

Iowa City Planning & Zoning Commission

Formal Meeting
Thursday, September 20, 2018
7:00 PM

Emma Harvat Hall – City Hall



Department of Neighborhood
and
Development Services



CITY OF IOWA CITY
UNESCO CITY OF LITERATURE

Staff Reports

PLANNING AND ZONING COMMISSION

Thursday, September 20, 2018

Formal Meeting – 7:00 PM

Emma Harvat Hall
Iowa City City Hall
410 E. Washington Street

AGENDA:

- 1. Call to Order**
- 2. Roll Call**
- 3. Public Discussion of Any Item Not on the Agenda**
- 4. Rezoning Items:**

Discussion of an application submitted by Johnson County, Iowa for the rezoning of approximately 5.82 acres of property located at 1914 S. Gilbert Street, 1804 Waterfront Drive, 260, 306, & 346 Southgate Avenue from Intensive Commercial (CI-1) to Neighborhood Public (P-1) (REZ18-00018)

- 5. Consideration of Meeting Minutes: September 6, 2018**
- 6. Planning & Zoning Information**
- 7. Adjournment**

If you will need disability-related accommodations to participate in this meeting, please contact Bob Milko, 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.

STAFF REPORT

To: Planning and Zoning Commission Prepared by: Anne Russett, Senior Planner

Item: REZ18-00018 Date: September 20, 2018

GENERAL INFORMATION:

Applicant: Johnson County, Iowa
913 S. Dubuque Street
Iowa City, IA 52240
319/ 356-6000
mhensch@co.johnson.ia.us

Property Owner: Kennedys LLC
1043 Briar Drive
Iowa City, IA 52240

Contact: Matt Miller
913 S. Dubuque Street
Iowa City, IA 52240
319/ 688-5832
mmiller@co.johnson.ia.us

Requested Action: Rezoning from Intensive Commercial (CI-1) to
Neighborhood Public (P-1)

Purpose: To reflect the anticipated public ownership of the
property and comply with Section 14-2F of the
zoning ordinance and to allow the development
of Johnson County's Behavioral Health Urgent
Care Center

Location: Northwest corner of Southgate Avenue and the
CRANDIC Railroad; 1914 S. Gilbert Street, 1804
Waterfront Drive, 260, 306, & 346 Southgate
Avenue

Location Map:



Size:	5.82 acres
Existing Land Use and Zoning:	Mostly vacant except for one non-residential building; CI-1
Surrounding Land Use and Zoning:	North: CC-2, Non-residential South: CI-1, Vacant East: CI-1, Vacant & non-residential West: CC-2, Non-residential
Comprehensive Plan:	Commercial
District Plan:	Commercial (South District)
Public Meeting Notification:	Rezoning sign placed on property; property owners within 300' received notice of public meeting
File Date:	August 27, 2018
45 Day Limitation Period:	October 11, 2018

BACKGROUND INFORMATION:

The applicant, Johnson County, Iowa, requests that the subject property be rezoned from Intensive Commercial (CI-1) to Neighborhood Public (P-1). The zoning code requires that property held by public entities be designated a public zoning designation. The property is currently privately held; however, Johnson County has a purchase agreement for the property and plans to develop a Behavioral Health Urgent Care Center.

The Behavioral Health Urgent Care Center will treat patients experiencing behavioral health crises and connect them with necessary services. The center will provide crisis observation and stabilization, substance abuse treatment and act as a low-barrier winter shelter. For a more detailed description of the center, please refer to Attachment 3 (Access Center Information).

The applicant has indicated they plan to conduct a good neighbor meeting.

ANALYSIS:

Current Zoning: The project site currently zoned Intensive Commercial (CI-1). The purpose of the CI-1 zone is to provide areas for commercial uses that typically are characterized by outdoor display and storage, repair and sales of large equipment or vehicles, or commercial operations conducted in buildings not completely enclosed. Some examples of uses allowed in the zone include animal related commercial uses, quick vehicle service uses, vehicle repair uses, and industrial service uses.

Proposed Zoning: The applicant has proposed rezoning the project site to Neighborhood Public (P-1). The P-1 zone allows for uses such as schools, parks, police and fire stations, and other civic buildings owned and controlled by the County, the City, or the Iowa City Community School District.

Compliance with Comprehensive Plan: The Future Land Use Map of the Comprehensive Plan and the South District Plan identify this area as commercial. The Comprehensive Plan and the South District Plan also include a public and semi-public land use designation. This designation is intended to identify existing public facilities and not future ones. Public uses are needed throughout the community, and therefore, are generally considered consistent with all land use designations. In this case, the plan for the area is commercial. The proposed use, not considering ownership, combines office and institutional uses and aligns with the commercial land use designation, which contemplates a large variety of commercial uses.

