

**MINUTES OF THE SPECIAL MEETING
OF THE AMES CITY COUNCIL**

AMES, IOWA

MAY 6, 2014

The Ames City Council met in special session at 7:00 p.m. on the 6th day of May, 2014, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Pro Tem Matthew Goodman presiding and the following Council members present: Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and Peter Orazem. Mayor Ann Campbell was absent. *Ex officio* Member Lissandra Villa was also present.

ORDINANCE ESTABLISHING WATER CONNECTION FEE DISTRICT: Moved by Corrieri, seconded by Orazem, to pass on third reading and adopt ORDINANCE NO. 4180 establishing a Water Connection Fee District with respect to certain properties in the Northern Growth Area. Roll Call Vote: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

ORDINANCE ESTABLISHING SANITARY SEWER CONNECTION FEE DISTRICT: Moved by Corrieri, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4181 establishing a Sanitary Sewer Connection Fee District with respect to certain properties in the Northern Growth Area. Roll Call Vote: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

APPOINTMENTS TO AMES TRANSIT AGENCY BOARD OF TRUSTEES: Moved by Betcher, seconded by Orazem, to adopt RESOLUTION NO. 14-212 confirming appointment of the Government of the Student Body Senator Hamad Abbas and Representative Zachary Murrell to the Ames Transit Agency Board of Trustees. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

CHANGE ORDER FOR SPRING 2014 BOILER REPAIRS: Moved by Corrieri, seconded by Orazem, to adopt RESOLUTION NO. 14-213 approving Change Order No. 2 to ProEnergy Services, LLC, for the Spring 2014 Boiler Repairs in the amount of \$133,000 with applicable sales taxes to be paid directly by the City. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

WORKSHOP REGARDING DEVELOPMENT BY BRECKENRIDGE OF OLD MIDDLE SCHOOL PROPERTIES: Mayor Pro-Tem Goodman explained that the plan for this workshop had been to give the Developer an opportunity to speak and then give the Neighborhood an opportunity to speak. They would then be given ten minutes to respond to the priorities of the other group. However, it had just been learned that Charlie Vatterott, representing the Developer Breckenridge, was in transit from the Des Moines Airport to Ames. Therefore, the Neighborhood representative Sharon Guber had agreed to speak first. Mr. Goodman recognized that there were

a lot of people who were interested in this issue; however, the goal of this workshop was to give the Neighborhood and the Developer an opportunity to share their perspectives and priorities. There will be a roundtable dialog on ways to find common ground and attempt to move things forward. It was hoped that the Neighborhood would be able to represent the public's perspective. According to Mayor Pro-Tem Goodman, if something was missed during the Developer's or Neighborhood's presentation, others may be allowed to speak.

NEIGHBORHOOD PRESENTATION: Each person representing the Neighborhood introduced himself/herself and gave the reason they had gotten involved with this project. Representing the Neighborhood were:

Mike Peterson, 3302 Morningside
Joanne Pfeiffer, 3318 Morningside
Marilyn Clem, 3306 Morningside
Sarah Cady, 2812 Arbor Street
Sharon Stewart, 437 Hilltop Road
Emily Thurmaier, 3310 Tripp Street
Jason Paull, 3310 Tripp Street
Sharon Guber, 2931 Northwestern Avenue

Ms. Guber advised that she had formerly lived on State Avenue for 20 years and had been the Co-Founder of the State Avenue Neighborhood Association.

Ms. Guber provided a brief history of the properties in question from 2007, when discussions began to occur by governmental entities on the future use of the "Old Middle School" property, to the present. The deliberations over the sale of governmental lands had indicated the need and desire for single-family housing and culminated in a Land Use Policy Plan (LUPP) designation of RL. Maps of what the property in question looked like in 2003 and what it looks like now were shown by Ms. Guber.

Core values contained in the Land Use Policy Plan were highlighted by Ms. Guber and explanations given as to how they pertained to each of the below-listed priorities for the Neighborhood.

Priorities:

1. Ensure residential development is consistent with subdivision requirements so the units would be attractive for owner-occupied re-use. Design of the Old Middle School properties' residential development must be sustainable, re-purposeable, and subdivision-compliant. The make-up of the residents should be heterogeneous.
2. Retain the College Creek/Old Middle School Neighborhood 3.7 housing units/net acres and consistent RL zoning for all three parcels. Minimize the total number of student-oriented

rental units and bedrooms, which includes the limit of three unrelated persons per unit to no more than 400 beds.

