

Staff Report

Urban Revitalization Area Designation for 3505 and 3515 Lincoln Way

October 27, 2015

BACKGROUND:

The subject site consists of two properties with a total area of 2.23 acres that are zoned Highway Commercial with the Lincoln Way Mixed Use Overlay (Attachment A). The site was recently approved for development as a mixed-use project with 10,912 square feet of commercial uses on the ground floor and 18 apartments. The property owner has requested the City Council establish an Urban Revitalization Area (URA) for the site (Attachment C) in order to qualify for a property tax abatement.

The history of the site includes a prior use as a mobile home park that the current property owner removed with the intent of developing a small subdivision to the north and commercial development on the subject area. The property owner requested determination by City Council in June of 2008 that the site was underutilized as described in the City's former policy for commercial tax abatement for HOC zoned property. **City Council adopted a resolution in 2008 recognizing redevelopment of the subject site with the commercial area as meeting the underutilized threshold of the 2008 Commercial Policy. However, no formal designation of the site as an Urban Revitalization Area occurred or was directed by Council at that time.**

The prior commercial policy had both mandatory criteria (underutilized land) and a requirement of meeting one of two optional criteria related to either providing for an underrepresented commercial business based on a commercial sales leakage study or that a project complies with enhanced design requirements for greater landscaping, shared parking, and signage limitations. In 2010, the commercial policy was changed to the format as it exists today (See Attachment B). The current policy no longer includes optional criteria related to enhanced design requirements and changed the mandatory elements to be more specific than what was in the 2008 policy.

If Council has an interest in proceeding with the process of establishing the site as a URA to provide tax abatement, Council could find the request consistent with its commercial property policy or proceed with establishing the site as a site specific URA independent of the City's commercial policy. Due to the site being vacant for 7 years, the site can be found to be consistent with the mandatory criteria of the policy.

OPTIONS:

When establishing an URA, a local government may establish qualifying criteria for a project to be eligible to receive property tax abatement. The following are possible options for qualifying criteria.

Option 1. Establish Specific Eligibility Criteria

Typically, the City has required certain site development standards, building elements, and restrictions on uses for eligibility. The use of criteria varies among the different URAs. For example, the City has required flood plain improvements for some commercial developments or to require brick materials on the exterior of buildings. Council has recently endorsed criteria for a nearby site that is a mix of apartments and a mixed-use building that specify certain development and use standards. (Attachment D).

Option 2. Adopt The Major Site Development Plan As the Eligibility Criteria

The City Council has recently approved the Major Site Development Plan (Attachment E) for the site and this specific Plan could be included as the criteria for receiving tax abatement. This would be similar to how the Deery Brothers tax abatement was approved.

Option 3. Establish Specific Eligibility Criteria Based On Use

The City Council can create criteria related to the use of the site and eligibility to receive tax abatement. The Commercial Policy lists prohibited uses of commercial areas from receiving tax abatement. **Additionally, for mixed use development Council could state that tax abatement eligibility relates only to commercial uses within the URA rather than residential uses and commercial uses.** The property taxes for the commercial classified uses would be the only abated taxes for the development under this option.

Option 4. Establish the URA With No Eligibility Criteria

This option could be pursued if Council believes that meeting only one of the mandatory criterion (vacant for seven year) of the current commercial policy is sufficient to justify granting property tax abatement.

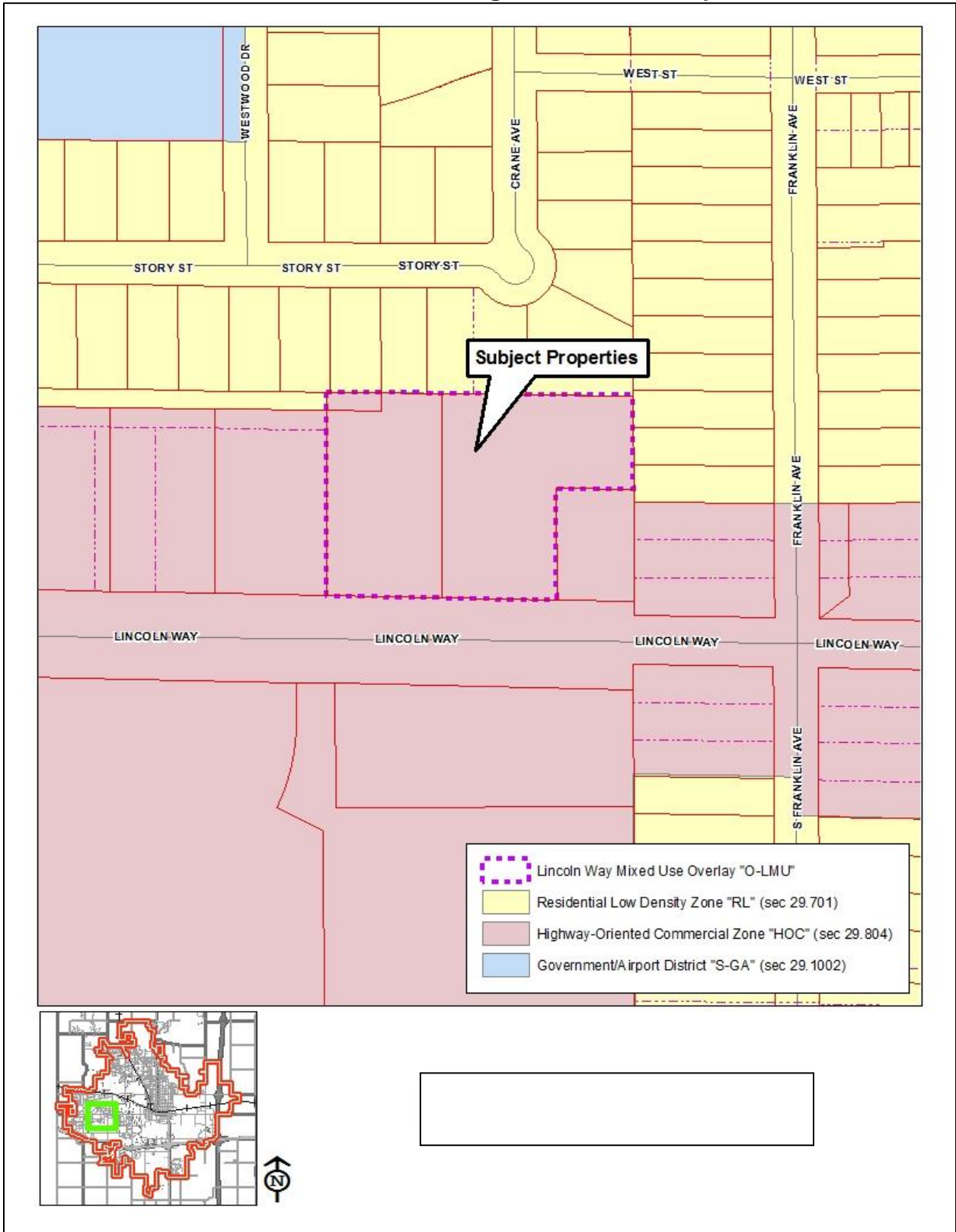
NEXT STEPS:

The following steps are needed to establish the Urban Revitalization Area and Plan:

- City Council adoption of a resolution finding that economic development or development of housing within the area is necessary.
- City preparation of a "Plan," specifying standards and qualifying criteria.
- City Council setting date of public hearing, with mailed notice of the Public Hearing to owners within the area.
- City Council enactment of an ordinance designating the area and resolution to approve the Plan.

