| ITEM #: | 5               |
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| DATE:   | <u>08-19-15</u> |

#### COMMISSION ACTION FORM

### <u>REQUEST</u>: REZONING AND MAJOR SITE DEVELOPMENT PLAN FOR 3505 AND 3515 LINCOLN WAY

#### BACKGROUND:

Chuck Winkleblack and Turn Key Investments, LLC are requesting rezoning and approval of a Major Site Development Plan for two parcels to allow for the development of a commercial and residential mixed-use development. The subject site totals 2.23 acres located at 3505 and 3515 Lincoln Way, just west of the Franklin Avenue intersection. (See Attachment A Location and Existing Zoning Map) The site abuts single-family homes to the north and northeast and commercial to the west, south, and east.

To accommodate the development, the owners request rezoning of the parcels from Highway Oriented Commercial (HOC) to Highway Oriented Commercial (HOC) with the Lincoln Way Mixed-use Overlay (O-LMU) Zone. (See Attachment C, Proposed Zoning). The concurrent review of the Major Site Development Plan is required with a property owner request for O-LMU. The overall project includes two, three-story buildings containing 10,912 square feet of commercial space and 18 dwelling units. The project has a single point of access from Lincoln Way and a second access point from a rear alley. The design incorporates commercial space at the front of the site perpendicular to Lincoln Way with outdoor seating and plaza areas. Parking is located in between buildings and to the rear of the site. The architectural design is contemporary in its aesthetic with a prominent corner element, a flat roof, substantial amounts of commercial glazing at the ground level, asymmetric window patterns for the upper floors, use of brick and metal accents on exterior facades, and fiber cement siding and panel systems.

The City recently adopted the O-LMU ordinance and this is the first project to seek rezoning and approval of a mixed-use project. The O-LMU must be combined with the HOC zoning district, which as a base zone is an exclusive commercial district that does not allow for residential uses. The overlay district is intended to supplement the base zone regulations of the HOC in order to preserve the existing commercial use pattern established within the corridor. The O-LMU includes both mandatory standards and preferred design principles intended to guide the layout and design of a project. A full analysis of the Major Site Plan and consistency with zoning standards is attached in the addendum.

The project site consists of two existing lots and a small portion of vacated right-of-way. The small portion of vacated right-of-way is zoned Residential Low Density and will require rezoning to HOC with the Overlay, while the other two properties will require only rezoning for application of the Overlay. The applicants have also submitted a Plat of Survey, which once approved by City Council, will ultimately create the two parcels currently depicted on the Major Site Development Plan.

### ALTERNATIVES:

- 1. The Planning and Zoning Commission can recommend that the City Council approve the follow requests for the properties at 3505 and 3515 Lincoln Way:
  - A. Rezone the properties from Highway Oriented Commercial (HOC) and Residential Low Density (RL) to Highway Oriented Commercial (HOC) with the Lincoln Way Mixed-use Overlay (O-LMU); and
  - B. Approval of the Major Site Development Plan, subject to the following conditions:
    - i. Approval of a Plat of Survey to create the identified parcels as depicted in the Major Site Development Plan;
    - ii. Revision of the landscape trees to substitute an understory tree type along the north and east property lines due to the presence of overhead power lines.
    - iii. Require paving of the 50-feet of gravel alley between the existing paved area of 3605 Lincoln Way and the subject site.
    - iv. Accept use of existing wooden fence along R-L property lines with the requirement to replace or repair such fence at the sole cost of the mixed use project.
- 2. The Planning and Zoning Commission can recommend that the City Council approve the request for rezoning and the Major Site Development Plan for the properties at 3505 and 3515 Lincoln Way, <u>with modified conditions.</u>
- 3. The Planning and Zoning Commission can recommend that the City Council deny the request for rezoning and approval of the Major Site Development Plan for the properties at 3505 and 3515 Lincoln Way, if the Commission finds that the City's regulations and policies are not met.
- 4. The Planning and Zoning Commission can defer action on this request and refer it back to City staff and/or the applicant for additional information.

### **RECOMMENDED ACTION:**

The purpose of the Mixed-use Overlay was to create a balance between permitted commercial uses of the HOC base zone and the inclusion of a well designed multi-family residential development. Staff believes continuing to emphasize commercial use as a priority in the overlay is important along Lincoln Way. Commercial uses must be designed appropriately and with versatility for it to be successful in a mixed-use project. Poor commercial design and orientation along Lincoln Way would be detrimental to the Lincoln Way Corridor. The O-LMU also promotes enhanced architecture expectations to enhance the appeal of Lincoln Way as a place and as a transition from the larger scale mixed-use buildings being developed in Campustown.

The proposed Major Site Plan incorporates a good balance between the priority commercial function of the site with the availability of a unique residential option for housing on Lincoln Way. The plan meets the development standards for the site and

incorporates many of the preferred design principles desired by the city for a mixed-use development within the Overlay. While the project does not meet the design principle preference of 15% floor are ratio of commercial space, the project design does highlight the it does meet the design standard for the commercial component of the project along the Lincoln Way and promotes a more active commercial frontage for the area with outdoor plazas. Additionally, the site design allows for versatility in use of the commercial space with up to 30% of the area allowed to be used as restaurant with the amount of parking included on site. The project has also appropriately sited the buildings away from residential uses along the north property lines and provided an L3 Landscape buffer with a wood fence.

The requested rezoning and the Major Site Development plan proposal meet the applicable design standards and criteria of the Zoning Ordinance. Therefore, it is the recommendation of the Department of Planning and Housing that the Planning and Zoning Commission act in accordance with Alternative #1, which is to recommend that the City Council approve the request for rezoning and the Major Site Development Plan.