3. Preserve and protect the South Parcel's natural and recreation areas with an increased conservation easement from seven (7) acres to 18 acres.

Ms. Guber explained environmental concerns if a large-scale development were allowed.

4. Ensure that safety issues are addressed in the South Parcel for the shared-use path from State Avenue to the Ames Middle School.
5. In-depth viable traffic study for all three parcels to be completed as part of the Master Plan. Ensure that the needed traffic improvements and traffic-calming techniques are implemented at the time of development and not deferred.

The current traffic study did not include the residents in the North Parcel. It was pointed out that an informal traffic study had been done by someone who watched for six hours yesterday and six hours today on Arbor Street.

6. Increase off-street parking requirements within the development to account for the number of rented bedrooms and guests. The Neighborhood asked for three vehicles on the lot and a sufficient number (three stalls/unit) of small visitor parking lots dispersed throughout.

It was pointed out by Ms. Guber that the cities that have Aspen Heights' projects have indicated problems with parking.

According to Ms. Guber, safety of the residents is a concern since the housing would be on slabs (with no basements), and the residents would have nowhere to go if a tornado were to hit the area. Ms. Guber noted that the party culture is also a large concern.

Ms. Guber said that, in making its decision, the Council should consider what would create an opportunity for a successful blending of a new development with an existing neighborhood – a new development that would be compatible with the existing neighborhood. Above all else, it should provide for the quality of life each Ames citizen seeks, works towards, expects, and deserves.

DEVELOPER PRESENTATION: Brian Torresi, Davis Law Firm, Ames, stated that he was representing the developer. He also introduced Scott Renaud, FOX Engineering, Ames, as the developer's engineer for this project..

Mr. Torresi advised that the Middle Parcel is currently zoned RL. The LUPP calls for the North Parcel to be RL and the South Parcel to be Suburban Residential. It was stated by Mr. Torresi that Breckenridge's request was for FSRL zoning on the South Parcel.

Mr. Torresi explained that with the current zoning on the property, there would be 600-700 developable bedrooms on the three parcels. The developer intends to construct 100% student rental housing. It was stated by Mr. Torresi that none of the land that Breckenridge will develop and keep title to will be anything but student rental housing.

Priorities:

1. Developer wants a total development size of 1,000 bedrooms spread across three sites.
2. Developer wants more five-bedroom dwelling houses in exchange for fewer total units (while maintaining the same bedroom totals).
3. Developer wants a clubhouse to be allowed on the Middle Parcel along State Avenue.
4. Developer wants to only be required to subdivide the Middle Parcel.
5. Developer wants the bike trail on the South Parcel to be relocated on site.
6. Developer wants High-Density Residential on the North Parcel with mixed-use buildings (commercial on the first floor and apartments on the upper floors) along Lincoln Way with buffers to the neighborhoods to the south.

Mr. Torresi pointed out that the Ames Rental Code prevents occupancy by more than three unrelated persons except in the dwelling house. Dwelling houses are only allowed in the RM Zone, and that was why the developer's previous request was for RM. According to Mr. Torresi, Breckenridge had consistently said that it did not want the RM zone to achieve RM density. They want RM zoning "in name only" so that they can get the four- and five-bedroom homes to make the neighborhood look more aesthetically pleasing instead of "cramming in as many three-bedroom homes as possible on the lots. Also, clubhouses are only allowed in the RH zone, however, Breckenridge would like a clubhouse to be allowed on the Middle Parcel.

Since there is current litigation between Breckenridge and the City, Mr. Torresi did not want to address the requirement to subdivide the property. He stated that the plan from the beginning was for the property (all three parcels) to be developed as one single lot as a condominium regime. Under a condominium regime, the streets could be dedicated to the public, infrastructure would be installed, and each building would be completely salable as an individual unit. That would allow for re-use just like any other subdivision.

Mr. Torresi stated that the developer believes the North Parcel off of Lincoln Way should not be residential low-density due to its location next to other High-Density Residential and Highway-Oriented zones.

