

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

Date: October 5, 2016	Debra Lee, Chairperson	2018
	Matt Converse, Vice Chairperson	2018
Call to Order: 7:00 PM	*Carlton Basmajian	2017
	Rob Bowers	2018
Place: Ames City Hall Council Chambers	Anuprit Minhas	2019
	Doug Ragaller	2019
Adjournment: 8:46 PM	Yvonne Wannemuehler	2018
	[*Absent]	

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

APPROVAL OF AGENDA:

MOTION: (Ragaller/Bowers) to approve the October 5, 2016 meeting agenda

*MOTION PASSED: (6-0)*

APPROVAL OF THE MINUTES OF THE MEETING OF September 21, 2016:

MOTION: (Wannemuehler/Ragaller) to approve the September 21, 2016 meeting minutes

*MOTION PASSED: (6-0)*

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PUBLIC FORUM: There were no public comments.

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**PUBLIC HEARING FOR THE EAST INDUSTRIAL ANNEXATION**

Case Planner Charlie Kuester reported the City received annexation applications from 11 property owners representing 36 parcels. The subject area, located east of the City, was recently designated as Planned Industrial in the Ames Urban Fringe Plan Map by the Ames and Gilbert City Councils and the Story County Supervisors. An ownership map of consenting and non-consenting property owners showed voluntary annexation petitioners represent 80.23 percent of the annexation area, or about 1,083 acres. Under the 80/20 rule, non-consenting properties were included to avoid creating islands and to create more uniform boundaries. The proposed annexation totals 1,349.63 acres, plus additional railroad and highway rights-of-way. Mr. Kuester outlined a history of studying the area for industrial expansion, Land Use Policy Plan objectives, and City Council goals and directives related to pursuing industrial expansion opportunities. Vacant industrial land within the existing City limits is limited. The City Council believed the subject area is appropriate for annexation due to the presence of railroad service, large tracts of land, consenting property owners, interstate and highway access, and natural gas service upgrades. Staff recommended support of the entire area outlined for annexation, including non-consenting properties, in order to allow for better provision of services. Following annexation, the City would provide water and sewer service, while electric services provided by IES (an Alliant Energy subsidiary) and Consumers Energy would remain unchanged. The City would expect to examine rezoning applications as particular development opportunities arise.

Dan Culhane, President and CEO, Ames Chamber of Commerce and Economic Development Commission, 304 Main Street, spoke on behalf of the voluntary annexation applicants. The annexation process was led by the AEDC, which gave an audience to every property and home owner in the subject area. The AEDC fields requests for large tracts of industrial property and spoke with companies likely to reside in the subject area. The AEDC had examined the area for over 8 years but it had not been considered a viable location for business without deployment of municipal services. Potential annexation generated 'enormous' preliminary interest in the area. Mr. Culhane rated the area as highly conducive to development due to its proximity to railroad, interstate, and highway services, and to upgraded electric and gas utilities. A myriad of processing and production facilities could locate there because it is a logical, good location. Development of the area would not occur quickly—it would likely be a 25- to 40-year buildout. Mr. Culhane stated the AEDC is not masquerading for large out-of-state land owners—the majority of the area property owners are family farmers.

Dave Benson, 1416 Buckeye Avenue, Chair of the AEDC Board of Directors, commented on how annexation would expand the City's property tax base—a challenge due to the amount of public property within Ames—and benefit City and school revenues, social services, and construction of amenities desired by Ames residents.

Stacey Dreyer, Vice President, First National Bank, 405 5<sup>th</sup> Street, believed annexation would generate a significant new tax base and user fees for City services. Companies and employees would add to residential property tax and utility rolls and would frequent local businesses. Health and human service agencies would benefit. An expanded tax base would also lead to municipal infrastructure benefits and improved cultural/entertainment opportunities. Annexation would ensure a strong future, in her view, and would likely benefit everyone in some way through increased taxable revenue, capital investment, and job creation.

Chris Williams, 57576 Lincoln Highway, stated none of people who actually live in the subject area are in favor of annexation because the only outcome for them is increased taxes.

Doug Ragaller expressed support for the annexation because it is needed to 'close the loop' by enabling scaled, commercialized development of technological work conducted by the university and others in the City. He cited benefits from jobs and property taxes and his belief that Ames should realize those benefits because it can.

Matt Converse also supported annexation. He cited the Barilla project (c. 1990s) as a fantastic project for Ames and the City's last large-scale industrial project. Ames and Story County has lost out on 20-plus years of benefits by not enabling further industrial development, he argued.