#### ADDENDUM

#### PROJECT DESCRIPTION:

The project site depicted on the Major Site Plan as two lots totaling 2.23 acres. The development project contains two three-story mixed-use buildings each containing 5,456 gross square feet of commercial space and one accessible four bedroom residential unit on the first floor. The second and third floors in each building have eight, two-story residential units containing a mix of 3 and 4 bedrooms. Access to the residential apartments is at the rear of each building. The overall development includes 10,912 square feet of commercial space, 18 residential units for a total of 64 bedrooms. (See Attachment F)

The two buildings are mirror images of each other. They are approximately 62 feet by 127 feet in dimension for a total of 15,944 square feet in building footprint for the two properties. Entrances are oriented to the north for access to the residential units and to the south and the central access drive for the commercial spaces for each building. A second access for the residential second and third floors is off the back sides of the buildings opposite the commercial entrances. The buildings are approximately 38 feet tall, with an additional parapet at the southeast and southwest corners of the buildings. An outdoor patio/seating area is proposed for the Lincoln Way frontage of both buildings.

The façades of each building are similar, with two tones of brick being the major visible material on the commercial facades along the central access drive and the south façade fronting on Lincoln Way. Additional materials include a James Hardy fiber cement reveal panel system at the entry corners of the buildings as a feature to the commercial areas of the buildings, and the use of fiber cement horizontal siding for the residential facades and as the third story on the commercial facades. Flat metal awnings are proposed over

each of the commercial storefronts and entrances. The buildings are designed with a vertical system of step backs in the facades to provide relief along the horizontal mass of the building.

The project is based upon approval of a boundary line adjustment of two existing parcels. The intent is each property to contain half of the development and minimum parking requirements of the building. A shared ingress and egress point on Lincoln Way is proposed with the project to allow for cross access to parking. The parking on each lot is proposed to allow for one space per bed for each of the 32 beds on the lot with the remaining parking allowing for a range of commercial uses, including restaurants, without limiting the commercial area to only retail or office uses. The project has a total of 123 parking spaces, of which 64 are required residential parking spaces. The remaining 59 spaces are available for commercial uses. The proposed is sufficient to meet the overlay zone requirements for a mixed-use development.

A minimum Landscaped open space requirement of 15% is required for the base HOC zone. The overall project is noted to provide 26.2% open space including the patio, which is hardscaped amenity space. Typically the patios would not be included in the overall open space calculation. However, as shown on the site plan, the project still meets the minimum 15% landscape area on each lot without including the area of the outdoor patios (21.7% and 23.5% open space for the two parcels).

Per landscape standards, a 5-foot wide L3 screen (6-foot tall screen) is required for a parking lot screen along the north and east property lines abutting residentially zoned lots. This requirement includes the need for 1 landscape tree for every 50 lineal feet and shrubs spaced 6 feet on center. The standard allows for the inclusion of a 6 foot fence to meet the requirement, allowing for a reduction in the shrubs at 1 per every 10 feet. The applicant has proposed a fence to meet the L3 screen. A new fence is being proposed for most of the area, however, there is a portion of existing fence along the north lot line which is unclear who ownership belongs to. Staff believes utilizing this existing fence which is in good shape meets the intent of the standard, although not newly installed by the applicant. The applicant has agreed to maintain and replace the fence to keep compliance with the L3 screen so as to not install an additional fence along the lot line.

The proposed landscape trees (Taylor Juniper) have been noted by the Electric Department to exceed the height allowed under overhead power lines along the north and east property lines. A lower growing tree with a maximum mature height of 15' to 20' will need to be substituted to meet the requirement. Staff suggests the use of an ornamental or understory type tree, such as an evergreen tree or flowering tree like the Japanese Tree Lilac proposed on other areas of the site or even a type of crabapple tree to meet the screen requirement but to not interfere with overhead power lines Staff can work with the applicant to revise the plan accordingly. The parking lot landscaping includes planting of handful of taller maple trees that will provide some greater height of trees and screening further back from the property line.

Additional screening to the 5-foot L2 standard (3-foot tall screen) is required along the

west, east and south edges of the parking lots for those areas of the parking lot abutting commercial properties and Lincoln Way. The Landscape Plan shows compliance with the L2 screen requirement. The applicant could choose to use the L1 low screen option along Lincoln Way, which provides more flexibility in plantings due to the greater separation from the street by 10 feet or more. Stormwater detention area is in the eastern area of the site. Refuse receptacles and ground level mechanical units are screened according to the ordinance.

Pedestrian sidewalk connections are provided to each of the commercial storefronts and each of the residential entrances connecting to the public sidewalk along Lincoln Way. The current sidewalk along Lincoln Way is 4-feet in width. The new 5-foot wide sidewalk ordinance standard does not trigger replacement sidewalks unless the existing walk is not in a state of good repair and requires replacement. If the sidewalk is replaced by the applicant or needs to be replaced due to condition a 5-foot sidewalk is needed.

Land Use Policy Plan and Zoning. The LUPP Map designates the two properties as Highway Oriented Commercial and the existing zoning on the property is Highway Oriented Commercial. See Attachment A and B, Existing Zoning and LUPP Maps. There is one small area of property, the existing right of way at the northwest corner of Parcel A, which is shown on the Zoning Map as Low Density Residential. This area will need to be identified and rezoned to HOC with the O-LMU to match the remaining areas of the properties. It is believed that maintaining the existing commercial base zoning of the property and applying the proposed Lincoln Way Mixed-use Overlay is consistent with the LUPP to allow for limited residential opportunities within the Highway Oriented Commercial zone. See Attachment E, Rezoning Plat.

