

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

Date: May 15, 2013	*Debra Lee, Chairperson	2015
	Julie Gould	2016
Call to Order: 7:00 p.m.	Jeff Johnson	2014
	Troy Siefert	2014
Place: Ames City Hall	Rob Bowers, Vice Chairperson	2015
Council Chambers	*Yvonne Wannemuehler	2015
	John Tillo	2016
Adjournment: 10:15 p.m.	*Absent	

MAJOR TOPICS DISCUSSED:

1. Preliminary Plat and Master Plan for South Fork Subdivision
2. Master Plan Revision for Ringgenberg Park Subdivision
3. Text Amendment for Shared Common Lot Line Garages

CALL TO ORDER: Rob Bowers, Vice Chairperson, called the meeting to order at 7:00 p.m.

APPROVAL OF AGENDA:

MOTION: (Johnson/Seifert) to approve the Agenda for the meeting of May 15, 2013.

MOTION PASSED: (5-0)

APPROVAL OF THE MINUTES OF THE MEETING OF May 1, 2013:

MOTION: (Gould/Seifert) to approve the Minutes of the meeting of May 1, 2013.

MOTION PASSED: (5-0)

PUBLIC FORUM: There were no public comments.

PRELIMINARY PLAT AND MASTER PLAN FOR SOUTH FORK SUBDIVISION

Charlie Kuester, City of Ames Planner, stated that Keith Arneson of Pinnacle Properties Ames, LLC is requesting an amendment to an approved Master Plan and Preliminary Plat for South Fork Subdivision. Mr. Kuester gave a brief review of the case. He stated that the applicant is proposing a change to the approved Master Plan for Sunflower Drive and for Cochrane Parkway.

Mr. Kuester referred to a map of the area and reviewed the current and proposed street connections. He also explained the type of homes that the applicant is proposing to build and how the lots will be reconfigured (18 lots for bi-attached homes). He stated that the change to the lot configuration will change the zoning density in this FS-RL Zoning District slightly but will still be consistent with the desired range of density for this District. He stated that it achieves a zoning density of 4.73 dwelling units, an increase from 4.39 dwelling units.

Mr. Kuester gave a brief explanation of the zoning classification of other properties within this area. He stated that the proposed change to the housing type is consistent with those classifications in this area.

Mr. Kuester explained that all public improvements will be installed or bonded prior to coming forward with the Final Plat. He outlined the additional steps in the process if the Preliminary Plat is approved.

Mr. Kuester explained the required notification procedure that was followed for this project. He stated that he received one email from a concerned neighbor about parking issues that she felt this project would generate, and she opposes the proposed change of increasing the density from 10 lots to 18 lots. Mr. Kuester stated that he received a call from another property owner, Ken Larson of Cedar Rapids. He stated that Mr. Larson's daughters live in a home located in this area while attending school. Mr. Kuester said that after explaining the proposed changes, this property owner gave his verbal approval of this project.

Keith Arneson, 4114 Cochrane Parkway, the applicant of this project stated that he has lived in Ames for 35 years, worked for the City for 31 years, and lives in the neighborhood where these changes have been proposed. He outlined the past history of this parcel of land. Mr. Arneson stated that this area is a Conservation Community and explained the specifics of a Conservation Subdivision. Mr. Arneson reviewed the proposed lot size in this subdivision.

Mr. Arneson explained the traffic patterns in this area. He stated that he spoke with the City traffic engineer and was told that since the entrance of the subdivision does not line up with the entrance to Hillside Subdivision/Clemens Boulevard, a traffic light would probably not be installed. Mr. Arneson stated that the neighbors have expressed to him that the difficulty of making a left turn is an issue for them. He stated that he has met with representatives from the school district four times in the last year and they have said that they do not have plans to extend Dotson Drive until at least 2029 or possibly longer. Mr. Arneson gave a brief review of the results of a traffic study that was prepared for Dotson Drive.

