

**COUNCIL ACTION FORM**

**SUBJECT:**      **REMOTE PARKING EASEMENT FOR    119 & 127 STANTON AVENUE**

**BACKGROUND:**

A Minor Site Development Plan for 127 Stanton for a mixed use building is pending administrative approval. The proposed building replaces the existing wood frame residence with a three-story “amenity building” that provides recreational and leisure facilities residents of all of the properties that Campus Acquisitions owns in Campustown. The building will include facilities for yoga, weight, circuit, and cardio training, as well as tanning and sauna. In the back of the building there are exterior decks and patios that contain a swimming pool, hot tub, and seating areas. The third story of the building contains four residential units with a total of nine bedrooms.

No parking is required for the leisure uses, but the required minimum parking for the residential use is one parking space per unit regardless of the number of bedrooms. Therefore, a total of 4 parking spaces are required and there will be insufficient space on the site for parking.

Campus Acquisitions also owns property at 119 Stanton, next door to the north, the Legacy Tower. This property currently includes 250 parking spaces, of which only 96 are required for the 96 residential units. The property owner is seeking a Remote Parking Easement to use 4 spaces from the 119 Stanton site to meet the parking requirement for the new building on 127 Stanton. (See Attachment A)

Ames *Municipal Code* Section 29.406 (18) allows remote parking to satisfy required parking needed in the Campustown Service Center zoning district. This proposal satisfies the requirement of the Code section that the remote parking be located on a lot within 300 feet of the lot on which the principle building is located. The required Remote Parking Easement formalizing this method of meeting the City’s parking requirements has been signed by the property owner and approved by the City’s Legal Department and is attached for City Council approval.

**ALTERNATIVES:**

1.    The City Council can approve the attached Remote Parking Easement for 119 and 127 Stanton.
2.    The City Council can deny the attached Remote Parking Easement for 119 and 127 Stanton.

3. The City Council can refer this item to staff for further information.

**MANAGER'S RECOMMENDED ACTION:**

For a Minor Site Development Plan to be approved, parking must be provided that meets minimum City requirements. This proposal meets the standards for remote parking in the Zoning Ordinance.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1, thereby approving the attached Remote Parking Easement for 119 and 127 Stanton.

## ATTACHMENT A

### REMOTE PARKING EASEMENT

The undersigned Grantors, Campus Investors IS, LLC, their successors and assigns, in consideration of the sum of One Dollar and other good and valuable consideration in hand paid, do hereby grant and convey to Campus Investor IS, LLC, his/her successors and assigns, and to the City of Ames, Grantees, the right, title and easement to park or direct and permit the parking of not more than 4 motor vehicles of the business invitees for the Campus Town Amenity business premises at 127 Stanton, Ames, Iowa, on the land located at 117 Stanton in Ames, Story County, to wit:

(See attached plat.)

The 4 parking spaces provided for hereunder shall at all times be clearly marked as such by the Grantor and the Grantor shall maintain the said spaces and access routes to and from the spaces in a passable and usable condition, clear of snow accumulations, ponded water, brush, weeds, or other conditions that could impede or discourage use of the spaces.

The forgoing shall be a covenant running with the land. If said rights and obligations are defeated, annulled or undone through forfeiture, default or breach of land purchase contract, mortgage foreclosure, bankruptcy, or other event or process, Grantors shall be bound hereby to Grantees to acquire and provide replacement parking rights under the same terms at a site within 300 feet of the building or buildings on the business premises at 127 Stanton, Ames, Iowa.

The foregoing shall not be released, abandoned, or conveyed except by resolution of the Ames City Council.

#### GRANTORS

BY: Campus Investors IS, LLC  
BY: [Signature] Manager

[Select on of the following notary blocks]

STATE OF IOWA, STORY COUNTY ss:

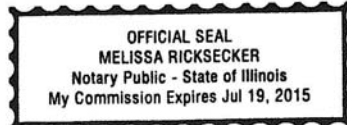
This instrument was acknowledged before me on \_\_\_\_\_, 2008, by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

