

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

Date: October 2, 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: 9:03 p.m.		
	*Absent	

MAJOR TOPICS DISCUSSED:

1. Amendment of Major Site Development Plan for Westwood Village
2. Recommendation of Zoning Text Amendment to Change Campustown Third Story Building Height Step-Back

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

APPROVAL OF AGENDA:

MOTION: (Wannemuehler/Siefert) to approve the Agenda for the meeting of October 2, 2013.

MOTION PASSED: (5-0)

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 4, 2013:

MOTION: (Siefert/Tillo) to approve the Minutes of the meeting of September 4, 2013.

MOTION PASSED: (5-0)

PUBLIC FORUM: There were no public comments.

AMENDMENT OF MAJOR SITE DEVELOPMENT PLAN FOR WESTWOOD VILLAGE

Jeff Benson, City of Ames Planner, stated that this case is to amend the Major Site Development Plan for Westwood Village Planned Residential Development Plan to allow for an increase in the number of units, size and location of the building, and the amount of parking. Mr. Benson outlined the location of the property on a map for those present. He explained the definition and uses allowed in a Planned Residential Development. Mr. Benson stated that the criteria are outlined in Attachment C and D of the Commission Action Form. He stated that the Commission will need to decide whether the proposed Plan meets those criteria. Mr. Benson stated that the original

Master Plan was approved in 2006 and the developer has the right to complete that Plan without any further approvals from the City Council. He said that any changes to the original Plan require recommendation from the Planning & Zoning Commission and City Council approval. Mr. Benson reviewed the proposed site plan with those in attendance. He stated that there is one more building that is allowed to be built that was a part of the original Master Plan. Mr. Benson stated that the proposed plan changes the number of allowed units in the remaining building from 97 to 105 units as well as changing the unit type from 24 bedrooms to 72 bedrooms. He stated that this would also result in a change to the required parking. Mr. Benson stated that the building would also be changed from a two-story to a three-story building. He stated that the exterior color of the building would be consistent with the existing structures. Mr. Benson outlined the land use designation and zoning classification of the surrounding properties. He stated that the public school that is located in the area is scheduled to be closed in a year. Mr. Benson outlined the grove of existing mature oak trees that are located on this property in relationship to the placement of the proposed building. He identified the location of the five trees that will need to be removed, some of them because of disease or age and the remainder due to the layout of the proposed building and parking lot. Mr. Benson stated that the developer is planning to shift the location of the proposed building in order to preserve as many of the oak trees as possible. He outlined the proposed grading process and the use of crushed granite and pavers in the parking lot that will be used to help minimize the damage to the remaining oak trees.

Mr. Benson outlined the options available to the Commission members in regard to this project. He reviewed the concerns of the neighbors in 2006 when the original Master Plan was last modified, one of which was traffic. Mr. Benson stated that by the time this project is completed and occupied the surrounding school will be closed and Staff feels that a lot of the traffic concerns should be alleviated, at least in regards to students. He outlined the fact that no left turn signs on Marshall Avenue and pylons and driveway features were previously required in the original Master Plan. Mr. Benson stated that these features have been removed and will be required to be replaced regardless of the decision on the current amendment to the Master Plan as well as a sidewalk along the west side of Marshall Avenue. He stated that Staff believes that the new proposed location and other measures the developer plans to take will help reduce the visual impact on the surrounding neighborhood and help protect the environmental feature (the oak grove). Mr. Benson stated that Staff is recommending that the Commission adopt Alternative #1 to approve the Plan. Mr. Benson stated that the Commission has been given two letters from surrounding property owners in regards to the proposed change to this Master Plan.

Troy Siefert asked for clarification on the proposed parking and where the proposed building is placed in relation to the existing oak grove. Mr. Benson outlined those areas on a map for those present.

John Tillo asked for clarification of the required parking standards for a Planned Residential Development in comparison to other zoning districts. He said that the proposed Plan meets the City's standards and exceeds them by nine spaces. Mr. Benson outlined the current parking standards.

Yvonne Wannemuehler asked for clarification of the height of the existing buildings and for the proposed building. She also inquired about the location of the single family homes and the traffic pattern in the area, especially around those homes.

Rob Bowers asked about the proposed increase to the parking and the effect to the storm water runoff. He asked whether the porous material that the developer plans to use for the parking would off-set the difference in the addition of extra parking spaces. Mr. Benson stated that the Storm Water Management Plan has been reviewed and approved by the Public Works staff.