Mr. Arneson outlined on a map the area that he is proposing to develop and the types of structures that he is proposing to build on this parcel. He stated that he has built a total of 35 townhomes so far and he has never built one yet that didn't have a two car attached garage with an additional apron that would accommodate an additional two cars. Mr. Arneson feels that there should be enough parking off-street to accommodate those that will live in this proposed development. He said that he would be happy to make this contingent on a restrictive covenant saying that every property built in this proposed development needs to have a two car attached garage.

Mr. Arneson stated that this property has deferred improvements that went with it when he purchased the parcel. He stated that a stop light will be added at the intersection of Dotson Drive and Lincoln Way this summer. Mr. Arneson stated that this parcel of land also has an obligation to help with the cost of the traffic light at Franklin Avenue.

Mr. Arneson stated that there is a landlocked park (Christopher Gartner Park) behind the Hospice House. He stated that he, as part of his developer's agreement, has agreed to install an \$88,000.00 bike path that will connect to the bike path that comes over from the Hillside Subdivision and dead ends in Christopher Gartner Park.

George Holland, 287 Village Drive, stated he has lived at this location since 1959. He stated many low income people have lived on Village Drive during that time. He stated that this has

been a starter area for families before they could afford a larger more expensive place to live and a place for retirees. He enjoys the type of families and people that currently live in this area. He said that it is a close community and he doesn't want to see it change and is not in favor of the proposed project.

Troy Seifert asked why the applicant is proposing to change his original proposed Preliminary Plat. Mr. Arneson stated that the two-level, three bedroom/two bath units in this proposed development will cost between \$150,000 to \$160,000 dollars. A home with a value of \$200,000.00 would need to charge a higher rent.

Jeff Johnson stated that the density part of the proposal bothers him. He stated that there are more character issues with the proposal than law issues. He said that the character of the community is what is troubling him. Mr. Johnson said that everything with this proposal fits with what the zoning allows the Commission to do.

John Tillo explained the change in zoning density for the proposed project. He stated that the change, from what he can tell, is a minor increase.

MOTION: (Seifert/Gould) to accept Alternative #1, which states: that the City Council approve the revised Preliminary Plat and Master Plan for South Fork Subdivision, as illustrated on Attachment E, based upon the findings of facts and conclusions in this report.

MOTION PASSED: (3-1-1) (Jeff Johnson voted nay, John Tillo abstained)

Charlie Kuester stated that this case will be heard at the May 28, 2013 City Council meeting if anyone is interested in attending.

MASTER PLAN REVISION FOR RINGGENBERG PARK SUBDIVISION

Jeff Benson, City Planner, outlined where this subdivision is located and the current zoning classification of the parcel. He stated that the Master Plan approved in 2005 originally provided for 130 multi-family dwelling units (thirteen, 10-unit buildings) on the site. Mr. Benson stated that the proposed Master Plan provides for 144 units (twelve, 12-unit buildings), an increase of 11 per cent over the originally approved Master Plan. Mr. Benson stated that the net density will increase from 10.12 units per acre to 11 units per acre, a nine per cent increase. He stated that the minimum net density for this parcel is 10 units per acre. Mr. Benson stated that another key change is that the access from Suncrest Drive has been removed. He stated that the proposed access is from Cedar Lane and Oakwood Road. Mr. Benson stated that the parking on the proposed Master Plan is now being moved to the center and the buildings are around the perimeter of the project. He stated that the majority of the proposed open space rings the outside edge of the parcel. Mr. Benson outlined the proposed changes in the walkways, landscape buffers, and the appearance of the buildings (from "big house" to a more conventional two story, 12 unit multi-family building).

Mr. Benson explained the criteria that needs to be reviewed in order to determine whether the proposed Master Plan is in compliance, can be approved, and areas staff feel need additional specificity.

Mr. Benson stated that the City is responsible for extending the bike path from Christofferson Park to Cedar Lane and also the bike path on the west side of Cedar Lane all along the frontage of this property. He outlined the developer's responsibility that is outlined in an existing

Developer's Agreement for a bike path and the possibility of putting money in escrow to put towards the cost of a turning lane if traffic increases on Oakwood Road.