If the City Council decides to accommodate the request and establish an URA, then the selection of one of the options presented above is necessary in order for the City staff to proceed to create the URA.

Attachment A – Zoning and Location Map



Attachment B – Commercial Criteria

URBAN REVITALIZATION HIGHWAY ORIENTED COMMERCIAL (HOC) REDEVELOPMENT CRITERIA

Properties eligible for tax abatement must be within the Highway-Oriented Commercial zoning district, and also fit within one or more criteria.

1. Properties from which the principal building has been removed and the property has been vacant for at least seven years.
2. Properties with a principal building that has been determined by the Building Official as meeting the definition of “Public Nuisance” in the Ames *Municipal Code*, Chapter 5, “Building, Electrical, Mechanical and Plumbing Code” (Currently Section 5.401(7)).
3. Development or redevelopment of Brown Fields. Brown Fields include abandoned or underused industrial and commercial facilities or sites available for re-use or redevelopment. Expansion or redevelopment of such a facility or site is complicated by environmental contaminations.
4. Properties with at least 20% of the property area being within 1,000 feet of a City of Ames water well and within the Floodway-Fringe Overlay zoning district. The Developer must demonstrate that the proposed project cannot be configured or designed in a manner to avoid significant extra impact to the project because of its location near a City well head.

Non-qualifying Uses. Notwithstanding compliance under the above categories, tax abatement shall not be granted for properties developed for or otherwise used for the following uses:

1. Mini-storage warehouse facilities or other industrial uses.
2. Transportation, communications, and utility uses.
3. Institutional uses.
4. Automotive, boat, and/or RV sales.
5. Adult entertainment businesses.
6. Detention facilities.
7. Agricultural or industrial equipment sales.

Attachment C – Applicant Letter

Date: September 2, 2015
To: Honorable Mayor and Ames City Council members
From: Chuck Winkleblack
RE: 3515- 3505 Lincoln Way

You will be discussing my mixed use project at Tuesday night's meeting. We have been working on this project for almost 2 years now from my original request. We have worked hand in hand with city staff to develop the ordinance that is being applied to this particular project from the beginning.

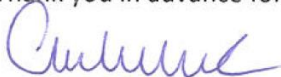
I have 2 requests: First I would ask that if there is not any meaningful objections to this project that you consolidate the 2nd and 3rd readings at your next regularly scheduled meeting on September 22nd. The reason for my request is that the way the calendar lays out in 2015 we will lose 3 weeks of construction schedule time heading into winter. Your next meeting after September 22nd is not until October 13th. That is 21 calendar days which is a long time in the construction world. If it were not this time of year I would not make the request, I know you don't like these requests. We have been talking about this project for a long time. If it has to go through all three readings it will have been before the planning and zoning commission and council 8 or 9 times since the concepts inception. I don't believe we are trying to push this through without a chance for public input.

My second request is to start the process for urban revitalization for this site. I made the initial request to council in June of 2008. I believe that the council supported the "concept" of urban revitalization in 2008 although I don't have the council action form to attach to my letter. Kelly (planning director) thought that I should bring this issue up now even though we would not be seeking abatement until 2017. That was one of the worst (if not the worst) areas in town prior to me purchasing the property. That was the reason that I asked for urban revitalization prior to purchasing the property.

I understand that you granted tax abatement to settle pending litigation by Breckenridge (my competitor) a block to the East. I have paid taxes on this vacant commercial land for 7 years through some very bad economic times. I worked for almost 2 years closely with staff to mold and refine the new ordinance for mixed use projects so that they are done right, function well and look great. My competitor (less than a block away) blew into town from Texas, fought with neighbors, staff, council and pretty much everyone they came in contact with. They tried to manipulate our codes and ordinances in ways that no one ever could have imagined. They initially threatened and ultimately filed a law suit against the city. Those folks now have been granted tax abatement and will have a significant financial advantage over my project if my project is not granted the same abatement. That hardly seems fair when I followed the rules, went through a long process, worked with staff, paid my taxes and asked for abatement before I bought this property.

This is not an agenda item tonight, Kelly thought that I should raise the issue now while the project is working through the approval process.

Thank you in advance for your consideration of these two topics



Chuck Winkleblack

Attachment D

URA DRAFT Qualifying Criteria

1. All buildings shall use clay brick as the principal building material for 80% of the front facades, excluding openings. The remaining facades shall incorporate clay brick or cut stone into 50% of the façade materials.
2. Buildings used solely for residential and accessory uses shall utilize hipped or gabled roofs. Mixed-use buildings are exempt from this standard.
3. The project shall provide additional commercial parking in excess of the retail/office parking rate of 3.3 spaces per 1,000 square feet of gross commercial floor area. A minimum of 20% of the commercial floor area shall provide parking at a rate of 9 spaces per 1,000 square feet of gross commercial floor area for the first 30,000 square feet of gross floor area.
4. A clubhouse, as defined in the Zoning Ordinance, shall not be permitted on the ground floor of a commercial mixed use building.
5. Ground floor commercial uses of mixed use buildings must be a permitted use of the HOC base zone for Office Uses; Retail Sales and Services Uses; Entertainment, Restaurant, and Recreation; and miscellaneous use of childcare.
6. Typical commercial tenant footprint shall have a minimum depth of 40 feet.
7. Commercial areas shall have a floor to ceiling height of a minimum of 12 feet.
8. Primary entrances to residential buildings shall include covered entries with architectural enhancements.
9. The residential project shall receive and maintain certification for the Iowa Crime Free Multi-Housing Program administered by the Ames Police Department.
10. The project shall utilize a Sign Program for commercial tenants that provide a cohesive design and lighting style to the site. Sign Program will allow for wall signage per the Sign Code. If a commercial ground sign is constructed, it is restricted to a single monument sign along Lincoln Way and shall include a decorative base compatible with the commercial buildings finishes and have an opaque sign face background. The Sign Program must be approved by the Planning Director.
11. The project shall provide landscape buffering with the L3 and F2 standards in a minimum of a 10-foot-wide planter along the perimeter property lines of the site.
12. The project shall provide street trees, per City specifications, along Wilmoth Avenue.
13. No balconies shall face the perimeter of the site.