Debra Lee asked for clarification about the reduction of recreational amenities that will now be required in the Master Plan. She asked if the existing buildings were rental units. Mr. Benson said that the buildings were rental units and that the proposed Plan will reduce the number of recreational amenities. Kelly Diekmann, Planning and Housing Director, stated that the Commission will need to weigh the importance of natural features or expanded amenity space. Ms. Lee asked if the original conditions placed on the Planned Residential Development, traffic signage and sidewalk on Marshall Avenue, will be enforced. Mr. Benson stated that once Staff is notified that there is a project that is not compliant with approved zoning they work with the property owner to bring them into compliance. He said that if they do not come into compliance zoning will be enforced on the property owners. Mr. Benson said that if the proposed Plan is not approved Staff will see that the project does comply with the existing approved Plan.

Mr. Siefert asked about the proposed building setback compared to what was approved in the original Plan, specifically the edge of the parking lot to the lot line. He asked about the developer's reason for the amendment to the Master Plan. Mr. Benson reviewed the developer's amendment request and Staff's suggestion that the developer do everything that they could to protect the oak grove.

Mr. Tillo stated that in the original Plan building A could be built where it is shown, thus removing a substantial number of trees and possibly killing others due to indirect contact.

Scott Renaud, FOX Engineering, reviewed the plan for storm water management in the parking area. He stated that a forestry professor came to the site to review the Plan and it has since been refined. He explained the types of materials that will be used in the parking and the testing that has been done on those materials. Mr. Renaud stated that the professor identified five diseased or dying trees on the property that need to be removed. He outlined how the utilities will be placed on the property. Mr. Renaud stated that the building is being moved 20 feet to the west to minimize the effect on the trees.

Douglas Provow, 3655 Story Street, stated that he opposes the proposed plan because he is opposed to the increase in size and number of units in the proposed building. He outlined the problems that he has had with beer cans being thrown into his yard from the existing apartment building. He said that the increase in number of residents will

increase the number of problems and outlined some of those issues. Mr. Provow reviewed a timeline of earlier developer requests and approvals for this property. He feels that the original Plan was a contract between the City and the developer. Mr. Provow feels that the current developer has broken that contract by increasing the number of units that was allowed in the original Plan. He requests that the Commission deny the current developer's request. Mr. Provow stated that the developers have come back to the City repeatedly asking for more changes rather than sticking with the original Plan. He stated that he opposes the expansion of this apartment.

Sue Ravenscroft, 455 Westwood, outlined the promises made by Mr. Haverkamp regarding signage, addition of a sidewalk, etc. She stated that the signs are no longer posted on the property. Ms. Ravenscroft stated that Mr. Haverkamp has now asked to triple the number of people that will be living in the building. She stated that even though the school will be closed there are still middle school, high school and college students living in the neighborhood that would use the sidewalks along with the residents. Ms. Ravenscroft stated that since Mr. Haverkamp has not complied with earlier conditions then she hopes that the Commission recommends alternative #4 to postpone recommendation until the developer fulfills the conditions of the original Plan.

Mr. Tillo asked Ms. Ravenscroft for clarification about a section of her letter that asks that earlier conditions of the Planned Residential Development Plan be enforced and information on the size of the building and number of units within the building. Mr. Diekmann stated that the approved Plan shows a building with 16 units, 24 bedrooms and the proposed Plan calls for a building with 24 units, 72 bedrooms.

Deb Carnine, 3654 Story Street, outlined where her home is in relationship to the oak grove. She spoke about traffic situations and the amount of noise in their neighborhood. Ms. Carnine stated that she is in favor of enforcing the pre-existing conditions placed on the developer before a recommendation is made on the proposed Plan.

Brent Haverkamp, 4915 Timber Creek Lane, stated that he feels that the proposed project is better than the earlier Plan. He stated that he feels that his project will carry half the traffic in the area compared to the traffic that the nearby McDonald's restaurant generates.

Mr. Tillo asked about the increase in the number of residents that the proposed plan would house. Mr. Haverkamp stated that the proposed building would add additional units; but if you look at the entire site, it would amount to a three or four per cent increase.

Mr. Bowers asked Mr. Haverkamp to respond to the concerns of the neighbors regarding the street signage and turn pylons. Mr. Haverkamp stated those items were in place upon occupancy of the site; however, the original signs had been removed, possibly by students. He stated that he was not aware that those items were not in place until notified by City staff when they submitted the proposed Plan.

Ms. Lee asked Mr. Haverkamp why it had not been noted until recently that the signage and the pylons were missing since he has owned the site for nine years and indicated that he visits the site frequently. He said that he did not receive any calls and is assuming that no one noticed that the signage and pylons were missing until it was brought to their attention, not the neighbors and not the site manager. Ms. Lee asked about the sidewalk on Marshall Avenue. Mr. Haverkamp stated that the sidewalk does not connect to anything on the north or the south and the vast majority of the traffic is on the other side of the street. He stated that the sidewalk in question would lie within the drip line of the trees and construction of the sidewalk might damage the trees. He said that it was his understanding that the sidewalk was to be installed when the proposed building is completed. Mr. Benson stated that he has not researched the timing for construction of the sidewalk, but he does know that it was a condition of approval for the Master Plan. Ms. Lee asked if there was a sidewalk in front of the Ark (a nearby commercial building). Mr. Renaud said that there was not. Mr. Haverkamp stated that he was willing to construct the sidewalk if the Commission feels that it is important.

Ms. Wannemuehler asked if this was the last parcel that Mr. Haverkamp owned, in the area, on which to build. He said that it is the only parcel.

David Grewell, 315 Hickory Drive, raised the question about what had killed some of the existing oak trees. Mr. Grewell stated that oak blight has affected trees in other areas of Ames and asked the Commission to require the developer to find out what killed the oak trees on this property. He said that if it is oak blight, and the trees are not treated, it won't matter if the Master Plan is amended and the location of the building is changed and the parking is covered with pavers, those trees will die.

Scott Renaud stated that the trees that are dying are in random locations. Ms. Lee summarized Mr. Grewell's concern about the health of the trees.

Ms. Lee closed the Public Hearing.

Mr. Siefert stated that he feels that the change to the Plan changes the character and dynamics of the proposed site. He feels that there is more to this change than the impact to the trees. Mr. Siefert stated that if it was just about the trees the developer could still build a two-story building instead of the proposed three-story building. Mr. Benson reviewed page 8, item 7, of the Commission Action Form regarding Open Space Area Requirement with the Commission.

Mr. Bowers outlined the goals to the Planning & Zoning Commission. He stated that the proposed project protects the natural environment and that is one of the goals of a Planned Residential Development. Mr. Bowers stated that the Planning & Zoning Commission tries to concentrate on infill development which this project appears to meet that goal. He said that there are unknowns as to the difference in traffic when Edwards School closes versus the increase in the number of units of the proposed Plan. Mr. Bowers stated that he is glad to see the preservation of the natural environment.

Mr. Tillo asked for clarification as to what the developer would need to do if they did not recommend the proposed amendment to the Planned Residential Development plan. Mr. Diekmann stated that if the proposed project was not approved the developer has an earlier approved Plan and all he would need to do is file for his building permit. Mr. Tillo expressed his thoughts about several aspects of the proposed request.

Mr. Diekmann stated that if the proposed building was reduced to a two-story building that would lower the parking requirement of the proposed project by 24 spaces.

Discussion was held by the Commission about the proposed amendment to the Plan compared to what was approved in the original Plan.

MOTION: (Bowers/Tillo) to accept Alternative #1, which states: that the Planning and Zoning Commission recommends that the City Council approve the proposed revisions to the Westwood Village Major Site Development Plan.

Ms. Lee expressed her concerns after hearing comments from the neighbors. Mr. Diekmann stated that addition of a sidewalk and replacement of signage does not need to be made a condition for recommendation since those items are part of an approved Plan. He said that the City will need to look into this and it will need to be enforced. Mr. Bowers expressed concern about sending the case back and delaying the project without a clear direction. Discussion was held among the Commission members.

MOTION PASSED: (4-1) Troy Siefert voted nay.

RECOMMENDATION OF ZONING TEXT AMENDMENT TO CHANGE CAMPUSTOWN THIRD STORY BUILDING HEIGHT STEP-BACK

Jeff Benson, City Planner, outlined the proposed project location in Campustown. He reviewed the current allowed height of buildings in this area as well as the required step-back. Mr. Benson stated that most of the current buildings in this area are one and two-story buildings. He outlined various construction requirements for constructing a building with a step-back. Mr. Benson stated that staff has received a proposal from a current property owner in Campustown who is asking for an exception to the Zoning Code for the third-story building step-back. Mr. Benson stated that Kingland Systems is proposing to build a three-story building on Lincoln Way, the first floor would be all retail, the second floor would be Kingland Systems' office space, and the third floor will possibly become Iowa State University offices (they are currently working through lease negotiations), with a parking lot, at the rear of the building, from Stanton Avenue to Welch Avenue. He stated that the design of the proposed building is still in the preliminary stages. Mr. Benson stated that Kingland Systems has been meeting with the City, Campustown Action Association, and other stakeholders in order to come up with a building design that will meet everyone's needs as well as their own. He stated that the Text Amendment would apply to other cases as well as the one that is being proposed.

Ms. Wannemuehler stated that she feels that the proposed project will definitely change the Campustown area. Mr. Benson stated that the amount of retail space that will be removed is slightly less than what will be added by the proposed project. He said that this area will not lose retail space. Mr. Benson stated that some of the retail space in this area is vacant and not currently useable.

Mr. Diekmann clarified the current allowed height of buildings in this area and what is being proposed in the Text Amendment.

Mr. Benson outlined the uses currently allowed in Campustown. He outlined the details of the proposed exception (stand alone building three-stories in height or less, frontage on Lincoln Way, and non-residential) which would make a project exempt from the step-back requirement. Mr. Benson stated that there will be no residential use in the proposed Kingland Systems project.

Mr. Diekmann stated that the proposed exception is to the number of stories not actual building height. He said that three stories for a commercial building could be approximately 50 feet in height depending on the slope of the sites.

Mr. Siefert asked if there was a Campustown Association and if this proposal had been discussed with them. Mr. Benson stated that Campustown Action Association is a stakeholder in Campustown and they have reviewed this issue, the Kingland project in particular, and have asked the City Council to proceed with the Text Amendment. Mr. Diekmann stated that Campustown Action Association looked at the Text Amendment strictly from what Kingland Systems needs for their proposed project.

Mr. Benson stated that the current Zoning laws and policies of the City encourages redevelopment of Campustown, and this will mean that the character of Campustown will change.

Mr. Tillo asked if the Kingland Systems project would be coming back to the Commission. Mr. Diekmann said that it would but only in a limited capacity. He said that the use and the actual building, that Kingland Systems is proposing, can be approved at Staff level. Mr. Diekmann stated that the City Council has directed Staff to begin preparation of an Urban Renewal Plan that is specific to Kingland Systems property in Campustown. He outlined the Commission's future involvement in the adoption of that Urban Renewal Plan.

Mr. Bowers stated that he has had people repeatedly tell him that Campustown needs to be changed. He stated that he is in favor of supporting development in the Campustown area.

Mr. Tillo asked for clarification of the zoning classification of the proposed area and whether it allows for residential use in this area. Mr. Benson stated that there could be residential use above the first floor. Mr. Tillo stated that he is favor of mixed use. Mr. Diekmann stated that in order to have residential use in a building in the proposed

Campustown area along Lincoln Way the property owner would have to comply with the step-back requirement.

Ms. Lee asked if consideration had been made when choosing the number of stories for the proposed Text Amendment and whether another applicant could come in at a later date and request a different number of stories in the future. Mr. Diekmann said that it could happen, but it would need to go to the City Council. She asked for clarification of the reference of story. Mr. Diekmann explained that Ames had a combined definition based on floor to ceiling height and on 14 foot height measurement for mezzanines. He stated that Staff looked very closely at this to make sure that the proposed Text Amendment was not tailored specifically for Kingland Systems but could be used in other areas of Campustown as well.

Ms. Lee spoke about the fact that the proposed Text Amendment addresses stories and not height. Mr. Diekmann stated that if the Commission feels that the Text Amendment should include a specific height that it could be added as a condition in their motion. Ms. Lee inquired about what Staff feels would be an approximate maximum height for three stories. Mr. Diekmann said that there is not a de facto height limit for three stories, but it is possible that it could be 50 feet.

MOTION: (Wannemuehler/Bowers) to accept Alternative #1, which states: that the Planning and Zoning Commission recommends that the City Council approve the proposed draft amendment to exempt from the step-back standard buildings of 3 stories or less that do not have residential uses and are located on sites that have frontage on Lincoln Way.

MOTION PASSED: (4-0-1) Troy Siefert abstained.

COMMISSION COMMENTS: None

STAFF COMMENTS:

Mr. Diekmann explained the proposed Breckenridge LUPP Amendment initiation for the old Ames Middle School site had been denied by Council. He said that at some point a rezone request will come to the Commission for consideration consistent with the current LUPP. Mr. Diekmann stated that there are three parcels that make up this site and they could come back individually or as a group.

Mr. Diekmann reviewed the tentative agenda for the Planning and Zoning Commission meeting being held on October 16, 2013.

Mr. Diekmann stated that the Westwood Village item will go to the October 22, 2013 City Council meeting.

MOTION TO ADJOURN:

MOTION: (Wannemuehler/Siefert) to adjourn the meeting.

MOTION PASSED: (5-0)

The meeting adjourned at 9:03 p.m.

Debra Lee, Chairperson
Planning & Zoning Commission

Lorrie Banks, Recording Secretary
Department of Planning & Housing