

Staff Report

Fraternity and Sorority Parking Amendment

October 14, 2014

BACKGROUND:

On April 22, 2014, the City Council directed staff to initiate public outreach regarding reducing parking standards for Fraternities and Sororities and to provide a staff report on options for parking changes. This was in response to concerns from the Greek community on potential issues with expansion and reconstruction of Greek houses. Many fraternities and sororities face issues of older residences built during a time when students commonly did not have automobiles and some of the properties are not large enough to accommodate the automobile usage of modern students. The issues of parking requirements in this area are complex due to varying conditions and often nonconforming status of the properties.

The Greek Alumni Alliance has indicated that there is interest from a number of Greek Homes to renovate or expand, including potentially tearing down existing houses and rebuilding them. They have also identified two new Greek chapters that are looking to establish a house here in Ames and will be looking for a existing house or to construct a house within the next couple of years. A letter is included as Attachment E.

The vast majority of Greek homes are concentrated in the East University Impact District Overlay (EUI) between Beach Avenue and Lynn Avenue. The EUI Overlay is intended to preserve the current residential character of the area with its mix of houses, landscape, and high concentration of Greek homes. There are a small handful of other Greek homes located nearby in the area of Welch that are within the West University Impact District Overlay. (See Attachment A Location Map)

There are 40 Greek chapters represented in the area south of campus, with 6 chapters located in the west impact area and 34 located in the east impact area. There are approximately 3,100 members affiliated within the Greek system, with approximately 2,000 of those members living within one of the 40 Greek houses in the campustown area. Current house capacities for the represented chapters range from 29 beds to 89 beds per house.

Under the current parking standards, Greek houses are required to meet a basic requirement of one parking space per bed. However, in some circumstances, recent renovation projects for the Greek homes have not triggered the requirement for additional parking, while others have been able to meet the standards with surface and structured parking. Others have sought variances to certain requirements to proceed with their expansions. Greek homes within the EUI are subject to Council approval for any proposed demolition and rebuild based upon stated criteria related to reasonable use of the property and a hardship if a structure is required to remain. Regardless of permission to demolish an existing house, all new construction must comply with current zoning standards for setbacks, landscaping, parking, etc. **Demolition and**

construction of new houses have a much different relationship to parking standards than houses that only wish to expand an existing house.

Neighborhood Meeting

Staff held an open meeting on October 2nd with the Greek Alumni Alliance, the Greek Chapters, ISU, and the surrounding neighborhood residents to discuss the current parking standards for Greek houses as well as any concerns about potential revisions to parking standards. For discussion purposes, staff identified four general options for potential revisions to the parking standard, which include 1) reduced parking ratio for Greek houses, 2) a remote parking option, 3) a Special Use Permit option, and 4) an allowance for parking within the front yard.

During the discussion many neighborhood representatives noted the concern was for the enforcement of existing on-street parking requirements, and not a specific concern about potential expansion of the Greek facilities. Based on the conversation, many residents noted that they would rather find a way to accommodate the balance of parking needed for the expansions/renovations for the Greek houses, than have the properties be converted to apartments.

Furthermore, there was support for increasing the density of Greek houses with reduced parking requirements as long as there is no increase in the number of on-street parking spaces to compensate for the reduction in the off-street parking requirements. (For example, allowing parking on both sides of the street) One specific comment noted that the Council should not revise the existing parking ration, but look to allow for a revised parking option that would only accommodate the desired expansions/renovations. This approach would maintain the standards for the existing houses so as to not lose any existing parking.

The representatives of the Greek chapters and the Greek Alumni Alliance noted their support for a general reduction in the parking requirements to a 3 bed to 1 parking space ratio so that the homes could be in compliance with standards, but also noted the potential acceptance with a remote parking option. However, their concerns with a remote parking option is whether the house actually needs the additional off-site spaces to meet student demand, the cost for maintaining use of off-site parking spaces, and the need for a long-term agreement to meet the City's remote parking standards.

A University administrator noted there is parking spaces currently available at both the Iowa State Center as well as at the Intermodal facility, however, the University was not able to agree to a long term parking agreement consistent with the City's standards that it be available in perpetuity. **The University official offered to work with the City by requiring a parking standard for Greek chapters as part of the required affiliation with the University.**

Correspondence since the neighborhood meeting is included as Attachment E.

Parking Standards

Parking Ratios:

The City has base parking ratios for all new construction as well as allowances that allow for incremental changes or intensification of use before triggering additional parking.

The current base parking requirement from the Zoning Code, Table 29.406(2), for fraternity and sorority houses is a minimum parking ratio of one (1) parking space per bed. Prior to the year 2000, the parking rate had been one parking space for every two beds or sleeping rooms. Earlier editions of parking standards required one space per 300 square feet of floor area.

There are also general allowances for additions and change of use that are part of Zoning Code Section 29.406(2) that states,

“Whenever a building erected or established after the effective date of this Section is enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise to create a need for an increase of 10% or more in the number of existing parking spaces, such spaces shall be provided on the basis of such enlargement or change.

Under the current standards, Greek houses could be renovated/expanded to increase the number of beds by 10% without additional parking. If a house is to be renovated/expanded to increase the number of beds by more than 10%, then parking for all new beds would be required. Under a separate provision, a house could expand its living/common area by 50% without triggering additional parking requirements for the property.

Design Standards:

Article 4 of the Zoning Code also identifies the minimum design standards that must be met to be considered a legitimate parking space. This requires that the space be paved; setback from the property lines a minimum of 5 feet, has required landscape screening, and must meet a minimum dimensional size and circulation pattern for the property. **Keep in mind that while many of the Greek houses do not meet the minimum number of parking spaces on the property, they also may not meet the minimum design standards for those spaces to be considered legal and meet the required on-site parking requirements.**

Considerations

Only two of the forty identified Greek houses meet the minimum number of parking spaces required under the current standard. (Attachment D) When looking at the Greek houses collectively, there are approximately 2,000 students living in Greek housing and approximately 1,100 parking spaces provided within the forty properties. This equates to an average of providing about 56% of the required parking. There is a high degree of individual variance within the overall numbers.

Staff has provided a map of the Greek Houses based upon the on-site parking information provided and labeled the parking ratio percentage that each house currently

meets. (See Attachment B) The properties are categorized by color for the general range of parking spaces provided per bed to help give context to options for parking reductions. This does not account for whether the spaces meet current parking design standards.

Greek houses are allowed in High Density Residential and the following is a comparison of the apartments parking requirements in the same vicinity as the Greek houses. **Apartments currently are required to provide parking based on the number of bedrooms in the rental unit and the zone in which they are located. Greek houses, on the other hand, are based on beds, not bedrooms.**

PARKING STANDARDS FROM ZONING CODE

Unit Type	Campustown Service Center	University Impacted Areas	All Other Zoning Districts
Apartments:			
One Bedroom Unit	1 space per Unit	1.5 spaces per Unit	1.5 spaces per Unit
Two or More Bedroom Units	1 space per Unit	1.25 spaces per Bedroom	1 space per Bedroom
Greek House	NA	1 space per Bed	1 space per Bed

Listed below is a comparison of three bedroom apartment scenarios, which highlight the difference in each parking requirement.

- A three bedroom apartment in the EUI area, would be required to provide 3.75 parking spaces, but could allow for 5 people to occupy the dwelling unit.
- A three bedroom apartment in a base RH zone, would be required to provide 3 parking spaces, but could allow for 5 people to occupy the dwelling unit.
- And a three bedroom apartment in the Campustown Service Center (housing allowed on the second story over commercial space), would be required to only provide 1 parking space, but could allow for 5 people to occupy the dwelling unit.

Greek houses are required to provide 5 parking spaces for five occupants regardless of location or sleeping arrangement, while other high density residential uses in the City may provide as few as 1 parking space or as many as 3.75 parking spaces for five occupants.

Other College Communities

Staff has researched parking standards for 14 other college communities and found that Ames generally ranks in the more restrictive range on its parking requirement for Greek

houses. **The average ratio for other college communities showed that 1 space for every two or three beds is a typical standard.** (Attachment C) Again there is wide variation in standards and each community has different circumstances.

OPTIONS TO LOWER THE PARKING RATIO FOR GREEK HOUSING:

Option 1. Lower the Parking Ratio for Greek Housing

At the public meeting the representatives of the Greek Alumni Alliance indicated that one quarter of the Greek students do not own a car. **If this is the case, the parking standard may be higher than necessary.** If the parking ratio was reduced to lessen the parking requirement, staff has determined the percentage of existing houses that would meet following rates: (this does not however, take into account any future expansion of existing houses)

- One space per Two Beds = Approx. 50% of existing houses could comply
- **One space per Three Beds = Approx. 90% of existing houses could comply (Greek Alumni Alliance Request)**
- One space per Five Beds = All existing houses could comply

While this could bring Greek houses more into compliance with parking standards, there is a potential for a reduction in actual on-site parking for existing houses under this option, particularly at the 3 to1 ratio. Reducing the base ratio could allow for houses that meet current standards to either convert the now excess parking spaces to different uses or to expand their housing capacity without providing more parking.

In combination with reducing the base parking ratio, the 10% increase allowance would remain the same and allow for all houses to have some expansion capacity. Changing the base parking ratio would potentially help facilitate new construction if they are able to layout a parking area in conformance with design standards.

Option 2. Allow for Off-Site Remote Parking

Many students rent a space from Iowa State University to store their vehicles, both on and off campus students may do this. This vehicle storage is in locations more distant from the campus, because many students living in all types of housing walk, bike, or ride the bus to campus. Currently, the RH Zone in which Greek houses and apartments are located do not allow remote parking to meet the required parking. And in other districts, e.g. Campustown Service Center (CSC), where remote parking is allowed, **the city looks for a long term agreement to be in place for the required parking ensuring that the parking will be provided at a complaint rate from year to year.**

In this area where Greek houses are concentrated, there is no obvious location of extra on-site parking that would be a convenient distance from all the houses and could be relied upon as permanent parking. The only readily available option is to rely upon ISU parking at the Iowa State Center. At its closest point it is 700 feet from a Greek house and more typically an average of $\frac{1}{4}$ to $\frac{1}{2}$ a mile from the area. The shortcoming of a remote parking approach is that in the future the University may convert storage parking to other uses and the City is not in a position to administer yearly compliance.

The University has noted a willingness to consider an off-site parking requirement through the chapter affiliation with the University. This approach would be outside of the City's control and, therefore, is something that cannot be regulated or enforced by the City.

Option 3. Special Use Permit

Currently, Greek houses are a permitted use if you meet the development standards. If a project cannot meet the parking standards, a property owner may request a variance. A few Greek houses have pursued variances to parking design standards and/or quantity of spaces in the past few years. The threshold to approve a variance is very high, focused on the special circumstances and a financial hardship causing the need for the variance.

An alternative is a special use permit process for the use and design of a site that must be approved by the Zoning Board of Adjustment. This option would allow for the Zoning Board of Adjustment to review the site plan to require that each house provide as much parking as possible or a means to determine the actual parking need for the property. Specific criteria would need to be developed for base expectations and what performance requirements are needed for a Greek House. The standards for such a permit could recognize special characteristics of the proximity of the use to campus, University affiliation of the fraternity and sorority residential use that distinguishes its operation from apartments, or ability to manage negative impacts of inadequate parking.

This option does require an additional time and process commitment on behalf of the applicant. There also would not be certainty in what may ultimately be approved as it is a case-by-case evaluation. In this option the ZBA would hold a public hearing noticed to neighbors, review application based on a determined set of criteria, and approve the site plan as part of the Special Use Permit.

Option 4. Allow for More Parking with Front Yard Parking

Front yard parking is not permitted in other residential districts in the City; however, the majority of the open space that could become parking is the front yard. While this is not a good aesthetic approach to the parking issue, it would allow for some additional parking to be provided on the property. Typically the front yard of the property is not substantial enough to provide a significant amount of parking needed to accommodate an expansion. Front yard parking would also have a significant impact on the character of the area and probably be detrimental to on-street parking with more driveway curb cuts created.

In consideration of this option, the residents noted a concern for the change in the character of the neighborhood that would occur if front yard parking was allowed.

Option 5. Modify Nonconforming Standards or the 10% Expansion Rule

One of the significant issues with this area is fitting new buildings or larger buildings onto previously developed sites that often were built out with less intense uses. All nonconforming properties are treated equal throughout the City in that if the use is

discontinued or the nonconformity of a site is removed, the reuse of the site must comply with the Zoning Code. The 10% expansion rule also applies citywide to all uses. The 10% expansion rule only applies to additions, it does not apply to reconstructed non-conforming development. Increasing the 10% allowance would facilitate additions.

The nonconforming standards and 10% expansion rule make intentionally tearing down and rebuilding a Greek house difficult to fully accommodate versus allowing for expansions. Potentially, nonconforming restrictions for site improvements could be modified to allow for existing parking areas to remain without fully complying with standards upon redevelopment of a site. These types of change would apply to all uses citywide and may be complex to evaluate on what must change and when.

Staff Comments:

It is evident in the Zoning Code provisions of the University West and East Impact areas that the City's desire is to support and maintain the existing Greek community within the Campustown area. This is embodied in the restrictions on demolition and the design standards of the district to help preserve its character. **It is also the interest of the neighborhood residents, as noted at the public meeting, to maintain the Greek houses in this area, and allow for expansion as long as a balance is maintained between the parking need and the means to accommodate that parking without putting added pressures on on-street parking.**

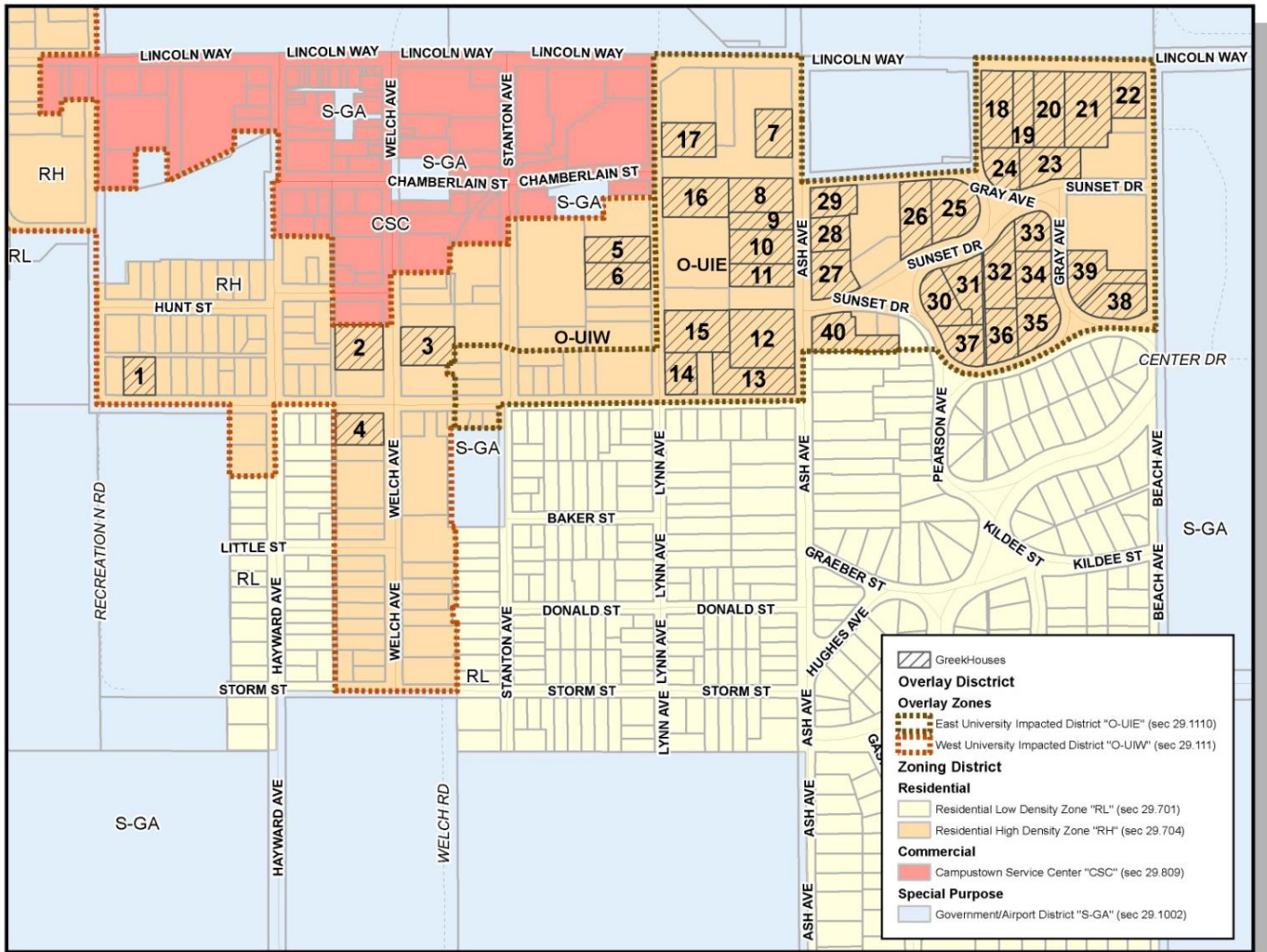
The existing standards related to off-street parking many times limit the expansion efforts of the Greek community as parking requirement often control the intensity of use of the site. Unfortunately, this is an occurrence for many properties across the City as standards are uniformly applied and not all types of use can fit an area as needs are balanced.

Considering the proximity to campus and how Greek houses operate in affiliation with ISU, there are reasons to consider alternative standards in the West and East University Impact area zoning districts. **Based upon review of current conditions, relative parking requirements in the City, and comparison to other community standards, easing of the parking ratio of between 2 and 3 beds per parking space can be supported.**

In addition, staff believes that there is no need to alter on-street parking requirements to support this type of change. Changing the base parking ratio is the most direct approach to addressing the issue brought forward by the Greek community. While it is important to note whichever reduced ratio is selected there can be no guarantee that it will satisfy the needs of every situation, it does lay the groundwork for the expansion of many Greek houses.

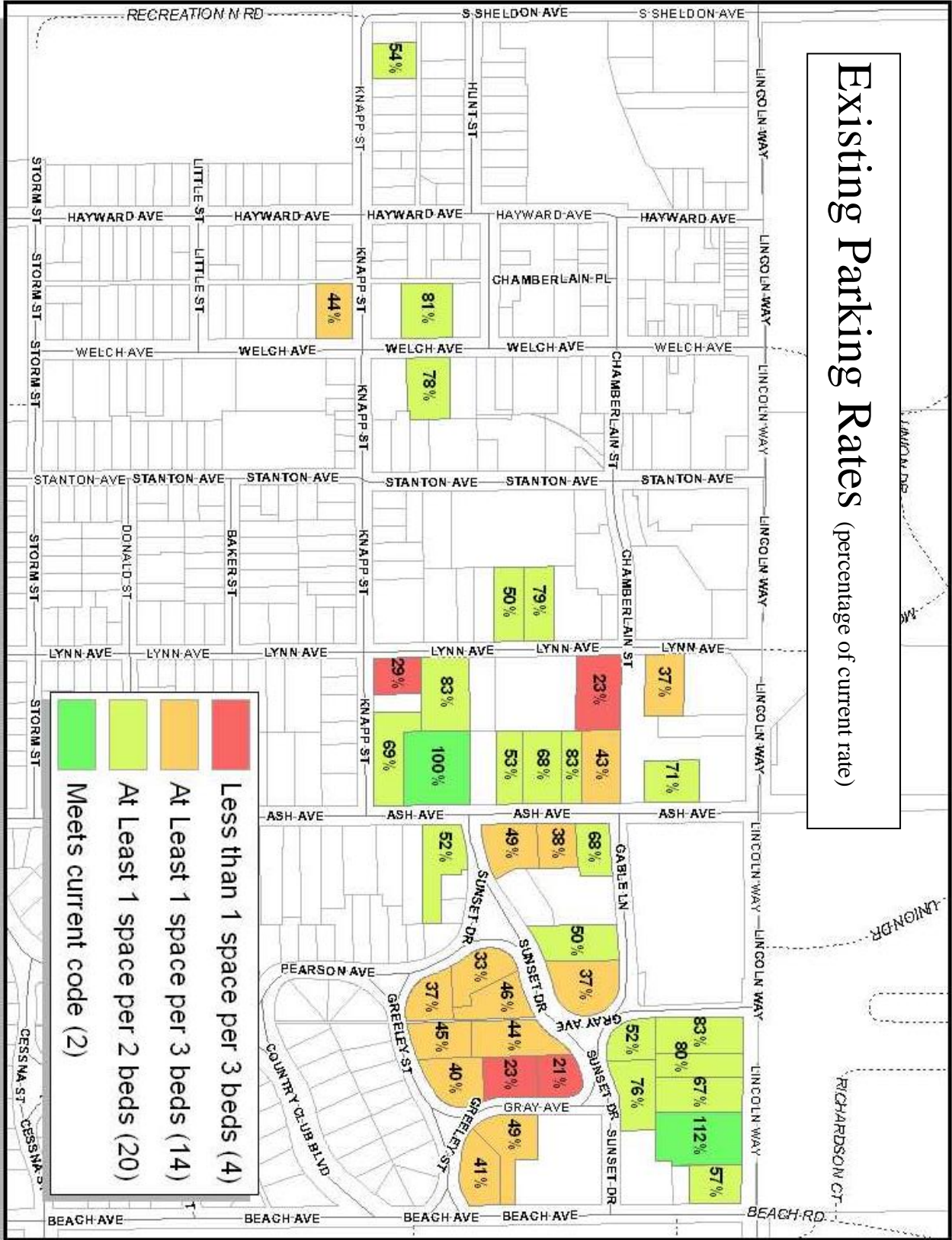
Staff is seeking Council's direction on whether Zoning Code amendments should be pursued in regards to current parking standards for Fraternity and Sorority houses, and which option Council wishes staff to pursue.

Attachment A



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|-----------------------|-------------------------|-----------------------|-----------------------|
| 1. Alpha Kappa Lambda | 11. Kappa Sigma | 21. Pi Kappa Alpha | 31. Beta Sigma Psi |
| 2. Theta Xi | 12. Farm House | 22. Phi Kappa Theta | 32. Alpha Gamma Delta |
| 3. Adelante | 13. Phi Gamma Delta | 23. Phi Delta Theta | 33. Kappa Delta |
| 4. Pi Kappa Phi | 14. Kappa Alpha Theta | 24. ACACIA | 34. Chi Omega |
| 5. Alpha Sigma Phi | 15. Phi Kappa Psi | 25. Alpha Gamma Rho | 35. Sigma Kappa |
| 6. Alpha Chi Omega | 16. Sigma Alpha Epsilon | 26. Delta Tau Delta | 36. Alpha Delta Pi |
| 7. Delta Upsilon | 17. Kappa Kappa Gamma | 27. Tau Kappa Epsilon | 37. Gamma Phi Beta |
| 8. Lambda Chi Alpha | 18. Sigma Chi | 28. Sigma Pi | 38. Alpha Omicron Pi |
| 9. Theta Delta Chi | 19. Alpha Tau Omega | 29. Pi Beta Phi | 39. Sigma Phi Epsilon |
| 10. Theta Chi | 20. Beta Theta Pi | 30. Delta Zeta | 40. Delta Delta Delta |

Attachment B

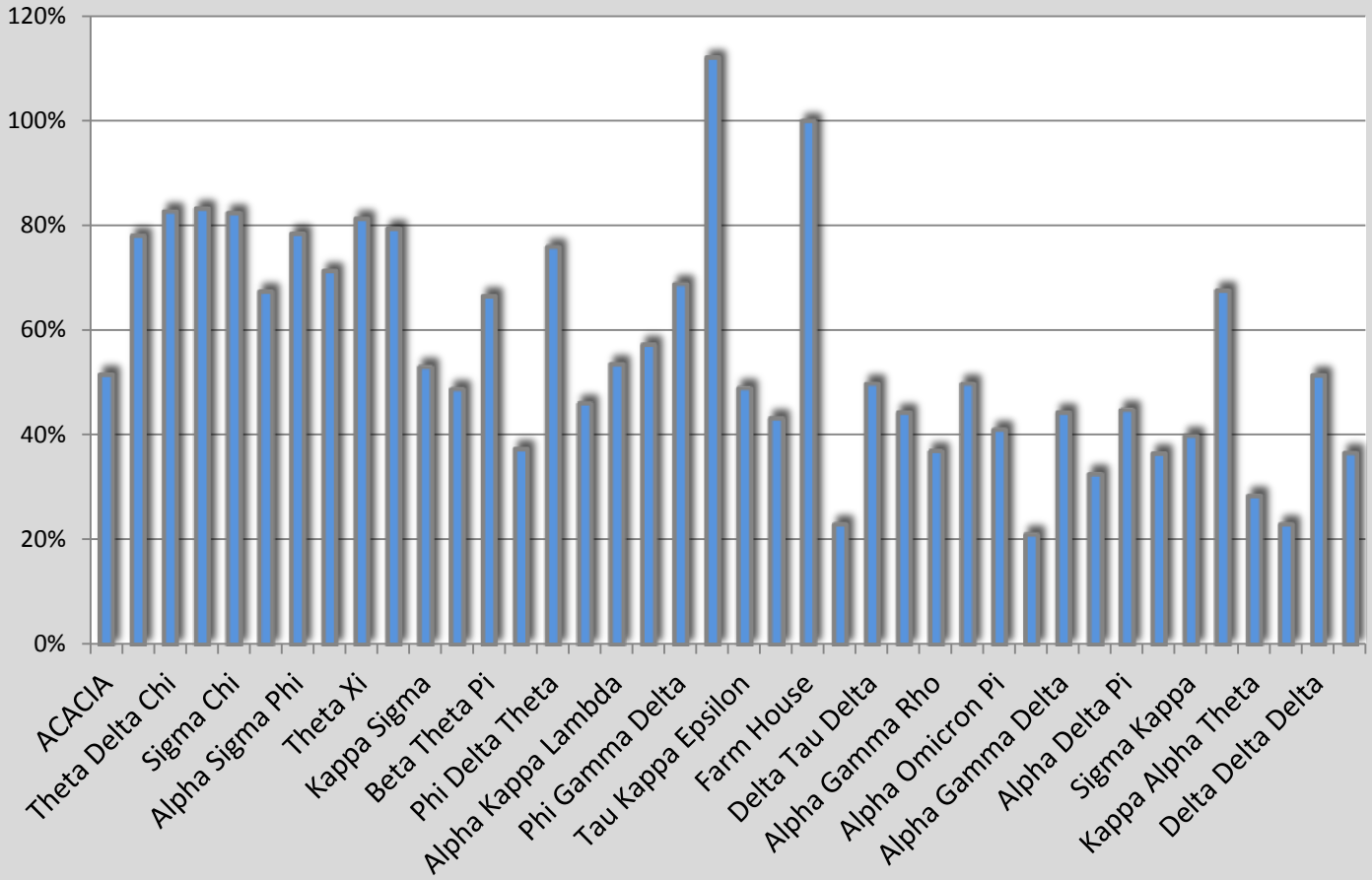


Attachment C

City	Base Parking Standard	Renovation/Expansion Standard
Ames	1 space per bed	If beds are not increased by more than 10%, no changes. If expanded by 10% or more, the new area must meet the current standard
Cedar Falls	1 space for every 2 residents in excess of 4 residents, not less than 5 spaces.	Any enlargement of an existing fraternity or sorority means the entirety of the building must meet the current parking standards
Des Moines, IA	1 space for every 2 persons residing on the premises	Any enlargement of an existing fraternity or sorority means the entirety of the building must meet the current parking standards
Iowa City	1 space for every 300 square feet or .75 per resident, whichever is less	Any increase in the number of beds or size of the structure requires that the entire development be brought up to existing parking standards
Champaign, IL	1 space for every 4 beds	Non-conforming properties must meet the parking requirement if they are altered, expanded, rebuilt, etc.
Urbana, IL	1 space for every 3 residents	If enlarged, expanded, or altered, total parking is calculated by adding existing parking spaces to the number of spaces required for the new area.
Lincoln, NE	.75 spaces per resident	If altered, must meet all the current parking requirements
Manhattan, KS	At least one parking space for each occupant for the first 20 occupants, or a total number of spaces equal to 75% of the total occupants, whichever is greater	Any enlargement of an existing fraternity or sorority means the entirety of the building must meet the current parking standards
Lawrence, KS	.75 spaces per lawful occupant	If legally nonconforming, only the enlarged area must meet the prevailing parking requirements
Columbia, MO	1 space for every 2 occupants	If intensity of use is increased resulting in an increase in net floor area, the new area must meet the prevailing parking requirements.
Morgantown, WV	1 space for every three occupants based on maximum building occupancy	If intensity of use is increased resulting in an increase in net floor area, the new area must meet the prevailing parking requirements.
Fort Collins, CO	2 parking spaces per 3 bedrooms, plus one space for every two employees	Any enlargement of an existing fraternity or sorority means the entirety of the building must meet the current parking standards
Boulder, CO	2 parking spaces per 3 occupants	Any enlargement of an existing fraternity or sorority means the entirety of the building must meet the current parking standards
College Station, TX	1 space per person plus 1 space for every 30 square feet of meeting room.	If intensity of use is increased resulting in an increase in net floor area, the new area must meet the prevailing parking requirements.
Charlottesville, VA	2.5 spaces per 3 bedrooms	If enlarged by less than 25%, no additional parking is required. If enlarged by greater than 25%, the new area must meet the current parking standards.

Attachment D

Percent of Required Parking Provided by Each Greek House



Note-Average level of parking is 56% of the required 1 space for each bed.

Attachment E

October 10, 2014

To: The Honorable Mayor Ann Campbell
Members of the Ames City Council
City Manager Steve Schainker

From: ISU Greek Alumni Alliance

Re: Request to amend Parking Requirements regarding Greek Chapter House Facilities

The ISU Greek Alumni Alliance (GAA) requests that the Ames City Council support an amendment to the current parking regulations as it pertains to the Greek Chapter Housing Facilities. Currently when a Greek Chapter House undergoes a redevelopment/expansion project, Ames City Code requires that on-site parking be at a ratio of 1 parking spot per 1 bed. One of the primary reasons a Greek Chapter House Facility chooses to undergo a redevelopment/expansion is to upgrade its facility to meet the living and educational needs of its student members.

Due to the unique shape and relatively small lot size for many of the existing Greek Chapter House Facilities, a redevelopment/expansion project is often prohibitive due to the lack of available on-site land to meet the parking requirement of 1:1.

As a result, the GAA requests that the Ames City Council direct City Staff to prepare an amendment to Ames City Code that would modify the parking requirements for Greek Chapter House Facilities. Further, the GAA requests that the on-site parking requirement ratio for Greek Chapter House Facilities be 3 beds to 1 parking spot, which is similar to several existing parking ratio found at many of the Greek Chapter House Facilities. Amending the parking regulations as it pertains to Greek Chapter House Facilities will allow for the Chapters of the ISU Greek Community to maintain a strong, viable presence near the campus area while enhancing the living and educational needs of their student members.

Thank you for your consideration of our request. The GAA looks forward to working with you to meet the needs of our Greek Chapter House Facilities.

From: "James Deppe" <jamesdeppe@q.com>
To: <kmarren@city.ames.ia.us>, <bobanncamp@aol.com>
Cc: <sschainker@city.ames.ia.us>
Date: 10/10/2014 11:41 AM
Subject: 10-14 Fraternity and Sorority Parking Input - Jim Deppe - Resident of Neighborhood

Dear Karen,

I appreciated talking to you on the phone yesterday. The following is my input, since I live on Ash Ave and was out of town during the parking meeting last week.

Dear Council,

I believe the fraternities and sororities have an obligation to provide to each member with one parking stall. It's a quality of life issue for the new fraternity and sorority members, families in the neighborhood, and people visiting residents in the residential buildings of the neighborhood. And it's an economic issue of keeping a level playing field. Some of the stronger points I feel are worth considering are:

1. The current parking requirements are economically fair to the fraternity & sorority non-profits, the apartment owners, and to the single family residential owners to the neighborhood. I believe changing them would give one economic entity an unfair advantage over another.
2. Previous grandfathered parking requirements should continue with previous room occupancies on record, until a building's occupancy is increased through new construction. At that time, the parking zoning regulations kick in, requiring the whole building to be in parking compliance or keep the grandfathered parking for the older part of the building and new additional beds would need to comply with the zoning parking requirement.
3. Offsite parking should be allowed for new construction if it is owned by the fraternities or sororities or it is a long term, renewable 20 year plus lease with the university. The fraternity or sorority signs a recorded document with the city, agreeing to have the required offsite parking and agreeing to vacate the building to legally occupancy limits if such parking is not in place. The offsite parking should either be on university land or land not zoned single family residential. Limits should also be placed on the distance from the dwelling structure.
4. Fraternities and Sororities should still have yearly occupancy inspections and a database to determine if occupancy and parking is in sync. If parking is not to the city standards and zoning in place, occupancy should be reduced until it comes into compliance. The same standards apply to any over-crowded apartment building not in compliance with occupancy and parking regulations.

Sincerely,
James Deppe

COUNCIL ACTION FORM

SUBJECT: SITE PLAN AMENDMENT TO DEERY BROTHERS DEVELOPMENT AGREEMENT

BACKGROUND:

On October 23, 2012, the City of Ames approved a development agreement and Urban Revitalization Plan for approximately 23.5 acres on SE 16th Street in support of the construction of the Deery Brothers automobile dealership. (A location map is included in Attachment 1.) The urban revitalization area includes a 6.37 acre Lot 1 for the Deery Brothers automotive dealership, Lots 2 and 3 for future commercial development (2.77 & 3.34 acres, respectively), and an 11.10 acre Outlot A encompassing the floodway portion of the site. The adopted Urban Revitalization Plan included six qualifying criteria (Attachment 2) and the site plan for development of the site. A project must conform to the requirements of the Urban Revitalization Plan to receive tax abatement.

The City also entered into a Development Agreement with the legal entity known as Deery, Deery and Deery, LLC, herein referred to as "Deery." The development agreement included provisions in addition to the requirements of the Urban Revitalization Plan. **Notably, it included a requirement that all of the improvements shown in Exhibit "C" of development agreement are to be completed within two years of approval of the agreement, i.e. October 23, 2014. These improvements include the buildings, grading, landscaping, parking, borrow pit, and channel straightening.**

The applicant has opened the Deery Brothers automotive dealership while continuing to work on overall site improvements. The required Skunk River channel straightening work is underway at this time. The applicant believes they will complete the required improvements, including the seeding, by the October 23, 2014 deadline of the development agreement.

