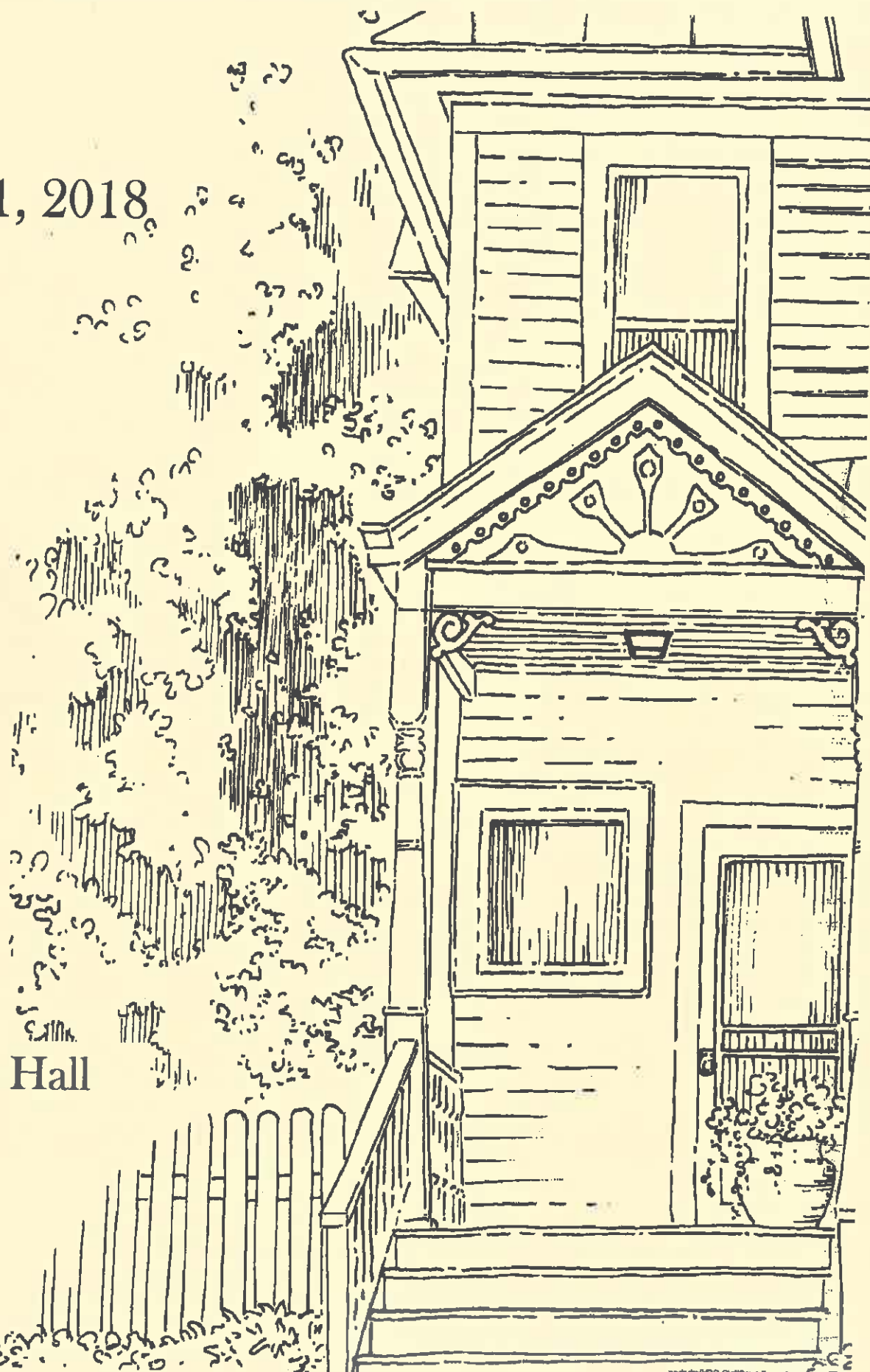


Iowa City Historic Preservation Commission

Thursday

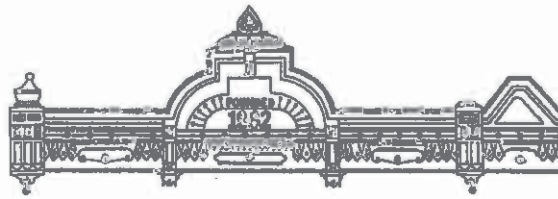
October 11, 2018

5:30 p.m.



Emma Harvat Hall

City Hall



IOWA CITY HISTORIC PRESERVATION COMMISSION

Thursday, October 11, 2018

City Hall, 410 E. Washington Street

Emma Harvat Hall

5:30 p.m.

A) Call to Order

B) Roll Call

C) Public discussion of anything not on the agenda

D) Certificate of Appropriateness

802 S. Summit Street – Summit Street Historic District (garage demolition and new construction)

E) Review of Transfer of Development Rights zoning amendment

F) Report on Certificates issued by Chair and Staff

Certificate of No Material Effect –Chair and Staff review

1. 1037 E. Washington Street – College Hill Conservation District (window repair and storm window replacement)
2. 722 E. College Street – College Green Historic District (front step replacement)
3. 900 N. Johnson Street – Brown Street Historic District (siding repair and rear deck repair)
4. 430 Ronalds Street – Goosetown/Horace Mann Conservation District (window repair)

Minor Review –Staff review

1. 727 N. Lucas Street – Brown Street Historic District (roof replacement)
2. 927 S. 7th Avenue– Dearborn Street Conservation District (dormer siding and trim replacement)
3. 412 S. Summit Street – Summit Street Historic District (roof replacement)
4. 900 N. Johnson Street – Brown Street Historic District (radon system)

G) Consideration of Minutes for September 13, 2018

H) Commission Information and Discussion

Downtown District Survey update

I) Adjournment

If you will need disability-related accommodations in order to participate in this meeting, please contact Jessica Bristow, Urban Planning, at 319-356-5243 or at jessica-bristow@iowa-city.org. Early requests are strongly encouraged to allow sufficient time to meet your access needs.

Historic Review for 802 South Summit Street

District: Summit Street Historic District

Classification: Contributing

The applicants, Adam Dupuy and Sarah Russett, are requesting approval for a proposed demolition and addition project at 802 South Summit Street, a Contributing property in the Summit Street Historic District. The project consists of the demolition of the existing single-car garage and the construction of a new breezeway and two-car garage addition.

Applicable Regulations and Guidelines:

4.0 Iowa City Historic Preservation Guidelines for Alterations

- 4.3 Doors
- 4.7 Mass and Rooflines
- 4.9 Paint and Color
- 4.11 Siding
- 4.12 Site and Landscaping
- 4.13 Windows
- 4.14 Wood

5.0 Guidelines for Additions

- 5.1 Expansion of Building Footprint

6.0 Guidelines for New Construction

- 6.2 New Outbuildings

7.0 Guidelines for Demolition

- 7.1 Demolition of Whole Structures or Significant Features

Staff Comments

This 1 ½ story Queen Anne Cottage was built ca. 1890 with a hip roof and gabled projections to the north, east, and west. A larger gabled projection to the south was either original or added at an early date. At an unknown date the east gable was enlarged with a shed roof and extensions to the north and south, the front porch was enclosed and altered, and the west side of the south gable projection was extended out to the west, possibly enclosing a side porch. The hip roof was likely altered with a central flat roof and a skylight was added. The existing garage was built prior to 1933. The house has clapboard siding, one-over-one double-hung windows, and barge boards simply trimmed out to emphasize boxed eaves.

In 1996, the Commission approved a multi-faceted project that removed the porch and rebuilt it to match historic photographs. The east dormer was altered to better fit the architectural details of the house, a set of French doors and a small deck were added to the south of the east projection, and the windows in the remaining gables were replaced with a wider pair of windows. In addition, the kitchen door and two windows facing Summit were changed to three windows with raised sills and a skylight was added in the south-facing gable roof.

The applicant is proposing to demolish the existing one-car attached garage and build a new two-car garage attached to the house with a breezeway. The 9-foot wide breezeway acts as a hyphen or differentiation between the historic house and the addition while also providing a mudroom and storage space. The width of the breezeway is dictated by the fact that it must include space for a landing and stair from the adjacent kitchen to the garage as well as continue to provide room for the cellar door, next to the landing, which is the only access to the basement, as well as room to move around these elements. The height of the breezeway is constrained by the existing window in the south-facing gable of the house.

The garage has a west-facing (Summit Street) gable meant to mimic the taller, narrower gables on the house. The lap siding, window and door trim, and roof shingles will match the existing house. The overhang and eave condition will be similar to the house. Like the existing garage, however, the new garage and breezeway will be built at grade instead of sitting on a raised foundation. One-over-one Windsor Pinnacle double-hung windows will be used on both the garage and breezeway. The overhead doors will be two single-car carriage house style with windows. The passage doors in the breezeway will be ¾ lite Therma Tru Smooth Star fiberglass doors.

Section 7.1 of the guidelines, Demolition, recommends retaining historic garages and if the garage is insufficient for modern vehicles, efforts should be made to construct a new garage on another portion of the site. Where it is not possible to save an existing garage, the guidelines recommend designing replacement garages to be compatible in design with the primary structure and/or other outbuildings in the neighborhood.

Section 6.2 of the guidelines, New Outbuildings, recommends placing new outbuildings at the rear of the primary building. Garages should be clearly subordinate in size and ornamentation to the primary structure. Garages should have two single-car overhead doors instead of one two-car door. Carriage-style doors in a style appropriate to the property may also be used. Windows should be relatively small and rectangular. Trim should be added around the garage door openings that matches the trim of other doors and windows on the building. Unique outbuilding guidelines exist for the Summit Street Historic District, located in the Longfellow Neighborhood. In this district attached garages are not allowed. Garages must be located at the rear of the property whenever possible.

Section 5.1 of the guidelines, Expansion of the Building Footprint, recommends distinguishing between the historic structure and the new addition. Offsetting the walls of the addition from the walls of the original structure or by connecting additions with a breezeway is one method that is successful in creating this distinction.

While the existing garage is not original to the house, it is a historic addition since it was constructed prior to 1933. For that reason, efforts were made initially to find a way to retain the garage. Staff worked with the applicant to explore options to add to the existing garage to include room for a second car. The existing shed roof could not be extended south at a height sufficient to create a garage addition. If the roof was changed to a south-facing gable, the roof peak would impact the existing window in the gable. The rear portion of this small corner lot also did not have enough room to either build a second single car garage or provide paved access to it from the existing curb cut. Staff finds that these conditions provide appropriate reasons to approve the demolition of the existing garage in order to build a new two-car garage.

In Staff's opinion, this property presents a unique condition that justifies an exception to the guidelines to allow an attached garage. Through discussion with the building officials, it was determined that it would not be possible to put the garage in the back yard. Even if it were, the yard space is so limited that a garage would effectively eliminate any usable space. In addition, with necessary setbacks, a two-car garage would be too close to the house to remain detached and not need to include fire-rated construction. Staff finds that these unique site conditions provide justification to approve an attached garage.

The proposed garage meets the design requirements for a new garage or outbuilding. It is a simple front-facing gable that would be an appropriate configuration for this property. The design and detailing of the garage and breezeway have been developed to work with the architecture of the existing house. Staff recommends approval of the project with an exception to the guidelines for an attached garage.

Recommended Motion

Move to approve a Certificate of Appropriateness for the project at 802 Summit Street as presented in the application through an exception to the guidelines allowing an attached garage due to the unique conditions present at the site and the existing setback.



APPLICATION FOR HISTORIC REVIEW

Application for alterations to the historic landmarks or properties located in a historic district or conservation district pursuant to Iowa City Code Section 14-4C. Guidelines for the Historic Review process, explanation of the process and regulations can be found in the Iowa City Historic Preservation Handbook, which is available in the Neighborhood and Development Services office at City Hall or online at: www.icgov.org/historicpreservationresources

For Staff Use:

Date submitted: 9/6/2018

- Certificate of No material Effect
 Certificate of Appropriateness
 Major Review
 Intermediate Review
 Minor Review

The HPC does not review applications for compliance with building and zoning codes. Work must comply with all appropriate codes and be reviewed by the building division prior to the issuance of a building permit.

Meeting Schedule: The HPC meets the second Thursday of each month. Applications are due in the office of Neighborhood and Development Services by noon on Wednesday three weeks prior to the meeting. See last page of this application for deadlines and meeting dates.

PROPERTY OWNER/ APPLICANT INFORMATION

(Please check primary contact person)

Property Owner Name: Adam Dupuy & Sarah Russett
Email: adamjdupuy@gmail.com Phone Number: 319-594-2812
Address: 802 S Summit Street
City: Iowa City State: IA Zip Code: 52240

Contractor/Consultant Name: _____
Email: _____ Phone Number: _____
Address: _____
City: _____ State: _____ Zip Code: _____

PROPOSED PROJECT INFORMATION

Address: 802 S Summit Street
Use of Property: residential Date Constructed (if known): ~1890

HISTORIC DESIGNATION

(Maps are located at the following link: www.icgov.org/historicpreservationresources)

- This Property is a local historic landmark.
OR
 This Property is within a historic or conservation district (choose location):
- | | | |
|---|--|---|
| <input type="checkbox"/> Brown St. Historic District | <input type="checkbox"/> Northside Historic District | <input type="checkbox"/> College Hill Conservation District |
| <input type="checkbox"/> College Green Historic District | <input checked="" type="checkbox"/> Summit St. Historic District | <input type="checkbox"/> Dearborn St. Conservation District |
| <input type="checkbox"/> East College St. Historic District | <input type="checkbox"/> Woodlawn Historic District | <input type="checkbox"/> Goosetown/ Horace Mann Conservation District |
| <input type="checkbox"/> Jefferson St. Historic District | <input type="checkbox"/> Clark St. Conservation District | <input type="checkbox"/> Governor-Lucas St. Conservation District |
| <input type="checkbox"/> Longfellow Historic District | | |

Within the district, this Property is Classified as:

- Contributing Noncontributing Nonhistoric

APPLICATION REQUIREMENTS

Choose appropriate project type. In order to ensure application can be processed, please include all listed materials. Applications without necessary materials may be rejected.

- Addition** (Typically projects entailing an addition to the building footprint such as a room, porch, deck, etc.)
- Building Elevations Floor Plans Photographs
 Product Information Site Plans
- Alteration** (Typically projects entailing work such as siding and window replacement, skylights, window opening alterations, deck or porch replacement/construction, baluster repair, or similar. If the project is a minor alteration, photographs and drawings to describe the scope of the project are sufficient.)
- Building Elevations Product Information Photographs
- Construction** of a new building
- Building Elevations Floor Plans Photographs
 Product Information Site Plans
- Demolition** (Projects entailing the demolition of a primary structure or outbuilding, or any portion of a building, such as porch, chimney, decorative trim, baluster, etc.)
- Photographs Evidence of deterioration Proposal of Future Plans
- Repair or Restoration** of an existing structure that will not change its appearance.
- Photographs Product Information
- Other

Please contact the Preservation Specialist at 356-5243 for materials which need to be included with applications

APPLICATION REQUIREMENTS

Project Description:

We would like to replace the existing single car garage with a two-stall garage.

Materials to be Used:

To be determined

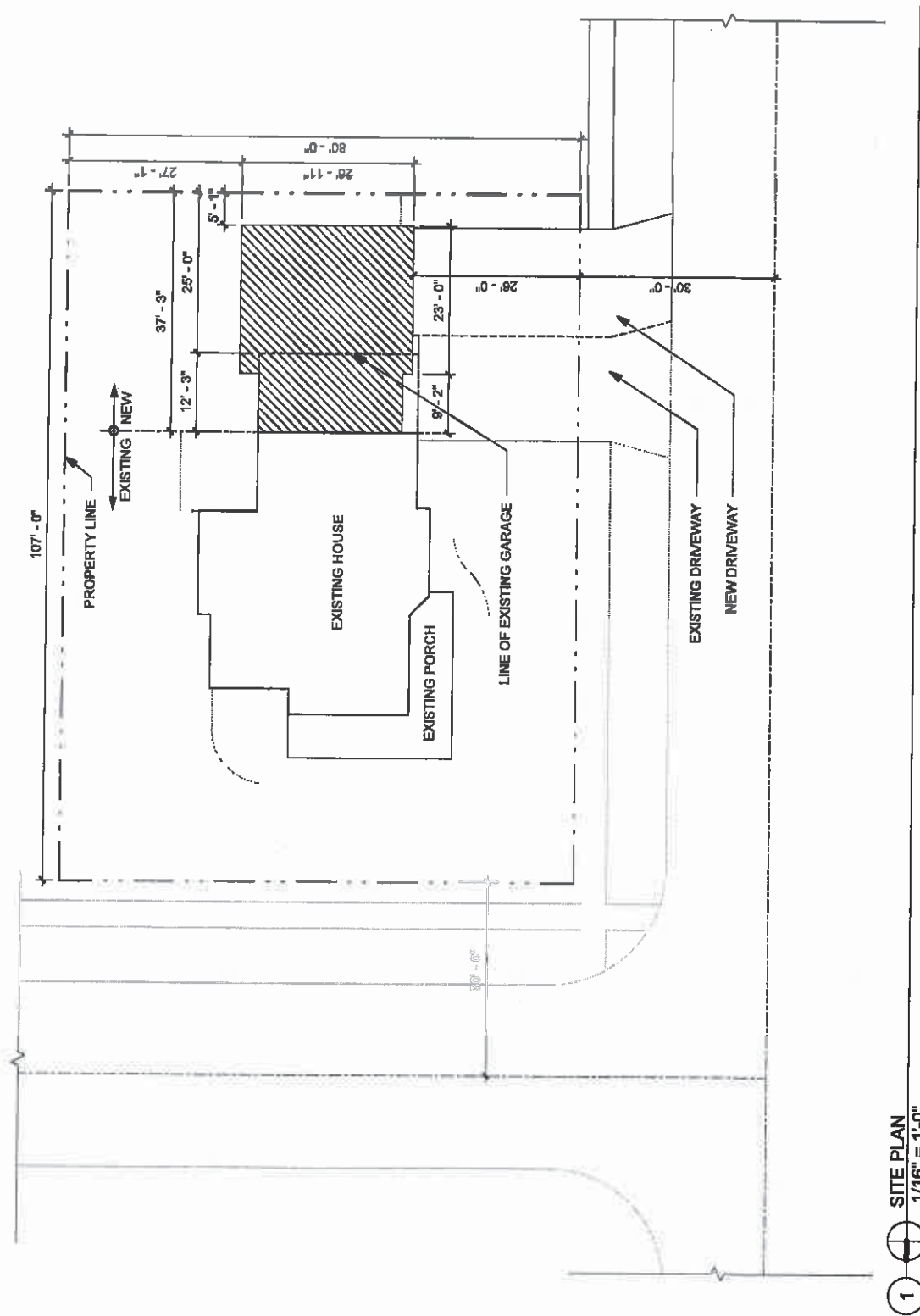
Exterior Appearance Changes:

