

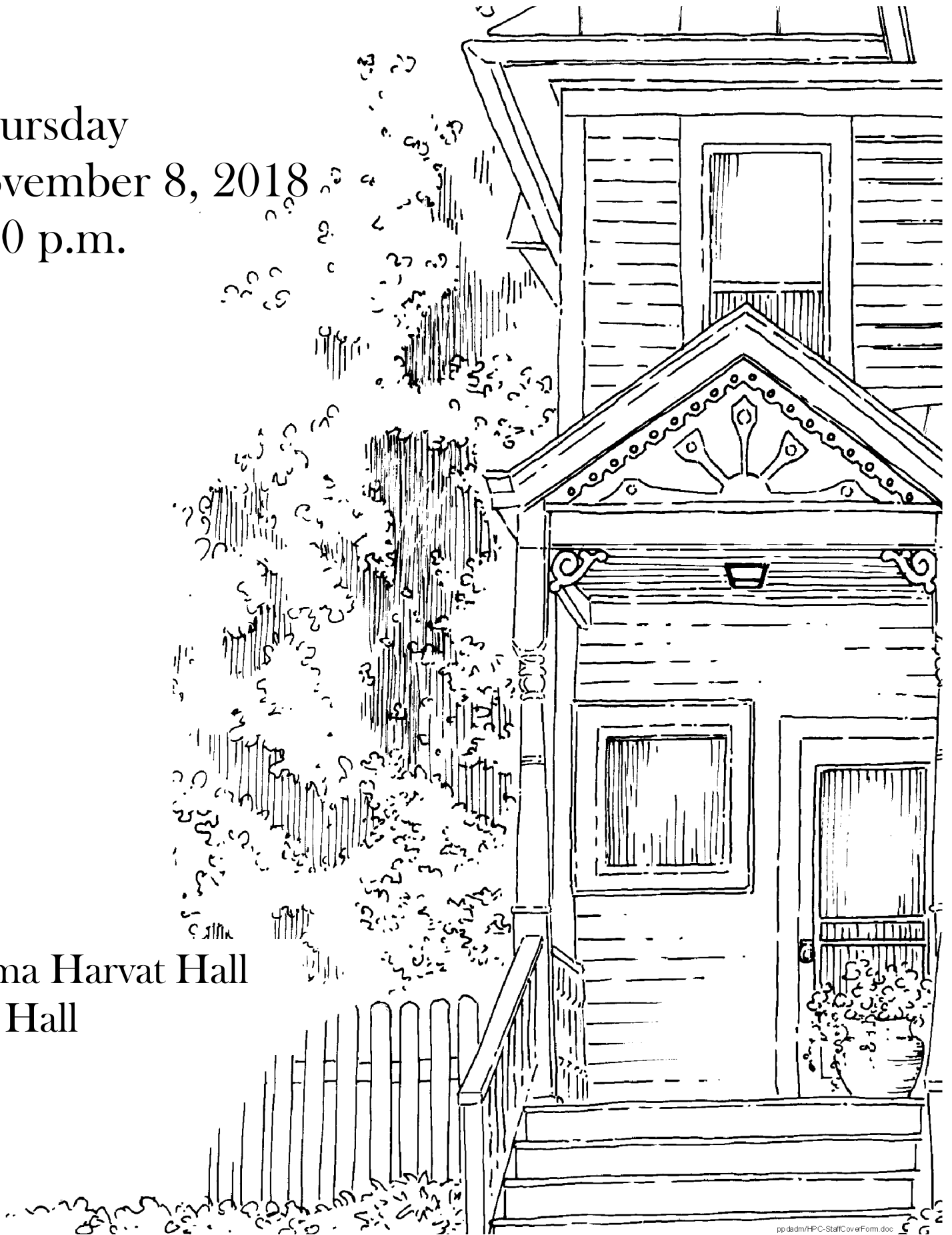
# Iowa City Historic Preservation Commission

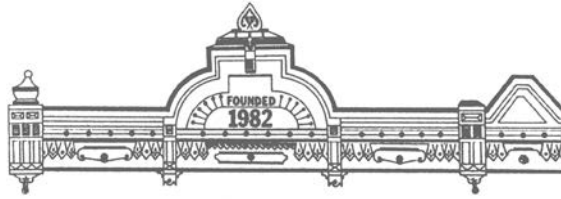
Thursday

November 8, 2018

5:30 p.m.

Emma Harvat Hall  
City Hall





## **IOWA CITY HISTORIC PRESERVATION COMMISSION**

**Thursday, November 8, 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 – Consent Agenda**

608 Grant Street – Longfellow Historic District (basement window removal and stair reconstruction)

**E) Report on Certificates issued by Chair and Staff**

**Certificate of No Material Effect –Chair and Staff review**

1. 506 North Linn Street – Northside Historic District (siding and trim repair)
2. 402 North Dodge Street – Goosetown/Horace Mann Conservation District (window repair)
3. 925 South 7<sup>th</sup> Avenue – Dearborn Street Conservation District (siding repair)
4. 722 North Lucas Street – Brown Street Historic District (soffit and fascia replacement)

**Minor Review –Staff review**

1. 709 Oakland Avenue – Longfellow Historic District (front door replacement)
2. 416 South Governor Street – Governor-Lucas Street Conservation District (porch and step repair)
3. 1025 E. Washington Street – College Hill Conservation District (handrail installation)
4. 656 South Governor Street – Governor-Lucas Street Conservation District (siding replacement)

**F) Consideration of Minutes for October 11, 2018**

**G) Commission Information and Discussion**

1. Downtown public meeting and City Council Work Session update
2. TDR packet from Planning and Zoning Commission meeting
3. Historic Preservation Awards

**H) 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](mailto:jessica-bristow@iowa-city.org). Early requests are strongly encouraged to allow sufficient time to meet your access needs.

## **Staff Report**

November 1, 2018

### **Historic Review for 608 Grant Street**

District: Longfellow Historic District

Classification: Contributing

The applicant, Andrea Heffernan, is requesting approval for a proposed alteration project at 608 Grant Street, a Contributing property in the Longfellow Historic District. The project consists of removing a deteriorated and partially obscured basement window from the north side of the house.

### **Applicable Regulations and Guidelines:**

#### ***4.0 Iowa City Historic Preservation Guidelines for Alterations***

4.5 Foundations

4.13 Windows

### ***Staff Comments***

The Site Inventory lists this house as c. 1925 -1930. It is a two-story house that is representative of Mediterranean Revival. The very low-pitched hip roof, the stucco cladding, the arched opening, and the use of wrought iron on the second-floor balcony are identifying features of this style. While the house may not seem to fit well with the neighboring houses, the style was popular during the Twenties and Thirties and falls into the period of significant development in the Longfellow neighborhood. An addition was added to the east (back) side of the house before the property was included in a historic district, but the street side retains its original character. The rear deck and subsequent extension and screened enclosure was previously approved by the commission.

The applicant is proposing to remove a small basement window on the north side of the foundation wall. The window is partially obscured by the concrete stairs from a secondary side entry. The frame is heavily damaged and deteriorated. The window has been partially protected by a curved metal panel for many years. The opening would be filled with concrete block and a stucco coating would be applied to blend with the existing stucco coating on the foundation. The concrete stairs will also be repaired.

Section 4.13 Windows of the guidelines recommend that if an opening is to be closed on a brick structure, it should be recessed to express the original opening and lintels and sills should be maintained. On a framed structure, appropriate siding that matches the existing should be used with its members being placed across and randomly extended beyond the opening. If an opening is to be relocated it should not detract from overall fenestration patterns.

Section 4.5 Foundations recommend that stucco is repaired with a mixture that matches the existing in texture, color, and composition.

In Staff's opinion, this window is not visible unless one is standing next to it. The opening has not been used for light or ventilation for many years and at the time the side entry was added to the house and the concrete stairs were poured, the window was partially blocked. In staff's opinion, the removal of the window will have no material effect on the historic structure. Repairing the stucco so that it matches the existing is the most appropriate method for foundation repair once the window removal is approved. Staff recommends approval of this application.

### ***Recommended Motion***

Move to approve a Certificate of Appropriateness for the project at 608 Grant Street as presented in the application.





## 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](http://www.icgov.org/historicpreservationresources)

For Staff Use:

Date submitted: 10/17/18

- ☐ 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: Andria Heffernan  
Email: \_\_\_\_\_ Phone Number: 319-804-5389  
Address: 608 Grant St.  
City: IC State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

☐ Contractor/Consultant Name: Partner Home Advantage  
Email: Pha 52358@gmail.com Phone Number: 319-331-7502  
Address: 512 290th St  
City: West Branch State: IA Zip Code: 52358

Joey Fredericks

### PROPOSED PROJECT INFORMATION

Address: 608 Grant St.  
Use of Property: Single Family Date Constructed (if known): \_\_\_\_\_

### HISTORIC DESIGNATION

(Maps are located at the following link: [www.icgov.org/historicpreservationresources](http://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 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:

Fill in basement window on North side of house. Materials will match existing foundation, cement Block with stucco white exterior finish.

### Materials to be Used:

For main structure we will use standard cored concrete block with Quikrete mortar mix. Premixed Quikrete Stucco will be used to finish off exterior. Color, matched latex enamel.

Exterior Appearance Changes: will then be painted over to match exterior.

Opening for existing basement window will be filled in to match existing foundation.

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

608 Grant Basement window location















# CITY OF IOWA CITY MEMORANDUM

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Date: October 18, 2018

To: Planning & Zoning Commission

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

Re: Amendment to Title 14, Zoning Code of the Iowa City Code related to Transfer of Development Rights for Historic Properties (ZCA18-0003)

## **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 Planning and Zoning Commission's meeting on October 18, staff will present a draft TDR ordinance [Attachment 4] 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.

- *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
- 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 5<sup>th</sup> 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 TDR Ordinance for Historic Preservation**

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 properties zoned Riverfront Crossings and zone districts that allow multi-family dwellings either as a permitted or provisional use<sup>1</sup>. This includes all multi-family residential zone districts and several commercial zone districts. Properties designated as Iowa City historic landmarks, Iowa City historic districts, and designated in the National Register of Historic Places are not eligible as receiving sites. [Attachment 5]

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<sup>1</sup> 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.

### **Historic Preservation Commission Review**

On October 11, staff presented the proposed ordinance to the Historic Preservation Commission. The Commission voted to move the proposed ordinance forward in the process; however, they did outline some concerns and suggestions. Below is a list of their comments and staff's feedback.

1. The Commission expressed concern that the proposed ordinance only applies to future Iowa City landmarks.

In 2018, the City Council approved Iowa City landmark designation status for the following properties:

- David Boarts (Sylvanus Johnson) House, 412 N. Dubuque Street
- George and Hellen Hummer House, 504 E. Bloomington Street
- Parrott House, 1029 N. Dodge Street
- Albert Henry Byfield House, 715 Park Road
- Anton Geiger House, 213 E. Market Street

The Commission felt that these recent designations should receive the incentive due to their very recent designation. The Commission also expressed concern that the proposed ordinance could deter downtown property owners from supporting a downtown district.

