

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

Date: September 4, 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: 8:07 PM	Doug Ragaller	2022
	[*Absent]	

**MAJOR TOPICS DISCUSSED:**

1. Public Hearing for the Amendment to the Adaptive Reuse for 2501 Grand Avenue
2. Public Hearing for the Rezone with Master Plan for 509 and 511 Lincoln Way

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Commission members present unanimously decided to have Doug Ragaller chair tonight's meeting in the absence of the Chairperson and the Vice Chairperson.

CALL TO ORDER: Doug Ragaller, Acting Chairperson, called the meeting to order at 7:00 PM.

**APPROVAL OF AGENDA:**

MOTION: (Hulstrom/Spencer) to approve the Agenda for the meeting of September 4, 2019.

MOTION PASSED: (4 - 0)

**APPROVAL OF THE MINUTES OF THE MEETING OF AUGUST 21, 2019:**

MOTION: (Emery/Spencer) to approve the Minutes of the meeting of August 21, 2019.

MOTION PASSED: (4 - 0)

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**PUBLIC FORUM:** There were no public comments.

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**PUBLIC HEARING FOR THE AMENDMENT TO THE ADAPTIVE REUSE FOR 2501 GRAND AVENUE**

Ray Anderson, Case Planner, reviewed the contents of the staff report for this request. He stated that a restaurant has been previously located on this property. He stated that B-Bops wants to build a restaurant that will have indoor and outdoor seating and a drive through. Mr. Anderson reviewed various elements of the proposed exterior façade of the building. He stated that staff has recommended that the walkway be extended to the edge of the paved drive aisle for customer access. Mr. Anderson outlined the proposed drive aisle on a map.

Ruth Hulstrom asked about the proposed materials that will be used for the trash enclosure. Mr. Anderson stated that he thinks it will be constructed using six foot long vertical wood boards.

Jon Emery asked if there were any requirements for bicycle parking for this request. Kelly Diekmann, Director of Planning & Housing, stated that the bicycle parking standards will not be in effect before this request goes to the City Council. He stated that the bicycle standards are not a mandatory ordinance but an option for less vehicle parking if bicycle parking is provided. Mr. Diekmann stated that there are no requirements for bicycle parking for this project and staff has not requested bicycle parking.

Ms. Hulstrom asked that since the trash enclosure is encroaching into the front yard of this project did staff encourage the applicant to use a more permanent material for the trash enclosure besides vertical wood boards. She expressed concern about the look and durability over time of using wood for the proposed trash enclosure along Grand Avenue. Mr. Diekmann stated that staff did not explore the use of materials with the applicant. He stated that the Commission can have the applicant explore the use of alternate materials for the enclosure.

Scott Renaud, Fox Engineering Associates, stated that he is representing the owner. He stated a composite deck plank, that doesn't rot, will be used for the proposed trash enclosure. Mr. Renaud stated that over time the colors may fade. He reviewed the materials that will be used for the door to the trash enclosure. Mr. Renaud stated that they located the trash enclosure near a neighboring property's trash enclosure for screening purposes.

Mr. Emery stated that the doors of the trash enclosure appear to be opening up into the drive through lanes. Mr. Renaud stated that the doors of the trash enclosure will not be open during the hours when the restaurant is open for business. Mr. Emery asked if the trash enclosure would be screened from Grand Avenue. Mr. Renaud stated that it will be screened from all sides by the gates.

Discussion was held about the possible screening benefits that the proposed landscaping near the trash enclosure may provide.

MOTION: (Spencer/Hulstrom) to accept Alternative #1 as amended, which states: that the Planning and Zoning Commission recommends that the City Council approve the amendment to the Adaptive Reuse Plan and Major Site Development Plan for 2501 Grand Avenue with the condition to provide two additional over-story trees to meet current parking lot landscaping standards.

MOTION PASSED: (4 - 0)

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## **PUBLIC HEARING FOR THE REZONE WITH MASTER PLAN FOR 509 AND 511 LINCOLN WAY**

Justin Moore, Case Planner outlined various aspects of the Staff Report. He stated that the rezoning request would allow for a drive through and parking lot design that is not currently permitted in the Downtown Gateway Commercial (DGC) zoning district and the master plan would allow for a drive through coffee shop.

Mr. Emery asked if vehicles feed back onto Lincoln Way. Mr. Moore stated that based on the proposed design it is not anticipated that this would be an issue. He stated that vehicles can enter from Lincoln Way. Mr. Moore stated that the way the plan is oriented approximately 14-17 vehicles would be able to fit in a que when entering from Lincoln Way. Mr. Emery stated that he meant when vehicles exit the property. Mr. Moore stated that they will be able to exit onto Lincoln Way with a single driveway. Mr. Diekmann stated that the Iowa Department of Transportation (IDOT) will have to approve the access permit. He stated that if IDOT feels that there are too many conflicts on the roadway they can install medians.

Carol Spencer asked at what point in the process would the IDOT be involved with the access to and from this site. Mr. Diekmann explained the process that the applicant and the IDOT would follow. Dr. Spencer stated that if IDOT required a median it could alter the applicant's proposed plans. Mr. Diekmann stated that the applicant will need to respond to that question.

Mr. Emery asked if the City concurs with bringing traffic out of this site onto Lincoln Way. Mr. Diekmann stated yes. He reviewed the findings of the City of Ames Traffic Engineer with the Commission.

Mr. Emery asked about potential traffic visibility issues from the proposed tree placement on the east side of the drive near the entrance. Mr. Diekmann stated that trees are allowed in vision triangles. He stated that it is something that staff can look at if there is an odd grade or slope to the driveway. Mr. Emery stated that this is a very busy corner and he asked if trees are needed in that location. Mr. Diekmann stated that the Commission is not looking at a landscape plan at tonight's meeting. He stated that the landscape plan is a detail that is reviewed at staff level.

Chuck Winkleblack, Hunziker Companies, 105 So. 16<sup>th</sup> Street stated that the two buildings currently on these lots are in a state of disrepair. He stated that the property is surrounded by streets on three sides, has three front yards and six access points currently. Mr. Winkleblack stated that the site plan presented tonight is the design that IDOT prefers. He stated that this plan moves the drive the furthest away from the intersection. Mr. Winkleblack stated that IDOT's biggest concern is that there is adequate queing on-site. He stated that the reason for their rezone request is that DGC zoning does not allow parking between the building and the street. Mr. Winkleblack stated that the owner of Starbucks has been a reluctant participant in this process. He stated that what they (the developer) are trying to avoid with future development is having one smaller building in the middle of a potential group of larger multi-story buildings.

Mr. Emery asked if there will be a sidewalk along Clark Avenue and a walkway along the front. Mr. Winkleblack stated the existing sidewalk along Clark Avenue will remain in place and there will be a walkway. He stated that this site plan is the one that the City of Ames staff, the end user and IDOT prefers for this site.

Mr. Emery asked about the sight line in relationship to the placement of the proposed trees. Mr. Winkleblack stated that they understand the need for the sight line. He stated that there is a traffic signal controller in the front yard that is potentially just as problematic.

Ms. Hulstrom stated she thinks that this is a good time to dress up the corner of this property and try and mitigate the addition of parking on the Clark Avenue side of the property. Mr. Winkleblack stated that the City Traffic Engineer would like to see more space for a larger easement in case the traffic signal is replaced. He stated that landscaping will be part of this project.

Joe Rippetoe, 1317 Kinyon Circle, stated that he feels that any action that would allow a drive through at such a busy location should be viewed as a complete reversal of the progress that was made with the Lincoln Way Corridor Plan. He reviewed prior actions taken by the City Council regarding drive through access in the City. Mr. Rippetoe reviewed a portion of the contents of a drive through study that was prepared and the drive through regulations. He stated that he feels that the City of Ames has obsolete drive through regulations. Mr. Rippetoe listed reasons why a drive through should not be allowed on this property.

Ryan Davis, 204 Clark Avenue, stated that Mr. Winkleblack purchased these two properties after they were rezoned from Highway-Oriented Commercial (HOC) to Downtown Gateway Commercial (DGC) in 2018. He stated that Mr. Winkleblack knew what zoning would allow before they were purchased. Mr. Davis listed his concerns with the process of determining the boundaries of the Lincoln Way Corridor area, the fact that it was determined that a traffic study was not needed, and the fact that he did not know about this request earlier. He stated that he knew about this meeting from a sign that was posted on the property. Mr. Davis stated that signs were not posted on the 62 properties in the Lincoln Way Corridor when they were rezoned in 2018. He asked the Commission to vote for Alternative #3, to defer action and request additional information from City staff.

Laura Cram, 1601 Johnson Street, reviewed comments from City staff and goals listed in various staff reports that were presented at Commission and Council meetings prior to the rezoning of 62 properties to DGC zoning in the Lincoln Way Corridor. She stated that she feels that none of the goals that were listed for the rezoning are being met by letting these two properties return to HOC zoning. Ms. Cram stated that it will be difficult to relocate any businesses in this area due to the lack of current land inventory and the restrictions of the zone. She stated that she feels that there should be a way to accommodate Starbucks within the DGC zoning standards. Ms. Cram stated that she feels that if one business or property owner in the DGC zone can relocate within the same zone and request and have it granted to change back to HOC zoning then it should be allowed for the remaining properties in the DGC zoning district. She asked the Commission to vote for Alternative #3, to defer action and request additional information from City staff.

Eric Van Gorp, 316 Lincoln Way, stated that he owns and manages the Dairy Queen restaurant. He stated that property owners asked, before the zoning in the Lincoln Way Corridor was changed to DGC, that the properties outside of the area that was going to be developed be left alone and remain zoned HOC. Mr. Van Gorp stated that he doesn't have an issue with this request; however, he feels that the Commission should be prepared that other property owners may come before the Commission with this same rezoning request.

Ms. Hulstrom stated that she feels that this request may potentially improve traffic flow; however, she also has a concern that this request may set a precedent for future rezoning requests in this area.

Mr. Emery asked staff if this can happen again. Mr. Diekmann stated that any property owner can apply for a rezone request. He stated that they will have to go through the same process. Mr. Diekmann stated that staff's biggest rationale for supporting this request is that the site had a drive through previously and thus there is no net gain in drive throughs.

Chuck Winkleblack stated that there is a requirement within the site plan approval process that they meet with IDOT and go through the traffic study analysis.

Mr. Rippetoe stated that he feels that it is a reasonable goal to continually decrease the number of drive through accesses that are located on major streets in the City.

MOTION: (Emery/none) to accept Alternative #2, which states: that the Planning and Zoning Commission recommends that the City Council deny a rezone from Downtown Gateway Commercial to Highway-Oriented Commercial with Master Plan.

MOTION FAILED for lack of a second.

Ms. Hulstrom stated that she understands the concern and frustration of the business owners in this area.

MOTION: (Spencer/Ragaller) to accept Alternative #1, which states: that the Planning and Zoning Commission recommends that the City Council approve a rezone from Downtown Gateway Commercial to Highway-Oriented Commercial with Master Plan to allow for Office, Retail, and Restaurant Recreation Entertainment Trade uses with a single point of access from Lincoln Way, as well as access to Gilchrist, with a general site layout as shown on the attached Master Plan, subject to approval of a Minor Site Development Plan that conforms to all standards of the Zoning Ordinance. No specific modifications are authorized with the proposed Master Plan.

MOTION PASSED: (3 - 1) (nay: Emery)

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COMMISSION COMMENTS: None.

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STAFF COMMENTS: Mr. Diekmann stated that discussion will be held on the Ames Comprehensive Plan 2040 at the September 24, 2019 City Council meeting.

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MOTION TO ADJOURN:

The meeting adjourned at 8:07 PM.

  
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Doug Ragaller, Acting Chairperson  
Planning & Zoning Commission

  
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Lorrie Banks, Recording Secretary  
Department of Planning & Housing