

AGENDA
REGULAR MEETING OF THE AMES CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL - 515 CLARK AVENUE
SEPTEMBER 10, 2019

NOTICE TO THE PUBLIC: The Mayor and City Council welcome comments from the public during discussion. **If you wish to speak, please complete an orange card and hand it to the City Clerk. When your name is called, please step to the microphone, state your name for the record, and limit the time used to present your remarks in order that others may be given the opportunity to speak.** The normal process on any particular agenda item is that the motion is placed on the floor, input is received from the audience, the Council is given an opportunity to comment on the issue or respond to the audience concerns, and the vote is taken. On ordinances, there is time provided for public input at the time of the first reading. In consideration of all, if you have a cell phone, please turn it off or put it on silent ring.

CALL TO ORDER: 6:00 p.m.

CONSENT AGENDA: All items listed under the Consent Agenda will be enacted by one motion. There will be no separate discussion of these items unless a request is made prior to the time the Council members vote on the motion.

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of August 27, 2019
3. Motion approving Report of Change Orders for August 16 - 31, 2019
4. Motion setting the following City Council meeting dates/times:
 - a. December 17, 2019, as Regular Meeting Date and canceling December 24, 2019, Regular Meeting Date
 - b. January 21, 2020, at 5:15 p.m. for CIP Workshop
 - c. January 31, 2020, at 2:00 p.m. for Budget Overview
 - d. February 4, 5, and 6, 2020, at 5:15 p.m. for Budget Hearings
 - e. February 11, 2020, at 5:15 p.m. for Budget Wrap-Up
5. Motion approving new 5-day Class B Beer License (September 21 - 25, 2019) - Christiani's Events LLC, 429 Alumni Lane - PENDING DRAM SHOP
6. Motion approving Class C Liquor License privilege update for Outdoor Service - BN'C Fieldhouse, 206 Welch Avenue, PENDING INSPECTIONS APPROVAL
7. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class B Liquor License with Catering, Outdoor Service and Sunday Sales - Hilton Garden Inn Ames, 1325 Dickinson Avenue
 - b. Class C Liquor License with Catering, Outdoor Service and Sunday Sales - Whiskey River, 132 - 134 Main Street
 - c. Class C Liquor License with Catering, Class B Wine, Outdoor Service and Sunday Sales - +39 Restaurant, Market, & Cantina, 2640 Stange Road
 - d. Class C Liquor License with Outdoor Service and Sunday Sales - Wallaby's Grille, 2733 Stange Road
 - e. Class C Liquor License with Catering and Sunday Sales - Hy-Vee #1 Clubroom, 3800 West Lincoln Way - Clubroom Area
8. Motion authorizing Mayor to sign letter of support for 400 Main Street LLC to apply for Main Street Iowa Challenge Grant from the Iowa Economic Development Authority in the form of a

\$75,000 grant

9. Resolution approving Change Order No. 5 to Agreement with SCS Engineers of Clive, Iowa, to provide services necessary to convert the City's Steam Electric Plant's Ash Impoundment to comply with EPA regulations
10. Resolution approving contract and bond for 2018/19 Asphalt Street Pavement Improvements
11. Resolution approving Plat of Survey for 1083 and 1085 Y Avenue (Boone County)
12. Resolution approving Plat of Survey for 3310 Cedar Lane
13. Resolution approving Plat of Survey for 635 Agg Avenue
14. Resolution approving Plat of Survey for 509 and 511 Lincoln Way
15. Resolution accepting completion of the sanitary sewer, public sidewalk, and remaining water items required as a condition for approval of the Final Plat for the Menards Subdivision and releasing financial security being held therefor
16. Resolution accepting installation of storm water best management practices (Chapter 5B) and four-year Maintenance Bond for development at 700 SE 16th Street (Menards) and releasing financial security being held therefor

PUBLIC FORUM: This is a time set aside for comments from the public on topics of City business other than those listed on this agenda. Please understand that the Council will not take any action on your comments at this meeting due to requirements of the Open Meetings Law, but may do so at a future meeting. The Mayor and City Council welcome comments from the public; however, at no time is it appropriate to use profane, obscene, or slanderous language. The Mayor may limit each speaker to three minutes.

PLANNING & HOUSING:

17. Staff Report on Vacation Lodging Standards

HEARINGS:

18. Hearing on proposed amendments to the Zoning Code (Chapter 29) and the Rental Code (Chapter 13), and the creation of a new Chapter 35 to establish zoning definitions, standards, and enforcement procedures for permitting/licensing of guest lodging in specific zoning districts(Continued from July 23, 2019, August 13, 2019, and August 27, 2019):
 - a. Motion to continue hearing to a date uncertain
19. Hearing on 415 Stanton Avenue Contract Rezoning Agreement: (Continued from August 27, 2019):
 - a. First passage of ordinance revising the age-limit restriction for the RH rezoning
 - b. Resolution approving Amended Contract Rezoning Agreement
20. Hearing on 2018/19 Traffic Signal Program (U.S. Hwy. 30 Westbound Off-Ramp and South Dakota Avenue):
 - a. Resolution approving final plans and specifications and awarding contract to Iowa Signal, Inc., of Grimes, Iowa in the amount of \$199,688.43
21. Hearing on proposed amendment to Zoning Code related to bicycle parking incentives in commercial and industrial areas:
 - a. First passage of ordinance
22. Hearing on request to approve a Major Site Development Plan for 3413 Aurora Avenue and

- 3425 Aurora Avenue:
a. Resolution approving Plan

ORDINANCES:

23. Rental Code:
a. First passage of ordinance amending Chapter 13 to add rent abatement as an enforcement tool, to add one year Letter of Compliance prohibition as an enforcement tool, and to freeze the bedroom counts for all properties in the Near Campus Neighborhoods to what would have been allowed on January 1, 2018
24. Second passage of Ordinance establishing parking regulations for Scenic Valley Subdivision, Fourth Addition
25. Second passage of ordinance vacating 180' x 16' of alley right-of-way north of Lincoln Way and east of Elm Avenue

DISPOSITION OF COMMUNICATIONS TO COUNCIL:

COUNCIL COMMENTS:

ADJOURNMENT:

Please note that this Agenda may be changed up to 24 hours before the meeting time as provided by Section 21.4(2), *Code of Iowa*.

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

AUGUST 27, 2019

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:00 p.m. on August 27, 2019, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Gloria Betcher, Bronwyn Beatty-Hansen, Amber Corrieri, Tim Gartin, and Chris Nelson. As it was impractical for Council Member David Martin to be present in person, he was brought into the meeting telephonically. *Ex officio* Member Devyn Leeson was also in attendance.

PROCLAMATION FOR “NATIONAL OVERDOSE AWARENESS DAY:” Mayor Haila proclaimed August 31, 2019, as “National Overdose Awareness Day.” Natasha Terrones, a mother who lost her child to overdosing, accepted the Proclamation. Ms. Terrones explained that her daughter, Tashara Torrenes, passed away on December 17, 2016, due to a synthetic opioid drug overdose and she has spent the last two-and-a-half years fighting for a change. Devon Terrones, brother to Tashara, commented that he appreciates everyone helping to fight for a change on drug overdose. Ms. Terrones thanked the City of Ames Task Force team for their consistent support. Carrie Williams from Community and Family Resources mentioned that the Opioid Task Force offers services to assist families in need.

CONSENT AGENDA:

Moved by Nelson, seconded by Corrieri, to approve the following items on the Consent Agenda:

2. Motion approving payment of claims
3. Motion approving Minutes of Regular Meeting of August 13, 2019
4. Motion approving Report of Change Orders for August 1 - 15, 2019
5. Motion approving Class C Liquor License Ownership Change - Texas Roadhouse, 519 South Duff Avenue
6. Motion approving Class C Beer Permit Ownership Change - Casey’s General Store #2298, 428 Lincoln Way
7. Motion approving Class E Liquor License Ownership Change - Casey’s General Store #2560, 3020 S Duff Avenue
8. Motion approving Class E Liquor License Ownership Change - Casey’s General Store #2905, 3612 Stange Road
9. Motion approving Class E Liquor License Ownership Change - Kum & Go # 1215, 4508 Lincoln Way
10. Motion approving new 6-month Special Class C Liquor License - Mandarin Restaurant, 415 Lincoln Way
11. Motion approving new 12-month Special Class C Liquor License with Class B Native Wine, Outdoor Service, and Sunday Sales - The Love Club, LLC, 4625 Reliable Street
12. Motion approving new 12-month Special Class C Liquor License with Sunday Sales - New Hickory Holding Company, 1404 S Duff Avenue
13. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class E Liquor License with Class B Wine, Class C Beer and Sunday Sales - Kwik

- Stop Liquor & Groceries, 125 6th Street
 - b. Class E Liquor License with Class B Wine, Class C Beer and Sunday Sales - Hy-Vee Drugstore, 500 Main St
 - c. Class E Liquor License with Class B Wine, Class C Beer and Sunday Sales - Cyclone Liquors, 626 Lincoln Way
 - d. Class C Liquor License with Outdoor Service and Sunday Sales - Grandpa Noodle Gallery, 926 S 16th Street
- 14. Motion approving request for Fireworks Permits for display from Jack Trice Stadium for ISU Home Football Games on the following dates:
 - a. Saturday, August 31
 - b. Saturday, September 14
 - c. Saturday, September 21
 - d. Saturday, October 5
 - e. Saturday, October 26
 - f. Saturday, November 16
 - g. Saturday, November 23
- 15. RESOLUTION NO. 19-434 approving Certificate of Consistency with City's 2014-19 CDBG Consolidated Plan on behalf of Youth & Shelter Services
- 16. RESOLUTION NO. 19-435 approving request to waive enforcement of the prohibition of motorized vehicles in Ada Hayden Heritage Park
- 17. RESOLUTION NO. 19-436 approving financial support as a sponsor for the 2019 Symposium on Building Inclusive Organizations in the amount of \$5,000
- 18. RESOLUTION NO. 19-437 approving Release of Subordinate Mortgage for property located at 712 Burnett Avenue, Ames, in connection with the Ames/Story County Partnership (ASCP) Affordable Housing Program
- 19. Request for Run for the Roses:
 - a. Motion approving Blanket Temporary Obstruction Permit
 - b. RESOLUTION NO. 19-438 approving closure of Mortensen Road between Dotson Drive to State Avenue and State Avenue between Lettie Street to Mortensen Road on October 13, 2019, from 6:00 a.m. to 2:00 p.m.
- 20. Requests for Crafts & Draughts in Campustown on September 7, 2019:
 - a. Motion approving new 5-day Class B Beer License (September 7 - 11, 2019) - A&R Marketing, Inc, 217 Welch Avenue
 - b. Motion approving Blanket Temporary Obstruction Permit on Welch Avenue from Chamberlain Street to Hunt Street from 7:00 a.m. to 7:00 p.m.
 - c. RESOLUTION NO. 19-439 approving waiver of electricity costs for the 200 block of Welch Avenue, including the Campustown Court area
 - d. RESOLUTION NO. 19-440 approving the closure of 14 metered parking spaces and waiver of parking meter fees on Welch from 8:00 a.m. to 6:00 p.m.
 - e. Motion approving blanket Vending Permit on Welch Avenue from Chamberlain Street to Hunt Street
 - f. RESOLUTION NO. 19-441 approving a waiver of fee for the blanket Vending Permit

21. RESOLUTION NO. 19-442 granting the Director of Electric Services authority to negotiate and approve an amendment with Macquarie Energy LLC of Houston, Texas, to extend the existing contract two or three years, if the overall contract cost falls to or below \$2.80/MMBtu
22. Brookside Restroom Renovation Project:
 - a. RESOLUTION NO. 19-443 approving reallocation of \$3,900 of savings from the completed Brookside Park Path Lighting Project
 - b. RESOLUTION NO. 19-444 approving preliminary plans and specifications for Brookside Restroom Renovation Project; setting September 25, 2019, as bid due date and October 8, 2019, as date of public hearing
23. RESOLUTION NO. 19-445 approving preliminary plans and specifications for Methane Engine Generator Replacement project, setting September 25, 2019 as the bid due date and October 8, 2019 as the date of public hearing and award
24. RESOLUTION NO. 19-446 awarding contract to Diamond Oil Company of Des Moines, Iowa, in an amount not to exceed \$150,000 for Electric Services Fuel Supply
25. RESOLUTION NO. 19-447 awarding contract to RACOM Communications of Marshalltown, Iowa, for replacement of CyRide radio system in the amount of \$341,146
26. RESOLUTION NO. 19-448 awarding three-year contract to Limble CMMS of Lehi, Utah, in an amount of \$68,796 for CMMS Software Updates for Power Plant
27. RESOLUTION NO. 19-449 approving contract and bond for 2017/18 Shared Use Path System Expansion West Lincoln Way (Sunset Ridge Subdivision to North Dakota Avenue)
28. RESOLUTION NO. 19-450 approving contract and bond for 2017/18 Water System Improvements Program #1 - Water System Transfers
29. RESOLUTION NO. 19-451 approving contract and bond for 2018/19 Water System Improvements (Burnett, Murray)
30. RESOLUTION NO. 19-452 approving contract and bond for 2014/15 Storm Water Facility Rehab (Somerset Subdivision Pond)
31. RESOLUTION NO. 19-453 approving contract and bond for Wellhead Controls Improvements & Repainting Project
32. RESOLUTION NO. 19-454 approving Change Order No. 5 in the amount of \$458,027.41 (inclusive of sales tax) to Helfrich Brothers Boiler Works, Inc., of Lawrence, Massachusetts, for Unit 7 Boiler Repair Project
33. RESOLUTION NO. 19-455 approving completion of conditions for approval of the Final Plat of Wessex Subdivision and releasing security being held therefor
34. River Valley Park Softball Infield Renovation Project:
 - a. RESOLUTION NO. 19-456 approving Change Order No. 1 to Contract with Iowa Cubs Sports Turf Management of Des Moines, Iowa in the amount of (\$7,850)
 - b. RESOLUTION NO. 19-457 accepting completion of Contract with Iowa Cubs Sports Turf Management of Des Moines, Iowa, in the total amount of \$101,050
35. RESOLUTION NO. 19-458 accepting completion of Fire Station 1 Parking Lot Reconstruction Project
36. RESOLUTION NO. 19-459 accepting completion of Contract with ESA, Inc., for Asbestos Maintenance Service for Power Plant for FY 2014/15 through 2018/19 in the amount of

\$562,128.91

37. RESOLUTION NO. 19-460 accepting completion of Contract with TEI Construction Services, Inc., for Boiler Maintenance Services Contract for Power Plant for FY 2016/17 through 2018/19 in the amount of \$2,463,801.45
38. RESOLUTION NO. 19-461 accepting completion of Contract with Total Insulation Mechanical, Inc., for Non- Asbestos Insulation and Related Services for Power Plant for FY 2014/15 through FY 2018/19 in the amount of \$182,575.96

Roll Call Vote: 6-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

PUBLIC FORUM: Justin Gersema, 1402 Kellogg Avenue, Ames, wanted to thank the Council for having a sidewalk installed in order for him to walk from his house to the bus safely. Council Member Gartin let Mr. Gersema know that the Council has not received a lot of input from citizens in his situation and encouraged him to let the Council know if there are other areas of concern.

RESOLUTION OF SUPPORT FOR HEALTHY LIFE CENTER: City Manager Steve Schainker stated that at a previous meeting, the Council had requested staff to put together a Resolution showing their support of the Healthy Life Center. He asked if the Council had any recommended changes to the draft resolution. City Attorney Mark Lambert mentioned that he was concerned about the last sentence where it encourages the citizens to vote YES. He explained that the *Iowa Code* prohibits spending any public money on advocacy for a bond issue, but the same section of the Code says the section can not be construed to prohibit a governing body from expressing its opinion. Attorney Lambert contacted the Executive Director of the Iowa Ethics & Campaign Disclosure Board, and she assured Mr. Lambert that it was OK for the Council to encourage the citizens to vote YES as it doesn't violate the law.

Justin Gersema, 1402 Kellogg Avenue, Ames, voiced his concerns about the Healthy Life Center. Council Member Gartin stated that there will be three informational meetings coming up where Mr. Gersema will be able to voice his opinion. Parks and Recreation Director Keith Abraham explained that the three meetings will be on August 28, August 29, and September 4, 2019, at the Ames Public Library. Director Abraham stated that during these meetings they will spend about 40 minutes explaining the concept, design, and the financial aspects of the Healthy Life Center and will have time for questions at the end. Mr. Gersema asked if Mr. Abraham could send him a copy of the PowerPoint presentation so he can view it through the special app he has on his phone that helps those with his disability. Mr. Abraham stated that he would be happy to and will meet with Justin after this meeting to listen to his concerns and get his contact information.

Council Member Betcher stated that there have been some concerns raised about accessibility for the Healthy Life Center and wanted to know if this concern would be covered during the informational meetings. Mr. Abraham explained that they do not go into specifics, but the entire facility will be ADA-compliant.

Moved by Corrieri, seconded by Gartin, to approve RESOLUTION NO. 19-462 approving a

Resolution in support of the Healthy Life Center Bond Referendum Vote for the City of Ames, Iowa. Vote on Motion: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

REQUEST FROM IOWA STATE UNIVERSITY TO COLLABORATE AND CO-BRAND THE PRINCIPLES OF COMMUNITY FOR INCLUSION IN PUBLIC BUILDINGS AND MAKE THE CAMPAIGN AVAILABLE TO PRIVATE ORGANIZATIONS THAT ARE ASKED TO PARTICIPATE: Mayor Haila explained that he had a met with Dr. Stewart, Vice President of Diversity and Inclusion at Iowa State University (ISU), and discussed these principles. Dr. Stewart is amendable to having a meeting with the Mayor, the City Manager, and a member of the Council to discuss how the principles could be community-focused and not just student-focused. Mayor Haila mentioned that he wanted to give the Council the option of tabling this item and allowing more work to be done.

Council Member Betcher stated she has concerns about the ISU Principles, as they are very strong in their sense of community among students, but not helping students understand that they are part of a broader community. She would support tabling this item until further discussions with ISU in regards to broadening their principles could be held.

The telephone connection with Council Member Martin was lost at 6:26 p.m.

Council Member Gartin asked if there was a downside to tabling this item as he felt this is a philosophy that the Council has already embraced. Ms. Betcher stated what the Council has embraced is similar to what ISU is doing; however, if the City of Ames and ISU were to unify the same values then it would be beneficial to the entire community and not just ISU students. She explained that she would like the students to think of Ames as their home.

Council Member Nelson stated that the ISU principles have already been printed regardless of what Council decides tonight. He asked to know the risks if the Council were to participate this year while discussions are had about how to make changes for the next year.

Council Member Beatty-Hansen mentioned that, if duration of the tabling isn't that long, it would be OK to table this discussion; and if ISU agrees with the co-branding, then ISU would need to reprint and start over. She stated that she believes the Council can already agree on the Principles that ISU has listed, but there are a few areas that pertain specifically to the University that could be changed, if ISU was open to that discussion. Mayor Haila explained that a meeting could be had within the next couple of weeks with ISU and brought back for one of the September Council meetings.

Moved by Betcher, seconded by Corrieri, to table this item until after discussions have occurred with Iowa State University.

Vote on Motion: 5-0. Motion declared carried unanimously.

GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2019A: Finance Director Duane Pitcher explained the City had accepted bids this morning on the sale of bonds to support the FY 2019/20 Capital Improvement Plan. He advised that the City had received a great interest rate. The City will need some additional funds for new the radio system. Susan Gerlach, PFM, told the Council that six bids from 37 firms were received. The lowest bid was from Robert W. Baird & Co., Inc., of Red Bank, New Jersey, at an interest rate of 1.62%. She noted that during the bond issuance process, Moody's Investors Services did affirm the City's Aa1 credit rating.

Moved by Gartin, seconded by Betcher, to approve RESOLUTION NO. 19-464 accepting bids and authorizing the sale and issuance of General Obligation Bonds in an amount not to exceed \$11,880,000.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

UPDATE ON CHANGES TO RENTAL CODE: Building Official Sara VanMeeteren stated staff was bringing back the draft ordinance with the three Council recommended changes. Public input will be accepted to see if there are any other recommended changes. The three changes were:

1. Making illegal rentals ineligible for LOCs for one year
2. Ability to issue an order for Rent Abatement in toolbox
3. Freeze bedrooms in Near-Campus Neighborhoods

Mayor Haila asked what actions were taken in order to make these changes available to the public for review. Ms. VanMeeteren mentioned that staff had notified the President of the Ames Rental Association (ARA), the President of the Central Iowa Board of Realtors, all Neighborhood Association representatives that Planning has a list for, all rental permit holders, and the President of the Student Body Government. Mayor Haila inquired if any feedback was received. Building Official VanMeeteren stated there were a few questions/clarifications that needed to be done and have been addressed.

The public hearing was opened by the Mayor. He explained that based on the public input and the Council's direction this evening, in two weeks the Ordinance will be brought back for the first reading.

Lad Grove, 621 Main Street, Ames, wanted to point out a couple items that he believed should be added to the Ordinance. He stated that in the draft ordinance under Rent Abatement it states after "i:" "The Building Official may order rent abated when the Building Official determines that the owner has, after issuance of a notice of violation of this chapter...", he would like that sentence to state "issuance of a 30-day notice of violation of the chapter." Mr. Grove stated that also under Rent Abatement "b:" "Failed to remedy a condition that poses a substantial risk to the health or safety of the tenant...", and he would recommend that the sentence say: Failed to remedy a condition "under the property owners control" that poses a substantial risk to the health or safety of the tenant.

Council Member Beatty-Hansen asked Ms. VanMeeteren if the Inspections Division already has a

time frame that is given to a property owner before a penalty is given. Ms. VanMeeteren stated that the property owners are given 30 day after a deficiency letter is given to appeal the decision. A citation would not be issued until after this period of time is over. Building Official VanMeeteren mentioned that she is concerned if they add “30-day notice” to the Ordinance because if it is an essential service (water, sewer, electricity, heat), they wouldn’t want to wait another 30 days for this issue to be addressed.

Council Member Betcher inquired whether the “30-day notice” wording, if added, would mean a tenant would not be able to take advantage of the rent abatement for the first 30 days that the service is not functioning. Ms. VanMeeteren explained that the 30-day notice would mean that once the landlord gets notice, they have 30 days to fix the issue before the tenant stops paying rent. Ms. Betcher stated she is not sure where the essential service would fit in because if the tenant is to be removed from the house, they should not be paying rent. Ms. VanMeeteren explained that she is not as concerned over if they are or are not paying as staff wants the unit to be habitable. Provisions would need to be made between the landlord and tenant. *Ex officio* Devyn Leeson commented that there is a possibility that a tenant may wait 20 days or more before even notifying the City of the problem. He recommended to the Council that if a time frame is to be added have it be 30 days after the complaint is made to the landlord.

Moved by Gartin, seconded by Betcher, directing staff to review the proposals made by Lad Grove in regards to the 30 days notice and whether there is a substantial risk if under the control of the landlord.

Mayor Haila clarified that the goal is to come back with a modification of the Ordinance for final review. City Manager Steve Schainker explained that they will make sure everything complies with the State Law. Mr. Gartin commented that when it comes to essential services, if the landlord is not providing electricity then he doesn’t want to give them another 30 days to fix the problem. Council Member Beatty-Hansen noted that currently it is at staff’s discretion to kick in when they provide notice. She explained that she trusts staff to give the property owners plenty of time to fix a problem and that the current draft ordinance before them tonight is fine as it is.

City Attorney Mark Lambert stated that staff had just added the language from the *Code of Iowa* to the draft ordinance and would be hesitant to write something different than what the *Code* authorizes. Ms. VanMeeteren explained that the only two that are different from the *Iowa Code* is “c” and “d”, as “c” was copied from Iowa City.

Motion withdrawn.

Moved by Beatty-Hansen, seconded by Betcher, to proceed with the draft ordinance as presented by staff.

Vote on Motion: 5-0. Motion carried unanimously.

Council Member Martin rejoined the meeting telephonically at 6:56 p.m.

CARBON MONOXIDE ALARMS: Building Official Sara VanMeeteren mentioned that during a previous meeting it was moved to “include a carbon monoxide detector requirement” the next time the Rental Code was discussed. She explained that the staff memo clarifies what the current code states and what would need to be done to add it to the Code. The Rental Code does not require carbon monoxide alarms in rental dwellings unless the property has more than one unit and the units share a common furnace. The Building and Fire Codes both require carbon monoxide alarms in all new construction. In 2016, the State Legislature amended the smoke detector statute to require carbon monoxide alarms in all residential buildings that contain fuel-burning appliances or an attached garage. These amendments went into effect on July 1, 2018, and legally, any homes, rental and owner-occupied, should have carbon monoxide detectors.

Ms. VanMeeteren went over the three options for the Council to consider:

1. Adopting carbon monoxide alarm requirements for guest lodging only.
2. Adopting carbon monoxide alarm requirements for guest lodging and all registered rental properties.
3. Adopting carbon monoxide alarm requirements for all residential dwellings.

Council Member Beatty-Hansen noted that she would prefer to do everything right the first time and require every rental to have a carbon monoxide detector.

Council Member Nelson stated that the Council can approve something that is more stringent than the *Iowa Code*, but they have to abide by what the State has passed and wanted to make sure what the Council could and could not do. City Attorney Mark Lambert stated that the City of Ames can go beyond what the *Iowa Code* requires. The State has chosen to enforce the requirement for the carbon monoxide detectors through the Homestead Tax Credit.

Council Member Gartin asked how many rentals already have a carbon monoxide detector. Ms. VanMeeteren stated that the number is very small as rental are only required to have a dual-sensor smoke alarm. Ms. VanMeeteren stated that mechanical equipment failure is one of the items they find the most during an inspection. A certification is required when a system gets to be a certain age or has issues. Cracked heat exchangers are frequently found, which is where carbon monoxide can leak.

Moved by Beatty-Hansen, seconded by Betcher, to direct staff to require carbon monoxide alarms in all registered rentals and all dwellings used as guest lodging. Also in the interim put on the checklist for short-term rentals that they should be in compliance with the *Iowa Code*.

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

FLEET SERVICES B100 PILOT PROGRAM: Fleet Director Corey Mellies stated that Rich Leners, Assistant Transit Director, will be heading up this project and giving the presentation tonight. Mr. Leners introduced David Slade, Director of Biofuels Technology and Services with Renewable Energy Group (REG). Mr. Leners explained that REG and Optimus Technologies approached him in February 2019 and presented their proposals for a 100% Biodiesel (B100) Pilot

Program. The B100 Pilot Program would require participant cities/agencies to provide five diesel-powered trucks as pilot vehicles to operate year-round on B100 fuel, thereby taking full advantage of the B100 low-carbon emissions. REG would be the exclusive supplier of B100 at a discounted rate to the City, and pay to fully equip the pilot trucks making it possible to use B100 year-round. The project would run for three years, evaluate, and report back to the Council to see if they should continue with this project. Optimus Technologies will install the units and provide training, collect the performance data, and give the City a pass code to the vehicles so the City can see real-time data. REG agrees to pay for the five Optimus systems at \$12,000 each including installation. In addition, REG agrees to lease to the City of Ames a 12,000-gallon, above ground fuel dispensary for \$1 per year.

Mr. Leners explained that the Optimus system uses two fuel tanks, a smaller tank with #2 diesel, and a larger tank with B100. Optimus sends #2 diesel fuel to the engine at startup, then directs the heat from the engine to warm the B100 tank to a specified operating temperature, then switches to B100 for the majority of running time.

Fleet Manager Leners mentioned that the B100 Pilot Program will help make Ames a sustainability leader as the City is taking action to combat climate change, setting examples for a sustainable future, supporting EcoSmart goals, and will be the first city in Iowa to utilize this technology with biodiesel.

Council Member Betcher inquired how many vehicles within Fleet could take advantage of this program if the pilot program is successful. Mr. Leners explained that there are potentially 70 other vehicles.

Ex officio Leeson mentioned that petroleum diesel has a lot more pollutants than just CO2 and biodiesel has fewer of those pollutants. He asked if there are other pollutants that are being reduced besides CO2. Mr. Slade explained that diesel exhaust can have a lot of particular matter; the black soot that you see is carbon monoxide, hydrocarbon, and nitrogen oxides. He noted that the major benefit will be the lower fossil carbon intensity of the fuel.

Council Member Beatty-Hansen stated that it was noted that REG had refineries around the globe, but wanted to know if the fuel the City would be using is more local. Mr. Slade stated that there are three bio-refineries in Iowa - in Newton, Mason City, and Ralston. He noted that it is a 100% guarantee that the biodiesel will come from an Iowa plant.

Council Member Gartin stated that REG is a great member of the community and he is thrilled to have the opportunity to have a partnership in this project.

Mayor Haila noted that in the contract there is a \$2,500 yearly subscription fee. He wanted to know if REG was going to pay for this as well. Mr. Slade commented that he can't confirm it, but he is almost positive that is something that REG will pay for.

Mayor Haila questioned when the Pilot Program is complete in three years would REG pay to have the equipment removed from the trucks if the City decided not to proceed with the program.

Mayor Haila asked, if the Pilot Program was successful and the City wanted to continue using the systems that were already in place, would the City get to keep the equipment, as a gift, from REG exclusive of the 12,000-gallon tank. Mr. Leners stated when complete and if successful, the equipment would move to a different truck, but the City would get to keep the equipment.

Mayor Haila inquired if the equipment would work on CyRide buses. Mr. Slade stated it would have to be installed per the vehicle, and there may be some spacing and piping issues, but should work on buses as well.

The Mayor opened the public hearing and closed it after no one came forward to speak.

Moved by Nelson, seconded by Beatty-Hansen, to approve RESOLUTION NO. 19-465 approving the request to equip five existing City snow plow trucks with the Optimus System, allowing the trucks to burn B100 year round; equipment and installation paid for by the Ames based corporation, Renewable Energy Group (REG), at \$12,000 each vehicle.

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

Moved by Betcher, seconded by Beatty-Hansen, to approve RESOLUTION NO. 19-466 waiving the Purchasing Policies pertaining to bidding and approving a sole-source contract with Optimus Systems, Inc., to install system on selected City vehicles; train City Fleet technicians to install and work on the system; collect real-time data about the fuel use, system performance, and location of the pilot vehicles.

