

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

Date: February 20, 2019	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		
	Jon Emery	2021
Adjournment: 8:26 PM	Carol Spencer	2021
	[*Absent]	

MAJOR TOPICS DISCUSSED:

1. Rezone and Master Plan Amendment for 1114 South Dakota Avenue
 2. Ames Comprehensive Plan 2040 Kick-off Discussion
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CALL TO ORDER: Matt Converse, Chairperson, called the meeting to order at 7:00 PM.

APPROVAL OF AGENDA:

MOTION: (Ragaller/Spencer) to approve the Agenda for the meeting of February 20, 2019.

MOTION PASSED: (6 - 0)

APPROVAL OF THE MINUTES OF THE MEETING OF FEBRUARY 6, 2019:

MOTION: (Emery/Ragaller) to approve the Minutes of the meeting of February 6, 2019.

MOTION PASSED: (5 - 0 - 1) (Abstain: Basmajian)

PUBLIC FORUM: There were no public comments.

PUBLIC HEARING FOR THE REZONE AND MASTER PLAN AMENDMENT FOR 1114 SOUTH DAKOTA AVENUE

Julie Gould, Planner, stated that 1114 South Dakota Avenue is located at the northeast corner of Mortensen Road and South Dakota Avenue. She stated that in 2017 this property was rezoned to Community Commercial Residential (CCR) with a Master Plan. Ms. Gould outlined the zoning classifications of the surrounding properties. She stated that a church had previously been located on this property; but, it has since been torn down. Ms. Gould listed the uses allowed under the current Master Plan and CCR Zoning District. She stated that the applicant wants to add Miscellaneous Use to the allowed uses under this Master Plan. Ms. Gould stated that the applicant met with staff about two months ago about the possibility of building a gas station and convenience store on this site. She stated that a gas station falls under the Miscellaneous Use category in the zoning ordinance. Ms. Gould stated that the Master Plan for this site would need to be amended in order to add the Miscellaneous Use category. She stated

that after staff reviewed the request category in depth they determined that many of those uses are not compatible with this location and the surrounding area. Ms. Gould stated that staff recommends that only the vehicle service station use be added to the current Master Plan rather than the entire category of Miscellaneous Uses. She stated that utilities are located on the site. Ms. Gould stated, depending on how the site develops, access drives may be relocated and right-of-way may need to be dedicated to the City. She stated that development will not affect the signal operations or consist of any major traffic changes.

Carlton Basmajian asked for clarification as to whether the amendment is not to the CCR zoning category but only an amendment to the Master Pan. Ms. Gould stated that that is correct.

Jon Emery asked if there is a problem with the Master Plan. Ms. Gould stated that there isn't a problem with the Plan. She stated that it is because the gas station use was not contemplated or included when the Master Plan was approved in 2017.

Mr. Basmajian stated that this property is located in the Gateway Protection Area. He asked for clarification of the Gateway Protection Area classification. Mr. Diekmann stated that the Land Use Policy Plan identifies the main gateways into the City. He stated that this area is the only one located on the west side of the City. Mr. Diekmann stated that the implementing tool has been different zoning overlays. He stated that for character and image these areas have expectations of some additional zoning tools beyond those used for normal Highway Oriented Commercial zoning.

Luke Jensen, 2519 Chamberlain Avenue, stated that on behalf of the applicant they support staff's recommendation of the amendment to add Vehicle Services. He stated that this will achieve their development goals for this property and possibly be a catalyst to the east with other development opportunities.

Anuprit Minhas asked how the location of the existing gas stations correlates with their decision of adding an additional gas station. Mr. Jensen stated that 1.5 acres of this parcel is under contract with a gas station and they have made the decision to move that forward. He stated that this amendment would allow them to proceed with this decision.

Ms. Minhas asked if the site plan will be an administrative site plan. Ms. Gould stated that it would be a Minor Site Development Plan with staff level approval. Ms. Minhas asked if the bike trail along this property would be reviewed in the site plan review. Ms. Gould stated that a Minor Site Development Plan goes through the Development Review Committee process and all the departments would review the proposal.

Mr. Emery asked if there are any concerns with traffic patterns in this area in regard to the nearby school. Mr. Diekmann stated that there are some; but, it is mostly for ingress and egress from the site. He stated that the traffic engineer did not believe that there were any operational concerns with the turning and through movements at the intersection itself. Mr. Diekmann stated that the traffic engineer's controls will be to push driveways to the middle of the site on Mortensen Road and at the northwest corner of the site as far north as possible.

Mr. Emery asked for clarification on whether the gas station is going to be built on a small portion of this property and that currently no firm plans have been made for the remainder of the property. Mr. Jensen stated that that was correct. He said that about one-third of the property would be dedicated to the construction of the gas station. Mr. Jensen stated that it would be a main line convenience store similar to the Kum & Go Fresh Market concept with the potential for an adjoining drive-thru coffee shop.

Ms. Minhas stated that the neighbors north of this property had some concerns with an earlier request for this site. She asked Mr. Jensen if they have had an opportunity to speak to the neighbors and what feedback did they receive. Mr. Jensen stated that many of them are here tonight. He stated that they had a positive meeting with the neighbors on Monday morning. He reviewed what was discussed at that meeting.

Ms. Minhas stated that there is a school located east of this property. She asked about the pedestrian movements of young children walking across the intersection to go to school. Mr. Jensen stated that this will be reviewed and discussed during the site plan phase of this project.

Mr. Basmajian asked for clarification of where the gas station will be placed on the property. Mr. Jensen stated that tonight's request is for the entire site but the gas station will be placed on the western one-third of the property.

No members of the public that were present wished to speak at this time.

Ms. Minhas asked whether the need of an egress off of South Dakota Avenue would be determined during the site plan phase. Mr. Diekmann stated that is up to the applicant. He stated that staff has given them a way to have full access off of South Dakota Avenue. Ms. Gould stated that the church, when it was located there, had access off of South Dakota Avenue. Discussion was held on the best location for the South Dakota Avenue access.

Mr. Emery asked if this is the use that staff and the City Council want for this property. Mr. Diekmann stated that tonight's request before the Commission is to make a recommendation to the City Council of allowing one additional use for this site that is located within the CCR Zoning District.

Mr. Basmajian asked for clarification of the required setback in a CCR Zone. Mr. Diekmann stated that in a CCR Zone it can be a zero setback; however, along Mortensen Road the overhead power lines require a setback. He stated that structures would require at least a 15 foot setback from the outside edge of the wires of overhead power lines. Mr. Diekmann stated that parking and landscaping can be located within that area. Ms. Gould stated that there would also be a 10 foot setback requirement from the north since this site is adjacent to a residential zone. She stated that landscape screening would also be required.

Mr. Basmajian expressed concern for the creation of additional pedestrian traffic in this area. Discussion was held on the amount of pedestrian traffic and the location of current traffic signals in this area.

MOTION: (Emery/Basmajian) to accept Alternative #3, which states: that the Planning and Zoning Commission recommends that the City Council **deny** the addition of Vehicle Service Facility as a permitted use within the Master Plan for the site.

MOTION FAILS: (3 - 3) (nay: Spencer, Ragaller, Converse)

Carol Spencer asked if a tie recommendation can move forward to the City Council.

Mr. Diekmann suggested that the Commission take a five minute recess. Chairman Converse called a recess at 7:26 p.m.

Chairman Converse reconvened the Planning and Zoning Commission meeting at 7:33 p.m.

Mr. Diekmann outlined several options for the Commission to consider when the vote on a motion results in a tie vote.

Matt Converse reopened the Public Hearing at 7:35 p.m.

Heather Simmons, 908 South Dakota Avenue, stated that she is the secretary for the Home Owners Association Board. She stated that the HOA Board does not want to have a hotel built on the corner of this property. Ms. Simmons stated that ideally they would have liked to see green space in this area; however, that opportunity has passed. She stated that having something like a Fresh Market with a potential coffee shop does not seem like a bad option for the neighbors. Ms. Simmons stated that they do not see a high amount of foot traffic in this area; however, she does not know what it is like during the school day as she is often not there during that time period.

Mr. Jensen stated that their proposed use is compatible within a Commercial Node in the community. He stated that a convenience store is currently located across the street from this property. Mr. Jensen stated that he feels that the proposed convenience store will elevate the standard for convenience stores. He explained that this facility will have additional services beyond just snacks, liquor and gas. Mr. Jensen stated the proposed store will have a coffee drive-thru; and, you will also be able to pick up a pizza and groceries. He stated that he would like to see the Commission reconsider their request. Mr. Jensen stated that they do not want to see a ninety day delay heading into the construction season.

Justin Dodge, 105 So. 16th Street, stated that a ninety day delay would not help this project. He stated that a 4-2 vote to approve or a 4-2 vote to deny would at least give a recommendation to the City Council in order to move the project forward.

Mr. Emery asked if a 3-3 vote is a recommendation to deny. Mr. Diekmann stated that it is not a recommendation as it is not a majority vote. He stated that it is a failure to make a recommendation. Mr. Diekmann stated that there must be a majority vote of the quorum of the Commission members that are present.

Ms. Spencer asked if the split vote could be forwarded to the City Council. Mr. Diekmann stated that the Commission might want to consider making a motion that is perhaps more clear.

Discussion was held on the requirements of forwarding a recommendation to the City Council.

Doug Ragaller stated that he feels that the opinions of the neighbors living in the area should carry some weight.

Ms. Minhas listed her reasons for voting against the recommendation of allowing a convenience store on this property. She stated that just the convenience store and coffee shop proposal would be a good opportunity for this site. Mr. Minhas stated that the addition of the gas pumps to be located in the corner of this property is what is holding her back from recommending approval.

Mr. Emery stated that he feels that there could be a better use other than a gas station for this property. Mr. Ragaller stated that could be said about any property.

Mr. Converse stated that this property has remained vacant for quite some time. He listed reasons why he feels that this would be a great use for this corner property.

Mr. Diekmann reviewed the reasons why the overlay was not placed on this property.

MOTION: (Ragaller/Spencer) to accept Alternative #1: that the Planning and Zoning Commission recommends that the City Council **approve** an amendment to the CCR Zoning District with Master Plan to allow the following uses:

- a) Vehicle Service Stations (e.g. gas station, car wash, minor auto repair)
- b) Stand-alone office and commercial trade;
- c) Maximum of 48 household living apartments with office or commercial trade uses below, not to exceed two bedrooms per unit; and
- d) Prohibit Short-Term Lodging

MOTION FAILS: (3 - 3) (nay: Minhas, Emery, Basmajian)

Mr. Diekmann stated that the Commission may entertain a motion of no recommendation to send to the City Council. He stated that if the Commission passes it with a majority vote it would represent what has transpired here tonight.

Discussion was held on the proper way to forward the Commission's recommendation to the City Council. Mr. Diekmann reviewed the information that will be contained in the Council Action Form that will be forwarded to the City Council relating to this request.

MOTION: (Spencer/Converse) that the Planning and Zoning Commission forward to the City Council that they did not make a favorable recommendation for this request; that the Commission took two votes and both votes were split, 3 aye, 3 nay.

MOTION PASSED: (5 - 1) (nay: Emery)

AMES COMPREHENSIVE PLAN 2040 KICK-OFF DISCUSSION

Kelly Diekmann stated that this is a continuation of the Commission's discussion held in January of the kick-off of the Ames Plan 2040. He stated that in January staff provided an overview of what City Council did as a kick-off exercise in December and presented the results of that exercise to the Commission. Mr. Diekmann stated that the Commission expressed that they wanted to discuss this further regarding the input that they wanted to provide during the initial phase of the project to the City Council. He reviewed the processes that have been used for gathering information from the public. Mr. Diekmann outlined various details of each phase of the project. He reviewed the dates, times and locations of several upcoming workshops along with details about the on-line survey that is open to the public.

