

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

Date: October 17, 2018	Matt Converse, Chairperson	2020
	*Carlton Basmajian, Vice Chairperson	2020
Call to Order: 7:00 PM	*Anuprit Minhas	2019
	Doug Ragaller	2019
Place: Ames City Hall Council Chambers	Mindy Bryngelson	2021
	Jon Emery	2021
Adjournment: 7:36 PM	*Carol Spencer	2021
	[*Absent]	

MAJOR TOPICS DISCUSSED:

1. Public Hearing for the Preliminary Plat for the Revised Scenic Valley Subdivision
 2. Zoning Text Amendment to the Standards for Nonconformities
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CALL TO ORDER: Matt Converse, Chairperson, called the meeting to order at 7:00 PM.

APPROVAL OF AGENDA:

MOTION: (Ragaller/Bryngelson) to approve the Agenda for the meeting of October 17, 2018.

MOTION PASSED: (4 - 0)

APPROVAL OF THE MINUTES OF THE MEETING OF OCTOBER 3, 2018:

Matt Converse, Chairperson, stated that he wanted to amend the minutes of the October 3, 2018 meeting. He stated that the vote for the Public Hearing for an Amendment to the Major Site Development Plan for Green Hills PRD should be 3 aye, 0 nay, 2 abstain (Bryngelson and Converse).

MOTION: (Bryngelson/Ragaller) to approve the Minutes of the meeting of October 3, 2018 as amended.

MOTION PASSED: (3 - 0 - 1) (abstain: Emery)

PUBLIC FORUM: There were no public comments.

PUBLIC HEARING FOR THE PRELIMINARY PLAT FOR THE REVISED SCENIC VALLEY SUBDIVISION

Charlie Kuester, Planner, stated that in 2014 the Ames City Council approved a Preliminary Plat for Scenic Valley Subdivision. He outlined the area on a map. Mr. Kuester stated that this area was annexed at the end of 2012. He stated that since that time three final plats have been approved for the first, second and third additions. Mr. Kuester reviewed several details for each of the three additions. He reviewed the location of the outlot on the property. Mr. Kuester

explained that since the original platting the number of lots has decreased from 150 to 148. He stated that the proposed plat still maintains the required 3.75 units per acre density. Mr. Kuester stated that the property is zoned Floating Suburban Residential Low-Density (FS-RL). He reviewed what is allowed in the FS-RL zone. Mr. Kuester stated that the proposed amended preliminary plat has some minor differences from the approved preliminary plat. He stated that the applicant is proposing to make three amendments to the Preliminary Plat: removing one lot from the south end of the Everest Avenue cul-de-sac and placing it at the north end of the Aldrin Avenue cul-de-sac; changing the flow of the storm water and directing it, with the permission of the property owner, Friedrich Land Development, LLC, onto their neighboring property; and the addition of easements necessary for extending utilities to the adjacent properties to the north for future development. Mr. Kuester reviewed various details regarding the proposed easements and utility extensions. He stated that he received an email today from Mr. Friedrich stating that he acquiesces to the Storm Water Management Plan and anticipates that the grading that will be done on his property will not be of a concern to him. Mr. Kuester stated that due to this response from Mr. Friedrich he is striking the first proposed condition to Alternative #1 listed in the staff report.

Jon Emery asked for clarification about the direction of the flow of the storm water across the Friedrich property. He stated that it does not show that the water is going to a river. Mr. Kuester stated that the City's Engineering Department has reviewed the applicant's Storm Water Management Plan and is satisfied with the plan. He stated that it shows the storm water flowing down an approximate 1,000 foot swale allowing some of it to infiltrate into the ground and the rest will have a constrained release rate into the wetland area at the northwest corner of this property. Mr. Kuester outlined the flow of the storm water on a map.

Justin Dodge, Hunziker Companies, 105 So. 16th Street, stated that all of the storm water currently flows to the north. He stated that putting in a square temporary basin will detain the storm water and restrict its outlet and slow down any surges. Mr. Dodge stated that they are cleaning up several things with this request. He stated that the original Storm Water Management Plan that was approved by the City shows the storm water outletting to the northwest even though on the Public Improvement Plans it shows it being detained in a pond and then piped to the south. Mr. Dodge stated that those two plans were in conflict with each other. He stated that when this subdivision was approved Kurt Friedrich did not have a controlling interest/ownership in the Dankbar and Muench properties. Mr. Dodge stated that that was why they showed it in the Public Improvement Plan to pipe the storm water to the south knowing that Kurt Friedrich was in the process of working with those properties and that they would work in the future to outlet the storm water to the northwest. He stated that after the fourth addition is completed they will probably be working with Mr. Friedrich and revise everything and find a way for the drainage for all three parcels (the north part of the Scenic Valley property and the Muench and Dankbar parcels) to flow together.

Mr. Emery raised several questions regarding the proposed storm water drainage for this property.

Mindy Bryngelson asked whether Hunziker Development Company, LLC plans to prepare a joint Storm Water Management Plan that includes the Friedrich Land Development, LLC property when the next phase of the Scenic Valley property is developed. Mr. Dodge stated that the engineers are currently working on a Storm Water Management Plan that marries all of the properties together. Ms. Bryngelson asked if this property was farm ground prior to it being developed. Mr. Dodge stated that that is correct.

Mr. Emery asked if the storm water drainage shown in the staff report will be going away. Mr. Dodge stated that it will exist temporarily. Mr. Kuester stated that no one knows what the future will hold. He stated that if the Dankbar and Muench properties are never developed the City is satisfied that the drainage plan presented tonight for this property works. Mr. Kuester stated that staff does recognize though that it is the applicant's intent to change it and make a combined Storm Water Management Plan that includes this property and the Dankbar and Muench properties. Mr. Dodge stated that there will be a recorded easement prepared prior to approval of the final plat. Mr. Kuester stated that the owner of the property, Mr. Friedrich, is the only one that can apply for an NPDES permit to do the storm water grading.

Discussion was held on the process of putting together a combined Storm Water Management Plan that would include all three properties (the Scenic Valley Subdivision and the Dankbar and Muench properties).

MOTION: (Ragaller/Bryngelson) to accept Alternative #1, which states: that the Planning and Zoning Commission recommends that the City Council approve the revised preliminary plat for Scenic Valley Subdivision with the following condition:

A. A storm water flowage easement be recorded prior to approval of a final plat.

MOTION PASSED: (4 - 0)

ZONING TEXT AMENDMENT TO THE STANDARDS FOR NONCONFORMITIES

Charlie Kuester, Planner, stated that the Municipal Code addresses things that may have been legal at the time they were built, but because of changes to the Code, no longer meet the requirements of a particular zone use, structure or type of lot. He outlined examples of a nonconforming use, structure and lot. Mr. Kuester stated that the fourth type of nonconformity includes landscaping, parking lot size, parking space dimensions, etc. He stated that tonight's discussion is an amendment looking at the nonconforming use category. Mr. Kuester reviewed the first part of the proposed changes to the Standards for Nonconformities. He stated that the second part of the proposed changes consists of when a property has a nonconforming use and the property owner comes in with a site plan and requests that the property be changed to a conforming use staff is not required to send a letter to the property owner stating that they have officially abandoned their nonconforming use. Mr. Kuester stated that the mere fact that the property owner came in for a site plan is de facto recognition that they cannot go back to the nonconforming use.

Mindy Bryngelson asked if the proposed changes have been prompted by a specific situation. Mr. Kuester reviewed a prior instance that occurred that prompted the City to bring these changes forward.

MOTION: (Bryngelson/Emery) to accept Alternative #1, which states: that the Planning & Zoning Commission recommends that the City Council approve the text amendments for limitations on expansion of nonconforming uses, discontinuance of a nonconforming use, and defining remodeling of a nonconforming structure.

MOTION PASSED: (4 - 0)

COMMISSION COMMENTS: Mindy Bryngelson stated that this is her last meeting serving on the Planning and Zoning Commission. She stated that she has enjoyed her time on the Commission.

STAFF COMMENTS: Charlie Kuester stated that two City Planning staff members are currently presenting the City of Ames Landscape Ordinance at the APA Conference in Council Bluffs. He stated that currently there are no items on the tentative agenda for the meeting of November 7, 2018.

MOTION TO ADJOURN:

MOTION: (Emery) to adjourn the meeting.

The meeting adjourned at 7:36 PM.



Matt Converse, Chairperson
Planning & Zoning Commission



Lorrie Banks, Recording Secretary
Department of Planning & Housing