Flood Hazard Areas: The project site is located in the floodplain. The majority of the site is located within both the 500 and 100-year floodplains. Figure 1 shows the flood hazard areas on the project site.

Figure 1. FEMA Flood Hazard Areas



The City's floodplain management ordinance does not allow facilities to locate within flood hazard areas if they are the base of operations for emergency responders, are particularly difficult to evacuate during a flood event, or provide services essential to the life, health, and safety of the community. Per the floodplain management ordinance, these facilities are Class 1 Critical Facilities. Based on the description of the Behavioral Health Urgent Care Center, staff has determined it to be a Class 1 Critical Facility since the facility could be difficult to evacuate and would be unable to provide stabilization and treatment services during a flood event.

In order to comply with the City's floodplain management ordinance, development of the proposed Behavioral Health Urgent Care Center requires raising the grade around the facility to the 500-year flood level elevation. Furthermore, at least one access to and from the site needs to be passable during a 500-year flood level event. Staff recommends as a condition of approval that the development of the center must comply with the requirements for Class 1 Critical Facilities per the City's floodplain management standards.

Transportation: The site can be accessed via Southgate Avenue. In addition, the applicant is exploring providing a connection to the site via Waterfront Drive that crosses the CRANDIC railroad. The applicant is currently working with the railroad, who has agreed via email to work with the County on providing this access.

The City's Bicycle Master Plan identifies a proposed bike lane/wide shoulder along Southgate Avenue between S. Gilbert Street and Keokuk Street. The City anticipates installing this facility in 2021. In terms of existing facilities, there is a sidepath along S. Gilbert Street and Highway 6. The Iowa River Trail is also near the project site.

In terms of transit, the site is served by the Broadway bus route. There are two bus stops in the vicinity: one at the corner of S. Gilbert Street and Southgate Avenue and one at the corner of Southgate Avenue and Waterfront Drive.

Archeological Resources: The sensitive areas section of the zoning code considers the preservation of archaeological sites, as well as natural features. The City's sensitive areas inventory from 1994 identifies possible archeological resources in this area. Staff recommends that as a condition of approval the County hire an archaeologist approved by the state to complete a study or excavation plan approved by the State.

STAFF RECOMMENDATION:

Staff recommends that REZ18-00018, an application submitted by Johnson County, Iowa for a rezoning of CI-1 to P-1 on 5.82 acres of land located at 1914 S. Gilbert Street, 1804 Waterfront Drive, 260, 306, & 346 Southgate Avenue subject to City Council approval of the following conditions:

1. Compliance with the requirements for Class 1 Critical Facilities per the City's floodplain management standards, and
2. Prior to any site disturbance on the property receive approval from the State Archeologist to proceed.

ATTACHMENTS:

1. Location Map
2. Zoning Map
3. Description of Behavioral Health Urgent Care Center

Approved by:



Danielle Sitzman, AICP, Development Services Coordinator
Department of Neighborhood and Development Services



0 0.035 0.07 0.14 Miles

REZ18-00018

Behavioral Health Urgent Care Center



Prepared By: Luke Foelsch
Date Prepared: Sep. 2018



An application submitted by Johnson County Iowa for a rezoning of 5.82 acres located at 1914 S. Gilbert St., 1805 Waterfront Dr., and 260, 306, and 346 Southgate Ave. from Intensive Commercial (CI-1) to Neighborhood Public (P1).



