

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

Date: July 5, 2017	Debra Lee, Chairperson	2018
	*Matt Converse, Vice Chairperson	2020
Call to Order: 7:00 PM	*Carlton Basmajian	2020
	Rob Bowers	2018
Place: Ames City Hall Council Chambers	Anuprit Minhas	2019
	Doug Ragaller	2019
Adjournment: 8:05 PM	Yvonne Wannemuehler	2018
	[*Absent]	

**MAJOR TOPICS DISCUSSED:**

1. Public Hearing for the Rezone of 1114 South Dakota Avenue
  2. Public Hearing for Rezoning to a Planned Residence District and Major Site Development Plan for 3115, 3119, 3301, 3325, 3409 and 3414 South Duff Avenue (Brick Towne Development)
  3. Public Hearing for the Preliminary Plat for 3115, 3119, 3301, 3325, 3409 and 3414 South Duff Avenue (Brick Towne Development)
- 

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

**APPROVAL OF AGENDA:**

MOTION: (Wannemuehler/Ragaller) to approve the Agenda for the meeting of July 5, 2017.

MOTION PASSED: (5 - 0)

**APPROVAL OF THE MINUTES OF THE MEETING OF JUNE 21, 2017:**

Debra Lee noted that the minutes need to be amended by replacing her name on the signature line at the bottom of page 7 with the name of Matt Converse, Vice Chairperson, as he presided over the June 21, 2017 meeting.

MOTION: (Ragaller/Bowers) to approve the Minutes of the meeting of June 21, 2017 as amended.

MOTION PASSED: (5 - 0)

---

PUBLIC FORUM: There were no public comments

---

**PUBLIC HEARING FOR THE REZONE OF 1114 SOUTH DAKOTA AVENUE**

Julie Gould, Case Planner, stated that the applicant wants to rezone the property at 1114 South Dakota Avenue from Planned Residence District (F-PRD) to Community Commercial/Residential Node (CCR). She stated that at the June 21, 2017 Planning & Zoning Commission meeting the applicant expressed a desire to change his zoning request to

Community/Commercial Node (CCN); however, the applicant now requests CCR zoning. Ms. Gould stated that this item was continued until tonight's meeting. She stated that on July 27, 2017 the applicant held a meeting with the Willow Creek Condominium Association members. Ms. Gould stated that after this meeting the staff report was updated to reflect the changes that had been discussed at this meeting. She reviewed those changes with the Commission. Ms. Gould stated that the applicant would prefer to proceed without a master plan; however, staff still recommends that a master plan should be included. She outlined those reasons for the Commission. Ms. Gould stated that at the previous Commission meeting a concern was brought up by members of the public about noticing sent to the adjoining property owners. She stated that the noticing requirement only includes properties within 200 feet of the parcel boundaries. Ms. Gould stated that some Willow Creek Condominiums are located outside of the 200 foot boundary and that is why they did not receive a notice for the June 21, 2017 meeting; however, staff did include them in the notice for tonight's meeting.

Debra Lee asked for clarification about no short term lodging being left out of Alternative #1 in the staff report. Kelly Diekmann, Director of Planning & Housing, stated that Alternative #1 lists what is permitted, not what is restricted. He stated that, if approved, the permitted items would be included in the master plan.

Luke Jensen, 2519 Chamberlain Street, stated that since the last Commission meeting they held a neighborhood meeting to address some of the concerns that had been expressed at the June 21, 2017 Commission meeting. He asked for clarification as to what a master plan entails. Mr. Jensen stated that they want to be cautious about being "boxed in" to an exact configuration of where the buildings will be located. Mr. Diekmann stated that a master plan does not require a fully developed site plan. He stated that it would be a graphic that would show the outline of the site and some of the limitations of use.

Anuprit Minhas asked if any additional concerns had been expressed at the neighborhood meeting other than not wanting a hotel constructed on the site. Mr. Jensen stated that discussions included additional screening and a fence along the north boundary of the property.

Rita Marinko, 700 South Dakota Avenue, stated that she doesn't live in the noticed area; however, she protests and states that there is adequate space across the street already zoned for commercial development. She stated that she is not aware of the type of commercial business that the applicant proposes to construct nor is she aware as to the size of the proposed 48 apartments. Ms. Marinko stated that she is concerned about the greenspace north of this property and the impact to the ground water and existing vegetation.

Frank Poduska, 928 South Dakota Avenue, reviewed some of the discussions and concerns that were brought up at the neighborhood meeting. He stated that even though they would prefer that this not be a large development he feels that the result is an acceptable compromise.

Mr. Diekmann reviewed details of the project that were presented at the June 21, 2017 Commission meeting. He stated that a three story height limit is mandatory in a CCR zone.

Ms. Gould stated that the proposed number of apartments (48) has not increased from what was presented at the last Commission meeting. Mr. Diekmann stated that the applicant will limit the number of bedrooms per apartment to two or less.