The Commission suggested considering allowing future Iowa City commercial historic districts, and potentially, future districts, in general, to be eligible for the incentive.

Staff agrees with the suggestion to allow the incentive to apply to the properties designated in 2018. In addition, staff agrees with the suggestion to allow the incentive to apply to properties within future Iowa City historic districts to help incentivize the creation of local historic districts. Based on a conversation with the Historic Preservation Planner, at present there are a limited number of areas in the city that would be eligible for a local historic district. Lastly, to ensure consistency between the city-wide ordinance and the existing Riverfront Crossing's ordinance, staff also recommends amending the TDR provisions in Riverfront Crossings to include Iowa City historic districts.

2. The Commission expressed some concern over the receiving sites and the potential impact of additional height and density in existing residential neighborhoods. One Commissioner expressed concern regarding the process and lack of confidence in the design review committee.

The proposed ordinance suggests capping height bonus transfers at 40 feet beyond the maximum height of the receiving site. In addition, any request will need to be reviewed by the design review committee and City Council. However, to address the Commission's concerns staff recommends incorporating the following provisions that protect existing single-family neighborhoods: For transfers proposed next to single-family residences, limit the height to two stories above the height of the existing single-family home.

3. Lastly, the Commission requested that staff explore other incentives, such as property tax reductions.

### **Comprehensive Plan Consistency**

The draft ordinance supports the following Comprehensive Plan Land Use Goal and Strategy:

*Goal:* Continue to protect our community's historical, environmental, and aesthetic assets.

*Strategy:* Develop strategies to encourage the protection of natural areas and historic features and support the enhancement of areas that can serve as assets and/or amenities for adjacent development.

The City's Historic Preservation Plan is a component of the Comprehensive Plan. The draft ordinance supports the following historic preservation goals:

*Goal 2:* Make protection of historic resources a municipal policy and implement this policy through effective and efficient legislation and regulatory measures.

*Goal 3:* Establish economic incentives to encourage the preservation of historic buildings and neighborhoods.

### **Staff Recommendation**

Staff recommends that the Planning and Zoning Commission recommend adoption of the draft ordinance by the Iowa City 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. Draft Ordinance
5. Proposed Eligible Receiving Sites Map

Approved by: \_\_\_\_\_

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





# CITY OF IOWA CITY MEMORANDUM

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

	- Transfers could provide an incentive for redevelopment of this area	the demand of a city-wide ordinance
Land designated for multi-unit development	<ul style="list-style-type: none"> <li>- Areas are already zoned for higher density housing</li> <li>- More scattered approach that would not concentrate transfers in one area</li> </ul>	- 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 <sup>st</sup> reading of ordinance)
December 4, 2019	City Council (2 <sup>nd</sup> & possible 3 <sup>rd</sup> 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

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## 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 formula<sup>1</sup>. 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).

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<sup>1</sup> 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 Potential<sup>2</sup> (square feet)</i>
Local Landmarks Only	4,367,068 <sup>3</sup>
Local Landmarks & National Register of Historic Places-Listed Landmarks)	5,368,997 <sup>4</sup>

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 <sup>5</sup>	-
Downtown	242,471 <sup>6</sup>	-
South Johnson Street & South Van Buren Street between Court Street and the Railroad <sup>7</sup>	-	-
Citywide Land Designated for Multi-unit Development	5,389,525 <sup>8</sup>	845
<b>Total</b>	<b>8,154,309<sup>9</sup></b>	<b>845<sup>10</sup></b>

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

<sup>3</sup> Approximately equivalent to 12 RISE buildings.

<sup>4</sup> Approximately equivalent to 15 RISE buildings.

<sup>5</sup> Approximately equivalent to 7 RISE buildings.

<sup>6</sup> Approximately equivalent to 0.67 RISE buildings.

<sup>7</sup> None of the properties met staff's criteria for underutilized.

<sup>8</sup> Approximately equivalent to 15 RISE buildings.

<sup>9</sup> Approximately equivalent to 22 RISE buildings.

<sup>10</sup> 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.<sup>11</sup>

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.<sup>12</sup>

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.<sup>13</sup>

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.

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

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

<sup>13</sup> 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 <sup>st</sup> reading of ordinance)
December 4, 2019	City Council (2 <sup>nd</sup> & possible 3 <sup>rd</sup> 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 Crossings<sup>1</sup>
  - 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

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<sup>1</sup> Staff assumed rezoning of all properties to Riverfront Crossings

**ATTACHMENT 2.**  
**Overview of other Local Jurisdictions' TDR Programs**

City	Eligibility		Base Unit	Calculation Method	Mechanics		Approval Steps	Notes
	Sending	Receiving			Administration	Tracking		
Atlanta, GA	Must be either residential sending areas, a parcel suitable for greenspace, or a <i>property designated as a landmark building/site or as a historical building or site by the Atlanta Historic Preservation Ordinance</i>	"Must be zoned for multi-family residential or mixed uses provided that residential component represents at least 50% of the project", must show future use of the property meets reqs 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 landmark's existing development	Property owners submit applications for designation as sending/ receiving sites/ approval of transfers. Approved by City, recorded by Bureau of Planning	Istrument recorded in the office of the county clerk in which the property is located re owners, persons with interest in property, prohibitions against future use of 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 severance, ownership, assignment, and transfer of dev rights.	Applicant proposes sending site/ applies for severance or direct transfer of dev rights - approved by council. City ("governing body") must determine if receiving site is appropriate for dev and that the transfer won't cause adverse environmental/ economic/social impacts, administers a special permit if approved.	Pop. 486,000    Sec. 16-28.023 of: <a href="https://library.municode.com/ga/atlanta/codes/code_of_ordinances?nodeId=PTIII COORANDECO_PT16ZO_CH28GESUR E_S16-28.023TRDERI">https://library.municode.com/ga/atlanta/codes/code_of_ordinances?nodeId=PTIII COORANDECO_PT16ZO_CH28GESUR E_S16-28.023TRDERI</a>
Chico, CA	Sites not automatically eligible; in application for TDR the owner(s) outline how their site fulfills the TDR conservation program outlined by the City	Similarly, applicants must make "a statement outlining the availability of support services and infrastructure necessary for the dev" of the receiving site. Essentially the onus is on the applicants to do the legwork of determining eligibility, then city gets to pass judgment	Dwelling Unit	((# of DU/Gross Acre) allowed in sending zone)*(sending site's acreage)) - (existing and proposed # of DU on sending site)	Rolled into PUD/Development Agreement process	Doesn't appear to be a TDR "bank" entity. The TDR is recorded within the specific PUD/Development Agreement	Same process they use for PUDs, Specific Plans, and Development Agreements	Pop. 86,000. Chapter 19.34 of the following link: <a href="http://www.chico.ca.us/government/documents/Title19update.pdf">http://www.chico.ca.us/government/documents/Title19update.pdf</a>
Dallas, TX	Eligible if: 1) the historic property is w/in 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 rehab'd w/in the last 5 yrs and the total value of the rehab exceeds 50% of the property's pre-rehab value	Located in the Central Area, CA-1(A) and CA-2(A) districts	Floor Area	Difference 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 sending site, the receiving site and 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 <a href="http://dallascityhall.com/departments/sustainabledevelopment/DCH%20documents/pdf/building/DevelopmentProgramApplication.pdf">http://dallascityhall.com/departments/sustainabledevelopment/DCH%20documents/pdf/building/DevelopmentProgramApplication.pdf</a>
Delray Beach, FL	"In order to be eligible for TDR, the resulting use of the 'to be regulated' 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 when a voluntary action would aide in fulfilling a policy/ objective of the Comprehensive Plan."	Redevelopment areas and height overlay zones; if a redevelopment area, the development proposed for that site must comply with the redevelopment plan for that area	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. Certificate approved by City Attorney.	Application is processed as a rezoning request, ordinance outlines the value of the severed development rights. Certificate of Development Rights is issued, approved by City Attorney.	Applicant submits site plan for proposed sending site indicating amt of dev that should be accomodated on that site; sending site is rezoned (applies to rezone sending site to Community Facilities, Open Space, or Conservation Zone; 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: <a href="https://library.municode.com/fl/delray_beach/codes/land_development_regulations/?nodeId=CH4ZORE_ART4.6SUDIRE_S4.6.20TRDERI">https://library.municode.com/fl/delray_beach/codes/land_development_regulations/?nodeId=CH4ZORE_ART4.6SUDIRE_S4.6.20TRDERI</a> To date, no TDR applications have been submitted.
Largo, FL	Any land with significant archaeological, 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 service 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: <a href="https://www.largo.com/document_center/Permits%20&amp;%20Planning/Planning/CD C/Adopted_2018_CDC.pdf">https://www.largo.com/document_center/Permits%20&amp;%20Planning/Planning/CD C/Adopted_2018_CDC.pdf</a>
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, 3:1 or 6:1 depending on the subarea in which the site is located	Based on floor area ratio -- 3:1 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 TFAR (Transfer of Floor Area Rights) meets all conditions. Commission offically approves transfer following public hearing.	Filed with City Clerk.	Redevelopment Agency must consider whether an app for TFAR meets all 6 conditions--if yes, they approve app. City Planning Commission, LA City Council, & Mayor all repeat this process. Director issues a report to Cimission recommending approval/ approval w conditions/ disapproval of req for Transfer.	Pop. 4.03 million Article 4.5: <a href="http://library.amlegal.com/nxt/gateway.dll/California/lapz/municipalcodechapteriplanningandzoningco/chapterigeneralprovisionsandzoning/article45transferoffloorareights-centr?f=templates\$fn=default.htm\$3.0\$vid=amlegal:lapz_ca\$anc=JD_C1A4.5">http://library.amlegal.com/nxt/gateway.dll/California/lapz/municipalcodechapteriplanningandzoningco/chapterigeneralprovisionsandzoning/article45transferoffloorareights-centr?f=templates\$fn=default.htm\$3.0\$vid=amlegal:lapz_ca\$anc=JD_C1A4.5</a> "Developers are required to pay a Public Benefit Payment on transfers in order to fund public open space, affordable housing, cultural/public facilities, historic preservation and public transportation improvements."

Madison, GA	Historical sending sites must be any landmark listed in the Greenprint and registered as a Landmark by the Madison Historic Preservation Commission. (other non-historical sending sites apply to the TDR program as well)	"Receiving parcels must meet all three of the following criteria: 1) ID-ed as Traditional Neighborhood Residential or Mixed-Use Residential/ Commercial on Future Land Use Map; 2) W/in the "higher density" portions of the W. Washington Gateway; and 3) W/in 2000 ft of a neighborhood center, w/in 1500 ft of a neighborhood park and w/in 1500 ft of an arterial street or state highway."	Density	"calculated on basis of baseline density of the sending parcel, less any existing dwelling units. For parcels w/in residential zoning districts, the baseline density shall be the gross acreage of the parcel divided by the min 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"	Planning department approves TDRs from sending sites, administers certificates. Land Bank Board has influence in determining TDR value, holds TDRs until purchase by a receiving site owner. Mayor and city council must review receiving site at public meeting.	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 Bank Board. Applications for both receiving and sending sites are recorded with the County Court Clerk. TDR Certificates are recorded in the TDR Register.	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.	Pop. 4,000 Article III: <a href="https://library.municode.com/ga/madison/codes/code_of_ordinances?nodeId=PTII COOR_CH54PLDE_ARTIIITRDERI_S54-54TRDERIPR">https://library.municode.com/ga/madison/codes/code_of_ordinances?nodeId=PTII COOR_CH54PLDE_ARTIIITRDERI_S54-54TRDERIPR</a>
Minneapolis, MN	Lots with locally designated or eligible historic structures within specific districts, as determined by the City's Heritage Preservation Commission.	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	GFA	(Maximum GFA permitted by sending site's zone) - (GFA of existing development on sending site) however, receiving site is capped to 30% above its zone's maximum allowable GFA	Application for TDR submitted, if approved it's recorded with the County in the form of a "conservation easement or similar restriction acceptable to the city," specifying amount of floor area transferred and involved parcels.	Doesn't appear to be a TDR "bank" entity. The certificate gets recorded with the County.	Administrative-level review of TDR applications by Planning Director. Decision is final, can appeal denials through P&Z commish. Building permit not granted for receiving site until sending site's historic structure has been rehabbed and approved by HPC	Pop. 415,000. Specifically designed for Historic Pres. Can transfer to up to four different receiving sites from one sending site. Link: <a href="https://library.municode.com/mn/minneapolis/codes/code_of_ordinances?nodeId=MICOOR_TIT20ZOCO_CH549DODI_ARTIIITRDERI_549.270DE">https://library.municode.com/mn/minneapolis/codes/code_of_ordinances?nodeId=MICOOR_TIT20ZOCO_CH549DODI_ARTIIITRDERI_549.270DE</a>
Nashville, TN	Parcels within two designated historic zoning districts or Historic Landmark Districts (all designated in 2007 with the Downtown Community Plan Update)	ordinance identifies five specific areas within the downtown as receiving sites	Floor Area	maximum floor area allowed by the base zoning minus the floor area of the landmark building	owner of sending site records an easement that permanently precludes additional development on the site; developers may purchase or be donated dev rights (if owned by the City or State or a non-profit preservation org, rights can only be donated); Planning dept receives app and approves it.	Conveyances of sending site's 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.	Owners of sending sites and receiving sites must apply for transfer of development rights with the planning dept. Planning dept. is in charge of approval. TDRs are allocated to receiving property only once the rights are noticed in writing in an instrument signed by owner of receiving site that is submitted to the planning dept.	Pop. 690,000 <a href="https://www.nashville.gov/mc/ordinances/term_2003_2007/bl2007_1369.htm">https://www.nashville.gov/mc/ordinances/term_2003_2007/bl2007_1369.htm</a>
New Orleans, LA	"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 value"; they cannot be owned by the City, State, or Federal Government	properties in CBD-1, CBD-2 or CBD-2B districts; properties in CBD-9 zone can receive dev rights transferred from the CBD-8 zone; projects which incorporate TDRs may exceed by 10% the by-right density, in addition to bonus density increases, allowed on the receiving site by baseline zoning	Floor Area	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	Applications are approved or denied by the Planning Commission following a public hearing; if approved, recommendation for approval is forwarded to the City Council; Council may approve, modify, or deny.	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	owners of both the sending and receiving sites must submit an application to restrict development rights on the sending site and increase density on the receiving site; goes through public hearings for Planning Commission and City Council	Pop. 391,000 Section 16.8 of <i>former</i> code -- is no longer in effect. <a href="https://www.nola.gov/city-planning/czo/former-comprehensive-zoning-ordinance/former-new-orleans,-la-zoning-thru-june-20,-2014/">https://www.nola.gov/city-planning/czo/former-comprehensive-zoning-ordinance/former-new-orleans,-la-zoning-thru-june-20,-2014/</a>
Palo Alto, CA	They designate certain buildings (Historic Category 1 or 2). TDR granted only upon approved applications with specific rehabilitation plans for those buildings.	Located in certain districts. Not a historic site. Located >= 150 ft from residentially zoned property (except in MU zones or OPDs). Other stipulations regarding sites within their "downtown parking assessment district." Limits on FAR within certain subdistricts as well. Total additional floor area capped at a max of 10,000 sf, unless more restrictive FAR caps for that subdistrict exist.	Floor Area	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. Also stipulates that, "This bonus area must be fully parked."	Functions under their Floor Area Bonus process. Site owner of approved historic pres F.A.B. must enter into an "unsubordinated protective covenant running with the land in favor of the city" assuring the property will be rehabbed according to applicable standards.	"recorded document, signed by the transferor and transferee... in a form designed to run with the land and satisfactory to the city attorney... identify[ing] the sender site and the amount of floor area transferred."	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.	Pop. 67,000. City Code states: "The city does not guarantee that at all times in the future there will be sufficient eligible receiver sites to receive such TDRs." Chapter 18.18 at following link: <a href="http://library.amlegal.com/nxt/gateway.dll/California/paloalto_ca/paloaltomunicipalcode?f=templates\$fn=default.htm\$3.0\$vid=amlegal:paloalto_ca">http://library.amlegal.com/nxt/gateway.dll/California/paloalto_ca/paloaltomunicipalcode?f=templates\$fn=default.htm\$3.0\$vid=amlegal:paloalto_ca</a>
Park City, UT	Three sending areas (Sending Treasure Hill, Sending Old Town, and Sending Historic District); 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.	All properties within the TDR-Receiving overlay zone are eligible to receive Transfer Development Credits.	Density	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.	Planning Director determines the number of development credits allowed to a sending site. Sale/ transfer of credits is conducted between transferer and transferee or their legal representatives, to be recorded by Planning Director or designee.	"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/sold.	Sending site property owners can request a Development Credit determination letter from the Park City Planning director. Those credits may only be sold/ conveyed/ transferred by the owner to the transferee and then must be reissued in the transferee's name.	Pop. 8,300 Ch. 15-2.24 of: <a href="https://parkcity.municipalcodeonline.com/book?type=ordinances#name=15-2.24_Transfer_Of_Development_Rights_(TDR)_Overlay_Zone">https://parkcity.municipalcodeonline.com/book?type=ordinances#name=15-2.24_Transfer_Of_Development_Rights_(TDR)_Overlay_Zone</a>
Pasadena, CA	Can be anywhere within the West Gateway Specific Plan area.	Can be anywhere within the West Gateway Specific Plan area.	Density	Residential density can be converted to non-residential floor area and vice versa. Conversion Formula. One dwelling unit shall be equivalent to 850 square feet of non-residential development and 850 square feet of nonresidential development shall be equivalent to one dwelling unit. Any development rights transferred from a donor site shall be deducted from the additional density otherwise allowed on the parcel by this Section.	With proper written consent of sending and receiving site owners, any property owner within the area may transfer.	Owner of sending site records a written covenant documenting the transfer, approved by City Attorney. "Department maintains records of all transfers and the current density allocations, if any, of all the properties within the specific plan area."	Transfer can be approved by the Zoning Administrator as long as the receiving site project meets regulations.	Pop. "Intended to propote enhancement of the.. City's symbolic western gateway and to facilitate preservation of historic structures and beloved open spaces" Chapter 17.36.060.B : <a href="https://library.municode.com/ca/pasadena/codes/code_of_ordinances?nodeId=TI T17_ZONING_CODE_ART3SPPLST_C H17.36WEGASPPL_17.36.060WGGED EST">https://library.municode.com/ca/pasadena/codes/code_of_ordinances?nodeId=TI T17_ZONING_CODE_ART3SPPLST_C H17.36WEGASPPL_17.36.060WGGED EST</a>

Pittsburgh, PA	Lots containing City-designated historic structures (which can be designated as such without the consent of the property owner) or not-for-profit performing arts facilities in two specific districts, labeled C5 and C6.	Located in C5 & C6 districts, can be commercial or residential. Commerical: floor area rights from sending sites in one district can only be transferred to zoning lots in the same district. Residential: rights can be transferred from any other zoning lot in C5 & C6 districts.	Floor Area	1:1 transfer ratio: "the amount of development available for transfer is the difference between the existing amount of development on the sending site and the maximum amount of development which would be allowed on that sending site under the zoning code". If sending & receiving sites are adjacent, max amt of development allowed on the receiving 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 base zoning.	The City's Historic Review Commission approves the transfer. City Solicitor approves a legal document signed by the parties concerned, which is filed with the application for occupancy permit.	Must be a "plan and program for rehabilitation... and maintenance" 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"	Must be approved by the City's Historic Review Commission. Prior to approval, "there shall exist a plan and program for rehabilitation...and for continuing maintenance of the Historic Structure or Performing Arts Facility...for not less than 40 years."	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] base zoning allows millions of sq ft of future development without the need for discretionary approvals. Consequently, Pittsburgh developers have little motivation to use the TDR ordinance." (SmartPreservation)
Providence, RI	"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"	Structures within the Downcity District; "shall be restored and maintained as required by the downtown design review committee"	Building height	Difference between height of landmark and max height allowed to sending site under current zoning; height of receiving site cannot exceed 1.6x the max height or 300 ft, whichever is less.	Downcity Design Review Committee (DRC), created to "encourage development compatible with historical character while creating a 24-hr ped-friendly downtown that promotes art, entertainment and housing", reviews all proposed improvements within the district, including TDR.	"fee owners of sending & receiving lots execute an agreement to be recorded with the title to both lots... , for a term that equals or exceeds the life of the project of the receiving lot"; any changes to plan must be approved through a new application	Application must be approved by the Downcity Design Review Committee at a public hearing.	Pop. 180,000 Chap. 27, Article 6.03, Section G of following link: <a href="https://library.municode.com/ri/providence/codes/code_of_ordinances?nodeId=PTIIICOR_CH27ZO_ART6DODI_603DEIN">https://library.municode.com/ri/providence/codes/code_of_ordinances?nodeId=PTIIICOR_CH27ZO_ART6DODI_603DEIN</a>
San Diego, CA	Civic San Diego TDR Program (a nonprofit org owned by the City) "To qualify, must contain designated historical resources and be located on same block as receiving site or be the object of a study, approved by the Civic San Diego President, verifying that a transfer of floor area is needed to rinance rehab and preservation of landmark."	Must be on the same block as the sending site.	Floor Area	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	Transfer is approved by Civic San Diego President; Civic 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	documented by recorded certificates of transfer; "City can acquire, bank, and hold transferred floor area prior to transfer to a receiving site"	sending site owners must enter into a Preservation, Restoration, and Maintenance Agreement that commits them to rehab the strucutre & reconstruct it if destroyed; CSD President approves transfer	Pop. 1.41 million Has not been used since 2014 <a href="http://docs.sandiego.gov/municode/MuniCodeChapter15/Ch15Art06Division03.pdf">http://docs.sandiego.gov/municode/MuniCodeChapter15/Ch15Art06Division03.pdf</a>
"	Golden Hill TDR Program must be within Golden Hill Planned District; three types of eligible historical properties: "a property designated as a historical site by the Historical Site Board; a contributing structure within the Historic District; or a structure designated historically/architecturally significant in a survey approved by the Historic Site Board"; property owner also must grand a facade easement to the City	properties located within 5 subareas of the district	Floor Area	transfer difference between the floor area of the landmark and the floor area that would be permitted under the density limits of the zoning code; transferred rights allowed a project to exceed the base density allowed by code by 25%	transfers registered with Planning Dept	a purchaser of development rights had to register all transfers with the City Planning Department	City Planning Dept has to approve transfers	Pop. 1.41 million TDR provisions removed from ordinance in Golden Hill Planned District in 1989 - problems: density allowed by code usually wasn't much greater than the density of the historic structures from which rights were transferred; owners of potential receiving sites had little incentive to buy additional density because they could achieve the density they wanted under the limits imposed by the code; surrounding neighborhoods were resistant to additional development
St. Petersburg, FL	"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 Sec of the Interior's Standards for Preservation and Rehabilitation	properties in the downtown center and corridor commercial suburban districts	Floor Area	landmark building: the greater of the following - 10x the floor area of the landmark or the diff between the gross flor area of the structure and the max floor area allowed by zoning landmark site: transferable floor area is 5x the landmark site's size after deducting any lot area occupied by a landmark building "for each sq ft of development credit transferred, \$.50 must be given to the City's historic preservation grant program, minus any funds spent on required restoration or rehab work"	Planning Dept (POD) approves establishment and transfer of TDR credits. City Attorney approves owner's declaration of covenants and restrictions	A registry of TDR credit certificates is kept by the Planning Dept. At time of transfer, owner records a declaration of covenants and restrictions which is then approved by the City Attorney.	Application to establish TDR credits approved by the POD, property must be historically designated before credits are issued, certificate of TDR credits 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	Pop. 261,000 16.70.040.1.17 of following link: <a href="https://library.municode.com/fl/st._petersburg/codes/code_of_ordinances?nodeId=PTIISTPECO_CH16LADERE_S16.70A_PPR_16.70.040PLZODE_16.70.040.1.17TRDERIH1">https://library.municode.com/fl/st._petersburg/codes/code_of_ordinances?nodeId=PTIISTPECO_CH16LADERE_S16.70A_PPR_16.70.040PLZODE_16.70.040.1.17TRDERIH1</a>
Vancouver, WA	Designated historic landmark in two Conservation Areas, created with the adoption 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.	Any other site in the same zoning district, as long as it will not create a hazard to low-flying aircraft.	Floor Area	Floor area <i>allowable</i> on the sending site minus the actual floor area of the sending site.	City Council makes record of covenant with owner of the historic property/ sending site.	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.	Covenant must be approved by City Council.	Pop. 175,000 Section 20.510.050: <a href="https://www.cityofvancouver.us/sites/default/files/fileattachments/vmc/titles_chapters/20.510.pdf">https://www.cityofvancouver.us/sites/default/files/fileattachments/vmc/titles_chapters/20.510.pdf</a> Very little specific information is given.
Warrington, PA	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 promotion of public welfare."	Sites in zones that permit higher-density residential, office, and industrial uses	Land Area	"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 in the R-1, 1 DU in the R-1-C, 2 DUs in the R-2 or R2-I and 1.9 DUs in the R-3. In addition to this base allocation, sending sites can receiving incentive bonuses of 15% in the RA or 10% in other districts and additional bonuses for sites with historic or natural resource significance. RA sites must be at least five acres to qualify."	Planning Commission and Township Board of Supervisors, who approve the transfers, are advised by the TDR Review Board.	Mention of where TDRs are recorded does not appear in the code.	If not in the RA district, the Board of Supervisors must approve the transfer, considering the recommendations of the Planning Department or Planning Comission and the TDR Review Boards.	Pop. 24,000 Program aims to preserve environmental space and historically significant sites. <a href="https://www.ecode360.com/13867984?highlight=develop,developed,developer,developers,development,developmentdeveloped,developmentright,developmentrights,developments,develops,right,rights">https://www.ecode360.com/13867984?highlight=develop,developed,developer,developers,development,developmentdeveloped,developmentright,developmentrights,developments,develops,right,rights</a>

West Hollywood, CA	"properties containing City-designated cultural resources which have less density than the max allowed by the zoning code"	any properties zoned for medium/high-density commercial use which are not cultural resources; cannot be transferred into residential zones	Density	Difference between the max permitted development and the existing number of dwelling units; for nonresidential cultural resources, it is the difference between the max code-permitted floor area and the actual floor area of the designated building	City's Cultural Hertiage 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.	City allows developers to purchase an option on TDRs, which must be recorded prior to adoption 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).	Rights can be purchased by anyone; do 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.	Pop. 37,000 "Owner of designated cultural resource must comply w restoration requirements est. by the Cultural Hertiage 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 rehabn of the sending site." According to Smart Preservation, no transfers have occurred yet." 19.58.150.F of <a href="http://qcode.us/codes/westhollywood/view.php?topic=19-19_4-19_58&amp;showAll=1&amp;frames=off">http://qcode.us/codes/westhollywood/view.php?topic=19-19_4-19_58&amp;showAll=1&amp;frames=off</a> Could not find a copy of the specific criteria that appear in the Transfer of Development Rights Program.
West Palm Beach, FL	Historic properties, landmarks (local or national register status), Clematis St. conservation district, urban open space, all as depicted in the City's code. Historic sites & landmarks must have completed renovation acc. 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"	"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	Floor area	transferable floor area is determined by multiplying lot area by allowable number of floors (and deducting the floor area of the existing strucutre in the case of a historic landmark sending site)	Planning director establishes eligibility, DAC approves transfer	TDR registry maintained by city that records total amt of DRs 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 adjusted DRs of sending and receiving sites; "bank entity": TDRs may be acquired from a sending site and held for an undetermined amt of time until a suitable receiving site is found	Planning director est. eligibility of sending site, letter (w estimate of DRs available for transfer from sending) of availablilty 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)	Pop. 108,000 Sec. 94-132 of: <a href="https://library.municode.com/fl/west_palm_beach/codes/code_of_ordinances?no_deld=PTIICOOR_CH94ZOLADERE_AR_TIVDOMAPLURRE_S94-132TRDERIPR">https://library.municode.com/fl/west_palm_beach/codes/code_of_ordinances?no_deld=PTIICOOR_CH94ZOLADERE_AR_TIVDOMAPLURRE_S94-132TRDERIPR</a>



## 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

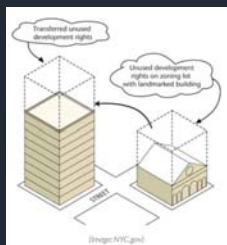
### September 4 – Council Work Session Goals

- **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.



### 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
<b>Total</b>	<b>52</b>

## 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:  

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

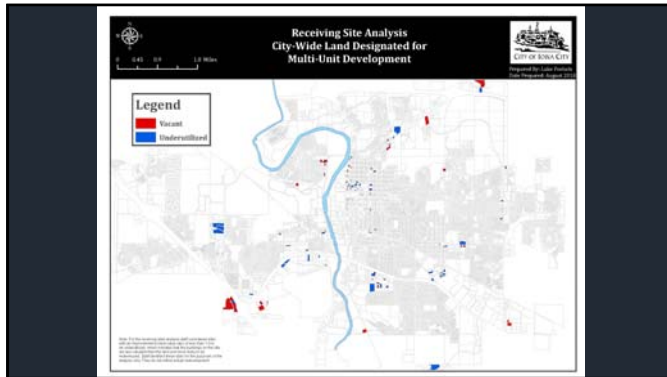
## Research & Analysis

### 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
<b>TOTAL</b>	<b>8,154,309</b>	<b>845</b>

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





## 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

## Research & Analysis

### *Other Local Jurisdictions' Program*

- **Transfer Formulas:**
  - Consider existing development on sending site
  - Typical formula = *Max allowable density/intensity on sending site Less Existing density/intensity on sending site*
  - Incorporate a receiving site bonus above that allows development beyond plan/zoning
  - In comparison, the RFC transfer does not consider existing development

## Research & Analysis

### *Other Local Jurisdictions' Program*

- **Approval Process for Transfers:**
  - Many cities require some type of a non-administrative review
  - Some cities approve transfers administratively

## Research & Analysis

### *Other Local Jurisdictions' Program*

- **Administration & Tracking:**
  - Variety of methods:
    - Documented through a PUD or Specific/Master Plan
    - Executed through a development agreement
    - Recorded with the County as a conservation easement
    - Legal documents signed by property owners & City Attorney
  - Tracking
    - City staff maintained registries and databases of possible receiving sites, eligible sites, capacity of these sites

## Research & Analysis

### *Other Local Jurisdictions' Program – Approval Process*

- **Receiving Areas:**
  - Several programs focus receiving sites in the core of the community/downtown
  - Explicitly state that historic resources are not eligible as receiving sites
  - Place burden on the applicant to demonstrate the appropriateness of a potential receiving site
  - Commercial zones only – no transfers allows to residential zones

## 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 local historic 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	Not consistent with current RFC process
Allows the Council to review & approve larger transfers	

## 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 <ul style="list-style-type: none"> <li>Fair &amp; Consistent / May not have adequate receiving site capacity</li> </ul> b. Only future Local Landmarks <ul style="list-style-type: none"> <li>May be easier to accommodate transfers / Inconsistent with current process</li> </ul>
2. Transfer formula?	a. RFC transfer formula <ul style="list-style-type: none"> <li>More generous &amp; consistency in administration; easier to understand</li> <li>May not have adequate receiving site capacity</li> </ul> b. New transfer formula <ul style="list-style-type: none"> <li>May be easier to accommodate transfers / More complex &amp; difficult to administer</li> </ul>
3. Bonuses & Priority of preserving historic resources compared to other public benefits?	a. Current bonus provisions <ul style="list-style-type: none"> <li>Simpler &amp; easier / May dilute effectiveness of preserving historic resources</li> </ul> b. Exceed current bonus provisions <ul style="list-style-type: none"> <li>More of an incentive / Community concerns &amp; unknown impacts</li> </ul>
4. Review & approval process for transfers?	a. Existing RFC process (i.e. approval by City Council) <ul style="list-style-type: none"> <li>Simpler &amp; consistent / Lack of certainty in approvals</li> </ul> b. New process <ul style="list-style-type: none"> <li>Streamline the review &amp; allow Council review for larger transfers</li> <li>Not consistent with current RFC process</li> </ul>
5. Eligible receiving sites?	a. RFC <ul style="list-style-type: none"> <li>Downtown and/or</li> <li>South Johnson / Van Buren area and/or</li> <li>Multi-unit sites throughout the city and/or</li> <li>Other sites</li> </ul>

## 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 <sup>st</sup> reading of ordinance)
December 4, 2018	City Council (2 <sup>nd</sup> & possible 3 <sup>rd</sup> reading of ordinance)
January 29, 2019	Expiration of 8-month deferral of the local landmark designation of 410-412 North Clinton Street

## **Citywide Transfer of Development Rights Ordinance**

### **Amend 14-2A-7, Special Provisions, by adding the following subsection:**

#### **E. Transfer of Development Rights**

##### **1. Purpose:**

The transfer of development rights and corresponding height and density bonuses provide an incentive for the preservation and adaptive reuse of historic properties.

##### **2. Sending Sites Requirements:**

- a. The sending site must have a base zoning designation of “Single-Family Residential” per 14-2A, “Multi-Family Residential” per 14-2B, or “Commercial” per 14-2C, of this title.
- b. Sending sites must be designated as either an Iowa City historic landmark or listed as a contributing structure in an Iowa City historic district in accordance with 14-3B-1, “Historic District Overlay Zone”, of this title, after January 1, 2018.
- c. All historic buildings and structures on the sending site must be preserved against decay, deterioration, and kept free from structural defects by the owner or such person, persons, or entities who may have custody or control thereof, according to the provisions of section [14-3B-7](#), "Prevention Of Demolition By Neglect", of this title.

##### **4. Eligible Receiving Sites:**

##### **1. A site is eligible to be a receiving site if it is:**

- a. Located within a Riverfront Crossing zone district and the sending site is located outside of the Riverfront Crossings district as identified in 14-2G-2 “Regulating Plan” of this title; or
- b. Located within a zone district that allows multi-family dwellings either as a permitted or provisional use according to Table 2B-1 “Principal Uses Allowed in Multi-Family Residential Zones” and Table 2C-1 “Principal Uses Allowed in Commercial Zones”, of this title.

##### **2. Properties designated as Iowa City historic landmarks, located within Iowa City historic districts, and listed in the National Register of Historic Places are not eligible as receiving sites.**

##### **5. Transfer of Development Rights:**

- a. Transfer requests shall either be for a height bonus or a density bonus using the following formulas:
  - (1) Difference between the maximum allowable height of the sending site and the existing height of the historic structure. In no case shall the transfer be less than 12



- feet even if the difference between the maximum allowable height and the existing height is less than 12 feet; or
- (2) Difference between the maximum number of dwelling units allowed on the sending site based on the underlying zoning designation at the time of the Historic District Overlay (OHD) zoning designation and the existing number of dwelling units on the sending site.
- b. Transfers requests may exceed either the height or density on the receiving site with the following limitations:
- (1) No height bonus transfer request to a receiving site located outside of the Riverfront Crossings district shall exceed 40 feet above the maximum height allowed on the receiving site.
  - (2) No height bonus transfer request to a receiving site located in the Riverfront Crossings district shall exceed the height bonus maximums outlined in 14-2G-7G-1d of this title.
  - (3) No height bonus transfer request to a receiving site located adjacent to an existing single-family home shall exceed two stories above the height of the existing single-family home.

**6. Transfer of Development Rights Review Process:**

- a. Requests for transfer of development rights shall be subject to the Level II design review process according to 14-8B-3, of this title.
- b. In addition to the requirements outlined in 14-8B-3 of this title, applicants requesting a transfer of development rights must provide the following information:
  - a. The proposed sending site and the amount of transfer potential,
  - b. The proposed receiving site,
  - c. The amount of height bonus or density bonus requested,
  - d. A concept plan and elevations of the proposed project to utilize the transfer on the receiving site, and
  - e. Any other information required per the application form.

**7. Transfer of Development Rights Tracking:**

- a. The Neighborhood and Development Services Department staff shall maintain a list of transfers requested and approved. This list shall include the transfer potential of the sending site, the amount transferred and to which receiving site, and the transfer amount that remains on the sending site.
- b. If a private entity conveys transfer rights to another private entity, the City shall be notified of the sale.

**Amend 14-2B-8, Special Provisions, by adding the following subsection:**

**D. Transfer of Development Rights**

- 1. Transfer of development rights shall be subject to the provisions outlined in 14-2A-7E.

**Amend 14-2C-11, Special Provisions, by adding the following subsection:**

C. Transfer of Development Rights

1. Transfer of development rights shall be subject to the provisions outlined in 14-2A-7E.

**Amend 14-3C-2A, Applicability, adding a new paragraph 12, as follows:**

12. Transfer of development rights: Transfer of development rights requested according to 14-2G-7G "Building Height Bonus Provisions", of this title or according to 14-2A-7, 14-2B-8, 14-2C11 "Special Provisions", of this title.

**Amend 14-3C-3A, Levels of Design Review, paragraph 2, as follows:**

2. Level II Review:

- a. A level II review will be conducted for the following designated areas, properties, and structures:
  - (1) Urban renewal project, Iowa R-14, except for minor exterior alterations, such as signage, window placement, and color, that do not substantially change the building concept of the council approved plan. Such minor alterations will be subject to level I review.
  - (2) Certain public-private partnership agreements; level of review is pursuant to the specific development agreement. (Ord. 05-4186, 12-15-2005)
  - (3) Structures designed with certain building height bonuses allowed pursuant to subsection 14-2G-7G of this title. (Ord. 14-4586, 6-3-2014)
  - (4) Transfer of development rights requested according to 14-2G-7G "Building Height Bonus Provisions", of this title or according to 14-2A-7, 14-2B-8, 14-2C-11 "Special Provisions", of this title.
- b. Applications for level II review will be reviewed by the staff design review committee with their recommendation forwarded to the city council for approval, modification, or disapproval according to the procedures for design review contained in chapter 8, article B, "Administrative Approval Procedures", of this title.

**Amend 14-3C-3B, Approval Criteria, by adding paragraph 10, as follows:**

10. Transfer of development rights: Design review subject to the design guidelines listed in subsection C of this section.

**Amend 14-2G-7G-3, Historic Preservation Height Transfers, by amending the subsection as follows:**

***3. Historic Preservation Height Transfers: The following transfer of development rights and corresponding height bonus provides an incentive for the preservation and adaptive reuse of historic properties:***

***a. Eligibility: The historic preservation height transfer is an option for sites that meet the following criterion:***

***(1) The site from which the height transfer is requested (sending site) is designated as an Iowa City landmark, listed as a contributing structure in an Iowa City historic district, eligible for landmark designation, registered on the national register of historic places, or listed as a historically significant building as determined by the survey and evaluation of the historic and architectural resources for the vicinity.***

***b. Requirements:***

***(1) If the sending site has not already been designated as an Iowa City landmark or Iowa City historic district, the applicant must apply for and obtain approval of this designation as a condition of the transfer of development rights; and***

***(2) All historic buildings and structures on the sending site must be preserved against decay, deterioration, and kept free from structural defects by the owner or such person, persons, or entities who may have custody or control thereof, according to the provisions of section [14-3B-7](#), "Prevention Of Demolition By Neglect", of this title.***

***c. Transfer Of Development Rights:***

***(1) The floor area that results from multiplying the number of stories allowed at the sending site as specified in the applicable subdistrict standards by the acreage of the sending site may be transferred to one or more eligible site(s) within the riverfront crossings district. For example, if the land being preserved as a historic landmark is located in the central crossings subdistrict and is twenty thousand (20,000) square feet in size, then eighty thousand (80,000) square feet of floor area (20,000 x 4) may be transferred to one or more eligible sites and the resulting building or buildings on the***

*receiving sites may exceed the height limit of the respective subdistrict, within the limits established in this section.*

*(2) The resulting building or buildings on the receiving site(s) may not exceed the maximums stated within subsection G1d of this section.*

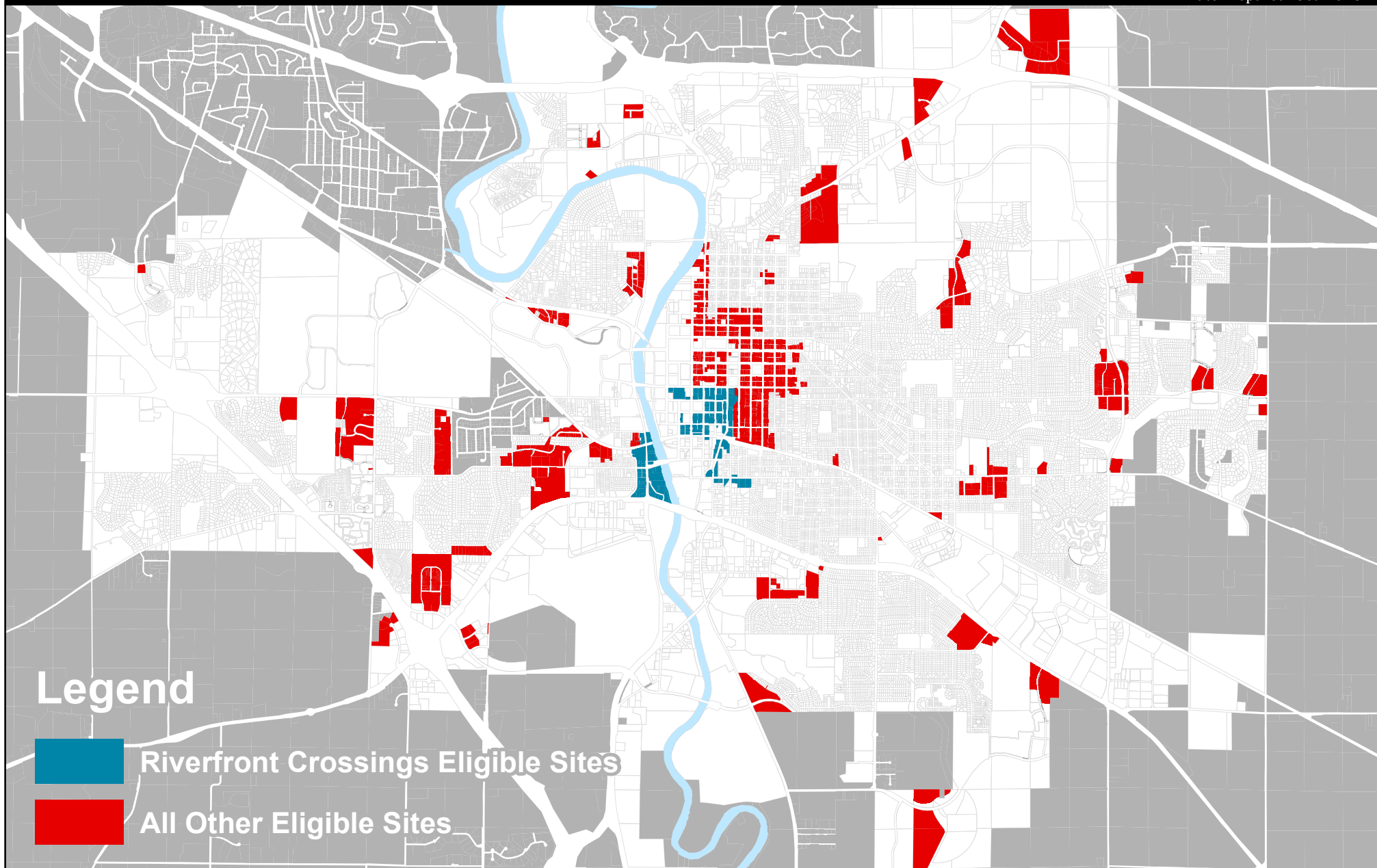


0 0.5 1 2 Miles

# Proposed Eligible Receiving Sites



Prepared By: Luke Foelsch  
Date Prepared: Oct. 2018



MINUTES  
HISTORIC PRESERVATION COMMISSION  
EMMA HARVAT HALL  
OCTOBER 11, 2018

PRELIMINARY

MEMBERS PRESENT: Zach Bulta, Kevin Boyd, Sharon DeGraw, G. T. Karr, Cecile Kuenzli, Quentin Pitzen, Lee Shope

MEMBERS ABSENT: Thomas Agran, Helen Burford, Gosia Clore

STAFF PRESENT: Jessica Bristow, Anne Russett, Judy Jones

OTHERS PRESENT: Steve Miller

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 introduced new minute taker, Judy Jones, and the City's new Senior Planner, Anne Russett.

CERTIFICATE OF APPROPRIATENESS – CONSENT AGENDA:

802 South Summit Street.

Bristow explained the property is on the corner of Sheridan and Summit. She displayed the Sheridan side elevation. She said it is a Queen Anne cottage that was originally a hipped roof with projecting gables on at least three sides and another one added to the south. She displayed an historic photo that was used to recreate the porch for a past project.

Bristow said the current project is to remove the existing single-car garage, which was added sometime before 1933, and replace it with a two-car garage. She displayed a picture inside the garage showing the door to the kitchen. This door and the stairs need to remain so there is access to grade level in the garage from the house. There is a trap door in the floor that is the only access to the basement. Part of the garage addition is maintaining space to have the stairs into the main kitchen of the house and retain access to the garage.

Bristow showed a back view of the house showing the back of the garage with windows that do not look original and then the south facing gable, with a little deck, and some changes to the east facing gable.

Bristow explained the existing garage footprint, the dotted outline, would be converted into a breezeway so the east wall of the breezeway will be on the foundation of the existing garage. The front wall will step back a little bit, which allows this space to become that hyphen that we look for between an existing historic building and a new addition. She said this location allows the property owner to retain a useable backyard.

Bristow said staff has been working with this property owner and their architect since sometime last fall. They looked at the idea of just extending the existing garage to incorporate space for a second car. Since that garage has a shed roof, as it extended it was just getting to a point where the roof was too low to really have any clearance for a car or anything else.

Bristow said they also looked at the idea of extending the existing garage but changing the roof line to a gable that would be similar to this gable, but there is a window in the gable that should be retained.

Bristow said it also was not possible to move the garage to the backyard, because the backyard would not be usable, and the Building Official confirmed it was not possible. Bristow said the homeowner need to get minor modification approved because they are short on the required driveway length

Bristow said the plan shows the stairs coming out of the kitchen area and down like they currently do, and the area for the trap door for the basement. It also includes some storage space because this would become kind of like a mud room for them, and then the two-car garage. The garage itself is very simple and follows the guidelines. Because this does include both demolition and attaching to the house it could not be a staff-reviewed garage.

Bristow displayed an elevation drawing. She noted there are certain trim details on the house that we would also have them replicate, such as making sure that the window and door trim matches what would be on the house. She said the shingles will match the shingles on the house. Bristow said the windows will be metal-clad double hung, the siding will be cement board, and the trim would be wood. The garage will have two single-car, carriage house style garage doors.

Bristow showed the breezeway portion and a three-quarter light door and two double-hung windows. She explained that on the south side that faces Deluxe there will be three smaller windows. She showed the back side that won't be visible from the street which includes a passage door for the garage, and one for the breezeway.

She showed how the connecting roof for the breezeway is lower than the garage roof and the garage roof is below the windows in the gable so they are not blocked by the building.

Bristow displayed some 3D renderings submitted. She explained that some of the details mentioned in the trim are not there, but it shows the massing and size of the addition. She explained that the garage and breezeway are clearly subordinate to the house, yet the front-facing gable roof echoes what's going on at the house on the Summit Street elevation. Bristow said staff does recommend approval of this. She said that to approve an attached garage, an exception must be allowed and staff feels that the site constraints are what allows for an exception to be made to allow an attached garage in this instance, and also finds the breezeway and the garage appropriate.

Boyd asked if all plan details needed to be included in the future approval. Bristow explained these details are covered in the guidelines and would be included in any approval. She noted if the

Commission did not want an item included, they should point it out.

Boyd opened the public hearing. There were no comments offered by the public. Bristow noted the architect was present and available to answer any questions.

Kuenzli stated she had a very strong negative reaction to the project for the following reasons: Summit Street was the first historic district in town, it is the most visible and the most traveled of the City's historic districts. She believed the attached garage was inappropriate for the historic district. Additionally, she thought the new garage was way too big in proportion to the house and there was no other house on Summit Street with a double-car or single-car garage attached and facing Summit Street. Kuenzli inquired about an alternative solution of leaving the existing single-car garage and then to add a single-car garage in the side yard.

Kuenzli noted that across the street from this house on Sheridan is an 1890s house that has a breezeway and a garage, which existed before it was an historic district, but the driveway and double-car garage open onto Sheridan and it's a lot easier to drive onto Sheridan than it is to back out onto Summit Street. Kuenzli added that she found the project inappropriate for the streetscape.

Kuenzli asked if it would be possible to put a single-car garage on the east side of the house where there is a pretty large side yard.

Bristow said they probably would not be allowed to have an additional curb cut if a garage was added on the east side of the house. She wasn't certain how far away from the corner it had to be before an additional curb cut would be allowed per regulations. Kuenzli said she was just offering a suggestion to try to meet the homeowner's wishes

Boyd and Builta noted the breezeway was not there for convenience, but for the kitchen stairs and access to the basement. Builta also noted there was a window that constrained the height of the breezeway.

Shope said he understood the concern about the massing, but the issue of a garage facing onto Summit Street was already pre-established. Kuenzli agreed, but noted it was a single-car garage, not a double-car garage.

Shope understood but thought the issue of a garage facing onto Summit Street was not relevant because there is one there. Kuenzli believed a double-car garage would set a different precedent.

Karr asked if they would be allowed to put up a two-car garage that was not attached if there wasn't the issue of the access to the basement and all those things.

Bristow said if they were to remove the existing garage and finish that end of the house, the restrictions would require a distance between the house and the new garage to avoid fire-rated construction. She said from the Commission's standpoint, the greatest concern would probably be exposing the trap door and basement access, something that's been enclosed for at least a very long time, if not always.



Architect Steve Miller brought updated plan copies for the Commission based on Jessica's feedback.

Miller noted the rendering shown might have been very early on in the process and a little more simplified and contemporary looking because of the lack of detail. He said they've worked with Jessica to narrow up the proportions and add the windows.

Kuenzli asked if the garage, as drawn on the new drawing, had the same pitch of the roof as the pitch on the gable of the house.

Miller said no. That would make it much taller, so it would have a lot more presence on Summit Street side.

Shope asked if the pitch of the garage was the same as the front gable on the house, the one that faces Sheridan. Miller said it's actually the same as the little pitch over the porch in that rendering.

Karr said he understood the significant issues and restraints with the size of the lot and the corner lot. He said we have an existing garage that we've already deemed historic and he didn't see a reason in the guidelines telling him he could not approve this, or a reason to not vote yes for this. If someone had a reason, he encouraged them to cite it so he could see that view.

Kuenzli asked if he saw a problem with the mass of this garage compared with the mass of the house. Karr said no.

Bristow noted the guidelines do include things about massing and rooflines, and it is true that for an addition the guidelines would want you to mimic rooflines on an existing structure. We have an issue here with the gables on the house covering a narrower part of the building than the garage is, so it is true that once you have this bigger footprint and you put a gable on it the same pitch as the house, you're going to just come up with a roof that is enormously tall. A traditional method to avoid that problem is to make the roof on a garage have a slightly lower pitch. Sometimes dormers on houses would also have slightly lower pitches, or higher pitches, because of this issue. Otherwise, the guidelines talk about having the addition be subordinate to the house and, in this case, it is set lower. It's separated by the hyphen area, and it is just generally smaller than the house.

Shope noted in the new drawing the architect added a window in the gable. All the other gables appear to have double windows. He asked the architect if he considered a double window in that gable that might blend it better with the house. Miller said he would be willing to do that.

Bristow said the guidelines for new outbuildings talk about having a small window or a vent in the gable. She said the idea of adding double windows might initially seem to be appropriate, at the same time, a garage is not going to be as ornamented as a house. Kuenzli said the windows should be proportional to the mass that surrounds it. She thought this looked kind of narrow. She suggested maybe just a single window.

Boyd asked about the Commission about the motion in the staff report. He said he was inclined to support the motion as written. He felt given the constraints of the property and given there was already a garage there a new larger garage smaller in scale than the house could be approved. He asked if there was additional discussion.

DeGraw said she was inclined to vote yes. She thought it looked a little contemporary but, it was within the guidelines, so she would vote yes.

Builtta said he was inclined to vote yes and added that this is an exception because there are constraints on what can be done.

Boyd noted there were property limitations. This is a corner property. The garage is going to face a street. It does not have alley access.

Bristow noted that the guidelines do include the possibility for exceptions. There is the possibility for an exception for unique site conditions and that is the specific exception that staff was considering for this particular project.

Boyd asked if the Commission was ready for a vote.

**MOTION: Karr moved to approve the certificate of appropriateness for the project at 802 South 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 existing setback. DeGraw seconded the motion. The motion carried on a vote of 5-2. Nays: Kuenzli and Pitzen. (Agran, Burford, and Clore absent).**

#### REVIEW OF TRANSFER OF DEVELOPMENT RIGHTS ZONING AMENDMENT

Anne Russett with Neighborhood and Development Services presented a proposed ordinance for a city-wide Transfer of Development Rights (TDR) program. She said she would provide a background on how we got here and explain what Transfer of Development Rights are. She said she would explain the existing Transfer of Development Rights policy in our Riverfront Crossings District and then go over what we are proposing in the ordinance. She said since this ordinance was related to historic properties, they wanted to bring it to the Commission for input.

Russett said this began on May 29<sup>th</sup> when the City Council discussed considering a local landmark designation at 410-412 North Clinton Street. That motion was deferred to January 2019 based on a recommendation from the property owner's attorney to put the vote on hold for that local landmark designation until the City had an opportunity to explore a city-wide Transfer of Development Rights program. Since then, Council has discussed a city-wide transfer program. Staff presented to them at a work session on September 4<sup>th</sup> and received some direction from the Council on how they would like to move forward.

Russett explained Transfer of Development Rights. She said they are an incentive to protect historic resources which allows property owners to sell or transfer development rights from historic

resources, which are called the sending sites, to receiving sites, which are areas where the City wants to encourage higher density development. The development rights would be applied to another site.

Russett said there are some key components to a Transfer of Development Rights program. There are the sending sites, which in this case would be historic resources. The receiving sites are areas where there could be additional development or additional density. There is the transfer calculation, that's used to figure how much density, or how much height, could be transferred from one site to another. There is also a review process and an administration procedure.

Russett explained that the City does have an existing TDR program that applies to the Riverfront Crossings District. In Riverfront Crossings the City requires Iowa City landmark designation prior to requesting a Transfer of Development Rights. The receiving sites in this area are any site in Riverfront Crossings. The formula that's used to calculate the transfer potential is the lot area of the sending site x the maximum number of stories allowed on the sending site, the result is the square footage that a property owner could transfer to another site.

Russett said for the Riverfront Crossings District, any request for a transfer must be reviewed and approved by City Council. She explained that while receiving sites can go above the base height in that zone, there is a max depending on which area of the district they are located in. Russett said one project has used this incentive since it was adopted into the Riverfront Crossings Ordinance, the Tate Arms Building at 914 South Dubuque. On this site the maximum number of stories is four and the area of the site is 8700 square feet, so the total development rights available for this site that could be transferred, were 34,800 square feet. The developer transferred at least 7400 square feet to the property to the north. The property to the north received an additional story, a height bonus, through this transfer. Tate Arms still has 27,400 square feet of transfer potential that could go to another site in Riverfront Crossings.

Boyd asked if the owner of the Tate Arms Building had these rights, but didn't really want to develop something somewhere else, could sell those rights to another developer or must the owner of the landmark property use them. Russett said they could be sold on the private market.

Shope asked if there was any restriction or requirement that those funds be used in any way to improve the historic property.

If they transferred the development rights for money, would there be any requirement that the money be invested in the historic property from which the rights were sold. Russett said no.

Shope asked if the Tate Arms allowance of four stories was based on current zoning for that property. Russett said it was based on the current zoning designation. Karr asked if the zoning was changed, would there then be additional rights that would be sold. Russett said staff is proposing no.

Russett discussed direction received from Council regarding the proposed ordinance. She said Council asked that sending sites only include future local historic landmarks, so existing historic

landmarks would not be eligible for transfer rights. They requested that staff develop a new transfer formula and not use the one that's currently used in Riverfront Crossings. City Council wants to continue to review and approve any transfer requests. For receiving sites, they wanted it to include areas in Riverfront Crossings and sites throughout the City that allow multiunit development.

As a summary of the proposed ordinance, Anne said staff is proposing that properties eligible for Iowa City landmark designation would be eligible, but it only applies to future landmarks. Properties that are already landmarked, if they are already in an historic district, or if they are already in a conservation district, would not be eligible for a transfer. City Council felt that it was important to only apply this to future landmarks since these other properties are already protected, and this incentive would only apply to future designations. Russett said that receiving sites could be areas that are zoned either Riverfront Crossings, multifamily residential, or commercial zones that allow multifamily. She displayed a map of the eligible receiving sites.

Russett said staff is proposing that there are two options for what could be transferred. An owner could either transfer height or transfer density, not both. The transfer could exceed the maximum height on the receiving site, as well as the maximum density on the receiving site. For the height bonus, it could not exceed 40 feet above the maximum height that is allowed in that zone. There would not be restrictions on increases in density.

Boyd asked how many stories 40 feet would be. Russett said four, maybe a little less.

Russett said the calculation for the bonus potential for height would be the difference between the maximum allowable height on the sending site and the existing height of the historic structure, so the maximum allowable height minus the existing height would equal the amount that could transfer. Russett said the minimum transfer would be 12 feet. She explained that a 30-foot existing historic structure with a maximum in the zoned district of 35 feet, would only have five feet to transfer. She said that since that is not much to transfer, the minimum would be 12 feet, or a story, that could transfer.

Russett presented an example of density transfer the maximum allowable dwelling units of the sending site minus the existing number of dwelling units that are currently there provide the number of dwelling units that could potentially be transferred. This would be determined at the time the landmark designation occurs based on the base zone for the district at that time. Russett provided a density example using 412 North Clinton. The maximum allowable number of dwelling units on the site is 24. There are currently 18, so the potential transfer is six dwelling units.

Russett explained how review of transfers would work. Staff is proposing that transfers would be reviewed by the staff design review committee based on the guidelines in the zoning code for any design review project. The design review committee would make a recommendation to City Council, who would be the ultimate decision maker on the transfer. A proposal that was very out of scale or that didn't fit within the existing context of the neighborhood, might not move successfully through the approval process.

Russett discussed how TDRs are consistent with the comprehensive plan. The comprehensive

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plan has policies that talk about protecting historical resources. With the historic preservation plan there are goals related to providing economic incentives to property owners to encourage them to preserve historic buildings. TDRs are a potential incentive for property owners to landmark their buildings.

Boyd noted this is for future sites and confirmed that this is local landmarks only, not National Register listed sites, but local landmarks.

Boyd stated that most of the properties where development rights being discussed here are either in commercial districts or high-density residential areas. He asked if a potential local landmark is zoned at the lowest density possible it wouldn't have much to transfer, correct?

Russett said that if it's a large site, such as a farmstead that might be historic on a large parcel but with only one remaining building, the site could potentially be subdivided and there could be more dwelling units built. This could result in more potential to transfer.

Kuenzli noticed among the receiving sites proposed were the South Johnson/South Van Buren Streets between Court and the railroad tracks. She said the stated goal of this is to preserve an historic structure somewhere, but to be able to increase either height or density within the receiving area. Johnson and Van Buren currently are mostly two or three-story structures. Kuenzli asked if this were to pass, could a developer come in and build eight stories or 12 stories on those streets.

Russett said theoretically yes, but with the process in place it would go through design review and City Council, who would look at consistency and compatibility with the existing neighborhood. Russett added that in the proposed ordinance there would not be limitations on density, but there would be limitations on height, 40 feet above the maximum in the zoned district. 12 stories in that area would not be allowed based on the proposed TDR amendment.

The maximum height in that area is 35 feet, so with TDRs a new development could still be much larger than what's there but there would be a process in place for review and approval to make sure the development was not out of scale for the area.

Boyd clarified the receiving sites would be Riverfront Crossings and where there are existing multifamily units. Kuenzli said she was in favor of saving historic properties, but not if the cost is going to be the destruction of other neighborhoods. Builta pointed out if a house is preserved and they sell a floor or two somewhere, that's not going to destroy a neighborhood.

Kuenzli said she is concerned that it is not going to be a floor or two judging from the discussion so far.

Shope noted there are homes in residential areas that have large lots and questioned if this was based on lot size, not the existing structure size. Russett said the height was based on what's allowed in the zone compared to what the existing structure is.



Shope provided an example. A house is one story tall and it's on a lot that is a little over half an acre. If you figured her allowance based on that half acre for four stories, the existing house hasn't used much of that. Russett clarified that if it's in a residential district the maximum height is probably 35 feet where the most she could transfer would probably be two stories.

Shope asked again about the half-acre lot size. Russett said the transfer would just be two stories. For the height, it doesn't matter what the lot size is. Shope asked if it was based on the size of the current structure. Russett said the height of the current structure.

Karr said he understood it was limited and was concerned that existing homes that are already landmarked wouldn't be eligible, especially for the six or seven that were recently landmarked. Karr said he loved the fact that this is incentivizing preservation of individual landmarks, but he would be upset if he was one of the recent landmarks left out of this incentive.

Karr wondered what happens when we look at the Downtown District. He said he felt this would have ramifications there. He noted if there were some building owners downtown who probably weren't excited about getting in the district, this would be a fantastic way to entice them.

Boyd said those may not be individual landmarks. That may be a district. Karr and Boyd asked if it had to be individual properties. Russett said it must be local historic landmarks. Karr said he was asking about an entire district, such as the proposed Railroad Depot District on Clinton Street. Boyd said he thought the railroad qualified because it is currently in Riverfront Crossings.

Russett clarified it is only for individual landmarks in Riverfront Crossings, as well. They need the landmark designation.

Boyd asked if people could be incentivized individually to be a landmark if a Downtown District didn't happen. Karr thought that would give a landowner downtown a reason to fight the district and go on an individual landmark basis, because it'd be worth more money to them. Russett believed that may be true. Bristow asked if the downtown becomes a district, would it then be removed from the receiving sites. Russett said yes, Historic districts, conservation districts, and landmarks are not eligible as receiving sites.

Bristow followed up on Karr's comments about the recent landmarks. She said that because this deferral and TDR development process came up when the five that achieved landmark status happened, she wondered if there would be any condition that included just those five because they were done at the same time when this process started. Russett said if the Commission wanted to recommend that, if they wanted to recommend changes to the proposed receiving areas, she could pass that along to the Council and the Planning Commission.

Boyd said he was glad they were talking about this. He said he thought it was helpful because the Commission gets a lot of questions about the economic incentives that can be provided for landmarks. He said TDRs are being discussed because one particular property owner asked for it. Boyd asked if there were other incentives that could be considered. He said that there is an example in North Carolina where new local landmarks receive automatic property tax deduction.

Boyd said there may be other incentives that help achieve some of the goals in the comprehensive plan. He said he felt we were doing this because one property owner asked and the focus had been narrowed very rapidly based on a very rapid timeline and a deadline that was set by the property owner and the City Council. Boyd said he wondered if the City could consider other potential incentives, regardless of what happens with the TDRs. He wondered if the Commission was supposed to bring those ideas or if Planning and Zoning Commission came with them.

Russett said if the Commission had ideas for Planning and Zoning to investigate, staff could definitely do that. She wasn't sure if the property tax idea was something we could do here, but she knew other communities do it, so staff could look into that.

Bristow clarified that the property owner for 410-412 didn't necessarily come up with the Transfer of Development Rights out of the blue. The Tate Arms project had been successful and the idea of protecting historic properties this way had been considered by the planning staff in the past. Staff had always thought about the possibility of adopting something like this to protect historic properties, partly because through research, we have learned that this is something that other communities, and there are some examples in the packet, have taken on to promote the preservation of their historic properties. The first few communities that came up with the process found there were some lessons to be quickly learned, and they had to tweak the way the process happened. She said there was a document put out by the National Park Service that she may have given the Commission earlier in the year. She said it goes talks about those lessons learned and how a community can make sure TDRs work as they are supposed to.

Russett asked if they could have wording for the downtown stating that if there is a proposed district, those properties cannot individually landmark for the TDR bonus instead, to avoid a non-incentive for a potential historic district. Bristow wanted clarification on whether this incentive could be possible for a future Downtown District. Russett said that once an area has been selected for a district, if the group of property owners say no to the district, then they cannot individually landmark to get the TDR. An owner can agree to the district, but you cannot strategize to reject the district in order to go for the individual landmark and the incentive of the TDR.

Russett said the reason they were not allowing future districts to be eligible is that there are certain properties in an historic district that might not be contributing or might not be as historically significant and wouldn't meet local landmark requirements, so it isn't fair to provide the incentive for the entire district. She said another option is that future districts could potentially be eligible to utilize the incentive.

Boyd noted that all our current historic districts are largely non-commercial districts. He said he wondered if there could be a consideration about how we think about commercial districts, which was something that needed to be considered anyway. Expectations for a residential district are different than expectations for a commercial district. The buildings are used differently now than they were historically. In the residential districts those structures are largely being used as they were when they were built, for the most part.

Boyd said if there is an effort to limit the scale of this proposal, commercial is one thing to think about. He said he thought high-density residential by itself, was the highest zoning piece. He thought that's largely where these properties probably are anyway, just given where our historic properties are.

Boyd thought one item of consensus would be including anything that's been landmarked in 2018.

Kuenzli asked about the receiving areas that allow multiunit development. Kuenzli thought that was a little vague. Boyd questioned if that was the red area on the map. Russett said yes it includes all multifamily residential zones and commercial zones that allow multifamily.

Boyd said since those are the receiving sites, could those also be the categories that we use for landmarks or districts. Russett said that was a possibility and she liked the suggestion of commercial districts because residential districts, even though you could maybe get more units, have lower height limit. Commercial districts generally allow a lot more development potential, so it could be more of an incentive in a commercial district and a landmark designation could restrict the ability to develop that property to its maximum allowable density or height under the zone. She said to her, the commercial districts make sense because the base zoning designation probably allows a lot more height than is currently there.

Boyd said he thought one other item for consensus was the idea of individual properties and potentially future commercial districts. Russett said we could bring this back to the Commission at the next meeting if they want to think about it more, but she needed to move it forward to Planning and Zoning next week. She asked for the Commission's feelings on if this was something they wanted the City Council to consider or if there was no interest in providing this type of incentive for historic properties.

Boyd said he thought we should find incentives for landmark and district designations. He thought the City should consider it, and the Commission was one step in that consideration. He said Planning and Zoning will consider it, and ultimately City Council will consider it. He believed the Commission's job was to look at the impact on historic preservation. He said TDRs are a potential tool that helps incentivize historic preservation. He noted there were some things that needed to be worked out as a City, but he didn't believe the Commission was the one to work out all of those details.

Russett restated what she'd heard from the Commission. She heard this should apply to landmarks that were designated in 2018, and maybe consider future commercial historic districts being eligible. She heard some concern about the receiving sites. She said if they wanted those changed, even if it was not a consensus, she would pass that information along.

Boyd agreed there was some concern about the receiving sites, particularly those in residential areas. He didn't think there was a lot of concern when there was already a lot of density and a lot of other taller buildings. He said the Commission was open and interested in exploring what other incentives might be available outside of this particular program.

DeGraw said there was a concern with the calculation with regard to lot size that used with Tate Arms, because at times that would create an overly generous handing out of TDR that couldn't be honored.

Shope was concerned that this is currently restricted to future landmarks. He said he understood the rationale, which is that those existing landmarks are already protected, but historic landmarks also have higher costs of maintenance. He had a bit of an issue with precluding the benefits of this from those who already own those historic landmarks. Boyd wondered if there was a way for us to think about other incentives for existing landmarks.

Shope noted this is the incentive that's before us right now. He asked for a clarification on the following: On page 3 of the October 11th memo it says 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 an historically significant building per a survey. He said he thought what was presented as eligible is an Iowa City landmark, and that's not the way he read this sentence.

Russett said that portion of the October 11 memo was a summary of the current ordinance in Riverfront Crossings. She clarified that if the property is in Riverfront Crossings and is registered on the National Register, it is eligible, but is still required to get local landmark designation before receiving the incentive.

Russett said she would pass these suggestions forward and incorporate some of them into the draft ordinance if there was consensus. Russett said if the Commission wants to, it could move this forward to Planning and Zoning with amendments. The Commission could move that it be deferred until the next meeting and we it could be brought back.

Boyd asked if the Commission could move that they are generally in favor of this, but have a few concerns that have been identified. Russett said that was an option. Boyd asked if the Commission could still revisit the amendment at some point. Russett said it could be revisited at the next meeting on November 8th, which would be before the amendment goes to City Council for public hearing.

Boyd said he'd like to move that the Commission is generally in favor of the TDR amendment to the zoning code and has made some suggestions. The Commission's role is to decide if this is a tool that historic preservation should use.

Russett suggested moving the amendment forward and then, for a property owner that wasn't thinking about development but still wondered what was going on with the TDR, add the offer of a simple tax reduction. That would be appealing and save that person the burden of having to research how to capture this potential. Russett said she thought some property owners would do that.

**MOTION: Boyd moved that the Commission is generally in favor of incentives, including this amendment. The Commission has shared some specific concerns but are broadly in**

**favor of moving forward. Karr seconded the motion. The motion carried on a vote of 7-0 (Agran, Burford, and Clore absent).**

REPORT ON CERTIFICATES ISSUED BY CHAIR AND STAFF

Certificate of No Material Effect – Chair and Staff Review.

1037 East Washington Street.

This project will repair about five of their original windows and replace storms, which we don't need to review, but they put it on the application anyway.

722 East College Street.

This project will replace the concrete steps that were an original part of the building. They have completely deteriorated.

900 North Johnson.

This project is repairing siding that was deteriorated and repairing the rear deck.

430 Ronalds Street.

Bristow said the owners of this property are repairing windows

Minor Review – Staff Review.

Bristow said the University Partnership property at the last minute had to replace the roof because it had failed suddenly. She said it was being replaced, but it would not be metal. It will be shingles. Boyd wondered if it was just staff review if they go from metal to shingles. Bristow said yes, that was something that changed at the beginning of the year.

927 South 7<sup>th</sup> Avenue.

Bristow said this property was part of a series of bungalows that could have been their own historic district at the end of 7<sup>th</sup> Avenue, but they are a part of the Dearborn Street Conservation District. The siding on just the front and rear dormers was failing and so they are replacing the siding and trim.

412 S Summit Street.

Bristow said this roof has been deteriorating for a long time and they are replacing it. The internal gutters will remain.

900 N Johnson.

Bristow said they will be putting in a radon mitigation system in the area where all other utilities are located.

CONSIDERATION OF MINUTES FOR SEPTEMBER 13, 2018

DeGraw thought there was one area, page 9 of 14 paragraph 4, where it says DeGraw noted. She thought that was supposed to be Kuenzli, and then the Kuenzli after was supposed to be DeGraw.

Bristow said she would go back and listen to the audio copy of the minutes. She said she would go back, review, and correct it.

Boyd referenced page 11, the second paragraph, second sentence, where it says, "Boyd noted if a termite of moisture will not affect them" should be attributed to Pitzen. Pitzen agreed.

MOTION: Builta moved to approve the minutes of the Historic Preservation Commission's September 13, 2018 meeting with the changes noted. Kuenzli seconded the motion. The motion carried on a vote of 7-0 (Agran, Burford, and Clore absent).

COMMISSION INFORMATION AND DISCUSSION:

Downtown District Survey:

Bristow said the final survey and report from our consultant Alexa McDowell is uploaded on the City's website. It is separated on the website into parts so that readers can download smaller portions instead of the entire document. The report is the first part which includes the findings. Bristow said McDowell talks about her methodology and makes recommendations to the City based on her findings. Another section is the Multi-Property Document, which is historically what Iowa City has used to discuss the overall built history of Iowa City. This document discusses downtown history, the types of architecture, and the types of material.

Bristow said McDowell also includes appendix items such as maps and the table, tax incentives, and information about the National Register Criteria. She said another appendix item is the Secretary of the Interior standards, which would be the basis for any review that would occur.

Bristow said a public presentation by the consultant is scheduled in the Old Capitol Building in the Senate Chamber on October 22 at 5:30 pm. She said there will also be a presentation with a City Council work session the following morning, October 23, at 9:00 a.m.

Old Settlers' Cabins:

Boyd noted the Old Settlers' cabins in City Park are coming along quite nicely. He thought we should look at exploring what it would take to make those a local landmark. They are City-owned. He thought it really would highlight the work the City has invested in those properties and really help talk about their history, which is really kind of interesting. Boyd asked to put this on a future agenda unless there were strong concerns not to.

Bristow said staff would investigate that.



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### ICAAR:

Karr received an email last week from Monica Hayes, who is in charge of ICAAR, the local realtor conglomeration, who would like to do a lunch and learn with HPC at the ICAAR building in Coralville. He didn't know if it mattered that it was not in Iowa City, but the intent would be to hopefully have some Commissioners do a short presentation to explain to them what historic preservation is, what we're trying to accomplish, and some of the guidelines, so hopefully more realtors would know what's going on when they are potentially listing or have a buyer for a house in an historic district. Boyd said that was great and that he'd love to be a part of it.

Karr said they were going to try and push it into 2019, but if anybody would like to help, that would be great. He said he may also try to get the Home Builders Association involved, too, because there is a Remodelers' Council and there could be a nice group of people there.

DeGraw said she could design print materials, if needed.

### Award Nominations:

Bristow said the award season process would be beginning again. She would be putting out a call for nominations. She said staff keeps a big list of potential things that people point out throughout the year and other projects, but of course any Commissioners who know of any projects that might be eligible for an award, should nominate them.

The Awards will be Thursday, January 17, 2019 at 5:30 pm in the Iowa City Public Library with a reception at 5:00 pm.

ADJOURNMENT: Kuenzli moved to adjourn the meeting. Seconded by Shope.

The meeting was adjourned at 7:15 p.m.

Minutes submitted by Judy Jones.

HISTORIC PRESERVATION COMMISSION  
ATTENDANCE RECORD  
2017-2018

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

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