

**COUNCIL ACTION FORM**

**SUBJECT:** ORDINANCES ESTABLISHING NORTHERN GROWTH WATER AND  
SANITARY SEWER CONNECTION DISTRICTS

**BACKGROUND:**

Since 2009, the City has been working with developers, land owners, and current residents within the northern growth area to plan for the installation of public infrastructure to serve this area. The northern growth area, which is generally located northward of the Northridge Heights and Bloomington Heights Subdivisions to W. 190<sup>th</sup> Street, and between George Washington Carver Avenue and Ada Hayden Heritage Park, has been identified by the City Council for residential development.

To facilitate this growth, Council directed that projects to construct the water and sanitary sewer main extensions needed to serve the area adjacent to Grant Avenue be included in the 2012/13 Capital Improvements Plan and Budget. The 2014/15 Capital Improvements Plan also includes the street paving of Grant Avenue. The adopted CIP and budget planned for the City to up-front the costs to design and install each of these improvements. Street construction costs will be shared and recovered through a special assessment district. **Utility connection districts** need to be established to recover the utility costs as developments are platted and as existing homesteads connect to the new mains. The annexation agreements previously signed between the City and the three developers (Rose Prairie, Quarry Estates and Hunziker) confirmed these financing arrangements.

When a city chooses to install utilities abutting undeveloped properties, it may establish connection districts to recoup its construction costs through fees collected at the time utility connections are requested. This process is authorized under Iowa Code, Section 384.38(3). This action initiates these processes for the water and sanitary sewer main extensions to be bid and constructed this year.

The planned schedule for bidding out the water and sanitary sewer main construction projects is as follows:

March 25	Council approves Plans & Specifications
April 16	Project Bid Letting
April 22	Report of Bids, Approval of Final Plans and Specifications, and Award of Bid

The proposed **sanitary sewer connection district** of approximately 741.59 acres is shown in Attachment A, along with the property owners who will be served by this main. The fee for all parcels shown in Attachment A is \$1,641.36 per acre, identified as

“District #1”. Parcels 6, 7, 8 and 9 have an additional estimated connection fee of \$1,204.80 per acre, since this section of main will only serve those parcels, identified as “District #2”. Parcel 16 has an additional estimated connection fee of \$1,341.53 per acre, since this section of sanitary sewer main serves only this one parcel, identified as “District #3”.

The proposed **water connection district** of approximately 410.88 acres is shown in Attachment B, along with the property owners that are to be served by this main. The connection fee for water main improvements is \$1,084.24 per acre.

These cost estimates are comprised of the following components:

- Engineering design costs
- Estimated construction administration costs
- Estimated construction costs

It should be noted that the State Code section providing for these connection districts requires the City to provide an engineer’s estimate of the costs at the time the district is first established. If the actual costs come in *higher*, the City must assume responsibility for that shortfall. To decrease the chances of that occurring, the estimated project costs shown are somewhat conservative. Additionally, as with all contract awards, if the bid costs come in significantly higher than estimated, the City Council and/or the abutting land owners may prefer to have those bids rejected and to reinstate the entire process later in the hope that more favorable bids would be received. If the bids come in *lower* than shown in these estimates, the procedure established by State Code does not provide for any cost savings to be passed on to those who later connect to the utilities. (This contrasts with the *special assessment process* specified under the State Code, where final assessments *may* be adjusted downward to reflect lower actual costs).

The general locations of the water and sanitary sewer mains are shown in Attachment C.

The Code of Iowa allows for the City to collect “reasonable interest” from the date of construction to the date of payment. It is proposed that the connection district fees increase on an annual basis using a simple interest rate (not compounded) of approximately 5%, rounded to the nearest dollar amount. This provides a fixed dollar rate of increase that will offset the City’s cost of borrowing for extension of the utilities. The fees will increase for a period of twelve years, after which they will continue to increase at the same rate unless modified by the City Council. The increase in fees for the sanitary sewer connection district are \$83 per year in District #1, \$60 per year in District #2, and \$67 per year in District #3. The increase in fees for the water connection district is \$55 per year. The tabulations for the twelve years for each district are shown in Attachment D. These tabulations, along with the maps of each of the districts, will be adopted by resolution into Appendix “W” of the Municipal Code upon the third reading of the ordinances.

After up-fronting the expense of installing these water and sewer mains, the City will be reimbursed as subdivisions are approved and as existing homeowners connect to the utilities. The Rose Prairie, Quarry Estates and two Hunziker annexation agreements specify that the developers will, upon approval of each final plat, pay a connection fee for the “benefitted area” included in that plat. After ten years, the next final plat will trigger repayment of any remaining balance.

During annexation discussions with the existing residents along Grant Avenue, concerns were expressed regarding their high “per acre” water and sewer connection costs. Council authorized staff to offer a one-time “in town” connection fee (presently \$1,440 per utility connection) for each existing homestead if the property owners would voluntarily annex. The remaining balance of any connection fee would then be paid only if another connection was later requested due to subdivision of their residential property. To date, two property owners have agreed to the voluntary annexation and the offer of reduced initial connection fees; and separate agreements approved by Council have confirmed those arrangements.

Several final notes are in order. First, while the City is committed to pay a major share of the street construction costs, the City’s property in Ada Hayden Heritage Park was not included in the water and sewer connection districts, since the City currently has no plans to construct park facilities that would require water or sewer service.

Second, as the financier of these two projects, the City is incurring a risk that some of the investment may never be repaid. If particular properties within the districts never connect to these utilities, then the City’s respective utility funds will have permanently borne those costs.

Third, the Rose Prairie annexation agreement contemplates two other future sewer connection districts. These districts will allow Rose Prairie to be partially reimbursed for the cost of extending sewer mains across their property as future growth occurs to the west and north. Since Rose Prairie has not yet initiated development, those extensions are not being constructed, nor are those connection districts being established at this time.

Finally, the possibility still exists that those living along Grant Avenue within these districts may be eligible for more favorable connection fees. To do so, however, they must agree to voluntarily annex into the City. Their final opportunity to avail themselves of that opportunity will take place when the Hunziker South annexation occurs.

### **ALTERNATIVES:**

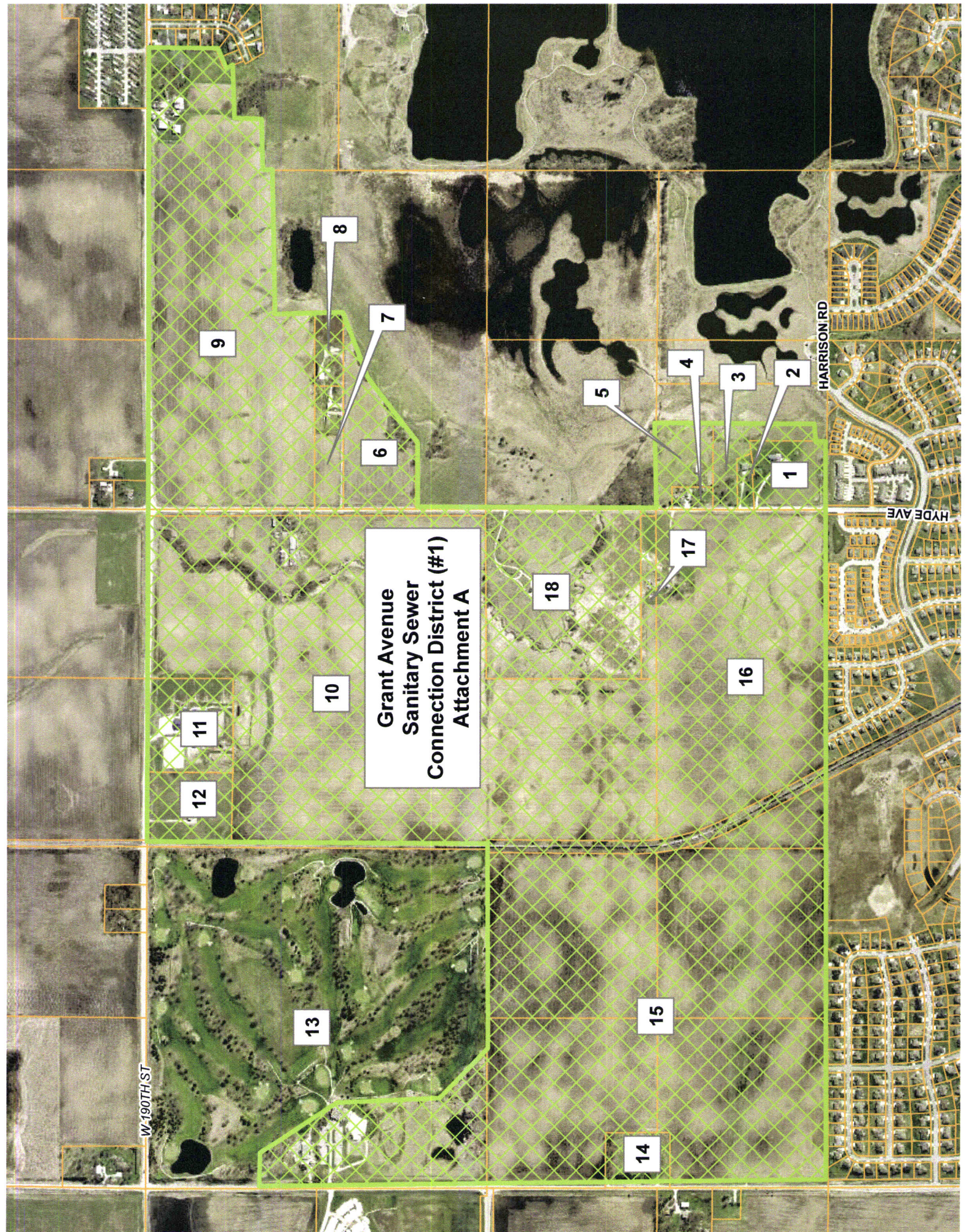
1. Adopt the attached ordinances establishing a water connection fee district and a sanitary sewer connection fee district in the City’s Northern Growth area.
2. Do not approve the proposed ordinances.

**MANAGER'S RECOMMENDED ACTION:**

The establishment of these utility connection districts is the next step in the City Council's plan to facilitate residential growth in this area. This method of financing the water and sanitary sewer main extensions was agreed to in the City's annexation agreements with the northern area developers.

Therefore, it is the recommendation that the City Council accept Alternative No. 1, thereby adopting the attached ordinances establishing a water connection fee district and a sanitary sewer connection fee district in the City's Northern Growth area.







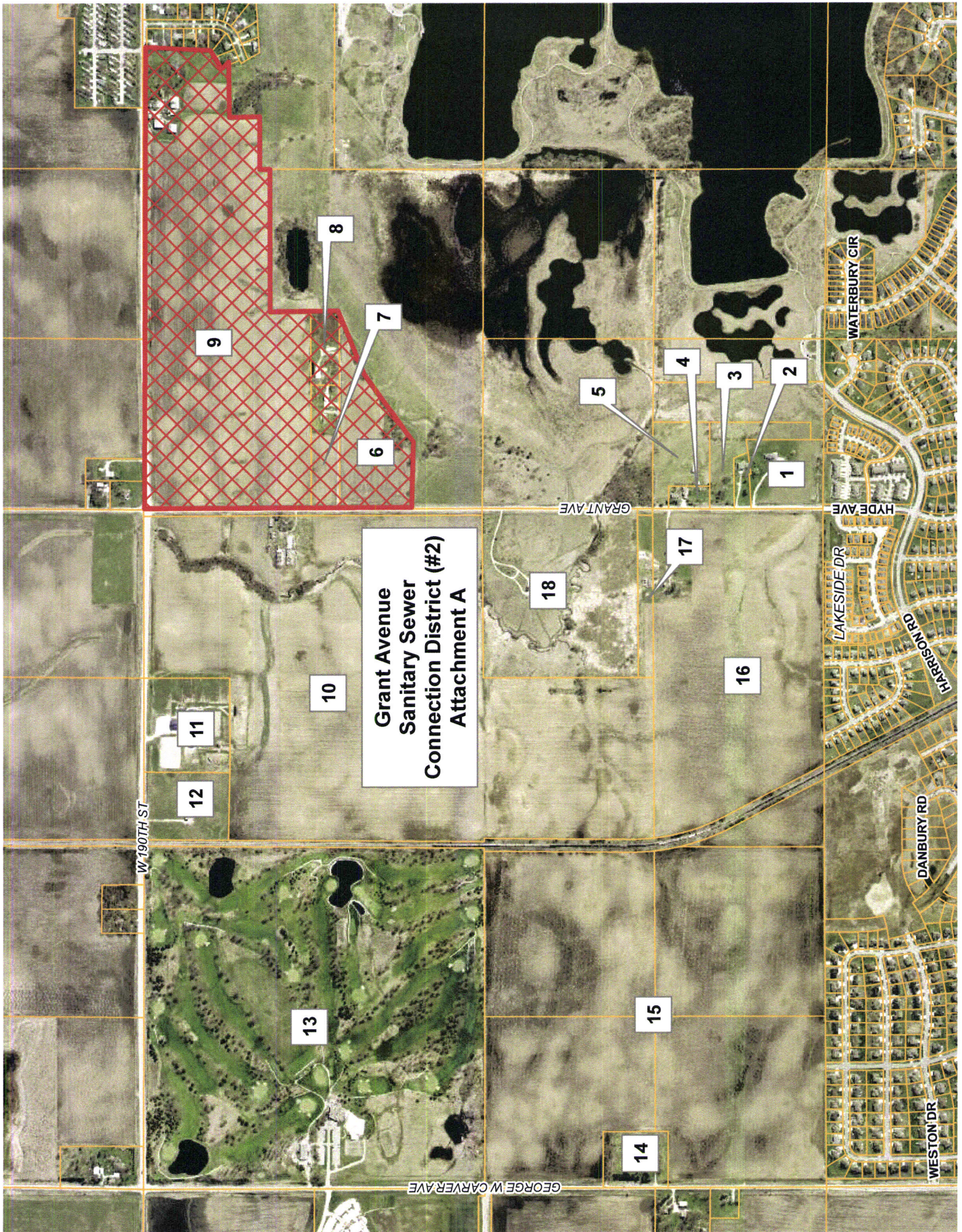
### **Sanitary Sewer Connection District #1\***

<b>Parcel</b>	<b>Owner</b>
1	Roger and Lori Hamblin
2	Clayton Gregg and Julie Schwery
3	Paul and Margot Eness
4	Mark Taylor and Allison Eness
5	Paul and Margot Eness
6	Hunziker Land Development
7	Harold and Betty Frame
8	Brian Frame
9	Quarry Estates

<b>Parcel</b>	<b>Owner</b>
10	Sansgaard Group
11	Ames Community Bank
12	Citicasters Group
13	Ames Golf and Country Club
14	Joshua and Rachel Mack
15	Borgmeyer
16	Erben and Margaret Hunziker
17	Sansgaard Group
18	Leroy and Sue Sturges

**\*UPRR is NOT a part of the Connection District**



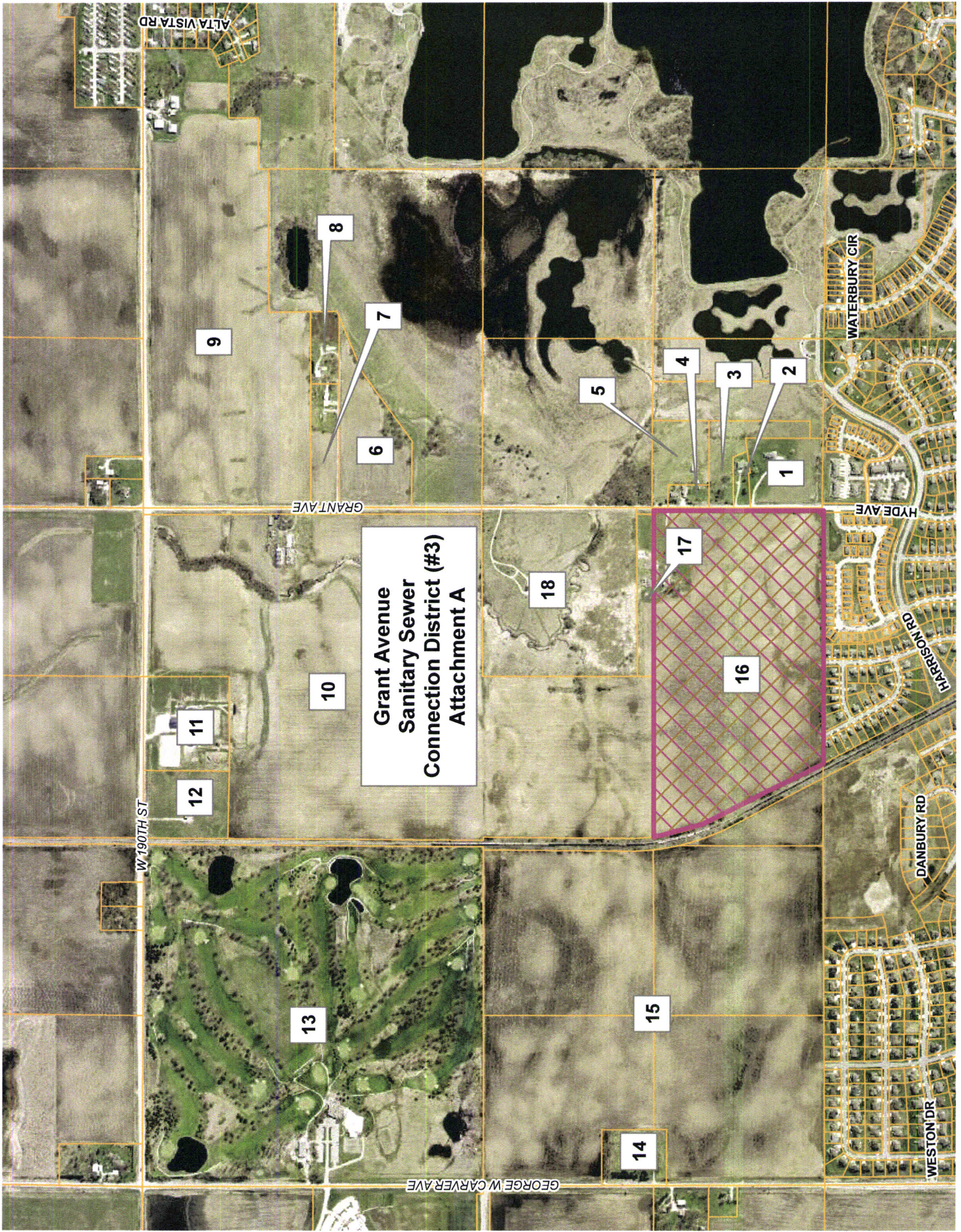




## Sanitary Sewer Connection District #2

Parcel	Owner
6	Hunziker Land Development
7	Harold and Betty Frame
8	Brian Frame
9	Quarry Estates





