

Iowa City Planning & Zoning Commission

Thursday, April 20, 2017
Emma Harvat Hall
City Hall

Work Session
6:30 p.m.

Formal Meeting
7:00 p.m.



Department of Neighborhood
and
Development Services



CITY OF IOWA CITY
UNESCO CITY OF LITERATURE

Staff Reports

PLANNING AND ZONING COMMISSION

Thursday, April 20, 2017 - 6:30 PM

Work Session

Emma Harvat Hall

Iowa City City Hall

410 E. Washington Street

AGENDA:

A. Call to Order

B. Roll Call

C. Discussion of Iowa City's Parking Division's Operations and Policies

D. Adjournment

If you will need disability-related accommodations in order to participate in this meeting, please contact Bob Miklo, Urban Planning, at 319-356-5240 or at bob-miklo@iowa-city.org. Early requests are strongly encouraged to allow sufficient time to meet your access needs.

Upcoming Planning & Zoning Commission Meetings

Formal: May 4 / May 18 / June 1

Informal: Scheduled as needed.

PLANNING AND ZONING COMMISSION

Thursday, April 20, 2017 - 7:00 PM

Formal Meeting

Emma Harvat Hall

Iowa City City Hall

410 E. Washington Street

AGENDA:

A. Call to Order

B. Roll Call

C. Public Discussion of Any Item Not on the Agenda

D. Comprehensive Plan Item

A public hearing for the discussion of an amendment to the Comprehensive Plan to address mitigating impact of redevelopment on existing tenants of multi-family buildings. (CPA17-00001)

E. Rezoning Item

Discussion of an application submitted by Deluxe Bakery / Jamie Powers for a rezoning from Low Density Single Family Residential with Historic District Overlay (RS-5/OHD) zone to Neighborhood Commercial with Historic District Overlay (CN-1/OHD) zone for approximately 3,440 square feet of property located 812 S. Summit Street. (REZ17-00006)

F. Development Item

Discussion of an application submitted by Robert & Roxanne Mitchell for a preliminary and final plat of Westcott Second Addition, a 9.96-acre, 4-lot residential subdivision located 3055 Prairie du Chien Road NE. (SUB16-00009/SUB16-00010)

G. Consideration of Meeting Minutes: April 6, 2017

H. Planning & Zoning Information

I. Adjournment

If you will need disability-related accommodations in order to participate in this meeting, please contact Bob Miklo, Urban Planning, at 319-356-5240 or at bob-miklo@iowa-city.org. Early requests are strongly encouraged to allow sufficient time to meet your access needs.

Upcoming Planning & Zoning Commission Meetings

Formal: May 4 / May 18 / June 1

Informal: Scheduled as needed.



CITY OF IOWA CITY MEMORANDUM

Date: March 30, 2017
To: Planning and Zoning Commission
From: John Yapp *JY*
Re: Proposed Comprehensive Plan Amendment: Mitigating impact of redevelopment on existing tenants of multi-family buildings

Introduction

The City Council adopted an Affordable Housing Action Plan on June 21, 2016. One of the specific actions called for in the Plan is to amend local ordinances to address the impacts of tenant displacement associated with major site plans / redevelopment of existing multi-family residential properties, designed to increase notice to and foster greater communication with tenants. This grew, in part, out of discussions related to the redevelopment of Rose Oaks, and the concern that tenants of Rose Oaks, with short notice in some cases, did not have their leases renewed and were faced with the difficult challenge of finding alternative housing in a short timeframe.

Background

The 2007 Iowa City Metro Area Affordable Housing Market Analysis found, among other findings, that housing prices have outpaced income; that many cost-burdened households are active members of the region's workforce whose salaries are not keeping pace with housing costs; that the market is producing many more high-priced housing units than moderately priced units; and that projected housing construction activity is not expected to address affordable housing needs. This Market Analysis was updated in 2015. This update found that the majority of housing stock growth was single-family housing; and that the proportion of renters in Iowa City considered severely cost-burdened had increased. The update identified several public policy strategies to address affordable housing including inclusionary zoning, preservation of existing affordable housing, and fostering an environment of collaboration and cooperation.

City Steps 2016-2020 is a document that identifies local housing and community development needs. It lists priorities including expansion of affordable housing opportunities, public facilities improvements, and housing and housing-related services for homeless and those that at risk of becoming homeless. Iowa Code Chapter 18B, Smart Planning Principles, includes a principle of *Efficiency, transparency, and consistency*, stating that planning, zoning, development, and resource management should be undertaken to provide efficient, transparent, and consistent outcomes

Approval of a site plan is a process for assuring compliance with the City's codes and regulations (e.g. zoning, utility design, etc.). *Unlike a rezoning*, the approving body does not have the discretion to exercise its judgment on the best use of the property, but rather, reviews the site plan with reference to existing codes. While the site plan review process can require considerable review and amendment before approval given various code requirements, it is a

ministerial process. If a site plan complies with all applicable City Code requirements and standards, it must be approved - once a site plan is approved, a building permit may be issued.

Site plan submittal requirements and the level of detail differ depending on whether the plan is a "major site plan" or a "minor site plan." A major site plan involves the construction or remodeling of projects with over 12 residential units or over 10,000 square feet of non-residential floor area. Notice must be posted on the property within 24 hours of receiving the application. The review and approval process is administrative, performed by City Staff, unless a request is made for the Planning and Zoning Commission to review the application. There is currently no process for Council review and approval of site plans. The application submittal requirements are set forth in City Code Section 18-2-2.

Discussion of Solutions

1. AMEND COMPREHENSIVE PLAN

Among the housing goals in the existing IC2030 Comprehensive Plan are:

- Identify and support infill development and redevelopment opportunities in areas where services and infrastructure are already in place;
- Improve and maintain housing stock in established neighborhoods;
- Maintain and improve the safety of all housing;
- Encourage the improvement or redevelopment of substandard multi-family housing.

The IC2030 Comprehensive Plan does not currently have a goal that addresses mitigating the impact of redevelopment for existing residents of a redeveloping property. Given the importance of affordable housing, services for those at risk of becoming homeless and increasing communication with existing residents, the Comprehensive Plan should be amended to reinforce the importance of this goal.

Staff recommends the IC2030 Comprehensive Plan be amended to add a goal to the Housing section (pages 27-28) stating:

Mitigate impact of large-scale residential redevelopment.

Mitigate the impact of redevelopment on occupants of proposed projects involving the remodeling or reconstruction of existing multi-family residential dwellings by fostering communication between property owners and occupants through sufficient notice requirements, and encouraging the developer to create thoughtful transition plans that seek to accommodate the relocation needs of current occupants.

Staff also recommends amending the *Community Vision* section of the Comprehensive Plan to reinforce this goal, and amending the *Background – Housing* section of the Comprehensive Plan to reference existing and future affordable housing plans and studies, including the 2015 Update of the Affordable Housing Market Analysis, CITY STEPS, and future affordable housing studies.

2. AMEND SITE PLAN REVIEW PROCESS

Staff is in the process of drafting code amendments to Title 18 of the Iowa City Code of Ordinances to implement and codify requirements for resident notice, more transparency with residents about the phasing of proposed construction, and the creation of transition plans for residents during the construction process for major site plans (12 units or more). The Code will specify the requirements of the transition plan and the plans would be reviewed and approved by Council. While amendments to the Site Plan Review chapter do not require review by the Planning and Zoning Commission (the Site Plan Review chapter is not part of the Zoning Code), staff wanted to make the Commission aware of the amendments.

3. UPDATE GOOD NEIGHBOR POLICY

The current Good Neighbor Policy recommends that developers hold a meeting with interested members of the public (including property owners, residents, business, etc.) and makes available staff resources (Neighborhood and Development Services staff) to encourage and assist developers/applicants with setting up and attending the meetings. Locally, most developers/applicants do hold Good Neighbor meetings for projects that are perceived to have neighborhood impacts. While the Good Neighbor Policy currently recommends that such meetings be held for any development activity, in practice the attention has focused on such meetings for rezonings and subdivisions. Staff intends to amend the policy and change its practice to clarify that good neighbor meetings are encouraged for major site plans, not just rezoning and subdivision actions. A Good Neighbor meeting would help explain the proposed project to affected residents, how it will impact them, and the details of the phasing/transition plan.

No Planning and Zoning action is required to update the Good Neighbor Policy, but staff wanted to make the Commission aware of the proposed changes.

P&Z RECOMMENDATIONS

Staff recommends the IC2030 Comprehensive Plan be amended to:

1. Add a goal to the Housing section (pages 27-28) stating:

Mitigate impact of large-scale residential redevelopment.

Mitigate the impact of redevelopment on occupants of proposed projects involving the remodeling or reconstruction of existing multi-family residential dwellings by fostering communication between property owners and occupants through sufficient notice requirements, and encouraging the developer to create thoughtful transition plans that seek to accommodate the relocation needs of current occupants.

2. Add a goal to the Community Vision Statement (page 7) stating:

Fostering communication among owners, redevelopers and occupants to mitigate the impact of redeveloping existing residential properties.

3. Add a statement in the Background – Housing section (page 12):

The City has several affordable housing related documents including the 2015 Update to the Affordable Housing Market Analysis and the CITY STEPS Consolidated Plan, which document affordable housing issues and trends. These and future documents provide the basis for affordable housing-related discussions, policies and legislation.

Approved by: _____



Doug Boothroy / Director
Neighborhood and Development Services

Attached: Pgs. 7, 12, 27-28 of current IC2030 Comprehensive Plan

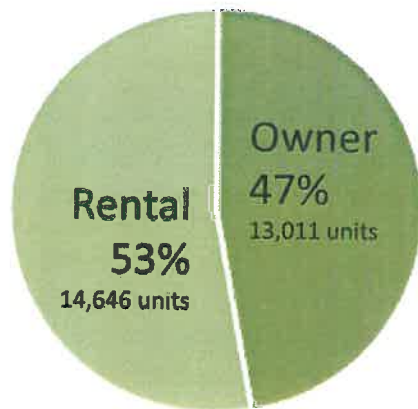
Community Vision Statement

Iowa City is an energetic and friendly community, renowned for its arts and culture, healthcare and education, and distinctive local businesses. The small-town character of our neighborhoods combined with the big-city vitality of our Downtown and university campus make Iowa City a unique and appealing place for people of all ages. These assets define our sense of place and are the foundation of our stable economy.

We will strive to preserve and build upon these aspects of our community while supporting compatible growth and investment that contributes to the overall sustainability of Iowa City by:

- Fostering a resilient local economy that increases the tax base, stimulates job growth, and promotes the overall prosperity and progress of our people;
- Protecting and enhancing the environment and encouraging the responsible use of our natural and energy resources;
- Providing safe and efficient modes of travel for all in order to ensure the opportunity for full participation in community life and efficient use of resources;
- Creating attractive and affordable housing for all people—housing that is the foundation of healthy, safe, and diverse neighborhoods throughout our city;
- Promoting opportunities for civic engagement and human development for all who call Iowa City home; and
- Encouraging and supporting collaborative efforts with the University of Iowa, the Iowa City Community School District, Johnson County, and other neighboring jurisdictions for the mutual benefit of all communities.

A shared community vision is the foundation of the Comprehensive Plan. This vision statement was drawn from a number of public processes, including the IC2030 workshops, the Good Ideas web survey, recent district planning processes (including the Southeast District and Central District Plans), a series of workshops for the Downtown and Riverfront Crossings Master Plan, and from community responses to recent events, policy debates, and development activities, especially those in the central and near campus neighborhoods.



Occupied Housing

According to the 2010 Census, more than half of all occupied housing units in Iowa City are rentals. *

According to the 2010 Census there were 29,270 housing units in Iowa City. Of those, 27,657 were occupied.

The homeowner vacancy rate was 2.8%. This is comparable to the vacancy rate in the state of Iowa (2.0%) and in the U.S. (2.4%)

The rental vacancy rate was 4.1%. This is low when compared to the vacancy rate in the state of Iowa (8.5%) and in the U.S. (9.2%).

*Housing unit refers to dwelling for an individual household, i.e. a house, or an apartment within a larger building.

Housing

While unique forces contribute to a more resilient housing market than in most parts of the country, Iowa City was not immune to the recent national economic downturn. Likewise, new demographic trends, uncertainty in the financial sector, and concerns over the price of energy influence the demand for housing, as well as the type or style of housing being sought.

According to the 2010 Census, rental housing accounted for 53% of all occupied housing in Iowa City. Residents age 15-34 made up 73.1% of all renters, and one- or two-person households accounted for 72.6% of all rentals.³ Small households are also typical for owner-occupied housing, with 65.5% consisting of one- or two- person households.

Median home value and median gross rent in Iowa City were the highest of any of the five most populous cities in the state.⁴ Median home value in 2010 was estimated at \$188,000. Median gross rent was estimated at \$856. Housing prices outpaced income growth from 2000 to 2007. Meanwhile real median household income for Iowa City, which peaked in 2008 at \$54,466, dropped 11% by 2011.⁵

A growing percentage of Iowa City's population consists of students, young adults, retirees, and seniors. Housing trends for these populations point toward greater demand for homes, townhouses, condominiums, and apartments located in walkable urban neighborhoods such as those that exist and that are being contemplated in and around the Downtown, University Campus, and in other areas close to employment and recreation. Strong interest in the UniverCity Neighborhood Partnership Program; a significant increase in the pace of development of new homes in the Peninsula Neighborhood (despite the economic recession); continued reinvestment in and sales of homes, condominiums, and townhouses within walking distance of Downtown and the University campus; and continued construction of Downtown high-rise condominiums suggest there is increasing demand for higher-density, urban housing for people other than college students.

An overall growth strategy should take into account the trend toward infill development in areas such as the Riverfront Crossings and continued reinvestment in the city's existing housing stock to make these areas more affordable and attractive for families. Development of new neighborhoods should be designed as compact and walkable neighborhoods with a variety of housing types with access to public transit and within walking and biking distance to neighborhood schools and commercial services.

3. 2010 U.S. Census

4. 2010 American Community Survey (1-year estimates)

5. Department of Numbers website

Housing

Vision:

Iowa City is a community of neighborhoods with safe, attractive, and affordable housing options to serve residents throughout their lifetimes. To this end, the City of Iowa City will support policies that preserve and enhance the character of existing neighborhoods while encouraging diverse and affordable housing options in all neighborhoods—new and old.

Housing Goals and strategies:

Encourage a diversity of housing options in all neighborhoods.

- Ensure a mix of housing types within each neighborhood, to provide options for households of all types (singles, families, retirees, etc.) and people of all incomes.
- Encourage development on smaller lots that conserve land and allow for more affordable single-family housing options.
- Strive to create a healthy balance of rental and owner-occupied housing in all neighborhoods.
- Identify and support infill development and redevelopment opportunities in areas where services and infrastructure are already in place.
- Concentrate new development in areas contiguous to existing neighborhoods where it is most cost effective to extend infrastructure and services.
- Encourage projects that attract long-term residents to Downtown, Riverfront Crossings, and the University Impact Zone.
- Encourage publicly and privately developed dormitory-style housing for University students in areas close to the University campus, but away from single-family neighborhoods.
- Ensure that dormitory-style housing for University students includes recreational and open space amenities that provide for a safe and healthy student living environment.
- Promote housing design and features that allow people to age in place, such as universal design.
- Encourage green building techniques and promote energy efficiency in all housing.



Neighborhoods should provide a variety of housing options to serve people throughout the various stages of life: single working people, families, and seniors.



The UniverCity Neighborhood Partnership purchases and renovates rental properties in areas near the Downtown and Campus. These homes are then resold as affordable owner-occupied housing. The goal is to achieve a healthier balance of owner-occupied and rental properties in near-campus neighborhoods that still retain a single-family character.

Improve and maintain housing stock in established neighborhoods.

- Continue to support and promote programs that fund or provide low-interest loans for housing maintenance or rehabilitation such as the General Rehabilitation and Improvement Program (GRIP), the Targeted Neighborhood Improvement Program (TARP), and the UniverCity Neighborhood Partnership.
- Encourage the improvement or re-development of substandard multi-family housing.
- Identify areas within established neighborhoods where infill development would be appropriate.

Maintain and improve the safety of all housing.

- Enforce building and housing codes.
- Review existing codes for consistency with the goal to provide safe housing, re-evaluating provisions that have no apparent basis in safety.
- Update codes to accommodate the use of new technology and construction techniques.
- Explore Home Energy Rating Standards for new construction and significant remodel/rehabilitation projects.

Preserve the integrity of existing neighborhoods and the historic nature of older neighborhoods.

- Develop neighborhood plans that help ensure a balance of housing types, especially in older parts of the city.
- Support the Historic Preservation Commission's efforts to meet its goals.
- Support housing rehabilitation programs and re-invest in housing in existing neighborhoods.

Support sustainability initiatives to create more energy efficient development.

- Support programs to improve the efficiency and environmental sustainability of housing.
- Support compact, contiguous development to ensure the efficient use of land and to enhance opportunities for alternatives to commuting by car.

STAFF REPORT

To: Planning and Zoning Commission

Prepared by: Bob Miklo and Sarah Walz

Item: REZ17-00006
812 S. Summit St.

Date: April 20, 2017

GENERAL INFORMATION:

Applicant and Owner:

Jamie Powers
812 S. Summit Street
Iowa City, IA 52240
319-338-5000
Jamie.powers@deluxeiowa.com

Requested Action:

Rezone from Low Density Single Family Residential
Historic District Overlay (RS-5/OHD) Zone to
Neighborhood Commercial Historic District Overlay
(CN-1/OHD) Zone

Purpose:

To allow for expansion of the existing retail use

Location:

812 S. Summit Street

Size:

3,440 square feet

Existing Land Use and Zoning:

Retail use (bakery) and upper floor residential

Surrounding Land Use and Zoning:

North: Residential (RS-5/OHD)
South: Residential (RS-5/OHD)
East: Residential (RS-5/OHD)
West: Residential (RS-5/OHD)

File Date:

March 30, 2017

45 Day Limitation Period:

May 14, 2017

BACKGROUND INFORMATION:

The applicant, Jamie Powers, is seeking a rezoning from Low Density Single-Family Residential with a Historic Preservation Overlay (RS-5/OHD) to Neighborhood Commercial with a Historic Preservation Overlay (CN-1/OHD) for a 3,440 square foot property located at 812 South Summit Street.

The property includes a two-story mixed-use building, with the bakery on the ground level and an apartment on the second level. The building was originally constructed c.1900 as a front-gabled American Vernacular house. According to Irving Weber, in the 1910's owner Harry Smith began a grocery in the house and later added the "boomtown" storefront that was built beside the

house. Having been established as a retail business prior to the adoption of a zoning code by the City in the mid-1920s, the property has continued to be used for commercial purposes on the ground floor throughout its existence. Therefore, the retail use of the property is considered a legal non-conforming use. As a non-conforming use it may continue as is, or be converted to another use within the same use category, but cannot be expanded in size.

The applicant wishes to build a 7' x 15' addition on the north side of the building to allow the relocation of the stairway to the second floor apartment, and to improve access for persons with disabilities. The relocation of the stairway will also create more ground floor area for use by the bakery. Such an expansion is not permitted for a non-conforming use. Therefore the applicant has requested the property be rezoned to CN-1 to make the bakery a conforming use.

Because the property is located within a historic district, any changes to the exterior of the building require approval of the Historic Preservation Commission.

The applicant has indicated that she has used the "Good Neighbor Policy" and will hold an informational open house at the bakery on April 14.

ANALYSIS:

Current zoning: The Low Density Single-Family Residential Zone (RS-5) is primarily intended to provide housing opportunities for individual households. The regulations are intended to create, maintain, and promote livable neighborhoods. The regulations allow for some flexibility of dwelling types to provide housing opportunities for a variety of household types. This zone also allows for some nonresidential uses that contribute to the livability of residential neighborhoods, such as parks, schools, religious institutions, and daycare facilities. Related nonresidential uses and structures should be planned and designed to be compatible with the character, scale, and pattern of the residential development. As noted the retail bakery is considered a legal non-conforming use in the zone and may continue to operate but it may not be expanded. Under the current zoning, if the building were to be destroyed, it could only be replaced by a single-family house or another use permitted in the RS-5 zone.

The property is included in the Summit Street Historic District. Changes to the exterior of the building require review and approval by the Historic Preservation Commission. The Historic Overlay zone will still apply if the underlying zone is changed to CN-1.

Proposed zoning:

The purpose of the Neighborhood Commercial Zone (CN-1) is to promote a unified grouping of small-scale retail sales and personal service uses in a neighborhood shopping area; encourage neighborhood shopping areas that are conveniently located and that primarily serve nearby residential neighborhoods; promote pedestrian-oriented development at an intensity level that is compatible with surrounding residential areas; and promote principles of site design, building articulation, scale and proportion that are typical of traditional main street design. Allowed uses are restricted in size to promote smaller, neighborhood-serving businesses and to limit adverse impacts on nearby residential areas. CN-1 Zones are generally located with direct access to an arterial street. Uses allowed in the zone include retail sales, general and medical office, personal service, eating and drinking establishments, hospitality, daycare, specialized instruction. However, as noted below some of the uses normally allowed in the CN-1 zone will not be allowed on this property, even if it is rezoned, due to the limited number of parking spaces.

Parking: In addition to being a non-conforming use, the property is also non-conforming regarding parking. The current uses require 4.69 spaces based on the 1-bedroom apartment and the amount of floor area for the retail bakery (1 space per 300 square feet of floor area). There are two parking spaces provided to the rear of the building, which will not change with the proposed modifications to the structure. The ability to satisfy the minimum parking requirement does not change with the rezoning—there is simply not enough space on the property—and thus the parking will remain non-conforming. If the use of the commercial property changes over time, the parking will be grandfathered in with the 4.69 spaces. This control on parking will also limit the types and intensity of businesses (for example: eating and drinking establishments require 1 parking space per 150 square feet of floor area and therefore would not be allowed).

Comprehensive Plan: The Comprehensive Plan encourages sustainable and walkable neighborhoods and envisions neighborhood commercial uses as contributing to the quality of life within neighborhoods. The Plan states:

Neighborhood commercial areas can provide a focal point and gathering place for a neighborhood. The businesses within a neighborhood commercial center should provide shopping opportunities within convenient walking distance for the residents in the immediate area. The design of the neighborhood commercial center should have a pedestrian orientation with the stores placed close to the street, but with sufficient open space to allow for outdoor cafes and patios or landscaping. Parking should be located to the rear and sides of stores with additional parking on the street. Incorporating apartments above shops and reserving public open space are two ways to foster additional activity and vitality in a neighborhood commercial area. (IC2030: Comprehensive Plan Update page 21.)

In staff's view the current use conforms to the vision for Neighborhood Commercial described in the Comprehensive Plan. In addition to serving as a retail bakery, the business provides a gathering space for neighborhood residents. The property's physical design is similar to a small main street shop, with the building being close to the street, it includes a small outdoor seating area, and parking is at the back of the property, in conformance with site design standards in the code.

The Central District Plan also acknowledges a number of properties originally developed with buildings that served as neighborhood grocery stores and have remained, over time as non-conforming commercial uses. These include the Design Ranch Building on Dodge Street, the former Seaton's Meat Market, Watt's Grocery on Muscatine, and Deluxe Bakery on South Summit Street. The former New Pioneer Co-op site (more recently Za-Za's on Bowery Street) and the Akar Architects office on Rochester Avenue also continue to serve as commercial uses within a residential zone. Some of these properties have been granted special exceptions or historic preservation designations to ensure preservation the buildings themselves as well as their opportunity to function as commercial uses. For this reason the current zoning code includes a number of provisions to encourage the continued use of these unique properties provided that their use does not disrupt or detract from the residential character of surrounding neighborhoods.

The Economic Development chapter of the Comprehensive Plan encourages small local businesses, such as Deluxe Bakery. Economic goals and strategies include:

- Establish strategies to retain and encourage growth of existing locally-owned businesses.
- Recognize that small, and independently owned, local businesses are integral to Iowa City's "brand" and sense of identity. (IC2030: Comprehensive Plan Update page 30.)

Based on these policies and the current conditions evident at 812 S. Summit Street, staff finds that rezoning of the property to CN-1 (with the historic district overlay zoning designation) would be in conformance the Comprehensive Plan.

Compatibility with neighborhood: The bakery has operated in this location for approximately 15 years. Prior to that, the property contained other retail businesses, such as a grocery store, art gallery, and a yarn and craft shop, all as grandfathered non-conforming uses. These uses have proved to be compatible with the surrounding residential neighborhood. And as noted in the Comprehensive Plan, such uses often enhance the quality of life in a neighborhood.

If the change to the CN-1 zone is approved, the property will be allowed to make the small proposed expansion and improve access for persons with disabilities. The non-conforming parking will limit the sorts of businesses that may locate here should the use change over time. The historic preservation overlay zone will control the design of any exterior changes to the building.

Given the small size of the lot and its proximity to adjacent single-family uses, staff recommends two conditions to control certain aspects of allowed uses that may not be compatible with the surrounding single-family residential neighborhood: restricting hours that the business is open to the public to between 7:00 am and 9:00 pm, and no sales of alcohol or tobacco on the property. These restrictions are, in the view of staff, appropriate in order to ensure the commercial use of the property remains neighborhood serving and compatible with nearby residential properties and to minimize activities that may be injurious to the use and enjoyment of residential uses in the immediate vicinity. Similar restrictions were put in place for the property at 518 Bowery Street (another commercial use within a residential zone) through the special exception process. The applicant has been informed of these conditions and is agreeable to them.

Traffic implications: The property may continue to operate as a retail commercial use in the RS-5 zone. Rezoning of the property to CN-1 will allow the commercial use to increase slightly in size, but the intensity of use will be similar to the existing bakery and will not likely generate additional traffic when compared to the current use. If the bakery closes, the other uses allowed in the CN-1 zone are likely to generate similar levels of traffic. Although no specific data is available, observations indicate that a significant number of customers walk or bike to this location. Restricting night time hours of operation will help to assure that traffic from the business uses on this property are not disruptive of the neighborhood in the future.

STAFF RECOMMENDATION:

Staff recommends approval of REZ17-00006, a rezoning of property at 812 S. Summit Street from Low Density Single Family Residential/Historic Preservation Overlay (RS-5/OHP) zone to Neighborhood Commercial/Historic Preservation Overlay (CN-1/OHP) zone subject to a Conditional Zoning Agreement restricting hours that the business is open to the public to between 7:00 am and 9:00 pm, and prohibiting the sale of alcohol and tobacco.

ATTACHMENTS:

1. Location Map
2. Application materials

Approved by: _____


 John Yapp, Development Services Coordinator
 Department of Neighborhood and Development Services



0 0.0125 0.025 Miles

REZ17-00006
Deluxe Bakery
812 S. Summit Street



Prepared By: Marti W
Date Prepared: April 2



An application submitted by
Jamie Powers, owner of Deluxe Bakery,
to rezone property at 812 S. Summit Street
from Low Density Single Family Historic
District Overlay (RS-5/OHD) to Neighborhood
Commercial Historic District Overlay (CN-1/OHD).

I am interested in changing the location of 812 S.Summit St. to a Commercial Neighborhood use. This change will allow for a more efficient and safe work space for the employees and guests. It will be safer for all involved by creating a more streamlined workspace for bakers and creating a new entrance which flows with all abilities.

After 15 years of operation, DeLuxe Bakery has proven that a commercial gathering space, much like what was exemplified from 1979 and before, can enrich, solidify and contribute to locking in as a neighborhood gathering place.

After reviewing various plans, changing this location to commercial will allow for the best handicap access plans to move forward.

Thank you so much for your help
All the best,
Jamie

STAFF REPORT

To: Planning & Zoning Commission

Prepared by: Marti Wolf, Planning Intern

Item: SUB16-00009 & SUB16-00010
Westcott Second Addition

Date: April 20, 2017

GENERAL INFORMATION:

Applicant:

Robert and Roxanne Mitchell
3028 Westberry Drive NE
Iowa City, IA 52240
(319) 541-9575

Contact Person:

Glen Meisner
1917 South Gilbert Street
Iowa City, IA 52240
(319) 351-8282

Requested Action:

Preliminary and Final Plat Approval

Purpose:

3-lot residential subdivision and resubdivision of Lot 1, Westcott Addition

Location:

3055 Prairie du Chien Road NE

Size:

9.96 acres

Existing Land Use and Zoning:

Rural Residential (R)

Surrounding Land Use and Zoning:

North: County Residential (R)
South: County Agricultural (A)
East: County Agricultural Residential (AR)
West: County Residential (R)

Comprehensive Plan:

Johnson County Fringe Area Agreement

File Date:

March 24, 2017

45 Day Limitation Period:

May 8, 2017

BACKGROUND INFORMATION:

The applicants, Robert and Roxanne Mitchell, have submitted a preliminary plat and final plat for Westcott Second Addition, a 4-lot, 9.98-acre residential subdivision located at 3055 Prairie du Chien Road NE in Johnson County. The subject property falls in the North Corridor of Fringe Area A. Because the property is within Iowa City's two-mile Fringe Area, the Fringe Area Agreement specifies that City approval will be required when the property is subdivided. The property was rezoned in 2016 from County Agricultural (A) to County Residential (R). There is currently one single-family dwelling, a barn, and multiple detached storage structures.

The applicant has indicated that they will not be using the Good Neighbor Policy.

ANALYSIS:

Comprehensive Plan: The Fringe Area Agreement, an element of the Comprehensive Plan, is intended to provide guidance regarding the development of land located within two miles of Iowa City's corporate limits. The agreement's stated purpose is to provide for orderly and efficient development patterns appropriate to a non-urbanized area, protect and preserve the fringe area's natural resources and environmentally sensitive features, direct development to areas with physical characteristics which can accommodate development, and effectively and economically provide services for future growth and development.

This property is located beyond Iowa City's growth area and therefore is not likely to be annexed into the city. Subdivisions outside of the growth area are required to adhere to the City Rural Design Standards contained in the Fringe Area Agreement. These standards generally conform to the County zoning and subdivision standards rather than typical City requirements for infrastructure and lot design. These standards allow for less complete infrastructure and have less detailed design requirements compared to the City's Subdivision Standards.

City Rural Design Standards:

Streets: No new streets are proposed for this subdivision. Access to lots 1 and 2 will be to Westcott Drive. Access to Lots 3 and 4 will be to Prairie Du Chien Road. The applicant has obtained access easements to allow driveways to these streets.

Water and Sewer Treatment: The subdivision will be served by private water wells and septic systems. The County Health Department will need to approve the water and septic systems for this subdivision.

Stormwater Management: The subdivision will be required to comply with the County stormwater management standards. Berms and piping will direct stormwater to a basin proposed in Outlot B. The City Engineer has reviewed the stormwater management plan and has approved its application to this development. Any modifications to the plan will require review and approval of the City Engineer.

Fire Rating: The Fringe Area Agreement requires that the developer's engineer establish a fire rating and provide a letter from the Fire Protection District approving the fire hydrant system. The Solon Fire Department has submitted a letter indicating that the subdivision is over 5 miles away and the ISO rating would be 0 for this location.

Sensitive Areas: This property contains steep slopes and woodlands and is subject Johnson County's sensitive areas regulations. The City's sensitive areas regulations do not apply to subdivisions outside of the growth area.

Zoning: The property was rezoned in 2016 from County Agricultural (A) to County Residential (R). The County Residential zoning allows single family dwellings as a permitted use, with minimum lot area of 40,000 square feet. Each of the lots conforms to this requirement. The Fringe area Agreement requires that at least 50% of the property be designated as an outlot for open space or agriculture. Outlots A, B, and C are designated as open space. Outlot B will also contain stormwater management facilities.

STAFF RECOMMENDATION:

Staff recommends that SUB16-00009 and SUB16-00010, an application for a preliminary and

final plat of Westcott Second Addition, a 4-lot, 9.98-acre residential subdivision located 3055 Prairie Du Chien Road be approved.

ATTACHMENTS:

1. Location Map
2. Preliminary and Final Plat

Approved by: 

John Yapp, Development Services Coordinator,
Department of Neighborhood and Development Services



0 0.0275 0.055 0.11 Miles

SUB16-00010 Westcott Second Addition



Prepared By: Marti Wolf
Date Prepared: September 20



An application submitted by Robert and Roxanne Mitchell for Westcott Second Addition, a 3-lot, 9.96-acre residential subdivision at 3055 Prairie du Chien Road NE.

**PRELIMINARY AND FINAL PLAT
WESTCOTT SECOND ADDITION
(A RESUBDIVISION OF LOT 1, WESTCOTT ADDITION)
JOHNSON COUNTY, IOWA**

PLAT PREPARED BY: **MMS CONSULTANTS INC.**
1917 S. GILBERT STREET
IOWA CITY, IA 52240

OWNER/SUBMITTER: **BOB MITCHELL CONSTRUCTION**
3028 WESTBERRY DRIVE NE
IOWA CITY, IOWA 52240

OWNER'S ATTORNEY: **KATE MITCHELL MITCHELL LAW OFFICE**
217 W. MAIN STREET
WASHINGTON, IOWA 52535

PLAT APPROVED BY:
JOHNSON COUNTY BOARD OF SUPERVISORS:

CHAIRPERSON _____ DATE _____

WELLS
LOTS 1 AND 2 INTEND TO UTILIZE A NEW WELL
LOCATED ON LOT 2. LOTS 3 AND 4 WILL UTILIZE
THE EXISTING WELL.

SEPTIC SYSTEMS
ALL FOUR LOTS WILL HAVE
THEIR OWN PRIVATE SEPTIC
SYSTEM.

PUBLIC ACCESS TO THE LOTS
LOTS 1 AND 2 WILL ACCESS ONTO
WESTCOTT DRIVE NE AND LOTS 3 AND 4 WILL
ACCESS ONTO PRAIRIE DU CHIEN ROAD NE.

LEGAL DESCRIPTION

LOT 1, WESTCOTT ADDITION, ACCORDING TO THE PLAT THEREOF RECORDED IN
BOOK 35, PAGE 333, PLAT RECORDS OF JOHNSON COUNTY, IOWA, AND SUBJECT TO
EASEMENTS AND RESTRICTIONS OF RECORD.

| Line # | Direction | Length |
|--------|-------------|--------|
| L1 | S42°20'58"W | 10.07' |
| L2 | S45°56'54"W | 28.10' |

| Curve Table | | | | | | |
|-------------|----------|---------|---------|---------|---------|-------------|
| Curve | Delta | Tangent | Length | Radius | Chord | Chord Brg |
| C1 | 1°11'58" | 80.14' | 118.89' | 513.37' | 119.70' | N23°46'39"W |
| C2 | 1°09'08" | 57.32' | 114.34' | 646.37' | 114.15' | N22°15'04"W |
| C3 | 6°49'53" | 38.58' | 77.07' | 646.37' | 77.02' | N50°42'03"W |
| C4 | 1°43'25" | 90.17' | 179.38' | 706.37' | 178.60' | S22°48'36"E |
| C5 | 7°38'41" | 11.38' | 22.73' | 170.00' | 22.71' | S08°04'14"W |
| C6 | 3°28'50" | 61.00' | 117.14' | 170.00' | 114.84' | S20°58'48"W |
| C7 | 3°28'50" | 46.65' | 89.58' | 130.00' | 87.82' | N20°58'49"E |
| C8 | 4°08'01" | 47.49' | 91.08' | 130.00' | 88.21' | S20°39'14"W |
| C9 | 4°22'35" | 26.99' | 53.95' | 706.37' | 53.94' | S32°16'43"E |

PREPARED BY AND RETURN TO MMS CONSULTANTS, INC. 1917 S. GILBERT ST. IOWA CITY, IOWA 52240 (515) 351-3282

LOCATION
A RESUBDIVISION OF LOT 1, WESTCOTT ADDITION,
LOCATED IN THE N 1/2 SW 1/4 NW 1/4 OF
SEC. 26, T80N-R6W OF THE 5TH P.M.,
JOHNSON COUNTY, IOWA

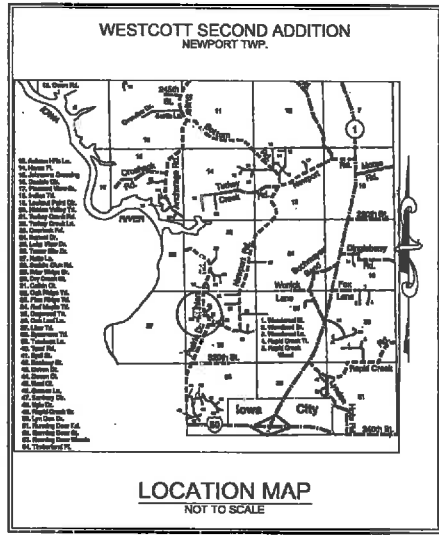
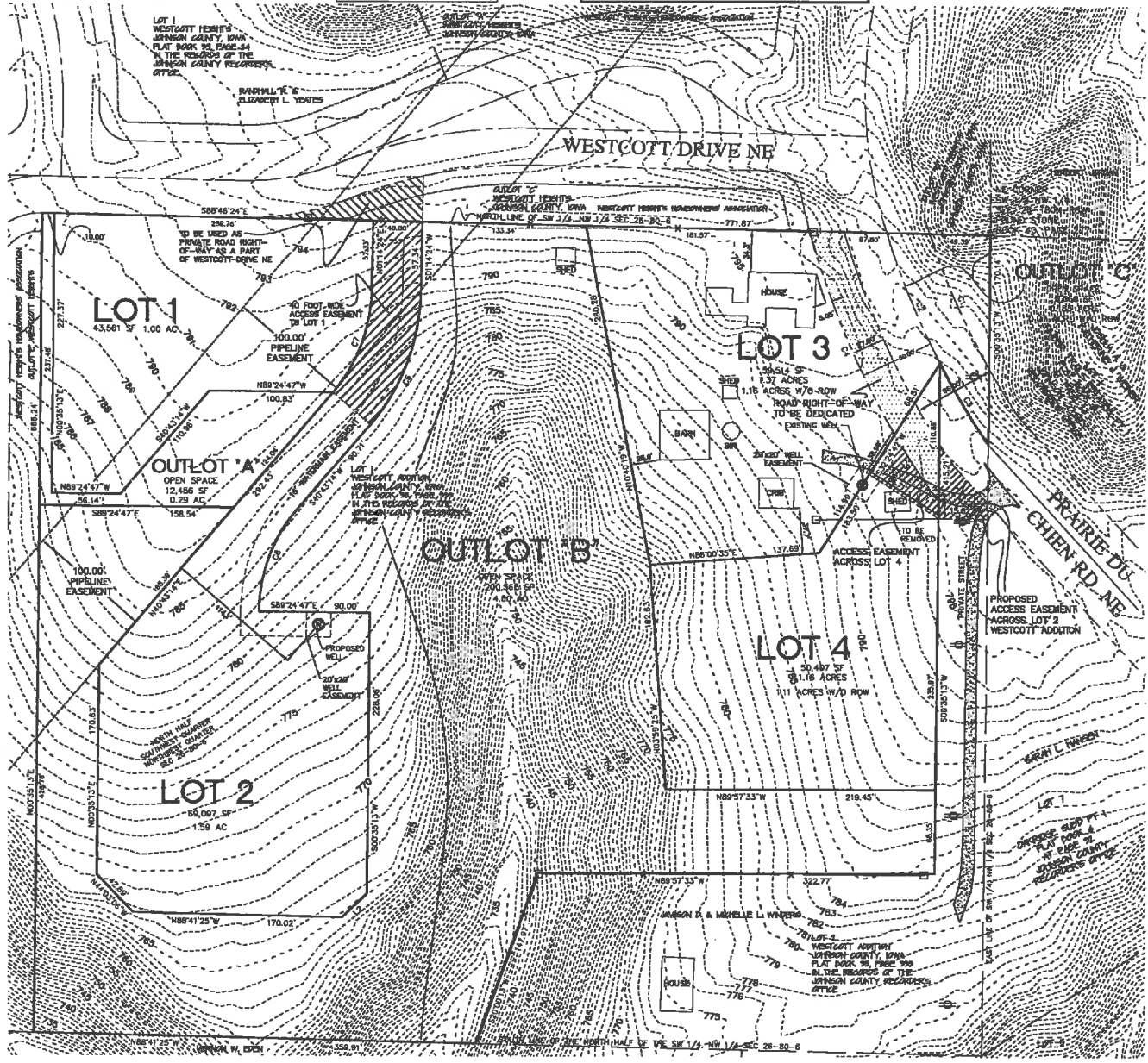
LAND SURVEYOR, INCLUDING FIRM OR ORGANIZATION
GLENN D. MESSNER, P.E. & PLS
MMS CONSULTANTS INC.
1917 S. GILBERT STREET
IOWA CITY, IOWA 52240
PHONE: 351-3282

PLANNING/DESIGNER BY
BOB MITCHELL CONSTRUCTION
5800 IOWELL CONSTRUCTION

INSTRUMENT OR NUMBER
5800 IOWELL CONSTRUCTION

DATE
12/15/2016

COMMENTS OR INFORMATION
LAND SURVEYOR



LOCATION MAP
NOT TO SCALE



STANDARD LEGEND AND NOTES

- PROPERTY &/OR BOUNDARY LINES
- COMPRESSING SECTION LINES
- RIGHT-OF-WAY LINES
- EXISTING RIGHT-OF-WAY LINES
- CENTER LINES
- EXISTING CENTER LINES
- LOT LINES, INTERNAL
- LOT LINES, PLATTED ON BY DEED
- PROPOSED EASEMENT LINES
- EXISTING EASEMENT LINES
- RECORDED DIMENSIONS
- CURVE, SECTANT NUMBER
- EXISTING DECADUOUS TREE & SHRUBS
- EXISTING EVERGREEN TREES & SHRUBS

COMMON OPEN SPACE - AREA SUMMARY

- OUTLET "A" = 0.29 ACRES
- OUTLET "B" = 4.83 ACRES
- EXISTING "T" FORM SENIOR
- OUTLET "C" = 0.07 ACRES (4.00 ROW)
- OUTLETS "A" & "B" = 4.83 ACRES

THE ACTUAL SIZE AND LOCATION OF ALL PROPOSED FACILITIES SHALL BE NOTED WITH CONSTRUCTION DOCUMENTS, WHICH ARE TO BE PREPARED AND SUBMITTED SUBSEQUENT TO THE APPROVAL OF THIS DOCUMENT.

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

GLENN D. MESSNER
P.E. & PLS
U.S. License No. 8165
My license renewal date is December 31, 20__

Copy or sheets covered by this seal: _____

MMS CONSULTANTS, INC.

**CIVIL ENGINEERS
LAND PLANNERS
LAND SURVEYORS
LANDSCAPE ARCHITECTS
ENVIRONMENTAL SPECIALISTS**

1917 S. GILBERT ST.
IOWA CITY, IOWA 52240
(515) 351-6282
www.mmsconsultants.net

| Date | Revision |
|----------|---|
| 12/07/16 | FOR GDM AND COUNTY REVIEW - GDM |
| 2/01/17 | REVISED WELL EASEMENT - GDM |
| 3/08/17 | REVISED PRELIMINARY AND FINAL PLAT - GDM |
| 3/10/17 | ADDED NOTED/ISSUE AND RECORDED AREA - GDM |

**PRELIMINARY AND FINAL PLAT
WESTCOTT SECOND ADDITION
(A RESUBDIVISION OF LOT 1, WESTCOTT ADDITION)**

**LOT 1, WESTCOTT ADDITION
LOCATED IN THE N 1/2
SW 1/4 NW 1/4 OF SEC. 26
T80N-R6W OF THE 5TH P.M.
JOHNSON COUNTY,
IOWA**

MMS CONSULTANTS, INC.

Date: **9/15/2016**

Designed by: **GDM** Field Book No.: _____
Drawn by: **MAS** Scale: _____
Checked by: **GDM** Sheet No.: **1**
Project No.: **1**
IOWA CITY
8074-005

**MINUTES
PLANNING AND ZONING COMMISSION
APRIL 6, 2017 – 7:00 PM – FORMAL MEETING
EMMA J. HARVAT HALL, CITY HALL**

PRELIMINARY

MEMBERS PRESENT: Carolyn Dyer, Mike Hensch, Phoebe Martin, Max Parsons, Mark Signs, Jodie Theobald

MEMBERS ABSENT: Ann Freerks

STAFF PRESENT: Sara Hektoen, Karen Howard, Bob Miklo, Sarah Walz

OTHERS PRESENT: Paula Swygard, Mark Seabold, Ross (William) Nusser, Nick Lindsey

RECOMMENDATIONS TO CITY COUNCIL:

By a vote of 6-0 (Freerks absent) the Commission recommends setting a public hearing for April 20 for discussion of an amendment to the Comprehensive Plan to address mitigating impact of redevelopment on existing tenants of multi-family buildings (CPA17-00001).

By a vote of 6-0 (Freerks absent) the Commission recommends approval of an application submitted by Kevin Hanick for a rezoning of approximately 10.26 acres from Low Density Multifamily Residential (RM-12) to Planned Development Overlay/Low Density Multifamily Residential (OPD/RM-12) zone and a preliminary sensitive areas development plan and plat of Larson Subdivision, a 2-lot, 12.28-acre residential subdivision located north of Scott Boulevard between Hickory Heights Lane and First Avenue (REZ16-00008/SUB16-00012).

By a vote of 6-0 (Freerks absent) the Commission recommends approval to add the new zoning standards for the Orchard Subdistrict amending Title 14, Article 2G, Riverfront Crossings and Eastside Mixed Use District Form-based Development Standards.

By a vote of 6-0 (Freerks absent) the Commission recommends approval of REZ17-00003 a proposal to rezone approximately 0.705 acres of property at 619 and 627 Orchard Court from Planned Development Overlay - Low Density Single Family (OPD-5) Zone to Riverfront Crossings-Orchard (RFC-O) Zone, subject to a conditional zoning agreement requiring dedication of land along the Orchard Court frontage to widen the pedestrian area within the public right-of-way to a minimum of 15 feet measured between the street curb and the new front property line.

By a vote of 5-1 (Dyer voting no, Freerks absent) the Commission recommends approval of REZ17-00004, a request for a rezoning from CB-2, Central Business Services Zone, to CB-5, Central Business Support Zone subject to design review.

CALL TO ORDER:

Hensch called the meeting to order at 7:00 PM.

PUBLIC DISCUSSION OF ANY ITEM NOT ON THE AGENDA:

There were none

COMPREHENSIVE PLAN ITEM (CPA17-00001):

Consider a motion setting a public hearing for April 20 for discussion of an amendment to the Comprehensive Plan to address mitigating impact of redevelopment on existing tenants of multi-family buildings.

Miklo explained this item is a formality to set a date for community input and the Staff report regarding this item will be delivered at the April 20, 2017 meeting.

Theobald moved to set a public hearing for April 20 for discussion of an amendment to the Comprehensive Plan to address mitigating impact of redevelopment on existing tenants of multi-family buildings (CPA17-00001).

Martin seconded the motion.

A vote was taken and the motion passed 6-0 (Freerks absent).

REZONING/DEVELOPMENT ITEM (REZ16-00008/SUB16-00012):

Discussion of an application submitted by Kevin Hanick for a rezoning of approximately 10.26 acres from Low Density Multifamily Residential (RM-12) to Planned Development Overlay/Low Density Multifamily Residential (OPD/RM-12) zone and a preliminary plat of Larson Subdivision, a 2-lot, 12.28-acre residential subdivision located north of Scott Boulevard between Hickory Heights Lane and First Avenue.

Miklo noted that this property was reviewed by the Commission earlier this year for a rezoning to Low Density Multifamily (RM-12) and the Commission recommended approval and the Council has since approved. The Applicant then submitted a subdivision application for a preliminary plat to create two lots, a larger lot for the multi-family development and a smaller lot for a single family home. During the review of the subdivision Staff determined there was development activity proposed in the protective slope buffer for the stormwater management basin and that requires a Planned Development Overlay, which is beyond what Staff can approve with regards to sensitive areas. Therefore this item is a rezoning as well as a preliminary plat application.

Both proposed lots conform to the underlying zoning and conform to the subdivision requirements. The subdivision standards typically require street connectivity to adjacent properties. However in this case due to steep ravines Staff is not recommending a street connection and rather a private lane or driveway serve the multi-family development and then the existing single family home will be served by Dubuque Road.

Miklo stated there will some disturbance to the environmentally sensitive areas, the ravines, in order to allow the installation of a stormwater management facility. The plan does show a grading limit line which generally coincides with the edge of the woodland with the exception of the area for the stormwater basin. The ordinance does allow for reduction of buffers if done in a design that is sensitive and minimizes the damage to slopes and woodlands. Staff has reviewed this plan and the recommendations approval of the buffer reduction.

Signs mentioned the issue of connectivity to another street, and in the future if this area is further developed is there a proposal to put another street in the area. Miklo said because of the ravines that run through the area, Staff would not recommend that they be disturbed for a street.

Hensch opened the public hearing.

Seeing no one Hensch closed the public hearing.

Signs moved to approve an application submitted by Kevin Hanick for a rezoning of approximately 10.26 acres from Low Density Multifamily Residential (RM-12) to Planned Development Overlay/Low Density Multifamily Residential (OPD/RM-12) zone and a preliminary sensitive areas development plan and plat of Larson Subdivision, a 2-lot, 12.28-acre residential subdivision located north of Scott Boulevard between Hickory Heights Lane and First Avenue (REZ16-00008/SUB16-00012).

Dyer seconded the motion.

A vote was taken and the motion passed 6-0 (Freerks absent).

CODE AMENDMENT:

Discussion of amendments to Title 14, Article 2G, Riverfront Crossings and Eastside Mixed Use Districts Form Based Development Standards, to add zoning standards for the new Orchard Subdistrict within the Riverfront Crossings District located north of Benton Street and west of Orchard Street.

Howard reminded the Commission that last year they recommended amending the City's Riverfront Crossings Master Plan to include a new subdistrict on the west side of Riverfront Crossings north of Benton Street and west of Orchard Street. Based on the Commission's recommendation, the City Council amended the master plan to expand the boundary of the district to include a new Orchard Subdistrict. Several new pages were added to the plan describing the desired character of this new subdistrict and the goals of objectives for redevelopment of the area. In order to facilitate implementation of these goals, the form-based code for Riverfront Crossings needs to be amended to include zoning standards for the Orchard District. Howard stated that the area is currently fully developed under the current zoning with a mix of duplexes, multi-family buildings and a few single family dwellings. She noted that the existing development creates an unpleasant environment for walking and biking. The duplexes along Orchard Street have auto-oriented frontages with large garages and driveways that interrupt the sidewalk, there is front yard parking and few street trees. Several of the single family dwellings are located with no street frontage or pedestrian access and can only be accessed from a narrow gravel drive. There is also an abrupt change from the scale of the single family neighborhood to the west and the higher intensity mixed use and commercial development planned along Riverside Drive. The existing zoning is low density single family and medium density single family (RS-5 & RS-8), which doesn't create any incentive for redevelopment. Adopting a new form-based zoning district will help achieve the goals of the Master Plan while at the same time create an incentive for redevelopment.

Howard showed some photos of the area. Next she showed some images of the area from the Master Plan of redevelopment concepts that would be complementary in mass and scale to the adjacent single family neighborhood, create a transition from the larger scale mixed-use and commercial buildings along Riverside Drive to the single family neighborhood to the west, improve the design quality of development and create a better and more visible street access. The development character and scale of buildings should be appropriate for transition from the larger scale mixed-use to the adjacent single family. Buildings should front tree-lined streets, parking should be located behind or within buildings with minimal surface parking lots, using rear or side yard setbacks, upper floor setbacks and landscaping to create that transition to the single family neighborhood to the west, and a development program that limits the types of

buildings to cottage homes, row houses, townhouses, live/work townhouses, and two to three story multi-dwelling buildings with upper floor stepbacks. The master plan calls for a high level of design in exchange for the higher level of density.

Howard stated that Staff looked at the Comprehensive Plan Amendment and from that guidance created form-based zoning standards for the new Orchard subdistrict. These new standards would be incorporated into the Riverfront Crossings form-based code, so that properties within the area can be rezoned and redeveloped according to the new standards. Similar to the rest of the Form Based Code there is a regulating plan, standards that apply to just this subdistrict, and frontage type, building type and parking type standards. The larger regulating plan for Riverfront Crossings has been amended to add the Orchard Subdistrict and designates the primary streets. Orchard Street and the cul-de-sac bulb (Orchard Court) will become primary streets. The regulating plan also shows the location of a proposed pedestrian street that would run parallel to Orchard Street and provide an opportunity for additional buildings frontages opening toward this new green space. As the area redevelops, this regulating plan will provide guidance to location of new street frontages and street alignments that will provide the opportunity for redevelopment according to the plan. This new street pattern would be created through a subdivision process. Howard next showed the amended building height diagram for Riverfront Crossings with the Orchard Subdistrict added. It will have the same three story limitation as is on the far east side of Riverfront Crossings, and will require an upper floor stepback above the 2nd story. Since this area is so close to low-scale single family residential, no bonus height will be allowed. Howard discussed the building placement. Setbacks along street frontages is 6' minimum, 12' maximum, side setback is 10' minimum, rear setback is 10' minimum or 5' minimum if along an alley and the setback from RS-8 zone boundary is 30' minimum. The RS-8 zone setback was included to allow for a larger buffer between this district and the single family neighborhood to the west. Howard noted that in addition to this zoning setback there is a natural wooded drainageway along the western boundary of the district that will provide additional buffer.

Howard noted that the code also includes parking placement standards that restrict parking areas to locations behind or within buildings and screened from street frontages.

Since the Orchard Subdistrict is primarily intended for residential uses, commercial and mixed use building types are not allowed. The only residential building types that would allow small commercial spaces would be live-work townhouses, which would only be allowed along the Orchard Street frontage.

Howard stated that residential densities will be controlled by the limit on building height, required setbacks and the amount of parking required. The number of three bedroom units could not exceed 20% of the total number of units within a building. Building design standards would be the same as other subdistricts in Riverfront Crossings (façade composition, building articulation, windows, entries, building materials, etc.) Howard noted that the minimum parking requirements will need to be added to the applicable parking table in the parking chapter of the zoning ordinance. Parking would be required at the same ratios as the West Riverfront Subdistrict. This will be included in the ordinance amendments forwarded to Council. Usable open space would be required as it is in the rest of Riverfront Crossings (10 square feet per bedroom).

Howard concluded describing a couple of additional minor amendments proposed to the Riverfront Crossings Form-Based Code, including a reduction in the required parking setback for buildings with ground level residential uses from 30' min. to 20' min. This situation has come up a number of times with residential liner buildings, such as the Sabin Townhomes where the

current 30' minimum is difficult to comply with. While Staff does have the ability to adjust the setback for these situations, it is likely to be a regularly requested adjustment, so staff recommends that the code be amended. Staff also recommends making several changes to Table 2G-5, Permitted Frontage Types. For Apartment Buildings and Multi-Dwelling Buildings that have ground floor units with individual entries, terrace frontages would be an attractive and appropriate choice. Staff recommends adding this frontage type to the table for these building types.

Hensch asked about the live-work townhomes and what type of businesses might choose that type of building. Howard stated that they haven't had any built in Iowa City yet so it is just a possibility. A live-work townhouse is designed with ground level flex space in an open floor plan that can be used for a small business combined with living quarters that extend onto a loft space or upper floor. The living area can be accessed directly from the commercial space, so may be ideal for someone that wants to live and work in their home.

Hensch opened the public hearing.

Paula Swygard (426 Douglass Street) shared with the Commission a bigger picture of the neighborhood and drew their attention to the greater area known as the Miller Orchard Neighborhood. She also pointed out there is no other traffic outlet for this new district (Orchard Subdistrict) other than Orchard Street, which flows onto Benton Street which is a busy street and people will (and do) use Hudson Avenue and Miller Avenue to cut through to the commercial areas along Highway 1. It is so busy now that she can no longer in the mornings access Benton Street from Orchard Street due to traffic. Swygard next showed photos of the neighborhood, the new Kum & Go with the duplexes behind. When discussing a transitional neighborhood, everything is at the same height and there is no need for transition behind it. If the duplexes are redeveloped into a three-story building it will be a step up from Riverside Drive, and then a step back down to the residential area to the west. The next photo was of the Riverside West Building and she commented on how nice that the bottom three stories were darker in color and the top areas lighter. There is no transition from the height of the Riverside West Building and the Kum & Go. She showed a picture of the backside of the Riverside West Building and pointed out that they nicely stepped down the dark area two stories so it draws the eye almost level with the current housing. The next picture was of the house that is immediately to the west of the proposed three-story building the Commission has seen designs for. Some call it a two-story house but it is really a one and a half story so the size of the homes are not compatible with a three-story building even with a pedestrian walkway in between. Swygard also showed images of the proposed three-story building and the length of it, noting the mass of the building. It will also result in a large increase in the number of units and people along one street. Riverside West has 96 units, the proposed building on the corner has 36 units, and then another building of 21 units. There is also another proposed rezoning that would result in an additional 45 units in that area. So that will total 198 units along Orchard Street. That includes 81 one bedroom units. The neighborhood looks at that area, realizing it will be redeveloped, it is disappointing to see all the one bedroom units that will encourage student housing so close to campus. This area is part of the University Impact Area which was established to help stabilize areas next to the University. The neighborhood is eligible for efforts to preserve affordable housing in the area and with these proposed buildings it will be reducing the area available for affordable housing. Swygard noted that if this is intended to be a lower density residential development why are there so many one bedroom units proposed. If anything, what can the Form-Based Code do to mitigate. Moving forward, looking at the Form Based Zoning Code, she asked for the Commission to keep in mind it is an affordable area close to the University which is rare. Swygard has a few suggestions, there is the three-story building but could there be a transition to two-story buildings, or to encourage more traditional residential style rather than the

urban design on Riverside Drive. Swygard noted that when Staff mentioned a low wall and S-2 screening she would like to see a requirement added for fencing because even with the best efforts to put in sidewalks and pathways are not always honored by pedestrians. Because the area is so close to commercial, people cut through residential areas to get to the commercial. She would also like to see RS-8 and RS-5 privacy protected with higher screening standards than just S-2. Swygard finished by showing options of more residential for the area and asked if the purpose was to blend in with the neighborhood or with Riverside Drive.

Mark Seabold (Shive-Hattery) talked about the process they have been going through with the City since the Comprehensive Plan Amendment was approved through the Commission and Council. He stated that City Staff has done a great job of keeping the neighborhood and transitions and scale in the forefront of the discussions and have been very mindful. He noted there are a lot of things with the Orchard Subdistrict that are very nice including the pedestrian walkway and the plan for how future streets will be laid out. With regards to scale of units, the market right now for units is smaller, the trends show people want a small affordable place that allows them to use their money more wisely and live a little more sustainably. So the one bedroom and efficiency units are very desirable right now. It is not just from a student stand point but young professionals and people just starting out choosing to live in these units.

Hensch closed the public hearing.

Martin moved to add the new zoning standards for the Orchard Subdistrict amending Title 14, Article 2G, Riverfront Crossings and Eastside Mixed Use District Form-based Development Standards, as described in April 6, 2017 packet.

Parsons seconded the motion.

Hensch agreed with the traffic congestion in the area and asked whether there would be a street connection in the future to the west to Michael Street. Howard showed the aerial photo and noted that anytime there is increased development there needs to be the streets available to support the added density. It is during the rezoning and subdivision process that streets and access are looked at and added to support the increased density. She noted there is a ravine and drainage way along the western boundary of the new district that causes a natural buffer from those single family houses to the Orchard Subdistrict. She noted that there are no plans to create a new street connection west to Michael Street for several reasons. Such a street connection would add traffic from this higher density area into the lower density area to the west. In addition, the topography and natural drainageway would make it difficult and costly to create this connection, not to mention that there is currently a house that would have to be demolished in order to create the connection. While a new street would need to be extend to support additional development it would dead end with a turn-around or cul-de-sac on the western edge of the district. Howard acknowledged that would mean that all traffic from the Orchard District would flow from Orchard Street out to Benton Street.

Signs asked about the plan to create the pedestrian tunnel on the west side of Riverside Drive. Howard said they are working on the plans for that now and believes it is in the budget for the next construction season.

Signs asked if there were any plans to put a signal at the Orchard Street/Benton Street intersection. Howard explained that unfortunately it is so close to the signalized intersection of Benton Street/Riverside Drive that it is not possible from a traffic control standpoint. There may be a possibility for a left turn lane to be added, which will have to be taken into account during any future rezoning and subdivision process for property at the northwest corner of that intersection.

Hensch asked what the elevation change was from the ravine to the houses. Howard believes it is between 5' and 10' elevation change, but is uncertain.

Signs noted that through the Comprehensive Plan change the Commission has already authorized this district and the activity discussed tonight is primarily to set the criteria for development in line with the rest of the Riverfront Crossings District and the comprehensive plan. Howard confirmed that was the case, the idea behind the Form-Based Code is supposed to be specifically designed for what the goals were expressed in the Comprehensive Plan Amendment that was made last year. So with regard to building height, scale, frontage conditions, etc. are done through building articulation standards, building design standards, building height and upper floor stepback requirements.

Hensch asked what the process would be if this were approved to get the traffic engineer to study this area. The traffic issues with redevelopment are a valid concern. Howard stated that once the City gets applications for rezoning and subdivision of property at the intersection, it would be appropriate to study the traffic implications to see if any improvements are needed.

Signs agreed that one of the biggest concerns is the traffic in the area. Even now with just adding the Kum & Go on the corner, the ability to turn left onto Benton Street from Orchard Street is very difficult. Adding new development, and the fact that the Riverside West Building isn't at full capacity yet, it is apparent there will be a traffic problem down the road. Signs stated in response to the first speaker (Swygard) he is afraid that ship has already sailed when the Comprehensive Plan was amended. Signs reiterated he voted against that amendment but will be voting in favor of this code amendment because he feels it is a step that has to be taken to allow for developments to even be considered. The next opportunity for review of specific issues is at rezoning and site plan approvals.

Theobald noted that she sees now why Signs did not want to approve the Comprehensive Plan Amendment, unfortunately now too late. She stated Swygard did a good job showing how much increased housing would be allowable in one spot. When the Commission saw a plan for just part of it, there wasn't just one long building but two with a walkway. She added that she drives down Benton Street every day and it does seem to be just one long building after another and this will just add to that feeling and it will be a big transition from those single family houses to a building of this size.

A vote was taken and the motion passed 6-0 (Freerks absent).

REZONING ITEMS:

1. (REZ17-00003): Discussion of an application submitted by M&W Properties for a rezoning from Planned Development Overlay - Low Density Single Family (OPD-RS-5) zone to Riverfront Crossings- Orchard Zone (RFC-O) for approximately 0.705 acres of property located at 619 and 627 Orchard Court.

Howard stated that the owners of the property along the cul-de-sac bulb of Orchard Court have indicated they would like to redevelop the properties with a new 3-story multi-dwelling building designed according to the Riverfront Crossings Form-Based Code once the Orchard District standards are approved by the City Council. The properties right now are zoned OPD-RS-5 through a Planned Development Overlay which is why multi-family buildings were allowed in a single family zone. The properties along Orchard Street are zoned RS-8 and then to the east is the Riverfront Crossings West Subdistrict. Howard noted that the property currently contains a four-plex, a single family house and a front surface parking lot. The proposed concept is for a three-story multi dwelling building. On the

side facing the cul-de-sac it would step back after the first story and along the south side the building would step back above the second story. It will contain approximately 45 efficiency units. There will be a structured parking within the building behind ground level dwelling units. There would be shared open space on the second floor terrace. The applicants are considering a green roof system facing on the terrace facing west. The applicants have received a resolution of support from the City Council for workforce housing tax credits. As discussed earlier, the largest issue is traffic and pedestrian circulation. Of course as the area exists today it is not ideal, all the units along Orchard Street have street facing garages/driveways that interrupt the sidewalks. The redevelopment will result in a higher density but Staff believes it will create a better condition along the street for pedestrians. While there will be an increase in traffic, the only way to encourage redevelopment in this area is to allow for greater density. Howard noted that Orchard Street has a right-of-way of 60' and Orchard Court only has a 50' right-of-way width so Staff is recommending an increase to 60' along the edge of the property until it reaches the cul-de-sac bulb so there is at least 15' between the edge of the curb and the property line to allow for a 5' sidewalk. The applicant has agreed to dedicate this additional right-of-way with this rezoning. If there were any additional development in the Orchard District, it is likely that a subdivision would be necessary in order to create adequate street infrastructure.

Staff recommends approval of REZ17-00003, a proposal to rezone approximately 0.705 acres of property at 619 and 627 Orchard Court from Planned Development Overlay - Low Density Single Family (OPD-5) Zone to Riverfront Crossings-Orchard (RFC-O) Zone, subject to a conditional zoning agreement requiring dedication of land along the Orchard Court frontage to widen the pedestrian area within the public right-of-way to a minimum of 15 feet measured between the street curb and the new front property line.

Hensch asked if in the concept plan submitted it was all efficiency units. Howard confirmed that was correct. Hensch asked then if the target audience would be individuals that work at The University of Iowa or UIHC and is there a way to encourage those to be pedestrians or bicyclists to get to and from work. That may be a way to help with the traffic congestion. Howard noted that the parking requirements are lower in Riverfront Crossings so not everyone in this building will have a parking spot and be able to have a car. Therefore constraining the parking in the area may encourage residents to use alternative transportation. Howard said the requirement is 0.75 parking spaces per bedroom.

Dyer asked if there were any provisions for bicycle parking in the parking area. Howard stated that there is a bicycle parking requirement in Riverfront Crossings of one space per unit. Howard said the City has only received a concept for the building, so it is unclear where they would put the bicycle parking, but perhaps the applicants could address the question.

Signs asked if in the Riverfront Crossings District there is a 10% affordable housing requirement and there is City input (i.e. City Workforce Zoning) would that trigger 15% affordable housing. Howard said the Workforce tax credit is a State tax credit program that the developer can apply for. They would also be required to comply with the Riverfront Crossings affordable housing requirement of 10%. Hektoen stated that the 15% is triggered when a developer requests Tax Increment Financing (TIF) and that is not the case in this application as of this point. Signs noted that the state tax credit places a cap on the cost of construction of the units, not a cap on the rent of the units.

Dyer asked if there was any intention to provide affordable units. Hektoen replied that they have to provide at least 10% of the units as affordable per Riverfront Crossings Code.

Hensch opened the public hearing.

Mark Seabold (Shive Hattery) has been working with the applicants throughout the Comprehensive Plan Amendment process as well as this rezoning request. He reiterated that they have been working closely with City Staff and the design of this concept works within the zoning. Everything they are planning for this property is directly related to the Code Amendment item the Commission just approved. Seabold stated that all the parking will be within the building so they will be eliminating all the surface parking and increasing the frontage to be more walkable and pedestrian friendly. Additionally above each parking spot will be a bicycle hanging rack as well as other bicycle parking around the building. The linear structure of the building will provide for a green space on the second story and a potential green roof. The first story will all have patios at grade level so while they will be smaller units there are lots of opportunities for open spaces and large windows for lots of light in the units. Seabold noted that the Riverfront Crossings area is exciting and makes for lots of opportunities.

Dyer asked if there would be sidewalk access to the other development on Riverside Drive. Seabold said that has not been discussed and he is unsure of what their pedestrian access is through their property. From the images it appears there is a sidewalk they can connect to that would lead right up to their building.

Signs stated he encourages them to do whatever they can to cool the environment around Orchard Court, right now it feels like a concrete jungle, so adding the green roof and more green space is a plus. Additionally to encourage tenants to be pedestrians and bicyclists will be important as the traffic circulation in that area is a real concern.

Dyer shared a concern that this development would eliminate the affordable housing that is in that area now. Seabold stated these units are being designed to be affordable, and will be much nicer. Dyer noted a concern about the people being displaced and Seabold said the rents should be comparable so they will have options.

Dyer also noted that there would not be a sidewalk that would take pedestrians to the proposed tunnel, for those walking to UIHC or the law school, one would have to walk all the way around. Seabold noted that the railroad tracks on the north side of this property is very steep and not conducive to a sidewalk.

Howard clarified with regards to the affordability issue and student housing, she noted that when there are larger units, students can typically outbid a family or a single person. So, even many of the older, lower quality large units around campus are renting for \$1500-\$2500 per month, which prices out singles or families, whereas students can live together and pool their funds to afford the higher rents for the larger units. In recent years the City has been encouraging development of smaller, more affordable units to create an opportunity for more permanent residents to afford to live in areas near downtown and campus.

Paula Swygard (426 Douglass Street) commented that once they put the tunnel in under the railroad the sidewalk there will end at Myrtle Street because across from there is University property. One can go up Myrtle Street and access UIHC that way.

Howard noted at the same time they are doing the tunnel they will be installing a signalized crossing at Myrtle Street and Riverside Drive. So pedestrians will be able to cross there and travel along the trail on the east side toward downtown.

Swygard noted that currently one could cross at Benton Street and Riverside Drive and take the bike/walking path to downtown. However she would not recommend riding a bicycle on Benton Street. She noted there is also a well-known path to UIHC that is a loosely kept secret in the neighborhood. Swygard stated she would prefer a development that looked more residential but understands the look of Riverfront Crossings is more an urban look. Where this particular development will be built it won't matter as much, but as development happens closer to the residential area she hopes developers and City Staff will keep that in mind. Swygard added that the ravine area is a mess and hopefully it will get cleaned up. With regards to the concept of people wanting to live close to downtown and this will be workers at the University, she has her doubts. The pedestrians in the area now are students.

Hensch closed the public hearing.

Parsons moved to approve REZ17-00003 a proposal to rezone approximately 0.705 acres of property at 619 and 627 Orchard Court from Planned Development Overlay - Low Density Single Family (OPD-5) Zone to Riverfront Crossings-Orchard (RFC-O) Zone, subject to a conditional zoning agreement requiring dedication of land along the Orchard Court frontage to widen the pedestrian area within the public right-of-way to a minimum of 15 feet measured between the street curb and the new front property line.

Martin seconded the motion.

Signs commented that students do have an amazing ability to find the shortest path between any two points. Based on everything else that's been done in this area, he believes this is a natural addition that seems to make sense. He has seen the similar structure built over by the Dental School and likes it, so based on the visuals the Commission has seen for this development he likes what he is seeing and hopes it is developed that way. Signs believes there is a market for smaller units, and yes there will likely be students in some of them, but there is a market for young professionals and graduate students that want to live in a building like this.

Martin agreed and is very excited to see some development in this area, it is a good revitalization. She praised City Staff on working so close with the developers, architects, designers to put together a nice development for this area.

Theobald stated she likes the proposed development a lot and has been in one of the units that this development will replace and it will be a good thing to have that unit gone. She added she hopes the green roof concept works, it would be wonderful to have that.

Parsons agreed that it is nice to see this area take shape and this development will be a nice addition.

Hensch stated this is a good opportunity to show how to do this right and hopes it moves forward with the concepts of a more cool environment with a green roof and promotion of pedestrian and bicycle traffic rather than cars. He empathized with the concerns of students moving into the units and hopes that will not be the case, there needs to be a place for young professionals that work at UIHC. It would help individuals to be able to live in Iowa City and not have to commute in from other areas of Johnson County.

A vote was taken and the motion passed 6-0 (Freerks absent).

2. (REZ17-00004): Discussion of an application submitted by William Nusser for a rezoning from Central Business Service (CB-2) zone to Central Business Support (CB-5) zone for approximately 4,550 square feet of property located at 202 North Linn Street (Corridor State Bank property).

Walz presented the staff report and stated the applicant, William Nusser, is seeking a rezoning for the property widely known as the Pearson's Pharmacy and more recently the home of Corridor State Bank. It is located at the corner of Market and Linn Streets, and the other three corner properties at this intersection are all zoned CB-5. The lot includes a non-conforming surface parking area with 5 parking spaces located between the building and the Market Street right-of-way. In this zone the parking is meant to be at the rear of the building, not in front. It is meant to be a pedestrian oriented zone. Additionally the zone calls for street facing windows, which this building lacks along its façade. Walz stated this property is appropriate for development and part of the reasons for seeking the rezoning is the change in parking.

The Comprehensive Plan, Central District Plan, contains a discussion of the Northside Marketplace, which includes this property and notes a desire to preserve the "distinct identity and scale" of the commercial district as different from the Downtown. Many describe this area as "Old Iowa City" and attracts more long-term residents, there is less of the hustle and bustle of downtown and less of a student orientation. The Central District plan identifies the historic character of the Northside Marketplace as one of its greatest assets. It is known for an area that has a lot of unique, locally owned businesses so when the Central Business Plan was created there was a concern that too much redevelopment or development at too large a scale or density may diminish the traditional main street character of the neighborhood.

The Plan encourages development that is sensitive to the neighborhood's history and architectural elements. The subject property is not considered a historically significant structure and does not currently contribute to other goals of the Northside Marketplace. The goals of the Northside Marketplace are to preserve and promote the unique aspects of the Northside Marketplace and establish policies and regulations that will preserve the existing scale and main street commercial character of the Northside Marketplace. Walz explained that the Downtown District to the south is more intensive commercial and is separated from the Northside Market Place by University buildings.

This area takes a step down, although there are taller buildings on the corners but are still limited in height to three or four stories. Then as one travels north the neighborhood steps back further to one story or two story buildings. There are some three story buildings, but they have set backs at the upper level. It is a transitional area between the higher intensity downtown to the lower density residential area. Another goal was to adopt zoning regulations to ensure that new development is consistent with the existing mainstreet character of the area and encourage mixed-use buildings with 1- to 3- bedroom apartments above commercial storefronts. Additionally the Plan encourages the improvement of the environment for pedestrian safety.

Walz explained that a number of these goals have shaped recent zoning decisions. In 2012 a rezoning of the corner property at 221-225 North Linn Street from a RNS-12 to CB- 2 included requirements for design review approval, a maximum number of dwelling units, and a limit on the height of the building to 3 stories with a step-back at the third story. In 2013 the Board of Adjustment granted a variance from the parking requirements to allow redevelopment of property at 211 North Linn Street within the CB-2 zone. (The property had

no alley access and was too narrow to provide vehicle access from the street.) The new building was required to secure design review approval and was limited to three stories with a step back at the third story. In 2014 the City approved the rezoning of 203 North Linn Street (the former Northside and Haunted Bookshop), a 4,000 sq. foot property directly to the west of the subject property, from CB-2 to CB-5 with a historic landmark designation. The rezoning was requested by the owner specifically to alleviate the commercial parking requirements for the commercial floor of the building based on the concerns of preserving a historic building. Developers were required to make updates such as a sprinkler system and also a conditional zoning agreement put on the property that if it were ever to be destroyed by fire or a disaster; the building height would be limited. Other corner properties at the intersection, which are all zoned (CB-5), include the two story, historic Brewery Square building on the southwest corner of Market and Linn Streets and the recently developed Writers Block, a four story building on the southeast corner.

Walz stated the application property is currently zoned CB-2 and explained the differences between the CB-2 and the CB-5. The CB-5 allows a greater residential density than is permitted in the CB-2 zone. There was a chart in the Commissioners packet to show the density differences. The CB-5 zone also allows a taller building than would be permitted in the CB-2 zone which gives greater redevelopment potential. The building height is based on a maximum floor area ratio (FAR) and in CB-2 a maximum of two square of floor area for each one square foot of lot area. Through bonus provisions, the FAR of building may be increased to three. The maximum building height in the CB-5 zone is 75 feet with a FAR of three. Similar to the CB-2 zone, bonus provisions may allow an increase the FAR up to five.

Walz listed the applicable bonus provisions in the Staff report. The logical ones that may be applied to this property would be the architectural elements such as masonry, provision of pedestrian activity areas, or usable open space for passive recreational uses of residents (i.e. balconies, terraces, and rooftop gardens designed and improved for outdoor activities). An additional FAR bonus provision may be granted for the provision of funds for all street furniture, lighting and landscaping improvements along the adjacent street right-of-way in accordance with any adopted streetscape plan approved by the City, however an approved streetscape plan has already been installed for this area and so this provision would not apply.

Walz explained the biggest difference in creating development potential here in the CB-5 is the reduction in parking. CB-5 has a lower parking requirement for both commercial and residential uses. For commercial uses in the CB-5 zone there is no parking requirement. The differences in the parking requirements for the residential uses are outlined in the Staff report. In a CB-2 zone the minimum parking requirement for a one bedroom or efficiency is 0.75 parking space per unit, and in the CB-5 that is reduced to 0.50 parking space per unit. Walz noted there is a parking benefit for elder housing (a permanent designation) of one space for every two units but this parking benefit is only realized with two bedroom elder units.

Walz stated on such a small lot as the applicant property, the ability to provide parking is quite limited. Staff had suggested to the applicant to make use of the service alley but the applicant is probably not going to pursue that opportunity because they would like to provide underground parking with a ramp directly off Market Street. Walz did acknowledge that parking is somewhat of a delicate issue in the Northside Marketplace. There are a number of surface lots: one is a public, city-owned, lot but the other is private and could be developed. Parking in this area is scarce at peak hours, the closest public parking garage, the Clock Tower Place facility located on Iowa Avenue, two blocks to the south.

Walz summarized that the lower parking standards required for the CB-5 zone along with the additional density and FAR would greatly enhance the development potential of this somewhat small corner lot and would anchor that corner in a way that is more pedestrian friendly.

Staff recommends that REZ17-00004, a request for a rezoning from CB-2, Central Business Services Zone, to CB-5, Central Business Support Zone, be approved subject to design review. The applicant has submitted a concept to City Staff in the last 24 hours and will show that to the Commission this evening. He has also conducted two neighborhood meetings, and Walz distributed an email received from one neighbor (Patrick Gilpin) that speaks to the issue of parking as well as a letter from Joseph Holland expressing concerns about parking.

Hensch asked about the service alley and if that was public owned alley. Walz stated it is public owned but is not a right-of-way so it functions a bit differently. Most of the businesses along the alley use it for trash and recycling services. A car can pass through, but it is tight.

Hensch commented upon a quick review of the email from Gilpin is that his opposition is that there is not a minimum of one parking place per unit, but that is not consistent for either a CB-5 or CB-2 zone.

Parsons asked if the City has ever considered turning that public service parking lot into a small ramp. Walz said that has not been explored in detail, it is a rather small area but not out of the realm of possibilities. Miklo added the cost versus the amount of spaces achieved was not reasonable when looked at several years ago.

Dyer asked when the bank building was built. Miklo replied in the late 1950's. Dyer asked if the building could be considered historical as an example of Mid-century architecture. Miklo said it could likely have been prior to the remodel, but would no longer be eligible because of the significant changes to the exterior.

Hensch opened the public hearing.

Ross (William) Nusser (13 Briar Ridge) thanked the Commission for considering the request before them and for City Staff for working with him on this application. This property is not easy to work with, it is a small parcel and has many challenges in designing a concept. He will share a concept with them on what the building could be, but wanted to stress it is just a concept. He would like to continue to hold neighborhood meetings to get better feedback on design, noting that this rezoning will also be subject to design and site review.

The CB-2 zoning in the Northside, which is what his property is currently zoned, is very prohibitive to any use, commercial or residential. The parking requirement, especially for a lot that is 65' by 75' prohibits some uses. For example, if a restaurant wanted to build on that spot there would need to be 36 parking spots, retail is significantly lower.

He said that parking in Iowa City has always been a problem, and he feels there are two options. One is to require more parking on spaces throughout downtown, but that would stunt the growth of the city. The other is to deal with parking as the city grows and be thoughtful on how to deal with it. Other cities of the same size are dealing with the exact same problem.

Nusser said that the Northside today looks nothing like it did 25 years ago. The restaurants are excellent and the streetscapes have been improved dramatically and the neighborhood has developed in a very pleasing way. 25 years ago the neighborhood looked very different,

where Bluebird is was once a paint store and Bluebird was able to tie in the history of that. Tying in the history of the neighborhood is very important. Nusser just wants to add to this neighborhood, enhance the pedestrian experience, add an element of housing that is more inclusive to all, and to provide if possible a public experience for this property. Many folks remember Pearson's and that was a phenomenal place where people gathered. Nusser would like to keep with that history and provide a new development. The new development will not look anything like the old Pearson building but there are ways to incorporate the Northside atmosphere into the new development. Nusser stressed again that the concept plan is just a concept and he is 100% open to changing, it is just an idea of what could be there.

Nusser shared the concept plan and stated it is an example of what the maximum concept for the lot could be. As previously mentioned there were Good Neighbor meetings held, one with the general public, one with the Downtown District, and one with the Northside Business owners. One of the key items was they wanted to tie in the existing streetscape as well as the lines of the buildings so that is what they tried to achieve with the differential of materials proposed. The glass above as well as the balconies keep it less intrusive to the surrounding buildings. The rooftop area is undecided but could either serve the residents of the building or be a public space, but if it were to be a public space that would be a separate proposal.

Nusser said that another point that was brought up at the Good Neighbor meetings was the importance of a variety of businesses, so they are showing perhaps a restaurant and a retail experience. Nusser noted that in the current zoning this would not be possible regardless because of the residential above. With regards to the composition of units, especially residential, it is also undecided. He has had conversations with TRAIL (Tools and Resources for Active, Independent Living) regarding senior living as that is scarce in Iowa City and he is exploring that as an option. Additionally the first level above the commercial space is undecided if it will be office or residential space, and there are different parking requirements for each.

In closing Nusser reiterated that this site is underutilized and redevelopment is truly appropriate. When it was Pearson's it was great, the bank has been phenomenal in the redevelopment process, but the site is currently not serving the neighborhood in a way that it could potentially do.

Hensch asked how he envisions handling what parking they will have to provide. Nusser said there would be an entrance off Market Street near George's to a parking garage under the building and that would allow for seven spaces. Walz added they would need to either obtain a new curb cut on the property or widen the existing one.

Hensch asked if the top story was a bonus height story. Nusser said it was not, it will just be an open area, and he respects the neighborhood and will not seek a bonus provision.

Hensch asked how close this concept was to Nusser's actual vision of the property. Nusser said it was very close, the things he is amendable to is how the building will impact surrounding areas as with building materials, etc. but is open to feedback and wants to be a good partner with the City and community.

Parsons asked how much underground parking is possible for a 4500 foot building. Nusser replied it is seven spaces, there needs to be space for a stairway and an elevator. Dyer asked about bicycle parking. Nusser replied there will be bicycle parking.

Signs asked the vision for number of units and how many bedrooms per unit. Nusser stated

he cannot speak directly to the number of units at this time as that has not been figured out. If it is to be senior housing it will likely be two bedroom units, for any other type of housing they will be one bedroom.

Dyer asked why senior housing would be two bedrooms. Nusser stated that when he met with TRAIL it was mentioned that as people downsize they are downsizing from large houses with four or five bedrooms and it is important to them to have a guest bedroom or space for a home office. Dyer noted there are other seniors that may come from smaller houses and Nusser acknowledged that is correct.

Walz clarified that the FAR would allow for three stories where the build-out wall is to the property line and to get the additional two stories bonus requirements would have to be met. If upper stories were stepped back it could be different.

Nick Lindsey (Architect, Neumann Monson) stated the intent would be to provide bicycle parking for every resident in the building both below ground and above ground. They are a big proponent of encouraging sustainable transportation.

Hensch closed the public hearing.

Parsons moved to approve REZ17-00004, a request for a rezoning from CB-2, Central Business Services Zone, to CB-5, Central Business Support Zone be approved subject to design review.

Martin seconded the motion.

Dyer commented that she believes the project is premature, there needs to be a clearer concept of what it will be so they can better judge the impact on parking. Since parking is so limited in this area, there needs to be more information on how many units there will be. Dyer noted it is often impossible to find parking in this neighborhood and often forgoes patronizing the businesses in the neighborhood because she cannot find parking.

Signs stated that he has never had trouble finding parking in that neighborhood, but did admit he is probably not there on evenings and weekends as much. Signs noted he loves the concept and is pleased that the applicant has been reaching out to the community and getting input. He likes the change of building materials on the two floors to acclimate to the neighboring buildings and does think a taller building on this corner makes sense and fits in with a lot of the concepts they discuss in the downtown. He understands Dyer's concern about not seeing a more solid concept but his feeling is based on the presentation there is a good idea of a concept and are taking a lot of important things into consideration.

Hensch noted it appears it will be a pedestrian oriented building which he is completely in favor of in the Northside Neighborhood. Parking is an issue, but noted similar to Signs he has never had an issue parking there but is often there midday and not evenings or weekends.

Dyer noted another parking problem in that area is the churches and in the daytime funerals cause parking issues in that neighborhood. Hensch agreed and often wondered why the churches haven't banded together and tried to come up with a parking solution. Parsons said there is on street parking allowed all along the streets on Sundays so that helps out and special funeral signs are placed to add parking as well.

Signs also commented on the issue of the two bedroom units, and sees it as part of the thought process and proof that it is well thought out, if the idea is the next level from the

family home but not yet to an assisted living situation, based on his experience with his customers they want more than one bedroom. As for the parking issue, he believes as a community there needs to be a bigger conversation about parking in the downtown and near downtown areas. There needs to be a larger vision.

Martin agreed, she has never had a parking issue there and she is there evenings. What she likes about zoning this to CB-5 regardless of what goes there, the Downtown Master Plan denotes the corner lots as the “bookends” and this concept fits that very well. Conceptually she likes the vision.

Theobald added she has had numerous parking issues in this neighborhood, but the parking problem already exists and while this will add to it, the issue is already there. The idea of senior housing is good and is needed. It would be an area that would be popular.

Martin asked if this is rezoned to CB-5 now, will the Commission ever see the concept plan again. Miklo said it would not come before the Commission. Martin asked if this were to be senior specific housing, could it only be senior housing or could it be mixed. Walz said it could be mixed and once something is senior housing it must always be senior housing, due to the parking benefit.

Parsons noted that the area is underutilized and seeing that the other properties at this intersection are CB-5 it would tie that intersection in together.

Hensch stated he was originally concerned about approving this application, but after hearing concept from the applicant and trusting they will follow through with their concepts he is in support.

Dyer reiterated it is still premature as they don't know if it will be a three story or five story building and they will not see the final plans. They won't know what benefits will be applied for, whether there will be a setback, and although the other buildings on the corners are CB-5 one is because of a historic designation exemption. If this building were to be five stories it would be higher than any other buildings in the area. A five story building in this area would not comply with the step down envisioned in the Comprehensive Plan.

Martin asked the process if this was approved. Walz said the rezoning would go to City Council, if approved the site review would come before Staff and design review. Martin said that she liked the materials shown in the concept with brick on the lower floors to tie into the existing buildings. Miklo noted that the drawing showed corten steel, not brick. Nusser said it could be brick.

A vote was taken and the motion passed 5-1 (Dyer voting no, Freerks absent).

CONSIDERATION OF MEETING MINUTES: MARCH 2 AND MARCH 16, 2017

Signs moved to approve the meeting minutes of March 2 and March 16, 2017.

Theobald seconded the motion.

A vote was taken and the motion passed 6-0.

PLANNING AND ZONING INFORMATION:

None.

ADJOURNMENT:

Signs moved to adjourn.

Martin seconded.

A vote was taken and motion carried 6-0.

**PLANNING & ZONING COMMISSION
ATTENDANCE RECORD
2016 - 2017**

| | 4/21 | 5/5 | 5/19 | 6/2 | 7/7 | 7/21 | 8/4 | 9/1 | 10/6 | 10/20 | 11/17 | 12/1 | 12/15 | 1/19 | 2/2 | 3/2 | 3/16 | 4/6 |
|------------------------|------|-----|------|-----|-----|------|-----|-----|------|-------|-------|------|-------|------|-----|-----|------|-----|
| DYER, CAROLYN | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| FREERKS, ANN | X | X | O/E | X | O/E | X | X | X | X | X | X | X | X | X | X | X | X | O/E |
| HENSCH, MIKE | X | X | X | X | X | O/E | X | X | X | X | X | X | X | X | X | X | X | X |
| MARTIN, PHOEBE | X | X | X | X | X | O/E | X | X | X | O/E | X | O/E | X | X | X | X | X | X |
| PARSONS, MAX | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | O/E | X | X |
| SIGNS, MARK | -- | X | X | X | X | X | X | X | X | X | O/E | X | X | X | X | X | X | X |
| THEOBALD, JODIE | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| | | | | | | | | | | | | | | | | | | |

KEY: X = Present
O = Absent
O/E = Absent/Excused
--- = Not a Member