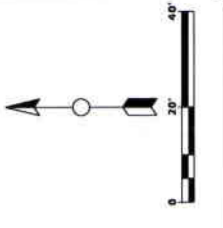
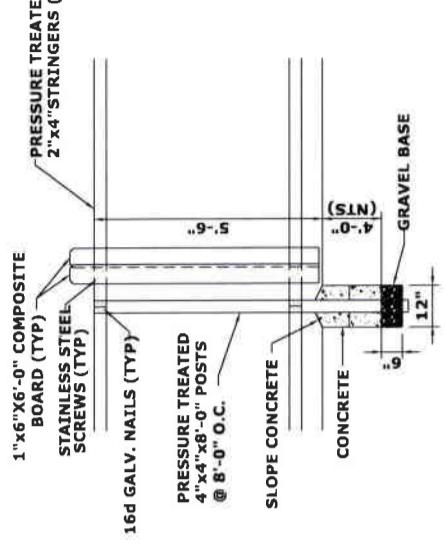
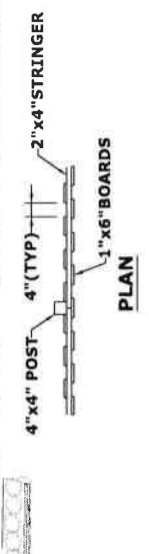
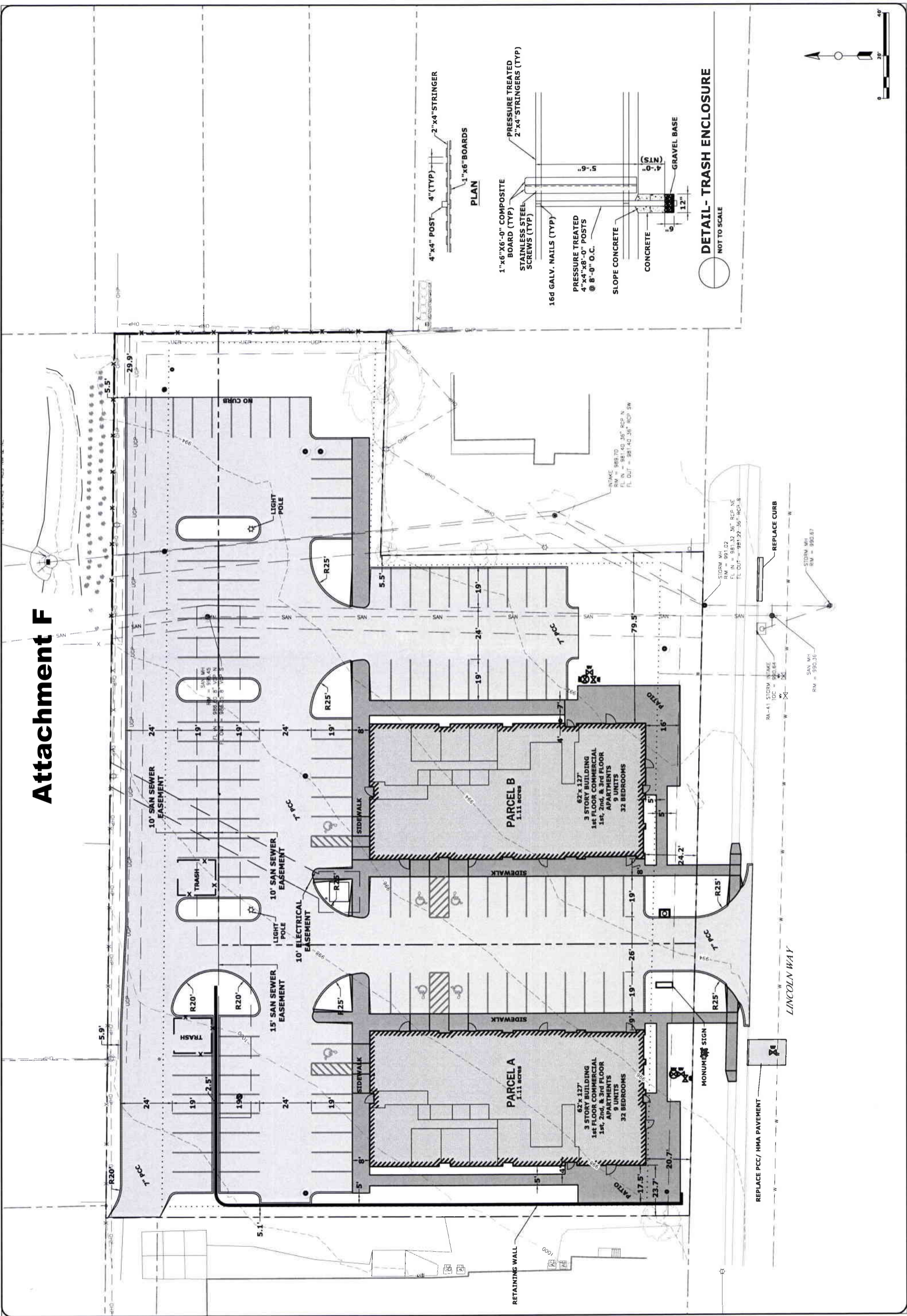
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REVISION		SRS	07/15
		CHECKED	
		DESIGNED	
		AS PER DRC COMMENTS DATED 7/17/15	
DATE	07/30/15		
LAST UPDATE:	07/30/15		

FOX Engineering Associates, Inc.
 Ames, Iowa 50010
 Phone: (515) 233-0000
 FAX: (515) 233-0103

