

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

APRIL 26, 2016

The Regular Meeting of the Ames City Council was called to order by Mayor Ann Campbell at 6:00 p.m. on the 26th day of April, 2016, in the City Council Chambers in City Hall, 515 Clark Avenue. Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Tim Gartin, Chris Nelson, and Peter Orazem were present. Council Member Amber Corrieri arrived at 6:40 p.m. *Ex officio* Member Sam Schulte was also in attendance.

RECOGNITION OF BOYS & GIRLS CLUB OF STORY COUNTY YOUTH OF THE YEAR: Mayor Campbell announced that Marc Mbofung has been named the Boys & Girls Club of Story County Youth of the Year in recognition of his leadership, service, and character. The Mayor also recognized Emma Clark as the Boys & Girls Club of Story County Junior Youth of the Year for her extraordinary achievement and service as a Club member.

PRESENTATION OF 2015 HISTORIC PRESERVATION AWARDS: Kim Hanna, Chair of the Historic Preservation Commission, presented the following Awards:

1. Significant Achievement in Historic Preservation: Sharon Wirth.

This Award recognizes significant individual or organizational achievements in historic preservation, including, but not limited to, advocacy, planning, development, education, community leadership, and promoting public awareness.

Ms. Wirth invited the public to a self-guided walking tour of historic Downtown buildings in Ames to be held on May 28 from 10 AM to 12 Noon. This event is sponsored by the City of Ames Historic Preservation Commission.

2. Historic Landscapes, Sites or Site Features: Hoggatt School, 300-20th Street, and the Ames Community School District. (Hoggatt School was the first school building in Ames dating back to the 1860s.)

This Award recognizes any historic resource not encompassed by the structural award categories that has undergone historic rehabilitation, restoration, or historic preservation.

Dr. Tim Taylor, Superintendent of Ames Community School District, and Jerry Peters, Director of Facilities Planning and Management, accepted the Award.

3. Adaptive Reuse: Haila Architecture, 413 Kellogg Avenue

This Award recognizes retention of the principal features of a building and in a sympathetic way modifying it for modern uses.

John Haila accepted the Award. Mr. Haila thanked the owners of the building Allyson Walter and Bill Woodward, for their support of the vision.

PROCLAMATION FOR “PEACE OFFICERS’ MEMORIAL DAY:” Mayor Campbell proclaimed May 15, 2016, as “Peace Officers’ Memorial Day,” in honor of Sergeant Howard Snider and the federal, state, and municipal officers who have been killed in the performance of their duties. Sergeant Howard Snider will be further honored by the addition of his name to the 2015 Iowa Peace Officer Memorial on May 6, 2016. Accepting the Proclamation was Robin Snider, wife of Sergeant Snider.

PROCLAMATION FOR “ARBOR DAY:” April 29, 2016, was proclaimed as “Arbor Day,” by Mayor Campbell. Accepting the Proclamation on behalf of Ames Trees Forever were members John Jacobson, Bill LaGrange, and Bob Schumer.

PROCLAMATION FOR “NATIONAL PRESERVATION MONTH:” The Mayor proclaimed May 2016 as the “National Preservation Month.” Accepting the Proclamation on behalf of the Ames Historic Preservation Commission was Kim Hanna, Chairperson.

PROCLAMATION FOR “BIKE-TO-WORK” WEEK: “Bike-to-Work Week” (May 16 - 20, 2016) was proclaimed by Mayor Campbell. She also proclaimed May as “National Bike Month.” Carol Williams; Daniel DeGeest; Geri Neal; Judie Hoffman, representing Healthiest Ames; and three others (names unknown) accepted the Proclamation. Ms. Williams advised that many activities will be happening during May for Bike Month. During Bike-to-Work Week, commuter breakfasts will be held from 7:00 - 9:00 a.m. at the following locations: City Hall on May 16, Research Park on May 17, Brookside Park on May 18, JAX Outdoor Gear on May 19, and Skunk River Cycles on May 20.

CONSENT AGENDA: Moved by Nelson, seconded by Betcher, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of April 12, 2016
3. Motion approving Report of Contract Change Orders for April 1-15, 2016
4. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor & Outdoor Service – Perfect Games, 1320 Dickinson
 - b. Class C Beer – Swift Stop #2, 3406 Lincoln Way
 - c. Special Class C Liquor – Great Plains Sauce & Dough, 129 Main Street
 - d. Special Class C Liquor - Szechuan House, 3605 Lincoln Way
5. Motion approving new Class C Liquor & Outdoor Service for Battlecry Iowa Smokehouse and Bar, 823 Wheeler Street, Ste. 1 (pending satisfactory background checks and inspection)
6. Motion approving 6-month Class B Beer License and Outdoor Service for Ames Jaycees “Ames on the Half Shell” in Bandshell Park, 6th Street and Duff Avenue
7. Motion approving application for participation in Department of Justice Office of Justice Programs Bulletproof Vest Partnership Program

8. RESOLUTION NO. 16-189 approving and adopting Supplement No. 2016-2 to *Municipal Code*
9. RESOLUTION NO. 16-190 approving additional 2016 Urban Revitalization tax abatement requests
10. RESOLUTION NO. 16-191 approving 2016 Neighborhood Art acquisitions
11. Request from ChildServe to amend FY 2015/16 Contract for Human Services:
 - a. RESOLUTION NO. 16-192 approving reallocation of funds
12. RESOLUTION NO. 16-193 approving Program Agreement with Main Street Cultural District and Iowa Economic Development authority for Main Street Iowa Program
13. RESOLUTION NO. 16-194 approving 2016 Intergovernmental Agreement with Metro Waste Authority for satellite Household Hazardous Materials Collection and Disposal at an annual cost of \$76,431.24
14. RESOLUTION NO. 16-195 approving renewal of Contract with Iowa Association of Municipal Utilities for Safety Training and Related Services
15. RESOLUTION NO. 16-196 approving renewal of Dental Insurance Administrator Contract with Delta Dental of Iowa for July 1, 2016, through June 30, 2017
16. Requests for Summerfest in Campustown on June 4, 2016:
 - a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License for Campustown District
 - b. Motion approving 5-Day Class B Beer Permit & Outdoor Service
 - c. RESOLUTION NO. 16-197 approving closure of 200 block of Welch Avenue and a portion of Chamberlain Street between 7:00 a.m. and 10:30 p.m.
 - d. RESOLUTION NO. 16-198 approving closure of parking spaces in 200 block of Welch Avenue, a portion of Chamberlain Street, Welch Lot T, and Chamberlain Lot Y from 12:01 a.m. to 10:30 p.m. and waiver of parking meter fees
 - e. RESOLUTION NO. 16-199 approving usage of electricity and waiver of costs
 - f. RESOLUTION NO. 16-200 approving waiver of fee for Blanket Vending License
17. RESOLUTION NO. 16-201 approving preliminary plans and specifications for Maintenance Facility Roof Replacement Phases 2 and 3; setting May 25, 2016, as bid due date and June 14, 2016, as date of public hearing
18. RESOLUTION NO. 16-202 approving preliminary plans and specifications for 2014/15 Sanitary Sewer Rehabilitation #2 (Flood Prone Manholes); setting May 18, 2016, as bid due date and May 24, 2016, as date of public hearing
19. RESOLUTION NO. 16-203 approving preliminary plans and specifications for Ice Arena Lighting; setting May 25, 2016, as bid due date and June 14, 2016, as date of public hearing
20. Award of FY 2016-19 Electric Distribution Line Clearance Program to Wright Tree Services of Des Moines, Iowa:
 - a. RESOLUTION NO. 16-204 approving one-year contract for hourly rates and unit prices bid in an amount not to exceed \$302,587
21. Skate Park Renovation Project:
 - a. RESOLUTION NO. 16-205 awarding contract to Spohn Ranch of Los Angeles, California, for base bid and Alternates 1 and 2 in the amount of \$149,750.37