Plans to be submitted ASAP

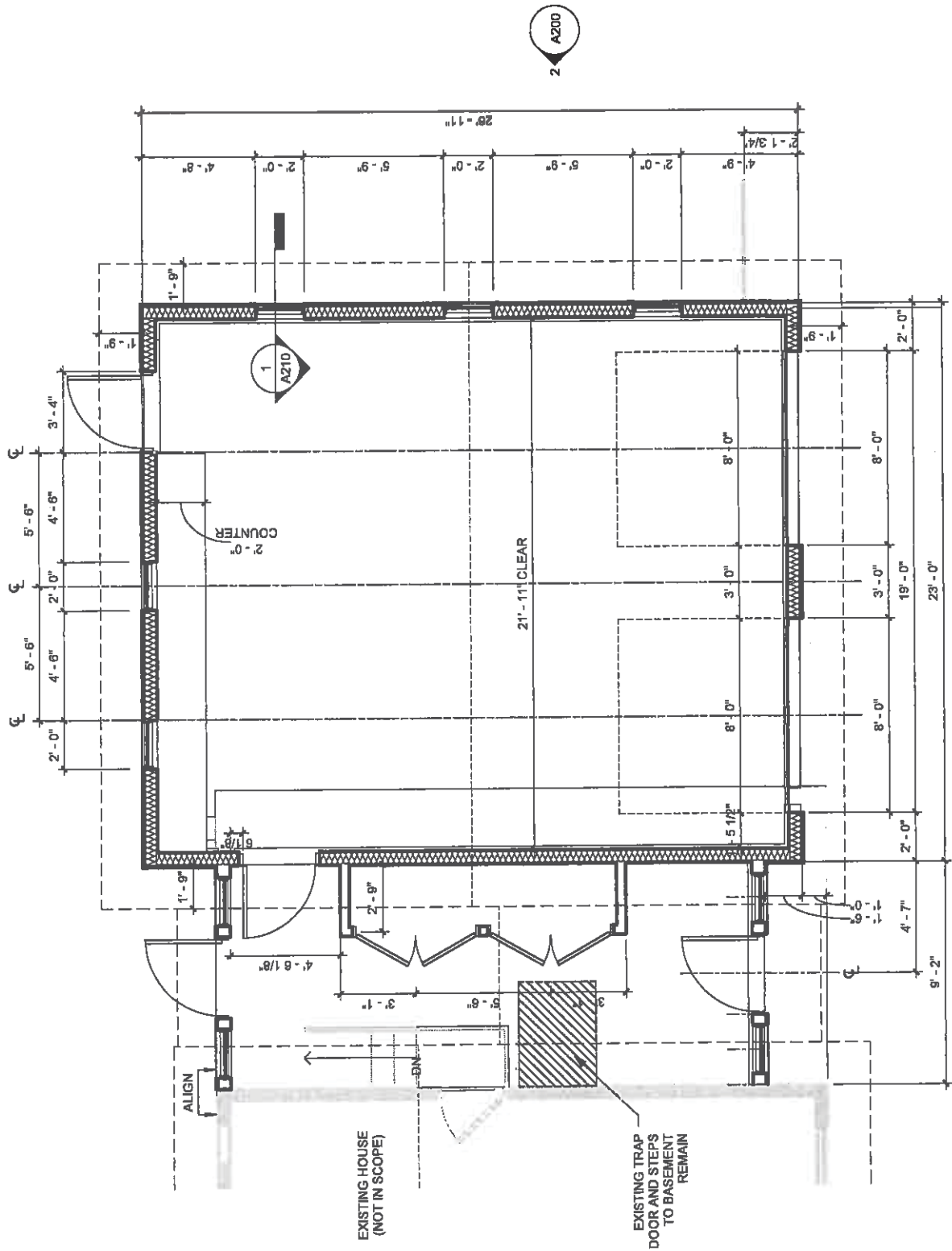
To Submit Application: Download form, Fill it out and email it to jessica-bristow@iowa-city.org or mail to Historic Preservation, City of Iowa City, 410 E. Washington Street, Iowa City, IA 52240







1 SITE PLAN
 1/16" = 1'-0"



1 LEVEL 1 - FLOOR PLAN
1/4" = 1'-0"

2 A200

1 A210

EXISTING HOUSE
(NOT IN SCOPE)

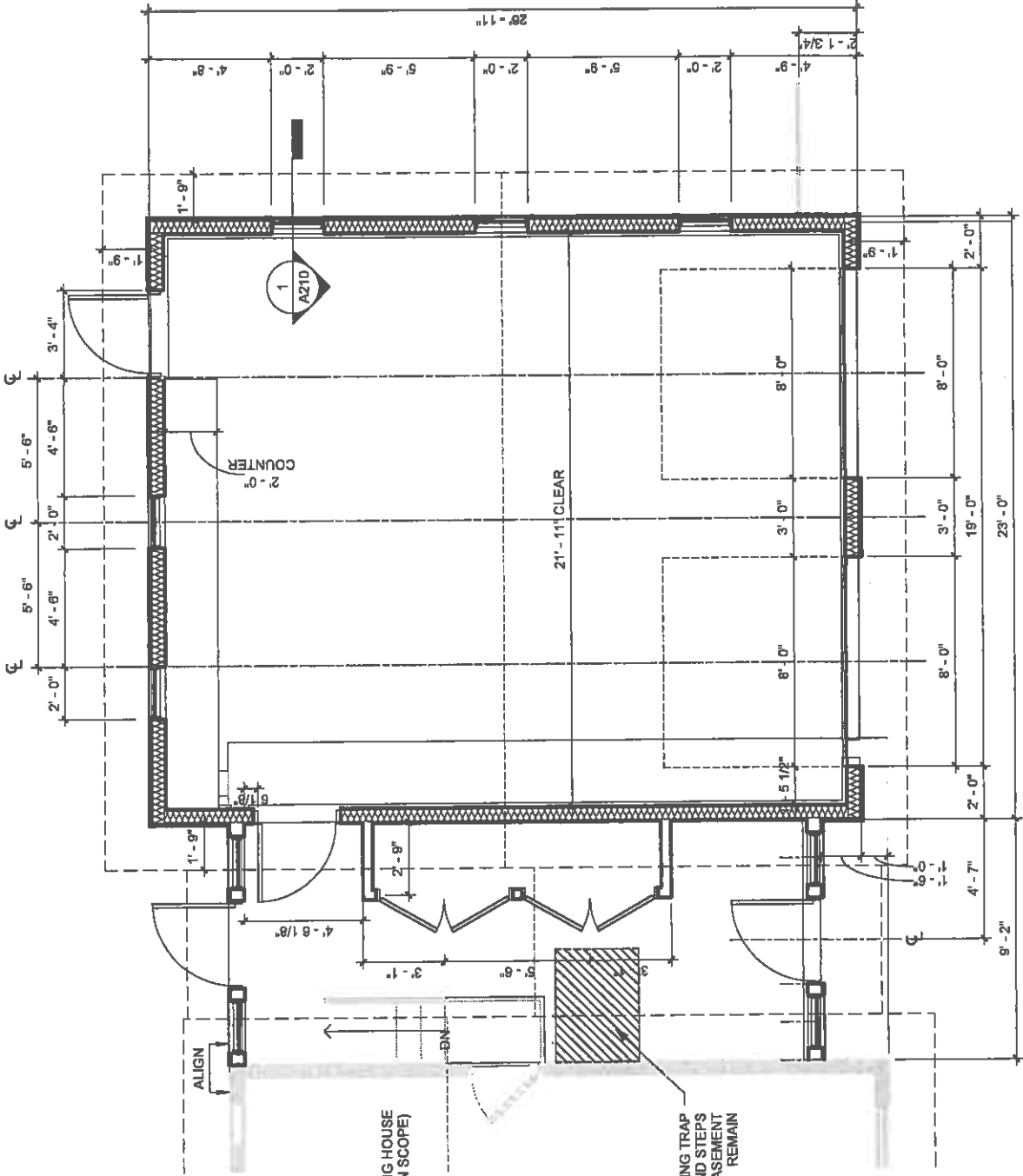
EXISTING TRAP
DOOR AND STEPS
TO BASEMENT
REMAIN

COUNTER
2'-0"

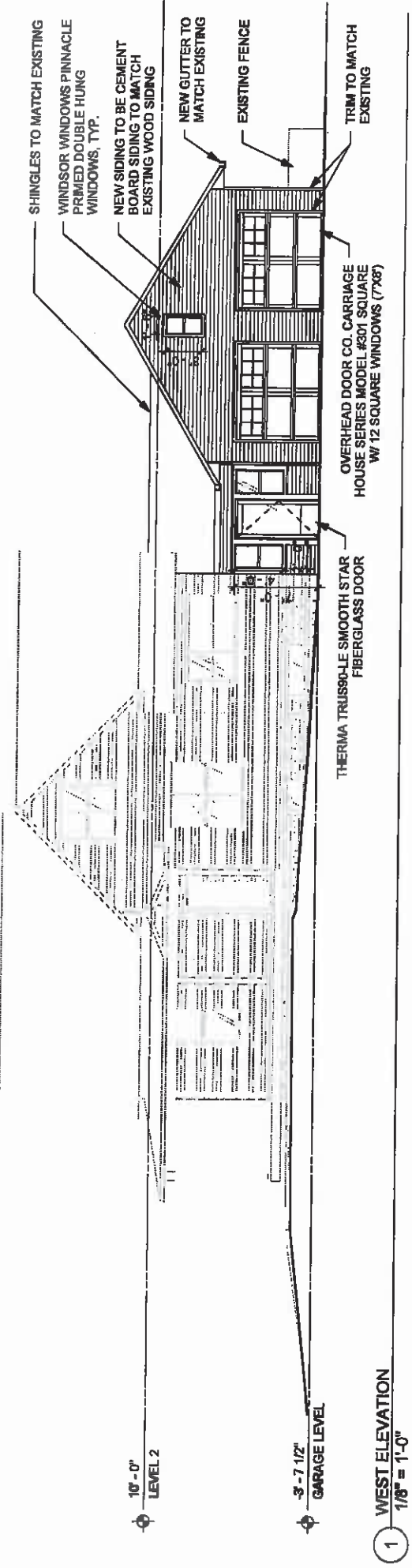
21'-11" CLEAR

ALIGN

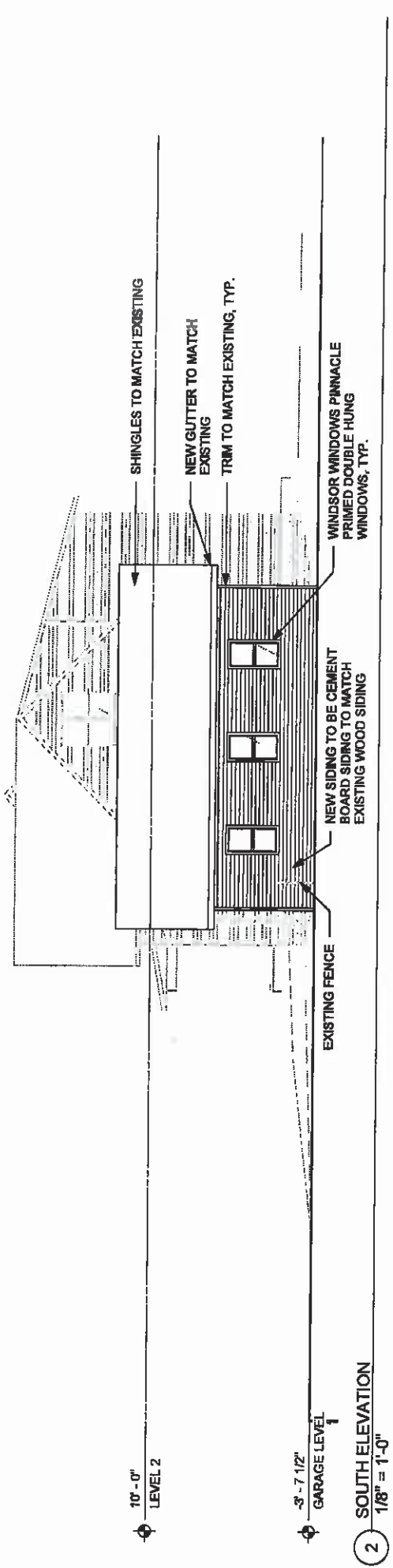
DN



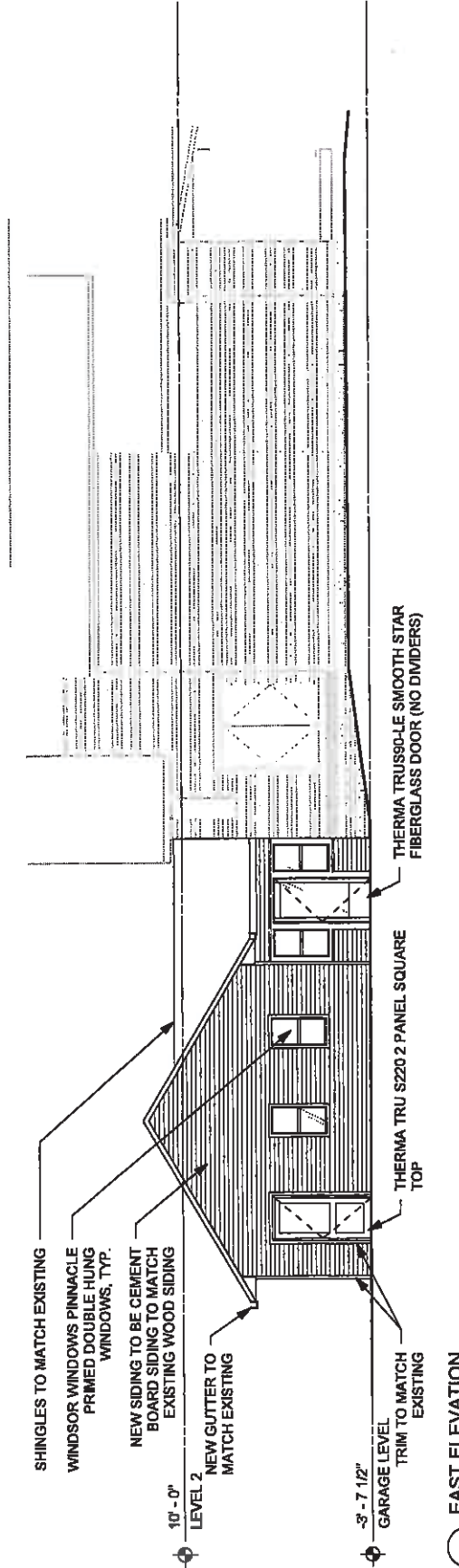
1 LEVEL 1 - FLOOR PLAN
1/4" = 1'-0"



1 WEST ELEVATION
1/8" = 1'-0"



2 SOUTH ELEVATION
1/8" = 1'-0"



SHINGLES TO MATCH EXISTING
 WINDSOR WINDOWS, PINNACLE
 PRIMED DOUBLE HUNG
 WINDOWS, TYP.

NEW SIDING TO BE CEMENT
 BOARD SIDING TO MATCH
 EXISTING WOOD SIDING

NEW GUTTER TO
 MATCH EXISTING

THERMA TRU S220 2 PANEL SQUARE
 TOP

THERMA TRUSS90-LE SMOOTH STAR
 FIBERGLASS DOOR (NO DIVIDERS)

10' - 0"
 LEVEL 2

3' - 7 1/2"
 GARAGE LEVEL
 TRIM TO MATCH
 EXISTING

1 EAST ELEVATION
 1/8" = 1'-0"





S SUMMIT ST

812
812 1/2

802

1034

?

(address 855 s dubuque st)



CITY OF IOWA CITY MEMORANDUM

Date: October 11, 2018
To: Historic Preservation Commission
From: Anne Russett, AICP, Senior Planner, Neighborhood & Development Services
Re: Transfer of Development Rights Ordinance for Historic Preservation

Introduction

At the City Council's May 29, 2018 meeting the Council considered the local landmark designation of the property at 410-412 North Clinton Street. At this meeting the property owner's attorney requested that the Council defer action on the local landmark designation until the City reviews and analyzes the establishment of a city-wide transfer of development rights (TDR) program for historic properties. The Council voted to defer action on the local landmark designation for eight months and directed staff to explore the creation of a city-wide TDR ordinance.

Since that meeting, staff prepared two memos to the City Manager regarding a potential ordinance [Attachments 1 and 2] and the City Council discussed the establishment of a city-wide TDR ordinance for historic preservation at two work sessions and directed staff to move forward with its development for Council's consideration. [Attachment 3]

At the Historic Preservation Commission's meeting on October 11, staff will present a draft TDR ordinance for the Commission's review and recommendation. This memo provides a background on TDR programs, summarizes the existing TDR provisions in Riverfront Crossings, and outlines the draft ordinance. The draft is based on a September 4 work session discussion with the City Council.

Background & Overview of TDR Programs

Created to protect natural resources, farmland, and open spaces, as well as preserve historic resources TDR programs create an incentive for property owners to preserve these resources by allowing them to sell or transfer development rights from the property being protected to another site where development can occur at a higher density or intensity than allowed in the underlying zoning designation.

Generally, TDR programs have the following components:

- ***Sending Areas:*** Areas identified for protection. These areas are typically required to be preserved and all or a portion of the development potential of the property could be transferred to another site.
- ***Receiving Areas:*** Areas where the development rights from the sending sites could be transferred. These are areas where the City wants to encourage growth and development at a higher density or intensity than currently allowed. These areas should have adequate public services and utilities to accommodate additional growth, as well as a healthy market demand for growth.
- ***Transfer Calculations:*** TDR programs can allow the transfer of all or a portion of the development potential of a sending site. Ordinances must outline how the transfers are calculated and consider the following: 1) is there a market for these transfers; 2) can the infrastructure in the receiving area handle the additional development; 3) does the comprehensive plan support the additional development in the receiving area.

- *Process & Administration:* TDR programs need to establish a process for how transfers are reviewed and approved. Additionally, transfers must be tracked over time (i.e. how many transfers do property owners in the sending area have; how many have been transferred and how many remain; where have they been transferred).