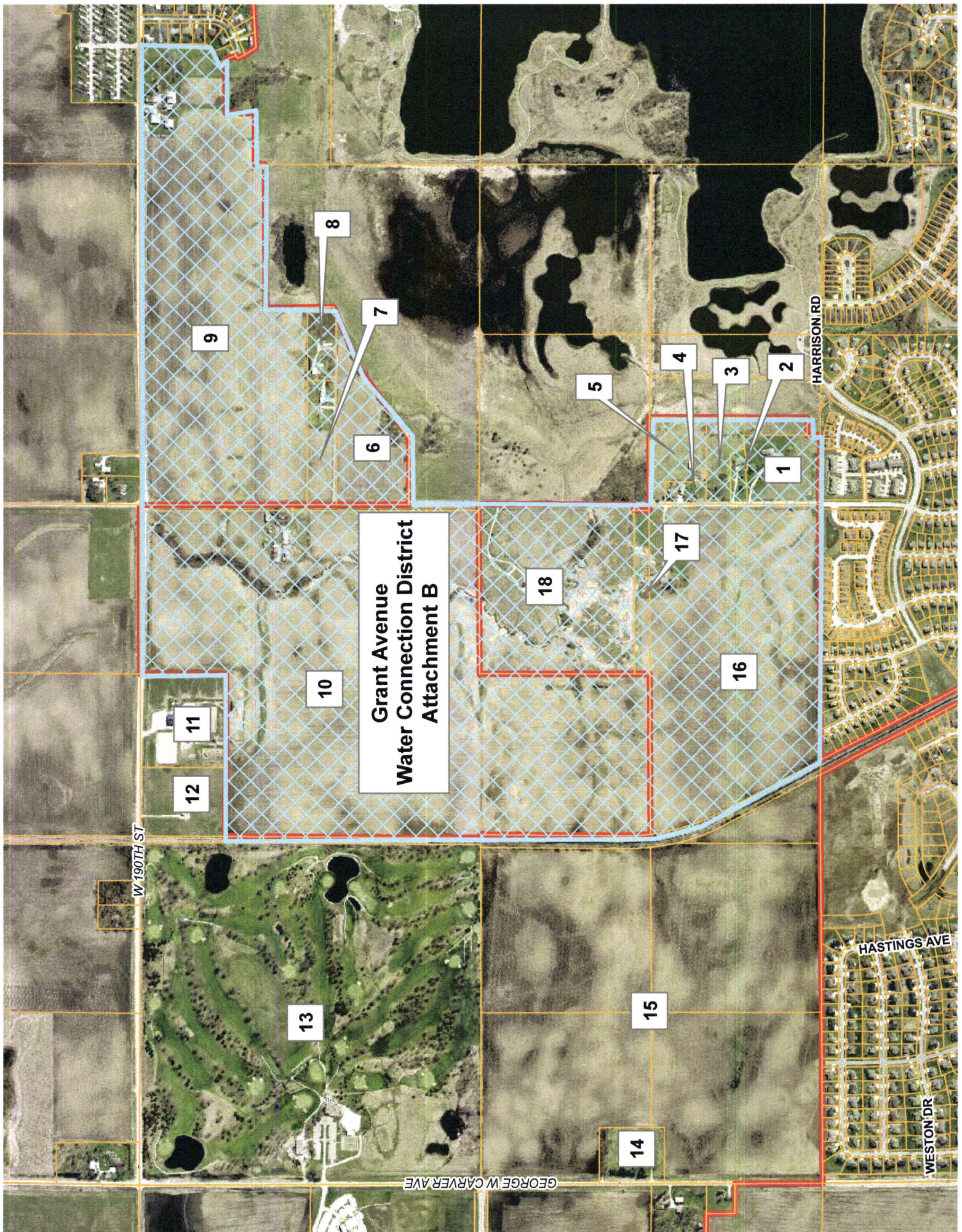


### **Sanitary Sewer Connection District #3\***

<b>Parcel</b>	<b>Owner</b>
16	Erben and Margaret Hunziker

**\*UPRR is NOT a part of the Connection District**





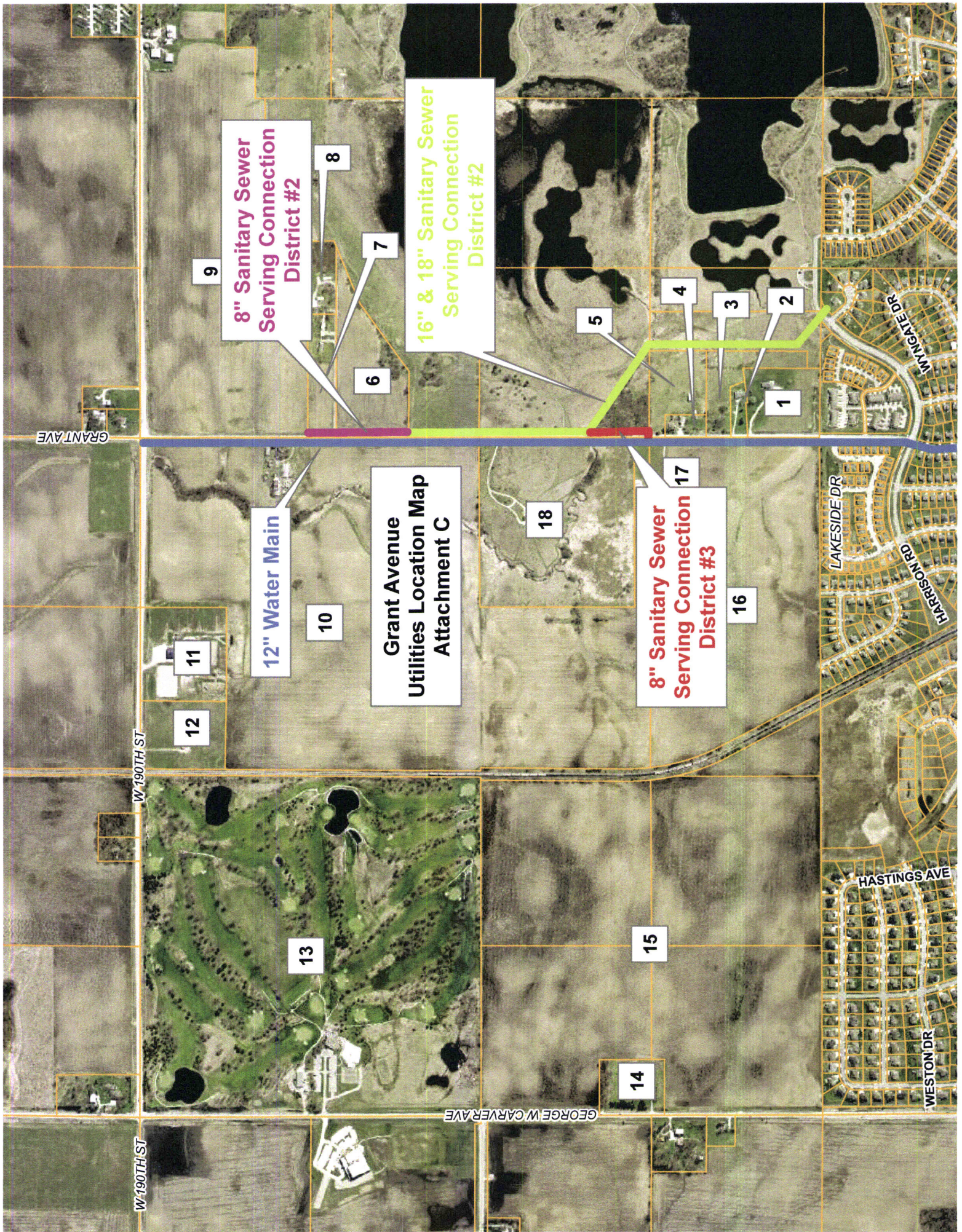


## **Attachment B (Cont.)**

### **Water Connection District**

1	Roger and Lori Hamblin
2	Clayton Gregg and Julie Schwery
3	Paul and Margot Eness
4	Mark Taylor and Allison Eness
5	Paul and Margot Eness
6	Hunziker Land Development
7	Harold and Betty Frame
8	Brian Frame
9	Quarry Estates
10	Sansgaard Group
16	Erben and Margaret Hunziker
17	Sansgaard Group
18	Leroy and Sue Sturges





**8" Sanitary Sewer  
Serving Connection  
District #2**

**16" & 18" Sanitary Sewer  
Serving Connection  
District #2**

**12" Water Main**

**Grant Avenue  
Utilities Location Map  
Attachment C**

**8" Sanitary Sewer  
Serving Connection  
District #3**



## ATTACHMENT D

### *Sanitary Sewer Connection District #1 (All parcels)*

<b>Effective Date</b>	<b>Connection Fee (\$/acre) 5% Annual Increase</b>
Adoption of Ordinance	\$1,641.36
July 1, 2015	\$1,724.00
July 1, 2016	\$1,807.00
July 1, 2017	\$1,890.00
July 1, 2018	\$1,973.00
July 1, 2019	\$2,056.00
July 1, 2020	\$2,139.00
July 1, 2021	\$2,222.00
July 1, 2022	\$2,305.00
July 1, 2023	\$2,388.00
July 1, 2024	\$2,471.00
July 1, 2025	\$2,554.00

### *Sanitary Sewer Connection District #2 (Parcels 6, 7, 8, 9)*

<b>Effective Date</b>	<b>Additional Connection Fee (\$/acre) 5% Annual Increase</b>	<b>Total Connection Fee (\$/acre) District #1 Connection + District #2 Additional Connection Fee</b>
Adoption of Ordinance	\$1,204.80	\$2,846.16
July 1, 2015	\$1,265.00	\$2,989.00
July 1, 2016	\$1,325.00	\$3,132.00
July 1, 2017	\$1,385.00	\$3,275.00
July 1, 2018	\$1,445.00	\$3,418.00
July 1, 2019	\$1,505.00	\$3,561.00
July 1, 2020	\$1,565.00	\$3,704.00
July 1, 2021	\$1,625.00	\$3,847.00
July 1, 2022	\$1,685.00	\$3,990.00
July 1, 2023	\$1,745.00	\$4,133.00
July 1, 2024	\$1,805.00	\$4,276.00
July 1, 2025	\$1,865.00	\$4,419.00

## ATTACHMENT D

### *Sanitary Sewer Connection District #3 (Parcel 16)*

<b>Effective Date</b>	<b>Additional Connection Fee (\$/acre) 5% annual increase</b>	<b>Total Connection Fee (\$/acre) District #1 Connection + District #2 Additional Connection Fee</b>
Adoption of Ordinance	\$1,341.53	\$2,982.89
July 1, 2015	\$1,409.00	\$3,133.00
July 1, 2016	\$1,476.00	\$3,283.00
July 1, 2017	\$1,543.00	\$3,433.00
July 1, 2018	\$1,610.00	\$3,583.00
July 1, 2019	\$1,677.00	\$3,733.00
July 1, 2020	\$1,744.00	\$3,883.00
July 1, 2021	\$1,811.00	\$4,033.00
July 1, 2022	\$1,878.00	\$4,183.00
July 1, 2023	\$1,945.00	\$4,333.00
July 1, 2024	\$2,012.00	\$4,483.00
July 1, 2025	\$2,079.00	\$4,633.00

## ATTACHMENT D

### *Water Connection District*

<b>Effective Date</b>	<b>Connection Fee (\$/acre)</b> 5% annual increase
Adoption of Ordinance	\$1,084.24
July 1, 2015	\$1,139.00
July 1, 2016	\$1,194.00
July 1, 2017	\$1,249.00
July 1, 2018	\$1,304.00
July 1, 2019	\$1,359.00
July 1, 2020	\$1,414.00
July 1, 2021	\$1,469.00
July 1, 2022	\$1,524.00
July 1, 2023	\$1,579.00
July 1, 2024	\$1,634.00
July 1, 2025	\$1,689.00

## ORDINANCE NO.

### **AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW CHAPTER 28, SECTION 28.906 THEREOF, FOR THE PURPOSE OF CREATING A WATER CONNECTION FEE DISTRICT IN THE NORTH GROWTH AREA; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.**

**BE IT ENACTED**, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Chapter 28, Section 28.906 as follows:

#### **“Sec. 28.906 NORTH GROWTH AREA WATER CONNECTION FEE DISTRICT**

(1) There is hereby established pursuant to Sec. 384.38(3) Code of Iowa, 1995, a water connection fee district described as follows, and as shown on the map in Appendix “W”:

(a) Parcel 1: Parcel “E” in the Southwest Quarter of the Southwest Quarter (SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ) of Section 22, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, as shown on the “Plat of Survey” filed in the office of the Recorder of Story County, Iowa, on December 18, 1998, as Instrument Number 98-17594, in Slide 12 at Page 3.

(b) Parcel 2: That part of the Southwest Quarter (SW  $\frac{1}{4}$ ) of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section Twenty-two (22), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa, described as follows: Commencing at the Southwest (SW) corner of said Section Twenty-two (22); thence N 00°00’00” E, Five Hundred Fifty-three and Twenty-two Hundredths (553.22) Feet along the West line of said Southwest Quarter (SW  $\frac{1}{4}$ ) of the Southwest Quarter (SW  $\frac{1}{4}$ ) to the point of beginning; thence continuing N 00°00’00” E, One Hundred Twenty-nine and Forty-three Hundredths (129.43) Feet along said West line; thence N 89°27’30” E, Three Hundred Ninety-one and Thirty-seven Hundredths (391.37) Feet; thence S 22°05’14” E, One Hundred Nineteen and Thirty-four Hundredths (119.34) Feet; thence S 82°23’01” W, One Hundred Sixty-eight and Seventy-eight Hundredths (168.78) Feet; thence N 00°21’54” E, Thirteen and Seventy-three Hundredths (13.73) Feet; thence S 87°02’30” W, Two Hundred Sixty-nine and Thirty-eight Hundredths (269.38) Feet to the West line of said Southwest Quarter (SW  $\frac{1}{4}$ ) of the Southwest Quarter (SW  $\frac{1}{4}$ ) and point of beginning, containing 1.173 acres, which includes 0.098 acres of existing County Road right-of-way.

(c) Parcel 3: The South Half (S $\frac{1}{2}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section Twenty-two (22), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., excepting therefrom, however, the East 50 acres thereof and a tract of 10.35 acres described as follows: Beginning at the Northwest corner of the South Half (S $\frac{1}{2}$ ) of said Southwest Quarter (SW $\frac{1}{4}$ ), thence South 89°25’ East 974.36 feet, thence South 0°14’58” East 462.24 feet, thence North 89°25’ West 976.37 feet to the West line of said Southwest Quarter (SW $\frac{1}{4}$ ), thence North 0°00’ East along said West line 462.24 feet to the point of beginning, and excepting therefrom a tract of 1.173 acres described as follows: Part of the Southwest Quarter (SW $\frac{1}{4}$ ) Southwest Quarter (SW $\frac{1}{4}$ ) of Section Twenty-two (22), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa, described as follows: Commencing at the Southwest corner of said Section Twenty-two (22), thence North 00°00’00” East, 553.22 feet along the West line of said Southwest Quarter (SW $\frac{1}{4}$ ) Southwest Quarter (SW $\frac{1}{4}$ ) to the point of beginning; thence continuing North 00°00’00” East, 129.43 feet along said West line; thence North 89°27’30” East, 391.37 feet; thence South 22°05’14” East, 119.34 feet; thence South 82°23’01” West, 168.78 feet; thence North 00°21’54” East, 13.73 feet; thence South 87°02’30” West, 269.38 feet to the West line of said

Southwest Quarter (SW¼) Southwest Quarter (SW¼) and point of beginning, containing, less said exceptions, 18.197 acres more or less, subject to highway and easements of record.

(d) Parcel 4: Parcel "A" in the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section 22, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, as shown on the "Plat of Survey" filed in the office of the Recorder of Story County, Iowa, on the 2<sup>nd</sup> day of June, 1996, and recorded in Book 14 at Page 2.

(e) Parcel 5: Beginning at the Northwest Corner of the South Half of the Southwest Quarter of Section 22, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., thence South 89 degrees 25' East along the North line of the South Half of said Southwest Quarter 974.36 feet, thence South 0 degrees 14'58" East 462.24 feet, thence North 89 degrees 25' West 976.37 feet, to the West line of said Southwest Quarter, thence North 0 degrees 00' East along said West line 462.24 feet to the point of beginning, containing 10.35 acres more or less.

(f) Parcel 6: Commencing at the West Quarter corner of Section 22, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa; thence North 540.9 feet along the West line of the Northwest Quarter (NW ¼) of said Section 22 to the point of beginning; thence South 89°30' East 510.4 feet; thence North 54°20' East 648.2 feet; thence North 67°27' East 479.6 feet; thence North 90°00' West 1479.9 feet to said West line; thence South 557.4 feet along said West line to the point of beginning, containing 12.00 acres, subject to all other rights, reservations, restrictions, easements, liens and encumbrances of record; and other land.

(g) Parcel 7: A part of the Northwest Quarter (NW ¼) of Section 22, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, described as follows: "Beginning at a point on the west line of said Northwest Quarter (NW ¼) which is 1098.1 feet north of the Southwest corner thereof, thence N 89°59'20" E, 14810.15 feet; thence N 67°27' E, 44.15 feet; thence N 0°44' W, 203.1 feet; thence S 89°59'20" W, 1518.35 feet; thence South 220.0 feet." Containing 7.67 acres and subject to road right-of-way.

(h) Parcel 8: Parcel C in the Northwest ¼ of Section 22, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa; as shown on the "Plat of Survey" filed in the office of the Recorder of Story County, Iowa, on February 6, 1998, and recorded as Instrument No. 98-01464 in C&FN Book 15 at Page 110, Contains 2.83 gross acres.

(i) Parcel 9: Parcel "L" Legal Description: That part of the North Half (N ½) of Section 22, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa; more particularly described as follows: Beginning at the Northwest corner of said Section 22; thence S 89°59'37" E, 628.66 feet along the North line of the Northwest Quarter (NW ¼) of said Section 22 to the North Quarter corner; thence S 89°56'56" E, 928.93 feet along the North line of the Northeast Quarter (NE ¼) of said Section 22 to the Northwest corner of H.P. Jensen's Subdivision; thence S 00°16'21" W, 507.33 feet along the West line of said H.P. Jensen's Subdivision; thence S 24°26'29" W, 35.20 feet along H.P. Jensen's Subdivision; thence S 87°49'44" W, 149.80 feet along the Northwesterly line of H.P. Jensen's Subdivision; thence S 22°11'56" E, 74.28 feet along H.P. Jensen's Subdivision; thence N 89°56'58" W, 408.46 feet along the Northerly line of Parcel "G" in the West Half of the Northeast Quarter (W ½ NE ¼) of said Section 22; thence S 00°20'15" W, 225.92 feet along the Westerly line of said Parcel "G"; thence N 89°57'27" W, 395.18 feet along the Northerly line of said Parcel "G"; thence S 00°13'28" W, 74.73 feet along the Westerly line of said Parcel "G" to the Northeast corner of Parcel "J" in the Northwest Quarter (NW ¼) of said Section 22; thence S 89°55'44" W, 1109.83 feet along the North line of said Parcel "J"; thence S 00°46'31" E, 323.35 feet along the Westerly line of said Parcel "J" to the Northeast corner of Parcel "C" in the Northwest Quarter (NW ¼) of said Section 22; thence S 89°56'34" W, 560.39 feet along the North line of said Parcel "C" to the Northwest corner of said Parcel "C," also being the Northeast corner of Parcel "B" in the Northwest Quarter (NW ¼) of said Section 22; thence S 89°56'34" W, 957.96 feet along the North line of said Parcel "B" to the West line of the Northwest Quarter (NW ¼) of said Section 22; thence N 00°02'52" W, 1291.95 feet along the West line of the Northwest Quarter (NW ¼) of said Section 22 to the point of beginning.

Parcel "L" Alternate Description: Parcel "L" in the North Half (N ½) of Section 22, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, as shown on the "Plat of Survey" filed in the office of the Recorder of Story County, Iowa, on January 17, 2012, and recorded as Instrument No. 12-00476 on Slide 425, Page 4.

(j) Parcels 10 and 17: Outlot X, Rose Prairie Final Plat, Ames, Story County, Iowa, AND Units 1 to 279, inclusive, in Rose Prairie, a condominium in Ames, Story County, Iowa, together with all appurtenances thereto, including an undivided fractional interest in the common elements, areas and facilities as

determined for said unit by the provisions of, and in accordance with, the Declaration of Horizontal Property Regime for Rose Prairie filed in the office of the Recorder of Story County, Iowa, on April 29, 2009, as Inst. No. 09-04556 (and any supplements and amendments thereto). Rose Prairie, as presently constituted, is located on Lot 2, Rose Prairie Final Plat, Ames, Story County, Iowa.

(k) Parcel 16: The West 26.038 acres of all that part of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Thirty-one (31), lying North of the right-of-way and C.&N.W., all in Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa; The South Half (S ½) of the Southeast Quarter (SE ¼) of Section Twenty-one (21), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa, except railroad right-of-way; and The South Half (S ½) of the Northwest Quarter (NW ¼) of Section Twenty-two (22), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa.

(l) Parcel 18: Parcel "A" in the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) in Section 21, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, as shown on the "Plat of Survey" filed in the office of the Recorder of Story County, Iowa, on May 31, 1996, as Instrument No. 96-05211, in Book 13 at Page 249.

(2) The fee for connection of a property within the aforesaid district to the water utility shall be:  
The original connection fee for water service is \$1,084.24 per acre of property served by the connection.

(3) Annual increase in connection fee.

- (a) For the purposes of accounting for the costs incurred by the City of Ames to finance improvements, the connection district fee shall increase on an annual basis
- (b) The fee shall increase using a simple interest rate of approximately five (5) percent annually for a period of at least twelve (12) years.
- (c) The approximate five (5) percent annual increase in the connection district fee shall be based on the original connection fee of \$1,084.24, and will be rounded to an even dollar amount per year. Thus, the connection district fee will increase at a rate of \$55 per year. Appendix "W" shows the tabulation of the connection district fee for each of the twelve years beginning on April 22, 2014, increasing on July 1 each following year, and ending on July 1, 2026.
- (d) After July 1, 2026, the connection district fee will continue to increase at a rate of \$55 per year unless the connection fee annual increase is modified by the City of Ames."

Section Two. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Three. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Diane R. Voss, City Clerk

\_\_\_\_\_  
Ann H. Campbell, Mayor

**ORDINANCE NO.**

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW CHAPTER 28, SECTION 28.907 THEREOF, FOR THE PURPOSE OF CREATING A SANITARY SEWER CONNECTION FEE DISTRICT IN THE NORTH GROWTH AREA; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.**

**BE IT ENACTED**, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Chapter 28, Section 28.907 as follows:

**“Sec. 28.907     NORTH GROWTH AREA SANITARY SEWER CONNECTION FEE DISTRICT**

(1) There is hereby established pursuant to Sec. 384.38(3) Code of Iowa, 1995, a sanitary sewer connection fee district described as follows, and as shown on the map in Appendix “W”:

(a) Parcel 1: Parcel “E” in the Southwest Quarter of the Southwest Quarter (SW ¼ SW ¼) of Section 22, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, as shown on the “Plat of Survey” filed in the office of the Recorder of Story County, Iowa, on December 18, 1998, as Instrument Number 98-17594, in Slide 12 at Page 3.

(b) Parcel 2: That part of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section Twenty-two (22), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa, described as follows: Commencing at the Southwest (SW) corner of said Section Twenty-two (22); thence N 00°00’00” E, Five Hundred Fifty-three and Twenty-two Hundredths (553.22) Feet along the West line of said Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) to the point of beginning; thence continuing N 00°00’00” E, One Hundred Twenty-nine and Forty-three Hundredths (129.43) Feet along said West line; thence N 89°27’30” E, Three Hundred Ninety-one and Thirty-seven Hundredths (391.37) Feet; thence S 22°05’14” E, One Hundred Nineteen and Thirty-four Hundredths (119.34) Feet; thence S 82°23’01” W, One Hundred Sixty-eight and Seventy-eight Hundredths (168.78) Feet; thence N 00°21’54” E, Thirteen and Seventy-three Hundredths (13.73) Feet; thence S 87°02’30” W, Two Hundred Sixty-nine and Thirty-eight Hundredths (269.38) Feet to the West line of said Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) and point of beginning, containing 1.173 acres, which includes 0.098 acres of existing County Road right-of-way.

(c) Parcel 3: The South Half (S½) of the Southwest Quarter (SW¼) of Section Twenty-two (22), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., excepting therefrom, however, the East 50 acres thereof and a tract of 10.35 acres described as follows: Beginning at the Northwest corner of the South Half (S½) of said Southwest Quarter (SW¼), thence South 89°25’ East 974.36 feet, thence South 0°14’58” East 462.24 feet, thence North 89°25’ West 976.37 feet to the West line of said Southwest Quarter (SW¼), thence North 0°00’ East along said West line 462.24 feet to the point of beginning, and excepting therefrom a tract of 1.173 acres described as follows: Part of the Southwest Quarter (SW¼) Southwest Quarter (SW¼) of Section Twenty-two (22), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa, described as follows: Commencing at the Southwest corner of said Section Twenty-two (22), thence North 00°00’00” East, 553.22 feet along the West line of said Southwest Quarter (SW¼) Southwest Quarter (SW¼) to the point of beginning; thence continuing North 00°00’00” East, 129.43 feet along said West line; thence North 89°27’30” East, 391.37 feet; thence South 22°05’14” East, 119.34 feet; thence South 82°23’01” West, 168.78 feet; thence North 00°21’54” East, 13.73 feet; thence South 87°02’30” West, 269.38 feet to the West line of said Southwest Quarter (SW¼) Southwest Quarter (SW¼) and point of beginning, containing, less said exceptions, 18.197 acres more or less, subject to highway and easements of record.