#### Lincoln Way Mixed-use Overlay Design Standards and Principles.

The Lincoln Way Mixes Use Overlay requires that projects meet minimum design standards which are mandatory for development of a mixed-use project, and design principles which are guidelines for the development to shape the overall design components of the project. The design standards include, building orientation, building height, FAR, minimum commercial area, parking, sidewalks, and floor to ceiling heights. The principles consider such design elements as site pattern and layout of entries, visibility from the surrounding streets, pedestrian areas and access, building material, textures, and colors, commercial floor area ratio of the site, residential unit access points, and parking for commercial opportunities.

The proposed mixed-use project meets the mandatory design standards for the O-LMU zone for each of the individual lots within the project. The proposed design of the project also meets many of the design principles of the overlay zone including providing, quality materials, with the principle material facing Lincoln Way being brick and commercial glazing. The buildings meet the orientation desired by the zone and define the entries of the buildings separate for both the commercial tenant spaces and residential entries. The first floor of both buildings are designed to provide the full frontage of the building to be commercial in use and oriented to Lincoln Way. Other than providing for an accessible apartment unit on the first floor, the buildings are generally commercially designed with standard industry spacing for the expected type of commercial tenants.

Parking that exceeds minimum retail rates is provided on both lots to allows for a variety of commercial tenants including the availability for restaurant uses, which require a greater parking capacity. Approximately 3,800 square feet (30%) could be used as a restaurant parked at a rate of 9 spaces per 1,000 and the remainder of the space used as retail or office. This is enough space for one medium sized café or quick service restaurant or for a two smaller establishments like a coffee shop or café.

With the number of residential units proposed, an accessible unit is required within each of the proposed buildings. The applicant proposes to locate the units within the first floor area of the building to eliminate the cost associated with the installation of a lift or elevator. This reduces the space available on the 7,800 square feet on the first floor to 5,654 square feet of commercial space in each building. The floor area ratio for commercial space is 11.2% for the project. The O-LMU prioritizes commercial development and includes a design principle for 15% FAR of commercial as one of the elements of sustain commercial on a site. The proposed design does not achieve the 15% design principle. To achieve the design principle, the ground floor apartment use would need to be removed from the first floor and planned instead for commercial use.

**Infrastructure.** The site is fully served by City infrastructure. Sanitary sewer and water are available, as is electric services. Existing easements are shown on the Site Plan and any additional easements needed to accommodate the proposed location of the future building(s) and utilities will be recorded.

**Access.** Vehicular access is provided to the site from Lincoln Way. Minimal change in the access point is proposed for the properties. Secondary access will occur from a rear alley that connects to Marshall Street by McDonald's. The alley is gravel up to the abutting property west of this site where it is mostly paved as part of the maneuvering are for parking and access to the neighboring site. There is a small intervening area of gravel for 50 feet that the staff recommends be paved as a condition of approval to avoid excessive maintenance in the alley for this small portion of gravel. Full paving of the alley to Marshall is not required.

**Buildings Materials and Architecture.** Four design principles address architectural quality and interest of a project. The intent is for an identifiable commercial design with visual interest in both its form as well as in its appearance with materials and finishes. (see attached building rendering) As with most good design, it takes attention to detail to ensure a quality result. Staff and the applicant have worked through multiple iterations of the design to consider commercial windows glazing pattern, transitions of brick to other materials, window patterns, and corner treatments. The building has a modern aesthetic that has not been well established in Ames, but is part of a contemporary design approach present in many urban locations across the country. Staff believes the general design is appropriate for the site and meets the design principles goals. Staff believes this architectural approach is executed with the intent for higher quality than other similarly scaled buildings.

One new item to the design is the use of fiber panel reveal system that is somewhat new to the market. It has been used recently on the upper stories of buildings in Campustown. The intent of the product is to have a smooth minimalist appearance as an alternative to architectural metal panels. The look and texture are more refined than EIFS or stucco product, but do not fully replicate the sleek look of metal panels. Staff has some reservation about the panel material as it is a prominent component as the front corner treatment of the building and we have little experience with it compared to architectural metal panels. Use of fiber cement siding on other parts of the building are not as much of a concern for staff as they are less prominent and more familiar in their appearance.

### Major Site Development Plan Criteria.

Additional criteria and standards, beyond those of the Overlay, apply to the review of all Major Site Development Plans. The standards are found in Ames *Municipal Code* Section 29.1502(4)(d) and include the following requirements.

When acting upon an application for a Major Site Development Plan approval, the Planning and Zoning Commission and the City Council shall rely upon generally accepted site planning criteria and design standards. These criteria and standards are necessary to fulfill the intent of the Zoning Ordinance, the Land Use Policy Plan, and are the minimum necessary to safeguard the public health, safety, aesthetics, and general welfare.

## 1. The design of the proposed development shall make adequate provisions for surface and subsurface drainage to limit the rate of increased runoff of surface water to adjacent and down stream property.

The Public Works Department has reviewed the storm water management plan and finds that the proposed development can meet the required storm water quantity and quality measures by use of the proposed on-site detention area and underground chamber storage.

## 2. The design of the proposed development shall make adequate provision for connection to water, sanitary sewer, electrical, and other utility lines within the capacity limits of those utility lines.

The existing utilities were reviewed and found adequate to support the anticipated load of 18 dwelling units comprising 64 bedrooms.

## 3. The design of the proposed development shall make adequate provision for fire protection through building placement, acceptable location of flammable materials, and other measures to ensure fire safety.

The fire inspector has reviewed access and fire truck circulation and found that the needs of the fire department are met. The main access into the site has been widened to 26' to provide fire truck aerial access to the buildings.

# 4. The design of the proposed development shall not increase the danger of erosion, flooding, landslide, or other endangerment to adjoining and surrounding property.

It is not anticipated that this proposed development will be a danger due to its location on the site.

### 5. Natural topographic and landscape features of the site shall be incorporated into the development design.

Currently the vacant property is fairly flat with no natural topographic or landscape features that could be incorporated into the development. A grading plan has been submitted which identifies the changes being made to the site to accommodate the proposed development. A retaining wall is proposed along the west property line and within the north parking area of Parcel A. This is to allow for the required storm water features and for the construction of sidewalks and drive aisles that meet the required accessible slopes to the public sidewalk along Lincoln Way while still maintaining the existing grades of the surrounding properties and access to the existing alley on the northwest corner of the lot.

## 6. The design of the interior vehicle and pedestrian circulation shall provide for convenient flow of vehicles and movement of pedestrians and shall prevent hazards to adjacent streets or property.

Access to this site will remain from one access point off Lincoln Way. Vehicular and pedestrian access is accommodated between the two buildings within this development. The on-site sidewalks will connect with the existing sidewalk along Lincoln Way. A secondary access at the northwest corner of the development is provided to Marshall Avenue to the west though the existing public alley.

# 7. The design of outdoor parking areas, storage yards, trash and dumpster areas, and other exterior features shall be adequately landscaped or screened to minimize potential nuisance and impairment to the use of adjoining property.

The general development standards of the zoning ordinance have been met. Dumpsters are on the north side of the building within the parking lots and will be screened per the zoning code. The parking design meets the design and layout standards of the zoning code.

# 8. The proposed development shall limit entrances and exits upon adjacent streets in order to prevent congestion on adjacent and surrounding streets and in order to provide for safe and orderly vehicle movement.

No new access to a public street will be created. Access to Lincoln Way and Marshall Avenue will be through existing driveways and alleys. There is capacity within those existing driveways to accommodate the expected traffic from this mixed commercial and residential development.

### 9. Exterior lighting shall relate to the scale and location of the development in order to maintain adequate security, while preventing a nuisance or hardship

#### to adjacent property or streets.

Building mounted down lights are proposed for the two buildings and pole mounted single and double fixture parking lot lights are proposed for the parking areas of the site. The pole mounted lights are arranged within the interior areas of the parking lots, not along the abutting single family property lines. All lighting submitted meets the minimum outdoor lighting code.

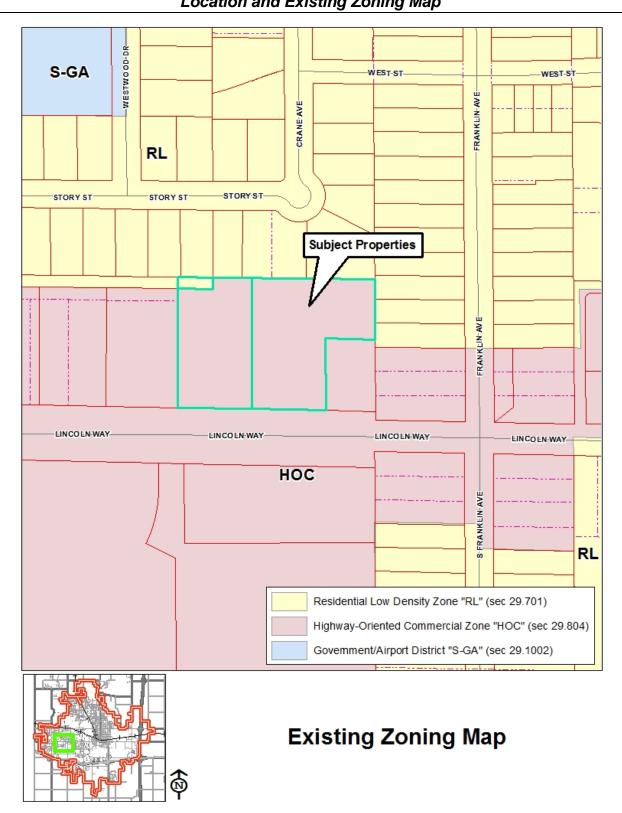
# 10. The proposed development shall ensure that dust and other forms of air pollution, noise disturbances, odor, glare, and other nuisances will be limited to acceptable levels as prescribed in other applicable State and City regulations.

The proposed commercial and residential uses are not expected to generate nuisances in this commercial area.

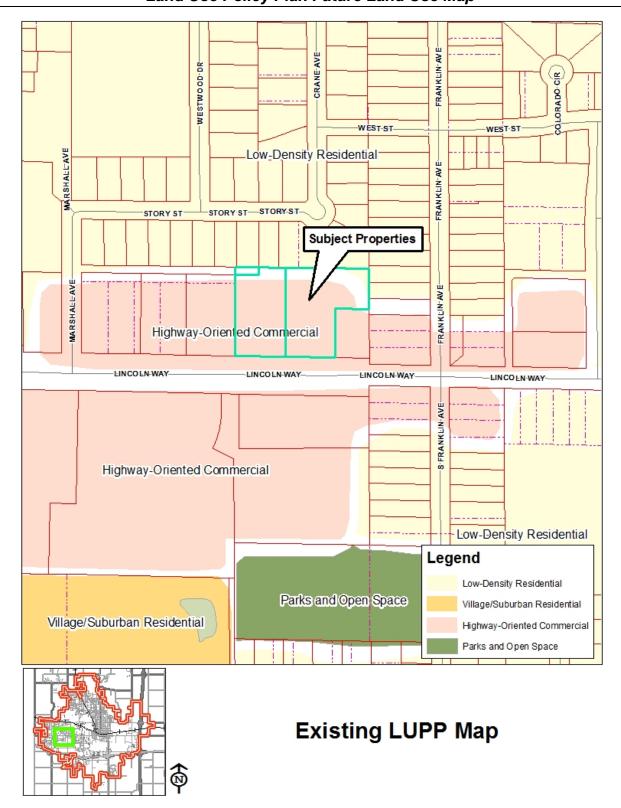
# 11. Site coverage, building scale, setbacks, and open spaces shall be in proportion with the development property and with existing and planned development and structures, in adjacent and surrounding property.

The two buildings proposed meet the development standards of the HOC and O-LMU zones for setbacks, building size, site coverage, and open space requirements. The building design and layout oriented to the south of the lots allows for the areas of activity to be focused near the other commercial activity areas along Lincoln Way and away from the residential properties to the north and east. The design of the property is also efficient in its uniform appearance and arrangement. Even with the three-story buildings, it is compatible with the character and scale of its surroundings. Open areas and landscaped areas meet the quantitative standards of the code. Staff supports the finding (29.406.13) that an alternative landscaping design is appropriate for this site, rather than requiring landscaping along the shared common boundary of the two commercial lots that make up this site. The intent is for cross access and the design will have the appearance and utility of single project parking lot and driveway with appropriate perimeter landscaping.

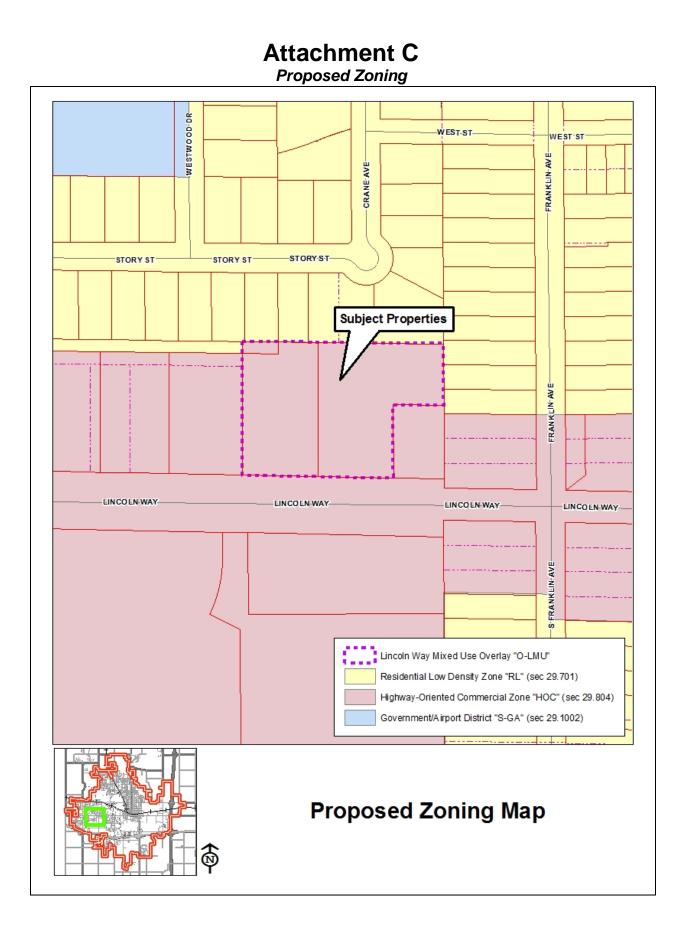
**Public Notice.** Notice was mailed to property owners within 200 feet of the subject site and a sign was posted on the subject property. As of this writing, no comments have been received.



### Attachment A Location and Existing Zoning Map



Attachment B Land Use Policy Plan Future Land Use Map



### Attachment D Applicable Zoning Regulations

• Land Use Policy Plan (LUPP) Goals, Policies and the Future Land Use Map:

The Land Use Policy Plan (LUPP) Future Land Use Map identifies the land use designations for the property proposed for rezoning.

#### Related LUPP Goals and Objectives

**Goal No. 4.** It is the goal of Ames to create a greater sense of place and connectivity, physically and psychologically, in building a neighborhood and overall community identity and spirit. It is the further goal of the community to assure a more healthy, safe, and attractive environment.

<u>Objectives</u>. In achieving an integrated community and more desirable environment, Ames seeks the following objectives.

4.A. Ames seeks to establish more integrated and compact living/activity areas (i.e. neighborhoods, villages) wherein daily living requirements and amenities are provided in a readily identifiable and accessible area. Greater emphasis is placed on the pedestrian and related activities.

4.B. Ames seeks to physically connect existing and new residential and commercial areas through the association of related land uses and provision of an intermodal transportation system.

4.C. Ames seeks to psychologically connect the various living/activity areas through closer proximity of residential areas and supporting commercial uses, common design elements, and inclusion of community amenities such as parks and schools. The connections should promote community identity.

**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.

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

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

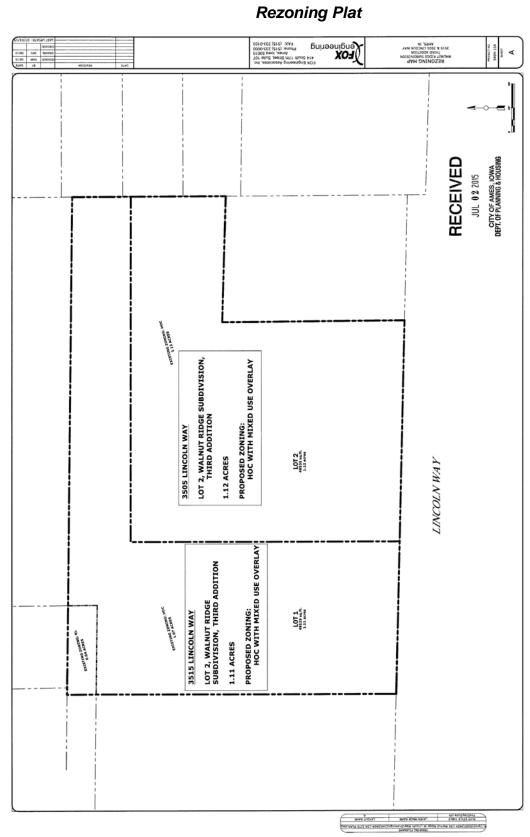
**Goal No. 6.** It is the goal of Ames to increase the supply of housing and to provide a wider range of housing choices.

