

COUNCIL ACTION FORM

**SUBJECT: SE 16th STREET URBAN REVITALIZATION PLAN AMENDMENT
FOR DEERY BROTHERS**

BACKGROUND:

On October 14, 2014, the City Council approved an amendment to the development agreement with Deery, Deery and Deery, LLC (Deery Brothers) for the properties located at 1700 SE 16th Street. The amendment substituted a new Exhibit "C" reflecting changes that occurred from the project's initial approval in October 2012 to completion of the project in October 2014. Notable alterations included less excavation for a shallower detention pond on the west side of the business, a smaller building, (now 23,611 square feet –700 square feet smaller than proposed), changes to the parking and landscaping, and changes to outdoor storage. Staff determined that all these changes met current zoning regulations at the time of the approval of the project.

The development agreement was established in conjunction with an urban revitalization plan that relied upon the same development plan exhibits as part of the basis for eligibility for receiving tax abatement. Council's approval of the amendment to the development agreement necessitated a corresponding change to the urban revitalization plan for consistency. Due to requirements for public hearing notices, this amendment was not part of the October 14th meeting. Accordingly, the public notice has been published and action is now requested on amending the urban revitalization plan. The urban revitalization plan includes the information required by Code of Iowa Section 404.2(2) (included in Attachment 1) as well as the site plan (separate attachment).

At this time, the Council is not making a determination of project consistency with the urban revitalization plan along with the proposed amendment. A formal determination of consistency with the tax abatement criteria (Attachment 2) will occur upon the property owner's application for tax abatement. That Council action will likely occur in February 2015.

The proposed change to the urban revitalization plan does not change the performance standards for flood mitigation required by the urban revitalization criteria. The applicant will still need to demonstrate compliance with the

qualifying criteria to be eligible for tax abatement even with these changes to the site improvements.

ALTERNATIVES:

1. The City Council can approve the resolution amending the urban revitalization plan for Deery Brothers.
2. The City Council can choose not to amend the Deery Brothers urban revitalization plan.

MANAGER’S RECOMMENDED ACTION:

At its October 14th meeting the City Council approved the changes to the site plan for Deery Brothers. These changes were the result of Deery Brothers making field changes to their development that were not consistent with the approved site plan. These changes happen in most large projects, but since this site is governed by an urban revitalization plan as well as a development agreement, the changes also need to be approved by the City Council. Deery Brothers sought and received approval of those amendments prior to the October 23, 2014 deadline as spelled out in the development agreement.

This amended urban revitalization plan is a necessary follow-up to the action of the City Council in October. This action was delayed due to the statutory requirements for publication of a notice of a public hearing.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby amending the urban revitalization plan with Deery Brothers.

ATTACHMENT 1: URBAN REVITALIZATION PLAN

URBAN REVITALIZATION PLAN *Southeast 16th Street First Urban Revitalization Area*

The following is the Urban Revitalization Plan for the Southeast 16th Street First Urban Revitalization Area. The plan contents are defined by Code of Iowa Section 404.2(2) and are provided below. In addition, the proposed Deery Bros' Motors site plan is hereby made a part of this Plan.

- a) Legal Description: 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.

- b) Existing Valuations:

Address	Parcel Identification Number	Owner	Assessed Valuation Land	Assessed Valuation Buildings
1400 SE 16 th Street	09-13-100-215	Pyle Land, LLC c/o Dennis Pyle	\$9,100	\$0
1500 SE 16 th Street	09-13-100-230	Pyle Land, LLC c/o Dennis Pyle	\$8,700	\$0
1598 SE 16 th Street	09-13-100-245	Family Realty, LLC c/ Dennis Pyle	\$21,700	\$0
1698 SE 16 th Street	09-13-200-010	Family Realty, LLC	\$14,600	\$0