(d) Parcel 4: Parcel "A" in the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section 22, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, as shown on the "Plat of Survey" filed in the office of the Recorder of Story County, Iowa, on the 2<sup>nd</sup> day of June, 1996, and recorded in Book 14 at Page 2.

(e) Parcel 5: Beginning at the Northwest Corner of the South Half of the Southwest Quarter of Section 22, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., thence South 89 degrees 25' East along the North line of the South Half of said Southwest Quarter 974.36 feet, thence South 0 degrees 14'58" East 462.24 feet, thence North 89 degrees 25' West 976.37 feet, to the West line of said Southwest Quarter, thence North 0 degrees 00' East along said West line 462.24 feet to the point of beginning, containing 10.35 acres more or less.

(f) Parcel 6: Commencing at the West Quarter corner of Section 22, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa; thence North 540.9 feet along the West line of the Northwest Quarter (NW ¼) of said Section 22 to the point of beginning; thence South 89°30' East 510.4 feet; thence North 54°20' East 648.2 feet; thence North 67°27' East 479.6 feet; thence North 90°00' West 1479.9 feet to said West line; thence South 557.4 feet along said West line to the point of beginning, containing 12.00 acres, subject to all other rights, reservations, restrictions, easements, liens and encumbrances of record; and other land.

(g) Parcel 7: A part of the Northwest Quarter (NW ¼) of Section 22, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, described as follows: "Beginning at a point on the west line of said Northwest Quarter (NW ¼) which is 1098.1 feet north of the Southwest corner thereof, thence N 89°59'20" E, 14810.15 feet; thence N 67°27' E, 44.15 feet; thence N 0°44' W, 203.1 feet; thence S 89°59'20" W, 1518.35 feet; thence South 220.0 feet." Containing 7.67 acres and subject to road right-of-way.

(h) Parcel 8: Parcel C in the Northwest ¼ of Section 22, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa; as shown on the "Plat of Survey" filed in the office of the Recorder of Story County, Iowa, on February 6, 1998, and recorded as Instrument No. 98-01464 in C&FN Book 15 at Page 110, Contains 2.83 gross acres.

(i) Parcel 9: Parcel "L" Legal Description: That part of the North Half (N ½) of Section 22, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa; more particularly described as follows: Beginning at the Northwest corner of said Section 22; thence S 89°59'37" E, 628.66 feet along the North line of the Northwest Quarter (NW ¼) of said Section 22 to the North Quarter corner; thence S 89°56'56" E, 928.93 feet along the North line of the Northeast Quarter (NE ¼) of said Section 22 to the Northwest corner of H.P. Jensen's Subdivision; thence S 00°16'21" W, 507.33 feet along the West line of said H.P. Jensen's Subdivision; thence S 24°26'29" W, 35.20 feet along H.P. Jensen's Subdivision; thence S 87°49'44" W, 149.80 feet along the Northwesterly line of H.P. Jensen's Subdivision; thence S 22°11'56" E, 74.28 feet along H.P. Jensen's Subdivision; thence N 89°56'58" W, 408.46 feet along the Northerly line of Parcel "G" in the West Half of the Northeast Quarter (W ½ NE ¼) of said Section 22; thence S 00°20'15" W, 225.92 feet along the Westerly line of said Parcel "G"; thence N 89°57'27" W, 395.18 feet along the Northerly line of said Parcel "G"; thence S 00°13'28" W, 74.73 feet along the Westerly line of said Parcel "G" to the Northeast corner of Parcel "J" in the Northwest Quarter (NW ¼) of said Section 22; thence S 89°55'44" W, 1109.83 feet along the North line of said Parcel "J"; thence S 00°46'31" E, 323.35 feet along the Westerly line of said Parcel "J" to the Northeast corner of Parcel "C" in the Northwest Quarter (NW ¼) of said Section 22; thence S 89°56'34" W, 560.39 feet along the North line of said Parcel "C" to the Northwest corner of said Parcel "C," also being the Northeast corner of Parcel "B" in the Northwest Quarter (NW ¼) of said Section 22; thence S 89°56'34" W, 957.96 feet along the North line of said Parcel "B" to the West line of the Northwest Quarter (NW ¼) of said Section 22; thence N 00°02'52" W, 1291.95 feet along the West line of the Northwest Quarter (NW ¼) of said Section 22 to the point of beginning.

Parcel "L" Alternate Description: Parcel "L" in the North Half (N ½) of Section 22, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, as shown on the "Plat of Survey" filed in the office of the Recorder of Story County, Iowa, on January 17, 2012, and recorded as Instrument No. 12-00476 on Slide 425, Page 4.

(j) Parcels 10 and 17: Outlot X, Rose Prairie Final Plat, Ames, Story County, Iowa, AND Units 1 to 279, inclusive, in Rose Prairie, a condominium in Ames, Story County, Iowa, together with all appurtenances thereto, including an undivided fractional interest in the common elements, areas and facilities as determined for said unit by the provisions of, and in accordance with, the Declaration of Horizontal Property Regime for Rose Prairie filed in the office of the Recorder of Story County, Iowa, on April 29, 2009, as Inst. No. 09-

04556 (and any supplements and amendments thereto). Rose Prairie, as presently constituted, is located on Lot 2, Rose Prairie Final Plat, Ames, Story County, Iowa.

(k) Parcel 11: Lot One (1), Rose Prairie Final Plat, Ames, Story County, Iowa.

(l) Parcel 12: Parcel "B" in the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of Section Twenty-one (21), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa, as shown on the "Plat of Survey" filed in the office of the Recorder of Story County, Iowa, on the 9th day of April, 1997, and recorded in Book 14, at Page 185.

(m) Parcel 13: The SW 23.8 acres of the property Beginning at a point 1,009.0 Feet North of the West Quarter (W<sup>1</sup>/<sub>4</sub>) Corner of Section Twenty-one (21), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa, Thence continuing North on the West Line of said Section 21, 330.0 Feet, Thence South 89°38' East 410.0 Feet, Thence South 330.0 Feet, Thence North 89°38' West 410.0 Feet to the Point of Beginning, as shown on the map in Appendix "W".

(n) Parcel 14: Parcel "G" a part of the SW <sup>1</sup>/<sub>4</sub> of Section 21, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, as shown on the "Plat of Survey" filed in the office of the Recorder of Story County, Iowa, on December 18, 2003, as Inst. No. 03-25077, Slide 192, Page 1.

(o) Parcel 15: SW <sup>1</sup>/<sub>4</sub> of- Section 21; Township 84 North; Range 24 West of the 5<sup>th</sup> P.M., except the right of way of the Chicago & Northwestern Railway Company.

(p) Parcel 16: The West 26.038 acres of all that part of the Northwest Quarter (NW <sup>1</sup>/<sub>4</sub>) of the Southwest Quarter (SW <sup>1</sup>/<sub>4</sub>) of Section Thirty-one (31), lying North of the right-of-way and C.&N.W., all in Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa; The South Half (S <sup>1</sup>/<sub>2</sub>) of the Southeast Quarter (SE <sup>1</sup>/<sub>4</sub>) of Section Twenty-one (21), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa, except railroad right-of-way; and The South Half (S <sup>1</sup>/<sub>2</sub>) of the Northwest Quarter (NW <sup>1</sup>/<sub>4</sub>) of Section Twenty-two (22), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa.

(q) Parcel 18: Parcel "A" in the Northeast Quarter of the Southeast Quarter (NE <sup>1</sup>/<sub>4</sub> SE <sup>1</sup>/<sub>4</sub>) in Section 21, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, as shown on the "Plat of Survey" filed in the office of the Recorder of Story County, Iowa, on May 31, 1996, as Instrument No. 96-05211, in Book 13 at Page 249.

(2) There shall be three separate fee districts within the sanitary sewer connection district. Each parcel shall be responsible for the fee for each district in which it lies. The fee for connection of a property within the aforesaid district to the sanitary sewer utility shall be as follows:

(a) District #1:

- a. District #1 of the sanitary sewer connection district shall include parcels 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18.
- b. The original connection fee for sanitary sewer service in District #1 is \$1,641.36 per acre of property served by the connection.

(b) District #2:

- a. District #2 of the sanitary sewer connection district shall include parcels 6, 7, 8, and 9.
- b. The original connection fee for sanitary sewer service in District #2 is an additional \$1,204.80 per acre of property served by the connection.

(c) District #3:

- a. District #3 of the sanitary sewer connection district shall include parcel 16.
- b. The original connection fee for sanitary sewer service in District #3 is an additional \$1,341.53 per acre of property served by the connection.

(3) Annual Increase in connection fees.

- (a) For the purposes of accounting for the costs incurred by the City of Ames to finance improvements, the connection district fee shall increase on an annual basis.

- (b) The fees shall increase using a simple interest rate of approximately five (5) percent annually for a period of at least twelve (12) years.
- (c) The approximate five (5) percent annual increase in the connection district fees shall be based on the original connection fee of \$1,641.36 in District #1; \$1,204.80 in District #2; \$1,341.53 in District #3, and will be rounded to an even dollar amount per year. Thus, the connection district fee will increase at a rate of \$83 per year in District #1, \$60 per year in District #2, and \$67 per year in District #3. Appendix "W" shows the tabulations of the connection district fees for District #1, District #2, and District #3 for each of the twelve years beginning on April 22, 2014, increasing on July 1 each year following, and ending on July 1, 2026.
- (d) After July 1, 2026, the connection district fees will continue to increase at a rate of \$83 per year in District #1, \$60 per year in District #2, and \$67 per year in District #3, unless the connection fee annual increase is modified by the City of Ames."

Section Two. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Three. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Diane R. Voss, City Clerk

\_\_\_\_\_  
Ann H. Campbell, Mayor

**COUNCIL ACTION FORM**

**SUBJECT: ASSESSING COSTS FOR SNOW/ICE REMOVAL AND MOWING**

**BACKGROUND:**

After a snowfall, property owners have the responsibility to remove snow and ice accumulations from the abutting sidewalks. According to the *Municipal Code*, owners shall remove these accumulations within 10 daylight hours after the storm has stopped. If sidewalks remain uncleared after that time, the City may remove accumulations and assess the actual cost of the removal to the property owner. This action is performed on a complaint basis. Once a complaint has been received, notice is given to the abutting property owner that the City will clear the sidewalks if the owner has not done so within 24 hours of that notice.

In accord with this policy, a hired contractor removed snow and/or ice at the properties listed below. In addition, City staff followed a similar process and performed mowing services at one of the properties where the owner did not remove noxious weeds from the property. Included in the list below are the names and addresses of the property owners and the costs associated with the snow/ice removal or mowing. The work was completed, and bills have been mailed to these individuals. To date, the bills have not been paid. A certified notice of this hearing was mailed to the property owners.

Stephen C. Kruger  
2334 Storm Street  
Ames, IA 50014

\$168.75

Snow/ice removal at 2334 Storm Street  
Date of Service: January 4, 2014

Augustin Mendez  
c/o 114 Des Moines Avenue  
Ames, IA 50010

\$162.50

Snow/ice removal at 1429 Curtiss Avenue  
Date of Service: January 15, 2014

Ted & Alec Frits  
2342 Storm Street  
Ames, IA 50014

\$162.50

Snow/ice removal at 2342 Storm Street  
Date of Service: January 4, 2014

Federal National Mortgage  
P.O. Box 650043  
Dallas, TX 75265

\$262.50

Snow/ice removal at 3724 Ontario Street  
Date of Service: January 4, 2014

David E. Hansen Trust  
1655 Candlelight Drive  
Las Cruces, NM 88011-4901  
Snow/ice removal at 1418 Kellogg Avenue  
Date of Service: January 9, 2014

\$212.50

Sarah Zwick-Tapley  
P.O. Box 2032  
Fort Collins, CO 80522  
Mowing at 1111 North 3<sup>rd</sup> Street  
Date of Service: August 12, 2013

\$200.00

**ALTERNATIVES:**

1. The City Council can adopt a resolution assessing the costs of the snow/ice removal or mowing to the property owners shown on the above list. The Finance Director will then prepare a spread sheet on these assessments, and the City Clerk's Office will file the assessments with the Story County Treasurer for collection in the same manner as property taxes as provided for by the *Code of Iowa*.
2. The City Council can choose not to certify these costs to the County Treasurer, and instead absorb the costs.

**MANAGER'S RECOMMENDED ACTION:**

These property owners failed to clear their sidewalks or maintain their yard even after receiving notice to do so, and have neglected to pay the costs incurred by the City.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby assessing the costs of the snow/ice removal or mowing to the property owners shown above.

**COUNCIL ACTION FORM**

**SUBJECT:**     **SUNSET RIDGE 4<sup>TH</sup> ADDITION – PEDESTRIAN EASEMENT  
VACATION/RELOCATION**

**BACKGROUND:**

As Sunset Ridge residential development continues to build out, it was discovered that a City of Ames Electric transformer was placed within a pedestrian easement. Staff met with the developer on site to review the area, and it was determined the most cost effective and acceptable solution would be to relocate the existing pedestrian easement.

Attachment A shows the existing easement with the transformer shown within the easement. Attachment B shows the location of the proposed easement.

With the easement being specified as a pedestrian easement, no additional outreach to utility companies or entities was necessary, since Public Works is the only stakeholder in the easement. Staff sees no issues with relocation of the easement and the future sidewalk.

**ALTERNATIVES:**

1.     Set April 8, 2014 as the date of public hearing for the proposed vacation of the pedestrian easement as shown on Attachment A.
2.     Direct staff to pursue other options.

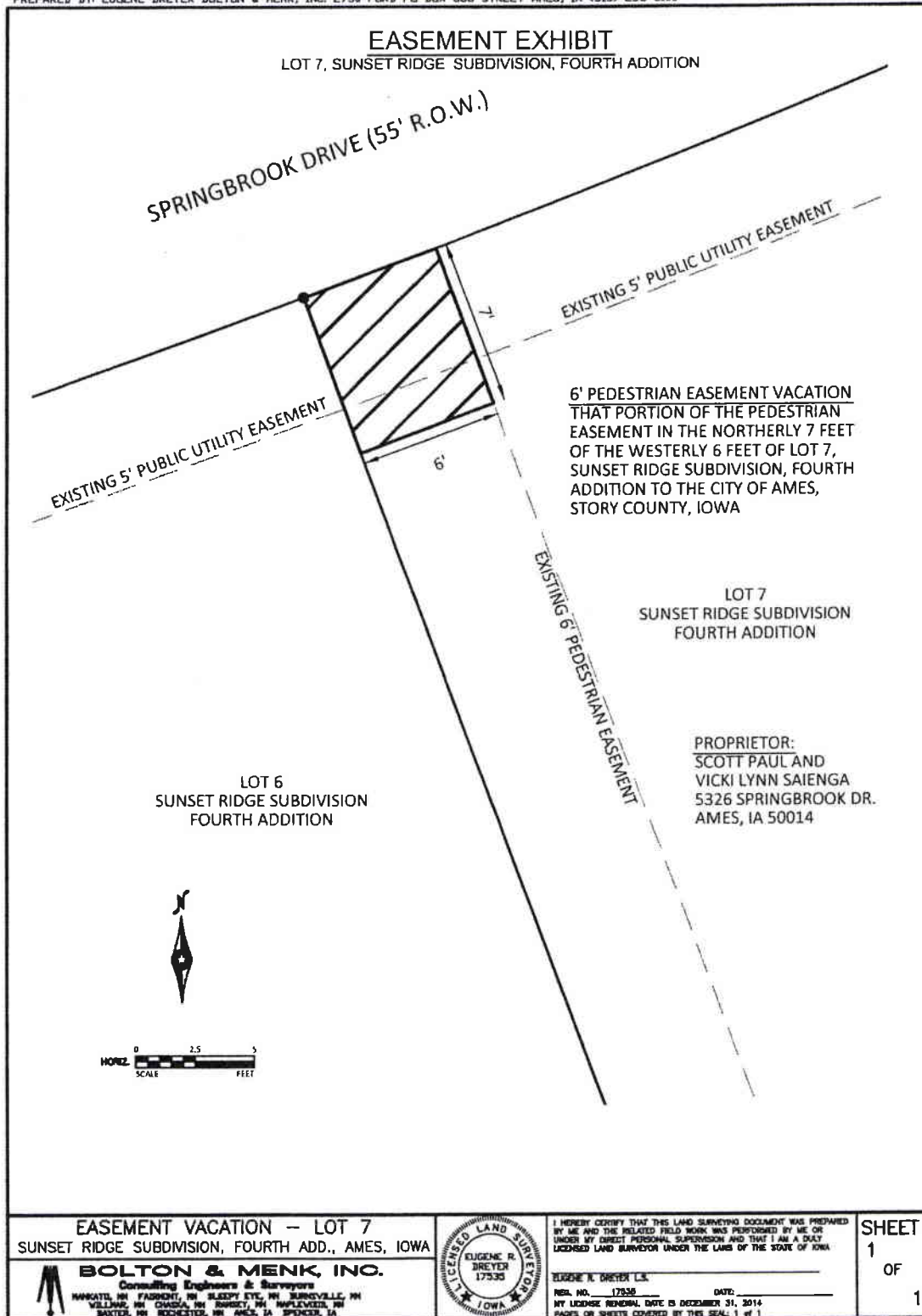
**MANAGER'S RECOMMENDED ACTION:**

By moving forward with the process to approve vacation of this easement, Council will facilitate this development requirement to install the sidewalk. The proposed easement shown on Attachment B will be recorded separate from this action.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby setting April 8, 2014 as the date of public hearing for the proposed vacation of the pedestrian easement as shown on Attachment A.

Attachment  
A

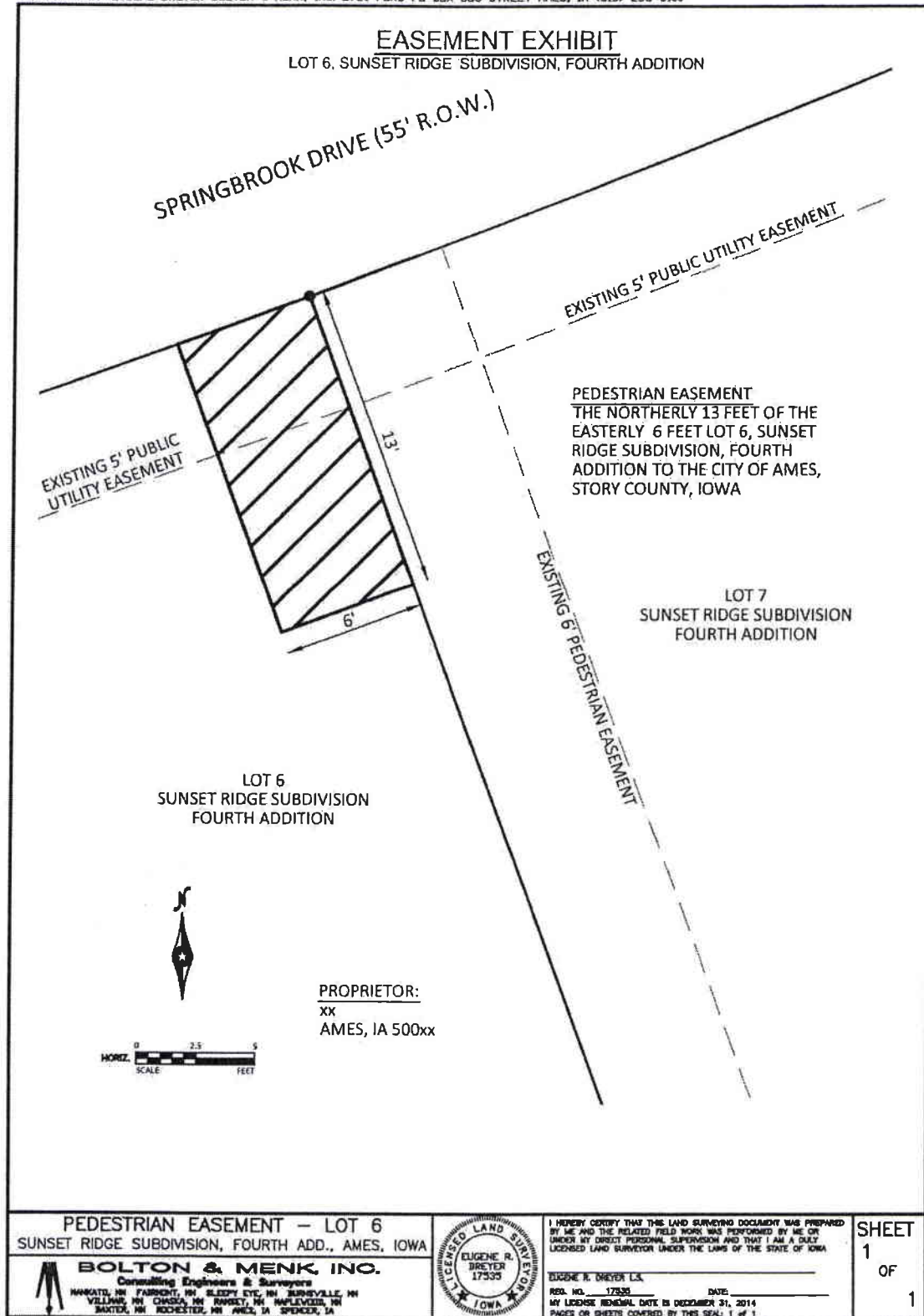
PREPARED BY: EUGENE DREYER BOLTON & MENK, INC. 2730 FORD RD BOX 668 STREET AMES, IA (515) 233-6100



Attachment

B

PREPARED BY: EUGENE DREYER BOLTON & MENK, INC. 2730 FORD RD BOX 668 STREET AMES, IA (515) 233-6100





**COUNCIL ACTION FORM**

**SUBJECT: WORKSHOP ON BRECKENRIDGE SITES**

**BACKGROUND:**

Breckenridge Group Ames Iowa, LLC approached the City to develop/redevelop three parcels of land located at 205 S. Wilmoth Avenue, 321 State Avenue, and 601 State Avenue, respectively. (See Attachment A) Under the City's Land Use Policy Plan, the three properties are currently designated as Low Density Residential or Village/Suburban Residential; and the north and south parcels are zoned Special-Government/Airport (S-G/A). The middle parcel was rezoned to Low Density Residential (RL) in March.

Breckenridge had been pursuing a rezoning for the south parcel to FS-RM (Floating Suburban Residential Medium-Density) when, on March 25, 2013, it chose to withdraw that rezoning petition. It also requested that City Council hold a workshop to discuss the overall interests related to all three of the properties under its control. On March 25<sup>th</sup> City Council directed staff to prepare a process for a public workshop between the City Council, the developer, and other interested parties, and to return to City Council for its approval of the process.

**Staff proposes May 6<sup>th</sup> as the special meeting for this Council workshop.** This was the first available date for the Council after review upcoming schedules and agendas. Staff also proposes the City Manager and the Planning and Housing Director meet separately in advance with the developer and with neighborhood representatives to discuss priorities and the chief interests concerning development of the three sites. Staff would also reach out to Iowa State University representatives to confirm their priorities. After these preliminary meetings, staff would prepare a summary of each groups' priorities and distribute the list to City Council and to each group in preparation for the May 6<sup>th</sup> meeting. On May 6<sup>th</sup>, the dialogue would focus on the listed priorities; and each party would be allowed to represent its interests and respond to other parties' priorities.

This process should provide the City Council with a thorough understanding of the applicant's and other stakeholders' priorities for development on these sites, and thus assist Council in determining the most appropriate zoning designation for each site.

**ALTERNATIVES:**

1. The City Council can set May 6, 2014 as the date for this City Council workshop and direct staff to meet separately with the developer and with neighborhood representatives to clarify their respective priorities in advance of the workshop.

2. The City Council can set an alternative date for this workshop or can give other directions regarding the process leading up to the workshop.
3. The City Council can decline to set a date or have a workshop.

**MANAGER'S RECOMMENDED ACTION:**

In March 2013 the City Council first requested that the developer, Breckenridge, prepare a comprehensive master plan that included all three of the sites. The applicant declined to include all of the parcels with its original rezoning requests. The applicant and the neighborhood engaged in a series of collaborative meetings in the summer of 2013, but were unable to meet each other's interests. Breckenridge then proceeded with the rezoning requests and with master plans individually for the sites.

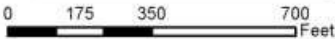
With the backdrop of trying to now broaden the discussion and to gain insight into all of the interests for development and use of the three sites, following the workshop process outlined above appears to be the most expeditious means of facilitating a resolution to the ongoing rezoning interests for the three sites.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative No. 1, thereby setting May 6, 2014 as the date for this City Council workshop and directing staff to meet separately with the developer and with neighborhood representatives to clarify their respective priorities in advance of the workshop..

Attachment A



Location Map  
Breckenridge Development Properties



## Staff Report

**WESTWOOD VILLAGE LANDSCAPE PLAN AMENDMENT**

April 8, 2014

**BACKGROUND**

Westwood Village is a Planned Residential Development (PRD) located in west Ames on the north side of Lincoln Way and on the west side of Marshall Street (see Attachment A Location Map). The property includes a grove of mature oak trees on the east and north sides. The current Major Site Development Plan was approved in 2006 and includes a two-story apartment building within the east portion of the oak grove. In December of 2013 the site was the subject of a PRD Major Amendment request to move and enlarge the final building to be constructed on the site. After extensive input from abutting neighborhood members, City Council decided to not approve the amendment. Following that action, the applicant began construction of the plan as originally approved in 2006.

The approved 2006 Landscape Plan for the Westwood Village Planned Residence District provides for the removal of four oak trees for the new building and of a number of trees immediately adjacent to the new building. (See Attachment C – Current Approved Landscape Plan) As of March 6<sup>th</sup>, ten oak trees had been removed. Staff contacted the owner's representatives and informed them that in a PRD zoning district trees to be removed are to be shown on the plan. A revised Plan must be approved before additional trees can be removed.

The owner then submitted a Revised Landscape Plan showing the ten trees already removed and four trees to be removed (See Attachment D Proposed Landscape Plan):

- a) Four oak trees shown on the approved Plan to accommodate the new building (already removed)
- b) One oak tree southwest of the proposed building and two oak trees east of the proposed building (already removed)
- c) One oak tree that is close to the projected east foundation wall (already removed)
- d) Two trees in the parking loop identified as diseased and/or hazardous in September 2013 according to Mark Gleason, ISU Professor in Plant Pathology & Microbiology (already removed)
- e) Two oak trees that will be too close to the projected south foundation wall to remain healthy after construction, according to Professor Gleason in March 2014
- f) Two trees with severe internal decay (heartwood rot) according to Professor Gleason in March 2014. These two trees are located at the north driveway by Story Street.

According to Ames Municipal Code Section 29.1203(9), staff can approve changes to a Major Site Development Plan if the changes do not change the overall landscape design of the project. (See Attachment B) Before a change is approved, a revised plan must be provided. In this case, a revised plan was not provided before the trees were removed. It is regrettable that significant, irreplaceable trees were removed without approval of the City, particularly those

that were shown on the plan as to remain, but then removed due to the proposed building. A case-by-case evaluation should be applied to significant trees that are viewed as marginal in quality or health and not only be considered for removal due to convenience. However, staff believes that trees should be removed if that is the recommendation of a qualified tree expert subject to consideration of remaining useful life, potential hazard, and replacement trees.

Staff requested a revised Landscape Plan that includes the following changes:

- Show all of the trees that have been removed or are yet to be removed based on Professor Gleason's recommendations.
- Add three new oak trees to be planted between the proposed building and Marshall Avenue and at least 20 feet from the right-of-way of Marshall Street (in addition to the six Serviceberry shown to be planted here).
- Add three new oak trees to be planted south of the new building, between the building and the existing drive.
- Add 13 new oak trees to be planted in a new grove west of the proposed building.
- These trees are in addition to the four new oak trees already shown on the 2006 plan.
- All of these trees are to be burr oak or white oak trees at least two-inch caliper in size.
- Retain the two heartwood diseased oaks at the Story driveway until a present hazard exists. At time of future removal, plant two additional oak trees.

The total planting will be 23 oak trees and six Serviceberry trees at this time, with two additional trees planted upon removal of the driveway oaks. Staff is recommending a small to medium size of replacement tree. Smaller oak trees tend to adapt better to their sites than trees that are larger when planted, resulting in higher survival rates. Planting larger trees requires more equipment and greater disturbance, which can damage existing mature oak trees. However, oak trees grow slowly and will take a long time to mature. Even with good maintenance, some can be expected to die due to disease, pests or damage. Therefore, staff is requiring the number of replacement trees to be more than 150% of the number of trees removed to help perpetuate the oak grove. In some instances with different species and different landscape plans, staff may request larger trees for a more immediate visual impact and to mitigate tree removal.

Since the trees within the footprint of the proposed building had already been removed and a building permit had been issued, construction of the building can proceed. Staff has confirmed on the site that adequate fencing is in place to protect the remaining oak trees.

If Council agrees with staff's assessment of the changes to the landscape plan it can accept this report. Staff will then complete the minor amendment process and do a site inspection after construction is complete to ensure consistency with the landscape plan. Occupancy would not be permitted until landscaping has been installed per the plan or deferment until the next growing season is approved by staff, as permitted in the Zoning Code.

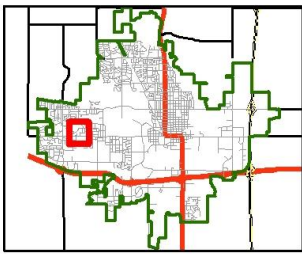
If the City Council concludes that the overall landscape design of the project has changed with the tree removals and therefore does not consider these changes to be a minor amendment to the approved Major Site Development Plan, it can direct staff that the applicant must make application for an amended Major Site Development Plan. This will be processed in the same manner as a new Major Site Development Plan – including Development Review Committee review, Planning and Zoning Commission recommendation, mailed and posted public notice, and City Council approval.



ATTACHMENT A



**Location Map  
Westwood Village  
145 Marshall**



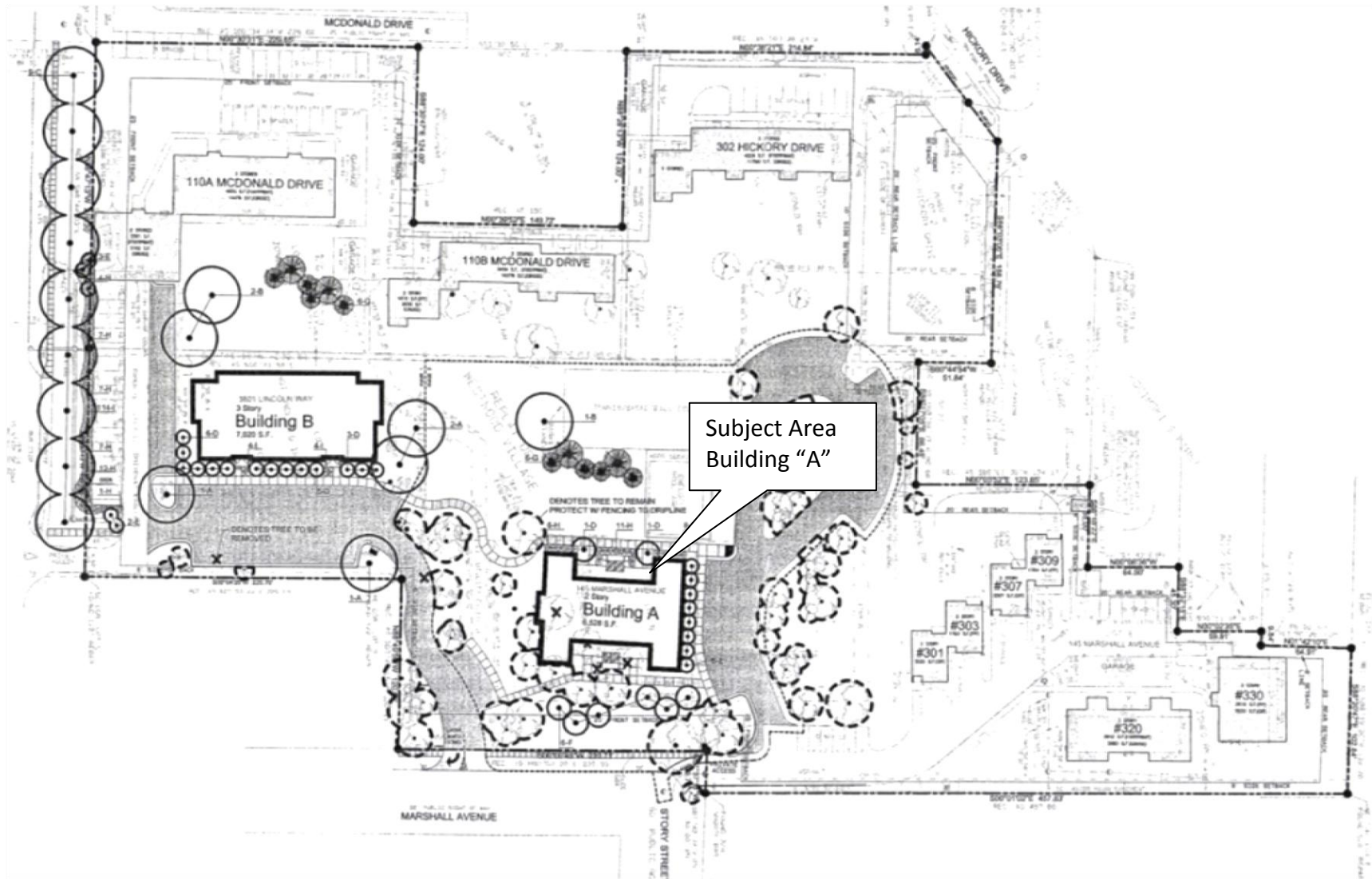
**ATTACHMENT B**  
**Ames Municipal Code Section 29.1203(9)**

(9) **Minor Changes.** Minor changes to the approved Site Development Plan Major may occur after staff of the Department of Planning and Housing has determined that the proposed changes are minor in nature, and revised plans have been provided to the Department for purposes of keeping the Site Development Plan Major current. Minor changes are defined as changes that:

- (a) Do not constitute a change in the land use of the project; or the overall layout and design;
- (b) Do not increase the density or intensity of use, and the number of buildings or a change in dwelling unit types;
- (c) Does not change the overall landscape design of the F-PRD project; or
- (d) Change the height or placement of buildings, or other major site features.

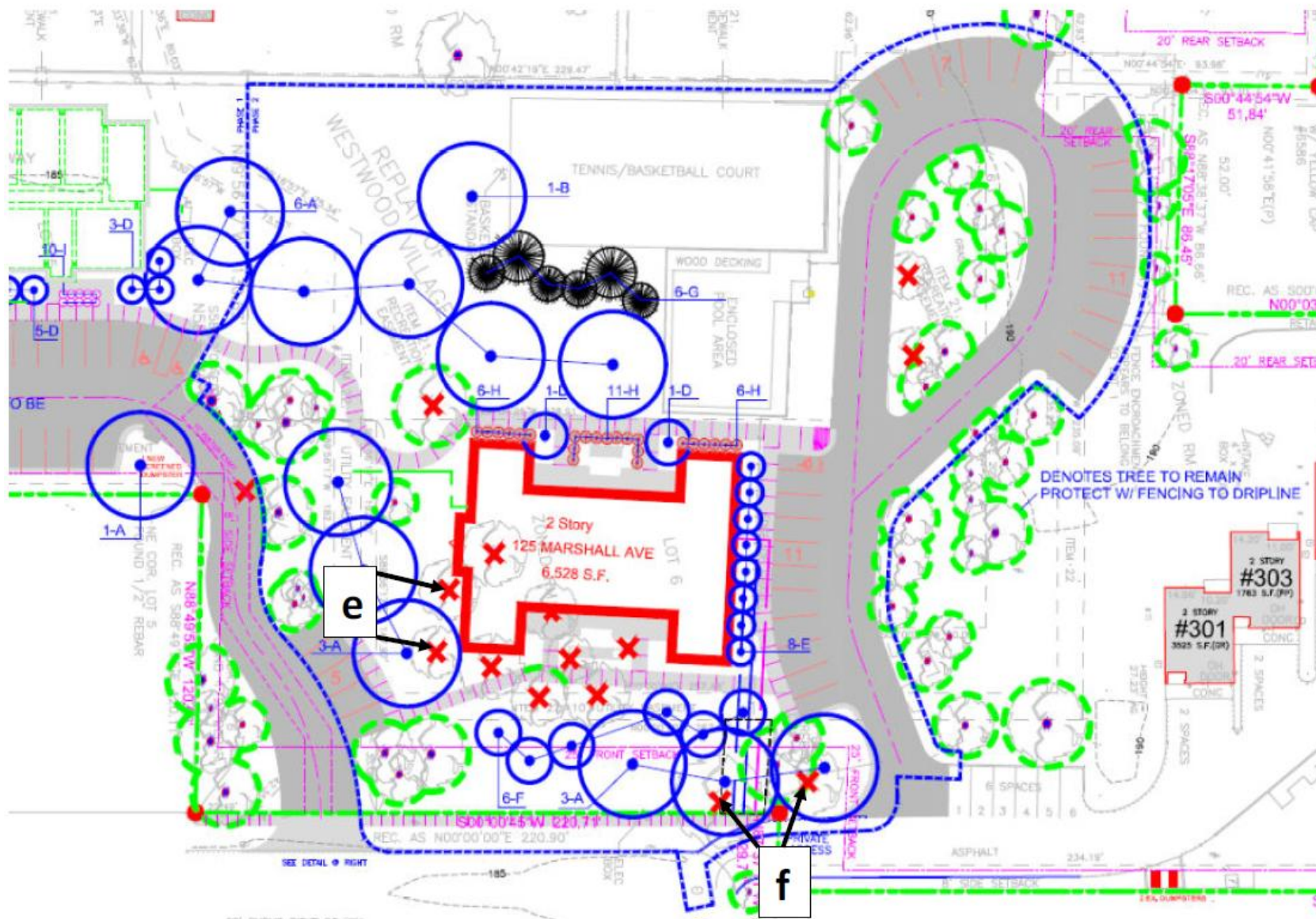


**ATTACHMENT C**  
Current Approved Landscape Plan





**ATTACHMENT D**  
Proposed Landscape Plan



**ATTACHMENT E**  
View of Site from East Down Story Street





## Staff Report

**Land Use Policy Plan Amendment Initiation Request for S. 17<sup>th</sup> Street**

April 8, 2014

**BACKGROUND**

On January 14, 2014, the City Council directed staff to prepare a memo providing information in regard to a request from CPM Development for a Land Use Policy Plan (LUPP) Map Amendment (see attachment A). **The Developer is interested in pursuing a change of approximately 12 acres of land from Highway-Oriented Commercial to High-Density Residential.** The subject area is an undeveloped parcel at the west end of S. 17<sup>th</sup> Street in the Aspen Business Park. The site is located between Highway 30 and S. 16<sup>th</sup> Street, in the areas of a possible future extension of Grand Avenue.

A memo from the Planning and Housing Director was sent to the City Council on February 24<sup>th</sup> providing much of the background information contained in this report. On March 18<sup>th</sup>, the City Council directed staff to include the background memo as an item on a future City Council agenda **for consideration of initiating the request. If the process moves forward, Council needs to determine if the process would be a major or a minor amendment to the LUPP.**

**Commercial and Multi-family Uses**

Highway-Oriented Commercial is the City's primary zoning district for a wide range for commercial uses (e.g. office, retail trade, hotels, and restaurant, recreation, and entertainment). Apartment development is principally allowed within medium and high density residential zones and within the Campustown Service Center zoning as a mixed use.

**Development Trends**

Staff has assessed the inventory of vacant large parcels (> 0.5 acres) in the City that are zoned for community-based commercial uses and for high-density housing uses. The inventory does not include underutilized properties or vacant land with approved developments that are not yet built or finished, such as Ringgenberg and Copper Beach. Iowa State has recently added apartments with six buildings totaling approximately 720 beds at its Frederiksen Court at Stange Road and 13<sup>th</sup> Street.

Zoning District	Vacant Acres
High Density Residential	-0-
Medium Density Residential	-0-
Suburban-Residential Medium	-0-
Highway Oriented Commercial	237.3
Community Commercial Node	32.8
Community Commercial Residential	3.8
Planned Regional Commercial*	235.7

\* This is the regional mall site at I-35/E. 13<sup>th</sup> Street

Over the past four years, Residential Building Permits were issued for the following number of single family and multi-family housing units:

Year	Single-Family Units	Multi-Family Units
2011	58	95
2011	58	356
2012	70	279
2013	126	286

As of February 21, 2014, staff has either reviewed or approved minor site plans for construction of four additional development projects totaling 268 apartment units. This includes 96 apartments at Ringgenberg, 24 apartments along Maricopa, and – along Lincoln Way in Campustown – 52 apartments by Opus and 96 apartments by Gilbane. Iowa State University has also recently committed to constructing an additional 700 person residence hall along Lincoln Way, abutting Buchanan Hall, which will be occupied in 2016.

Staff would also note that the Breckenridge development interest along State Avenue is pursuing development of student oriented housing for 40 acres of land across three sites.

#### **Development Issues**

From a cursory review of the subject site and surroundings, staff has identified the following four issues related to development of the area that may influence future decisions about appropriate land use:

- **Lack of direct access to CyRide transit service** at this site, and the fact that the adjacent route along S. 16<sup>th</sup> Street already exceeds ridership capacity. The existing S. 17<sup>th</sup> Street was not designed to carry the weight of a bus, making it very unlikely that bus service would be routed through this subject site or the current Aspen Business Park.
- **Accommodation of a potential future Grand Avenue extension** from S. 16<sup>th</sup> Street across Highway 30 to Airport Road. The current Long Range Transportation Plan includes an illustrative planning project for the extension of Grand Avenue under Highway 30. The City has not committed to the Grand extension south of S. 16<sup>th</sup> Street at this time; although the project will again be evaluated as part of the current Plan update. However, this site may be encumbered by slope easements restricting development in the southwest corner, and may include a need for developer contributions towards road and access improvements along the Grand extension corridor.
- **General traffic circulation and congestion along S. 16<sup>th</sup> Street.** Currently there are concerns about traffic congestion at the intersections of S. 16<sup>th</sup> Street at University Boulevard (ISU institutional road) and at the Duff Avenue intersection. An evaluation of potential traffic impacts would be required of the project. A future Grand Avenue extension may provide relief for some of the potential traffic generated by this project.

- **Supply of well oriented commercial land for office and retail vs. demand for high density residential land.** While there is currently a lack of vacant high density residential land, that need must also be balanced with the community's long term commercial land needs. The City contains two primary office or business parks located in commercial zones – the Aspen Business Park, and the Eastgate at E. 13<sup>th</sup> and Dayton. When considering the types of uses appropriate for this site and in comparison to other sites, this area is well suited for commercial development due to visibility from major roadways, its central location in the City, the absence of flood hazards, and its location situated away from sensitive residential uses. This particular 12 acres is best suited commercial use is likely office commercial uses, rather than either retail or hotel uses, due to its lack of immediate access to major roadways.
- **Housing availability for non-student development.** The developer has indicated an interest in a student housing design for the site. Staff would note that the demand for housing is wide ranging, and the potential change of use for residential should not preclude consideration of apartment housing designed for a variety of household types, not just for student housing.

### **Options**

The City Council has a small range of choices to respond to the request. **The first decision is whether or not to allow the project application to proceed.** If the Council believes that the site is suitable for commercial uses and does not have interest in allowing for additional residential use in this area, it should decline the request.

If the Council believes there is potential interest in additional high density residential uses for this site, subject to evaluation of commercial land needs, residential land needs, and project site development interests, it could elect to allow the applicant to move forward with this LUPP amendment. **If the request proceeds, a decision on the timing or type of amendment must also be made.**

### **Amendment Process**

A LUPP Amendment request may be categorized as a minor amendment or as a major amendment, or it may be deferred until the next 5-year review of the LUPP. A full description of the Amendment process of [Appendix C](#) can be found at this [link](#).

A **minor amendment** is designed for “single-step” changes or for meeting immediate needs. A referral to initiate the developer’s request as a minor amendment would require approximately 20 to 40 hours of staff time for Public Works and Planning. It would be processed as a current planning project similar to a rezoning, and would include evaluation of land use compatibility and infrastructure needs to support a change of use.

A **major amendment** is intended for substantial changes to LUPP goals and policies or for projects inconsistent with the LUPP that require extensive public outreach and workshops. A referral for a major amendment would require considerable time to conduct outreach and workshops about the range of uses for this site, and as well as those likely for the other adjacent vacant Highway Commercial land on S. 16<sup>th</sup> Street. Staff estimates that 75 to 90 hours of staff time would be needed for a non-controversial proposal.



**Deferral to a LUPP update** would include general consideration of the site against broad City needs and interests, and may not include detailed site specific evaluation. Consideration of the site with a city-wide update would not have a significant effect on projected hours for the LUPP update. Timing and scope for the next LUPP Update has not been determined by the Council, but will be discussed as part of the LUPP Overview workshop scheduled for May 20<sup>th</sup>. With this option, Council could wait until after the LUPP Overview to decide if it wanted to proceed with the request independent of a LUPP update. Council could also determine if it wanted to include this as part of the consideration of the overall LUPP update process. Either option may or may not result in a recommended change of use for the site.

**ATTACHMENT A**



DANIEL D. OBERPRILLER  
PRESIDENT  
Daniel@cpmcos.com

2919 Knox Ave So # 200  
Minneapolis, MN 55408  
Phone: (612) 843-4873

January 9, 2014

Ames City Council  
P.O. Box 811  
Ames, IA 50010

To: Members, Ames City Council

Re: Permission to submit application for amendment to the current LUPP

**Request for LUPP Amendment for  
Property at 516 S 17<sup>th</sup>**

**BACKGROUND**

CPM Development, LLC, a Minnesota based limited liability company ("Buyer"), has entered into a real estate agreement to purchase the 12.59 acre parcel located at 516 S 17<sup>th</sup> street (The "Property") from Scott and Jane Randall ("Seller"). That purchase offer is contingent upon amending the city of Ames Land Use Policy Plan (LUPP) to allow for a high density student housing development to be constructed. The Buyer has partnered with Roers Investments, LLC; a Minnesota based Limited Liability Corporation to co-develop this project.

Currently the Property is designated as HOC (Highway Oriented Commercial) on the LUPP map. Abutting the property to the East is the Aspen Business Park development, owned and developed by the Seller. When discussing the subject Properties future development plans with Mr. Randall, he advised he has no intentions on developing the land into further commercial business offices as the demand is not present. Abutting the property to the South is US Highway 30. Abutting the property to the West is the Copper Beech student housing development and to the North is the Pheasant Run apartment complexes, both of which are zoned RH (Residential High Density). The buyers seek to continue this RH zoning designation into the subject Property to create a natural buffer and minimize public impact as there is no low density residential, medium density residential, or manufactured home zoned land abutting the Property.

The proposed change to the LUPP map designation is subject to the LUPP amendment process adopted by the City Council. This process describes two types of amendments (major and minor) and includes criteria for the City Council to use to determine which type is requested.

**MAJOR OR MINOR AMENDMENT:**

To determine whether the proposed change is a major or a minor amendment to the Land Use Policy Plan, the City Council should consider whether the proposal is a change to or is inconsistent with current goals and policies.

Goals pertaining to the proposed high density residential designations primarily focus on achieving targeted densities. The change to facilitate expansion of the existing Residential High density community will be more effective at achieving targeted residential densities than the existing zone (and certainly more than the existing vacant Agricultural land).

Pertinent LUPP Goals stated under *Goals for a New Vision* beginning on pg. 18 of the Plan include:

Goal No. 2, which pertains to ensuring the availability of sufficient suitable land resources to accommodate the range of land uses that are planned to meet growth and to eliminate market constraints. This goal also speaks to achieving greater compatibility among new and existing development. Currently there is no RH zoned land available to purchase in order to develop to meet the increasing need for student housing.

Goal No. 4, which speaks to achieving a more integrated and compact living/activity areas where daily living requirements are provided in readily identifiable and accessible areas. This proposed development seeks to align with this goal by providing many on site amenities including: study lounges, community rooms, outdoor swimming, volleyball courts, basketball courts, fitness center, along with many other amenities.

Goal No. 5, which speaks to the continuance of development in emerging and infill areas where there is existing public infrastructure and where capacity permits. This site would continue the already established high density residential zoned developments with the capability to leverage the pre-existing public infrastructure.

Goal No. 6, which speaks to increasing housing opportunities through various means, Including: increasing overall supply of low and moderate-income housing; increased densities; higher densities in existing areas where residential intensification is designated with the further objective that there shall be use and appearance compatibility among existing and new development; and relieving the current constraints to land supply/availability by such means as releasing lands for development that are currently controlled by institutions.

#### **Addressing the Identified LUPP Workshop Themes –**

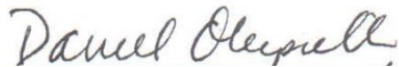
The following 7 themes (A-G) were identified during the June 28, 2012 City of Ames LUPP Workshop. CPM Companies realizes these themes can help the city determine whether the subject properties LUPP amendment should be approved and therefore has taken the liberty of addressing these seven major themes.

- A. **Traffic:** The Property is currently only accessible via S 17<sup>th</sup> street which is a minor arterial street. Under the City's long term transportation plan, Grand Avenue will be extended to SE 16<sup>th</sup> Street as an arterial or minor arterial street. Currently the Copper Beech development has paved a private street which is an extension of Grand Avenue that extends South of S 16<sup>th</sup> Street. If the LUPP review is approved, CPM intends to partner with Campus Crest (developer of the "Copper Beech" and "The Grove" developments) to extend S 17<sup>th</sup> running East to West through the middle of the property to connect up with this Grand Avenue extension South of S 16<sup>th</sup> Street. CPM also understands the lack of available CyRide service via the #4 Gray Route. CPM intends to partner with Campus Crest to come up with a reasonable plan that assists CyRide in meeting the increasing demands for service this additional housing project would create.
- B. **Sanitary Sewer:** No additional sanitary sewer capacity is required. The change from HOC to RH does not impact the current sanitary sewer system. The sanitary sewer system adjacent to the development is a 54-inch diameter trunk sewer for the West side of Ames. Eric Cowles with the City of Ames Public Works believes the Copper Beech development has an 8" connection off of this main line that this proposed development would connect to.
- C. **Stormwater:** The Property is 6-8 feet above the 100 year flood elevation of Squaw Creek and the property would not directly discharge to Squaw Creek. The property would be designed to convey and treat all the storm water from the surrounding area via water retention. The property drains generally Northwest to Southeast.
- D. **Natural Resources:** The property will contain natural resources that will serve dual purposes. Tree lined streets and property lines will provide a natural buffer to transition into the surrounding properties as well as absorb and filter out storm water. The trees will also filter out sound from the surrounding highway traffic. Retention ponds will be positioned to provide water quality improvement, groundwater recharge, flood protection, as well as an esthetic improvement to the property. As such, the water retention pond will be designed to blend into neighborhood and viewed as an amenity

- E. **Economic Impacts:** Immediate economic benefits of this proposal include long term job creation as well as a drastic increase in tax generation for the city. Currently the property is classed as Agricultural land assessed in 2013 with a land value of \$16,900. This land classification and assessed value generated \$182 in property taxes for the city for the 2012 tax year. Initial calculations based on the size and scale of the project would generate over \$450,000 in annual taxes for the city. Short term benefits include an influx of need for 150 construction workers in the area for over a year, which would benefit construction, hotel, apartment, and retail business owners in the area. Long term job creation includes a projected staff of 12 to maintain operations of the apartment development.
- F. **Alternative Sites:** Currently there is no RH (High Density Residential) land available in the existing city limits for sale.
- G. **Contract Rezone:** This theme specifically benefits the City staff to decide if there will be conditions to address some of the issues raised during the review of the LUPP request via a contract rezoning agreement with the developer.

Through this proposed LUPP amendment, CPM believes it is working within the confines of the goals the LUPP city staff set out to achieve for the city of Ames. CPM views this journey as a partnership between CPM staff and the City of Ames staff to successfully accomplish our goals together. We are truly excited about the potential this project has for the city of Ames and we look forward to working with the city staff every step of the process to help achieve that potential. We greatly appreciate your consideration of this LUPP amendment proposal for the cities review and look forward to hear the proposed next steps the city advises.

Respectfully,



Daniel D. Oberpriller, President CPM Companies.







**COUNCIL ACTION FORM**

**SUBJECT: PROPOSED SOUTHEAST 16<sup>TH</sup> STREET URBAN RENEWAL AREA**

**BACKGROUND:**

At the March 4, 2014 City Council meeting, staff was directed to initiate steps to provide support for the redevelopment of properties along SE 16<sup>th</sup> Street between South Duff Avenue and Dayton Avenue. This step was in anticipation of establishing a Reinvestment District under the Iowa Reinvestment Act. The principal steps needed for the project proposal were to endorse a preliminary application submittal to the Iowa Economic Development Authority and to initiate the steps for creating an Urban Renewal Area for the 23 acre site. The proposed development by Iowa Destination Developers is an approximately 48 million dollar commercial development consisting of a Menards, a new restaurant and hotel, and a Field Station Dinosaurs Museum/Camp.

In the last State Legislative session, a bill was passed creating the Iowa Reinvestment District Program, administered by the Iowa Economic Development Authority (IEDA). The program is designed to assist communities in “developing transformative projects that will improve the quality of life, create and enhance unique opportunities, and substantially benefit the community, region and state.”

A prerequisite application requirement to qualify for the incentive program is that the proposed Reinvestment District must be within an Enterprise Zone or Urban Renewal Area approved by the City Council. In this circumstance, the subject site is only eligible to be designated as an Urban Renewal Area for economic development purposes. The site is not eligible for designation as an Enterprise Zone.

If approved by the State, the incentive granted will be remittance of the new State sales and hotel/motel taxes generated in the established Reinvestment District. According to the pre-application submitted by the City, a total of \$14,745,587 is being requested to be remitted for the Ames project from the pool of \$100 million allowed for distribution across the entire state. **The City itself has no financial commitment or support associated with a Reinvestment District, since it is solely funded by the state.** Upon formal approval of the incentive application by the IEDA Board, the City may then adopt an ordinance establishing the Reinvestment District to facilitate the project.

**URBAN RENEWAL AREA**

The creation of an urban renewal area requires the adoption of an Urban Renewal Plan. **A draft Plan is attached so that Council comments can be received prior to its approval. At this time the City Council is being asked to set the date for a public hearing on the proposed Urban Renewal Plan to facilitate the Reinvestment District redevelopment project.**

**The City Council is also being asked to refer the Urban Renewal Plan to the Planning and Zoning Commission for its recommendation.** The Commission's role is to make a recommendation as to whether the Plan conforms to the intent and purposes of the Land Use Policy Plan.

Upon receipt of the Commission's recommendation, the City Council will hold a public hearing to gather public input on the Urban Renewal Plan. After following these steps, the Council will be in a position to approve a resolution adopting the Urban Renewal Plan and to adopt a resolution establishing the Urban Renewal Area.

The necessary steps are outlined and a time line is established below. **An appropriate action would be for the City Council to direct staff to initiate these steps.**

**May 7, 2014**

Planning and Zoning Commission reviews the Urban Renewal Plan, hears any public input, and makes its recommendation to the City Council regarding the conformance of the Urban Renewal Plan to the City's Land Use Policy Plan. Prior to this date, notice of the public hearing on the Urban Renewal Plan is published.

**May 27, 2014**

The City Council conducts a public hearing on the Urban Renewal Plan. It may then approve the following resolutions, either at this meeting or at a later date:

- Resolution establishing the Urban Renewal Area
- Resolution adopting the Urban Renewal Plan

**June 30, 2014**

Provisional approval announced by IEDA Board for project funding. This approval is not binding, but is provided to allow for changes in projects and district details, if needed.

Final application materials are due prior to March 2015 for final approval and announcement of maximum benefit.

**Following Formal Approval by the IEDA Board**

Following the IEDA Board's formal approval of the application, these steps may occur:

- City Council to adopt ordinance establishing the Reinvestment District and approval of a development agreement to facilitate the project.

At this meeting the City Council will also review the basic terms for the Development Agreement, as well as the specific redevelopment plan for the project, including floor plans, architectural elevations, site plans and renderings of the project's appearance. **At this meeting, the City**

**Council may request that the developer make modifications to the basic terms of the specific redevelopment plan.**

- Application by the applicant for subdivision review for the project.
- Following approval of the Reinvestment District and subdivision, a Minor Site Development Plan can be submitted for staff review, followed by application for building permits. The Site Plan and building permit approval processes do not involve City Council action.

### **URBAN RENEWAL PLAN**

The proposed Urban Renewal Plan includes the necessary components described by the Code of Iowa. It describes the project and its objectives and includes a summary of the process of its preparation and adoption. The Plan identifies those components of the Land Use Policy Plan that are supported by the proposed Urban Renewal Area. The draft Plan is described as a 30 acre area following the property lines of the two parcels but not including the designated floodway of the Skunk River. This is slightly larger in area than the proposed Reinvestment District, which was approximately 24 acres of the same 30 acre area. It also indicates the support of economic development for the area. **It does not include provisions for any tax increment financing (TIF).**

**It should be noted that the proposed Urban Renewal Plan does not include a specific site plan and building elevations for the redevelopment project, nor will it include this type of information when submitted for approval. Rather, this information will be included as part of the Development Agreement.**

### **ALTERNATIVES:**

1. The City Council can adopt a resolution approving the following steps:
  - a. Directing staff to prepare the Urban Renewal Plan,
  - b. Forwarding the Urban Renewal Plan to the Planning and Zoning Commission for its recommendation, and
  - c. Setting May 27, 2014 as the date of public hearing on the Urban Renewal Plan.
2. The City Council can choose to modify the above steps for initiation of the Urban Renewal Plan.
3. The City Council can choose to refer this item back to staff for additional information.
4. The City Council can choose to not proceed with establishment of this Urban Renewal Plan at this time.

### **MANAGER'S RECOMMENDED ACTION:**

On March 4, 2014, the City Council decided to initiate consideration of an Urban Renewal Area as an opportunity for incentive through an Iowa Reinvestment District for the development plan proposed by Iowa Destination Developers, LLC. In support of making an application to the IEDA, the subject site is required to be within an Urban Renewal Area. Setting the public hearing date for the Urban Renewal Plan is the next step in support of creating a Reinvestment District.

At this time the City Council is not being asked to give approval to the Iowa Destination Developers' Plan for the Reinvestment District. That specific redevelopment plan, including conceptual plans for the site and the building, will be presented to the City Council for comment at a later date. City Council will have an opportunity to review the plan and to provide input at that time. On that later occasion, City Council will decide if the City is ready to proceed with the project or if further work or discussion is needed. In order to move forward toward that decision, the City Council should direct staff to proceed with the statutory steps described above that are necessary to establish the Urban Renewal Area.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting adopt a resolution approving the following steps:

- a. Directing staff to prepare the Urban Renewal Plan,
- b. Forwarding the Urban Renewal Plan to the Planning and Zoning Commission for its recommendation, and
- c. Setting May 27, 2014 as the date of public hearing on the Urban Renewal Plan.

## **Attachment A**

### **Draft URBAN RENEWAL PLAN SE 16<sup>th</sup> STREET URBAN RENEWAL AREA**

#### **CITY OF AMES, IOWA**

**April 8, 2014**

## **I. INTRODUCTION**

Chapter 403 of the Code of Iowa authorizes cities to establish areas within their boundaries known as “urban renewal areas,” and to exercise special powers within these areas. The City of Ames (the “City”) City has been requested by a developer to establish a new urban renewal area.

Chapter 15A of the Code of Iowa declares that economic development is a “public purpose” and authorizes local governments to make grants, loans, guarantees, tax incentives and other financial assistance to private enterprise. The statute defines “economic development” as including public investment involving the creation of new jobs and income or the retention of existing jobs and income that would otherwise be lost.

The process by which an economic development urban renewal area may be created begins with the preparation of an urban renewal plan for a proposed geographic area. A City’s Plan and Zoning Commission must review the plan and inform the City Council if it is consistent with the City’s general plan. The City Council must hold a public hearing on the urban renewal plan, following which, the Council may approve the plan.

This document is intended to serve as the Urban Renewal Plan for an urban renewal area to be known as the SE 16<sup>th</sup> Street Urban Renewal Area (the “Urban Renewal Area”). It is intended that this Urban Renewal Plan will guide the City in promoting economic development by private enterprises. This document is an Urban Renewal Plan within the meaning of Chapter 403 of the Code of Iowa, and it sets out a proposed project to be undertaken within the Urban Renewal Area.

## **II. DESCRIPTION OF URBAN RENEWAL AREA**

The SE 16<sup>th</sup> Street Urban Renewal Area would include 30 acres of property located along a portion of SE 16<sup>th</sup> Street between South Duff and South Dayton Avenue, including properties the south side of SE 16<sup>th</sup> Street (currently addressed as 530 and 900 SE 16<sup>th</sup> Street). A legal description of the property is attached hereto as Exhibit A. Following its designation as an urban renewal area, an application for subdivision will be required to reconfigure the lots to accommodate the proposed development design.



### III. URBAN RENEWAL OBJECTIVES

The primary objectives for development within the Urban Renewal Area are:

1. To contribute to a diversified, well-balanced local economy by creating job opportunities and strengthening the property tax base.
2. To stimulate private investment in the area through public action and commitment, and to encourage job retention, growth and expansion through the use of various incentives.

### IV. THE PROJECT

The purpose of this Urban Renewal Plan is to support economic development in a highly visible commercial corridor and is in response to a request from Iowa Destination Developers, LLC for application, under the Iowa Reinvestment District Program, administer by the Iowa Economic Development Authority (IEDA), for incentives from the state sales and hotel/motel tax revenues. The proposed development by Iowa Destination Developers is a commercial development consisting of a Menards, a new restaurant and hotel and a Field Station Dinosaurs Museum/Camp. The City has no financial commitment or support for the Reinvestment District; it is solely funded by the state.

### V. CITY DEVELOPMENT PLANS AND POLICIES

The City has a general plan for the physical development of the City, as outlined in a comprehensive plan document and in a zoning ordinance. The comprehensive plan document is called the *Land Use Policy Plan* and includes ten goals in broad categories, as well as a number of objectives to meet those goals. Goals and objectives that speak more in detail to the proposed development are quoted below.

**Goal No. 1.** Recognizing that additional population and economic growth is likely, it is the goal of Ames to plan for and manage growth within the context of the community's capacity and preferences. It is the further goal of the community to manage its growth so that it is more sustainable, predictable and assures quality of life.

Objectives. In managing growth, Ames seeks the following objectives.

- 1.A. Ames seeks to diversify the economy and create a more regional employment and market base. While continuing to support its existing economic activities, the community seeks to broaden the range of private and public investment.

**Goal No. 5.** It is the goal of Ames to establish a cost-effective and efficient growth pattern for development in new areas and in a limited number of existing areas for intensification. It is a further goal of the community to link the timing of development with the installation of public infrastructure including utilities, multi-modal transportation system, parks and open space.

Objectives. In defining the growth pattern and timing of development, Ames seeks the following objectives.

- 5.C. Ames seeks the continuance of development in emerging and infill areas where there is existing public infrastructure and where capacity permits.

**Goal No. 9.** It is the goal of Ames to promote expansion and diversification of the economy in creating a base that is more self-sufficient and that is more sustainable with regard to the environment.

Objectives. In creating an economic base that is more self-sufficient and environmentally sustainable, Ames seeks the following objectives.

- 9.D. Ames seeks economic activities that are compatible and sustainable with its environment.

The objectives and proposed project outlined in this Urban Renewal Plan are consistent with the above goals and policies identified and adopted as part of the City's planning process.

