

COUNCIL ACTION FORM

SUBJECT: URBAN REVITALIZATION TAX ABATEMENT PREAPPROVAL REQUEST FOR 205 S. WILMOTH AVENUE (ASPEN HEIGHTS DEVELOPMENT)

BACKGROUND:

In accordance with Chapter 404 of the Code of Iowa, the City Council has established Urban Revitalization Areas (URAs) with plans specifying standards for types and elements of physical improvements that provide public benefits. When property within one of these URAs is developed, redeveloped, rehabilitated, or remodeled, the property owner is eligible for abatement of property taxes on the incremental increase in property value after the improvements are completed. This abatement can extend for three, five or ten years, based on the individual Urban Revitalization Plan approved by Council.

Property owners within an approved URA may apply for tax exemption for a complete project or preapproval for project that is planned to be built. Aspen Heights (Breckenridge Group, LLC) is seeking pre-approval of elements of their mixed-use and apartment project that has a pending Major Site Plan application at 205 S. Wilmoth Avenue (See Attachment A). The project will include a three-story mixed use building along Lincoln Way including first floor commercial space with two stories of residential apartment above. The project also includes a single-story clubhouse building at the corner of Lincoln Way and South Wilmoth Avenue and three, three-story apartment buildings located near the middle of the site.

To be eligible for Tax Abatement, this project must comply with the criteria established within the Council's approved South Wilmoth Avenue Urban Revitalization Plan approved in November of 2015. (See Attachment B)

City staff has reviewed the proposed building and site plans submitted by the applicant for the Major Site Development Plan, included on the agenda as a separate Council Action Form, and has identified on the submitted plans where the property owner desires assurance of the project's conformity to the URA plan criteria. Staff explains below the three criteria in question and describes how the proposal either meets or does not meet the URA criteria:

- 1. Listed criterion #2: Buildings used solely for residential and accessory uses shall utilize hipped or gabled roofs. Mixed-use buildings are exempt from this standard.*

The applicant is proposing mechanical wells on the roofs of all buildings on the property, which will cut into the typical pitch of the roof at its highest point and allow for the mechanical equipment to be sunk down into the roof structure rather than place HVAC equipment at grade. The mechanical wells offer an opportunity to remove the visibility of mechanical equipment typical of ground mounted equipment on the site, as well as offers some additional buffering from noise associated with

typical AC units that are ground mounted on a property. The only difference in a true hip or gable roof and a modified roof for the mechanical wells is that the pitch of the roof starts from the edge or side wall of the mechanical well down to the eave so there is a small area at the top of the slope of the roof where the vertical wall of the mechanical well is visible versus a true roof peak or ridge.

Staff believes that the minimal difference in visual appearance of the modified roof slope to accommodate the mechanical wells on the roofs of the buildings is balanced by the benefit of reducing the ground visibility of mechanical equipment and the potential for increased noise of the equipment if mounted at grade level for the property. **Therefore staff believes that the minimal change in the appearance of the roof slopes for the mechanical wells is still in compliance with the approved URA criterion required hip or gable roofs for residential and accessory buildings on the property and is a benefit to the design of the site overall.**

2. *Listed criterion #9: Primary entrances to residential buildings shall include covered entries with architectural enhancements increasing the buildings visual interest and identifying the entrance.*

The criterion was intending for the project to provide visible and protected residential entrances from the streets to clearly identify the building entrance and to also add architectural significance to the entries of the residential buildings. In this project only one residential building along Wilmoth Avenue has a visible entrance from the street frontage allowing for visibility of the residential entrance. The Wilmoth building (Building B) has a recessed main entry on the ground floor creating a covered entry at the main entrance to the building. The applicant has used additional glazing and a double glass door into the open lobby area to allow for a clear and identifiable residential entrance for the building. While the opening is not greatly enhanced with architectural detailing, the lobby entrance and recessed area of the building clearly identifies the residential entrance along the building façade.

Building entrances for the other two residential buildings do not meet the general requirement of this criterion, however, the location of the buildings back from the street frontages of the site and the orientation of the buildings on the property does not allow for great visibility of the entrances from the street. Adding architectural detailing to these entrances would not add enhancement to the visibility of the project from the street.

Staff believes that the applicant has met the general intent of the criterion for creating an identifiable and protected entrance to the residential building along Wilmoth Avenue with the recess of the entrance and lobby area and has added some visual interest with the incorporation of the glass entry doors and windows into the common space of the building.

3. *Listed criterion #11: The project shall provide landscape buffering with the L3 and F2 standards in a minimum of a 10-foot-wide planter along the perimeter property lines of the site.*

Per the Zoning Code, an L3 screen is a 6-foot high landscape screen which requires high shrubs spaced at a maximum distance of 6 feet and one landscape tree per every 50 feet of lineal landscape area. The F2 screen standard is a 6-foot solid fence.

The URA criteria require that both L3 and F2 screen types be used along the perimeter property lines of the site. **The intent of this landscape screen requirement was to buffer the surrounding residential properties along the west and south property lines of the subject site.** The applicant has provided the required screening along most of the south and west property lines of the site with the exception of the northwest corner of the property where the subject site abuts the neighboring commercially zoned property. In this area the applicant has pulled the fence back to generally the southwest corner of the mixed use building and has pulled the screening back to be in line with the front façade (northwest corner) of the mixed use building. **This change allows for additional visibility along the west side of the mixed use building where a sidewalk has been added to help residents access the residential buildings of the site from Lincoln Way.**

The revision is in response to comments from the Planning and Zoning Commission regarding the concern about residents crossing Lincoln Way to the property from the westbound CyRide stops located along the north side of Lincoln Way. The Commission felt the best crossing location was at the Franklin Avenue where the intersection is signalized verses the crossing of Lincoln Way and Wilmoth Avenue where there is no formal crossing control. The new sidewalk along the west side of the Mixed Use building would allow the residents easier access to the residential buildings of the site from Lincoln Way if crossing at the Franklin intersection.

Staff understands that the west sidewalk will not completely eliminate the concern for the crossing of Lincoln Way from the residents of the development at other locations; however, the Commission felt that this might ease the access across the development to try to filter students to the controlled crossing at Franklin. By easing the screen standard in the northwestern location of the site, allowing for better visibility and safety for the proposed walk is addressed and helps to meet Police Department concerns for visibility and safety in isolated areas. **Staff believes that since this area is not directly abutting residential property; the reduction in the screening is a reasonable accommodation of site planning desires and still maintains the goal of the URA criterion for buffering of the subject site to the residential neighborhoods.**

ALTERNATIVES:

1. If the City Council determines that the proposed plans meet the intent of the Urban Revitalization Criteria for the modified roof design, the reduction in the required screening at the NW corner of the site, and the proposed entrance feature for the residential building along Wilmoth Avenue, the Council can give pre-approval of eligibility for tax abatement for these proposed improvements for the Aspen Heights Development at 205 S. Wilmoth Avenue.

2. If the City Council determines that the proposed project does not meet the Urban Revitalization Criteria identified, the Council can deny the request for pre-approval of eligibility for tax abatement.
3. The City Council may direct staff or the applicant to provide additional information and make no decision on the Urban Revitalization Criteria at this time.

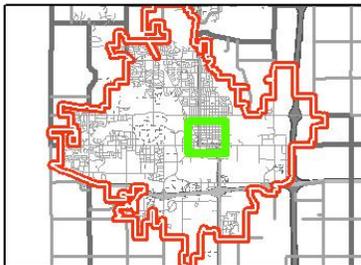
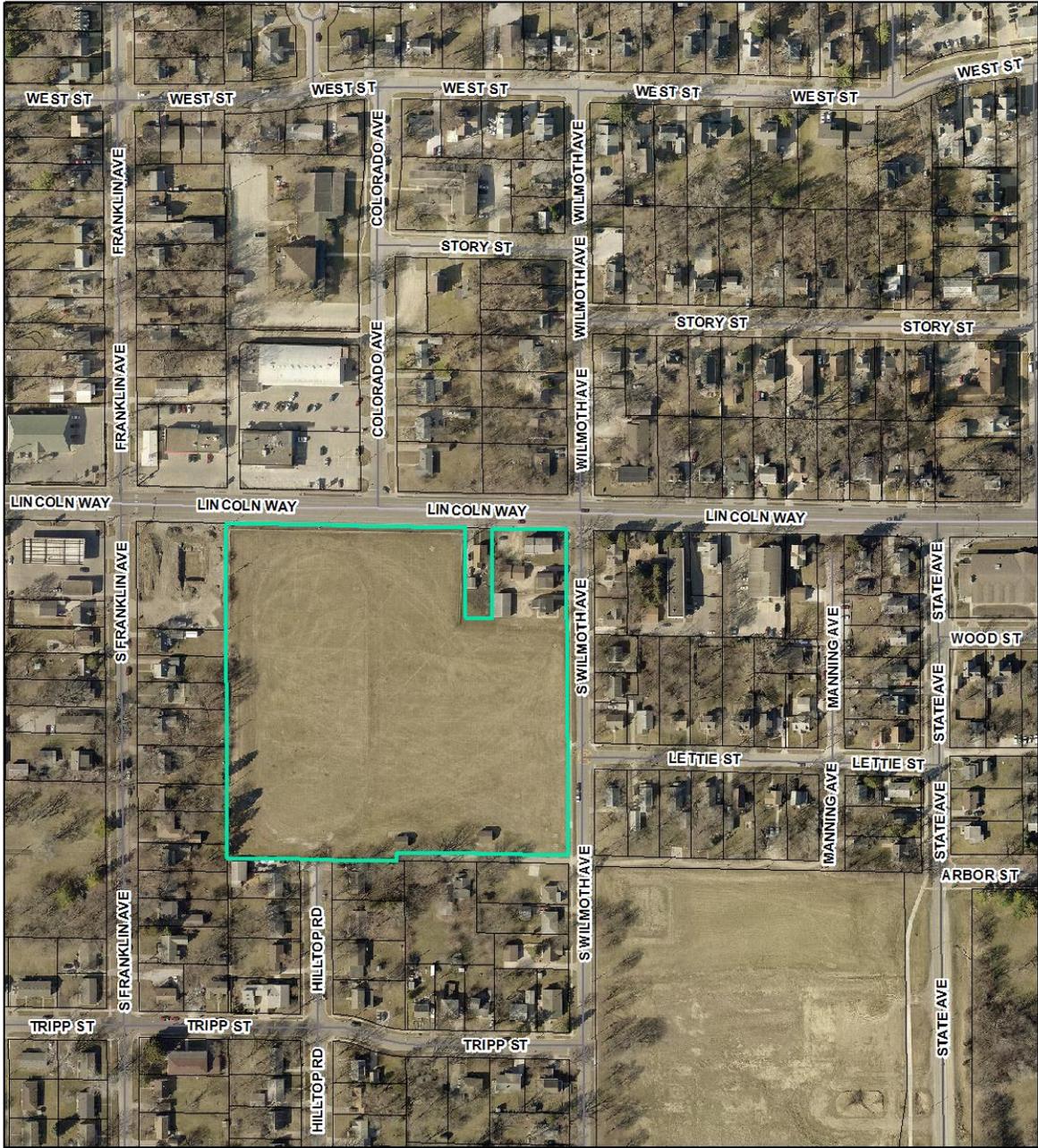
MANAGER'S RECOMMENDED ACTION:

The determination as to whether or not the project qualifies for tax abatement based on the approved criterion is at the sole discretion of the City Council. Staff believes that the applicant has made a reasonable attempt to meet the three listed URA criteria in question and accommodate general concerns for design, access, and safety for the overall project site based on the plan submitted.

If Council determines that the following criteria have been met based on the submitted plans and documents, following formal approval of the Major Site Development Plan, the applicant would be eligible to apply for building permit for construction of the project. **Following construction, staff will inspect the final installation to confirm that the project meets all the criteria of the South Wilmoth Urban Revitalization Area in accordance with the complete list of URA criteria approved by the City Council. The final determination for the granting of tax abatement, based upon compliance with the South Wilmoth Urban Revitalization District Criteria, will be a decision of the City Council following construction of the buildings.**

Therefore, based upon plans submitted by the applicant for the proposed Major Site Development Plan, it is the recommendation of the City Manager that the City Council accept Alternative #1 as outlined above.

Attachment A Location Map



Location Map 205 Wilmoth

Attachment B
Urban Revitalization Plan Criteria

1. All buildings shall use clay brick as the principal building material for 80 percent of the street facing facades, excluding openings. The remaining facades shall incorporate clay brick or cut stone into 50 percent of the façade materials. In the event that a building is behind another building and is set back at least 200 feet from Wilmoth Avenue or Lincoln Way, such building requires 80 percent brick on only one façade and 50 percent on all other facades.
2. Buildings used solely for residential and accessory uses shall utilize hipped or gabled roofs. Mixed-use buildings are exempt from this standard.
3. The project shall provide additional commercial parking in excess of the retail/office parking rate of 3.3 spaces per 1,000 square feet of gross commercial floor area. A minimum of 20 percent of the commercial floor area shall provide parking at a rate of 9 spaces per 1,000 square feet of gross commercial floor area for the first 30,000 square feet of gross floor area.
4. A clubhouse, as defined in the Zoning Ordinance, shall not be permitted on the ground floor of a commercial mixed use building.
5. Ground floor commercial uses of mixed use buildings must be a permitted use of the HOC base zone for Office Uses; Retail Sales and Services Uses; Entertainment, Restaurant, and Recreation; and miscellaneous use of childcare.
6. Typical commercial tenant footprint shall have a minimum depth of 40 feet.
7. Commercial areas shall have a floor to ceiling height of a minimum of 12 feet.
8. Primary entrances to residential buildings shall include covered entries with architectural enhancements increasing the buildings visual interest and identifying the entrance.
9. The residential project shall receive and maintain certification for the Iowa Crime Free Multi-Housing Program administered by the Ames Police Department.
10. The project shall utilize a Sign Program for commercial tenants that provide a cohesive design and lighting style to the site. Sign Program will allow for wall signage per the Sign Code. If a commercial ground sign is constructed, it is restricted to a single monument sign along Lincoln Way and shall include a decorative base compatible with the commercial buildings finishes and have an opaque sign face background. The Sign Program must be approved by the Planning Director.
11. The project shall provide landscape buffering with the L3 and F2 standards in a minimum of a 10-foot-wide planter along the perimeter property lines of the site.
12. The project shall provide street trees, per City specifications, along Wilmoth Avenue.
13. There shall be no balconies facing the south, west or east on the perimeter of the project or adjacent to Lincoln Way.