

COUNCIL ACTION FORM

REQUEST: APPEAL OF CONDITIONS OF APPROVAL OF SITE PLAN FOR 2516 LINCOLN WAY

BACKGROUND INFORMATION:

Mr. Scott Randall is the property owner of a single parcel that contains four existing buildings within Campustown, addressed as 2510, 2512, 2518, and 2522 Lincoln Way. (Location Map Attachment 1) A recent plat of survey combined these into a single parcel addressed as 2516 Lincoln Way. **The property owner submitted an application for a Minor Site Development Plan on February 8th to redevelop the 2516 Lincoln Way site with a single building that includes ground floor commercial uses and apartments on the upper floors.** The commercial uses are accessed from the street with the apartment access by a combination of internal stairwells and an external ramp to the second floor. Outdoor patio space is included in the rear and front of the building. A driveway is proposed along the west property line. The proposed project does not include any parking on site or as part of a remote parking agreement. (Attachment 3- Approved Minor Site Development Plan)(Page 16 excerpt of site layout)

The project was reviewed through the Development Review Committee (DRC) process and the applicant was provided comments by affected departments, including Public Works, Planning and Housing, Fire, Police, and Ames Electric. A revised plan and response to comments was submitted the Planning Division on March 14th. Details of the project can be found in the addendum and Attachment 3 includes the approved Site Development Plan.

After reviewing the revised plan, response to comments, and communication with the applicant, Scott Renaud of FOX Engineering, the Planning and Housing Director approved with conditions the Minor Site Development Plan on March 30th. **In accordance with Ames *Municipal Code* Section 29.1502 (3)(g), the Director imposed seven conditions to ensure compliance with applicable regulations. The conditions include a requirement that the applicant identify eight remote parking spaces and to prepare a remote parking agreement for City Council approval. Another condition denies the request for curb cut to Lincoln Way and requires the developer to install bollards to prevent access onto Lincoln Way. The remaining conditions address preparation of a storm sewer easement, lighting, preconstruction meeting, electric load calculations, and compliance with post indicator valve standards.** The complete approval letter can be found in Attachment 2. The approved site plan can be found in Attachment 3.

Mr. Randall, through his engineer Scott Renaud, wishes to appeal the conditional approval as allowed by Ames *Municipal Code* Section 29.1502 (3) (h). Specifically, he is appealing the two conditions identified above for requiring parking and to restrict a

driveway curb cut to Lincoln Way. He indicates the other conditions will be met. The letter of appeal, along with a rendering of the project, can be found in Attachment 4.

As an appeal of the conditional approval, the City Council must review the project *de novo* and make a decision to approve, approve with conditions, or deny the proposed Minor Site Development Plan based upon the criteria of 29.1502 of the Ames Municipal Code. (See Attachment 5)

ALTERNATIVES:

1. The City Council can approve the Minor Site Development Plan for 2516 Lincoln Way with the seven conditions of approval described by the Planning Director in the Addendum.
2. The City Council can approve the Minor Site Development Plan with conditions different from or in addition to those of the Planning Director.
3. The City Council can deny the Minor Site Development Plan if it finds that the proposed project does not conform to the requirements of 29.1502 (3).

CITY MANAGER'S RECOMMENDED ACTION:

The two conditions at issue within the appeal are the requirement to provide one parking space for each residential unit for a total of eight parking spaces and to restrict vehicle access to Lincoln Way. As described in the attached Addendum, the Planning and Housing Director found the conditions to be reasonable to meet the requirements of the City and that their application to this project is consistent with other developments in Campustown.

The City's Zoning Ordinance requires one parking space for each residential unit and the interpretation offered by the applicant is not substantiated by either the meaning of the parking standards or by the practice of the City when approving Campustown redevelopment projects. Providing for remote parking as a condition of approval to receive a building permit is a reasonable condition of approval for the proposed development. Although the City's zoning standards require a mid-block opening, as the applicant has provided for in the design, it does not necessitate providing for vehicular access. Furthermore, the curb cut would be inconsistent with the desired pedestrian character of the area and would reduce on-street parking to allow for the curb cut. The condition of approval (to add bollards to restrict vehicle access across the sidewalk) is reasonable to manage the safety and convenience of pedestrians and vehicles along Lincoln Way.

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1, which is to approve the site plan of 2516 Lincoln Way with the conditions of approval as described by the Planning and Housing Director.

ADDENDUM

Project Description:

The proposed project contains two ground floor commercial tenant spaces accessed directly from Lincoln Way. Above the commercial spaces are four floors of residential space with two apartments on each floor for a total of eight apartments. Each apartment contains five bedrooms for a total of 40 bedrooms. Access to the upper floors is by an internal staircase having access onto Lincoln Way. There is a ramp originating at the rear of the building that travels along the east façade and provides an accessible entry to the apartments on the second floor. There is no elevator within the building.

There is a covered patio adjacent to the western commercial space as well as an uncovered patio adjacent to the eastern space. In addition, a landscaped open patio is in the rear of the building. The rear patio abuts the City's property that includes Parking Lot X. The City's open lot is used for access to the interior of the block bounded by Lincoln Way, Welch Avenue, Chamberlain Street, and Haywood Avenue.

The building design includes 100 percent clay brick exterior finishes and includes more than 50 percent of the ground floor facades as windows. The provision of the 20-foot setback along the west property line meets the mid-block corridor requirement of the Zoning Ordinance. CSC zoning does not prohibit outdoor space or elevated exterior balconies or landings, unless they are above the third floor of a building and the proposed ramp complies with these standards by only extending to the second floor. The property owner does not intend to apply for property tax abatement and therefore does not include many of the features that are prerequisites for tax abatement eligibility.

Conditional Approval:

The Ames *Municipal Code* allows the Planning and Housing Director to "impose such reasonable conditions on an approval as are necessary to ensure compliance with applicable regulations" (Section 29.1503 (3)(g)). Alternatively, the Director could have denied the Minor Site Development Plan for failure to comply with the applicable regulations and require the applicant to submit a new application.

Condition #1: Remote Parking

In this case, the project contained no vehicle parking (CSC zoning requires one parking space for each residential unit) and no indication of remote parking. The one parking space per unit requirement is consistent with the Ames *Municipal Code* Table 26.406 (2) and has been applied to all recent residential development in Campustown. Since providing parking on the site would require a new site plan, the Director placed a condition on the approval that a remote parking agreement be approved by the City Council prior to the issuance of a building permit.

Condition #2: Driveway access to Lincoln Way

The project includes a twenty-foot wide mid-block opening as described in Table 29.809 (3) (excerpt below).

In order to provide access for vehicles and/or utilities to the interior of the block, there shall be a twenty foot wide opening between buildings, at the approximate mid-point of

each face of each block. In addition to this midblock areaway or drive, any lot without other means of access from a public street or alley may have one driveway from the street of up to 20-ft in width

The applicant proposes using this opening along the west side of the property to access the side and rear of his project for trash collection and loading and unloading with a curb cut onto Lincoln Way.

The property owner does not have a requirement for vehicle access to the property. After reviewing the proposal with the City's traffic engineer, it was determined to be undesirable to remove on-street parking and to cut across the sidewalk in this highly trafficked area. Accordingly, the Director conditioned approval on placement of decorative bollards at the north end of the opening to prevent vehicular access across the sidewalk and onto Lincoln Way. The property owner is not restricted from accessing the property from the rear if they so desire. Since no permanent parking or access is required for the project, the City did not require an easement or formal approval for rear access as was required last year for the 122 Hayward Avenue project.

Condition #3: Sewer Easement

An existing storm sewer runs underneath the existing buildings. This is the same sewer that affected the site layout of 122 Hayward Avenue. The applicant desires to rebuild over the existing sewer line. The City has requested that an easement be prepared and accepted by the City to protect the existing storm water line under the property, to allow the City to maintain the storm water line, and that the property owner is responsible for any damages that may occur due to the construction of the project. This easement will need to be in place prior to approval of a building permit.

Condition #4: Lighting

The City does not have a mandatory lighting requirement within the CSC zoning ordinance. However, to promote a safe and attractive Campustown, staff has added a condition of approval to require minimal lighting for the open areas. A fourth condition requires exterior lighting to illuminate the pedestrian ways with 6,500 lumen LED fixtures--this is similar to the urban revitalization criteria.

Condition #5: Preconstruction Meeting

Also prior to issuance of a building permit, the applicant must meet with the Public Works Department to review staging and temporary obstruction permits.

Condition #6: Post Indicator Valve

The penultimate condition is that the Post Indicator Valve located within that side access area must be recessed into the wall or protected with bollards. Although the mid-block areaway will not have access to Lincoln Way, the project's dumpster is located there, requiring occasional truck pickups.

Condition #7: Electric

The last condition is that electrical load calculations be submitted to prior to issuance of an electrical permit.

Applicant Appeal

As noted in the appeal letter, the applicant can meet these last five conditions and the applicant is appealing the first two conditions of approval. Attachment 4 is the Appeal letter.

Parking Condition:

The City Council recently approved a zoning text amendment (Ordinance Number 4295) clarifying the parking requirements for Campustown and Downtown that apartments require one parking space per unit. This amendment was necessitated by an inadvertent change to the ordinance that occurred during a previous text amendment not related to the Downtown/Campustown requirements. Mixed Use development requires the sum of required parking, which in Campustown is none for commercial uses and one space per residential unit.

The owner argues that any required on-site parking will impact the landscaped patio at the rear of the property. The owner prefers to see the use of that area as a more aesthetically pleasing amenity space than devoted to parking.

The owner believes that the parking requirements do not meet the parking needs of Campustown. He states that short-term parking for commercial uses is the issue and that long-term parking for residential uses is not an issue. He also argues that the remote parking allowance is unusable and should be revised.

The owner finally argues that the project was compliant with their interpretation of the code at the time of submittal on February 24, 2017.

Response:

Notwithstanding the owner's final argument, Ames Municipal Code Section 29.105 (2) requires permits to be issued only if the plans meet the code requirements at the time of approval, not at the time of submittal. Additionally, staff indicated at the time of the first review of the project the parking standard was one space per unit and has been applied in this manner since the creation of CSC zoning.

As to the efficacy or usefulness of the City's parking regulations for Campustown, the owner was advised he could seek an amendment to the parking regulations or to work with staff on a broader perspective of public and private parking needs in the Campustown area or, more specifically, within this particular block.

With the current parking standards of the Zoning Ordinance, parking is required for the project. The only question is if it can be located off site rather than on site. The property owner would need to seek a variance to have no parking required for the project.

Driveway Condition:

Ames *Municipal Code* Table 29.809 (3) states,

“In order to provide access for vehicles and/or utilities to the interior of the block, there shall be a twenty foot wide opening between buildings, at the approximate

mid-point of each face of each block. In addition to this mid block areaway or drive, any lot without other means of access from a public street or alley may have one driveway from the street of up to 20-ft in width.”

The owner has provided a twenty foot wide opening between his building and the building adjacent to the west. Within this area, the owner has recessed an enclosure for the trash receptacle. He has also shown a curb cut onto Lincoln Way to allow access through this area. The owner claims that he has no access to the “parcel” in the rear of the building and that, therefore, he is allowed to use this mid-block areaway as his driveway.

He claims that no parking will be lost on Lincoln Way as the trucks accessing this driveway will arrive very early in the morning when no vehicles are parked on the street. Therefore, the parking meters can remain and the only physical change would be a curb cut.

The owner claims that trucks will enter from Lincoln Way and exit out onto either Hayward Avenue or Welch Avenue. There will be no backing onto Lincoln Way.

Response:

Staff believes that this opening is warranted for access to the trash receptacle and to access the underground grease trap serving the commercial uses. However, staff believes the opening can function without the safety issue of having access across the sidewalk and onto Lincoln Way.

Staff also believes the language of the ordinance does not require that there be access onto an adjacent street. The language requires only “...a twenty foot wide opening between buildings.” It also does not require that it must be vehicle accessible. It states, “...for vehicles **and/or** utilities [emphasis added]....” Additionally, the wording is “...may have access if there is no other means of access.”

The opening can provided access to the trash receptacle by entering from the south (the rear) and backing out. As stated earlier, the rear parcel is City owned property that was acquired through the variety of means. The parcel currently provides two way access to Welch and west bound exiting to Hayward. The parcel includes some public parking and a floating access easement for the 122 Hayward Avenue project from 2016.

There is always a safety issue when vehicles exit a street by crossing a sidewalk—even more so due to the heavy usage of the Lincoln Way sidewalk. The owner cannot guarantee that access through this driveway will be limited to only early morning traffic and that access will be in-bound only. Once there, the driveway could be used at any hour of the day or night and in either direction, as the access points on Welch Avenue and Hayward Avenue show.

The general site development standards of the Site Development Plan (criterion v. & viii.) directly address determining that a project meets access and safety expectations. Staff believes the letter of the ordinance is met by allowing the twenty-foot areaway, but that denying vehicular access across the sidewalk and onto Lincoln Way is a

reasonable condition for safety and convenience of the public. By having this access, the entryway poses a pedestrian safety issue with vehicles crossing the sidewalk either entering or existing.

ATTACHMENT 2: LETTER OF CONDITIONAL APPROVAL



March 30, 2017

FOX Engineering Associates
Attn: Scott Renaud
414 S. 17th Street, Ste. 107
Ames IA 50010

RE: Minor Site Development Plan for 2516 Lincoln Way (SDP-17-05)

Dear Mr. Renaud:

City staff has reviewed the Minor Site Development Plan (Site Plan) for 2516 Lincoln Way signed by you on March 14, 2017 and submitted to our office on that date. After review of the submitted site plan and associated responses to comments, we have determined that the project cannot be approved as submitted. After our discussion on the phone on March 22nd it was clear the applicant does not intend to provide for parking required for the proposed project and desires to proceed with the submitted plan.

In accordance with the Ames *Municipal Code*, Section 29.1502 (3)(g), to ensure compliance with the Zoning Ordinance standards and to meet the Site Development Plan requirements of 29.1502 (f), the Planning Director has approved SDP-17-05 with the following conditions:

Conditions of Approval

1. Prior to the issuance of a building permit for construction of the project, evidence must be submitted to the Planning Director of an approved remote parking agreement for one parking space for every apartment unit that is consistent with Ames Municipal Code Section 29.406 (18).
2. No driveway to Lincoln Way is permitted. A permanent barrier of decorative bollards that are 3 to 4 feet in height must be installed along the north property line for the open area between the building and the west property line to ensure there is no vehicle access across the sidewalk to Lincoln Way. Prior to installation, provide a detail to the Planning Division for the bollards.
3. Prior to issuance of a building permit, an easement that provides for protection of the existing storm water line shall be provided to the City for acceptance by the City Council. The easement shall specify that the City has the rights and ability to maintain the storm sewer line, that the property owner is responsible for any impairment or damages to their property that may result from presence of a storm sewer through the property, and that the developer is only permitted to build over the easement with acceptance of responsibility for repairs caused by any disturbance or damages to the storm water line as a result of the construction of the building or the placement of the building above the storm water line. The final language for such an easement will be drafted by the City Attorney for review and acceptance by the property owner prior to City Council acceptance.

4. External lighting must be added to each façade of the project to adequately illuminate the pedestrian accessible areas of the site for nighttime safety. Lighting shall be placed between the first and second floor of the building to illuminate the ground level of the site and lighting shall be placed one floor above the ramped access to the apartments. Wall sconces below awnings may be permitted as well. The external lighting shall provide for appropriate lighting that is equal to lighting efficacy and quality of a 6,500 lumen LED fixture.
5. Prior to the issuance of building permit, the applicant and contractor must meet with a representative of the Public Works Department to review staging and temporary obstruction plans for construction of the project.
6. The Post Indicator Valve (PIV) must be protected with bollards or recessed into the wall.
7. Prior to the issuance of a building permit, provide electrical load calculations to Ames Electric.

This approval is valid for 24 months from this date. Any departure from the approved plans may require review and approval by staff.

As a conditional approval of the Minor Site Development Plan, the applicant has the right to appeal the conditional approval to the City Council. If there is an appeal of the approval, please provide to the Planning Director a written notice of the appeal and rationale for the objections to the conditions. Once an appeal has been made, City staff will contact the applicant for the timing of the City Council's review of the appeal.

Sincerely,



Kelly Diekmann
Planning and Housing Director

ATTACHMENT 3: APPROVED SITE PLAN

MAJOR SITE DEVELOPMENT PLAN FOR 2516 LINCOLN WAY MIXED USE DEVELOPMENT AMES, IOWA



FOX Engineering
1-800-292-8989
www.foxesabi.com



PROJECT LOCATION



LEGEND

PROPOSED	EXISTING
Concrete Paving	Concrete Paving
Asphalt	Asphalt
Gravel	Gravel
Grass	Grass
Water	Water
Sanitary Sewer	Sanitary Sewer
Storm Sewer	Storm Sewer
Electric	Electric
Gas	Gas
Telephone	Telephone
Other	Other

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No.	Description
G1.1	COVER SHEET / LOCATION MAP / LEGEND
C1.1	EXISTING CONDITIONS AND REMOVALS
C2.1	PROPOSED UTILITY PLAN
C3.1	SITE GRADING PLAN

UTILITY CONTACT INFORMATION:

Water Utilities:
City of Ames, Call 515-291-3205

Sanitary Sewer Utilities:
City of Ames, Call 515-291-3207

Storm Sewer Utilities:
City of Ames, Call 515-291-3205

Electric:
City of Ames, Call 515-291-3205

Gas:
City of Ames, Call 515-291-3205

Telephone:
City of Ames, Call 515-291-3205

CONTRACTOR:
FOX Engineering Associates, Inc.
414 South 17th Street, Suite 101
Ames, Iowa 50010
Phone: (515) 292-8989
Fax: (515) 292-0103

DATE: 11/11/2016

PROJECT: 2516 LINCOLN WAY

CLIENT: AMES, IOWA

COVER SHEET / LOCATION MAP / LEGEND

2516 LINCOLN WAY
AMES, IOWA

PROPOSED:

- Concrete Paving
- Asphalt
- Gravel
- Grass
- Water
- Sanitary Sewer
- Storm Sewer
- Electric
- Gas
- Telephone
- Other

EXISTING:

- Concrete Paving
- Asphalt
- Gravel
- Grass
- Water
- Sanitary Sewer
- Storm Sewer
- Electric
- Gas
- Telephone
- Other

GENERAL NOTE: ALL UTILITIES ARE ONLY GENERALLY LOCATED. UTILITIES SHOULD BE EXAMINED AND DELETED OR ADJUSTED AS NECESSARY PRIOR TO CONSTRUCTION BEGINS.

STATE OF IOWA PROFESSIONAL ENGINEER

FOOTPRINT: 131709

My license renewed on 11/11/2016.

Project or sheets covered by this license: 2516 LINCOLN WAY, AMES, IOWA

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C3.1	SITE GRADING PLAN

SITE PLAN DATA:

Applicant / Owner:
Spartan Development, LLC
Ames, IA 50010
Phone: (515) 292-2400

Project:
2516 Lincoln Way
Ames, IA 50010
Phone: (515) 292-2400

Site:
2516 Lincoln Way
Ames, IA 50010
Phone: (515) 292-2400

Site Address:
2516 Lincoln Way
Ames, IA 50010

Zone:
C-2: Commercial Services Center

Setbacks:
Front: 10'
Side: 5'
Rear: 5'

Minimum Lot Area:
No Minimum

Minimum Lot Width:
No Minimum

Minimum Building Coverage:
No Minimum

Maximum Building Coverage:
No Maximum

Maximum Height:
No Maximum

Maximum Building Height:
No Maximum

Maximum Building Area:
No Maximum

Maximum Building Volume:
No Maximum

Maximum Building Footprint:
No Maximum

Maximum Building Footprint Area:
No Maximum

Maximum Building Footprint Volume:
No Maximum

Maximum Building Footprint Area Ratio:
No Maximum

Maximum Building Footprint Volume Ratio:
No Maximum

Maximum Building Footprint Area Ratio:
No Maximum

Maximum Building Footprint Volume Ratio:
No Maximum

Maximum Building Footprint Area Ratio:
No Maximum

Maximum Building Footprint Volume Ratio:
No Maximum

Utility Contact Information:

Water Utilities:
City of Ames, Call 515-291-3205

Sanitary Sewer Utilities:
City of Ames, Call 515-291-3207

Storm Sewer Utilities:
City of Ames, Call 515-291-3205

Electric:
City of Ames, Call 515-291-3205

Gas:
City of Ames, Call 515-291-3205

Telephone:
City of Ames, Call 515-291-3205

CONTRACTOR:
FOX Engineering Associates, Inc.
414 South 17th Street, Suite 101
Ames, Iowa 50010
Phone: (515) 292-8989
Fax: (515) 292-0103

DATE: 11/11/2016

PROJECT: 2516 LINCOLN WAY

CLIENT: AMES, IOWA

COVER SHEET / LOCATION MAP / LEGEND

2516 LINCOLN WAY
AMES, IOWA

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Applicant / Owner:
Spartan Development, LLC
Ames, IA 50010
Phone: (515) 292-2400

Project:
2516 Lincoln Way
Ames, IA 50010
Phone: (515) 292-2400

Site:
2516 Lincoln Way
Ames, IA 50010
Phone: (515) 292-2400

Site Address:
2516 Lincoln Way
Ames, IA 50010

Zone:
C-2: Commercial Services Center

Setbacks:
Front: 10'
Side: 5'
Rear: 5'

Minimum Lot Area:
No Minimum

Minimum Lot Width:
No Minimum

Minimum Building Coverage:
No Minimum

Maximum Building Coverage:
No Maximum

Maximum Height:
No Maximum

Maximum Building Coverage:
No Maximum

Maximum Building Height:
No Maximum

Maximum Building Area:
No Maximum

Maximum Building Volume:
No Maximum

Maximum Building Footprint:
No Maximum

Maximum Building Footprint Area:
No Maximum

Maximum Building Footprint Volume:
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Maximum Building Footprint Area Ratio:
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Maximum Building Footprint Volume Ratio:
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Sanitary Sewer Utilities:
City of Ames, Call 515-291-3207

Storm Sewer Utilities:
City of Ames, Call 515-291-3205

Electric:
City of Ames, Call 515-291-3205

Gas:
City of Ames, Call 515-291-3205

Telephone:
City of Ames, Call 515-291-3205

CONTRACTOR:
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2516 LINCOLN WAY
AMES, IOWA

PROPOSED:

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STATE OF IOWA PROFESSIONAL ENGINEER

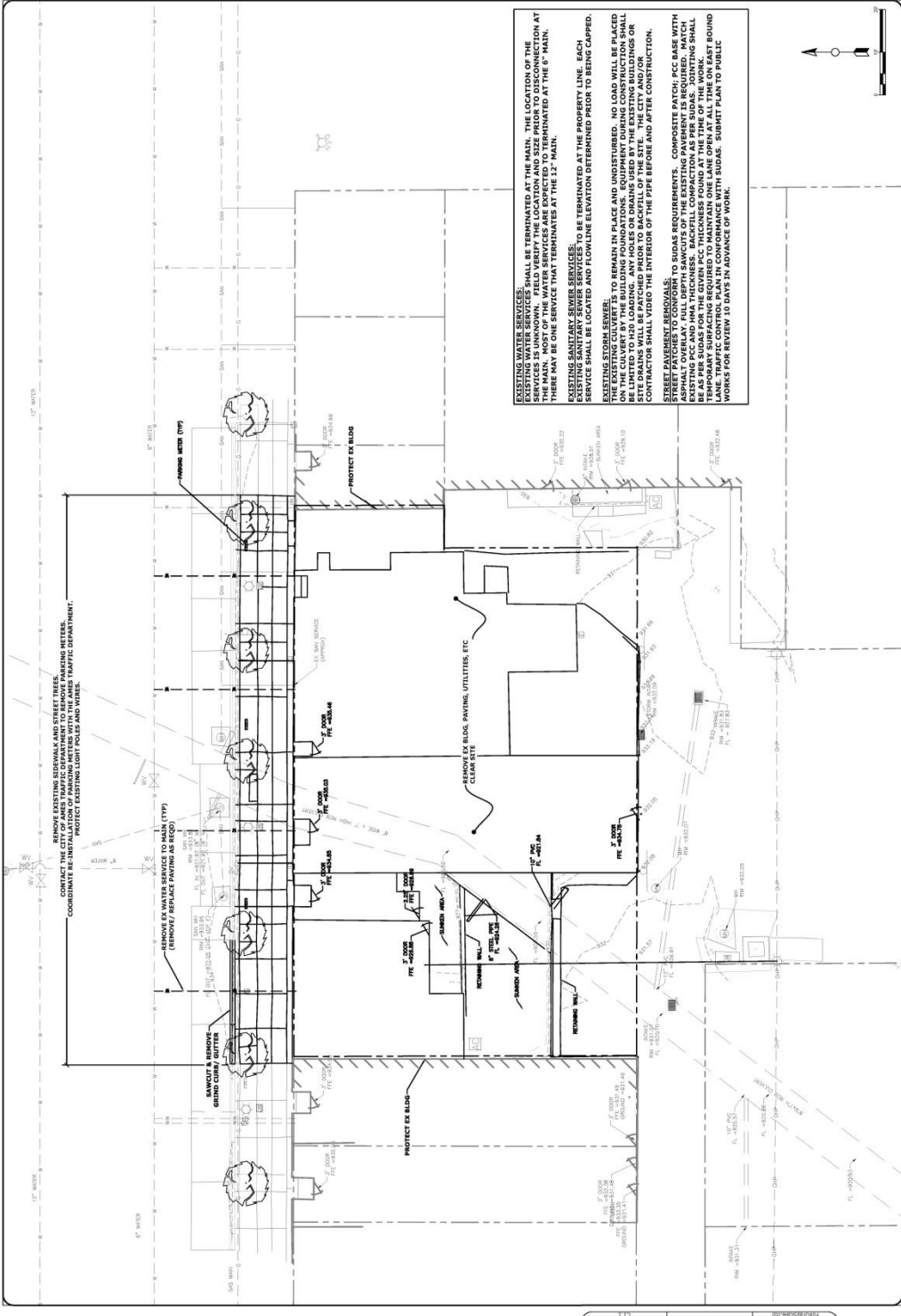
FOOTPRINT: 131709

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Project or sheets covered by this license: 2516 LINCOLN WAY, AMES, IOWA

INDEX OF SHEETS

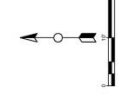
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EXISTING WATER SERVICES:
 EXISTING WATER SERVICES SHALL BE TERMINATED AT THE MAIN. THE LOCATION OF THE MAIN SHALL BE DETERMINED PRIOR TO CONSTRUCTION. MOST OF THE WATER SERVICES ARE EXPECTED TO TERMINATE AT THE 6" MAIN. THERE MAY BE ONE SERVICE THAT TERMINATES AT THE 12" MAIN.

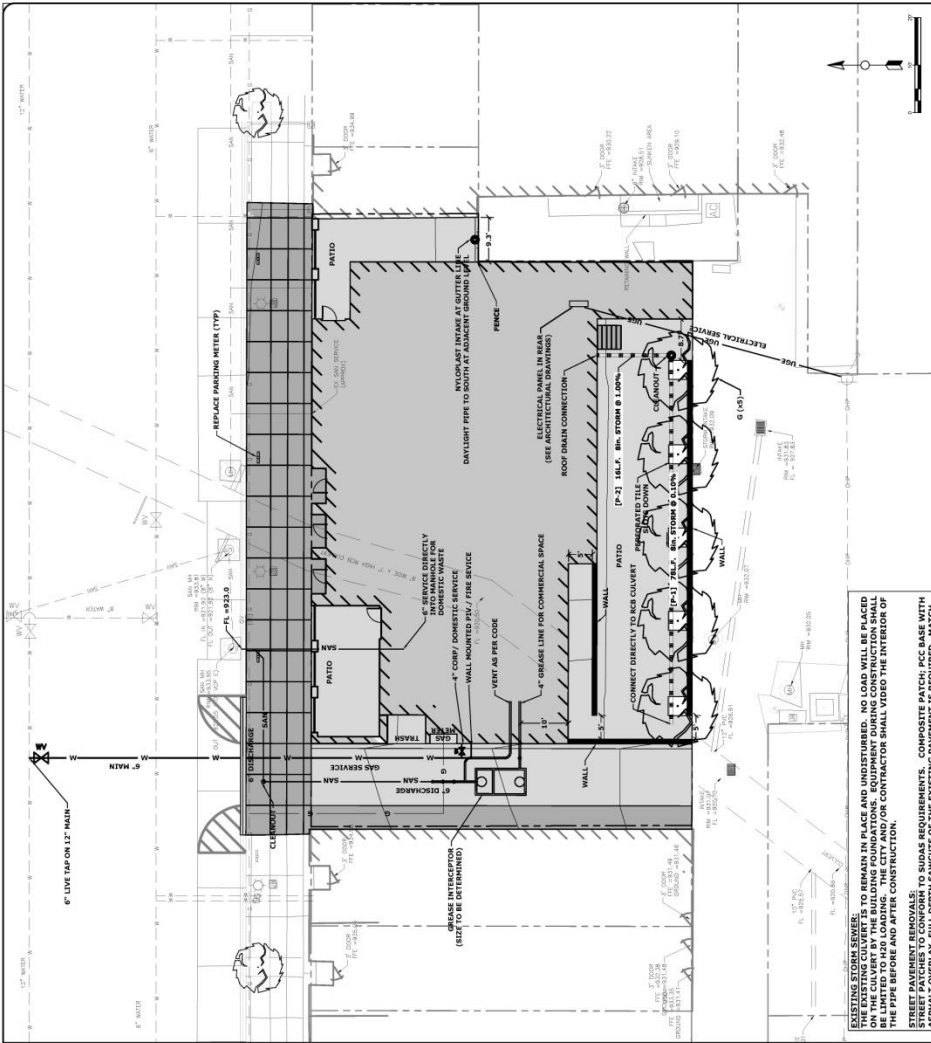
EXISTING SANITARY SEWER SERVICES:
 EXISTING SANITARY SEWER SERVICES SHALL BE TERMINATED AT THE PROPERTY LINE. EACH SERVICE SHALL BE LOCATED AND FLOWLINE ELEVATION DETERMINED PRIOR TO BEING CAPPED.

EXISTING STORM SEWER:
 THE EXISTING CULVERT IS TO REMAIN IN PLACE AND UNDISTURBED. NO LOAD WILL BE PLACED OVER THE CULVERT PRIOR TO CONSTRUCTION. ANY HOLES OR DRAINS USED BY THE EXISTING BUILDINGS OR SITE DRAINS WILL BE PATCHED PRIOR TO BACKFILL OF THE SITE. THE CITY AND/OR CONTRACTOR SHALL VERIFY THE INTERIOR OF THE PIPE BEFORE AND AFTER CONSTRUCTION. STREET PATCHES TO CONFORM TO SDAS REQUIREMENTS. COMPOSITE PATCH; PCC BASE WITH ASPHALT OVERLAY. FULL DEPTH SAWCUTS OF THE EXISTING PAVEMENT IS REQUIRED. MATCH BE AS PER SDAS FOR THE GIVEN PCC THICKNESS FOUND AT THE TIME OF THE WORK. PATCHES SHALL BE AS PER SDAS FOR THE GIVEN PCC THICKNESS FOUND AT THE TIME OF THE WORK. FULL DEPTH PATCHES SHALL BE AS PER SDAS FOR THE GIVEN PCC THICKNESS FOUND AT THE TIME OF THE WORK. LANE TRAFFIC CONTROL PLAN IN COMPLIANCE WITH SDAS. SUBMIT PLAN TO PUBLIC WORKS FOR REVIEW 10 DAYS IN ADVANCE OF WORK.



REVISIONS NO. DATE BY 1 03/09/17 JLB 2 03/09/17 JLB 3 03/09/17 JLB 4 03/09/17 JLB 5 03/09/17 JLB 6 03/09/17 JLB 7 03/09/17 JLB 8 03/09/17 JLB 9 03/09/17 JLB 10 03/09/17 JLB	PROJECT NAME MEEKO USE DEVELOPMENT LAYOUT NAME C1.1
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PROJECT NO. 5312-17A	SHEET C7.1
SITE LAYOUT & UTILITY PLAN	
METS, IOWA	414 South 17th Street, Suite 107 Ames, Iowa 50010
MIXED USE DEVELOPMENT	FOX Engineering (515) 233-0100
FOX Engineering Associates, Inc. 414 South 17th Street, Suite 107 Ames, Iowa 50010 Phone: (515) 233-0100 Fax: (515) 233-0103	
DATE _____ REVISION _____ DRAWN BY _____ CHECKED BY _____ APPROVED BY _____ LAST UPDATE 03/29/17	



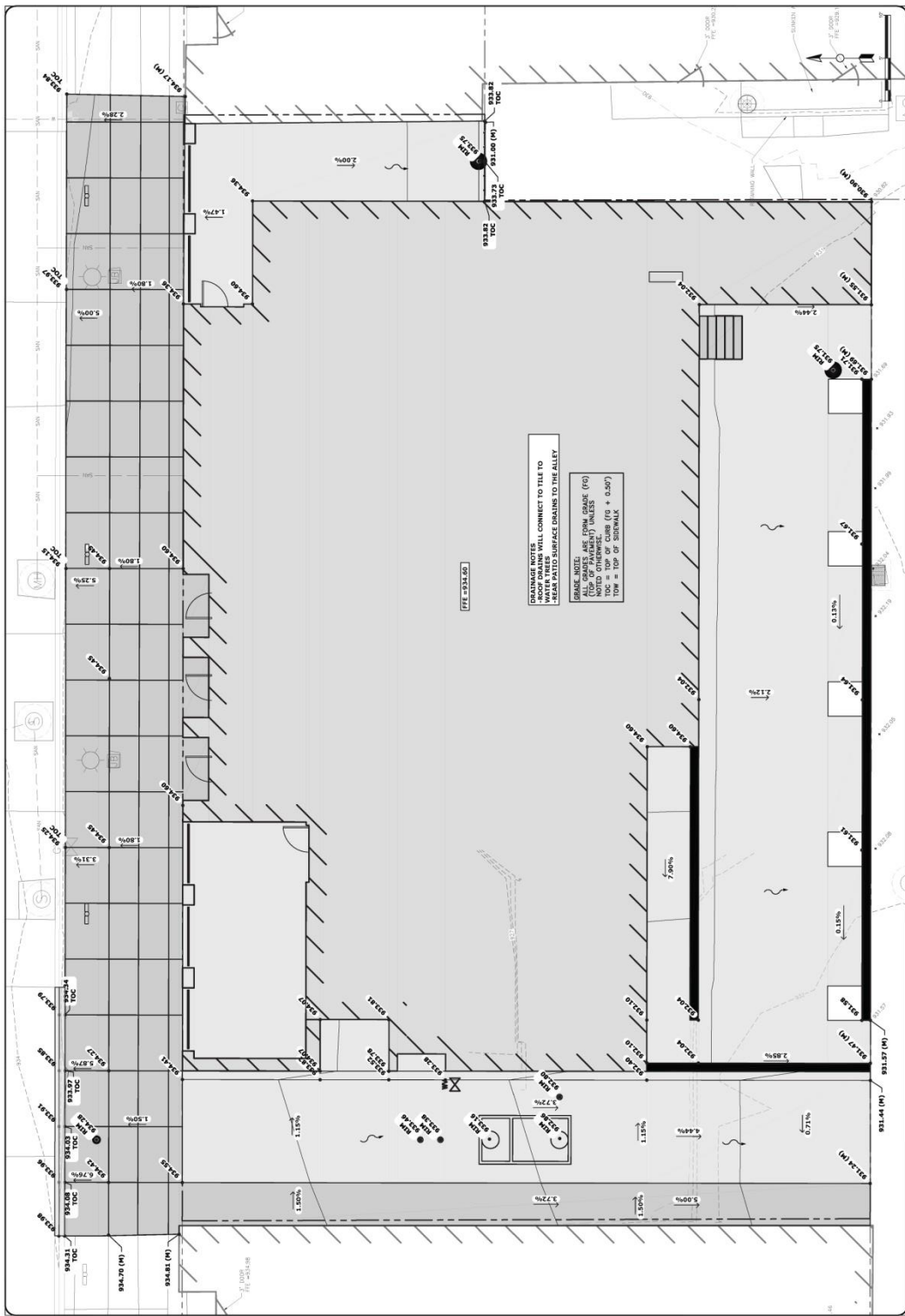
EXISTING STORM SEWER: TO REMAIN IN PLACE AND UNDISTURBED. NO LOADS WILL BE PLACED ON THE CURBWAYS BY THE BUILDING FOUNDATIONS. EQUIPMENT DURING CONSTRUCTION SHALL BE LIMITED TO HIGH LOADING. THE CITY AND/OR CONTRACTOR SHALL VIDEO THE INTERIOR OF THE PIPE BEFORE AND AFTER CONSTRUCTION.

STREET PATCHES TO CONFORM TO SUDAS REQUIREMENTS. COMPOSITE PATCH: PCC BASE WITH ASPHALT OVERLAY - FULL DEPTH SAWCUTS OF THE EXISTING PAVEMENT IS REQUIRED. MATCH BE AS PER SUDAS FOR THE GIVEN PCC THICKNESS FOUND AT THE TIME OF THE WORK.

LANE TRAFFIC CONTROL. PLAN IN CONFORMANCE WITH SUDAS. SUBMIT PLAN TO PUBLIC WORKS FOR REVIEW 10 DAYS IN ADVANCE OF WORK.



DATE	BY	DESCRIPTION



GRADE NOTE:
 ALL GRADES ARE FROM GRADE (FG)
 UNLESS OTHERWISE NOTED OTHERWISE
 TOG = TOP OF CURB (FG + 0.50')
 TOB = TOP OF BURIAL
 TOE = TOP OF EXISTING

DRAINAGE NOTES:
 - ROOF DRAINING WILL CONNECT TO TILE TO
 - NEAR PAVED SURFACE DRAINS TO THE ALLEY

DESCRIPTION	DATE	BY

Roseland
Mackey
Harris
ARCHITECTS P.C.

1515 Oaklawn-Adrian Drive
Suite 110
Annex, Iowa 50010
319 292 6375 Phone
319 292 6379 Fax
moh@mackeyharris.com
www.mackeyharris.com

Print Record
DNC Revision# 314417

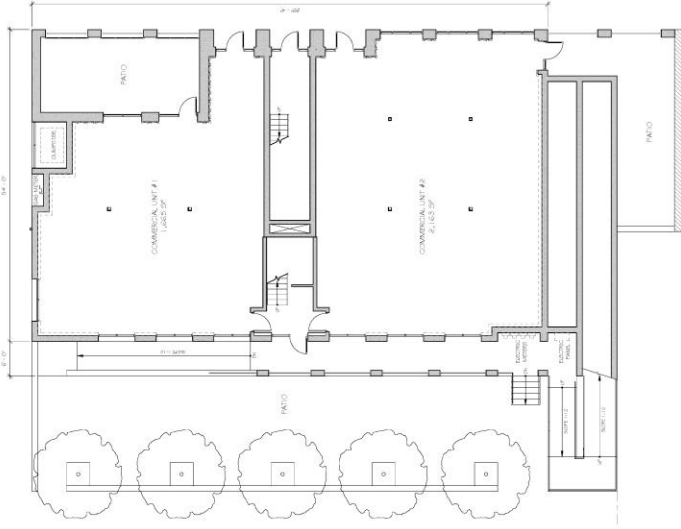
Revision Record

Consultant

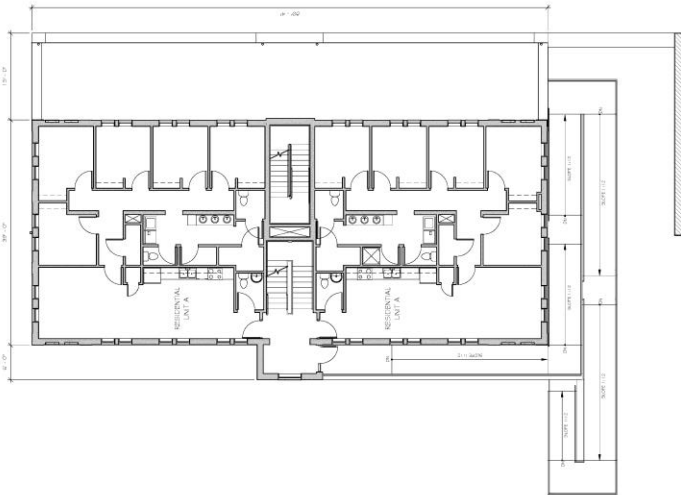
PRELIMINARY PLAN
NO CONTRACT REQUIRED

25 ILLINOIS WAY
FLOOR PLANS

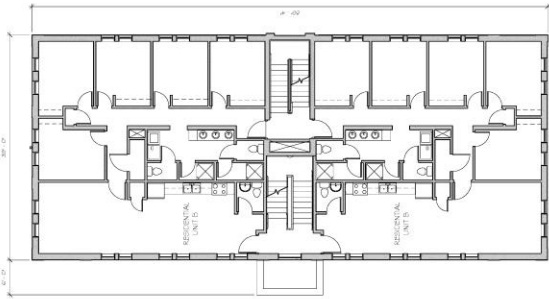
1



1 GROUND FLOOR PLAN
1/8" = 1'-0"



2 FIRST FLOOR PLAN
1/8" = 1'-0"

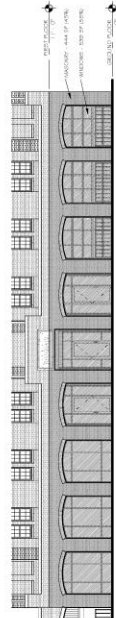


3 SECOND - FOURTH FLOOR PLANS
1/8" = 1'-0"

OWNER
GRIFFIN COMMERCIAL REAL ESTATE
1405 BROADWAY
ANNEX, IOWA 50010 (PH)
319.292.6375 (FAX)

APPLICANT
GRIFFIN COMMERCIAL REAL ESTATE
1405 BROADWAY
ANNEX, IOWA 50010 (PH)
319.292.6375 (FAX)

LEGAL DESCRIPTION/ADDRESS
PARCELS 12.017, 14.017, 15.017 & 16.017 IN THE COUNTY OF IOWA, 14TH JUDICIAL DISTRICT, IOWA. THIS PROJECT IS A SUBDIVISION OF THE ABOVE DESCRIBED PARCELS AND WILL BE PLANNED AND DEVELOPED IN ACCORDANCE WITH THE IOWA SUBDIVISION ACT, CHAPTER 480.01-4.



4 WINDOW AREA
1/8" = 1'-0"

Roseland
Mackey
Harris
ARCHITECTS P.C.

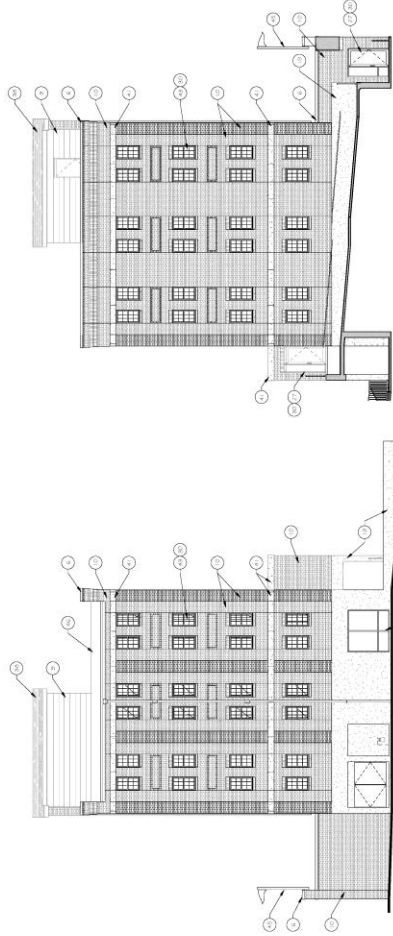
1435 Golden Square Drive
Suite 110
Annex, Leeds 20110
Leeds, West Yorkshire
LS1 2JX, UK
Tel: +44 (0)113 262 4030 Fax
+44 (0)113 262 4031
roselandmackeyharris.com
www.roselandmackeyharris.com

Print Record
DNC Resubmitted 30/11/17

Revision Record

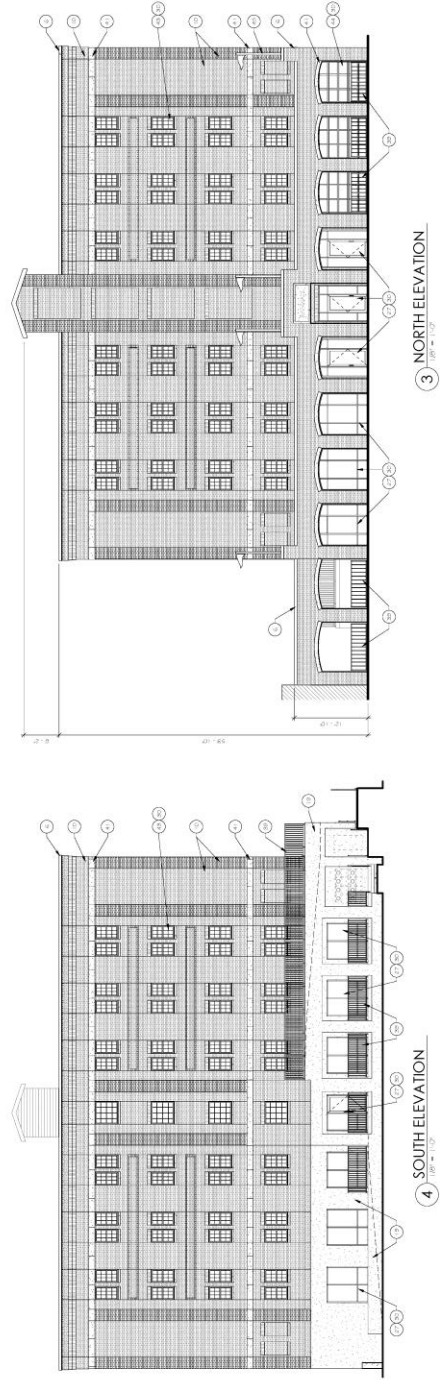
Consultant

MATERIALS LIST	
1	CLAY BRICKWORK
2	CONCRETE
3	GLAZED ALUMINIUM CURTAIN WALL
4	GLAZED ALUMINIUM CURTAIN WALL
5	GLAZED ALUMINIUM CURTAIN WALL
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50	GLAZED ALUMINIUM CURTAIN WALL



1 EAST ELEVATION
1/8" = 1' 0"

2 WEST ELEVATION
1/8" = 1' 0"



4 SOUTH ELEVATION
1/8" = 1' 0"

3 NORTH ELEVATION
1/8" = 1' 0"

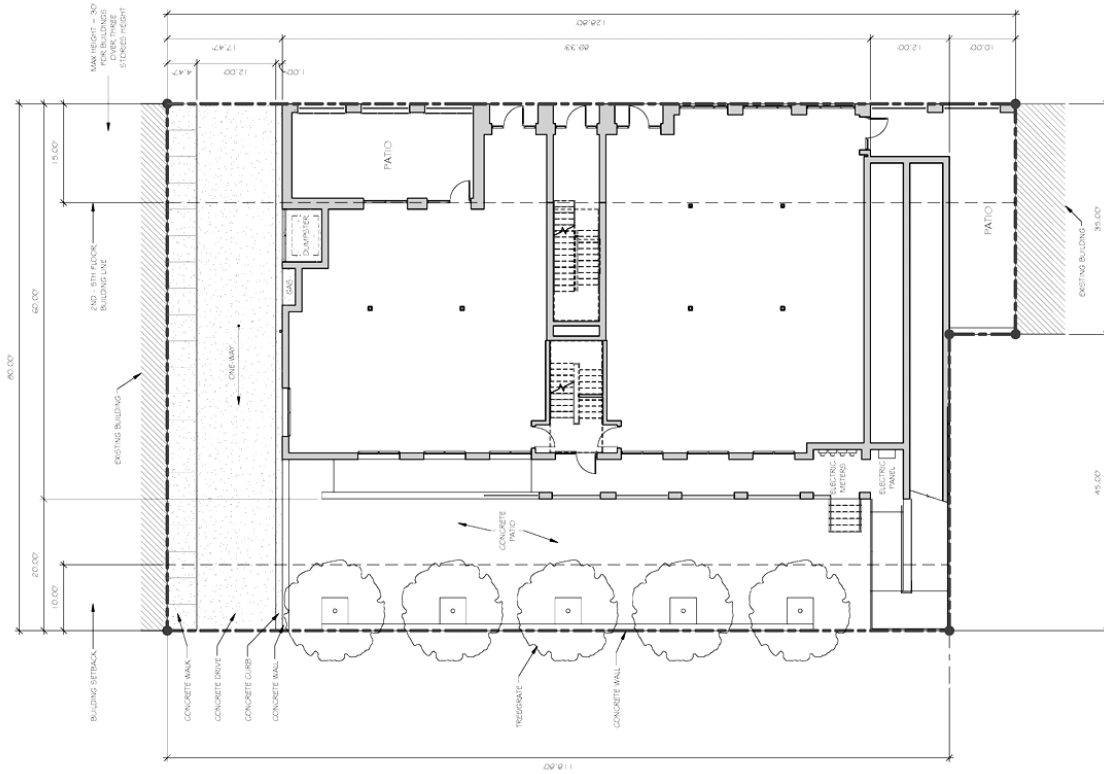
PRELIMINARY ONLY
NOT FOR CONSTRUCTION

25 HILKINCOU WAY

EXTERIOR ELEVATIONS

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1 SITE PLAN
1" = 10'-0"

ATTACHMENT 4: LETTER OF CONDITIONAL APPEAL



Aspen Business Park | 414 South 17th Street, Suite 107 | Ames, Iowa 50010

April 14, 2017

Kelly Diekmann, Director
Planning & Housing Department
City of Ames
515 Clark Avenue
Ames, Iowa 50010

RE: Appeal of Conditions of Approval for Minor Site Plan Development for 2516 Lincoln Way (SDP-17-05)
FOX Ref. No. 5439-17a.

Dear Mr. Diekmann:

The Owner wishes to appeal Conditions of Approval 1 and 2 from your letter dated March 30, 2017. The other five conditions can be completed by the Owner in general conformance to the requirements.

Condition 1 reads *"Prior to the issuance of a building permit for construction of the project, evidence must be submitted to the Planning Director of an approved remote parking agreement for one parking space for every apartment unit that is consistent with Ames Municipal Code Section 29.403(18)"*.

At the time our site plan was submitted the parking requirements for Mixed Use Developments were "none". The City has since modified the code to require parking for Mixed Use Developments. We ask the City to approve the site plan consistent with the code at the time of submittal.

We do not have to provide remote parking. The site has sufficient room to park onsite to meet the updated requirements for parking. This will eliminate the rear patio of the project and convert it to parking. We believe the rear patio is a better use of the property than parking. Beautification over parking.

There has been considerable recent discussion concerning parking in the Campustown area. The parking issues are mainly *short-term* parking issues. Long term parking, such as required for residential apartments, is not an issue.

The City's remote parking requirement is enforced in such a manner that it's unusable and should be revised to reflect the needs of the tenants and parking available in the Campustown area. The maximum distance to parking is 300 feet as measured by Staff by several different methods. The remote parking requirement should be updated in addition to addressing the parking issues that are unique to the Campustown area. However, the requirement for this building is so low, *8 spaces*, that it is not worth the time and effort of the Owner or Council to amend now. The CSC parking issue will require considerable discussion and effort. We are simply asking the City to follow the ordinance in force at the time the site plan was submitted.

Condition 2 reads *"No driveway to Lincoln Way is permitted. A permanent barrier of decorative bollards that are 3 to 4 feet in height must be installed along the north property line for the open area between the building and the west property line to ensure there is no vehicle access across the sidewalk to Lincoln Way. Prior to installation, provide a detail to the Planning Division for the bollards."*

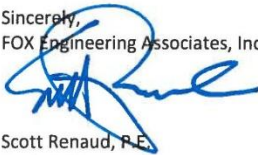
800.433.3469 | 515.233.0000 | www.foxeng.com

Table 29.809(3) Campustown Service Center (CSC) Zone Development Standards requires an opening between buildings and states *"In order to provide access for vehicles and/or utilities to the interior of the block, there shall be a twenty foot wide opening between buildings, at the approximate mid-point of each face of each block. In addition to this mid-point block areaway or drive, any lot without other means of access from a public street or alley may have one drive from the street of up 20-ft in width."*

Our site plan is conformance with this ordinance requirement. The parcel is in the center of the block. The parcel does not have access to a public street or alley. The area in the rear is a *parcel* – not an alley. We specifically asked this question at DRC and were told it was a "parcel". There is no requirement for pedestrian access. There is no limitation expressed for the number of driveways to Lincoln Way as other parcels will not have access to the street or an alley. The driveways on to Lincoln Way are right in and right out due to the median in Lincoln Way. We ask the City to waive this condition to be in conformance with the zoning ordinance.

We have included rendering of the building prepared by the architect. This is brick structure with patios on the north, east and south sides. This building is completely brick. This building is not requesting tax abatement. This is an excellent project as presented to the City and should be approved without conditions 1 and 2.

Sincerely,
FOX Engineering Associates, Inc.



Scott Renaud, P.E.
Project Manager

Cc: Scott Randall
Kurt Mackey – RMH Architects

K:\proj\5000\5439-17a Randall LW Campustown\City Council\2017 04 14 ltr to Kelly D.docx

Roseland
Mackey
Harris
ARCHITECTS PC



AERIAL VIEW FROM NORTHWEST



2510 – 2526 Lincoln Way
12/12/16

1615 Golden Aspen Drive
Suite 110
Ames, Iowa 50010
515.292.6075 Phone
515.292.6370 Fax
www.mharchitects.com

Roseland
Mackey
Harris
ARCHITECTS PC



AERIAL VIEW FROM NORTHEAST



1615 Golden Aspen Drive
Suite 110
Ames, Iowa, 50010
515.292.6075 Phone
515.292.6370 Fax
www.rmharchitects.com

2510 – 2526 Lincoln Way
12/12/16

Roseland
Mackey
Harris
ARCHITECTS PC



STREET VIEW FROM NORTHEAST



2510 – 2526 Lincoln Way
12/12/16

1615 Golden Aspen Drive
Suite 110
Ames, Iowa 50010
515 292 6075 Phone
515 292 6370 Fax
www.rmharchitects.com

Roseland
Mackey
Harris
ARCHITECTS PC



AERIAL VIEW FROM SOUTHEAST



2510 – 2526 Lincoln Way
12/12/16

11615 Golden Aspen Drive
Suite 110
Ames, Iowa 50010
515.292.6075 Phone
515.292.6370 Fax
www.rmharchitect.com



STREET VIEW FROM SOUTHWEST



2510 – 2526 Lincoln Way
12/12/16

Attachment 5

(iii) An expired Building/Zoning Permit shall be considered null and void. Any further renewal will require a new application or a new Building/Zoning Permit and other necessary approvals as applicable.

(b) Issuance of Building/Zoning Permit. If after a review of the Plot Plan, the Zoning Enforcement Officer finds that the Plot Plan complies with all provisions of the Zoning Ordinance and all other applicable codes, the Zoning Enforcement Officer shall, upon payment of the required fee, issue a Building/Zoning Permit therefore.

(c) Refusal of Building/Zoning Permit. If after a review of the Plot Plan the Zoning Enforcement Officer finds that the Plot Plan does not comply with all provisions of the Zoning Ordinance and all other applicable codes, the Zoning Enforcement Officer shall furnish the applicant with a signed statement refusing to issue such permit and setting forth reasons for such refusal. The refusal by the Zoning Enforcement Officer may be appealed by the applicant to the Zoning Board of Adjustment.

(4) **Record-Keeping.** The Zoning Enforcement Officer shall keep a record of all zoning applications filed, Building/Zoning Permits issued or refused and, if refused and appealed, the final action thereon. The Zoning Enforcement Officer shall keep a record of all permit fees collected and shall remit the amount of such fees to the office of the Director of Finance at such intervals as the Director shall require.

Sec. 29.1502. SITE DEVELOPMENT PLAN REVIEW.

(1) **Purpose.** This Section is intended to:

- (a) Plan for and review proposed development or redevelopment of property;
- (b) Provide approval procedures for all types of Site Development Plans;
- (c) Insure the orderly and harmonious development of property;
- (d) Promote the most beneficial relationship between uses of land;
- (e) Provide for orderly and efficient circulation of traffic within the development and throughout the City;
- (f) Insure that the proposed development or redevelopment is within the capacity limitations of public facilities and services;
- (g) Insure adequate provision for surface and subsurface drainage; and
- (h) Provide for suitable screening of parking, truck loading, refuse disposal, and outdoor storage from adjacent property.

(2) **General Requirements for Site Plan Review.**

(a) Issuance of Permits. All Site Development Plans shall be submitted, reviewed and approved prior to the issuance of a Building/Zoning Permit for the development or redevelopment of any lot, tract or parcel of land in any of the Zones.

(b) Exceptions. No Site Development Plan shall be required for the development or redevelopment of a single-family dwelling or a two-family dwelling in any Zone, or for a project that meets the following conditions:

- (i) The development or redevelopment does not require the provision of any additional parking spaces;
- (ii) The development or redevelopment does not increase the rate of storm water runoff as determined by the City Public Works Department; and
- (iii) The development or redevelopment does not exceed 150 square feet of area, as calculated from the exterior dimension of the structure.

The exceptions stated above shall meet the submittal requirements in Section 29.1501(2).

(c) Number of Copies. An application for Site Development Plan approval, filed in accordance with Section 29.1502, shall be accompanied by the following:

- (i) 7 copies of Minor Site Development Plans; or
- (ii) 7 copies of Major Site Development Plans and one (1) reduced copy of the Major Site Development Plan no larger than 11" x 17".

(d) Submission Requirements.

(i) Site Plan. It is the intent of the City to insure that site plans be prepared with a high degree of accuracy and insure proper coordination of the site plan development and review responsibilities, which serve to facilitate compliance with the requirements of the city. To accomplish this intent, the applicant shall provide copies of a site plan, drawn to scale on a sheet not to exceed 24" X 36", prepared by a Civil Engineer, a Land Surveyor, a Landscape Architect, or an Architect. The site plan must be certified as "substantially correct" by a Professional Engineer, Land Surveyor, Landscape Architect, or Architect, licensed by the State of Iowa, showing

Attachment 5

the following information as of the date of application:

- a. Name of applicant and name or owner of record;
- b. Legal description and street address of property;
- c. North point, graphic scale and date with the graphic scale. The scale shall be not less than 1" to 10' and no greater than 1" to 60' unless an alternate scale is approved by the Director of the Department of Planning & Housing;
- d. Dimensions of the present lot and lot area;
- e. Specific types of uses, size and location of all existing and proposed buildings, additions, structures, and uses of land;
- f. Dimensions of all setbacks to the property lines observed by buildings and structures;
- g. Location and dimensions of parking areas, individual parking spaces and drive aisles, driveways, curb cuts, easements and rights-of-way;
- h. Location and size of sanitary sewer mains and service lines or septic tank, and leaching field;
- i. Location and size of water mains, service lines and hydrants and/or water well;
- j. Location and size of the proposed electrical service (electrical riser diagram) and location of high pressure gas lines and high tension transmission lines;
- k. Location of waterbodies, watercourses, swamps and flood-prone areas with delineated channel encroachment lines, wetland boundary lines, 100-year flood plain boundary line, and floodway boundary line;
- l. Location of all storm drainage facilities on the property and adjacent to the property;
- m. When an application pertains to any new permanent detached building or structure (principal or accessory), include existing and proposed contours at 2 foot intervals based on City datum;
- n. When an application is located in a flood-prone area include existing and proposed site grades, contours or elevations, base flood elevation data, top-of-foundation elevations, finished floor elevations, and any proposed watercourse relocation;
- o. A sediment and erosion control plan meeting the requirements of Chapter 5A Construction Site3 Erosion and Sediment Control;
(Ord. 4179, 4-22-14)
- p. A storm water management plan meeting the requirements of this chapter and Chapter 5B Post-Construction Stormwater Management Ordinance;
(Ord. 4179, 4-22-14)
- q. A landscape plan, showing location of plants, and a plant list to include: plant species, number of each plant, and plant size; and
- r. Soils tests, traffic impact studies, utility capacity analysis, and other similar information if deemed necessary by the Department of Planning and Housing to determine the feasibility of the proposed development.
- s. For Village Residential projects, Suburban Residential projects, or Planned Residence District projects that are to develop in phases, the applicant shall provide a phasing plan indicating areas to be developed in each phase and the time frame for the development of each phase.
(Ord. No. 3571, 6-27-00)

(ii) Building Plan. The applicant shall provide 2 copies of architectural drawings of all new building or structures, or alterations, at a scale not to exceed 1" = 8 feet, showing the following information:

- a. Name of applicant and name of the owner of record;
- b. Legal description and street address of property;
- c. Numerical scale and date;
- d. All exterior wall elevations, indicating floor heights, overall building height an fenestration; and
- e. Building floor plans indicating existing and proposed usage, interior floor area and/or patron floor area.

(Ord. No. 3606, 1-23-01)

(3) **Procedures for Approval of a Minor Site Development Plan.** For all uses listed in Article 6 through Article 10 that require a minor site plan approval by staff, the Planning Director or designee shall review applications for development and issue a Certificate of Compliance certifying that the Minor Site Development Plan

Attachment 5

conforms with this Ordinance. Upon receipt of such a Certificate, the Zoning Enforcement Office shall issue a Building/Zoning Permit.

(a) Applications for a Certificate of Compliance shall be submitted to the Planning Director;

(b) The Planning Director shall prescribe the forms on which applications are made. Applications shall include the name and address of the applicant, the name and address of the owner of each lot involved, and the relationship of the applicant and property owner in connection with the application. If the applicant or property owner listed on an application for a Certificate of Compliance is an entity other than a natural person, the application shall also include detailed information regarding the principals of the entity. The Planning Director shall prescribe any other material that may reasonably be required to determine compliance with this Ordinance, with sufficient copies for necessary referrals and records.

(c) No application shall be accepted by the Planning Director unless it complies with the submittal requirement as set forth in Section 29.1502(2). Applications that are not complete shall be returned to the applicant, with a notation of the deficiencies in the application.

(d) Where an Engineering Construction Permit, Building/Zoning Permit, or Sign Permit is required, applications for such permits may be made concurrently with the application for a Certificate of Compliance.

(e) Upon receipt of a complete application, the Planning Director shall forward copies to the Development Review Committee for a determination of compliance with applicable provisions of this chapter.

(f) Design Standards. When acting upon an application for minor site plan approval, the Planning Director shall rely upon generally accepted site planning criteria and design standards. These criteria and standards are necessary to fulfill the intent of the Zoning Ordinance, the Land Use Policy Plan, and are the minimum necessary to safeguard the public health, safety, aesthetics, and general welfare. These criteria and standards include:

(i) The design of the proposed development shall make adequate provisions for surface and subsurface drainage to limit the rate of increased runoff of surface water to adjacent and down stream property;

(ii) The design of the proposed development shall make adequate provision for connection to water, sanitary sewer, electrical and other utility lines within the capacity limits of those utility lines;

(iii) The design of the proposed development shall make adequate provision for fire protection through building placement, acceptable location of flammable materials, and other measures to ensure fire safety;

(iv) The design of the proposed development shall not increase the danger of erosion, flooding, landslide, or other endangerment to adjoining and surrounding property;

(v) Natural topographic and landscape features of the site shall be incorporated into the development design;

(vi) The design of interior vehicle and pedestrian circulation shall provide for convenient flow of vehicles and movement of pedestrians and shall prevent hazards to adjacent streets or property;

(vii) The design of outdoor parking areas, storage yards, trash and dumpster areas, and other exterior features shall be adequately landscaped or screened to minimize potential nuisance and impairment to the use of adjoining property;

(viii) The proposed development shall limit entrances and exits upon adjacent streets in order to prevent congestion on adjacent and surrounding streets and in order to provide for safe and orderly vehicle movement;

(ix) Exterior lighting shall relate to the scale and location of the development in order to maintain adequate security, while preventing a nuisance or hardship to adjacent property or streets;

(x) The proposed development shall ensure that dust and other forms of air pollution, noise disturbances, odor, glare, and other nuisances will be limited to acceptable levels as prescribed in other applicable State and City regulations; and

(xi) Site coverage, building scale, setbacks, and open spaces shall be in proportion with the development property and with existing and planned development and structures, in adjacent and surrounding property.

(g) Planning Director Decision. Final action by the Planning Director or designee on an application shall be based solely on findings as to compliance with all applicable provisions of this Ordinance and shall be one of the following:

(i) Approval;

(ii) Approval subject to conditions; or

(iii) Denial.

Attachment 5

The Planning Director may impose such reasonable conditions on an approval as are necessary to ensure compliance with applicable regulations.

Final action by the Planning Director shall be taken within 30 days of the filing of an application or within such further time consented to by written notice from the applicant.

(h) Applicant's Appeal of Conditions. An applicant may appeal any conditional approval to City Council upon written notice to the Planning Director.

(i) Other Approvals. In conjunction with Minor Site Development Plan approvals, the applicant shall obtain and submit all other approvals, in writing, required by any other local, state or federal agency. Such prior approvals include:

- (i) Variance from Zoning Board of Adjustment;
- (ii) Curb cut;
- (iii) Flood Plain Development Permit;
- (iv) Historic Preservation Commission Approval;
- (v) Iowa Department of Transportation Permit(s); and
- (vi) Sediment & Erosion Control Plan Approvals.

All such approvals shall be duly noted on a copy of the site plan and/or building plan, as applicable. Any such plan shall include the date of approval and signature of the approval official, as applicable.

(4) Major Site Development Plan Review

(a) When Applicable. Major Site Development Plans are required for all development or redevelopment of any lot, track, or parcel of land not otherwise qualifying for Minor Site Development Plan Review.

(b) Submission Requirements.

(i) Site Plan. The applicant shall provide copies of a site plan, in such number as required by Section 29.1502(2).

(c) Procedures for Approval of a Major Site Development Plan. The City Council shall review applications for development and issue a Certificate of Approval certifying that the Major Site Development Plan conforms with this Ordinance. Upon receipt of such a Certificate, the Zoning Enforcement Officer shall issue a Building/Zoning Permit.

(i) Applications for Major Site Development Plan approvals shall be submitted to the Planning Director.

(ii) The Planning Director shall prescribe the forms on which applications are made. Applications shall include the name and address of the applicant, the name and address of the owner of each lot involved, and the relationship of the applicant and property owner in connection with the application. If the applicant or property owner listed on the application is an entity other than a natural person, the application shall also include detailed information regarding the principals of the entity. The Planning Director shall prescribe any other material that may reasonably be required to determine compliance with this Ordinance, with sufficient copies for necessary referrals and records.

(iii) No application shall be accepted by the Planning Director unless it complies with the submittal requirements set forth in Section 29.1502(4)(b). Applications that are not complete shall be returned to the applicant, with a notation of the deficiencies in the application.

(iv) Where an Engineering Construction Permit, Building/Zoning Permit, or Sign Permit is required, applications for such permits may be made concurrently with the application for a Major Site Development Plan approval.

(v) Development Review Committee. Upon receipt of a complete application the Planning Director shall forward copies to the Development Review Committee for a determination of compliance with applicable provisions of this Chapter. Upon its review the Development Review Committee shall forward the application and its recommendations to the Planning and Zoning Commission.

(vi) Planning and Zoning Commission. Commission review shall not be concluded until consideration is given to comments at a public hearing, which may be scheduled as part of the regularly scheduled meeting. Notification of the public hearing shall be made by mail and posting in accordance with Sections 29.1500(2)(d)(i) and (iii) above. Within 30 days of the hearing the Planning and Zoning Commission shall submit the written recommendation to the City Council setting forth the reasons for its recommendation of acceptance, denial or modification of the application.

(vii) City Council Decision. After the transmittal of the recommendation from the Planning and Zoning Commission, the City Council shall consider the application at a public hearing conducted as part of a regularly scheduled meeting. Notification of the public hearing shall be made by mail and posting, in