

PLANNING AND ZONING COMMISSION

Thursday, October 15, 2020
Electronic Formal Meeting – 7:00 PM
Zoom Meeting Platform

Electronic Meeting

(Pursuant to Iowa Code section 21.8)

An electronic meeting is being held because a meeting in person is impossible or impractical due to concerns for the health and safety of Commission members, staff and the public presented by COVID-19.

You can participate in the meeting and can comment on an agenda item by going to: https://zoom.us/meeting/register/tJ0odOihRDssEtJb_YLZwr5_B-jQgJxfBeGg to visit the Zoom meeting's registration page and submitting the required information. Once approved, you will receive an email message with a link to join the meeting. If you are asked for a meeting or webinar ID, enter the ID number found in the email. If you have no computer or smartphone, or a computer without a microphone, you can call in by phone by dialing (312) 626-6799 and entering the meeting ID 995 3192 0686 when prompted. Providing comment in person is not an option.

Agenda:

1. Call to Order
2. Roll Call
3. Public Discussion of Any Item Not on the Agenda

Comprehensive Plan Amendments

4. Case No. CPA20-0002

Applicant: K&F Properties, LLC

Location: 219, 223, and 245 S. Riverside Court and 119, 201, 203, 205, 207, and 209 Myrtle Avenue

A request to set a public hearing for November 5, 2020 on an application to amend the Downtown and Riverfront Crossings Master Plan, a component of the City's Comprehensive Plan, to expand the West Riverfront Subdistrict to include approximately 3.16 acres south of Myrtle Avenue, west of Riverside Drive, north of the Iowa Interstate Railroad, and east of Olive Street.

Land Development Items

5. Case No. REZ20-0001

Applicant: MMS Consultants, on behalf of Jon Harding

Location: North of Camp Cardinal Boulevard, west of Camp Cardinal Road

An application submitted for a Planned Development Overlay rezoning of approximately 3.18 acres of land from Neighborhood Public (P-1) zone to Community Commercial with a Planned Development Overlay (OPD/CC-2) zone.

6. Case No. VAC20-0001

Applicant: MMS Consultants, on behalf of Jon Harding

Location: North of Camp Cardinal Boulevard, west of Gathering Place Lane

An application submitted for a vacation of approximately 2,514 square feet of public right-of-way.

7. Case Nos. ANN20-0001 and REZ20-0002

Applicant: MMS Consultants

Location: West of Highway 218 and south of Rohret Rd.

An application submitted for an annexation and rezoning from County Residential (R) and County Urban Residential (RUA) to Interim Development – Single-Family Residential (ID-RS) zone for approximately 196.17 acres of land currently in unincorporated Johnson County.

8. Case No. VAC20-0002

Applicant: J+M Civil Design LLC

Location: Within the western 10 feet of the St. Mathias Aly right-of-way, adjacent to parcel number 1002334001

An application for a vacation of approximately 1,444 square feet of public right-of-way.

9. Case No. REZ20-0008

Applicant: Jeff Clark

Location: 400 N. Clinton Street and 112 E. Davenport Street

An application for a rezoning from High Density Multi-Family Residential (RM-44) zone to Planned High Density Multi-Family Residential (PRM) zone for approximately 12,000 square feet.

Zoning Code Text Amendments

10. Case No. REZ20-0005

Minor Adjustments in the PRM Zone Bonus Provisions Ordinance

Consideration of the Minor Adjustments in the PRM Zone Bonus Provisions Ordinance, which amends Title 14 Zoning to allow minor adjustments in Planned High Density Multi-Family Residential Zone (PRM) zones for new construction projects which involve preserving a separate historic structure.

11. Consideration of Meeting Minutes: October 1, 2020

12. Planning & Zoning Information

13. Adjournment

If you will need disability-related accommodations to participate in this meeting, please contact Anne Russett, Urban Planning, at 319-356-5251 or anne-russett@iowa-city.org. Early requests are strongly encouraged to allow sufficient time to meet your access needs.