Ms. Minhas asked if it is unusual for a proposal to be presented as a descriptive presentation rather than a visual presentation with sketches. Mr. Diekmann stated that it is typically done this way for residential developments. He stated that the Commission can recommend that the

applicant submit additional details. Mr. Diekmann stated that most commercial sites do not allow housing and that is why staff feels that there is a need to be clear as to what will be placed on the property by including a master plan. Discussion was held on when Public Hearings are required for residential development.

Ms. Lee asked if there had been any earlier discussion about introducing commercial development, in this area, on the east side of South Dakota Avenue. Mr. Diekmann stated that it was not discussed at the last Commission meeting. Ms. Gould stated that the staff report does state that there is a CCR Node located at this location. She stated that the staff report lists a range of acres and square footage allowed and this area has not yet reached that limit.

Ms. Lee asked staff to clarify the wording in the last sentence of Alternative #1 before the listed items. Discussion was held to amend the sentence to read: The Master Plan would limit redevelopment of the site to include.

MOTION: (Ragaller/Bowers) to accept Alternative #1, which states: that the Planning and Zoning Commission recommends that the City Council approve the request for rezoning from F-PRD-Planned Residence District to CCR-Community Commercial/Residential along with a Master Plan based upon staff's findings and conclusions as found in the addendum. The Master Plan would limit redevelopment of the site to include:

1. Stand-alone commercial development;
2. Maximum of 48 household living apartments with commercial uses below, not to exceed two bedrooms per unit.

MOTION PASSED: (5 - 0)

---

**PUBLIC HEARING FOR REZONING TO A PLANNED RESIDENCE DISTRICT AND MAJOR SITE DEVELOPMENT PLAN FOR 3115, 3119, 3301, 3325, 3409 AND 3414 SOUTH DUFF AVENUE (BRICK TOWNE DEVELOPMENT)**

Charlie Kuester, Case Planner, stated that a rezone was approved at an October 2016 City Council meeting for an area along South Duff Avenue. He reviewed the location of this property on a map. Mr. Kuester reviewed the current zoning designations of this property. He stated that at the time of the contract rezoning approval the request included an exhibit of a concept plan consisting of commercial development, apartment buildings and some townhome units. He reviewed the details of the applicant's current rezoning request with the Commission. Mr. Kuester stated that as part of the rezoning the applicant has prepared a master plan that is similar to the one that was approved in 2016. He reviewed various details of the proposed master plan. Mr. Kuester reviewed the layout, on a map, outlining the location of the commercial lots, the apartments, townhomes and several amenity areas. He stated that because of the large area of this project and the distance to abutting property lines staff is amenable to looking at an alternative landscaping plan. Mr. Kuester stated that most of the screening and buffering is accomplished by using berms along the right-of-way and between the residential and commercial area, over story trees, ornamental trees, and ornamental grasses. He stated that there will not be any shrubs located on this site. Mr. Kuester outlined the location where the

trees will be planted on a map. He reviewed the location of the proposed detention ponds and berms on a map. Mr. Kuester stated that this is a major site development plan and it does require elevation plans and floor plans. He reviewed various construction details of the apartments, townhomes and amenity buildings. Mr. Kuester stated that the major site development plan identifies 996 parking spaces, 40 spaces more than what are required. He stated that 212 of those spaces will be located in the garage units and the remainder will be surface parking. Mr. Kuester stated that there will be approximately 19 units per acre on this site. He reviewed details of the Teagarden study with the Commission. Mr. Kuester stated that sewer and water currently serves this property and no extensions will be needed. He stated that an electrical extension may be needed for part of this site. Mr. Kuester stated that the southern portion of this property; however, is served by Alliant Energy. He stated that the applicant will be required to sign a document holding the City harmless from any aircraft operations/nuisances that follow Federal Aviation Administration rules. Mr. Kuester stated that there is 38 percent open space in this development.

Ms. Lee asked if there has been any discussion about the access for the two southern most commercial lots. Mr. Kuester reviewed the location of the access for the three commercial lots and the remainder of the site. He stated that as part of the development staff will be sure that there is a cross access easement. Mr. Kuester stated that this will be finalized in the site development phase.

Ms. Minhas asked for clarification of the traffic flow and circulation within the site and how it coordinates with South Duff Avenue. Mr. Kuester stated that there will be approximately 572 units located on the site and three commercial lots. He stated that they anticipate that most of the traffic will take advantage of the signalized intersection. Mr. Kuester reviewed the location of the private streets and access points serving the apartment buildings and the townhomes. He stated that the fire code will require the applicant to install a second access for the townhomes once they reach the required number of units.

Ms. Lee asked if Crystal Drive would be built to City standards. Mr. Diekmann stated that it is not a public street. He stated that the lane width will be built to City standards; however, the strength of the street will be determined by the developer as they will maintain the private streets. Mr. Diekmann stated that it is configured with one lane in and two lanes out.

