

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

Date: June 19, 2019	Matt Converse, Chairperson	2020
	Carlton Basmajian, Vice Chairperson	2020
Call to Order: 7:00 PM	Ruth Hulstrom	2021
	Jon Emery	2021
Place: Ames City Hall Council Chambers	Carol Spencer	2021
	Anuprit Minhas	2022
Adjournment: 7:51 PM	Doug Ragaller	2022
	[*Absent]	

**MAJOR TOPICS DISCUSSED:**

1. Rezoning Amendment for 3312, 3299, 3699, 4098 E. 13<sup>th</sup> Street and 1699 570<sup>th</sup> Avenue (To Be Continued)
  2. Master Plan Approval for 3312, 3299, 3699 E. 13<sup>th</sup> Street and 1699 570<sup>th</sup> Avenue (To Be Continued)
  3. Public Hearing for the Major Site Development Plan (Landscaping Plan) for 2105 and 2205 East Lincoln Way
  4. Zoning Text Amendment to Allow Multiple Buildings on One Lot
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CALL TO ORDER: Matt Converse, Chairperson, called the meeting to order at 7:00 PM.

**APPROVAL OF AGENDA:**

MOTION: (Emery/Ragaller) to approve the Agenda for the meeting of June 19, 2019.

MOTION PASSED: (7- 0)

**APPROVAL OF THE MINUTES OF THE MEETING OF JUNE 5, 2019:**

MOTION: (Ragaller/Spencer) to approve the Minutes of the meeting of June 5, 2019 as amended.

Ruth Hulstrom asked if the term zoning on page 2, paragraph 2, of the June 5, 2019 minutes was intended to be noted as rezoning instead of zoning. Kelly Diekmann, Director of Planning & Housing, stated that it should say rezoning. Ms. Hulstrom asked to amend the minutes to say rezoning instead of zoning.

MOTION PASSED: (4 - 0 - 3) Abstain: Emery, Basmajian, Converse

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## **PUBLIC FORUM:**

Gerald Johnson, 21473 570<sup>th</sup> Street, stated that he owns a farm north of the property located at 3312, 3299, 3699, 4098 E. 13<sup>th</sup> Street and 1699 570<sup>th</sup> Avenue. He stated that he came to tonight's meeting wanting to speak about the potential rezone and development of this property.

Kelly Diekmann, Director of Planning & Housing, stated that items six and seven on tonight's agenda are being continued and will not be considered by the Commission at tonight's meeting per the applicant's request. He stated that if the applicant decides to proceed with these items notices will be mailed to the surrounding property owners, a public hearing will be held, and public comment will be heard at that time.

Anuprit Minhas asked whether Mr. Johnson's comments could be entered into the record or would he need to come back to a later Commission meeting. Mr. Diekmann stated that the public hearing has been continued and tonight's comments cannot go into the record for these items. He stated that Mr. Johnson can also write a letter or send an email outlining his concerns to Justin Moore, the planner working with this case; and, Mr. Moore can pass along any comments to the Commission.

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## **PUBLIC HEARING FOR THE MAJOR SITE DEVELOPMENT PLAN (LANDSCAPING PLAN) FOR 2105 AND 2205 E. LINCOLN WAY**

Justin Moore, Planner, stated that the property owner, LDY LLC is requesting a Major Site Development Plan. He stated that the purpose of this request is to have an Alternative Landscape Plan for this property. Mr. Moore stated that a Minor Site Development Plan was approved in 2017. He reviewed various aspects of the site plan and landscape plan that were approved at that time. Mr. Moore stated that the developer wants to have an Alternative Landscape Plan approved in order to replace 199 approved grasses and shrubs with ornamental trees and one, over-story tree. He outlined the location of the proposed trees and shrubs on a site map. Mr. Moore stated that the Landscape Standards in the Zoning Ordinance does allow for an Alternative Landscape Plan to be considered through a Major Site Development Plan. He outlined the purpose and intent of an Alternative Landscape Plan. Mr. Moore stated that the developer has made this request because they believe that trees are a better alternative than shrubs and grasses due to the topography of the site, distance, and line of site from Lincoln Way up to the buildings.

Jon Emery asked if the grasses are ornamental grasses. Mr. Moore stated that they are ornamental grasses.

Carlton Basmajian asked if there had been more trees on this site previously than what there are now. Mr. Moore stated that before the second building was built and the small addition was added to the existing building there were a number of large and small trees that were on the property between the original building and Lincoln Way. He stated that this area needed to be graded to meet storm water requirements. Mr. Basmajian asked when that took place. Mr. Moore stated that it happened in 2017.

Chuck Winkleblack, 105 South 16<sup>th</sup> Street, stated that there is a distance of about a football field and a half between the new building and Lincoln Way. He stated that they do not feel that planting trees that far away from the street or behind existing trees makes sense. Mr. Winkleblack stated that he feels that bringing the plants out to where they can be seen would be more aesthetically pleasing.

MOTION: (Ragaller/Emery) to accept Alternative #1, which states: that the City Council approve the Major Site Development Plan Alternative Landscape Plan for 2105 and 2205 East Lincoln Way.

MOTION PASSED: (7- 0)

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**ZONING TEXT AMENDMENT TO ALLOW MULTIPLE BUILDINGS ON ONE LOT**

Kelly Diekmann, Director of Planning & Housing, stated that this request has been combined with staff's recommendation about addressing the standards in the Zoning Ordinance and the initial request made by the Northridge Living Senior Facility. He stated that Northridge Village is a combination of a senior living facility and some senior apartments. Mr. Diekmann stated that they would like to build a memory care unit as a third building on the site. He stated that the Zoning Ordinance classifies a memory care unit as a different type of use. Mr. Diekmann stated that the locations of principal buildings are restricted in residential areas and, to some degree, in commercial areas. He stated that Northridge Village has asked for a Zoning Text Amendment to allow for group living, which includes memory care, assisted living and nursing homes, to be located within residential areas along with apartments and senior living facilities. Mr. Diekmann stated that staff recommends changing the structure of the standards to focus on the zoning districts where they are located. He stated that in commercial areas setbacks are only applied to the perimeter of the site not internally; however, for a residential site the setbacks need to be met around each building. Mr. Diekmann stated that currently there can only be one single family home on one lot anywhere within the City. He stated that that needs to be maintained through these potential changes. Mr. Diekmann stated that staff feels that an exception needs to be added to the proposed changes that states that even in a commercial zone you cannot have more than one single-family home on a lot. He stated that this exception is not included in the proposed Zoning Text Amendment but it will be added if this item moves forward. Mr. Diekmann clarified how the proposed changes to the Zoning Ordinance would affect the use of various types of properties located within the City.

Matt Converse asked if there was an applicant for this request. Mr. Diekmann stated that there is an applicant; however, they chose not to attend tonight's meeting because they felt that what staff proposed would meet their needs.

Mr. Diekmann stated that if the Commission does not want to do everything that staff recommends then Alternative No. 2, outlined in the Commission Action Form, would address the applicant's specific interests.

Carol Spencer asked if the Commission needs to take action at tonight's meeting on the items included in the proposed Zoning Text Amendment, proposed by staff, or discuss those items at a later Commission meeting. Mr. Diekmann stated that this is at the Commission's discretion. He stated that staff is proposing to add a second exception on Attachment A, included in the Commission Action Form, that would say that in the South Lincoln Mixed-Use District that no more than one single-family home is permitted on one lot. Mr. Diekmann stated that if the Commission is comfortable with that recommendation then they can take action tonight.

Jon Emery asked if the City would maintain better control if the ordinance was kept as it is and have them bring forth the exceptions. Mr. Diekmann stated that there is not an exception process. He stated that if the property is subdivided it could result in complications. Mr. Diekmann elaborated on the potential complications that could arise for the applicants.

Ruth Hulstrom asked if any other property owners, similar to Northcrest and Northridge, have experienced the same situation. Mr. Diekmann outlined what other applicants with similar uses have experienced. He stated that this proposed Zoning Text Amendment would simplify the process for future applicants.

Anuprit Minhas asked if the Zoning Text Amendment is approved would the need for a Public Hearing be removed. Mr. Diekmann outlined the review process and when a Public Hearing would be required. He stated that the Public Hearing requirement varies based on the use and the zoning district.

Mr. Basmajian asked if the proposed change would make this process more of a staff review. Mr. Diekmann reviewed why that would be the case in commercial zones. He stated that it is mostly the larger residential group living uses that typically have extra controls in the Zoning Ordinance.

Mr. Emery asked if this request is approved would there be less public notices sent out. Mr. Diekmann stated that public notice is only given when there is a participation step consisting of comments given to decision makers such as the Planning and Zoning Commission and the City Council.

Ms. Minhas stated that if this request is approved it becomes by right. Mr. Diekmann stated that that is correct. He stated that it removes the subdivision obligation.

Mr. Basmajian asked if staff ever sees multiple principal uses rather than just two. Mr. Diekmann stated that it might be possible in Residential High-Density areas; but, the most that you typically see is three.

Mr. Emery stated that he is concerned about taking away public input. Mr. Diekmann stated that this would remove the limited possibility of a subdivision needing to come to the Planning and Zoning Commission and public notice would be attached to the subdivision notice. He listed several scenarios when public notice would still be required.

Ms. Minhas asked if the plan is to look at the Zoning Ordinance as a follow-up to the Ames Comprehensive Plan. Mr. Diekmann stated that direction has not been given as to policy. Discussion was held about whether the update of the Ames Comprehensive Plan might result in an update to the Zoning Ordinance and whether an item such as this might be discussed. Mr. Diekmann stated that this is speculative at this point. Discussion was held on the types of uses allowed on a lot with the proposed Zoning Text Amendment.

Mr. Emery asked whether staff prefers Alternative No. 1 or Alternative No. 2. Mr. Diekmann stated that the City is fine with both alternatives. He stated that staff feels that Alternative No. 1 is more comprehensive and addresses different issues that come up rarely but do come up from our applicants at different times. Mr. Diekmann stated that staff feels that it is better customer service for the applicants to avoid duplicative entitlement processes. Mr. Emery stated that Alternative No. 2 would solve the Northridge Living concern. Mr. Diekmann stated that that was correct.

MOTION: (Emery/none) to accept Alternative #2, which states: that the Planning and Zoning Commission recommends to only modify the multiple building standard in relation to group living for assisted living and senior living facilities.

Motion failed for lack of a second.

MOTION: (Ragaller/Spencer) to accept Alternative #1, which states: that the Planning and Zoning Commission recommends that the City Council approve the recommended text amendment to the Zoning Ordinance as described in Attachment A, allowing Multiple Principle Buildings on a Single Lot in certain zoning districts with the addition of Item No. 2 as an exception as described by staff for single-family homes.

MOTION PASSED: (7- 0)

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COMMISSION COMMENTS: Mr. Basmajian asked staff to review the status of the Ames Comprehensive Plan update. Mr. Diekmann stated that RDG is finalizing the update to the Public Engagement Document. He stated that the Existing Conditions Report should be coming out shortly. Mr. Diekmann stated that in July the proposed scenarios should be ready. He summarized various additional steps that will take place in the following months.

Mr. Emery asked about the status of the rental concentration issue. Mr. Diekmann stated the City Council held a workshop on June 18, 2019. He stated that there won't be anything that needs to change in the Zoning Ordinance. Mr. Diekmann reviewed the status of various aspects of the Rental Code, Airbnb/Guest Lodging and Vacation Rentals.

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STAFF COMMENTS: Mr. Diekmann stated that staff will be bringing some clean-up Zoning Text Amendments to the Commission in the future.

Mr. Diekmann stated that there is a possibility that the July 3, 2019 Commission meeting will be cancelled.

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MOTION TO ADJOURN:

The meeting adjourned at 7:51 PM.



Matt Converse, Chairperson  
Planning & Zoning Commission



Lorrie Banks, Recording Secretary  
Department of Planning & Housing