- b. RESOLUTION NO. 16-206 approving the use of savings from Ada Hayden Water Line project
22. RESOLUTION NO. 16-207 approving renewal of contract with ChemTreat, Inc., of Glen Allen, Virginia, for 2016/17 Chemical Treatment Program for Power Plant in an amount not to exceed \$266,000
 23. RESOLUTION NO. 16-208 approving renewal of Professional Services Contract with Burns & McDonnell of Chesterfield, Missouri, for 2016/17 for Power Plant Fire Risk Mitigation in an amount not to exceed \$50,000
 24. RESOLUTION NO. 16-209 approving contract and bond for Ames/ISU Ice Arena Flooring
 25. RESOLUTION NO. 16-210 approving Change Order No. 1 for Grant Avenue (Hyde Avenue) Pavement Improvements Construction Observation
 26. RESOLUTION NO. 16-211 accepting completion of Power Plant Fuel Conversion, Uninterruptible Power System
 27. RESOLUTION NO. 16-212 accepting completion of 2013/14 Collector Street Pavement Improvements (Sheldon Avenue)
 28. RESOLUTION NO. 16-213 accepting completion of 2013/14 Concrete Pavement Improvements Program #2 (North 2nd Street)
 29. RESOLUTION NO. 16-214 accepting completion of Ames Plant Switchyard and Distribution Substation Improvements
 30. RESOLUTION NO. 16-215 approving Plat of Survey for 2622, 2630, and 2636 Lincoln Way; 112 and 130 S. Sheldon; and 113, 117, and 119 Hayward Avenue
- Roll Call Vote: 5-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

PUBLIC FORUM: Mayor Campbell opened Public Forum.

Nitin Gadia, 214 Main Street, Apartment 1, Ames, stated that he was a member of Campustown Square. He thanked Council Member Corrieri for bringing up a task from the Council's Goal Update Session (on March 26, 2016) during the Council Comments section of the meeting held on April 12, 2016. He said he also felt that the Campustown Square group's request for a community-owned square in Campustown at the northeast corner of the enclosed parking area in the 100 block of Welch would fall under that task. Mr. Gadia asked for the Campustown Square members to be included in that task. He felt this was a good opportunity for all to work together to change the lot between Welch and Hayward. Mr. Gadia noted that the smaller Square would not require the reduction of any parking spaces.

Jessica Fears, 4915 Schubert Street, Ames, said that she was in support of Campustown Square's request. She feels that there needs to be a better sense of community in that location, and Ms. Fears believes that that begins with community spaces. Ms. Fears expressed her desire to have the request of Campustown Square referred to staff.

SANITARY SEWER SYSTEM CAPACITY UPDATE: Tracy Warner, Municipal Engineer, noted that the City Council had considered Land Use Policy Plan amendments, zoning changes, and subdivision/site plan approvals for several areas in the west part of Ames during the past few months. As part of those considerations, staff had indicated that evaluation of sanitary sewer capacity should be taken into account before granting final approval for these projects. Pending projects include a Major Site Development Plan for Aspen Heights, a Preliminary Plat for Dotson Drive, a Minor Site Development Plan for 122 Hayward, a rezoning of the Crane Farm, as well as a proposed development on TOMCO property between Sheldon Avenue and Hyland Avenue, and a future subdivision of the “Middle Parcel” along State Street, which is now owned by the City. All of those proposed developments would be built in Sewer Basins 5 or 6. The updated sanitary sewer model, including the above developments, indicates that there is a capacity issue in an existing ten-inch main between Hayward Avenue and Sheldon Avenue. This pipe was built in 1968 at a very flat slope. Initial indications are that this pipe needs to be upsized and at a steeper slope. The sanitary sewer model indicates that this segment of the sewer is at capacity under existing conditions and continued development consistent with the LUPP projects a deficiency that needs to be corrected as part of the system improvements. Therefore, it is not attributed to any of the specific developments now being considered. Ms. Warner advised that, if the Council directs, the improvements could be made as an existing system deficiency using State Revolving Funds already approved as part of the 2016/17 Sanitary Sewer Rehabilitation Program in the Capital Improvements Plan. Through direction by City Council for staff to proceed with design of this improvement, it would be possible for construction to commence this fall with completion by the end of December 2016.

Moved by Nelson, seconded by Orazem, to direct staff to proceed with the sanitary sewer system improvement between Hayward Avenue and Sheldon Avenue using 2016/17 Sanitary Sewer Rehabilitation funding, with construction to be completed in the 2016 construction season.
Vote on Motion: 5-0. Motion declared carried unanimously.

HEARING ON INTENT TO CONSTRUCT NEW WELL FIELD AND AUTHORIZING ACQUISITION OF LAND VIA EMINENT DOMAIN, IF NECESSARY: Neil Weiss, Environmental Engineer with the Water and Pollution Control Department, provided background on the project. In summary, he said that currently 22 supply wells are the source drinking water for the Ames community. As old wells fail and need to be replaced and as demand for treated water increases, additional wells must be drilled. Development of the proposed well field will consist of an interconnecting pipeline and three new wells, each with a capacity of 1,000 gallons per minute. The planned new well field will add an estimated 2.6 million gallons per day (mgd) of raw water that will be delivered to the City’s Water Treatment Plant. Test drilling was done in 2012/13 and 2015/16. The 2016-17 Capital Improvements Plan budget includes \$518,000 for design/engineering and purchase of easements for the project, and the total budget for the project is \$5,561,000. Mr. Weiss added that the location for a new well field had been chosen using a detailed ground water hydraulic model. The three new wells are proposed to be constructed on land north of East 13th Street and east of the Skunk River.

Council Member Corrieri arrived at 6:40 p.m.

Mr. Weiss reviewed the scope of the project. He indicated that HDR Engineering had been retained to assist with the route study associated with the pipeline from the new well field to the new Water Treatment Plant. The study involved evaluating three alternative alignments for construction of a pipeline to transmit raw water to the Water Treatment Plant. The main disadvantage of the yellow alignment is the limited space on the north side of 13th Street and the main disadvantage of the blue alignment is the limited space along Stagecoach Road. Based on its evaluation, HDR recommended that the City pursue the red alignment for construction of the pipeline to connect the new wells to the Water Treatment Plant. That alignment best utilizes City property for constructing the water main. Overall, the red alignment will limit impacts to the public during construction and will offer accessibility for operation and maintenance after construction. There is space available on the south side of 13th Street that can be utilized to make the connection to the new raw water main.

According to Mr. Weiss, the entire pipeline can be constructed on City property. As for the wells, two of the proposed locations are located on City property and one well will require land to be acquired. In addition to the land acquisition for one well, construction easements may be needed for construction of the pipeline and the electrical power that will be brought to the site.

Regarding Project Involvement, Mr. Weiss stated that all potentially affected property owners had been invited to an open house on March 1, 2016. The primary purpose of the open house was to assist property owners in understanding the need for the project. It also allowed those potentially affected to ask questions and give feedback to the staff. In addition, staff met individually with each property owner where permanent easements will be needed. Staff has also contacted residents in areas where permanent easements will not be required, but where there will be construction-related disruptions. Although staff is hopeful the purchase of property/properties and easements required can be negotiated without condemnation, it is conceivable that an agreement for a voluntary sale or easement may not be reached, and condemnation might become necessary some time in the future.

Council Member Gartin asked if there was a reason why the Downtown wells were losing pressure. Christina Murphy, Assistant Director of Water and Pollution Control, stated that as the wells age, they lose pressure. She confirmed that it was not due to the aquifer.

Mayor Campbell opened the public hearing. The hearing was closed after no one requested to speak.

Moved by Beatty-Hansen, seconded by Nelson, to adopt RESOLUTION NO. 16-216 declaring the City's intent to fund the final site specific design and to acquire, by condemnation if necessary, property and easements for the construction of the North River Valley Well Field and Pipeline Project; and authorizing staff to pursue voluntary negotiations with property owners.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

ASPEN HEIGHTS (205 SOUTH WILMOTH AVENUE): City Planner Karen Marren reported that Breckenridge Group Ames Iowa, LLC, had requested approval of a Major Site Development Plan for property located at 205 S. Wilmoth Avenue. The lot proposed for development contains 8.91 acres and is currently zoned Residential High Density.

According to Ms. Marren, the developer of the site proposes a residential and mixed-use residential and commercial development. Development of the property is required to be consistent with the Contract Rezoning Agreement for the property that allows for residential use of up to 422 beds and requires the development of between 15,000 and 40,000 square feet of commercial development with a mixed-use format. The property owner has also agreed to a three-story height limit for development of the site.

It was noted that, typically, development within an RH zoning district would not trigger a Major Site Development Plan review, but in this case, the inclusion of a mixed-use development in excess of 5,000 square feet requires a Major Site Development Plan approval. The property has also been designated as an Urban Revitalization Area with a plan for revitalization that includes standards that are above and beyond minimum zoning standards, which the project must accomplish to be eligible for future partial property tax abatement.

Ms. Marren further advised that the site abuts low-density zoned development to the south, a majority of the land to the west is low-density residential with one commercial site along Lincoln Way, to the north across Lincoln Way is split zoning of Low-Density Residential (®-L) and Highway-Oriented Commercial (HOC), and properties to the east are mostly Low-Density Residential with RH West University Impact zoning along Lincoln Way. There is one R-H parcel surrounded by the site along Lincoln Way.

The Council learned that the proposed Plan includes four buildings with parking located around each building. The total number of apartment units is 122 units totaling 422 bedrooms with approximately two-thirds of the units configured as four-bedroom units, one-fourth as three-bedroom units, and the remaining number as two-bedroom units. The mixed-use building along Lincoln Way includes approximately 15,000 square feet of commercial square footage on the ground floor and 20 apartment units above for a total of 64 bedrooms. The three apartment buildings are located in the middle of the property. Building B is located along Wilmoth Avenue and includes 36 units with 126 bedrooms. Building C is a centrally located apartment building and has 30 units and 106 bedrooms. Building D is the western apartment building and has 36 units and 126 bedrooms. Additionally there is a one-story 7,000 square foot clubhouse building with leasing offices and recreation space located at the corner of Wilmoth and Lincoln Way.

Ms. Marren stated that there is access into the development from Lincoln Way for the commercial mixed-use building with a driveway situated across from Colorado Avenue. This location was dictated by spacing requirements by the City's Traffic Engineer. Access from Wilmoth Avenue occurs near the clubhouse and also south of the apartment buildings across from Lettie Street. No access is provided from the dead-end street of Hilltop. Pedestrian access is provided to Wilmoth on the south side of the apartments, through to the clubhouse, and via the walkway along the commercial building. The apartment buildings are interconnected with an internal walkway system.

According to Ms. Marren, the developer has proposed a 20-foot easement along the south boundary of the site to accommodate a future bicycle facility in anticipation of the requirement as part of the City's missing infrastructure ordinance requirements of Chapter 5 and Chapter 22 of the *Ames Municipal Code*. It was noted, however, that actual construction of the bicycle facility will not occur with this development.

Ms. Marren briefly described the design of the buildings. The apartment buildings are similar to the commercial buildings in use of materials and design techniques. The buildings also include brick and horizontal cementitious board siding. Each apartment building is configured in a U-shape with an internal courtyard that is approximately 30 feet in width. However, the U-shaped pattern is only visible for the central apartment building as viewed from Lincoln Way. Each of the apartment buildings is separated from the adjacent building by 20 feet with a walkway between buildings. The mixed-use building is oriented with its main commercial frontage along Lincoln Way, but has access into the commercial tenant spaces and upper floor apartments from the rear parking lot located south of the building. The commercial tenant spaces may or may not have direct access to Lincoln Way and will be based on future tenant's desires. The individual apartment buildings will have access from both the north and south sides of the buildings with the eastern most building along Wilmoth also having an entrance to the street (east). The project includes a six-foot wood fence around the west and south perimeter of the site as part of a ten-foot wide L3 landscape buffer. Ms. Marren noted that the developer has proposed a decorative six-foot metal fence along the north and eastern perimeter. Access to the apartment area is secured with gates at all driveways and pedestrian walkways.

It was reported that the project has a requirement for 465 parking spaces by zoning standards; however, the Urban Revitalization Area Plan criteria require extra commercial parking that brings the minimum expectation up to 489 parking spaces. The project has a total of 492 parking spaces per the Plan dated "Revisions 4/20/16." The parking is designed to segregate the commercial parking from the majority of apartment parking. There are 72 spaces adjacent to the commercial area and an additional 63 spaces to the east for apartment occupants. The clubhouse has eight parking spaces and a drop-off area adjacent to it. The remaining 349 parking spaces are located around the apartments and behind the security fencing. The landscape design includes the standard parking lot screening requirements for 5-foot L2 shrubs and trees, placement of street trees, and inclusion of apartment foundation and front-yard landscape units (mix of trees and shrubs by linear footage). In addition, the proposed plan includes L3 plantings along the perimeter of the site in accordance with the URA criteria. The main features of the west buffer are the six-foot wood fence with an alternating pattern of shrubs and 10 to 15-foot tall evergreen juniper trees approximately every 35 feet. The intent of the design was to provide a screening that exceeds the fence height, but there were limitations due to existing overhead power lines. The south L3 buffer utilizes larger deciduous trees along with the fence due to the greater separation of the apartments from the homes.

Planner Marren reported that the developer requested a deviation from the parking lot landscaped median requirement. The Major Site Development Plan process allows for alternative landscape schemes to be approved for parking lot design when the intent of the ordinance has been met. In this

instance, the very southeast corner of the site triggers a requirement for a 15-foot landscape median due the presence of a third double loaded aisle of parking. Including the median would eliminate a minimum of seven parking spaces and run the total length of 63 feet. The developer believes the smaller area does not warrant such a median and that the overall landscape plan appropriately landscapes the parking lot along Wilmoth where the deviation is requested.

Planning and Housing Director Kelly Diekmann advised that, at its meeting of April 6, 2015, the Planning and Zoning Commission reviewed the proposed site development plan and discussed site layout, access, and design of the project. The Commission ultimately recommended approval of the project with a vote of 7-0, recommending that the City Council approve the Major Site Development Plan to explore adding an additional pedestrian connection to Lincoln Way and with the following conditions and stipulations as were recommended by staff:

- a. The developer shall enter into an agreement for the costs associated with the design and construction of the extension of a turn lane from Franklin Avenue to the east through the project driveway at Colorado Avenue. The developer would contribute funds to the City for the project construction and be completed by the City in the summer of 2017.
- b. Provide an easement as shown on the site plan for the reconstruction of the shared use path along Lincoln Way.
- c. Allow for the deviation of the 15-foot landscaped median with the southeast corner of the parking lot.
- d. Adjust the height of the front yard fence along Wilmoth to a height of four feet or move Building B to 25-foot setback line to keep the six-foot fence out of the front yard.
- e. Allowance for construction of carports primarily south of the apartments, subject to staff approval of a complimentary design to the apartment buildings in terms of colors and finishes and to include a sloped roof.
- f. Allow the landscaped corner within the parking lot of the mixed-use building to be hardscaped to function as outdoor space for seating, if desired by the developer.
- g. Provide additional parking lot screening for the northwest corner of the residential parking lot along Lincoln Way and include trees along the driveway landscape strip.
- h. Modify the location of the transformer along Wilmoth to meet Electric Department access requirements and zoning standards for location and screening.
- I. Allow for the shrub plantings between the mixed use building and Lincoln Way to be substituted with decorative grasses or flowering annuals in recognition of the ground-floor as commercial space rather than apartments.

- j. Continue to work with staff on includes enhancing the visual interest of the Building B along the Wilmoth facade to include a more substantial covered entry element and elements of roof variation or relief. The commercial storefront glazing shall not be covered by tenants as uncovered storage areas or with internal demising walls.

Tenants may use window coverings to treat window areas for the purpose of providing for privacy and screening of internal operations.

