
RESIDENTIAL DWELLINGS		
Apartment Dwellings	1.5 space/RU; for one-bedroom units 1 space/bedroom for units of 2 bedrooms or more 1.25 space/bedroom for units of 2 bedrooms or more in University Impacted (O-UIE and O-UIW)	1 space/RU

The zoning text amendment drafted by staff to address the applicant’s request reduces the number of parking spaces required for Independent Senior Living Facilities, and reads as follows:

“1 space/residential unit for an Independent Senior Living Facility.”

This off-street parking requirement for an Independent Senior Living Facility will meet the applicant’s needs without restricting occupancy to “persons age 62 and older”, as proposed by the applicant, since the definition of Independent Senior Living Facility already restricts occupancy to persons age 55, or older.

Adoption of the new parking standard would require that Table 29.406(2) of the *Municipal Code* be amended to include the new text, shown below in “bold italics”.

Proposed Parking Requirements for Independent Senior Living Facilities:

**Table 29.406(2)
Minimum Off-Street Parking Requirements**

PRINCIPAL LAND USE	ALL ZONES EXCEPT DOWNTOWN AND CAMPUS TOWN SERVICE CENTER ZONES	DOWNTOWN AND CAMPUS TOWN SERVICE CENTER ZONES
RESIDENTIAL DWELLINGS		
Apartment Dwellings	1.5 space/RU; for one-bedroom units 1 space/bedroom for units of 2 bedrooms or more 1.25 space/bedroom for units of 2 bedrooms or more in University Impacted (O-UIE and O-UIW) <i>1 space/residential unit for an Independent Senior Living Facility</i>	1 space/RU

The *Land Use Policy Plan (LUPP)* Goals and Objectives most relevant to the requested text amendment include: (See Attachment C for complete text of the Goals and Objectives.)

- Goal #1 and Objective 1A – planning and managing growth;
- Goal #2 and Objectives 2A and 2B – providing sufficient land suitable for development;
- Goal #5 and Objective 5C – establishing a cost-effective and efficient growth pattern in emerging and infill areas where there is existing public infrastructure and where capacity permits; and,
- Goal #6 and Objective 6 and Objective 6A – increase the supply of housing and to provide a wider range of housing choices.

The proposal to reduce the minimum number of required off-street parking spaces required for independent senior living facilities is consistent with the LUPP goals and objectives described above.

ALTERNATIVES:

1. The Planning and Zoning Commission can recommend that the City Council approve the zoning text amendment to Table 29.406(2) to add a minimum off-street parking requirement for Independent Senior Living Facilities of 1 space per residential unit.
2. The Planning and Zoning Commission can recommend that the City Council approve the zoning text amendment to Table 29.406(2) to add a minimum off-street parking requirement for Independent Senior Living Facilities of 1 space per residential unit, with modifications.
3. The Planning and Zoning Commission can recommend that the City Council not approve the proposed text amendment.
4. The Planning and Zoning Commission can refer this issue back to staff for further information.

RECOMMENDED ACTION:

The proposed zoning text amendment to reduce the minimum number of parking spaces required for Independent Senior Living Facilities is a reasonable change to the current parking requirements given the experience cited by the applicant in reference to the need for parking spaces by the residents of several other housing developments the applicant has developed. The proposed change in minimum parking requirements is also supported by the Land Use Policy Plan in that the change would contribute to the feasibility of development projects, which increase the supply of housing and provide a wider range of housing choices in the community.

Therefore, staff recommends that the Commission act in accordance with Alternative #1, which is a recommendation to the City Council for approval of the zoning text amendment, as drafted by staff.

ATTACHMENT A
Applicant's Letter to City Council



Real Estate Development & Investment

7447 University Avenue, Suite 210 | Middleton, WI 53562 | Ph 608.824.2290 | Fx 608.824.2299

December 15, 2011

Ames City Council
c/o Diane Voss
City Clerk, City of Ames
City Hall
515 Clark Avenue
Ames, IA 50010

RE: Requested Referral for Text Amendment
Senior Housing Parking Requirements

Dear Council Members:

I am writing to request the introduction of a request for referral for a text amendment regarding parking requirements for senior housing to be introduced at the December 20th meeting.

My name is Tom Sather and I am the President of Silverstone Partners, Inc., a real estate development firm that specializes in Section 42 senior independent living apartments. Over the past 15 years we have developed and own hundreds of units of independent senior housing.

We are currently working on a 42-unit senior IFA housing project to be located at 601 S. 16th Street, also known as Aspen Ridge Second Addition, Outlot C.

In speaking with Steve Osguthorpe, it was determined that the zoning code currently has certain zoning requirements for general "Apartment Dwellings" and for "Group Living", but does not specifically address the particular requirements of independent living apartments for seniors aged 62 and over. An excerpt from the zoning code is attached for your convenience.