IOWA STATE UNIVERSITY PRESENTATION. Warren Madden, Senior Vice-President for Business and Finance at Iowa State University, advised that he was representing the University. He pointed out that there are agricultural research activities occurring immediately

south of the South Parcel; that will continue. Mr. Madden said that that tract of land was originally owned by Iowa State (in 2000). It was sold to the School District. At that time, the City and School District were discussing joint recreational facility developments. According to Mr. Madden, the University did not sell that tract of land to the School District in 2000 with the understanding that it would be developed as some type of residential housing area. If it had been contemplated as such at the time, the University would not have proceeded with the sale. It is important to the University that there be compatibility between the agricultural research station and land adjacent to it. Mr. Madden stated that the University would be interested in re-acquiring the south 29 acres at its appraised value. According to Mr. Madden, the University has a number of concerns about increased traffic. In addition, State Avenue along most of the area in question is an institutional road, which places its maintenance as a responsibility of the University.

Priorities:

1. The developer to install any needed traffic improvements at the intersection of Mortensen and State or along State Street.
2. The bike path proposed on the South Parcel to be relocated away from streets and parking lots.
3. A 60-foot setback on the South Parcel to provide a buffer to the University property.
4. Higher density on the North Parcel in return for less density on the South and Middle Parcels.
5. The developer to install a pedestrian crossing along State Avenue.
6. The parcels to be developed for single-family use; it supports RL zoning.
7. The developer to be responsible for lighting the bike patch in the South Parcel.
8. The University to acquire 29 acres from the South Parcel from the developers for the appraised value.

Mr. Madden indicated the University's support of the neighborhood group for the area in question to be low-density single-family development. It was acknowledged by Mr. Madden that the University is growing and there currently is a need for additional student housing; however it does not believe that the area in question is the right place for student housing. The area in question is a mix of retiree-types of families as well as young families. Its location in proximity to the University provides a good environment for those types of families.

The meeting recessed at 7:53 p.m. and convened at 8:04 p.m.

Charlie Vatterott, Executive Vice-President of Aspen Heights, advised that his company was a full-service development, construction, and management company based out of Austin, Texas.

He stated that, in the last four years, his company had developed over 11,000 beds in three time zones.

According to Mr. Vatterott, Iowa State University is “severely short” on its supply of bedroom for its students. He said that there had been numerous newspaper articles saying that students were being put up in hotel rooms and some students didn’t even have hotel rooms. Mr. Vatterott said that was why Aspen Heights came to Ames. The 48-acre site in question that Breckenridge will be developing was within one-half mile from Campus.

Mr. Vatterott acknowledged that Iowa State has the biggest stake in the South Parcel. The separation between the South Parcel and the Middle Parcel is the creek, the floodplain, and a fairly large buffer. Mr. Vatterott estimated that there was 250 feet between the Parcel and the closest residence. It was stated by Mr. Vatterott that the developer could meet seven of the eight Priorities, in whole or in part. The one that the developer cannot meet is to sell 29 acres back to Iowa State University; it is not for sale.

DEVELOPER’S RESPONSE TO IOWA STATE UNIVERSITY’S PRIORITIES:

1. Regarding the South Parcel, Developer would provide a 25-foot buffer; but, will also provide a six-foot fence as long as the zoning would be RM and no subdivision would be required.
2. The University, Neighborhood, and Developer have agreed on all points concerning the bike path.
3. In reference to improvements at Mortensen and State along State, Aspen Heights would provide \$150,000 upon approval of RM zoning (allowing five-bedroom cottages) of the South Parcel. It would provide an additional \$100,000 to pay for traffic improvements at Mortensen and State upon rezoning to RM for the North Parcel.

It was pointed out by Mr. Vatterott, if platting were done, the majority of the expense for the traffic signal would have to be borne by the University.

4. Aspen Heights is OK with the RL designation on the Middle Parcel. The Developer believes that the Middle Parcel is of most interest to the Neighborhood.

Mr. Vatterott referenced the “dispute” with the City as to whether or not the Developer has to subdivide. Aspen Heights would be willing to drop that lawsuit if it were not required to do any subdivision on the North or South Parcels. The lots will be platted on the Middle Parcel.

5. Developer is OK with lighting the bike path on the South.

6. Developer would Install a pedestrian crossing along State Avenue; however, does not want to portray a false sense of security. Even with a pedestrian crossing, traffic is not going to stop for pedestrians.
7. Developer is OK with high density on the North in return for less density on the South. The Developer has planned for the North Parcel to have the highest density.
8. The Developer will not sell 29 acres to the University.

