

# MINUTES OF THE CITY OF AMES PLANNING AND ZONING COMMISSION

AMES, IOWA

MAY 3, 2023

The Regular Meeting of the Planning and Zoning Commission was called to order by Chairperson Mike Sullivan at 7:00 p.m. on May 3, 2023 in the Council Chambers at 515 Clark Avenue. Commission Members present were Mike Clayton, Mike Sullivan, Jon Emery, Mike LaPietra, and Matthew Voss.

## APPROVAL OF THE AGENDA

Moved by Clayton, seconded by Emery, to approve the Agenda for the meeting of May 3, 2023. Vote on Motion: 5-0. Motion passed.

## APPROVAL OF THE MINUTES OF THE APRIL 5, 2023 MEETING

Moved by LaPietra, seconded by Voss, to approve the Minutes of the April 5, 2023 meeting. Vote on Motion: 5-0. Motion passed.

## PUBLIC FORUM

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

## PUBLIC HEARING ON THE REZONING MASTER PLAN AMENDMENT FOR 798 N 500<sup>TH</sup> AVENUE (NORTH SUNSET RIDGE)

City Planner Eloise Sahlstrom presented the staff report and stated the requested amendment is a change to add flexibility to the type of housing that can be developed and the maximum number of units. The current Master Plan only allows detached single-family units and the applicant would like to add attached single-family units in a 2.5 acre area in the middle of the development, away from the existing single family homes to the south. The maximum unit count would increase from 75 to 80.

Jon Emery asked if a city park was still planned to the north of the development. Ms. Sahlstrom said yes. Mr. Emery then asked if the changes would mean there will be five townhomes. Ms. Sahlstrom said there is a range of what types can be built, and she displayed a table showing the options. Planning Director Kelly Diekmann said staff typically looks at the maximums and minimums for a project with the specifics spelled out when the plat is submitted.

Justin Dodge with Hunziker Companies stated the applicant realized they did not have any townhome lots left in the City, so they reevaluated this development and chose to add attached homes to be able to provide a different price point and option for people who may not want a single-family home.



Moved by LaPietra, seconded by Clayton, to recommend that the City Council approve the amended Master Plan for 28.58 acres at 798 N. 500<sup>th</sup> Avenue to allow for a portion of the site to be developed with either attached or detached single family housing for a maximum development of 80 homes. Vote on Motion: 5-0. Motion passed.

## **ZONING TEXT AMENDMENT ON SETBACK ENCROACHMENTS FOR ACCESSORY STRUCTURES**

Planning Director Kelly Diekmann presented the text amendment regarding accessory features on properties. He said a couple of recent code enforcement cases that were appealed to the Zoning Board of Adjustment made it clear that the current code language is too flexible and can cause consternation about how things may be interpreted. Mr. Diekmann said staff wanted to clarify the code and took the issue to City Council with a presentation showing different types of existing "landscape accents" in the City. He added the key controlling element of the language is limiting the creation of a fence by enclosing an area with a landscape accent structure or barrier as a work around to a fence and avoiding fence regulations.

Mr. Diekmann said the goal is to still provide flexibility to homeowners and it is not the intent to limit things that were previously allowed. Staff is proposing to remove the language that allows for interpretation on whether something is a fence or not; to allow for up to three structures that exceed fence height limits with a footprint of no more than 8x8 feet; and to allow three exceptions per yard rather than per property.

Mr. Emery asked what the yard setbacks are. Mr. Diekmann said front yard setbacks are 25 feet, back yards are 20, and side yards are 6 or 8 feet for 1 and 2 stories, respectively, but yard accents would have zero setback requirements. He added that fences are restricted to 4 feet high anywhere in front of the house and on corner lots, they can go up to 6 feet with an inset.

Mr. Sullivan asked how staff decided on the 8x8 foot size. Mr. Diekmann said an 8-foot panel is a standard, common size that people could easily purchase. Mr. Sullivan asked if there was any concern about different sizes of yards and the ability of having three structures. Mr. Diekmann said staff does not have a concern about lot sizes and having a uniform rule of three is easy to interpret.

Mr. Emery asked if staff had concerns about the changes being proposed. Mr. Diekmann said his concern is that staff cannot effectively administer the current language in the code and he wants clear and understandable language with clear standards.

Mr. Emery and Mr. Sullivan both expressed support for the changes and the clarity they will provide.

Moved by Emery, seconded by Clayton, to recommend that City Council approve the modified text for Section 29.402(2)(c)(vii) which limits the number of landscape accents that exceed fence heights to three structures that are no greater in any dimension than 8x8 feet. Vote on Motion: 5-0. Motion passed.



## **INFILL WORKSHOP STAFF REPORT AND PRESENTATION**

Director Diekmann presented the staff report and shared a presentation from the Council Workshop of March 21, 2023.

Mr. Emery stated he supported the cottage home concept, and he asked if people would be able to split their lots and sell the ADU structures separately from their homes. Mr. Diekmann said that would not be allowed. Mr. Clayton also expressed support for cottage style neighborhoods.

## **REVIEW OF BYLAWS**

Mr. Diekmann stated it was the annual review of the Bylaws and if the Commission wanted to make any changes, they could make a motion reflecting the change and staff would write it up and bring it back for consideration at a future meeting.

Mr. Sullivan asked when the Comprehensive Plan was last reviewed. Mr. Diekmann said it was adopted eighteen months ago and Council would be looking at proposed edits and clarifications to the Plan at their meeting the following week.

Mr. Diekmann continued and said the Ames Fringe Plan had expired as of May 1, 2023. He explained that over the last 12 months, the City had been working with Story County and Gilbert to create an update. Story County suggested some significant changes to the draft that Council did not agree with and after some back and forth, the Plan update is on hold and the current agreement, the 28E Agreement, has expired which means each entity has their default State power of subdivision review instead of a joint agreement that divvied up the administration of it.

## **COMMISSION COMMENTS**

Mr. Emery asked if there were any items for the next meeting. Mr. Diekmann said there will be a rezoning application for the east side of town.

## **STAFF COMMENTS**

None

## **ADJOURNMENT**

Moved by Emery to adjourn at 8:45 p.m.



Michael Sullivan, Chairperson



Eileen Carter, Recording Secretary