<u>Objectives</u>. In increasing housing opportunities, Ames seeks the following objectives.

6.C. Ames seeks to establish higher densities in existing areas where residential intensification is designated with the further objective that there shall be use and appearance compatibility among existing and new development.

### Attachment D, Cont. Applicable Regulations

- Ames *Municipal Code* Chapter 29, Section 1507, Zoning Text and Map Amendments, includes requirements for owners of land to submit a petition for amendment, a provision to allow the City Council to impose conditions on map amendments, provisions for notice to the public, and time limits for the processing of rezoning proposals.
- Ames *Municipal Code* Chapter 29, Section 804, Highway Oriented Commercial, includes a list of uses that are permitted in the zone and the zone development standards that apply to properties in those zones.
- Ames *Municipal Code* Chapter 29, Section 1113, Lincoln Way Mixed-use Overlay, includes the permitted uses that are permitted in the zone, the Site Development Plan review requirement of a Major Site Development Plan and the Design Standards and Design Principles applicable to a development project within the overlay.



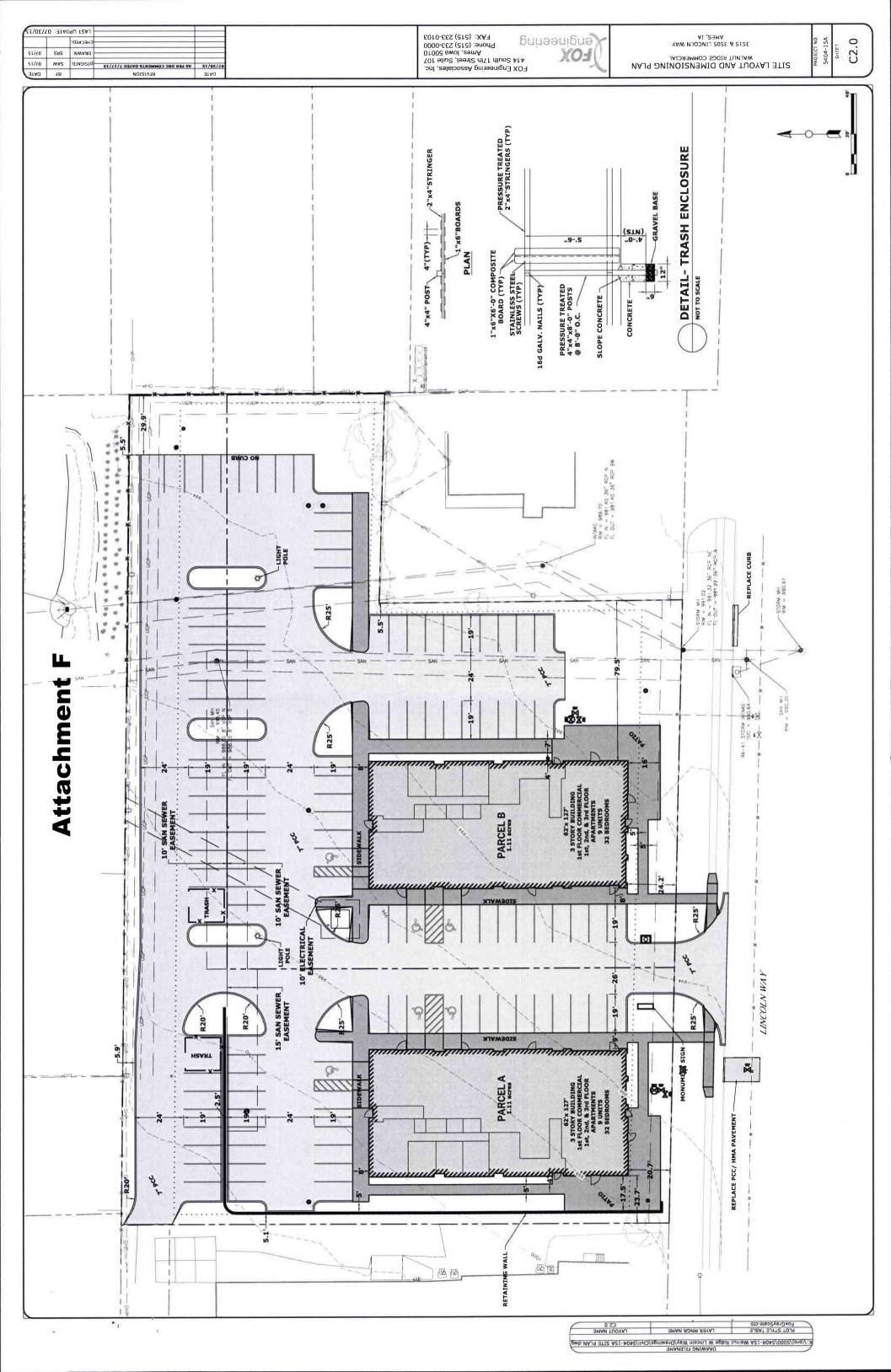
### Attachment E

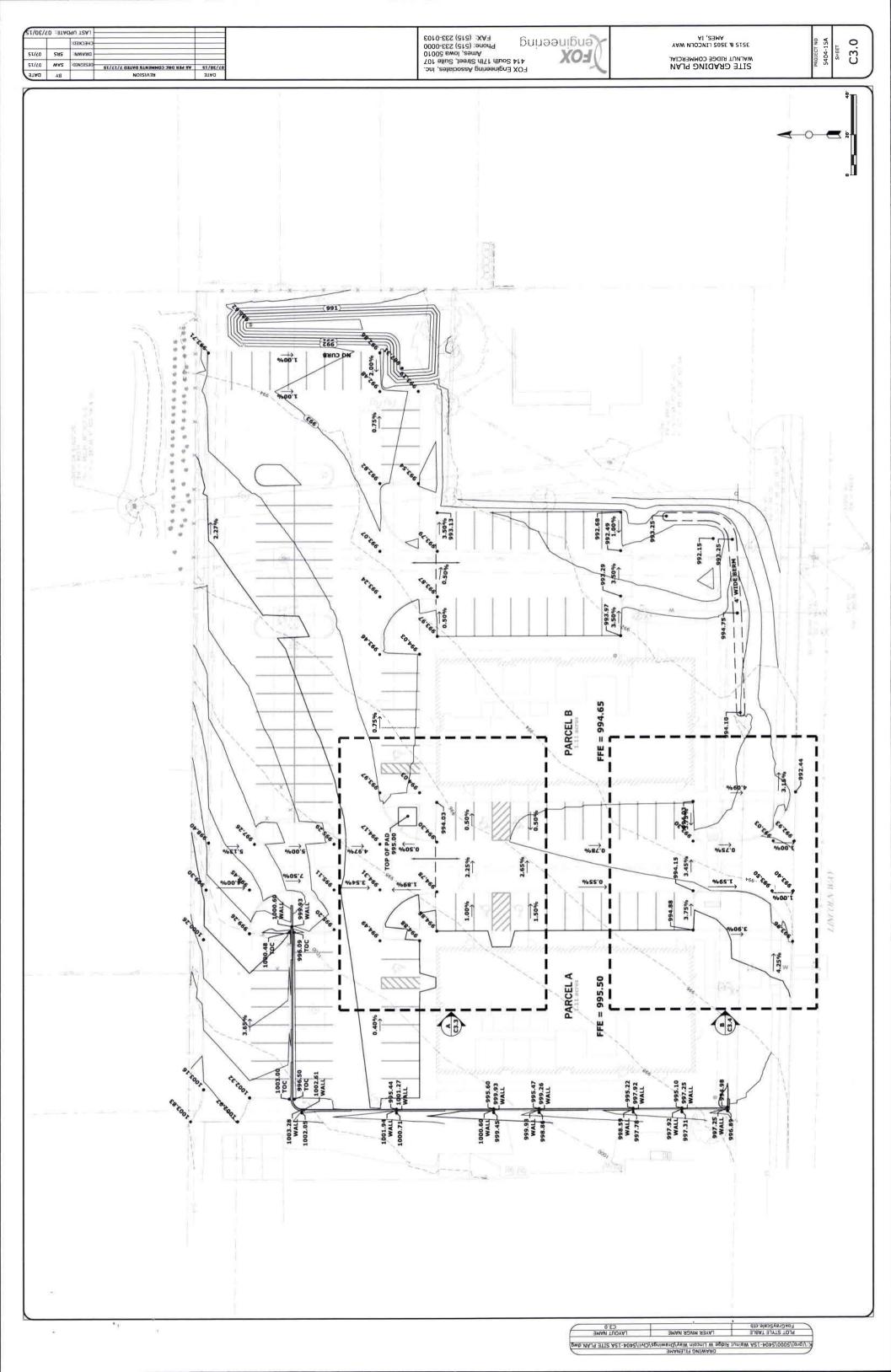
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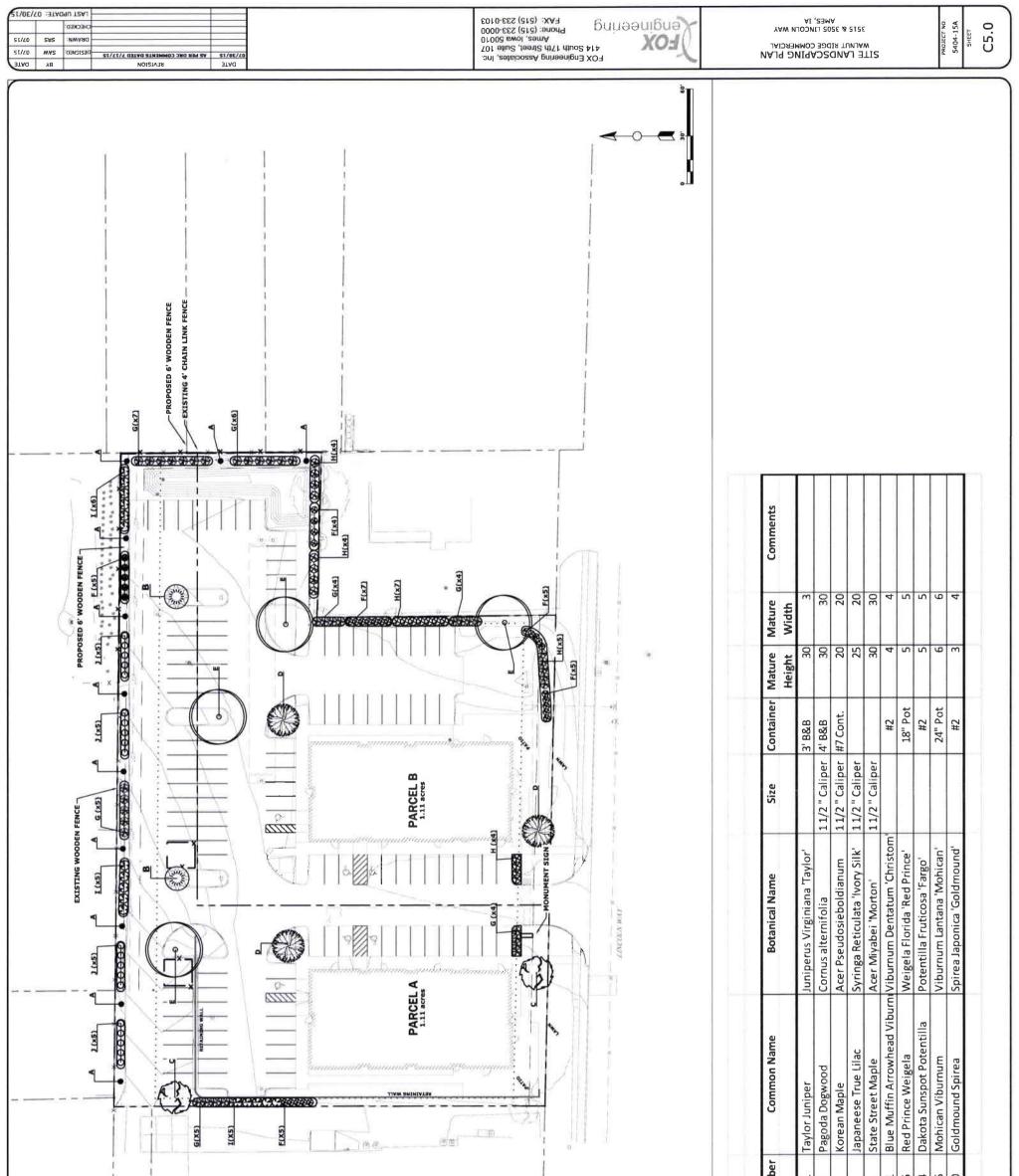
### Attachment F