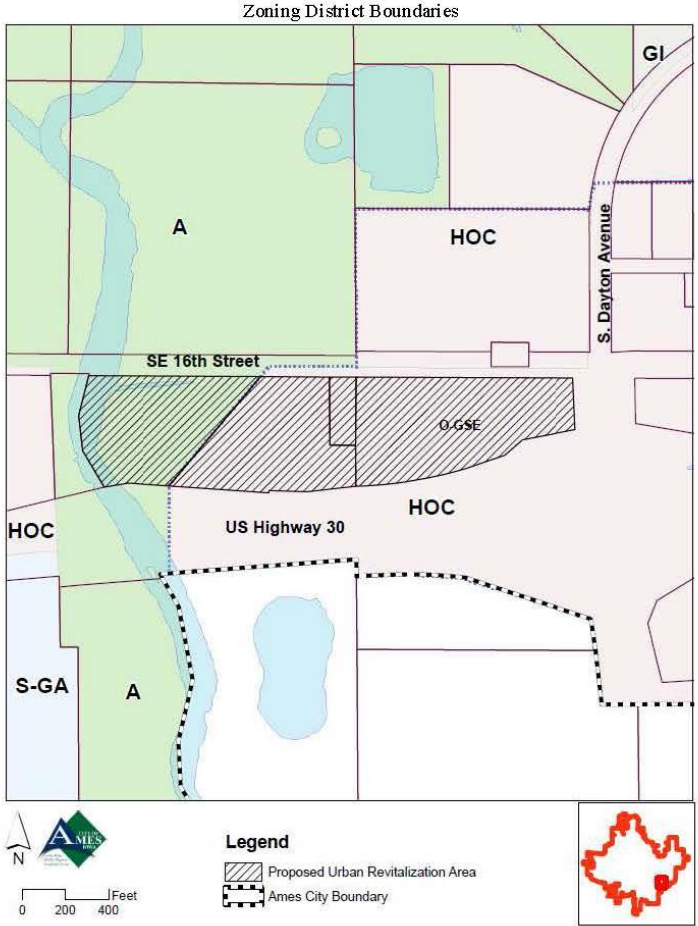
- c) Owners and Addresses:

Address	Parcel Identification Number	Owner	Owner Address
1400 SE 16 th Street	09-13-100-215	Pyle Land, LLC c/o Dennis Pyle	PO Box 763 Ames, IA 50010
1500 SE 16 th Street	09-13-100-230	Pyle Land, LLC c/o Dennis Pyle	PO Box 763 Ames, IA 50010
1598 SE 16 th Street	09-13-100-245	Family Realty, LLC c/ Dennis Pyle	PO Box 763 Ames, IA 50010
1698 SE 16 th Street	09-13-200-010	Family Realty, LLC	PO Box 763 Ames, IA 50010

- d) Zoning and Land Uses:

Address	Existing Zoning	Existing Land Use	Proposed Land Use
1400 SE 16 th Street	A-Agriculture; Floodway Overlay	Vacant	Greenway
1500 SE 16 th Street	HOC-Highway Oriented Commercial; O-GSE-Southeast Gateway Overlay	Vacant	Commercial

1598 SE 16 th Street	HOC-Highway Oriented Commercial; O-GSE-Southeast Gateway Overlay	Vacant	Commercial
1698 SE 16 th Street	HOC-Highway Oriented Commercial; O-GSE-Southeast Gateway Overlay	Vacant	Commercial



e) City Services: No improvement or expansions of City services are proposed.

- f) Applicability of Revitalization: Revitalization shall be applicable only to that subset of eligible property within the above legal description that qualifies under the *SE 16th Street Criteria Matrix*.
- g) Relocation: The plan does not require the displacement of any persons, and there will be no relocation benefits provided.
- h) Tax Exemption Schedule: The exemption period is for either three (3) years, five (5) years, or ten (10) years. All qualified real estate is eligible for tax exemption of the value added by the improvements according to the terms of the exemption selected.
- i) Percent Increase in Value Required: The value-added requirement is a fifteen (15) percent increase in actual value.
- j) Federal, State, or Private Grant/Loan Programs for Residential Improvements: There are no grants or loans involved. There are no residential improvements proposed.

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ATTACHMENT 2: TAX ABATEMENT CRITERIA

URBAN REVITALIZATION POLICY

Southeast 16th Street

The City Council will consider establishing Urban Revitalization Areas and Plans for properties that meet all of the following qualifying criteria:

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 the 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.

Since satisfaction of criterion 3, 5, and 6 cannot be guaranteed at the time of approving the tax abatement incentive, a developer agreement prior to the approval of the Urban Revitalization Plan will be required to assure that the City will be repaid an amount equal to the tax abatement received for any criterion not met. In addition, the developer agreement should require that the conditions that allowed the determination of "no rise" be maintained by the property owner.

