

MINUTES OF THE CITY OF AMES PLANNING AND ZONING COMMISSION

AMES, IOWA

APRIL 5, 2023

The Regular Meeting of the Planning and Zoning Commission was called to order by Chairperson Mike Clayton at 7:00 p.m. on April 5, 2023 in the Council Chambers at 515 Clark Avenue. Commission Members present were Mike Clayton, Mike Sullivan, Jon Emery, Mike LaPietra, Matthew Voss, and Jim Blickensdorf.

APPROVAL OF THE AGENDA

Moved by Emery, seconded by Blickensdorf, to approve the Agenda for the meeting of April 5, 2023. Vote on Motion: 6-0. Motion passed.

APPROVAL OF THE MINUTES OF THE MARCH 15, 2023 MEETING

Moved by Sullivan, seconded by LaPietra, to approve the Minutes of the March 15, 2023 meeting. Vote on Motion: 6-0. Motion passed.

PUBLIC FORUM

Chairperson Clayton opened the public forum and closed it when no one came forward to speak.

PUBLIC HEARING ON THE PRELIMINARY PLAT FOR NORTH SUNSET RIDGE (798 N 500TH AVENUE)

Planning Director Kelly Diekmann said there was not a plat for the Commission to review at this time and staff did not prepare a report, however, the Commission could hear public comment if someone wanted to speak on the item and staff will re-notice when the applicant resubmits the plat and are ready to go.

Chairperson Clayton opened public comments and closed it when no one came forward to speak.

Moved by LaPietra, seconded by Voss, to continue the public hearing on the Preliminary Plat for North Sunset Ridge to an indefinite date. Vote on Motion: 6-0. Motion Passed.

ZONING TEXT AMENDMENT ON ELECTRIC VEHICLE CHARGING STATIONS SETBACKS

Director Diekmann presented the staff report and said the way equipment is regulated in the zoning ordinance is that unless there is a specific exception in the ordinance for something, everything has to meet setbacks. Tesla and other entities have reached out to Ames Electric to understand how they could locate equipment in the City on existing sites as vehicle charging equipment needs to be next to parking spaces. The question has come up

regarding existing sites with parking spaces within setbacks, what the City's requirements are for equipment placement for electric vehicle charging. After looking into it and reviewing what other cities have done, City Council decided to initiate a text amendment to allow for some encroachment into setbacks. The key point is at least a 10 foot landscaped front yard setback would be required.

Mr. Diekmann shared a photo of a supercharger station that Tesla would install and said every four to eight superchargers would require a transformer, and with every four charging stations, there will also be a large white box structure which would ideally be situated within a couple of feet of the chargers. The transformers can be positioned in other places, but in the ideal scenario, everything would be clustered together. If the City were to move forward with the text amendment, the white box structures could be as close as 10 feet to a property line along the street, but the transformers would still need to meet setbacks. Mr. Diekmann explained if a site does not have 10 feet of front yard landscaping, which is fairly common for many commercial sites built within the last 25 years, applicants would not be able to use the site. However, it would be possible for them to go into parking stalls, as the City has an allowance for equipment to go into a parking stall if it is needed for charging the other stalls, but they would not be able to encroach into the front yard under this proposal if there is not the 10 feet.

Mr. Diekmann said the amendment also includes changes to clarify how mechanical equipment screening works; equipment is meant to be screened, but chargers are not mechanical equipment, so normal landscaping would be used as the City would not try to shield each charger with an obscuring fence. There is also language about signage; the signage code is typically not in the zoning ordinance, but on existing sites, it could be possible that a site used up all of their signage allowance for the main building, which would mean a charger with a Tesla logo or directional signage or instructions on how to use the chargers would not be permitted, which would be a disincentive for a company to do an installation if they would not be able to sign it or let people know what is happening on the site. Therefore, the signage related to the chargers themselves would be exempt from the sign code and chargers would basically be treated the same as gas pumps.

Michael Clayton asked if different companies would be allowed to install chargers next to each other on the same site. Mr. Diekmann said there is not a limit on the amount of encroachment, so different companies could install right next to each other and any site could have any number of chargers on it.

Michael Sullivan asked about item 3 in section 29.1316 and how it would be determined if a tree would fall into the criteria of being a healthy existing mature tree. Mr. Diekmann said staff would look at the tree and consult with the City arborist if needed, but staff is trying to make it clear that one could not just remove a tree because it would be convenient to run an electric line right where a tree is, rather, installers would have to route the electrical around the tree.

Jon Emery expressed concern about the transformers and white boxes obstructing the view of traffic coming in and out of the parking lots. Mr. Diekmann said there is a site vision triangle requirement in the code for driveways and intersections related to obstructions that would

apply; any piece of equipment, building, or structure would not be allowed in that vision triangle. Mr. Emery also asked if a transformer would be in a parking space. Mr. Diekmann said the installer would have the choice to put it either in a parking stall or in a landscaped area that is at least 20 feet back from the street.

Mr. Emery asked if the code would require each of the charging stations to be able to service every type of vehicle. Mr. Diekmann said the code does not require universal charging nor does he know if the City would even be able to regulate it. Mr. Clayton added it was his understanding that Tesla charging stations are only for Tesla cars. Mr. Diekmann agreed and said that is not the case for other third party companies.

Mr. Sullivan asked if the ordinance addresses situations where a company wanted to install charging stations and they chose to take up to two vehicle parking spaces to install the equipment, but then that caused them to be below the minimum parking requirement. Mr. Diekmann said Section 4 addresses it; if minimum parking requirements are exceeded, it would not matter if those stalls were taken out. However, if the parking requirements were at the minimum, the installer could essentially go two spaces below the minimum parking requirement to allow for equipment if necessary.

Mr. Diekmann summarized the proposed allowances are: being able to go into a setback in relation to a parking lot, the ability to take out two parking spaces if necessary which may result in dropping below the minimum parking requirement, and a slight exception to the sign code if an installation is going on a site that had previously used up their signage allowance. Mr. Emery asked how many two parking space allowances there would be if different companies on the same site each needed to use two parking spaces. Mr. Diekmann said two spaces are allowed on a site, not two per charging installation.

Moved by Sullivan, seconded by LaPietra, to recommend approval of a zoning text amendment to allow for encroachment of charger pedestals and one ancillary cabinet within setbacks for commercial parking lots or front yards when there is at least a 10-foot landscaped front yard and allow for charging equipment to occupy parking spaces and modify mechanical unit screening. Vote on Motion: 6-0. Motion passed.

ZONING TEXT AMENDMENT ON AFFORDABLE HOUSING PARKING RATES

Director Diekmann stated the City initiated the text amendment as they were working through the Baker Subdivision Low Income Housing Tax Credit (LIHTC) apartment project proposals. The City has selected a partner developer for a 38-unit townhome type affordable housing project with a Planned Unit Development overlay (PUD). Mr. Diekmann said when the PUD ordinance was written, staff assumed it might have some advantages to help different kinds of housing projects get built and it had a specific parking rate where Council could elect to reduce parking for apartments, which are based on a one space per bedroom standard, down to two spaces for an apartment unit or rental unit. The original LIHTC project proposal had 1.5 spaces per unit, which was equal to what the Iowa Finance Authority required, however, staff wanted to see a plan with two spaces per unit. City Council initiated a text amendment for within the PUD ordinance to lower the requirement of 2 down to 1.5 on a case-by-case review taking into consideration: the size of the units, if there is on street

parking in the area or if parking is a concern. The City would rely on the Major Site Development Plan process to make a case-by-case decision.

Mr. Emery asked if the change would give staff the authority to decide what the parking should be. Mr. Diekmann replied it would be Council's decision as it would have to go through the Major Site Plan process, but it would allow the City to consider lowering it based on the site plan, the circumstances, and the affordability, versus like everywhere else in the city where there is a set number.

Jim Blickensdorf questioned the language "only requires a maximum" and asked if it is a parking minimum, not a maximum. He said a developer could still choose to build two stalls per, but they are only required to build a minimum of 1.5 based on staff review. Mr. Diekmann clarified saying the normal standard would be at least one space per bedroom, and the amendment is trying to say that in any circumstance it would not require more than 1.5 parking spaces per unit; meaning, for a one bedroom unit, it could still have one and not have to be 1.5 or 2. If there were two or more bedrooms, then the maximum rate would be 1.5; it reduces the maximum rates.

Mr. Blickensdorf suggested changing the language in Alternative 1 for units with two or more bedrooms, so that the minimum of one stall for a one bedroom unit would still apply. Mr. Diekmann explained the way it is written and the first part of it says "parking spaces shall be provided as prescribed by this chapter" which is where the one space per bedroom requirement comes from. Then it says where the parking can be, and then the last part says affordable housing may have reduced parking of up to a maximum. Mr. Blickensdorf said it was clear with the understanding of the base requirement.

Matthew Voss asked about the requirement of the Iowa Finance Authority of 1.5 parking spaces per unit for affordable housing. Mr. Diekmann said for family housing, it is 1.5, although they might allow less for senior housing. Mr. Voss then asked if a building had all one bedroom apartments, would the Ames Code rule of one parking space per bedroom or the Iowa Finance Authority rule of 1.5 spaces per unit apply to that building. Mr. Diekmann said both would apply as the state cannot overrule local zoning, but they will not fund a project that does not meet their standards.

Mr. Emery asked if the City would be running the risk of pushing cars out into the neighborhood by going down to 1.5 instead of 1.7. Mr. Diekmann replied the philosophy is if someone is in a low income project because they make 30% of the average median income, they are probably not affording two cars. As a family gets bigger, there is the possibility of two cars with that household, but the target audience is not a two car household and the street would be for potential overflow. In the Baker Subdivision, it would be 14 parking spaces as the difference.

Discussion was held about LIHTC program requirements.

Chairperson Clayton opened public comments and closed it when no one came forward to speak.

Mr. Diekmann said he wanted to clarify that a one bedroom unit needs 1.5 spaces, then when it gets to two or more, it goes to one space per bedroom. The 1.5 would be universal; it would never be at just one unless it was in a different area of the city or a senior unit that only requires one space.

Moved by Emery to recommend City Council approve a reduction to the minimum required parking for Affordable Housing uses in PUD's from 2 spaces per residential unit to 1.7 spaces per residential unit. Motion was not seconded. Motion failed.

Moved by Blickensdorf, seconded by LaPietra, to recommend that City Council approve a reduction to the minimum required parking for Affordable Housing uses in PUD's from 2 spaces per residential unit to 1.5 spaces per residential unit.

Vote on Motion: 5-1. Motion passed.

ELECTION OF OFFICERS

Chairperson Clayton asked if there were any nominations for the new chairperson or any volunteers.

Moved by LaPietra, seconded by Sullivan, to elect Michael Sullivan as Chairperson.

Vote on Motion: 6-0. Motion passed.

Moved by Clayton, seconded by Emery, to elect Jon Emery as Vice Chairperson.

Vote on Motion: 6-0.

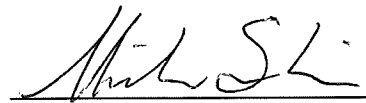
COMMISSION COMMENTS

Mr. Emery asked Mr. Diekmann about garages being forward of houses. Mr. Diekmann said it is only required in PUD's that garages are not the forward component of the house.

STAFF COMMENTS

None

Moved by LaPietra to adjourn at 8:00 p.m.



Michael Sullivan, Chairperson



Eileen Carter, Recording Secretary

