

Staff Report

REQUEST FROM CRYSTAL COVE TO AMEND MUNICIPAL CODE

July 12, 2011

Background

A request was submitted by Brad Kuehl representing the Crystal Cove Apartments for the City Council to consider a text amendment allowing remote parking in residential areas. Mr. Kuehl's letter further stated that the parcel division which causes the parking issues is necessitated by "financing purposes."

This request was discussed by City Council at its meeting of June 14, 2011. The Council requested that staff prepare a memo describing the reasons for the text amendment and what it would accomplish. In addition, the Council wanted clarification as to how financing issues impacted this request.

The reason for the request is to facilitate financing of a new building on the Crystal Street site. The current development involves one lot that will contain three multi-family buildings. To date, two of the three buildings have been constructed. It is the owners desire to complete the third building on the site. However, according to Matt Eller, the owner's representative, in order to receive a loan for the third building with the bank that financed the first two structures, he needs to refinance the loans on the first two buildings with another bank or banks.

He has stated that this refinancing can be accomplished only if the development is divided into two lots (see Attachment I). However, by splitting the lots, there will be insufficient parking available on proposed Lot A to satisfy the City's parking requirements. Therefore, the owner is seeking an amendment to the City Code that would allow him to create a separate lot that would nonetheless be part of a recorded horizontal property regime. In effect, the combined lots would still function as one development site.

The current limitations on residential development were imposed to address concerns under the previous code that allowed parking in the Campustown area on properties that were not proximate to the apartments they were intended to serve. This resulted in apartment residents parking on the streets in locations that impacted the surrounding residential neighborhood. This occurred because the parking otherwise established for the apartments was sometimes too remote from, and, therefore, not convenient to the apartments they were intended to serve. It also resulted in an accounting nightmare for City staff, trying to remember which off-site parking spaces applied to which sites and which buildings in the area, and not knowing if parking spaces proposed for one project were not already allocated to another remote project.

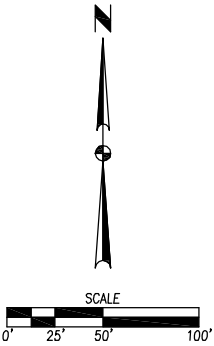
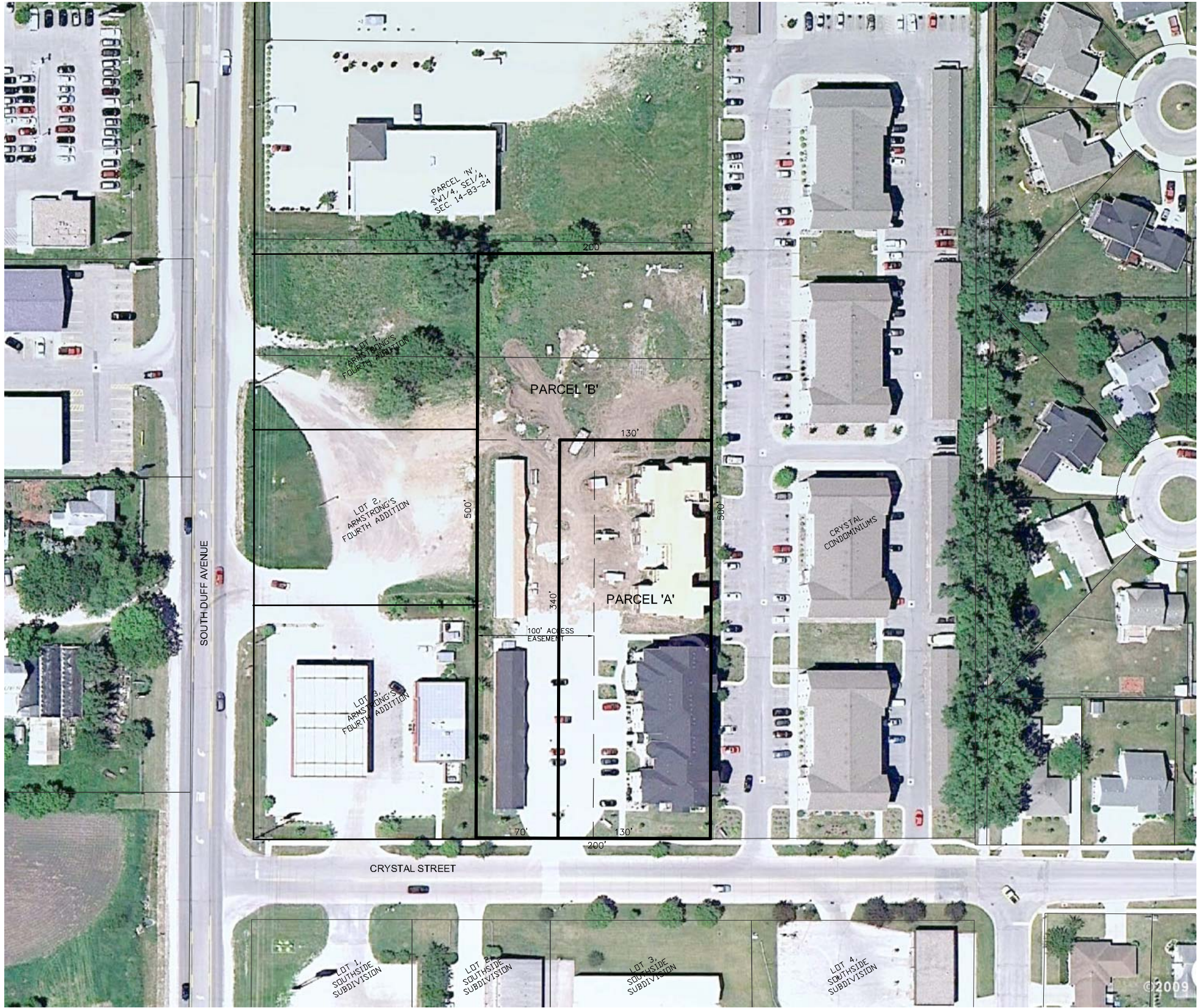
Possible Solution

The City staff believes a viable text amendment can be developed to satisfy the request. The amendment would apply only to properties directly abutting the parcel upon which the principal residential building is contained, and which are part of a horizontal property regime (condominium) that binds all of the parcels together into one development project.

The problems associated with the Campustown situation would be less likely under the proposed amendment because it would allow remote parking only on sites directly abutting the site they serve, and would therefore be convenient to the apartment dwellers (thereby lessening the temptation to park on the streets). It would also be clear that the remote parking spaces were associated with the apartment units because the horizontal property regime would link the parcels and site features together under one common site plan.

Next Steps

It is the City Council's policy not to allow submittal of applications for Code amendments without Council referral. Therefore, if the City Council chooses to facilitate this request, then a motion should be passed referring the letter to staff which would allow Mr. Eller to submit an application to amend Chapter 29.



OWNER OF RECORD

CRYSTAL COVE LLC
104 CAMPUS DRIVE, SUITE 202
HUXLEY, IOWA 50124

ENGINEER / SURVEYOR

CIVIL DESIGN ADVANTAGE
3405 SE CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
515-369-4400

LEGAL DESCRIPTION

CRYSTAL COVE CONDOMINIUMS, AMES,
STORY COUNTY, IOWA
CONTAINING APPROXIMATELY 2.55 ACRES

ZONING

RESIDENTIAL HIGH DENSITY (RH)

EXISTING / PROPOSED USE

RESIDENTIAL