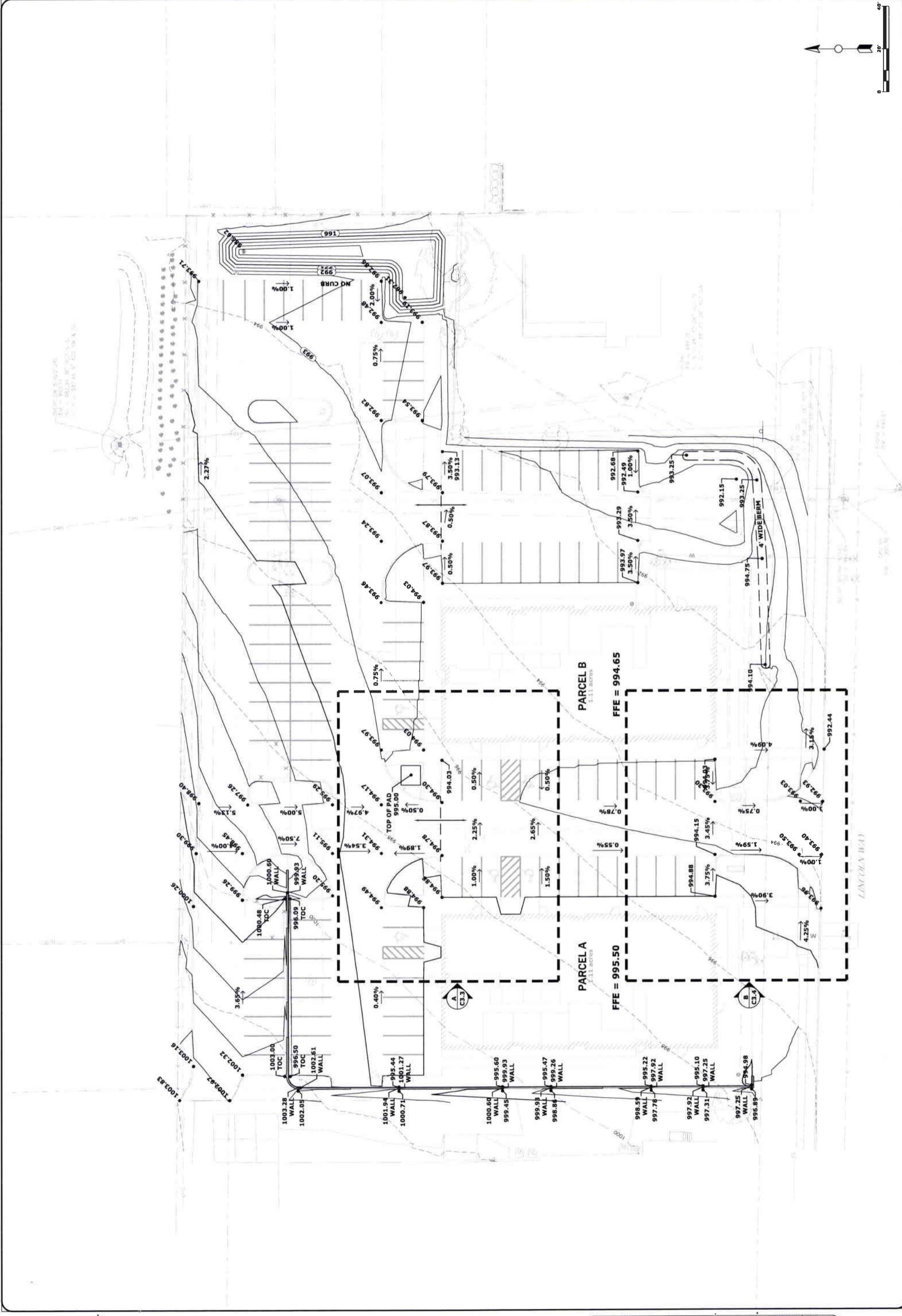
SITE LAYOUT AND DIMENSIONING PLAN
 WALNUT RIDGE COMMERCIAL
 3515 & 3505 LINCOLN WAY
 AMES, IA

PROJECT NO
 5404-15A
 SHEET
C2.0

Attachment F



DRAWING FILENAME
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 PLOT STYLE TABLE
 Fox\Grayscale.ctb
 LAYOUT NAME
 C2.0



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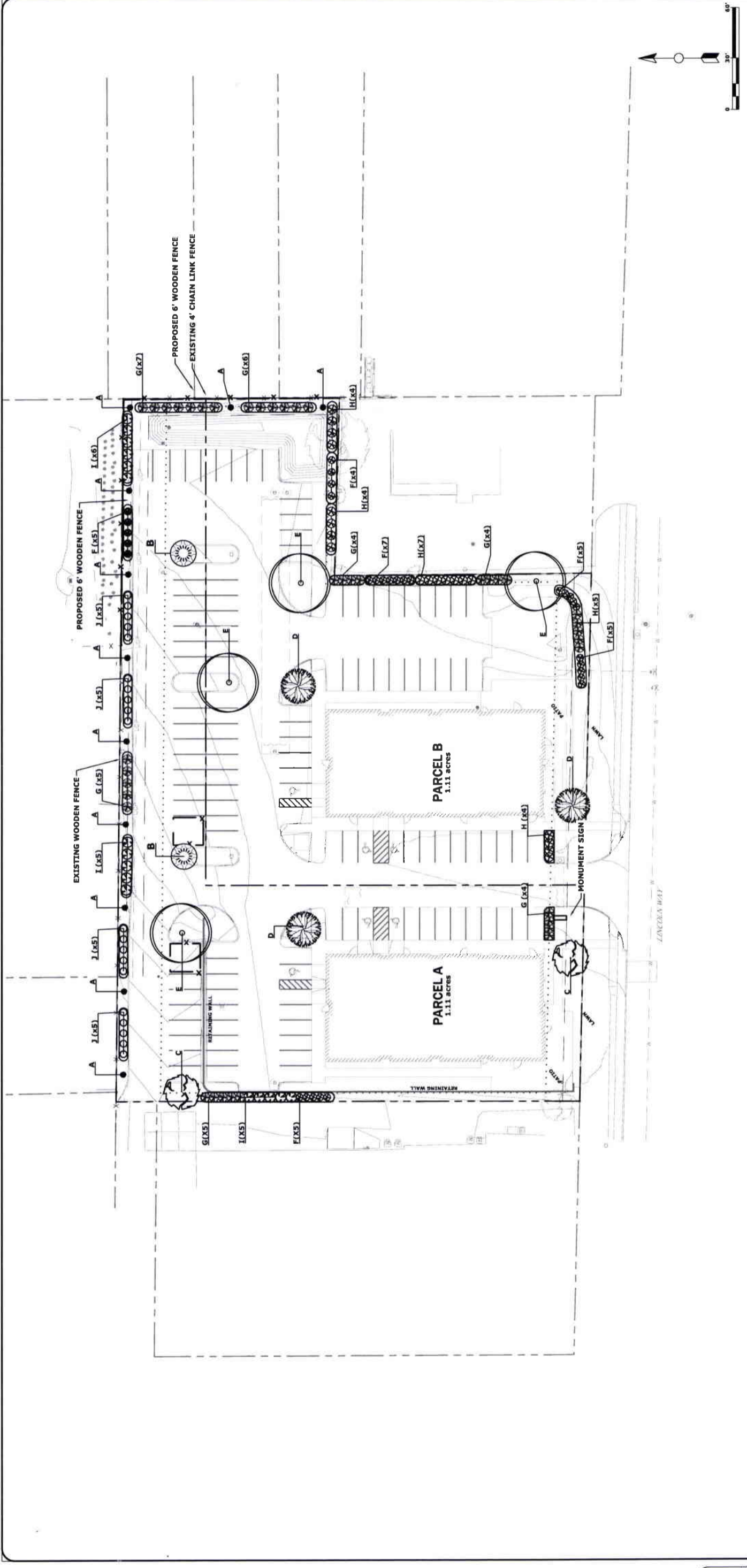
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		LAST UPDATE:	07/30/15

DATE	07/20/15
AS PER DRC COMMENTS DATED 7/17/15	
DESIGNED	07/15
BRAWN	07/15
CHECKED	
LAST UPDATE:	07/30/15

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

FOX Engineering Associates, Inc.
 3515 R. 3505 LINCOLN WAY
 WALNUT RIDGE COMMERCIAL
 AMES, IA

PROJECT NO: 5404-15A
 SHEET: C5.0



Plant Schedule

Symbol	Number	Common Name	Botanical Name	Size	Container	Mature Height	Mature Width	Comments
A	11	Taylor Juniper	Juniperus Virginiana 'Taylor'	1 1/2" Caliper	3' B&B	30	3	
B	2	Pagoda Dogwood	Cornus alternifolia	1 1/2" Caliper	4' B&B	30	30	
C	2	Korean Maple	Acer Pseudosieboldianum	1 1/2" Caliper	#7 Cont.	20	20	
D	3	Japanese True Lilac	Syringa Reticulata 'Ivory Silk'	1 1/2" Caliper		25	20	
E	4	State Street Maple	Acer Miyabei 'Morton'	1 1/2" Caliper		30	30	
F	31	Blue Muffin Arrowhead Viburnum	Viburnum Dentatum 'Christom'		#2	4	4	
G	35	Red Prince Weigela	Weigela Florida 'Red Prince'		18" Pot	5	5	
H	24	Dakota Sunspot Potentilla	Potentilla Fruticosa 'Fargo'		#2	5	5	
I	16	Mohican Viburnum	Viburnum Lantana 'Mohican'		24" Pot	6	6	
J	20	Goldmound Spirea	Spirea Japonica 'Goldmound'		#2	3	4	

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ARCHITECTURAL
CONSTRUCTION



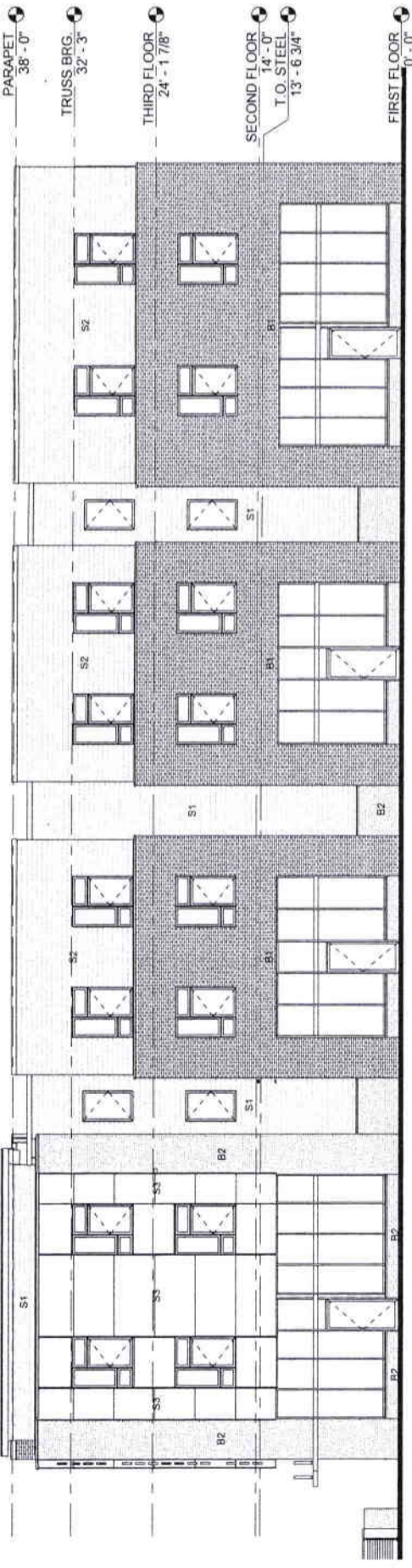
STRUCTURAL
ENGINEERING

P.O. BOX 159 HUXLEY, IA 50124
P: 515.597.5457
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WWW.JCORP.BIZ