Anuprit Minhas thought the location seemed well-suited for industrial development and agreed with other comments about increasing the City tax base. Annexation would provide space for industrial growth that cannot be fulfilled with the ISU Research Park. She understood concerns about property tax increases and countered that property values would also increase if the subject area were developed.

Debra Lee noted that annexation is an uncommon step for the City. She asked what is expected regarding next steps in having businesses locate there and coordinating that development with future development along Lincoln Way and with highway and interstate connections. Planning and Housing Director Kelly Diekmann reported the City Council has included extension of water and sewer service east to 590<sup>th</sup> Avenue in the Capital Improvements Plan, with work beginning in 2017. More broadly, he said, annexation is the third step in at least a five-step East Industrial

Master Planning process. After annexation, further study would examine service capacities and appropriate users from a zoning perspective. The Master Plan would examine expectations for Lincoln Way and would continue to examine infrastructure. Ms. Lee wanted it to be known that further planning is assured, i.e., annexation does not mean carte blanche construction. Mr. Diekmann indicated there are no immediate projects planned—there is time to complete details before the area is ready for development.

MOTION: (Bowers/Converse) to accept **Alternative #1**, which states: that the Planning and Zoning Commission can recommend that the City Council **approve** the annexation of 1,349.63 acres of land, including 266.85 acres of non-consenting property owners.

*MOTION PASSED: (6-0)*

Kelly Diekmann stated this item would appear on the November 15, 2016 City Council agenda.

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### **CONTINUATION OF THE PUBLIC HEARING FOR THE PRELIMINARY PLAT FOR 2617 BOBCAT DRIVE**

At its September 21, 2016 meeting, the Commission recommended approval of a Master Plan Amendment to change the entire Suburban Residential Medium Density (FS-RM) project area to allow residential development to occur in the middle portion of the 16-acre site. Planning and Housing Director Kelly Diekmann explained the current and next agenda items were continued from the September 21 meeting to allow additional work on details with the applicant. Following that meeting, the applicant took Commission direction to restrict structure height to two stories and submitted revised plans for the Commission to review and act upon. The current reviews presume approval of the Master Plan Amendment by the City Council on October 11, 2016.

Case Planner Justin Moore described Friedrich Land Development Company, LLC's request for a Preliminary Plat for property located at 2617 Bobcat Drive. The applicant wished to subdivide the current Outlot 'A' into 13 lots intended for single-family attached townhome construction. The property is currently zoned FS-RM and staff considered applicable FS-RM design zoning standards, including density, public improvements (sewer, water, sidewalks), and frontage. The site is served by Bobcat Drive, a private driveway with a cross-access easement agreement for Ringgenberg Subdivision, 4<sup>th</sup> Addition. The developer requested waiving specific public street design guidelines for Bobcat Drive related to curb and gutter, street lighting, and sidewalks to accommodate the current design of the 26-foot-wide concrete drive. Zoning and Subdivision ordinance areas identified by staff as needing waivers include block length, lotting requirements, and street design. Staff proposed further sidewalk construction to bring the site into compliance with Subdivision ordinance requirements. These additions would create continuous sidewalk connections to Oakwood Road to the north, Cedar Lane to the east, and Suncrest Drive to the south. These additions are sought because Bobcat Drive exceeds the 660-foot zoning standard for block length and requirements for pedestrian access and flow through the site given the distance to the next connection. Zoning standards require 10 percent of the gross development space to be designated as usable open space. The developer believed this requirement would be met by securing an interest in existing common space within the Ringgenberg Park Planned Residence Development located about one-quarter mile south of the subject site.

Kelly Diekmann indicated site access and layout issues would be considered during Preliminary Plat review because they relate to buildable lots. Landscape and architecture issues would be reviewed during the subsequent Major Site Development Plan Amendment item. Staff believed the developer can execute all conditions identified during Master Plan and current reviews.

Anuprit Minhas asked for clarification on Bobcat Drive street lighting. Mr. Moore indicated it is an item the developer wished to waive—no lighting was installed. Instead, the nearest lighting would be parking lot lights serving apartments south of Bobcat Drive. Ms. Minhas asked if that was adequate for safety. Mr. Moore replied that based on staff's review of the site, it appeared the existing lights would have residual, negligible effect on Bobcat Drive on-street lighting.