(Approved by Ames City Council on June 12, 2012)

DEERY BROTHERS' MOTORS

SITE PLAN SE 16TH STREET AMES, IOWA

LEGEND	
•	Beehive Intake
•	Bollard
•	Building
---	Buried Power
•	Bushes
•	Cable Pedestal
•	Cleanout
---	Culvert
•	Curb Stop
•	Electric Pedestal
X	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
•	Stump
---	Buried Communication
•	Telephone Manhole
•	Telephone Pedestal
•	Telephone Pole
•	Traffic Pole
•	Treeline
•	Trees
---	Water Line
•	Water Manhole
•	Water Meter
•	Water Valve
•	Witness Post
•	Yard Hydrant

Applicant
The Rose Companies
ATTN Fred Rose
915 Technology Parkway
Cedar Falls, IA 50613

Owner
Deery, Deery, and Deery
7404 University Avenue
Cedar Falls, IA 50613

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

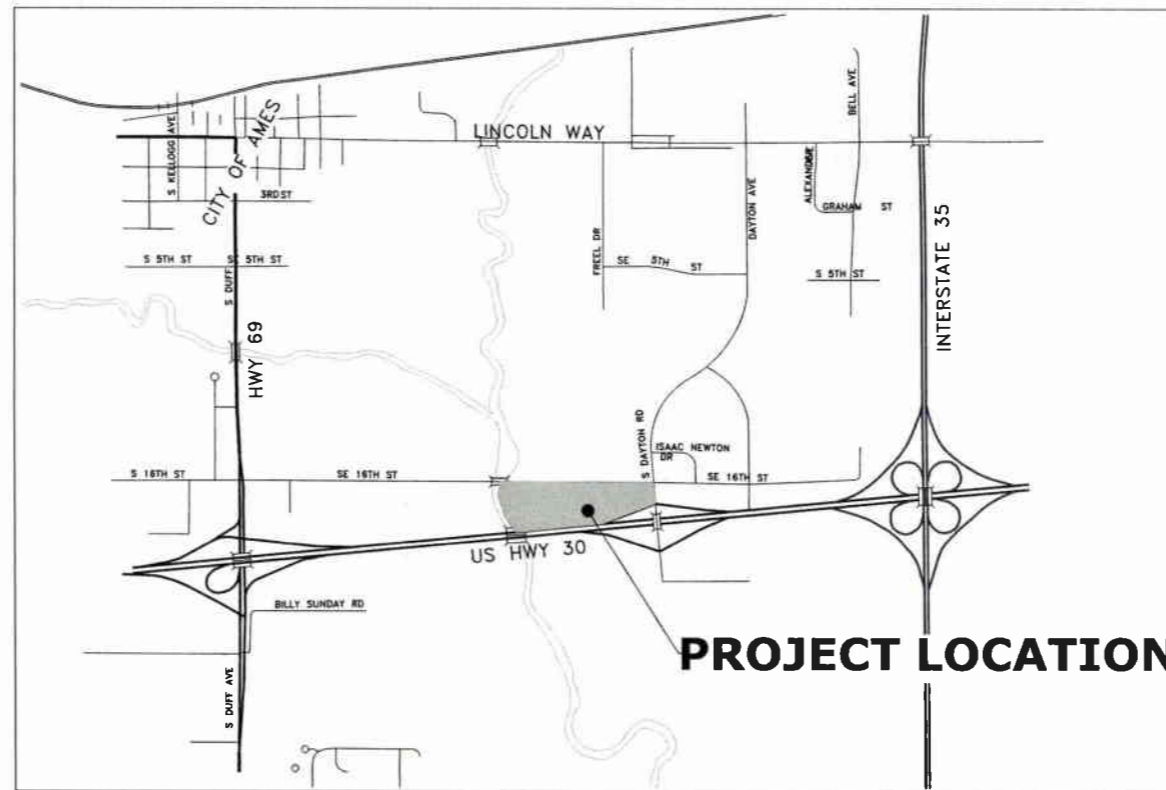
Legal Description
LOT 1 Deery Subdivision
Ames, Story County, Iowa

Site Area
6.37 Acres

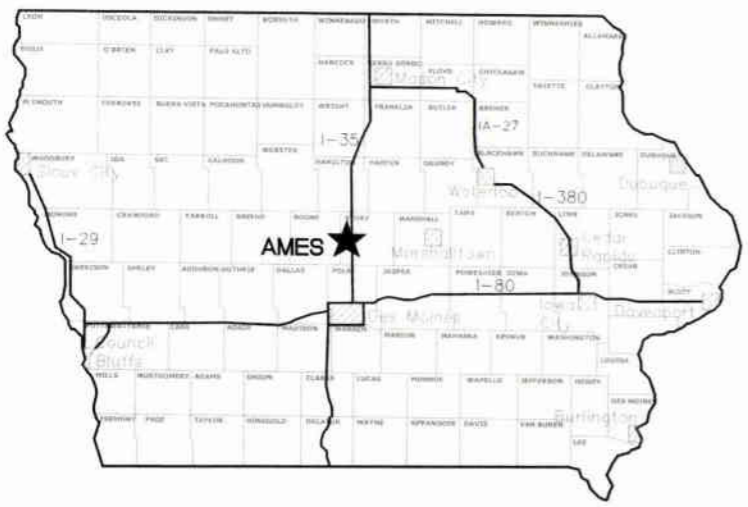
Site Address
1620 SE 16th Street

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



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.