Summary of Riverfront Crossings Form-Based Code TDR Ordinance

The City currently has a TDR ordinance in the Riverfront Crossings District for the dedication of open space, preservation of historic properties, and the dedication of public right-of-way. Below is a summary of the existing provisions for historic structures:

- Eligible sending sites include properties designated as an Iowa City Landmark, eligible for landmark designation, registered on the National Register of Historic Places, or listed as a historically significant building per a survey
- Prior to requesting a transfer of development rights, the property must be designated as an Iowa City Landmark to ensure its protection long-term
- Receiving sites include properties within the Riverfront Crossings District
- The formula for calculating the transfer is *Lot Area of the Sending Site X Maximum Number of Stories Allowed on the Sending Site = Square Footage Eligible for Transfer*
- City Council must review and approve all projects receiving transfer of development rights even when the resulting height bonus does not exceed two stories
- No transfer can exceed the maximum height allowed through the building height bonus provisions, which varies depending on the subdistrict

In 2015, the City Council approved a transfer of development rights from the Tate Arms building at 914 S. Dubuque (sending site) to a new building at the corner of S. Dubuque and Benton Streets (201 E. Benton & 912 S. Dubuque (receiving site)). Out of the 34,800 square feet of development rights available for transfer, the Council approved a transfer of 7,400 square feet to add a 5th story to the building. The property owner has 27,400 square feet of development rights remaining to transfer. This is the only transfer applied for and approved since the adoption of the Riverfront Crossings Form-Based Code in 2014.

Proposed City-wide Ordinance

Based on the direction provided by the City Council, staff has developed a draft ordinance to apply city-wide. A summary of the key components of the draft ordinance is outlined below.

Eligible Sending Sites

Staff proposes that eligible sending sites include properties eligible for Iowa City historic landmark designation. More specifically, a sending site must be designated as an Iowa City historic landmark after the adoption of the proposed city-wide ordinance in order to be eligible for the transfer incentive. Furthermore, properties already within existing Iowa City historic districts and conservation districts are not eligible to obtain Iowa City landmark status and benefit from the TDR incentive.

Eligible Receiving Sites

The eligible receiving sites proposed include the Riverfront Crossings district and any zone districts that allow multi-family dwellings either as a permitted or provisional use¹. This includes all multi-family residential zone districts and several commercial zone districts. [Attachment 4]

¹ Permitted uses are allowed by-right. Provisional uses are permitted if they meet certain use specific criteria and standards.

Transfer of Development Rights

Staff proposes to consider transfer requests for either a height bonus or a density bonus, but not both a height and density bonus. Additionally, staff proposes to allow transfer requests to exceed either the height or density permitted on the receiving site, but restrict any height bonus to no more than 40 feet above the maximum height allowed. Staff does not recommend any restrictions on the increase in density transferred.

Staff proposes to calculate these transfers as follows:

(1) Height Bonus Option:

- Difference between the maximum allowable height of the sending site and the existing height of the historic structure.
- In cases where the transfer is less than 12 feet, staff suggests including a provision that 12 feet may be transferred even if the difference is less than 12 feet. In many instances historic properties are residentially zoned, which typically have a maximum of 35 feet. Since historic buildings typically have higher ceilings a two-story historic building may not result in much of a height transfer. Therefore, staff suggests allowing a transfer of 12 feet, which will allow a minimum of at least one story to be transferred.

(1) Density Bonus Option:

- Difference between the maximum number of dwelling units allowed on the sending site based on the underlying zoning designation at the time of Iowa City historic landmark designation and the existing number of dwelling units on the sending site.

Transfer Review Process

Staff proposes that any request for a transfer be reviewed by the staff design review committee, which will then submit a recommendation to the City Council for their review and approval.

Next Steps

After the Commission's October 11 meeting, staff will take the proposed ordinance to the Planning and Zoning Commission for their review and recommendation to the City Council.

Attachments:

1. July 18, 2018 Memo to Geoff Fruin, City Manager
2. August 29, 2018 Memo to Geoff Fruin, City Manager
3. Staff presentation to City Council, September 4, 2018
4. Proposed Eligible Receiving Sites Map



CITY OF IOWA CITY MEMORANDUM

ATTACHMENT 1.

Date: July 18, 2018

To: Geoff Fruin, City Manager

From: Anne Russett, Senior Planner
Danielle Sitzman, Development Services Coordinator
Tracy Hightshoe, Director, Neighborhood & Development Services

Re: Update on Possible City-wide Transfer of Development Rights Program for Historic Preservation

Introduction

At the City Council's May 29, 2018 meeting the Council considered the local landmark designation of the property at 410-412 North Clinton Street. At this meeting the property owner's attorney requested that the Council defer action on the local landmark designation until the City reviews and analyzes the establishment of a city-wide transfer of development rights (TDR) program for historic properties. The Council voted to defer action on the local landmark designation for eight months and directed staff to explore the creation of a city-wide TDR ordinance.

This memo provides an overview of TDR, outlines the City's existing TDR policy in the Riverfront Crossings District, and highlights some issues that staff will need to further analyze before moving forward with a city-wide TDR ordinance.

Background & Overview of TDR Programs

Created to protect natural resources, farmland, and open spaces, as well as preserve historic resources TDR programs create an incentive for property owners to preserve these resources by allowing them to sell or transfer development rights from the property being protected to another site where development can occur at a higher density or intensity than allowed in the underlying zoning designation.

Generally, TDR programs have the following components:

- ***Sending Areas:*** Areas identified for protection. These areas are typically required to be preserved and all or a portion of the development potential of the property could be transferred to another site.
- ***Receiving Areas:*** Areas where the development rights from the sending sites could be transferred. These are areas where the City wants to encourage growth and development at a higher density or intensity than currently allowed. These areas should have adequate public services and utilities to accommodate additional growth, as well as a healthy market demand for growth.
- ***Transfer Calculations:*** TDR programs can allow the transfer of all or a portion of the development potential of a sending site. Ordinances must outline how the transfers are calculated and consider the following: 1) is there a market for these transfers; 2) can the infrastructure in the receiving area handle the additional development; 3) does the comprehensive plan support the additional development in the receiving area.
- ***Process & Administration:*** TDR programs need to establish a process for how transfers are reviewed and approved. Additionally, transfers must be tracked over time (i.e. how many transfers do property owners in the sending area have; how many have been transferred and how many remain; where have they been transferred).

Summary of Riverfront Crossings Form-Based Code TDR Ordinance

The City currently has a TDR ordinance in the Riverfront Crossings District for the dedication of open space, preservation of historic properties, and the dedication of public right-of-way. Below is a summary of the existing provisions for historic structures:

- Eligible sending sites include properties designated as an Iowa City Landmark, eligible for landmark designation, registered on the National Register of Historic Places, or listed as a historically significant building per a survey
- Prior to requesting a transfer of development rights, the property must be designated as an Iowa City Landmark to ensure its protection long-term
- Receiving sites include properties within the Riverfront Crossings District
- The formula for calculating the transfer is *Lot Area of the Sending Site X Maximum Number of Stories Allowed on the Sending Site = Square Footage Eligible for Transfer*
- City Council must review and approve all projects receiving transfer of development rights even when the resulting height bonus does not exceed two stories
- No transfer can exceed the maximum height allowed through the building height bonus provisions, which varies depending on the subdistrict

In 2015, the City Council approved a transfer of development rights from the Tate Arms building at 914 S. Dubuque (sending site) to a new building at the corner of S. Dubuque and Benton Streets (201 E. Benton & 912 S. Dubuque (receiving site)). Out of the 34,800 square feet of development rights available for transfer, the Council approved a transfer of 7,400 square feet to add a 5th story to the building. The property owner has 27,400 square feet of development rights remaining to transfer. This is the only transfer applied for and approved since the adoption of the Riverfront Crossings Form-Based Code in 2014.

Potential Receiving Areas for a City-wide Historic Preservation TDR Program

At the City Council’s May 29, 2018 meeting the Council seemed interested in identifying potential receiving areas for a city-wide ordinance. The table below outlines some potential options for receiving areas, as well as some pros and cons.

Potential Receiving Area	Pros	Cons
Riverfront Crossings	<ul style="list-style-type: none"> - Master Plan & form-based code encourage higher densities and intensities - Current receiving area for the form-based code TDR program for historic preservation, public right-of-way, and open space transfers 	<ul style="list-style-type: none"> - Current allowable densities and intensities combined with height bonus provisions are generous
Downtown	<ul style="list-style-type: none"> - Core of the city with access to amenities, services, and transportation options 	<ul style="list-style-type: none"> - Receiving properties in the downtown may be limited due to the results of the downtown historic building survey that is underway
South Johnson Street and South Van Buren Street between Court Street & Railroad	<ul style="list-style-type: none"> - Area already zoned for higher density housing 	<ul style="list-style-type: none"> - Smaller geographic area that may not be able to accommodate

	- Transfers could provide an incentive for redevelopment of this area	the demand of a city-wide ordinance
Land designated for multi-unit development	- Areas are already zoned for higher density housing - More scattered approach that would not concentrate transfers in one area	- Potential concern from neighboring property owners
Any combination of the above areas		

Next Steps & Conclusion

Between now and September 2018 staff will further analyze the possibility of a city-wide ordinance. Specifically, staff will:

- Conduct best practice research
- Review other local jurisdictions' TDR programs
- Further analyze potential receiving areas
- Identify sending areas based on Riverfront Crossings criteria and estimate the amount of potential transfers

The proposed timeline for the project is as follows:

Date	Task
June – August 2018	Research and analysis
September 4, 2018	Presentation to Council on research; recommendation from Council to proceed or not proceed on ordinance drafting
September– October 2018	Ordinance drafting, if determined by Council
October 11, 2018	Historic Preservation Commission Review & Discussion
October 18, 2018	Planning & Zoning Commission Review & Discussion
November 1, 2018	Planning & Zoning Commission Review & Recommendation
November 20, 2018	City Council (1 st reading of ordinance)
December 4, 2019	City Council (2 nd & possible 3 rd reading of ordinance)
January 29, 2019	Expiration of 8-month deferral of the local landmark designation of 410-412 North Clinton Street



CITY OF IOWA CITY MEMORANDUM

ATTACHMENT 2.

Date: August 29, 2018

To: Geoff Fruin, City Manager

From: Anne Russett, AICP, Senior Planner, Neighborhood & Development Services
Danielle Sitzman, AICP, Development Services Coordinator, Neighborhood & Development Services

Re: Update on Research and Policy Questions regarding Possible City-wide Transfer of Development Rights Program for Historic Preservation

Introduction

At the City Council's May 29, 2018 meeting the Council considered the local landmark designation of the property at 410-412 North Clinton Street. At this meeting the property owner's attorney requested that the Council defer action on the local landmark designation until the City reviews and analyzes the establishment of a city-wide transfer of development rights (TDR) program for historic properties. The Council voted to defer action on the local landmark designation until the end of January 2019 and directed staff to explore the creation of a city-wide TDR ordinance.

At the August 7 work session, the City Council discussed the July 18 memo to the City Manager, which provided an overview of TDR, summarized the City's existing TDR provisions in Riverfront Crossings, and outlined potential receiving areas. At the work session, the Mayor expressed interest in South Johnson and South Van Buren Streets from Court Street to the railroad tracks being a receiving area if an urban design plan existed for the area.

This memo provides an update on staff's research and analysis and outlines specific policy questions for the City Council. In order to meet the January 2019 deadline, staff needs direction from the City Council on the following: the formula for calculating the transfer of development rights, the priority of preserving historic resources compared to bonus provisions currently offered for other public benefits, the process for the review and approval of development transfers, and areas to further pursue as receiving sites. In general, staff recommends a program that is fair, legally-sound, easy to administer, and simple to understand. Additionally, staff wants an effective program that preserves historic resources while not compromising the ability to achieve other important comprehensive plan goals.

Overview of Research & Analysis

Sending Areas

Staff conducted an analysis of possible sending areas in order to estimate the potential for development transfers. Staff estimated the amount of development that could be transferred through a city-wide TDR program by applying the existing Riverfront Crossings transfer formula¹. Furthermore, the Riverfront Crossings TDR provisions require that prior to requesting a transfer of development rights, the property must be designated as a local landmark. Therefore, in this analysis staff applied the transfer formula to existing landmarks (see Table 1).

¹ The formula for calculating the transfer in Riverfront Crossings is *Lot Area of the Sending Site X Maximum Number of Stories Allowed on the Sending Site = Square Footage Eligible for Transfer*

Table 1. Summary of Transfer Potential of Local and NRHP-Listed Landmarks

<i>Sending Sites</i>	<i>Development Transfer Potential² (square feet)</i>
Local Landmarks Only	4,367,068 ³
Local Landmarks & National Register of Historic Places-Listed Landmarks)	5,368,997 ⁴

The analysis conducted only looks at existing local and national landmarks. There are several other buildings that are eligible for local landmark designation and the Historic Preservation Commission has been proactively identifying sites to locally landmark. The City is also in the midst of a survey of downtown historic properties. Several properties in the downtown are eligible for local landmark designation. As more properties are landmarked the transfer potential will continue to increase.

Staff reviewed several other TDR programs. Of the programs reviewed, none applied only to future landmark designations. In other words, existing and future landmarks qualified as sending sites. However, some cities required rehabilitation of the historic structure prior to becoming eligible as a sending site.

Receiving Areas

The areas identified by staff as potential receiving areas include:

- Riverfront Crossings,
- Downtown,
- South Johnson and South Van Buren Streets between Court Street and the Railroad, and
- Land Designated for Multi-Unit Development throughout the city.

Using these areas, staff conducted an analysis to determine the amount of existing development potential (see Table 2). For the analysis, staff identified vacant and underutilized sites within the potential receiving areas. The following areas were removed from the analysis: land within the 500-year and 100-year floodplains, local historic landmarks, local historic districts, conservation districts, and publicly zoned land. In addition, several historic properties in the downtown were removed from the analysis. For a more detailed outlined of the methodology, please refer to Attachment 1.

Table 2. Summary of Development Potential for Receiving Areas

<i>Potential Receiving Areas</i>	<i>Development Potential (square feet)</i>	<i>Development Potential (dwelling units)</i>
Riverfront Crossings	2,522,313 ⁵	-
Downtown	242,471 ⁶	-
South Johnson Street & South Van Buren Street between Court Street and the Railroad ⁷	-	-
Citywide Land Designated for Multi-unit Development	5,389,525 ⁸	845
Total	8,154,309⁹	845¹⁰

² Staff used the square footage of the RISE, which is 363,268 sq ft (excluding the lower levels), as a gauge.

³ Approximately equivalent to 12 RISE buildings.

⁴ Approximately equivalent to 15 RISE buildings.

⁵ Approximately equivalent to 7 RISE buildings.

⁶ Approximately equivalent to 0.67 RISE buildings.

⁷ None of the properties met staff's criteria for underutilized.

⁸ Approximately equivalent to 15 RISE buildings.

⁹ Approximately equivalent to 22 RISE buildings.

¹⁰ The residential portion of the RISE includes 332 dwelling units.

Accommodating the potential development transfers depends on a number of factors, including the eligible sending and eligible receiving sites. Another option to consider that could also help preserve historic structures is a parking reduction. Instead of transferring development rights, the receiving site could purchase the right to receive a parking reduction. Staff has not explored this thoroughly. More research is required to better understand the viability of this option.

Other Local Jurisdictions' TDR Programs

Staff also reviewed other local jurisdictions' TDR programs across the country that focus on preserving historic resources. For a more detailed overview of other programs, please refer to Attachment 2.

Transfer Formulas

There are different ways to approach calculating the transfer rights from a sending site to a receiving site. Several cities consider the existing development on the sending site. More specifically, these cities calculate the transfer by taking the maximum development potential of the sending site less the existing development on the sending site. To provide an incentive, many cities also allow development to exceed the maximum allowable density/intensity on the receiving site. Table 3 outlines some examples.

Table 3. Example Transfer Formulas

<i>Local Jurisdiction</i>	<i>Transfer Formula</i>
Chico, CA	(Max density of the sending zone X Acreage of sending site) Less (Existing and proposed Number of dwelling units on the sending site) *Receiving site bonus above that allowed by comprehensive plan
Minneapolis, MN	(Max allowable floor area of the sending site) Less (Floor area of existing development on sending site) *Receiving site bonus of 30% above max allowable floor area
Pittsburgh, PA	(Max allowable development) Less (Existing amount of development) *Receiving site density bonus of between 20% and 200%
Providence, RI	(Max allowable height) Less (Height of historic landmark) *Receiving site bonus height of 1.6 times the max height or 300 ft, whichever is less.
Vancouver, WA	(Max allowable floor area of the sending site) Less (Existing floor area of the sending site) *Receiving site development must not pose hazard to low-flying aircraft.
West Hollywood, CA	<u>Residential:</u> (Max allowable dwelling units) Less (Existing number of dwelling units) <u>Commercial:</u> (Max allowable floor area) Less (Existing floor area) *Receiving site FAR bonus allowed through Planning Commission review and approval.
West Palm Beach, FL	(Lot area X Max allowable floors) Less (Floor area of existing structure) *Receiving site height bonus.

Compared with these other local jurisdictions, the City's current transfer formula in Riverfront Crossings is very generous. Unlike the examples above, the formula in Riverfront Crossings does not take into consideration the existing development on the sending site. In establishing the

transfer formula for Riverfront Crossings, staff anticipated a significant amount of redevelopment pressure, and therefore, intentionally recommended a generous transfer formula in order to incentivize the preservation of historic resources.

Approval Process for Transfers

TDR programs also vary in how the sending and receiving of transfers are reviewed and approved. Many jurisdictions have a process that requires review by either the City Council or a board or commission. Table 4 provides some examples of how other local jurisdictions review and approve transfers.

Table 4. Examples of TDR Processes

<i>Local Jurisdiction</i>	<i>TDR Approval Process</i>
Chico, CA	Non-administrative: City Council approval required
Minneapolis, MN	Administrative: Review and approval by Planning Director
Pittsburgh, PA	Non-administrative: Historic Preservation Commission approval required
Providence, RI	Non-administrative: Downtown Design Review Committee approval required
Vancouver, WA	Non-administrative: City Council approval required
West Hollywood, CA	Non-administrative: Cultural Heritage Advisory Board reviews and approves rehabilitation plan
West Palm Beach, FL	Non-administrative: Downtown Advisory Committee review and approval required

The City's existing TDR provisions require that the City Council review and approve any transfer of development rights request. Although several of the example jurisdictions above include the equivalent of the Historic Preservation Commission in the review, some also require review and approval by the City Council. Only one jurisdiction, Minneapolis, MN, reviews and approves transfers administratively.