Luke Jensen, 2519 Chamberlain Street, stated that rezoning the property from Residential High-Density (RH) to Planned Residence District (PRD) and Highway Oriented Commercial (HOC) will achieve similar goals that they have. He stated that they did host a neighborhood meeting last week to review their revised concept. Mr. Jensen stated that at this meeting the surrounding property owners expressed concerns about traffic and storm water drainage.

Ms. Lee asked if construction will be done in phases. Mr. Jensen stated that that is correct.

No members of the public that were present wished to comment.

Mr. Kuester stated that the Tea Garden study recognized how much water runoff comes from the City's airport property. He stated that the contract rezoning requires the developer to take care of the City's storm water as well as their own and in exchange the City will be responsible for various traffic improvements including the traffic signal and lane widening.

MOTION: (Bowers/Ragaller) to accept Alternative #1, which states: that the Planning & Zoning Commission recommends that the City Council approve the request for rezoning

from High-Density Residential and Highway-Oriented Commercial to Planned Residence District with a major site development plan and Highway-Oriented Commercial with a master plan. Development of the site is subject to approval of a final plat and compliance with the conditions of the accompanying plat that is on this agenda.

MOTION PASSED: (4 - 1) (nay: Wannemuehler)

---

**PUBLIC HEARING FOR THE PRELIMINARY PLAT FOR 3115, 3119, 3301, 3325, 3409 AND 3414 SOUH DUFF AVENUE**

Charlie Kuester, Case Planner, stated that this Preliminary Plat request has the same boundaries as the rezone request heard prior to this agenda item. He stated that this preliminary plat includes 14 developable lots as well as two small dedications of public right-of-way. Mr. Kuester stated that ten lots will have residential development, one lot will have amenity space, and three commercial lots located along the front of the property. He stated that only the four lots with frontage on South Duff Avenue will have frontage on a public street. Mr. Kuester reviewed the City's frontage requirements. He stated that the Preliminary Plat identifies some of the improvements that will be needed. Mr. Kuester stated that the street widening and the traffic signal are not identified on the Preliminary Plat as they are the City's responsibility. He stated that the developer is responsible for constructing a five foot wide sidewalk the entire length of the property from the north property line to the south property line including the frontage along the cemetery property. Mr. Kuester stated that there will be public water and sewer mains located in this area. He stated that the Tea Garden Study expressed the need for a new detention pond. Mr. Kuester identified the location of this detention pond and existing detention ponds as well as the flow of the storm water on a map. He stated that staff is recommending a number of conditions for the Preliminary Plat. Mr. Kuester stated that the applicant needs to have their storm water management plan approved before grading begins. He stated that the contract rezoning requires the applicant to have the storm water improvements completed by October 2018 or prior to occupancy of any of the structures on the site.

Luke Jensen stated that he is available to answer any questions.

No members of the public that were present wished to make any comments.

MOTION: (Bowers/Ragaller) to accept Alternative #1, which states: that the Planning and Zoning Commission recommends that the City Council approve the Preliminary Plat for Brick Towne. As noted in the Appendix, additional details regarding storm water remain to be reviewed and approved but are not anticipated to have an impact on the overall layout of the development. Staff recommends the following conditions be placed on the approval.

- A. Prior to approval of the storm water management plan, the owner shall obtain a 404 Permit from the Army Corps of Engineers (USACE) for the proposed modifications to the existing stream channel.
- B. Prior to approval of the storm water management plan, the owner shall obtain a 401 permit from the Army Corps of Engineers and the Iowa Department of Natural Resources for the proposed wetland mitigation.
- C. Prior to approval of the storm water management plan, the owner will need to prepare maintenance and mitigation plan to ensure that a permanent wet pool will not impact airport operations. This agreement will be recorded.

- D. Prior to approval of the storm water management plan, the owner will need City of Ames airport manager and/or FAA approval for the proposed grading on airport property.
- E. Prior to approval of the storm water management plan, approval from the IDNR for construction in the hydraulic shadow of the existing detention pond on airport property.
- F. Prior to approval of the storm water management plan, evidence that the design of the drainage improvements meet the requirements of the contract rezoning agreement, including detention volumes and discharges.

MOTION PASSED: (4 - 1) (nay: Wannemuehler)

---

COMMISSION COMMENTS: Debra Lee asked for clarification of the notification distance. Mr. Diekmann stated that most of the requirements default to state statute. He stated that the City determined the noticing requirements for the Land Use Policy Plan. Mr. Diekmann stated that notification signs are not required by statute; however, staff places them on the property prior to a public hearing so that interested property owners that were not part of the noticing are aware of the upcoming action.

---

STAFF COMMENTS: Mr. Diekmann stated that an email was sent to the Commission last week inviting them to a City Council Workshop on August 15, 2017.

---

MOTION TO ADJOURN:

MOTION: (Wannemuehler/none) to adjourn the meeting.

The meeting adjourned at 8:05 PM.



Debra Lee, Chairperson  
Planning & Zoning Commission



Lorrie Banks, Recording Secretary  
Department of Planning & Housing