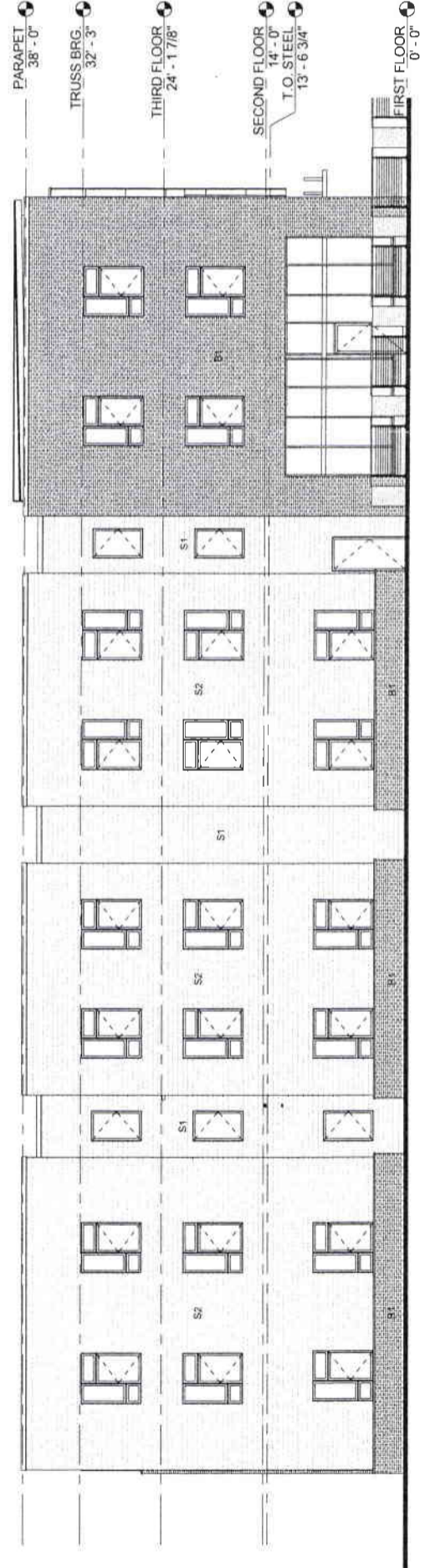
Lincoln Way Mixed-Use

Perspective
06/23/15

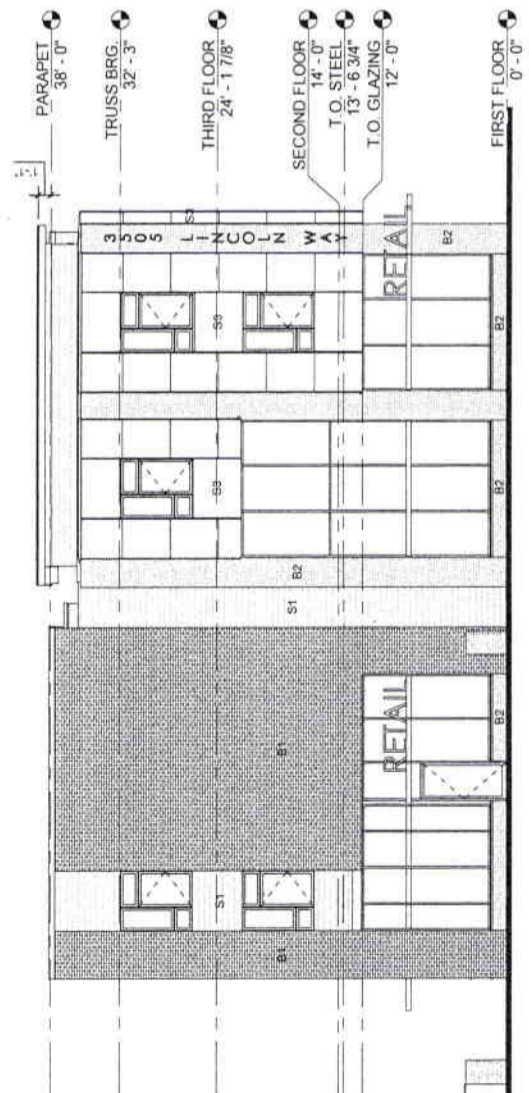
Type Mark	Description
B1	Brick - Dark Grey
B2	Brick - Light Tan
S1	Hardie Siding - Charcoal
S2	Hardie Siding - Grey
S3	Hardie Reveal Panel System



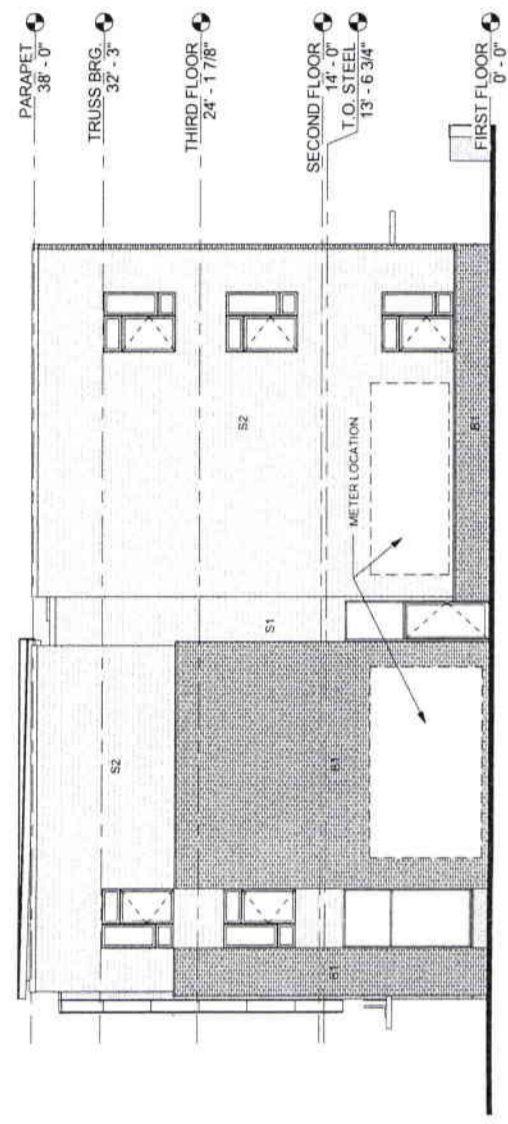
4 EAST ELEVATION
SCALE: 1/8" = 1'-0"