Kurt Friedrich, Friedrich Land Development Company, LLC, 100 6<sup>th</sup> Street, reported the developer responded to Commission direction and changed the site layout from previous plans for a mixture of 18 two- and three-story townhome units. Mr. Friedrich stated everything possible was done to meet the Commission requests. He displayed renderings of the proposed building type: two-story attached units with two-car garages accessed from Bobcat Drive. This is a very popular design for professional housing, something sorely needed in the community, in his view. The proposed townhomes would be single-family attached units available for sale with an attractive price point (approximately low \$200k range) not currently provided in Ames new construction. With the redesign, the developer could only achieve 13 units, a loss of more than 25 percent of the project. Mr. Friedrich stated staff's recommendation to the Commission was modified from the previous week's agreement to include Condition C requiring sidewalk installation to the south to Suncrest Drive between apartments on Lots 6 and 7. Mr. Friedrich believed the revised plan already more than adequately provided for pedestrian transportation by adding sidewalk connections along the northern side of Bobcat Drive, making connections west to sidewalk spans running north to Oakwood Drive as well as east sidewalk connections to direct traffic Cedar Lane. He thought it was undesirable to push pedestrian traffic south through an apartment parking lot. He saw staff's recommendation as redundant, unsafe, and unexpected. He expressed concern and frustration with the additional sidewalk condition and requested approval of Alternative 2 with conditions A, B, and D (as outlined in Alternative 1).

Yvonne Wannemuehler asked how the developer intended to achieve access for the townhome residents since the open space requirements rely on a pond located south of the subject area. Mr. Friedrich explained the intended pedestrian path would route foot traffic east to Cedar Lane and then south to the pond. Mr. Diekmann pointed out a five-foot path located between Cottontail Lane and Whitetail Lane that connects to the main open space to the south that would be paired with the additional north/south sidewalk requested by staff. Ms. Wannemuehler said the sidewalk would make sense. Mr. Diekmann spoke about FS-RM zoning standards and reported the original Master Plan included a north/south connection to Suncrest Drive where staff recommended the conditioned sidewalk connection. Mr. Friedrich asked the Commission to note the City park immediately to the east along Oakwood Road that also serves the larger area as recreational space. Ms. Minhas asked where the north/south sidewalk connection was located originally. Mr. Diekmann said staff recommended reestablishing the previously planned connection between Lots 6 and 7. Rob Bowers asked how pedestrians would get to the pond once they arrived south to Cottonwood Road. Mr. Friedrich and Mr. Diekmann displayed sidewalk located between two Cottonwood Road lots that connects to a trail encircling the pond.

Doug Ragaller asked why the sidewalk issue was not reviewed earlier and why the developer was surprised by staff's condition. Mr. Diekmann explained staff realized the need while working toward greater detail during Master Plan to Preliminary Plat to Major Site Development reviews. Staff identified the sidewalk as a zoning standard. Mr. Diekmann stated the developer performed quickly to resubmit plans. The sidewalk issue did not surface until more detailed review of the revised plans by staff.

Ms. Minhas wondered why the pedestrian connection between the apartment building lots was removed earlier. Mr. Friedrich stated the original Master Plan submittal in 2014 was followed by

a 2015 revision to eliminate safety concerns and redundancies. The developer did not want people walking through a parking lot and also wished to avoid extra cost and lost green space.

In response to an earlier question, Mr. Friedrich shared his belief that the illumination produced by the apartment building parking lot lighting creates more than adequate lighting along Bobcat Drive. He also noted that 'No Parking' signs were placed all along Bobcat Drive in response to concerns about impediments to smooth traffic flow voiced at the September 21 meeting.

Ms. Wannemuehler and Rob Bowers discussed pedestrian tendencies to take paths of least resistance and the likelihood of pedestrians seeking the shortest north/south path to the pond.

Mr. Ragaller expressed agreement with Mr. Friedrich's argument about compromising safety by directing pedestrians through a parking lot. He thought it would be an undesirable connection.

Mr. Bowers identified the sidewalk condition as something he was willing to eliminate in an effort to find compromise. He complimented the developer for responding quickly with what the Commission and neighbors asked for in the previous public hearing.

Although also impressed by the developer's efforts, Debra Lee thought there had already been a lot of compromise in the project as a whole, such as private street and open space waivers. For her, the sidewalk debate amounted to whether to enforce development standards for access at certain frequencies so pedestrians do not have to walk a prolonged distance. That is what staff asked for, she said. Another reason for placing sidewalk where staff recommended is there is really no other physical place to put it, Mr. Diekmann added. Ms. Lee did not see an ideal option, i.e., no sidewalk at all or walking through a parking lot.

Ms. Minhas agreed with Ms. Lee's observations about project compromises. Bobcat Drive was not designed as a public street and is deficient in City requirements for public streets. Also, the area where the townhomes would be constructed was designed as open space in the original Master Plan. The revised plan would add houses and pedestrians likely to take the path of least resistance when traveling south to the open space. She asked if a safer sidewalk connection through the parking lot could be developed and expressed support for staff's recommendation.