Mr. Benson explained that in order for Outlot A to be deducted from the gross acreage and included in the net density calculation it must be designated as Common Open Space. He said that if it were ever to be sold it would be more feasible to develop the ground. Mr. Benson stated that staff recommends that it be labeled Common Open Space and Future Development. He explained the process if this were to occur.

Mr. Benson outlined additional staff Findings of Fact as set out in the Commission Action Form, and the current uses for the property surrounding this parcel. Mr. Benson also outlined staff's recommendation for the width of the landscape buffer strips along all sides of this property. He stated that staff feels that one of the City standards that is necessary for approval is that the buildings need to be compatible in design, scale, and arrangement. Mr. Benson stated that a two-story apartment building would be more compatible in the area with single-family homes. He stated that setback and height are also important.

Mr. Benson stated that two letters of support for the project were handed out tonight to the Commission members for their review.

Mr. Seifert asked whether the pavement design had changed from the original Master Plan. Mr. Benson stated that it had not changed significantly.

Mr. Johnson asked about the date of the last traffic study. Mr. Benson stated that he did not have the exact date. He stated that it was done prior to 2005. Mr. Johnson asked whether anything had changed since that study was prepared. Mr. Benson stated that he did not have specifics. He said that it was in the Model, and one update of the Transportation Plan has been made since 2005. Mr. Benson said that there has been no recommendation that a project is needed now to correct a level of service or quality problems.

Mr. Johnson asked about the bike path and when it might occur. Mr. Benson stated that staff feels that all of the bike paths should be completed at the same time but it is not a requirement. He stated that it is a requirement that if a bike path is requested that the developer has to build the path. Mr. Benson stated that the City decides when the path will be built.

Kurt Friedrich, Friedrich Land Development, outlined the Ames housing goals (section 6c and 6d). He stated that this is one of the last remaining medium density locations in Ames for housing growth that is "shovel ready". He stated that it is located near the ISU Research Park where many of the new jobs in Ames are located.

Mr. Friedrich stated that his company has been located in Ames for 85 years. He stated that since the year 2000 all of the rental units that they have built have been condominiums. He stated that largely those have been rental units but some have also been for sale. He presented a Power Point presentation along with photos of some of the condominium units they have built. He stated that they are not asking for zoning changes or incentives. He stated that there is no change to the use that was previously approved. Mr. Friedrich outlined the various changes between the original Plan and the new proposed Master Plan. He stated that he has met with the City of Ames Traffic Engineer, Damion Pregitzer, and he has requested that an access be built from Oakwood Road. Mr. Friedrich stated that they positioned the Oakwood Road access in order to preserve a large oak tree and this access will be across from a vacant lot. Mr. Friedrich highlighted the proposed layout of the property. He stated that they would be doing additional grading in order to create more detention areas than in the original Plan. He stated

that this new Plan barely meets the minimum density requirement. Mr. Friedrich explained the differences in building orientation between the original Plan and the proposed Plan. He stated that the units will be built, managed, and owned by Friedrich. He outlined the amenities that will be included in these units. He stated that there will be a mix of one, two and three bedroom units. He said that the first addition will consist of five of these buildings on the west side of the property. He stated that they are interested in sitting down with the City and Iowa State University to discuss the construction of the bike path. Mr. Friedrich reviewed the proposed setbacks with the Commission and the relationship of the nearest house to the proposed location of the nearest building in this development.

Mr. Friedrich presented a photo of the proposed units and reviewed the design and the building materials that would be used.

Scott Renaud, FOX Engineering, stated that they are proposing to plant a row of trees on Oakwood Road for a couple of reasons, one being to buffer the sound of the traffic. He also explained details about the trees and the spacing that would be used along all edges of this property. He said that they would coordinate with Alliant Energy in regards to the landscaping.