3 WEST ELEVATION
SCALE: 1/8" = 1'-0"



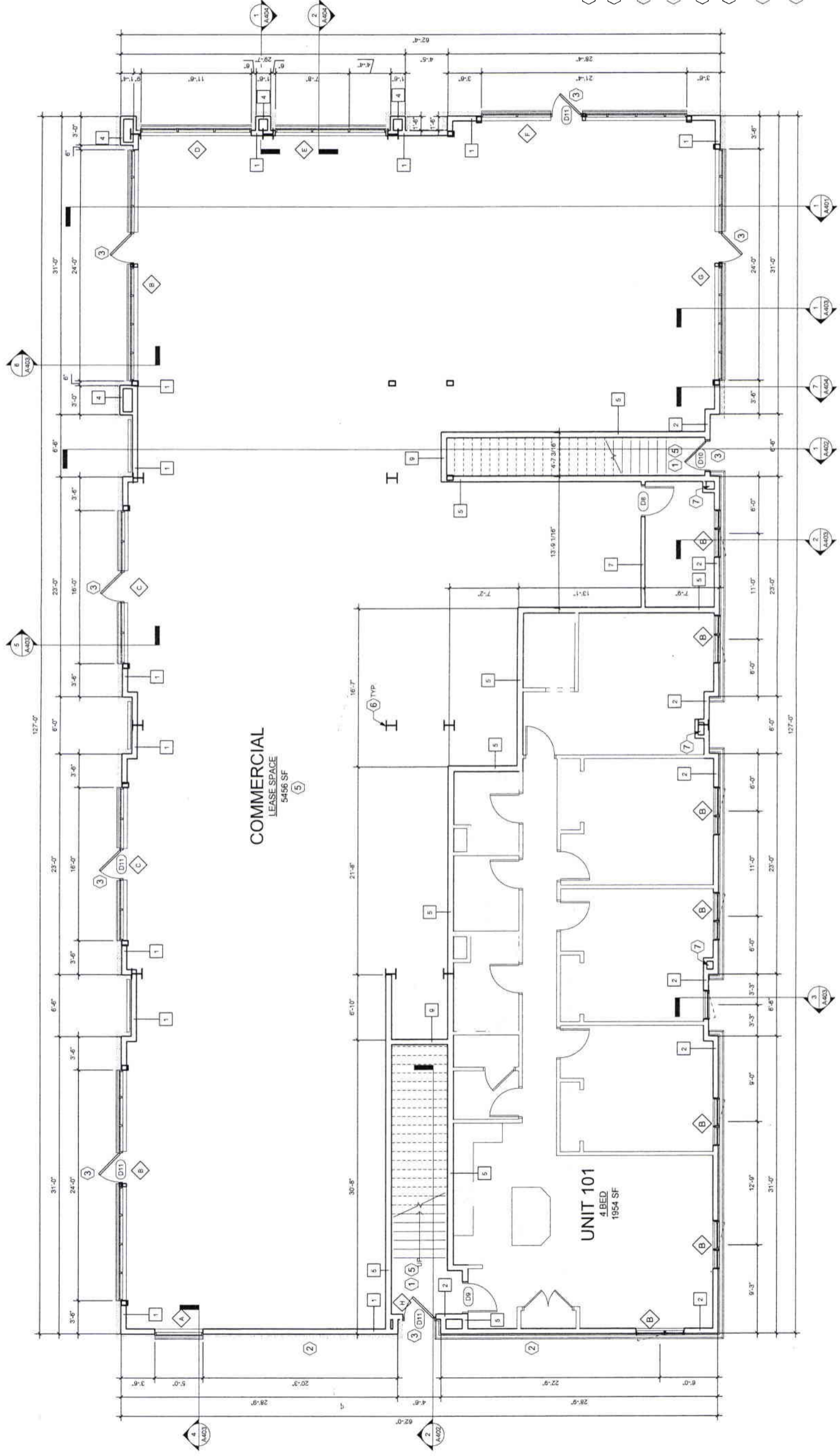
2 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



1 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

JUL 30 2015

CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

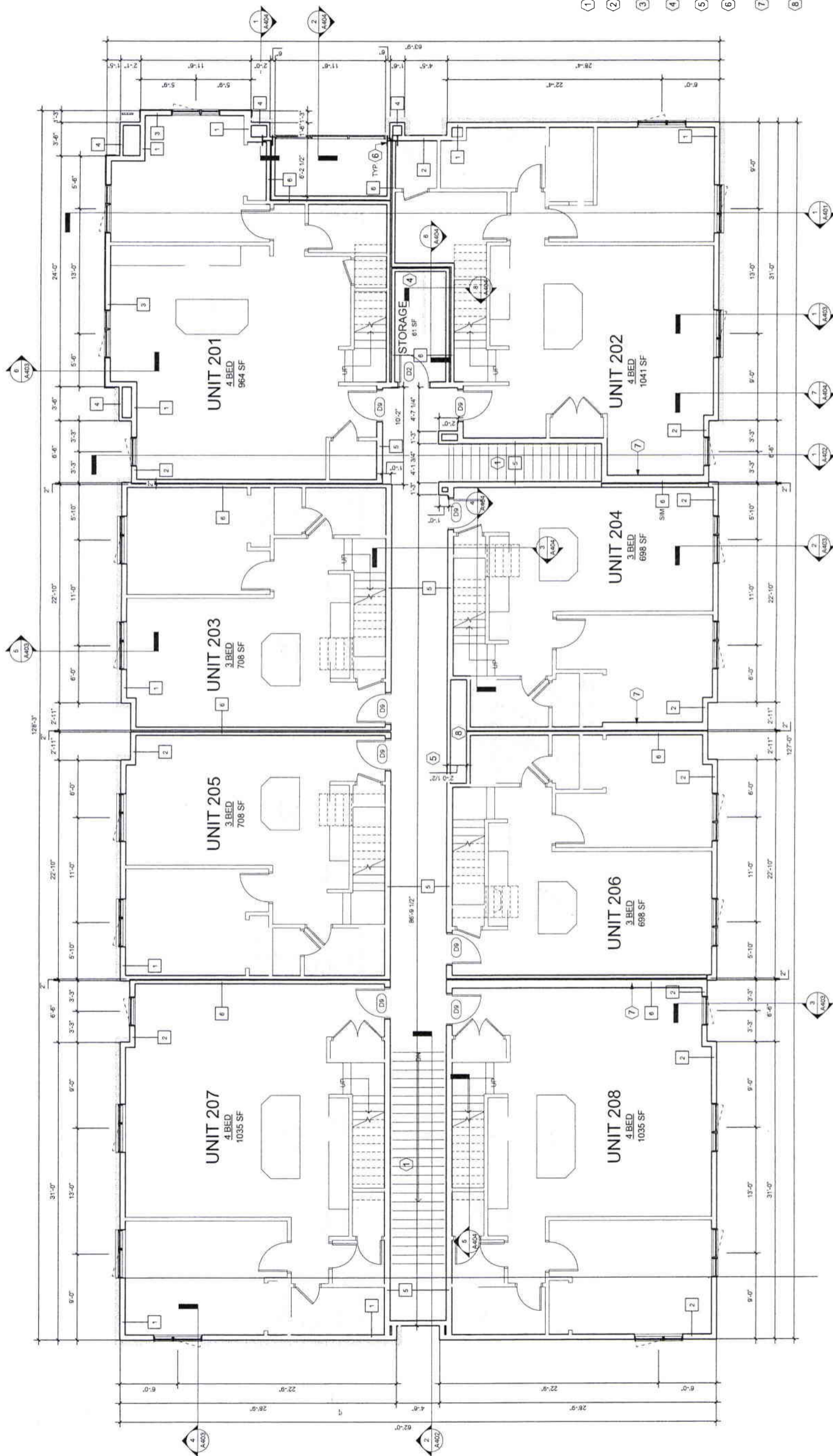


COMMERCIAL
LEASE SPACE
5456 SF
(5)

UNIT 101
4-BED
1954 SF

- PLAN NOTES**
- (1) STAIRS - RE. STAIR PLAN AND STAIR SECTIONS
 - (2) METER LOCATION - COORDINATE FINAL SIZE AND PLACEMENT OF EQUIPMENT WITH CONTRACTOR
 - (3) CONCRETE STOP, TYP. ALL EXTERIOR ENTRANCES - RE. STRUCTURAL
 - (4) SHIPS LADDER AND ROOF ACCESS HATCH BY MANUFACTURER
 - (5) ACCESSIBLE HARDWARE IN ALL COMMON AREAS TYP. AS OCCURS
 - (6) COLUMN AND LOCATION RE. STRUCTURAL
 - (7) INTERNAL ROOF DRAIN LOCATION - COORDINATE FINAL SIZE AND PLACEMENT WITH PLUMBING CONTRACTOR. 2x8 WALL OR 2x4 FLOORING AS OCCURS TO CONCEAL DRAIN PIPE
 - (8) CHASE SPACE FOR FUTURE MECHANICAL