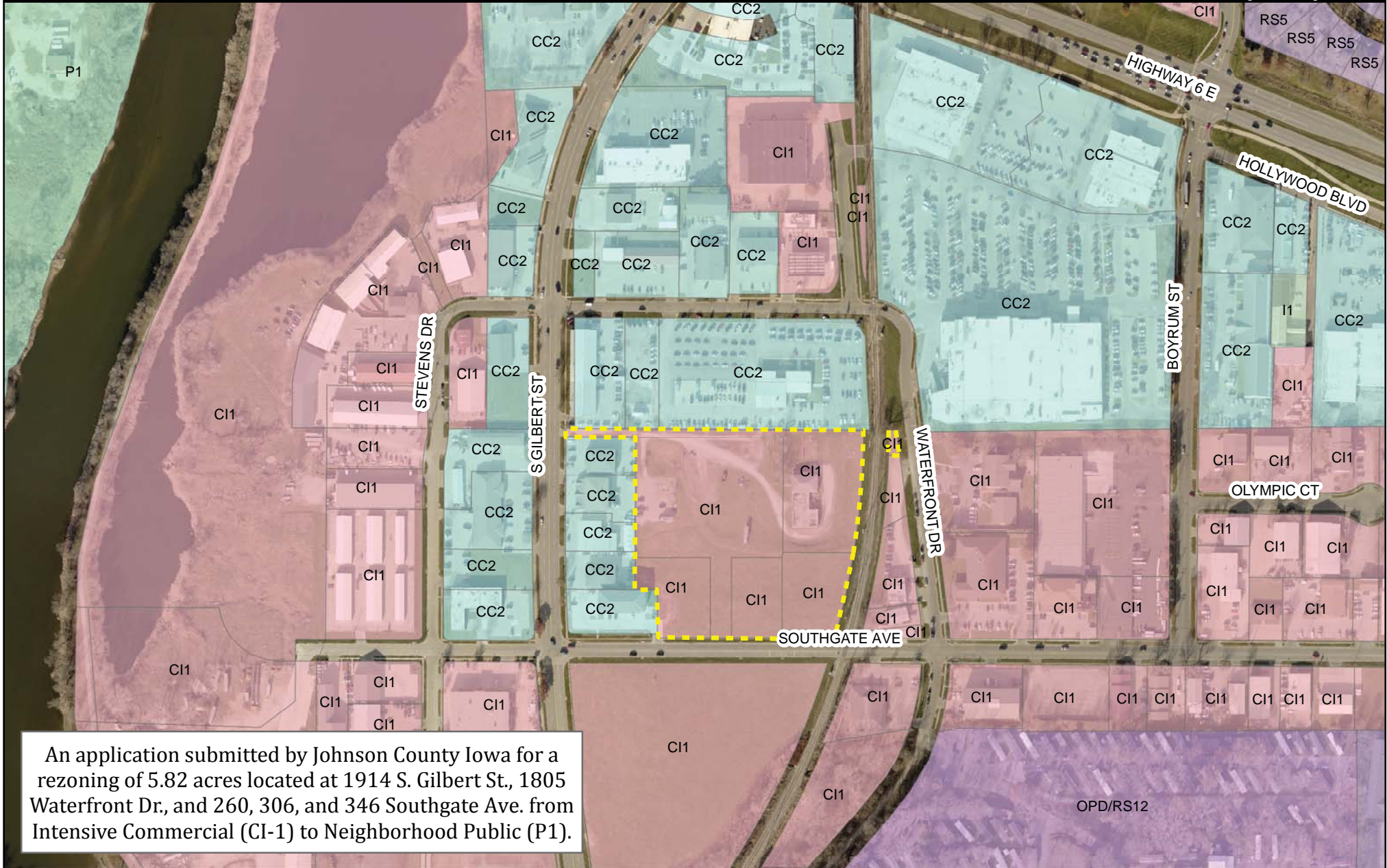
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REZ18-00018

Behavioral Health Urgent Care Center



Prepared By: Luke Foelsch
Date Prepared: Sep. 2018



An application submitted by Johnson County Iowa for a rezoning of 5.82 acres located at 1914 S. Gilbert St., 1805 Waterfront Dr., and 260, 306, and 346 Southgate Ave. from Intensive Commercial (CI-1) to Neighborhood Public (P1).



Access Center Information for Iowa City Planning & Zoning Commission

At a Glance

The Access Center will initially provide the following services:

- Crisis Observation (<23 hours)
- Crisis Stabilization (>23 hours, up to 5 days)
- Substance Abuse Treatment / Detoxification
- Sobering Unit
- Low-Barrier Winter Shelter

The Access Center will treat patients experiencing a behavioral health crisis and connect them to ongoing services:

- Community mental health services
- Substance abuse services
- General medical services
- Housing support
- Vocational support

The Access Center will avoid overly medicalizing or criminalizing behavioral health issues by supporting:

- Appropriate use of hospital-based resources
- Diversion of unnecessary emergency room visits
- Efficient utilization of law enforcement

Overview

The Access Center is a proposed new behavioral health service entity located in Johnson County. This effort emerged from a collaborative of various Johnson County visionaries - i.e., area city council members, Board of Supervisors, law enforcement, social services, health care providers and local non-profits. This is a unique, first of its kind collaborative among multiple Johnson County entities practicing under one roof. The Access Center is part of a national movement to provide more effective access to care for behavioral health crisis.

The mission of the Access Center is to provide rapid assessment, triage, and stabilization to individuals experiencing a behavioral health crisis, followed up with linkage to appropriate community services that can assist with ongoing issues.



In addition, the Access Center will provide a third option for law enforcement as an alternative to emergency rooms or jail. Area law enforcement has undergone and continues extensive crisis intervention training to improve response to behavioral health crises, but their options remain limited. The Access Center will provide a safe, effective alternative to emergency room care or incarceration for adults suffering from a behavioral health crisis. This will avoid criminalizing medical conditions and decrease overly medicalizing life crises.

When fully operational, the facility will contain sobering, detoxification, crisis observation, and crisis stabilization units, as well as a low-barrier winter shelter, mobile crisis outreach, and medical first aid with telemedicine connection to the UIHC Emergency Department. It will be open 24/7, accepting voluntary, walk-in patients. The Access Center is open to persons who are:

- 18 years of age or older
- Experiencing psychiatric/psychological stress
- Feeling unsafe or suicidal, but able to maintain safe behaviors while onsite
- Willing to work with Access Center staff on intake and discharge planning
- Able to provide their own basic hygiene
- Medically stable, with the exception of minor first aid needs

Services

Crisis Observation (<24 hours)

This level of care provides up to 23 hours and 59 minutes of care in a secure and protected environment. The program is medically staffed, psychiatrically supervised and includes continuous nursing services. The primary objective of this level of care is for prompt evaluation and/or stabilization of individuals presenting with acute symptoms or distress. Before or at admission, a comprehensive assessment is conducted and a treatment plan developed. The treatment plan should place emphasis on crisis intervention services necessary to stabilize and restore the individual to a level of functioning that does not require hospitalization. This level of care may also be used for a comprehensive assessment and to obtain clarification regarding previously incomplete diagnostic information that may lead to a determination that the individual requires a more intensive level of care. Duration of services at this level of care may not exceed 23 hours and 59 minutes, by which time stabilization and/or a determination of the appropriate level of care will be made, and facilitation of appropriate treatment and support linkages will be coordinated by the treatment team.

Crisis Stabilization (>24 hours, up to 5 days)

Individuals are admitted to the Crisis Stabilization unit from the Crisis Observation unit when it's determined their treatment needs will last beyond 24 hours. Treatment is aimed at restoring ability to maintain safety so individuals can return to the community with an increased level of function and productivity.



Detox

Provides a safe and medically-supervised place for individuals to withdraw from drugs or alcohol and stabilize before engaging in a treatment program. The length of stay required to detoxify depends upon the individual's history of use and other medical issues.

Sobering

The Sobering Unit is a jail diversion program designed to offer a treatment alternative in lieu of arrest to public intoxicants by providing a medically safe environment utilizing motivational techniques to engage the individual and offer direct access to treatment. Essentially used for law enforcement drop offs as an alternative to emergency rooms or jail for non-violent patients who need a safe place to sober up.

Low-Barrier Winter Emergency Shelter (operated by Shelter House)

For those experiencing homelessness in Iowa, the change in weather can be life-threatening. As temperatures drop, people left with nowhere but the street to turn are at risk of developing hypothermia and frostbite—both can be permanently damaging to one's health and can ultimately result in the loss of life.

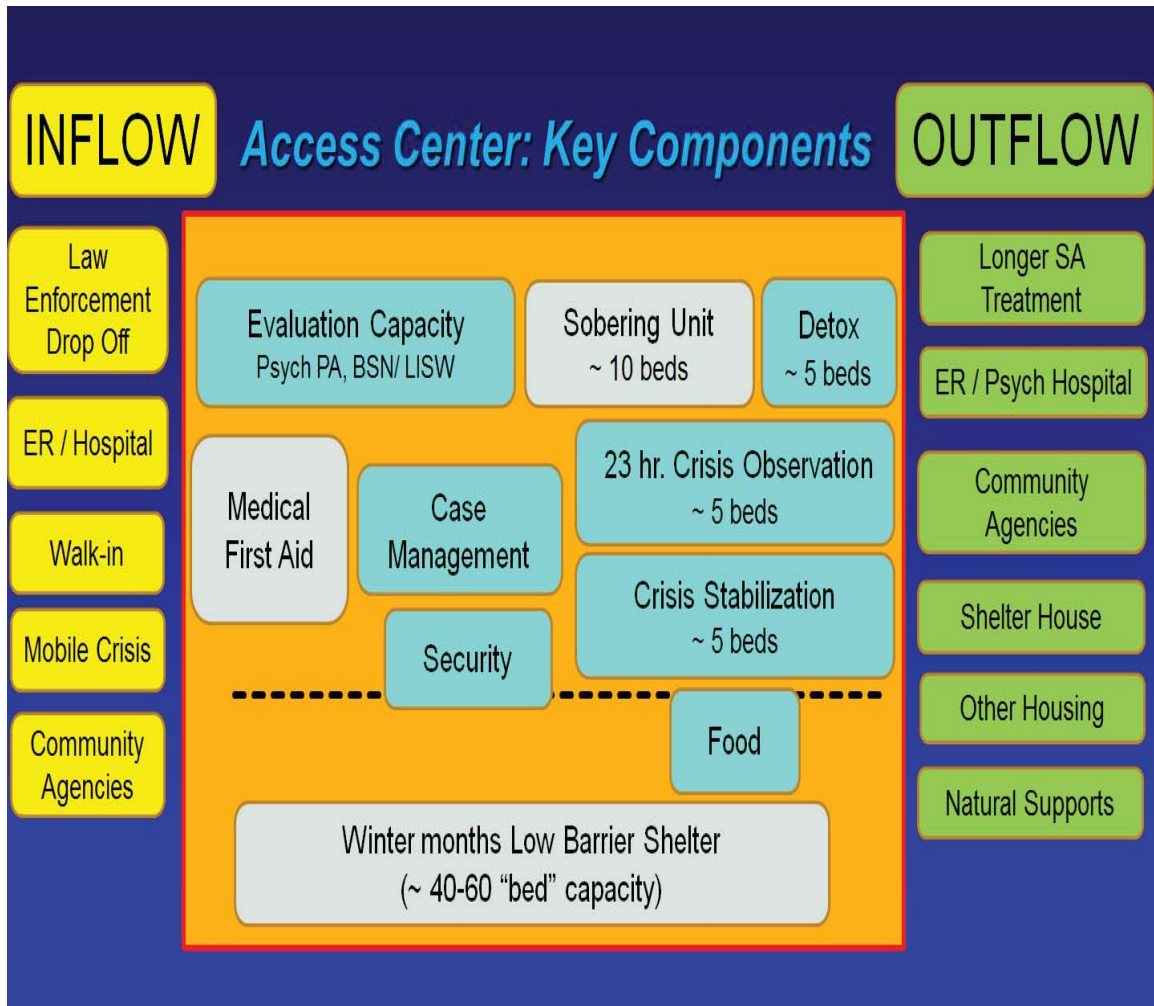
Since 2014, Shelter House has opened a low-barrier Winter Emergency from December through March. This new permanent facility is intended for individuals for whom homelessness has become a chronic condition. Barriers to entry such as sobriety, participation in programs, and other requirements are removed. With this expanded winter shelter capacity, individuals who would have otherwise been incarcerated or sleeping in encampments, parking ramps and hallways of apartment buildings are instead ensured a safe, warm place to sleep.

Medical First Aid

Minor medical services will be available, similar to game day first aid available at Kinnick Stadium. First aid services will be provided to patients in addition to resolving their behavioral health crisis, as these situations may be accompanied by cuts, scrapes, bruising, etc. The primary objective is to reduce the number of patients presenting to emergency rooms for non-emergent conditions. Telemedicine connection to the UIHC Emergency Department will be available for purposes of consultation and triage when needed.



Diagram



**MINUTES
PLANNING AND ZONING COMMISSION
SEPTEMBER 6, 2018 – 7:00 PM – FORMAL MEETING
EMMA J. HARVAT HALL, CITY HALL**

PRELIMINARY

MEMBERS PRESENT: Larry Baker, Mike Hensch, Phoebe Martin, Mark Signs, Billie Townsend

MEMBERS ABSENT: Carolyn Dyer, Max Parsons

STAFF PRESENT: Sara Hektoen, Anne Russett

OTHERS PRESENT: Thomas Agran

RECOMMENDATIONS TO CITY COUNCIL:

By a vote of 4-1 (Baker dissenting) the Commission recommend adoption of the following proposed amendment to 14-2G-7G-6 of the Iowa City Code by the Iowa City City Council. The proposed text would be:

Height Bonus For Public Art: One additional floor of building height may be granted for a contribution to the city's public art program equal to one percent (1%) of threshold value of the project. Threshold value is the sum of all construction costs shown on all building permits associated with the project, including site preparation. For alterations to existing development, the threshold value is the sum of all construction costs as defined above plus the value of existing improvements to the property, as listed in the city assessor's records. Funds contributed shall be used by the city for public art within the riverfront crossings ~~district subdistricts where the subject building is located~~ as approved by the public art committee.

CALL TO ORDER:

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

PUBLIC DISCUSSION OF ANY ITEM NOT ON THE AGENDA:

None.

ZONING CODE AMENDMENT ITEM (ZCA18-00002):

Discussion of Amendments to Title 14, Zoning of the Iowa City Code related to Public Art In-Lieu Fees in Riverfront Crossings.

Russett noted this is a proposed amendment to the zoning code related to Public Art Fees in the Riverfront Crossing District. When the Riverfront Crossings Master Plan was adopted it included a public art framework element and identifies several locations throughout the Riverfront Crossings District as possible Public Art locations. After the Master Plan was adopted the City developed a form-based code to implement the Plan and included in the Code

a bonus height provision for projects that provide various public benefits, one of which is Public Art. Development projects that provide one percent of their project cost to the City's Public Art Fund receive an additional story in height on their development projects. The Code requires the funds to be spent within the same subdistrict as the subject building.

Russett stated that to date the City has had one project that has utilized this Public Art bonus provision (at 707 S. Dubuque Street). That project contributed one percent of the project costs to public art to receive a height bonus of one story. The total amount contributed to the City's Public Art Fund was approximately \$73,000. Currently the Public Arts Committee is working to relocate the Snelson sculpture which is located on N. Dubuque Street to the Riverfront Crossings Park and the Public Arts Fund would help with this relocation. Russett pointed out on the map the proposed new location of the Snelson sculpture.

The proposed amendment is to amend the form-based code to allow public art funds received for height bonuses to be spent anywhere in the district, including the park, as opposed to only within the same subdistrict as the project that requests the bonus. The Riverfront Crossings Master Plan identifies areas within the district appropriate for public art. The largest area identified is the Riverfront Crossings Park, which is identified as "public parks and open space" on the regulating plan – not a subdistrict and therefore excluded from public art bonus provisions. The amendment would keep the funds within a defined area, but provides more flexibility in the use of the funds for the benefit of the entire district.

Russett stated the Public Art Committee discussed this amendment at their meeting this afternoon and unanimously recommended approval of the amendment. Staff recommends that the Planning and Zoning Commission recommend adoption of the following proposed amendment to 14-2G-7G-6 of the Iowa City Code by the Iowa City City Council. The proposed text would be:

Height Bonus For Public Art: One additional floor of building height may be granted for a contribution to the city's public art program equal to one percent (1%) of threshold value of the project. Threshold value is the sum of all construction costs shown on all building permits associated with the project, including site preparation. For alterations to existing development, the threshold value is the sum of all construction costs as defined above plus the value of existing improvements to the property, as listed in the city assessor's records. Funds contributed shall be used by the city for public art within the riverfront crossings ~~district subdistricts where the subject building is located~~ as approved by the public art committee.

Baker stated he has some misgivings about this proposed amendment. He asked if no public arts funds could be spend in the park or just the funds generated by the height bonus. Russett confirmed the funds generated by the height bonus provisions in the subdistricts cannot be spent in the park. Baker asked if there were any other funds available to use for artwork in the park. Russett stated she understands the City allocates a flat amount every year in the budget for public art but is unsure of the exact amount but it would not be enough to move the Snelson sculpture. Baker asked how much it will cost to move the sculpture and Russett replied there is an estimate from a consulting firm for relocation at around \$90,000. Baker asked the value of the art piece and again Russett was unsure of the exact amount but knows it is one of the more valuable pieces in the City's collection. Baker said in his research he does not find any high figures for any of Snelson's art. Baker also inquired about the repair needed for the sculpture

and who has been responsible for the maintenance of the art. Russett stated it is the City's responsibility for the maintenance of the art pieces and the repair is due to the exposure to the elements.

Baker asked why the amendment now. Russett explained that often regulations are adopted when creating new Code and Districts and it isn't until those regulations are used that it is understood it will not work very well and changes are needed. In this case, money was generated from a project and the regulation says the money must be spent within a very defined area and at this time there are no locations within that defined area to provide public art. Baker questioned the idea that there is no location for any art within that subdistrict, yes the Snelson sculpture may not fit but other art could be installed. Russett said the public art would need to be located on public lands and there is no public lands currently in this subdistrict.

Baker asked if the Public Art Committee initiated this proposed amendment or City Staff. Russett stated the Committee has been working on identifying funds to move the Snelson sculpture and that is when it became apparent to City Staff on the Public Art Committee that there were Public Arts Funds that had to be spent in the specific defined area. The Committee wanted to relocate the Snelson sculpture to the Riverfront Crossings Park and but could not use the funds available to do so due to the current Code language. Russett added the Public Art Committee has stated they do not like the current location the Snelson sculpture is located, it is not in a prominent location and in the new location it would be more visible.

Martin acknowledged the area where the sculpture is currently located is very overgrown.

Hektoen reminded the Commission this particular sculpture and location is one specific situation, the ordinance and proposed amendment is to acknowledge the City has this park district and the Code was inadvertently drafted with the bonus height provision excluding the park from being the beneficiary of those funds.

Baker asked if there was a location along N. Dubuque Street that the Snelson sculpture could be given more prominence. He feels the N. Dubuque Street entrance to the City is to be a highly prominent location and the artwork should be there. Russett reiterated that the Public Art Committee feels this particular piece should be moved to the Riverfront Crossings Park. Baker asked if there was any other discussion about having other art along N. Dubuque Street. Russett can look into that question.

Baker asked when the original resolution was made, was it intended that the funds created by the bonus provision were to be used for new art pieces to increase the art stock of Iowa City. Russett said the ordinance does not state the art has to be new. Baker noted the City used to have a fund based on a certain percentage of bonds sold to generate money for art purchases, has that fund disappeared. Russett noted her understanding is the only money available for public art is money generated from this height bonus provision and the annual allocation from the City Council.

Hensch opened the public hearing.

Thomas Agran (512 N. Van Buren Street) is an artist and also works for the Iowa City Downtown District as the Public Art Director for that district. Agran noted he was intimately involved in a lot of the conversations with the Public Art Advisory Committee and can speak to how the Committee came to this proposed amendment. He stated the Snelson sculpture is the most

valuable piece of public art in the City's collection, that may not be evident based on the current location, especially now that Dubuque Street has been raised, and that is part of the reason the conversation to have the sculpture moved began. When the sculpture was bought in 1975 it was a joint effort with Project Art, the City and private donations and in today's dollars would have cost \$500,000. The sculpture is literally sitting in mud right now and appears to be neglected and there has not been any funds established to maintain the art pieces.

Baker agreed the sculpture does appear to currently be neglected and asked if the Public Arts Committee has approached the City to try to get funds for the repair. Agran is unsure, he does not sit on the Public Arts Committee.

Agran notes there are spots designated in Riverfront Crossings for public art, one of which is in the park, however the City allocated no funding for that location. Because there is no funding allocated for the park the Public Arts Committee saw an opportunity to move a piece of art from a location where it is being neglected and put it in a more visible location and celebrates the piece. More so Agran wanted to use his time in front of the Commission to talk about public art funding. From 1999-2001 the budget for the City's Public Art Fund was \$100,000 per year, in today's dollars adjusted for inflation that would be \$147,000 per year. The population in 1999 was approximately 61,000 which averages out \$1.97 spend on art per person in the City. Today we have a population of almost 75,000 and a budget of \$25,000 (which is actually a recent increase, it has been lower) and that averages to \$0.33 per person. He feels as the city flourishes this is time to invest more in art and the community and public art returns tangible and intangible values into quality of life which increases the tax base ultimately. Agran stated when looking at the Zoning Code he sees bonuses as significant trade-offs and in every district there is an agreed upon level of appropriate building size to encourage healthy communities, healthy and productive development, reduces speculation of property values, and through bonuses we trade away elements of those standards for something else. It is essentially a bribe whereby community assets (whether they be public art or historic properties) are held hostage and now beg for those things not from the City but from developers, things we value as a community. The wealth is given to the developers in the currency of square footage. The Code is to be the rules and incentives are setup to break those rules. For some pittance we will forgo the rules. Agran noted in this situation for \$72,000 a developer could buy their way out of the rule of five stories and get six stories increasing the square footage of a property by 20% - 20% rentable every year for the life of that building. All of that said, Agran requested the Commission approve the proposed amendment for flexibility of public art into Riverfront Crossings District and also encourages the City to spread the wealth throughout the City to create a more robust art program that can reach more people. Agran stated as the Code is currently written it is basically a regressive art program, where the areas of highest investment and highest wealth reap the benefits of the investment. Seattle is a city that a while back divorced it's one percent for the arts program from the geographic requirement and as a result they can direct the funding to areas of the city that are often overlooked and under resourced rather than as in this instance the most resourced part of the city. All areas of the city are appropriate for public art. Agran noted that lots of programs use a one percent of the capital improvements fund for public art and if the City looked at fiscal year 19 capital improvement budget of \$28.5 million in projects, even at half a percent the Public Arts Fund would receive over \$142,000. Agran noted the Commission does not write the City budgets or fund the Public Arts but wanted to say those types of changes can be started here in Planning and Zoning and they will use this moment as a catalyst to a broader conversation of how public art contributes value to the community, if Planning and Zoning provides the outlines of how best a city should develop to be healthy, a place people want to be, then he encourages the Commission to draft one percent rules that

benefit all districts in the City. Agran understands that untying funding from its original geography may be a complex thing to implement, but rather than shrug at the established law, he hopes the bureaucratic challenge galvanizes this Commission and City Staff and Council as a way to approach public art in a way equability. If one looks at what is proposed for the Pentacrest Apartments, would send a million dollars into the Public Art Fund but only in this district and if this proposal is not approved, only in this subdistrict. A million dollars could be set up as an endowment to the Public Arts Fund. There are 171 potential development sites at the time the Riverfront Crossings Code was written so there is going to be a lot that happens in this area and could amount to an unbelievable windfall for public art funding.

Baker clarified he is not hostile to this amendment, in fact he also questions why not spend this money anywhere, not just in the Riverfront Crossings Park. He feels we should not be robbing Peter to pay Paul for art. He also feels there should be more art throughout the City, not just one area. He agrees the City is underfunding art in this community. He does not understand why we are taking money to move old art when it could be used to purchase new art. Agran said the sentiment from the Public Art Committee is to not spend more money on new art when we cannot maintain the current art we have.

Martin asked why the Public Art Committee specifically chose this language for this district and not all of Iowa City. Russett is not aware if the Public Art Committee was involved in the writing of the language in the Riverfront Crossings Master Plan.

Hensch closed the public hearing.

Martin moved to approve adoption of the proposed amendment to 14-2G-7G-6 as written in the September 6, 2018 staff report.

Signs seconded the motion.

Hensch remembers the Snelson sculpture being downtown at one time. He feels it was simply an oversight during the draft of the original ordinance that parks and recreation areas were not included in the subdistricts and therefore the money cannot be spent for them. He feels it is reasonable to clean up that language for the one percent raised for art with the bonus height because there is a serious need for art in the community, there does need to be greater public funding of art, but this is a method to at least get some money. However, he does agree with the idea of keeping it within the district because they are trying to focus improvements in certain areas, his fear would be if it were allowed to be spent outside the district there may be some preferred areas that would get all the art. He agreed there is definitely a problem in this community that some areas do not get the attention that others do.

Martin agreed with Hensch and supports the amendment as written in the Staff Report.

Signs is intrigued by the notion that the City is potentially generating a huge amount of money to be spent in this one relatively small district but does see the risk of the other extreme and all public art is put someplace else. He feels it is a bigger discussion than this Commission and encourages those discussions to happen. He also agrees that the height bonuses appear to be a bribe for money, the City spends a lot of time making plans and codes and then come up with ways to get around them.

Hensch agrees and said they need to vote on the question at hand, all government progress is incremental and this is a step in the right direction.

Signs also stated he likes the Snelson sculpture and does feel it is not in a great location

currently and supports moving it. Hensch noted the location is not the question at hand. Townsend asked if moving this sculpture to the Riverfront Crossings Park would leave enough space for other functions of the park. Russett showed some diagrams of the park and how everything is able to fit. Townsend's other concern is kids climbing on the sculpture since it will be in a park space. Hensch doesn't feel it will be harmed and perhaps it was designed as interactive art.

Hektoen noted those are concerns that will be addressed by the Public Art Committee and the Parks and Recreation Division.

Baker noted he will be voting no against this amendment, he does not want the vote to be unanimous as he wants the Council to understand there is an underlying larger issue about funding art. He also prefers that art piece stay somewhere more visible than this park and this is a problem created by limited resources.

A vote was taken and the motion passed 4-1 (Baker dissenting).

CONSIDERATION OF MEETING MINUTES: AUGUST 16, 2018

Signs moved to approve the meeting minutes of August 16, 2018.

Townsend seconded the motion.

A vote was taken and the motion passed 5-0.

PLANNING AND ZONING INFORMATION:

Russett gave one update regarding the discussion at the last meeting regarding the impact of zoning regulations on the development community, financial impacts in particular, and she informed the Commission this topic is something of interest to the City Council, the City Council approved an affordable housing action plan and one of the items staff is tasked to look into is regulatory barriers. Russett said the Neighborhood Services department is working with the City Manager's office and she will bring any updates back to the Commission.

Baker invited the Commission to Prairie Lights next Tuesday to listen to a writer of a biography of Leonardo DiVinci.

Baker also mentioned the movie reviews inside the planning magazine the Commission receives, recently they reviewed a movie called The Little Pink House, which is a movie regarding the controversy around eminent domain and he rented the movie and it was a good dramatization of all the issues within planning and zoning of cities.

Adjournment:

Signs moved to adjourn.

Martin seconded.

A vote was taken and the motion passed 5-0.

**PLANNING & ZONING COMMISSION
ATTENDANCE RECORD
2018**

	1/18	2/15	3/1	(W.S) 3/12	3/15	(W.S.) 4/2	4/5	(W.S) 4/16	4/19	5/3	5/17	6/7	6/21	7/5	8/16	9/6
BAKER, LARRY	---	---	---	---	---	---	---	---	---	---	---	---	---	X	O/E	X
DYER, CAROLYN	X	X	X	X	O/E	X	O/E	X	X	X	X	X	O/E	X	O	O/E
FREERKS, ANN	O/E	X	X	X	X	X	X	X	X	O/E	X	X	X	'---	'---	'---
HENSCH, MIKE	X	X	X	O/E	O/E	X	X	X	X	X	X	X	X	X	X	X
MARTIN, PHOEBE	X	X	X	O/E	X	X	X	X	X	X	X	X	X	X	X	X
PARSONS, MAX	X	O/E	X	X	X	X	X	X	X	X	X	X	X	X	X	O/E
SIGNS, MARK	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
THEOBALD, JODIE	X	O/E	X	X	X	X	X	X	X	X	X	X	O/E	'---	'---	'---
TOWNSEND, BILLIE	---	---	---	---	---	---	---	---	---	---	---	---	---	X	X	X

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