Not surprisingly, the parking needs for seniors is much less than for families and we are asking the city for a text amendment to reflect this particular need.

Our proposed project would be restricted to seniors 62 and older and over many years and many projects, we have identified a fairly consistent resident profile and consistent parking needs.

The overwhelming majority of our seniors are single women, with a minority of couples and very few single men. The average age of these tenants upon moving in

is early to mid 70s and the length of tenure averages about eight to ten years until the resident requires a higher level of care.

Many, but not all of our new residents have a car when they move in, but they commonly give up their after a few years opting for shared transit with other tenants, family members or transportation arranged by the apartment manager. To the best of my knowledge, we do not have any tenants that own two cars.

To provide a historical perspective to our experience, we asked our management company to add up all of the cars at our projects and relate this to the number of apartments. The results of this survey are attached and show that with a fairly high degree of consistency, these projects require about 2/3 of a parking space per unit for tenants. There is typically only one staff member at the facility (the manager) and this person commonly lives at the property.

Except for a few holidays such as Mother's Day, Christmas and Thanksgiving, visitors tend to be relatively infrequent and most commonly arrive to pick up a resident and take them elsewhere.

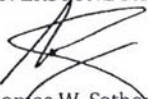
We had a very similar experience recently with our Cornerstone Commons Section 42 senior project in Johnston, Iowa, where the City's zoning code did not address the special parking needs of seniors. The City elected to amend their zoning code to require 1 parking space for each independent living senior apartment.

Based on our experience, we are extremely confident that a 1:1 parking ratio for apartments restricted to those 62 and over is very adequate. This confidence is shared by the Iowa Finance Authority, our lenders and our equity providers who invest millions of dollars into these projects.

We respectfully ask that you introduce this request at the December 20th council meeting for referral for text amendment.

Sincerely,

SILVERSTONE PARTNERS, INC.



Thomas W. Sather
President

cc: Steve Osguthorpe, City of Ames
Matt Randall, Randall Corporation

Table 29.406(2)
Minimum Off-Street Parking Requirements

PRINCIPAL LAND USE	ALL ZONES EXCEPT DOWNTOWN AND CAMPUS TOWN SERVICE CENTER ZONES	DOWNTOWN AND CAMPUS TOWN SERVICE CENTER ZONES
RESIDENTIAL DWELLINGS		
One and Two-Family and Single Family Attached (including Manufactured Homes outside RLP District)	2 spaces/Residential Unit (RU)	1 space/RU
Apartment Dwellings	1.5 space/RU; for one-bedroom units 1 space/bedroom for units of 2 bedrooms or more 1.25 space/bedroom for units of 2 bedrooms or more in University Impacted (O-UIE and OUIW)	1 space/RU
Dwelling House	1 space per bedroom	N/A
Family Home	2 spaces plus 1 space/2 full time staff members of the largest shift	NONE
Group Living		NONE
Nursing and convalescent homes	1 space/5 beds, plus 1 space/2 staff members of the largest shift	
College and University housing, fraternities and sororities	1 space/bed	
Mobile Home and Manufactured Home in Manufactured/Mobile Home Parks	2 spaces/Manufactured/Mobile Home Space plus 1 space for guest parking/4 Manufactured/Mobile Home Spaces	NONE
Short-Term Lodging Hotel/Motel, including ancillary uses	1 space/guest room; plus 6 spaces/1,000 sf of ballroom, meeting, bar and restaurant areas; plus 1 space/2 employees of the largest shift	1 space/guest room, plus 5 spaces/1,000 sf of ballroom, meeting, bar and restaurant areas; plus 1 space/2 employees of the largest shift
Boarding houses, rooming houses, and lodging houses	1 space/bed	0.5 space/bed
OFFICE		
Medical/Dental office	1 space/143 sf where there is no agreement for shared parking; 1 space/200 sf where there is an agreement for shared parking or for medical facilities that exceed 50,000 sf	NONE
Other office	Ground level: 1 space/250 sf; other than ground level: 1 space/300 sf	NONE

SENIOR HOUSING PARKING ANALYSIS
Silverstone Partners, Inc.

Comparable Senior Apartment Projects Developed and Owned By Principals of Silverstone Partners

PROJECT NAME	CITY	# UNITS	# CARS	CARS/UNIT
Algonquin Manor	Brown Deer, WI	80	51	0.64
Bradley Manor	Brown Deer, WI	51	30	0.59
Brookstone Commons	Neenah, WI	52	40	0.77
Lakefront Manor	Oshkosh, WI	64	47	0.73
Marquette Manor	South Milwaukee, WI	74	52	0.70
River Bend	West Bend, WI	52	35	0.67
Sunrise Village	South Milwaukee, WI	48	35	0.73
Sherman Glen	Madison, WI	98	33	0.34
AVERAGE		64.88	40.38	0.62

ATTACHMENT B
Application for a Zoning Text Amendment

ZTA-12-01

Effective Date: September 27, 2004

Text Amendment to the Zoning Ordinance
Application Form

(This form must be filled out completely before your application will be accepted.)

1. **General Description of Affected Property(ies)** (attach, if lengthy):

Indepent living apartment projects within the City of Ames
that are deed restricted to persons aged 62 and older
with the exception that spouses/partners aged less than 62
will also be allowed.

2. **Applicant:** Silverstone Partners, Inc.

Address: 7447 University Avenue, Suite 210 Middleton, WI 53562
(Street) (City) (State) (Zip)

Telephone: (608)824-2291 / (608)334-6132 FAX (608)824-2291
(Home) (Business) (Fax)

3. **Contact Person:** Tom Sather

Address: same as above
(Street) (City) (State) (Zip)

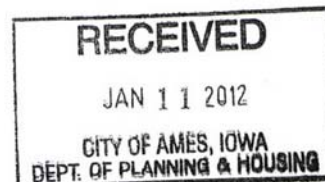
Telephone: _____
(Home) (Business) (Fax)

E-mail address: sather@silverstonepartners.com

I (We) certify that I (we) am (are) familiar with applicable state and local codes and ordinances, the procedural requirements of the City of Ames, and have submitted all the required information.

Signed by:  Date: 1/9/12
(Applicant)

and: same as above Date: _____
(Contact Person)



**REQUEST FOR TEXT AMENDMENT TO THE ZONING ORDINANCE
CITY OF AMES, IOWA**

This text amendment request is to provide a requirement of "one parking space per unit for apartment dwellings that are deed restricted to persons aged 62 and older, provided that spouses/partners aged less than 62 shall also be allowed"

This shall apply to all such future projects within the City of Ames.

This policy is designed to reflect the reduced parking requirements of seniors and promotes the general welfare by not requiring the development of unneeded parking which can serve to increase green space and reduce project costs, which in turn may result in lower rental costs to senior residents.

ATTACHMENT C

Related Goals and Objectives of the Land Use Policy Plan

Goal No. 1. Recognizing that additional population and economic growth is likely, it is the goal of Ames to plan for and manage growth within the context of the community's capacity and preferences. It is the further goal of the community to manage its growth so that it is more sustainable, predictable and assures quality of life.

Objectives. In managing growth, Ames seeks the following objectives.

1.A. Ames seeks to diversify the economy and create a more regional employment and market base. While continuing to support its existing economic activities, the community seeks to broaden the range of private and public investment.

. . .

Goal No. 2. In preparing for the target population and employment growth, it is the goal of Ames to assure the adequate provision and availability of developable land. It is the further goal of the community to guide the character, location, and compatibility of growth with the area's natural resources and rural areas.

Objectives. In assuring and guiding areas for growth, Ames seeks the following objectives.

2.A. Ames seeks to provide between 3,000 and 3,500 acres of additional developable land within the present City and Planning Area by the year 2030. Since the potential demand exceeds the supply within the current corporate limits, alternate sources shall be sought by the community through limited intensification of existing areas while concentrating on the annexation and development of new areas. The use of existing and new areas should be selective rather than general.

2.B. Ames seeks to assure the availability of sufficient suitable land resources to accommodate the range of land uses that are planned to meet growth. Sufficient land resources shall be sought to eliminate market constraints.

. . .

Goal No. 5. It is the goal of Ames to establish a cost-effective and efficient growth pattern for development in new areas and in a limited number of existing areas for intensification. It is a further goal of the community to link the timing of development with the installation of public infrastructure including utilities, multi-modal transportation system, parks and open space.

Objectives. In defining the growth pattern and timing of development, Ames seeks the following objectives.

5.A. Ames seeks to establish priority areas for growth in which there are adequate and available land resources and infrastructure to meet the major development requirements through the year 2030.

5.C. Ames seeks the continuance of development in emerging and infill areas where there is existing public infrastructure and where capacity permits.

. . .

Goal No. 6. It is the goal of Ames to increase the supply of housing and to provide a wider range of housing choices.

Objectives. In creating housing opportunities, Ames seeks the following objectives.

6.A. Ames seeks to increase the overall supply of low and moderate-income housing through the following means: (1) conservation of such units in existing areas that are not designated for redevelopment or intensification; and, (2) inclusion of such units in new market-driven housing developments through zoning incentives.

. . .