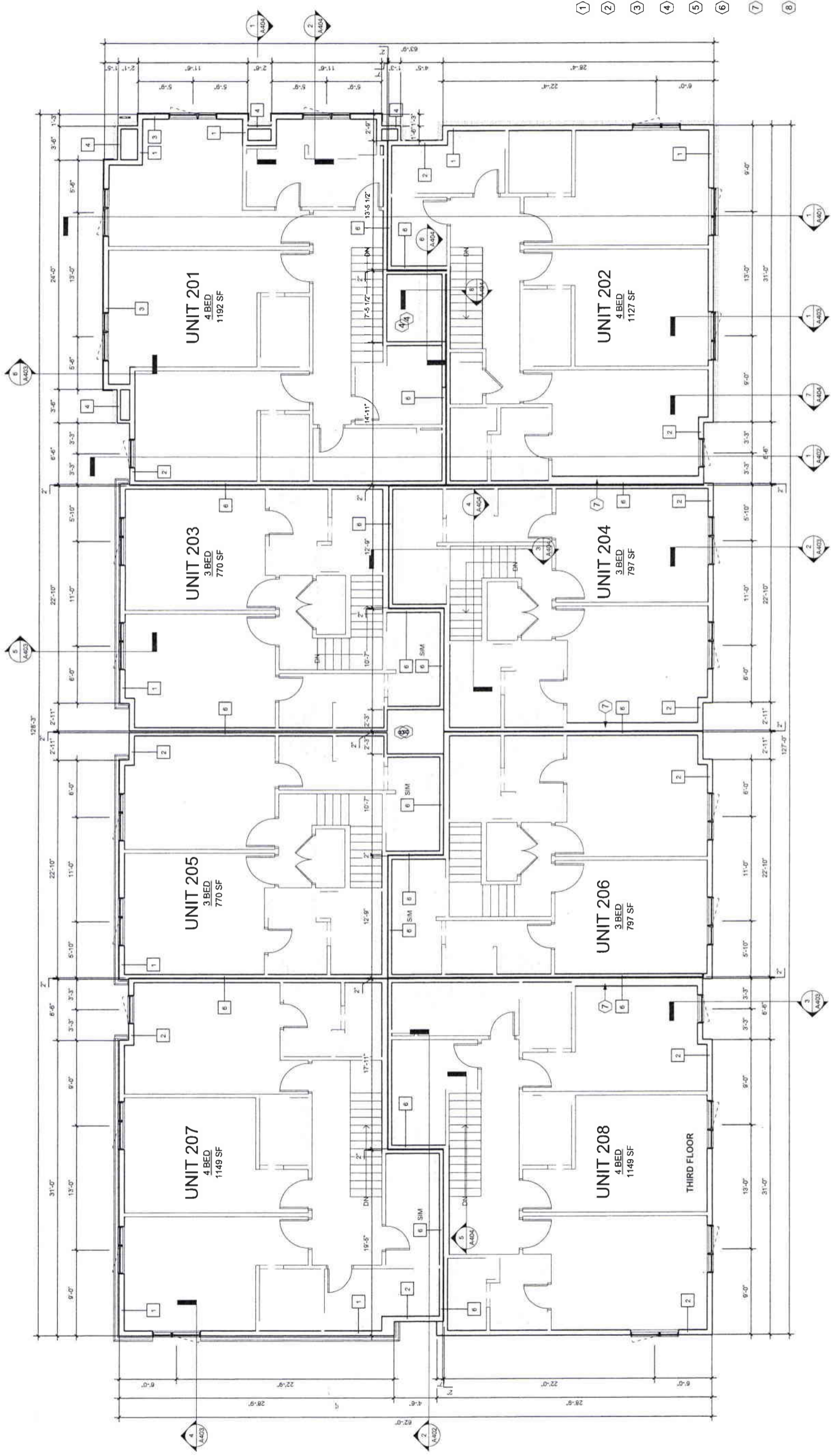
NORTH  **FIRST FLOOR PLAN**
SCALE: 3/16" = 1'-0"



PLAN NOTES

- 1 STAIRS - RE STAIR PLAN AND STAIR SECTIONS
- 2 METER LOCATION - COORDINATE FINAL SIZE AND PLACEMENT OF EQUIPMENT WITH CONTRACTOR
- 3 CONCRETE STOOD: TYP. ALL EXTERIOR ENTRANCES - RE STRUCTURAL
- 4 SHIPS LADDER AND ROOF ACCESS HATCH BY MANUFACTURER
- 5 ACCESSIBLE HARDWARE IN ALL COMMON AREAS, TYP. AS OCCURS
- 6 COLUMN AND LOCATION RE STRUCTURAL
- 7 INTERNAL ROOF DRAIN LOCATION - COORDINATE FINAL SIZE AND PLACEMENT WITH PLUMBING CONTRACTOR. 2x8 WALL OR 2x4 FURRING AS OCCURS TO CONCEAL DRAIN PIPE
- 8 CHASE SPACE FOR FUTURE MECHANICAL

NORTH **1** **SECOND FLOOR PLAN**
SCALE: 3/16" = 1'-0"



PLAN NOTES

- ① STAIRS - RE STAIR PLAN AND STAIR SECTIONS
- ② METER LOCATION, COORDINATE FINAL SIZE AND PLACEMENT OF EQUIPMENT WITH CONTRACTOR
- ③ CONCRETE STOOPT, TYP. ALL EXTERIOR ENTRANCES - RE STRUCTURAL
- ④ SHIPS LADDER AND ROOF ACCESS HATCH BY MANUFACTURER
- ⑤ ACCESSIBLE HARDWARE IN ALL COMMON AREAS, TYP AS OCCURS
- ⑥ COLUMN AND LOCATION RE STRUCTURAL
- ⑦ INTERNAL ROOF DRAIN LOCATION - COORDINATE FINAL SIZE AND PLACEMENT WITH PLUMBING CONTRACTOR. 2x6 WALL OR 2x4 FLOORING AS OCCURS TO CONCEAL DRAIN PIPE
- ⑧ CHASE SPACE FOR FUTURE MECHANICAL

NORTH **1** **THIRD FLOOR PLAN**
 SCALE: 3/16" = 1'-0"