Administration & Tracking

Staff also looked at how other local jurisdictions administer and track TDR programs. Table 5 outlines some examples from other jurisdictions.

Table 5. Examples of TDR Administration & Tracking

<i>Local Jurisdiction</i>	<i>Tracking Mechanism</i>
Chico, CA	Documented in adoption of Specific Plan or Planned Unit Development or executed through a Development Agreement.
Minneapolis, MN	Recorded with the County as a conservation easement or similar restriction.
Pittsburgh, PA	Legal document signed by sending and receiving site property owners and approved by the City Attorney. Document outlines reduction in development rights on sending site and increase on the receiving site.
Providence, RI	Owners of sending and receiving sites execute a deed or other agreement to be recorded with the title to both sites.
West Hollywood, CA	City staff maintains a list of eligible sending sites to assist potential receiving site developers.

West Palm Beach, FL	City staff maintains a registry of development rights available and transfers. Execution of City-approved restrictive covenant that outlines transfer. Covenant recorded against the sending and receiving sites and added to City registry.
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There are a variety of methods that other jurisdictions employ to administer and track TDR programs, some are more complex than others. The Riverfront Crossings TDR provisions do not outline a method for tracking transfers. Currently, planning staff maintains a spreadsheet of approved transfers and the applicable sending and receiving sites. More formal tracking mechanisms should be contemplated in a city-wide TDR program and developed in coordination with the City Attorney's Office.

Receiving Areas

Table 6 outlines other jurisdictions' receiving areas.

Table 6. Receiving Areas

<i>Local Jurisdiction</i>	<i>Receiving Areas</i>
Chico, CA	Applicant must demonstrate that the proposed receiving site can accommodate the additional development.
Minneapolis, MN	Sites within the downtown that are not a designated historic structure or eligible for designation.
Pittsburgh, PA	Focused in the downtown.
Providence, RI	None specified, but program is focused in the downtown.
Vancouver, WA	Sites with the same zoning district as sending site.
West Hollywood, CA	Medium and high-density commercial zones. Do not allow transfers into residential zones.
West Palm Beach, FL	Specific sites identified in the downtown.

Issues / Constraints

Several cities across the country have adopted TDR programs to preserve historic resources and some are more effective than others. There are variety of factors that could impact the success of program, which are outlined below.

Market Potential

At this time staff does not have a market study that examines the market potential for a city-wide TDR program and completing a market analysis within the timeframe required is not feasible. Therefore, it is unclear whether a demand for such a program exists.

Lack of Certainty in the Process

Another factor that could impact the effectiveness of a TDR program is how transfers are reviewed and approved. Programs that allow by-right transfers that are reviewed and approved administratively provide more certainty for developers. Programs that require a discretionary, public process provide less certainty and more risk to developers.

Other Bonus Mechanisms

Some of the more effective TDR programs provide few or no other alternatives to achieving additional development potential. If other mechanisms exist to developers to achieve more development potential it could impact the effectiveness of a TDR program. Some examples that the City currently offers in Riverfront Crossings include bonuses for public art, Class A office space, affordable housing, and energy and environmental stewardship.

Policy Questions for Council

The most fundamental question for City Council is whether they wish to continue to pursue a city-wide TDR program to preserve historic resources. If the City Council would like staff to continue to pursue a city-wide program, staff needs direction on the following policy questions:

1. *Should eligible sending sites include existing local historic landmarks or only future local historic landmarks?*

The City has 52 local historic landmarks and the Historic Preservation Commission is working to identify and designate more local landmarks. In addition, the downtown includes a number of properties that are eligible for local landmark designation.

Some options include:

- a) Eligible sending sites include existing and future local historic landmarks
 - Pros:
 - i. Fair
 - ii. Consistent with the Riverfront Crossings TDR provisions
 - Cons:
 - i. Depending on the transfer formula and the identified receiving sites the city may not have enough capacity to receive all of the potential transfers.

- b) Eligible sending sites only include future local historic landmarks
 - Pros:
 - i. May be easier to accommodate the transfer potential
 - Cons:
 - i. Inconsistent with the Riverfront Crossings TDR provisions

2. *Should a city-wide TDR ordinance apply the existing transfer calculation formula that is outlined in the Riverfront Crossings form based code or a new formula?*

The transfer formula adopted in Riverfront Crossings was intentionally generous to incentivize preservation in an area anticipated to be redeveloped. The formula does not take into consideration existing development on the sending site; and therefore, results in higher transfer potential. Using the same formula for a city-wide program provides consistency and clarity between the two programs. It would also make administration and tracking of the program easier. However, depending on the receiving sites identified there may be an issue with the capacity available for development on the receiving sites.

Some options include:

- a) Keep the existing Riverfront Crossings transfer formula.
 - Pros:
 - i. More generous, could provide more of an incentive to developers
 - ii. Consistency in administration, application, and simpler to understand
 - Cons:
 - i. More generous, may not be able to accommodate the amount of potential transfers

- b) Establish a new transfer formula that considers the existing development on the sending site.
 - Pros:
 - i. May be able to accommodate the potential transfers with a less generous formula
 - Cons:
 - i. More complex and more difficult to administer

- ii. May want to revisit the Riverfront Crossings transfer formula to ensure consistency, which would require more time

3. The City already gives bonuses for certain public benefits provided with development projects. Should preservation of historic resources be treated in a similar manner or given a higher priority?

Several other programs across the country provide an incentive to transfer development rights by allowing a density or intensity bonus on the receiving site. This comes in many forms: height increases, additional floor area, and additional dwelling units. The City's zoning ordinance currently includes several bonus provisions.

In the central business district zones (i.e. CB-2, CB-5, and CB-10) bonuses are reviewed and approved administratively when development projects provide the following types of public benefits:

- Masonry finish;
- Provision of a theater;
- Funds for street furniture, lighting, and landscaping within the public right-of-way;
- Open space;
- Adaptive reuse of certain historic properties;
- Provision of off-street loading areas that meet specific requirements; and
- Provision of class A office space.¹¹

In the planned high density multi-family residential zone (PRM) bonuses are reviewed and approved administratively when development projects provide the following types of public benefits:

- Materials, specifically masonry finish;
- Open Space;
- Rehabilitation of a historically significant building;
- Assisted housing;
- Streetscape amenities;
- Landscaping; and
- Installation of window units that have a height that is at least 1.5 times greater than the width.¹²

In addition to the bonuses offered for transferring development rights, height bonuses may be requested in Riverfront Crossings for several public benefits. Requests to exceed the base height by two stories are reviewed and approved administratively. Requests to exceed the base height by more than two stories are reviewed and approved by the City Council. Bonuses are reviewed for the following public benefits:

- Class A office space;
- Public art;
- Energy efficiency and environmental steward through Leadership in Energy and Environmental Design (LEED) or a similar program;
- Student housing;
- Hotel space;
- Workforce or affordable housing; and
- Elder housing.¹³

Some options include:

- a) Model a city-wide TDR program on the current bonus provisions offered in the central business district zones, planned high density multi-family residential zones, and Riverfront Crossings.

¹¹ For more detail on these bonus provisions please see 14-2C-8.

¹² For more detail on these bonus provisions please see 14-2B-7.

¹³ For more detail on these bonus provisions please see 14-2G-7.

- Pros:
 - i. Simpler and easier to administer
 - Cons:
 - i. Bonuses for multiple public benefits may dilute the effectiveness of preserving historic structures
- b) Allow transfers for historic properties to exceed the City's current bonus provisions (e.g. offer more height, more density/intensity).
- Pros:
 - i. Offering more of a bonus may be more of an incentive to preserve historic resources over bonuses offered for other public benefits
 - Cons:
 - i. Community concerns with additional density/intensity and height
 - ii. An analysis of the potential impact of an additional bonus would take time to evaluate

4. What type of process should be established for the review and approval of sending and receiving transfer of development rights?

The City's existing TDR provisions require review and approval by the City Council when a transfer of development rights is proposed. In staff's review of other TDR programs several require a non-administrative review and approval; however, some jurisdictions review and approve development transfers administratively in order to streamline the process and provide some certainty.

Some options include:

- a) Keep the existing Riverfront Crossings review and approval procedure by City Council.
- Pros:
 - i. Simpler and consistent with current process
 - Cons:
 - i. Lack of certainty in the approval process
- b) Establish a new procedure that allows transfers up to a certain height or density/intensity to be reviewed and approved administratively. This could be similar the City's existing central business district bonus provisions or certain Riverfront Crossings' bonus provisions, which are reviewed and approved administratively. Any transfers beyond an identified threshold would be reviewed and approved by the City Council.
- Pros:
 - i. Streamlines the review and approval of transfers
 - ii. Allows the City Council to review and approve larger transfers that would potentially have more of an impact
 - Cons:
 - i. Not consistent with current process

5. What areas should a city-wide TDR ordinance identify as receiving areas?

Staff has proposed a few options for potential receiving sites:

- Riverfront Crossings,
- Downtown,
- South Johnson and South Van Buren Streets between Court Street and the railroad tracks, and
- Sites throughout the city that allow multi-unit development.

Based on the analysis staff conducted there is limited development potential in the downtown due to the number of historic structures. There is also limited potential for

redevelopment along South Johnson and South Van Buren Streets since none of the sites in this area met the threshold needed to be identified as vacant or underutilized. Furthermore, the Mayor expressed interest in this area as a receiving site only if accompanied by an urban design plan. Staff could explore the development of an urban design plan for this area, but completing a plan by the January 2019 is not feasible. The most capacity exists on multi-unit zoned parcels city-wide. Riverfront Crossings also has capacity, if the area is rezoned to the Riverfront Crossings zoning designation.

Some options include:

- a) Riverfront Crossings, and/or
 - Pros:
 - i. Current receiving area
 - ii. Master Plan and form-based code encourage higher densities/intensities
 - Cons:
 - i. May not be able to accommodate the amount of transfer potential for a city-wide program

- b) Downtown, and/or
 - Pros:
 - i. Core of the community with existing infrastructure
 - ii. Commercial zoning allows for higher densities/intensities
 - Cons:
 - i. Significant amount of historic buildings; and therefore, not able to accommodate much transfer potential

- c) South Johnson and South Van Buren Streets between Court Street and the railroad tracks, and/or
 - Pros:
 - i. Transfers could provide an incentive for redevelopment
 - ii. Zoned for higher density housing
 - Cons:
 - i. May require the development of an urban design plan, which would take time
 - ii. May not be able to accommodate much transfer potential

- d) Sites throughout the city that allow multi-unit development, and/or
 - Pros:
 - i. Provides the most capacity for transfers
 - Cons:
 - i. Could potentially be more impactful and cause concern from neighbors
 - ii. Areas with sensitive features (e.g. wetlands, slopes, woodlands) require a sensitive areas development plan which often leads to clustering. Transfers to these areas could result in even higher densities.

- e) Other sites or areas

Next Steps & Conclusion

In terms of next steps, staff will prepare a presentation for the September 4, 2018 City Council work session. In addition to the tasks outlined in the timeline below, staff will need to conduct some public outreach with property owners and other stakeholders.

<i>Date</i>	<i>Task</i>
June – August 2018	Research and analysis

September 4, 2018	Presentation to Council on research; recommendation from Council to proceed or not proceed on ordinance drafting
September– October 2018	Ordinance drafting, if determined by Council
October 11, 2018	Historic Preservation Commission Review & Discussion
October 18, 2018	Planning & Zoning Commission Review & Discussion
November 1, 2018	Planning & Zoning Commission Review & Recommendation
November 20, 2018	City Council (1 st reading of ordinance)
December 4, 2019	City Council (2 nd & possible 3 rd reading of ordinance)
January 29, 2019	Expiration of 8-month deferral of the local landmark designation of 410-412 North Clinton Street

Attachments:

1. Methodology for vacant and underutilized sites
2. Overview of other local jurisdictions' TDR programs

ATTACHMENT 1.
Methodology for Vacant & Underutilized Sites Analysis

1. Potential Receiving Areas:
 - a. Riverfront Crossings¹
 - b. Downtown
 - c. South Johnson & South Van Buren Streets between Court Street & the Railroad
 - d. Land zoned for multi-unit development, including commercial zones that allow multi-family (city-wide)

2. Removed the following from the potential receiving areas:
 - a. Land within the 100 & 500-year floodplain
 - b. Local Historic Landmarks, Local Historic Districts, and Conservation Districts
 - c. Historic properties within the downtown
 - d. Publicly zoned parcels and other parcels that do not allow multi-unit development

3. Vacant & underutilized sites analysis:
 - a. Used Assessor data to identify vacant sites
 - b. Underutilized sites include the following:
 - i. Improvement-to-land value ratio of less than 1.0, which indicates that the buildings on the site are less valuable than the land, and therefore, more likely to be redeveloped
 - c. Staff also referred to the Riverfront Crossings Master Plan and the areas identified for potential redevelopment
 - d. Additional sites were included based on staff's knowledge of potential future developments

4. Calculated development potential of vacant & underutilized sites:
 - a. Commercially-zoned properties: Floor area ratio (FAR)
 - i. FAR converted to square footage by multiplying the maximum height by the lot area
 - b. Residentially-zoned properties: Density (dwelling units / acre)
 - i. Density converted to maximum allowable dwelling units
 - c. Applied 80% discount factor assuming that maximum allowable density/intensity will not be achieved

¹ Staff assumed rezoning of all properties to Riverfront Crossings

ATTACHMENT 2
Overview of other Local Jurisdictions' TDR Programs

City	Eligibility	Restrictions	Units Type	Transfer of Rights Method	Administration	Requirements	Application Process	Other Information
Atlanta, GA	Must be either residential sending areas, a parcel suitable for agriculture, or property designated as a landmark building or site by the Historic Preservation Ordinance	"Must be zoned for multi-family residential or mixed uses provided that residential component represents at least 50% of the total units. Future use of the site must be as outlined in the code	3 different "development factors" may be transferred: floor area ratio, total open space, and useable open space	Development potential of the site minus the landowner's existing development	Property owners submit applications for designation as sending/receiving sites/ approval of transfers. Approved by City; recorded by Bureau of Planning	Instrument recorded in the office of the county clerk in which the property is located to prohibit future use of the property, etc. If sites are within close proximity of one another, a joint app can be submitted. Bureau of Planning has a system for monitoring severances, ownership, easements, and transfer of dev rights.	Applcator proposes sending site/ transfer of dev rights - approved by council. City (governing body) must approve for sending site that the transfer won't cause adverse environmental/economic/social impacts, administers a special permit if approved.	Pop. 483,000 Sec. 16-20.023 of https://library.municode.com/ga/atlanta/codes/code_of_ordinances?nodeId=PTIILCOORANDECO_PT16ZO_CH20023TRDR E_816-26.023TRDRER
Chico, GA	Sites not automatically eligible in application for TDR; the owner/ applicant must submit the TDR conservation program outlined by the City	Similarity, applicants must make a statement outlining the availability of support services and infrastructure necessary for the sending/receiving sites. Essentially the same as the applicants to do the best of determining eligibility, then city gets to pass judgment.	Dwelling Unit	((If of DUFBous Area) allowed in sending zone)(sending site's acreage) - (existing and proposed # of DU on sending site)	Rolled into PU/DDevelopment Agreement process	Doesn't appear to be a TDR "bank" entity. The TDR is recorded with the specific PU/DDevelopment Agreement	Same process they use for PDAs, Specific Plans, and Development Agreements http://www.chico.ga.us/government/development/Title16update.pdf	Pop. 86,000 Chapter 16.34 of the codebook http://www.chico.ga.us/government/development/Title16update.pdf
Dallas, TX	Eligible if: 1) the historic property is within an urban historic district; 2) the historic property is a contributing structure listed in the National Register of Historic Places; if it is located in the West End Historic District, and 3) the historic property has been listed by the city for at least 50% of the property's parcelable value.	Located in the Central Area, CA-1(A) and CA-2(A) districts	Floor Area	Differences between existing floor area of landmark building and the amt of floor area allowed by zoning of sending site; transfer ratio is one-to-one	Planning director approves form for sending and receiving sites and amt to be transferred; county deed recorder records form	Applicant files form with county deed recorder	Property owner must submit a form to the Planning Director indicating the amount of development rights to be transferred; is checked for compliance, when receiving site developer requests a building permit for a project using dev rights, the recorded transferring form is checked and building permit is issued	Pop. 1.3 million http://filecityhall.com/development/development/DC/H20document.asp?subid=DevelopmentProgram/cpl/casun.pdf
Dunwoody, GA	Redevelopment areas and height over 100 feet; if a redevelopment plan for that site must comply with the redevelopment plan for that area	The order to be eligible for TDR, the receiving use of the "to be received" property (sending site) must be in a manner to advance goals, objectives, & policies of the Comprehensive Plan through: (a) Preservation of historic structures & sites; (b) Obtaining land for public facilities; (c) Preservation of designated conservation areas; (d) Any time that your city's plan would take the form of a comprehensive plan.	Residential Dwelling Units or Floor Area	"Office floor area and residential units can be interchanged at the rate of 2,000 square feet of office floor area being equal to one residential dwelling unit. A conversion from office to residential, or from residential to office, may occur at any time up to the application of the Certificate to a receiver property	Applications submitted to City; Local Planning Agency determines appropriateness of sending and receiving sites and certifies it to the City Commission. Certificates approved by City Attorney.	Application is processed as a rezoning request, ordinance outlines the value of the transferred development rights. Certificate of development rights is issued, approved by City Attorney.	Applcator submits site plan for proposed sending site indicating amt of dev rights to be transferred so that site can be rezoned (applies to receiving sites to be transferred) Community Facilities, Open Space, or Conservation Zoning; receiving site may also need to be rezoned, if so, is processed concurrently; owner receives certificate which states value of transferred rights, which can be sold/transferred to receiving site	Pop. 67,000 Section 4.6.20 of https://library.municode.com/ga/dunwoody/codes/code_of_ordinances?nodeId=CHAZORE_ART46SU20RE_SA4.6.20TRDRER To date, no TDR applications have been submitted.
Largo, FL	Any land with significant archeological, historical, or environmental significance, OR according to a redevelopment plan approved by Planning Commission	"determined as capable of accepting dev rights based on the Comp Plan and the Development Code" Amount limited by site's municipal services capacity	Density (units per acre) or Intensity (FAR)	As much as the maximum possible density or intensity of sending site	TDR Certificates. Records both sending and receiving sites simultaneously. Contains restrictions as provided in application or as determined by City Commission.	Doesn't appear to be a TDR "bank" entity. The certificate gets recorded with the County.	Certificate applications reviewed by Planning Commission	Pop. 75,000 Section 4.7 of following link: http://www.largo.com/document_center/Permits%20-%20Planning/Planning/CDA/Adopted_2018_CDC.pdf
Los Angeles, CA	any parcels within the Central Business District Redevelopment Project Area	any parcels within the Central Business District Redevelopment Project Area	Floor Area Ratio, 2:1 or 6:1 depending on the use of the site as well as the area in which the site is located	Based on floor area ratio - 2:1 or 6:1 depending on the subarea in which the site is located	Redevelopment Agency, City Planning Commission, LA City Council and Mayor must all individually consider whether an application for TDR (Transfer of Floor Area Rights) meets all conditions. Commission officially approves transfer following public hearing.	Filed with City Clerk.	Redevelopment Agency must consider whether an app for TDR meets all 8 conditions - if yes, they approve app. City Planning Commission, LA City Council, & Mayor all repeat this process. Director issues a report to Commission approving or disapproving app. Commission disapproval of req for transfer.	Pop. 4.03 million Article 4.3: http://library.anningal.com/outgateway.dll?catalog=development/cpl/casun.pdf http://www.largo.com/document_center/Permits%20-%20Planning/Planning/CDA/Adopted_2018_CDC.pdf

