

MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

FEBRUARY 19, 2008

The Ames City Council met in special session at 7:00 p.m. on the 19th day of February, 2008, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Ann Campbell presiding and the following Council members present: Doll, Goodman, Larson, Mahayni, Popken and Rice. *Ex officio* Member Luttrell was absent.

Mayor Campbell announced that this meeting would serve as a work session for the City Council in an attempt to learn more about the history of the Land Use Policy Plan (LUPP). She advised that much of the Plan's history would be provided by Brian O'Connell, who was the Planning and Housing Director during the seven-year time period when the LUPP and associated regulations were written. The Mayor advised that questions from the public would be heard; however, requests for changes to the LUPP would not be discussed during this work session.

City Manager Steve Schainker added that in January 2008, the City Council held a goal-setting session, and one of the top priorities listed was to define desired growth for the community. To accomplish that goal, it was decided to review the history and strategies behind the LUPP, and it was suggested that Mr. O'Connell be invited to provide that historical overview.

According to Mr. Schainker, there are two important steps to be taken after this work session. He noted that the Council had asked staff to update the costs of growing in various directions as it relates to targeted growth, and staff will be providing those updated costs in the near future. City Manager Schainker also announced that there will be a round-table discussion at an upcoming Council workshop that will focus on the targeted growth policy. He noted that questions have been raised as to whether there are other options besides the Southwest Growth Priority Area and the Northwest secondary area. According to Mr. Schainker, there has also been interest expressed by developers in growing in at least three areas: southwest, northwest, and straight north. He advised that the City Council will ultimately be asked to reaffirm or modify the City's targeted growth policy.

Purpose of Comprehensive Plans. Planning and Housing Director Steve Osguthorpe explained the relationship between the planning portion (LUPP) and the implementation regulations (Zoning Ordinance). He said that the "Land Use Policy Plan" is the title of the document, but it is often referred to as a comprehensive plan. It is a "big picture view" of what Ames is as a community and is a vision of what Ames wants to be, what its capacity is, and what it is committed to; it is the best estimate of those assumptions at that time. A comprehensive plan will look at projected population, and based on that, the needed number of housing units, jobs, schools, costs of service, etc., will be determined. Through such planning, it will be ascertained where the community can grow. Environmental constraints and traffic impacts will become evident. Levels of service to be provided by the City are also set out in a comprehensive plan. This planning process helps people to understand how even a small decision about land use relates to the whole picture.

Director Osguthorpe stated that a comprehensive plan is also intended to provide predictability. Such a plan is comprised of guiding principles on which to make decisions. Those guiding principles should represent a collective vision for the community. It was noted by Mr. Osguthorpe that planners cannot predict the future, and a comprehensive plan is not intended to become static; adjustments are necessary.

Mr. Osguthorpe advised that the Land Use Policy Plan, as a comprehensive plan, is not a regulatory document, but sets the stage for regulations to follow. He said that zoning designations implement the land use designations. It was pointed out by Director Osguthorpe that, Ames' LUPP exactly mirrors its zoning designations. If there is a conflict between the LUPP and the Zoning Ordinance, the zoning regulations prevail.

HISTORICAL OVERVIEW OF AMES' LAND USE POLICY PLAN

Process. Former Planning and Housing Director Brian O'Connell said that it was important to understand where the City of Ames was at prior to the adoption of its current Land Use Policy Plan. According to Mr. O'Connell, Ames has a rich history in comprehensive planning, and prior to the Plan being adopted by the City Council in August 1997, there were several generations of planning documents. He advised that, in 1988, the Council adopted a policy-based plan, which was a compilation of very general and generic life-style expectations and statements of desire. That plan was quite different than the one currently being administered by the City. It was based on a series of arguable policies that could be interpreted in a number of ways. Also, the policy-based plan was not specific to Ames, except for the map, so the 1997 Plan was intended to give a greater degree of clarity.

With respect to the process, Mr. O'Connell said that the community was very engaged in putting together the 1997 LUPP. In the beginning, a series of general question-and-answer sessions were held by the consultants with approximately 60 stakeholders in the community for the purpose of getting issues out on the table. Early in 1994, a two-day visioning summit was held at the Scheman Building with opinions being offered as to what Ames should aspire to be from that time until the Year 2030. A Policy Committee was created, comprised of 15 leader representatives from a very wide cross-section of the community, and charged with helping to develop overall planning policy, goals and objectives. There were four or five identified focus groups dealing with environmental, neighborhood, land development process, and business-interest issues. As the Plan began to take shape, countless numbers of meetings were held between City staff and various factions of the community. In summary, Mr. O'Connell said that the creation of the LUPP came to fruition from the active participation of a very large cross-section of the community and took over seven years from the beginning to its adoption.

According to Mr. O'Connell, there was also community involvement in selecting the consultants, who were ultimately hired to assist staff in creating the LUPP. He named the planning consultants as the RM Plan Group of Nashville, Tennessee, and Robinson & Cole from Hartford, Connecticut as the law firm that assisted in putting together the development regulations. Council Member Rice asked how the City was able to get such extensive involvement by the public. Mr. O'Connell said that extensive community participation was proposed by the consultants as part of their proposal; that, in fact, influenced the City's selection of that firm. That firm had also done a lot of work in college-based communities, and from the beginning, wanted to draw from the various perspectives. Mr. O'Connell said he believes that the degree of willingness on the part of the people to express their points of view is different in college-based cities. For the first two and one-half years, extensive community participation occurred; that contributed to the length of time it took to create the Plan, but, according to Mr. O'Connell, it was very helpful and beneficial.

Goals. Mr. O'Connell advised that the following goals were initially behind the creation of the 1997 LUPP:

1. To provide a greater degree of clarity
2. To provide a greater degree of predictability
3. To provide a linkage between the LUPP and the Zoning Ordinance
4. To make it comprehensive and internally cohesive, i.e., there is a relationship between targeted growth and the Capital Investment Strategy, there is a relationship between efficient growth and the density requirement

According to Mr. O'Connell, the planning process for the LUPP brought about the following:

1. The realization that Ames, as a community, is a series of smaller places, e.g., Old Town, Campustown, neighborhoods, and there is a real allegiance to those sub-areas
2. A higher degree of intergovernmental relationships; the Plan brought about a greater degree of cooperation among Ames, Story County, and Boone County
3. The realization of the importance of maximizing resources (land supply, funding, infrastructure) and the advantages that Interstate 35 and Highway 30 create for Ames
4. An awareness of land relationships between the City and Iowa State University
5. A clear determination of where Ames fits in regionally

Council Member Rice asked from where the village concept originated. Mr. O'Connell advised that the concept of "village" was a planning manifestation of what people thought was Ames; it emphasized that Ames was a city of smaller places or villages. Initially, in terms of development patterns, it was strictly focused on everything developing as a village. Adjustments were later made to the Plan to make the village concept, which was meant to be mixed-use, dense, and highly integrated and connected, one option. Council Member Mahayni recalled that the village concept was the subject of a workshop prior to the completion of the Plan, and the results of that workshop strongly influenced the Plan. Mr. O'Connell said that there was a core group of people who researched the village type of development and had a strong interest in bringing it to fruition in Ames. He recalled that speakers with much expertise on the village concept were brought in for the workshop, and there was an incredible outpouring of involvement by professionals and the general public.

Review of LUPP Chapters. Steve Osguthorpe gave a broad overview of the current Land Use Policy Plan, reviewing it chapter-by-chapter. He advised that Chapter 1 contains the foundation blocks for the rest of the Plan. It was noted by Director Osguthorpe that the projected population was between 65,000 and 67,000 (by the Year 2030) for Ames and its planning area (fringe area); that number was based on a growth rate between 1980 and 1990. Mr. O'Connell commented that many meetings were held to come up with that number; different statistical methodologies came up with different numbers. Council Member Larson asked to know the current population of Ames' urban fringe area. Mr. Osguthorpe said that he would need updated information from Story County to answer that question. Mr. Larson pointed out that that information was important to determine if the population prediction is still correct. Regarding housing need projections, Mr. O'Connell stated that the residential demand was partly calculated on information received from the University that there was going to be greater reliance in the future on non-University-owned housing to support the student enrollment. It was noted that, at that time, the University was projecting a relatively stable enrollment.

Director Osguthorpe brought the Council's attention to another section in Chapter 1 entitled, "A New Vision." He said that new vision was based on the realization that Ames was a confined area and would be looking at intensification and relying on the fringe area to meet the City's growth needs. A number of goals were listed to meet that new vision, and according to Mr. Osguthorpe,

those serve as the foundation blocks for the entire Plan. He suggested that, if the Council wants to see if the Plan is still on target, it should start with those goals as the remainder of the LUPP is based on those goals.

Discussion ensued on Chapter 2, which pertains to land use, and specifically, when the Community Commercial Node (CCN) designation was created. Mr. O'Connell stated that the basic hierarchy for commercial development, including CCNs, was contained in the original 1997 Plan and remains in Chapter 2. Council Member Mahayni pointed out, and Planner Jeff Benson verified, that Convenience Commercial Nodes came about after the 2003 review of the Plan.

Mr. O'Connell pointed out that density goals are also addressed in Chapter 2. For the first time in a planning document, numbers were assigned to depict the number of dwelling units per acre. The consultants also proposed intensification for the first time. Mr. O'Connell recalled much debate over intensifying an area north of Downtown, an area of West Lincoln Way just east of the Skunk River, and an area south of Lincoln Way by Campustown. He pointed out that a conscious decision was made to limit intensification of the areas north of Downtown and on West Lincoln Way, which then meant that, in order for Ames to grow to its population projection, it would have to grow outward. City Manager Schainker noted that there was also a conscious effort made to intensify the area near Campustown. Council Member Popken asked if there had been discussion on how fast the land is used up or what rates development would be allowed to occur. Mr. O'Connell said those details reside in the density discussion, but he specifically remembered that the Plan did not dictate the number of building permits to be issued per year.

Director Osguthorpe advised that Chapter 3 deals with mobility and names the major thoroughfares. He said that this Chapter also defines street classifications, e.g., arterials, and the levels of service (A thru F). Mr. Osguthorpe pointed out that the City chose to adopt Level of Service "C" as its acceptable level of service for transportation planning. Mr. O'Connell added that it was the LUPP process that created a focus on the advantages that the major highway systems (U.S. Highway 30 and the Interstate 35 corridor) provide for Ames, and that the City really needed to recognize those as resources. He said that, also for the first time, there was a clear awareness of the relationship between land use decisions and infrastructure decisions. Mr. O'Connell also recalled that there were some housing ratios developed to indicate how many housing units would be needed over the course of time, and those housing units were broken into single-family, two-family, and multi-family categories.

Mr. Osguthorpe briefly outlined Chapter 4, which pertains to the environment. He said that Chapter 4 discusses how the use of the land and its intensity affects environmental systems and includes a clear linkage to utilities. Assistant City Manager Bob Kindred pointed out that the City is currently almost at the level of water usage projected for 2030.

Chapter 5, "Parks, Recreation, and Open Space," which defines park classifications and identifies future park zones, was summarized by Mr. Osguthorpe.

Director Osguthorpe advised that implementation of the LUPP is addressed in Chapter 6. Development priority options, e.g., Southwest Priority Area, Northwest Priority Area, are listed and Capital Investment Strategies are outlined in that Chapter.

Council Member Goodman pointed out that, regarding the Southwest Growth Priority Area, there have been many conversations about University-held lands. He asked if this Plan accounted for those University-owned lands when the number of acres needed for anticipated growth were

calculated. Director Osguthorpe said that he did not believe this Plan accounted for University-owned land; he thought that it was decided to plan only for the land that was available.

Mr. Osguthorpe emphasized that it was significant that the 1997 LUPP included provisions for affordable housing in new developments.

City Council Questions/Answers. Council Member Goodman noted that in 2003/04, there was a change made to the percentage of build-out required (65%) in the Southwest Growth Priority Area. City Manager Schainker clarified that the Plan stated that development would not be allowed in the Northwest Growth Priority Area until 65% of the Southwest Growth Priority Area was built-out. However, the City Council adopted Resolution No. 04-146 removing that requirement. It did not mean that the City would pay for infrastructure improvements, but it would allow development to happen in the Northwest Area. Council Member Goodman asked how the percentage of build-out for the Southwest Growth Priority Area was determined. Mr. O'Connell advised that the decision was based on the concept of efficiency and maximizing the utilization of resources. City Manager Schainker added that the decision to remove the 65% requirement was decided on partly because land was not becoming available; however, the priority growth area is still the Southwest. It was also noted by Assistant City Manager Kindred that, at that time, the Capital Investment Strategy was not applied to the Northwest Area. Council Member Mahayni pointed out that the City made capital investments in the Southwest Area by constructing the South Dakota Interchange, sanitary sewer, and a new water tower.

Council Member Popken asked to be told the background on the decision to grow to the southwest and the northwest rather than north of Ada Hayden. Mr. O'Connell recalled that the decision was largely influenced by the efficient use of resources, i.e., sanitary sewer infrastructure, traffic flow, and fire responsiveness. Also, there were increased discussions between Ames and Gilbert in that Gilbert did not want the City of Ames to grow too far to the north. Mayor Campbell pointed out that it was also due to the desire of the City Council to direct growth to those areas contained within the Ames School District. Mr. O'Connell recalled that there were also detectable cost savings with the southwest growth theory.

Council Member Goodman asked what happened prior to 1986 when development was requested. Mr. O'Connell indicated that, in the 1970's, there was much debate over policy statements, which resulted in a lot of negotiated decisions. He vividly recalled that, in the early 80's, there wasn't a lot of development. However, in the late 1980's, development requests increased dramatically, and that was what precipitated the request for more predictability in the City's land use decisions. According to Mr. O'Connell, the development community was very vocal about wanting to have a high degree of government reliability.

Council Member Goodman asked Mr. O'Connell to recollect how many contentious issues would have been dealt with in a year during his time as Director. Mr. O'Connell replied that most of the cases that came before the Planning & Zoning Commission, and ultimately to the Council, ended up with varying degrees of uncertainty until the City Council made its final decision.

Noting that the LUPP was designed to cover a period up to Year 2030, Council Member Larson asked Mr. O'Connell if there had been any discussion regarding at what intervals the Plan would be reviewed. Mr. O'Connell stated that he did not recall whether there was anything written into the Plan regarding its review, but it is not uncommon for communities to re-evaluate comprehensive plans on a five-, six-, or seven-year cycle. Mr. Osguthorpe added that it is important to hold meetings specifically to review sections of the Plan to see if the assumptions are on target.

Council Member Larson read an excerpt from the Plan pertaining to Urban Core Options that specifically pertained to the hospital-medical zone. He pointed out that the Plan defined the medical center as consisting of the hospital and several medical offices nearby. Mr. Larson felt that section had changed dramatically and questioned when that should be addressed. Mr. O'Connell said that amendments to the Plan are to be made periodically, but it was never dictated as to when that should occur. He suggested that perhaps a systematic review of the Plan could be made during the Council's annual goal-setting sessions. In that regard, Director Osguthorpe said that it was important to recognize that the Plan is comprehensive and intertwined, i.e., to change one area has an effect on other areas.

Council Member Larson also asked about the references in the Plan to Regional Commercial, noting that the Plan states the need to create 375 to 400 acres of regional-scale activities (retail area). Mr. O'Connell advised that it was intended to elevate the awareness that Ames is a regional center, and as such, has a role to play. He stated that a conscious effort was made to enhance Ames' competitive commercial position. Because of its location (I-35/U.S.30), it was evident that people from a larger region would come to Ames to buy materials and services, and in order for Ames to maintain that regional stature, regional-scale commercial needed to be made available. Mr. O'Connell advised that the creation of Regional Commercial was done by design, being fully aware that current land uses existed, e.g., North Grand Mall, Downtown. He recalled that the location for Regional Commercial development was intended to be at the intersection of I-35 and U.S. 30; however, that decision was made with the focus only on transportation.

Council Member Popken asked why Ames did not decide to move west, other than the Boone County line. Mr. O'Connell stated that, at that time, it was a recognition of the geopolitical differences. He explained that, at that time, Boone County was very rural in its make-up, and it did not have a comprehensive plan or well-developed zoning regulations. Also, at that time, it was decided that Ames should stay within Story County to support its growth.

Mr. Popken asked why the City decided not to grow to the south. Mr. O'Connell stated that Ames had already invested heavily in updating the Municipal Airport and did not want to entice development around it. Also, according to Mr. O'Connell, the Skunk River flood plain is vast and played a large part in that decision.

Council Member Popken asked if there was ever a discussion about involuntary annexation. Mr. O'Connell advised that, at that time, there was a conscious effort taken by the City Council to not recognize involuntary annexation as a viable alternative. He said that there was resistance to use that aggressive approach.

The meeting recessed at 8:56 p.m. and reconvened at 9:05 p.m.

Public Questions/Answers. Holly Fuchs, 806 Brookridge, Ames, asked whether schools played a part in the discussion of this Plan. Mr. O'Connell said that they did play a part, to a degree. He said that school districts were taken into account, but did not have an overarching effect on the Plan. Mr. O'Connell also advised that the Plan recognized neighborhood schools, but that did not advance the planning philosophy extensively.

Erica Fuchs, 4014 Maricopa Drive, Ames, asked about the Plan's vision for residential development. She asked specifically how the definition of suburban design got added to the Plan and asked for the LUPP definition of village residential design versus suburban design. Mr. O'Connell advised that the Plan, as originally proposed, recommended that all development follow the village concept. It

was later questioned whether Ames wanted to be that rigid and have that be the sole way for all residential areas to develop. According to Mr. O'Connell, suburban residential came into the Plan as a means to allow some flexibility for developers and allow some choice for property owners.

City Manager Schainker reiterated that the next step is for the City Council to host a round-table discussion focusing on targeted growth. It was pointed out that the Council's next workshop is scheduled for March 18, which falls during Spring Break. Mayor Campbell advised that the targeted growth topic will not be on that workshop agenda.

ORDINANCES AMENDING TERMS OF APPOINTMENTS FOR BOARDS AND COMMISSIONS:

Moved by Mahayni, seconded by Goodman, to pass on second reading ordinances amending the terms of appointments for the Building Code Board of Appeals, Electric Utility Operations Review & Advisory Board, Board of Electrical Examiners & Appeals, Historic Preservation Commission, Human Relations Commission, Human Relations Commission - Hearing Officers, Human Relations Commission - Investigative and Conciliation Officers, Parks & Recreation Commission, Planning & Zoning Commission, and Plumbing & Mechanical Board.

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

Moved by Mahayni, seconded by Goodman, to suspend the rules necessary for the adoption of an ordinance.

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

Moved by Mahayni, seconded by Goodman, to pass on third reading and adopt ORDINANCE NOS. 3939 through 3946 amending the terms of appointments for the Building Code Board of Appeals, Electric Utility Operations Review & Advisory Board, Board of Electrical Examiners & Appeals, Historic Preservation Commission, Human Relations Commission, Human Relations Commission - Hearing Officers, Human Relations Commission - Investigative and Conciliation Officers, Parks & Recreation Commission, Planning & Zoning Commission, and Plumbing & Mechanical Board.

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

ORDINANCE REGARDING GENERAL APPOINTMENT AUTHORITY FOR ADMINISTRATIVE AGENCIES, BOARDS, AND COMMISSIONS:

Moved by Goodman, seconded by Mahayni, to pass on second reading an ordinance amending Section 2.10 of the Municipal Code regarding general appointment authority for administrative agencies, boards, and commissions.

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

Moved by Mahayni, seconded by Goodman, to suspend the rules necessary for the adoption of an ordinance.

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

Moved by Doll, seconded by Goodman, to pass on third reading and adopt ORDINANCE NO. 3947 amending Section 2.10 of the Municipal Code regarding general appointment authority for administrative agencies, boards, and commissions.

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

COMMENTS: Moved by Larson, seconded by Goodman, to refer to staff the letter from the Main Street Cultural District requesting a reallocation of funds.

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

ADJOURNMENT: Moved by Doll, seconded by Goodman, to adjourn the meeting at 9:20 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor