

**MINUTES OF THE REGULAR MEETING OF
THE ZONING BOARD OF ADJUSTMENT**

AMES, IOWA

October 10, 2018

The Ames Zoning Board of Adjustment met, pursuant to law, in regular session at 6:00 p.m. on October 10, 2018, in the Council Chambers of City Hall with the following members present: Amelia Schoeneman, Kyle Perkins, Matthew Koehler, Rob Bowers, and Susan Bradbury. Assistant City Attorney Jane Chang and City Planners Ray Anderson and Eloise Sahlstrom were also present.

APPROVAL OF MINUTES: Moved by Perkins, seconded by Bradbury, to approve the Minutes of the meeting of September 26, 2018.

Vote on Motion: 5-0. Motion declared carried unanimously.

CASE NO. 18-09

EXCEPTION – An Exception to the Parking Lot Landscape Area Dimension Requirement for the property located at 304 and 308 E. Lincoln Way.

City Planner Eloise Sahlstrom explained the request and displayed a site map depicting the location in question. Ms. Sahlstrom stated that the request was appropriate for two reasons: 1) It allows for safer conditions for the drive aisle, and 2) The adjacent property that is impacted is owned by the same party. It's the rear lot of the same property, so it has very minimal impact, if any. She also mentioned that no landscaping is required between the pavement and the property, so there's no reduction in landscaping for this allowance. The applicant has complied with all the landscaping requirements. The only difference is that the pavement (instead of being three feet from the property line) will be on the property line or just a little bit off of the property line.

The applicant proposes to consolidate two parcels at 304 and 308 E. Lincoln Way. A single building is proposed at the northeast portion of the site, set against the front and side setback lines. Access to the site is proposed from High Avenue with a connection to the adjacent alley on the east side of the site.

The site plan, project description, applicable law, and Findings of Fact and Conclusions were reviewed in detail by Ms. Sahlstrom.

Jay Kasperbauer, 508 Lincoln Way, Ames, was sworn in at 6:08 p.m. Mr. Kasperbauer spoke as the owner and stated that he agrees with the staff recommendations regarding the parking variance and also the requirements for a Special Use Permit.

Board Members Amelia Schoeneman and Susan Bradbury requested details on the site plan, how the drop off area and traffic would work, and optional future expansion plans. Mr. Kasperbauer explained that the driveway would be a one-way drop-off lane to accommodate one vehicle.

Board Member Matthew Koehler asked for audience comments. None were given.

Ms. Sahlstrom advised that staff recommended Alternative No. 1: The Zoning Board of Adjustment may approve this request for an Exception to the Parking Lot Landscape Area Dimension Requirement for the property located at 304 and 308 E. Lincoln Way, by adopting the findings and conclusions noted above.

Chairperson Matthew Koehler asked about combining the lots. Ms. Sahlstrom advised that the City Council had approved combining lots at its meeting on October 9, 2018.

Moved by Bowers, second by Perkins, to approve ORDER NO. 18-09, thereby approving the request for an Exception to the Parking Lot Landscape Area Dimension Requirement for the property located at 304 and 308 E. Lincoln Way.

Vote on Motion: 5-0. Motion declared carried unanimously.

CASE NO. 18-10

SPECIAL USE PERMIT – A Special Use Permit to allow the use of a Dry Cleaning and Laundry Facility in the Highway Oriented Commercial (HOC) Zoning District for the property located at 304 and 308 E. Lincoln Way.

City Planner Eloise Sahlstrom introduced the request and reviewed the site plan, project description, applicable law, and Findings of Fact and Conclusions. She stated that the applicant uses a chemical that the owner believes is “environmentally friendly” and does not have the same problems as perchloroethylene (commonly referred to as "perc"). His system holds the chemical in the base of the machine and it reuses the same chemical, so there is no delivery of chemicals, and he has not had to replace any chemical for the last three years; he has been able to continue to reuse that chemical. It also has a fire extinguisher system built into it, so the building is not required to be sprinkled because it meets the fire safety requirement. The kinds of deliveries he has are for things like laundry detergent and hangers, which are not impactful. The elevations of the building provide several access points to the alley, so he can receive that delivery through the alley. He does have one delivery van and route, which has its own parking space.

In order to approve the Special Use Permit, (SUP), in addition to the three dry cleaning criteria, there are general standards and commercial standards. Staff believes it does meet the criteria and recommend Alternative No. 1 (approval). Ms. Sahlstrom provided an elevation of the proposed building. The HOC does not have any design standards, but the Special Use Permit does ask that the building be compatible with the area.

Board Member Rob Bowers clarified that, many times, a text amendment applies to multiple areas in a community where those same things come into play. But since this is a SUP, each and every time this were to happen, it would have to come before the Board for approval.

Mr. Kasperbauer confirmed one house is being used for commercial vehicle storage, and the home to the northwest side will continue to be used as a rental.

Planner Sahlstrom stated staff had concluded that the proposed dry cleaning and laundry facility at 304 and 308 E Lincoln Way is consistent with the dry cleaning and laundry facility standards

and the general and specific commercial standards required for granting a Special Use Permit. The general areas developed with the mix of commercial and residential uses and the proposed use can operate in a manner that is compatible with the surrounding uses. Site improvements, including landscaping, will further make the site more attractive for its adjacent neighbors and those viewing the site from East Lincoln Way. Planner Sahlstrom asked that the Zoning Board of Adjustment approve Alternative No. 1 with conditions.

In answer to questions posed by Board Members Schoeneman and Bradbury, Ms. Sahlstrom confirmed that the area is conforming to the future of the surrounding area and that residential properties are non-conforming, so they will eventually transition into HOC zone. The combined lot will be readdressed once the Plat of Survey has been recorded.

Scott Renaud, Fox Engineering, interrupted and commented that the new assigned address is 306 E Lincoln Way. Board Member Bradbury said that the Board would keep the address as it is listed on the report for consistency.

No comments were made from the public.

Moved by Bradbury, seconded by Koehler, to approve ORDER NO. 18-10, thereby approving the request for a Special Use Permit at 304 and 308 E. Lincoln Way to allow the use of a 2400-square-foot Dry Cleaning and Laundry Facility in the Highway-Oriented Commercial (HOC) zone by adopting the findings and conclusions noted above, and with the following conditions:

a. Use of the building and site are for a dry cleaning and laundry facility that does not use perchloroethylene (commonly referred to as "perc")

b. Changes or expansion of the use, facility, or layout of the site, requires an amendment to the Special Use Permit.

Vote on Motion: 5-0. Motion declared carried unanimously.

CASE NO. 18-11

EXCEPTION – Exception for a Minor Area Modification to the Front-Yard Setback for the Property Located at 122 S. Russell Avenue

City Planner Ray Anderson introduced the request and displayed a site map depicting the location in question. A one-story single-family home built in 1929 is located at 122 S. Russell Avenue. The existing zoning of the property is “UCRM” (Urban Core Residential Medium Density), which requires a minimum setback of 25 feet from the front lot line. The existing house, including an enclosed front porch, is located 23.27 feet from the front lot line, which is 1.73 feet closer than the required minimum building setback of 25 feet.

A Building Permit was issued to the property owner for remodeling of the enclosed front porch into living space. At the time of inspection of the remodeling (under construction), it was discovered by the City Building Inspector that the former enclosed porch, now the remodeled living space, was originally constructed closer to the front property line than is allowed by the current UCRM zoning standards for front setback. The property owner was informed by the City that the remodeling work could not continue until such time that the property owner was granted an Exception for Minor Area Modification.

The staff found that each of the criteria has been met by the proposal and the staff's recommendation was that the ZBA approve an Exception for Minor Area Modification to reduce the front setback from the minimum required 25 feet to 23.27 feet, for the property located at 122 S. Russell Avenue. Mr. Anderson verified that the front steps are allowed to project fully into the setback and the porch is original to the home.

Kannan Dragganan, property owner of 122 S Russell, was sworn in at 6:38 p.m. Mr. Dragganan said that the living space will be a T.V. room and a family room. He said the neighbors are thankful he is fixing the eye sore.

No comments were made from the public.

Moved by Bradbury, seconded by Perkins, to approve ORDER NO. 18-11, thereby approving the request for an Exception for Minor Area Modification to reduce the front setback from the minimum required 25 feet to 23.27 feet for the property located at 122 S. Russell Avenue, based on the above findings of facts and conclusions.

Vote on Motion: 5-0. Motion declared carried unanimously.

ADJOURNMENT: Moved by Perkins, seconded by Koehler, to adjourn the meeting at 6:40 p.m.

Rachel Knutsen, Recording Secretary

Matthew Koehler, Chair