Madison, GA	<p>Historic sending sites must be listed in the Greenprint and registered as a Landmark by the Madison Historic Preservation Commission, (other non-historic sending sites apply to the TDR program as well)</p>	<p>1) ID-ed as Traditional Neighborhood Residential or Mixed-Use Residential/ Commercial or Future Land Use Map; 2) Within the "higher density" portions of the W. Washington Gateway and 3) Within 500 ft of a neighborhood neighborhood park and within 1500 ft of an arterial street or state highway.</p>	<p>Density</p>	<p>"calculated on basis of baseline density of the sending parcel, less any existing dwelling units, divided by the lot area of the receiving parcel. The baseline density shall be the gross acreage of the parcel divided by the lot area of the zoning district. For non-residential zoning districts, baseline density shall be calculated at four units per acre. The area of a parcel with fractional acreage will be rounded down to the nearest 1/4 acre"</p>	<p>Planning department approves TDRs from sending sites, administrative certificates. Land Bank Board has influence in determining TDR value, holds TDRs and purchases by receiving site owner. Mayor and City Council meeting.</p>	<p>Land Bank can buy either TDRs or property in fee simple; may determine TDR value using negotiation, a competitive bid process, or any other method deemed fair and equitable by the Board. Applications for both receiving and sending sites are recorded with the County Court Clerk. TDR Certificates are recorded in the TDR Register.</p>	<p>Owner of qualifying sending site must submit a preliminary app. followed by a certification app. to the planning dept. Receiving site owner must apply; dept schedules application for mayor and council review at public meeting. Upon approval, planning dept. records the transfer.</p>	<p>Pop. 4,000 Article III: https://www.madisonga.com/media/606925/codrd_ordnances.pdf COOR. CHARLDE_ARTMTRDRER_5545ATDRERPR</p>
Minneapolis, MN	<p>Lots with locally designated or eligible historic structures within specific districts, as determined by the City's Heritage Preservation Commission.</p>	<p>Doesn't really have an explicit criteria, other than it's a site within specified downtown districts and the Planning Director approves of the transfer</p>	<p>GFA</p>	<p>(Maximum GFA permitted by sending site's zoning) - (GFA of existing development on sending site) however, receiving site is capped to 30% above its zone's maximum allowable GFA</p>	<p>Application for TDR submitted, if approved is recorded with the County Clerk in form of a deed. The certificate goes recorded with the County Clerk.</p>	<p>Administrative-level review of TDR applications by Planning Director. Decision is final, can appeal desirable through PRZ commission. Building permit not granted for receiving site until sending site's historic structure has been rehabbed and approved by HPC.</p>	<p>Administrative-level review of TDR applications by Planning Director. Decision is final, can appeal desirable through PRZ commission. Building permit not granted for receiving site until sending site's historic structure has been rehabbed and approved by HPC.</p>	<p>Pop. 415,000. Specifically designed for Historic Pres. Can transfer to up to four different receiving sites from one sending site. Link: https://library.municode.com/mn/minneapolis/codes/code_of_ordinances/modelplnordnances/HMCOOR_T1202000_CH496000_ARTMTRDRER_54927DDE</p>
Nashville, TN	<p>Parcels within two designated historic zoning districts or Historic Landmark Districts (all designated in 2007 with the Downtown Community Plan Update)</p>	<p>ordinance identifies five specific areas within the downtown as receiving sites</p>	<p>Floor Area</p>	<p>maximum floor area allowed by the base zoning minus the floor area of the landmark building</p>	<p>owner of sending site records an easement that permanently preserves additional development on the site; developer may purchase the lot, but the owner of the preservation org. rights can only be donated; Planning dept receives app and approves it.</p>	<p>Conveyances of sending site rights is put in writing in an instrument that is then signed by owner, submitted to planning dept with approval, then recorded in the office of the register of deeds.</p>	<p>Owners of sending sites and receiving sites must apply for transfer of rights in writing to Planning Dept. Planning dept. is in charge of approval. TDRs are allocated to receiving property only once the rights are noted in writing in an instrument signed by owner of receiving site that is submitted to the planning dept.</p>	<p>Pop. 690,000 https://www.mnshells.com/ordinances/item_2003_2007062007_1365.htm</p>
New Orleans, LA	<p>Places, buildings or structures in any Central Business District (CBD) zone that are either designated as historic landmarks or recognized as having special historic, community or aesthetic significance as determined by the City, State, or Federal Government.</p>	<p>Properties in CBD-1, CBD-2 or CBD-2B districts; properties in CBD-4 zone can receive dev rights transferred from the CBD-9 zone; projects which incorporate TDRs may receive by 10% the bonus density increase. In addition to bonus density increases, allowed on the receiving site by baseline zoning</p>	<p>Floor Area</p>	<p>difference between the maximum floor area allowed by the zoning code, without bonus density increases, and the actual floor area of the existing building to be preserved</p>	<p>Applications are approved or denied by the hearing; if approved, recommendation for approval is forwarded to the City Council; Council may approve, modify, or deny.</p>	<p>to finalize transfer, applicants must file with the City both an instrument of transfer and a notice of restrictions on the sending site with the deeds of both the sending and receiving sites</p>	<p>owners of both the sending and receiving sites must submit an application to receive development rights on the sending site and increase density on the receiving site; goes through public hearings for Planning Commission and City Council</p>	<p>Pop. 391,000 Section 16.8 of former code - is no longer in effect. https://www.nola.gov/code-zoning/zoning/zoning-computer/zoning-overview.html#zoning-overview-item-2014</p>
Palo Alto, CA	<p>They designate certain buildings (except historic structures) as TDR sending sites. Approved applications with specific rehabilitation plans for those buildings.</p>	<p>Located in certain districts. Not a historic site. Located 5-150 ft from residentially zoned property except historic structures. Only within their "downtown parking assessment district". Limits on FAR within certain subdistricts as capped at a max of 10,000 sf, unless more restrictive FAR caps for that subdistrict exist.</p>	<p>Floor Area</p>	<p>For Historic Rehab Buildings: "allowed to increase its floor area by 2,500 square feet or 25% of existing building, whichever is greater, without having this increase count toward the FAR." Certain subdistricts have more restrictive FAR limits than the city. This bonus area must be fully parked.</p>	<p>Functions under their Floor Area Bonus Process. Site owner of approved historic property F.A.B. must enter into an "unconditioned prospective consent" running the course of the TDR. The property will be rehabbed according to applicable standards.</p>	<p>recorded document, signed by the transferor and transferee... in a form designed to run with the instrument of transfer and identifying the sender and the amount of floor area transferred.</p>	<p>Application for "major ARB review of the project proposed for the receiver site" filed, including historic rehab plan, specific amount of dev rights planned to be transferred, and identification of sender & receiver sites. Rehab plan reviewed by HPC. Upon completion, Planning Director issues written determination of sending site's bonus eligibility.</p>	<p>Pop. 67,000. City Code states: "The city does not guarantee that all things in the future will be as they are in the future. It is not for such things as TDRs." Chapter 18.18 at following link: https://library.municode.com/ca/paloalto/codes/california/paloalto_california_municipal_code?amp=act&default.html#3.03M4=amlegal:palualto_ca</p>
Park City, UT	<p>Three sending areas (Sending Areas 1, 2, and 3) designed to preserve open space, environmental areas, sensitive lands, structures of aesthetic/architectural/historical significance. All vacant lots in the Park City Historic Sites Inventory are eligible.</p>	<p>All properties within the TDR-Receiving overlay zone are eligible to receive Transfer Development Credits.</p>	<p>Density</p>	<p>Allocation ratios vary depending on sending area. 1 TDC = 1,000 sq ft of bonus commercial floor area or 2,000 sq ft of bonus residential floor area.</p>	<p>Planning Director determines the number of development credits allowed to a sending site. Sales/transfer of credits is conducted between transferor and transferee or their legal representatives, to be recorded by Planning Director or designed.</p>	<p>Each time credits are transferred from a sending site, a conservation easement or deed restriction is recorded. A Development Credit Certificate must be recorded in the county's property records when credits are transferred.</p>	<p>Sending site property owners can request a Development Credit determination letter from the Park City Planning Director. Those credits may only be used to develop transferor's site and then must be released in the transferee's name.</p>	<p>Pop. 6,900 Ch. 15-2-24 of https://parkcity.municode.com/california/california_municode_code/ordinances/article-15-2-24_Transfer_of_Development_Rights_(TDR)_Overlay_Zone</p>
Pasadena, CA	<p>Can be anywhere within the West Gateway Specific Plan area.</p>	<p>Can be anywhere within the West Gateway Specific Plan area.</p>	<p>Density</p>	<p>Residential density can be converted to non-residential floor area and vice versa. Conversion Formula: One dwelling unit shall be equivalent to 650 square feet of non-residential development and 850 square feet of residential development shall be equivalent to one dwelling unit. Any development rights transferred from a parcel will be limited to the amount of additional density otherwise allowed on the parcel by this Section.</p>	<p>Owner of sending site records a written covenant documenting the transfer, approved by City Attorney. Department then submits deed restrictions, if any, of all the properties within the specific plan area.</p>	<p>Transfer can be approved by the zoning board as long as the receiving site project meets regulations.</p>	<p>Transfer can be approved by the zoning board as long as the receiving site project meets regulations.</p>	<p>Pop. "intended to promote enhancement of the City's symbolic western gateway and to facilitate preservation of historic buildings and historic open space" Chapter 17.36.060B https://www.municode.com/ca/pasadena/codes/code_of_ordinances/modelplnordnances/H17_ZONING_CODE_ART35PPLST_C_H17.36MEGASPPPL_17.36.DROWGGED_EST</p>

Pittsburgh, PA	<p>Lots comprising City-designated Commercial, Office, and Residential areas within the area rights reserved for the City of Pittsburgh can only be transferred to zoning lots in the same district.</p> <p>Residential: rights can be transferred from any other zoning lot in CS & CR districts.</p>	<p>Located in CS & CR districts, can be commercial or residential. Commercial: floor area rights can only be transferred to zoning lots in the same district. Residential: rights can be transferred from any other zoning lot in CS & CR districts.</p>	Floor Area	<p>1:1 transfer ratio: "the amount of development on the sending site and the receiving site shall be the same as the amount of development on the receiving site and the maximum amount of development on the receiving site shall be the same as the amount of development on the sending site." If sending & receiving sites are adjacent, max amt of development allowed on the receiving site can be 2X the amt allowed by the zoning code. If not adjacent, development can only be increased by 20% more than density allowed by zone zoning.</p>	<p>The City's Historic Review Commission approves the transfer. City Solicitor approves a legal document signed by the transferor and transferee with the application for occupancy permit.</p>	<p>Must be a "plan and program for rehabilitation or program for restoration of the structure for at least 40 years beyond the transfer. Must also be a legal document signed by involved parties and approved by the City Solicitor. The department, bureau, and all other affected City departments shall note on appropriate records the reduction in development rights on the sending lot and the increase...on the receiving lot"</p>	<p>Pop. 306,000. Program has only been used about 3 times. It "has not been of great interest to potential developers... because the pace of commercial development has not generated enough demand to justify the acquisition of additional development capacity [and] future development without the need for a discretionary approval. Consequently, preservation is not the best preservation mechanism to use [the TDR ordinance]." (SmartPreservation)</p>
Providence, RI	<p>Buildings listed in the National Register of Historic Places for which the applicant donates a preservation restriction whose purpose is the preservation of the exterior of the building</p>	<p>Structures within the Downtown District, "shall be restored and maintained as required by the downtown design review committee"</p>	Building height	<p>Differences between height of landmark and current height; height of receiving site cannot exceed 1/3 the max height or 300 ft, whichever is less.</p>	<p>Downtown Design Review Committee (DRC) creates a "strategic development" plan for the City. The plan includes creating a 24-hr pedestrian-friendly downtown that promotes art, entertainment and housing" reviews all proposed improvements within the district, including TDR.</p>	<p>Application must be approved by the Historic Design Review Committee at a public hearing.</p>	<p>Pop. 180,000 Chap. 27, Article 6.03, Section G of following link: https://www.providence-ri.gov/municipalcode/ordinances/110000_CHAPTER_27_ARTICLE_603EIN</p>
San Diego, CA	<p>City of San Diego TDR Program (a nonprofit org owned by the City) The program allows historic, historic and designated historic structures and lots located on same block as receiving site or be the object of a survey, approved by the City of San Diego President, verifying that a transfer of floor area is needed to finance rehab and preservation of landmark.</p>	<p>Must be on the same block as the sending site.</p>	Floor Area	<p>determined by amt of development allowed by the sending site's max base FAR, may also be determined on a case-by-case basis based on needed rehab and preservation costs</p>	<p>Transfer is approved by City of San Diego President; City of San Diego is a non-profit org owned by the City of San Diego tasked with promoting economic development in neighborhoods throughout the city, including the downtown</p>	<p>sending site owners must enter into a Preservation, Restoration, and Maintenance Agreement that commits them to rehab the structure & reconstruct it if destroyed; CSD President approves transfer</p>	<p>Pop. 1.41 million Has not been used since 2014 http://www.sandiego.gov/municipalcode/charter-chapter150/</p>
St. Petersburg, FL	<p>Golden Hill TDR Program must be within Golden Hill Planned District; three types of eligible historical properties: "a property located on a historic site by the Historic Site Board; a contributing structure within the Historic District; or a structure designated historical/architecturally significant in a survey approved by the Historic Site Board"; property owner also must grant a facade easement to the City</p>	<p>properties located within 5 subareas of the district</p>	Floor Area	<p>transfer difference between the floor area of the landmark and the floor area of the receiving site. In no case would be permitted under the City's floor area zoning code; transferred rights allowed a project to exceed the base density allowed by code by 25%</p>	<p>a purchaser of development rights had to register all transfers with the City Planning Department</p>	<p>City Planning Dept has to approve transfers</p>	<p>Pop. 281,000 18.70.040.117 of following link: https://library.municode.com/fl/st_petersburg/codes/codebooks/codereference/187040117PPR_18.70.040PLZODE_18.70.040.117TRDERH</p>
Warrington, VA	<p>Designated landmarks or landmark sites other than contributing structures in a historic district and any gov't owned property; exterior must be preserved and rehabilitated in accordance with the Secretary of the Interior's Standards for Preservation and Rehabilitation</p>	<p>properties in the downtown center and corridor commercial suburban districts</p>	Floor Area	<p>landmark building: the greater of the following - 1) the floor area of the landmark or the off between the gross floor area of the structure and the max floor area allowed by zoning</p> <p>landmark site: transferee's floor area is 5x the landmark site area, allowing any lot received to be used for building</p> <p>for each sq ft of development credit transferred, \$20 must be given to the City's historic preservation grant program, minus any funds spent on required restoration or rehab work</p>	<p>Flaming Dept (POD) approves establishment and transfer of TDR credits. City manager approves owner's destination of covenants and restrictions</p>	<p>Application to establish TDR credits approved by the POD, property must be listed on the POD, and TDR credits are issued; certificate of TDR is administered upon approval by POD; owner of credits who wants to use them to transfer density/intensity must apply; owner of receiving site must have the approval of a site plan before credits are transferred</p>	<p>Pop. 175,000 Section 20.810.050: https://www.cheshamva.com/assessor/assessments/offices/cheapass20.810.pdf. Very little specific information is given.</p>
Warrington, VA	<p>Designated historic landmarks in the Conservation Areas, created with the addition of a Historic Preservation Overlay District ordinance; any structure in the Overlay District that is listed in the State or National Registers of Historic Places or designated on a local register is eligible.</p>	<p>Any other site in the same zoning district, as long as it will not create a hazard to low-flying aircraft.</p>	Floor Area	<p>Floor area allowable on the sending site minus the actual floor area of the sending site.</p>	<p>Owner of the Historic property must record a covenant with the City Council that the historic property will be maintained in its historic condition. Unclear if the covenant addresses the transfer or simply the preservation of the structure.</p>	<p>Government must be approved by City Council.</p>	<p>Pop. 24,000 Program aims to preserve historic residential uses and historically significant sites. https://www.warringtonva.gov/assessor/assessments/offices/cheapass20.810.pdf. Very little specific information is given.</p>
Warrington, PA	<p>Owners must petition to qualify their land as sending sites through conditional use permit process, unless the site is within the Residential-Agricultural zone, in which case it would automatically qualify. "Site can only be approved if it meets four criteria including consistency with the Comprehensive Plan and a promotion of public welfare."</p>	<p>Sites in zones that permit high-density residential, office, and industrial use</p>	Land Area	<p>TDR allocation varies depending on sending site zoning; for each net acre of sending site land, owners can receive 0.65 DUs in the RA zone, 1.1 DUs in the R-1-C, 2 DUs in the R-2 and 1.2 DUs in the R-3. In addition to this base allocation, sending sites can receive incentive bonuses of 15% in the RA or 10% in other districts and additional bonuses for sites with historic or natural resources. For each additional acre, sites must be at least five acres to qualify.</p>	<p>Planning Commission and Township Board of Supervisors, who approve the transfers, are advised by the TDR Review Board.</p>	<p>If not in the RA district, the Board of Supervisors must approve the transfer, considering the Department of Planning, Department of Public Works, and the TDR Review Board.</p>	<p>Pop. 24,000 Program aims to preserve historic residential uses and historically significant sites. https://www.warringtonva.gov/assessor/assessments/offices/cheapass20.810.pdf. Very little specific information is given.</p>