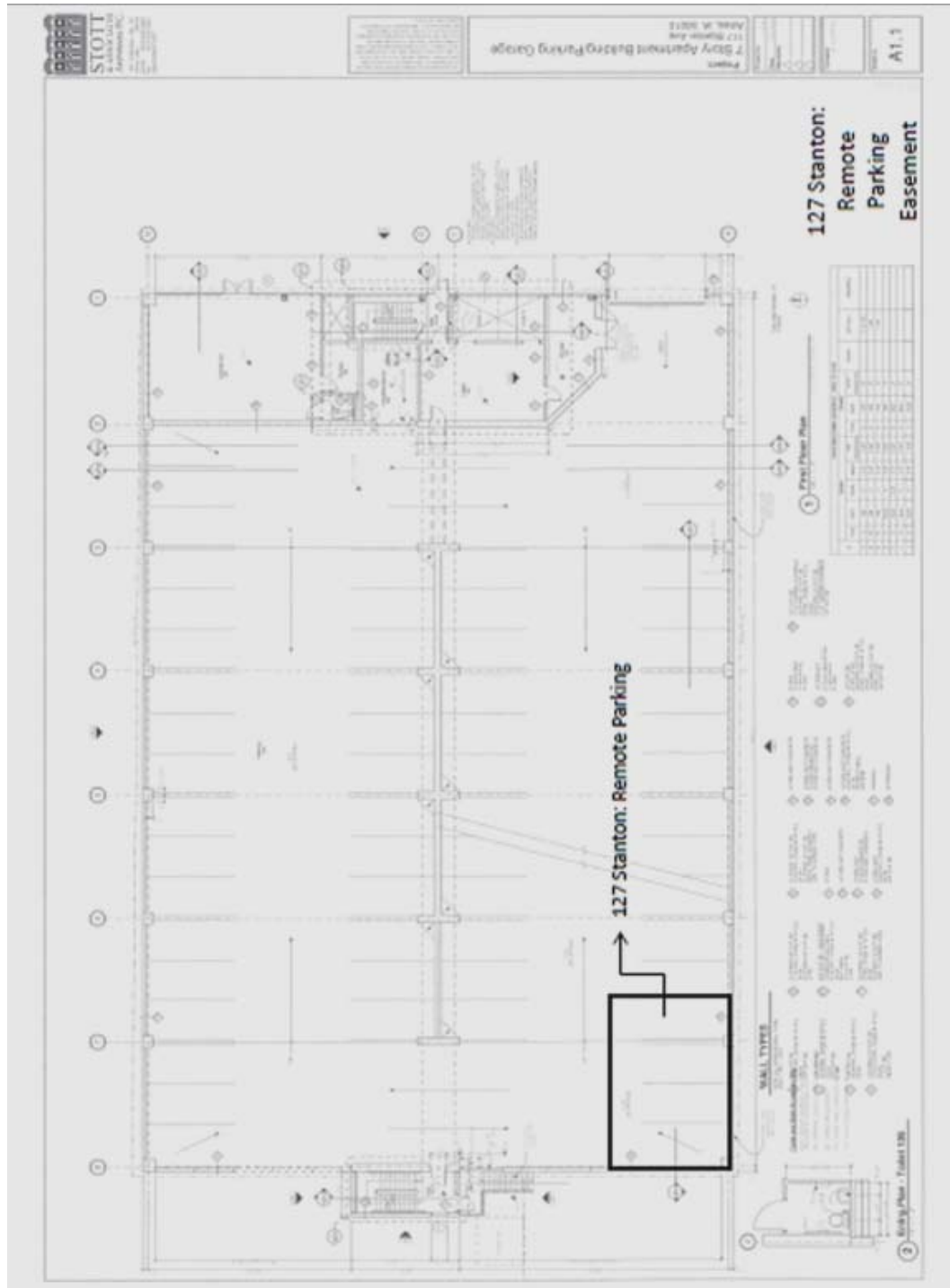
STATE OF IOWA, STORY COUNTY ss:

This instrument was acknowledged before me on 5/10/12, ~~2008~~ by Thomas M. Scott, as Manager of Campus Investors IS, L.L.C.

[Signature]  
Notary Public in and for the State of Iowa



## ATTACHMENT A



## COUNCIL ACTION FORM

**SUBJECT: URBAN REVITALIZATION TAX EXEMPTION FOR PROPERTY  
LOCATED AT 127 STANTON (THE RESORT)**

**BACKGROUND:**

Each year, property owners who have developed, redeveloped, rehabilitated, or remodeled property within the Urban Revitalization Areas of the city claim tax exemption for work that has been done, as provided for in Chapter 404 of the *Code of Iowa*. Campus Acquisitions, the property owner of 127 Stanton (The Resort, south of Legacy Tower in Campustown) is requesting prior approval for a 10-year tax exemption on increased value by the proposed improvements. The property is within the already-established Campustown Urban Revitalization Area. (See Attachment A Location Map and Attachment B Request for Prior Approval)

The proposed improvements replace the existing wood frame residence with a three-story "amenity building" that provides recreational and leisure facilities for the residents of all of the properties that Campus Acquisitions owns in Campustown. The building will include facilities for yoga, weight, circuit, and cardio training, as well as tanning and sauna. The third story of the building contains four residential units with a total of nine bedrooms. Parking will be provided in the existing parking structure in Legacy Tower, if City Council approves the Remote Parking Agreement, a separate item on this City Council agenda. In the back of the building there are exterior decks and patios that contain a swimming pool, hot tub, and seating areas.

To be eligible for Tax Abatement the project must comply with the criteria established by the approved Campustown Urban Revitalization Plan. (See Attachment C) Before the pre-existing building was demolished, the Building Inspections Division staff examined the building and determined that the building was a blight upon the neighborhood and a public nuisance, and therefore complies with the City of Ames Urban Revitalization Program definition of slum and blight. (See Attachment D Building Official Determination) City staff have reviewed the building and site plans and determined that the design meets the Urban Revitalization "Design Standards" criteria. In particular, 100% of the visible area of facades will be faced with clay brick. Note that this exceeds the zoning requirements for the Campustown Service Center Zoning District. The project also meets the zoning requirement that more than 50% of the ground floor portion of the façade that faces the street be transparent glass.

To be eligible for Tax Abatement, a third set of criteria must be met for any residential uses. Due to the specific facilities provided and the relationship of this site between the Legacy Tower to the north and the bar to the south, the property owner has been working for several months with the Police Department to make the proposed facility safe and secure. Some of the detailed criteria of the Campustown Urban Revitalization Plan were developed with much larger residential uses in mind and are not applicable to this project. Other measures needed for the safety of the proposed project are not

included in the listed criteria for Tax Abatement. **The Campustown Urban Revitalization Plan includes a provision for City Council approval of criteria equivalent to the specific criteria listed.** The applicant seeks approval of the equivalent criteria as described below.

1. Listed criterion: *Limit commercial space in the same building to the ground floor.*  
Although two floors contain commercial uses, due to site topography both are ground floors. Also, it is not necessary to go through the residential area to access the commercial uses, which is an improvement to the arrangement of uses in the Legacy Tower that has led to difficulties in controlling access to the residential areas.
2. Listed criterion: *Provide separate entrances for commercial and residential uses.*  
The access to the amenity facilities will be completely separate from access to the residential units by design.
3. Listed criterion: *Locate all residential entrances to be visible from the street and provide secure access control at each.*  
These entrances will be visible from Stanton and an electronic locking system will be installed.
4. Listed criterion: *Prevent access from the exterior to the interior through doors that serve only as fire exits.*  
The hardware for all fire exits allow exiting but prevent access, with a monitoring system to indicate when doors are left open.
5. Listed criterion: *Prohibit public access to structured parking, using overhead door and secure access control.* (No additional structured parking will be built.)
6. Listed criterion: *Provide transparent glass windows into all stairwells.*  
All stairwells include transparent glass windows and/or a camera monitoring system.
7. Listed criterion: *Provide camera monitoring of all pedestrian and vehicle entrances and areas.*  
Cameral monitoring is provided to all entrances. The only access to the amenity facilities is through the amenity building and a staffed monitoring station. In addition, an infrared monitoring system will be installed to monitor the exterior area when it is closed.
8. Listed criterion: *Minimum widths of all exit routes: 48" for halls, 42" for doors, 60" between rails for stairs.*  
Equivalent criterion: Due to the small number of residential units, providing wide exit routes from the residential floor is not a high priority. The interior and exterior amenity areas will be provided with exits to meet the occupant loads.
9. Listed criterion: *No balconies are permitted.* No balconies will be included.
10. Listed criterion: *Provide for natural daylight requirements of applicable codes with exterior windows.* Natural daylight is provided.

11. & 12. Listed criteria: *On facades facing any street use only fixed windows. & Design of all other windows to prevent passing of sphere larger than 4" diameter.*

Equivalent criteria: Due to the small number of residential units, preventing objects from being thrown from the street facade windows is not as important as controlling access to the outdoor pool area and preventing objects from being thrown from the balconies on the south façade of Legacy Tower. Therefore, the following equivalent elements will be included in the project

- a. Access from the west is prevented by an 8-foot tall green fence, a sturdy metal mesh structure with vines planted on it.
- b. Access from the bar to the south is prevented by a 12-foot tall, roofed, green building, which has been specifically designed to deter patrons who are using the raised deck of the bar next door from throwing things into the pool area of the subject site.
- c. Screens will be installed on all of the balconies on the south façade of Legacy Tower designed to prevent throwing any object more than four inches in diameter down to the pool area.