DEVELOPER'S RESPONSE TO NEIGHBORHOOD'S PRIORITIES:

1. Mr. Vatterott said the number of beds is tabled for now.
2. Pertaining to the Neighborhood's request to preserve the South Parcel's natural and recreational areas with a Conservation Easement from seven (7) to 18 acres, the Developer had discovered that legally, there was no Conservation Easement. The properties were not inventoried per *Iowa Code* Chapter 547A. However, the Developer would be willing to establish and expand that Conservation Easement - probably not to 18 acres, but somewhere in between seven and 18 - if the South Parcel were to be zoned RM and not have to be subdivided (allowing four- and five-bedroom cottages).

Pictures of what a four-bedroom house/cottage would look like were shown. Mr. Vatterott advised that those units will be built on the Middle Parcel. They want to build those units on the South Parcel. All three-bedroom units would be cookie-cutter.

3. Aspen Heights would work for re-use. Re-use as condominiums would be feasible for the North and South Parcels if the student housing need would go away in the future.
4. Developer will exceed City requirements for parking for apartments on the Middle and South Parcels. Parking in the amount of 1.15 (parking spaces per bed) would be provided for the Middle and South Parcels and would meet *Code* on the North Parcel.
5. Pending the scope of traffic improvements, Developer is open to traffic improvements and calming techniques.
6. The bike path is no longer an issue as Developer has already agreed to it.

A map of the 54 lots was shown if what is currently allowed was built. The Developer proposed the same number of beds (162) with cottage houses (density for RL), but would not want Tripp Street to go through. In such a manner, there would be no student-housing traffic going down Wilmoth. Mr. Vatterott addressed the need for a clubhouse, offering two options:

1. Locate the clubhouse on the Middle Parcel and isolate it from the neighborhood with a 70-foot buffer, which could be greenspace or single-family residential.

2. Locate the clubhouse at the corner of Wilmoth and Lincoln Way as it is zoned for High-Density.

Ms. Guber pointed out that the Developer had taken his time for rebuttal to the Neighborhood's priorities and had not made a presentation on its own proposal. She stated that the Neighborhood would like to hear the presentation and was willing to give the Developer more time in order to make that presentation.

Mr. Vatterott said an obvious question for ISU would be how the City and the Neighborhood were going to protect the interests of Iowa State University. According to Mr. Vatterott, "FSRL is by right" It is the default zoning for the Parcel. There are no density limits in FSRL. There would be no requirements for Aspen Heights to "provide anything - no buffer, no fencing, no path lighting, no traffic improvements, no pedestrian crossing – nothing." Mr. Vatterott said that subdivision of the South Parcel would mean that the University "would be stuck with a huge expense" associated with traffic improvements at Mortensen and State Avenue. He reiterated that the Developer will protect the interests of the University by offering to provide the following priorities: 1, 2, 3, 4, 5, 6, and 7, but not 8 (will not sell 29 acres from the South Parcel for its appraised value) in exchange for RM zoning with four- and five-bedroom cottages and no subdivision on the South Parcel. It would limit the number of bedrooms on the South to 425.

Pertaining to the Neighborhood's priorities, Mr. Vatterott stated the Developer would:

1. Table the number of beds for now.
2. Expand the Conservation Easement
3. Ensure residential development is consistent...Developer will do that.
4. Increase parking...Developer will do that.
5. Traffic improvements...have been previously addressed.
6. Protect the bike path...Developer will do that.

Mr. Vatterott said that the Developer really looks forward to working with the people resources in the Neighborhood. There will be collaboration with the Neighborhood once construction begins. Interaction with the Neighborhood residents with the students is desired and will go a long way in a collaborative effort to become part of the Neighborhood.

NEIGHBORHOOD'S RESPONSE TO DEVELOPER:

Ms. Guber summarized that the Developer's proposed RL zoning for the North Parcel and FSRL for the South Parcel and has requested to go to RM. To go to RM would require a Land Use Policy Plan amendment. Ms. Guber pointed out that the Council could rezone the property to any zoning designation. She noted that the Developer's project is a greater density project than RM; however, more important to the Neighborhood is that it is a greater intensity – it means more bedrooms. The Developer talks about the significance of reducing the number of housing units; however, that is not significant if more bedrooms are put in. With four- and five-bedroom units, there will be more bedrooms. The Neighborhood is concerned about what the Developer

“tabled,” which was the number of beds. Mr. Vatterott promised that the Developer would keep the same number of bedrooms on the Middle Parcel.