<p>West Hollywood, CA</p>	<p>Properties containing City-designated cultural resources which have less density than the max allowed by the zoning code</p>	<p>any properties zoned for medium-high-density commercial use which are not cultural resources, may be transferred into residential zones</p>	<p>Density</p>	<p>Difference between the max permitted development and the existing number of dwelling units, for nonresidential cultural resources, is the difference between the max code-permitted floor area and the actual floor area of the designated building</p>	<p>City's Cultural Heritage Advisory Board approves a rehabilitation plan if needed on a sending site; rehab must be completed before transfer. Council has established criteria upon which transfers shall be conditioned.</p>	<p>City allows developers to purchase an option on a sending site and proceed with proposed transfer of receiving site project (arranged this way because City was concerned that developers would be reluctant to use the program if they had to buy rights before transfer was approved).</p>	<p>Rights can be purchased by anyone; does not have to be earmarked for a particular receiving site. Cultural Heritage Advisory Board approves rehab plan if necessary. Council has criteria that it follows when approving a transfer.</p>	<p>Pop. 37,000 Cover of designated cultural resources must comply w/ restoration requirements set by the Cultural Heritage Advisory Board to receive full funds from a sale of dev rights. If sending site needs rehab, owner initially receives only 25% of TDR sale proceeds...remaining 75% is placed in an escrow account for use in the rehab of the sending site. According to Smart Growth - 19.98.150.F of http://codes.usdoj.ca.gov/codesofcivillestablishment/19.98.150.f.html 19.98.showall=&frame=off Could not find a copy of the specific criteria that appear in the Transfer of Development Rights Program.</p>
<p>West Palm Beach, FL</p>	<p>Historic properties, landmarks (local or national register status), streets, or other resources designated in the City's code. Historic sites & landmarks must have completed renovation and to code and must be issued a certificate of occupancy. As an added incentive for historic landmark designation, sites with historic landmark status are eligible for additional city-owned TDRs in an amount equivalent to the site's existing development capacity</p>	<p>Must comply with the TDR map showing where TDR can be used to reach an eight-, ten- and 20-story maximum, as depicted in the City zoning code</p>	<p>Floor area</p>	<p>transferable floor area is determined by multiplying lot area by allowable number of floors (and deducting the floor area of the existing structure in the case of a historic landmark sending site)</p>	<p>Planning director establishes eligibility; DAC approves transfer</p>	<p>TDR registry maintained by city that records total amt of DTRs available on a site, and the date & amount of any transfer that occurs; city-approved restrictive covenant is executed and recorded in public records (TDR restrictive covenant), which describes the bank entity; TDRs may be marketed from a sending site until a suitable receiving site is found</p>	<p>Planning director set, eligibility of DTRs available for transfer from sending of availability may be issued by planning dept upon request; all transfers are subject to approval of the Downtown Action Committee (DAC), after which a certificate of transfer is issued (recorded in TDR registry)</p>	<p>Pop. 108,000 Sec. 94-132 of: https://library.municode.com/fl/west_palm_beach/codes/code_of_ordinances?node=PTTCOOR_CH&ZOLA=ADERE_ARTIVDOMPLURLE_594-132TDRPR</p>

ATTACHMENT 3.

City of Iowa City City Council Work Session

September 4, 2018

Background

- **May 29:**
 - Council considered local landmark designation of 410-412 N. Clinton Street
 - Deferred to January 2019 and directed staff to explore the creation of a city-wide TDR program
- **August 7:**
 - Council discussed initial memo on TDR at work session
- **September 4:**
 - Direction from City Council on key policy questions

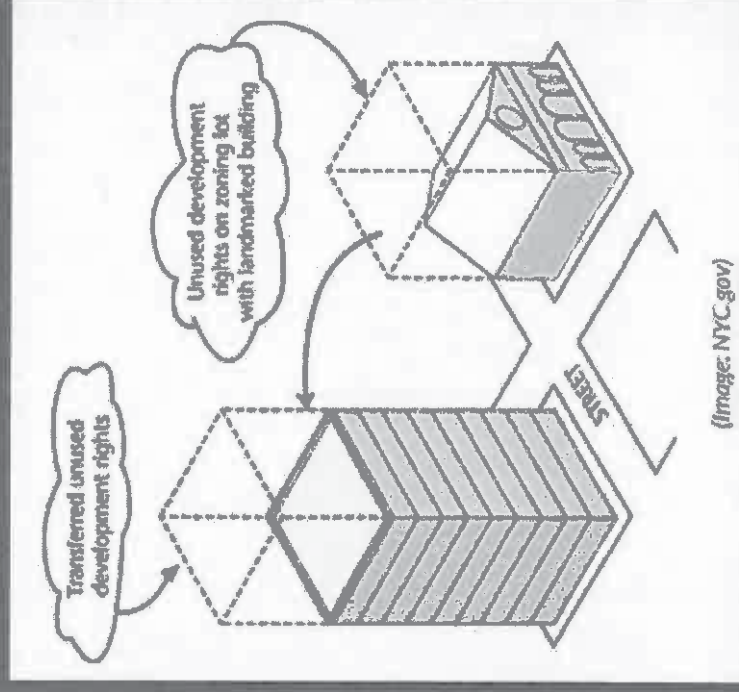
September 4 – Council Work Session Goals

- **Direction from Council on the following:**
 - Eligible sending sites
 - Transfer formula
 - Priority of preserving historic resources compared to other public benefits
 - Review and approval process for transfers
 - Eligible receiving sites

Staff Goals of a City-wide TDR Program

- Fair
- Legally-sound
- Easy to administer
- Simple for developers and members of the public to understand
- Effective program that preserves historic resources
- Consistent with comprehensive plan

Transfer of Development Rights



- Incentivize protection of historic resources
- Property owners can sell/transfer development rights from historic resource (sending site)
- Development rights applied to another site where development can occur at a higher density (receiving site)

TDR Example – Tate Arms, 916 S. Dubuque St.

Sending Site: Tate Arms, 914 S. Dubuque St.



Total Dev. Rights: 34,800 sq. ft.

RFC Transfer Formula

- No. of stories allowed on sending site (4)

X

Area of sending site (8,700 sq. ft.)

=

Development Rights Available for Transfer (34,800 sq. ft.)

TDR Example – Tate Arms, 916 S. Dubuque St.

Sending Site: Tate Arms, 914 S. Dubuque St.



Total Dev. Rights: 34,800 sq. ft.
Dev. Rights Remaining: 27,400 sq. ft.

Receiving Site: 912 S. Dubuque St.



Dev. Rights Transferred: 7,400 sq. ft.

Summary of Existing Local Historic Landmarks

	No. of Local Historic Landmarks
Downtown	8
Dubuque / Linn Street Area	2
Northside	15
Goosetown	3
College Hill	6
Longfellow	1
Manville Heights	2
Kirkwood	2
Westside	4
Near Southside	6
Other	3
Total	52

Research & Analysis

Sending Sites

Sending Sites	Development Transfer Potential (square feet)
Local Landmarks Only	4,367,068
Local Landmarks & National Landmarks	5,368,997

- Only analyzed existing local and national landmarks
- Several other buildings eligible for local landmark designation
- HPC proactively identifying sites to locally landmark
- Used the RFC Transfer Formula:

$$\frac{\text{No. of stories}}{\text{Area of sending site}} = \text{Development Transfer Potential}$$

Research & Analysis

Receiving Sites

Potential Receiving Areas	Development Potential (square feet)	Development Potential (dwelling units)
Riverfront Crossings	2,522,313	-
Downtown	242,471	-
South Johnson & South Van Buren Area	-	-
Citywide -- multi-unit sites	5,389,525	845
TOTAL	8,154,309	845

- Identified vacant and underutilized sites
- Removed sites within floodplains, sites with historic buildings, publicly zoned land

Receiving Site Analysis Riverfront Crossings



Map by: City of Iowa City
Date: 10/20/2016



Legend

- Potential Receiving Area
- Underutilized
- Vacant

0 0.075 0.15 0.3 MILES

Note: For the receiving site analysis staff considered sites from an environmental perspective were those of less than 100,000 sq ft. The site area less valuable than the land and more likely to be redeveloped. Staff identified these sites for the purposes of the analysis only. They do not reflect actual redevelopment.



CITY OF IOWA CITY

Department of Planning & Development

Receiving Site Analysis Downtown



0 100 200 300 Feet

Legend

- Potential Receiving Area
- Underutilized
- Vacant

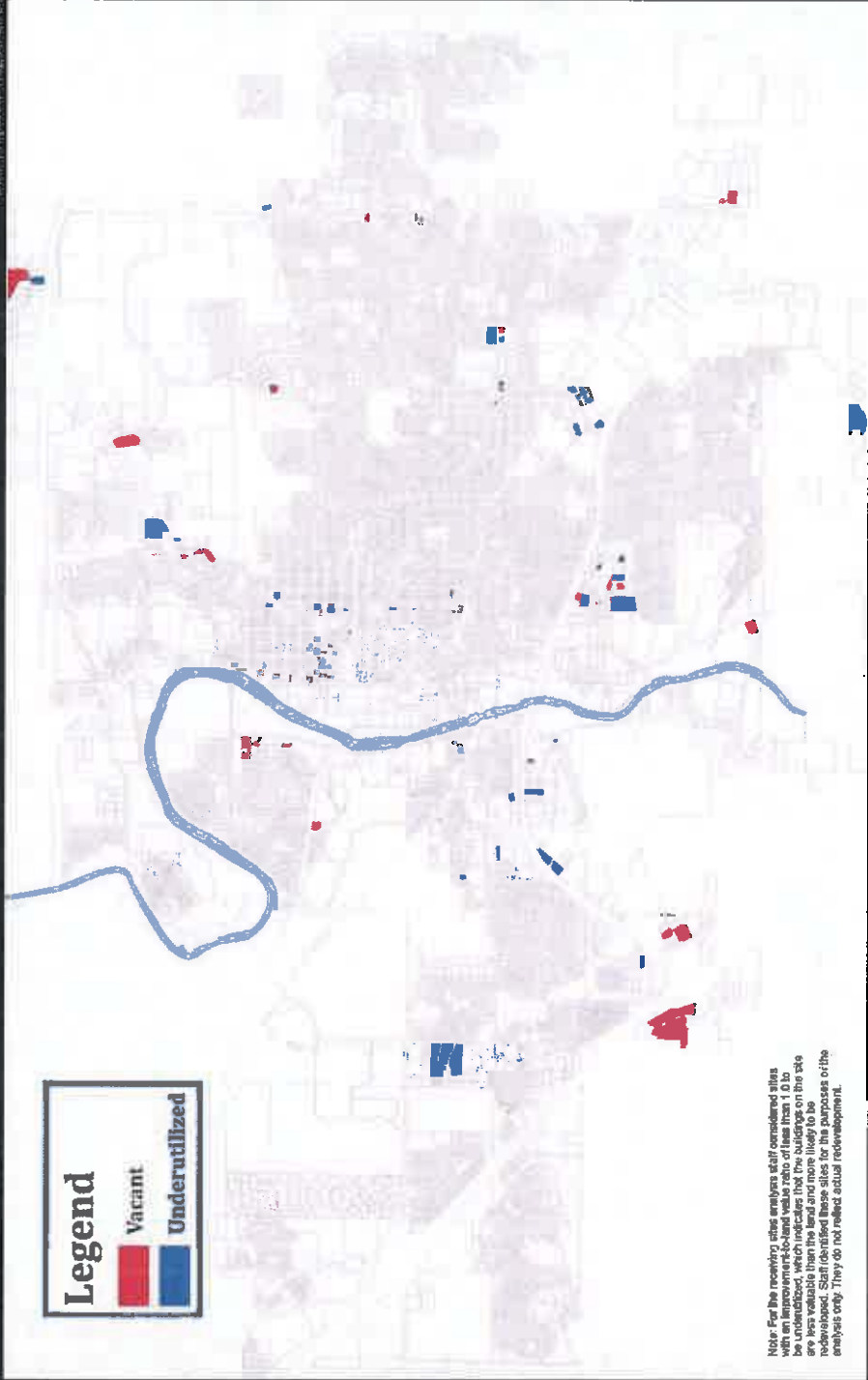


Note: For the receiving site analysis, sites were considered sites with an improvement-to-land value ratio of less than 1.0 to be underutilized, which indicates that the buildings on the site are less valuable than the land and more likely to be redeveloped. Staff identified these sites for the purpose of the analysis only. They do not reflect actual redevelopment.



City of Iowa City
Planning Department
1000 Locust Street, Suite 100
Iowa City, IA 52242

Receiving Site Analysis City-Wide Land Designated for Multi-Unit Development



Legend

■	Vacant
■	Underutilized

Note: For the receiving site analysis staff considered sites with an improvement-to-land value ratio of less than 1.0 to be underutilized. The locations of the receiving sites on the map are illustrative. Staff identified these sites for the purposes of the analysis only. They do not reflect actual redevelopment.

Research & Analysis

Summary of Sending & Receiving Sites Analysis

- Significant amount of transfer potential – will increase as more properties are locally landmarked
- Depending on receiving sites identified it may be difficult to accommodate transfer potential

Issues/Constraints

- **Market Potential:**
 - No market study
- **Lack of Certainty in the Process:**
 - Non-administrative review of transfer (e.g. P&Z, City Council, etc.) provides less certainty
 - Administrative review of transfer (i.e. staff-level) provides more certainty
- **Other Bonus Mechanisms:**
 - City currently offers bonuses for other public benefits
 - Uncertain how a city-wide TDR policy would compare to other bonuses

Policy Questions for City Council

1. *Should eligible sending sites include existing landmarks or only future local historic landmarks?*

Option a. Eligible sending sites include existing & future local historic landmarks.

Pros	Cons
Fair	May not have adequate capacity in receiving areas
Consistent with RFC TDR provisions	

Option b. Eligible sending sites only include future local historic landmarks.

Pros	Cons
May be easier to accommodate transfers	Inconsistent with RFC TDR provisions

Policy Questions for City Council

2. *Should a city-wide TDR ordinance apply the existing transfer calculation formula that is outlined in RFC or a new formula?*

Option a. Keep the existing RFC transfer formula.

Pros	Cons
More generous, more of an incentive	More generous, may not be able to accommodate transfers
Consistency in administration and simpler to understand	

Option b. Establish a new transfer formula that considers existing development.

Pros	Cons
May be easier to accommodate transfers	More complex & more difficult to administer
	May want to revisit RFC transfer formula to ensure consistency

Policy Questions for City Council

3. The City already gives bonuses for certain public benefits provided with development projects. Should preservation of historic resources be treated in a similar manner or given higher priority?

Option a. Model a city-wide TDR program on the current bonus provisions.

Pros	Cons
Simpler & easier to administer	Bonuses for multiple public benefits may dilute the effectiveness of preserving historic structures

Option b. Allow transfer for historic properties to exceed the City's current bonus provisions (e.g. offer more height, more density/intensity?)

Pros	Cons
More of an incentive for preservation	Community concerns with additional height & density/intensity An analysis of the potential impact would take time to evaluate

Policy Questions for City Council

4. *What type of process should be established for the review and approval of sending and receiving transfer of development rights?*

Option a. Keep the existing Riverfront Crossings review and approval procedure by the City Council.

Pros	Cons
Simpler & consistent with current process	Lack of certainty in the approval process

Option b. Establish a new procedure that allows transfer up to a certain level to be approved administratively. Any transfers beyond an identified threshold would be reviewed by City Council.

Pros	Cons
Streamline the review & approval of transfers Allows the Council to review & approve larger transfers	Not consistent with current RFC process

Policy Questions for City Council

5. *What areas should a city-wide TDR ordinance identify as receiving sites?*

Option a. Riverfront Crossings and/or

Pros	Cons
Current receiving area	May not be able to accommodate the transfer potential
Master Plan & FBC encourage higher densities	

Option b. Downtown and/or

Pros	Cons
Core of the community	Significant number of historic resources
Current zoning allows for higher densities/intensities	May not be able to accommodate transfer potential

Policy Questions for City Council

5. *What areas should a city-wide TDR ordinance identify as receiving sites?*

Option c. South Johnson / Van Buren area and/or

Pros	Cons
Transfer could provide an incentive for redevelopment	May require the development of an urban design plan, which would take time
Zoned for higher density housing	May not be able to accommodate transfer potential

Option d. Multi-unit sites throughout the city and/or

Pros	Cons
Provides the most capacity for transfers	Could potentially be more impactful & cause concern from neighbors
	Areas with sensitive features could result in higher densities than currently allowed through clustering

Option e. Other sites or areas

Summary of Policy Questions

Summary of Options

1. Eligible sending sites?

- a. Existing & future Local Landmarks
 - Fair & Consistent / May not have adequate receiving site capacity
- b. Only future Local Landmarks
 - May be easier to accommodate transfers / Inconsistent with current process

2. Transfer formula?

- a. RFC transfer formula
 - More generous & consistency in administration; easier to understand
 - May not have adequate receiving site capacity
- b. New transfer formula
 - May be easier to accommodate transfers / More complex & difficult to administer

3. Bonuses & Priority of preserving historic resources compared to other public benefits?

- a. Current bonus provisions
 - Simpler & easier / May dilute effectiveness of preserving historic resources
- b. Exceed current bonus provisions
 - More of an incentive / Community concerns & unknown impacts

4. Review & approval process for transfers?

- a. Existing RFC process (i.e. approval by City Council)
 - Simpler & consistent / Lack of certainty in approvals
- b. New process
 - Streamline the review & allow Council review for larger transfers
 - Not consistent with current RFC process

5. Eligible receiving sites?

- a. RFC
- b. Downtown and/or
- c. South Johnson / Van Buren area and/or
- d. Multi-unit sites throughout the city and/or
- e. Other sites

Timeline

Date	Task
June-August 2018	Research and analysis
September 4, 2018	Presentation to Council on research; recommendation from Council to proceed or not proceed on ordinance drafting
September – October 2018	Ordinance drafting; if determined by Council
October 11, 2018	Historic Preservation Commission Review & Discussion
October 18, 2018	Planning & Zoning Commission Review & Discussion
November 20, 2018	City Council (1 st reading of ordinance)
December 4, 2018	City Council (2 nd & possible 3 rd reading of ordinance)
January 29, 2019	Expiration of 8-month deferral of the local landmark designation of 410-412 North Clinton Street



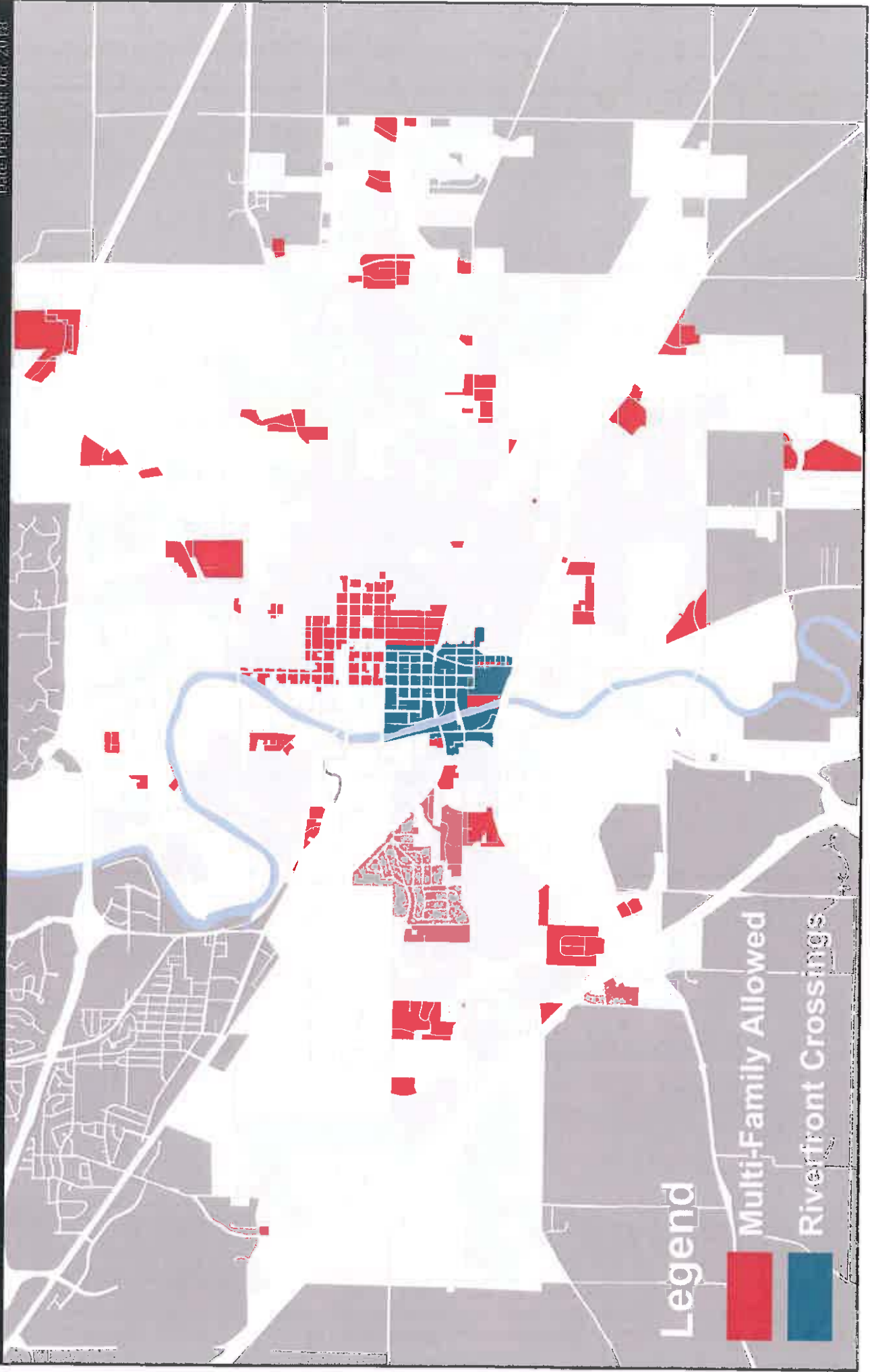
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ATTACHMENT 4.

Proposed Eligible Receiving Sites

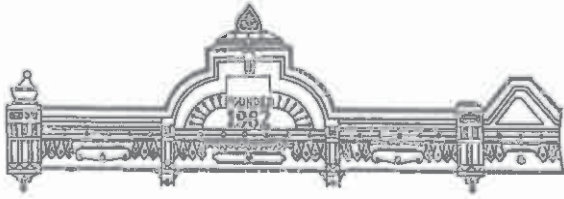


Prepared By: Julie Koelsch
Date Prepared: Oct. 2018



Legend

-  Multi-Family Allowed
-  Riverfront Crossings



Memorandum

Date: October 5, 2018
To: Historic Preservation Commission
From: Jessica Bristow, Historic Preservation Planner
Re: Downtown District Survey Next Steps

Alexa McDowell from AKAY consulting has completed her update of the Downtown District Survey originally completed by Marlys Svendsen in 2001. Alexa has provided staff with a report of her findings including the methodology used in the survey, properties eligible for individual listing in the National Register of Historic Places, properties that would be key properties locally, and potential boundaries for two options on a National Register Historic District.

This report and additional materials have been posted on the City's website at this location: <https://www.icgov.org/project/downtown-historic-survey>. Other materials included are a Multi-Property Document which is a formal document that discusses the history of Downtown and the architectural styles in the area, appendix items including information on tax credits and National Register criteria, and updated site inventory forms for all of the properties in the survey area. Several site inventory forms will be added to the website over the next week.

The next steps for this project are as follows:

- Staff and Chair will meet with Nancy Bird of the Iowa City Downtown District to look at the recommendations in the report and respond to any initial questions that she may have;
- Alexa McDowell will present the report at a public meeting Monday, October 22, 2018 at 5:30 pm in the Senate Chamber of the Old Capitol;
- City Council will hold a work session at 9:00 am on Tuesday, October 23, at City Hall to discuss the report and findings

How the Commission moves forward with the recommendations will be determined following City Council and public input.

MINUTES
HISTORIC PRESERVATION COMMISSION
EMMA HARVAT HALL
SEPTEMBER 13, 2018

PRELIMINARY

MEMBERS PRESENT: Thomas Agran, Kevin Boyd, Helen Burford, Zach Built, Gosia Clore, Sharon DeGraw, G. T. Karr, Cecile Kuenzli, Quentin Pitzen

MEMBERS ABSENT: Lee Shope

STAFF PRESENT: Jessica Bristow

OTHERS PRESENT: Jim Jacob, Paul Weldon

RECOMMENDATIONS TO COUNCIL: (become effective only after separate Council action)

CALL TO ORDER: Chairperson Boyd called the meeting to order at 5:30 p.m.

PUBLIC DISCUSSION OF ANYTHING NOT ON THE AGENDA:

Bristow noted there is an interim minute taker for this Commission until the City can hire a permanent replacement.

NATIONAL REGISTER NOMINATION:

Boyd noted for both these nominations the goal is for the Commission to find collectively the nominees are eligible based on the criteria submitted.

Bristow stated the writer of the nominations is not here to present them this evening as he is out of town so she will do her best to present them. She began by noting that both of these nominations come out of a civil rights grant that the City received, in order to do the National Register Nomination for both of the homes, to do some additional research on African American student housing at The University of Iowa in the early 20th century, and to install educational signage in front of the homes and to create both hard copy and digital educational material.

942 Iowa Avenue – Iowa Federation Home:

Bristow stated this home is a house with a complicated roof and many gables, lap siding and quite a few details that are intact. She noted that both a front and side porch have been removed quite a long time ago. Bristow showed where the property is located on the map, it is at the end of Iowa Avenue, and also a photo of the house from about 1919 when The Iowa Federation Home for Colored Girls bought the house to use it as female student housing.

Bristow next showed a picture of the house soon after the tornado in 2006 where a window was blown out and there was a gaping hole in the roof. The next image showed what the building looks like from the direction of Woodlawn Avenue, there once was a porch on the southeast corner of the home. The next image shown was from the back of the house and the northeast corner where there is still an original porch and also an addition to the home, it is not known when that addition was added. Bristow noted the door is the original front door and from the image one can see the transom and side lights and the pyramid trim detail that is similar to the more elaborate detail trim that still exists on the inside of the house.

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Bristow showed a photo from the 1940's and at that point the house had been covered in asphalt shingle siding and the columns are also different, as the home had been remodeled several times over the years. The asphalt shingle siding was eventually removed and replaced with aluminum siding and after the tornado the clapboard siding was used.

Bristow stated there is an original staircase in the interior between the first and second floors, most of the doors in the house are modern slab replacements, but a few are four-panel doors that may be original. It is believed the current floor plan is similar to when the home was used as a rooming house.

Bristow noted the significance of this property is the story of de facto racial segregation and an effort at community building to deal with the problem of cultural isolation with African American men and women in the early part of the 20th century. The University of Iowa was the first university in the United States to admit both men and women equally, they also admitted nonwhite students from the beginning, however the first graduated in the late 1870's. Before 1913 there were no dormitories for the University so all students had to find housing off campus and it was common for students to rent rooms from professors or families in town.

Before 1900 there were few black students at the University, maybe a maximum of 8. In 1916 the numbers doubled and at that time there were only a few families in town where black women students could find housing, many of them lived with white families, most of those families were associated with the University, often they had to work also as domestic servants at the same time as being a student. In 1916 all of the 16 black students that were in the University at that time lived at different addresses and found it difficult to find housing and felt a sense of isolation and lack of community. That year this group of students appealed to the Iowa Federation of Colored Women's Clubs to raise funds for housing and that is what led to the Iowa Federation Home for Colored Girls but it did take three years for the funding to come through and for the house to be purchased.

For a sense of community in 1917 five students rented an unknown house and also established a home at 932 Market Street from 1917-1918. Increasing housing for these women also established social bonds for them and created a sense of community for African American students for both social and academic networks.

Bristow noted there were several women's clubs, in 1913 the Mary Church Terrell Club was followed by the GSUI in 1914 (a women's group) which sent women to the Iowa Federation of Colored Women's Clubs of Des Moines in 1915. Then in 1917 they also formed the Alpha Club and these clubs were ways for groups of women to form an organization that existed for at least a year and could lead to the creation of a sorority. In 1919 they formed a black sorority, the Delta chapter of Delta Sigma Theta.

Bristow showed a photo of the group of women that tried to get funding from the Iowa Federation of Colored Women's Clubs for housing, next was a photo of a group of women that lived in the home (likely in the 1920's). Bristow noted the importance of this home, although it has had some alterations, is in relationship to this group of women with not only a local significance but also a state-wide significance. The Iowa Federation of Colored Women's Clubs originally was the Iowa Federation of Afro American Women's Clubs and was formed in Ottumwa in 1902 and grew out of a late 19th century women's club movement to help women gain autonomy and voices as women for education, politics and other things. These black women were fighting against a perception in the white community that black women were

considered immoral, unintelligent, and culturally primitive. Therefore, by creating these clubs they were able to emphasize community and organizational effort to prove they do not conform to the racial stereotypes.

In 1919 the Iowa Federation of Colored Women's Clubs purchased the house at 942 Iowa Avenue making payment over time to the owner, it was one of the few women's dormitories or rooming houses that was owned and operated by a formal group of African American women. In 1922-1923 the Club was struggling a bit financially and the Governor stepped in and helped by erasing the debt owed for the home so the Club could continue and the home was paid off completely in 1924. The Club did very well marketing the home and it was "remodeled and beautified" by Archie A. Alexander, the first African American graduate of the University of Iowa's College of Engineering.

The home was a dormitory for black female students for 31 years. Bristow noted there were a couple periods of time in the late 1930's and again in 1950-1951 where black male students lived in the home, likely a group from the Kappa Alpha Psi fraternity who rented it, there were a number of female students at the University at the time however they were living elsewhere. The house was run like a sorority with a house mother and rules with 9-12 women living in the home. In 1943 the house was dedicated as the Sue M. Brown Hall, the president of the Iowa Federation of Colored Women's Clubs when this home was purchased in Iowa City.

Bristow noted the house is also notable for some of the remarkable and pioneering black women that lived in the home, one of which was Elizabeth Catlett the first student at the University of Iowa to earn a Master of Fine Arts degree in a studio art, another was Helen Lemme who like Catlett now has buildings in Iowa City named after them.

Lastly in 1967 there was the passage of the fair-housing amendment to the Iowa Civil Rights Act that led to the idea that these types of homes were no longer needed.

Bristow stated this house is eligible for the National Historic Register under criteria A as an event and that event is the black history and social history.

MOTION: DeGraw moved to recommend the Iowa Federation Home for the Colored Girls at 942 Iowa Avenue is eligible for listing in the National Register of Historic Places in criterion category A at the statewide level and meets the criteria for both significance and integrity. Clore seconded the motion.

The motion carried on a vote of 9-0 (Shope absent).

NATIONAL REGISTER NOMINATION:

914 S. Dubuque Street – Tate Arms:

Bristow noted the Tate Arms is a local landmark. It is located across the street from the Johnson County Building on South Dubuque Street. She showed a recent photo of the building and noted it has been significantly altered throughout the years. The exterior was originally brick but has been covered in stucco, the roof line has been somewhat altered, the wall in the back now a fake stucco board. The home did suffer slightly during the 2008 flood but not beyond repair. The home has recently gone through an entire remodel, with some elements new but also some that are kept with the original feel of the house. Bristow noted the

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importance of this home is not relying on the architecture but on both event (the same event as the 942 Iowa Avenue house) and the people who have been involved with this house.

Bristow showed photos of the property, noting there are no interior historical finishes remaining, it has all been changed. Since the original intent of the rooming house it has been a business and now is used as a duplex.

Bristow stated the significance of this house is its relationship to African American housing in Iowa City during a period of heightened racial segregation in housing in the first half of the 20th century. This house was not only for students but also non-students. Out of at least four dozen homes that shared this historic context only four survive, this house, one was significantly altered (downtown), one had a very weak association with this context, and the other was the Iowa Federation Home for the Colored Girls at 942 Iowa Avenue. This home is the only one in the 1st Ward of the City and it was noted in the research the accumulation of African American households in the City at this time were in the 1st Ward. Bristow added that they hope to include some education signage of this area in the new Riverfront Crossing Park to let people know about the history of this area.

Bristow showed a photo of the house between the 1940's and 1960's noting the stuccoing of the house came slowly over time, there were monumental gate posts out front also which no longer exist.

Bristow noted this nomination had more significant discussion of Iowa City's African American community from 1860-1940 than the other nomination, the population ranged from about 50 people to 110 people during the entire period or about 1.2% of the City's population right after the Civil War. Then from 1890 to 1970 the African American population fell to about one-half and one percent of the total population. In 1880 about 14 households were headed by either black men or women and there was a population of about 86 who were mostly long-term residents and that decreased so that in 1900 there were only 12 households and half were in that south side area near Maiden Lane and Ralston Creek. By the 1920 census about 14 of the 18 black households were in that 1st Ward. Bristow noted research shown on page 13 of the nomination packet shows racial segregation in Iowa City rose following 1900 until about 4 out of 5 black households were in the 1st Ward from 1920 – 1940. The majority of black male students in the early 20th century formed a chapter of Kappa Alpha Psi Fraternity (formed in 1914) in response to housing issues they had were greater than those of the black female students (partly because they didn't work as domestic servants) and in 1922 they formed a second fraternity called Alpha Phi Alpha.

Bristow stated the Tate Arms was built by Charles Alberts, he was notable because as an African American he was a mason and had a successful concrete block manufacturing business. This house was the first one built in Iowa City for an African American man to be used as a dormitory for African American individuals. After this other families started moving into the area as well.

In 1915 or 1916 Charles Alberts and his wife Dorothy divorced. Charles stayed in the house with a housekeeper and five roomers, but was arrested and sentenced to jail for the sexual assault of his housekeeper's daughter in 1923 but in 1925 he won on appeal. He at one time married the housekeeper thinking it could help him get out of the charges (which didn't happen) but around 1925 legal costs made him lose everything and he sold the house to his attorney H. H. Rate (Edward Rate's father) who held the house as collateral for the legal costs.

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In 1926 the housekeeper divorced Alberts as well. H. H. Rate continued to lease rooms to African American men exclusively during his ownership. These early residents were not students, but later black male students did live there and continued that way until 1928 when it became known as the Williams Hotel. Albert's second wife, the housekeeper, actually returned to live in the house from 1934-1940.

The next owner in 1940 was Elizabeth Tate and she and her husband Junious Tate bought the house and operated it as a rooming house for black male students for 20 years. They were already renting another house to black male students for 10 years prior to acquiring the Albert's house showing why Tate was so remarkable in our community for her work supporting the African American community.

Elizabeth Tate was born in 1906 in Fairfield, Iowa, graduating from Fairfield High School in 1926, then reportedly worked for three years in Cedar Rapids and then moved to Iowa City. In July 1929, she married Aljoe Saulsbury, who was then living at 914 S. Dubuque Street, they did not live for long at that address. By the time of the 1930 federal census, taken in April 1930, they were living at 514 S. Linn Street in Iowa City.

In November 1933, Aljoe Saulsbury was convicted of assault with intent to commit manslaughter, and was in and out of jail for three years and they divorced by 1936. Tate began renting rooms to black male students during the marriage and by 1938 she had married Junious Tate and they bought the house at 914 S. Dubuque Street but did not have it paid off until 1962. They named the house Tate Arms and they marketed it heavily to black male university students and operated it as a rooming house until the early 1960's.

In 1954 Elizabeth Tate also began working as a clinical technician in the University Cardiovascular Lab. In 1961 the house was no longer a rooming house and soon after Elizabeth and Junious divorced. While they were married they adopted a daughter. Neither of the Tates lived in the house after 1964 and by 1970 the house was vacant and it was sold in 1979. Elizabeth Tate was active in Iowa City for civil rights and the theater.

Both Charles Alberts, who was able to have a house built to serve as a rooming house for African American residents, and Elizabeth Tate with her connections to civil rights are what make this house eligible for the National Register under Criterion B (important persons) as well as Criterion A (event). The house does suffer from issues of integrity on the interior but for a National Register nomination it needs to have some semblance of integrity in the seven aspects that are discussed in the beginning of the nomination and it does meet those aspects. The importance lies in the relationship to the event of the issues with African American student housing in Iowa City during this de facto desegregation and the individuals Charles Alberts and Elizabeth Tate.

MOTION: Agran moved to recommend the Tate Arms at 914 S. Dubuque Street is eligible for listing in the National Register of Historic Places in criterion category A and B at the local level and meets the criteria for both significance and integrity. DeGraw seconded the motion.

The motion carried on a vote of 9-0 (Shope absent).

CERTIFICATE OF APPROPRIATENESS – CONSENT AGENDA:

317 E. Fairchild Street.

Bristow said there did not need to be discussion for this item. Bristow said the consent agenda works by having Commission members read the material and then vote on a motion. She asked if anyone had questions about the project.