John Haila, 2408 Suncrest Drive, stated that he lives immediately southeast of the proposed project and is against this project for various reasons. He asked for clarification from Mr. Benson regarding the Outlot and the possibility that it could be developed at a later time. Mr. Benson stated that that was correct. Mr. Haila said that he is concerned about the number of units that will be placed on this parcel, especially if Outlot A was later developed. He stated that the revised plan calls for seven buildings that would be fronting Suncrest Drive instead of the original approved number of four buildings. Mr. Haila stated that he felt that the original Master Plan was a better fit in the community. He feels that the proposed walking paths are just sidewalks connecting the buildings to the parking lot. Mr. Haila questioned the connectivity of the proposed bike path. He stated that he does not feel that the proposed Plan promotes the feeling of community as set out in one of the City's goals listed on page 16 of the Land Use Policy Plan and that this Plan is just trying to place as many units on the parcel as possible. He stated that he hopes that the Commission does not approve this request.

Tim Morris, 2409 Suncrest Drive, had expressed an interest in speaking to the Commission but deferred to Mr. Chris Williams and said that he no longer needs to address the Commission members.

Chris Williams, 2311 Cottonwood Road, presented a Power Point and stated that he is concerned about the proposal and is here to speak against it. He stated that he is concerned about drainage in this area, the concept of apartment instead of condominium, and safety issues. Mr. Williams presented a Power Point presentation to the Commission. He stated that when he purchased his home approximately five years ago he understood that the proposed condominiums in this project were to be owner occupied. He cited the differences set out in the Iowa Code and the Ames Municipal Code between apartments and condominiums. He outlined his concern for potential traffic impacts due to offset intersections in the area. Mr. Williams also expressed his concern of the traffic impact with the bike paths and the need for an updated traffic study for this area. Mr. Williams outlined several drainage issues that have happened recently in this area.

Mr. Johnson asked if Mr. Williams was in favor of the original Master Plan. Mr. Williams stated that it pre-dates when he was here. Mr. Johnson asked Mr. Williams if he looked at the original Master Plan with the same specificity as the proposed revised Master Plan. Mr. Williams stated that the original Master Plan is more acceptable to their neighborhood. Mr. Williams stated that

if they had the original Master Plan, owner occupied units, and safety and drainage issues were addressed he would be comfortable.

Mr. Tillo asked for clarification on whether the paved surfaces in the revised Master Plan created an insubstantial change in the overall drainage. Mr. Benson stated that runoff rates are regulated in the Major Site Plan and Preliminary Plat phase of the project. Mr. Benson stated that the Commission will still have the opportunity to require storm water mitigation so that the project does not contribute to these problems any further.

Ms. Gould asked if the City has a No Net Increase Policy. Mr. Benson stated that it does.

Mr. Johnson asked how we are addressing ponds in regards to liability. Mr. Benson stated ponds are typically on private property. Mr. Benson stated that maintenance of ponds is set out in a Developer's Agreement. Bob Kindred, Assistant City Manager, stated that it has been previous City policy to accept responsibility for on-going maintenance of many of the storm water detention facilities after first completed. Mr. Kindred stated that the City policy has shifted most often towards the property owners' responsibility. Mr. Kindred reviewed the City's No Net Increase Drainage Policy.

Warren Madden, 2815 Oakwood Road and Senior Vice President for Business & Finance at Iowa State University, stated that even though he lives in the area west of the proposed development he is speaking tonight primarily on behalf of Iowa State University. He stated that Iowa State is the adjacent land owner to the west of this project. Mr. Madden stated that it supports the set-back proposal. He stated that the University plans to use the property to the west for agricultural purposes and that it has no plans to change that in the foreseeable future. He stated that the University feels that the 60 foot setback and the landscaping in the proposal are appropriate. Mr. Madden stated that, if the Plan is approved, Iowa State University wants to be assured that some of the grading changes that are being proposed (such as the proposed access off of Oakwood Road) will not change the drainage issues. He stated that the University feels that the bike trail needs to be completed early in the development process. Mr. Madden stated that the University is prepared to move ahead to install the trail on the western portion of Oakwood Road that is adjacent to this project if the remaining portions are completed. Mr. Madden stated that it feels that the traffic on Oakwood Road is increasing and it is also used for various events. He stated that the University feels that it would be helpful to move some of that traffic (bicycle and pedestrian) off of Oakwood Road and onto a trail. Mr. Madden stated that it would like to encourage, as part of the Master Plan, that the City make the commitment to see that the trail is completed along the south side of Oakwood from University Boulevard to State Street. He stated that the University would support the completion of a new traffic study.

Leonard Bond, 2601 Oakwood Road, outlined where he lives in relationship to this project. He stated that he agrees with the previous resident who had concerns about whether the proposed units would be rental or owner occupied. Mr. Bond outlined the type of site plan for this project that he preferred. He stated that he has safety concerns about the Oakwood Road access. Mr. Bond stated that he would strongly encourage the completion of a new traffic study. He stated that he is very concerned about pedestrian and bike path traffic/safety and asked that the completion of the bike path be addressed early in this process. Mr. Bond stated that he strongly hopes that the tree planting issues between Lot 1 and Lot 2 and Oakwood Road are addressed. He stated that he is concerned about light pollution and asked the Planning Department to monitor the types of outdoor lighting that will be used in this development. Mr. Bond stated that he is concerned about erosion and runoff issues in the proposed Oakwood Road access area.

Ms. Gould asked for clarification on the current classification of Oakwood Road and whether there are future plans to widen this street. Mr. Benson stated that there are no current plans to widen Oakwood Road but they will keep an eye on this as network traffic increases. He stated that if network traffic were to increase the first step would be to look into adding turn lanes.

Mr. Kindred stated that when the site development plan comes before the Commission we will make sure that a thorough explanation of the traffic impacts has been prepared by the traffic engineer.

Mr. Johnson asked for further clarification whether that would be a full traffic study. Mr. Kindred stated that he was referring to the description of the Master Transportation Plan classification of the streets in the area.

Kim Townsend, 2609 Timberland Road, stated that she is a member of Friends of Oakwood Road. Ms. Townsend presented a Power Point. She stated that she is concerned about light pollution and about the style and fit of the buildings within the existing community and the change from the “big house” concept condominiums to apartments. Ms. Townsend expressed her concern about light pollution and the style of light fixtures that will be used in the proposed development. She outlined the natural features of this area. Ms. Townsend showed pictures of several homes along Oakwood Road and outlined various architectural features of the homes in the area. She showed a picture of a “big house” condominium that was proposed in the original Master Plan and stated that they had been told earlier by Friedrich that they were not like conventional apartments and that they would be a good fit in their community. Ms. Townsend showed a picture of the building that is now being proposed in the revised Master Plan. She stated that she preferred the style of the units in the previous Master Plan instead of the current proposed units. Ms. Townsend stated that they would not have purchased their home if they had known that apartments were going to be built. She stated that the sign at this parcel indicated that 130 condominiums were to be built. Ms. Townsend stated that neighbors in the area are upset as to what they feel is misrepresentation by Friedrich.

Mr. Friedrich stated that it is false that there has been any misrepresentation. He stated that they intended from day one when they went through having this multi-family site approved that this would be a rental condominium location that they would own and manage. Mr. Friedrich stated that Iowa State University did purchase 40 acres south of this project after the traffic study was completed. He stated that the purchase of those 40 acres is an elimination of 100 homes, thus reducing the potential traffic impact. Mr. Friedrich stated that since 2007 the requirements for financing condominiums changed dramatically. He said that prior to 2007 you could finance the purchase of a condominium with five per cent, or less, down payment. Mr. Friedrich said that today that purchase of a condominium requires at least a thirty per cent down payment, thus taking a lot of buyers for condominiums out of the market. He spoke about the current demand for rental units that they are experiencing. He stated the Ringgenberg homestead was never a part of the project. He stated that if they did purchase the homestead at a later date it would require a rezoning.

Mr. Renaud spoke about the demand for this type of housing that he has experienced personally with employees from FOX Engineering. He stated that the City of Ames has very regulated lighting standards that are set out in the Code that will be submitted with their site plan. Mr. Renaud stated that he feels that there is not a need to prepare an updated traffic study since the units that they are now planning to add went down, as Mr. Friedrich mentioned. He spoke about the impact to Oakwood Road and the placement of the intersections. Mr. Renaud said that intersections that are offset to the right are generally safer due to less turning conflicts.