Upcoming Planning & Zoning Commission Meetings

Formal: November 5 / November 19 / December 5

Informal: Scheduled as needed.

STAFF REPORT

To: Planning and Zoning Commission
Item: CPA20-0002 West Riverside

Prepared by: Kirk Lehmann, Associate Planner
Date: October 15, 2020

GENERAL INFORMATION:

Applicant: Steve Long
K&F Properties, LLC
220 SE 6th Street Suite 200
Des Moines, IA, 50309
319-621-3462
salidapartners@gmail.com

Contact Person: Mark Seabold
Shive-Hattery Architecture-Engineering
2839 Northgate Drive
Iowa City, IA 52245
319-325-5350
mseabold@shive-hattery.com

Property Owner(s): K&F Properties, LLC
220 SE 6th Street Suite 200
Des Moines, IA, 50309

Requested Action: To add properties to the West Riverfront Subdistrict of the Downtown & Riverfront Crossings Master Plan

Purpose: To develop a mixed-use project with housing, retail, hospitality and neighborhood services

Location: 219, 223, and 245 S. Riverside Court and 119, 201, 203, 205, 207, and 209 Myrtle Avenue

Location Map:



Size: 3.16 acres

Existing Land Use and Zoning:	Residential; High Density Multi-Family Residential Zone (RM-44) & Medium Density Single-Family Residential (RS-8)
Surrounding Land Use and Zoning:	<p>North: Institutional (Open Space & Parking); Institutional Public (P-2)</p> <p>East: Residential & Commercial; Riverfront Crossings, West Riverfront (RFC-WR) & Community Commercial (CC-2)</p> <p>South: Iowa Interstate Railroad & Residential; Riverfront Crossings, West Riverfront (RFC-WR), Riverfront Crossings, Orchard (RFC-O), & Low Density Single-Family Residential with Planned Development Overlay (RS-5 OPD)</p> <p>West: Residential; Medium Density Single-Family Residential (RS-8)</p>
Comprehensive Plan:	Residential 2-8 Dwelling Units Per Acre, Residential 8-16 Dwelling Units Per Acre, & Mixed Use
District Plan:	Southwest District Plan: Single-Family/Duplex Residential, Medium to High Density Multi-Family, & Mixed Use
File Date:	August 13, 2020

BACKGROUND:

K&F Properties, LLC owns approximately 3.16 acres of property located at 219, 223, and 245 S. Riverside Court and 119, 201, 203, 205, 207, and 209 Myrtle Ave. The owner is working with Shive-Hattery to prepare three applications to allow development of a mixed-use project with housing, retail, hospitality, and neighborhood service uses. This specific application (CPA20-0002) proposes to amend the Comprehensive Plan by adding the subject properties to the West Riverfront Subdistrict of the Downtown and Riverfront Crossings Master Plan. Attachment 4 illustrates the proposed changes to the plan.

The subject properties are included in the Southwest District of the Comprehensive Plan, which indicates the properties are primarily appropriate for Medium to High Density Multi-Family, specified as 8-16 Dwelling Units Per Acre. However, 209 Myrtle Avenue is shown as Single-Family/Duplex Residential, specified as 2-8 Dwelling Units Per Acre. The Riverfront Crossings Plan was more recently adopted but does not include the subject properties.

The other concurrently submitted applications include a zoning map amendment (REZ20-0003), which would rezone properties the applicant owns from High Density Multi-Family Residential (RM-44), Community Commercial (CC-2), and Medium Density Single-Family Residential (RS-8) to Riverfront Crossings-West Riverfront (RFC-WR), and a zoning code text amendment (REZ20-0004), which would amend the West Riverfront subdistrict in the regulating plan map and would increase the maximum bonus height from five to seven stories

along the north side of the Iowa Interstate Railroad. Generally, the Comprehensive Plan Amendment must be approved for changes to the zoning and regulating plan maps to comply with the Comprehensive Plan. However, the bonus height zoning code text amendment does not require the Comprehensive Plan amendment to be approved.