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

Moved by Beatty-Hansen, seconded by Betcher, to approve RESOLUTION NO. 19-467 waiving the Purchasing Policies pertaining to bidding and approving a sole-source contract with REG to be the sole provider of biodiesel for the five selected trucks throughout the 3-year pilot program; for REG to pay for the system, installation, and training of the Optimus System on the five pilot vehicles; lease one (1) 12,000 gallon, above-ground fuel kiosk to the City for \$1 per year during the pilot program; place the fuel kiosk at the Public Works Maintenance Facility at 2207 Edison Street, Ames. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

PRELIMINARY PLAT FOR IOWA STATE UNIVERSITY RESEARCH PARK PHASE FOUR, 1ST ADDITION (3898 UNIVERSITY BOULEVARD AND 3499 RIVERSIDE DRIVE):

Planning and Housing Director Kelly Diekmann noted that most of the public improvements were taken on by the City except for the sidewalks, which will be the responsibility of the developer.

Mayor Haila declared the public hearing opened. He declared it closed after there wasn't anyone wishing to speak.

Moved by Nelson, seconded by Gartin, to approve RESOLUTION NO. 19-468 approving the Preliminary Plat for Iowa State University Research Park Phase Four, 1st Addition (3898 University Boulevard and 3499 South Riverside Drive)

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

DISCUSSION OF VACATION RENTALS (TABLED FROM JULY 23, 2019): Planning and Housing Director Kelly Diekmann explained that nothing new is being presented tonight as this item was tabled from a previous City Council meeting. Mr. Diekmann noted that the staff report outlines different options for the City Council to choose, and depending on what the City Council chooses, it may or may not affect Item No. 50 on the Agenda: the proposed amendments to the Zoning Code (Chapter 29) and the Rental Code (Chapter 13), and the creation of a new Chapter 35.

Director Diekmann gave a brief explanation of the Council's options:

Option One - Original proposal to allow vacation lodging as previously proposed in all zoning districts where Guest Lodging may occur subject to a Special Use Permit

Option Two - Limit Vacation Lodging based Upon City-wide Base Zoning Districts

Option Three - Limit Vacation Lodging by an overlay

Option Four - Separation distance

Option Five - Licensing requirements

Council Member Beatty-Hansen explained that the Council had asked staff if there was anything they could do to grandfather in properties that are already established as vacation rentals, and legally, they could not. City Attorney Mark Lambert explained that he had sent the Council a memo regarding this question; he noted that it would be considered equal protection problems and would be difficult to defend.

The public hearing was opened by the Mayor.

Ryan Houck, 65697 190th Street, Nevada, stated that he wanted to present a different idea. He is in favor of Options 1, 3, 4, and 5. He inquired about having a percentage cap or to have a number of Special Use Permits that are allowed, in a location; this would address the issues of social aspects of a neighborhood and affordable housing.

Shannon Stack, 1613-24th Street, Ames, noted that there are local hotels that are currently using the platform and ISU is also working with VRBO. She wanted to know what would happen if the Council were to ban vacation rentals. Council Member Beatty-Hansen explained that hotels and ISU are already zoned to allow the use of short-term rentals: the Council is discussing short-term rentals as a residential use. Ms. Stack explained that she saw it on a website that ISU was already advertising single-family homes through VRBO.

Moved by Nelson, seconded by Corrieri, to direct staff to prepare a Text Amendment to allow Vacation Rentals in higher-density zones, to allow in single-family zones with 1,000 foot separation zone, and require a Letter of Compliance (LOC) along with a Special Use Permit.

Council Member Betcher inquired if Mr. Nelson's motion regarding the separation distance was meant to be between vacation rentals only or all rentals. Mr. Nelson explained that the separation distance would be for all rentals.

Council Member Gartin asked Mr. Diekmann to expand on what would be involved with the Special Use Permit. Mr. Diekmann stated that the Special Use Permit is meant to deal with unique conditions. The property owner would need to fill out an application, it is then reviewed by City staff, and then by the Zoning Board of Adjustment for final approval. Mr. Gartin wanted to know if there was an example where a Special Use Permit could be denied. Mr. Diekmann stated that the Special Use Permit gives the City additional recourse. If the property owner was not complying with the rules, notice can be given, and if still not complying, the Special Use Permit can get revoked. If the Zoning Board of Adjustment denied an application, it was asked if the applicant has any recourse. Mr. Diekmann stated the applicant can appeal the decision to the District Court.

Mayor Haila asked if Mr. Nelson's intent on his motion for the 1,000 foot separation would be by radius and not just down the street. Mr. Nelson stated that is how the motion was put forth. Ms. Betcher noted that the vacation rentals would be on a first-come-first-serve basis.

Mr. Diekmann asked for further clarification of the motion. He noted that if the Council was following Option 2, the Planning and Zoning Commission had recommended that if the use is allowed in apartments, a 10% cap on the total number of units in a high-density area. Mr. Nelson stated his motion was intended to include that as well.

Council Member Betcher stated she doesn't really support Vacation Lodging, but the limitations that are in the motion will allow her to vote for it.

Vote on Motion: 5-1. Voting Aye: Betcher, Gartin, Beatty-Hansen, Corrieri, Nelson. Voting Nay: Martin.

Mr. Diekmann stated with this motion staff will need to make amendments to the ordinance and requested that Council table the hearings that are further on the Agenda.

HEARING ON VACATION OF ALLEY RIGHT-OF-WAY NORTH OF LINCOLN WAY AND EAST OF ELM AVENUE: The Mayor opened the public hearing and closed it after there was no one wishing to speak.

Moved by Gartin, seconded by Beatty-Hansen, to approve first passage of an ordinance to vacate right-of-way, north of Lincoln Way and east of Elm Avenue.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby

made a portion of these Minutes.

HEARING ON 2018/19 ASPHALT STREET PAVEMENT IMPROVEMENTS: The Mayor opened the public hearing and closed it after no one came forward to speak.

Moved by Beatty-Hansen, seconded by Betcher, to approve Alternative No. 1, thereby approving RESOLUTION NO. 19-469 accepting the report of bids for the 2018/19 Asphalt Street Pavement Improvements Project, approving the final plans and specifications for this project, and awarding the 2018/19 Asphalt Street Pavement Improvements Project to Con-Struct Inc., of Ames, Iowa, in the amount of \$1,002,621.40.

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

HEARING ON 415 STANTON AVENUE CONTRACT REZONING AGREEMENT:

The Mayor mentioned that staff had requested for this item to be continued as there is more work and research that needs to be done.

Moved by Nelson, seconded by Betcher, to continue the hearing on 415 Stanton Avenue Contract Rezoning Agreement until September 10, 2019.

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

HEARING ON AMENDMENT TO ADAPTIVE REUSE/MAJOR SITE DEVELOPMENT PLAN FOR NORTH GRAND MALL LOCATED AT 2801 GRAND AVENUE: The public hearing was opened by the Mayor. He closed the hearing after no one asked to speak.

Moved by Corrieri, seconded by Betcher, to approve RESOLUTION NO. 19-470 approving Adaptive Reuse/Major Site Development Plan for 2801 Grand Avenue subject to the following stipulations:

- A. Complete the sidewalk improvements, parking reconfiguration, and landscaping adjacent to the main entrance drive into the mall site from Grand Avenue as shown on the plan, prior to occupancy for the new building at 2801 Grand Avenue.
- B. Complete future parking lot improvements on Lot 2 with the future reconstruction of the parking lot.
- C. Modify the Site Development Plan to include the following features subject to Planning Director approval:
 - i. Modifying landscape plan to replace crabapple trees abutting parking spaces with more appropriate species for the space.
 - ii. Future parking lot improvements to include additional shade trees within parking islands.
 - iii. Parking lot islands will need to be excavated out to create soil conditions to support trees. The planter areas will need to comply with current landscaping requirements regarding sizing and soil content.
- D. Allow the existing seasonal/temporary uses (farmers market, nursery and walk-up snow cone hut) to be relocated to the north parking area between along 30th Street with a Zoning Permit

reviewed and approved by the Planning Director.

- E. Waive 76 parking spaces that would be required based on the 2012 ADP for the proposed project resulting in 1723 parking spaces on the site.
- F. Allow for the front yard landscaping provided on the approved plan without meeting the required number of overstory trees, shrubs and grasses.
- G. Allow for the Planning Director to approve outdoor lighting consistent with the Zoning Ordinance standards.
- H. For uses and site improvements not included in the 2019 amendment, the approved 2012 ADP still applies.

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

HEARING ON PROPOSED AMENDMENTS TO THE ZONING CODE (CHAPTER 29) AND THE RENTAL CODE (CHAPTER 13), AND THE CREATION OF A NEW CHAPTER 35 TO ESTABLISH ZONING DEFINITIONS, STANDARDS, AND ENFORCEMENT PROCEDURES FOR PERMITTING/LICENSING OF GUEST LODGING IN SPECIFIC ZONING DISTRICTS (CONTINUED FROM JULY 23, 2019 AND AUGUST 13, 2019): The Mayor explained that staff has requested to table this hearing until September 10, 2019, so further changes could be made.

Moved by Beatty-Hansen, seconded by Betcher, to continue the public hearing until September 10, 2019.

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

HEARING ON NUISANCE ASSESSMENTS: The public hearing was opened by the Mayor. He closed the hearing after no one came forward to speak.

Moved by Betcher, seconded by Gartin, approving RESOLUTION NO. 19-463 assessing costs of snow/ice removal and certifying assessments to Story County Treasurer.

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

FIRST PASSAGE OF ORDINANCE ESTABLISHING PARKING REGULATIONS FOR SCENIC VALLEY SUBDIVISION, FOURTH ADDITION: The Mayor opened the public hearing and closed it after there was no one wishing to speak.

Moved by Betcher, seconded by Gartin, to approve first passage of an ordinance establishing parking regulations for Scenic Valley Subdivision, Fourth Addition.

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

DISPOSITION OF COMMUNICATIONS TO COUNCIL: Moved by Beatty-Hansen, seconded by Betcher to get a memo from staff regarding the Ames Bicycle Coalition's request to add more "Bikes May Use Full Lane" signs to various streets around the City.

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

Moved by Nelson, seconded by Betcher, to refer to staff for a memo on Mainstream Living's letter for a request to consider selling the property at 1417 Douglas Avenue to Mainstream Living.

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

COUNCIL COMMENTS: *Ex officio* Devyn Leeson stated he has been hearing a lot of great things from the Student Government, Cabinet members, and fellow classmates that they are excited for the school year. He mentioned that the first Student Government meeting is coming up.

Council Member Betcher stated that in the past she has asked that the Council review the use of the Quit Claim Deed that had sexist language in it, and had recently received an email from a constituent with concerns about a Parks & Recreation form that did not have gender-neutral language. She wanted to know if there was a way for each City Department to review their forms for gender-neutral language.

Moved by Betcher, seconded by Beatty-Hansen, to have the City Manager's Office reach out to all departments and have them review their documents/forms and make sure they are using gender-neutral language.

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

Council Member Martin explained that on the Vacation Rental topic he had voted "no" because he wanted to keep Vacation Rentals out of single-family zoning districts, but the motion that passed was a good outcome.

Council Member Beatty-Hansen reminded everyone that the new Game-Day Parking Ordinance is going into effect.

ADJOURNMENT: Moved by Gartin to adjourn the meeting at 8:10 p.m.

Amy L. Colwell, Deputy City Clerk

John A. Haila, Mayor



REPORT OF CONTRACT CHANGE ORDERS

Period:	<input type="checkbox"/>	1 st – 15 th
	<input checked="" type="checkbox"/>	16 th – End of Month
Month & Year:	August 2019	
For City Council Date:	September 10, 2019	

Department	General Description of Contract	Contract Change No.	Original Contract Amount	Contractor/ Vendor	Total of Prior Change Orders	Amount this Change Order	Change Approved By	Purchasing Contact (Buyer)
Electric Services	Installation Services for 69 KV UG Power Cable for Top-O-Hollow Substation	2	\$1,484,023.70	Primoris Aevenia, Inc.	\$27,267.45	\$0.00	L. Cook	KS
Electric Services	Power Plant Maintenance Services Contract	1	\$100,000.00	TEI Construction Services, Inc.	\$0.00	\$19,000.00	B. Trower	KS
Electric Services	Continuous Emissions Monitoring System Replacement	1	\$448,135.30	STI CEMS Services, LLC	\$0.00	\$(-10,667.05)	B. Trower	KS
Electric Services	Continuous Emissions Monitoring System Replacement	2	\$448,135.30	STI CEMS Services, LLC	\$(-10,667.05)	\$24,931.00	B. Phillips	KS
Public Works	2018/19 Parking Lot Reconstruction (Fire Station 1)	1	\$78,437.08	Manatt's Inc.	\$0.00	\$7,468.74	T. Warner	MA
			\$		\$	\$		

Applicant License Application ()

Name of Applicant: <u>Christiani's Events LLC</u>		
Name of Business (DBA): <u>Christiani's Events</u>		
Address of Premises: <u>429 Alumni Lane</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>50011</u>
Business <u>(515) 360-8069</u>		
Mailing <u>1150 E. Diehl</u>		
City <u>Des Moines</u>	State <u>IA</u>	Zip: <u>50315</u>

Contact Person

Name Peter Worsham	
Phone: (515) 360-8069	Email peter@christianicatering.com

Classification Class C Liquor License (LC) (Commercial)

Term: 5 days

Effective Date: 09/21/2019

Expiration Date: 01/01/1900

Privileges:

Class C Liquor License (LC) (Commercial)

Status of Business

BusinessType: <u>Limited Liability Company</u>	
Corporate ID Number: <u>XXXXXXXXXX</u>	Federal Employer ID <u>XXXXXXXXXX</u>

Ownership

Carol Christiani

First Name: Carol **Last Name:** Christiani
City: DesMoines **State:** Iowa **Zip:** 50315
Position: member
% of Ownership: 100.00% **U.S. Citizen:** Yes

Insurance Company Information

Insurance Company: <u>Illinois Union Insurance Company</u>	
Policy Effective Date:	Policy Expiration
Bond Effective	Dram Cancel Date:
Outdoor Service Effective	Outdoor Service Expiration
Temp Transfer Effective	Temp Transfer Expiration Date:

Name of Applicant: Welch 206 LLC

Name of Business (DBA): BN'C Fieldhouse

Address of Premises: 206 Welch Avenue

City Ames **County:** Story **Zip:** 50014

Business (515) 290-4657

Mailing 206 Welch Avenue

City Ames **State** IA **Zip:** 50014

Contact Person

Name Ravinder Singh (Ben)

Phone: (515) 290-4657 **Email** ajsliquor@yahoo.com

Classification Class C Liquor License (LC) (Commercial)

Term:12 months

Effective Date: 03/25/2019

Expiration Date: 03/24/2020

Privileges:

Class C Liquor License (LC) (Commercial)

Outdoor Service

Status of Business

BusinessType: Limited Liability Company

Corporate ID Number: XXXXXXXXXX **Federal Employer ID** XXXXXXXXXX

Ownership

Andrea Singh

First Name: Andrea **Last Name:** Singh

City: Ames **State:** Iowa **Zip:** 50014

Position: Member

% of Ownership: 50.00% **U.S. Citizen:** Yes

Ravinder Singh

First Name: Ravinder **Last Name:** Singh

City: Ames **State:** Iowa **Zip:** 50014

Position: Member

% of Ownership: 50.00% **U.S. Citizen:** Yes

Insurance Company Information

Insurance Company: Illinois Casualty Co

Policy Effective Date: 03/25/2019

Policy Expiration 03/24/2020

Bond Effective

Dram Cancel Date:

Outdoor Service Effective 08/30/2019

Outdoor Service Expiration 03/24/2020

Temp Transfer Effective

Temp Transfer Expiration Date:



MEMO

ITEM #7

To: Mayor John Haila and Ames City Council Members
From: Lieutenant Tom Shelton, Ames Police Department
Date: September 6, 2019
Subject: Beer Permits & Liquor License Renewal Reference City Council Agenda

The Council agenda for September 10, 2019 includes beer permits and liquor license renewals for:

- Class B Liquor License with Catering, Outdoor Service and Sunday Sales - Hilton Garden Inn Ames, 1325 Dickinson Avenue
- Class C Liquor License with Catering, Outdoor Service and Sunday Sales - Whiskey River, 132 - 134 Main Street
- Class C Liquor License with Catering, Class B Wine, Outdoor Service and Sunday Sales - +39 Restaurant, Market, & Cantina, 2640 Stange Road
- Class C Liquor License with Outdoor Service and Sunday Sales - Wallaby's Grille, 2733 Stange Road
- Class C Liquor License with Catering and Sunday Sales - Hy-Vee #1 Clubroom, 3800 West Lincoln Way - Clubroom Area

A review of police records for the past 12 months found no liquor law violations for any of the above locations. The Ames Police Department recommends renewal of licenses for all the above businesses.



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MEMO

ITEM #8

To: Mayor and City Council Members

From: Steven L. Schainker, City Manager

Date: February 6, 2019

Subject: Request for Letter of Support for State Main Street Challenge Grant

Drew Kamp, who serves as the Main Street Executive Director, recently sent to the City Clerk a copy of the attached letter from Kristin and Randy Pyle requesting a letter of support for their application for a State Main Street Challenge Grant. The Pyles are seeking a \$75,000 state grant to upgrade the infrastructure in their building at 400 Main Street and are prepared to pay for any required local match.

Drew has informed us that the Main Street Board of Directors is in support of this project and provided a letter of support to the Pyles earlier this month. In addition, he verified that the City will have no obligations should the grant be approved.

Since the letter of support from the Council is due by September 23, 2019 (before our next Council meeting), the normal referral process had to be bypassed if we hope to help this customer.

August 21, 2019

Dear Members of Ames Main Street Cultural District,

We, the owners of 400 Main Street in Ames, are requesting consideration for the opportunity to complete an application for the Main Street Challenge Grant.

The structure at 400 Main Street was built in 1911, and over the past century the basement, main floor and second floor have all been fully utilized by tenants and the public. Our primary objective is to restore this structure to a fully functional space useful to Main Street businesses and customers alike.

This Challenge Grant application will include the heavy lifting needed to restore this structure. The primary objective is to address all internal structural and infrastructure needs necessary to provide a blank slate for potential tenants in unused spaces and to update the needs for the current tenants.

The scope of the project includes a major plumbing overhaul to replace all aging cast iron in the building including the sewage main, provide adequate plumbing in the basement spaces, and furnish and update enough restrooms to be suitable. Another major component is the complete replacement of the basement floor to provide a solid foundation for current and new tenant usage. The third largest element addresses the utility systems, especially the HVAC strategy and the sprinkler systems. The project will also include finish work, necessary repairs, and electrical reconfiguration to make the spaces as useful as possible.

The projected amount to complete this proposal is the full grant amount of \$75,000 plus a complete match and additional funding by 400 Main LLC. This grant award would allow the project to be completed on a reasonable time frame, as opposed to multiple phases over the years, and would more quickly allow Main Street to see the benefits.

We would love this opportunity to help our existing tenants continue to serve as Main Street destinations and to provide an opportunity for a new one to flourish. We would be happy to answer any questions regarding our application, and thank you for the consideration.

Sincerely,

Kristin & Randy Pyle

COUNCIL ACTION FORM

SUBJECT: CHANGE ORDER No. 5 - TO PROVIDE DESIGN, ENGINEERING, PERMIT, AND BIDDING SUPPORT SERVICES NECESSARY TO CONVERT THE CITY'S STEAM ELECTRIC PLANT'S ASH IMPOUNDMENT TO COMPLY WITH U.S. EPA'S COAL COMBUSTION RESIDUALS (CCR) STANDARD [40 CFR PART 257]

BACKGROUND:

On April 17, 2015, the Final Rule entitled "Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals (CCR) From Electric Utilities" was published in the *Federal Register*, which regulated the disposal of ash in surface impoundments and landfills from the burning of coal in electric utility boilers. Subsequent to that action, there have been two significant amendments to the final rule, where in the first case EPA corrected a key compliance date, and in the second case EPA extended the original compliance deadlines for certain CCR Standard requirements by 547 days.

In response to a greater focus by the EPA on coal ash sites, Electric Services began looking for, and building a long-term relationship with a consulting firm that specialized in coal ash site activities, with deep understanding on current and pending EPA rules.

In 2017, the City needed to comply with several near-term requirements of the CCR Standard adopted by the EPA. For this scope of work the City issued a request for proposal (RFP) that resulted in the City receiving nine (9) proposals ranging in price from \$30,710 to \$124,350, with an average price of \$76,555.33.

SCS Engineers was selected as the preferred consultant from the nine proposals for this initial project based upon the combination of technical expertise and cost. The work required included a structural stability assessment, a safety factor assessment, and a hazard potential classifications assessment. In addition, they prepared the initial inflow design flood control system plan, an initial written closure plan, an initial written post-closure care plan, and an Emergency Action Plan.

It needs to be emphasized that the working relationship between Electric Services and this consulting firm is not like most contractual relationships, with a defined scope with clear beginning and end points. The federal law has many milestones to comply with stretching out over many years. Further, the rules keep changing due to continual court challenges and actions. Therefore, it is imperative that we continue to work with a strong consulting firm with these critical skills. As Electric Services continues to respond to existing and new EPA rules, it is anticipated that additional change orders will be required to meet these ongoing and new requirements.

It should also be noted that staff monitors and reviews time sheets submitted by the consulting firm and pays only on a time and materials basis.

CHANGE ORDER HISTORY:

Since 2017, the City has issued 4 Change Orders with SCS in order to continue to meet EPA requirements for the Power Plant's ash pond.

Change Order No. 1 in the amount of \$4,415 was to satisfy a new CCR Standards requirement for a qualified professional engineer to perform an annual inspection report of the ash site. (This amount covers the first annual inspection. Future inspections will be authorized on a yearly basis via staff-approved requisitions due to the dollar amount.)

Change Order No. 2 in the amount of \$122,780 was to satisfy the new requirements of the CCR Standard to install a groundwater well system around the ash site and to subsequently annually monitor the site by sampling and analyzing water from the wells in accordance with the CCR Standard. (Included in this total is the first year cost to install, monitor, and sample water from the wells. Future monitoring and sampling will be authorized on a yearly basis via staff-approved requisitions due to the dollar amount.)

Change Order No. 3 in the amount of \$10,280 was to: 1) update the Fugitive Dust Control Plan, 2) to conduct a site visit and investigation and prepare the Annual CCR Fugitive Dust Control Report, 3) to conduct a site visit and investigation to prepare the Annual Inspection Report by a qualified professional engineer, and 4) to prepare the Annual Inspection Report by a qualified professional engineer. (Future years will require an annual inspection report).

Change Order No. 4 in the amount of \$39,880 was to provide the City of Ames with feasible alternatives to transition the ash site in its current arrangement into a site that is useful for the future and in compliance with U.S. EPA's CCR Standard.

THIS ACTION:

This change order totaling \$196,180 to SCS Engineers of Clive, Iowa, is to provide 1) design and engineering services for the low cost alternative to comply with EPA's CCR standard, 2) permit acquisition and 3) support the bidding of the project necessary to comply with U.S. EPA's Coal Combustion Residuals (CCR) Standard for "closing-in-place" a portion of the City's Steam Electric Plant's ash impoundment.

The low cost alternative will involve removing the ash for the existing pond, storing it on site, reconstructing the majority of the existing pond with a liner to meet the EPA's new requirements. The scope of services to be provided by SCS Engineers under this change order includes the following:

- 1) Compilation of process water and soils data in order to make informed design and engineering decisions.

- 2) Design and develop site dewatering plans necessary to allow the construction activities to create the features of the site.
- 3) Develop design and engineering plans to acquire the necessary permits, and for the construction of the closure and redevelopment features of the site.
- 4) Prepare a Closure Plan and the permit application(s) and assist the City in obtaining the necessary state and local permits to approve the dewatering of the ash impoundment and to perform the construction closure and reconstruction of the ash impoundment.
- 5) Develop the technical (design and engineering) plans and specifications necessary to create the invitation-to-bid (ITB) package for the project scope of work.
- 6) Support the City during the bidding process by: 1) providing a list of bidders to perform the work, 2) attend pre-bid meetings to help answer questions from potential bidders, 3) provide the City with answers to technical questions that may arise during the bid period, and 4) review bids and provide input to City staff regarding such bids.
- 7) Attend meetings including: 1) an engineering kick-off meeting, 2) a meeting with Iowa DNR regarding permitting, 3) a 60% design review meeting, 4) a 95% design review meeting, and 5) other meetings as necessary.

ALTERNATIVES:

1. Issue Change Order No. 5 to SCS Engineers of Clive, Iowa, in the amount of \$196,180 to provide the engineering and related services necessary to design a “close-in-place” portion of the City’s Steam Electric Plant’s ash impoundment and to construct and redevelop the remaining portion to comply with U.S. EPA’s Coal Combustion Residuals (CCR) Standard and to accommodate the Power Plant’s ash handling requirements.
2. Reject the proposal and solicit equivalent engineering services from another engineering firms.

CITY MANAGER'S RECOMMENDED ACTION:

This scope of work is necessary for the City of Ames Steam Electric Plant to continue to functionally operate and be in compliance with U.S. EPA’s CCR Standard. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above. Funding for this consulting work has been included in the \$2,200,000 Ash Pond Modifications project in the CIP.



MEMO

To: Mayor and Members of the City Council

From: City Clerk's Office

Date: September 10, 2019

Subject: Contract and Bond Approval

There is/are no Council Action Form(s) for Item No(s). 10. Council approval of the contract and bond for this/these project(s) is simply fulfilling a *State Code* requirement.

/alc

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 1083 & 1085 Y AVENUE, BOONE COUNTY

BACKGROUND:

The City's subdivision regulations are found in Chapter 23 of the Ames Municipal Code. These regulations include the process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The regulations also describe the process for combining existing platted lots or adjusting the boundary lines of existing tracts. Section 23.308 allows the use of a plat of survey for a boundary line adjustment. The City's Subdivision Regulations apply, also, to unincorporated Boone County lying within two miles of the Ames city limits.

This plat of survey is a boundary line adjustment between two parcels located within unincorporated Boone County (*see Attachment A: Location Map & Attachment B: Location in Relation to Ames*). Each parcel currently has a single house on each parcel. The owner of proposed "Parcel A" (1085 Y Avenue) is seeking to acquire a portion of proposed "Parcel B" (1083 Y Avenue). The existing parcel at 1083 Y Avenue includes approximately 0.47 acres, and was created as a conveyance parcel in May, 1983. It qualifies as a "pre-established conveyance parcel" per the City's subdivision classifications, since it was created by a plat of survey, and was recorded prior to August 4, 2009. The existing parcel has no frontage on Y Avenue. The proposed boundary line adjustment increases the size of the parcel from 0.47 acres to 3.71 net acres, and .62 acres of road right-of-way for Y Avenue. This establishes 290.62 feet of frontage on Y Avenue. The land at 1083 Y Avenue has not been platted. The unplatted parcel includes 35.32 acres. Proposed "Parcel B" includes 31.85 net acres, and 2.87 acres of road right-of-way.

No new developable parcel will be created with the proposed adjustment because there is currently one house on each lot. As a Boundary Line Adjustment, no infrastructure improvements are required. No Subdivision Code waivers are proposed and no covenants are required for approval of this Plat of Survey.

Approval of this plat of survey (*see Attachment C: Proposed Plat of Survey*) will allow the applicant to prepare the official plat of survey and submit it to the Planning and Housing Director for review. The Director will sign the plat of survey confirming that it fully conforms to all conditions of approval. The prepared plat of survey may then be signed by the surveyor, who will submit it for recording in the office of the Boone County Recorder.

ALTERNATIVES:

1. The City Council can approve the proposed plat of survey consistent with the standards of Chapter 23.
2. The City Council can deny the proposed plat of survey if the City Council finds that the requirements for plats of survey as described in Section 23.308 have not been satisfied.
3. The City Council can refer this back to staff and/or the owner for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

Staff has determined that the proposed plat of survey satisfies all Code requirements for a boundary line adjustment of existing parcels in the Agricultural and Farm Services designation of the Ames Urban Fringe Plan and has made a preliminary decision of approval. Staff has also determined that the proposed plat of survey does not trigger City infrastructure requirements as defined within the Subdivision Code so no waiver of subdivision design and improvements is sought.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the resolution approving the proposed plat of survey.

**ADDENDUM
PLAT OF SURVEY FOR 1083 & 1085 Y AVENUE, BOONE COUNTY**

Application for a proposed plat of survey has been submitted for:

- Conveyance parcel (per Section 23.307)
- Boundary line adjustment (per Section 23.309)
- Re-plat to correct error (per Section 23.310)
- Auditor's plat (per Code of Iowa Section 354.15)

Owner: Steven M. & Elaine M. Stone (Smaller Parcel)
Parcel ID: 088425254400003

Owner: Clara N. Whattoff Estate (Larger Parcel)
Parcel ID: 088425254400002

Legal Description: See attached "Proposed Plat of Survey."

Public Improvements:

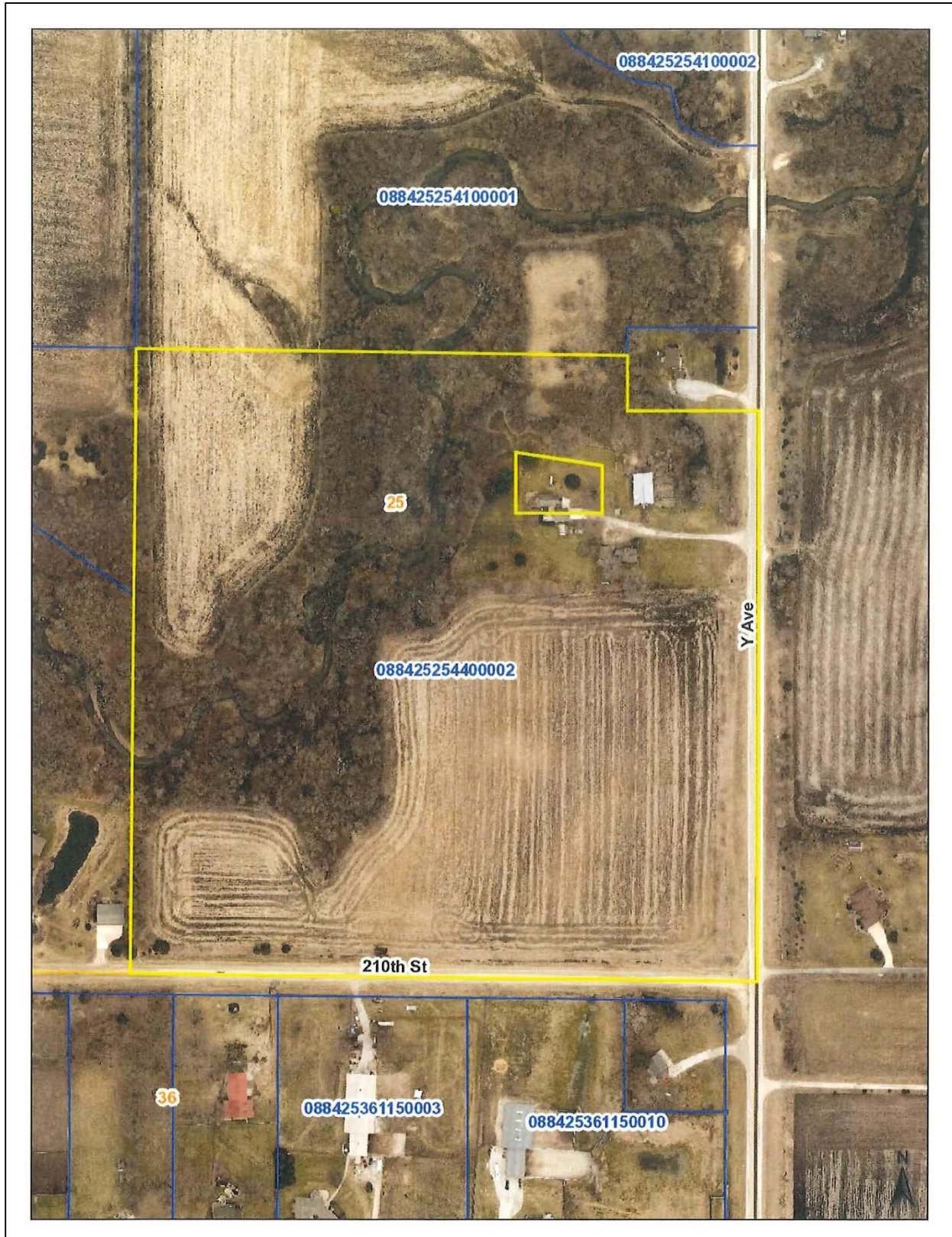
The preliminary decision of the Planning Director finds that approval requires all public improvements associated with and required for the proposed plat of survey be:

- Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable.

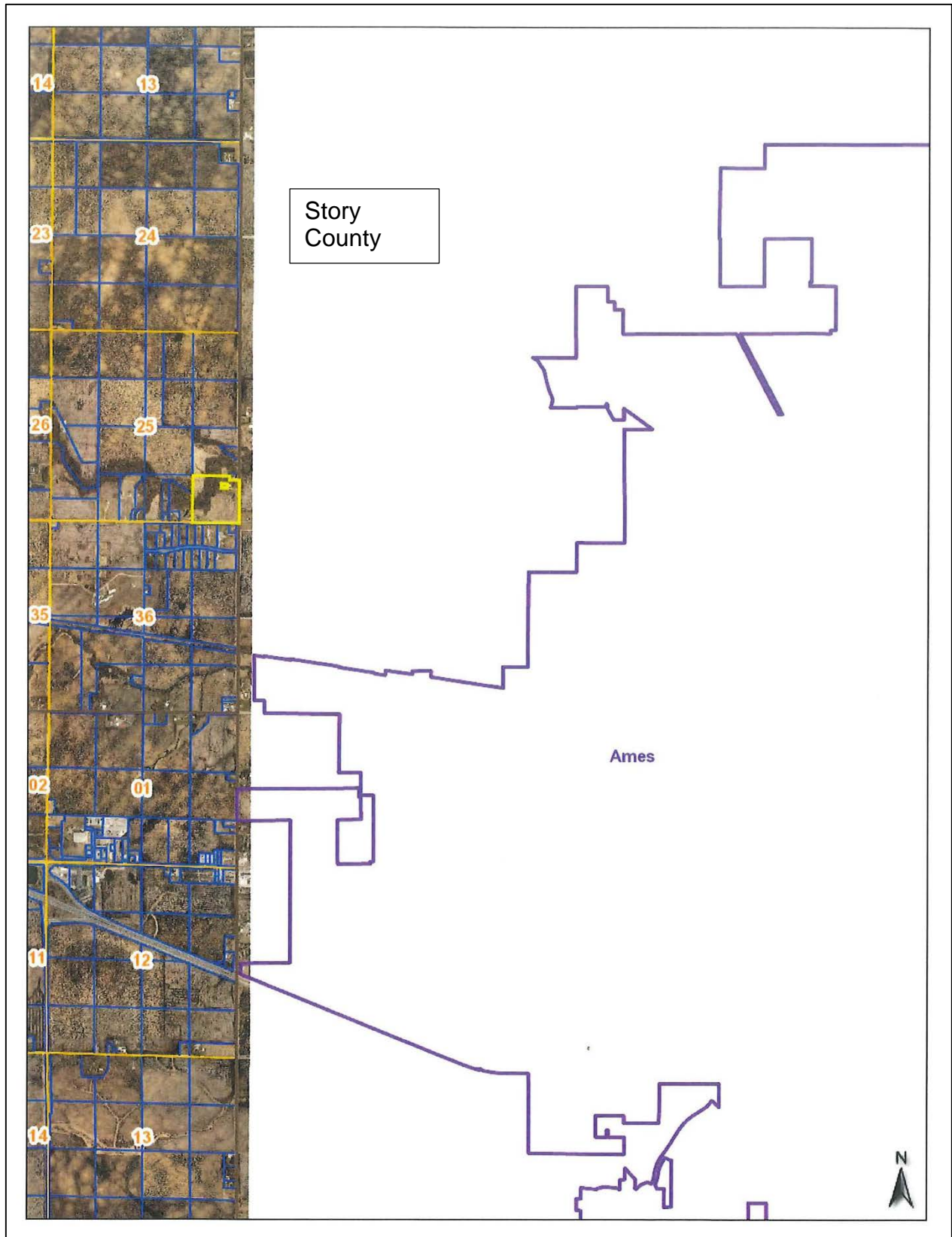
Note: The official plat of survey is not recognized as a binding plat of survey for permitting purposes until a copy of the signed and recorded plat of survey is filed with the Ames City Clerk's office and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.

ATTACHMENT A: LOCATION MAP

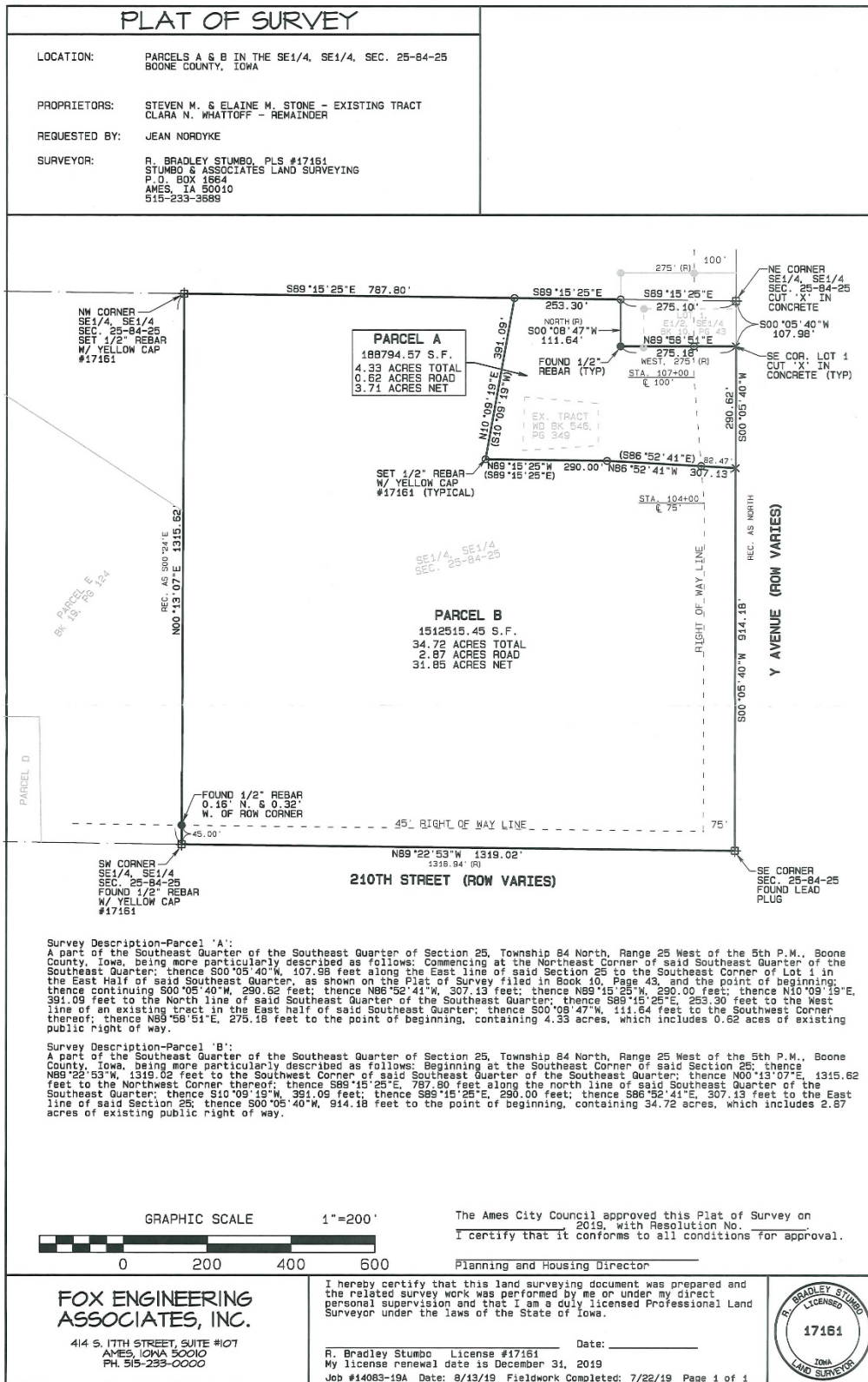
(Y AVENUE FOLLOWS THE BOUNDARY BETWEEN BOONE COUNTY & STORY COUNTY)



ATTACHMENT B: LOCATION IN RELATION TO AMES



ATTACHMENT C: PROPOSED PLAT OF SURVEY



COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY (BOUNDARY LINE ADJUSTMENT) FOR 3310 CEDAR LANE (PARCEL "A") AND PARCEL "F"

BACKGROUND:

The City's subdivision regulations found in Chapter 23 of the Ames Municipal Code include the process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The regulations also describe the process for combining existing platted lots or conveyance parcels in order to create a parcel for development purposes. A plat of survey is allowed by Section 23.309 for the consolidation of conveyance parcels and for a boundary line adjustment.

The two parcels included in this proposed plat of survey were approved for annexation at the City Development Board meeting in Des Moines on August 14, 2019. The two parcels are part of a larger voluntary annexation of eighteen parcels owned by eleven property owners. The final recording of the annexation is in process with the state and Story County. The properties within the annexation, including these two properties, are also subject to a pre-annexation agreement concerning future development and water and sewer connection charges.

This Plat of Survey is a boundary line adjustment between existing Parcel A (3310 Cedar Lane) and Parcel F. The owners of Parcel A propose to retain 3.110 acres and transfer ownership of 13.68 acres to the owner of Parcel F. The addition of 13.68 acres to Parcel F increases its size from 8.02 acres to 21.742 acres. Proposed parcels are Parcel T (3.110 acres) and Parcel U (21.742 acres). The single-family residence on Parcel A will be retained on proposed Parcel T. Proposed Parcel U is agricultural land that is planned for future development. (See Attachment B: Existing Conditions and Attachment C: Proposed Plat of Survey.)

Approval of a Plat of Survey requires conformance to all standards of the Subdivision Code, and does not consider zoning as the sites are not yet within the City. However, staff believes the sites will comply with lot dimensions the zone development standards of the Agricultural (A) zone. Boundary line adjustments do not trigger additional infrastructure improvements, unless partial infrastructure improvements exist and are required to be extended across a property.

Approval of this Plat of Survey will allow the applicant to prepare the official plat of survey and submit it to the Planning and Housing Director for review. The Director will sign the plat of survey confirming that it fully conforms to all conditions of approval. The prepared plat of survey may then be signed by the surveyor, who will submit it for recording in the office of the County Recorder.

ALTERNATIVES:

1. The City Council can adopt the resolution approving the Plat of Survey consistent with the standards of Chapter 23 for approval of a boundary line adjustment.
2. The City Council can deny the proposed Plat of Survey if the City Council finds that the requirements for plats of survey for design and improvements as described in Section 23.308 have not been satisfied.
3. The City Council can refer this back to staff and/or the owner for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

Staff has determined that the proposed Plat of Survey satisfies all Subdivision Code requirements for a boundary line adjustment of existing parcels and has made a preliminary decision of approval. No waivers or other covenants are needed for the rural subdivision as the properties are in the process of being annexed to the City and are subject to a pre-annexation agreement. The resulting parcel is designed to be conforming to underlying standards of the Agricultural (A) zoning district, as found in Chapter 29 of the Municipal Code. The Boundary line adjustment does not trigger infrastructure requirements unless there is a gap in completion of existing infrastructure.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the resolution approving the proposed Plat of Survey.

ADDENDUM
PLAT OF SURVEY FOR PARCEL 'A' (3310 CEDAR LANE) AND PARCEL 'F'

Application for a proposed Plat of Survey has been submitted for:

- Conveyance parcel (per Section 23.307)
- Boundary line adjustment (per Section 23.309)
- Re-plat to correct error (per Section 23.310)
- Auditor's plat (per Code of Iowa Section 354.15)

Owners: David P. & Jeanne P. Skarshaug (Parcel 'A')
Parcel ID: 0921200120

Owners: Burgason Enterprises LLC (Parcel 'F')
Parcel ID: 0921200165

New Legal Description: See attached plat of survey

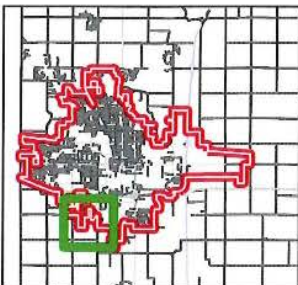
Public Improvements:

The preliminary decision of the Planning Director finds that approval requires all public improvements associated with and required for the proposed Plat of Survey be:

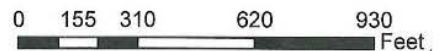
- Installed prior to creation and recordation of the official Plat of Survey and prior to issuance of zoning or building permits.
- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable. (no additional improvements required)

Note: The official Plat of Survey is not recognized as a binding Plat of Survey for permitting purposes until a copy of the signed and recorded Plat of Survey is filed with the Ames City Clerk's office and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.

Attachment A: Location Map



**Location Map
Parcel A & Parcel F**



COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY (BOUNDARY LINE ADJUSTMENT) FOR 635 AGG AVENUE

BACKGROUND:

The City's subdivision regulations found in Chapter 23 of the Ames Municipal Code include the process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The regulations also describe the process for combining existing platted lots or conveyance parcels in order to create a parcel for development purposes. A plat of survey is allowed by Section 23.309 for the consolidation of conveyance parcels and for a boundary line adjustment.

This Plat of Survey is a boundary line adjustment that consolidates one lot addressed as 635 Agg Avenue and one conveyed former public walkway into a new Parcel 'L'. (See Attachment B – Proposed Plat of Survey.) The walkway land was recently acquired by the property owner from the City.

The proposed "Parcel L" will include 11,646 square feet of lot area. The parcel includes an existing single-family residence and is zoned Residential Low Density (RL). Approval of a Plat of Survey requires conformance to all standards of the Zoning Ordinance and the Subdivision Code.

The site was reviewed to ensure that proposed lot dimensions complied with requirements found in the zone development standards of the Residential Low Density (RL). The addition of the conveyed public walkway area does not increase any existing non-conformities. Boundary line adjustments do not trigger additional infrastructure improvements, unless partial infrastructure improvements exist and are required to be extended across a property. There is no existing sidewalk along the frontage of the site.

Approval of this Plat of Survey will allow the applicant to prepare the official plat of survey and submit it to the Planning and Housing Director for review. The Director will sign the plat of survey confirming that it fully conforms to all conditions of approval. The prepared plat of survey may then be signed by the surveyor, who will submit it for recording in the office of the County Recorder.

ALTERNATIVES:

1. The City Council can adopt the resolution approving the Plat of Survey consistent with the standards of Chapter 23 for approval of a boundary line adjustment.

2. The City Council can deny the proposed Plat of Survey if the City Council finds that the requirements for plats of survey for design and improvements as described in Section 23.308 have not been satisfied.
3. The City Council can refer this back to staff and/or the owner for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

Staff has determined that the proposed Plat of Survey satisfies all Subdivision Code requirements for a boundary line adjustment of existing parcels and has made a preliminary decision of approval. The resulting parcel is designed to be conforming to underlying standards of the Residential Low Density (RL) zoning district as found in the Zoning Ordinance. The addition of the conveyed public walkway area does not increase any existing non-conformities. The boundary line adjustment does not trigger infrastructure requirements.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the resolution approving the proposed Plat of Survey.

**ADDENDUM
PLAT OF SURVEY FOR 635 AGG AVENUE**

Application for a proposed Plat of Survey has been submitted for:

- Conveyance parcel (per Section 23.307)
- Boundary line adjustment (per Section 23.309)
- Re-plat to correct error (per Section 23.310)
- Auditor's plat (per Code of Iowa Section 354.15)

Owners: Steven and Sarah Walter
Parcel ID: 0909280050 and portion of public walkway

New Legal Description:

Parcel 'L': Lot 6 in Block 12, College Heights Addition to Ames, Story County, Iowa and also the Public Walkway adjoining Lot 5, Block 12, College Heights Addition to Ames, Iowa. Containing 11,646 square feet.

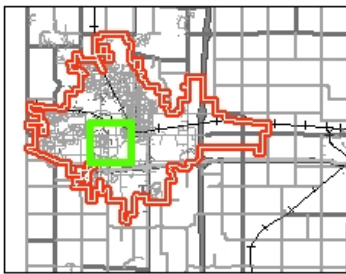
Public Improvements:

The preliminary decision of the Planning Director finds that approval requires all public improvements associated with and required for the proposed Plat of Survey be:

- Installed prior to creation and recordation of the official Plat of Survey and prior to issuance of zoning or building permits.
- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable. (no additional improvements required)

Note: The official Plat of Survey is not recognized as a binding Plat of Survey for permitting purposes until a copy of the signed and recorded Plat of Survey is filed with the Ames City Clerk's office and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.

Attachment A- Location Map



LOCATION MAP 635 Agg Avenue

0 30 60 120 Feet

Legend

 PARCELS



COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY (BOUNDARY LINE ADJUSTMENT) FOR 509 & 511 LINCOLN WAY

BACKGROUND:

The City's subdivision regulations found in Chapter 23 of the Ames Municipal Code include the process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The regulations also describe the process for combining existing platted lots or conveyance parcels in order to create a parcel for development purposes. A plat of survey is allowed by Section 23.309 for the consolidation of conveyance parcels and for boundary line adjustments.

This proposed plat of survey is for a boundary line adjustment of two existing parcels addressed as 509 & 511 Lincoln Way to create one 0.67 acre parcel. These parcels are currently occupied by vacant commercial retail buildings that formerly contained KFC and Taco Time. The parcels are zoned Downtown Gateway Commercial (DGC). The existing parcels have been in their current configuration since the mid 1960's. The proposed change results in one new parcel, labeled as Parcel B.

The proposed new parcel is being created in anticipation of future redevelopment.

The consolidation of the two existing parcels must be done in order to create a legal lot for approval of a Site Development Plan and other permitting purposes. The site is not larger enough to qualify as a Redevelopment Intensification Site under DGC zoning, but may still be redeveloped with commercial uses.

The site has a number of easements across the property, including for traffic signal placement near the southeast corner of the site, and these are all maintained through the Plat of Survey process. No public improvements are necessitated with the plat of survey, street improvements and changes to driveways will occur with future redevelopment.

Approval of this plat of survey (Attachment B) will allow the applicant to prepare the official plat of survey and submit it to the Planning and Housing Director for review. The Director will sign the plat of survey confirming that it fully conforms to all conditions of approval. The prepared plat of survey may then be signed by the surveyor, who will submit it for recording in the office of the County Recorder.

ALTERNATIVES:

1. The City Council can adopt the resolution approving the proposed plat of survey.

2. The City Council can deny the proposed plat of survey if the City Council finds that the requirements for plats of survey as described in Section 23.309 have not been satisfied.
3. The City Council can refer this back to staff and/or the owner for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

Staff has determined that the proposed plat of survey satisfies all Subdivision Code requirements for a boundary line adjustment of existing parcels and has made a preliminary decision of approval. No conflict exists with the existing DGC zoning standards as a result of the boundary line adjustment. The boundary line adjustment does not trigger infrastructure requirements unless there is a gap in completion of existing infrastructure. Any future construction on the site will be reviewed by staff for compliance.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the resolution approving the proposed plat of survey.

ADDENDUM

PLAT OF SURVEY FOR 1921 AMES HIGH DRIVE

Application for a proposed plat of survey has been submitted for:

- Conveyance parcel (per Section 23.307)
- Boundary line adjustment (per Section 23.309)
- Re-plat to correct error (per Section 23.310)
- Auditor's plat (per Code of Iowa Section 354.15)

The site is located at:

Owner: W-S Properties LLC

Existing Street Address: 509 Lincoln Way
511 Lincoln Way

Assessor's Parcel #: 09-02-357-020 and 09-02-357-010

Legal Description:

Survey Description-Parcel B:
Lot 1, except that part conveyed to the City of Ames by Deed of Dedication filed in Book 113, Page 76, and the East 60 feet of Lot 2, except that part deeded to the City of Ames by Warranty Deed filed in Book 119, Page 463, all in Block 48, Fourth Addition to Ames, Story County, Iowa, and all together being more particularly described as follows: Beginning at the Northeast Corner of said Lot 1; thence S00°39'30"E, 134.61 feet along the east line thereof; thence following the west right of way line of Clark Avenue S04°07'30"W, 47.97 feet; thence southwesterly, 37.07 feet along a curve concave to the northwest, having a radius of 25.50 feet, a central angle of 83°17'25" and being subtended by a chord which bears S47°35'11"W, 33.89 feet to the south line of said Lot 1; thence N89°48'56"W, 130.59 feet along said line; thence N00°35'44"E, 153.39 feet along the west line of the East 60 feet of said Lot 2; thence N89°27'17"E, 30.00 feet; thence N00°35'44 E, 33.87 feet to the north line of said Lot 2; thence N82°07'57"E, 126.76 feet to the point of beginning, containing 0.67 acres.

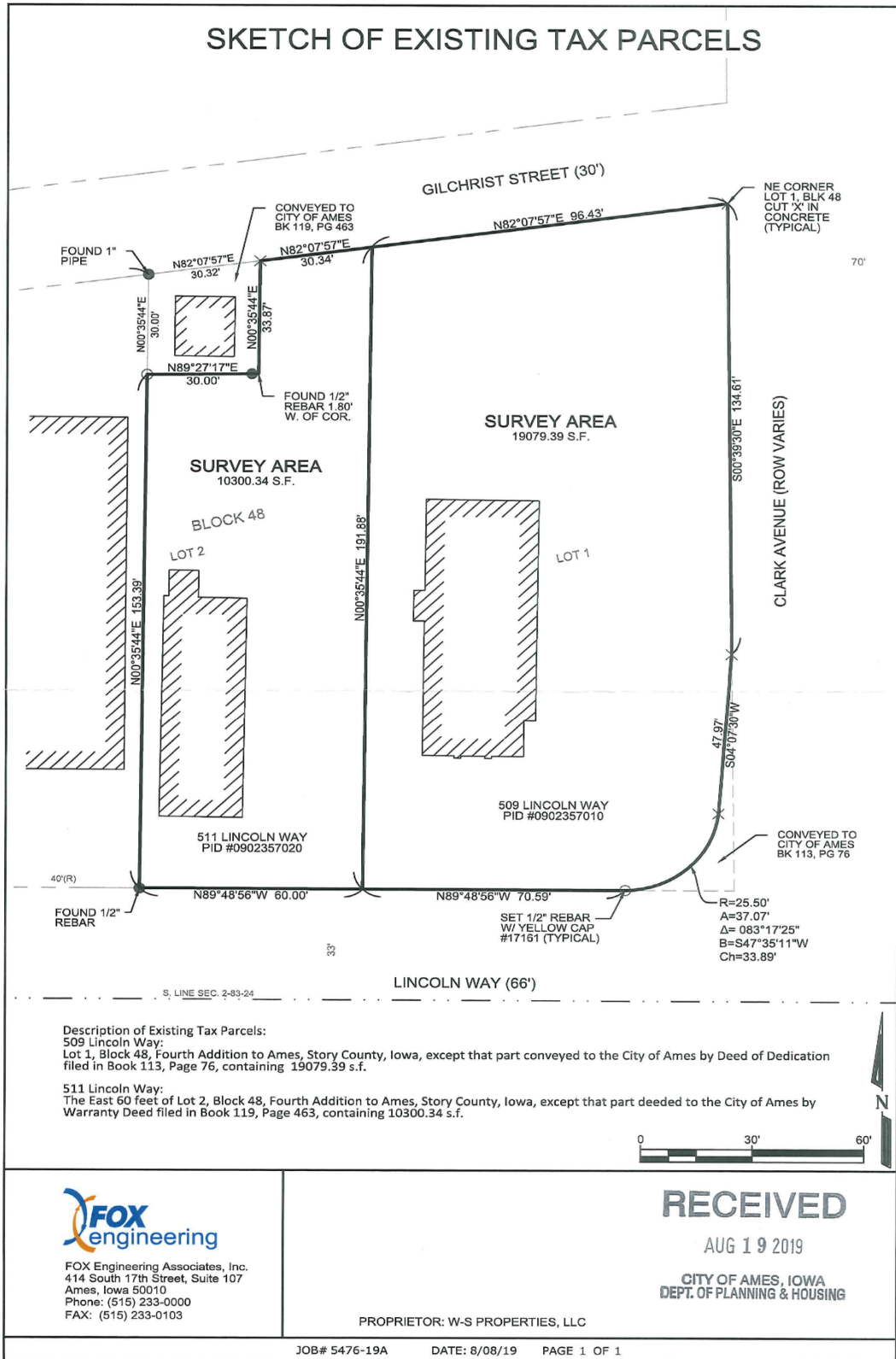
Public Improvements:

The preliminary decision of the Planning Director finds that approval requires all public improvements associated with and required for the proposed plat of survey be:

- Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable. (no additional improvements required)

Note: The official plat of survey is not recognized as a binding plat of survey for permitting purposes until a copy of the signed and recorded plat of survey is filed with the Ames City Clerk's office and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.

Attachment A- Existing Conditions





ITEM #15

Public Works Department
515 Clark Avenue, Ames, Iowa 50010
Phone 515-239-5160 ♦ Fax 515-239-5404

September 10, 2019

Honorable Mayor and Council Members
City of Ames
Ames, Iowa 50010

RE: Menards Subdivision Financial Security Reduction – Final Release

Ladies and Gentlemen:

I hereby certify that the sanitary sewer, public sidewalk, and remaining water items required as a condition for approval of the final plat of **the Menards Subdivision** have been completed in an acceptable manner by **Keith Cooper & Sons Inc. and Iowa Concrete LLC**. The above-mentioned improvements have been inspected by the Engineering Division of the Public Works Department of the City of Ames, Iowa, and found to meet City specifications and standards.

As a result of this certification, it is recommended that the financial security for public improvements on file with the City for this subdivision be released in full.

Sincerely,

John C. Joiner, P.E.
Director

JJ/nw

cc: Finance, Planning & Housing, Subdivision file



ITEM # 16

Smart Choice

Public Works Department

515 Clark Avenue, Ames, Iowa 50010
Phone 515-239-5160 ♦ Fax 515-239-5404

September 10, 2019

Diane Voss, Ames City Clerk
City of Ames
Ames, Iowa 50010

Diane:

I hereby acknowledge that the installation of stormwater best management practices (BMP's) as required by Chapter 5B of the Ames Municipal Code for the development at 700 SE 16th Street (Menards) has been completed in an acceptable manner and verified with submitted and certified as-built plans.

With the acceptance of financial security for the four-year maintenance of their stormwater BMP's, it is recommended that the financial security on file with the City for the installation of the stormwater BMP's for this development be released in full.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Tracy Warner'.

Tracy Warner, P.E.
Municipal Engineer

TW/nw

cc: Designer/Engineer, Developer/Owner, COA Project Planner

Staff Report

Vacation Lodging Separation Standard

September 10, 2019

BACKGROUND:

On August 27th City Council reviewed options for adding Vacation Lodging (the use of a dwelling solely for transient lodging and not as a household use) as a principle use to the draft Guest Lodging Ordinances that would amend the Ames Municipal Code Chapter 29 Zoning Ordinance, Chapter 13 Rental Code, and create a new Chapter 35 for Guest Lodging Licensing. City Council directed staff to modify the draft ordinances to allow for Vacation Lodging as a principle use, but to apply a minimum of a 1,000 foot buffer between licensed properties in specific single-family zoning districts. Additionally, City Council directed staff to continue the public hearing for amending the Zoning Ordinance (Chapter 29) and consideration of ordinances amending Chapter 13 and 35 to September 10th to allow for staff to modify the standards per City Council direction. **Due to the need for further direction on the proposed standards, the full draft ordinances are not ready for approval.**

Staff has drafted amendments to Chapter 29 that clarify the categories of Guest Lodging and how to permit vacation rentals with Special Use Permits for one and two-family dwellings and to exempt apartments from a Special Use Permit. The most notable zoning and use issue from Council's prior direction is how to address Village and PRD zoning districts as they have a unique mix of uses. Apartments in Village and PRD will now be treated the same as higher density areas and the other dwelling types will still require Special Use Permits. RLP (Residential Low Park) zoning for mobile home parks also excludes Vacation Lodging due to unique conditions of the sites, but allows for the home share options. A working draft of the zoning use tables is included as informational item to this report.

The primary issue for Council consideration with this report is the proposed 1,000 foot buffer standard that will be included in Chapter 35 (the new Guest Licensing chapter) and not in the Chapter 29. **Staff desires clarification on how to apply the 1,000 foot buffer is necessary to address the process of accepting and approving applications.** Staff believes from comments by interested parties that there are going to be multiple applications for Vacation Lodging at the initial date of application that would be within 1,000 feet of each other. This is likely the case in areas around campus and north of Downtown where there have been higher number of Airbnb types of activities in the past.

The proposed general process for licensing a one or two family dwelling within the A, R-L, FS-RL, RM-O-SFC, UCRM, F-VR, and F-PRD would include the following steps.

1. Register a property as a rental property with the City and received a preliminary inspection report
2. Apply for a Special Use Permit for ZBA approval of Vacation Lodging
3. Apply for a Guest Lodging license subsequent to ZBA approval operating consistent with the Letter of Compliance standards of the Rental Code, including the follow considerations:
 - a. 1,000 foot separation requirement from any one or two family dwelling property as calculated by City of Ames with its Geographic Information System (GIS) within the specified zoning districts, but not from a licensed Vacation Lodging use in a commercial or higher density zoning district.
 - b. In the event an applicant does not complete the Rental Code licensing processing or operates inconsistent with the Rental Code standards the Guest Lodging license can be suspended or revoked.
4. Maintain ownership during licensure. A license is not transferrable to a new owner, the new owner must seek approval of a new license.
5. Establish a requirement that at the time of renewal, a property owner must demonstrate that they did in fact use the property as a Vacation Rental for a majority of the occupied days during the license period. If not, they would need to reapply for licensure.

REVIEW OF SIMULTANEOUS APPLICATIONS:

The key consideration for the proposed 1,000-foot buffer requirement is how to apply it when there could be multiple property owners able to file the application at the same time. Normally, the first complete application submitted would be entitled to complete the process prior to consideration of another competing application. To address the possibility of essentially simultaneous applications, staff has created three approaches for City Council to consider.

Option 1: Date of Complete Application

The default option, absent any other guidance, would be a “first come first served” approach. Once an applicant has registered the property and received approval by the Zoning Board of Adjustment they can proceed to apply for the Guest Lodging License. The License application would be processed by Administrative Services staff by entering it into our permit software system and receiving payment. This process includes a time stamp and would establish the order for review. **It is also likely that this option can implemented through the online portal operated by the Inspections Division so there is no a question of who would be in line first to be processed by a Clerk.** This option requires no consideration by staff of the merits or

intent of the property owner on obtaining a license compared to any other applicant, only its timeliness. This option would also ensure the 1,000-foot separation standard is applied consistently to all properties.

Option 2: Exemption for Initial Application Period

This option is designed to allow an exemption, for a short initial application period, from the 1,000-foot separation standard. In this situation, staff would propose that only properties that already have a Rental Code Letter of Compliance prior to October 1, 2019, not just in process of registering their property, would be exempt from the 1000-foot separation standard for a Guest Lodging License. They would still be subject to the ZBA review and approval of a Special Use Permit prior to applying for a Guest Lodging License. This option could be accomplished by establishing a limited window to apply Guest Lodging licenses without setting a 1,000-foot buffer and then establish a later date for which all applications are subject to the buffer requirement.

A narrow window would be appropriate for this consideration to ensure only those property owners that are truly interested in operating such a use proceed through the process. This option limits the impacts of converting non-rental properties to guest lodging by having a prerequisite of having a current LOC, but would likely allow for substantially more guest lodging establishments overall than the first option.

Option 3: Random Selection for Initial Applications

This option would apply the 1,000-foot separation standard to all applications, but establish a random order for processing applications during an initial application period to establish priority, rather than “first come first served”. This option would include a two-week window to accept applications, but no processing of the applications would occur until the two-week period has expired. Staff would randomly select the applications and establish an order for their review and work down the list to address potential separation conflicts. This option would be similar to the results of the first option, but allows for a period to collect applications and then impartially consider the requests in a random order.

STAFF COMMENTS:

In order to finalize the wording for a Guest Lodging licensing ordinance, Staff requests direction regarding one of the options cited above. All three options are workable, but yield slightly different results within the City Council direction of having a 1,000-foot separation standard for one and two family homes in specific zoning districts. **In the event there is no direction to proceed differently, Option 1 would be the default approach added to a draft ordinance for future consideration by the City Council.**

Due to timeliness of the combined changes for Chapter 29, 13, and 35, staff recommends not holding a public hearing on September 10th and allow staff to re-notice for a future date when complete ordinances have been drafted.

Note the Yellow Highlighting are Draft edits in response to City Council direction from August 27th. This is a working draft subject to change prior to a public hearing.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING NEW SUBSECTIONS 29.201(14), 29.201(18.1), 29.201(19.1), 29.201(92.1) AND 29.201 (235.1) AND AMENDING CHAPTER 29 THEREOF, FOR THE PURPOSE OF HARMONIZING CHAPTER 29 WITH CHAPTER 35, GUEST LODGING CODE; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting new subsections 29.201(14), 29.201(18.1), 29.201(19.1), 29.201(92.1), and 29.201(235.1) and by amending Chapter 29 as follows:

“Sec. 29.201. DEFINITIONS.

Except as otherwise defined in this Ordinance or unless the context may otherwise require, the following words are defined for the purpose of this Ordinance as follows:

...

(14) **Apartment Dwelling** means a dwelling building containing three or more residential units. The term includes what is commonly known as an apartment building, but does not include community residential facilities or single-family attached dwellings. Apartment dwellings may be occupied by families only, or by a group of unrelated persons limited to five or less per residential unit.

~~*** Basement. See subsection 250.~~

...

(18.1) **Basement.** That floor level of a building between the upper surface of a floor and the ceiling or floor joists next above, which has at least 50% of the total area of its perimeter of foundational walls located below natural and finished grade.

...

(19.1) **Bed & Breakfast Establishment** means the Guest Lodging of a portion of a dwelling unit that is the primary residence of the property owner, where the property owner provides lodging and may provide breakfast for overnight guests. A Bed & Breakfast Establishment is a short-term lodging use and is a category of Guest Lodging licensed under Chapter 35.

...

(92.1) **Guest Lodging** means the advertising, offering, or otherwise availability of use of a dwelling unit for overnight lodging for a period of thirty-one (31) consecutive days or less in exchange for money, goods, labor or service. Guest Lodging types include Apartment Shares, Home Shares, Hosted Home Shares, Bed & Breakfast Establishments, and Vacation Lodging as licensed under Chapter 35. Guest Lodging does not include any hotel or motel facility.

...

(235.1) Vacation Lodging means the Guest Lodging of an entire dwelling unit, which is not required to be the owner's primary residence and which is generally offered for investment purposes through an online marketplace as a form of Guest Lodging. Vacation Lodging is the use of building that is otherwise qualified as a Dwelling Unit. Vacation Lodging may be offered on an ongoing basis throughout the year as long as each guest contract is for 31 days or less.

...

~~(250) Basement.~~ That floor level of a building between the upper surface of a floor and the ceiling or floor joists next above, which has at least 50% of the total area of its perimeter of foundational walls located below natural and finished grade.

...

Sec. 29.501. CLASSIFICATION OF USES.

...

(3) **Accessory Uses.** Unless otherwise stated in this Ordinance or otherwise indicated in the Use Tables for each zone:

...

(e) Accessory Uses: are incidental and customary to and commonly associated with the operation of the Principal Use;

- i. ~~Are Is~~ clearly incidental and customary to and commonly associated with the operation of the Principal Use;
- ii. ~~Are Is~~ operated and maintained under the same ownership or by lessees or concessionaires of the owner, and on the same zone lot as the Principal Use;
- iii. ~~Do Does~~ not include structures or structural features inconsistent with the Principal Use;
- iv. May include the Guest Lodging of all or a portion of a household living dwelling unit that is the primary residence of the property owner. May also include the use of apartment dwelling units for Guest Lodging, consistent with the licensing requirements of Chapter 35, when apartment dwellings are permitted in the base zone;
- v. ~~iv. Does Do~~ not include residential occupancy in conjunction with uses other than other than hotels, motels, tourist homes and similar uses offering transient housing accommodations, which is also not permitted except by owners and employees employed on the premises and of the immediate families of such owners and employees; and
- vi. ~~v. Has Have~~ a gross floor area that, in combination with all other uses accessory to Principal Uses located in the same structure or on the same lot, does not exceed 25% of the gross floor area utilized by all Principal Uses. ~~This~~ The 25% floor area limitation, ~~however, shall does~~ not apply to off-street parking. Guest Lodging is exempt from the 25% floor area limitation.

...

**Table 29.501(4)-1
RESIDENTIAL USE CATEGORIES**

Household Living

Accessory Uses

Home Share

Hosted Home Share

Short-Term Lodging

Definition. Facilities offering ~~transient~~ lodging accommodations to the general public, where the ~~average~~ length of stay is ~~less than 60~~ 31 days or less. Short-term lodging is subject to State of Iowa definitions, permits, and rules, including remittance of hotel and motel tax.

Uses Included

~~Boarding, rooming or lodging houses and single room occupancy (SRO) hotels, where the average length of stay is less than 60 days.~~

~~Bed and breakfasts~~ Bed & Breakfast Establishment

~~Hotels~~ Hotel

~~Motels~~ Motel

~~Recreational Vehicle Parks~~ Recreational Vehicle Park

Vacation Lodging

Accessory Uses

Coffee shops and dining areas primarily for use by guests or residents of the facility.

...

Sec. 29.600. "A" AGRICULTURAL.

...

**Table 29.600(2)
Agricultural (A) Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			
Group Living	N		
<u>Household Living</u>			

<u>Apartment Dwelling (6 units and over)</u>	N	-	-
Household Living Accessory Uses			
Accessory Apartment	N		
Home Office	Y	HO	ZBA/Staff
<u>Home Occupation</u> Home Business	Y	HO	ZBA/Staff
<u>Home Share</u>	Y	ZP	ZEO
<u>Hosted Home Share</u>	Y	ZP	ZEO
Short-term Lodgings <u>Short-Term Lodging</u>	N		
<u>Bed & Breakfast Establishment</u>	Y	SP	ZBA
<u>Vacation Lodging</u>	<u>Y, but only within single and two family dwellings</u>	<u>SP</u>	<u>ZBA</u>

...

Sec. 29.701. "RL" RESIDENTIAL LOW DENSITY.

...

**Table 29.701(2)
Residential Low Density (RL) Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living Accessory Uses			
Clubhouse	N		
Home Office	∅	HO	ZBA/Staff
Home Occupation-Home Business	Y	HO	ZBA/Staff
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
Short-term Lodgings <u>Short-Term Lodging</u>	N, except Bed and Breakfast permitted as a Home Occupation.	HO	ZBA/Staff
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA</u>
<u>Vacation Lodging</u>	<u>Y, but only within single and two family dwellings</u>	<u>SP</u>	<u>ZBA</u>

...

Sec. 29.702. "RM" RESIDENTIAL MEDIUM DENSITY.

...

Table 29.702(2)
Residential Medium Density (RM) Zone Uses

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living Accessory Uses			
Clubhouse	N		
Home Office	∅	HO	ZBA/Staff
Home Occupation-Home Business	Y	HO	ZBA/Staff
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
Short-term Lodgings <u>Short-Term Lodging</u>	N, except Bed and Breakfast permitted as a Home Occupation.	HO	ZBA/Staff
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA</u>
<u>Vacation Lodging</u>	<u>Y</u>	<u>SP/ZP</u>	<u>ZBA/ZEO</u>

...

Sec. 29.703. "UCRM" URBAN CORE RESIDENTIAL MEDIUM DENSITY ZONE.

...

Table 29.703(2)

Urban Core Residential Medium Density (UCRM) Zone Uses

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living Accessory Uses			
Clubhouse	N		
Home Office	Y	HO	ZBA/Staff
Home Occupation Home Business	Y	HO	ZBA/Staff
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
Short-term Lodgings Short-Term Lodging	N, except Bed and Breakfast permitted as a Home Occupation	HO	ZBA/Staff
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA</u>
Vacation Lodging	Y	SP	ZBA

...

Sec. 29.704. "RH" RESIDENTIAL HIGH DENSITY.

...

**Table 29.704(2)
Residential High Density (RH) Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living Accessory Uses			
Clubhouse	Y	SDP Minor	Staff
Home Office	Y	HO	ZBA/Staff
Home Occupation Home Business	Y	HO	ZBA/Staff
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
Short-term Lodgings Short-Term Lodging	N, except Bed and Breakfast permitted as a Home Occupation	HO	ZBA/Staff
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA</u>
Vacation Lodging	Y	SP/ZP	ZBA/ZEO

...

Sec. 29.705. "RLP" RESIDENTIAL LOW DENSITY PARK ZONE.

Table 29.705(4)
Residential Low Density Park (RLP) Zone Uses

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living	Y	SDP Major	City Council. Single-Family Manufactured Home and accessory uses listed in Table 29.500 only. Home Office and Home Business allowed as necessary uses.
<u>Manufactured Housing</u>	<u>Y</u>	<u>SDP Major</u>	<u>City Council</u>
<u>Household Living Accessory Uses</u>	-	-	-
<u>Accessory Uses Specific to Manufactured Housing</u>	<u>Y</u> , see Table 29.501(4)-1	<u>SDP Major</u>	<u>City Council</u>
<u>Home Occupation</u>	<u>Y</u>	<u>SP</u>	<u>ZBA/Staff</u>
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
Short-term Lodgings <u>Short-Term Lodging</u>	N	-	

- Y = Yes; permitted as indicated by required approval
- N = No; prohibited
- SP = Special Use Permit required; See Section 29.1503
- ZP = Building/Zoning Permit required; See Section 29.1501
- SDP Minor = Site Development Plan Minor; See Section 19.1502(3)
- SDP Major = Site Development Plan Major; See Section 19.1502(4)
- ZBA = Zoning Board of Adjustment
- ZEO = Zoning Enforcement Officer

...

Sec. 29.801. "NC" NEIGHBORHOOD COMMERCIAL ZONING STANDARDS.

...

Table 29.801(2)
Neighborhood Commercial (NC) Zone Uses

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

<u>Household Living Accessory Uses</u>	-	-	-

<u>Home Occupation</u>	<u>Y</u>	<u>HO</u>	<u>ZBA/Staff</u>
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Short term Lodgings Short-Term Lodging</u>	<u>N</u>	-	
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA</u>
<u>Vacation Lodging</u>	<u>Y</u>	<u>SP/ZP</u>	<u>ZBA/ZEO</u>

- Y = Yes; permitted as indicated by required approval
N = No; prohibited
SP = Special Use Permit required; See Section 29.1503
ZP = Building/Zoning Permit required; See Section 29.1501
SDP Minor = Site Development Plan Minor; See Section 19.1502(3)
SDP Major = Site Development Plan Major; See Section 19.1502(4)
ZBA = Zoning Board of Adjustment
ZEO = Zoning Enforcement Officer

...
Sec. 29.802. "CCN" COMMUNITY COMMERCIAL NODE.

...
Table 29.802(2)
Community Commercial Node (CCN) Zone Uses

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living	N		
<u>Short term Lodgings Short-Term Lodging</u>	Y, except Bed & Breakfast Establishment, <u>Vacation Lodging</u>	SDP Minor	Staff

...
Sec. 29.804. "HOC" HIGHWAY-ORIENTED COMMERCIAL.

...
Table 29.804(2)
Highway-Oriented Commercial (HOC) Zone Uses

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

<u>Short term Lodgings Short-Term Lodging</u>	Y, except Bed & Breakfast Establishment, <u>Vacation Lodging</u>	SDP Minor	Staff

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...

29.805. "PRC" PLANNED REGIONAL COMMERCIAL.

...

**Table 29.805(2)
Planned Regional Commercial (PRC) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

<u>Short term Lodgings Short-Term Lodging</u>	Y, except Bed & Breakfast Establishment, Vacation Lodging	SDP Minor	Staff
***			-

...

Sec. 29.806. "CCR" COMMUNITY COMMERCIAL/RESIDENTIAL NODE.

...

**Table 29.806(2)
Community Commercial/Residential Node (CCR) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living Accessory Uses	-	-	-
<u>Home Occupation</u>	Y	HO	ZBA/Staff
<u>Home Share</u>	Y	ZP	ZEO
<u>Hosted Home Share</u>	Y	ZP	ZEO
<u>Short term Lodgings Short-Term Lodging</u>	Y, except Bed & Breakfast Establishment	SDP Minor	Staff
<u>Vacation Lodging</u>	Y	SP/ZP	ZBA/ZEO

...

Sec. 29.808. "DSC" DOWNTOWN SERVICE CENTER.

...

**Table 29.808(2)
Downtown Service Center (DSC) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

<u>Household Living Accessory Uses</u>	-	-	-
<u>Home Occupation</u>	<u>Y</u>	<u>HO</u>	<u>ZBA/Staff</u>
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Short term Lodgings Short-Term Lodging</u>	Y, except Bed & Breakfast Establishment	SDP Minor	Staff
<u>Vacation Lodging</u>	<u>Y</u>	<u>SP/ZP</u>	<u>ZBA/ZEO</u>

...

Sec. 29.809. "CSC" CAMPUSTOWN SERVICE CENTER.

...

**Table 29.809(2)
Campustown Service Center (CSC) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

<u>Household Living Accessory Uses</u>	-	-	-
<u>Home Occupation</u>	<u>Y</u>	<u>HO</u>	<u>ZBA/Staff</u>
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Short term Lodgings Short-Term Lodging</u>	Y, except Bed & Breakfast Establishment	SDP Minor	Staff
<u>Vacation Lodging</u>	<u>Y</u>	<u>SP/ZP</u>	<u>ZBA/ZEO</u>

...

Sec. 29.903. ~~Research Park Innovation District (RI)~~ "RI" RESEARCH PARK INNOVATION DISTRICT.

...

**Table 29.903(2)
RI Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Short term Lodgings <u>Short-Term Lodging</u>	Y, except Bed & Breakfast Establishment, <u>Vacation Lodging</u>	SDP Minor	Staff

...

Sec. 29.1003. "S-SMD" SOUTH LINCOLN SUB AREA MIXED-USE DISTRICT,

...

Table 29.1003(2)
South Lincoln Sub Area (S-SMD) Mixed-Use District

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living Accessory Uses			
Home Office	Y	HO	ZBA/Staff
Home Occupation-Home Business	Y	HO	ZBA/Staff
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
Short term Lodgings <u>Short-Term Lodging</u>	N, except Bed and Breakfast permitted as a Home Occupation	HO	ZBA/Staff
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA</u>
<u>Vacation Lodging</u>	<u>Y</u>	<u>SP/ZP</u>	<u>ZBA/ZEO</u>

...

Sec. 29.1004. "DGC" DOWNTOWN GATEWAY COMMERCIAL,

...

Table 29.1004(2)
Downtown Gateway Commercial Uses

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

<u>Household Living Accessory Uses</u>	-	-	-
<u>Home Occupation</u>	<u>Y</u>	<u>HO</u>	<u>ZBA/Staff</u>
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>

Short term Lodging Short-Term Lodging (stand alone or mixed use)	Y, except Bed & Breakfast Establishment	SDP Major	Staff
Vacation Lodging	Y	SP/ZP	ZBA/ZEO

...

Sec. 29.1101. “O-SFC” SINGLE FAMILY CONSERVATION OVERLAY.

(4) Permitted Uses.

(a) Subject to the Building/Zoning Permit requirements of Section 29.1501, land, buildings and structures may be used for the following purposes in an O-SFC Zone without City Council approval, in accordance with standards and regulations of the Base Zone:

- (i) Dwelling - Single-Family
- (ii) Dwelling – Two Family
- (iii) Bed & Breakfast Establishment (Special Use Permit required: See Section 29.1503)
- (iv) Vacation Lodging (Special Use Permit required: See Section 29.1503)

(b) All uses and structures conforming to the Base Regulations and all lawfully vested nonconforming uses and structures that exist in the O-SFC on the effective date of the amendment of the official zoning map to show the O-SFC are hereby deemed to be conforming with the terms of this Section. The O-SFC shall not be deemed to create a nonconforming use or structure within the scope of Section 29.307.

...

Sec. 29.1113. “O-LMU” LINCOLN WAY MIXED USE OVERLAY DISTRICT.

(2) **Permitted Uses.** Subject to the requirements of Sec. 29.1502 for Site Development Plan Review, and in accordance with the requirements of this Sec. 29.1113 and the Zone Development Standards of the HOC base zone, Apartment Dwellings (and their Accessory Uses) and Vacation Lodging may be permitted in combination with HOC permitted uses classified as Office Uses; Retail Sales and Services Uses; Entertainment, Restaurant, and Recreation; and miscellaneous use of childcare. Stand alone Apartment dwellings buildings are not a permitted use in the Overlay Zone.

Sec. 29.1201. “F-VR” VILLAGE RESIDENTIAL DISTRICT.

...

**Table 29.1201(5)
Village Residential (F-VR) Floating Zone Uses**

USE CATEGORY	NEIGHBORHOOD CENTER	NEIGHBORHOOD GENERAL	NEIGHBORHOOD EDGE

OTHER USES			

Essential Public Services	Y	Y	Y
Household Accessory Uses	Y	Y	Y
Vacation Lodging, subject to	Y	Y	Y

<u>the standards of Section 29.1302</u>			

...

Sec. 29.1202. "F-S" SUBURBAN RESIDENTIAL ZONE.

...

**Table 29.1202(4)-1
Suburban Residential Floating Zoning
Residential Low Density (FS-RL) Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living Accessory Uses			
Clubhouse	N		
Home Office	∅	HO	ZBA/Staff
Home Occupation-Home Business	Y	HO	ZBA/Staff
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
Short-term Lodgings Short-Term Lodging	N, except Bed and Breakfast permitted as a Home Occupation	HO	ZBA/Staff
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA</u>
<u>Vacation Lodging</u>	<u>Y</u>	<u>SP</u>	<u>ZBA</u>

...

**Table 29.1202(4)-2
Suburban Residential Floating Zoning
Residential Medium Density (FS-RM) Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living Accessory Uses			
Clubhouse	Y	SDP Major	City Council
Home Office	∅	HO	ZBA/Staff
Home Occupation-Home Business	Y	HO	ZBA/Staff
<u>Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>

<u>Hosted Home Share</u>	<u>Y</u>	<u>ZP</u>	<u>ZEO</u>
<u>Short-term Lodgings-Short-Term Lodging</u>	N, except Bed and Breakfast permitted as a Home Occupation	-HO	-ZBA/Staff
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA</u>
<u>Vacation Lodging</u>	<u>Y</u>	<u>SP/ZP</u>	<u>ZBA/ZEO</u>

...

Sec. 29.1203. "F-PRD" PLANNED RESIDENCE DISTRICT.

...

**Table 29.1203(4)
Planned Residence District (F-PRD) Floating Zone Uses**

Permitted Principle Uses	Permitted Accessory Uses
***	<p>Accessory uses of the Household Living category provided for in <u>Table 29.501(4)-1 Section 29.500 of this ordinance.</u></p> <p>Garages</p> <p>Open space uses</p> <p>Home occupations subject to standards of Section 29.1304 <u>of this ordinance</u></p> <p>Home Day Care subject to the standards of Section 29.1304</p> <p>Office and Trade use where the property owner can demonstrate through a written Market Study that the Office and Trade use can be supported by the residents of the Planned Residence District Project</p> <p>Rental services offices not to exceed 5,000 square feet</p> <p>Assisted Living, for the residents of the PRD</p>
<u>Vacation Lodging subject to the standards of Section 29.1302</u>	

...

Sec. 29.1302. GUEST LODGING REQUIREMENTS, BED & BREAKFAST ESTABLISHMENTS.

(1) Non-Conforming Uses.

(a) Any apartment dwelling that is a non-conforming use within its zoning district shall not be approved as Vacation Lodging.

(2) Special Use Permit.

(a) Bed & Breakfast Establishments and Vacation Lodging must obtain a Special Use Permit from the Zoning Board of Adjustment prior to receiving a Guest Lodging license.

(b) Exemptions. Apartment dwellings located in certain zoning districts are exempt from the Special Use Permit requirement. These zoning districts include: F-PRD, F-VR, RM, RH, FS-RM, NC, CCR, DSC, CSC, AND DGC. This exemption does not apply to apartment dwellings located in zoning district RM / O-SFC.

(c) The Special Use Permit is not transferable to a subsequent owner or to another property.

(d) The Special Use Permit shall be deemed expired and void within one year of disuse of the site or nonrenewal of a guest lodging license.

(3) Multiple Uses

a. A Vacation Lodging use is only permitted as the sole principle use on a property with a single family dwelling.

(4) Guest Rooms.

(a) Bed & Breakfast Establishments may have no more than five approved guest bedrooms. The Zoning Board of Adjustment will determine the number of bedrooms specific to the dwelling unit.

(b) Vacation Lodging must be consistent with the occupancy limitations of the Ames Municipal Code Section 13.503. No Vacation Lodging shall exceed a total of five adults per dwelling unit.

(5) Off-Street Parking Requirements.

(c) Bed & Breakfast Establishments must have one reserved space per guest room, plus one space for the owner.

(d) Vacation Lodging must provide one parking space per guest bedroom, with a maximum of five spaces required; an apartment dwelling in a zoning district with less parking required is not subject to this standard.

(e) The parking spaces shall meet standards established by Section 29.406 of this ordinance.

(6) Local and State Regulations. The Guest Lodging establishment must comply with local and state regulations regarding all applicable permits and licenses including, but not limited to fire, health, food service, hotel, liquor, revenue, building/zoning permits and licenses.

To obtain a Special Use Permit for a Bed & Breakfast Establishment, all criteria in "Home Occupations," set forth in Section 29.1304, must be met, in addition to the following:

~~(1) **Guest Rooms.** A maximum of 5 per structure in the RM and RH Zones and a maximum of 2 per structure in the RL Zone. The Zoning Board of Adjustment may restrict the number of guest rooms to a lesser number.~~

~~(2) **Breakfast shall be the only meal served.** This service must occur before 11:00 a.m. Only guests residing in the structure or persons living in the premises may be served. The structure shall not be remodeled into a commercial kitchen unless required by Environmental Health rules and regulations established pursuant to Municipal Code Chapter 11.~~

~~(3) **Off-Street Parking Requirements.** One space per guest room, plus one space for the owner. The parking spaces shall meet standards established by Section 29.406 of this ordinance.~~

~~(4) **Guests shall register** upon arrival, stating their names, current residence address and the license plate number of the vehicle that is being used by the guest. The registration form shall be kept by the owner for a period of 3 years and shall be made available for examination by a representative of the City upon one day's notice.~~

~~(5) **Guest stays shall be limited to 2 weeks.**~~

~~(6) **The Special Use Permit** is not transferable to a subsequent owner or to another property.~~

~~(7) **The establishment must comply** with local and state regulations regarding all applicable permits and licenses including, but not limited to fire, health, food service, hotel, liquor, revenue, building/zoning permits and licenses.~~

...

Sec. 29.1304. HOME OCCUPATIONS.

...

(1) Permitted, Special and Prohibited Home Occupations.

...
(viii) Bed and breakfast operations;
..."

COUNCIL ACTION FORM

SUBJECT: AMENDMENT TO ZONING LIMITATIONS OF 100% OVER 55-YEARS OF AGE OR OLDER RESIDENCE REQUIREMENT FOR 415 STANTON AVE ZONED RH (RESIDENTIAL HIGH DENSITY).

BACKGROUND:

In January 2018, City Council approved a contract rezoning for 415 Stanton Avenue (Attachment A: Location Map). This contract rezoning agreement had four conditions (Attachment B). The conditions were agreed upon to facilitate the rezoning of the site to High Density Residential after a number of meetings with neighborhood representatives and City staff. Three of the four conditions were related to design and reuse of the existing building. All three of these conditions have been met. **The fourth condition restricted the age of residents to at least one occupant of each unit being at least 55 years of age.** This limitation was intended at that time to exceed federal housing standards for *Housing for Older Persons Act* (HOPA) that allow for certain housing projects to be “senior” only housing.

Since approval of the rezoning and site development permit for the project, the developer had created a condominium regime for individual ownership. The majority owner, Crawford Ames, LLC, also the developer, submitted the application for rezoning. The original zoning contract states that all successors and assigns of Crawford Ames, LLC must sign off on any changes, meaning all properties owners will need to sign the new zoning contract to allow for the requested change to the age restriction. **The applicant is in the process of presenting the signed amendment for City Council approval prior to the meeting on September 10th.**

AGE RESTRICTION TO 55 OR OLDER:

The rezoning request is to amend the resident age limitation to reduce the number of age-restricted units from 100 percent to 80 percent of the units. The proposed change would meet minimum criteria for categorizing a project as Housing for Older Persons. The minimum percentage requirement under HOPA is 80% of occupied dwelling units.

The developer’s statement says that only 6 of the 30 units in the building would be without the age restriction (Attachment C). The developer seeks this change to expand their marketing ability for the sale of the units. The developer indicated that they have met with some of the residents of the surrounding neighborhood to discuss the proposal. Staff has not received any comments regarding the proposal.

At a public hearing on August 7, 2019, the Planning and Zoning Commission voted (5-0) to recommend that the City Council approve the request to amend the contract rezoning

agreement to specify the use is limited to Senior Living with one occupant per dwelling as 55 or older in a minimum of 80 percent of the units, in compliance with the federal Housing and Urban Development (HUD) standards for Housing for Older Persons.

The Commission and a member of the public questioned how the age restriction would be monitored and verified. The applicant/property owner clarified that that every 24 months there is a survey that the Association is required to complete to achieve the 80 percent over/20 percent under the age of 55 years of age requirement. He stated that at any time someone from Housing and Urban Development (HUD) can inventory their records. Staff confirmed that the City is not part of the age verification process under HOPA.

The Commission also questioned how sales would occur if the number of age-restricted units is already filled. The applicant/property owner explained that the Association would have an interview process and have the discretion to approve buyers that would potentially be purchasing units in the 20 percent of units that are not age restricted.

ALTERNATIVES:

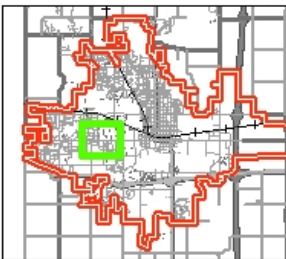
1. The City Council can approve on first reading the request to amend the contract rezoning and a resolution to approve an agreement to specify the use is limited to Senior Living with one occupant per dwelling as 55 or older in a minimum of 80 percent of the units, in compliance with the federal Housing and Urban Development (HUD) standards for Housing for Older Persons.
2. The City Council can deny the request to amend the contract rezoning and a resolution to approve an agreement to specify the use is limited to Senior Living with one occupant per dwelling as 55 or older in a minimum of 80 percent of the units, in compliance with the federal Housing and Urban Development (HUD) standards for Housing for Older Persons.
3. The City Council can defer action on the request to amend the contract rezoning agreement and request additional information from the applicant.

CITY MANAGER'S RECOMMENDATION:

The applicant requests the change of the use limitation of the property to align directly with the federal HOPA standards compared to exceeding the HOPA requirements with the current obligation to have 100% of the units with a resident that is 55 or older. Staff believes the request is consistent with the intent of the original rezoning request and can be found to be appropriate for the site.

Therefore, it is the City Manager's recommendation that the City Council approve Alternative No. 1, as described above.

ATTACHMENT A: LOCATION MAP



**Location Map
415 Stanton Avenue**

ATTACHMENT B: EXISTING ZONING CONTRACT

Instrument #: 2018-00901
02/01/2018 08:43:31 AM Total Pages: 4
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Recording Fee: \$ 22.00
Stacie Herridge, Recorder, Story County Iowa



S P A C E A B O V E R E S E R V E D F O R O F F I C I A L U S E

Legal description: See page 4.

Return document to: City Clerk, 515 Clark Avenue, Ames IA 50010

Document prepared by: Victoria A. Feilmeyer, City of Ames Legal Department, 515 Clark Ave., Ames, IA 50010 – 515-239-5146

**CONTRACT REZONING AGREEMENT PERTAINING TO THE
LAND AT 415 STANTON AVENUE**

THIS AGREEMENT, made and entered into this 23 day of January, 2018, by and between the City of Ames, Iowa (hereinafter called "City") and The Crawford Ames, LLC, an Iowa limited liability company (hereinafter called "Developer"), its successors and assigns.

WITNESSETH THAT:

WHEREAS, the Developer owns real property which had formerly been used by the Ames Community School District for an elementary school and later for school district offices, legally described as set out on Attachment A and locally addressed as 415 Stanton Avenue, Ames, Iowa, (hereinafter called the "Property"); and

WHEREAS, the Developer desires to redevelop the property so that it may be intended and operated for occupancy as Housing for Older Persons aged 55 years or older; and

WHEREAS, the City approved a Minor Map Amendment to the Land Use Policy Plan (LUPP) designation for the subject real property by Resolution 17-676, which changed its designation from Low-Density Residential/Governmental Lands to High Density Residential to provide for a LUPP designation compatible with the proposed Housing for Older Persons; and

WHEREAS, the Developer has applied for a zoning designation of RH (Residential High Density) for the subject property in order to advance its plan of renovating the site to be used as Housing for Older Persons; and

WHEREAS, as contemplated by Iowa Code section 414.5, the City desires to impose certain additional conditions on the property owner in addition to existing regulations in connection with granting the base zoning; and

WHEREAS, both City and the Developer expressly agree that said additional conditions are reasonable and imposed to satisfy public needs which are directly caused by the requested zoning change to RH (Residential High-Density).

NOW, THEREFORE, the parties hereto have agreed and do agree as follows:

I. INTENT AND PURPOSE

- A. It is the intent of this Agreement to:
1. Recognize that the Developer, The Crawford Ames, LLC, is the owner of the real property being rezoned and expressly agrees to the imposition of additional conditions as authorized by Iowa Code section 414.5.
 2. Confirm and document that the Parties recognize and acknowledge that a substantial benefit to the public will be realized by imposition of the additional conditions for rezoning.
 3. Grant rezoning of the real property from Government/Airport Lands (S-GA) to Residential High Density (RH) subject to these additional conditions:
 - a. The residential use of the site is age restricted to Housing for Older Persons with each unit having at least one occupant who is 55 years of age or older.
 - b. The existing Crawford School Building will be retained and adapted to residential use.
 - c. New development shall be restricted to a maximum of three stories no more than 50 feet in height in the aggregate.
 - d. Prior to the approval of the third reading of the Ordinance rezoning the property, this rezoning agreement must be signed by the Developer and delivered to the City.

II. GENERAL PROVISIONS

- A. Modification. The parties agree that this Agreement may be modified, amended or supplemented only by written agreement of the parties, and their successors and/or assigns.
- B. General Applicability of Other Laws and Ordinances. The Developer understands and agrees that all work done by or on its behalf shall be made in compliance with Iowa Code, the Ames Municipal Code, Iowa Statewide Urban Design and


Specifications and all other federal, state and local laws of general application (including the Fair Housing Act as applicable), whether or not such requirements are specifically stated in this agreement. All ordinances, regulations and policies of the City now existing, or as may hereafter be enacted, shall apply to activity or uses on the site.

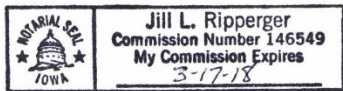
C. Incorporation of Recitals and Exhibits. The recitals, together with any and all exhibits attached hereto, are confirmed by the parties as true and incorporated herein by reference as if fully set forth verbatim. The recitals and exhibits are a substantive contractual part of this agreement.

III. COVENANTS RUN WITH THE LAND

This Agreement shall run with the site and shall be binding upon the Developer, its successors, subsequent purchasers and assigns. Each party hereto agrees to cooperate with the other in executing a Memorandum of Agreement that may be recorded in place of this document.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed effective as of the date first above written.

<p>CITY OF AMES, IOWA</p> <p>By <u><i>John A. Haila</i></u> John A. Haila, Mayor</p> <p>Attest <u><i>Diane R. Voss</i></u> Diane R. Voss, City Clerk</p> <p>STATE OF IOWA, COUNTY OF STORY, ss:</p> <p>On this <u>23</u> day of <u>January</u>, 201<u>8</u> before me, a Notary Public in and for the State of Iowa, personally appeared John A. Haila and Diane R. Voss, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Ames, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation by authority of its City Council, as contained in Resolution No. <u>16-046</u> adopted by the City Council on the <u>25</u> day of <u>January</u>, 201<u>7</u>, and that John A. Haila and Diane R Voss acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.</p> <p><u><i>Jill L. Ripperger</i></u> Notary Public in and for the State of Iowa</p>	<p>THE CRAWFORD AMES, LLC</p> <p>By <u><i>Luke Jensen</i></u></p> <p>STATE OF IOWA, COUNTY OF STORY, ss: This instrument was acknowledged before me on <u>January 8</u>, 201<u>8</u> by <u>LUKE JENSEN</u>, as Manager, of The Crawford Ames, LLC</p> <p><u><i>Jill L. Ripperger</i></u> Notary Public in and for the State of Iowa</p> <div data-bbox="873 1266 1214 1352"></div>
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ATTACHMENT C: APPLICANT'S STATEMENT

415 Stanton Rezoning Request
July 16, 2019

Reason for Requesting Rezoning: The development team would like to amend the developer agreement to allow for adherence to Housing For Older Persons Act (HOPA). This change would allow for expanded residential opportunities for owners/occupants under the age of 55 (maximum of 20% or 6 units could be under age 55).

Consistency of this rezoning with the LUPP: The request is consistent with LUPP. The property is zoned RH with a contract. The contract stipulates that all units must have one occupant age 55 or older. This rezone would still be consistent with the RH zone, but would amend the contract language.

Current Zoning: Residential High Density

Proposed Zoning: Residential High Density

Proposed Use: 55+ Adult Community that follows HOPA standards

Legal Description:

Lot Seven (7), except the South Five (5) Feet and the West Fifteen (15) Feet thereof; also the South Five (5) Feet of Lot Six (6); except the West Fifteen (15) Feet thereof, all in W.T. Smith's Addition to Ames, Iowa (to be confirmed by abstract).

The Crawford Condominiums Units #101-106, #201-216, #308-315

Land Area: 1.67 Acres

RECEIVED

JUL 23 2019

CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

COUNCIL ACTION FORM

SUBJECT: 2018/19 TRAFFIC SIGNAL PROGRAM (US HWY 30 WB OFF-RAMP & S DAKOTA AVE)

BACKGROUND:

The Traffic Signal Program is the annual program that provides for replacing older traffic signals and constructing new traffic signals in the City, which will result in improved visibility, reliability, and appearance of signals. This program provides the upgrading of the traffic signal system technology. In recent years, traffic signal replacements have included radar detection systems instead of in-pavement loop detection systems that had previously been used (frequently a point of vehicle detection failure). Another advantage of the radar detection system is that it detects bicycles in addition to vehicles. **This project will install a new signal and new pedestrian ramps at US HWY 30 Westbound Off-Ramp & S Dakota Avenue.**

On September 4, 2019, bids were received for this project as follows:

<i>Bidder</i>	<i>Base Bid Amount</i>	<i>Alternate Bid Amount</i>	<i>Total Bid Amount</i>
<i>Engineer's estimate</i>	\$229,858.95	\$19,500.00	\$249,358.95
Iowa Signal, Inc.	\$180,744.43	\$18,944.00	\$199,688.43
Voltmer, Inc.	\$199,879.00	\$18,744.00	\$218,623.00
K & W Electric, Inc.	\$210,862.60	\$28,745.00	\$239,607.60

Staff is recommending the selection of the Base Bid and the Alternate Bid, considering the City received such favorable pricing. The Alternate Bid consists of back-up pedestrian and bike/vehicle detection equipment. Below is a breakdown of revenues and expenses for the project.

Revenues		Expenses	
Road Use Tax	\$180,000	Administration	\$20,000
U-STEP (55%)	\$145,321	Design	\$18,300
		Construction	\$199,688
		Signal Cabinet	\$41,451
		Signal Poles	\$23,080
Total	\$325,321	Total	\$302,519
		Contingency (7.0%)	\$22,801

*U-STEP funding covers 55% of eligible construction and equipment costs only (no design or inspection).

ALTERNATIVES:

1. a. Accept the report of bids for the 2018/19 Traffic Signal Program (US HWY 30 WB Off-Ramp & S Dakota Ave) project.
 - b. Approve the final plans and specifications for this project.
 - c. Award the 2018/19 Traffic Signal Program (US HWY 30 WB Off-Ramp & S Dakota Ave) project to Iowa Signal, Inc. of Grimes, Iowa, in the amount of \$199,688.43 (Base and Alternate bids).
2. Award the contract to one of the other bidders.
 3. Do not proceed with this project.

CITY MANAGER'S RECOMMENDED ACTION:

Proceeding with this project will make it possible to provide better safety and a more reliable service for users of this intersection.

Therefore, the City Manager recommends that the City Council adopt Alternative No. 1, as described above.

COUNCIL ACTION FORM

SUBJECT: ZONING TEXT AMENDMENT RELATING TO BICYCLE PARKING INCENTIVES

BACKGROUND:

On March 5, 2019, the City Council directed staff to prepare a text amendment to incentivize bicycle parking for visitors to a site in commercial and industrial areas based upon a memo providing background information (Attachment A). Currently, bicycle parking is required in only a handful of commercial zones. The Downtown Gateway Commercial zone requires bicycle parking and allows for a reduction in vehicle spaces.

Staff has received inquiries from developers and business owners wishing to retrofit one or more vehicular parking spaces into bicycle parking, but the Zoning Ordinance does not currently allow flexibility in the reduction of the minimum parking requirement for this purpose.

The intent is to promote bicycle parking with options to reduce vehicle parking requirements. Staff proposes to allow, with Planning Director approval, a reduction of one vehicle parking space for every six qualified bicycle parking spaces. Note this is an adjustment since the Planning and Zoning Commission review to clear up an inconsistency in the draft ordinance and the intent of relating the number of spaces to the size of vehicle parking space. A maximum reduction of up to five vehicular parking spaces could be granted by the Planning Director, provided there is adequate vehicle parking on site.

Based upon a typical bicycle parking loop two bicycles can be parked at each loop and a standard vehicle parking stall could accommodate up three to five loops with adequate spacing and its configuration for access. Adequate space accounts for a minimum of a 2x6 foot space for a bike plus access and clearance needs. Secured bicycle parking lockers would also be eligible as a qualified facility to benefit from the parking reduction. The bicycle parking need not be located within the parking lot to benefit from the parking reduction, but it must be directly accessible to visitors of the site and within 150' of the entrance. A graphic illustrating the implications of a 150' distance is included as Attachment B. Motorized bicycle parking spaces are not eligible for the parking reduction allowance.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission reviewed the requested amendment at its August 21, 2019 meeting. The Commission discussed at length the balance of reducing vehicle parking as an incentive for creating bicycle parking. Two specific concerns discussed included 1.) How would the parking reduction affect the number of ADA accessible parking spaces if there is a reduction in the total number of spaces? 2.) How would the Planning Director determine within his/her discretion what is adequate parking to allow for a reduction? Staff explained

that ADA compliant vehicle stalls are required at fixed ratios, with the first space provided required to be an ADA compliant parking stall. With the allowed parking reduction, the greatest amount of ADA parking stall changes that could ever occur is one space by changing from one tier to another, but not to have none. Staff also explained that the Planning Director would typically approve the reduction if the site initially included the minimum required amount of vehicle parking defined by the Zoning Ordinance. However, when a site has either nonconforming parking or only a few required spaces, the Director would exercise discretion on whether to allow for the reduced vehicle parking incentive. The Commission ultimately voted 6-0 to recommend approval of the text amendment for bicycle parking standards and incentives, as proposed by staff.

Staff has prepared a second alternative to address the Planning Director discretion language if City Council has concerns about the open ended language in the draft ordinance. To ensure there is the ability to add a minimum of six bicycle parking spaces, at least a one-space reduction would be allowed, but also allow for up to a 15% reduction. For example, a site requiring 10 parking spaces could reduce the vehicle parking requirement by one space (10% reduction). A site requiring 14 spaces would be able to reduce the requirement by two spaces (14.3% reduction) by providing 12 bicycle parking spaces. A site providing 20 spaces could reduce the total by three spaces (15%) by providing 18 bicycle parking spaces.

ALTERNATIVES:

1. The City Council can approve on first reading the proposed ordinance related to providing bicycle parking, including within a front yard and allowing for a parking reduction of one parking space for every six qualified bicycle parking spaces for up to five vehicle parking spaces in commercial and industrial uses.
2. The City Council can modify the draft ordinance language and approve on first reading standards for bicycle parking and allowing a parking reduction of a minimum of one parking space for six qualified bicycle parking spaces, up to a 15% reduction in vehicle parking spaces for every six qualified bicycle parking spaces.
3. The City Council can direct staff to prepare alternative language for the proposed text amendment.
4. The City Council can request additional information and defer making a recommendation.

CITY MANAGER'S RECOMMENDED ACTION:

As the City continues to support multi-modal transportation and development of more "complete street" options it will be beneficial to the City to promote bicycle parking at commercial destinations. The proposed language creates an optional bicycle parking standard that is incentivized by allowing for a reduction in vehicle parking. The allowance still requires that vehicle parking be provided, but that it may be reduced while also providing for bicycle parking. Residential areas are not included in the incentive at this time, because minimum parking requirements are associated with the permitting and occupancy of rental housing. Additionally, staff has seen the market adapt to people's biking interests with new

apartment developments providing for resident bike parking so that there does not appear to be a need to incentivize the provision of bicycle parking in the case of residential uses.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1 as described above.

ATTACHMENT A:



Memo

Department of Planning & Housing

*Caring People
Quality Programs
Exceptional Service*

TO: City Council

FROM: Department of Planning and Housing

DATE: January 18, 2019

SUBJECT: Bicycle Parking Standards

The following information was originally provided to City Council at their request in September 2017. City Council requested in August 2018 that staff resend the memo for their review prior to determining if the issue should be placed on an agenda for discussion. This memo includes an overview of general bicycle parking considerations and examples from other Midwestern communities.

Bicycle parking requirements are intended to help meet the day-to-day mobility needs of residents, employees, and visitors. Bicycle parking ordinances help to expand mobility choices by providing a greater expectation that secure parking will be available near destinations for those who may choose to cycle, rather than drive. Lack of bicycle parking at a destination may deter bicycle ridership or result in use of unintended site features, e.g trees, signs, to secure bikes.

Bicycle parking includes two separate types of user needs. **Long term secured parking for a bicycle is most commonly used for residential and employee related needs.** Secured parking often takes the form of a bike locker. Some cities also address needs for locker rooms with long term bike parking requirements. **Unsecured bicycle parking spaces are for short term use and commonly available for customers or visitors to a site.** Short term parking for bicycles is consists of bicycle racks where an individual secures their bicycle to the apparatus. Bicycle parking ordinances commonly address the mix of long and short term parking facilities, location of facilities, and dimensions of bicycle parking facilities.

Bicycle parking can be mandatory, incentivized as an allowable substitute for vehicle parking, or a combination approach of both mandatory and allowing for substitutions. Parking requirements can be based upon the number of required vehicle parking spaces, square footage of the use, or expected occupant levels. One common approach is to require a minimum number of bicycle parking spaces (2 to 5 spaces) and scale up to approximately 5%-10% of the vehicle parking on a site. Cities with a high share of bicycle ridership may have higher standards to meet community needs.

Substitutions can be based upon the amount of space needed for bicycle parking or the percentage of bicycle spaces provided on a site. Depending on the type of rack design and its placement, each "loop" can serve two bicycles. One example would be for substitution of one vehicle parking space for every 5 bicycle parking spaces with a cap on the total amount of parking space substitutions.

There are a larger variety of cities with bicycle parking ordinances. Staff identified a short list of cities from the Midwest as examples below. Attached to this memo is the Des Moines 2017 proposed bicycle parking standards.

1) Bicycle Parking Minimum Standards:

Dubuque,
Iowa City,
Des Moines,*
Champaign (IL),
Columbia (MO),
Lawrence (KS),
Minneapolis (MN)

2) Bicycle Parking Substitution:

Minneapolis (MN)
Cedar Rapids,
Des Moines*

* denotes proposed ordinance

Cedar Rapids Substitution example:

A reduction in parking shall be granted at a rate of one (1) space for each five (5) rack bike stand. Required bicycle parking must be within fifty-feet (50') of a principal entrance and shall permit the locking of the bicycle frame and one (1) wheel to the rack frame.

135-4.5 Bicycle Parking³

4.5.1 MINIMUM BIKE PARKING RATIOS

Long-term (Class A) and short-term (Class B) bicycle parking spaces must be provided in accordance with the minimum ratios established in [Table 4.5-1](#). Uses for which no bicycle parking ratio is established in [Table 4.5-1](#) are not required to provide off-street bicycle parking.

TABLE 4.5-1. BICYCLE PARKING RATIOS		
USE CATEGORY	Minimum Spaces Required	
Use Subcategory	Class A Bicycle Spaces	Class B Bicycle Spaces
Specific Use Type		
RESIDENTIAL		
Household Living		
Buildings with 6 or fewer dwelling units	None	None
Buildings with 7 or more dwelling units	1 per dwelling unit for first 50 units, then 1 space per each additional 2 dwelling units	1 per 15 dwelling units; minimum 2 spaces
Group Living	0.33 per staff	1 per beds; minimum 2 spaces
PUBLIC, CIVIC AND INSTITUTIONAL		

³ Entire section is new.

TABLE 4.5-1. BICYCLE PARKING RATIOS		
USE CATEGORY	Minimum Spaces Required	
Use Subcategory	Class A Bicycle Spaces	Class B Bicycle Spaces
Specific Use Type		
College or University	Established in accordance with 135-4.3.7 .	
Fraternal Organization	0.125 per 1,000 sq. ft.	0.25 per 1,000 sq. ft.
Hospital	0.067 per 1,000 square feet (1/15,000 sq. ft.)	0.033 per 1,000 square feet (1/30,000 sq. ft.)
Library or Cultural Exhibit	0.125 per 1,000 sq. ft.	0.5 per 1,000 sq. ft.
Parks & Recreation	Established in accordance with 135-4.3.7 .	
Religious Assembly	None	1 per 200 seats; minimum 2 spaces
School	0.25 per classroom	1 per classroom
COMMERCIAL		
Adult Entertainment	0.125 per 1,000 sq. ft.	0.25 per 1,000 sq. ft.
Broadcast or Recording Studio	0.125 per 1,000 sq. ft.	0.02 per 1,000 sq. ft.
Business or Trade School	0.1 per classroom	1 per classroom
Commercial Service	Capacity of more than 500 = 4 spaces plus 1 space per 500-person capacity	0.25 per 1,000 sq. ft.
Eating & Drinking Places	0.125 per 1,000 sq. ft.	0.25 per 1,000 sq. ft.
Entertain. & Spectator Events	500 seats or less = 4 spaces More than 500 seats = 10 spaces	500 seats or less = 1 space per 125 seats More than 500 seats = 4 spaces plus 1 space per 250 seats
Financial Service	0.125 per 1,000 sq. ft.	0.25 per 1,000 sq. ft.
Lodging	1 per 40 rooms	1 per 40 rooms; minimum 2 spaces
Office	0.125 per 1,000 sq. ft.	0.02 per 1,000 sq. ft.
Parking, Non-Accessory	None	1 per 25 motor vehicle spaces
Retail Sales	0.125 per 1,000 sq. ft.	0.25 per 1,000 sq. ft.
Sports and Rec., Participant		

4.5.2 FLOOR AREA USED FOR BICYCLE PARKING

Areas within a building that are used to provide bicycle parking that complies with the bicycle parking design and location requirements of this section will not be counted as floor area for the purpose of calculating motor vehicle parking requirements.

4.5.3 GENERAL BICYCLE PARKING DESIGN AND LOCATION REQUIREMENTS

All bicycle parking spaces are subject to the following general design and location requirements.

- A. Bicycle parking spaces must be illuminated if accessible to users after dark.
- B. Bicycle parking spaces must be located to be readily visible by the public or by building users, except in the case of Class A parking spaces located in secure areas accessible only to employees, staff or residents;
- C. Bicycle parking spaces must be accessible without climbing stairs, going up or down a slope of more than 12%, and via a route on the property that is designed to minimize conflicts with motor vehicles and pedestrians.
- D. All bike racks must be located at least 2 feet in all directions from any obstruction, including other bike racks, walls, doors, posts, or columns.
- E. Nonresidential uses may use up to 2 required automobile parking spaces as space for providing bicycle parking.
- F. All required bicycle parking spaces must have minimum dimensions of 2 feet in width by 6 feet in length, with a minimum overhead vertical clearance of 7 feet.

4.5.4 DESIGN AND LOCATION OF CLASS A BICYCLE PARKING SPACES

In addition to the general bicycle parking design and location requirements of [135-4.5.3](#), all required Class A bicycle parking must meet the following requirements:

- A. Class A bicycle parking spaces may not be in dwelling units or on dwelling unit balconies.
- B. Unless clearly visible from the main building entrance, a sign indicating the location of all Class A bicycle parking spaces must be prominently displayed near the main entrance to the building or facility, and additional signs must be provided as necessary to ensure easy way-finding. A "bicycle parking" sign must also be displayed on or adjacent to any indoor room or area designated for bicycle parking.
- C. Class A bicycle parking spaces must protect the entire bicycle, its components and accessories against theft and inclement weather, including wind-driven rain and snow. Acceptable forms of protection include (i) individual bicycle lockers, (ii) attended parking areas, (iii) monitored parking areas, (iv) restricted-access parking areas, or (v)

other comparable arrangements approved by the community development director.

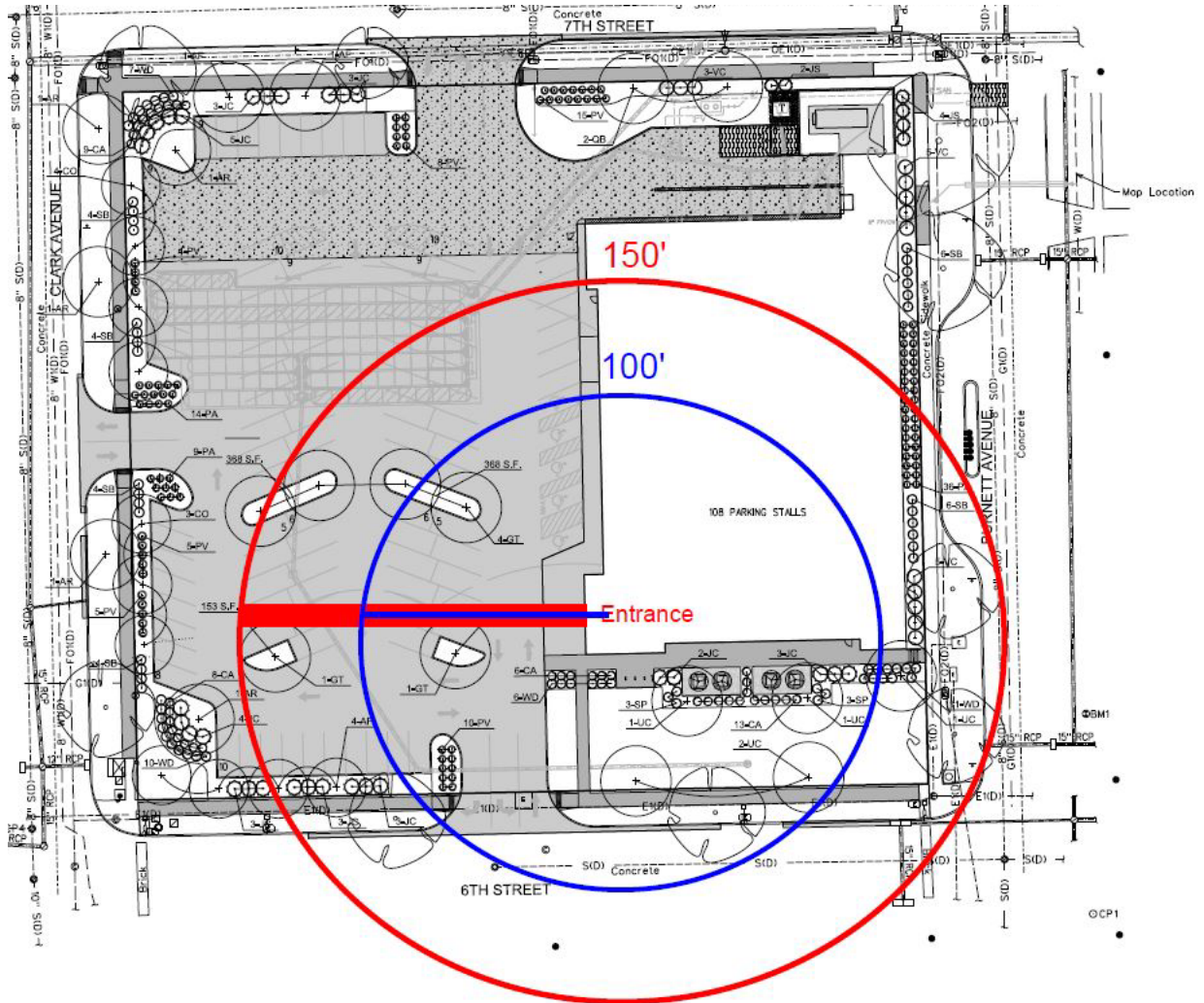
- D. Except in the case of bicycle lockers with a separate access door for each bike or attended facilities, all Class A bicycle parking spaces must be designed to allow bicycles to be securely locked to a bicycle rack.

4.5.5 DESIGN AND LOCATION OF CLASS B BICYCLE PARKING SPACES

In addition to the general bicycle parking design and location requirements of [135-4.5.3](#), all required Class B bicycle parking must meet the following requirements:

- A. Class B bicycle parking must be visible from the main public building entrance and be at least as conveniently located as the most convenient non-disabled motor vehicle parking space serving the subject use. If no motor vehicle parking is provided, Class B bicycle parking spaces must be located within 75 feet of a building entrance.
- B. Class B bicycle parking spaces must be located on private property unless the city engineer approves a location within the public right-of-way.
- C. Class B bicycle parking spaces must be provided in the form of bike racks that comply with the city's "Bike Rack Policy."

Attachment B
Example of 150' Distance for Bicycle Parking
This example illustrates the new Fareway store at 619 Burnett Ave.



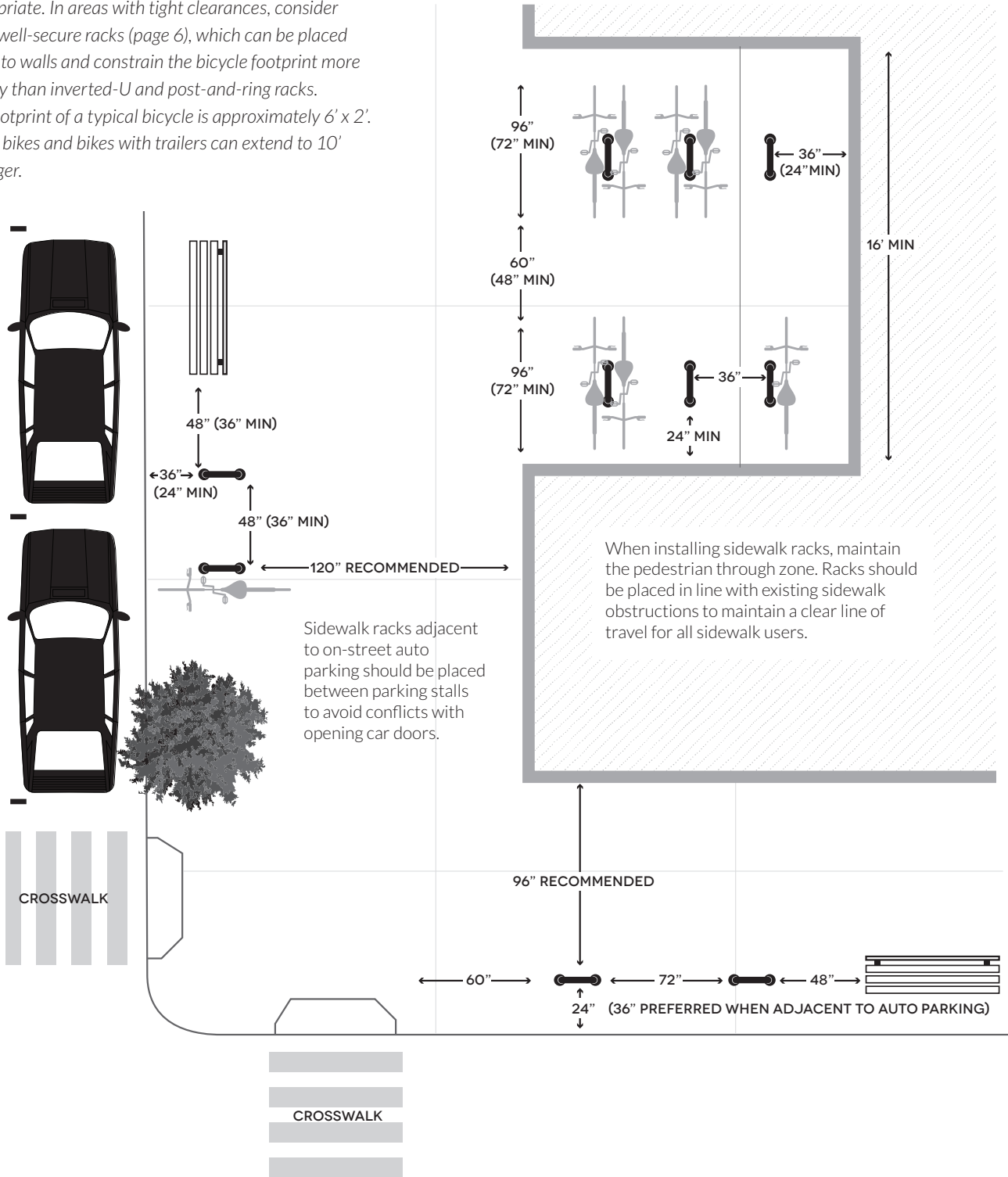
Attachment C: Example of Bicycle Dimension Guidelines



apbp
Association of Pedestrian
and Bicycle Professionals
Expertise for Active
Transportation

PLACEMENT

The following minimum spacing requirements apply to some common installations of fixtures like inverted-U or post-and-ring racks that park one bicycle roughly centered on each side of the rack. Recommended clearances are given first, with minimums in parentheses where appropriate. In areas with tight clearances, consider wheelwell-secure racks (page 6), which can be placed closer to walls and constrain the bicycle footprint more reliably than inverted-U and post-and-ring racks. The footprint of a typical bicycle is approximately 6' x 2'. Cargo bikes and bikes with trailers can extend to 10' or longer.



ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING NEW SECTIONS 29.201(22.1), 29.402(2)(a)(II)(r), AND 29.406(2)(e), AND AMENDING SECTION 29.201(153), FOR THE PURPOSE OF PROVIDING BICYCLE PARKING INCENTIVES; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting new Sections 29.201(22.1), 29.402(2)(a)(ii)(r), and 29.406(2)(e), and amending Section 29.201(153) as follows:

“Sec. 29.201. DEFINITIONS.

Except as otherwise defined in this Ordinance or unless the context may otherwise require, the following words are defined for the purpose of this Ordinance as follows:

(22.1) **Bicycle Parking System** means a fixed structure that allows bicyclists to park one or more standing bicycles by locking the bicycle frame and one wheel to the structure or the storing of a bicycle within a secured space, such as a locker.

(153) **Parking Space** means any area designed and used for temporary location of a vehicle. "Parking space" shall not include any vehicular storage areas. Bicycle Parking is not a parking space, although it may be located within a parking area.

Sec. 29.402. SETBACKS.

(2) Extensions into Required Building Setbacks.

(a) Principal Buildings.

(ii) Full projections allowed. In addition to the minor projections listed in the previous section, the following features are allowed to fully project into required setbacks:

r. Bicycle Parking Systems. Bicycle Parking Systems may be located in the front setback of nonresidential zoning districts when it is no higher than four feet in height and it does not interfere with required landscaping. This exception does not allow for parking areas where otherwise not permitted.

Sec. 29.406. OFF-STREET PARKING.

(2) Required Parking Spaces

(e) The Planning Director may approve a reduction of required parking spaces for nonresidential uses that have adequate vehicle parking, at a ratio of one parking space for every six Qualified Bicycle Parking System spaces up to a maximum reduction of five spaces.

(i) Qualified Bicycle Parking Systems shall have the following attributes as determined by the Planning Director:

- 1. Located on a paved surface, unless otherwise authorized for an alternative all-weather improved surface.
- 2. Located to provide adequate space for direct and convenient access and use by the bicyclist.
- 3. Located within 150 feet of the main entrance or a customer entrance.
- 4. Located in manner that does not interfere with the flow of pedestrians or vehicles.

***”

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out by law.

Section Three. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Four. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

John A. Haila, Mayor

COUNCIL ACTION FORM

REQUEST: MAJOR SITE DEVELOPMENT PLAN FOR 3413 & 3425 AURORA AVENUE

BACKGROUND:

Hunziker Development Company LLC is requesting approval of a Major Site Development Plan for two 8-unit apartment buildings with one building at 3413 Aurora Avenue (Lot 10) and the other at 3425 Aurora Avenue (Lot 11, Village Park Subdivision). (See *Attachment A: Location & Zoning Map & Attachment B: Major Site Development Plan*) Apartment buildings within the FS-RM zoning district must have an approved Major Site Development Plan prior to the issuance of building permits. The proposed plan is for the last two undeveloped lots within the Village Park Subdivision.

The proposed site plan includes two separate lots that each will have an 8-unit two-story apartment building. The proposed apartment buildings have an orientation to Aurora Avenue. Access to the ground level units is from the east and the west facades. The upper floor units have an interior stairway and corridor. This orientation is consistent with other apartment buildings on Aurora Avenue. (See *Attachment C: Floor Plans*)

The proposed apartment buildings have the same architectural features and vinyl materials as were approved for the 8-unit apartment buildings at 3331, and 3405 Aurora Avenue (See *Attachment D: Building Elevations*). The applicant proposes to use vinyl siding and vinyl board and batten siding as the primary exterior material on all sides of the buildings. Stone veneer is on the lower exterior of both buildings. Each apartment building will have a hipped roof with dormers and asphalt shingles. Painted steel columns on the street front and rear facing facades support decks for the second floor units. A wood frame with standing seam metal roof is shown on the front and rear facades over the main building entrances. Façade relief exists on all sides of each residential building. (See *Attachment D: Building Elevations*)

The proposed two-story buildings are to function as a transitional building type between the more massive three-story, 36-unit buildings with gable roofs on the other side of Aurora Avenue and the future single-family homes to the west. The building design has a very residential appearance that is similar to some of the other multi-family buildings constructed along Aurora Avenue and Cottonwood Road.

The site plan shows an 8-stall garage along the west property line, behind each apartment building, and surface parking spaces across the drive aisle from the garage. A shared access easement, 24 feet wide, is centered on the property line between Lots 10 and 11, which provides access to the on-site parking on both lots (See *Attachment B: Major Site Development Plan, Site Layout & Dimension Plan*).

Seven of the eight garage stalls have standard dimensions. The eighth garage stall is

handicap-accessible. A gabled roof with a 4/12 pitch covers the seven standards stalls, and a cross-gabled roof with an 8/12 pitch is over the handicap-accessible stall. Horizontal vinyl lap siding covers the length of the garage structure. Thin stone veneer covers the lower portion of the north wall on Lot 10, and wraps around the northwest and northeast corners. The garage on Lot 11 includes stone veneer on the lower portion of the south wall and wraps the southwest and southeast corners. A concrete stem wall on the rear (west) side of each garage, along the south wall of the garage on Lot 10, and the north wall of the garage on Lot 11 is on the building elevations. (See *Attachment B: Building Elevations*)

Landscaping on Lots 10 and 11 is required to meet the landscaping standards for residential development. This includes front yard landscaping requirements and parking lot landscaping standards. The site is subject to FS development standards for rear yard landscaping, notably for the west property line that will be a future interface with single-family development. A high screen or fence is required along the west property line to meet landscape buffer requirements in the FS-RM zone where the lot is adjacent to any lot zoned as FS-RL or RL.

Planning & Zoning Commission Recommendation. At the August 21, 2019 Planning & Zoning Commission meeting, the Commission voted 7-0 to recommend that the City Council approve the Major Site Development Plan for the proposed 8-unit apartment buildings located at 3413 and 3425 Aurora Avenue.

ALTERNATIVES:

1. The City Council can approve the Major Site Development Plan for the proposed 8-unit apartment buildings, located at 3413 and 3425 Aurora Avenue.
2. The City Council can deny the Major Site Development Plan for the proposed 8-unit apartment buildings, located at 3413 and 3425 Aurora Avenue, if it finds the project does not meet the Major Site Development Plan criteria.
3. The City Council can defer action on this request and refer it back to City staff and/or the applicant for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

The Major Site Development Plan review is to determine conformance with development standards, and appropriate arrangement and design for use of the site. FS-RM zoning is intended to implement the Land Use Policy Plan (LUPP) vision of landscaped suburban style development that provides for desirable apartment housing choices. The proposed development project is consistent with the Master Plan for use limitations and meets a community interest of providing for apartment types of various floor plans from one to two bedrooms that will have wide appeal.

The architectural appearance is similar to other designs in Ames. The building design has a traditional apartment aesthetic in terms of exterior materials and architectural features. The overall massing of the proposed apartment buildings in this location is

significantly smaller than the 36-unit apartment buildings proposed across the street in the RH zone portion of Village Park. Staff has worked with the applicant to provide landscaping on-site to meet front yard, and perimeter parking lot landscaping requirements. The arrangement of the site has a residential appearance and with the required street trees and apartment foundation plantings, the development of all the sites along Aurora Avenue and Cottonwood Road will create a substantially landscaped corridor.

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1, which is to approve the Major Site Development Plan for 3413 and 3425 Aurora Avenue.

ADDENDUM

Project Description. Hunziker Development Company, LLC is requesting approval of a Major Site Development Plan for two 8-unit apartment buildings on the properties in the Village Park Subdivision, located at 3413 Aurora Avenue (Lot 10), and 3425 Aurora Avenue (Lot 11). Lot 10 includes 20,076 square feet (0.46 acres). Lot 11 includes 21,893 square feet (0.50 acres). Both lots are zoned as “FS-RM” (Suburban Residential Medium Density), and will have a public sidewalk (five feet wide) for the entire frontage of the lot along Aurora Avenue (*See Attachment A: Location & Zoning Map & Attachment E: Village Park Subdivision Final Plat*).

Development of the property is required to be consistent with the rezoning Master Plan agreement for the property. The Master Plan for this property, originally identified as 3535 S. 530th Avenue (Village Park Subdivision), includes FS-RM and RH (Residential High Density zoning). The Final Plat for Village Park Subdivision includes 11 lots for development in the FS-RM zone on the west and north fringes of the subdivision, and one lot for development in the “RH” (Residential High Density) zone. The proposed development includes the fifth and sixth lots with site plans submitted for approval along the west side of Aurora Avenue.

Density. Density limitations in the FS-RM zone require 7,000 square feet for the first 2 units, and 1,800 square feet for each additional unit. Lot 10 would accommodate nine dwelling units, and Lot 11 would accommodate 10 dwelling units, provided all other site plan requirements are met. Each building is an 8-unit apartment building. The FS-RM zone allows a maximum of 12 units in each building. The proposed density of 8 units on 0.46 acres for Lot 10 is the equivalent of 17.39 dwelling units per acre. The proposed density of 8 units on 0.50 acres for Lot 11 is the equivalent of 16 dwelling units per acre. This is within the density range of 13 to 17 units/acre on the approved Master Plan for Village Park Subdivision. Each building consists of four 1-bedroom, and 2-bedroom units, which is 12 bedrooms in the each building.

Parking/Access. The Zoning regulations require a minimum of one parking space per bedroom for units of two bedrooms, or more, and one and one half parking spaces for one-bedroom units. The minimum number of parking spaces required for each of the eight-unit building is fourteen spaces. The site plan shows fifteen spaces on Lot 10, and sixteen on Lot 11. Lot 10 includes one van-accessible handicap space, eight garage stalls, and six surface parking spaces. Lot 11 includes one van-accessible handicap space, eight garage stalls, and seven surface parking spaces. Each garage structure includes one handicap-accessible parking stall, and seven standard size stalls. The parking spaces, and garage stalls, are served by a single access from Aurora Avenue, centered on the property line that separates Lots 10 and 11 in a 24-foot wide shared access easement (*See Attachment B: Major Site Development Plan, Site Plan Layout & Dimension Plan*).

Site Layout. The proposed site layout includes an 8-unit apartment building on Lot 10 (20,076.11 sq. ft.), and Lot 11 (21,893.15 sq. ft.). Each apartment building has a footprint of approximately 5,200 square feet (70' x 74'-6") of lot area. Each garage occupies another 2,202 square feet (91'-8" x 24'). Parking spaces, driveways, drive aisles, and sidewalks cover an additional 7,196 square feet. The three numbers added

together (14,598 sq. ft.) equals the total amount of impervious surface, which covers 73% of Lot 10, and 67% of Lot 11. The remaining lot area (27% on Lot 10 and 33% of Lot 11) is landscaping.

In addition, the minimum requirement of 10% of the gross area of the subdivision to be devoted to common open space, for development in the FS-RL, or FS-RM zones, is accounted for in Outlots A and D, of Village Park Subdivision. Outlots A and D are located in close proximity to the apartment buildings constructed in Village Park. The Village Park Subdivision includes 19.83 acres (863,794.80 square feet). The land area included in Outlots A and D, combined, is equal to 151,038.74 square feet of land area, which is equal to 17.48% of the total land area in Village Park Subdivision. The outlots include a 10-foot wide trail extension, and have been designed as stormwater detention and treatment areas. Review of the outlot landscape plan was separate from this project. There is no other common usable space included within the project.

Outlot C abuts the north boundary of Lot 8, and is an additional stormwater treatment area that includes a midblock sidewalk connection to the west. The storm water detention area, planned for Outlot C, would drain following a rain event.

Landscaping. Landscaping requirements are based upon parking lot design and front yard plantings for apartment buildings. (*See the Landscaping Plan for Lots 10 and 11*) The proposed landscaping is most affected by the front yard foundation plantings, which are required by the residential landscaping standards. Landscaping is concentrated along the front building façades rather than distributed throughout the site. Screening for the parking area relies upon distance from the street and intervening trees to act as the buffer to the parking area behind the building. The area behind the garages, which varies in width from 10.2 feet to 11.6 feet, is planned as the location of a high screen, consisting of a tree every 50 linear feet and shrubs with a mature height of at least six feet, spaced six feet on-center. This landscaping is required to meet the landscape buffer requirements for the FS-RM zoning district.

Front yard planting requirements include a combination of shrubs, ornamental grasses, as well as overstory trees. The developer has included additional landscaping with arborvitae shrubs to meet the minimum screening requirements for the ground-mounted mechanical units. The wall mounted mechanical units will be located on the rear of the building, and will not require screening to meet zoning standards.

Perimeter parking lot landscaping that includes overstory trees is required along the portions of the driveways, parking spaces, and drive aisles to meet perimeter parking lot landscaping (*See Attachment B: Major Site Development Plan, Site Landscaping Plan*) Staff believes the project meets the intended parking lot dispersal requirements as proposed.

A trash receptacle will be located in the rear yard, for Lots 11, between the garage structures on the two lots. The dumpster will accommodate both buildings. Screening will consist of 1" by 6" vertical composite board to a height of six feet, including gates of the same design and materials.

Circulation. Site access is from one driveway off Aurora Avenue. Aurora Avenue is a north/south street that connects to Cottonwood Road on the north end, and extends to the south boundary of the Village Park Subdivision. Sidewalks (5-foot wide) in the right-of-way for Aurora Avenue, on both sides of the street, provide a connection to the sidewalk along Cottonwood Road, and to the shared use path (10-foot wide) that will cross through the site between University Boulevard and the southern boundary of Village Park Subdivision. The shared use path will connect to the Ames community bike trail/shared use path system, and is planned in the future to connect to the regional multi-county bike trail system south of Ames. In addition, a 5-foot wide sidewalk in Outlot B, adjacent to the west boundary of Lot 5, will provide access to the Christofferson Park north of Village Park Subdivision. Outlot C, adjacent to the north property line of Lot 8 will include a sidewalk at a width of 5 feet to connect with future development as it occurs adjacent to the west boundary line of the subdivision.

Building Design. Minimum building setbacks for front, side and rear yard are met by the location of the apartment buildings, and garages on each lot. (*See Attachment B: Major Site Development Plan – Site Layout & Dimension Plan*). The proposed 8-unit buildings have an orientation toward Aurora Avenue. The ground level and second floor units have access from the east and west building façades. This building orientation is consistent with the orientation of the 8-unit buildings along Aurora Avenue, and includes windows and doors on facades facing the street.

The 8-unit buildings are consistent with the maximum building size of 12 units, allowed in the FS-RM zoning district. Each building is two stories in height. Four stories, or fifty feet, whichever is lower, is the maximum building height permitted for multiple-family dwellings in the FS-RM zone. The apartment building design incorporates a hipped roof with dormers the same as the 8-unit buildings on Lots 8 and 9.

Major Site Development Plan Criteria. Additional criteria and standards for review of all Major Site Development Plans are in Ames *Municipal Code* Section 29.1502(4)(d) and includes the following requirements:

When acting upon an application for a Major Site Development Plan approval, the Planning and Zoning Commission and the City Council shall rely upon generally accepted site planning criteria and design standards. These criteria and standards are necessary to fulfill the intent of the Zoning Ordinance, the Land Use Policy Plan, and are the minimum necessary to safeguard the public health, safety, aesthetics, and general welfare.

- 1. The design of the proposed development shall make adequate provisions for surface and subsurface drainage to limit the rate of increased runoff of surface water to adjacent and downstream property.***

The Public Works Department has determined that the proposed development has met the required storm water quantity and quality measures by use of the proposed regional detention facilities on the southeast and northeast areas of the site.

- 2. The design of the proposed development shall make adequate provision for connection to water, sanitary sewer, electrical, and other utility lines within***

the capacity limits of those utility lines.

The existing utilities were reviewed and found adequate to support the anticipated load of 8 dwelling units on Lots 10 and 11, comprising 12 bedrooms in each apartment building, consistent with the prior determination at the time of rezoning and subdivision approval.

- 3. The design of the proposed development shall make adequate provision for fire protection through building placement, acceptable location of flammable materials, and other measures to ensure fire safety.***

The fire inspector has reviewed access, fire truck circulation, sprinkler, and hydrant requirements and finds that the Fire Code requirements are satisfied by the proposed development.

- 4. The design of the proposed development shall not increase the danger of erosion, flooding, landslide, or other endangerment to adjoining and surrounding property.***

This proposed development will not be a danger due to its site location and proximity to other uses.

- 5. Natural topographic and landscape features of the site shall be incorporated into the development design.***

The site is currently devoid of any significant vegetation. Minimal grading will occur for the construction of the buildings. The site is relatively flat and grading will occur mostly to direct storm water where required.

- 6. The design of the interior vehicle and pedestrian circulation shall provide for convenient flow of vehicles and movement of pedestrians and shall prevent hazards to adjacent streets or property.***

Access to Lots 10 and 11 from Aurora Avenue is provided through a cross-access easement which follows the property line between the two lots. Vehicular and pedestrian access is in place between the subject property, and other properties (buildings) within the Village Park subdivision. The on-site sidewalks, sidewalks in the public street right-of-ways, and shared use paths provide pathways throughout the site, and to external connections to allow for circulation throughout the community, and eventually within the central Iowa region.

- 7. The design of outdoor parking areas, storage yards, trash and dumpster areas, and other exterior features shall be adequately landscaped or screened to minimize potential nuisance and impairment to the use of adjoining property.***

The general development standards of the Zoning Ordinance for the screening of parking areas are satisfied by the proposal. Gates are necessary on the trash enclosure to comply with the Zoning Ordinance standards for screening garbage

collection areas. The apartment building on each lot provides a high degree of separation and screening of the parking and garages in the rear yard from adjoining views, and as viewed from Aurora Avenue.

- 8. The proposed development shall limit entrances and exits upon adjacent streets in order to prevent congestion on adjacent and surrounding streets and in order to provide for safe and orderly vehicle movement.**

A shared access follows the property line separating the two lots, to minimize the number of curb cuts onto Aurora Avenue.

- 9. Exterior lighting shall relate to the scale and location of the development in order to maintain adequate security, while preventing a nuisance or hardship to adjacent property or streets.**

The proposed exterior lighting is consistent with the Outdoor Lighting standards, found in Sec 29.411 of the *Municipal Code*.

- 10. The proposed development shall ensure that dust and other forms of air pollution, noise disturbances, odor, glare, and other nuisances will be limited to acceptable levels as prescribed in other applicable State and City regulations.**

The proposed residential uses will not be allowed to exceed the level of nuisances, typical of this type of development, beyond acceptable levels, as prescribed in other applicable State and City regulations.

- 11. Site coverage, building scale, setbacks, and open spaces shall be in proportion with the development property and with existing and planned development and structures, in adjacent and surrounding property.**

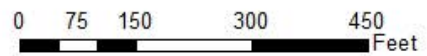
The scale of the proposed apartment buildings, in relation to the lot sizes, is appropriate, given minimum building setback requirements, landscaping requirements, and areas of the site planned for parking. The architectural design incorporates various planes to the building and use of exterior materials to create visual interest and address the scale and aesthetics of the building. The developer has proposed eight units for each apartment building, which is less than the maximum of twelve units allowed in a multiple family structure within the FS-RM zoning district. The density of development is well within the approximate densities found on the approved Master Plan for this subdivision. Open areas and landscaped areas meet the quantitative standards of the zoning ordinance and allow for informal activities by the future residents of this subdivision.

The Development Review Committee has reviewed the Major Site Development Plan and found that it complies with all other requirements of the Ames Municipal Code.

Attachment A: Location & Zoning Map



Location & Zoning Map 3413 & 3425 Aurora Ave.

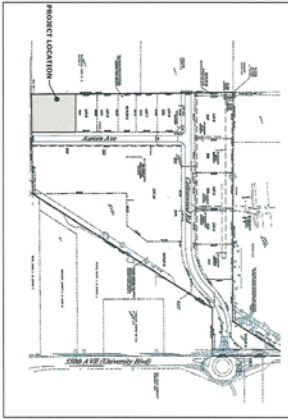


Attachment B: Major Site Development Plan (Cover Sheet)

DATE	BY	REVISION
08/07/19	SSB	ISSUED FOR PERMITS
08/07/19	SSB	ISSUED FOR PERMITS
08/07/19	SSB	ISSUED FOR PERMITS
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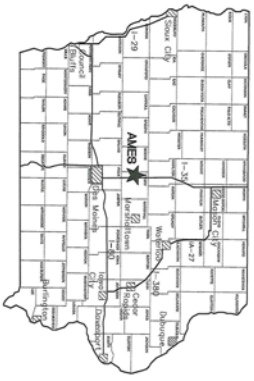
LOTS 10 AND 11 SITE PLAN

LOCATION MAP



MAJOR SITE DEVELOPMENT PLAN FOR LOTS 10 AND 11 SITE PLAN VILLAGE PARK SUBDIVISION 3413 AND 3425 AURORA AVE AMES, IOWA

No.	Description
G1.1	COVER SHEET / LOCATION MAP/LEGEND
G2.1	DETAILS
C1.1	EXISTING CONDITIONS & REMOVALS
C2.1	SITE LAYOUT & DIMENSION PLAN
C3.1	SITE GRADING PLAN
C3.2-C3.4	GRADING BLOWUP VIEWS
C4.1	SITE UTILITY PLAN
C5.1	LOT 10 LANDSCAPING PLAN
C5.2	LOT 11 LANDSCAPING PLAN



GENERAL NOTE: ALL UTILITIES ARE ONLY GENERAL LOCATIONS. CONTRACTOR TO VERIFY EXISTING UTILITIES AND CONDITIONS AND TO VERIFY ALL UTILITIES BEFORE ANY CONSTRUCTION BEGINS.

SITE PLAN DATA:
 OWNER/ APPLICANT: HUNTERS DEVELOPMENT CO. LLC
 180 S. 10TH STREET, SUITE A
 AMES, IA 50010
 PH: (515) 233-4640

PREPARED BY:
 SCOTT WALLACE, P.E.
 414 S 17TH STREET, SUITE 107
 AMES, IA 50010
 PH: (515) 233-0000

SITE ADDRESS:
 LOT 10 - 3413 AURORA AVE
 LOT 11 - 3425 AURORA AVE
 VILLAGE PARK SUBDIVISION, AMES, IOWA COUNTY, IOWA

LOCAL DESCRIPTION:
 LOT 10 - 2.66 AC (20,295 S.F.)
 LOT 11 - 2.66 AC (20,295 S.F.)
 TOTAL - 5.32 AC

UTILITIES:
 3" WATER MAIN
 8" FIBER OPTIC
 3" (1" MIN. COVER) STORM

PERMITS:
 REQUIRED (4+2) + (4+1.5)
 GRADING 4
 ADJ. 4
 STANDARD 1.5
 LOT 11 1.5

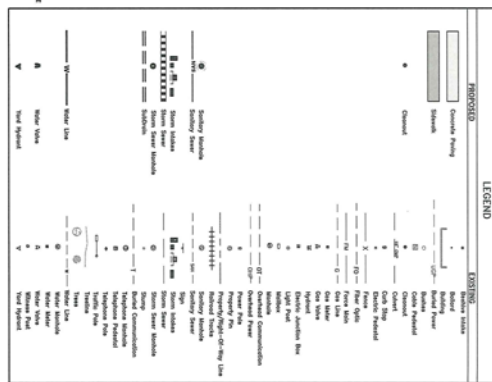
STORM WATER REQUIREMENTS:
 ALLOWED 20% IMPERVIOUS AREA
 VOLUME CAPACITY (PERMITS (S) OR (C)) IS PROVIDED WITHIN THE ADJACENT DRAINAGE BASIN.

ZONING:
 RESIDENTIAL/ R20
 4 - 1 RESIDUAL UNITS = 4 RES
 4 - 2 RESIDUAL UNITS = 8 RES
 1.5 RESIDUAL UNITS = 1.5 RES
 1.5 RESIDUAL UNITS = 1.5 RES

FOX ENGINEERING
 414 SOUTH 17TH STREET, SUITE 107
 AMES, IOWA 50010
 PHONE: (515) 233-0000
 FAX: (515) 233-0103

RECEIVED
 AUG 08 2019
 CITY OF AMES, IOWA
 DEPT. OF PLANNING & HOUSING

THIS PROJECT IS COVERED BY THE IOWA DEPARTMENT OF NATURAL RESOURCES UNDER PERMIT NO. 25. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES BEFORE ANY CONSTRUCTION BEGINS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES BEFORE ANY CONSTRUCTION BEGINS.



SCOTT WALLACE, P.E.
 LICENSED PROFESSIONAL ENGINEER
 IOWA # 10000

I hereby certify that the engineering documents herein were prepared by me or under my direct supervision and that I am a duly licensed professional engineer in the State of Iowa.

My license number is 10000 and expires on December 31, 2020.

Page or sheets covered by this seal: 1 of 1

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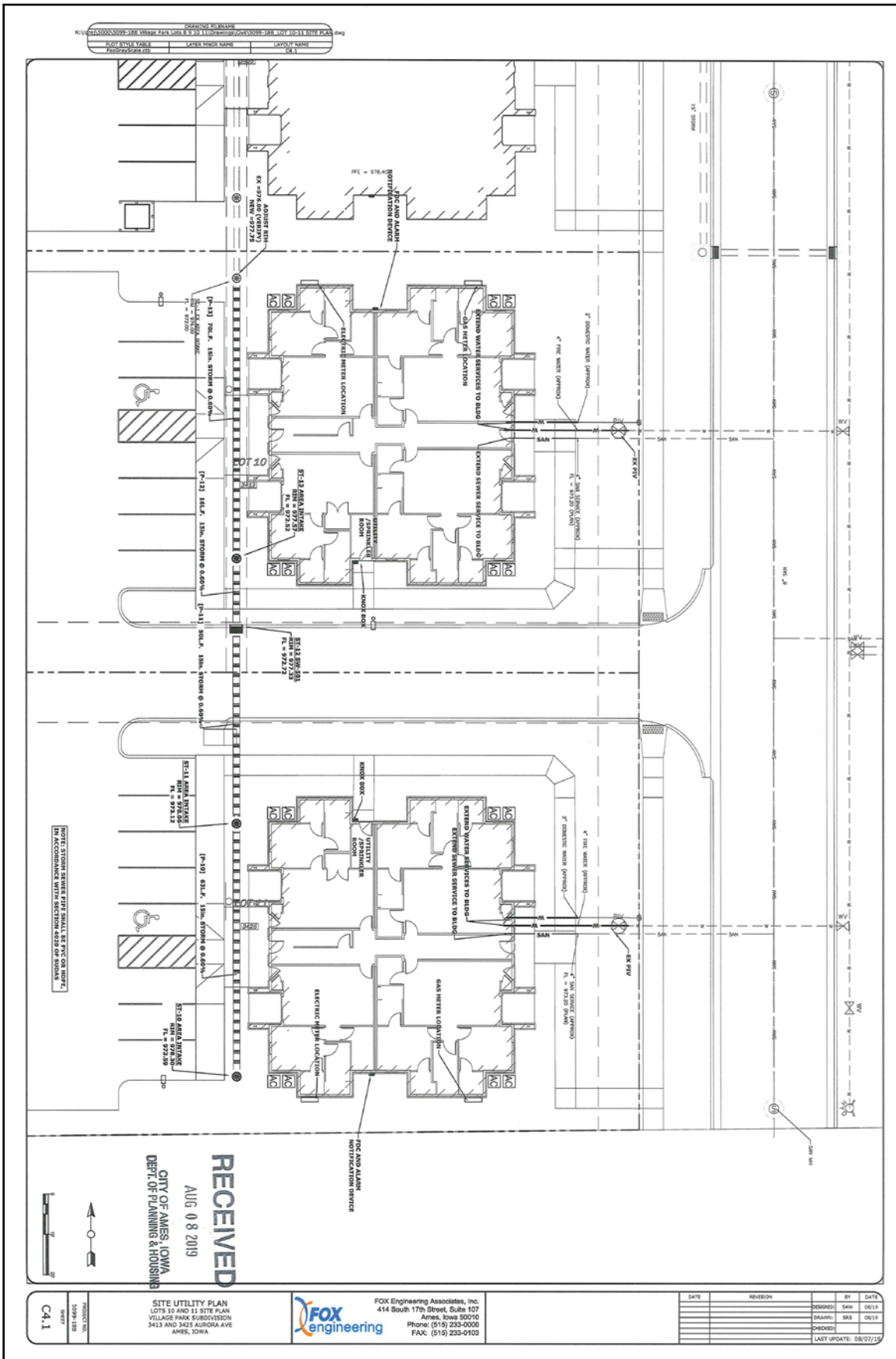
SITE NOTES:
 ALL CONSTRUCTION MATERIALS, METHODS, TECHNIQUES, AND PROCEDURES SHALL BE APPROVED BY THE CITY OF AMES, IOWA DEPARTMENT OF PLANNING & HOUSING BEFORE ANY CONSTRUCTION BEGINS.

COVER SHEET / LOCATION MAP/LEGEND
 414 SOUTH 17TH STREET, SUITE 107
 VILLAGE PARK SUBDIVISION
 3413 AND 3425 AURORA AVE
 AMES, IOWA

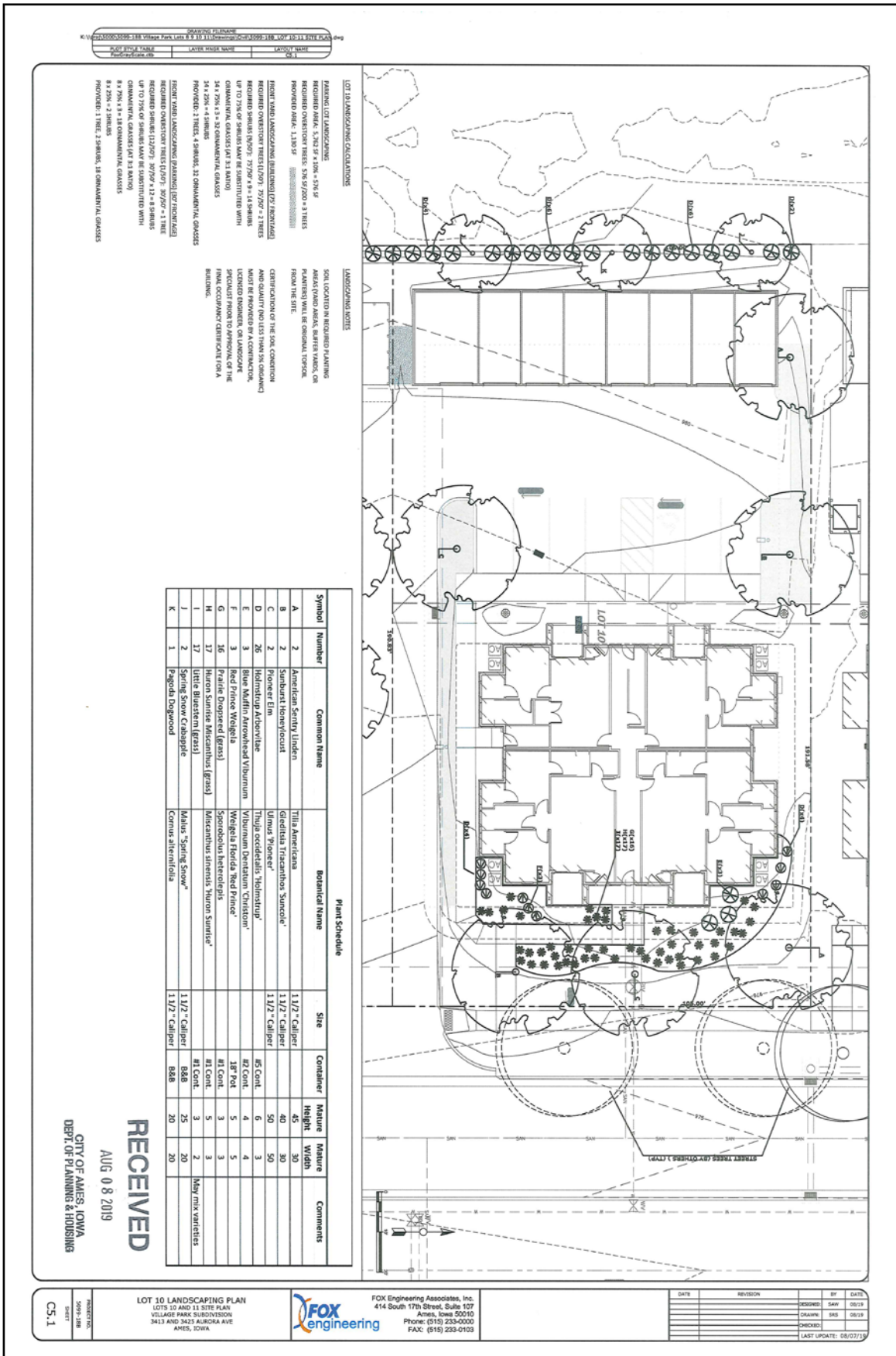
FOX Engineering
 FOX Engineering Associates, Inc.
 414 South 17th Street, Suite 107
 Ames, Iowa 50010
 Phone: (515) 233-0000
 Fax: (515) 233-0103

DATE	BY	REVISION
08/07/19	SSB	ISSUED FOR PERMITS
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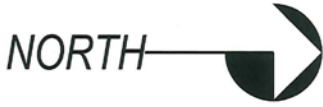
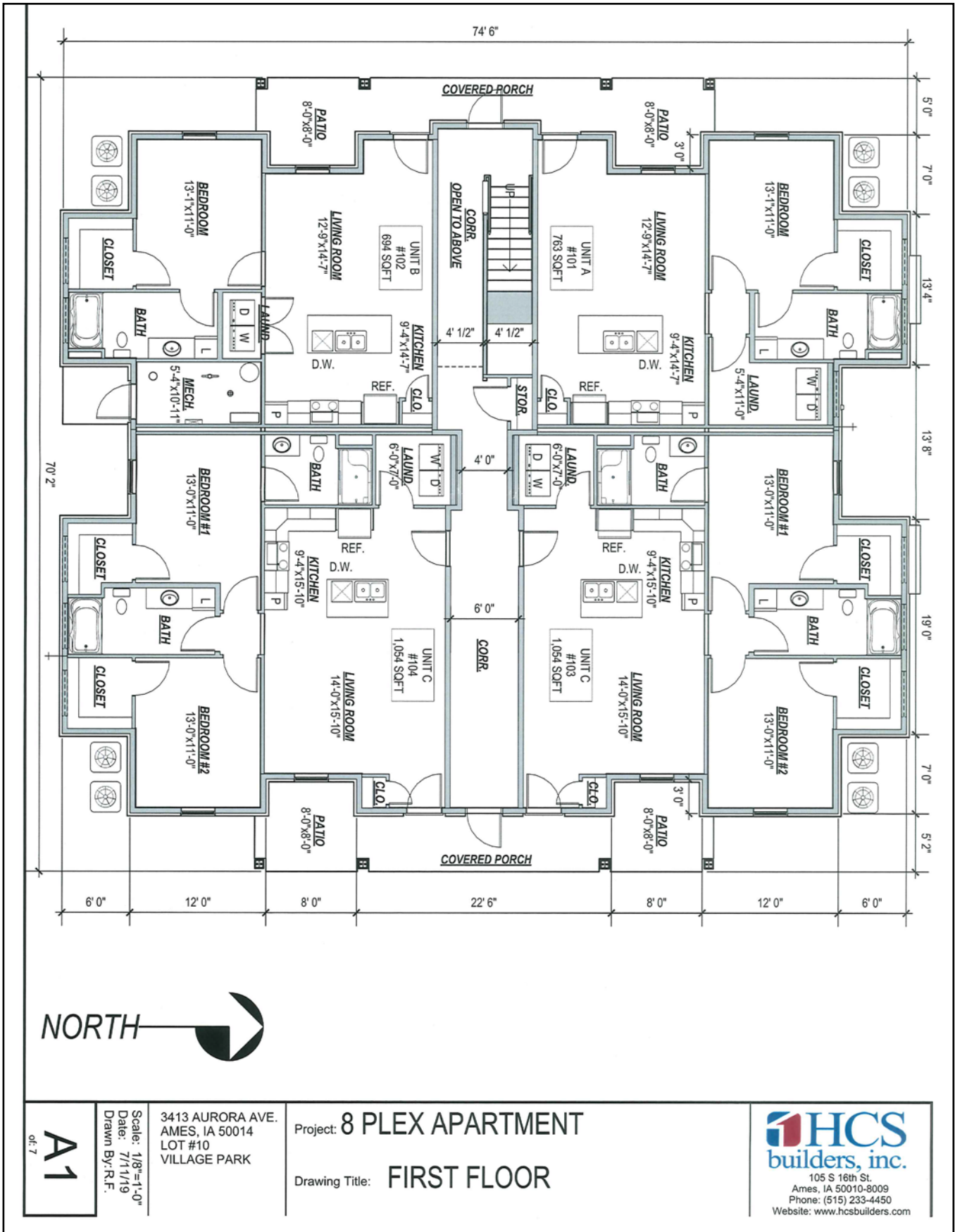
Attachment B: Major Site Development Plan (Site Utility Plan)



Attachment B: Major Site Development Plan (Lot 10 Landscaping Plan)



Attachment C: Lot 10 First Level Floor Plan

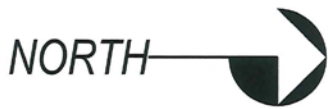
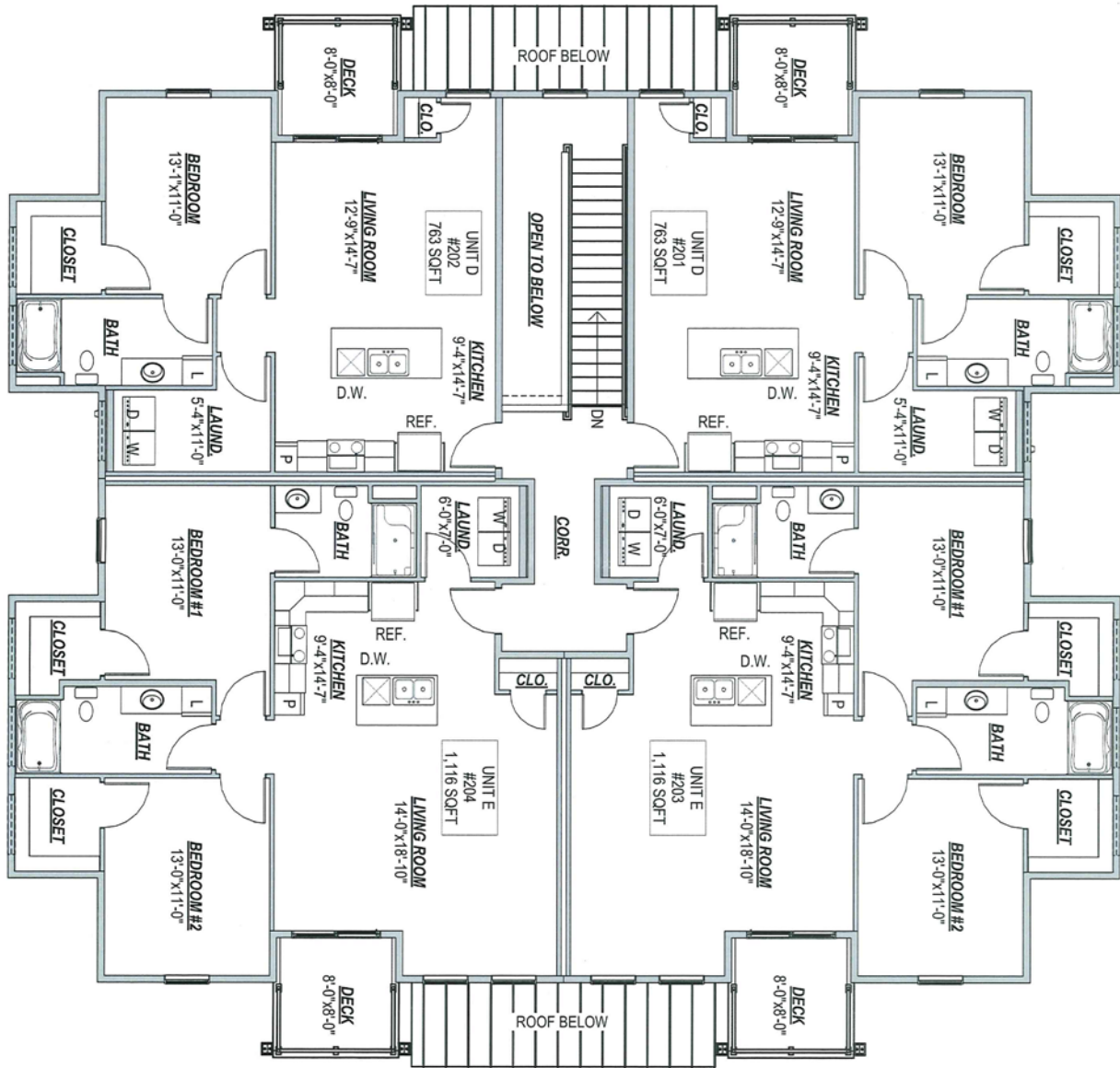


Scale: 1/8" = 1'-0"
 Date: 7/1/19
 Drawn By: R.F.F.

Project: **8 PLEX APARTMENT**
 Drawing Title: **FIRST FLOOR**

HCS
 builders, inc.
 105 S 16th St.
 Ames, IA 50010-8009
 Phone: (515) 233-4450
 Website: www.hcsbuilders.com

Attachment C: Lot 10 Second Level Floor Plan

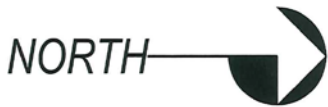
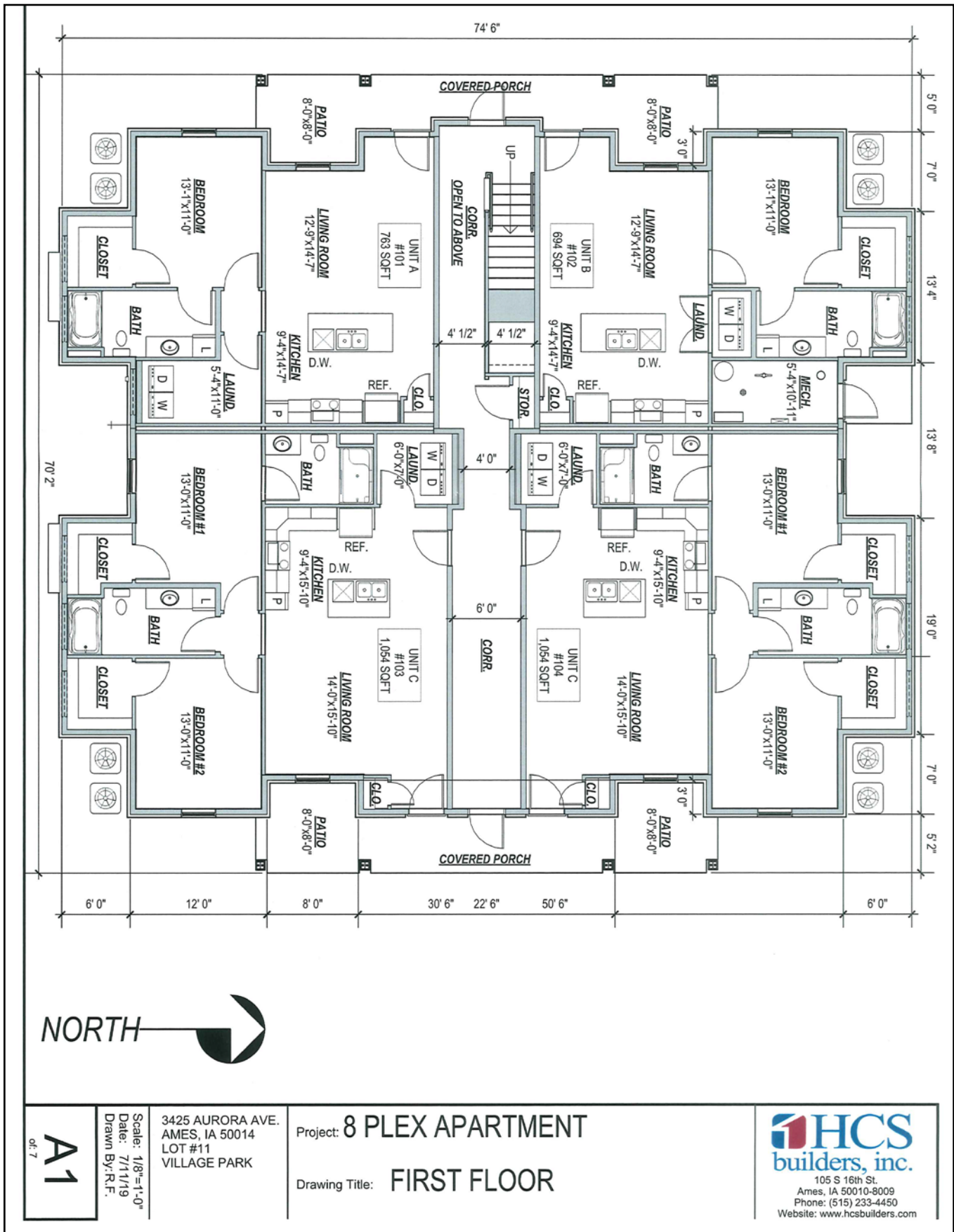


A2
 of 7
 Scale: 1/8"=1'-0"
 Date: 7/11/19
 Drawn By: R.F.

Project: **8 PLEX APARTMENT**
 Drawing Title: **SECOND FLOOR**


 105 S 16th St.
 Ames, IA 50010-8009
 Phone: (515) 233-4450
 Website: www.hcsbuilders.com

Attachment C: Lot 11 First Level Floor Plan



A1
of 7

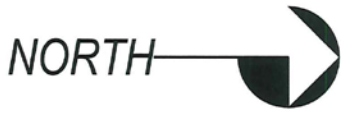
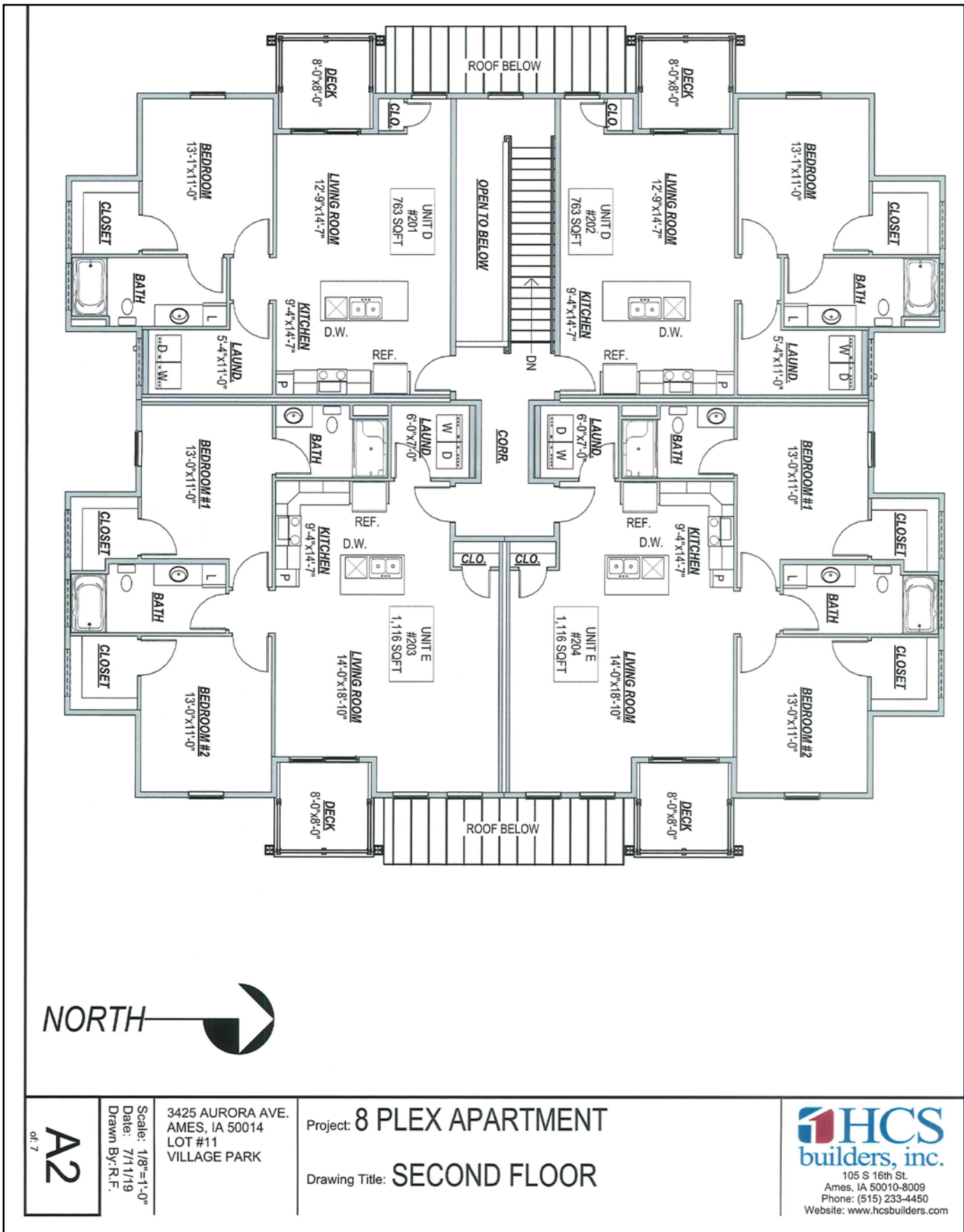
3425 AURORA AVE.
AMES, IA 50014
LOT #11
VILLAGE PARK
Scale: 1/8"=1'-0"
Date: 7/1/19
Drawn By: R.F.

Project: 8 PLEX APARTMENT

Drawing Title: FIRST FLOOR

HCS
builders, inc.
105 S 16th St.
Ames, IA 50010-8009
Phone: (515) 233-4450
Website: www.hcsbuilders.com

Attachment C: Lot 11 Second Level Floor Plan



A2

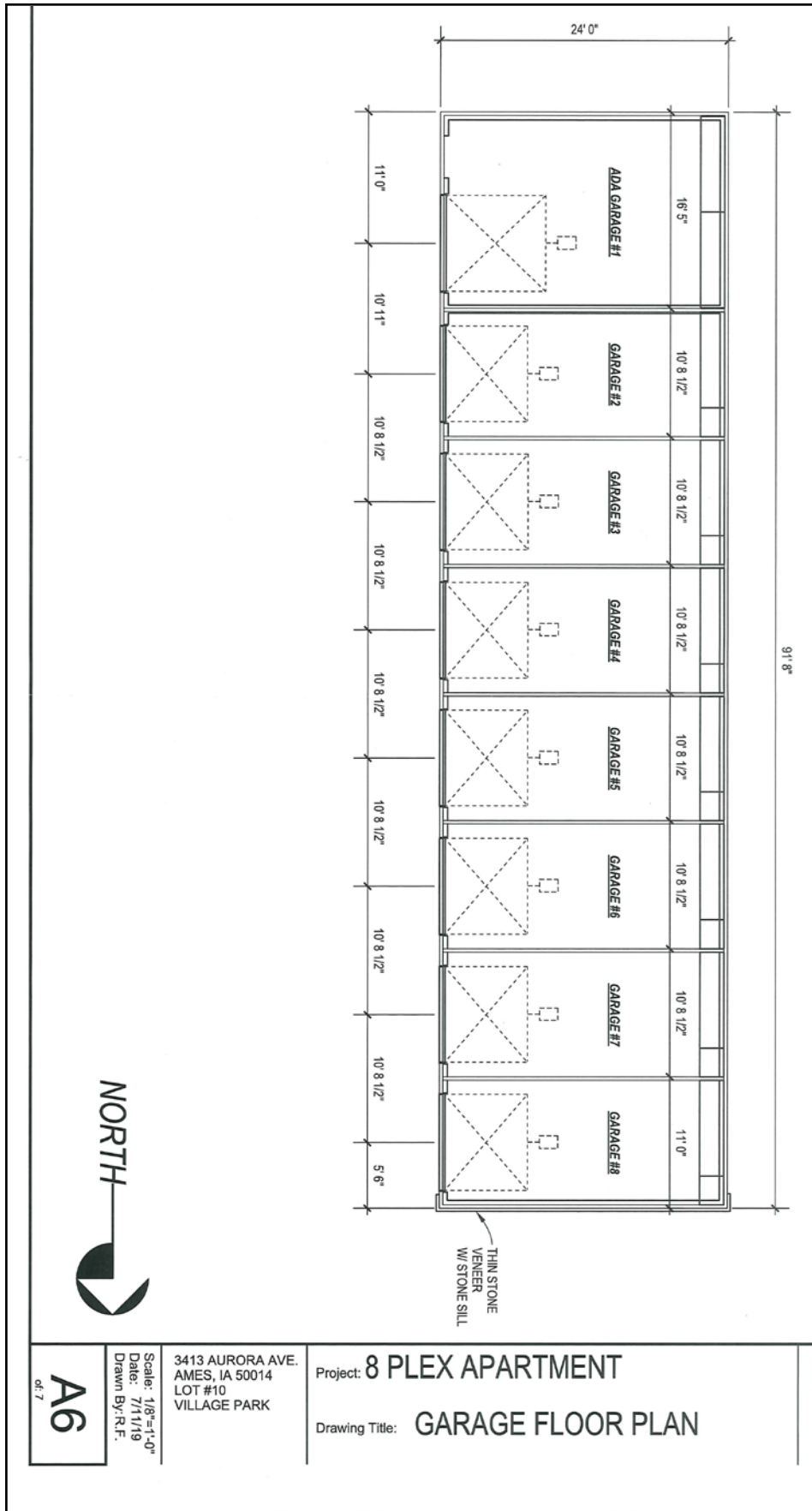
of 7

3425 AURORA AVE.
AMES, IA 50014
LOT #11
VILLAGE PARK

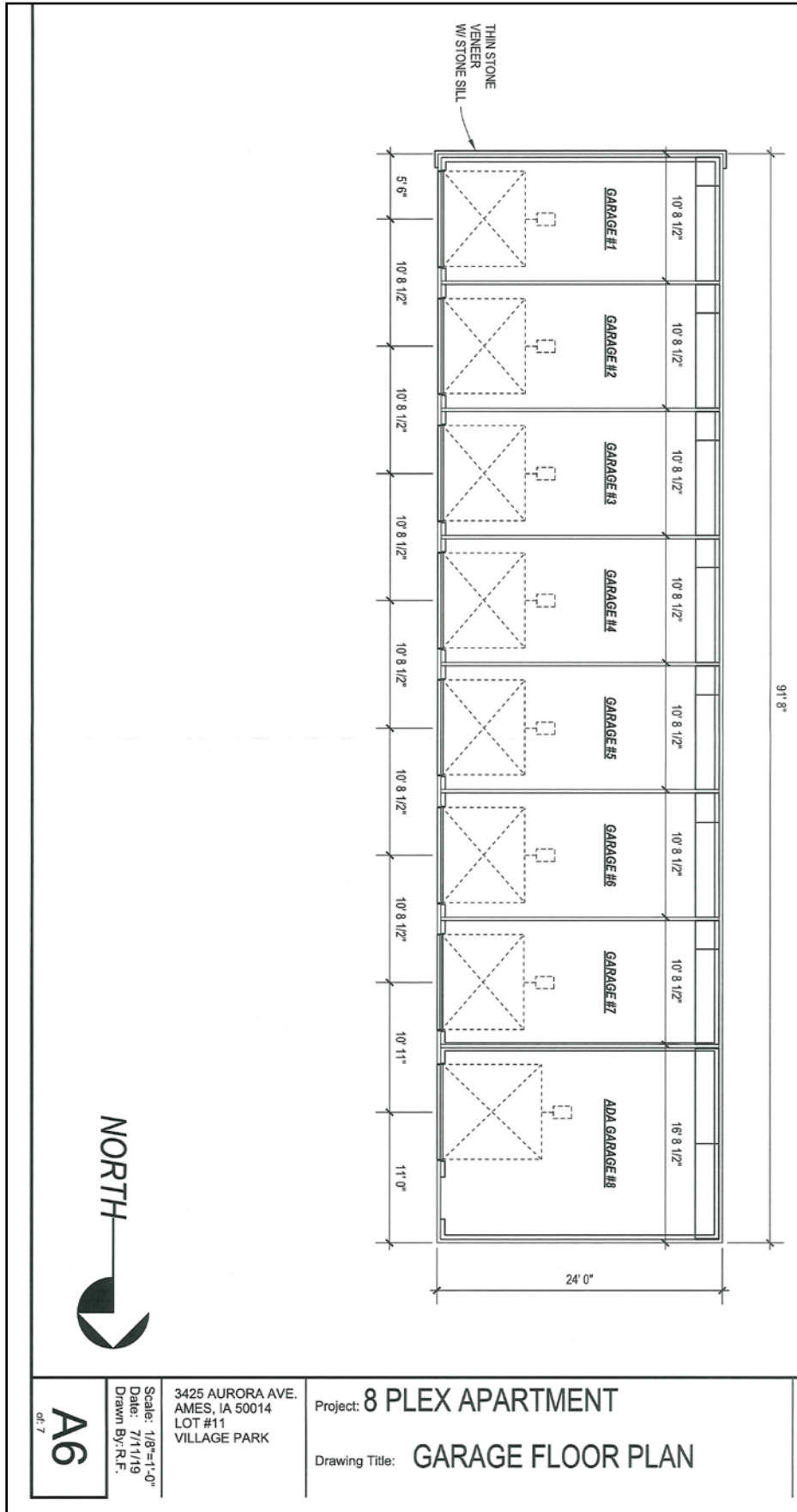
Project: **8 PLEX APARTMENT**
Drawing Title: **SECOND FLOOR**

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105 S 16th St.
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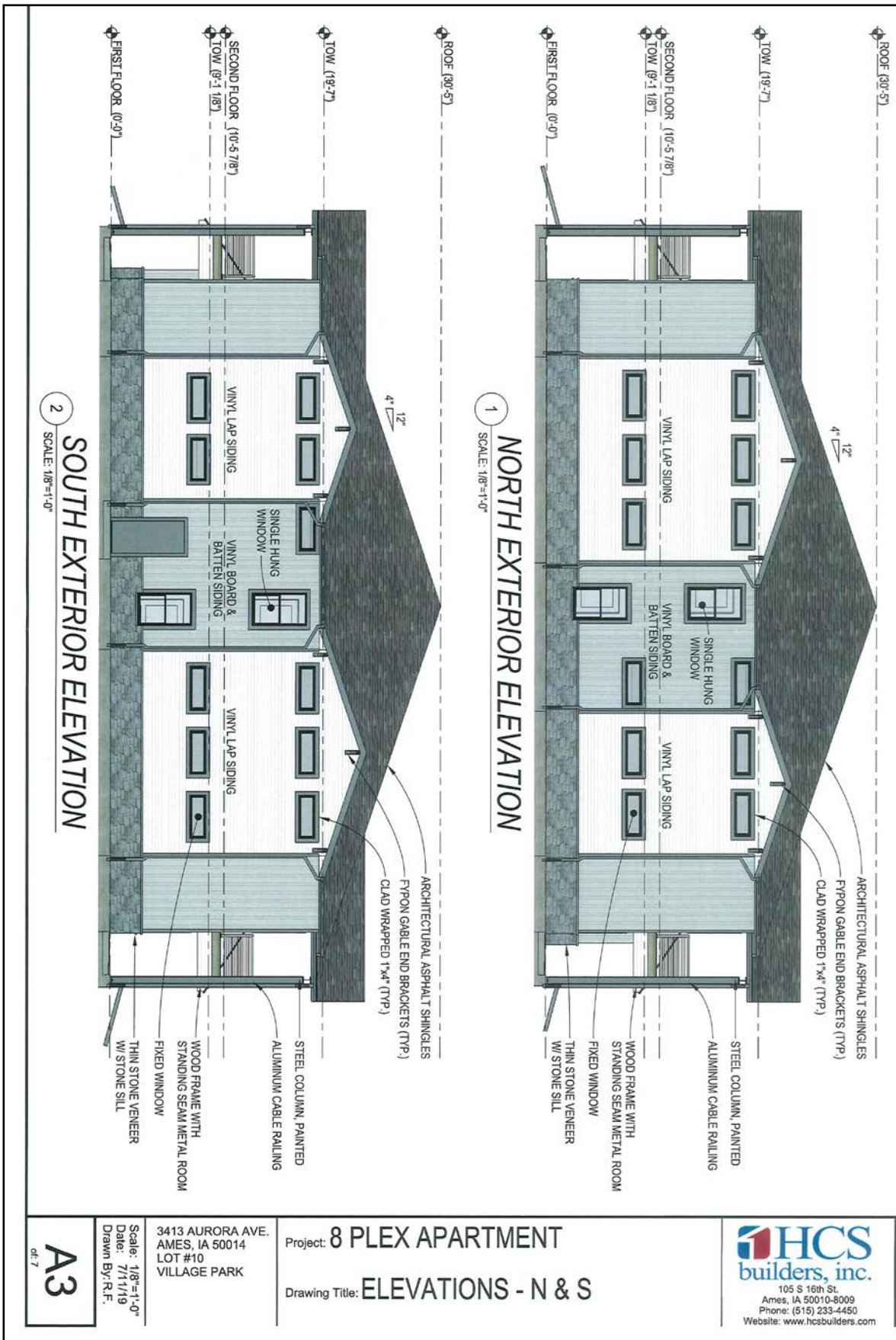
Attachment C: Lot 10 Garage Floor Plan



Attachment C: Lot 11 Garage Floor Plan



Attachment D: Lot 10 North & South Building Elevations



<p>A3 of 7</p>	<p>Scale: 1/8"=1'-0" Date: 7/11/19 Drawn By: R.F.</p>	<p>3413 AURORA AVE. AMES, IA 50014 LOT #10 VILLAGE PARK</p>	<p>Project: 8 PLEX APARTMENT</p>	<p>HCS builders, inc. 105 S 16th St. Ames, IA 50010-8009 Phone: (515) 233-4450 Website: www.hcsbuilders.com</p>
	<p>Drawing Title: ELEVATIONS - N & S</p>			

Attachment D: Lot 10 East & West Building Elevations



3413 AURORA AVE.
 AMES, IA 50014
 LOT #10
 VILLAGE PARK

Project: **8 PLEX APARTMENT**

Drawing Title: **ELEVATIONS - E & W**

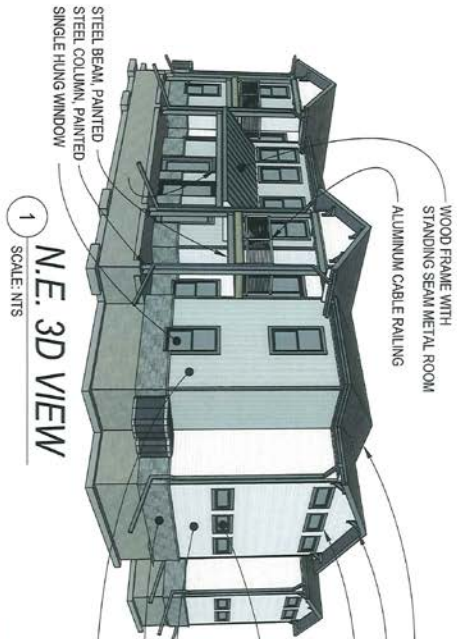
Scale: 1/8"=1'-0"
 Date: 7/11/19
 Drawn By: R.F.

A4
 of 7

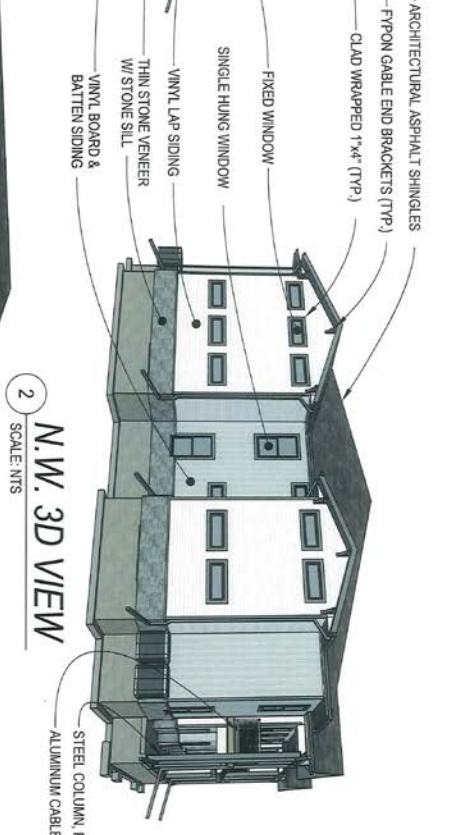
HCS
 builders, inc.

105 S 16th St.
 Ames, IA 50010-8009
 Phone: (515) 233-4450
 Website: www.hcsbuilders.com

Attachment D: Lot 10 3D Views of 8-Unit Building



1
N.E. 3D VIEW
SCALE: NTS



2
N.W. 3D VIEW
SCALE: NTS



3
S.E. 3D VIEW
SCALE: NTS

<p>A5 of 7</p>	<p>Scale: N.T.S. Date: 7/11/19 Drawn By: R.F.</p>	<p>3413 AURORA AVE. AMES, IA 50014 LOT #10 VILLAGE PARK</p>	<p>Project: 8 PLEX APARTMENT</p>	<p>Drawing Title: 3D VIEWS</p>	 <p>105 S 16th St. Ames, IA 50010-8009 Phone: (515) 233-4450 Website: www.hcsbuilders.com</p>
	<p>Project: 8 PLEX APARTMENT</p>				

Attachment D: Lot 10 Garage Elevations

1 EAST EXTERIOR ELEVATION
SCALE: 1/8"=1'-0"

2 SOUTH EXTERIOR ELEVATION
SCALE: 1/8"=1'-0"

3 NORTH EXTERIOR ELEVATION
SCALE: 1/8"=1'-0"

4 WEST EXTERIOR ELEVATION
SCALE: 1/8"=1'-0"

Labels in drawings include: ROOF (16'-6 1/2"), TOW (9'-1 1/8"), FIRST FLOOR (0'-0"), ARCHITECTURAL ASPHALT SHINGLES, VINYL LAP SIDING, CONC. STEM WALL, THIN STONE VENEER W/ STONE SILL, PYPON GABLE END BRACKETS (TYP), CLAD WRAPPED 1"x4" (TYP), and various roof pitches (12/8, 4/12).

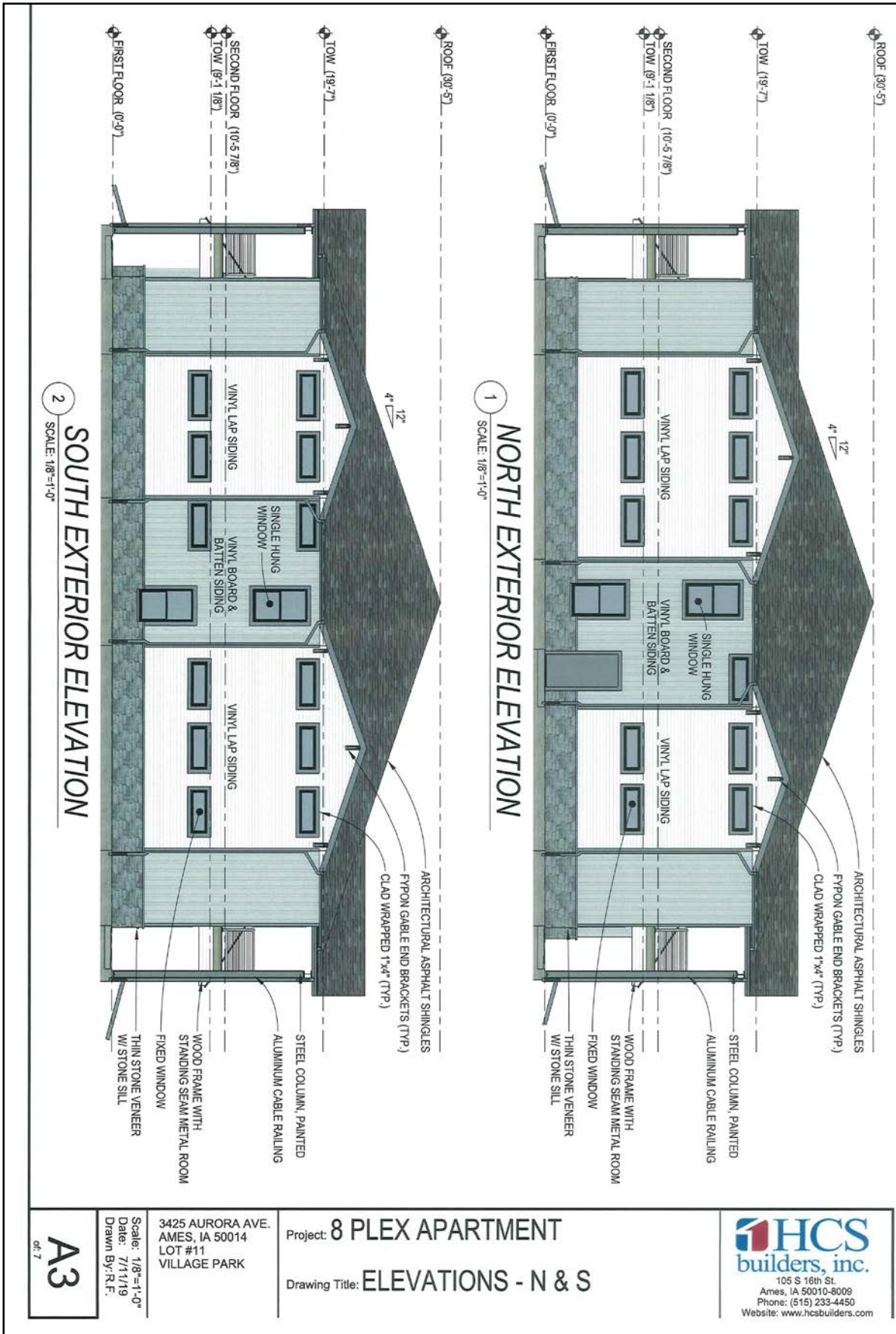
A7
of 7

3413 AURORA AVE.
AMES, IA 50014
LOT #10
VILLAGE PARK

Project: **8 PLEX APARTMENT**
Drawing Title: **GARAGE EXT. ELEV.**

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Website: www.hcsbuilders.com

Attachment D: Lot 11 North & South Building Elevations



A3 <small>of 7</small>	Scale: 1/8"=1'-0" Date: 7/11/19 Drawn By: R.F.	3425 AURORA AVE. AMES, IA 50014 LOT #11 VILLAGE PARK	Project: 8 PLEX APARTMENT Drawing Title: ELEVATIONS - N & S	 105 S 16th St. Ames, IA 50010-8009 Phone: (515) 233-4450 Website: www.hcsbuilders.com
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Attachment D: Lot 11 East & West Building Elevations



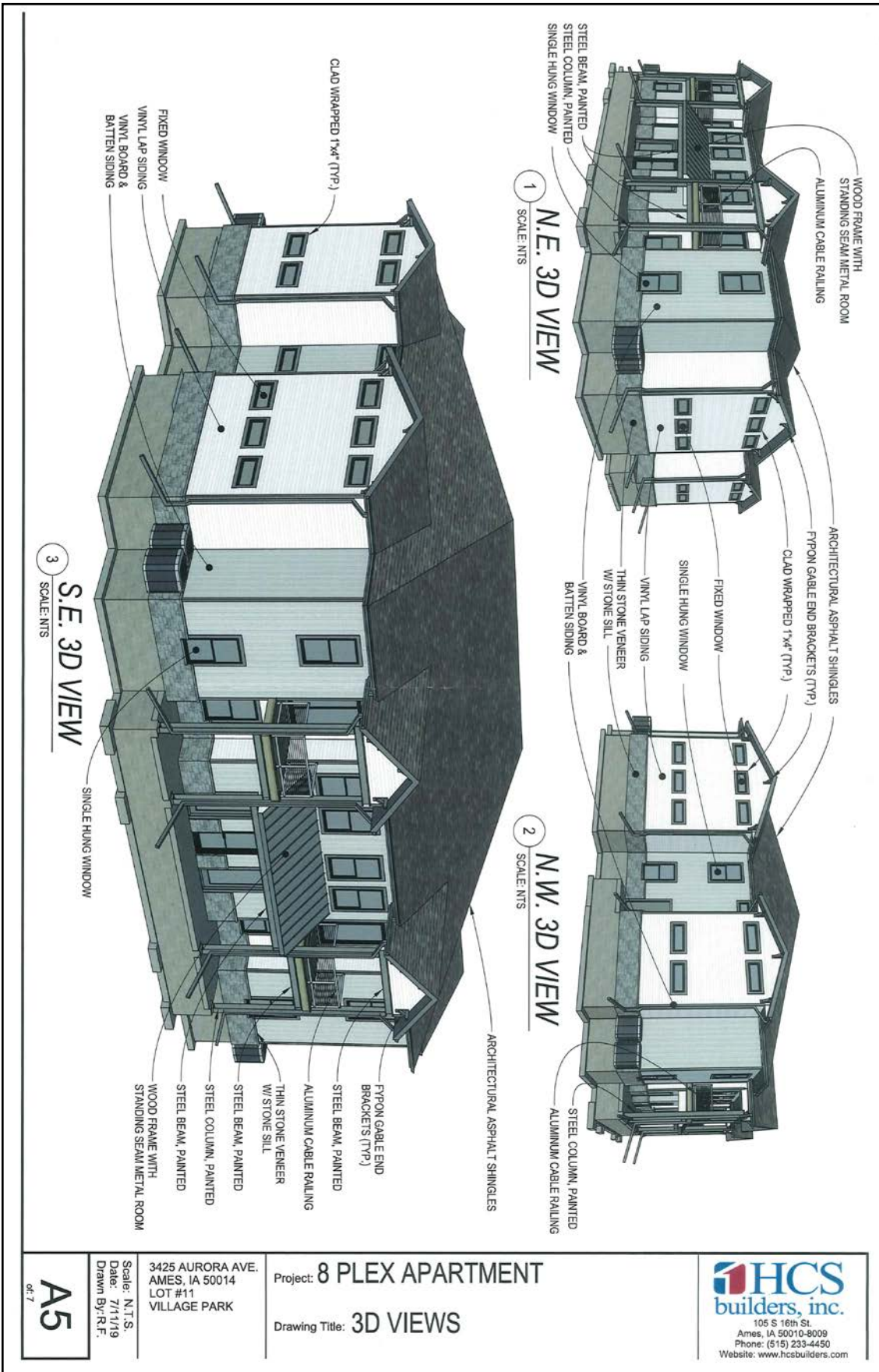
A4
of 7

3425 AURORA AVE.
AMES, IA 50014
LOT #11
VILLAGE PARK

Project: **8 PLEX APARTMENT**
Drawing Title: **ELEVATIONS - E & W**

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builders, inc.
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Ames, IA 50010-8009
Phone: (515) 233-4450
Website: www.hcsbuilders.com

Attachment D: Lot 11 3D Views of 8-Unit Building



A5
of 7

Scale: N.T.S.
Date: 7/11/19
Drawn By: R.F.

Project: **8 PLEX APARTMENT**
Drawing Title: **3D VIEWS**

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builders, inc.
105 S 16th St.
Ames, IA 50010-8009
Phone: (515) 233-4450
Website: www.hcsbuilders.com

Attachment D: Lot 11 Garage Elevations

1 EAST EXTERIOR ELEVATION
SCALE: 1/8"=1'-0"

2 SOUTH EXTERIOR ELEVATION
SCALE: 1/8"=1'-0"

3 NORTH EXTERIOR ELEVATION
SCALE: 1/8"=1'-0"

4 WEST EXTERIOR ELEVATION
SCALE: 1/8"=1'-0"

Labels in drawings include: ROOF (16'-6 1/2"), TOW (9'-1 1/8"), FIRST FLOOR (0'-0"), ARCHITECTURAL ASPHALT SHINGLES, VINYL LAP SIDING, THIN STONE VENEER W/ STONE SILL, CLAD WRAPPED 1"x4" (TYP.), PYPON GABLE END BRACKETS (TYP.), CONG. STEM WALL, and gable roof pitch 12/8.

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of 7

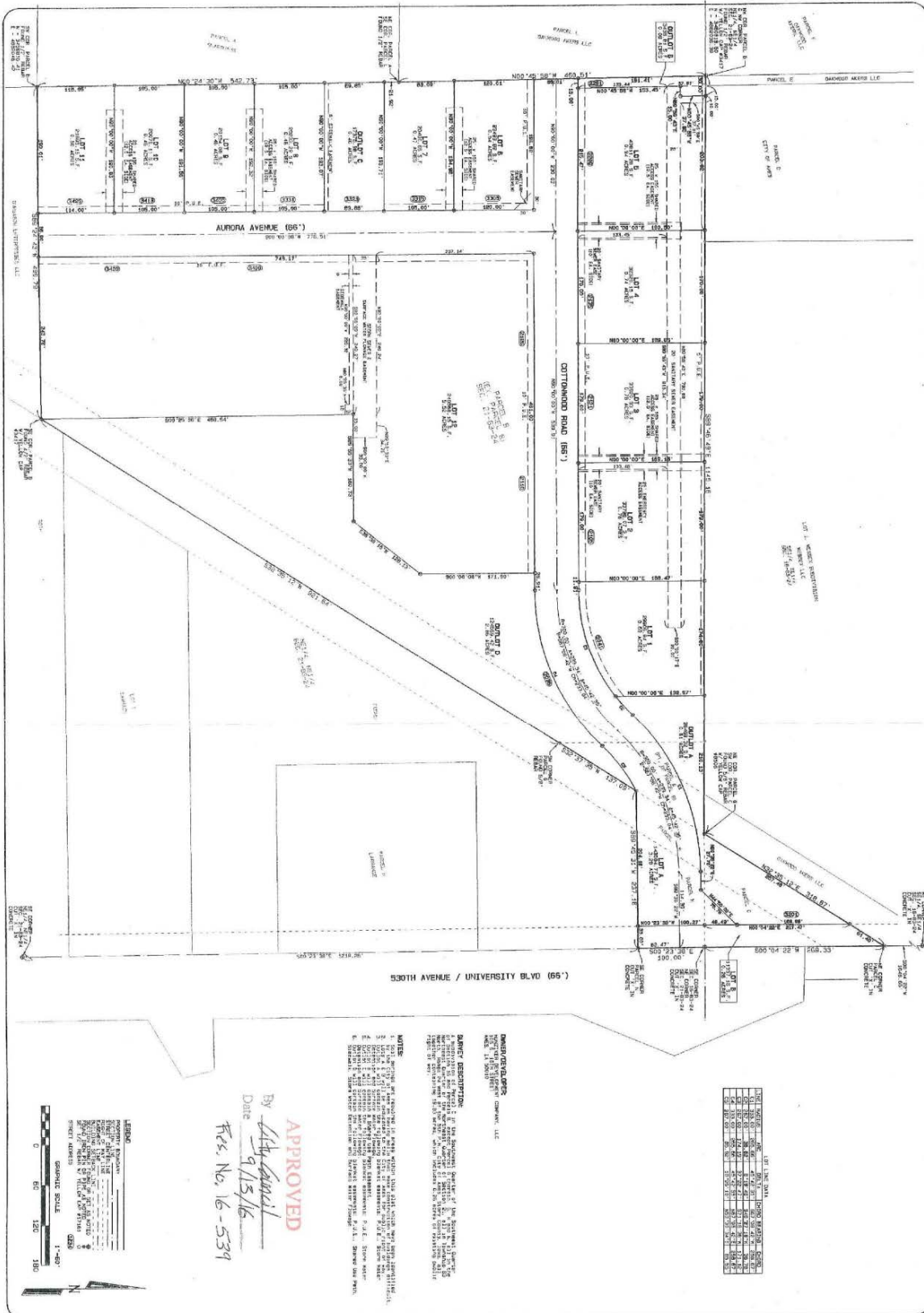
Scale: 1/8"=1'-0"
Date: 7/11/19
Drawn By: R.F.

3425 AURORA AVE.
AMES, IA 50014
LOT #11
VILLAGE PARK

Project: **8 PLEX APARTMENT**
Drawing Title: **GARAGE EXT. ELEV.**

HCS
builders, inc.
105 S 6th St
Ames, IA 50010-8009
Phone: (515) 233-4450
Website: www.hcsbuilders.com

Attachment E: Village Park Subdivision Final Plat



LEGEND

PROPERTY BOUNDARY	---
ADJACENT PROPERTY BOUNDARY	---
STREET CENTERLINE	---
STREET RIGHT-OF-WAY	---
STREET ADDRESS	---
CONCRETE SCALE	1"=40'

APPROVED

By *Alynn Carroll*
 Date 9/15/16
 Fds. No. 16-539

NOTES:

1. THIS SURVEY WAS MADE FROM A STATE PLAT.
2. THE SURVEY WAS MADE FROM A STATE PLAT.
3. THE SURVEY WAS MADE FROM A STATE PLAT.
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15. THE SURVEY WAS MADE FROM A STATE PLAT.
16. THE SURVEY WAS MADE FROM A STATE PLAT.
17. THE SURVEY WAS MADE FROM A STATE PLAT.
18. THE SURVEY WAS MADE FROM A STATE PLAT.

PREPARED BY:
 STUMBO & ASSOCIATES
 LAND SURVEYING
 510 S. 17th STREET, SUITE 102 AMES, IOWA 50010
 PHONE 515-233-3604 FAX 515-233-4403

LOT	AREA	PERCENTAGE
1	1.2345	12.34%
2	0.8765	8.76%
3	0.4321	4.32%
4	0.9876	9.87%
5	0.5432	5.43%
6	0.1098	1.09%
7	0.6543	6.54%
8	0.2109	2.10%
9	0.7654	7.65%
10	0.3210	3.21%
11	0.8765	8.76%
12	0.4321	4.32%
13	0.9876	9.87%
14	0.5432	5.43%
15	0.1098	1.09%
16	0.6543	6.54%
17	0.2109	2.10%
18	0.7654	7.65%
TOTAL	10.0000	100.00%

STUMBO & ASSOCIATES
 LAND SURVEYING
 510 S. 17th STREET, SUITE 102 AMES, IOWA 50010
 PHONE 515-233-3604 FAX 515-233-4403

FINAL PLAT
VILLAGE PARK SUBDIVISION
 PARCEL C IN THE SE 1/4, SE 1/4 OF SEC. 16-83-24
 AND PARCELS B, C, G, H & I IN THE NE 1/4, NE 1/4 OF
 SEC. 24-83-24, T4N, R24E, CITY OF AMES, STORY COUNTY, IOWA
 JOB #16504FP DATE: 8/15/16 PAGE: 1 of 1

Certification: I hereby certify that this land surveying was done under my direct personal supervision and that I am a duly licensed land surveyor under the laws of the State of Iowa.

R. Kelly Steff Date: 8/15/16
 My license renewal date is December 31, 2017



COUNCIL ACTION FORM

SUBJECT: **RENTAL CODE ORDINANCES**

BACKGROUND:

The Ames City Council made the following motions at the July 23, 2019 Council Meeting:

*Directed staff to include making illegal rentals ineligible for LOCs for one year.
(Amendment to Sec. 13.301(1) shown in italics on attachment).*

*Directed staff to include the ability to issue an order for Rent Abatement in toolbox.
(New Sec. 13.104(2)(f))*

*Directed staff to freeze bedrooms in Near Campus Neighborhoods. (Removed the
strikethrough text in Sec.13.503(4)(e)(iii))*

Staff notified constituents of the proposed changes and presented the ordinances at the August 27, 2019 Council Meeting. After reviewing the changes and hearing input from the public, Council made a motion to:

Direct staff to proceed with these changes as presented.

The revised ordinance is attached and is being presented for first reading.

ALTERNATIVES:

1. Approve on first reading the ordinance that would give staff the ability to make illegal rentals ineligible for a LOC for one year, give staff the ability to implement rent abatement when necessary, and freeze bedroom counts for occupancy purposes on all single-family and two-family dwellings in the near campus neighborhoods.
2. Approve on first reading the attached ordinance regarding Rental Housing changes with suggested changes.
3. Do not pass on first reading the proposed ordinance.

CITY MANAGER’S RECOMMENDATION:

It is the recommendation of the City Manager that the City Council support Alternative #1 and thereby approve the amendments to the rental code giving staff more enforcement options and limiting any potential increases in number of tenants in newly registered rentals.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SECTION THEREOF, FOR THE PURPOSE OF RENTAL CODE CHANGES CHAPTER 13 REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Section as follows:

“Sec. 13.104. VIOLATIONS AND ENFORCEMENT.

(2) Enforcement.

...

(f) Rent Abatement.

i.) The Building Official may order rent abated when the Building Official determines that the owner has, after issuance of a notice of violation of this chapter:

a.) Failed to provide an essential service (water, sewer, electricity, heat);

b.) Failed to remedy a condition that poses a substantial risk to the health or safety of the tenant;

c.) Rented a dwelling unit without a valid Letter of Compliance; or,

d.) Failed to make corrections as required in the inspection report.

(ii) Rent abatement means that the owner may not recover rent from the tenant.

Rent shall be abated until the condition for which rent abatement was ordered has, in the judgment of the Building Official, been remedied.

(iii) The Building Official shall provide a copy of the rent abatement order to the owner at the address on the rental permit and to the tenant by U.S. mail and by posting the entrance door to the dwelling unit. Notice of termination of the rent abatement will be given in the same manner.

Sec. 13.301. LETTER OF COMPLIANCE (LOC)

(1) Letter of Compliance required.

No owner or operator shall rent, or offer for rent, any dwelling unit for use in whole or in part for human habitation, unless:

(a) it is registered as a rental dwelling with the Inspection Division, and

(b) a valid Letter of Compliance has been issued, or is pending, subject to inspection approval.

Properties determined to have been rented without a valid Letter of Compliance may be, at the discretion of the building official, ineligible for a Letter of Compliance for a period of one year beginning on the date in which City staff determined the property was being illegally rented. The property cannot be leased during this year.

...

Sec. 13.503. OCCUPANCY LIMITATIONS

...
(4)

...

(e)

...

(iii) For rental dwelling units located within the Near Campus Neighborhoods and that are registered as of January 1, 2018, the number of bedrooms for determining maximum occupancy shall be determined by the number of bedrooms listed in the records of the Ames City Assessor as of January 1, 2018, or by the number of bedrooms reflected in the inspection records of the City of Ames Inspection Division as of January 1, 2018, whichever number is higher.

13.503

(4)

(e)

~~(iv) For rental dwellings located within the Near Campus Neighborhoods for which a registration is being sought after January 1, 2018, the number of bedrooms for determining maximum occupancy shall be determined by an inspection of the Inspection Division."~~

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out by law.

Section Three. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Four. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

John A. Haila, Mayor