13. Listed criterion: *Prevent by physical means access to all roofs.*

Access to roofs is prevented by separation from any surrounding means of access.

14. Listed criterion: *Where access is not required, provide security fencing controlling access to all areas between new or existing buildings*

The measures described above under 11 & 12 meet these criteria for access control.

15. Listed criterion: *Provide a minimum of four 100-watt metal halide light fixtures on each building façade: two at elevation between first and second floors and two at elevation between third and fourth floor.*

Security lighting and a camera monitoring system will be installed.

The attached Minor Site Development Plan includes all of these features. However, for many of these features to be effective requires consistent maintenance and operational control. Attachment E describes these maintenance and operational requirements. Agreements are being prepared that commit this and any future property owners of both this facility and Legacy Tower to control and maintain these systems. It should be noted, however, that once the project is completed and the tax abatement has been approved and established, the tax abatement cannot be rescinded if the property owners fail to perform as agreed.

The Police Department has carefully considered the security and safety issues of this project and finds that with an operations and maintenance agreement in place, the proposed features described above are equivalent to the criteria listed for residential uses in Campustown Urban Revitalization Plan.

#### **ALTERNATIVES:**

1. The City Council can give prior approval to tax abatement for the improvements at 127 Stanton under the following conditions:

- a. The project is constructed in compliance with the approved Minor Site Development Plan (Case #SDP-12-07)

- b. An agreement regarding the operational and maintenance issues listed in Attachment E is executed and presented to City Council before Tax Abatement is applied for.

2. The City Council can deny the request for prior approval of the proposed project.

**MANAGER'S RECOMMENDED ACTION:**

As new apartment projects have been developed in Ames, the inclusion of amenities for residents has increased, which is a plus for renters. Providing safe leisure activities to more than 1200 residents in 15 buildings in Campustown is a plus for the community, as well. However, it is important that the facility meets the challenges of its location and that it does not increase the demand for City services. Outdoor swimming pools anywhere in the community require some Police services, but there is substantial potential for increased Police calls due to an outdoor pool in Campustown. Campus Acquisitions and its architect, GE Wattier, have made a sincere and concerted effort to work cooperatively with City staff to incorporate workable responses to these challenges of this project. All of these features are beyond what the zoning ordinance requires, but staff believes they do meet the criteria for Tax Abatement in the Campustown Urban Revitalization Area.

Therefore, it is the recommendation of the City Manager that the City Council adopt **Alternative #1**, giving prior approval to tax abatement for the improvements at 127 Stanton under the following conditions:


- a. The project is constructed in compliance with the approved Minor Site Development Plan (Case #SDP-12-07) and other Plan documents.
- b. An agreement regarding the operational and maintenance issues listed in Attachment E is executed and presented to City Council before Tax Abatement is applied for.



**LOCATION MAP**



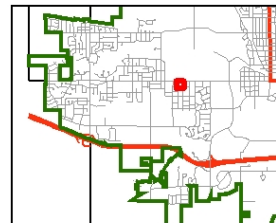
**Location Map  
127 Stanton Ave.**

 Subject Property



80 40 0 80  
Feet

Prepared by Planning & Housing Department  
Map Prepared: 5/17/12



Attachment B

LETTER REQUESTING PRIOR APPROVAL OF TAX ABATEMENT



Campus Acquisitions  
161 N. Clark, Suite 4900  
Chicago, Illinois 60601  
(312) 994-1880 Phone  
Campusacquisitions.com

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May 18, 2012

TO: City of Ames Planning Department  
Attn: Jeffrey D. Benson  
515 Clark Avenue  
Ames, IA 50010

FROM: Michael Yeagle  
Campus Acquisitions  
161 N. Clark Street, Suite 4900  
Chicago, IL 60601

Dear Jeff,

The purpose of my correspondence is to request prior approval of tax abatement eligibility for the proposed improvements to 127 Stanton Avenue located in the Campustown Urban Revitalization Area. The improvements will include a new 3 story structure containing a fitness a recreational facility to serve the residents of the apartment building owned and operated by Campus Investors IS, LLC, Campus Investors 217 Welch, LLC, 309 Lynn, LLC, and Ames Housing, LLC. Additional the building will contain 4 apartments consisting of 9 bedrooms. The outdoor recreational facility will include a swimming pool, hot tub, BBQ grills, and a sundeck.

We anticipate the total costs for the project to be \$1,000,000 and the estimated completion date is October 1, 2012. We are requesting the 10 year exemption plan following the schedule below.

For the first year,	80%
second	70%
third	60%
fourth	50%
fifth	40%
sixth	40%
seventh	30%
eighth	30%
ninth	20%
tenth	20%

The following page includes an image of the proposed development. If you have any further questions please do not hesitate to contact me.

Best regards,

Michael T. Yeagle  
Campus Acquisitions





# CAMPUSTOWN URBAN REVITALIZATION PLAN

Criteria for Renovation or New Construction				
PROJECT MUST MEET CRITERIA OF ONE OF THESE COLUMNS		AND	PROJECT MUST MEET CRITERIA OF ONE OF THESE COLUMNS	
<b>Slum and Blighted</b> Properties where a majority of the assessed valuation of the properties has been determined to be <b>substantially</b> unsafe or to have an unsafe use by the City Council.	<b>Parking</b> A minimum of 70% of the total required parking is provided in a structure. If utilizing a parking deck, the restrictions in Chapter 29.406 of the Municipal Code must be adhered to.  <b>AND</b>  <b>Mixed Use</b> The first floor must be used for permitted commercial and retail uses as shown in Table 29.803(2) of the Municipal Code. The second floor must be used for either commercial or retail uses as shown in the Table 29.803(2) or for household living. All floors above the second floor must be used for household living.	<b>Adaptive Reuse</b> The building on the site was originally built before 1941.  <b>AND</b>  70% of the area of existing exterior walls of the structure will remain  <b>AND</b>  Historic materials and designs are preserved and/or restored.	<b>Underrepresented</b> Properties that are to include a business use where that actual sales of the business use is below the expected sales for the business use as determined by the City Council to be of benefit to the City (should be supported by a retail leakage study).	<b>Design Standards</b> Retail and office uses on the first floor adjacent to a public sidewalk must have direct access to the public sidewalk.  <b>AND</b>  <b>Signage</b> The signage design, scale, materials, and colors shall be in proportion to and consistent with the architecture of the building and support the business identity.  <b>AND</b>
<div>OR</div>				
		<b>Brick Material</b> 100% of the front and 80% of the three remaining sides of the structure shall be faced with clay brick for the first four stories. On stories five through seven any other building materials except vinyl will be allowed.	<b>Alternative Siding Material</b> If historically significant - use and repair of historically appropriate siding material is permitted and must be maintained for the term of the selected tax abatement schedule.	
<b>ALL RESIDENTIAL USES SHALL ALSO MEET THE FOLLOWING CRITERIA OR EQUIVALENT AS APPROVED BY THE CITY COUNCIL</b>				
<div>1. Limit commercial space in the same building to the ground floor 2. Provide separate entrances for commercial and residential uses 3. Locate all residential entrances to be visible from the street and provide secure access control at each 4. Prevent access from the exterior to the interior through doors that serve only as fire exits 5. Prohibit public access to structured parking, using overhead door and secure access control 6. Provide transparent glass windows into all stairwells 7. Provide camera monitoring of all pedestrian and vehicle entrances and areas</div> <div>8. Minimum widths of all exit routes: 48" for halls, 42" for doors, 60" between rails for stairs 9. No balconies are permitted 10. Provide for natural daylight requirements of applicable codes with exterior windows 11. On facades facing any street use only fixed windows 12. Design of all other windows to prevent passing of sphere larger than 4" diameter 13. Prevent by physical means access to all roofs 14. Where access is not required, provide security fencing controlling access to all areas between new or existing buildings 15. Provide a minimum of four 100 w. metal halide light fixtures on each building façade: two at elevation between first and second floors and two at elevation between third and fourth floor</div>				

**BUILDING OFFICIAL'S DETERMINATION**



**Fire Department - Inspections Division**

515 Clark Avenue  
P.O. Box 811  
Ames, IA 50010  
Phone: 515-239-5153  
Fax: 515-239-5261

**February 14, 2012**

**Jeff Benson**  
**City of Ames Planning and Housing Department**  
**515 Clark Avenue**  
**Ames, IA, 50010**

**Re: Vacant multi family dwelling at 127 Stanton, Ames, Iowa**

**Mr. Benson:**

An inspection of this property was recently made by this office at the request of the owner, to determine whether the multifamily dwelling located thereon may be considered a slum and blighted structure.

The inspection was conducted on Friday February 3, 2012. Natalie Herrington and I made the inspection, accompanied by two of your employees.

The vacant structure is in a general state of disrepair, and appears to have been so vacant for several months. Much of the interior has been vandalized and damaged by either prior tenants or subsequent trespassers. Mechanical, electrical, plumbing systems and fixtures are in a hazardous state of disrepair. Several windows have been broken and subsequently boarded up. There is visible deterioration of the roof covering and all exterior siding, soffits, gutters, downspouts, stairways, doors. The general appearance and interior condition presents a blight upon the neighborhood and constitutes a public nuisance to the extent that it meets the City of Ames Urban Revitalization Program definition of slum and blight:

*Properties with a principal building that has been determined by the Building Official as meeting the definition of "Public Nuisance" in the Ames Municipal Code, Chapter 5, "Building, Electrical, Mechanical and Plumbing Code" (Currently Section 5.401(7)).*

Respectfully,

David Brown  
Building Official

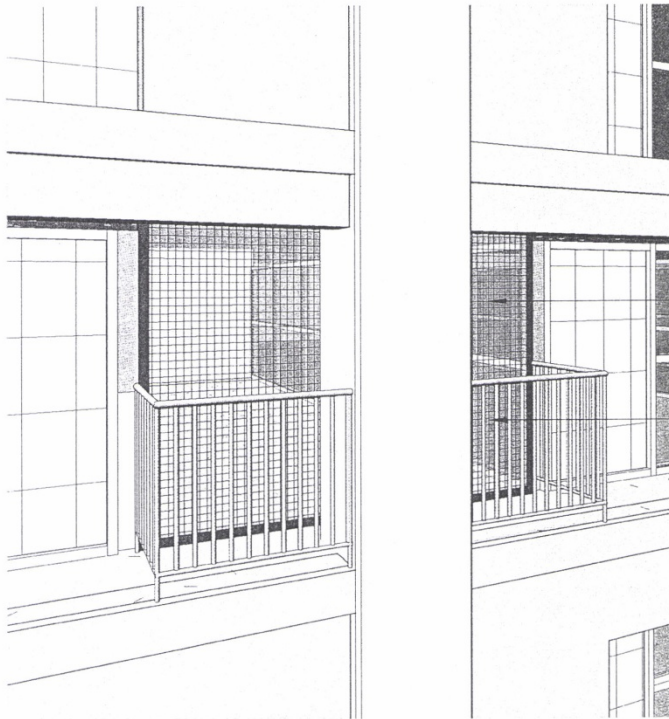
Cc: **Michael T. Yeagle**, [michael@campusacquisitions.com](mailto:michael@campusacquisitions.com)  
**Campus Acquisitions** | **Regional Vice President**  
161 N. Clark Suite 4900  
Chicago, Illinois 60601

## **Operations and Maintenance for Safety and Security Systems**

The Resort, 127 Stanton, Ames, Iowa

May 10, 2012

1. Supervise, operate and maintain key fob access control system allowing for specific access rights to individual interior and exterior doors of the facility and the elevator. Among the purposes of this activity is to allow access to the amenity areas only to renters in properties owned by Campus Investors and to limit access to the entire facility after open hours only by renters in 127 Stanton.
2. Maintain in proper working order and provide monitoring and supervision of an infrared detection system for the exterior amenity area that detects intruders to any part of the secure exterior area after hours. Take appropriate action in reference to the intruders.
3. Maintain security lighting and maintain and monitor a camera system to detect activities that endanger residents, damage property and violate lease conditions and take appropriate action in response.
4. Maintain structures intended to prevent entry from neighboring properties and to prevent objects being thrown into the property from neighboring areas.
5. Maintain screens to be installed on all balconies on the south-facing façade of the adjacent building to the north sufficient to prevent people jumping or falling from the balconies and to prevent objects larger than 4 inches in diameter from being thrown from balconies. Materials and connections will comply with specifications to be approved by City staff. (This will need to be agreed to by the owner of the property to the north and will need to be binding on future owners of that property.)



NEW TUBE STEEL & WIRE  
MESH FRAME SET BACK  
FRONT EDGE

EXISTING GUARDRAIL TO  
REMAIN (OPTIONAL)

ENLARGED BALCONY CONCEPT VIEW



EXISTING TUBE STEEL  
RAILING

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