City staff has met with representatives of Deery to review the Development Agreement requirements and ensure compliance with the approved site plan. During those discussions, **Deery indicated that the "borrow pit" on the west outlot was not excavated as initially approved. It is about 8-10 feet shallower than originally presented to the City Council. While the borrow pit still meets the site's stormwater management requirements, it does not have the original**

estimated water storage capacity. The applicant explains that the projected amount of borrow from the pit to fill other parts of the site was overestimated and not necessary to be fully excavated to meet their interests. Staff identified this as a potentially significant change from the approved site plan and, in order to ensure that the Deery remains eligible for the abatement, the applicant is asking that the City Council approve a new Exhibit “C” to the Development Agreement reflecting the constructed improvements of the site.

An additional change is to the landscape plan for a required wetland mitigation imposed by the Army Corps of Engineers to allow for the channel straightening. As part of the Corps permit, Deery must provide approximately 0.75 acres of forest wetlands adjacent to the Skunk River that were previously identified as prairie plantings.

Since the discovery of the change in depth of the borrow pit and the wetland mitigation requirements, the applicant has identified other minor features of the site improvements that have changed. Some of the minor differences between the approved site plan and the as-built drawings include, the applicant has provided a full list, which is included in Attachment 3:

1. The building is about 700 square feet smaller in area than originally approved (now 23,611 square feet).
2. Parking islands were changed, but still meet zoning requirements.
3. Landscaping was changed, but still meets zoning requirements
4. Outdoor storage area dimensions have been changed.
5. Dumpster is now outside and properly screened rather than inside the building.

The enumerated changes are minor and do not affect zoning standards or the terms of the development agreement. These changes would not have been brought to the City Council for their consideration as they are “field changes” that most larger development projects experience and do not affect the performance measures of the development agreement.

If Council agrees to the Exhibit “C” changes described above, a corresponding amendment to the urban revitalization plan of Deery site plan Attachment A will follow at a later date as a noticed public hearing. This is necessary as both the development agreement and the Urban Revitalization Plan have the same exhibits.-

The proposed change to the exhibits of the Development Agreement does not change the performance standards for flood mitigation required by the Urban Revitalization Plan. The applicant will still need to demonstrate compliance with the qualifying criteria to be eligible for tax abatement even with the proposed changes to the site improvements. Conformance to the Urban Revitalization Plan will be determined at the time Deery requests tax abatement in February of 2015.

In 2012, Deery provided the analysis that the entire project (e.g. channel straightening, borrow-pit excavation, and the import of fill to build the site) resulted in “No-Rise” to the water surface level of a 100-year flood event and that the water surface level of a 100-year flood event fell 0.05 feet with the channel straightening. Within this analysis the borrow pit depth was very nearly the same elevation as the Skunk River surface water elevation and likely had minimal effect on the flood mitigation as a result of the water levels of the river. Staff believes that further review of the as-built drawings will be needed and potentially Deery will need to provide another hydraulic analysis to certify a “No-Rise” demonstrating that the channel straightening will “mitigate flooding” as originally intended. **A determination of compliance to the No Rise expectation will be made by the City Council in February 2015 prior to granting tax abatement.**

ALTERNATIVES:

1. City Council can approve the resolution amending the development agreement by substituting a new Exhibit C and adding a list of changes as Exhibit D.

This option will allow for Deery to meet the performance requirement of completing site improvements by October 23, 2014. A subsequent formal determination of conformance to all requirements of the urban revitalization plan will occur in February of 2015. This option will also require the City Council to amend the Urban Revitalization Plan at a later date to include the revised exhibits after the required notices have been published.

2. City Council can choose not to amend the development agreement in regards to the major change of the borrow pit excavation.

This option will require Deery to complete the excavation of the borrow pit to the approved depth by October 23 in order to remain eligible for the tax abatement.

MANAGER'S RECOMMENDED ACTION:

City Council balanced multiple interests of commercial development and flood mitigation in 2012 when creating the S.E 16th Street Urban Revitalization Area. This was done in support of prior City investment in paving and improving S.E 16th street and to account for additional development costs of creating developable sites fronting on S.E 16th Street. Additionally, Council required that there be a benefit from development related to mitigation of potential flooding impacts from a 100-year flood.

At the time that the City Council approved the urban revitalization plan in 2012, Deery had supplied an analysis that the excavation, fill, and channel straightening would result in no rise to the water surface level of a 100-year flood event. Further, the analysis indicated that the water surface level of a 100-year flood would drop by 0.05 feet. **That analysis was based on the Exhibit "C" site improvements, which included the channel straightening, fill to elevate the building and parking lot, and the capacity of the borrow pit.**

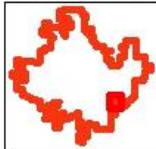
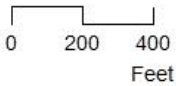
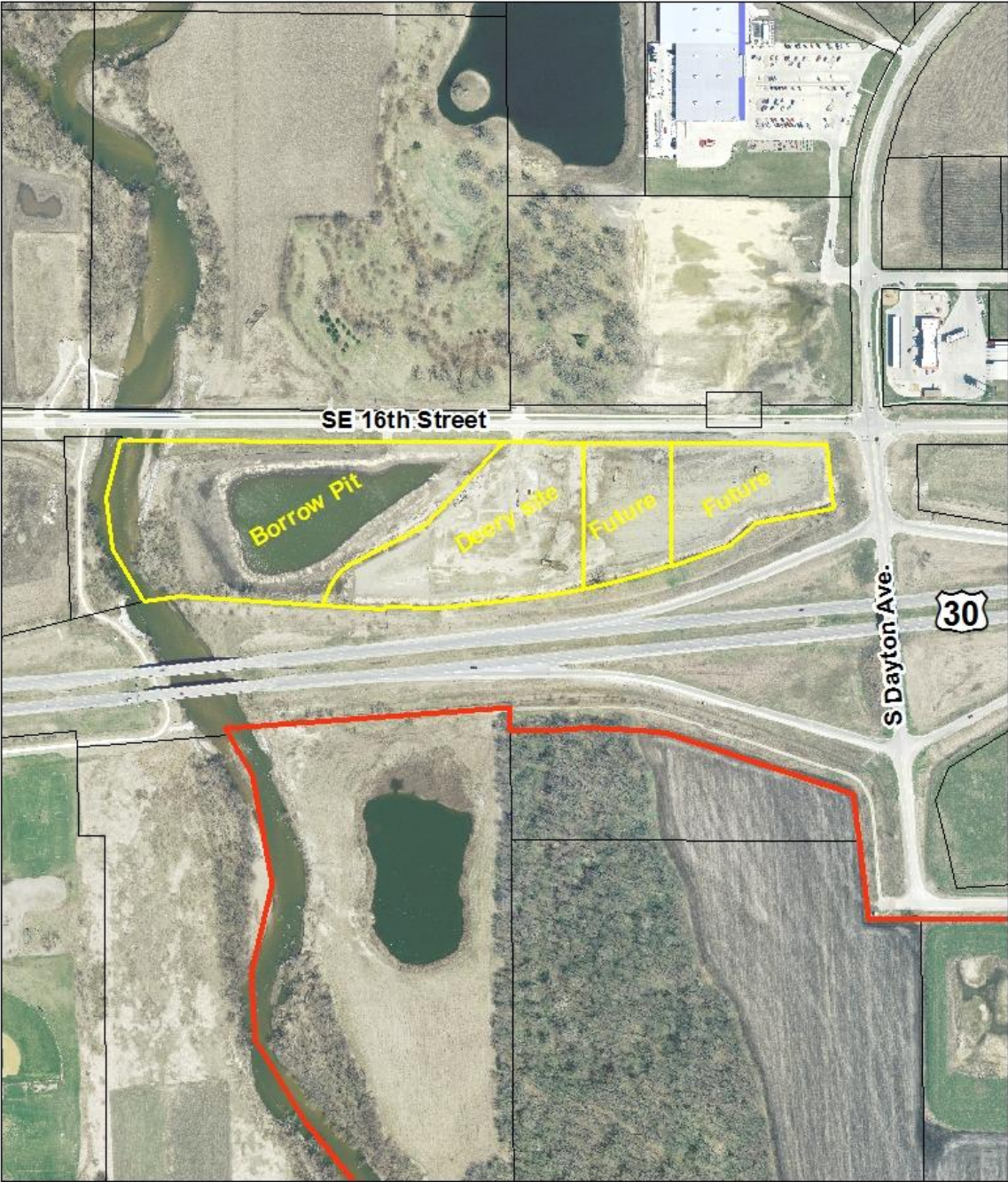
The applicant contends that the change in storage capacity of the borrow pit will have a de minimis effect on the project's ability to mitigate flooding. The borrow pit is located in the floodway, it would be filled with water quickly in both its original form and depth and at the proposed depth. The applicant further maintains that the channel straightening work provides the required flood mitigation benefit of the project.

If the City Council approves the amendment to the development agreement by substituting a new Exhibit "C," Deery must still meet the qualifying criteria to obtain the tax abatement. Proof of this compliance must be provided to the City prior to making a final decision on tax abatement.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby amending the development agreement with Deery.

The requested action is only to amend the Development Agreement by substituting a new site plan. However, the site plan is also a component of the urban revitalization plan which also must be amended. If the City Council approves the amendment to the Development Agreement, staff will provide the notifications necessary for an amendment to the Urban Revitalization Plan and return for Council action at a later date.

ATTACHMENT 1: LOCATION MAP



ATTACHMENT 2: QUALIFYING CRITERIA (AND STAFF COMMENTS)

The Urban Revitalization Policy for this area established six criteria that must be met in order for the City Council to consider designation of an Urban Revitalization Area. Below are the criteria, followed by City staff comments.

- 1. The properties have frontage on Southeast 16th Street between South Duff Avenue and South Dayton Avenue.**

Staff Comments. The four properties associated with the site all have frontage on Southeast 16th Street between S. Duff Avenue and S. Dayton Avenue.

- 2. Fill or other flood proofing will be placed on the site up to an elevation of, at least, 887 feet (NGVD 29), when an engineer registered in Iowa provides written certification that raising the land would result in “no rise” to the Base Flood Elevation (100 year flood levels).**

Staff Comments. The development agreement and approved plan indicates that the finished floor elevation of the Deery Brothers building will be at 888 (NGVD 29). An Elevation Certificate has been presented showing the lowest floor of the finished building as meeting that elevation.

The engineer for the project has provided a letter in 2012 certifying that the proposed improvements (the fill being placed on the site, the excavation within the Floodway, and channel straightening) will result in “no-rise” to the Base Flood Elevation. This certification was based on the initially approved grading and excavation. A new certificate will need to accompany the request for tax abatement.

- 3. The cost incurred after making the request for tax abatement for the placement of fill for flood proofing up to an elevation of 887 feet or above and/or channel improvements (See Criterion 6), if applicable, is expected to be equal to or greater than the value of the City’s portion of the tax abatement.**

Staff Comments. This criterion requires the project to expend as much or more for the placement of fill and/or channel improvements than for the benefits received by the exemption (specifically, the value of the City’s portion of the exemption). The Development Agreement accompanying this Plan specifies that the final costs of fill will need to be greater than the final value of the exemption or the “claw back” provisions will be initiated. Deery must submit a letter of credit in the amount of \$300,000 along with the application

for tax abatement to allow the city to claw back the city's value of the abatement, if Deery fails to meet this criterion.

4. A public sidewalk is to be constructed along the south side of the Southeast 16th Street adjacent to the property.

Staff Comments. The sidewalk is installed adjacent to Deery. Sidewalks adjacent to the other lots will be installed in the usual manner—prior to the occupancy of any buildings on the lot as allowed by the Agreement for Sidewalks and Street Trees included as part of the final plat documents.

The City Council approved a covenant in 2012 that defers the placement of the sidewalk adjacent to Outlot A until such time as the City builds a shared use path on the south side of the SE 16th Street bridge. This covenant waives the owner's rights to protest an assessment for the sidewalk when the time comes for the sidewalk to be installed.

5. The property will be used for uses permitted in the applicable zoning district except for the following as further defined and described in the Ames Zoning Ordinance:

- a. Wholesale trade
- b. Mini-storage warehouse facilities
- c. Transportation, communications, and utility uses
- d. Institutional uses
- e. Adult entertainment businesses
- f. Detention facilities
- g. Agricultural or industrial equipment sales
- h. Agricultural and farm related activities

Staff Comments. The development agreement restricts these uses in order to receive property tax exemption. These restrictions will remain after the term of the exemption.

6. Owners of property abutting a river must perform channel improvements (widening, straightening, clearing, etc.) and provide certification from an engineer registered in Iowa that the improvements will mitigate flooding. These improvements must be approved by the DNR, Army Corps of Engineers, and the City of Ames.

Staff Comments The applicant obtained the necessary approvals from the Army Corps of Engineers, Iowa Department of Natural Resources, and the

City and has commenced the straightening of the east bank of the Skunk River adjacent to their property. In 2012, the engineer for Deery stated in his certification letter that the “project will mitigate flooding by providing an improved and stabilized channel in addition to the no-rise condition.” Calculations submitted with that no-rise certificate indicate that although there would be up to 0.08 increase in the 100 year water surface elevation (WSEL) resulting from the fill alone, the river channel realignment in combination with the fill and borrow pit will result in a 0.05 decrease in the WSEL.

Because of the differences in the depth of the borrow pit and the resultant decrease in storage capacity, Deery will be required confirm meeting this standard. This will likely require a hydraulic analysis of the 100 year water surface level based on the actual grading and excavation. This will need to be submitted at the time that an application is made for the tax abatement.

RETURN TO:
BRIAN D. TORRESI
2605 NORTHRIDGE PKWY., STE. 101
AMES, IOWA 50010

M
D
G
R
Instrument: 2012- 00014224
Date: Nov 28, 2012 01:21:00P
Rec Fee: 125.00 E-Com Fee: 1.00
Aud Fee: .00 Trans Tax: .00
Rec Management Fee: 1.00
Non-Standard Page Fee: .00
Filed for record in Story County, Iowa
Susan L. Vande Kamp, County Recorder

DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER

Prepared by: Douglas R. Marek, City of Ames Legal Department, 515 Clark Ave., Ames, IA 50010 (515-239-5146)
Return recorded document to: ~~City Clerk, City of Ames, 515 Clark Avenue, Ames, Iowa 50010~~

**AN AGREEMENT PERTAINING TO THE DEVELOPMENT
OF LAND IN THE CITY OF AMES CALLED
DEERY SUBDIVISION**

THIS AGREEMENT PERTAINING TO THE DEVELOPMENT OF LAND IN THE CITY OF AMES CALLED DEERY SUBDIVISION (this "Agreement") is made and entered into this 23 day of October, 2012, by and between the CITY OF AMES, IOWA (the "City"), and Deery, Deery, and Deery, LLC, its successors and assigns (collectively, the "Developer"). The City and the Developer are sometimes collectively referred to herein as the "Parties" or individually as a "Party". This Agreement shall be effective on the date that the last of the Parties hereto executes same (the "Effective Date").

RECITALS:

WHEREAS, the Parties desire to improve and develop that certain real property (the "Site") legally described on the attached Exhibit A; and,

WHEREAS, the City has made a significant financial investment in the infrastructure along Southeast 16th Street in Ames, Iowa (the "Corridor") in order to promote commercial development activity within the Corridor; and,

WHEREAS, the Corridor is deemed by the City as important in that it serves as a major entryway to the City; and,

WHEREAS, as of the Effective Date, there has not been any major private sector development within the Corridor; and,

WHEREAS, the Site is located within the Corridor; and,

WHEREAS, pursuant to Iowa Code Section 404.1(4), the City may, by ordinance, designate an area which is appropriate as an "economic development area" (as that term is defined in Iowa Code Section 403.17) as an urban revitalization area; and,

WHEREAS, the Developer seeks the City's approval and designation of the Site as an

urban revitalization area under Iowa Code Sec. 404.1 subject to the satisfaction of the Qualifying Criteria (as defined Section I(A)(1) herein) and in accordance with the Plan (as defined in Section I(A)(1) herein); and,

WHEREAS, the City desires to designate the Site as an urban revitalization area and approve the Plan, and the Developer desires to perform its required obligations under this Agreement as a condition of the approval of the Plan.

NOW, THEREFORE, in consideration of the above Recitals and the mutual covenants contained herein, and reliance on the same, the receipt and sufficiency of which is hereby acknowledged, the Parties hereto have agreed and do agree as follows:

I. PURPOSES

A. The purposes of this Agreement are to:

1. Assure that the Developer satisfies six (6) qualifying criteria (the "Qualifying Criteria") for the Urban Revitalization Area Plan titled the Southeast 16th Street First Urban Revitalization Area (the "Plan"), said criteria being set forth on the attached Exhibit B which is incorporated herein by this reference as if fully set forth.

2. Provide remedies to the City, including payments in lieu of taxes (all the "Clawback Payments" and each a "Clawback Payment") by the Developer to the City, all in accordance with Section VII herein, in the event the Developer is not able to satisfy the Qualifying Criteria.

B. This Agreement does not create or vest in any person, firm, or organization, other than the City, any rights or causes of action with respect to any performance, obligation, plan, schedule, or undertaking of the Developer as stated in this Agreement. This Agreement does not prevent the City from amending, modifying, or releasing the Developer from some or all of the terms and conditions of this Agreement with the mutual consent of the Developer. No person shall have any cause of action or recourse against the City or the Developer by reason of any such amendment, modification, or release.

C. Notwithstanding anything in this Agreement to the contrary, the Parties hereby understand, acknowledge, and agree that the primary purposes of this Agreement are: (i) to ensure that the Site is developed in compliance with the Qualifying Criteria and to ensure that, in the event the Developer is unable to satisfy the Qualifying Criteria, the City is able to recoup the value of the City's Tax Portion (as defined in Section IV(B)); and (ii) to obtain urban revitalization tax exemption for Lot-1 (as defined in Section III(C) herein) and to provide that any future failure of Lot-2 or Lot-3 (as those terms are defined in Section IV(B) herein) to satisfy Paragraphs 2, 3, or 5 of the Qualifying Criteria as enumerated on Exhibit B, shall in no way affect the benefits received by the Developer as to Lot-1 and shall not trigger any Clawback Payment or impact the Security (as defined in Section VIII(A) herein) given by the Developer as to Lot-1.

II. IMPROVEMENTS

A. The Developer agrees to construct the improvements on the Site as shown on the attached Exhibit C and in accordance therewith within two (2) years of the Effective Date.

III. FLOOD MITIGATION/NO RISE IN WATER LEVEL

A. The Developer agrees to complete the improvements to the river channel and the borrow pit/storm water management area (collectively, the "Flood Mitigation Improvements") as illustrated on Exhibit C within two (2) years of the Effective Date.

B. The Developer shall secure the necessary approvals for the completion of the Flood Mitigation Improvements from the appropriate governmental agencies, including, but not limited, to the City, the Iowa Department of Transportation, the Iowa Department of Natural Resources, and the U.S. Army Corps of Engineers, in order to ensure that the Flood Mitigation Improvements can be completed.

C. The Developer further agrees that the Developer, or the current titleholder of that certain parcel of real property within the Site identified on the attached Exhibit C as Lot One (1), Deery Subdivision, Ames, Story County, Iowa ("Lot-1"), in the event the Developer does not hold title to Lot-1, will have the continuing responsibility to maintain and ensure the continued existence of the Flood Mitigation Improvements (the "Flood Mitigation Improvement Maintenance"). The Flood Mitigation Improvement Maintenance shall include the dredging or removing of any silt or debris that might settle or alter the finished grades of the river channel and the borrow pit/storm water management area, and the maintenance of any erosion control/bank stabilization measures associated with the river channel and borrow pit, including vegetation and/or installed rip-rap.

D. The Parties hereby understand, acknowledge, and agree that the completion of the Flood Mitigation Improvements by the Developer in accordance with this Section III shall result in the satisfaction of the criterion described in Paragraph 6 of the Qualifying Criteria as attached hereto as Exhibit B.

IV. PLACEMENT OF FILL ON THE PROPERTY

A. The Developer shall place fill dirt (the "Fill Improvements") to achieve a finished-floor elevation of eight hundred eighty-eight (888) feet or above, or flood-proofing to an elevation of eight hundred eighty-eight (888) feet (National Geodetic Vertical Datum 1929) or above, on Lot-1. The Fill Improvements shall be completed within two (2) years of the Effective Date and in accordance with the attached Exhibit C.

B. The Developer understands and agrees that in order for the Site to be eligible as an "economic development area" for urban revitalization tax exemption purposes, the total costs incurred for the Fill Improvements on or related to Lot-1, Lots Two (2) and Three (3), Deery Subdivision, Ames, Story County, Iowa (respectively, "Lot-2" and "Lot-3") (Lot-1, Lot-2, and Lot-3 are hereinafter collectively referred to as the "Lots" or individually as a "Lot"), and the Flood Mitigation Improvements (hereinafter collectively referred to as the "Total Fill Cost")

must be equal to or greater than the City's portion of the total tax exemption realized on each of the Lots once the Lots are graded and developed (the "City's Tax Portion"). If the Total Fill Cost does not exceed the City's Tax Portion, the Developer agrees to reimburse the City for the value of any or all such exemption realized by the Developer and foregone by the City by making Clawback Payments to the City in accordance with Section VII herein.

1. In order to verify that the "economic development area" eligibility requirement set forth in Section IV(B) has been met, the Developer agrees as follows:

a. to provide documentation to the City within two (2) years of the Effective Date, in a form satisfactory to the City Finance Director, which shall consist of actual invoices and proof of payment for the Total Fill Cost;

b. that, for the purpose of determining whether Paragraph 3 of the Qualifying Criteria has been satisfied as required by Section IV(B) for each of the Lots, the Total Fill Cost shall be allocated as follows: (i) one-third (1/3) of the Total Fill Cost will be allocated to Lot-1; (ii) one-third (1/3) of the Total Fill Cost will be allocated to Lot-2; and (iii) one-third (1/3) of the Total Fill Cost will be allocated to Lot-3;

c. that at the end of the tax exemption period for the improvements on each Lot, a comparison will be made between the City's Tax Portion of the tax exemption received for each Lot and the per Lot allocation of the Total Fill Cost described in Section IV(B)(1)(b) herein.

C. For purposes of this Agreement, the term "Total Fill Cost" shall include any and all costs related to the Fill Improvements from and after February 14, 2012, including, but not limited to, costs for engineering, surveying, and transporting the dirt and/or fill, in addition to the actual costs for the dirt and/or fill itself.

D. The Parties hereby understand, acknowledge, and agree that the completion of the Fill Improvements by the Developer in accordance with this Section IV shall result in the satisfaction, as to Lot-1, of the criteria described in Paragraphs 2 and 3 of the Qualifying Criteria as attached hereto as Exhibit B.

V. RESTRICTIONS ON USES PERMITTED ON THE SITE

A. The Developer covenants and agrees that the following uses, as described in the City's Municipal Zoning Ordinance, are prohibited on the Lots:

- a. Wholesale trade;
- b. Mini-storage warehouse facilities;
- c. Transportation, communications and utility uses;
- d. Institutional uses;

- e. Adult entertainment businesses;
- f. Detention facilities;
- g. Agricultural or industrial equipments sales; and
- h. Agricultural and farm related activities.

B. For purposes of satisfying the Qualifying Criteria, the Parties hereby understand, acknowledge, and agree that, as long as none of the uses or activities enumerated in Section V(A) occur on the Lots, the criterion described in Paragraph 5 of the Qualifying Criteria as attached hereto as Exhibit B shall be considered satisfied.

C. The Parties hereby further understand, acknowledge, and agree that the restrictions on uses permitted on the Site enumerated in Section V(A) apply to the Lots at all times regardless of the eligibility of the Lots for urban revitalization tax exemption as contemplated herein.

VI. BASIS OF EXEMPTION

The Developer agrees that in the event that the Site qualifies as an "economic development area" and receives urban revitalization tax exemption as contemplated by this Agreement, the Developer shall request a one hundred percent (100%) exemption from taxation on the actual value added by the improvements on the Lots for a period of three (3) years, as provided in Iowa Code Section 404.3(3).

VII. PAYMENTS IN LIEU OF TAXES

A. In the event of the occurrence of any of the following Disqualifying Conditions (as defined in this Section VII(A)) after the City's approval of the request for tax exemption, the Developer shall make Clawback Payments as herein described. If a Disqualifying Condition occurs, the Developer shall make annual payments to the City that equal the difference between the real property taxes that would have been received by the City from each Lot and the real property taxes actually received by the City from each Lot. The Disqualifying Conditions are as follows:

1. The Developer is unable to obtain necessary approvals from the Iowa Department of Natural Resources, the Iowa Department of Transportation, the U.S. Army Corps of Engineers, and the City, to perform the Flood Mitigation Improvements; or

2. The Developer fails to provide to the City, within two (2) years of the Effective Date, certification from an engineer registered in the State of Iowa that the Flood Mitigation Improvements completed by the Developer pursuant to Section III will mitigate flooding; or

3. The Total Fill Cost, as allocated to the Lots as provided in Section IV(B)(1)(c), is not equal to or greater than the value of the City's Tax Portion. A separate

determination whether this third Disqualifying Condition has occurred will be made for each Lot.

B. Subject to Section VIII herein, the Clawback Payments shall be due and payable to the City in accordance with the statutory schedule for payment of real property taxes to the Story County Treasurer in equal installments over three (3) years immediately following the occurrence of any of the Disqualifying Conditions. Any and all rights of the City related to Clawback Payments hereunder shall be extinguished and waived only upon a determination made in writing by the City Finance Director, after the end of the third (3rd) full assessment year in which exemption was claimed for Lot-1, that no Disqualifying Condition has occurred or that all Clawback Payments due as to Lot-1 have been received.

VIII. SECURITY

A. In order to secure the obligation to make Clawback Payments in the event of the occurrence of a Disqualifying Condition as to Lot-1, the Developer shall provide to the City, contemporaneous with the Developer's initial application for urban revitalization tax exemption, a letter of credit in the amount of Three Hundred Thousand Dollars and 00/00 (\$300,000.00) (the "Security") in a form approved by the City Attorney. Upon request of the Developer, the City annually may reduce the amount of the Security required to satisfy this obligation. The Security shall be released by the City only upon a determination made in writing by the City Finance Director, after the end of the third (3rd) full assessment year in which exemption was claimed for Lot-1, that no Disqualifying Condition has occurred or that all Clawback Payments due as to Lot-1 have been received.

B. Notwithstanding anything in this Agreement to the contrary, prior to the City exercising any of its rights hereunder as to the Security, the City shall provide reasonable notice to the Developer identifying the Disqualifying Condition that has occurred and providing the Developer with the option to provide the City with the Clawback Payments as provided in Section VII herein in lieu of the City exercising its rights as to the Security.

C. The Parties hereby understand, acknowledge, and agree that before any improvements may be installed or constructed on Lot-2 or Lot-3, the Developer or then current titleholder of Lot-2 or Lot-3, as the case may be, must first obtain approval from the City of a revised site plan, a condition of which may be the requirement to enter into a supplemental development agreement that may include provisions for Clawback Payments, Security, and other terms and conditions consistent with the terms of this Agreement.

IX. CITY'S REMEDIES

A. In that the Developer seeks to persuade and induce the City to approve the Plan, it is understood and agreed that the City shall not issue any permits with respect to any portion or Lot on the Site for which a final plat of subdivision has not been approved and filed for record.

B. The City shall not issue a building permit, zoning permit, or any other permit of the City with respect to any excavation, construction, reconstruction, or remodeling on the Site unless said work is undertaken in accordance with the provisions of this Agreement.

C. All ordinances, regulations, and policies of the City now existing, or as may hereafter be enacted, shall apply to activity or uses of the Site.

D. The City shall be able to obtain an order for specific performance against the Developer for performance of the Flood Mitigation Improvement Maintenance in the event the Developer breaches Section III(C) of this Agreement, and the City shall be able to obtain an order for injunctive relief against the Developer in the event any of the restricted uses or activities occur on the Lots in violation of Section V(A) of this Agreement.

X. SATISFACTION/WAIVER OF CRITERIA

A. The Parties hereby understand, acknowledge, and agree that the criterion described in Paragraph 1 of the Qualifying Criteria as attached hereto as Exhibit B has already been satisfied.

B. The Parties hereby understand, acknowledge, and agree that the criterion described in Paragraph 4 of the Qualifying Criteria as attached hereto as Exhibit B has been waived by the City pursuant to the terms and conditions of that certain Covenant for Assessment of Costs of Sidewalk Improvements between the Parties of even date herewith.

XI. COVENANT WITH THE LAND

This Agreement shall run with the Site and shall be binding upon the Developer and any and all future titleholders of record of the Lots.

XII. GENERAL APPLICABILITY OF OTHER LAWS AND ORDINANCES

The Developer understands and agrees that all work done by or on behalf of the Developer with respect to public streets, sidewalks, shared use paths, building design and construction, and utilities (both on-site and off-site) shall be made in compliance with the Iowa Code, the Ames Municipal Code, Iowa Statewide Urban Design and Specifications, and all other federal, state, and local laws and policies of general application, whether or not such requirements are specifically stated in this Agreement.

XIII. AMENDMENTS

Any and all provisions of this Agreement may be amended, cancelled or extended only by the mutual agreement of the Parties in writing.

XIV. INCORPORATION OF RECITALS AND EXHIBITS

The Recitals, together with any and all exhibits attached hereto, are confirmed by the Parties as true and correct and incorporated herein by reference as if fully set forth verbatim. The Recitals and exhibits are a substantive, contractual part of this Agreement.

XV. JURY TRIAL WAIVER

THE PARTIES HERETO, AFTER CONSULTING OR HAVING HAD THE OPPORTUNITY TO CONSULT WITH COUNSEL, KNOWINGLY, VOLUNTARILY, AND INTENTIONALLY WAIVE ANY RIGHT THEY MAY HAVE TO A TRIAL BY JURY IN ANY LITIGATION BASED ON OR ARISING OUT OF THIS AGREEMENT OR INSTRUMENT, OR ANY RELATED INSTRUMENT OR AGREEMENT, OR ANY OF THE TRANSACTIONS CONTEMPLATED HEREBY OR ANY COURSE OF CONDUCT, DEALING, STATEMENTS, WHETHER ORAL OR WRITTEN, OR ACTION OF ANY PARTY HERETO. NO PARTY SHALL SEEK TO CONSOLIDATE BY COUNTERCLAIM OR OTHERWISE, ANY SUCH ACTION IN WHICH A JURY TRIAL HAS BEEN WAIVED WITH ANY OTHER ACTION IN WHICH A JURY TRIAL CANNOT BE OR HAS NOT BEEN WAIVED. THESE PROVISIONS SHALL NOT BE DEEMED TO HAVE BEEN MODIFIED IN ANY RESPECT OR RELINQUISHED BY ANY PARTY HERETO EXCEPT BY A WRITTEN INSTRUMENT EXECUTED BY ALL PARTIES.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed effective as of the date first above written.

CITY OF AMES, IOWA

By: Ann H. Campbell
Ann H. Campbell, Mayor

Attest by: Diane R. Voss
Diane R. Voss, City Clerk

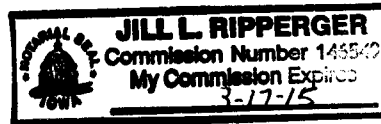
STATE OF IOWA, COUNTY OF STORY, ss:

On this 23rd day of October, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Ann H. Campbell, Mayor, and Diane R. Voss, City Clerk, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Jill L. Ripperger
Notary Public in and for Story County, Iowa

DEERY, DEERY, AND DEERY, LLC

By: Brad Deery
Brad Deery, Manager



STATE OF IOWA, COUNTY OF Story, ss:

This instrument was acknowledged before me on this 23 day of October, 2012, by Brad Deery, the Manager of Deery, Deery and Deery, LLC.

Brian Torresi
Notary Public in and for the State of Iowa



Exhibit A
LEGAL DESCRIPTION OF THE SITE

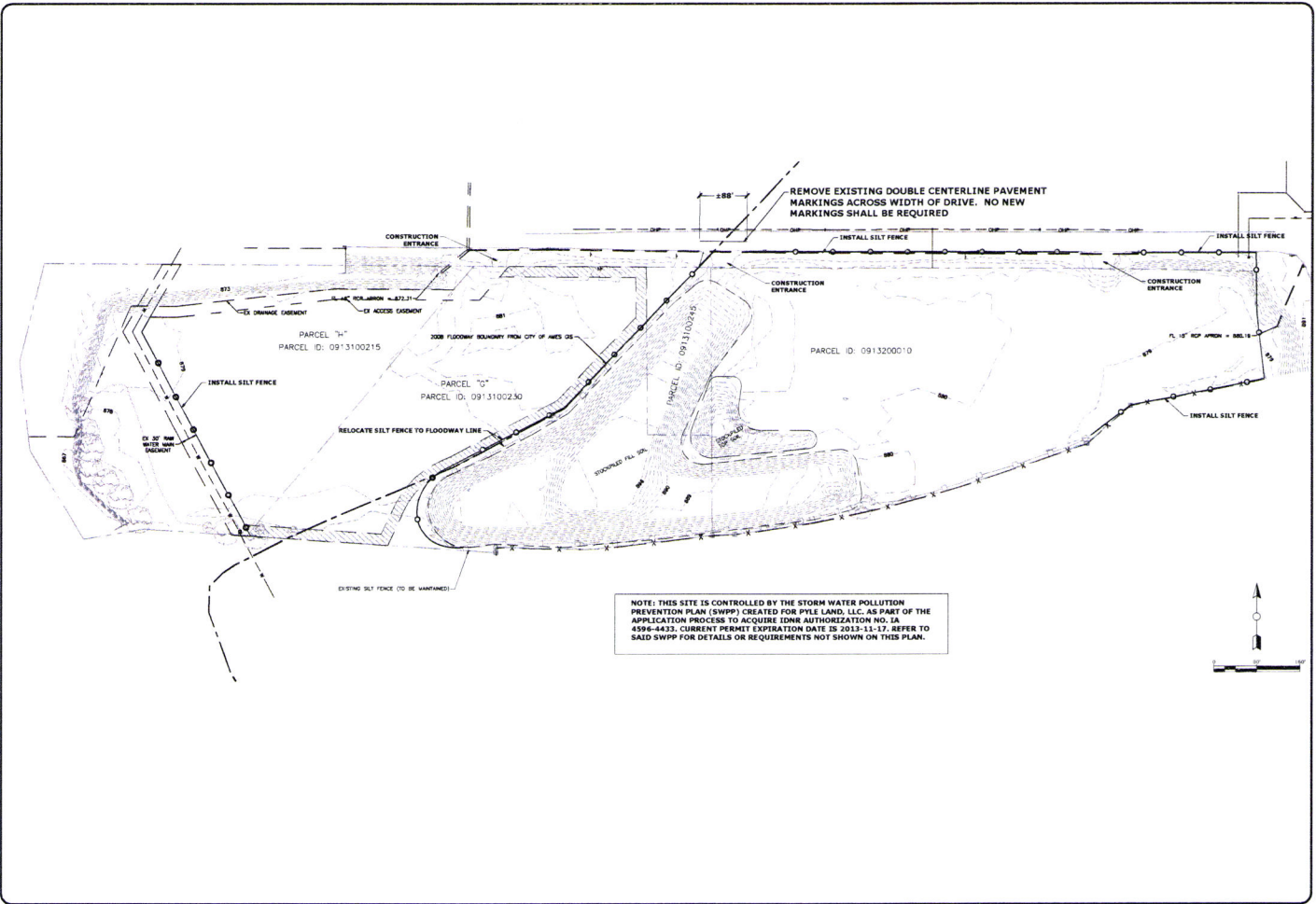
A subdivision of Parcel E, as shown on the Plat of Survey filed on September 3, 1998 at Inst. No. 98-12413, and Parcel G and Parcel H, as shown on the Plat of Survey (Corrected) filed on February 8, 2001 at Inst. No. 01-01457, all being in the North Half of Section 13, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa, all together containing 23.58 acres.

Exhibit B

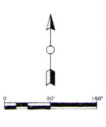
**QUALIFYING CRITERIA FOR URBAN REVITALIZATION AREA PLAN TITLED
THE SOUTHEAST 16TH STREET FIRST URBAN REVITALIZATION AREA**

1. The properties have frontage on Southeast 16th Street between South Duff Avenue and South Dayton Avenue.
2. Fill or other flood proofing will be placed on the site up to an elevation of at least 887 feet (NGVD29) when an engineer registered in Iowa provides written certification that raising the land would result in “no rise” to the Base Flood Elevation (100 year flood level).
3. The cost incurred after making the request for tax abatement for the placement of fill for flood proofing up to an elevation of 887 feet or above and/or channel improvements (see criterion 6), if applicable, is expected to be equal to or greater than the value of the City’s portion of the tax abatement.
4. A public sidewalk is to be constructed along the south side of Southeast 16th Street adjacent to the property.
5. The property will be used for uses permitted in the applicable zoning district except for the following, as further defined and described in the Ames Zoning Ordinance:
 - a. Wholesale trade
 - b. Mini-storage warehouse facilities
 - c. Transportation, communications and utility uses
 - d. Institutional uses
 - e. Adult entertainment businesses
 - f. Detention facilities
 - g. Agricultural or industrial equipment sales
 - h. Agricultural and farm related activities
6. Owners of property abutting a river must perform channel improvements (widening, straightening, clearing, etc.) and provide certification from an engineer registered in Iowa that the improvements will mitigate flooding. These improvements must be approved by the DNR, Army Corps of Engineers and the City of Ames.

Exhibit C
DEERY BROTHERS' MOTORS SITE PLAN



NOTE: THIS SITE IS CONTROLLED BY THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) CREATED FOR PYLE LAND, LLC. AS PART OF THE APPLICATION PROCESS TO ACQUIRE IDNR AUTHORIZATION NO. 1A 4596-4433. CURRENT PERMIT EXPIRATION DATE IS 2013-11-17. REFER TO SAID SWPPP FOR DETAILS OR REQUIREMENTS NOT SHOWN ON THIS PLAN.



DATE	01/11/12
PROJECT	1201120101
CLIENT	1201120101
DRAWN BY	1201120101
CHECKED BY	1201120101
SCALE	AS SHOWN
SHEET NO.	1201120101
TOTAL SHEETS	1201120101
PROJECT LOCATION	1201120101

DATE	01/11/12
PROJECT	1201120101
CLIENT	1201120101
DRAWN BY	1201120101
CHECKED BY	1201120101
SCALE	AS SHOWN
SHEET NO.	1201120101
TOTAL SHEETS	1201120101
PROJECT LOCATION	1201120101

FOX ENGINEERING ASSOCIATES, LTD.
 12400 WISCONSIN AVENUE, SUITE 200
 WAUKESHA, WI 53186
 PHONE: (262) 533-3100 FAX: (262) 533-3101

FOX
 engineering

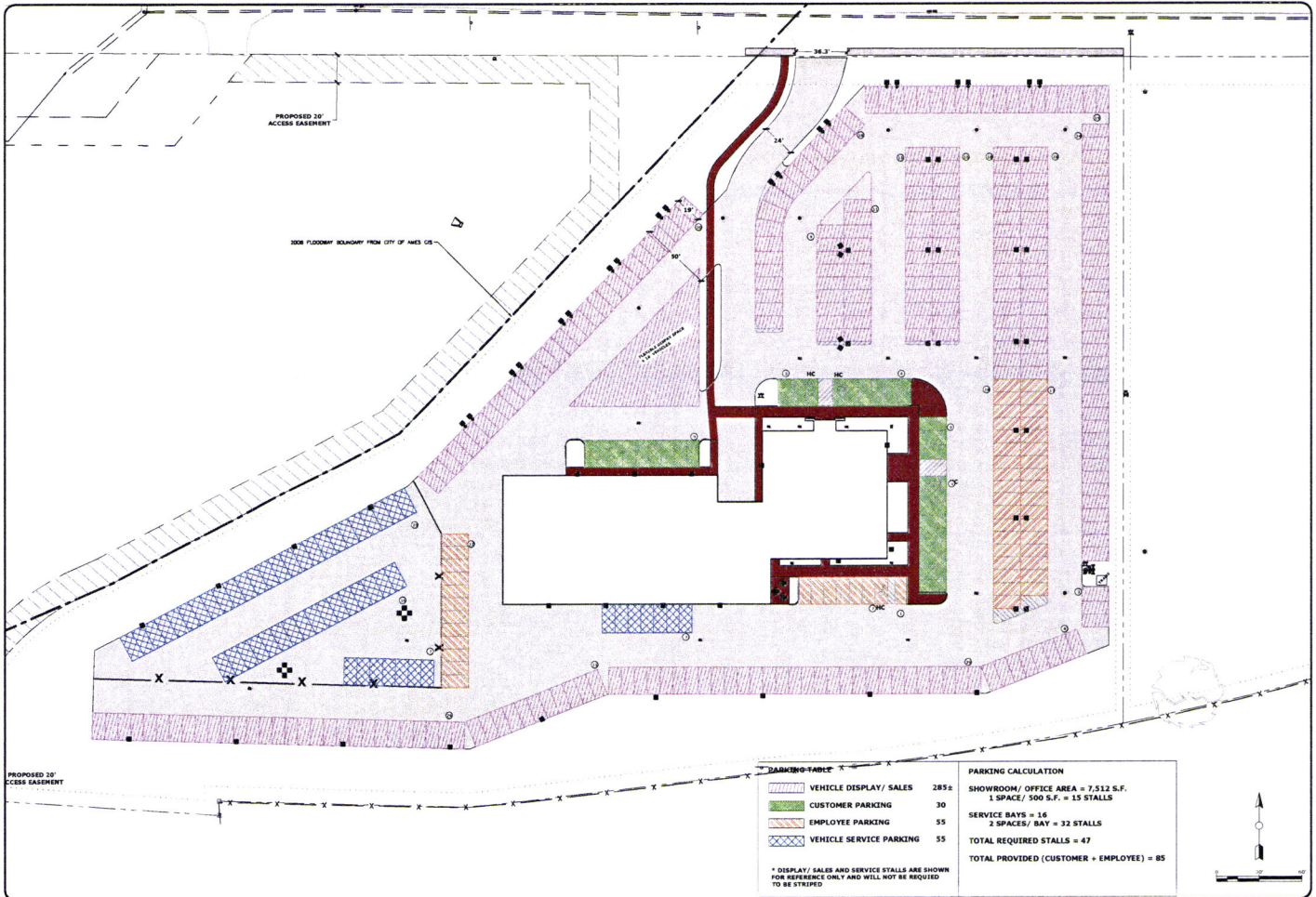
EXISTING CONDITIONS
 DESIGNATED FOR CONSTRUCTION
 OF PYLE LAND, LLC
 IN WAUKESHA, WISCONSIN

1201120101

C1.0

P. 13

414 SOUTH 17TH STREET, SUITE 107
 WILMINGTON, DE 19804
 PHONE: (302) 233-0000
 FAX: (302) 233-6700
 WWW.FOXENGINEERING.COM
 LAST UPDATE: 03/25/14



PARKING TABLE	
	VEHICLE DISPLAY / SALES 285±
	CUSTOMER PARKING 30
	EMPLOYEE PARKING 55
	VEHICLE SERVICE PARKING 55
* DISPLAY / SALES AND SERVICE STALLS ARE SHOWN FOR REFERENCE ONLY AND WILL NOT BE REQUIRED TO BE STRIPPED	

PARKING CALCULATION	
SHOWROOM / OFFICE AREA = 7,512 S.F.	
1 SPACE / 500 S.F. = 15 STALLS	
SERVICE BAYS = 16	
2 SPACES / BAY = 32 STALLS	
TOTAL REQUIRED STALLS = 47	
TOTAL PROVIDED (CUSTOMER + EMPLOYEE) = 85	

NO. 01	DATE 03/25/14
NO. 02	DATE 03/25/14
NO. 03	DATE 03/25/14
NO. 04	DATE 03/25/14
NO. 05	DATE 03/25/14
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NO. 11	DATE 03/25/14
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NO. 29	DATE 03/25/14
NO. 30	DATE 03/25/14
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NO. 94	DATE 03/25/14
NO. 95	DATE 03/25/14
NO. 96	DATE 03/25/14
NO. 97	DATE 03/25/14
NO. 98	DATE 03/25/14
NO. 99	DATE 03/25/14
NO. 100	DATE 03/25/14

FOX ENGINEERING ASSOCIATES, INC.
 414 SOUTH 17TH STREET, SUITE 107
 WILMINGTON, DE 19804
 PHONE: (302) 233-0000
 FAX: (302) 233-6700
 WWW.FOXENGINEERING.COM

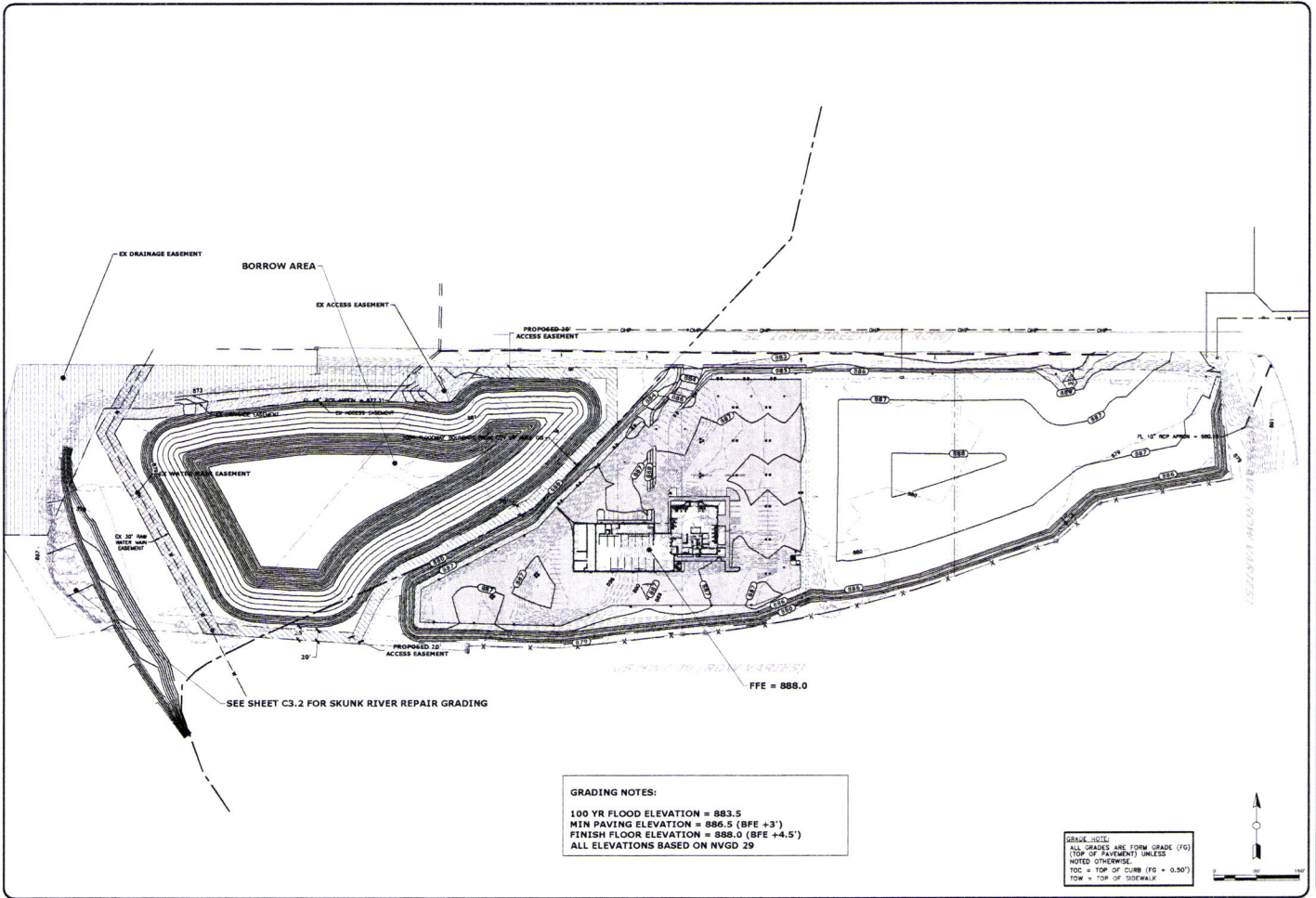
FOX ENGINEERING

PARKING CALCULATIONS
 DEWALT MOTORS/DEWALT MOTOR LITTE PLAN
 DR. WILMINGTON, DE
 DATE: 03/25/14

5174-124
 C2.1

P. 15

DATE: 11/14/14	PROJECT: 14-1000
DRAWN: J. B. BROWN	CHECKED: J. B. BROWN
SCALE: AS SHOWN	DATE: 11/14/14
PROJECT NO. 14-1000	SHEET NO. C3.0

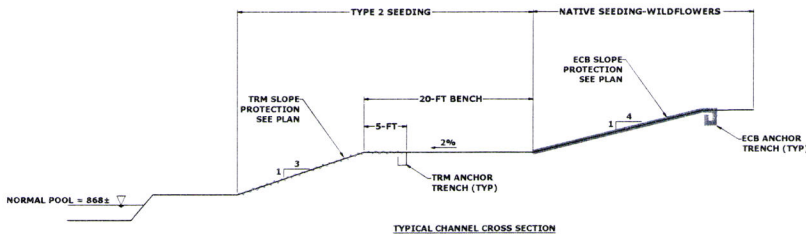
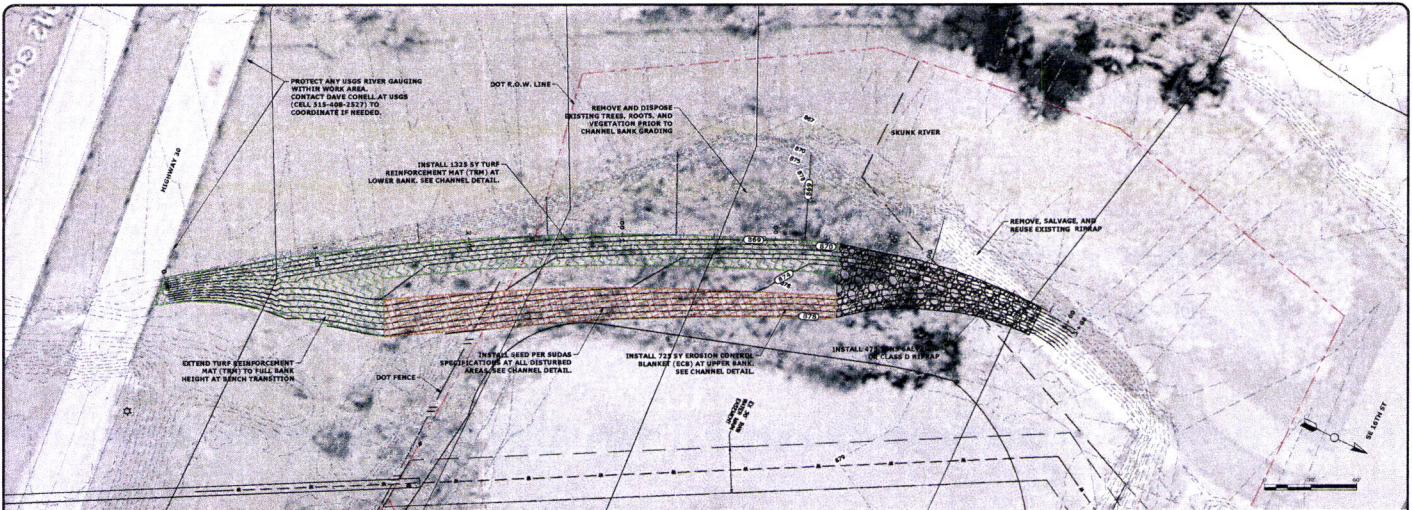


GRADING NOTES:
 100 YR FLOOD ELEVATION = 883.5
 MIN PAVING ELEVATION = 886.5 (BFE +3')
 FINISH FLOOR ELEVATION = 888.0 (BFE +4.5')
 ALL ELEVATIONS BASED ON NVGD 29

GRADE NOTE:
 ALL GRADES ARE FORM GRADE (FG)
 (TOP OF PAVEMENT) UNLESS
 NOTED OTHERWISE.
 TOC = TOP OF CURB (TG + 0.50')
 TOW = TOP OF SIDEWALK

PROJECT NO. 14-1000	SHEET NO. C3.0
DATE: 11/14/14	PROJECT: 14-1000
FOX engineering	
FOX ENGINEERING, INC. 414 SOUTH 8TH STREET, SUITE 107 DES MOINES, IOWA 50309 PHONE: (515) 281-1234 FAX: (515) 281-1235	
14-1000 SITE GRADING PLAN DESIGN AND CONSTRUCTION SKUNK RIVER AND DAVENPORT SK, IOWA, IOWA	
14-1000	SHEET
C3.0	

P. 16



NOTES:

1. EROSION CONTROL BLANKET (ECB) SHALL BE NORTH AMERICAN GREEN SC150 OR APPROVED EQUIVALENT. INSTALL PER MANUFACTURERS RECOMMENDATIONS FOR CHANNELS.
2. TURF REINFORCEMENT MAT (TRM) SHALL BE PROPEX LANDLOK 450 OR APPROVED EQUIVALENT. INCREASE ANCHOR LENGTH AT TOE OF SLOPE NEAR WATER EDGE. EXTEND TRM 5-FT BEYOND TOP OF BANK. INSTALL PER MANUFACTURERS RECOMMENDATIONS FOR CHANNELS.
3. INSTALL TYPE 2 SEEDING AT LOWER BANKS AND BENCHES AND NATIVE SEEDING WITH WILDFLOWERS AT UPPER BANKS AND ADJACENT TO CHANNELS. MULCH SHALL BE INSTALLED AT ALL LOCATIONS NOT COVERED BY ECB OR TRM.
4. SEEDING SHALL BE COMPLETED DURING SEEDING DATES SPECIFIED BY SUDAS. IF DORMANT SEEDING (PRIOR TO DECEMBER 25) OR FROST SEEDING (FEBRUARY 1-APRIL 1) IS NECESSARY, SPECIFIED SEEDING RATES SHALL BE DOUBLED.

ALL DIMENSIONS UNLESS OTHERWISE NOTED SHALL BE IN FEET AND INCHES.
 UNLESS OTHERWISE NOTED, ALL DIMENSIONS SHALL BE TO FACE.
 UNLESS OTHERWISE NOTED, ALL DIMENSIONS SHALL BE TO CENTERLINE.
 UNLESS OTHERWISE NOTED, ALL DIMENSIONS SHALL BE TO CENTERLINE.
 UNLESS OTHERWISE NOTED, ALL DIMENSIONS SHALL BE TO CENTERLINE.

NO.	DATE	BY	CHKD.	DESCRIPTION

FOX ENGINEERING ASSOCIATES, INC.
 414 SOUTH 17TH STREET, SUITE 107
 PHOENIX, ARIZONA 85003
 PHONE: (602) 252-0000
 FAX: (602) 252-0000

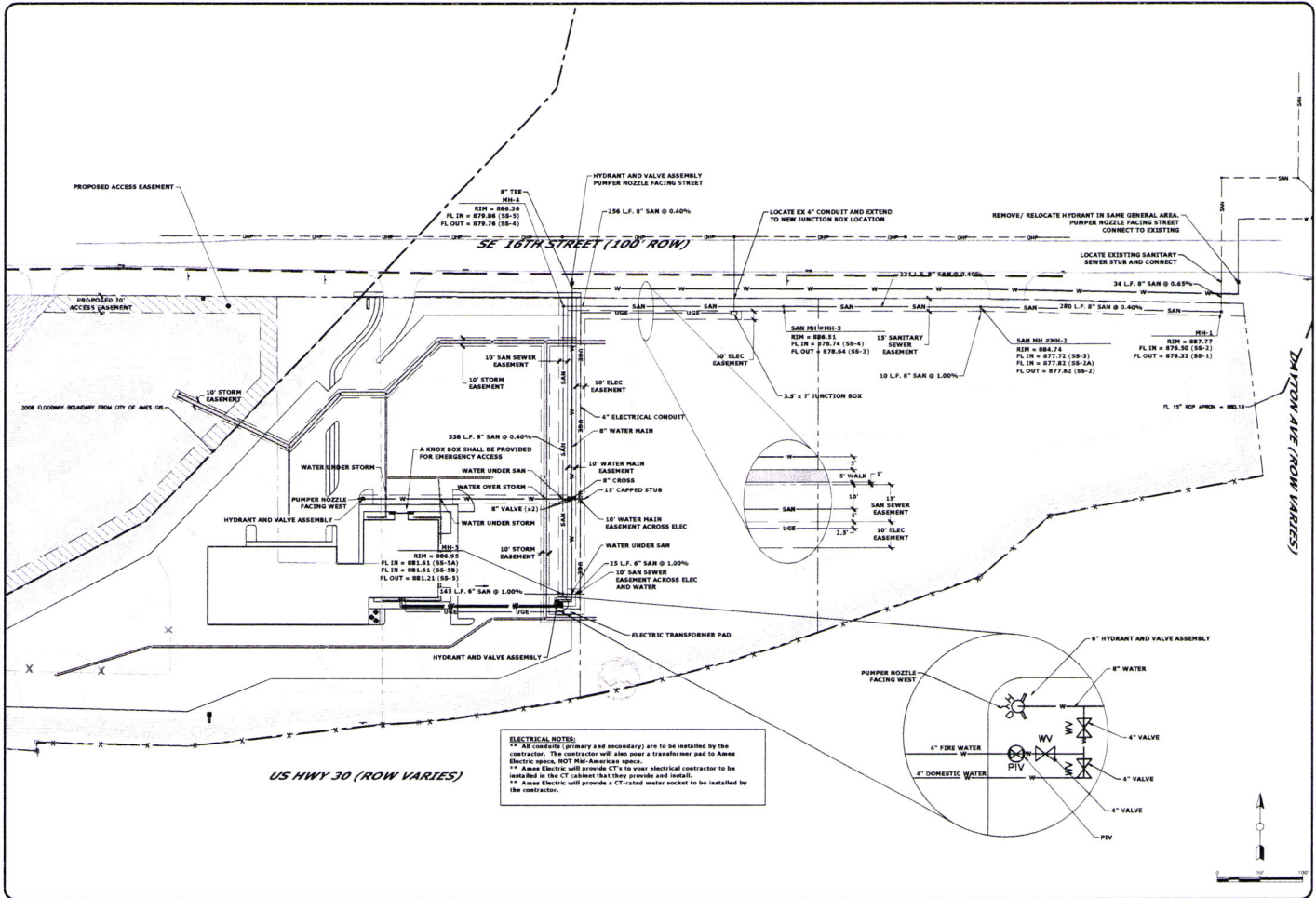
FOX Engineering
 ENGINEERING

CHANNEL PLAN (SKUNK RIVER REPAIR)
 UNDER PROPOSED NOTOR STATE PLAN
 SOUTH 16TH STREET
 PHOENIX, ARIZONA

5174-128
 0001

C3.2

p. 18

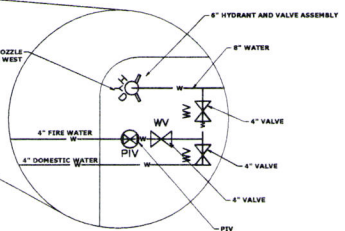


ELECTRICAL NOTES:

** All conduits (primary and secondary) are to be installed by the contractor. The contractor will also pour a transformer pad to Ames Electric specs, NOT Mid-America specs.

** Ames Electric will provide CT's to your electrical contractor to be installed in the CT cabinet that they provide and install.

** Ames Electric will provide a CT-rated meter socket to be installed by the contractor.



PROJECT: SE 16TH STREET (100' ROW) WATER, SEWER AND ELECTRIC UTILITY PLAN
 DATE: 07/15/2010
 DRAWN BY: J. M. BROWN
 CHECKED BY: J. M. BROWN
 PROJECT MANAGER: J. M. BROWN

REV.	DATE	DESCRIPTION

FOX ENGINEERING ASSOCIATES, INC.
 414 SOUTH 17TH STREET, SUITE 107
 DENVER, CO 80202
 PHONE: (303) 733-4000
 FAX: (303) 733-4001

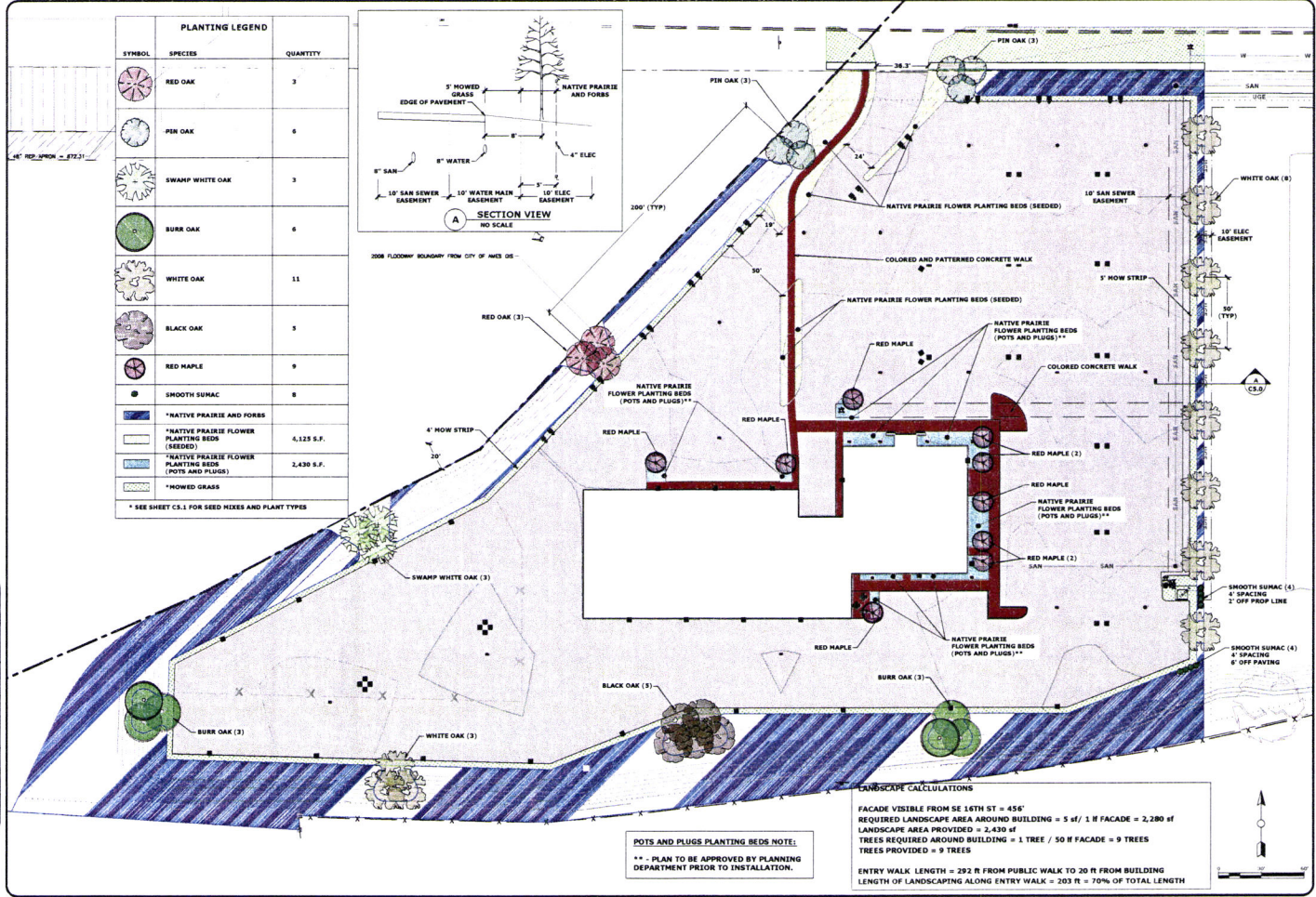
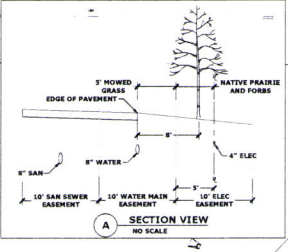
FOX Engineering

UTILITY PLAN (WATER AND SEWER)
 SE 16TH STREET (100' ROW) WATER, SEWER AND ELECTRIC UTILITY PLAN
 DATE: 07/15/2010
 DRAWN BY: J. M. BROWN
 CHECKED BY: J. M. BROWN
 PROJECT MANAGER: J. M. BROWN

1274-128
 C4.0

P.19

PLANTING LEGEND		
SYMBOL	SPECIES	QUANTITY
	RED OAK	3
	PIN OAK	6
	SWAMP WHITE OAK	3
	BURR OAK	6
	WHITE OAK	11
	BLACK OAK	5
	RED MAPLE	9
	SMOOTH SYCAMORE	8
	*NATIVE PRAIRIE AND FORBS	
	*NATIVE PRAIRIE FLOWER PLANTING BEDS (SEEDED)	4,125 S.F.
	*NATIVE PRAIRIE FLOWER PLANTING BEDS (POTS AND PLUGS)	2,430 S.F.
	*MOWED GRASS	
* SEE SHEET CS-1 FOR SEED MIXES AND PLANT TYPES		



LANDSCAPE CALCULATIONS

FACADE VISIBLE FROM SE 16TH ST = 45'

REQUIRED LANDSCAPE AREA AROUND BUILDING = 5 sf / 1' FACADE = 2,280 sf

LANDSCAPE AREA PROVIDED = 2,430 sf

TREES REQUIRED AROUND BUILDING = 1 TREE / 50' FACADE = 9 TREES

TREES PROVIDED = 9 TREES

ENTRY WALK LENGTH = 292' R FROM PUBLIC WALK TO 20' R FROM BUILDING

LENGTH OF LANDSCAPING ALONG ENTRY WALK = 203' R = 70% OF TOTAL LENGTH

POTS AND PLUGS PLANTING BEDS NOTE:

** - PLAN TO BE APPROVED BY PLANNING DEPARTMENT PRIOR TO INSTALLATION.

PROJECT: 16TH ST AND WYOMING ST
 CLIENT: FOX ENGINEERING ASSOCIATES, INC.
 DATE: 08/14/2019
 DRAWN BY: J. W. BROWN - #77231

FOX Engineering Associates, Inc.
 4410 Dodge Road, Ames, Iowa 50010
 TEL: (515) 233-2100 FAX: (515) 233-2101

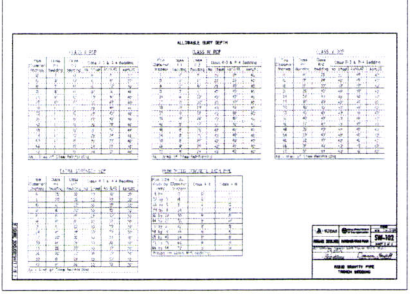
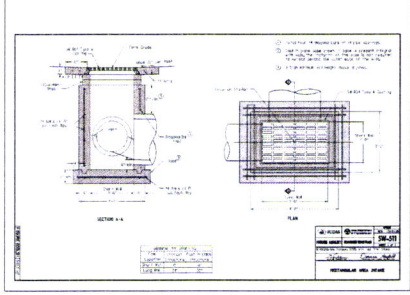
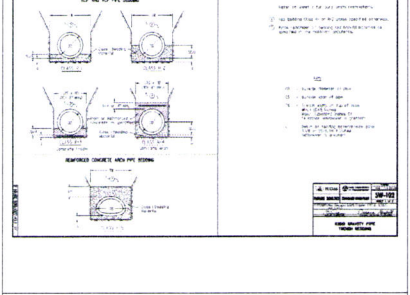
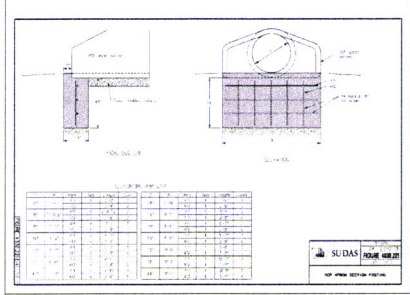
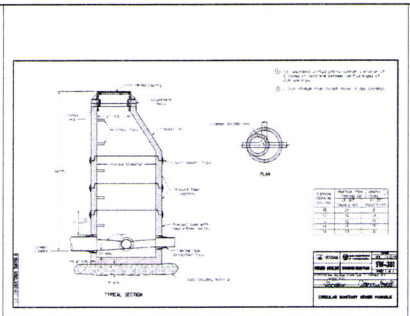
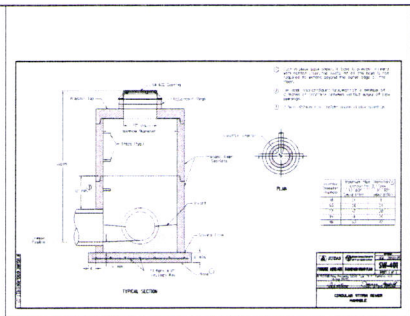
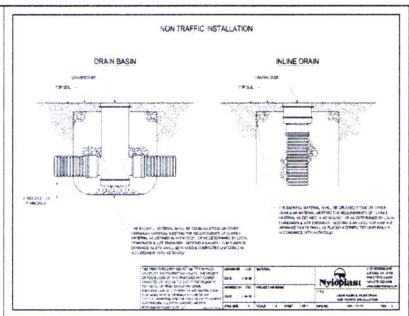
FOX engineering

SITE LANDSCAPING PLAN
 CLIENT: FOX ENGINEERING ASSOCIATES, INC.
 DATE: 08/14/2019
 DRAWN BY: J. W. BROWN - #77231

5/174-12A
 C5.0

p. 21

ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN METERS
 ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN METERS
 ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN METERS
 ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN METERS



REV.									
DATE									
BY									
CHECKED									
APPROVED									
LAST SHEET	07/27/21								

FOX Engineering Associates, Inc.
 414 South 17th Street, Suite 107
 Phoenix, AZ 85003
 Phone: (602) 233-0000
 Fax: (602) 233-0000

DETAILS
 DRAINAGE AND TRAFFIC CONTROL SYSTEMS
 SOUTH LANE AND DIVISION
 PHOENIX, ARIZONA

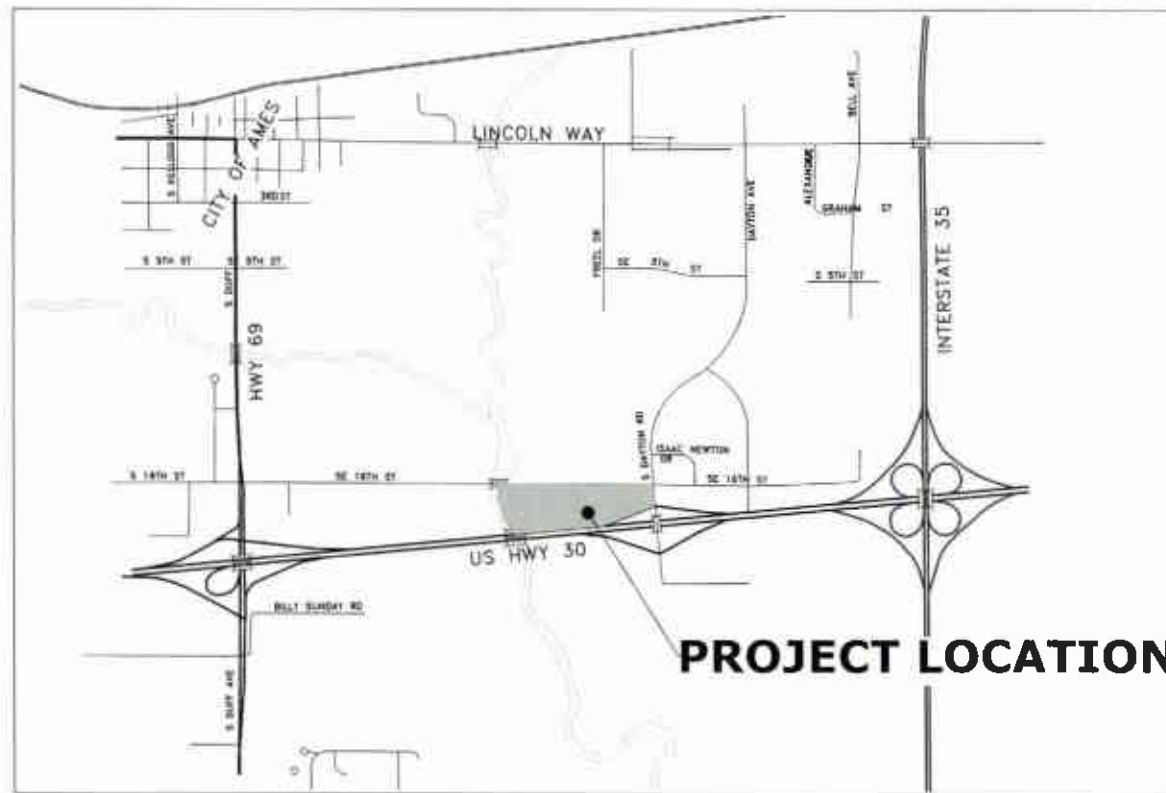
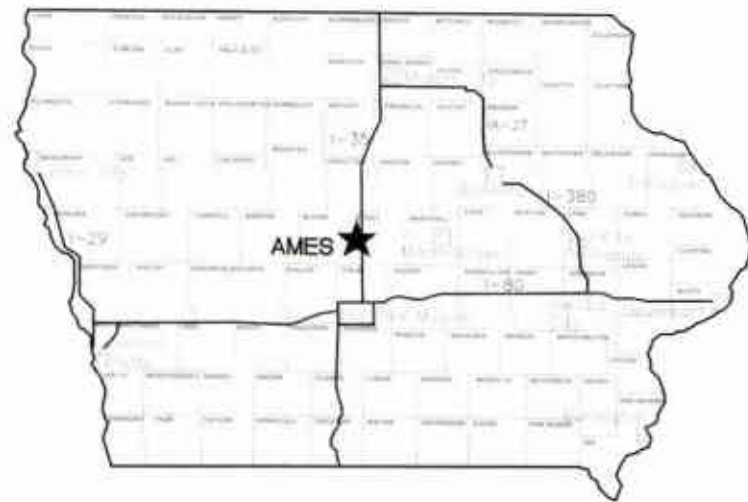
5174-12A
 C6.1

P. 25

DEERY BROTHERS' MOTORS

SITE PLAN SE 16TH STREET AMES, IOWA

LEGEND	
•	Open Intake
•	Boxed
—	Building
—	Buried Power
•	Bushes
•	Cable Pedestal
•	Cleanout
—	Culvert
•	Curb Stop
•	Electric Pedestal
—	Fence
—	Fiber Optic
—	Force Main
—	Gas Line
•	Gas Meter
•	Gas Valve
•	Hydrant
•	Electric Junction Box
•	Light Post
•	Mailbox
•	Manhole
—	Overhead Communication
—	Overhead Power
•	Power Pole
•	Property Pin
—	Property/Right-Of-Way Line
+++++	Railroad Tracks
•	Sanitary Manhole
—	Sanitary Sewer
•	Sign
•	Storm Intakes
•	Storm Sewer
•	Storm Sewer Manhole
•	Slump
—	Buried Communication
•	Telephone Manhole
•	Telephone Pedestal
•	Telephone Pole
•	Traffic Pole
—	Tree Line
•	Trees
—	Water Line
•	Water Manhole
•	Water Meter
•	Water Valve
•	Witness Post
•	Yard Hydrant



LOCATION MAP

THIS PROJECT IS COVERED BY THE IOWA DEPARTMENT OF NATURAL RESOURCES NPDES GENERAL PERMIT NO. 2. THE CONTRACTOR SHALL CARRY OUT THE TERMS AND CONDITIONING OF GENERAL PERMIT NO. 2 AND STORM WATER POLLUTION PREVENTION PLAN WHICH IS PART OF THESE CONTRACT DOCUMENTS. REFER TO SECTION 2602 OF THE DOT STANDARD SPECIFICATION FOR ADDITIONAL INFORMATION.

SITE NOTE:

ALL CONSTRUCTION MATERIALS, DUMPSTERS, DETACHED TRAILERS OR SIMILAR ITEMS ARE PROHIBITED ON PUBLIC STREETS OR WITHIN THE PUBLIC RIGHT-OF-WAY.



GENERAL NOTE: ALL UTILITIES ARE ONLY GENERALLY LOCATED. CONTRACTOR IS RESPONSIBLE FOR LOCATING AND EXPOSING ALL UTILITIES THAT MAY INTERFERE WITH CONSTRUCTION BEFORE CONSTRUCTION BEGINS.

Applicant The Rose Companies ATTN: Fred Rose 915 Technology Parkway Cedar Falls, IA 50613	Legal Description LOT 1 Deery Subdivision Ames, Story County, Iowa
Owner Deery, Deery, and Deery 7404 University Avenue Cedar Falls, IA 50613	Site Area 6.37 Acres
Plan Preparation FOX Engineering Associates, Inc. 414 South 17th Street, Suite 107 Ames, IA 50010 Contact: Scott Renaud, P.E. ph (515) 233-0000 fax (515) 233-0103	Site Address 1620 SE 16th Street
	Zoning hOC-Highway Oriented Commercial O-GSE-Southeast Entryway Gateway Overlay District
	Setbacks Front: 20ft Side: 5ft Rear: 10ft

INDEX OF SHEETS

No.	Description
G1.0	COVER SHEET/ LOCATION MAP/LEGEND
C1.0	EXISTING CONDITIONS
C2.0	SITE LAYOUT AND DIMENSIONING PLAN
C2.1	PARKING SUMMARY
C3.0	SITE GRADING PLAN
C3.1	SITE GRADING PLAN
C3.2	GRADING PLAN (SKUNK RIVER REPAIR)
C4.0	UTILITY PLAN (SAN, WATER, AND ELEC)
C4.1	UTILITY PLAN (STORM SEWER)
C5.0	SITE LANDSCAPING PLAN
C5.1	LANDSCAPING SPECIES TABLES
C5.2	POND AREA SEEDING PLAN
C6.0	DETAILS
C6.1	DETAILS
MIT.01	WETLAND MITIGATION PLAN
MIT.02	WETLAND MITIGATION DETAILS

RECEIVED

OCT 01 2014

CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING



I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.
 Scott L. Renaud, P.E.
 License number 12109
 DATE: Sept 30, 2014
 My license renewal date is December 31, 2014.
 Pages or sheets covered by this seal
 ALL LISTED IN INDEX ON THIS PAGE

DATE: 09/24/14
 BY: [Signature]
 SR: [Signature]
 SRS: [Signature]
 CHECKED: [Signature]
 LAST UPDATE: 09/24/14

REVISED BUILDING SIZE

DATE: 09/24/14

FINAL CONSTRUCTION PLANS
SEPT 2014

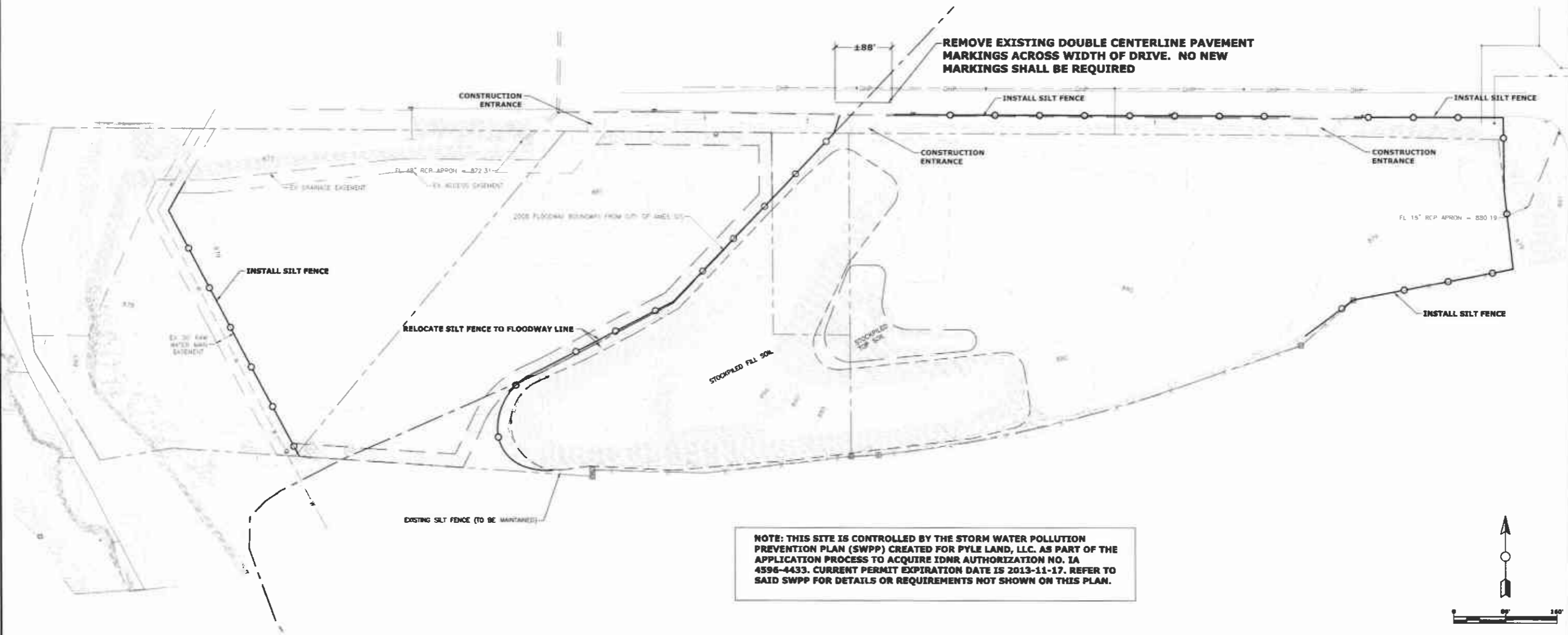
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414 South 17th Street, Suite 107
Ames, Iowa 50010
Phone: (515) 233-0000
FAX: (515) 233-0103

FOX engineering

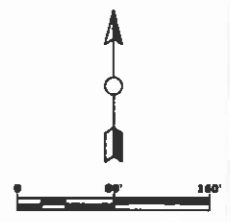
COVER SHEET/ LOCATION MAP/ LEGEND
DEERY BROTHERS' MOTORS SITE PLAN
SE 16TH AND DAYTON
AMES, IOWA

PROJECT NO: 5174-12A
 SHEET: G1.0

W:\Projects\5174-12A DEERY BROTHERS\5174-12A DEERY SITE PLAN.dwg
 PLOT SCALE TABLE
 LAYER: 0
 DATE: 09/24/14
 C1.0



NOTE: THIS SITE IS CONTROLLED BY THE STORM WATER POLLUTION PREVENTION PLAN (SWPP) CREATED FOR PYLE LAND, LLC. AS PART OF THE APPLICATION PROCESS TO ACQUIRE IDNR AUTHORIZATION NO. IA 4596-4433. CURRENT PERMIT EXPIRATION DATE IS 2013-11-17. REFER TO SAID SWPP FOR DETAILS OR REQUIREMENTS NOT SHOWN ON THIS PLAN.



REVISION	DATE	BY	DATE
	09/14	SLA	09/14
		SRG	09/14
		SRG	09/14
		SRG	09/14

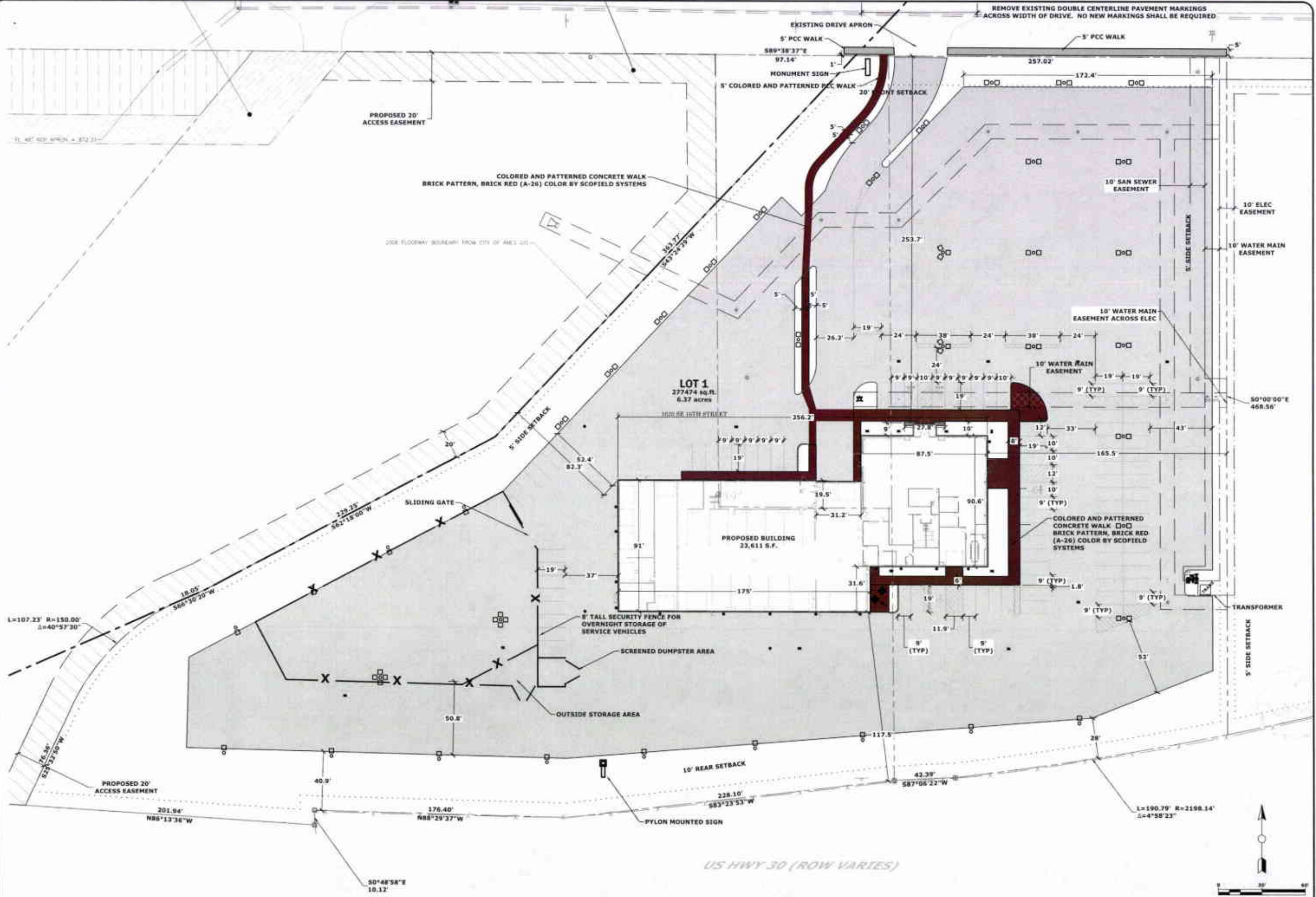
**FINAL CONSTRUCTION PLANS
 SEPT 2014**

FOX Engineering Associates, Inc.
 414 South 17th Street, Suite 107
 Ames, Iowa 50010
 Phone: (515) 233-0000
 FAX: (515) 233-0103

**EXISTING CONDITIONS
 DEERY BROTHERS' MOTORS SITE PLAN
 SE 16TH AND DAYTON
 AMES, IOWA**

PROJECT NO.	5174-12A
SHEET	C1.0

LAST UPDATE: 09/24/14



DRAWING TITLE: DIMENSIONING PLAN
 PROJECT NO: 5174-12A
 DATE: 09/24/14
 PROJECT: DEERY BROTHERS MOTORS SITE PLAN
 DRAWN BY: JAMES J. DEERY
 CHECKED BY: JAMES J. DEERY
 C.J.H.

DATE	BY	REVISION
09/24/14	SJR	REVISED BUILDING SIZE
09/14	SRS	REVISED EASEMENT WIDTH
09/14	SRS	REVISED SETBACKS
09/24/14	SRS	CHECKED
09/24/14	SRS	LAST UPDATE

FINAL CONSTRUCTION PLANS
SEPT 2014

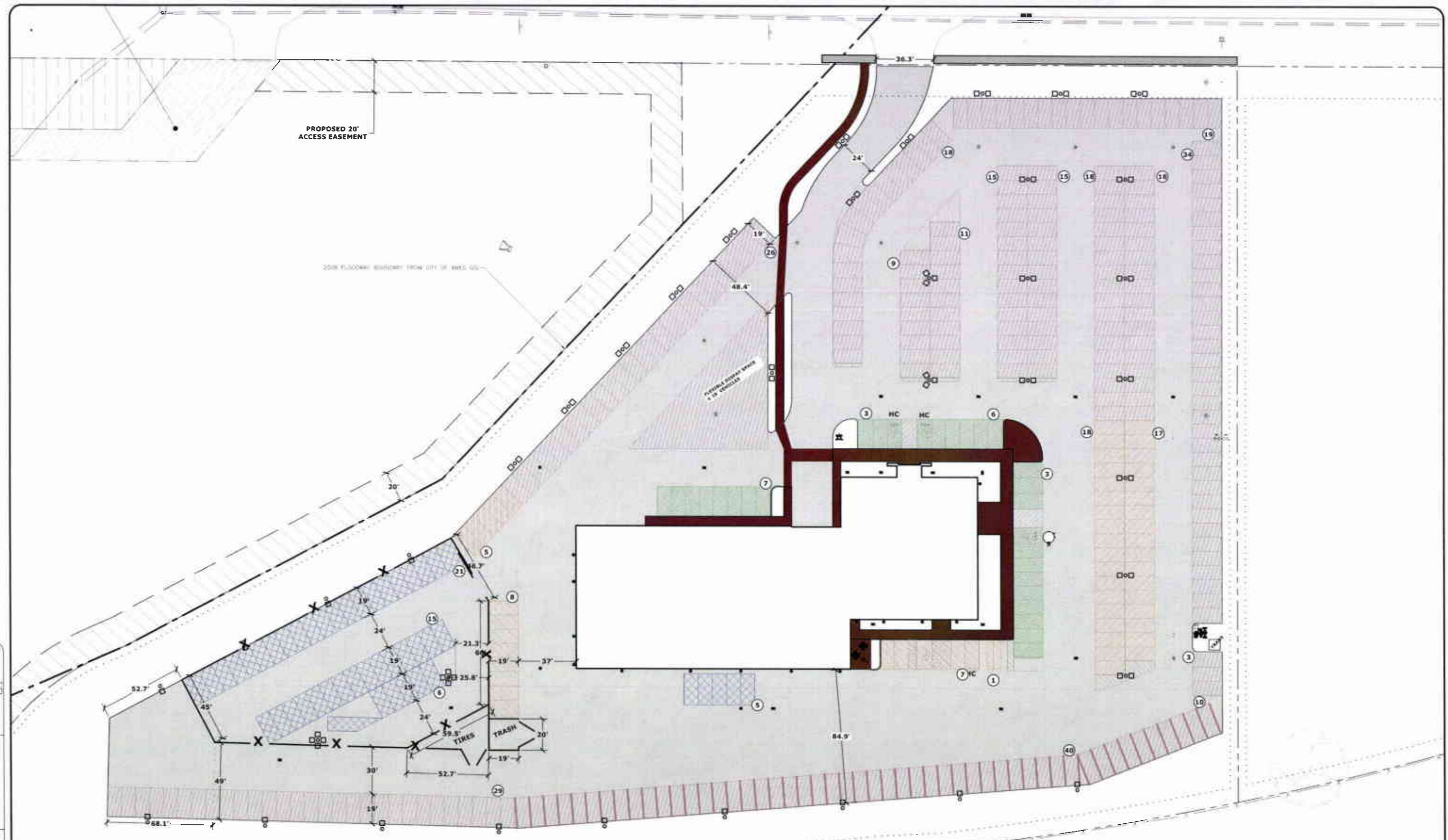
FOX Engineering Associates, Inc.
 414 South 17th Street, Suite 107
 Ames, Iowa 50010
 Phone: (515) 233-0000
 FAX: (515) 233-0103

SITE LAYOUT AND DIMENSIONING PLAN
 DEERY BROTHERS MOTORS SITE PLAN
 SE 16TH AND DAYTON
 AMES, IOWA

PROJECT NO: 5174-12A
 SHEET: C2.0



DRAWING FILENAME: K:\PROJECTS\5174-12A\5174-12A\5174-12A DEERY SITE PLAN.dwg
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 LAYER: TITLE NOTE
 PLOT SCALE: 1/8"=1'-0"
 PLOT SIZE: 11x17

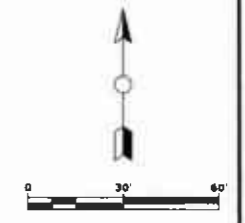


PROPOSED 20' ACCESS EASEMENT

PARKING TABLE	
	VEHICLE DISPLAY/ SALES 285±
	CUSTOMER PARKING 28
	EMPLOYEE PARKING 55
	VEHICLE SERVICE PARKING 43

* DISPLAY/ SALES AND SERVICE STALLS ARE SHOWN FOR REFERENCE ONLY AND WILL NOT BE REQUIRED TO BE STRIPED

PARKING CALCULATION	
SHOWROOM/ OFFICE AREA = 7,512 S.F.	1 SPACE/ 500 S.F. = 15 STALLS
SERVICE BAYS = 16	2 SPACES/ BAY = 32 STALLS
TOTAL REQUIRED STALLS = 47	
TOTAL PROVIDED (CUSTOMER + EMPLOYEE) = 83	



DATE	REVISION	BY	DATE
08/28/13	REVISED BUILDING SIZE	SLR	09/14
11/27/13	ADDED SOUTH PARKING	SLS	09/14
08/26/14	REVISED BUILDING FENCE	SLS	09/14
	REVISED DRIVEWAYS BELIAND	CHECKED	
		LAST UPDATE:	09/24/14

**FINAL CONSTRUCTION PLANS
SEPT 2014**

FOX Engineering Associates, Inc.
 414 South 17th Street, Suite 107
 Ames, Iowa 50010
 Phone: (515) 233-0000
 FAX: (515) 233-0103

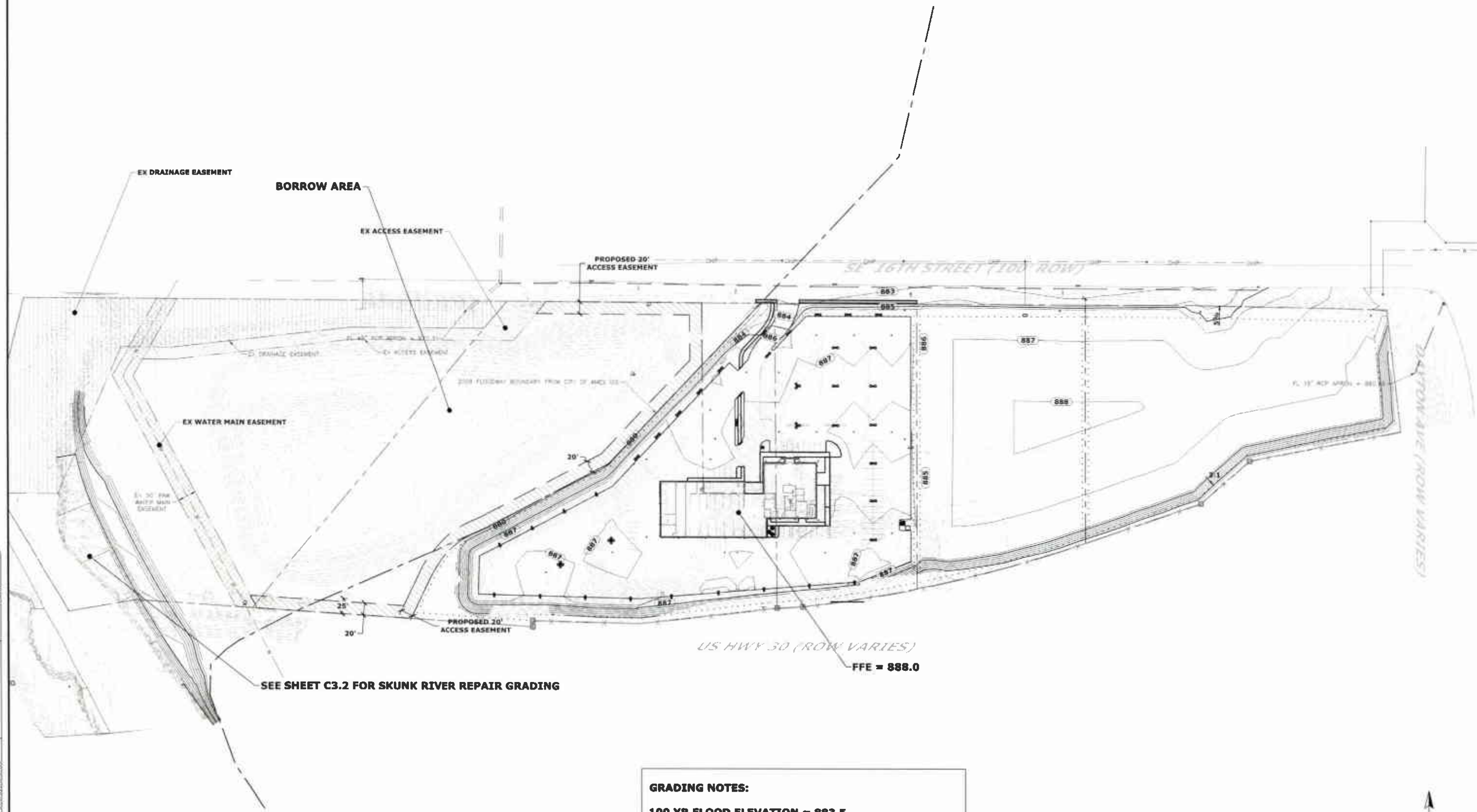


PARKING CALCULATIONS
 DEERY BROTHERS' MOTORS SITE PLAN
 SE 16TH AND DAYTON
 AMES, IOWA

PROJECT NO.
5174-12A

SHEET
C2.1

DRAWING: 5174-12A
 PROJECT: 5174-12A DEERY ENTERPRISES, INC.
 SHEET: 5174-12A DEERY ENTERPRISES, INC.
 DATE: 09/14/14
 DRAWN BY: SLS
 CHECKED BY: SLS
 DATE: 09/14/14



SEE SHEET C3.2 FOR SKUNK RIVER REPAIR GRADING

GRADING NOTES:
 100 YR FLOOD ELEVATION = 883.5
 MIN PAVING ELEVATION = 886.5 (BFE +3')
 FINISH FLOOR ELEVATION = 888.0 (BFE +4.5')
 ALL ELEVATIONS BASED ON NVGD 29

GRADE NOTE:
 ALL GRADES ARE FORM GRADE (FG)
 (TOP OF PAVEMENT) UNLESS
 NOTED OTHERWISE.
 TOC = TOP OF CURB (FG + 0.50')
 TOW = TOP OF SIDEWALK



DATE	REVISION	BY	DATE
09/14/14	ISSUED FOR PERMITS	SLS	09/14
09/14/14		SLS	09/14

FINAL CONSTRUCTION PLANS
SEPT 2014

FOX Engineering Associates, Inc.
 414 South 17th Street, Suite 107
 Ames, Iowa 50010
 Phone: (515) 233-0000
 FAX: (515) 233-0103

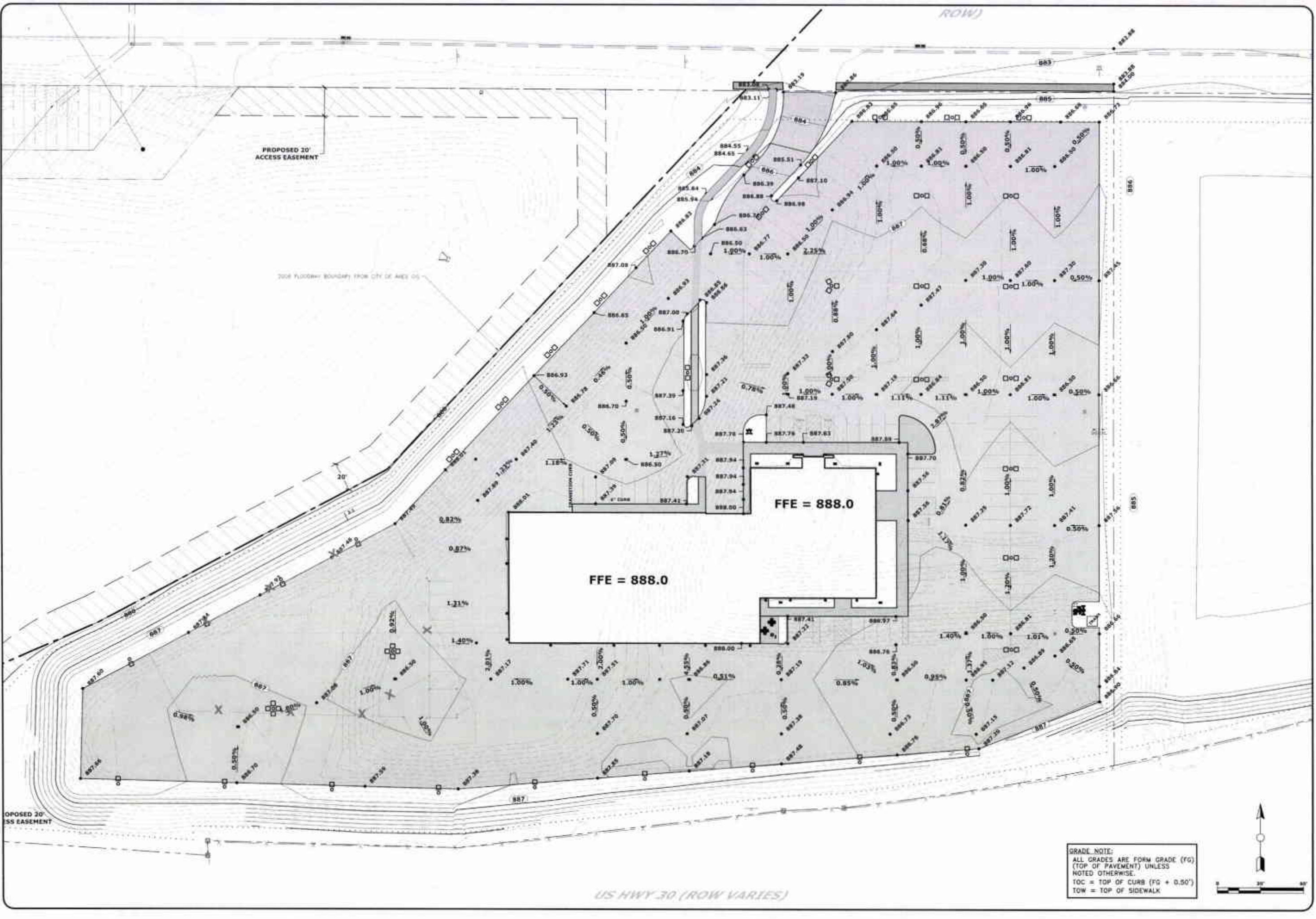


SITE GRADING PLAN
DEERY BROTHERS' MOTORS SITE PLAN
 SE 16TH AND DAYTON
 AMES, IOWA

PROJECT NO:
 5174-12A
 SHEET
C3.0

LAST UPDATE: 09/24/14

W:\PROJECTS\5174-12A DEERY BROTHERS\5174-12A DEERY SITE PLAN.dwg
 DATE: 09/14/14
 DRAWN BY: JLS
 CHECKED BY: JLS
 LAYOUT NAME: C3.1



GRADE NOTE:
 ALL GRADES ARE FORM GRADE (FG)
 (TOP OF PAVEMENT) UNLESS
 NOTED OTHERWISE.
 TOC = TOP OF CURB (FG + 0.50')
 TOW = TOP OF SIDEWALK

DATE	09/14
BY	SLS
REVISION	
05/28/13	REVISED BUILDING SIZE
04/30/14	REVISED STORMWATER PLAN
09/14	DESIGNED
09/14	CHECKED
LAST UPDATE: 09/24/14	

**FINAL CONSTRUCTION PLANS
 SEPT 2014**

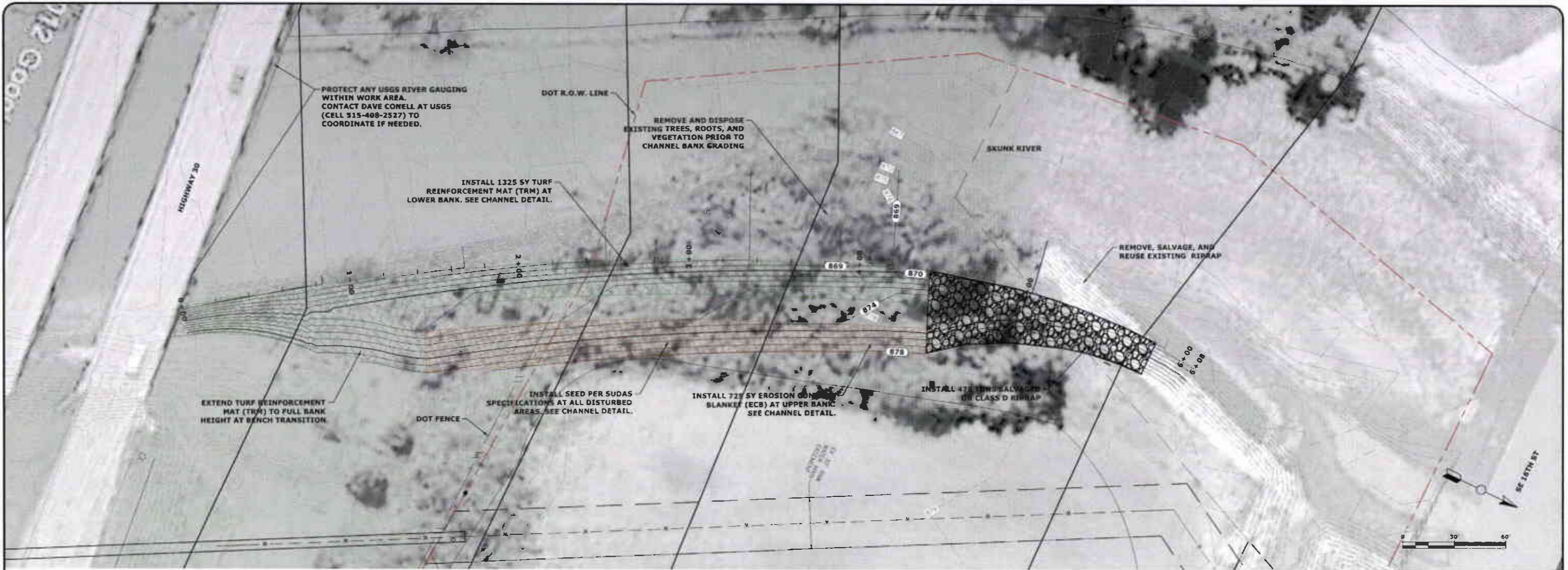
FOX Engineering Associates, Inc.
 414 South 17th Street, Suite 107
 Ames, Iowa 50010
 Phone: (515) 233-0000
 Fax: (515) 233-0103

FOX engineering

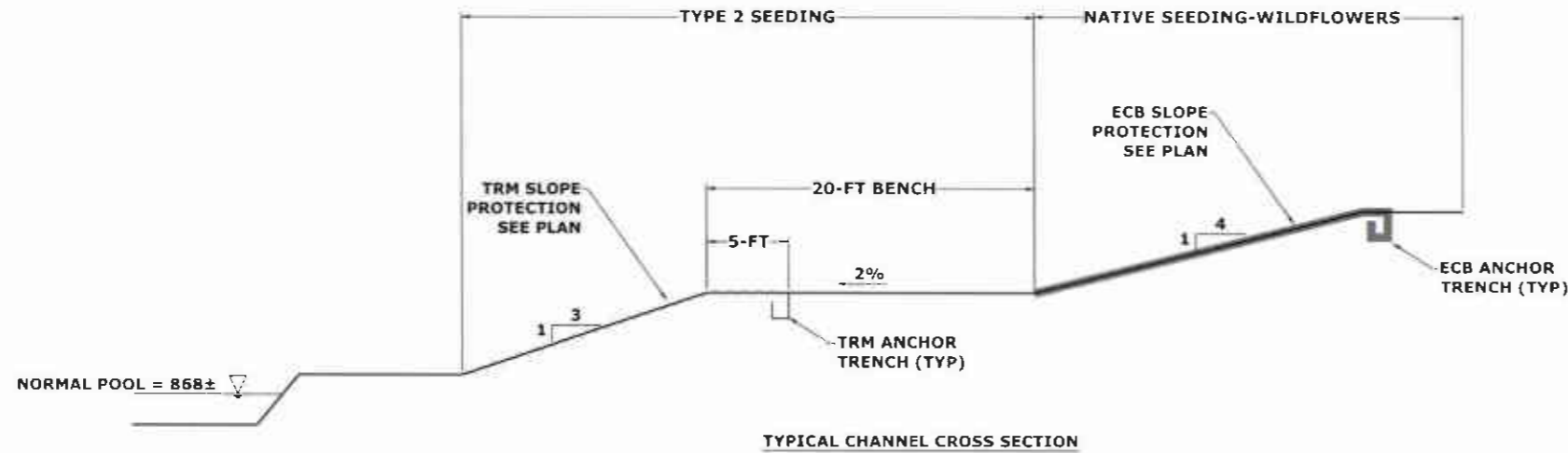
**SITE GRADING PLAN
 DEERY BROTHERS' MOTORS SITE PLAN
 SE 16TH AND DAYTON
 AMES, IOWA**

PROJECT NO:
 5174-12A

SHEET
 C3.1



SEEDING AREA = 11,798 SQ. FT
TRM AREA = 5,504 SQ. FT



NOTES:

1. EROSION CONTROL BLANKET (ECB) SHALL BE NORTH AMERICAN GREEN SC150 OR APPROVED EQUIVALENT. INSTALL PER MANUFACTURERS RECOMMENDATIONS FOR CHANNELS.
2. TURF REINFORCEMENT MAT (TRM) SHALL BE PROPEX LANDLOK 450 OR APPROVED EQUIVALENT. INCREASE ANCHOR LENGTH AT TOE OF SLOPE NEAR WATER EDGE. EXTEND TRM 5-FT BEYOND TOP OF BANK. INSTALL PER MANUFACTURERS RECOMMENDATIONS FOR CHANNELS.
3. INSTALL TYPE 2 SEEDING AT LOWER BANKS AND BENCHES AND NATIVE SEEDING WITH WILDFLOWERS AT UPPER BANKS AND ADJACENT TO CHANNELS. MULCH SHALL BE INSTALLED AT ALL LOCATIONS NOT COVERED BY ECB OR TRM.
4. SEEDING SHALL BE COMPLETED DURING SEEDING DATES SPECIFIED BY SUDAS. IF DORMANT SEEDING (PRIOR TO DECEMBER 25) OR FROST SEEDING (FEBRUARY 1-APRIL 1) IS NECESSARY, SPECIFIED SEEDING RATES SHALL BE DOUBLED.

DATE	BY	CHKD

DATE	BY	CHKD

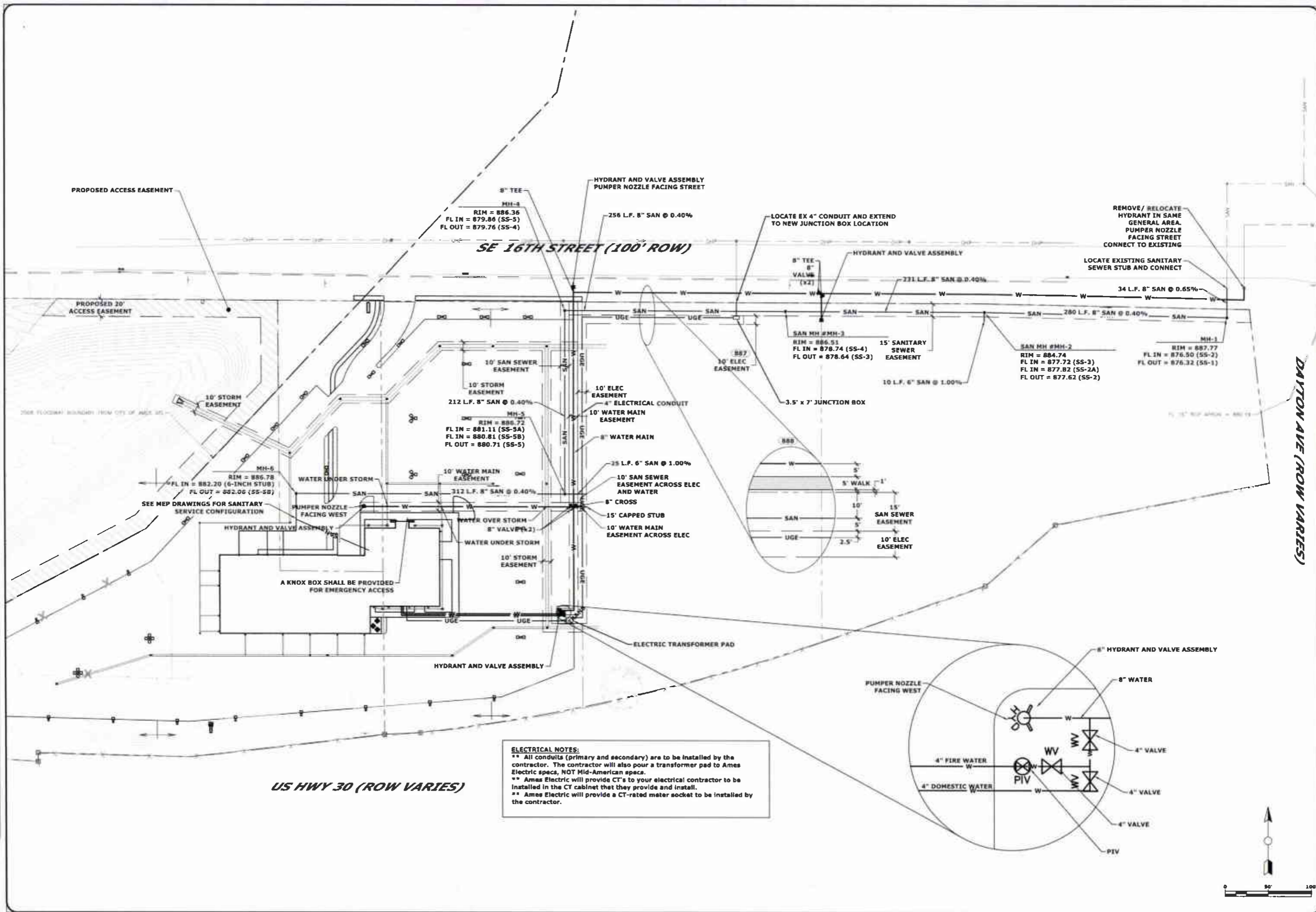
FINAL CONSTRUCTION PLANS
SEPT 2014

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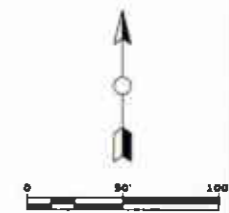
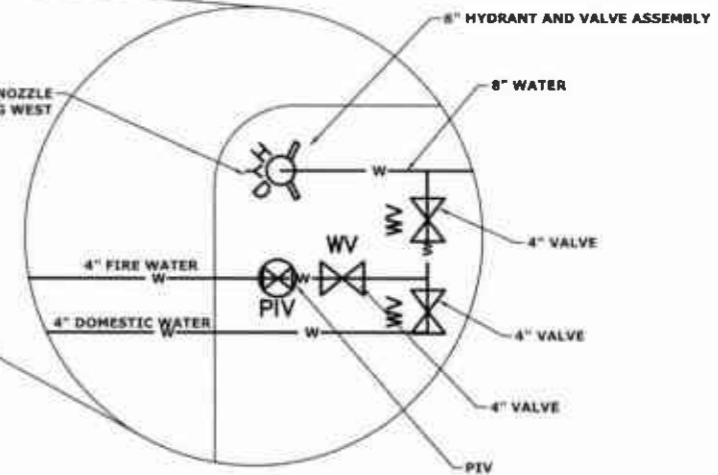


GRADING PLAN (SKUNK RIVER REPAIR)
DEERY BROTHERS MOTORS SITE PLAN
SOUTH 18TH STREET
AMES, IOWA

DRAWING FILE NAME
 5.174.12A.01.15 OF 5174.12A.01.15 UTILITY PACKAGE.dwg
 PLOT STATE TABLE
 LAYER COLOR NAME
 C4.0



ELECTRICAL NOTES:
 ** All conduits (primary and secondary) are to be installed by the contractor. The contractor will also pour a transformer pad to Ames Electric specs, NOT Mid-American specs.
 ** Ames Electric will provide CT's to your electrical contractor to be installed in the CT cabinet that they provide and install.
 ** Ames Electric will provide a CT-rated meter socket to be installed by the contractor.



DATE	REVISION	BY	DATE
11/13/13	ADDED HYDRANT SYMBOL TO E&S	SJA	09/14
11/13/13	REVISED SANITARY SERVICE	SRS	09/14
08/26/13	REVISED BUILDING E&S	SRS	09/14
		Checked	LAST UPDATE 04/22/14

**FINAL CONSTRUCTION PLANS
 SEPT 2014**

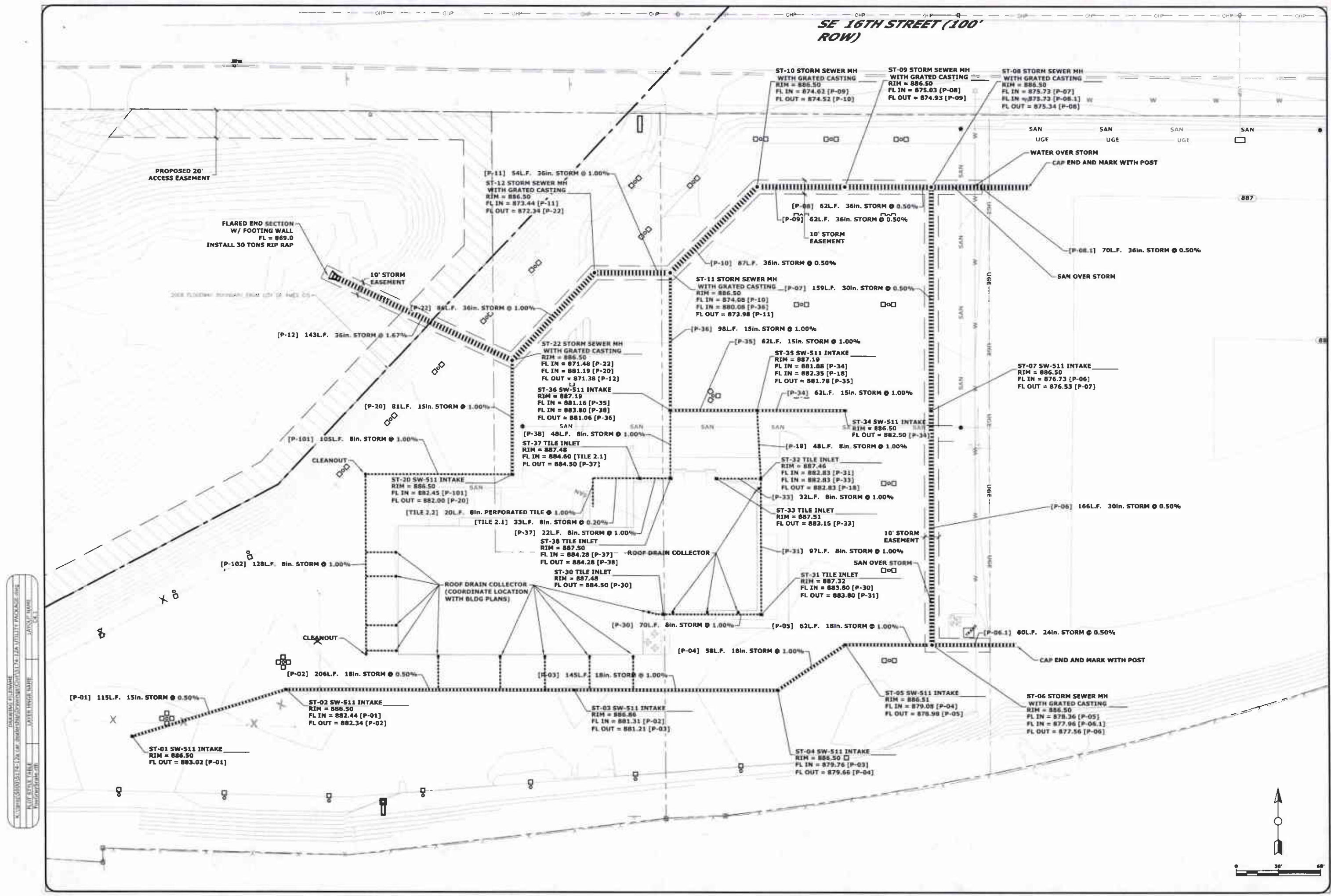
FOX Engineering Associates, Inc.
 414 South 17th Street, Suite 107
 Ames, Iowa 50010
 Phone: (515) 233-0000
 FAX: (515) 233-0103

**UTILITY PLAN (SAN AND WATER)
 DEER BROTHERS SITE PLAN
 SE 16TH AND DAYTON
 AMES, IOWA**

PROJECT NO.
 5174-12A

SHEET
C4.0

SE 16TH STREET (100' ROW)



DRAWING BY: [Name]
 CHECKED BY: [Name]
 DATE: [Date]
 PROJECT NO.: [Number]
 SHEET NO.: [Number]

DATE	BY	REVISION
09/14	SLK	ISSUED FOR PERMIT
09/14	SAS	DESIGN
04/02/14		LAST UPDATE

**FINAL CONSTRUCTION PLANS
SEPT 2014**

FOX Engineering Associates, Inc.
 414 South 17th Street, Suite 107
 Ames, Iowa 50010
 Phone: (515) 233-0000
 FAX: (515) 233-0103

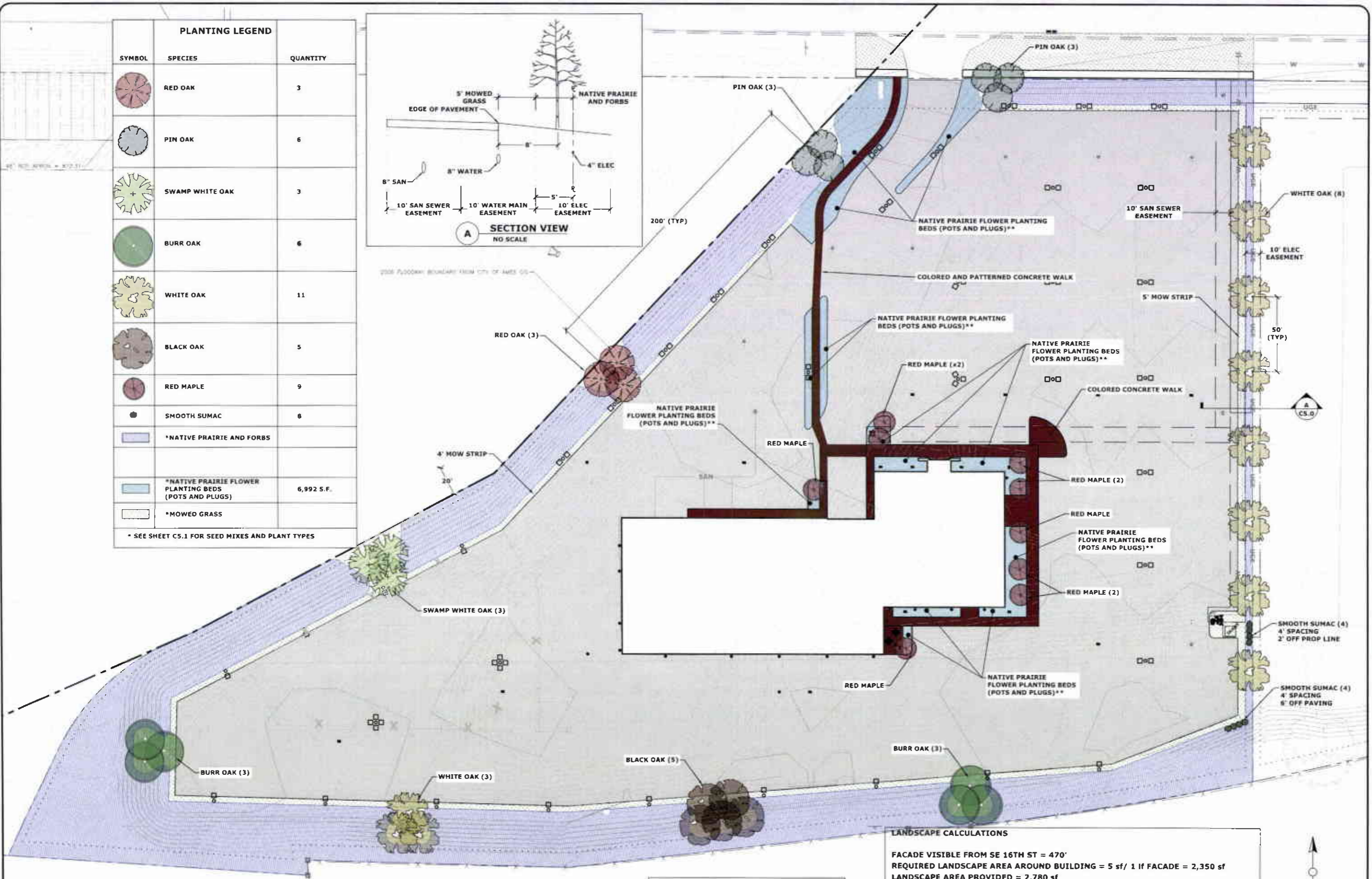
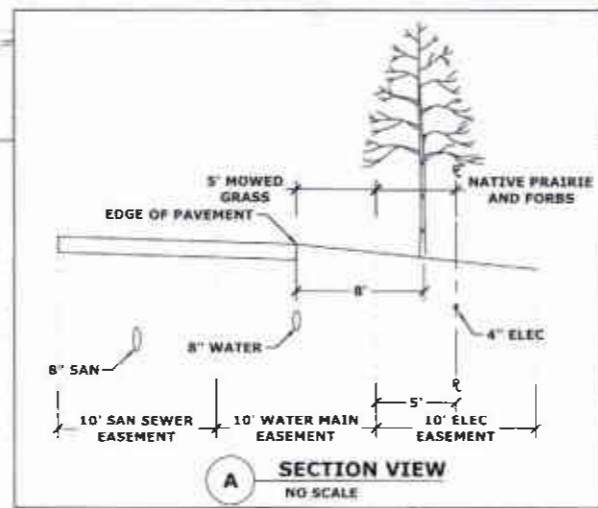


UTILITY PLAN (STORM SEWER)
 DEERY BROTHERS SITE PLAN
 SE 16TH AND DAYTON
 AMES, IOWA

PROJECT NO.: 5174-12A
 SHEET: C4.1

PLANTING LEGEND		
SYMBOL	SPECIES	QUANTITY
	RED OAK	3
	PIN OAK	6
	SWAMP WHITE OAK	3
	BURR OAK	6
	WHITE OAK	11
	BLACK OAK	5
	RED MAPLE	9
	SMOOTH SUMAC	8
	*NATIVE PRAIRIE AND FORBS	
	*NATIVE PRAIRIE FLOWER PLANTING BEDS (POTS AND PLUGS)	6,992 S.F.
	*MOWED GRASS	

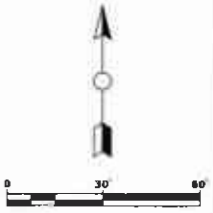
* SEE SHEET C5.1 FOR SEED MIXES AND PLANT TYPES



POTS AND PLUGS PLANTING BEDS NOTE:
 ** - PLAN TO BE APPROVED BY PLANNING DEPARTMENT PRIOR TO INSTALLATION.

LANDSCAPE CALCULATIONS
 FACADE VISIBLE FROM SE 16TH ST = 470'
 REQUIRED LANDSCAPE AREA AROUND BUILDING = 5 sf / 1 lf FACADE = 2,350 sf
 LANDSCAPE AREA PROVIDED = 2,780 sf
 TREES REQUIRED AROUND BUILDING = 1 TREE / 50 lf FACADE = 9 TREES
 TREES PROVIDED = 9 TREES

ENTRY WALK LENGTH = 292 ft FROM PUBLIC WALK TO 20 ft FROM BUILDING
 LENGTH OF LANDSCAPING ALONG ENTRY WALK = 203 ft = 70% OF TOTAL LENGTH



DATE	09/18
DESIGNED BY	SJK
DRAWN BY	SJK
CHECKED BY	
DATE	09/18
REVISION	
DATE	09/29/13
REVISION	REVISED BUILDING FOOTPRINT
DATE	
REVISION	

FINAL CONSTRUCTION PLANS
SEPT 2014

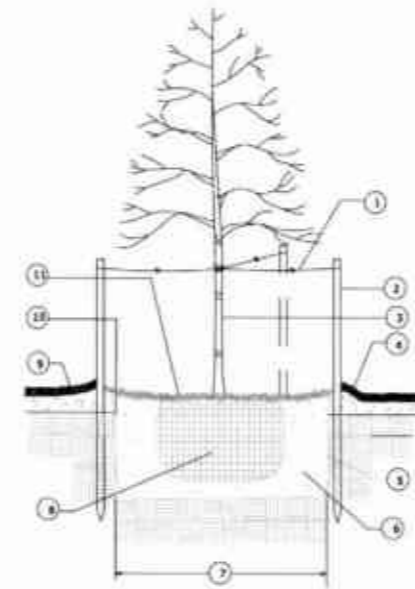
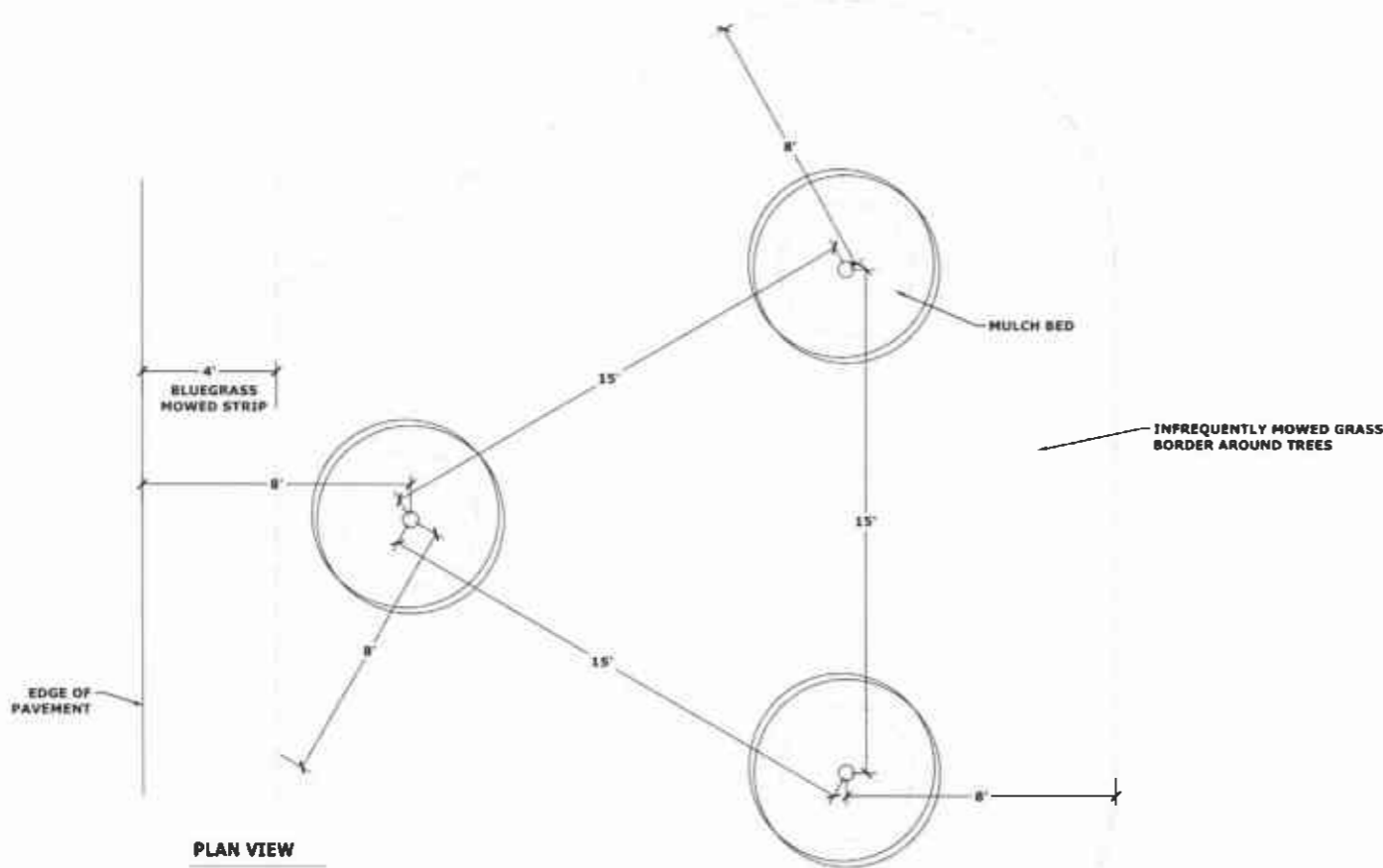
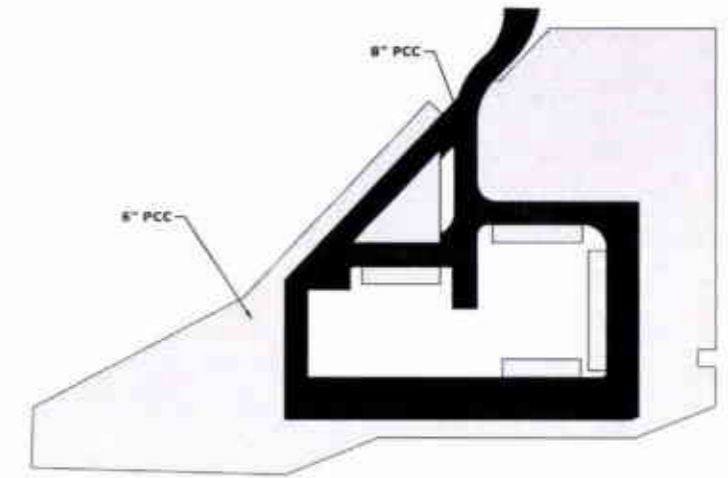
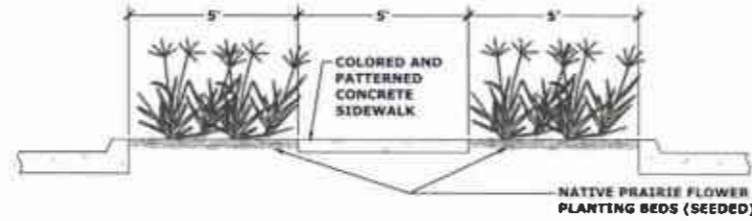
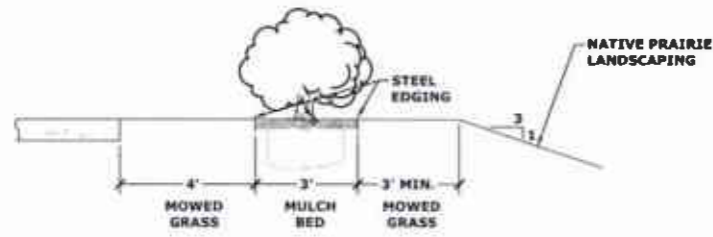
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 Ames, Iowa 50010
 Phone: (515) 233-0000
 FAX: (515) 233-0103

fox engineering

SITE LANDSCAPING PLAN
 DEERY BROTHERS' MOTORS SITE PLAN
 SE 16TH AND DAYTON
 AMES, IOWA

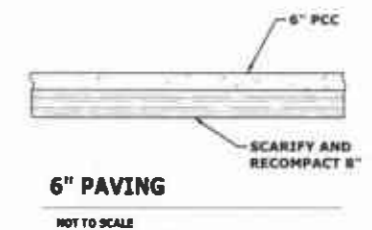
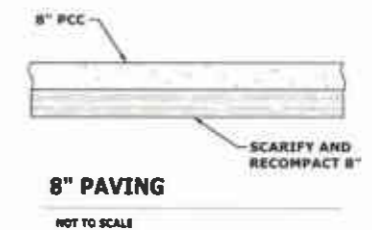
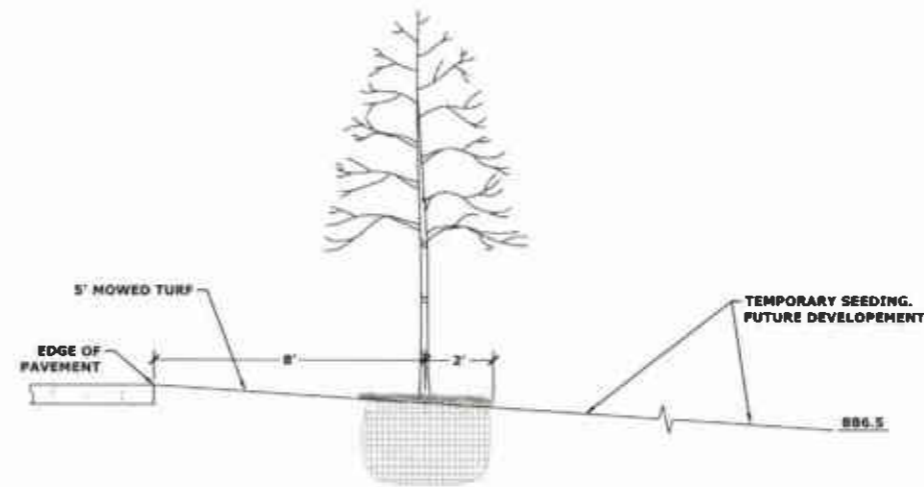
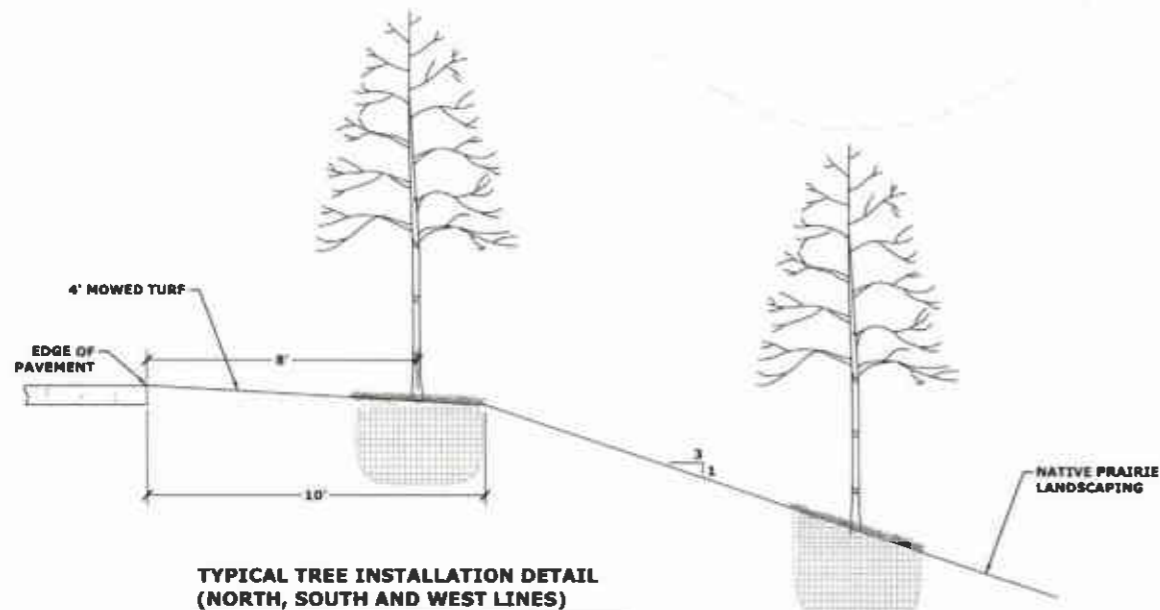
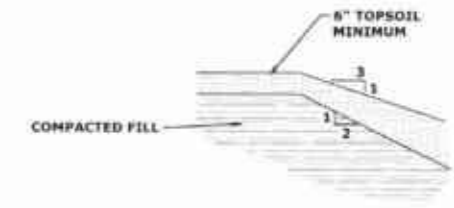
PROJECT NO.
 5174-12A

SHEET
 C5.0



- 1 TREE TIE - FASTEN TO TREE TRUNK W/ RUBBER HOSE ABOUT SCAFFOLD BRANCHES
- 2 WOOD STAKE OR WOOD DEADMEN (8-10" EXPOSED) STAKE ON THREE SIDES SPACED 120 DEGREES APART
- 3 TREE TRUNK W/ WRAP
- 4 5" WATERING BASKET
- 5 FERTILIZER TABLETS (3" DEEP)
- 6 PLANTING BACKFILL
- 7 THREE TIMES ROOTBALL DIAMETER (MINIMUM)
- 8 ROOTBALL
- 9 FINISH GRADE
- 10 PLANT PIT W/ ROUGHENED SIDES
- 11 3-4" SHREDDED BARK/HARDWOOD MULCH

- NOTES:**
1. THE PLANTING HOLE SHOULD BE SHALLOW AND WIDE TO ALLOW FOR RAPID GROWTH AFTER PLANTING.
 2. DO NOT THIN CROWN. PRUNE DAMAGED OR BROKEN BRANCHES AS NEEDED.
 3. SET TREE 2-3 INCHES ABOVE FINISHED GRADE.
 4. APPLY WATER TO HOLE WHILE BACKFILLING TO ASSURE AIR POCKETS DO NOT FORM.