The applicant submitted concept plans showing development scenarios for the properties they own and a statement regarding the proposed amendment (Attachment 3). The concepts illustrate the potential character of development but are subject to change.

The applicant has indicated that they intend to use the Good Neighbor Policy and hold a Good Neighbor Meeting prior to the public hearing.

ANALYSIS:

The Iowa City Comprehensive Plan serves as a land-use planning guide by illustrating and describing the location and configuration of appropriate land uses throughout the City, providing notification to the public regarding intended uses of land; and illustrating the long-range growth area limit for the City. Applicants may request an amendment to the City's Comprehensive Plan, to be considered by City Council after a recommendation by the Planning and Zoning Commission. Applicants for a comprehensive plan amendment must provide evidence that the request meets the approval criteria in **Section 14-8D-3D**. The comments of the applicant are found in the attachments. Staff comments on the criteria is as follows.

14-8D-3D Approval Criteria: Applications for a comprehensive plan amendment must include evidence that the following approval criteria are met:

- 1. Circumstances have changed and/or additional information or factors have come to light such that the proposed amendment is in the public interest.**

When the Southwest District Plan was adopted in 2002, the land use scenario (Medium to High Density Multi-Family and Single-Family/Duplex Residential) was a way to create an appropriate transition from commercial uses along S. Riverside Drive to residential uses on Olive Street. The adoption of the Downtown and Riverfront Crossings Master Plan in 2013 was a significant policy departure by encouraging a more form-based development approach. The City implemented this change through the adoption of a form-based code which increased allowable densities while maintaining appropriate transitions through building height and bulk controls. Subsequently, two multi-family projects were developed under this code to the south of the subject properties, Riverview West and the Orchard Lofts. Staff believes the adoption of the master plan, and its implementation, constitute a change in circumstances for the subject area.

In addition, ownership of the subject parcels has recently changed. K&F assembled the subject properties, along with those directly east on S. Riverfront Drive, from December 2019 through June 2020. Prior to that point, the subject properties were under four different owners, with a fifth owning the property along S. Riverside Drive. While some of this assemblage is currently within the West Riverfront subdistrict of the master plan, the subject properties are not. This recent unification of ownership presents redevelopment opportunities that did not previously exist.

2. The proposed amendment will be compatible with other policies or provisions of the comprehensive plan, including any district plans or other amendments thereto.

The Roosevelt Subarea of the Southwest District Plan, which contains the subject properties, has several goals relevant to the proposed amendment. One of its primary goals is to provide an opportunity for all types of households to live close to the University and downtown, including singles, young families, university students and elderly populations. To this end, the plan encourages stabilizing single-family neighborhoods and developing high-quality multi-family housing that is compatible with surrounding neighborhoods. Its recommendations emphasize design standards to ensure new multi-family development is sensitive to the environment, topography, and neighborhood. Similarly, the plan encourages the development of attractive, mixed-use buildings which include commercial uses serving the needs of nearby residents. These goals reflect broader goals in the comprehensive plan, such as promoting compatible infill, preventing sprawl, enabling alternatives to commuting by car, providing a diverse community, and supporting the vitality of downtown.

The City adopted the Downtown and Riverfront Crossings Master Plan to implement similar policies in the Riverfront Crossings District. Much of the master plan focuses on encouraging pedestrian-oriented, mixed-use development to enhance the urban fabric. This is achieved by mixing housing and commercial infill development and activating and improving streetscapes with pedestrian amenities. In the West Riverfront subdistrict, this is envisioned as occurring over time as commercial uses west of S. Riverside Drive take on a more pedestrian-friendly framework. Alternatively, they may transition to urban apartments and mixed-use development, with buildings at the corner and vehicular access behind to create a pedestrian-oriented street frontage. East of S. Riverside Drive, the master plan encourages utilizing river views with walkable commercial or niche residential uses, including townhouses or mid-rise condominium buildings.