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 Sept. 30, 2014
SCOTT L. RENAUD, P.E. DATE
License number 12109

My license renewal date is December 31, 2014.

Pages or sheets covered by this seal:
ALL LISTED IN INDEX ON THIS PAGE

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.

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LAYER COLOR: 10
LAYER WEIGHT: 0.1

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		CHECKED:	SRS
		LAST UPDATE:	09/24/14

FINAL CONSTRUCTION PLANS
SEPT 2014

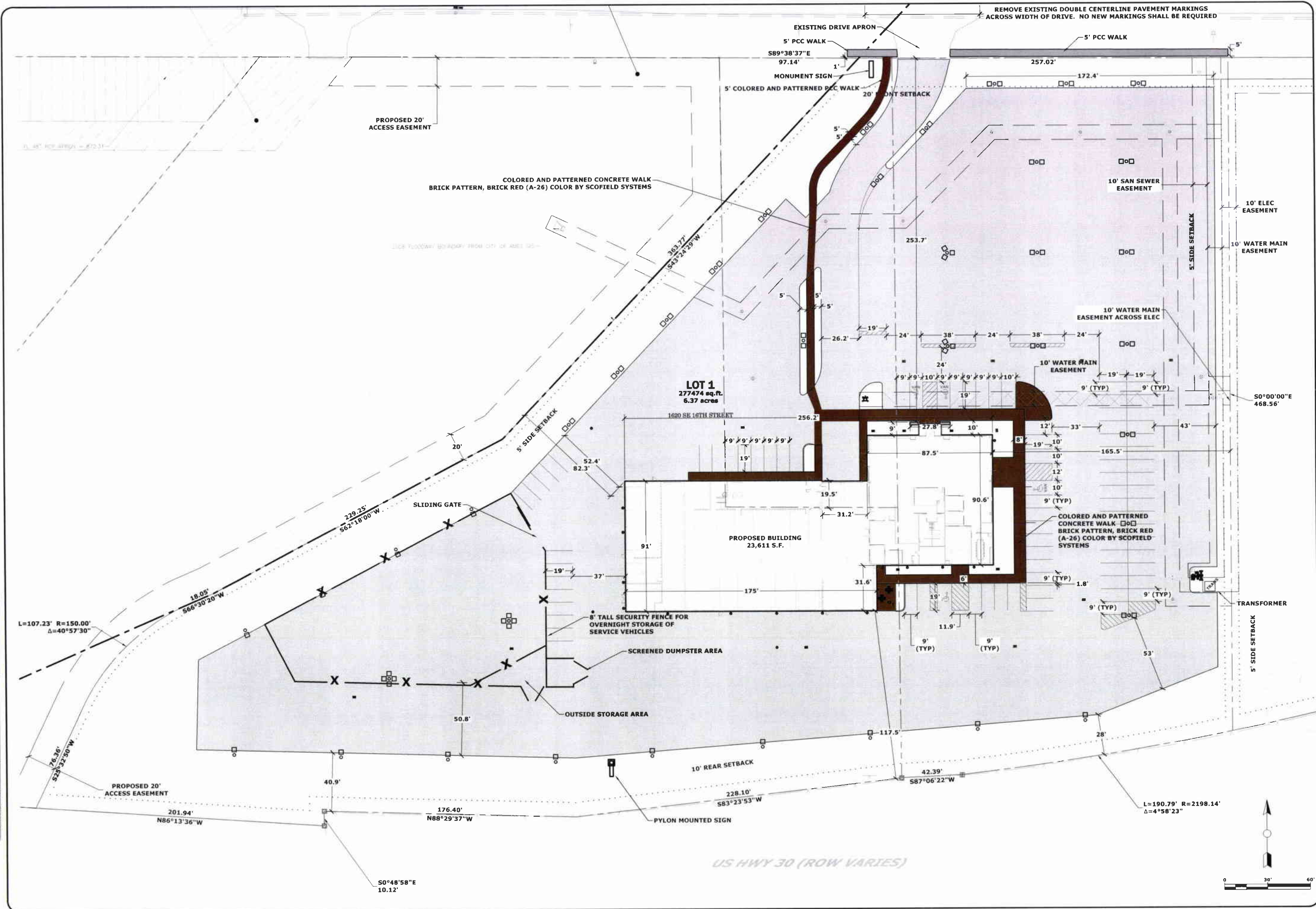
FOX Engineering Associates, Inc.
414 South 17th Street, Suite 107
Ames, Iowa 50010
Phone: (515) 233-0000
FAX: (515) 233-0103

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

PROJECT NO:
5174-12A

SHEET
G1.0

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LOT 1 LAYOUT AND DIMENSIONING PLAN
DATE
09/24/14
BY
SLR
DESIGNED
SLR
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SRS
LAST UPDATE
09/24/14



DATE	BY	DATE	BY
09/24/14	SLR	09/14	SLR
09/24/14	SRS	09/14	SRS

FINAL CONSTRUCTION PLANS
SEPT 2014

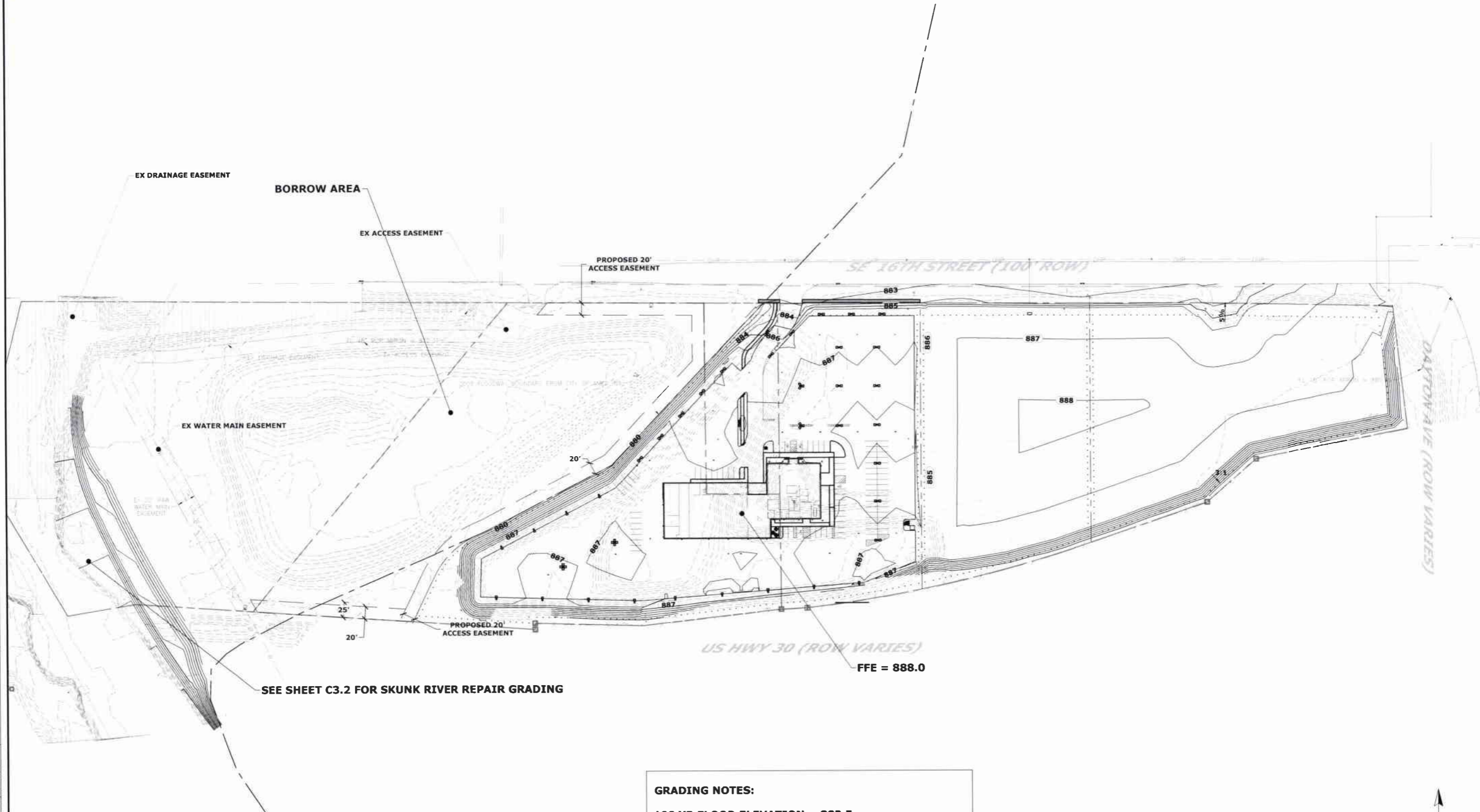
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FOX Engineering

SITE LAYOUT AND DIMENSIONING PLAN
DEERY BROTHERS' MOTORS SITE PLAN
PROJECT NO.
5174-12A
SHEET
C2.0

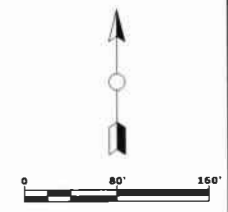
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Foxgray.ctb

LAYOUT NAME
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 (FG + 0.50')
 TOW = TOP OF SIDEWALK



DATE	REVISION	BY	DATE
05/29/13	REVISED BUILDING SIZE	SLR	09/14
		DRWN	09/14
		CHEK	
			LAST UPDATE: 09/24/14

FINAL CONSTRUCTION PLANS
SEPT 2014

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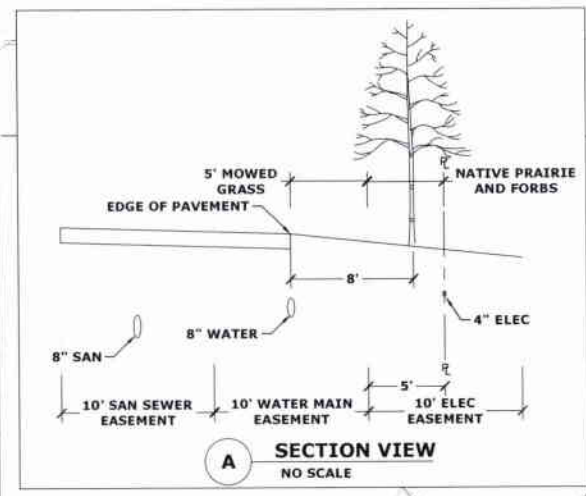


SITE GRADING PLAN
 DEERY BROTHERS' MOTORS SITE PLAN
 SE 16TH AND DAYTON
 AMES, IOWA

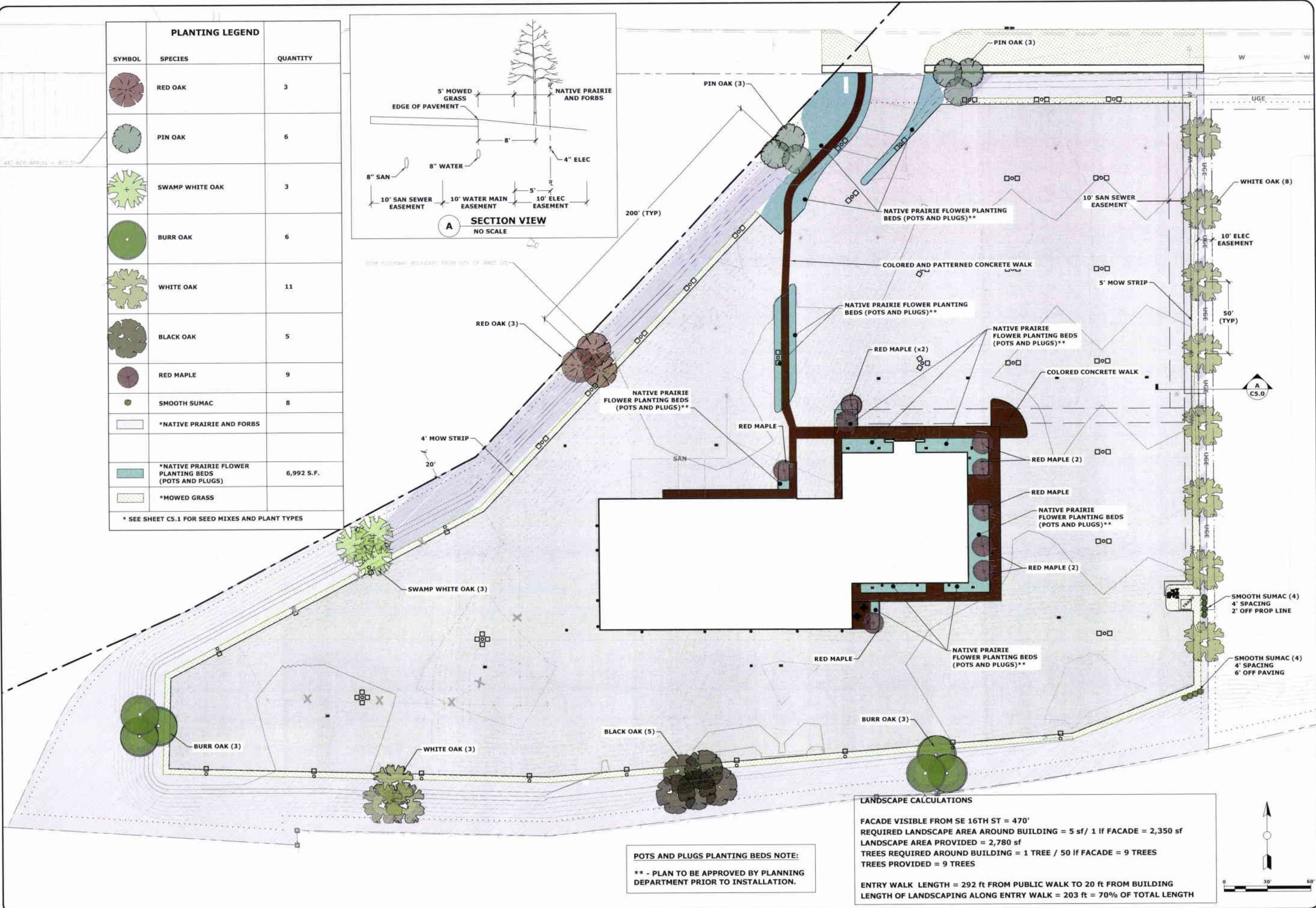
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PLANTING LEGEND		
SYMBOL	SPECIES	QUANTITY
	RED OAK	3
	PIN OAK	6
	SWAMP WHITE OAK	3
	BURR OAK	6
	WHITE OAK	11
	BLACK OAK	5
	RED MAPLE	9
	SMOOTH SUMAC	8
	*NATIVE PRAIRIE AND FORBS	
	*NATIVE PRAIRIE FLOWER PLANTING BEDS (POTS AND PLUGS)	6,992 S.F.
	*MOWED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

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



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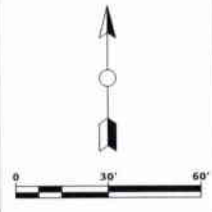


POTS AND PLUGS PLANTING BEDS NOTE:
 ** - PLAN TO BE APPROVED BY PLANNING DEPARTMENT PRIOR TO INSTALLATION.

LANDSCAPE CALCULATIONS

FACADE VISIBLE FROM SE 16TH ST = 470'
 REQUIRED LANDSCAPE AREA AROUND BUILDING = 5 sf / 1 If FACADE = 2,350 sf
 LANDSCAPE AREA PROVIDED = 2,780 sf
 TREES REQUIRED AROUND BUILDING = 1 TREE / 50 If 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	BY	REVISION
09/14	SJA	DESIGNED
09/14	SRS	DRAWN
09/24/14		CHECKED
09/24/14		LAST UPDATE

FINAL CONSTRUCTION PLANS
 SEPT 2014

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FOX Engineering

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

PROJECT NO:
5174-12A

SHEET
C5.0

PLANT SCHEDULE

Trees List	Key	Quantity	Names	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 2:1.
- A MINIMUM RATE OF 50 RPM SAPLINGS PER ACRE SHALL BE PLANTED FOR ANTICIPATED IMPACT AREA OF 0.37 ACRES.
- CONTRACTOR SHALL SEED WATER LINE EASEMENT AREA WITH SUDAS TYPE 2 SEEDING MIX.

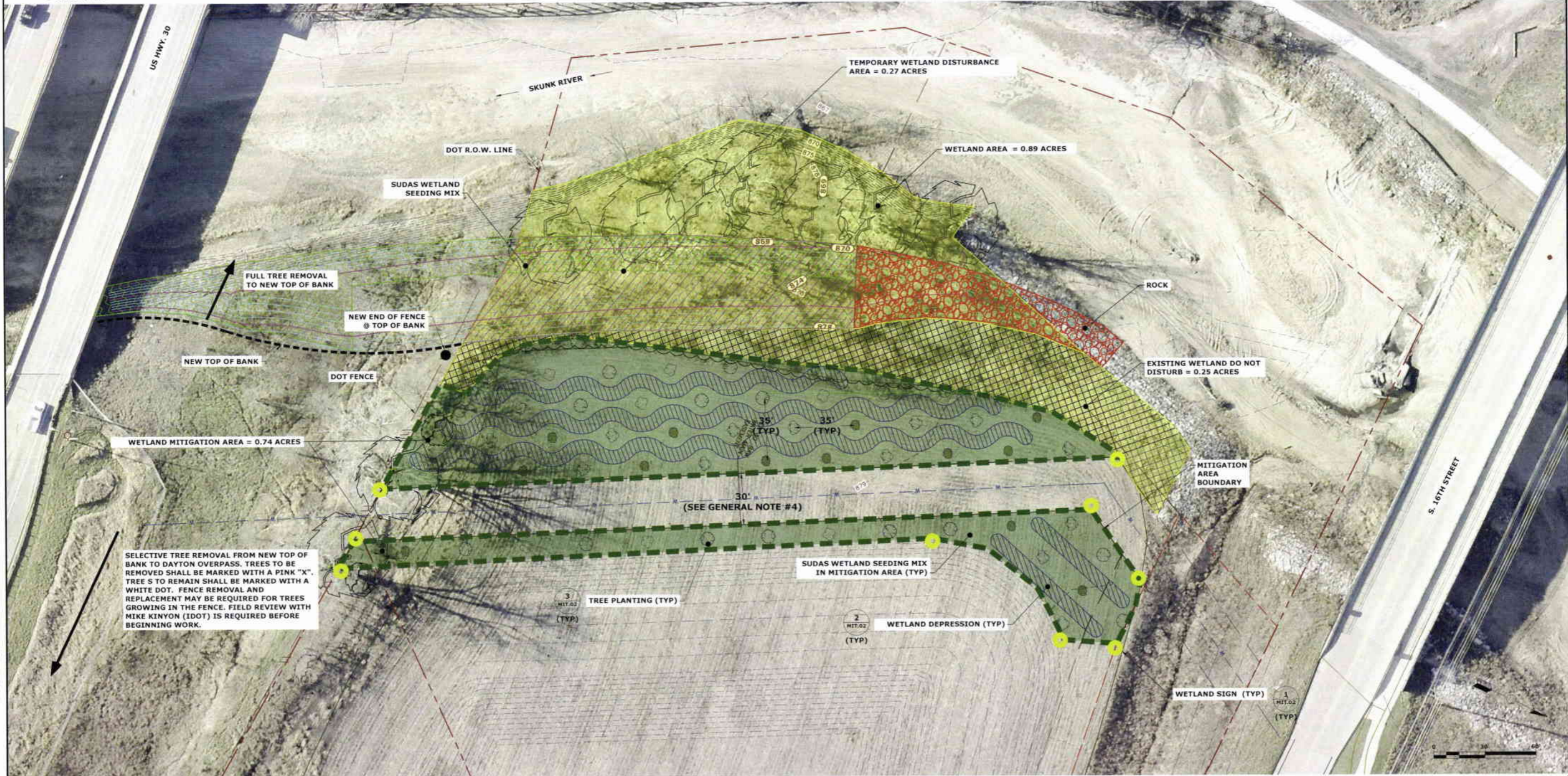
LANDSCAPING NOTES:

- 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 HARDCAPED, ARE TO BE SEEDED WITH SUDAS WETLAND SEEDING MIX IN WETLAND AREAS.
- TREES GENERAL FURNISH ROOT PRODUCTION METHOD TREES COMPLYING WITH ANSI Z60.1, 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 KNOTS, SUN SCALD, INJURIES, ABRASIONS, AND DISFIGUREMENT. SEE DETAILS FOR ADDITIONAL PLANTING REQUIREMENTS.
- FERTILIZER: GRANULAR PACKET, OR PELLET 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 IBDU 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 WARRANTY TREES, FOR A WARRANTY PERIOD OF TWO YEARS, AGAINST DEFECTS INCLUDING DEATH AND UNSATISFACTORY GROWTH, EXCEPT FOR DEFECTS RESULTING FROM LACK OF ADEQUATE MAINTENANCE, NEGLIGENCE, 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 ACCHARINUM), EASTERN COTTONWOOD (POPERLOUS DELTOIDS), SWAMP WHITE OAK (QUERCUS BIEOLOR), 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.

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REVISION	DATE	BY	DATE
DESIGNED	09/14	SPS	09/14
DRAWN	09/14	SRS	09/14
CHECKED			
LAST UPDATE: 09/17/14			

FINAL CONSTRUCTION PLANS
SEPT 2014

FOX Engineering Associates, Inc.
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 Phone: (515) 233-0000
 FAX: (515) 233-0103



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

PROJECT NO:
 5174-12A
 SHEET
MIT.01