Mr. Diekmann stated the sidewalk connections are a mandatory zoning standard that may not be possible to waive if the Commission recommended against its inclusion. He explained how Zoning Code block standards differ from Subdivision Code. The issue would require additional analysis. Staff would not intentionally set up pedestrian circulation this way.

MOTION: (Ragaller/Converse) to accept **Alternative #1**, *as modified*, which states: that the Planning and Zoning Commission can recommend that the City Council **approve** the Preliminary Plat for Ringgenberg Park Subdivision, 5<sup>th</sup> Addition, including a waiver of Subdivision Code standards, with conditions A, B and D.

*MOTION PASSED: (4-2) Opposed: Minhas, Wannemuehler*

Ms. Lee shared that she supported the modified recommendation without the sidewalk condition because the staff report clearly stated approval of exceptions was not meant to set a precedent. Normally she would defer to the defined standards.

Kelly Diekmann stated this item would appear on the October 25, 2016 City Council agenda, presuming the Master Plan request was approved at the October 11, 2016 Council meeting.

**CONTINUATION OF THE PUBLIC HEARING FOR THE MAJOR SITE DEVELOPMENT PLAN AMENDMENT FOR 2617 BOBCAT DRIVE**

Case Planner Justin Moore provided an overview of Friedrich Land Development Company, LLC's Major Site Development Plan Amendment request to allow for development of 13 single-family attached townhomes on an area (Outlot 'A', Ringgenberg Park Subdivision, 4<sup>th</sup> Addition) previously designated as landscaped open space. Access points, landscaping, setbacks, adjacent zoning, floor plans, and various design features were reviewed.

Yvonne Wannemuehler inquired about lot sizes. Planning and Housing Director Kelly Diekmann said each lot would be private property at least 24 feet wide extending to the rear property lines.

Anuprit Minhas asked for building height figures. The townhomes measure 23 feet to the roof midpoint, according to Mr. Moore.

Debra Lee asked the developer if he anticipated exterior design style similar to the neighboring apartment buildings. Kurt Friedrich, Friedrich Land Development Company, LLC, 100 6<sup>th</sup> Street, stated similar colors and materials were planned. Also, the developer intends to do as much as possible to preserve existing trees on the site.

Ken Kruempel, 2519 Timberland Road, reminded the Commission of Ray Ringgenberg's concerns about three-story buildings voiced at the September 21 meeting. Mr. Kruempel reported discussion with neighbors on Oakwood Road to make them aware of the latest project plans. He also noted several examples of vehicles parked for extended periods along Bobcat Drive and questioned whether emergency equipment would be able to negotiate the road. He had not seen the 'No Parking' signs mentioned earlier in the meeting by Mr. Friedrich.

Ms. Wannemuehler asked how illegal parking is addressed on a private street. Mr. Diekmann replied vehicles cannot be ticketed but could be towed—it is up to private property enforcement to ensure that a driveway is not obstructed. Bobcat Drive is 26 feet wide and is designed to be equal to the standard width of a fire access road, he added.

Ms. Lee wondered about options for the Ringgenbergs to build on the south side of their lot now that townhomes would be constructed just behind their property. Mr. Diekmann said their lot has Residential Low Density (RL) zoning with standard 25-foot rear setback for a principal structure. Fences can be 6 feet high in RL zones. The developer could also substitute a fence for shrubs.

MOTION: (Wannemuehler/Ragaller) to accept **Alternative #1**, which states: that the Planning and Zoning Commission can recommend that the City Council **approve** the Major Site Development Plan for the proposed site with conditions A-C.

*MOTION PASSED: (6-0)*

Kelly Diekmann stated this item would appear on the October 25, 2016 City Council agenda.

Ms. Minhas clarified that she supported the proposed project except for the zoning condition related to pedestrian connections reviewed during the previous agenda item.

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COMMISSION COMMENTS: There were no Commission comments.

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STAFF COMMENTS: Kelly Diekmann noted the following items:

- The October 19 Commission meeting was cancelled due to lack of agenda items.
- The next Commission meeting is scheduled for November 2, 2016.
- The City Council meeting scheduled for November 8 was rescheduled to November 15 due to the General Election.
- The Commission will see a sequence of requests from a developer known as Trinitas related to a student housing project proposed for west Ames at the intersection of Lincoln Way and County Line Road.
- The City Council approved a rezoning request for the 2700 Block of Lincoln Way at its September 27 meeting.

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MOTION TO ADJOURN:

MOTION: (Converse) to adjourn the meeting.

*MOTION PASSED: (6-0)*

The meeting adjourned at 8:46 PM.



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Debra Lee, Chairperson  
Planning & Zoning Commission



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Joseph C. Newman, Recording Secretary  
Department of Planning & Housing