While the goals between these two plans generally align, some apparent differences must be reconciled. The Southwest District Plan notes to avoid concentrations of high-density multi-family zoning directly adjacent to low-density single-family zones to facilitate a transition between higher density uses on S. Riverside Drive and low-density residential neighborhoods to the west. It achieves this through its future land use map. Alternatively, the master plan encourages appropriate transitions through its regulating plan incorporated in the Zoning Code (City Code, Title 14). The West Riverfront subdistrict allows a base height of up to 4 stories with a 10-foot step back above the third floor on facades facing streets or single-family residential zones. The maximum height may be increased to five stories where not abutting a residential zone. While the strategies are different, they achieve the same ends of appropriately transitioning from lower to higher density uses. The Riverfront Crossing Form-Based Code also includes enhanced building, frontage, and design requirements, which further ensures a higher quality of design and supports both plans.

To understand compatibility, the specific context is also relevant. The subject parcels currently contain 144 dwelling units, primarily in two- to three-story multi-family buildings but also in a few lower density properties. The Southwest District Plan Future Land Use Map designations of Single-Family/Duplex Residential, Medium to High Density Multi-Family, and Mixed Use reflect this situation. Surrounding properties include public uses to the north, commercial uses to the east, a railroad and high-density multi-family uses to the south, and some medium-density single-family uses to the west.

Expanding the West Riverfront subdistrict will increase the allowable density of the subject properties, but staff believes it maintains compatibility with single-family homes to the west in this case. Steep slopes create 50 feet of grade change between those homes and the subject parcels, and West Riverfront parcels abutting a residential zone can only have buildings up to four stories tall. As a result, the proposed buildings are expected to have a three-story exposure to the single-family homes, which is comparable to what would be allowed in the current zone if the properties were at the same grade. It is also only one story taller than the existing buildings, which maintains a similar context for homes to the west.

In addition, redevelopment of the site meets other goals in the Southwest District and Riverfront Crossings plans. First, it allows for a more cohesive development with better circulation and a high-quality, pedestrian-oriented design. The proposed development also contains a mix of senior and market-rate housing, retail, hospitality and neighborhood service uses, organized around a central, pedestrian plaza. However, the traffic implications of the proposed concept are currently unknown. Staff has requested that the applicant provide a traffic analysis prior to the public hearing.

For these reasons, staff finds that the requested Comprehensive Plan amendment to expand the West Riverfront subdistrict to include the subject properties in the Downtown and Riverfront Crossings Master Plan is compatible with the surrounding development and other policies in the Comprehensive Plan. However, implementing this proposed amendment requires amending the zoning code map and the regulating plan (to be considered under REZ20-0003 and REZ20-0004 respectively).

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission set a public hearing for November 5, 2020 on CPA20-0002, a proposed amendment to the Comprehensive Plan to add approximately 3.16 acres of property to the West Riverfront Subdistrict of the Downtown and Riverfront Crossings Master Plan located at 219, 223, and 245 S. Riverside Court and 119, 201, 203, 205, 207, and 209 Myrtle Ave.

ATTACHMENTS:

1. Location Map
2. Zoning Map
3. Applicant Submittal
4. Proposed Changes to the Downtown & Riverfront Crossings Master Plan