MOTION: Kuenzli moved to approve a certificate of appropriateness for the installation of solar panels on the garage at 317 E. Fairchild Street as presented in the application. Agran seconded the motion.

The motion carried on a vote of 9-0 (Shope absent).

1120 Sheridan Avenue.

Bristow asked if anyone had questions about the project, if none they can vote on a motion.

MOTION: Agran moved to approve a certificate of appropriateness for the installation of solar panels on the garage at 1120 Sheridan Avenue as presented in the application. Karr seconded the motion.

The motion carried on a vote of 9-0 (Shope absent).

519 N. Johnson Street.

Bristow asked if anyone had questions about the project, if none they can vote on a motion.

MOTION: Karr moved to approve a certificate of appropriateness for the project at 519 N. Johnson Street as presented in the application. Kuenzli seconded the motion.

The motion carried on a vote of 9-0 (Shope absent).

CERTIFICATE OF APPROPRIATENESS:

628 S. Lucas Street.

Boyd outlined the Commission guidelines that state before a Certificate of Appropriateness for demolition will be approved for a primary building the Historic Preservation Commission must approve the Certificate of Appropriateness for the building that will replace the one being demolished. If the demolition will not be approved, then they do not need to discuss the new building.

Bristow began the staff report noting this house is in the Governor-Lucas Street Conservation District, the far southern end of Lucas Street. She stated some of the houses in this area don't have site inventory forms which is what the Commission usually looks at to determine what the historic context is. Since the house at 628 S. Lucas Street does not have a site inventory form, staff used a notable historian (who is a consultant on a different project) for information.

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This house is a one-story gable front and wing house, which was a style built in Iowa City between 1850 and 1870. Some of the interior door trim and the front door with transom and sidelight date from 1870s millwork catalogues. It is likely the house dates from the 1870s. The house has been altered, originally it had both a front and rear open porch, the front porch was altered in the 1920s and enlarged. The 1933 Sanborn Fire Insurance Map shows the rear porch as already filled in therefore that alteration happened very early on. The back of the house is covered in asphalt shingle siding, and it is unclear what is underneath. The soffit eave area and frieze board along the top of the wall is likely original, some of the window trim could be original but could also be from the 1920s remodel, it would have had a wood shingle roof originally and now has a metal roof (also likely from the 1920s remodel) and there is no evidence that that window patterning has changed. The front porch construction is not original and has also been covered in asphalt shingle siding which was then painted white.

With regards to the interior, Bristow noted the finishes are conducive to the 1870s construction. Some of the deterioration discussed in the application is flooring, damage to plastered walls, probably from water from the windows. The basement is made of a brick foundation, the north foundation wall is deteriorated and the wall above it is out of plumb, it is noticeable more from the outside of the house. Bristow also showed evidence of termite damage in the basement on a beam that runs parallel to the floor joist, so its purpose is to provide support to an interior wall above, it has been penetrated by wiring and eaten heavily by termites. The area underneath the enclosed rear porch is most concerning with some of the concrete pulling away as well as the asphalt siding deteriorating from the sun. The original foundation wall had been removed and relocated at the perimeter of the enclosed porch.

The other houses in area are bungalows and some two story four square houses all of which are covered in synthetic siding. There was a house next to the subject property that burnt down in 2015 and has been removed.

Bristow said that the existing condition of the house includes: There are some original materials they can see but they cannot see what is under the siding. There are interior issues and structural issues with the house. It is up to the Commission to decide if they found the house to be structurally unsound and irretrievable. If this house, because it is in a conservation district, is a contributing structure, it must be found as structurally unsound and irretrievable to remove it. If it was noncontributing or non-historic the Commission would evaluate its historic integrity and historic character. If this house was in a historic district instead of a conservation district it might not be contributing anymore because of the fact it has had so many exterior alterations to it.

Kuenzli asked about the examination that was done of the structure of the house and if it was done at the request of the owners, the people who want to demolish it. Bristow confirmed that was correct, she went through the house with the owners and then let them know they would also need a structural assessment from a structural engineer which they did and provided the letter as part of the application. Bristow noted the house is currently a duplex and has a rental permit, if it were to stay here and be remodeled it could continue as a rental, if it is demolished it loses its rental permit and must become an owner-occupied property.

DeGraw asked if there were other homes in the 1870 time period in the area. Bristow is unsure, this end of Lucas Street does not have a lot of integrity left. There may be one brick home closer to Burlington on Governor Street that may be from before 1870 but most of homes in the area are from the 1890s and the bungalow period of the 1920s.

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Boyd opened the public hearing.

Jim Jacob the structural engineer with VJ Engineering that reviewed this house for the owners and finds the house to be in extremely poor construction. The north wall, the south wall, the north foundation wall are all nearing collapse state, the termite damage or wood destroying insects have infested a lot of the wood frames in the first floor, it is unknown to what extent on the upper levels. The chimney of the house is basically supported by the roof structure because it is built at such a severe angle and there is no way mortar can support a chimney built at that angle.

Burford asked if Jacob made any additional studies of underneath the siding. Jacob is convinced it is a lap siding but he did not tear off any finishes other than what was already exposed and he does not believe it is brick.

DeGraw asked if there were lots of old houses with wall problems and can owners have the walls rebuilt so the house could be used thereafter. Jacob said in this case the floor framing that supports the wall, the foundation wall, everything is at the end of its life, there is nothing to support going forward off of. The foundations walls would have to be rebuilt, the first floor structure would have to be rebuilt, and new walls cannot be built on top of materials that are completely denigrated.

Boyd stated the structurally unsound part is clear from Jacob's report, he is unsure of the irretrievable part. Jacob reiterated you cannot rebuild on something that does not have a sound base.

Bristow noted in her review of the basement it is wet, there is structural damage, there are insect infestations, and something very incorrect happened in the corner where the porch was enclosed. The wall itself is to some degree intact but the floor joists have damage from insects or water.

Kuenzli asked about the rental permit and if the owner has been cited for any of these issues on the rental permit, or does it pass rental inspection. Bristow is unsure of any citations but if it has an active rental permit it must have passed inspections.

DeGraw asked for an estimate of how much time it takes for this type of damage to get to this state of disrepair. Jacob said it takes a long time, at least 30 years. Bristow added she found an inspector's note from 1973 that stated the house was in poor condition inside and out at that time.

Paul Weldon bought the property next door and this came with it as a package deal, it was rented and they planned on working on the house to make improvements. Once the renters moved out they were able to view the property more closely and decide what they were going to do with it and this is where they ended up.

Boyd closed the public hearing.

Agran discussed the other two house demolition applications he had been a part of in the past. One on Ronalds Street where the big issue was cat urine but the house was structurally sound. In that case the roof and floor framing was undersized, as similar to this case, but that is the case in almost every older home. The demolition permit for the house on Ronalds Street was

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denied. The other house was east of Dodge Street and the only thing that was left original on that house was the framing, so it may be changed to non-contributing. Agran noted he struggles with demolition applications and deciding if something is irrevocably damaged. Sometimes the repairs may be a lot of work, but so is tearing down and building a whole new house.

Burford noted the house she lives in had tremendous termite damage when they purchased it but the interior integrity of the house existed for the most part. She noted when there is termite damage the entire house has to be checked and exposed, it is not confined to one space, it is a major undertaking and she is unsure if this property has enough internal integrity to justify the enormous expense.

Builta noted the Commission is not to discuss the expense, but it is hard not to think of it, and he struggles with going against what a structural engineer recommends and telling a homeowner what to do.

Builta asked about garages. Boyd said that is a different standard. Builta asked why. Bristow noted there is a different value for the primary structure versus the outbuilding so the primary structure is what is contributing to the neighborhood.

DeGraw noted this case is difficult because it is a contributing structure and looking at this case she has two immediate thoughts. First in the case of the cottage Argan was discussing that was deemed not worth saving by experts but the adjacent neighbors bought it, slaved on it, and brought it back and it is now a darling cottage and quite functional and being used. The other thought is this is a case of a house being victim of poor stewardship over the years and to agree to demolish it may encourage property owners to rent properties to the point of disrepair and tear it down.

Kuenzli asked if one were to approach rebuilding the foundation if at the stage of elevating the house is the wall that is buckling at risk of failing. Bristow said anytime one was to lift a house, whether moving it or working on the foundation, there is always the element of risk because there may be a structural issue that is unknown. For example, when discussing the insect damage and not knowing if it continues in the upper floor walls and it could cause problems.

Pitzen said the house is not level in several places so even if the foundation is redone and made level there will be a lot of stress with settling into its former condition. It may be too much stress.

Boyd stated he is inclined to deny the application for two reasons. One because it is a contributing property and two while the house may be irretrievable he does not feel they have that evidence at this time. He also agrees this will encourage disinvestment in historical properties so they can say it is irretrievable.

Agran looks at preservation of these neighborhoods relying on stability of these neighborhoods and with the change in the rental permit process this house, currently a rental, would be replaced with an owner-occupied home and that would contribute to the neighborhood in a healthy way.

Kuenzli agrees, she feels it is important to look at preserving communities and not just individual structures.

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Builta agrees and since the current owner has only had the property since January they are not responsible for the deterioration and will move into the neighborhood and not be renting.

Bristow reminded the Commission their charge is to decide if this particular house is structurally unsound and irretrievable. The question of preserving neighborhoods, the Commission is doing that one house at a time because the neighborhood is made up of individual properties that have their historic character or not.

Burford agreed that not knowing what is underneath the asphalt siding, not knowing how far up the insect damage extends, she is not sure there is enough information to know if it is structurally unsound.

Clore noted they will not be able to get all that information unless the structure is torn down or taken apart and exposed so they have to make a decision as to what is known at this point.

Boyd said he is comfortable stating he doesn't feel they have enough evidence.

Pitzen said there has to be a way to remove some of the siding to see what is underneath without too much effort.

Builta discussed the chimney as it is one aspect to the reason as to why the structure is unsound, if there was a permit filed to move the chimney he assumes it would be considered noncontributing. Bristow said it's not an ornamental chimney or a prominent chimney so if an application was filed to take the chimney down given it is at a precarious angle it could be considered by the Commission as an individual application.

Boyd took an informal poll of the Commission on their thoughts at this time for tentative approval or denial. Bristow said a deferral to the next meeting is possible but they would need to clarify what information is needed by the next meeting.

DeGraw asked about the interior spaces, are the floors, and doors and moldings intact. Bristow said some of the walls have original plaster, some have original damaged plaster, some of the floors are covered, there is asbestos in some of the floors so it would be costly to remove to see what is under them. During one of the remodels a bathroom was created awkwardly in the front parlor of the house. In the back, the porch floor is raised slightly above the main floor of the house, so it is in a variety of states. Many of the window sashes are original, none of the storms are original, the window condition was varied, some were operable, but most were not.

Agran said he would be more comfortable making a decision if the Commission visited the property. Bristow discussed the complicating factors of arranging such a visit but could discuss with the City Attorney holding a special meeting that was just a field trip to this property. The public would also be invited.

Kuenzli asked if this house were to be demolished, there would be two vacant lots and that could be large enough for a bigger structure (multifamily) – is that a possibility? Bristow said the process is if the Commission agrees to the demolition they would then discuss the proposed new construction for the site and the Commission has to approve the new construction. The process is set up to protect from something else being built on the site, the new construction that is approved by the Commission is all that can be built there.

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Boyd asked the Commission if any one wishes to defer and if so what additional information would they need to aid them in making a decision at the next meeting.

Buford said she would like to have more evidence in areas where there is moisture to see if the areas are infested by insects or not. Boyd noted if it is termites the moisture will not affect them, they are not attracted to moisture.

Bristow asked the applicant (Paul Weldon) his thoughts on getting more evidence on the condition of the house. Weldon said it is possible, but he would have to know what exactly they are looking for. He added if they were to try to repair the house when finished there would be nothing left of the house that is historical.

Kuenzli noted she defers to the two builders on the Commission and their expertise. If they agree it is best to demolish the house she concurs, however still feels this is rewarding bad stewardship of a property.

Boyd moved forward to discuss the new construction project at 628 S. Lucas Street.

Bristow showed photos of some of the neighboring properties, many of which are bungalows, staff has been working with the property owner on the proposed new construction. The applicant is proposing to build a house that is 50' long by 30' wide and Bristow showed an image of the proposed home elevations. It will be Craftsman Bungalow style house which is an appropriate style for this neighborhood, it is one story and any structure from one to one-and-a-half stories is appropriate in this neighborhood. The house would have double hung windows that are metal clad in a divided light pattern to work with the Craftsman Bungalow, the front door would be appropriate with the style as well, the siding would be either a smooth wood or smooth cement board lap siding with a cement board shake shingle siding in the gable ends.

The porch would not have a railing as it would be less than 30" above grade, it would have square wooden columns and there would be an asphalt shingle roof with open soffits and 2' overhang. The basement will have egress windows as required by Code and will be designed with the possibility of a future bedroom and bathroom. Bristow reviewed the interior floor plan of the first floor. She noted the application also has a possibility for a garage, there is not currently a garage on the property and therefore they would not require a garage be built at this time, but it could be added in the future.

Bristow noted this new house would only be slightly larger than the existing structure, the existing house is about 1078 square feet and the new one is just over 1300 square feet. The new house will set back slightly further than the existing house and it would only extend a little further into the lot than the existing house. Staff feels the new plans for the property are appropriate.

Kuenzli asked about the metal clad windows and if the guidelines allow for those. Bristow said the guidelines do, there is language that the metal clad wood windows are allowed so long as they can be painted and the sashes should be black because it is less likely they will be painted over time.

MOTION: Builta moved to approve a certificate of appropriateness for the new construction project at 628 S. Lucas Street as presented in the application with the following conditions:

Garage overhead doors are approved by staff. Clore seconded the motion.

The motion carried on a vote of 9-0 (Shope absent).

MOTION: Karr moved to approve a certificate of appropriateness for the demolition of 628 S. Lucas Street. Builta seconded the motion.

The motion carried on a vote of 7-2 (Boyd and DeGraw dissenting, Shope absent).

REQUEST FOR COMMENT ON REPLACEMENT ANTENNAS ON 102 S. CLINTON STREET (JOHNSON COUNTY SAVINGS BANK):

Bristow said this comes before the Commission when someone wants to do something that could impact a National Register property and it becomes a Section 106 review. Per Bristow's memo in the agenda packet she has requested more information regarding the review from the applicant and has not yet received that information. Due to not receiving the information requested (the height of the existing antenna, integrity of roof of the bank, etc.) Bristow suggests the Commission just comment they did not receive sufficient information to review.

Boyd concurred and noted his concern is the height of the current antenna, is the new antenna triple in size, half in size. He agrees they need more information before they can do a correct review.

REPORT ON CERTIFICATES ISSUED BY CHAIR AND STAFF:

Certificate of No Material Effect – Chair and Staff review:

624 N. Gilbert Street.

Bristow stated this was approval to repair the original six-over-six windows and the brick stucco coated foundation.

Minor Review – Staff Review:

404 Brown Street.

Bristow noted this is a minor review because it is in a new construction addition part of the house, not in the historic part of the house, they are changing a window size and actually matching the windows on the front of the house which was found to be appropriate by staff.

755 Oakland Avenue.

Bristow noted this application was non-contributing because the porch is enclosed and also has ramps. The ramps are to be removed and new entry and stairs will be installed on both the side and front locations.

Intermediate Review – Chair and Staff review:

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1025 Burlington Street.

This application was a garage demolition and new construction that came before the Commission previously, and the applicant has requested some minor changes. They had six windows on the exterior of the garage but they have a fence that runs along the one side of the garage so Staff allowed the applicant to not put windows on that side. Additionally, due to proximity of the neighbor's garage a window will be on the north end of one side of the garage but not the south side.

CONSIDERATION OF MINUTES FOR AUGUST 9, 2018:

MOTION: Agran moved to approve the minutes of the Historic Preservation Commission's August 9, 2018 meeting, as written. Karr seconded the motion. The motion carried on a vote of 9-0 (Shope absent).

CONSIDERATION OF MINUTES FOR AUGUST 23, 2018:

MOTION: Agran moved to approve the minutes of the Historic Preservation Commission's August 23, 2018 meeting, as written. Kuenzli seconded the motion. The motion carried on a vote of 9-0 (Shope absent).

COMMISSION INFORMATION AND DISCUSSION:

Historical Preservation Award Subcommittee.

Bristow noted they need to create a subcommittee for the Historical Preservation Awards, should be three to four members. Volunteer members are: Boyd, Kuenzli and Karr.

Update of Transfer of Development Rights.

Bristow stated City Council did asked the Planning Staff to go ahead and write a new policy and it will be presented at the October meeting. Boyd noted there is more information regarding this in this week's Council packet if people are interested in reading ahead.

ADJOURNMENT:

Agran moved to adjourn, Clore seconded the motion.
The meeting was adjourned at 7:40 p.m.

Minutes submitted by Rebecca Kick

HISTORIC PRESERVATION COMMISSION
ATTENDANCE RECORD
2018

NAME	TERM EXP.	10/12	11/9	12/14	1/11	2/8	3/8	4/12	5/10	6/14	7/12	8/9	8/23	9/13
AGRAN, THOMAS	6/30/20	X	X	X	X	X	X	X	X	X	O/E	X	X	X
BAKER, ESTHER	6/30/18	X	X	X	X	X	X	X	X	X	--	--	--	--
BOYD, KEVIN	6/30/20	X	X	X	X	X	X	X	X	X	X	X	X	X
BUILTA, ZACH	6/30/19	X	X	X	X	O/E	X	X	X	X	X	X	X	X
BURFORD, HELEN	6/30/21	--	--	--	--	--	--	--	--	--	X	X	O/E	X
CLORE, GOSIA	6/30/20	X	X	O/E	O/E	X	O/E	X	X	X	X	O/E	O/E	X
DEGRAW, SHARON	6/30/19	X	X	O/E	X	X	X	X	X	X	X	O/E	X	X
KARR, G. T.	6/30/20	X	X	X	X	X	X	X	X	X	O/E	X	X	X
KUENZLI, CECILE	6/30/19	O/E	X	X	X	X	X	X	X	X	O/E		X	X
MICHAUD, PAM	6/30/18	X	X	X		X	X	X	X	X	--	--	--	--
PITZEN, QUENTIN	6/30/21	--	--	--	--	--	--	--	--	--	X	X	X	X
SHOPE, LEE	6/30/21	--	--	--	--	--	--	--	--	--	X	X	X	O/E
SWAIM, GINALIE	6/30/18	X	O/E	X	X	X	X	X	X	X	--	--	--	--
WAGNER, FRANK	6/30/18	X	X	O/E	O/E	X	X	X	X	X	--	--	--	--

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