## **VI. EFFECTIVE PERIOD**

This Urban Renewal Plan will become effective upon its adoption by the City Council and will remain in effect until it is repealed by the City Council. Each project or activity to which incremental property tax revenues will be devoted will be subject to such restrictions as may be deemed necessary and appropriate by the City Council

## **VII. PLAN AMENDMENTS**

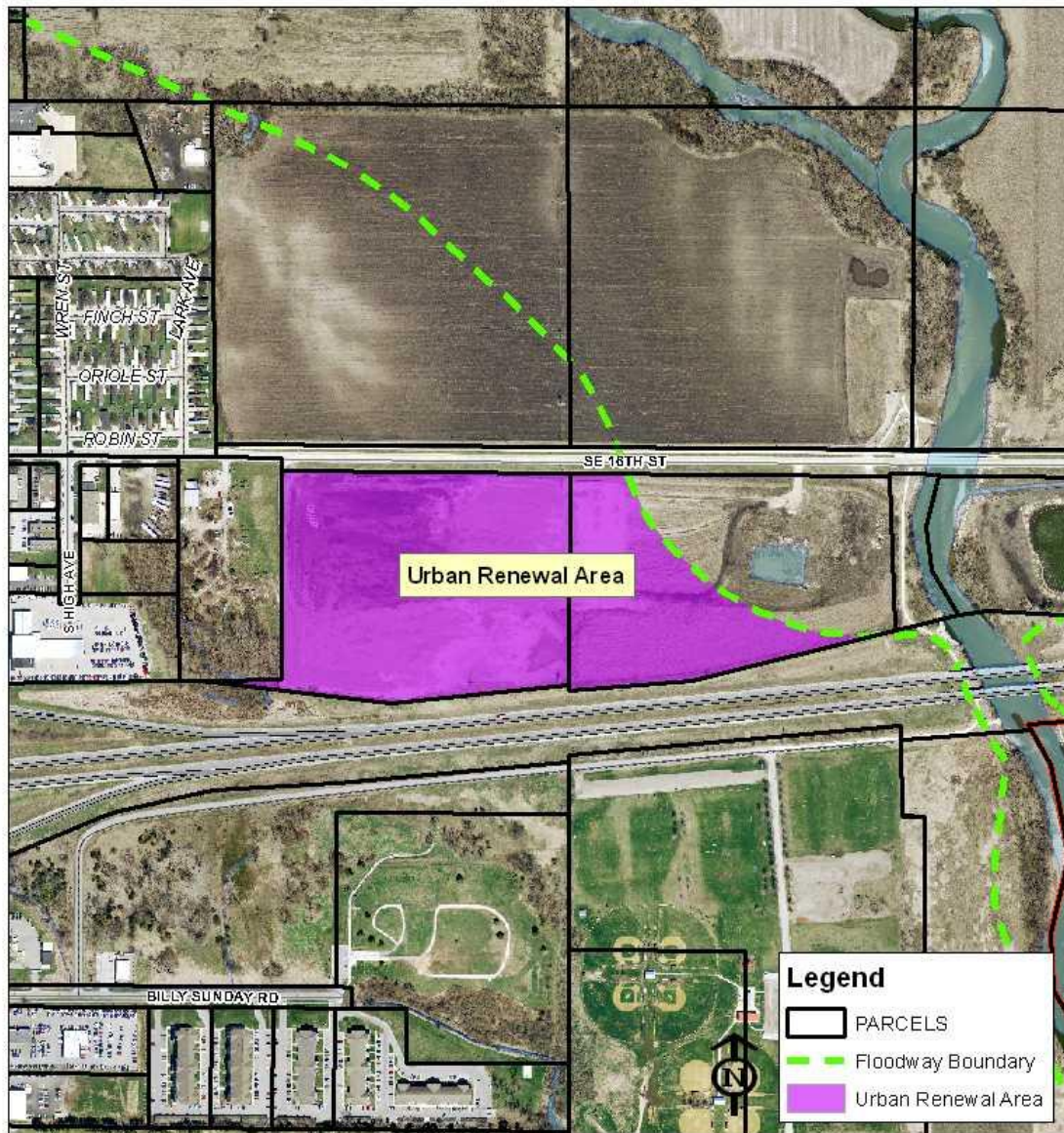
This Urban Renewal Plan may be amended in accordance with the procedures set forth in Chapter 403 of the Code of Iowa in order to carry out any purposes consistent with state law.

## **EXHIBIT A LEGAL DESCRIPTION**

SE 16<sup>th</sup> STREET URBAN RENEWAL AREA

(To be Determined)

**EXHIBIT B  
LOCATION MAP**



**Urban Renewal Area  
530 and 900 SE 16th Street**

0 250 500 1,000  
Feet

**COUNCIL ACTION FORM**

**SUBJECT: NETWORK INTEGRATION TRANSMISSION SERVICE AND  
TRANSMISSION OWNER CONTRACT**

**BACKGROUND:**

In September of 2009, the City of Ames Electric Services joined the Midcontinent Independent System Operator (MISO). MISO provides an independent platform to serve and coordinate the transmission of energy within our regional energy market. MISO fosters wholesale electric competition in the region, creates greater system reliability, and helps establish coordinated planning for the interconnected regional transmission network. A map depicting the MISO region can be viewed at <https://www.misoenergy.org/AboutUs/Locations/Pages/Locations.aspx>

When the City first joined MISO, it did so as an energy “market participant”. Through this organization, the City is able to purchase lower cost energy at times. During FY 2013/14 the utility purchased over 34% of its energy needs from this market.

To deliver energy purchases from the market to local electric loads, utilities purchase transmission service. In 2009 there were two general types of transmission service – network service and point-to-point service.

**Network service** charges are based on the utility’s entire load. This is 130 MegaWatt (MW) in the case of Ames, but contains credits for transmission investment for power lines greater than 100 kiloVolt (kV).

**Point-to-point service** allowed for tailoring of service, but includes no credit offsets for transmission investments.

With the City generating most of its electricity needs locally and little qualifying transmission investment, the City chose point-to-point service as a more cost effective option. In FY 2012/13, the City paid \$1,345,567 for point-to-point transmission service. This year to date, the City has paid \$1,106,926.

In September 2013, changes were made to MISO’s network service program which caused the City to re-evaluate its options. Qualified 69kV transmission facilities could now be included in the credit calculation. Other benefits were also created, including additional wind-generated capacity and decreased staff time to meet transmission scheduling demands. The amount of credits received are based on electric load and transmission investments of the City together with those of MidAmerican Energy and several other municipal utilities already using network service. This includes Cedar Falls, Pella, Atlantic, and Waverly. Based on staff’s calculations, network service is now

the lowest cost option for transmission service, falling below \$500,000 per year in cost. As the City's new 161kV transmission facilities are placed in service and included in the investment calculation, the City's net transmission cost will continue to fall each year. Depending on several factors, the City could reach a point where its investments fully offset its costs, and the utility begins to receive monthly payments for these investments.

Staff has made application to MISO for network integration transmission service. To be granted network transmission service and receive transmission credits, the utility must become a Transmission Owner in MISO. As a Transmission Owner, the City would turn over "functional control" of its transmission system to MISO. Functional Control means that MISO would oversee and direct transmission operations for the common good of the region. In fact, the City indirectly follows this today, since our transmission lines connected to the City's energy grid tie to MidAmerican Electric and the International Transmission Company (ITC). Both of those utilities are already Transmission Owners in MISO and receive direction from MISO on how to operate their facilities.

Transmission Owner status is accomplished through the execution of the following agreements:

- TRANSMISSION MEMBERSHIP APPLICATION – This document is the application to become a Transmission Owner. It outlines who we are and identifies authorized City Representatives and additional contacts at the City.
- TRANSMISSION OWNERS AGREEMENT – This agreement is the document that initially formed the MISO and is signed by all MISO member utilities. Once fully executed, MISO will report this to the Federal Energy Regulatory Commission. Due to the size of the full agreement, included is a link to the latest version of the Transmission Owners Agreement:  
<https://www.misoenergy.org/Library/Repository/Tariff/Rate%20Schedules/Rate%20Schedule%2001%20-%20Transmission%20Owners%20Agreement.pdf>
- APPENDIX G AGENCY AGREEMENT - If the new Transmission Owner owns transmission facilities below 100 kV, it will be required to execute Appendix G (Agency Agreement) of the Transmission Owners Agreement. Such an Agency Agreement provides for its Non-transferred Transmission Facilities (i.e., the City's 69 kV facilities) to be used by MISO to provide Transmission Service under MISO's Open Access Transmission, Energy and Operating Reserve Markets Tariff. For Ames, this will allow the City to bring in qualifying 69kV facilities for transmission credit.
- APPENDIX I SUPPLEMENTAL AGREEMENT – This is a multi-party contract between MISO, ITC and each of the MISO Transmission Owners. Appendix I of the Transmission Owners Agreement allows an Independent Transmission Company to assume certain rights and responsibilities (e.g., revenue distribution,



losses, tariff administration, billing, planning and security coordination) that otherwise belong to MISO.

- **SETTLEMENT AGREEMENT BETWEEN TRANSMISSION OWNERS AND MISO ON FILING RIGHTS** – This prevents MISO from making filings to the Federal Energy Regulatory Commission that could affect rates without stakeholder process.
- **FUNDS TRUST AGREEMENT** – To the extent the Transmission Owner will receive revenues from MISO, the Transmission Owner is required to submit a signature page to the Trust Agreement which provides that all funds collected by MISO on behalf of the Transmission Owners must be held in a “formal trust” with JPMorgan as Trustee.

All of these agreements have been reviewed by the City Attorney’s Office and are ready for Council approval. The agreements are also available to the public through the City Clerk’s Office. It is customary for staff to bring agreements to Council for approval after the other party has signed. In this case, the MISO Board is scheduled to take action on Ames’ membership at its April 24 meeting. If successfully approved by the Ames City Council and the MISO Board of Directors, Ames will become a Transmission Owner and begin to use network integration transmission service on June 1, 2014.

If City Council approves becoming a Transmission Owner in MISO, our membership in the Midcontinent Area Power Pool (MAPP) will be terminated, since the City cannot maintain our transmission in both organizations. City staff has given notice to MAPP of the City’s intention to become a Transmission Customer in MISO. The exit fee to leave MAPP is equal to 3 years of membership dues discounted for the dues paid between the notice date and June 1, 2014. That cost is estimated to be \$400,000. The amount of money saved in the first year by moving to network service is more than enough to offset the exit fee. This \$400,000 expense will be added to the 2013/14 Final Adjusted Budget amounts that will be presented to Council next month.

On March 26, 2014, staff met with the Electric Utility Operations Review and Advisory Board (EUORAB) and presented an overview of how the utility currently purchases transmission service, as well as the changes that would take place if we were to become a transmission owner in MISO. The EUORAB accepted staff’s recommendation to move from point to point transmission service and become a transmission owner in MISO, to enter into a network transmission agreement, and to forward this recommendation to the City Council.

## **ALTERNATIVES:**

1. Approve the transmission membership application and the specified agreements with the Midcontinent Independent System Operator, authorize the MISO membership fee payment of \$15,000, and authorize termination of the City’s membership in the Midcontinent Area Power Pool.

2. Do not approve these agreements and remain a member of MAPP.

**MANAGER'S RECOMMENDED ACTION:**

Transmission service is necessary to purchase low cost energy and wind energy from the regional electric grid. Having network service arrangements eliminates the need for staff to constantly monitor and purchase incremental transmission on an as needed basis.

Point-to-Point transmission service served the City well when we first entered the MISO energy market. Today, with the inclusion of transmission credits for 69kV facilities and the addition of the City's new 161kV line, network service becomes the low cost option for transmission service.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

## Staff Report

**REQUEST FOR CONSUMPTION OF ALCOHOL IN LIBRARY**

April 8, 2014

**BACKGROUND**

The City Council has chosen to restrict the lawful consumption of alcohol in City facilities. This has primarily been due to Council's responsiveness to input from community groups concerned over the message conveyed to the public – and particularly to youth – with the City allowing the consumption of alcohol in public facilities (such as City Hall). Liability issues and regulation of consumption by minors may have also been concerns.

At present, some forms of alcohol may be consumed in designated City parks and at Homewood Golf Course. State law also authorizes Council to allow consumption of alcohol on City streets in conjunction with special events (e.g., Midnight Madness, Main Street Cultural District and Campustown Action Association events) through an application and permit process. It is important to note that the authority to approve all liquor license requests within the City of Ames lies with the City Council.

The Library Board of Trustees recently approved a request by the Friends Foundation to serve beer and wine at a fundraising gala to be held on September 5, 2014. The Library has previously never considered serving of alcohol inside its facility. Therefore, the City Council has never had a request to allow for a liquor license on the Library premises. The Library Board has the authority to approve consumption on the Library premises, but do not have the authority to approve the liquor license.

Because this is a unique request from the Library Board of Trustees, the Board is seeking City Council support in advance of a request for a liquor license. If the City Council determines that it is not interested in supporting alcohol consumption in this City facility or in supporting approval of the liquor license, the Friends Foundation will need to reconsider this fundraising event and its other options for fundraising.

A letter is attached from Kevin Stow, President of the Library Board. In the letter he states that, should beer and wine be served, the event will be open only to those aged 21 and older.



April 4, 2014

The Honorable Mayor Campbell and City Council Members  
City Hall  
Ames

Dear Mayor and City Council Members:

The Ames Public Library Board was approached by the Ames Public Library Friends Foundation (APLFF) with a request to hold an event at the site of the renewed library prior to the grand opening on September 14<sup>th</sup>. They would like to host a gala on the evening of September 5<sup>th</sup>. The event would serve as a celebration of the new building, a fundraiser for APLFF projects, and a donor cultivation opportunity. It would also serve as a sneak peak for those who have supported the project and wish to attend. They anticipate a celebratory, fun and active party staffed by volunteers. They also sought approval to serve alcohol at the twenty-one-and-over event.

At its March 20<sup>th</sup> meeting the APL Board of Trustees passed a resolution granting "permission for the APLFF to host a gala event on library premises on September 5, 2014." The APL Board also passed a resolution granting permission for the consumption of beer and wine on library premises "during a pre-opening gala on September 5, 2014, provided the APLFF makes the necessary arrangements to obtain a temporary liquor license or engage a licensed caterer."

We wanted to inform you that this issue will be coming before the City Council as a temporary liquor license request from either APLFF or a caterer they have hired. The Gala Committee needs to move forward with planning and would like to send out "save the date" cards within the new few weeks. Since there are many planning details to work out we would like to know if Council members have any questions or concerns at this time so that we can address them. I would be happy to come before the Council to discuss this issue if you would like.

Sincerely,

A handwritten signature in blue ink that reads "Kevin Stow".

Kevin Stow, President  
Ames Public Library Board of Trustees

**COUNCIL ACTION FORM**

**SUBJECT:**    **LIBRARY RENOVATION MILLWORK CONTRACT**

**BACKGROUND:**

An invitation to bid for custom millwork for the Library Renovation and Expansion Project was sent to 14 potential suppliers in February 2014. Bids were received on March 19, 2014 from three firms.

The lowest bid, received from Iowa Prison Industries, was determined to be non-responsive by the evaluation team. This was supported by the Purchasing Division due to IPI's inability to meet the required schedule set out in the bid, the less than positive responses from their references with the regards to meeting schedules, the inability to provide the required certification, and the lack of technical details on their shop drawings. As shown below, SBD Commercial Interiors of Jackson, Michigan, submitted the lowest responsive, responsible bid.

<b>Vendor</b>	<b>Total Cost</b>
Iowa Prison Industries, Des Moines, IA	Non Responsive
SBD Commercial Interiors, Jackson, MI	\$423,413.00
RCS Millwork L.C., Ankeny, IA	\$780,558.99

As of March 31, 2014, the available balance of bond funds in the Library Renovation and Expansion Project was \$7,459,310.96.

The Library's estimate for furnishings and installation was \$2,240,622. At present, \$967,379.55 of that estimate remains unencumbered. Approval of the contract for millwork to SBD Commercial Interiors will leave \$543,966.55 in the current furnishings budget.

The Library Board of Trustees last met on March 20, 2014. At that time, the bids had not been fully analyzed. To make sure that the project timeline was not put in jeopardy, the Library Board adopted a resolution recommending that "the City Council award a contract for millwork for the Library Renovation and Expansion Project to the lowest responsive, responsible bidder as determined by the Library Director, the City, and MSR."



**ALTERNATIVES:**

1. Award the contract for Library Millwork to SBD Commercial Interiors of Jackson, Michigan, in the amount of \$423,413.
2. Do not award the contract to SBD Commercial Interiors and direct that this project be rebid.

**MANAGER'S RECOMMENDED ACTION:**

The lowest bid was determined to be non-responsive for several reasons listed above. The bid received from SBD Commercial Interiors of Jackson, Michigan, is the lowest responsive, responsible bid. The order needs to be placed now to adhere to the Library's Renovation and Expansion Project timeline. Sufficient bond funds are available to cover this cost.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.



*Caring People ♦ Quality Programs ♦ Exceptional Service*

# MEMO

36

**To:** Honorable Mayor Ann Campbell and City Council

**From:** Tiffany Coleman, Business Development Coordinator

**Date:** April 4, 2014

**Subject:** 2013 Development Process Survey

Included in the Council packet are the results of the 2013 Development Process Survey. This survey has been conducted a total of three years. The purpose is to give customers of the Planning Department and Inspection Division the opportunity to provide feedback to the Council on the services they have received.

Enclosed for your review are both the results of the survey and a copy of the presentation slides I will use during my report at the City Council meeting.

# Development Process Survey

2013 Results



# Introduction

- ▶ Third time survey has been completed
- ▶ Results are very positive
- ▶ All results of the survey are contained in the Survey Monkey report
- ▶ Responses are anonymous
- ▶ Overview of process



# Overview

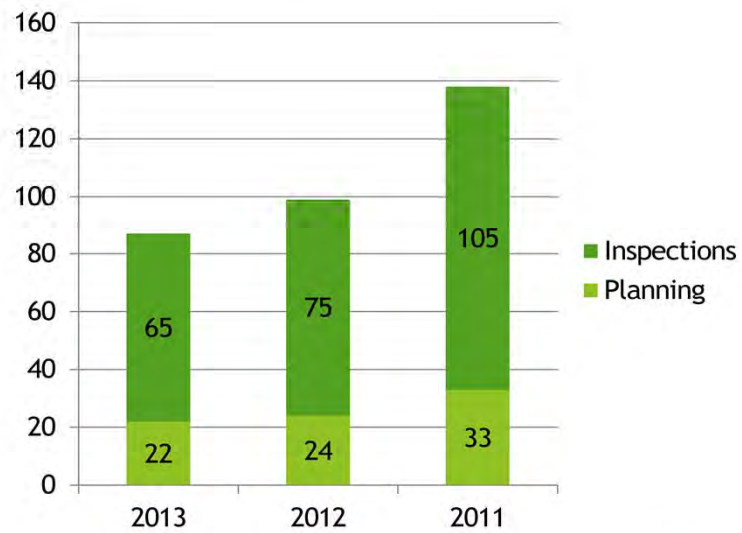




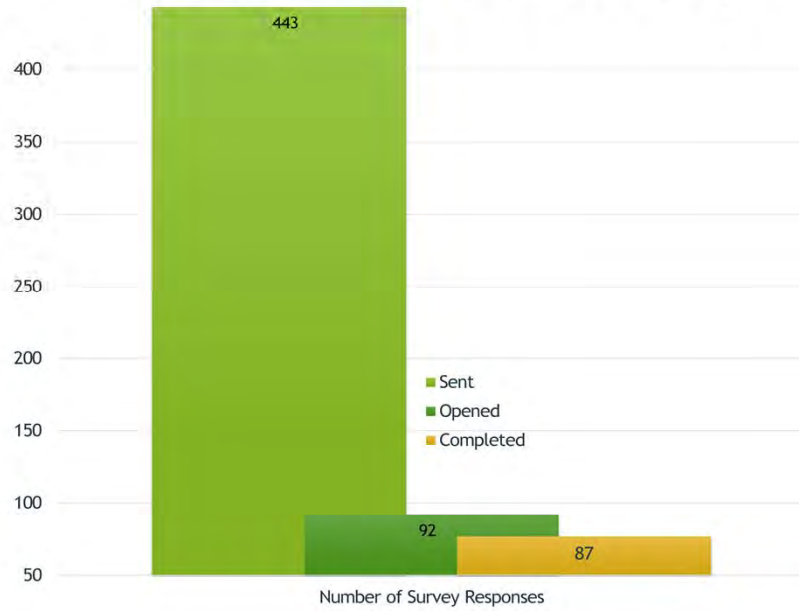
# Surveys Sent Per Year



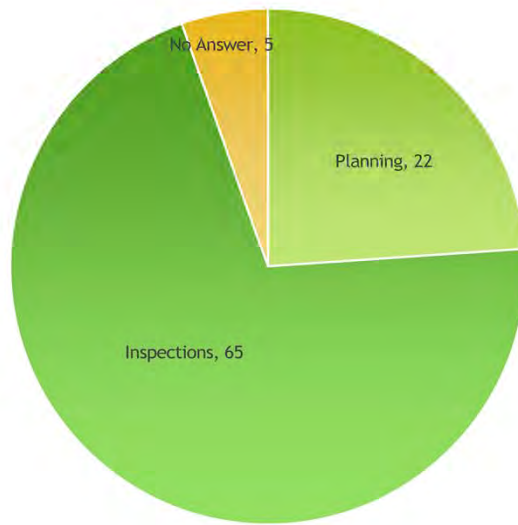
# Survey Responses Per Year



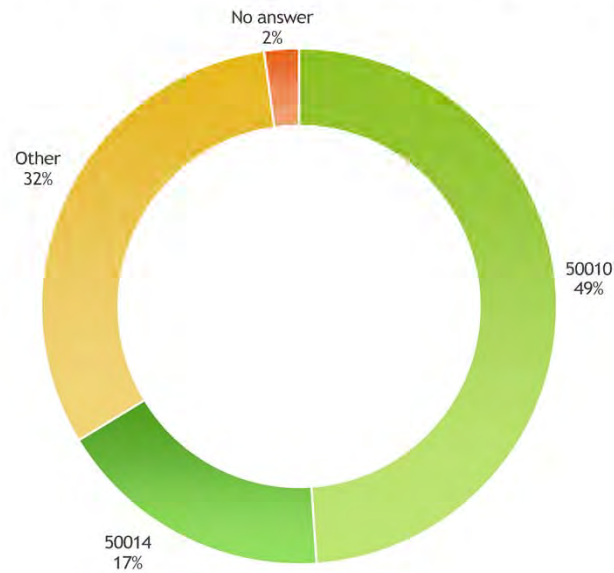
# 2013 Response Summary



# Primary Department Interaction



# Business Location by Zip Code



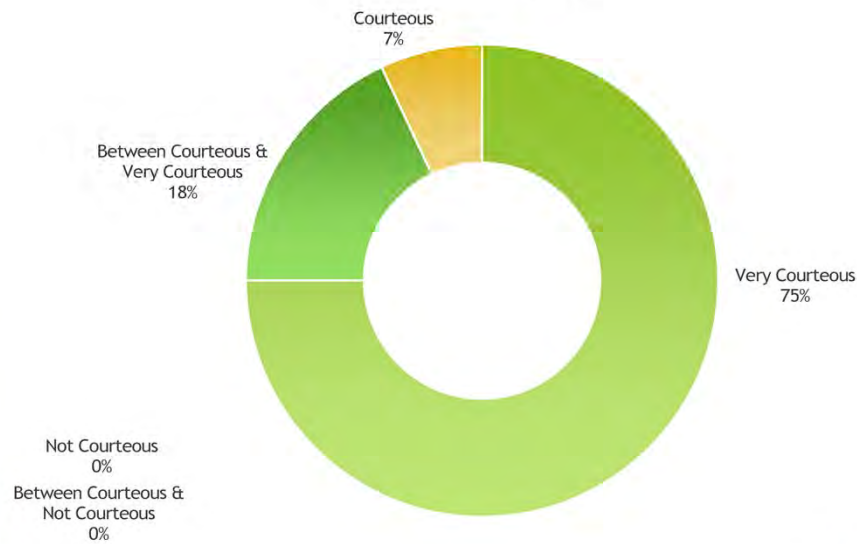


# Inspection Division



# Inspection Service Quality

## Staff Courtesy



### 2012

74% Very Courteous

9% Between Courteous & Very Courteous

12% Courteous

5% Between Courteous & Not Courteous

### 2011

58% Very Courteous

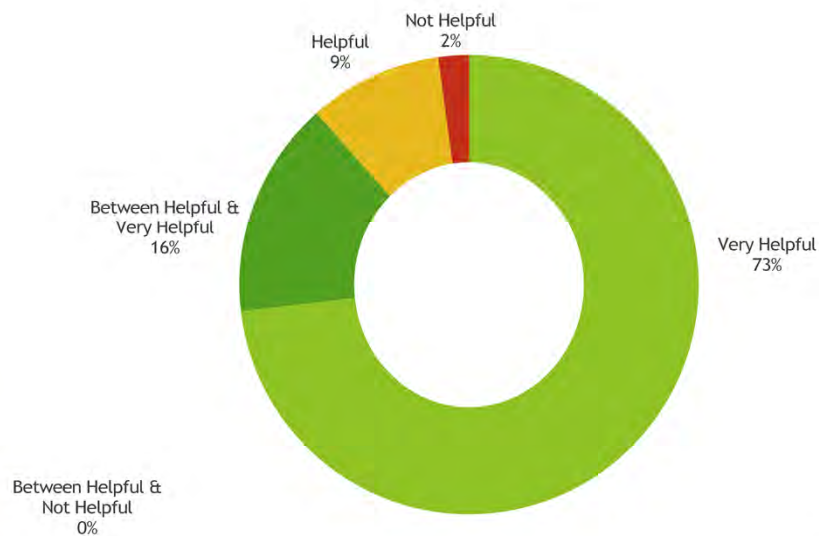
20% Between Courteous & Very Courteous

19% Courteous

3% Between Courteous & Not Courteous

# Inspection Service Quality

## Staff Helpfulness



### 2012

67% Very Helpful

17% Between Helpful & Very Helpful

13% Helpful

3% Between Helpful & Not Helpful

### 2011

57% Very Helpful

18% Between Helpful & Very Helpful

18% Helpful

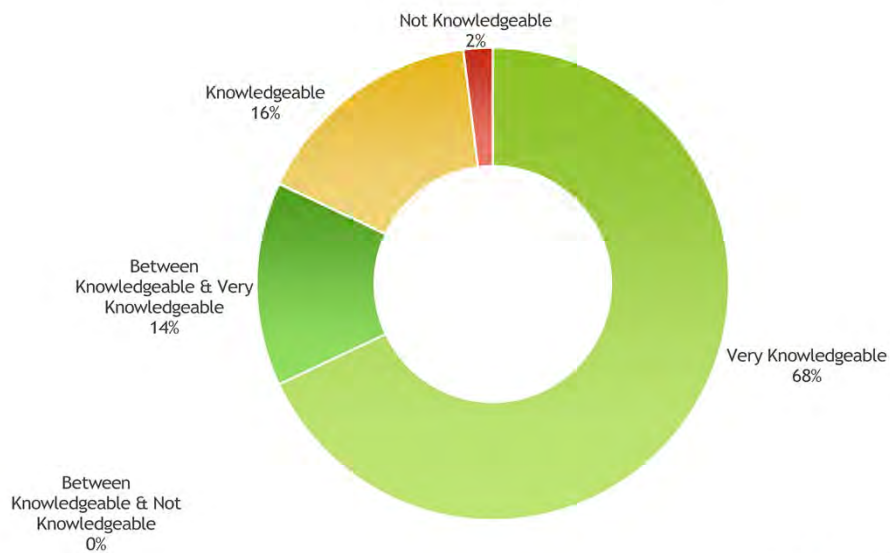
3% Between Helpful & Not Helpful

4% Not Helpful



# Inspection Service Quality

## Staff Knowledge



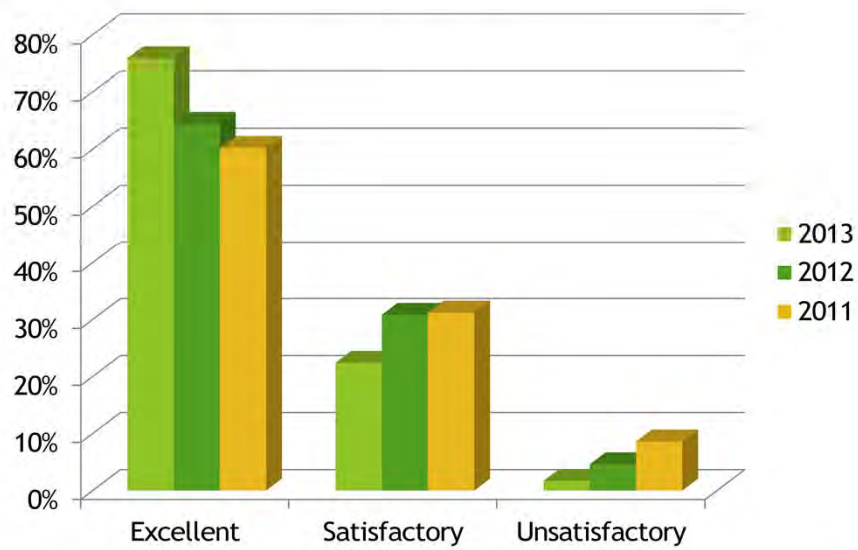
2012

67% Very Knowledgeable  
 17% Between Knowledgeable & Very Knowledgeable  
 14% Knowledgeable  
 2% Between Knowledgeable & Not Knowledgeable

2011

54% Very Knowledgeable  
 18% Between Knowledgeable & Very Knowledgeable  
 17% Knowledgeable  
 9% Between Knowledgeable & Not Knowledgeable  
 2% Not Knowledgeable

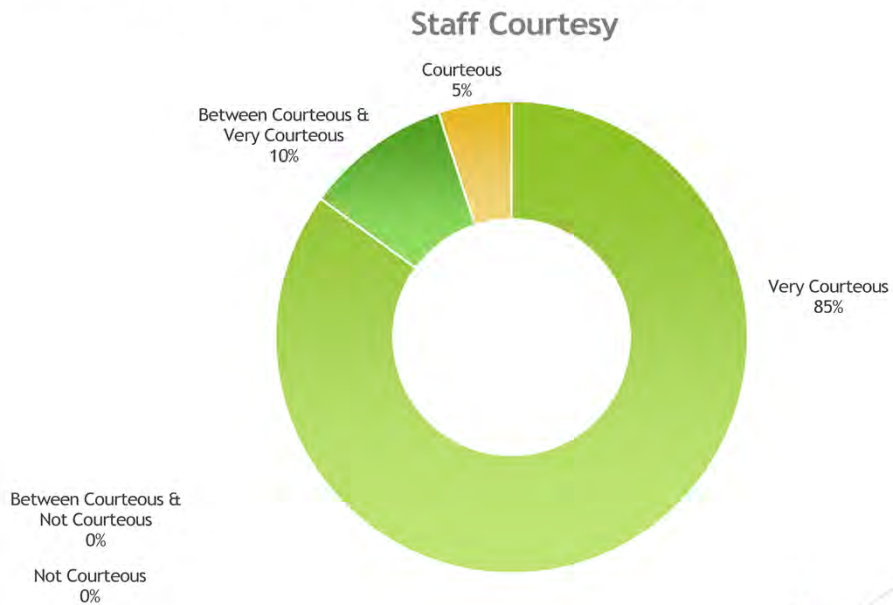
# Inspection Division Overall Rating



# Planning Division



# Planning Service Quality



2012

57% Very Courteous

19% Between Courteous & Very Courteous

24% Courteous

0% Between Courteous & Not Courteous

2011

74% Very Courteous

18% Between Courteous & Very Courteous

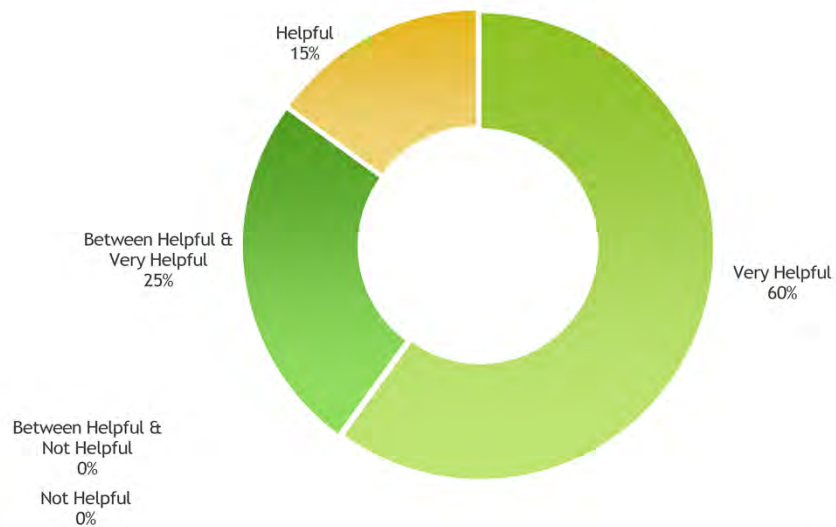
4% Courteous

4% Between Courteous & Not Courteous



# Planning Service Quality

Staff Helpfulness



2012

29% Very Helpful

38% Between Helpful & Very Helpful

19% Helpful

14% Between Helpful & Not Helpful

2011

63% Very Helpful

22% Between Helpful & Very Helpful

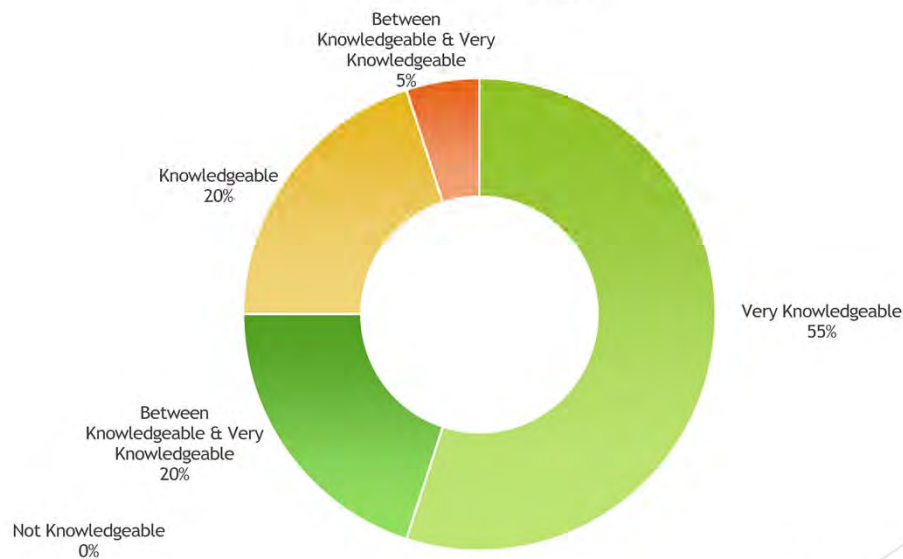
11% Helpful

0% Between Helpful & Not Helpful

4% Not Helpful

# Planning Service Quality

## Staff Knowledge



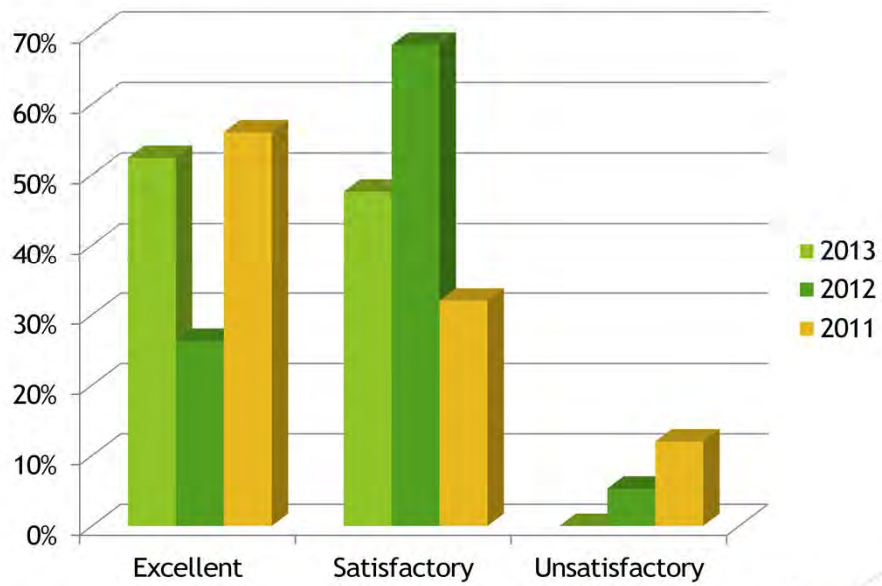
2012

29% Very Knowledgeable  
 29% Between Knowledgeable & Very Knowledgeable  
 33% Knowledgeable  
 9% Between Knowledgeable & Not Knowledgeable

2011

59% Very Knowledgeable  
 19% Between Knowledgeable & Very Knowledgeable  
 15% Knowledgeable  
 0% Between Knowledgeable & Not Knowledgeable  
 7% Not Knowledgeable

# Planning Division Overall Rating



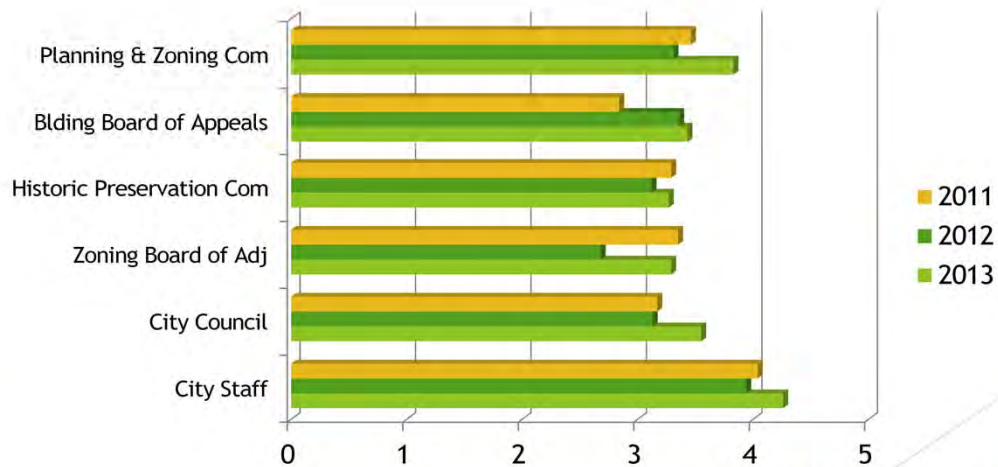
# Overall Rating of City





## How well did we accomplish a “can-do” attitude and promote Ames as a welcoming place to do business?

(Rating Scale of 1 to 5 with 5 being a high or good rating.)



# Closing

- ▶ Improvement each year
- ▶ Fewer surveys completed each year
- ▶ Already very high marks for staff

# Thank You Questions



## 2013 City of Ames - Development Process Survey



### 1. Please let us know what zip code your business is located in.



		Response Percent	Response Count
50010		50.0%	45
50014		17.8%	16
Other (please specify)		32.2%	29
answered question			90
skipped question			2

#### Other Zip Codes


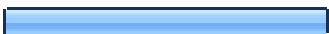






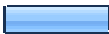

43081	50131	50309
50009	50156	50310
50014	50161	50313
50023	50244	50322
50028	50247	50322
50039	50248	50322
50105	50266	50322
50111	50273	50613
50111	50309	64055
50125	50309	



**2. You were selected to receive this survey due to your recent interaction with the City of Ames. Which of the following departments were you primarily working with on your project (s)?**

		Response Percent	Response Count
Planning (e.g., site plan review, subdivisions, variances, special use permits, historic preservation, etc.)		25.3%	22
Inspections (includes: building, electrical, plumbing, mechanical and construction plans review)		74.7%	65
		answered question	87
		skipped question	5

### 3. Which Inspection staff member(s) assisted you with your most recent proposal(s)/project(s)? (please select all that apply)

		Response Percent	Response Count
Seana Perkins (Building Official)		7.0%	4
Bruce Kinkaid (Plumbing)		28.1%	16
Craig Hageman (Building)		26.3%	15
Adam Ostert (Building)		22.8%	13
<b>Mike Makelbust (Plumbing)</b>		<b>36.8%</b>	<b>21</b>
Nick Patterson (Electrical)		35.1%	20
Scott Ripperger (Plans)		21.1%	12
Tom Henriksen (Fire)		12.3%	7
Unknown		8.8%	5
Other (please type name below)		12.3%	7
answered question			57
skipped question			35

#### Other Staff Listed

Holly McDonald	rental inspectors
Freeman, Jillyn and	Sara Van Meeteren
Imhoff	sara van meeteren
Natalie Herrington	Sue Fiala

#### 4. How would you describe the Inspection staff's courteousness while assisting you with your proposal(s)/project(s)?

	Very Courteous		Courteous		Not Courteous	Rating Average	Rating Count
Please select the most appropriate choice.	75.0% (42)	17.9% (10)	7.1% (4)	0.0% (0)	0.0% (0)	4.68	56

Use this space to explain your choice

8

answered question

56

skipped question

36

#### Comments

- Na
- BOTH ARE WILLING TO EXPLAIN ITEMS EITHER GOOD OR BAD
- the guys were great and helpful
- Personable
- They were both extremely courteous and helpful
- Gives thorough inspections and is professional about it. Able to make alternative decisions for difficult to accomplish projects.
- always willing to listen to my concerns
- In my communications [the staff member] was helpful and always responsive via telephone and E-mail.

## 5. How would you describe the Inspection staff's helpfulness while assisting you with your proposal(s)/project(s)?

	Very Helpful		Helpful		Not Helpful	Rating Average	Rating Count
Please select the most appropriate choice.	<b>73.2% (41)</b>	16.1% (9)	8.9% (5)	0.0% (0)	1.8% (1)	4.59	56

Use this space to explain your choice 6

	answered question	6
	skipped question	36

### Comments

- Na
- [Staff member] worked with me to be sure I knew what had to be done.
- ALWAYS HAVE TIME TO ANSWER QUESTIONS
- They were both extremely courteous and helpful
- Always is able to assist with any questions.
- willing to help but never available before 9:00 am I understand that there is a daily staff meeting from 7:30 to 9:00 am. Unwilling to schedule an inspection at a specific time even when the time is the inspector's choice.



## 6. How would you describe the Inspection staff's professional knowledge while assisting you with your proposal(s)/project (s)?

	Very Knowledgeable		Knowledgeable		Not Knowledgeable	Rating Average	Rating Count
Please select the most appropriate choice.	<b>67.9% (38)</b>	14.3% (8)	16.1% (9)	0.0% (0)	1.8% (1)	4.46	56

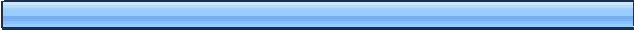

Use this space to explain your choice 3

<b>answered question</b>	<b>56</b>
<b>skipped question</b>	<b>36</b>


### Comments

- We work with many inspection departments in various cities in central Iowa. Ames' plumbing inspection department is second to none. It puts meaning and purpose back into our profession. Thank you.
- THEY CAN REFERENCE TO CODE BOOK IF I HAVE QUESTIONS
- They helped me so that I could understand what Ames needed.

## 7. Did your project(s) require you to have interaction with counter staff at City Hall?

		Response Percent	Response Count
Yes		55.2%	32
No		44.8%	26
answered question			58
skipped question			34

## 8. Were you met with a "welcoming" attitude by our front counter staff?

		Response Percent	Response Count
Yes		100.0%	32
No		0.0%	0

Use this space to explain your choice

4

answered question	32
skipped question	60

### Comments

- ALWAYS HAPPY
- They were busy yet made sure to apologize for the wait. I like that, the made me feel my time was valuable to.
- It is a pleasure to walk in
- Refreshing compared to other cities. We work all across the state

9. How would you describe the helpfulness of our front counter staff?

	Very Helpful		Helpful		Not Helpful		N/A	Rating Average	Rating Count
Please select the most appropriate choice.	74.2% (23)	12.9% (4)	12.9% (4)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	4.61	31

Use this space to explain your choice 1

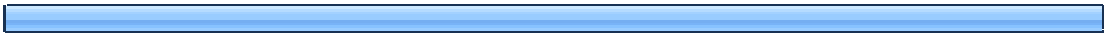



answered question	31
skipped question	61

Comments

- Even looks over applications for errors



**10. Which of the following best describes the final outcome of your proposal(s)/project(s)? (please select all that apply)**

		Response Percent	Response Count
Approved by City staff		96.1%	49
Approved by Building Board of Appeals		0.0%	0
Approved by City Council		5.9%	3
Denied by City staff		2.0%	1
Denied by Building Board of Appeals		0.0%	0
Denied by City Council		0.0%	0
Other (please specify below)		2.0%	1

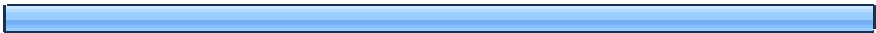


**answered question 51**

**skipped question 41**




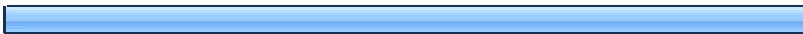





**Comments**

- Refusal to act on and enforce occupancy code by [staff member]

## 11. Overall, how would you describe your experience with the Inspection Division?

		Response Percent	Response Count
Excellent		75.9%	44
Satisfactory		22.4%	13
Unsatisfactory		1.7%	1
answered question			58
skipped question			34

**12. Which of the following contributed to your satisfaction level with the City of Ames' Inspection Division? (please select all that apply)**

		Response Percent	Response Count
Clearly written local ordinances		13.2%	7
City staff's helpful, "can do" attitude		54.7%	29
Reasonable cost of permit(s)		26.4%	14
<b>Timeliness of response</b>		<b>69.8%</b>	<b>37</b>
Clear policies and/or procedures		35.8%	19
Accurate billing process		26.4%	14
Early communication of expectations		20.8%	11
City staff's willingness to help identify solutions to help facilitate your project		60.4%	32
Other (please specify below)		9.4%	5
<b>answered question</b>			<b>53</b>
<b>skipped question</b>			<b>39</b>

**Comments**

- Jobsite explanation and copies of written code compliance
- Refusal to act on violations in the occupancy code, such as in no permit to occupy contributed to our dissatisfaction
- home owners say permit cost are to high
- Staff's use of email communications and email for permit submittal
- [Staff member] is knowledgeable and helpful. [Staff member] are also doing a nice job. [Staff member] is professional and helpful.