- k. Approval of signage program as a separate Major Site Development Plan application prior to the installation of signs.
- l. Determination of adequate sanitary sewer capacity by the Public Works Department prior to the issuance of a building permit.
- m. Proceed with revised elevations for the commercial building, Building A, as presented and discussed during the April 6, 2016 Planning and Zoning Commission meeting, and
- n. Explore the viability of one or more additional north/south pedestrian connections to Lincoln Way to improve access and travel throughout the site.

Ms. Marren reported that, since the Planning and Zoning Commission meeting, the applicant has made revisions to the Plan to address some of the site and building concerns noted at the meeting as well as in the staff recommended conditions for the project. The revised plans currently reflect the noted conditions of letters: d, f, g, portions of j, m, and n, as requested by the Planning and Zoning Commission. Staff believes the changes that have been incorporated by the applicant meet the intent of the conditions recommended by the Commission and staff.

Council Member Betcher asked about there not being doors in the front. She asked if a design similar to Somerset had been considered. Council Member Orazem noted that parking would not be allowed in the front of the buildings (Lincoln Way).

T. C. Selman, representing Aspen Heights, addressed two concerns:

1. Fences. Security is a top priority. Fences and a series of locks provide security for residents and their belongings.
2. Commercial Space Along Lincoln Way. With the requirement of parking being behind the buildings, the majority of the doors would be on the back side of the building. Until the commercial tenants are known, it is not possible to determine exactly where the doors would be located. It is possible to replace the windows in the front of building with doors.

The public hearing was opened by Mayor Campbell.

Jay Adams, 248 Village Drive, Ames, expressed his disapproval of this proposed development being located in the middle of the Low-Density Residential neighborhood. The majority of the buildings in the existing neighborhood are single-story and are single-family homes with a few duplexes in the area. He contends that the type of buildings being proposed do not fit in with the rest of the neighborhood. Mr. Adams expressed his desire that there be a much bigger buffer than a fence due to the density being proposed. In the opinion of Mr. Adams, if this development is allowed, there will be too much strain on the roads. He asked the Council to reconsider the zoning of this development. If that is not possible, he asked the City Council to consider widening the roads adjacent to the proposed development.

Sharon Guber, 2931 Northwestern Avenue, Ames, stated that one of the things that came up for the first time at the Planning and Zoning Commission was the construction of carports. It was stated that the carports would be rented; if a tenant doesn't rent one, they cannot park under a carport. That means if the tenant renting the carport is out of town, no one else can park under the carport. The construction of carports reduces the number of parking stalls. Ms. Guber noted that there are only two parking stalls over the number that was required. She also pointed out that there are only 11 parking spaces being allowed for the clubhouse. There is also very few spaces for guests of residents. According to Ms. Guber, the construction of private carports reduces the number of parking spaces by over 100. Ms. Guber believes that the carports are being included only as a means of financial gain for the developer.

Ms. Guber also expressed her concerns over the lack of trash receptacles and the location of the ones shown on the Plan. She also raised the issue of the two fire pits, which would be an attraction for large gathering spaces and parties. Ms. Guber did not feel there should be fire pits in this large development.

According to Ms. Guber, the developer was asking for a waiver of some of the requirements for landscaping so that carports could be constructed. She asked that there be no reduction in the landscaping requirements. The area needs trees and landscaping.

Joanne Pfeiffer, 3318 Morningside Street, Ames, informed the Council that she had three main concerns with the Plan:

1. Traffic. She does not feel that there has been an adequate accurate traffic study performed for this area.
2. Lack of green space. She is concerned about who is going to take care of the green spaces. Another concern is that there are no green spaces in the vast parking lots.
3. A representative of Aspen Heights had indicated, when asked, who would be the "go to" people, that it would be the cleaning people. She wondered if that would be sufficient. There will be a lot of assistance needed to the residents, at least when they first move in.

The Mayor closed the hearing after there was no one else wishing to speak on this matter.

Council Member Betcher shared her concern about the lack of access to the buildings from the front; there are no front doors. Council Member Beatty-Hansen stated that she has that same concern. She pointed out that one of the goals is to promote a pedestrian atmosphere and is hoping that the market will show that doors on the front of the commercial area were needed. According to Ms. Beatty-Hansen, it was somewhat encouraging to her to learn that the windows can be replaced by doors.

Council Member Betcher raised the concern about the inclusion of carports. She does not like the idea of designated rented spaces, which appears to cause a lessening of parking spaces. Ms. Betcher noted that there currently are no guidelines for carports, and she is concerned about their appearance.

Moved by Orazem, seconded by Gartin, to approve Alternative #1, approving the Major Site Development Plan for 205 S. Wilmoth Avenue, subject to the following conditions and allowances, noting that Stipulation A and K have been satisfied and can be removed, but adding that windows on the commercial space be convertible into doors, with staff approval.

- a. The developer shall enter into an agreement for the costs associated with the design and construction of the extension of a turn lane from Franklin Avenue to the east through the project driveway at Colorado Avenue. The developer would contribute funds to the City for the project construction and be completed by the City in the summer of 2017.
- b. Provide an easement as shown on the site plan for the reconstruction of the shared use path along Lincoln Way prior to the occupancy of any building.
- c. Allow for the deviation of the 15-foot landscaped median with the southeast corner of the parking lot.
- d. Allowance for construction of carports primarily south of the apartments, subject to staff approval of a complimentary design to the apartment buildings in terms of colors and finishes and to include a sloped roof.
- e. Modify the location of the transformer along Wilmoth to meet Electric Department access requirements and zoning standards for location and screening.
- f. Allow for the shrub plantings between the mixed use building and Lincoln Way to be substituted with decorative grasses or flowering annuals in recognition of the ground floor as commercial space rather than apartments.
- g. The commercial storefront glazing shall not be covered by tenants as uncovered storage areas or with internal demising walls. Tenants may use window coverings to treat window areas for the purpose of providing for privacy and screening of internal operations.

- h. Approval of signage program as a separate Major Site Development Plan application prior to the installation of signs.
- I. Finalize planting and lighting plans along the northwest corner of the site to meet CPTED principles with staff.
- j. Allow for minor adjustments to the building facades to ensure conformity to the URA clay brick percentage requirements, subject to staff approval of changes.
- k. Determination of adequate sanitary sewer capacity by the Public Works Department prior to the issuance of a building permit.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Corrieri, seconded by Nelson, to adopt RESOLUTION NO. 16-218 accepting the Agreement Pertaining to Intersection and Roadway Improvements at Lincoln Way and Franklin Avenue.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Concerning the request for pre-approval of tax abatement for 205 S. Wilmoth, Director Diekmann explained three criteria that were in question. He described how the proposal either meets or does not meet the Urban Revitalization Area criteria. The criteria in question were:

- 1. Criterion #2: Buildings used solely for residential and accessory uses shall utilize hipped or gabled roofs. Mixed-use buildings are exempt from this standard.

The applicant is proposing mechanical wells on the roofs of all buildings on the property, which will cut into the typical pitch of the roof at its highest point and allow for the mechanical equipment to be sunk down into the roof structure, rather than place HVAC equipment at grade.

Staff believes that the minimal difference in visual appearance of the modified roof slope to accommodate the mechanical wells on the roofs of the buildings is balanced by the benefit of reducing the ground visibility of mechanical equipment and the potential for increased noise of the equipment if mounted at grade level for the property. Therefore, staff believes that this is still in compliance with the approved URA criterion.

- 2. Criterion #9: Primary entrances to residential buildings shall include covered entries with architectural enhancements increasing the buildings' visual interest and identifying the entrance.

In this project, only one residential building along Wilmoth Avenue has a visible entrance from the street frontage allowing for visibility of the residential entrance. Building entrances for the

other two residential buildings do not meet the general requirement of this criterion; however, the location of the buildings back from the street frontages of the site and the orientation of the buildings on the property do not allow for great visibility of the entrances from the street. Adding architectural detailing to these entrances would not enhance the visibility of the project from the street.

Staff believes that the applicant has met the general intent of the Criterion for creating an identifiable and protected entrance to the residential building along Wilmoth Avenue with the recess of the entrance and lobby area and has added some visual interest with the incorporation of the glass entry doors and windows into the common space of the building.

- 3, Criterion #11: The project shall provide landscape buffering with the L3 and F2 standards in a minimum of a ten-foot-wide planter along the perimeter property lines of the site.

The intent of this landscape screen requirement was to buffer the surrounding residential properties along the west and south property lines of the subject site. The applicant has provided the required screening along most of the south and west property lines of the site with the exception of the northwest corner of the property where the subject site abuts the neighboring commercially zoned property. In this area, the applicant has pulled the fence back to generally the southwest corner of the mixed-use building and has pulled the screening back to be in line with the front facade (northwest corner) of the mixed-use building. This change allows for additional visibility along the west side of the mixed-use building where a sidewalk has been added to help residents access the residential buildings of the site from Lincoln Way. The revision is in response to comments from the Planning and Zoning Commission regarding the concern about residents crossing Lincoln Way to the property from the westbound CyRide stops located along the north side of Lincoln Way.

Staff believes that since this area is not directly abutting residential property, the reduction in the screening is a reasonable accommodation of site planning desires and still maintains the goal of the URA criterion for buffering of the subject site to the residential neighborhoods.

Moved by Corrieri, seconded by Orazem, to approve Alternative 1 and grant pre-approval of eligibility for tax abatement for the proposed improvements for the Aspen Heights development at 205 S. Wilmoth Avenue..

Vote on Motion: 6-0. Motion declared carried unanimously.

HEARING ON VOLUNTARY ANNEXATION OF 5871 ONTARIO STREET: Justin Moore, City Planner, reported that the City had received a Petition for Annexation for the property located at 5871 Ontario Street. The property owner is D & R Furman LLC. The property is one parcel containing 34.25 acres on the north side of Ontario Street, west of South Dakota Avenue between Ontario Street and the Union Pacific Railroad line. The proposed annexation is 100% consenting. The property owner is seeking annexation in order to develop the property as single-family homes. Mr. Moore stated that the LUPP includes the subject parcel within the Southwest Allowable Growth

Area. It is designated as Urban Residential; lands within the Urban Residential designation are intended for future annexation into the city with development of urban densities and design standards. If the annexation is approved, the LUPP designation would be Village/Suburban Residential, which allows for a broad range of residential development types.

According to Planner Moore, the Planning and Zoning Commission, at its meeting of April 6, voted 7-0 to recommend that the City Council approve the request to annex 34.25 acres by finding that the proposed annexation is consistent with the LUPP and Urban Fringe Plan.

The Mayor opened the public hearing.

Alycia Carlsborg, 1264 N. 500th Avenue, Ames, stated that she and her husband own the property directly across the fence on the west side. They purchased the property in 1984 and developed their property with a horse stable. The east portion of their property has an electric fence. Clear Creek is quite close to the fence. The erosion of the Creek is creating a steep cliff right at the property line. The Carlsborgs have several concerns:

1. Will the developer of the property be willing to build a fence to prevent: access of children to the Creek, as the water is deep enough to be dangerous, and toys could roll into the Creek that would entice the children from going into the Creek without some barrier; children touching the electric fence, and interaction with the horses that are in the pasture.
2. Another issue is how they could legally combat problems that they have had with wild life control. In the past, they have hired a trapper. The trapper has informed them that he would not be able to help them if they are that close to city limits. The Creek is a normal pathway into the City of Ames. The Carlsborg need to control beaver dams, which could prevent the horses from crossing the Creek to the pasture. They wondered if they could tap into the resources that might be offered through the City of Ames to control the wild life.

Ms. Carlsborg said that going through the City of Ames is the only avenue they have had thus far to share their concerns with the developer.

Steven Poplin, 5426 Tennessee, Ames, asked if there were already plans as to what will be built, e.g., roads, number of homes, whether there will be any retail, etc. Mayor Campbell explained that there are several steps that must be taken before a design of the development is created; the first one is whether or not the property should be annexed to the City. Planning and Housing Director Diekmann informed Mr. Poplin about the various steps. He noted that at least one street will have to come off of Ontario.

Council Member Beatty-Hansen referenced an email that she had received from residents in the area who are concerned about what will happen to the trees that are on the property.

There being no one else wishing to speak, the hearing was closed.

Moved by Nelson, seconded by Corrieri, to adopt RESOLUTION NO. 16-219 approving the Voluntary Annexation of 5871 Ontario Street.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON REZONING, WITH MASTER PLAN, PROPERTY AT 896 SOUTH 500TH AVENUE (Continued from April 12, 2016):

Mayor Campbell noted that the public hearing on this matter was continued from April 12, 2016. No one came forward to speak, and the Mayor closed the hearing.

Director Diekmann noted that the results of the Sanitary Sewer Study were now known. Staff was recommending approval of this rezoning with Master Plan.

Alex Galyon, 121 North Russell, Ames, said that he was representing the developer GW Land Holdings, LLC. Since the sanitary sewer issue had been resolved, Mr. Galyon requested that the Council pass all three readings and adopt the Ordinance at this meeting.

Moved by Orazem, seconded by Betcher, to pass on first reading an ordinance rezoning, with Master Plan, property at 896 South 500th Avenue from Agricultural (A) to Suburban Residential Low Density (FS-RL) and Suburban Residential Medium Density (FS-RM).

Roll Call Vote: 6-0. Motion declared carried unanimously.

Council Member Gartin recalled that he has heard from realtors and others that Ames need more houses. There is a huge demand for residential development, and these homes would be in the Ames School District.

Moved by Gartin, seconded by Orazem, to suspend the rules necessary for the adoption of an Ordinance.

Roll Call Vote: 6-0. Motion declared carried unanimously.

Moved by Corrieri, seconded by Orazem, to pass on second and third readings and adopt ORDINANCE NO. 4256 rezoning, with Master Plan, property at 896 South 500th Avenue from Agricultural (A) to Suburban Residential Low Density (FS-RL) and Suburban Residential Medium Density (FS-RM).

Roll Call Vote: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Beatty-Hansen, seconded by Corrieri, to adopt RESOLUTION NO. 16-220 approving the Zoning Agreement.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON VACATION OF PUBLIC UTILITY EASEMENT AT 108 SOUTH 5TH STREET: The Mayor opened the public hearing and closed same after no one requested to speak.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 16-221 vacating the Public Utility Easement at 108 South 5th Street.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON VACATION OF PUBLIC UTILITY EASEMENT AT 1126 FLORIDA AVENUE: The public hearing was opened by Mayor Campbell. She closed the hearing after there was no one wishing to speak.

Moved by Corrieri, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 16-222 vacating the Public Utility Easement at 1126 Florida Avenue.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON PROPOSED ACTION TO INSTITUTE PROCEEDINGS FOR ISSUANCE OF HOSPITAL REVENUE REFUNDING BONDS IN AN AMOUNT NOT TO EXCEED \$68,000,000: Mayor Campbell opened the public hearing. No one came forward to speak, and the hearing was closed.

Moved by Nelson, seconded by Corrieri, to adopt RESOLUTION NO. 16-223 authorizing issuance of Hospital Revenue Refunding Bonds in an amount not to exceed \$68,000,000.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON 2015/16 RIGHT-OF-WAY RESTORATION: The hearing was opened by the Mayor. She closed same after no one requested to speak.

Moved by Nelson, seconded by Betcher, to adopt RESOLUTION NO. 16-224 approving final plans and specifications and awarding a contract to Green Tech of Iowa of Grimes, Iowa, in the amount of \$150,210.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON 2015/16 SHARED-USE PATH SYSTEM EXPANSION (SOUTH DAKOTA AVENUE): The public hearing was opened by Mayor Campbell. It was closed after no one wished to speak.

Moved by Nelson, seconded by Corrieri, to adopt RESOLUTION NO. 16-225 approving final plans and specifications and awarding a contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$113,037.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON 2013/14 STORM SEWER IMPROVEMENTS, 2015/16 CONCRETE PAVEMENT IMPROVEMENTS PROGRAM #2, AND 2015/16 WATER SYSTEM IMPROVEMENTS #3 (NORTH 2ND STREET - NORTH RIVERSIDE DRIVE TO NORTH MAPLE AVENUE): Mayor Campbell opened the public hearing. There was no one requesting to speak, and the Mayor closed the hearing.

Moved by Beatty-Hansen, seconded by Corrieri, to adopt RESOLUTION NO. 16-226 approving final plans and specifications and awarding a contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$730,171.10.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON WPC FACILITY CLARIFIER DRIVE REPLACEMENT PROGRAM: The public hearing was opened by the Mayor. She closed the hearing after no one came forward to speak.

Moved by Betcher, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 16-227 approving final plans and specifications and awarding a contract to Woodruff Construction, LLC, of Ames, Iowa, in the amount of \$197,300.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

The meeting recessed at 8:11 p.m. and reconvened at 8:16 p.m.

LANDSCAPE ORDINANCE PROVISIONS (Postponed from April 12, 2016): Director Diekmann reported that the City's Landscape Ordinance had been referred back to staff in 2011 with a directive to work with a stakeholder group to discuss the options to enhance the quality, aesthetics, and vitality of landscaping provided at the time of development. In 2015, the Council had prioritized staff time to work on the Ordinance update and to consider issues of sustainability in conjunction with parking along with the previously identified landscaping issues. Based on that direction, staff defined the goals of the Landscape Ordinance Update as creating more visually distinctive landscaping with visual accents of interest in color and texture and also promote a sustainable environment.

Mr. Diekmann said that staff is seeking direction on the intent and framework of a new ordinance before drafting a specific ordinance. Specifically, staff needs direction on three issues to formulate a draft ordinance: (1) the approach in how to design landscaping, (2) to review sustainability priorities, and (3) to consider changes to the site inspection process.

According to Director Diekmann, the City's defined landscaping requirements are essentially based on three concepts: (1) screening of parking lots, (2) internal parking lot landscaping, and (3) front yard or foundation plantings for apartment buildings.

Mr. Diekmann advised that staff needed direction on three issues to formulate a draft ordinance: (1) the approach in how to design landscaping, (2) to review sustainability priorities, and (3) to consider changes to the site inspection process. A detailed explanation of each issue was given.

According to Director Diekmann, feedback received from developers had indicated a desire for more flexibility due to the belief that practical issues have not been accommodated by the current standards and that the freedom to be creative is also restricted by the current requirements. Mr. Diekmann said that what is critical is that it not be a one-sided process used to diminish landscape value, but instead be a tool that promotes higher quality and interesting landscaping than has been accomplished under the existing prescription requirements.

Mr. Diekmann reported that an introductory workshop and outreach had been held on January 28. It was attended by developers, property managers, landscape designers, and civil engineers. They reviewed the scope of the update and discussed key interest and improvements to landscape standards. A second workshop was held on March 30. Discussion centered around flexibility versus predictability. Initial thoughts from staff on options for new standards were presented. A consensus was reached that current requirements were not meeting the interests of most people.

A presentation explaining the issues was given, and a summary of Ames landscape standards was provided.

According to Mr. Diekmann, staff reviewed and compiled landscape ordinance standards from various cities around Iowa and the Midwest. After comparing to other cities, it was obvious that Ames' standards are not onerous. Some of the improvements that can be addressed were listed by Mr. Diekmann.

Director Diekmann said that with the Council's direction on the three issues, staff would draft an ordinance with specific standards to review with the stakeholder group and then proceed through the public hearing process. Staff believes that an ordinance could be before the Planning and Zoning Commission and the City Council within the next two months.

Council Member Orazem offered that there should be a statement of what the goals should be for landscaping. He likes the idea of having flexibility - so there is an option of perhaps having a small park as well as green space - and also the concept of groundwater collection. Council Member Nelson said that he liked the possibility of flexibility and that the sustainability element would be included.

Council Member Betcher recommended partnering with Iowa State University and suggested that the City could perhaps work with graduate student interns from the Natural Resource Management Program.

Ms. Betcher also raised the issue of parking as it relates to pervious surfaces. She asked if incentives could perhaps be offered for using pervious surfaces.

Council Member Beatty-Hansen endorsed sustainability encompassing garden and local food options.

Council Member Nelson asked how the point system would work with the different zoning districts and if that would be problematic for staff. Mr. Diekmann advised that he did not see the point system as being particularly problematic for staff.

Council Member Orazem said he liked the point system because it already builds in flexibility.

Moved by Orazem, seconded by Gartin, to direct staff to develop a set of criteria and associated points to guide the evaluation of landscaping plans for development.

Vote on Motion: 6-0. Motion declared carried unanimously.

Director Diekmann advised that staff needs direction on third issue regarding site inspection and maintenance. Staff would like to consider alternatives for site inspection requirements as part of the landscape ordinance update in an effort to ease the administrative burden. Two options were presented for Council's review:

1. Allow the property owner to submit written confirmation verifying that landscaping has been completed or will be complete within 30 days with an allowance for seasonality. Upon receipt of the letter, the Inspection Division would be able to grant building occupancy. Staff would complete an inspection after receipt of the letter. Non-compliance with the landscape plan would then trigger a citation of a *Municipal Code* infraction with a corrective order to complete the requirements. This increases the property owner responsibility for compliance.
2. Adjust the financial incentive for completing landscaping based on creating a site inspection fee and an increase in the financial security amount to 150% of the estimated cost. This would be similar to the current system, but due to higher costs for not completing the work, it may motivate property owners to come into compliance more quickly.

Moved by Beatty-Hansen, seconded by Orazem, to direct staff to go with the citation method.

Vote on Motion: 6-0. Motion declared carried unanimously.

AGREEMENT WITH XENIA CONCERNING CONTINUED WATER SERVICE FOR 3599 AND 3601 GEORGE WASHINGTON CARVER AVENUE: Moved by Orazem, seconded by Gartin, to adopt RESOLUTION NO. 16-228 approve the Water Service Agreement with Xenia Rural

Water District confirming that the City of Ames will provide water service to the annexed property for Scenic Point development located at 3599 George Washington Carver Avenue.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

CAMPUSTOWN FACADE GRANTS: Planner Karen Marren described the following grant applications:

1. 103 Stanton Avenue for the Cranford Building. The request is for \$15,000 in grant funds with an additional \$1,500 in design fees.
2. 116 Welch Avenue for Arcadia Café. The request is for \$15,000 in grant funds and an additional \$1,000 in design fees.

Moved by Nelson, seconded by Corrieri, to adopt RESOLUTION NO. 16-229 awarding a Grant for 103 Stanton Avenue (Cranford Building).

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Nelson, seconded by Corrieri, to adopt RESOLUTION NO. 16-230 awarding a Grant for 116 Welch Avenue (Arcadia Café).

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

PRELIMINARY PLAT FOR DOTSON DRIVE SUBDIVISION (601 AND 705 DOTSON DRIVE AND 4112 COCHRANE PARKWAY): Planner Marren stated that the proposed Preliminary Plat includes 15 lots for single-family detached homes and three additional outlots for open space.

According to Ms. Marren, staff finds that the Preliminary Plat is consistent with the approved Master Plan proposed layout, number of proposed units, and unit types. The project meets the minimum density requirement of 3.75 units/acre and provides for 10% of the site as required open space.

The Planning and Zoning Commission, on April 6, 2016, recommended unanimously to approve the Preliminary Plan.

Moved by Gartin, seconded by Orazem, to adopt RESOLUTION NO. 16-231 approving the Preliminary Plat for Dotson Drive Subdivision (601 and 705 Dotson Drive and 4112 Cochrane Parkway).

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

122 HAYWARD AVENUE: Director Diekmann advised that Dean Jensen is the owner and developer of two properties proposed to be merged for redevelopment into a new mixed-use student housing development at 122 Hayward Avenue. The project would include 45 apartments totaling 145 bedrooms with approximately 3,300 square feet of commercial space on the ground floor. Plans for the new project are predicated on receiving vehicular access to private structured parking across the City's property (Welch Parking Lot X) located to the north and east of the site. The property owner would need to secure an easement to have perpetual access for the proposed project across the City property.

Mr. Diekmann said that based on City Council's direction to investigate use of Parking Lot X area for a variety of purposes, it appears that there is a conflict with granting a perpetual easement to the 122 Hayward project since it could diminish the opportunities for the use of the area in the future. There is a potential easement alignment to provide access to 122 Hayward at two points that fit the design of the project. The access from Welch would accommodate two-way traffic, while the route to Hayward is only 16 feet in width and would provide for one-way traffic existing onto Hayward.

Mr. Diekmann described two options available to the City Council:

1. Provide an easement within either a defined area or broadly in a manner that gives the City the ability to alter the path of travel in the future, but guarantees access to the property. That would require a formal easement document for Council's approval.

City Manager Schainker noted that that would reduce the range of options that would be desirable and feasible for either use of the space as currently configured or for redevelopment of the space in conjunction with other properties in the future.

2. Decline the easement and initiate a study of the area. City staff would complete the task identified for its Objective set at its Goal Update before deciding how to proceed with granting of a perpetual easement. The developer would be delayed in initiating the project and miss the construction cycle for occupancy in 2017. The developer could consider a redesign of the project and utilize access from Hayward to provide required parking.

Council Member Gartin asked City Attorney Parks about assessing if there is a right to use the Parking Lot. Ms. Parks said that the owner's representative is asserting prescriptive rights or by implication to use the alley for access. She does not believe those rights exist because of the ability of the property owner to access public streets due to the site's frontage along Hayward.

Council Member Orazem noted that there is currently parking located behind the private buildings. He is trying to determine whether that is by easement. City Attorney Parks said that vehicles have the right to access that area.

Director Diekmann showed a map of the affected area. He noted what properties were owned by the City of Ames, having been purchased around 1956. The 16 feet to the north and west was dedicated to the City as an alley in 1935.

Council Member Orazem said that there is evidence by looking at the map and seeing the cars parked behind the building that there is an implied use of the parking lot. He believes that the more density that is in the area, it raises the likelihood of continued investment in Campustown. There will be different uses for the properties, and it needs to be adaptive.

City Manager Schainker said that the City might be able to provide access, but not dictate that the access would occur at a certain point.

Council Member Beatty-Hansen advised that a concern she would have is for the heavy pedestrian traffic on Welch.

Luke Jensen, 2519 Chamberlain Street, Ames, said that he was representing RES Development. Mr. Jensen said that currently, there is an unsightly building at 120 Hayward. It has been 12 years since a major redevelopment has occurred on Welch/Chamberlain. It was shared by Mr. Jensen that the proposed project would consist of 45 units and 5,000 feet of commercial space. So far, they have secured one national retailer and one local business for the commercial space.

Council Member Gartin asked what would happen to the project if access may only be off of Hayward. Mr. Jensen said it would result in an entire reworking of the project. They would lose a great deal of commercial space. Council Member Orazem said it was crucial that there be flexibility for development options.

Brian Torresi, Davis-Brown Law Firm, representing Campus Plaza, said that they have easement rights, as do approximately 19 other owners, either by easement of implication or prescriptive rights. According to Mr. Torresi, the only reason the developer is here tonight is because during the Plat of Survey process, City staff said they knew the property owner has easement rights, but wanted it memorialized.

Council Member Betcher asked Mr. Jensen to confirm that the developers have no issue with restricting the out on Welch. Mr. Jensen identified the two access points as upper and lower. He believes that it would be possible in their design to have all the out onto Hayward. City Manager Schainker noted that the restriction would not just be placed on this development, but would have to be put on the others.

Director Diekmann said it would be best if the 16' easement would be wider. Mr. Jensen said that the developer would be willing to investigate whether that is possible.

Moved by Gartin, seconded by Corrieri, to approve Option 1 with the addition that staff be directed to design this with flexibility in terms of location of the easement.

City Manager Schainker noted that the City had not yet talked to the others involved.

Upon being questioned regarding restricting the “out” on Welch, City Attorney Parks said that the City will design traffic controls.

Council Member Gartin offered that it is impossible to get a prescriptive easement on government land.

Vote on Motion: 5-0-1. Voting aye: Beatty-Hansen, Betcher, Corrieri, Gartin, Orazem. Voting nay: None. Abstaining due to a possible conflict of interest: Nelson. Motion declared carried.

Request to Determine Equivalency of Meeting Criterion of the Campustown Urban Revitalization Plan. Director Diekmann explained the request of RES Development submitted applications for approval of a Minor Site Development Plan and Plat of Survey to combine two lots into a single parcel for redevelopment of the property located at 122 Hayward. The developer has asked that the City Council determine if its approach to provide natural lighting for the apartment unit living areas is equivalent to the criterion of the Campustown Urban Revitalization Area (URA). After the project is constructed, the developer intends to seek property tax abatement. Specifically, the developer is asking that the Council determine that although the approximately one-third of the bedrooms within the project do not have exterior windows, due to the degree of glazing on the residential facades and the proposed level of artificial lighting within each living area, the project can be found to be equivalent to the standard as described in the URA Plan. The language in question relates to a Building Code standard that articulates a requirement that occupied space must meet minimum lighting levels, either through the use of windows or artificial lighting. A building must provide natural light for habitable spaces, with the net glazed area to be not less than eight percent of the floor area of the room served by the window. The other approach is to use artificial light that is adequate to provide an average illumination of ten foot candles over the area of the room at a height of 30 inches above the floor level. Staff has interpreted the URA criterion for natural daylight requirements to mean that natural lighting, through the use of window glazing, is to be incorporated into the design of new buildings for all habitable spaces.

Developer Duane Jensen, Huxley, Iowa, said that the natural light does not have to be provided to all habitable spaces in the building to meet the URA criteria for lighting. They are proposing that artificial light can be provided in place of exterior windows for some of the rooms, provided that the rooms the rooms that do have exterior windows exceed the minimum glazed area for the entire apartment units that would be required by the International Building Code (IBC). Mr. Jensen said it is the developer’s belief that this approach achieves a higher standard for the building design than is required by the IBC and satisfies the URA criteria for natural daylight with exterior windows.

Council Member Gartin said he is baffled why the City would have created this seemingly undue burden on the developer. If there is justification for the requirement, he asked why the requirement isn’t for everyone. Council Member Betcher said she did not want the requirement loosened.

Council Member Gartin asked staff to explain the scope of the difference; is it a minor or significant change. Mr. Diekmann said it would mean that there would be rooms without windows.

Moved by Corrieri, seconded by Beatty-Hansen, to approve the developer's proposal of an equivalent alternative to meet the Campustown Urban Revitalization Criteria #10 for natural daylight requirements for the proposed mixed-use building at 122 Hayward Avenue.

Vote on Motion: 5-0-1. Voting aye: Beatty-Hansen, Betcher, Corrieri, Gartin, Orazem. Voting nay: None. Abstaining due to a possible conflict of interest: Nelson. Motion declared carried.

IMPLEMENTATION OF PUBLIC FACILITIES IMPROVEMENTS PROGRAM FOR NON-PROFIT ORGANIZATIONS: Housing Coordinator Vanessa Baker-Latimer explained that this is a program that has been "on the books" for a couple years; however, it was secondary to some higher priority projects. This is the first time this program has been done at a level higher than \$5,000; thus, that kicks in a lot more requirements of the Department of Housing and Urban Development (HUD). It was noted that no pre-construction costs may be included as part of this Program. The overall goal of the Program is to assist local non-profit organizations that own facilities that serve and/or benefit limited clientele. She gave the major highlights of the Program. According to Ms. Baker-Latimer, staff is prepared to begin soliciting proposals next month with the intent to award grants this summer. She noted that in order to finance this Program, \$100,000 will need to be carried forward to the FY 2016/17 fiscal year, and therefore will be included as a program in the 2016/17 CDBG Annual Action Plan to allow for completion of projects that are awarded loans. The proposed Program is patterned after the prior 2008 Program, but reflects a substantial increase in the dollar value of an individual grant to \$70,000.

Moved by Betcher, seconded by Beatty-Hansen, to direct staff to proceed with implementation of the FY 2015/16 CDBG Public Facilities Improvements Program for Non-Profit Organizations.

Vote on Motion: 5-0-1. Voting aye: Beatty-Hansen, Betcher, Gartin, Nelson, Orazem. Voting nay: None. Abstaining due to a conflict of interest: Corrieri. Motion declared carried.

CITY COUNCIL GOALS: Moved by Beatty-Hansen, seconded by Betcher, to amend Task No. 3, i.e., public/private usage of public land, to include the Campustown Square organization and community members as other stakeholders to involve in the conversation.

Ms. Beatty-Hansen believes the Campustown Square organization has put a lot of work into what it has looked at so far, and she believes it believes to be at the table.

Council Member Orazem noted that he was uncertain who comprised the Campustown Square group. He does not feel the process should be exclusive; however, he is not sure who exactly is the Campustown Square organization. Ms. Beatty-Hansen said she was not exactly sure.

Mayor Campbell suggested that the motion be to include community input and not single-out Campustown Square. Ms. Beatty-Hansen said she does not believe having the group at the table would hurt. She doesn't think there are any problems with being more inclusive.

Council Member Gartin felt the goal would be met if the Campustown Square group could participate if it wanted to, but participate as concerned citizens. He doesn't know who the organization is either.

Vote on Motion: 5-1 Voting aye: Beatty-Hansen, Betcher, Corrieri, Nelson, Orazem. Voting nay: Gartin. Motion declared carried.

Moved by Beatty-Hansen, seconded by Nelson, to adopt the City Council Goals, as amended, to be completed by December 31, 2017.

Vote on Motion: 6-0. Motion declared carried unanimously.

ORDINANCE PERTAINING TO THE ENVIRONMENTALLY SENSITIVE AREA OVERLAY DISTRICT AND ITS APPLICABILITY TO ACTIVITIES WITHIN THE FLOODWAY: Moved by Betcher, seconded by Beatty, to pass on second reading an ordinance making a zoning text amendment pertaining to the Environmentally Sensitive Area Overlay District and its applicability to activities within the Floodway.

Roll Call Vote: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes. Motion declared carried.

ORDINANCE ADDING ENVIRONMENTALLY SENSITIVE AREA OVERLAY TO PROPERTIES WITH A FEMA-DESIGNATED FLOODWAY: Moved by Betcher, seconded by Betcher, to pass on second reading an ordinance making zoning map amendment to add Environmentally Sensitive Area Overlay to properties with a FEMA-designated Floodway.

Roll Call Vote: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes. Motion declared carried.

ORDINANCE PERTAINING TO ALLOWED ACTIVITIES AND PROCESS FOR SEEKING APPROVALS FOR DEVELOPMENT IN FLOOD PLAIN CONTAINED IN MUNICIPAL CODE CHAPTER 9 (FLOOD PLAIN ZONING REGULATIONS): Moved by Betcher, seconded by Beatty-Hansen, to pass on second reading an ordinance making a zoning text amendment pertaining to allowed activities and process for seeking approvals for development in Flood Plain contained in *Municipal Code* Chapter 9 (Flood Plain Zoning Regulations).

Roll Call Vote: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes. Motion declared carried.

ORDINANCE PERTAINING TO MINIMUM FLOOR AREA RATIO AND BUILDING HEIGHT FOR INSTITUTIONAL USES REQUIRING SPECIAL USE PERMITS IN DOWNTOWN SERVICE CENTER AND CAMPUSTOWN SERVICE CENTER ZONING DISTRICTS: Moved by Beatty-Hansen, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO. 4252 pertaining to minimum floor area ratio and building height for institutional uses requiring Special Use Permits in Downtown Service Center and Campustown Service Center Zoning Districts.

Roll Call Vote: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

ORDINANCE TO ADD FUNERAL HOMES AS AN INSTITUTIONAL USE ALLOWED IN DOWNTOWN SERVICE CENTER ZONING DISTRICT: Moved by Nelson, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO. 4253 to add funeral homes as an institutional use allowed in Downtown Service Center Zoning District.

Roll Call Vote: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

ORDINANCE ESTABLISHING 3505 AND 3515 LINCOLN WAY URBAN REVITALIZATION AREA: Moved by Nelson, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4254 establishing 3505 and 3515 Lincoln Way Urban Revitalization Area.

Roll Call Vote: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

ORDINANCE CORRECTING AN IOWA CODE REFERENCE IN SECTION 23.308 PERTAINING TO REVIEW PROCEDURES FOR PLATS OF SURVEY: Moved by Betcher, seconded by Beatty-Hansen, to pass on third reading and adopt ORDINANCE NO. 4255 correcting an *Iowa Code* reference in Section 23.308 pertaining to review procedures for Plats of Survey.

Roll Call Vote: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

COUNCIL COMMENTS: Moved by Nelson, seconded by Corrieri, to refer to staff for placement on an upcoming Agenda the letter dated April 12, 2016, from Chuck Winkleblack (Hunziker Companies) pertaining to a project on the Lincoln Way Corridor.

Vote on Motion: 6-0. Motion declared carried unanimously.

Council Member Gartin referenced the memo to the City Council from Assistant City Manager Brian Phillips pertaining to the Emergency Residence Project (ERP) Client/Reporting Data.

Moved by Gartin, seconded by Orazem, to place the topic of the Emergency Residence Project (ERP) Client Reporting Data on a future Agenda with the following guidance to staff: (1) staff to provide options for the definition of an “Ames resident,” (2) staff to explain historically how money has been utilized for Ames residents, and (3) staff to visit with ERP Board Members and administrators with respect to the reporting mechanism.

Mr. Gartin clarified that the City has asked the ERP to provide services to Ames residents. In the course of the year, the ERP submits requests for draw-downs of that money. At some point, the ERP runs out of money, but doesn’t run out of need. Ames tax dollars have been used to provide services for homeless services for non-Ames residents, but there are Ames residents who subsequently need those services, and the funding has run out. Mr. Gartin noted that all the other agencies funded by are asked that the services go to those who are Ames residents. He feels it is the City Council’s duty to ask as a stewardship to Ames residents.

Assistant City Manager Brian Phillips explained that the ERP 2016/17 Contract has not yet been approved. Concerning the definition of “Ames resident,” Mr. Phillips said it will need to be determined at what point a person would be considered an “Ames resident.”

Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Gartin, seconded by Orazem, to refer to staff for a memo the letter dated April 20, 2016, signed by Roger Wheeler, et al, concerning a text amendment that would create a transitional housing type of use in residential zoning districts.

Vote on Motion: 6-0. Motion declared carried unanimously.

CLOSED SESSION: Council Member Gartin asked City Attorney Parks if there was a legal reason to go into Closed Session. Ms. Parks replied in the affirmative.

Moved by Orazem, seconded by Gartin, to hold a Closed Session, as provided by Section 20.17(3), *Code of Iowa*, to discuss collective bargaining.

Roll Call Vote: 6-0. Motion declared carried unanimously.

The meeting reconvened in Regular Session at 10:51 p.m.

Moved by Nelson, seconded by Betcher, to adopt RESOLUTION NO. 16-233 ratifying the contract with PPME, Local 2003 (Police Unit), for 7/01/16 to 6/30/17.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Beatty-Hansen, seconded by Gartin, to adopt RESOLUTION NO. 16-232 ratifying the contract with IBEW, Local 55 (Electrical Workers), for 7/01/16 to 6/30/17.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

ADJOURNMENT: Moved by Corrieri to adjourn the meeting at 10:51 p.m.

Ann H. Campbell, Mayor

Diane R. Voss, City Clerk