DRAWN BY: J. L. STINEBAUGH
 CHECKED BY: J. L. STINEBAUGH
 DATE: 12/12/12
 PROJECT NO.: 5174-12A
 SHEET: C6.0

DATE	BY	DATE
DESIGNED	SLJ	12/12
DRAWN	SJS	12/12
CHECKED		
DATE		LAST UPDATE
		9/24/14

FINAL CONSTRUCTION PLANS
SEPT 2014

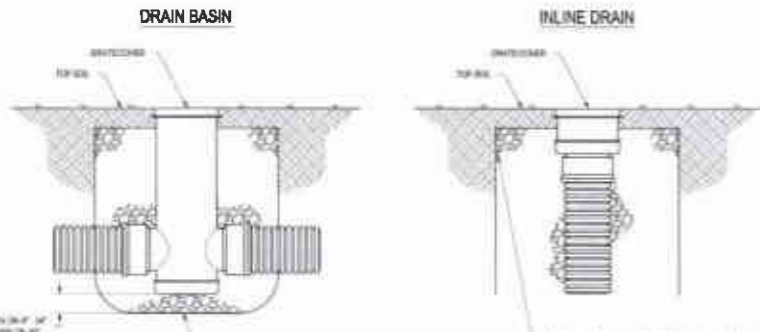
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 414 South 17th Street, Suite 107
 Ames, Iowa 50010
 Phone: (515) 233-0000
 FAX: (515) 233-0103

FOX engineering

DETAILS
 DEERY BROTHERS' MOTORS SITE PLAN
 DEERY BROTHERS' SUBDIVISION
 SOUTH 16TH AND DAYTON
 AMES, IOWA

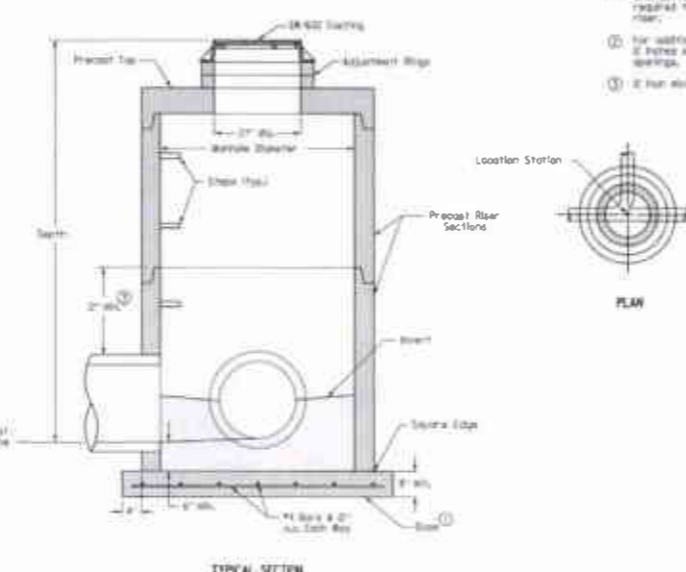
PROJECT NO.: 5174-12A
 SHEET: C6.0

NON TRAFFIC INSTALLATION



THE INSTALLATION SHALL BE COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF CLASS I MATERIAL AS SET FORTH IN A1711001.101. THE INSTALLATION SHALL BE COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF CLASS I MATERIAL AS SET FORTH IN A1711001.101. THE INSTALLATION SHALL BE COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF CLASS I MATERIAL AS SET FORTH IN A1711001.101.

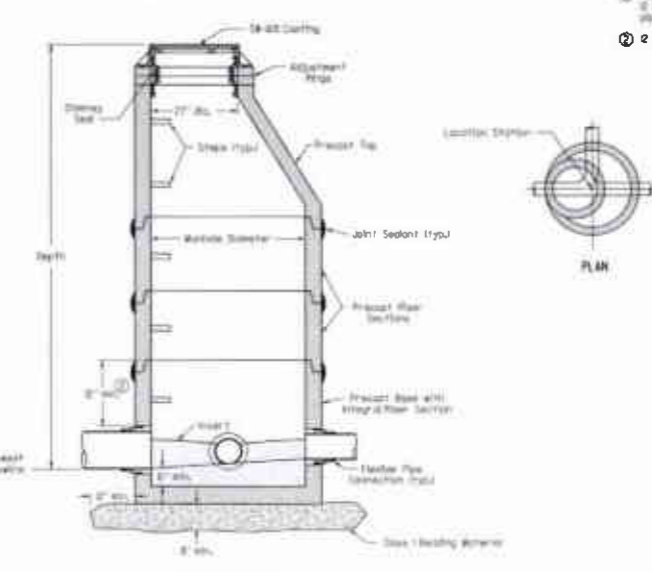
NO.	DATE	DESCRIPTION
1	08/14/14	ISSUED FOR PERMIT
2	08/14/14	ISSUED FOR PERMIT



- 1. Call-in-place base shown, if base is present. Integrate with existing floor, the footprint of the base is not required to extend beyond the outer edge of the manhole.
- 2. For additional configurations, exhibit a minimum of 2 inches of concrete between vertical edges of the manhole.
- 3. 2 inch minimum clear height above of pipe openings.

Manhole Diameter (Inches)	Minimum Depth (Feet)	Minimum Diameter of 2 Pipes Separation (Inches)
18	3.0	24
24	3.5	30
30	4.0	36
36	4.5	42

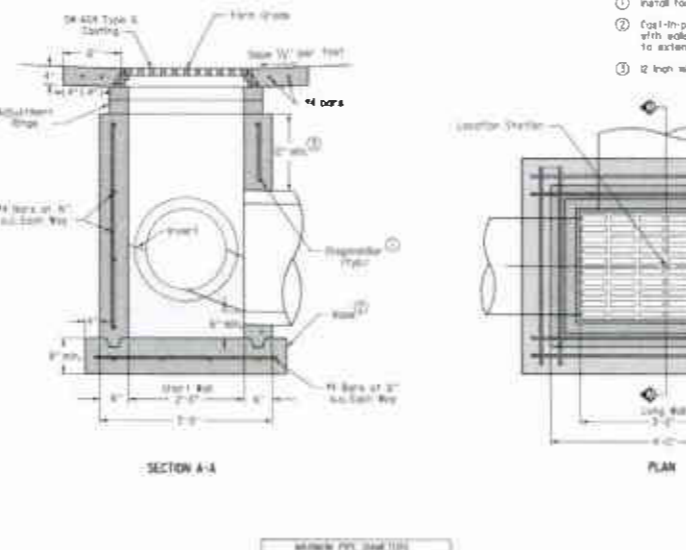
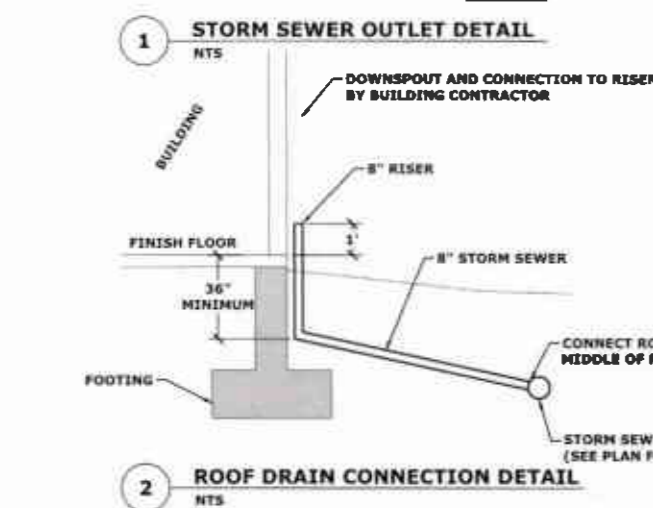
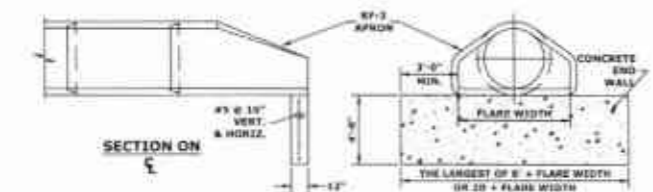
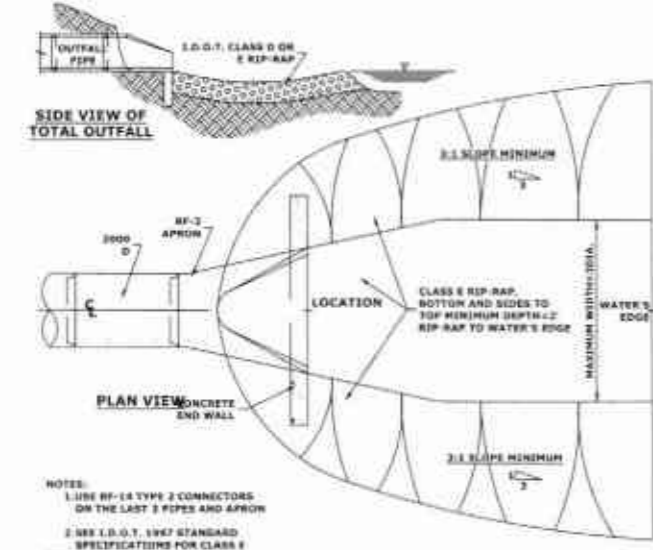
FIGURE 401	FIGURE 402	FIGURE 403	FIGURE 404	FIGURE 405
SW-401	SW-402	SW-403	SW-404	SW-405



- 1. For additional configurations, exhibit a minimum of 2 inches of concrete between vertical edges of the manhole.
- 2. 2 inch minimum clear height above of pipe openings.

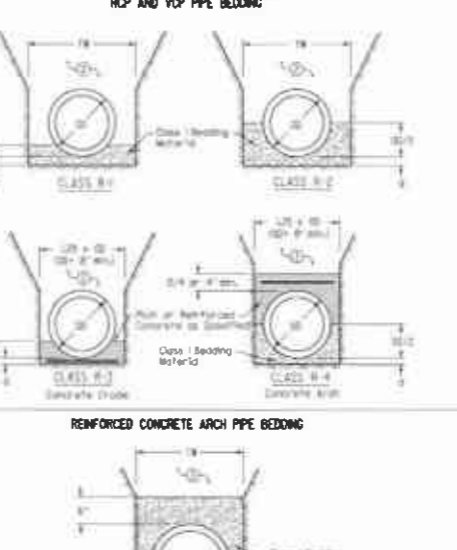
Manhole Diameter (Inches)	Minimum Depth (Feet)	Minimum Diameter of 2 Pipes Separation (Inches)
18	3.0	24
24	3.5	30
30	4.0	36
36	4.5	42

FIGURE 406	FIGURE 407	FIGURE 408	FIGURE 409	FIGURE 410
SW-301	SW-302	SW-303	SW-304	SW-305



- 1. Install four #4 diagonal bars at all pipe openings.
- 2. Call-in-place base shown, if base is present. Integrate with existing floor, the footprint of the base is not required to extend beyond the outer edge of the manhole.
- 3. 2 inch minimum clear height above of pipes.

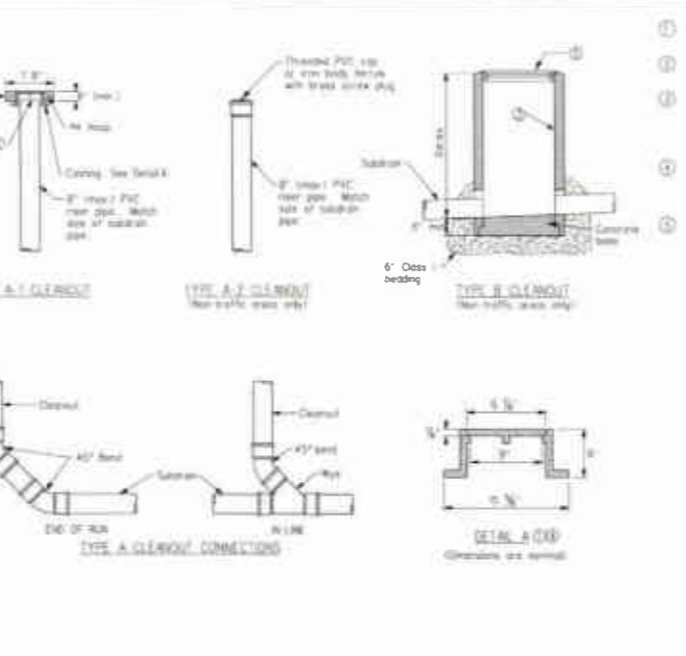
FIGURE 411	FIGURE 412	FIGURE 413	FIGURE 414	FIGURE 415
SW-511	SW-512	SW-513	SW-514	SW-515



Refer to sheet 2 for bury depth restrictions.
 1. Use Bedding Class B-1 or B-2 unless specified otherwise.
 2. Place remainder of bedding and backfill materials as specified in the contract documents.

- Key
- OD - Outside diameter of pipe
 - OS - Outside span of pipe
 - TB - Trench width at top of pipe: Min. = OD + 8 inches; Max. = L25x100-42 inches or 24 inches whichever is greater.
 - d - Depth of bedding materials below pipe: OD/8 or OS/4, or 4 inches whichever is greater.

FIGURE 416	FIGURE 417	FIGURE 418	FIGURE 419	FIGURE 420
SW-102	SW-103	SW-104	SW-105	SW-106



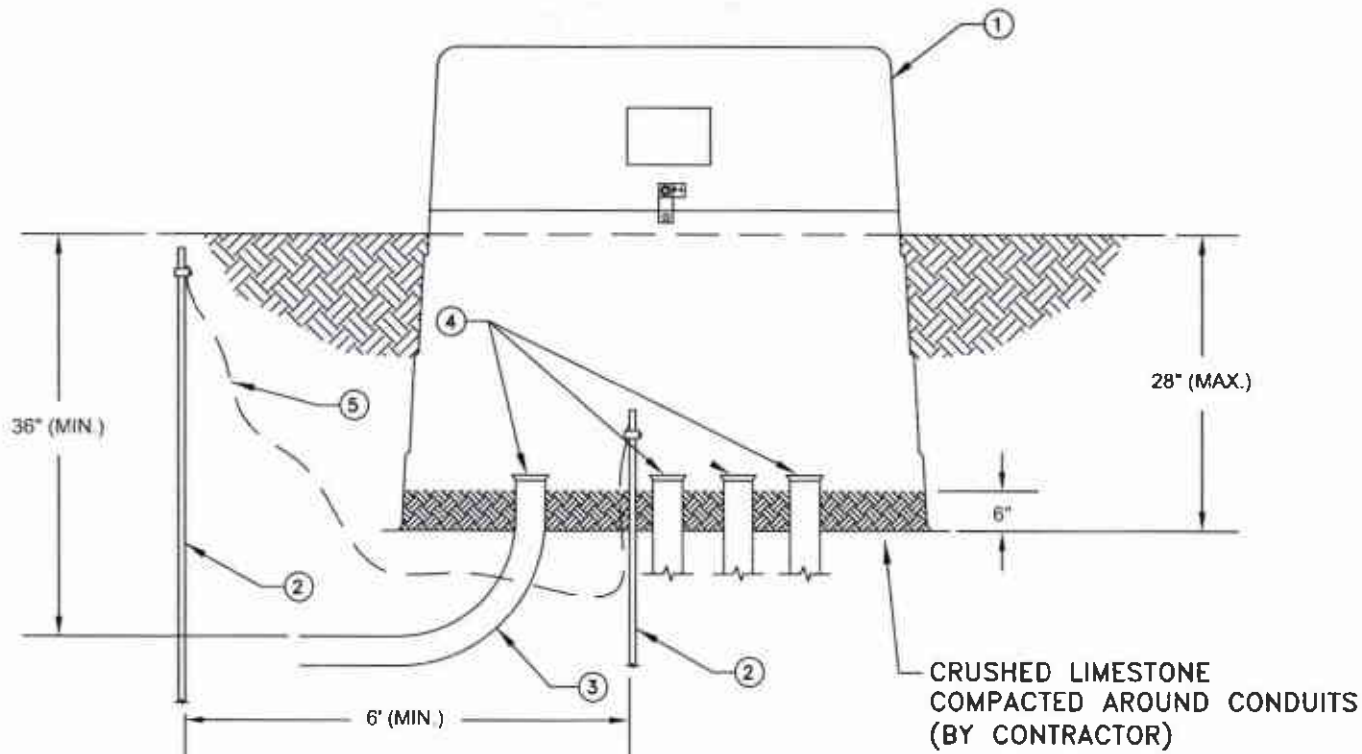
- 1. Heavy duty casing Max. 40" dia. Storm or Storm C/D.
- 2. Do not allow casing to bear on top of riser pipe provide 2 inch clearance minimum.
- 3. 24 inch diameter RCP for subdrain 8 inches or smaller 30 inch diameter RCP for 10 to 24 inch subdrain. A manufactured clearout may be used in lieu of a Type B clearout, if approved by the Engineer.
- 4. Design is intended for use in conjunction with 8 inch PVC riser pipe. Other sized caps may be used with smaller pipe, as approved by the Engineer.
- 5. Provide Type C casing as required to fit pipe size.

FIGURE 421	FIGURE 422	FIGURE 423	FIGURE 424	FIGURE 425
SW-107	SW-108	SW-109	SW-110	SW-111

Pipe Diameter (Inches)	CLASS II RCP				ALLOWABLE BURY DEPTH				CLASS V RCP					
	Class B-1 Bedding	Class B-2 Bedding	Class B-3 Bedding	Class B-4 Bedding	Pipe Diameter (Inches)	Class B-1 Bedding	Class B-2 Bedding	Class B-3 Bedding	Class B-4 Bedding	Pipe Diameter (Inches)	Class B-1 Bedding	Class B-2 Bedding	Class B-3 Bedding	Class B-4 Bedding
18	27	27	27	27	27	27	27	27	27	27	27	27	27	27
24	33	33	33	33	33	33	33	33	33	33	33	33	33	33
30	39	39	39	39	39	39	39	39	39	39	39	39	39	39
36	45	45	45	45	45	45	45	45	45	45	45	45	45	45

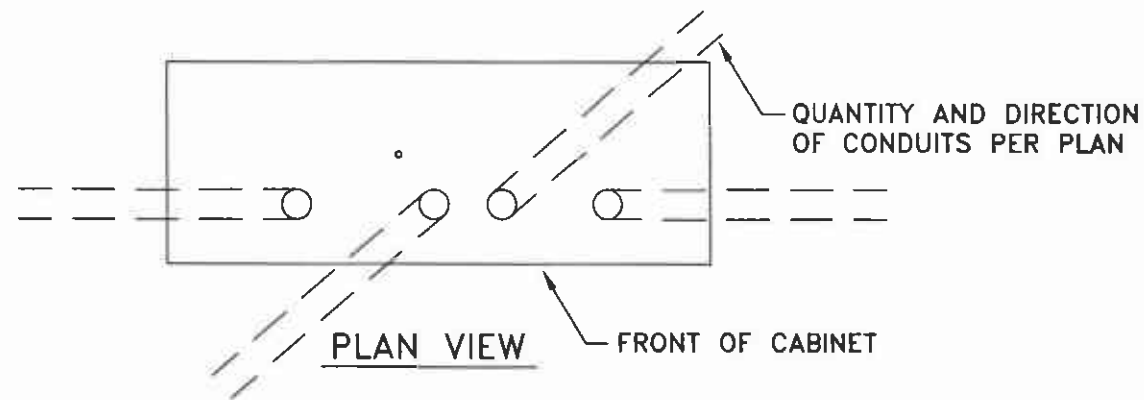
FIGURE 426	FIGURE 427	FIGURE 428	FIGURE 429	FIGURE 430
SW-102	SW-103	SW-104	SW-105	SW-106

DRAWING: PL, PLAN
 DATE: 08/14/14
 DRAWN: [Name]
 CHECKED: [Name]
 PROJECT: [Name]



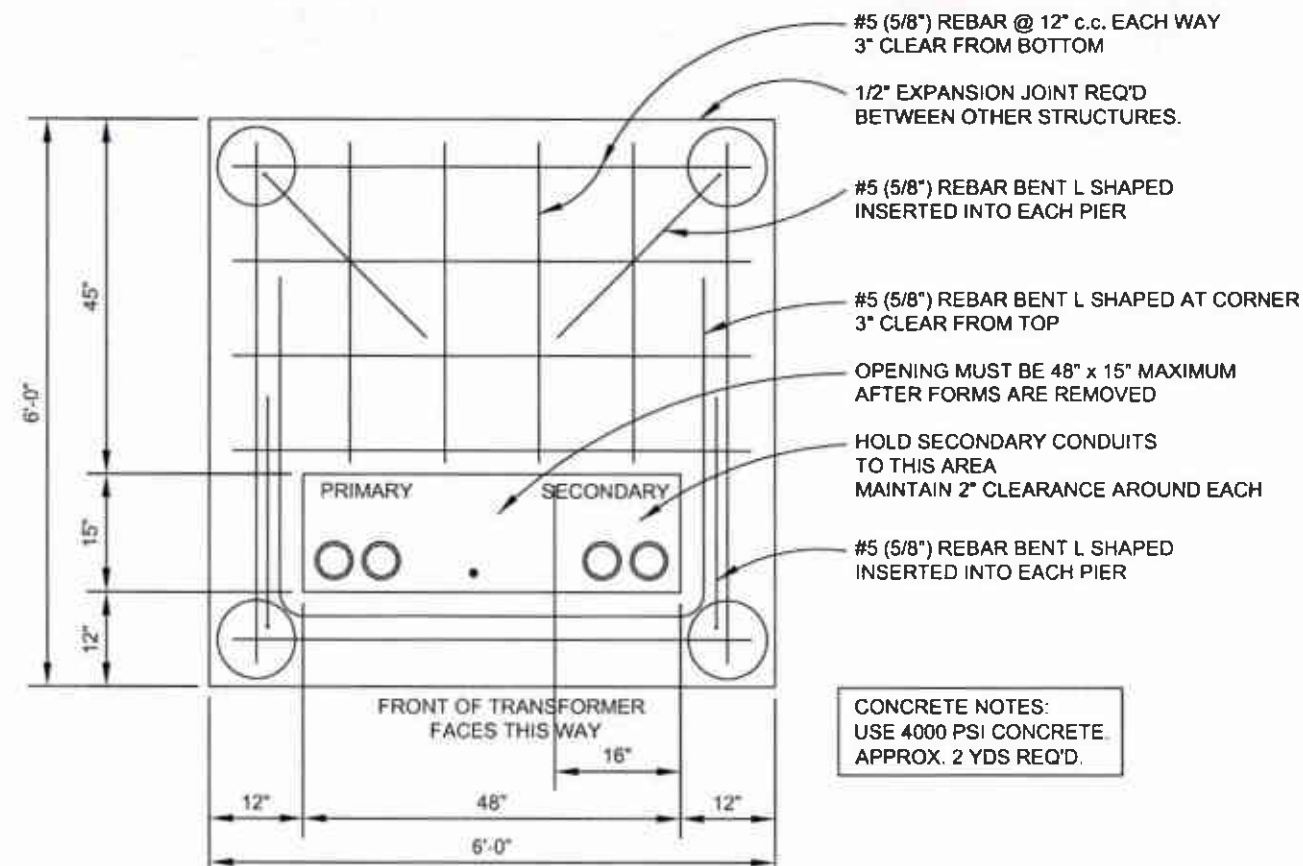
NOTES:

INSTALL THE ENCLOSURE SUCH THAT THE DOOR HAS 10' MIN. CLEARANCE TO OTHER FACILITIES



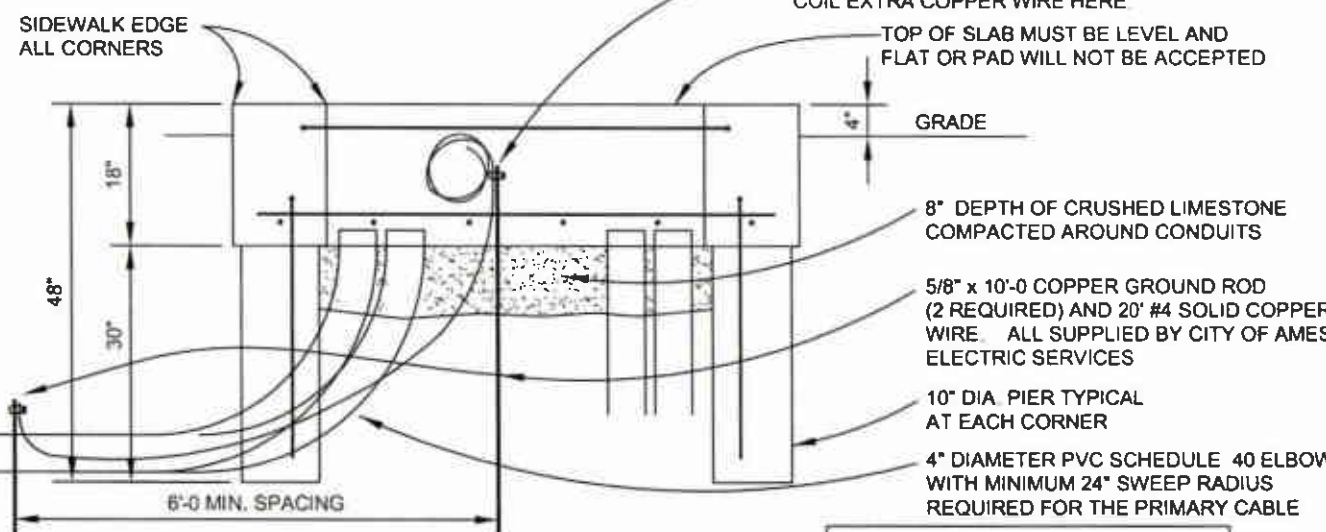
ITEM	QTY.	MATERIAL
1	1	Fiberglass three phase primary cable enclosure
2	2	Ground rod, Copper, 5/8" x 10'-0
3	*	Elbow, Sch 40 PVC, 4" Dia., 24" Rad, 90° Sweep
4	*	End Bell, PVC, 4" Dia.
5	20	#4 CU Wire
6	2	Ground rod clamp, 5/8" Rod Size

* Quantity may vary



CONCRETE PAD PLAN

SCALE: 1/2" = 1'-0"



CONCRETE PAD SECTION

SCALE: 1/2" = 1'-0"

NOTES:

- *6" HEAVY STEEL PROTECTIVE POSTS WILL BE REQUIRED WHERE TRANSFORMER IS SUBJECT TO MECHANICAL DAMAGE.
- *MAINTAIN 10' CLEARANCE FROM WINDOWS, DOORS, OR COMBUSTIBLE SURFACES.
- *MAINTAIN 10' CLEARANCE IN FRONT OF PAD FOR OPERATING ROOM. MAINTAIN 3' CLEARANCE ON ALL OTHER SIDES.
- *PROVIDE 4" PRIMARY & SECONDARY CONDUITS AS NECESSARY. CONDUITS SHALL BE AT A MINIMUM DEPTH OF 36".
- *PVC END BELLS REQUIRED ON ALL CONDUITS.
- *ALL FORMS MUST BE REMOVED, GROUND ROD INSTALLED, AND CONDUITS CUT DOWN BEFORE TRANSFORMER WILL BE SET.

**AMES MUNICIPAL
ELECTRIC SYSTEM**

**THREE PHASE PRIMARY CABLE
ENCLOSURE (FIBERGLASS)**

UNDERGROUND DISTRIBUTION

U310

REVISED: MEI 12/19/11

APPROVED:

**CITY OF AMES
ELECTRIC SERVICES**

**3PH PAD MOUNT TRANSFORMER
FOUNDATION
500 kVA AND LESS**

UNDERGROUND DISTRIBUTION

U300

REVISED: MEI 12/19/11

APPROVED:

PAGE 1 OF 1

DATE	BY	CHKD	DATE
12/12	SJK	SJS	12/12
12/12	DRW	SJS	12/12
	CHKD		
	DESIGNED		
	REVISION		
	DATE		

**FINAL CONSTRUCTION PLANS
SEPT 2014**

FOX Engineering Associates, Inc.
414 South 17th Street, Suite 107
Ames, Iowa 50010
Phone: (515) 233-0000
FAX: (515) 233-0103



DEERY BROTHERS INCORPORATED SITE PLAN
DEERY BROTHERS' SUBDIVISION
SOUTH 19TH AND DAYTON
AMES, IOWA

PROJECT NO.
5174-12A

SHEET
C6.2

PLANT SCHEDULE

Tree List	Qty	Quantity	Name	Size	Symbol
Overstory Tree	SM	13	Silver Maple Acer Saccharinum	1"	
Overstory Tree	EC	14	Eastern Cottonwood Populus deltoids	1"	
Overstory Tree	WO	8	Swamp White Oak Quercus bicolor	1"	
Overstory Tree	SH	18	Shagbark Hickory Carya Ovata	1"	

GENERAL NOTES:

- TREE SPECIES SHALL BE AS INDICATED IN THE PLANTING SCHEDULE.
- THE MINIMUM ACCEPTABLE MITIGATION RATIO FOR PERMANENT IMPACTS TO FORESTED WETLAND >:1
- A MINIMUM RATE OF 50 RHM SAPLINGS PER ACRE SHALL BE PLANTED FOR ANTICIPATED IMPACT AREA OF 0.37 ACRES.
- CONTRACTOR SHALL SEED WATER LINE EXEMPT AREA WITH SUDAS WETLAND SEEDING MIX.

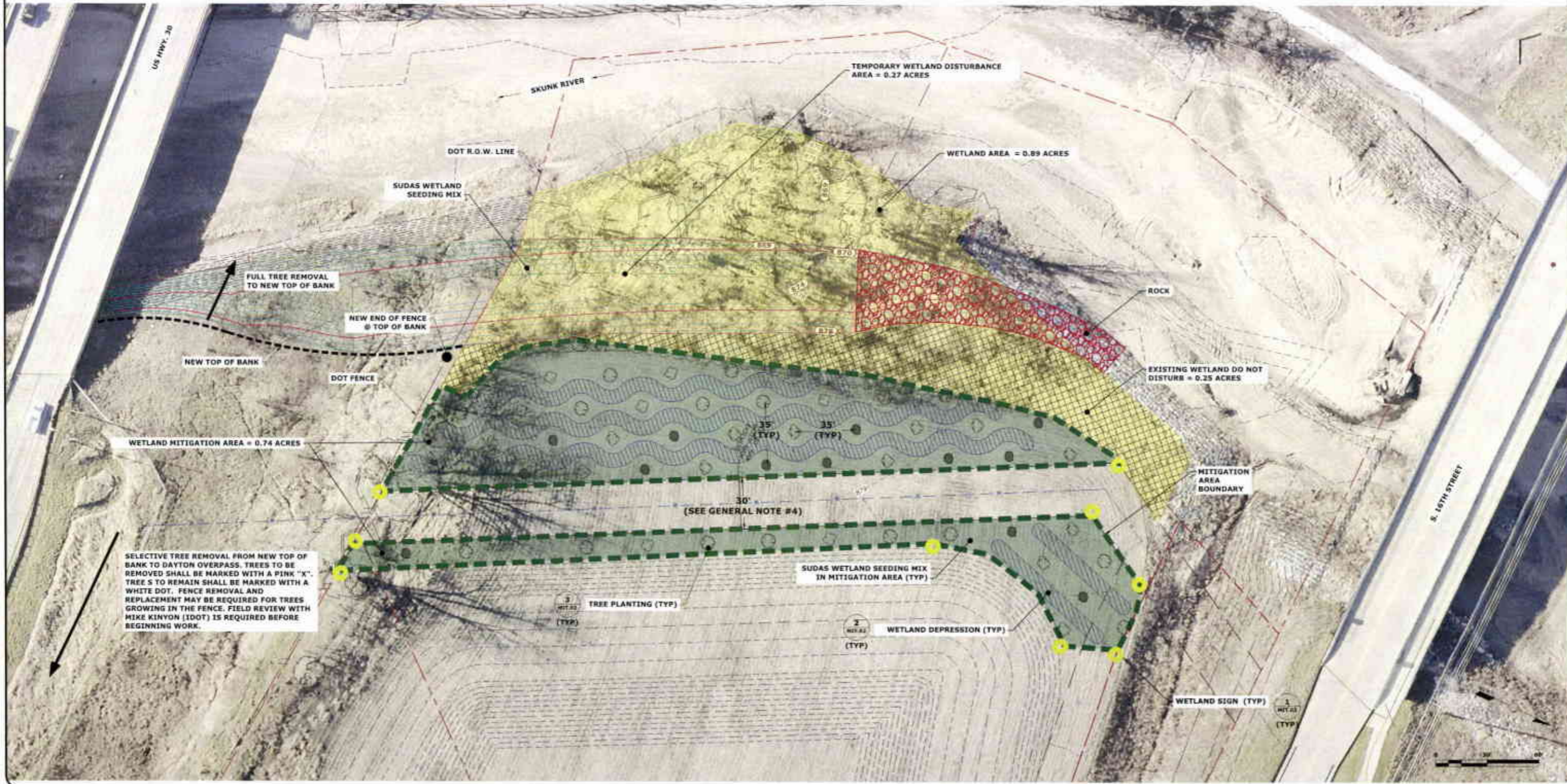
LANDSCAPING NOTES:

- ALL TREE AND GROUND COVER PLANTING AND TREE STAKING SHALL BE IN ACCORDANCE WITH THE STANDARDIZED LANDSCAPE SPECIFICATIONS AS ADOPTED BY THE IOWA CHAPTER OF THE AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS.
- ALL SEEDING AND PLANTING SHALL BE DONE BETWEEN AUGUST 15 AND OCTOBER 15, OR ALTERNATIVELY BETWEEN MARCH 15 AND MAY 1. SEEDING OR PLANTING AT OTHER DATES WILL BE SUBJECT TO APPROVAL BY THE ENGINEER AND MAY REQUIRE SPECIAL PROCEDURES.
- ALL DISTURBED AREAS NOT OTHERWISE HARDSCAPED, ARE TO BE SEEDDED WITH SUDAS WETLAND SEEDING MIX IN WETLAND AREAS.
- TREES GENERAL FURNISH ROOT PRODUCTION METHOD TREES COMPLYING WITH ANSI Z66.1, WITH HEALTHY ROOT SYSTEMS DEVELOPED BY TRANSPLANTING OR ROOT PRUNING PROVIDE WELL-SHAPED, FULLY BRANCHED, HEALTHY, VIGOROUS STOCK FREE OF DISEASE, INSECTS, EGGS, LARVAE, AND DEFECTS SUCH AS KNITS, SUN SCALD, INJURIES, ABRASIONS, AND DISFIGUREMENT. SEE DETAILS FOR ADDITIONAL PLANTING REQUIREMENTS.
- FERTILIZER, GRANULAR PACKET, OR PELLETT FORM WITH 35-80% OF THE TOTAL NITROGEN IN A SLOW RELEASE FORM WITH FIFTY PERCENT OF THE ELEMENT DERIVED FROM ORGANIC SOURCES SULFUR COATED AND INDI FERTILIZERS ARE NOT PERMITTED. FERTILIZER FOR TREES SHALL BE A COMPLETE FERTILIZER WITH A MINIMUM ANALYSIS OF 10% NITROGEN, 6% PHOSPHOROUS, AND 4% POTASSIUM.
- ORGANIC MULCH: FREE FROM DELETERIOUS MATERIALS AND SUITABLE AS A TOP DRESSING OF TREES AND SHRUBS: SHREDDED HARDWOOD, GROUND OR SHREDDED BARK, WOOD AND BARK CHIPS, PINE NEEDLES, OR COCOA-BEAN SHELLS.
- SPECIAL WARRANTY: CONTRACTOR SHALL WARRANT TREES FOR A WARRANTY PERIOD OF TWO YEARS AGAINST DEFECTS INCLUDING DEATH AND UNSATISFACTORY GROWTH, EXCEPT FOR DEFECTS RESULTING FROM LACK OF ADEQUATE MAINTENANCE, NEGLECT, OR ABUSE BY THE OWNER, OR INCIDENTS THAT ARE BEYOND THE CONTRACTOR'S CONTROL.

- REPLACE EXTERIOR PLANTS THAT ARE MORE THAN 25 PERCENT DEAD OR IN AN UNHEALTHY CONDITION AT THE END OF WARRANTY PERIOD.
- A LIMIT OF ONE REPLACEMENT OF EACH TREE WILL BE REQUIRED EXCEPT FOR LOSSES OR REPLACEMENTS DUE TO A FAILURE TO COMPLY WITH THE REQUIREMENTS.
- TREES SHALL BE A MIX OF SILVER MAPLE (ACER SACCHARINUM), EASTERN COTTONWOOD (POPULUS DELTOIDES), SWAMP WHITE OAK (QUERCUS BICOLOR), AND SHAGBARK HICKORY (CARYA OVATA). SHOULD THE SHAGBARK HICKORY BECOME UNAVAILABLE, THEN SUBSTITUTION TO SHELLBARK HICKORY OR A GREATER NUMBER OF SMALLER (SAPLING, WHIPS, ETC.) SHAGBARKS OR SHELLBARKS SHALL BE PERMITTED AS APPROVED BY THE ENGINEER.

WETLAND MITIGATION CALCULATIONS SUMMARY

WETLAND AREA = 0.89 ACRES
 WETLAND AREA NOT DISTURBED = 0.25 ACRES
 TEMPORARY WETLAND DISTURBANCE AREA = 0.27 ACRES
 TOTAL WETLAND MITIGATION AREA REQUIRED = 0.37 ACRES
 x 2 FOR FORESTED WETLAND = 0.74 ACRES

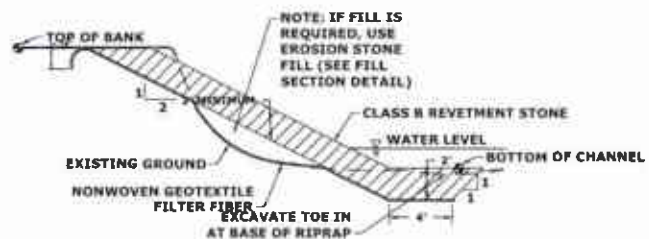


SELECTIVE TREE REMOVAL FROM NEW TOP OF BANK TO DAYTON OVERPASS. TREES TO BE REMOVED SHALL BE MARKED WITH A PINK "X". TREES TO REMAIN SHALL BE MARKED WITH A WHITE DOT. FENCE REMOVAL AND REPLACEMENT MAY BE REQUIRED FOR TREES GROWING IN THE FENCE. FIELD REVIEW WITH MIKE KINYON (IDOT) IS REQUIRED BEFORE BEGINNING WORK.

DRAWING TITLE NAME: K:\proj\50085\174 12a car detour\plan\drawings\civil\skunk_river\aspen.mxd
 LAYER: MTT_04
 LAYER: MTT_04
 LAYER: MTT_04
 LAYER: MTT_04

DATE:	09/17/14
BY:	SRS
DESIGN:	SRS
CHECKED:	SRS
DATE:	09/17/14
LAST UPDATE:	09/17/14
FINAL CONSTRUCTION PLANS SEPT 2014	
FOX Engineering Associates, Inc. 414 South 17th Street, Suite 107 Ames, Iowa 50010 Phone: (515) 233-0000 FAX: (515) 233-0103	
FOX engineering	
WETLAND MITIGATION PLAN DEERY BROTHERS MOTORS SITE PLAN SOUTH 16TH STREET AMES, IOWA	
PROJECT NO:	5174-12A
SHEET:	MIT-01

NOTE: END PROTECTION TRENCHES SHALL BE INSTALLED ON THE UPSTREAM AND DOWNSTREAM ENDS OF RIPRAP SECTION. END PROTECTION TRENCHES TO BE 4' DEEP WITH A 4' BOTTOM WIDTH, AND BE FILLED WITH RIPRAP.



TYPICAL CUT BANK STABILIZATION CROSS SECTION

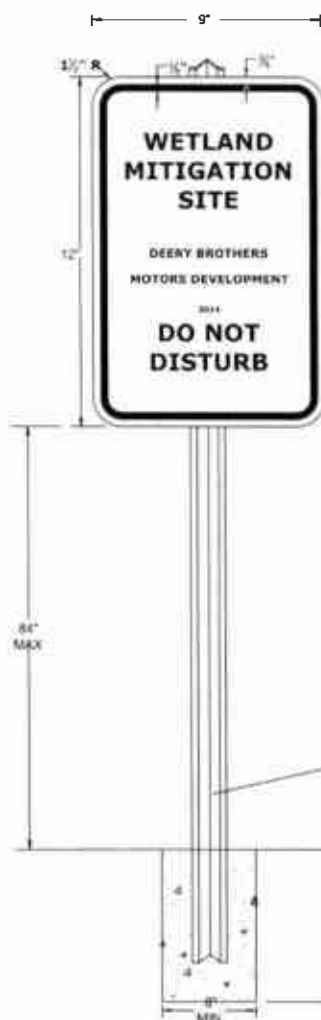
4 TYPICAL RIP RAP BANK STABILIZATION DETAIL
NOT TO SCALE

NOTES:

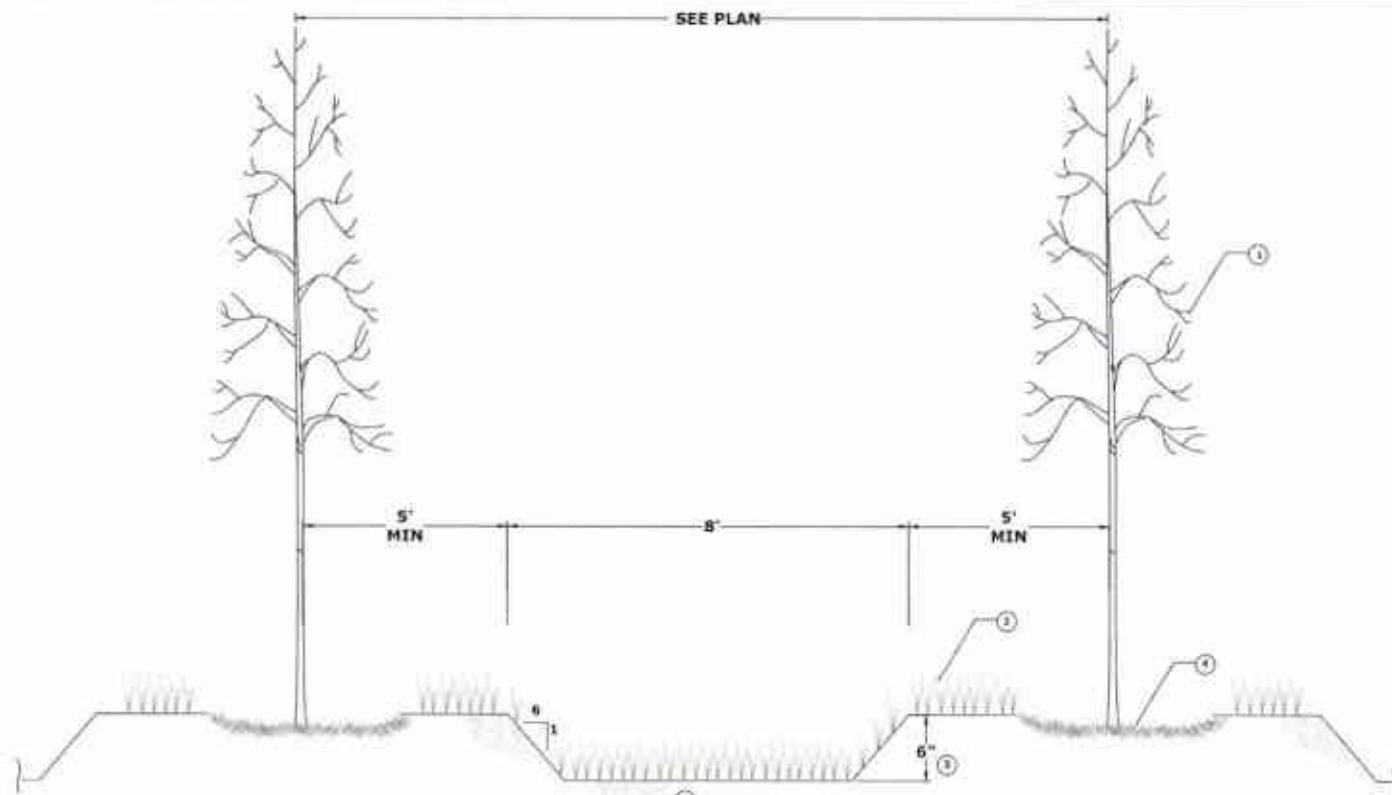
1) SIGNS SHALL BE MOUNTED ON A POST IN FRONT OF WETLAND BOUNDARY. MOUNT NO LOWER THAN 4- FEET NOR HIGHER THAN 7- FEET FROM THE GROUND SURFACE TO BASE OF THE LOWEST SIGN.

2) SIGN SHALL BE APPROVED BY THE ENGINEER PRIOR TO CONSTRUCTION

COLORS:
BORDER - GREEN
TEXT - GREEN
SIGN BACKGROUND - WHITE



1 TYPICAL WETLAND SIGN DETAIL
NOT TO SCALE



2 TYPICAL WETLAND DEPRESSION SECTION
NOT TO SCALE

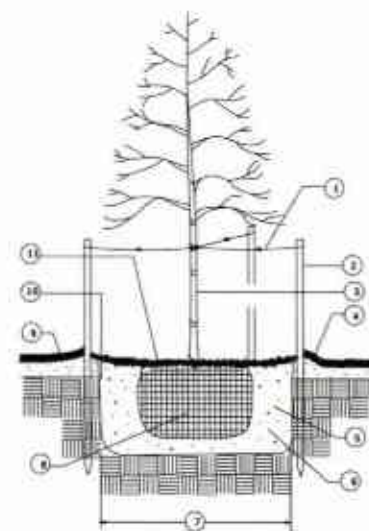
TREE PLANTING DETAIL KEY

- 1 TREE
- 2 WETLAND SEEDING
- 3 6-INCH WETLAND DEPRESSION, EXCAVATE TO CREATE DEPRESSION
- 4 3-4" SHREDDED BARK/ HARDWOOD MULCH (NO WETLAND SEEDING IN MULCH AREAS)
- 5 MINIMUM 6" TOPSOIL

TREE PLANTING DETAIL KEY

- 1 TREE TIE - FASTEN TO TREE TRUNK W/ RUBBER HOSE ABOUT SCAFFOLD BRANCHES
- 2 WOOD STAKE OR WOOD DEADMEN (8-10" EXPOSED) STAKE ON THREE SIDES SPACED 120 DEGREES APART
- 3 TREE TRUNK W/ WRAP
- 4 5" WATERING BASIN
- 5 FERTILIZER TABLETS (3" DEEP)
- 6 PLANTING BACKFILL
- 7 THREE TIMES ROOTBALL DIAMETER (MINIMUM)
- 8 ROOTBALL
- 9 FINISH GRADE
- 10 PLANT PIT W/ ROUGHENED SIDES
- 11 3-4" SHREDDED BARK/HARDWOOD MULCH

NOTES:
1. THE PLANTING HOLE SHOULD BE SHALLOW AND WIDE TO ALLOW FOR RAPID GROWTH AFTER PLANTING.
2. DO NOT THIN CROWN. PRUNE DAMAGED OR BROKEN BRANCHES AS NEEDED.
3. SET TREE 2-3 INCHES ABOVE FINISHED GRADE.
4. APPLY WATER TO HOLE WHILE BACKFILLING TO ASSURE AIR POCKETS DO NOT FORM.



3 TYPICAL TREE PLANTING DETAIL
NOT TO SCALE

DATE	BY	DATE	BY
09/14	SRS	09/14	SRS
	DRAWN	09/14	SRS
	CHECKED		

FINAL CONSTRUCTION PLANS
SEPT 2014

FOX Engineering Associates, Inc.
414 South 17th Street, Suite 107
Ames, Iowa 50010
Phone: (515) 233-0000
Fax: (515) 233-0103



WETLAND MITIGATION DETAILS
DEERY BROTHERS MOTORS SITE PLAN
SOUTH 16TH STREET
AMES, IOWA

PROJECT NO.
5174-12A

SHEET
MIT.02

W:\Projects\5174-12A\5174-12A.dwg
 PLOTTED BY: SRS
 PLOT DATE: 09/14/14
 PLOT TIME: 10:00 AM
 PLOT SCALE: 1:1
 PLOT SHEET: 1 OF 1
 PLOT DEVICE: HP DesignJet 2550

COUNCIL ACTION FORM

SUBJECT: LAND USE POLICY PLAN AMENDMENT OF FUTURE LAND USE MAP FOR 516 S. 17TH STREET

BACKGROUND:

On April 8, 2014, the City Council passed a motion granting the request of the applicant (CPM Properties, Minneapolis, Mn. And Roars Investments, Maple Grove, Mn.) to apply for a Minor Land Use Policy Plan (LUPP) Amendment to change the land use designation of property located at 516 S. 17th Street. **The Developer is interested in changing approximately 12 acres of land from Highway-Oriented Commercial to High-Density Residential to develop approximately 300 apartments.**

The subject area is an undeveloped parcel at the west end of S. 17th Street in the Aspen Business Park. The site is located between U. S. Highway 30 and S. 16th Street. (see Attachment A). Property to the north and to the west of the site has been developed with apartments (Pheasant Run, The Grove, and Copper Beech) and property to the east of the site has been developed with a business park (Aspen Business Park). The west side of the site (including the Copper Beech driveway) may be the location of a future South Grand extension with an underpass crossing of Highway 30.

Analysis of the request contemplates the suitability of the specific site for the proposed residential use as well as the Goals and Policies of the LUPP. Full analysis is included in the Addendum. Site analysis considers access to transit and streets, as well as the projected traffic generation of the site. Consideration of the LUPP Goals and Policies considers needs of the proposed use and ability of the City to serve the site.

The existing land use designation allows for a wide range of commercial uses that include commercial office, hotels, personal service, and retail. The proposed High Density Residential land use designation primarily allows for housing development between 11 and 33 units per net acre, typically designed within multi-story apartment buildings.

The City has seen a broad demand for all housing over the past few years keyed to the increasing enrollment of Iowa State along with the expanding job base of Ames. Potential demand for new housing should not be tied exclusively to ISU enrollment gains of recent years, but should also consider community wide housing stock and other housing demands beyond student housing.

Attachment G includes an inventory of multi-family housing development from 2010 to 2014 that includes built units and known pending projects, including new ISU construction. Attachment H includes recent enrollment figures from ISU. Enrollment

figures show an increase of approximately 5,000 students potentially residing within Ames, on and off campus, since 2010.

Approved and Pending Multi-family Development/Zoning Since 2010

	New Multi-family Construction	Pending Development, no permits issued	Zoning with Master Plan*	Total Approved and Pending
Ames	3,468 beds	730 beds	200 beds	4,398 beds
ISU	720 beds	700 beds		1,420 beds
TOTALS	4,188 beds	1,430 beds	200 beds	5,818 beds

**Does not include any pending projects or sites requiring rezoning for approval*

Planning and Zoning Commission Recommendation. The Planning and Zoning Commission considered the request at their meeting on September 3, 2014. There were several concerns expressed by Commission members in recommending approval of the LUPP change. The Commission discussed issues of potential traffic impacts, transit service, access to the site, saturation of the market for student housing, and timing of this development. Ultimately, the Planning and Zoning Commission voted 4-1-1 to recommend that the City Council approve an amendment to the LUPP Future Land Use Map with the expectation that site development issues will be addressed prior to approval of a rezoning request.

ALTERNATIVES:

1. The City Council can approve an amendment to the LUPP Future Land Use Map to change the land use designation of the property located at 516 S. 17th Street, from Highway-Oriented Commercial to High-Density Residential, as depicted in **Attachment C**.

Under this alternative, a number of issues pertaining to impacts on traffic, transit, access, and housing types would need to be refined and supported by the applicant before approval of rezoning.

The City Council would select this alternative to support additional high density housing, subject to further evaluation at the time of rezoning, if it believes there is a strong sustained multi-family housing demand and the site is a good location for the use.

2. The City Council can deny the proposed amendment to the LUPP Future Land Use Map to change the land use designation of the property located at 516 S. 17th Street, from Highway-Oriented Commercial to High-Density Residential, as depicted in **Attachment C**.

The City Council would select this alternative if it does not believe there is a strong sustained need for multi-family housing or that this site is not appropriate for the proposed use.

3. The City Council can refer this request back to staff or the applicant for more information.

CITY MANAGER RECOMENDATION:

This site has general appeal as either Highway Commercial or High Density Residential due to its proximity near similar uses. The site was planned by the property owner to be part of a business park which provides limited ability to provide appropriate access to the site for current and long term circulation needs of the area. The applicant and the property owner believe there is an unmet housing need in the City, and that there is no current market support for development of the 12 acres with commercial office development due to the availability of other sites along South Bell Avenue, Dayton Avenue, and in the area of the ISU Research Park.

The demand for housing appears strong with projected ISU enrollment increases, but the past five year trend may not be supported in the long term. Enrollment could level off near the current level, making development targeted for students-only less desirable for the community in the future.

When looking at the relationship of enrollment to rental unit demand, depicted in Attachment G and H, the number of built units and pending projects gives an indication of future production that would match student housing demands of the University at an enrollment of 35,000 students. **Potential additional student enrollment increases alone do not appear to support a substantial amount of new high density development. However, broader demand from other population and job growth indicate a need for more housing options within the city.**

This site's access constraints can be deferred to detailed analysis with zoning as requested by the applicant. Zoning becomes a timing control for the appropriate use if the general interest of high density residential exists for the site. **If the LUPP amendment was approved, a number of issues pertaining to impacts on traffic, transit, access, and housing types would need to be refined and supported by the applicant before approval of rezoning.** Additionally, at the time of zoning it may be more apparent what the future housing needs are compared to approved and pending development applications. That may affect the timing of development on this site.

It is the recommendation of the City Manager that the City Council approve Alternative #1, thereby authorizing an amendment to the LUPP Future Land Use Map to change the land use designation of the property located at 516 S. 17th Street, from Highway-Oriented Commercial to High-Density Residential, as depicted in **Attachment C**.

ADDENDUM

On May 12, 2014, the applicant submitted a formal application for a Land Use Policy Plan (LUPP) Map Change. The Developer has provided statements indicating why they believe this request is supported by the Land Use Policy Plan Goals and Policies. Please review this separate document (*see the Developer's Narrative in Attachment I*). Developer is planning for approximately 298 units, with 588 bedrooms (see attached drawing showing a preliminary site layout). In summary, the applicant believes the site is well situated to meet the needs of housing development due to its location adjacent to other high density sites and that there is a no impact to potential commercial development sites. Additionally, the applicant believes that issues pertaining to potential site layout and site development for access can be deferred until later time after there is an indication of general support for the use. **Follow up studies and commitments would then be made prior to zoning of the site.**

Development Issues. Staff originally identified five development issues at the time of LUPP Amendment request in April. These issues pertain to timing and suitability of the request and considered by staff to be appropriate to decisions concerning the appropriate land use for the subject property with the Goals and Policies of the LUPP. The five issues are described as follows:

1. **Lack of direct access to CyRide transit service** at this site, and the fact that the nearest route (CyRide Gray Route) along S. 16th Street already exceeds ridership capacity. No direct connection exists to the site by roadway or pedestrian connection. While always desirable to have transit access for high density residential uses, it has been an essential element in support of student oriented developments to meet student interests and service levels of CyRide.

South 17th Street provides access to the site and eventually connects to S. 16th through Aspen Business Park. As a local street it was not designed to carry the weight of a bus, making it very unlikely that CyRide service will be routed through Aspen Business Park (adjacent to the east), or through the proposed development to an extension of S. Grand Avenue between S. 16th Street and U.S. Highway 30. The site has no frontage on S. 16th to provide direct pedestrian access to the existing route.

CyRide plans to increase service along S. 16th Street in accordance with an agreement with the Copper Beech property owners to 30 minute headways during school hours. However, it is expected that with the expanded capacity the route will remain at full utilization.

In July, 2014, the Ames Transit Agency Board of Trustees considered a proposal by the Developer of the Copper Beach apartment complex, located adjacent to the west boundary of the subject property, to contract with CyRide for expanded service on the Gray Route to the residents of this area. Copper Beach offered \$113,000, on an annual basis, to fully fund the cost of increasing service on the CyRide Gray Route. **The Board agreed to give Director Kyras authority and**

flexibility to negotiate a contract with the developer for a three year commitment, subject to certain conditions.

Following the July Board meeting, expanded CyRide service on the Gray Route to the Copper Beach area, went into effect on August 25th, the first day classes resumed at Iowa State University. The expanded service on the Gray Route consists of one bus every 30 minutes, between 7:00 a.m. and 5:30 p.m., and one bus hourly between 5:30 p.m. and 10:00 p.m., Monday through Friday, while school is in session. Previously, service on the Gray Route consisted of one bus per hour, between 7:00 a.m. and 5:30 p.m., Monday through Friday, while school is in session. There is no weekend service. **Although the expanded service will improve transit access for the residents of this area, more is needed to fully accommodate the need with the apartment units that presently exist along S. 16th Street.**

The July 11, 2014 letter from the Developer of Copper Beach to CyRide Director Sheri Kyras offering \$113,000 annually for expanded CyRide service also included the following statement: *“In addition to CyRide’s services, Copper Beach and Grove are still considering providing one 28-passenger bus. This private shuttle would run evenings, weekends, and times when the university is not in session in order to transport the residents of these apartment complexes to campus, stores, and local venues.”*

2. Accommodation of a potential future Grand Avenue extension from S. 16th Street across Highway 30 to Airport Road.

The property was platted, in 1994, as “Outlot B” of the Aspen Business Park Subdivision, First Addition. The Conceptual Development Plan for Aspen Business Park Subdivision shows the area platted as “Outlot B” to be developed as seven commercial lots, served by an extension of S. 17th Street to the west boundary of the subdivision. The preliminary site layout by the Developer (see *Attachment E*) also shows an extension of S. 17th Street through the site to connect with a future extension of S. Grand Avenue on the property presently developed as Copper Beach. This extension of S. 17th Street through the site would be consistent with the City’s plans to connect S. 17th Street with the extension of S. Grand Avenue from S. 16th Street to Airport Road via an underpass at U.S. Highway 30.

The current Long Range Transportation Plan (LRTP) 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. 16th Street at this time; although the project will again be evaluated as part of the current LRTP update. 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. Street right-of-way for the future extension of S. Grand Avenue will be

needed on the southwest corner of the subject property to accommodate the proper alignment for the U.S. Highway 30 underpass. The width of right-of-way needed for the S. Grand Avenue extension would be a minimum of 80 feet, and the template design for the underpass would require approval by the Iowa Department of Transportation (IDOT). This would occur at the time of site plan approval. **A U.S. Highway 30 underpass, adjacent to this property, is not precluded by the Developer's proposal and can be planned to accommodate it with agreement by the applicant.**

3. General traffic circulation and congestion along S. 16th Street.

Currently there are concerns about traffic congestion at the intersections of S. 16th Street and University Boulevard (ISU institutional road) and at the Duff Avenue intersection. An evaluation of potential traffic impacts are required of the project.

Staff requested a traffic study for this LUPP Map Amendment due to the size of the change and its location. Since the timing for submittal of this application was such that Iowa State students were on break for the summer months, a traffic study at this time would not give an accurate assessment of the potential traffic impact brought about by the proposed multi-family residential development. The applicant wishes to defer a traffic study based upon the timing of the request. Therefore, in conversations with the Developer, staff has expressed the need for a more general assessment of the larger scale traffic impacts at this time, with the requirement for a detailed traffic impact study to be completed for submittal with an application for rezoning, should the City Council approve the requested change to the LUPP Map designation.

The Developer has provided a "Traffic Memo," as prepared by Duane Smith, a registered professional engineer (*see Attachment F*). The purpose of the memo, as stated by the preparer, is to document the difference in vehicle trips if the land use changes from an "Office Use" to an "Apartment Use." The construction of 299 apartment units versus 115 units of 1000 square feet for office uses is assumed for comparison purposes. This produces 1268 "Daily Trips" for the office uses versus 1988 "Daily Trips" for the apartment uses, for a difference of 720 "Daily Trips." **Note that the City manages its traffic operations in relation to peak hour traffic levels at intersections, not average number of daily trips throughout the day.** Mr. Smith includes the following conclusions in his Traffic Memo:

"The proposed land use change will alter the peak periods. In the AM peak period the traffic pattern changes from an inbound to an outbound flow. In the PM peak period the traffic pattern changes from an outbound to an inbound flow. The net result on the adjacent roadway is not easy to predict at this stage of an evaluation since the current traffic volumes are unknown at this time.

The proposed land use change will add more trips for the site but they will be more evenly distributed over the entire day and not as concentrated during the peak periods.”

With this information it helps to scope the traffic study knowing that overall traffic patterns would change with development of the site, however actual impacts at intersections cannot be quantified at this time.

A more detailed traffic impact study must, at a minimum, analyze and account for the following prior to allowing for rezoning and development of the site:

- Traffic counts with ISU in session, September 8, 2014, or later;
- At least four intersections;
- Turning movement counts;
- Twelve hour counts (7:00 a.m. to 7:00 p.m.) without the proposed development;
- Twelve hour counts (7:00 a.m. to 7:00 p.m.) with the proposed development;
- Assuming the extension of S. Grand Avenue to the site;
- Assuming no extension of S. Grand Avenue to the site; and,
- The number of units/bedrooms and number of employees on the site.

Site Access

Site access is not always an issue considered with an LUPP Amendment as it more typically relates to site development details. In this case there appears to be limited options to meet this requirement and it relates to the suitability of the site for residential development. **Since there are no definite plans by the City to extend S. Grand Avenue to the south of S. 16th Street at this time, and since there is only the one existing access to the site, a second access is needed for emergency response, and to accommodate the traffic to be generated by the construction of approximately 300 apartment units on the site.**

In an effort to meet this need for a second means of access to the site directly from S. 16th Street, the Developer has contacted the owners of Copper Beach and the Pheasant Run apartments about the possibility of obtaining an access easement on their existing drive (the future location of the S. Grand Avenue extension). At this time the applicant has been unable to secure a commitment for this access.

Access to allow emergency response could conceivably be provided by securing an access easement across an adjacent property to the north or east. Access for residents of the site from S. 16th Street could also be provided by an access easement through the property directly to the north (the Pheasant Run Apartments), but this would also take the willingness and cooperation of the land owner to sign an access agreement to permanently reserve a portion of their

land for access to the proposed development site. Conversations between the Developer and the owner of Pheasant Run Apartments have not produced any interest in working out an agreement for access.

4. **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 (which includes the subject property), and the Eastgate Subdivision (northeast of the intersection of E. 13th Street and Dayton Avenue). Office development can also occur in industrial zones, such as S. Bell Avenue.

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. **For the subject 12 acre site as a commercial use would most likely be best suited for "Office" uses, rather than either "Retail or Hotel" uses, due to its lack of immediate access to major roadways.**

The Developer requesting the land use change, states in his application materials that: ***"In regards to developing this land into office buildings, the current land owner was the developer behind the Aspen business park abutting this property directly to the east. He has made it clear that he has no intentions of expanding this business park due to the plentiful supply of HOC zoned land to the south of this project and to the east, where office parks are currently under operation or being constructed."*** Staff believes the Developer is referencing the office development that has occurred in the eastern part of the community, along S. Bell Avenue in the "GI" (General Industrial) zone, and to the south in the ISU Research Park, zoned as "PI" (Planned Industrial).

The "Future Land Use Allocation for Commercial," as found in the LUPP, states that: ***"An additional 75-400 acres should be allocated for future commercial uses. Included are approximately 15-70 acres for convenience /neighborhood-scale activities, 30-160 acres for community-scale activities and 40-180 acres for regional-scale activities."***

Staff has assessed the inventory, as of January, 2014, 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.

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. 13th Street

Given the projected needs in the LUPP for the allocation of commercial land, as compared to the inventory of vacant land zoned as Highway-Oriented Commercial, Community Commercial Node, Community Commercial Residential, and Planned Regional Commercial, totaling 509.6 vacant acres of land, it appears there is an adequate number of acres of commercial land to meet the projected demands in general. This conclusion does not consider the attributes of individual sites for their suitability for different types of commercial uses.

There is a significant interest in developing land as high density residential in the community. As documented by our recent inventory of vacant parcels, there are no vacant parcels of land, zoned as “RH” (Residential High Density) that are available for development. This is not a surprise as the current LUPP did not contemplate using the High Density Residential designation into the future as land needs would be accommodated in Growth Areas and Campustown.

“Attachment G” includes two tables. One table shows the number of pending multi-family developments requests there are for site plans and rezoning through October 1, 2014. The other shows the number of apartment units/bedrooms that have been constructed, or are under construction from January, 2010 through September, 2014. **In total there are either approved or pending approval of almost 5,100 bedrooms of multi-family. In addition, ISU has constructed 720 additional beds and plans for at least 700 beds in 2016 with a new residence hall.** ISU has almost remodeled and rehabilitated existing residence halls to create additional beds that are not counted as new construction.

Since 2010 approximately 4,200 newly constructed bedrooms have been added through private development and ISU construction. There are approximately 1,630 pending bedrooms of multi-family development planned for the next two years. Estimates for pending development do not include other potential projects needing rezoning approvals for approval of multi-family apartments.

Total Iowa State University student enrollment for the Fall semester, for the years 2010 through 2013, is included in the attached table (see *Attachment H*). Individual years have a wide range of increase from 730 students to 2,200 students. The annual percentage of increase in student enrollment ranges from

3% to 7%, which is an average annual increase in enrollment of 4.6%. Enrollment for 2014-15 is approximately 34,700 students. This would be a growth in enrollment of approximately 6,000 students over the five year period. Note that not all enrolled students live in Ames, according to ISU information approximately 17% of enrolled students do not live within Ames. **This equates to approximately 5,000 additional students living in Ames over the past five years.** Going forward, ISU projects 1% enrollment growth annually over the next 10 years.

5. Housing availability for non-student development.

Staff expressed a concern that the site may be viewed exclusively as a student housing opportunity when first presented with the concept for the site. The developer has since indicated an interest building a mix of rental housing for the site that would attract the interest of young professionals that are employed in the Iowa State Research Park, as well as housing for ISU students. City staff would note that the demand for housing in the community 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.

Capacity of Public Utilities. In any proposed change to the Land Use Policy Plan Future Land Use Map, the City examines possible impacts to public utilities, such as storm sewer, sanitary sewer and water capacity, storm drainage. This review is based on overall system capacities and staff finds that the capacities of storm sewer, sanitary sewer, and water are acceptable with the level of information that is now available.

Land Use Policy Plan Goals and Objectives.

The Goals and Objectives of the LUPP guide all of the other elements of the Plan. They can be found in Chapter One: Planning Base on pages 18-27 of the Plan.

The Developer has provided an analysis of how the proposed change in the LUPP Future Land Use Map is consistent with LUPP goals No. 2, 4, 5 and 6 and objectives within each of those goals (see *the attached Developer Narrative*). Based on that analysis, the proposed amendment could reasonably be considered consistent with the applicable goals of the LUPP.

However, staff asserts that the proposed land use change is inconsistent with the following LUPP goals and objectives:

Goal No. 1. Recognizing that additional populations 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 further the goal of the community to manage its growth so that it is more sustainable, predictable and assures quality of life.

Staff Comments: Direct access to the subject property from S. 16th Street and the current capacity limitations to serve the residents of apartments along S. 16th Street are concerns that are not addressed by the proposed land use change. **The proposed change to high density residential places additional demand on the CyRide transit (Gray Route) service, as well as access to the transit service from the proposed development on S. 17th Street. Without further detailed traffic impact analysis, it is difficult to determine what intersection improvements on S. 16th Street may be necessary to accommodate the increase in traffic.** The applicant wishes to defer these assessments until there is a known support for the concept of High Density Residential and to consider these as issues of timing of development related to zoning.

Goal No. 2. In preparing the target populations and employment growth, it is the goal of Ames to assure the adequate provision and availability of developable land. It is the further goal of the community to guide the character, location, and compatibility of growth within the area's natural resources and rural areas.

2.A. *Ames seeks to provide at least 600 to 2,500 acres of additional developable land within the present City and Planning Area by the year 2030. Since the potential demand exceeds the supply within the current corporate limits, alternate sources shall be sought by the community through limited intensification of existing areas while concentrating on the annexation and development of new areas. The use of existing and new areas should be selective rather than general.*

Staff Comments: The areas identified for "limited intensification" in the LUPP, do not include the subject property. As amendments are considered, is appropriate to think of the best situated sites in terms of transit access, general compatibility, and overall need. In this case, the request could be found consistent with Goal 2 due to the need and level of compatibility for housing. There is still uncertainty though about its use of transportation resources of bus transit and site access. At the same time, the site is also well situated for a commercial office use in the future for the same reasons that housing may succeed on the site.

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 for the community to link the timing of development with the installation of public infrastructure including utilities, multi-modal transportation system, parks and open space.

Staff Comments: The subject property is not a site that has been identified by the LUPP for residential intensification but is within the developable area of the City assumed for commercial use. **The timing for approval of a change to the LUPP land use designation of this land to high density residential is of concern with the no direct access to the site from S. 16th Street, and with the capacity limitations of the CyRide transit system that serves this area of**

the community.

Goal No. 6. It is the goal of Ames to increase the supply of housing and to provide a wider range of housing choices.

6.C. Ames seeks to establish 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.

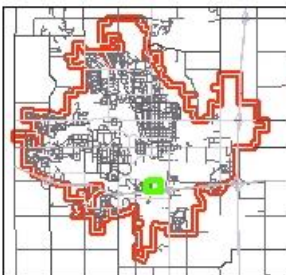
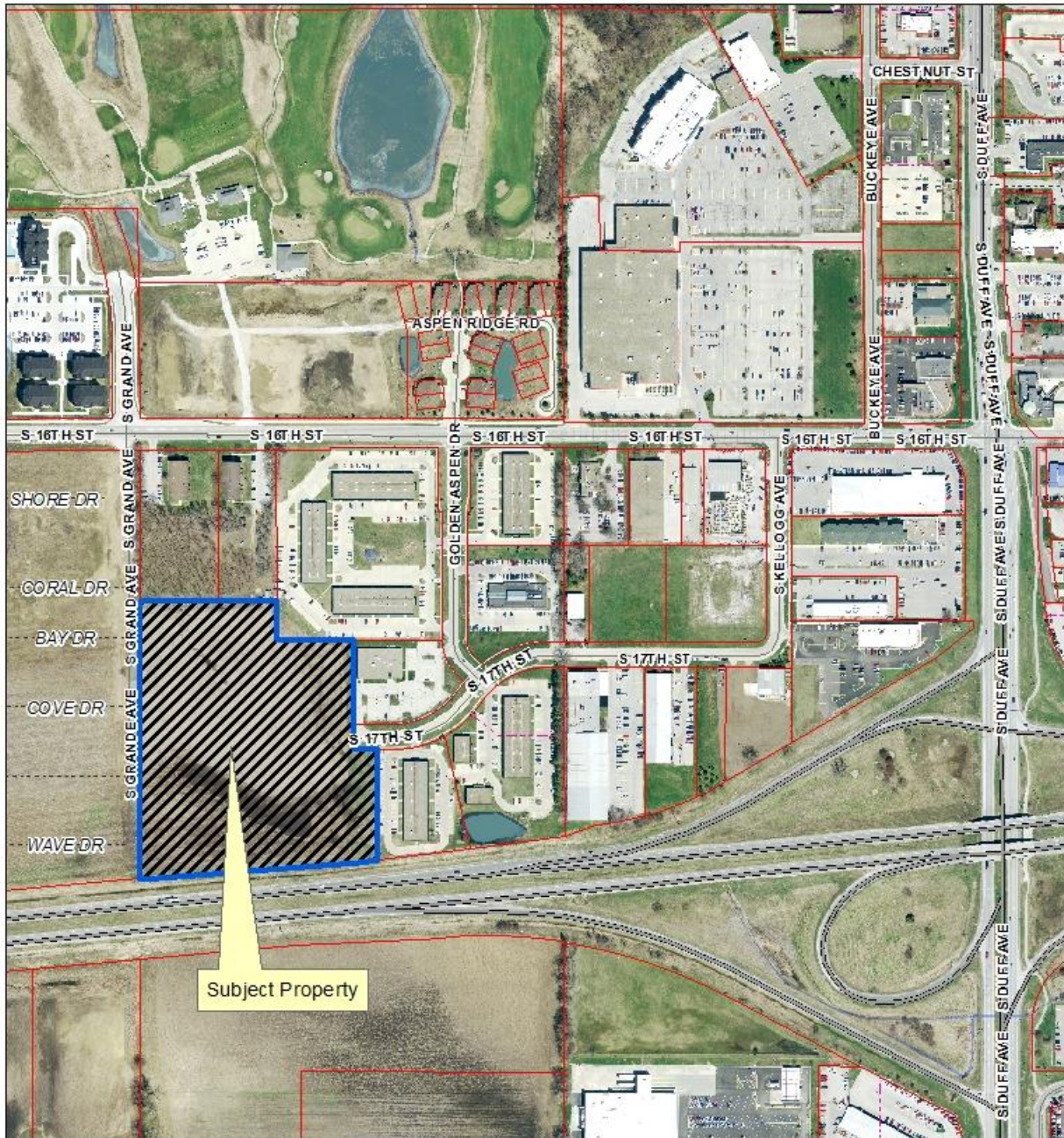
Staff Comments: There is always a balance of looking at immediate needs with long term planning. In this case we have a number of areas intended for future residential growth in terms of Campustown and the established Growth Areas while at the same time recognizing an overall housing demand within the City. It appears that housing production has slightly lagged known needs due to the unpredictable and significant enrollment jumps seen as ISU. However, when accounting for pending development it can be shown that housing demand correlated to student housing needs has plateaued. Of course, increased future enrollment could change that conclusion, or alternatively lower enrollment would mean an over abundance of student housing apartments. Other areas identified in the LUPP would still remain available for development even if this site was to develop with residential uses.

Goal No. 7. It is the goal of Ames to provide greater mobility through more efficient use of personal automobiles and enhanced availability of an integrated system including alternative modes of transportation.

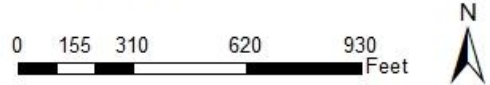
7.B. Ames seeks a transportation system that is linked with the desired development pattern of the overall community and areas therein.

Staff Comments: In general the area is well situated near major transportation infrastructure and access to employment and the University. In this case, the development pattern for Aspen Business Park, as accessed by S. 17th Street would change dramatically from the pattern that has been established with the commercial office buildings in the remainder of the development. The transportation system for this area of the community has been established to provide CyRide bus transit for properties that abut S. 16th Street. The street has been constructed to withstand the weight of the frequent use by the buses, and the Gray Route has been planned to serve that area of the community as efficiently and cost effectively as possible. The street that serves the subject property, S. 17th Street, was not constructed to withstand use by heavy buses, nor has the street been constructed to provide a looped route from S. 16th Street through the proposed development and back to S. 16th Street. A traffic study is also needed to ascertain if there would be impacts on traffic congestion in the area.

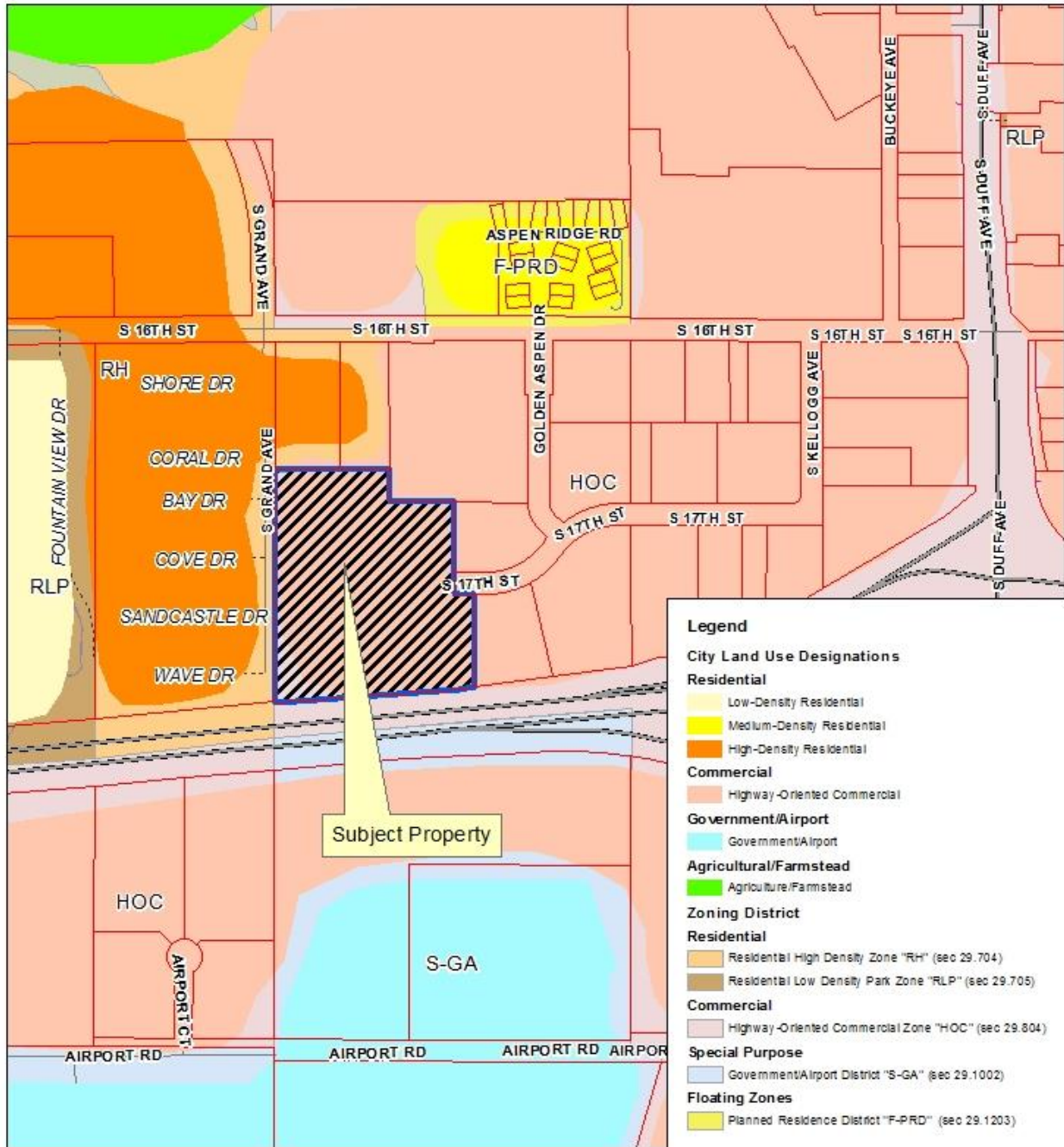
ATTACHMENT A



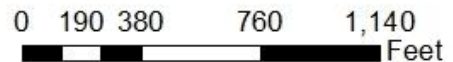
Location Map
Land Use Policy Plan Map Change
516 South 17th Street



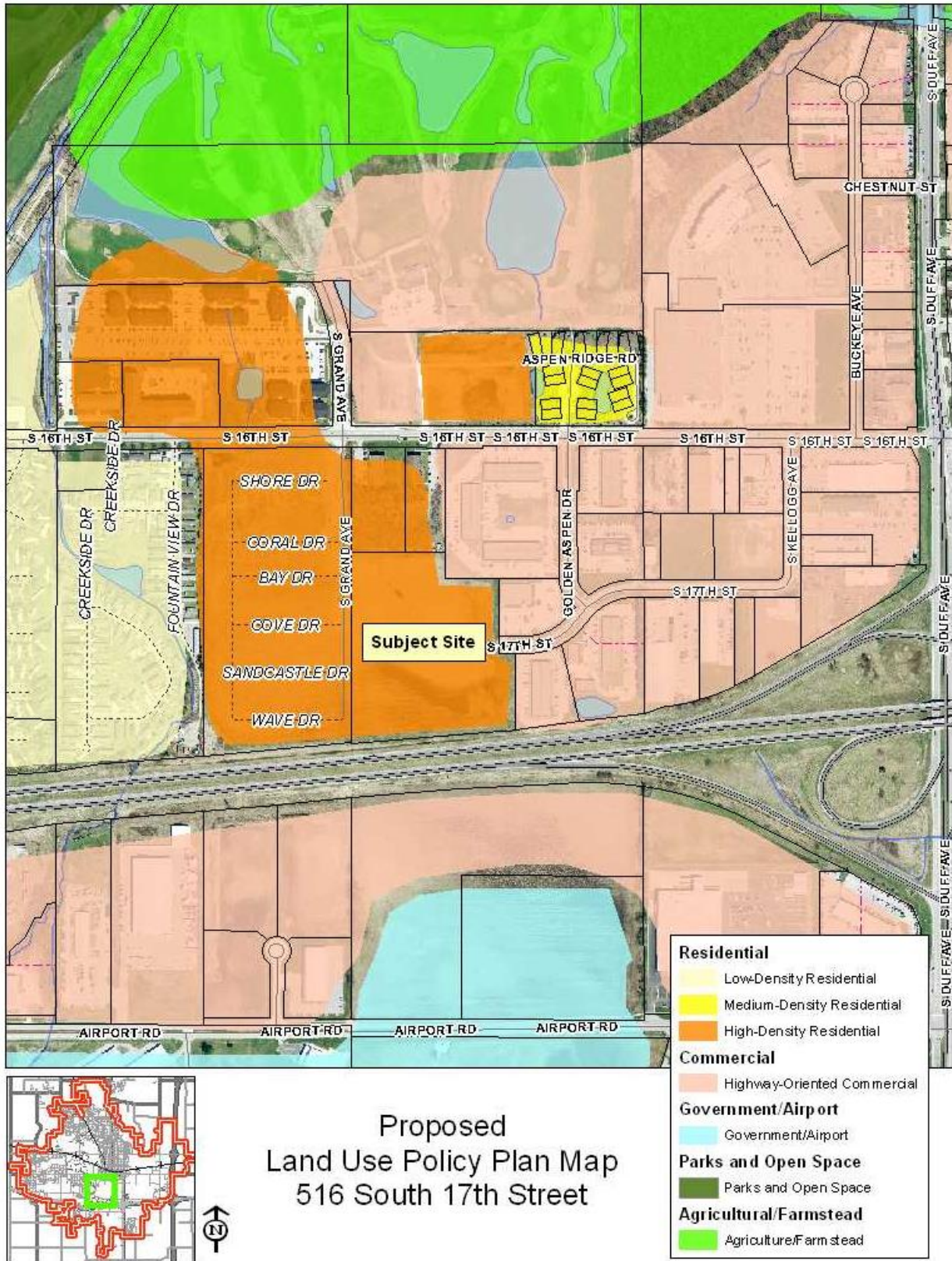
ATTACHMENT B



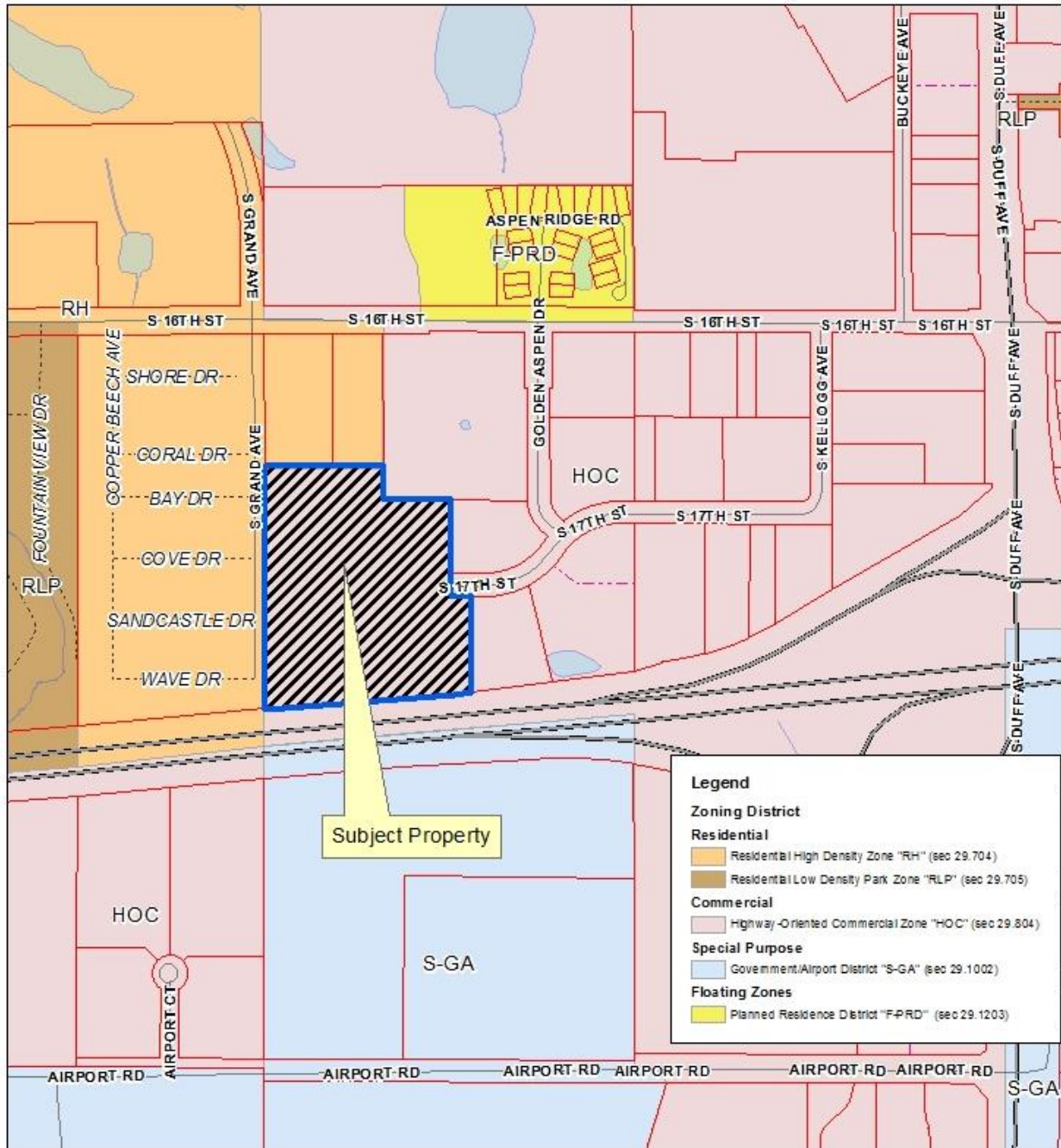
**Current Future Land Use Map
516 South 17th Street**



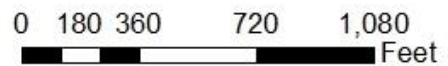
ATTACHMENT C



ATTACHMENT D



Zoning Map 516 South 17th Street



ATTACHMENT E



1:100



Master Plan

CYCLONE VILLAGE Ames, IA

ATTACHMENT F

Traffic Memo

July 15, 2014

To: Scott Renaud, PE

Fox Engineering

Re: Cyclone Village Land Use Change

The land use for the Cyclone Village project is proposed to change from General Office to Apartments. This memo will document the difference in vehicle trips if the land use changes. Please refer to table 1.

Use	ITE Code	Units	Amount	Daily Rate	AM Peak Hour		PM Peak Hour		Daily Trips	AM Peak Trips		PM Peak Trips	
					Enter	Exit	Enter	Exit		Enter	Exit	Enter	Exit
Office	710	1000 Sq Ft	115	11.03	1.37	0.19	0.25	1.24	1268	158	22	29	143
									0	0	0	0	0
Apt	220	Units	299	6.65	0.1	0.41	0.4	0.25	1988	30	123	120	75
Difference Office to Apartments									720	-128	101	91	-68

Table 1 Land Use Change – Office to Apartments

The proposed land use change will alter the peak periods. In the AM peak period the traffic pattern changes from an inbound to an outbound flow. In the PM peak period the traffic pattern changes from an outbound to an inbound flow. The net result on the adjacent roadway is not easy to predict at this stage of an evaluation since the current traffic volumes are unknown at this time.

The proposed land use change will add more trips for the site but they will be more evenly distributed over the entire day and not as concentrated during the peak periods.

If you have any questions please let me know.

Duane Smith, PE

ATTACHMENT G

<i>Pending or Proposed Bedrooms (as of October 1, 2014)</i>			
<i>Site Plan Review</i>	<i>Zoning with Master Plan</i>	<i>Iowa State Buchanan Hall Site</i>	<i>Total</i>
730 BR	200 BR*	700 BR	1630 BR
*Estimated number of bedrooms			

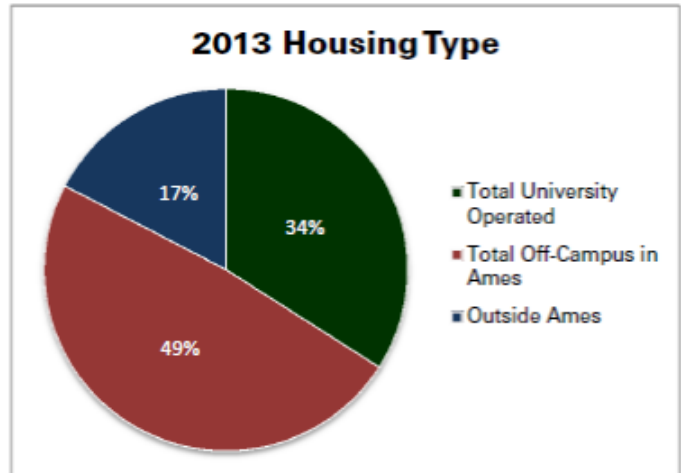
<i>Apartment Units/Bedrooms Constructed or Under Construction (2010 - 2014)</i>			
<i>Year</i>	<i>Building Permits Issued</i>	<i>Iowa State New Construction</i>	<i>Senior & Group Living Facilities Building Permits Issued</i>
2010	95 Units 211 BR		
2011	356 Units 872 BR		
2012	279 Units 563 BR		
2013	286 Units 824 BR	720 BR	
2014	344 Units 998 BR		123 Units 182 BR
Total Units & Bedrooms 2010-2014	1360 Units 3468 BR	720 BR	123 Units 182 BR

ATTACHMENT H

Enrollment by Housing Type ¹

Fall Semester Headcount and Percent

TYPE OF HOUSING	2009	2010	2011	2012	2013
University Operated					
Residence Halls ²	8,072	8,301	8,847	9,273	10,102
Percent	28.9%	28.9%	29.9%	30.2%	30.7%
University Student Apartments	1,001	1,063	1,083	1,097	1,120
Percent	3.6%	3.7%	3.7%	3.6%	3.4%
Total University Operated	9,073	9,364	9,930	10,370	11,222
Percent	32.5%	32.6%	33.5%	33.7%	34.1%
Off-Campus in Ames					
Fraternalities and Sororities	960	949	916	869	963
Percent	3.4%	3.3%	3.1%	2.8%	2.9%
Other	12,804	13,140	13,579	14,190	15,054
Percent	45.8%	45.8%	45.9%	46.1%	45.7%
Total Off-Campus in Ames	13,764	14,089	14,495	15,059	16,017
Percent	49.3%	49.1%	49.0%	49.0%	48.6%
Outside Ames					
	4,857	4,961	5,186	5,319	5,716
Percent	17.4%	17.3%	17.5%	17.3%	17.3%
No Information					
	251	268	0	0	0
Percent	0.9%	0.9%	0.0%	0.0%	0.0%
Total University Operated	27,945	28,682	29,611	30,748	32,955



¹ Beginning in Fall 2011, Graduate and Total exclude Post Docs in this table.

² Fredriksen Court, Maricopa, and Legacy student apartments are included in this count.

Office of Institutional Research (Source: Office of the Registrar)

Last Updated: 11-25-2013

ATTACHMENT I (PAGE 1)



From: DANIEL D. OBERPRILLER, PRESIDENT
2919 Knox Ave So # 200
Minneapolis, MN 55408
Daniel@cpmcos.com

May 5, 2014

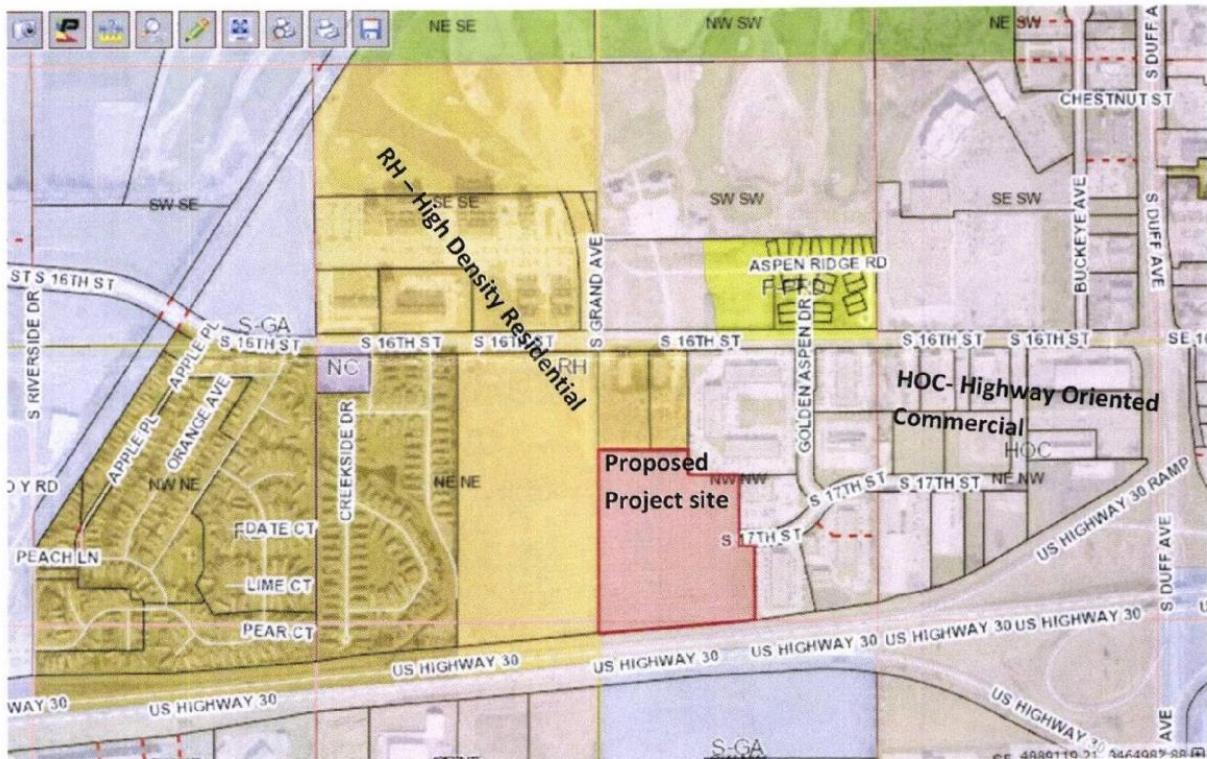
Jeff Koch, Partner Roers Investments
13774 Reimer Drive
Maple Grove MN, 55311
jeff@roersinvestments.com

To: Members, Ames City Council
Ames City Council
P.O. Box 811
Ames, IA 50010

Re: Land Use Policy Plan (LUPP) Map Change Checklist

Land Use Policy Plan (LUPP) Map Change Checklist-
Property at 516 S 17th

Image 1- MAP OF SUBJECT PROPERTY



ATTACHMENT I (PAGE 2)



Image 2- PROPERTY DIMENSIONS:



- Property Boundaries- Image 2, Bold Red Line
- Dimensions of property boundaries- Image 2, Bold black numbers
- Location of adjacent streets – Image 1
- Current LUPP Map designation: HOC
- Proposed LUPP Map designation : RH

BACKGROUND EXPLAINING THE PROPOSED LUPP MAP CHANGE

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 17TH 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.

ATTACHMENT I (PAGE 3)



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.

Demonstrate why the site cannot be reasonably developed under the current Designation

This currently HOC zoned land cannot be reasonably developed under the current designation as it is unsuitable for the wide range of commercial uses HOC land supports (e.g. retail trade, restaurant, office, hotel, recreation, and entertainment). In regards to entertainment/retailer/restaurant uses, this land cannot be reasonably developed to effectively make the location work as it is abutted by RH land directly to the North and West with no direct access to major arterial streets. If this land directly abutted HOC land that was developed with like trades (retail strip malls, restaurant, etc.), a developer could conceivably create a node of like trades in the area, however it is abutted by apartment/townhome rental housing and office buildings. In regards to developing this land into office buildings, the current land owner was the developer behind the Aspen business park abutting this property directly to the East. He has made it clear that he has no intentions of expanding this business park due to the plentiful supply of HOC zoned land to the South of this project and to the East, where office parks are currently under operation or being constructed. In regards to developing this land into hotels, there is a node of hotels under operation or being constructed to the East of Duff Ave and North of HWY 30. This site would have to stand alone as a hotel outside of this developing hotel zone. With all the HOC land uses described above, you would also have the same development issues identified in the February 24, 2014 letter the planning and zoning staff addressed to the city council, which highlighted south 16th congestion concerns and lack of CyRide access. In fact with the above mentioned HOC uses, one could argue you would have more congestion than you would with RH zoned land.

RH land availability *(*excerpt taken from Planning and Zoning letter to staff in regards to this project dated February 24, 2014)*

Ames Planning and Zoning 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 but unbuilt developments, such as Ringenber and Copper Beech.

Zoning District	Vacant Acres
High Density Residential	-0-
Medium Density Residential	-0-
Suburban-Residential Medium	-0-
Highway 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. 13th Street

As noticed by the above graph highlighting available land by zoning district, it is clear there is a plentiful supply of HOC land (237.3 Acres) and no RH land available. This new designation to RH land would bring 12 acres of undeveloped land and meet the communities need for student and market rate housing which is currently undersupplied and will continue to be a need as the university strives to achieve Iowa State Universities President Steven Leath's goal of enrolling 35,000 students annually (an additional 2,000 students).

ATTACHMENT I (PAGE 4)



Impact to LUPP Goals

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 17th street which is a minor arterial street. Under the City's long term transportation plan, Grand Avenue will be extended to SE 16th 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 16th 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 17th running East to West through the middle of the property to connect up with this Grand Avenue extension South of S 16th 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.

ATTACHMENT I (PAGE 5)



- 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 LUPP Map Change Checklist proposal, 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 Map change checklist proposal for the cities review and look forward to hear the proposed next steps the city advises.

Respectfully,

A handwritten signature in blue ink that reads 'Daniel Oberpriller'.

Daniel D. Oberpriller, President CPM Companies.

A handwritten signature in blue ink that reads 'Jeff Koch'.

Jeff Koch, Partner Roers Investments