He stated that the City has many drainage standards that need to be met. Mr. Renaud outlined the efforts that they undertake to retain the storm water.

Mr. Benson stated that the City does not regulate ownership of a dwelling. He stated that a condominium is about ownership. Mr. Benson stated that what the City looks at is the building type. He stated that any single building that has three or more dwelling units in it, unless it is a townhouse, is an apartment in the City's Zoning Ordinance. Mr. Benson said that apartments are regulated in the Zoning District. He stated that the buildings that were approved in the original Master Plan were apartments and the ones that are proposed in the revised Master Plan are apartments by the way that land use and zoning is regulated in the City.

Ms. Townsend stated that the perception of people when you use the word condominium is of a higher quality and that is why that was used in the applicant's advertisement.

Mr. Johnson stated that possibly the public was teased by the first type of dwelling that was shown in the previous Plan with the "big house" versus the "big box". He asked if there was a reason why they went away from community fit.

Mr. Friedrich explained where the trademark term "big house" originated. He stated that a more traditional type of building that the area is used to would be more appropriate and better received in the marketplace. He stated that they have improved the layout. Mr. Friedrich stated that he feels the orientation is better than the earlier Plan. He stated that the architect is working on the building plans and they will be submitted in the site development phase. Mr. Friedrich stated that the proposed buildings will be more expensive to build than the buildings in the original Master Plan.

Mr. Johnson asked the public if they would not consider Wessex to be "big box". Ms. Townsend gave her opinion about the outside appearance of the Wessex complex. She indicated that some residents have a difference of opinion in regards to the design of the Wessex development. Mr. Johnson stated that he is trying to hear both sides of the case from the developer and the residents. He stated that if this proposal was the first prototype coming into the neighborhood of this type he could understand, but there is an existing one in this area.

Mr. Bowers stated that the public portion of the discussion has closed at 9:40 pm.

Ms. Gould asked the applicant why they are not happy with the previous Plan that was approved and why they do not want to go ahead with that Plan.

Mr. Friedrich stated that they met with the City Development and Review Committee and were asked to change the access to Oakwood Road. Ms. Gould asked if that access was requested in the original Plan. Mr. Friedrich stated no. He stated that staff felt that it would be advisable to provide for a separation between the single-family to the south and the multi-family area to the north. Mr. Friedrich stated that the new design accomplishes that. He outlined details of the proposed green space. Mr. Friedrich stated that they tried to enhance the perimeter view of the project by concealing the garages. Mr. Friedrich stated that the buildings of Wessex are on a much larger scale than their proposed project (16 to 24 unit buildings).

Mr. Seifert posed a question to the City about whether a traffic study could be done or needs to be done to address the questions that the area residents have for this project and future development. He stated that the City should build the bike trail where it is needed in the area of this project.

Mr. Benson stated that the Commission can send recommendations to the City Council. He spoke about items that the Commission might need to consider before tying the traffic study to this development. Mr. Bowers stated that it might be better to tie a traffic study to one of the next phases of the process. Mr. Bowers stated that there are not that many changes in the overall site development between the original Master Plan and the revised Master Plan. Mr. Benson outlined options available to the Commission. Mr. Johnson asked if they could approve if various conditions were carefully studied. Mr. Benson stated that the Commission could make that recommendation.

Ms. Gould asked when the bike trail might be completed according to the City Capital Improvement Plan. Mr. Kindred stated that there were several small segments that were not funded. He said that currently the bike trail goes to Christofferson Park.

Ms. Gould said that if they added those conditions for approval that they would still be able to address those issues during the preliminary plat and site plan phase. Mr. Kindred stated that it draws attention to their importance now.

Mr. Seifert asked about the storm water issues that the residents mentioned and at what point does it need to be looked at more closely. Mr. Benson stated that the City is working on existing infrastructure (storm sewers, etc.) from the standpoint of maintenance and operations, etc. Mr. Benson explained that they are looking at where the drainage is going and issues arising downstream. Mr. Benson stated that they did look at the storm sewer on Oakwood Road and tried to get funding after the 2010 flood to make improvements but were not successful in obtaining that funding. Mr. Benson stated that the Commission needs to treat every project based on the standards in place at the time .

MOTION: (Johnson/Seifert) to accept Alternative #1, which states: that the Planning and Zoning Commission recommends that the City Council approve the revised Master Plan with the following modifications to the Plan:

- a. Outlot A to be designated both as Common Open Space and Future Development;
- b. Add the following widths to the landscape buffers:
 - i. 50 feet south of the Oakwood Road right-of-way
 - ii. 60 feet on the west
 - iii. 20 feet on the east and south
- c. Add note that all landscape buffers are to be installed with occupancy of the first residential units;
- d. Add note that no buildings will exceed two stories;
- e. Add note that a shorter façade of each building shall face either Oakwood Road or Sunset Drive;
- f. Consideration be given to concerns that were raised relative to the bike path, traffic impact, drainage issues, and intersection locations.

MOTION PASSED: (4-0-1) (John Tillo abstained)

TEXT AMENDMENT FOR SHARED COMMON LOT LINE GARAGES

Karen Marren, City of Ames Planner, stated that Jeffrey Bryant is the property owner at 220-224 So. Riverside Drive. She stated that Mr. Bryant owns two properties that share a common lot

line garage. Ms. Marren stated that Mr. Bryant submitted a request for a Variance to be heard before the Zoning Board of Adjustment to replace the garage structure. She stated that the Board could not find any unique circumstances or hardships to approve Mr. Bryant's Variance request. He requested a variation from the 3 foot side yard set-back that a detached garage in a rear yard would require. Ms. Marren outlined additional details of Mr. Bryant's Variance request. She stated that in March 2013 Mr. Bryant submitted a request to the City Council asking for a referral for a Zoning Text Amendment. Ms. Marren stated that staff reported back to the Council during April of 2013. She stated that there are other properties in this neighborhood that do share existing garages; and driveways that appear to have had previous shared garages that have since been rebuilt and separated but the shared driveway still exists. Ms. Marren outlined the key elements of this case to the Commission members. She stated current building codes require a fire separation on the lot line consisting of a one-hour fire rated wall on each side of the property line that will be maintained. Ms. Marren reviewed the staff report for this case with the Commission. She reviewed details of an Agreement that discusses cross access easements for the driveway and maintenance of shared structures. Ms. Marren stated that the City Council had concerns about those issues. She outlined the details of the proposed Text Amendment.

Mr. Tillo asked about the height requirements listed in the staff report and whether it was in line with the terms throughout the City's Code.

Ms. Marren stated that these height requirements are identical to those that are existing for detached structures.

Mr. Bowers asked for clarification that the fire stop on each side of the property line is not a provision of the Text Amendment due to the fact that the building code supersedes the Text Amendment. Ms. Marren stated that that was correct. She stated that typically the three foot setback is there for fire safety reasons/building separation.

Jeff Bryant, 220 So. Riverside Drive, stated that he is happy to answer any questions that anyone might have.

MOTION: (Tillo/Johnson) to accept Alternative #1, which states: that the Planning and Zoning Commission recommends that the City Council approve the attached draft amendment language for the allowance of shared common lot line garages.

MOTION PASSED: (5-0)

COMMISSION COMMENTS: Mr. Bowers stated that he appreciates the comments from the public, applicant and staff in helping them make their decisions.

STAFF COMMENTS: Mr. Kindred stated that they are close to making a decision in regards to the hiring of a new Planning and Housing Director.

Mr. Kindred stated that staff is updating the format of the staff reports that will be prepared for Commission members prior to each meeting and stated that he would appreciate feedback from the Commission members.

MOTION TO ADJOURN:

MOTION: (Seifert/Johnson) to adjourn the meeting.

MOTION PASSED: (5-0)

The meeting adjourned at 10:15 p.m.

Rob Bowers, Vice Chairperson
Planning & Zoning Commission

Lorrie Banks, Recording Secretary
Department of Planning & Housing