Major Site Development Plan Documents

Attached as separate document.

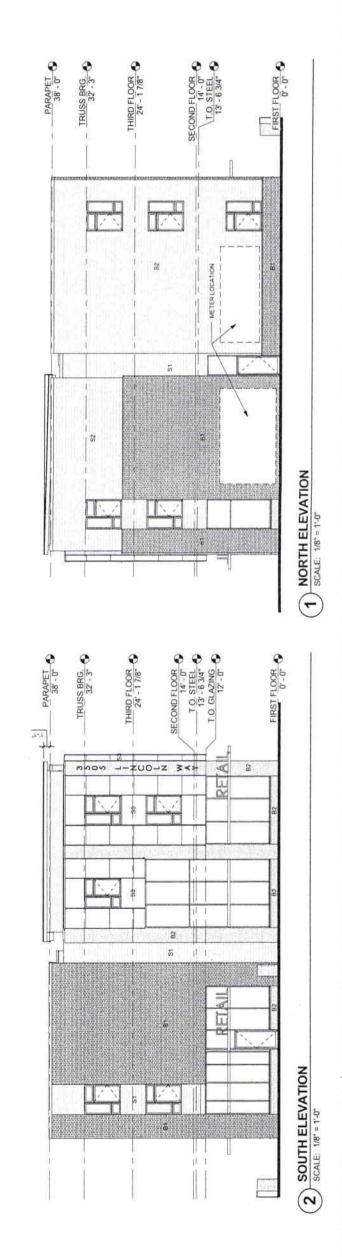


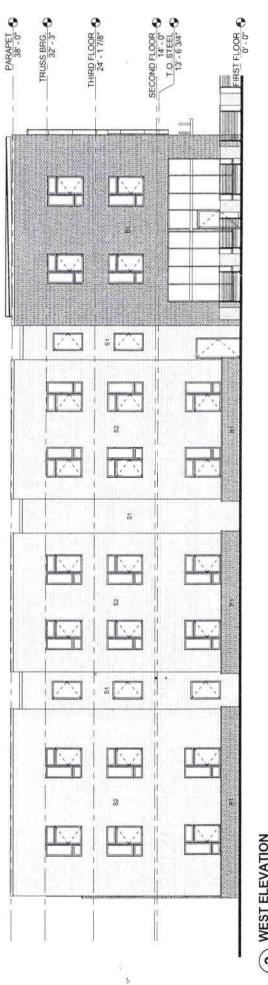


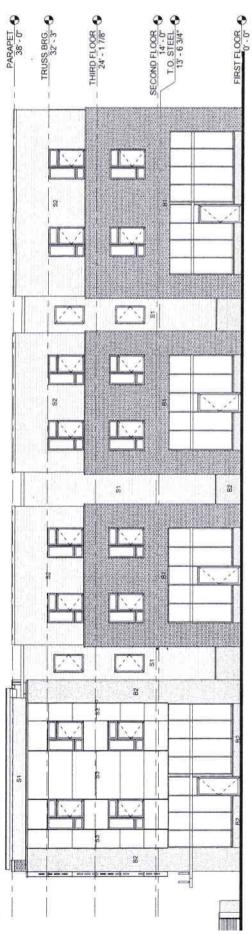


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| Type Mark | Description                |
| 81        | Brick - Dark Grey          |
| 82        | Brick - Light Tan          |
| 5         | Hardle Siding - Charcol    |
| S2        | Hardie Skling - Grey       |
| SI        | Hardie Reveal Panel System |