Ms. Guber noted that the Developer continues to ask for RM and to not have to have platting. The Neighborhood wants RL single-family; that is a major sticking point. Another real problem is that the Developer has stated that the development must be 100% student housing. Ms. Guber indicated that part of the attractiveness of the neighborhood is that it is mixed; it is blended. Another problem is that the Developer still has its RM footprint that they are trying to make fit in the RL zone. The Neighborhood would like to work with the Developer to see if the development could be more advantageous to both sides. She encouraged the Developer to think outside of the box to find something that really works for a university town and for the neighborhood. It does not want to be known as a neighborhood that doesn't like students, because that is not true. Ms. Guber pointed out that a neighborhood that is all students is much different than a mixed neighborhood.

A member of the Neighborhood shared her perspective noting that as a neighborhood, they would all share traffic space, parking space, natural spaces, etc. She noted that she had seen pictures of other Aspen Heights developments where large parties had been held at the clubhouse. The Developer's plan for putting a clubhouse on State Avenue that is directly across from a quiet natural space that is home to wildlife and quiet recreational space is not acceptable to the Neighborhood. The edge of the Middle Parcel and the edge of the North Parcel is perhaps a half mile from the edge of Campus; however, the South Parcel where there would be the highest density is approximately two and one-half miles from Central Campus. She does not believe that is walkable in the winter, and currently, no CyRide route services the South Parcel. Noting the purported 20% reduction in the number of cars on the Parcel, the resident said that that would be suitable if the neighborhood contained a mix of families, single individuals, and up to three unrelated people sharing a unit; however, that reduction is not a reasonable scenario. It also doesn't identify the trip nature of a student-occupied property. Studies have shown that student trip generation in the evenings is higher than the general apartment complex trip generation studies that are cited in the Traffic Impact Analysis.

Ms. Guber said that there are landlords in the RL zones who may have four- and five-bedroom homes; however, they can only rent to three unrelated persons. Therefore, the Neighborhood could not have an agreement on five.

Council Member Betcher expressed her understanding that there would be input by others allowed. Mayor Pro-Tem Goodman stated that this workshop was to allow for more intimate conversation among the Neighborhood, Iowa State University, and Developer to see if there was any agreement. There will be other opportunities for input if a project comes before the City Council.

Council Member Orazem asked if there was room to maneuver so that all 48 acres would not be student housing. To clarify, he asked if there was another “model” that would work. Mr. Vatterott responded that the development was designed to be 100% students, but non-students

would be welcome to rent there as well. According to the Developer, the Middle Parcel would look like the neighborhood. He asked if the Neighborhood would like any changes to that Parcel. Ms. Guber added that the Neighborhood wanted the Middle Parcel to be platted as a subdivision with roads and no clubhouse.

Mr. Vatterott said that his company had been looking at Ames for a long time and was “ready to move;” they will be breaking ground in August. Mr. Vatterott indicated that the Developer had suggested putting the clubhouse on the Middle Parcel because it would be the least obtrusive there. He indicated that the development has to have a clubhouse. They can put it right now at the corner of Wilmoth and Lincoln Way. Mr. Vatterott noted that if he were a resident in that area, he would not want it at that location because it could cause a huge traffic problem there. Ms. Guber asked if the clubhouse could contain a tornado shelter. Mr. Vatterott indicated that the Developer would be willing to look at that, but it would not be large enough to accommodate all the potential residents of the development.

Mr. Torresi noted that the question was whether the development could retain more of the heterogeneous characteristics of the current neighborhood. Mr. Vatterott noted that the Middle Parcel would contain 18 single-family lots. There is the potential for those to be owner-occupied. He is not sure of the saleability of owner-occupied housing being interspersed with student housing.

Council Member Orazem suggested that the Middle Parcel be available for owner-occupied as a trade-off for higher density elsewhere. He believes that there are ways to make it work for both the Developer and the Neighborhood.

Mr. Vatterott stated that the Developer is proposing 450 beds on the South Parcel, 162 beds on the Middle Parcel, and 432 beds on the North Parcel. A map of the lots with FSRL zoning was shown with that number of lots.

According to Mr. Vatterott, the idea of Aspen Heights is to look like a neighborhood. They would look at maximizing the number of row houses on the site. However, the rent for a cottage is more preferable than that of a row house. They could take fewer cottages, rather than row houses. In FSRL, there would be no four-bedroom units. Mr. Vatterott noted that the Developer will be breaking ground in Summer 2014 or as soon as the Permits may be obtained.

Mr. Madden also noted that the University is also concerned about light pollution around the Ag Research Station.

Council Member Betcher asked Mr. Madden if ISU would be willing to accept the financial incentives offered by the Developer for traffic improvements, fencing, etc., in exchange for lessening the setback on the South Parcel. Mr. Madden answered that he was not persuaded on behalf of Iowa State that that would be in the University’s best interest. Mr. Vatterott asked Mr. Madden if the University would be adverse to different zoning even though FSRL would allow Aspen Heights to build more bedrooms closer to Iowa State University’s property. Mr. Madden

said that he had not heard any information that would lead him to think that the lowest density would not be in the University's best interest. He indicated that it was unfortunate that the property in question had been sold by the School District and was now being proposed to be developed in such a manner. Mr. Madden reiterated that the University does not believe the area in question is the best location for student housing.

Council Member Goodman asked if the Developer would consider offering owner-occupied housing on the south. Mr. Vatterott indicated that the market in this area would not support that.

Council Member Betcher asked to know the minimum number of beds that would work for the developer. Mr. Vatterott indicated that the Developer can and is prepared to move forward with the current zoning. Planning and Housing Director Kelly Diekmann clarified that only one parcel had been rezoned; two Rezoning Applications were pending. Mr. Diekmann stated that the Middle Parcel had been rezoned to RL.

At the inquiry of Council Member Orazem, Mr. Vatterott said that the rents would probably range between \$400 and \$500/bedroom.

Member Gartin shared his understanding of what he had heard at this workshop. If the Neighborhood won't give, it will get a development that is not aesthetically pleasing. He noted that if there was some flexibility in the layout of the units, it could perhaps be workable for the Neighborhood. Ms. Guber clarified that it was not the configuration of the housing, it is the number of beds - the number of people. The Neighborhood wants to retain its neighborhood characteristics. Council Member Goodman pointed out that what he had heard was that it was not about aesthetics for the Neighborhood, that was not one of the Neighborhood's stated priorities.

Scott Renaud addressed the Traffic Study that had been performed by FOX Engineering. According to Mr. Renaud, the Traffic Study was done for a "middle-of-the-road" number of units. Where it is right now is on the highest end of all the units together. The distinction of the 20% was actually FOX's attempt to be more conservative in the Traffic Study that if the traffic guidelines were used. From FOX's standpoint, the Traffic Study was much more conservative than required by the City. Mr. Renaud pointed out that the level of service reduced by one level of service at the intersection of Mortensen and State was not at the threshold to require traffic improvements.

Neighborhood Resident Mike Petersen stated that the Neighborhood would feel more comfortable if the units had basements. Mr. Goodman asked if there was a possibility that the Developer would integrate basements into its proposal. Mr. Vatterott answered, "Not at this point."

Neighborhood Resident Rich Ketcham, Arbor Street, Ames, asked why the developer would be agreeable to move the clubhouse from the corner of Wilmoth/Lincoln Way to the Middle Parcel. Mr. Vatterott indicated that it was felt that locating it on the Middle Parcel would be the least obstructive for the Neighborhood residents.

At the inquiry of Council Member Gartin, Director Diekmann indicated that what is currently allowed would be between 500 - 700 beds if the zoning was approved per the pending applications.

Mr. Vatterott indicated that there appears to be an assumption that the lawsuit will be won by the City; however, the Developer is not of that opinion. If the Developer wins the lawsuit, they would not be subdividing.

Leslie Pensack, 317 South Wilmoth, Ames, pointed out that an issue that had not been covered was that ultimately the City of Ames (taxpayers of the City of Ames) would be responsible for the results of the decisions. She is concerned, for example, that if there is not sufficient parking, additional parking will have to be constructed at the City's (taxpayers') expense.

Daniel DeGeest, 4212 Phoenix Street, Ames, said that he was a bicyclist and the parent of five children. He believes that the current Middle School had been overlooked in discussions about the proposed development. Mr. DeGeest pointed out that there are more than 1,000 children who need to get to the new Middle School safely every day. Mr. DeGeest asked to know what commitment there was to the safety of pedestrians and bicyclists. Mayor Pro-Tem Goodman pointed out that all three entities indicated they were in agreement regarding the bike path.

ADJOURNMENT: Moved by Corrieri to adjourn the meeting at 10:04 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor