

MINUTES OF THE CITY OF AMES PLANNING AND ZONING COMMISSION

AMES, IOWA

SEPTEMBER 4, 2024

The Regular Meeting of the Planning and Zoning Commission was called to order by Chairperson Mike LaPietra at 7:00 p.m. on September 4, 2024 in the Council Chambers at 515 Clark Avenue. Commission Members present were Cheryl Moss, Julie Winter, Mike Clayton, Mike Sullivan, and Matthew Voss.

APPROVAL OF THE AGENDA

Moved by Winter, seconded by Clayton, to approve the Agenda for the meeting of September 4, 2024. Vote on Motion: 6-0. Motion passed.

APPROVAL OF THE MINUTES OF THE AUGUST 7, 2024 MEETING

Moved by Moss, seconded by Voss, to approve the Minutes of the August 7, 2024 meeting. Vote on Motion: 6-0. Motion passed.

PUBLIC FORUM

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

ZONING TEXT AMENDMENT TO ALLOW SOCIAL SERVICE PROVIDERS IN THE SINGLE FAMILY CONSERVATION OVERLAY (O-SFC) ZONING DISTRICT

Planner Ray Anderson presented the staff report. He stated the proposed text amendment would allow Social Service Providers to be located in the Single Family Conservation Overlay Zoning District "O-SFC" through a Special Use Permit approved by the Zoning Board of Adjustment. The applicant had contacted City Council requesting Council to initiate the zoning text amendment.

Mr. Anderson gave an overview of the O-SFC, which restricts the allowable uses in the area. He explained Social Service Provider uses in the Ames Municipal Code are defined as: "Primarily engaged in providing on-site counseling, meals, or shelter beds for free or significantly below market rates. Uses that provide food onsite as an Accessory Use are not included if the service is provided fewer than 3 days a week." Currently, Social Service Providers are allowed in the Residential Medium Density Zone, Residential High Density Zone, South Lincoln Mixed Use Special Purpose Zoning District, and by Special Use Permit in the Suburban Residential Medium Density Floating Zone. They are also permitted if pre-existing in Residential Low Density and Urban Core Residential Medium Density Zones.

Cheryl Moss asked if the large houses in the area were being split up for other uses, such as apartments. Director Diekmann said the houses in the area are no longer allowed to be

broken up into apartments, but there are a lot of legacy structures that were divided up years ago.

Julie Winter noted if the proposed text amendment was approved, it would allow any entity defined as a Social Service Provider to be able to apply for a Special Use Permit in the O-SFC district with the Zoning Board of Adjustment. Mr. Diekmann explained the applicant would have to demonstrate that they meet all of the criteria but could be multiple sites and many different types of uses.

Director Diekmann clarified the issue is a zoning text amendment in general and not for a specific site, even though Romero House is an applicant requesting the change. If approved this will go to the Zoning Board of Adjustment.

Mike Sullivan asked what other types of Social Service Providers are in Ames. Director Diekmann said the category is quite broad, but YSS has two facilities in the neighborhood. Other shelter type facilities have expressed interest in being in the area, but have not been allowed to. He said ACCESS is another organization that provides temporary shelter for abuse victims.

Ms. Moss asked if charity based low-income housing facilities fit into the definition. Mr. Diekmann said providing housing is not the same as providing shelter. Sheltering means it is not a person's permanent address, so that falls into being a Social Service Provider. Low-income does not have an element to it as the City does not regulate housing on income level. In Ames, the definition of a household living use is if the average stay is for 60 days or more; anything under 60 days is considered transient and tends to fall into the category of sheltering people.

David Thielen, executive director of Ames Romero House, addressed the Commission. He stated their house at 709 Clark Avenue has been in existence since 2020 and they serve the community that is in need of a meal, a shower, laundry, rest, and a reprieve to get off their feet for a couple of hours a day. The Romero House does not house any of their guests and guests are only able to visit between 1:00-4:00 p.m., Monday through Friday; on Sundays, hospitality is offered from 10:00 a.m.– 4:00 p.m. The Romero House usually has 15-20 guests per day, and it is typically the same people who are in need.

Mr. Thielen said there are a lot of volunteers in the community who support their mission and they have a lot of donors. Their plan is to maintain the "yellow" house at 709 Clark Avenue and turn it into a residence for four live-in employees of the organization. The home has been professionally landscaped and the inside has been beautifully remodeled; they put a lot of care into the home and want to keep it looking beautiful. If their request is approved, they plan to remodel the interior of the "orange" house at 702 Clark Avenue, and it would also be professionally landscaped to make it look beautiful for the neighborhood. It will also be ADA accessible. Mr. Thielen asked the Commission to consider the text amendment to allow them to continue to serve the community in a very positive manner.

Chairperson LaPietra opened public comments.

Kate Gregory of 803 Kellogg Avenue said she chose to move into her neighborhood nine years ago because of the diversity and variety of the neighborhood. She lives across the street from a YSS house and enjoys having them as a neighbor and believes they add enrichment to the community. She thought there were only two Social Service Providers in her neighborhood, but learned there are five. Ms. Gregory expressed that the facilities are great and she believes it is the responsibility of herself and others to take care of other people in the community. However, in the six block area around her house, there will be six of sixty properties being used for providing social services, and 10% of a six block area changes the nature of a neighborhood. Ms. Gregory said she appreciates that our city needs to solve our social services problem, and she strongly endorses coming up with a plan to address it. She said she has talked to people who are no longer comfortable walking in the neighborhood because the tone has changed, and parents are no longer allowing their children to walk alone. She implored the Commission to gather the data of what is actually happening in community, analyze it and use it. She also asked that the City talk to the community members in the area.

Julie Kruse of 817 Kellogg Avenue stated she agreed wholeheartedly with what Ms. Gregory said. She said that on her block alone, she lives across from a church, a tri-plex, a YSS property, and single family homes; she appreciates the mix of uses in the neighborhood which is why she chose to live in the area. However, she asked the Commission to pause the conversation for a meeting or two and gather data on the area. The concentration of Social Service Providers in the neighborhood is in question as some of the houses are marked and some are not. She questioned if the Special Use Permit criteria needs to have a list geared specifically toward Social Service Providers because as it is now, the criteria is for all uses and they are not a one size fits all. Ms. Kruse added that safety in the neighborhood has become a concern and she no longer allows her children to walk to the library or downtown without an adult. There are people sleeping in the park at 9th Street and Douglas Avenue, outside the Elks Club, at the library, and at Bandshell Park. She expressed there is clearly a need and she is willing to be part of the conversation, but it is impacting the surrounding neighborhood and she does not think people are being given the chance to have a conversation about it; the notice that the City gave to the Neighborhood Board was not sufficient. She concluded by saying another argument is the loss of affordable housing in the area with more Social Service Providers converting the existing homes.

Director Diekmann, in response, stated City Council is looking at hiring a consultant to evaluate the homeless issue in Ames and Story County.

Mr. Sullivan asked where Social Service Providers were currently located in Ames. Mr. Diekmann said the South Lincoln Mixed Use Zoning District is the most permissible area, which is where a number of Bridge Home facilities are as well as other uses. Many zones allow for it as described by Mr. Anderson.

Mr. Sullivan asked Mr. Thielen why the proposed area was a desirable location rather than the other allowable zoning districts. Mr. Thielen said the area is near the library and is a perfect location for the people they serve; many of them do not have a means of transportation. It fits the proximity of where the population of the people they serve is. He

stressed that the integrity of the neighborhood is important to them as well, and they are very careful about the yards and monitoring the grounds of their building.

Mr. Sullivan asked Ms. Kruse what facts or information she believed were needed for the Commission to come to a decision. Ms. Kruse said one reason for a pause is to consider the use of the Social Service Providers and how they operate. For example, because the guests of the Romero house do not live there and only visit for one to three hours per day, it actually increases the number of transient people in the neighborhood. Ms. Kruse suggested looking at the areas where Social Service Providers are already allowed to be located. And, the consideration that social services providers may need separate criteria for the Special Use Permit.

Discussion was held about additional outreach and notice opportunities to the neighborhood.

Ms. Winter said she was concerned about the criteria for a Special Use Permit as it is very subjective. She said she would also like to hear from people who live in the neighborhood to hear how it has changed, as she lived there many years ago.

Moved by Moss, seconded by Clayton, to recommend that City Council amend Article 11 and the Allowable Uses in the "O-SFC" (Single Family Overlay District) to allow Social Service Providers with a Special Use Permit.

Vote on Motion: 4-2. Motion Passed.

MAJOR SITE DEVELOPMENT PLAN WITHIN AN ENVIRONMENTALLY SENSITIVE ZONING OVERLAY FOR 1205 SOUTH DAYTON AVENUE

Planner Justin Moore presented the staff report. He stated the application is to consider work done on an Agriculturally zoned property consisting of the enlargement of a pond, work on the banks, construction of a paved trail, and some fill work on the shore. The Major Site Development Plan with an Environmental Assessment is required because the property is located within the Environmentally Sensitive Overlay (O-E). The O-E standards and the Environmental Assessment ensure no environmental resources were damaged or removed or that any wetland or natural habitat was adversely affected. The Floodplain Development Permit ensures there is no rise or obstruction created in the floodway.

Mr. Moore explained that the reviews are typically done before any work is performed, but in this case, staff had to go back and review the work that had already been done without permits and review the standards from there. The owner's engineer submitted cut and fill calculations that were reviewed by staff and shared with the DNR, and it was concluded that no rise was created. The engineer also submitted a signed No Rise certificate. The Army Corp of Engineers reviewed the Environmental permit and staff received a letter from them stating no review was required from them. Staff walked the site and with the review of the calculations, found there was no rise or adverse impact to the environmental resources. Staff advised the owner to seek permits prior to work in the future.

Scott Renaud with Renaud Engineering was the engineer on the project and addressed the Commission on behalf of the property owner. Mr. Renaud stated the owner thought the work that was done to the site was just maintenance, plus the trail, and he was not aware that he needed a permit because the pond already existed.

Moved by Winter, seconded by Voss, to recommend that the City Council approve the Major Site Development Plan for 1205 South Dayton Avenue by concluding that the Plan meets the standards of the Zoning ordinance.

Vote on Motion: 6-0. Motion Passed.

COMMISSION COMMENTS

Mr. LaPietra asked if there will be a meeting in two weeks.

STAFF COMMENTS

Director Diekmann said there will most likely be a meeting. He also stated Downtown Ames requested that the City partner with the Ames Main Street Organization to do a Downtown Plan. The City offered funding to the project, but the project will not be administered by the City nor come before the Commission for review.

ADJOURNMENT

The meeting was adjourned at 8:10 p.m.

Mike LaPietra, Chairperson

Eileen Carter, Recording Secretary