Discussion was held on when the information from the February 5, 2019 workshop would be available, the number of people that attended the workshop and the format for presenting and gathering of information that was used.

Mr. Basmajian asked for clarification as to the input from the Commission that staff would like to have regarding the Ames Plan 2040. Mr. Diekmann gave examples of input that the Commission can articulate to staff that will be passed on to the City Council.

Mr. Converse stated that if the Commission has thoughts about this they need to share them with the mindset that they need to be conscious of time.

Mr. Converse stated that he would like to see a Plan that is more flexible and would allow things in the future that were not in place or a concern when it was adopted. He listed an example of something that could occur.

Ms. Spencer stated that even though this is supposed to be a long range plan the cycle of change is accelerating. She stated that the Plan needs to be flexible and the ability to respond quickly is critically important.

Doug Ragaller stated that people ask him questions that pertain to the process and how things can be done more efficiently. Mr. Diekmann stated that if efficiency is measured on how processes are done that will not necessarily be a comprehensive plan issue. He reviewed various aspects that are a primary focus at this time.

Ms. Spencer stated that she feels that one of the themes could be a city management that is more efficient, effective and responsive to the community's needs. Discussion was held on how this relates to the comprehensive plan.

Mr. Basmajian stated that the current comprehensive plan does not take into consideration urban design. He stated that he feels that it is needed and would improve a lot of the proposals that come forward. Mr. Basmajian stated that the role of transportation and what it is going to look like in the future is also important and should be integrated into the broader framework of the comprehensive plan.

Mr. Emery stated that he feels that development should not be driven by the developers. He stated that he feels that development is willy-nilly across the City. Mr. Emery stated that he feels that the transportation plan also needs to change. He spoke about the traffic on South Duff Avenue. Mr. Emery stated that there needs to be green space in the City. He stated that there also needs to be more affordable housing. Mr. Emery stated that in west Ames there are a lot of apartment buildings; but, it seems like single-family houses have been squeezed out. He stated that there needs to be stable neighborhoods and small businesses. Mr. Emery stated that he feels that the City has not been reaching out to small businesses.

Ms. Minhas listed her reasons for the need for more urban design and transportation planning. She stated that there needs to be more flexibility when looking at some of the uses that come up. Ms. Minhas stated that there needs to be a matrix that would help the Commission to determine if there is a greater need for a certain type of land use that would alert the Commission whether the comprehensive plan needs to be tweaked prior to a complete update of the Plan.

Mr. Diekmann asked how the Commission wants staff to present their feedback to the City Council. The Commission suggested that staff present bullet points of their feedback to the City Council. Mr. Diekmann explained that the City Council has taken on the role of the Steering Committee for the comprehensive plan update. He outlined the process for the dissemination of information and for providing the Commission's feedback to the City Council. Mr. Basmajian asked if the Commission was invited to the workshops. Mr.

Diekmann stated that the workshops are open to the public and to the Commission. He stated that the workshops are not structured as joint meetings.

COMMISSION COMMENTS: NONE.

STAFF COMMENTS: Mr. Diekmann stated that he will speak to the City Attorney regarding a tie vote on a motion and get a memo to forward to the Commission on the best way to proceed in the future.

Mr. Diekmann reviewed the content that is included in the Council Action Form that goes to the City Council. He stated that if the City Council wants additional information they know that they can watch the video in order to obtain more details. Mr. Diekmann stated it is not the Planning Division's recommendation to the City Council stated in the Council Action Form. He stated that it is the City Manager's recommendation.

Mr. Diekmann reviewed the tentative agenda for the meeting of March 6, 2019.

Mr. Diekmann stated that he has not received an update as to when the vacancy on the Commission will be filled.

MOTION TO ADJOURN:

MOTION: (Emery/Spencer) to adjourn the meeting.

The meeting adjourned at 8:26 PM.

Matt Converse, Chairperson
Planning & Zoning Commission

Lorrie Banks, Recording Secretary
Department of Planning & Housing