### 13. What comments or suggestions could you share to help us improve your next overall experience?

	Response Count
	11
answered question	11
skipped question	81

#### Comments

- none
- Building permits fine, legal advise to home owners not good, allowing occupancy codes to be disregarded terrible.
- none
- I have had problems with the [staff member doing inspections], what [person] communicates to you in person and what [person] sends in writing are completey different, [person] takes to much of you time telling you about [the person] and [the person] is not sincere, All the others in the inspection division are helpful awesome and repectful
- It would be nice to be able to schedule set times for inspections instead of morning or afternoon
- Inspection Dept and end users could benefit from permit and scheduling software.
- The commercial inspector came out on a residential job, was unclear as to what codes applied, but a timely inspection. I have no complaints.
- The city staff is great. They are always friendly and accommodating. The cost of an electrical permit is off balance. For a new house it runs between 1 and 2 percent of the total project cost. For a small project it can run up over %50 of the total cost. This causes small projects to be awarded to contractors who will do the work without getting a permit. The billing process needs help. The prices are unclear or undefined. The invoices come back with a different fee then indicated on the permit application every time. The invoices are mailed out on paper. Of the 10 venders that I do the most business with the city is 1 of 2 that still only uses paper and does not have an online interface to check invoice status and pay bills. The terms of payment are not standard and do not comply with Iowa's CHAPTER 537 CONSUMER CREDIT CODE and maybe they don't have to because you are a government entity but it would be really nice if the your bill will fall into a regular bill pay cycle that a business has.
- Satisfied for now.
- There has never been an error on billing. The cost of permits is too high. The cost is so high that permits are avoided. Staff is willing to suggest alternatives when my plans are not acceptable. When new codes are adopted or when the fees for permits are changed there is no announcement of the changes. Easy to understand language in ordinances. "fees are doubled" rather than "fees will be applied at two times the normal rate. There are written policies available that explain all the permit and inspection procedures. These are also available on the city internet page. Always willing to take calls if available and call back if not able to answer right away.
- Notification of increases in permit fees (not many people read the legal section of the newspaper) In someone's absence have another staff person or persons be able to fill in, which would prevent permits being delayed, especially for extended absences (a week or more)

**14. Which of the following could help improve your satisfaction level with our Inspection Division? (please select all that apply)**

		Response Percent	Response Count
Change the Local ordinances		0.0%	0
<b>Display a more helpful, "can-do" attitude</b>		100.0%	1
Reduce the cost of permit(s)		0.0%	0
<b>Improve the timeliness of response</b>		100.0%	1
Add clarity to the policies or procedures		0.0%	0
Increase accuracy in the billing process		0.0%	0
Show more willingness to identify potential solutions		0.0%	0
Early communications of expectations		0.0%	0
Other (please specify below)		0.0%	0
<b>answered question</b>			<b>1</b>
<b>skipped question</b>			<b>91</b>



## 15. How can we improve your next overall experience?

Response  
Count

0







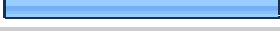


answered question

0

skipped question

92

**16. Which Planning staff member(s) assisted you with your most recent proposal(s)/project(s)? (please select all that apply)**

		Response Percent	Response Count
Ray Anderson		28.6%	6
Jeff Benson		38.1%	8
<b>Charlie Kuester</b>		<b>66.7%</b>	<b>14</b>
Kelly Diekmann		4.8%	1
Lorrie Banks		4.8%	1
Karen Marren		19.0%	4
Bob Kindred		23.8%	5
Unknown		4.8%	1
Other (please type name below)		4.8%	1
		<b>answered question</b>	<b>21</b>
		<b>skipped question</b>	<b>71</b>

## 17. How would you describe the Planning staff's courteousness while assisting you with your proposal(s)/project(s)?

	Very Courteous		Courteous		Not Courteous	Rating Average	Rating Count
Please check your response by number.	<b>85.0% (17)</b>	10.0% (2)	5.0% (1)	0.0% (0)	0.0% (0)	4.80	20

Use this space to explain your choice

3

<b>answered question</b>	<b>20</b>
<b>skipped question</b>	<b>72</b>

### Comments

- Very Courteous-Couldn't click on choice
- [Staff member]., in particular, is very good about returning phone calls timely and responding to his email. Very responsive. [Staff member] does a good job as well. [Staff member ] is not reliable in terms of being responsive -- there were times that I did not receive a call back or any acknowledgment.
- Mainly dealt with [staff member]. Easily accessible and nice to speak with on the phone. Seemed ready to help.

## 18. How would you describe the Planning staff's helpfulness while assisting you with your proposal(s)/project(s)?

	Very Helpful		Helpful		Not Helpful	Rating Average	Rating Count
Please check the appropriate rating.	60.0% (12)	25.0% (5)	15.0% (3)	0.0% (0)	0.0% (0)	4.45	20

Use this space to explain your choice

3

answered question	20
skipped question	72

### Comments

- Very Helpful-Couldn't click on choice
- The timeliness on replying to an e-mail or returning a phone call message was longer than anticipated.
- I have had both good and bad experiences. Generally, [staff member] and [staff member] are helpful -- even if they don't give you the answers you want to hear. [Staff member] is far less helpful and responsive.

## 19. How would you describe the Planning staff's professional knowledge while assisting you with your proposal(s)/project (s)?

	Very Knowledgeable		Knowledgeable		Not Knowledgeable	Rating Average	Rating Count
Please select the most appropriate choice.	55.0% (11)	20.0% (4)	20.0% (4)	5.0% (1)	0.0% (0)	4.25	20

Use this space to explain your choice

2

answered question

20


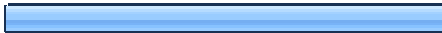
skipped question

72

### Comments



- Very Knowledgeable-Couldn't click on choice
- The City Code is the major problem. Planning Staff clearly has more rules (ordinances) that they can reasonably keep track of. City Code should be simplified.

## 20. Did your issue require you to have interaction with counter staff at City Hall?

		Response Percent	Response Count
Yes		61.9%	13
No		38.1%	8
answered question			21
skipped question			71



## 21. Were you met with a "welcoming" attitude by our front counter staff?

		Response Percent	Response Count
Yes		92.3%	12
No		7.7%	1

Use this space to explain your choice

1

answered question	13
skipped question	79










### Comments

- Always have been friendly.

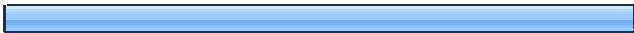




## 22. How would you describe the helpfulness of the City staff's front counter staff?

	Very Helpful		Helpful		Not Helpful		N/A	Rating Average	Rating Count
Please select the most appropriate choice.	<b>66.7% (8)</b>	16.7% (2)	8.3% (1)	0.0% (0)	0.0% (0)	8.3% (1)		4.64	12
Use this space to explain your choice									1
answered question									12
skipped question									80
<b><u>Comments</u></b>									
<ul style="list-style-type: none"> <li>Very Helpful</li> </ul>									

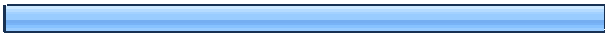

### 23. What type of application did you submit? (please select all that apply)

		Response Percent	Response Count
Certificate of Appropriateness (historic preservation)		14.3%	3
Major Site Plan or Planned Residential Development(PRD)Plan		14.3%	3
Special Use Permit		28.6%	6
<b>Minor Site Plan</b>		<b>33.3%</b>	<b>7</b>
Preliminary or Final Plat		23.8%	5
Flood Plain Development Permit		9.5%	2
Rezoning		14.3%	3
Land Use Policy Plan change		14.3%	3
Other (please specify below)		9.5%	2
		<b>answered question</b>	<b>21</b>
		<b>skipped question</b>	<b>71</b>
<b><u>Comments</u></b>			
<ul style="list-style-type: none"> <li>Minor Exception, Tax Abatement Application (URZ)</li> <li>variance</li> </ul>			

## 24. Which of the following best describes the final outcome of your proposal(s)/project(s)?

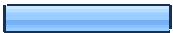






		Response Percent	Response Count
Approved by City staff		55.0%	11
Approved by the Zoning Board of Adjustment		5.0%	1
Approved by the Historic Preservation Commission		5.0%	1
Approved by City Council		30.0%	6
Denied by City staff		0.0%	0
Denied by the Zoning Board of Adjustment		5.0%	1
Denied by the Historic Preservation Commission		0.0%	0
Denied by City Council		0.0%	0
		<b>answered question</b>	<b>20</b>
		<b>skipped question</b>	<b>72</b>

## 25. Overall, were you satisfied with your experience with the Planning Division?

		Response Percent	Response Count
Excellent		52.4%	11
Satisfactory		47.6%	10
Unsatisfactory		0.0%	0
answered question			21
skipped question			71



## 26. Which of the following contributed to your satisfaction level with our Planning Division? (please select all that apply)

		Response Percent	Response Count
Well written local ordinances		14.3%	3
City staff's helpful, "can do" attitude		38.1%	8
<b>Timeliness of response</b>		<b>66.7%</b>	<b>14</b>
Clear policies and/or procedures		33.3%	7
Early communication of expectations		52.4%	11
City staff's willingness to help identify solutions to help facilitate your project		52.4%	11
Other (please specify below)		14.3%	3
		<b>answered question</b>	<b>21</b>
		<b>skipped question</b>	<b>71</b>

### Comments

- City staff was very approachable and easy to communicate with.
- Failure of [Legal Department] to lead or counsel the Planning Division resulting in a Planning Division "run amok."
- it is sometimes necessary to be very persistent to keep things moving or to find solutions

## 27. How can we improve your next overall experience?

Response  
Count

4

answered question

4

skipped question

88

### Comments

- Create an easier variance process.
- It is a major issue that [a department] defers to the Planning Staff in the interpretation of ordinances. [Staff member] is detached, and unable to lead the Planning Staff in interpreting City Ordinances. This leads to a Planning Staff left with far too much discretion and, apparently, lawsuits against the City along with pushing people to a point where a threat of legal action is necessary
- Planning needs to allow up-lighting for american flags with a light amount that will actually light the flag. I'm embarrassed as an American by your ordinance regarding up-lighting for American flags.
- Can't think of anything!

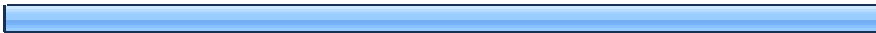
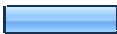

**28. Which of the following could help improve your satisfaction level with the City's Planning Division? (please select all that apply)**

	Response Percent	Response Count
Change the Local ordinances	0.0%	0
Display a more helpful, "can-do" attitude	0.0%	0
Improve the timeliness of response	0.0%	0
Add clarity to the policies or procedures	0.0%	0
Show more willingness to identify potential solutions	0.0%	0
Early communication of expectations	0.0%	0
Other (please specify below)	0.0%	0
<b>answered question</b>		<b>0</b>
<b>skipped question</b>		<b>92</b>

## 29. What comments or suggestions could you share to help us improve your next overall experience?

	Response Count
	0
answered question	0
skipped question	92

## 30. Did you find the Application Packet useful, clear, and understandable?

		Response Percent	Response Count
Yes		76.2%	16
No		9.5%	2
N/A		14.3%	3

Use this space to explain your choice



2

answered question	21
skipped question	71

### Comments

- Yes, however it would be nice to expand on the checklist if the DRC runs into typical comments after their initial reviews. The fewer re-submittals, the better. Also, flexibility using 30x42 drawings is more beneficial for projects involving architecture. Architecturally led project mainly use 30x42 drawings. Conflicts between drawings can arise if transferring information from 24x36 to 30x42. I understand there are City filing issues, but potential conflicts would seem to be more important.
- I would propose that the packet lists parking stall dimensions clearly and/or specify what city code section to refer to.

### 31. Did your project follow the processing schedule that was included in the Planning Application packet for the project?

		Response Percent	Response Count
Yes		85.0%	17
No		15.0%	3

Use this space to explain your choice

1

answered question	20
skipped question	72

#### Comments

- staff approval



**32. A Council goal is for the City to display a "can-do" attitude to customers, promoting Ames as a welcoming place to do business. In your opinion, how well did we accomplish this?**

	Excellent		Satisfactory		Unsatisfactory		N/A	Rating Average	Rating Count
Planning and Zoning Commission	25.9% (15)	8.6% (5)	19.0% (11)	3.4% (2)	3.4% (2)	39.7% (23)	3.83	58	
Building Board of Appeals	4.2% (2)	2.1% (1)	6.3% (3)	0.0% (0)	2.1% (1)	85.4% (41)	3.43	48	
Historic Preservation Commission	5.9% (3)	2.0% (1)	7.8% (4)	3.9% (2)	2.0% (1)	78.4% (40)	3.27	51	
Zoning Board of Adjustment	4.0% (2)	8.0% (4)	10.0% (5)	4.0% (2)	2.0% (1)	72.0% (36)	3.29	50	
City Council	9.6% (5)	11.5% (6)	15.4% (8)	3.8% (2)	1.9% (1)	57.7% (30)	3.55	52	
City Staff	48.5% (33)	26.5% (18)	19.1% (13)	0.0% (0)	1.5% (1)	4.4% (3)	4.26	68	
answered question								71	
skipped question								21	

### 33. Please provide us with any suggestions for how we can best display a "can-do" attitude.

Response  
Count

8

answered question

8

skipped question

84

#### Comments

- CONSISTENCY...above resistance. Consistency is a great substitute for 'politics'
- Couldn't click on choice - City Staff performed excellently.
- realize that we are all trying to accomplishing a providing good customer service
- Work with owners, developers, and design professionals to help alleviate roadblocks instead of creating them.
- I did not experience a "can do attitude" with [staff member], but I think I was asking for a difficult time line
- Dispense with the meaningless "can do" buzz phrase. Simplify the City Code -- starting with actual leadership coming from the City [Legal Dept] -- rather than having problems created by abundant, conflicting ordinances and inflexible interpretations adopted by members of the Planning Staff.
- be willing to let new business in town
- A "can-do " attitude is best shown by doing. Maybe a "we want to do" attitude would be becoming.

ITEM # 30  
DATE: 01-28-14

### COUNCIL ACTION FORM

**SUBJECT:** PARKING REGULATIONS ON TWAIN CIRCLE

**BACKGROUND:**

On October 15, 2013, City Council referred a letter from Emily Erickson requesting that the parking regulations along Twain Circle be changed to prohibit parking along the curved sections of the roadway. Currently, parking is restricted on Twain Circle at all times on the north and east sides of the road. In her letter, Ms. Erickson described safety concerns related to operating her vehicle through the curve when vehicles were parked along its inner curb. She also mentioned that this situation is made worse during the winter months.

Staff conducted an on-site visit to observe traffic and conducted measurements to determine the required stopping sight distances. The majority of operating speeds along Twain Circle range approximately from 20 to 25 MPH. This would require sight distance of an oncoming vehicle to be 115 to 155 feet. **When this standard is applied to the roadway, additional parking prohibitions are needed approximately 25 feet on either side of the curve.**

Staff also conducted a review of the reported accident history for Twain Circle and found two Property Damage Only accidents in January 2007 and November 2010. One accident was alcohol related. However, the other was a sideswipe, which provides some support to the situation Ms. Erickson described in her letter.

**Proposed No Parking Regulation Changes**

In analyzing the sight distance issues, the new required no parking area to address these safety concerns would remove almost all on-street parking spaces along Twain Circle. Because of this, a strictly engineering based recommendation would be to remove all on-street parking. This is a safe alternative and the easiest to regulate as well as to enforce.

However, in reaching out to the property owners along Twain Circle, it was found the greatest area of concern was losing parking in front of the duplexes along the east-west segment of Twain Circle. It was felt this would be a hardship to lose that parking for visiting friends or family. **Therefore, based upon the low crash history and feedback from our residents, the recommended "No Parking" area could be reduced to start at a point 275 feet east of Dickinson Avenue rather than prohibiting parking on the entire street.**

A map showing the current and proposed parking restrictions is attached below.

It should be noted that Municipal Code Section 18.24(2) allows the staff to temporarily suspend parking restrictions upon request for special circumstances such as graduations, open houses, receptions, etc.

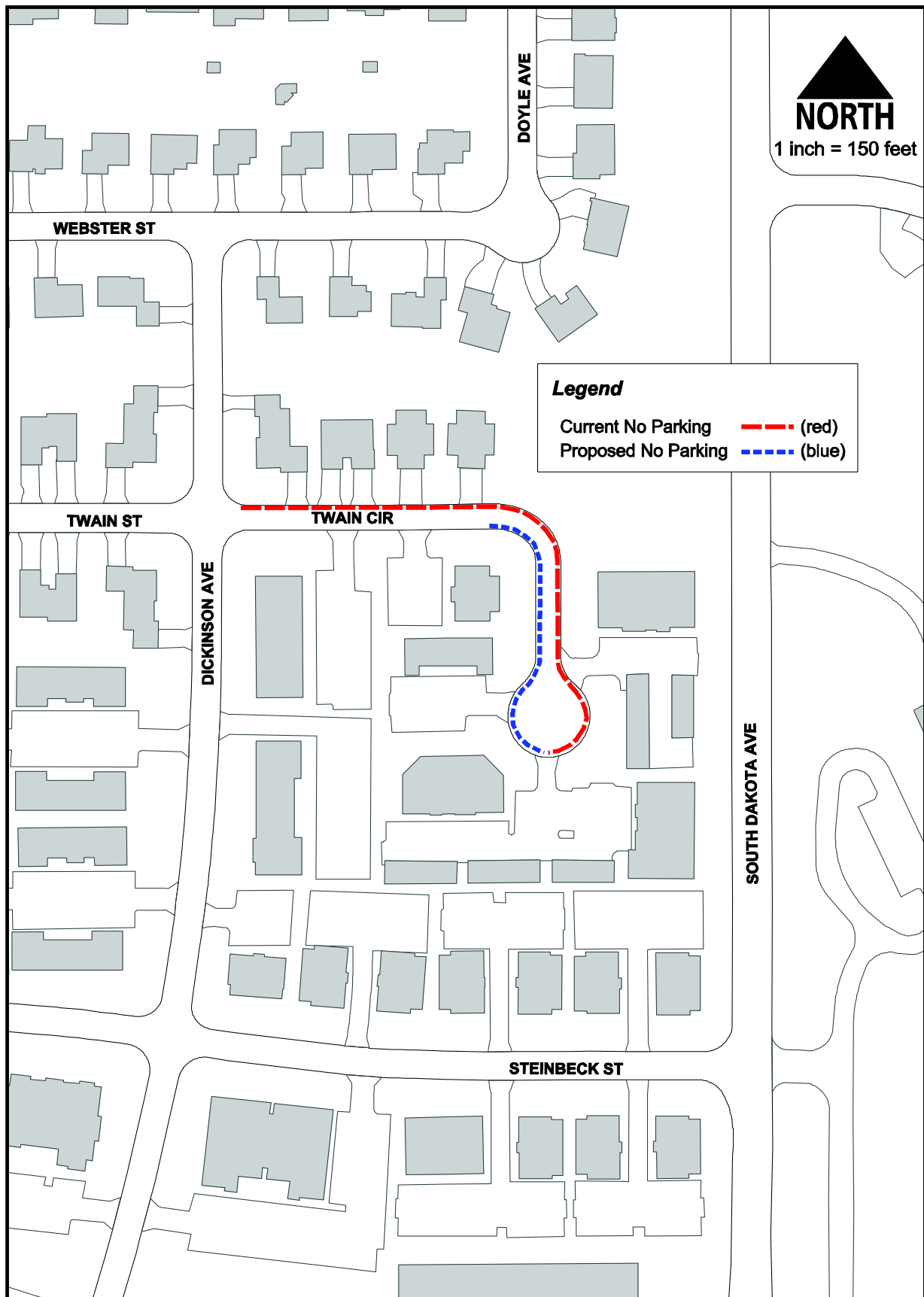
**ALTERNATIVES:**

1. Direct the City Attorney to draft an ordinance that would restrict parking at all times on the north and east sides of Twain Circle, as well as on the south and west sides of Twain Circle starting at a point 275 feet east of Dickinson Avenue.
2. Direct the City Attorney to draft an ordinance that would restrict parking at all times on both sides of Twain Circle.
3. Reject the request, thereby keeping No Parking on the north and east sides only.

**MANAGER'S RECOMMENDED ACTION:**

Either alternative 1 or 2 would improve safety by providing increased sight distance of oncoming vehicles while allowing for better and more efficient street cleaning and snow removal. However, **Alternative #1 is more responsive to the concerns of the local residents while making needed safety improvements to the street.**

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby directing the City Attorney to draft an ordinance that would restrict parking at all times on the north and east sides of Twain Circle, as well as on the south and west sides of Twain Circle starting at a point 275 feet east of Dickinson Avenue.





**ORDINANCE NO.**

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING CHAPTER 18 SECTION 18.31 (277) AND ENACTING A NEW CHAPTER 18 SECTION 18.31 (277) THEREOF, FOR THE PURPOSE OF PARKING REGULATIONS ON TWAIN CIRCLE; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.**

**BE IT ENACTED**, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Section as follows:

**“Sec. 18.31. REGULATIONS FOR SPECIFIC STREETS OR LOCATIONS.**

...

(277) **TWAIN CIRCLE.** Parking is prohibited at all times on the north and east sides of Twain Circle as well as on the south and west sides, starting at a point 275 feet east of Dickinson Avenue.”

...

Section Two. Violation of the provisions of this ordinance shall be punishable as set forth in Ames Municipal Code Section 18.7(1).

Section Three. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Four. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Diane R. Voss, City Clerk

\_\_\_\_\_  
Ann H. Campbell, Mayor