Approved by: _____



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

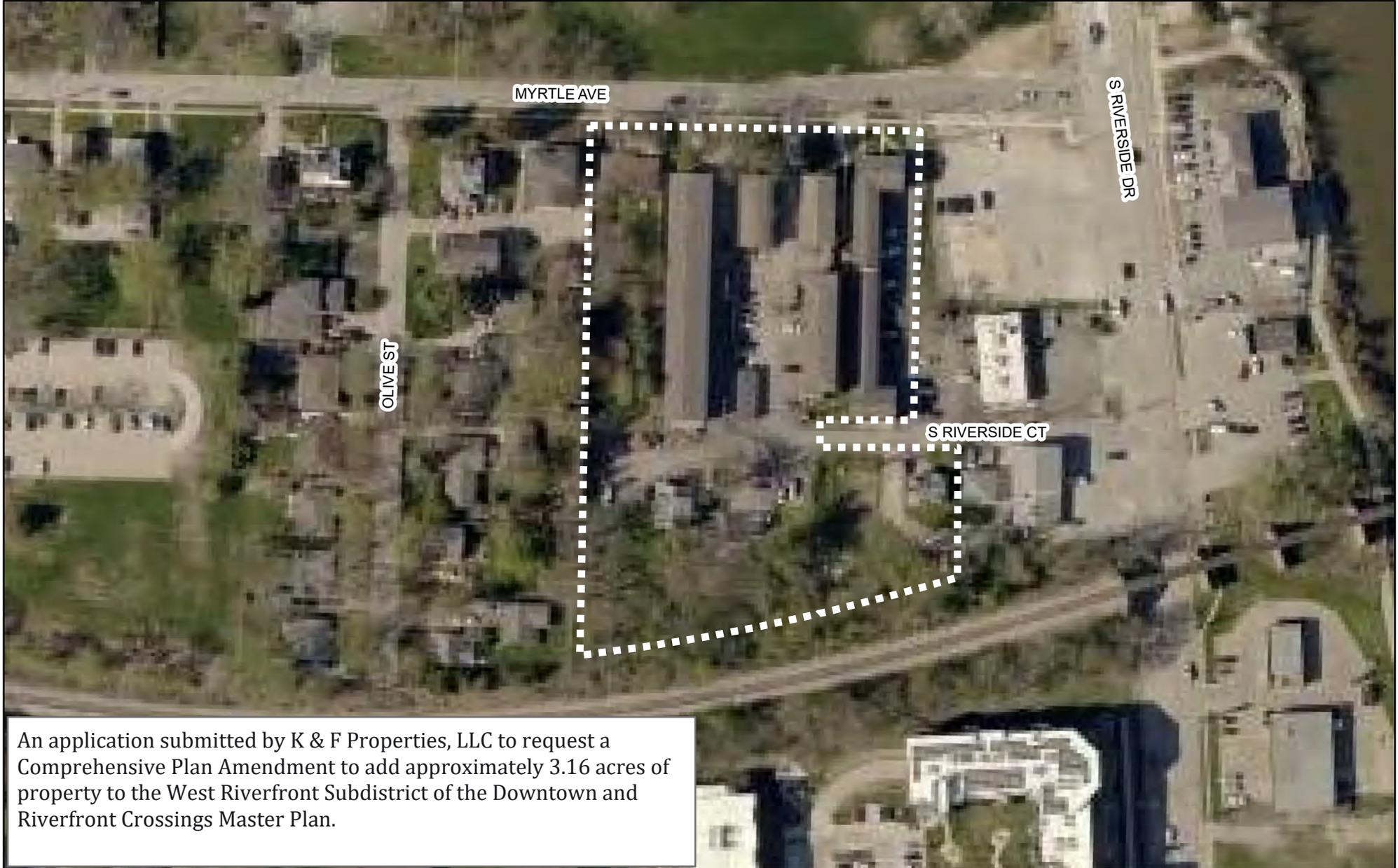


0 0.0125 0.025 0.05 Miles

CPA20-0002 West of Riverfront Drive, South of Mrytle Avenue.



Prepared By: Joshua Engelbrecht
Date Prepared: August 2020



An application submitted by K & F Properties, LLC to request a Comprehensive Plan Amendment to add approximately 3.16 acres of property to the West Riverfront Subdistrict of the Downtown and Riverfront Crossings Master Plan.



0 0.0125 0.025 0.05 Miles

CPA20-0002 West of Riverfront Drive, South of Mrytle Avenue.



Prepared By: Joshua Engelbrecht
Date Prepared: August 2020



An application submitted by K & F Properties, LLC to request a Comprehensive Plan Amendment to add approximately 3.16 acres of property to the West Riverfront Subdistrict of the Downtown and Riverfront Crossings Master Plan.

CPA20-0001

Applicant's statement – The proposed amendment will be compatible with other policies or provisions of the Comprehensive Plan, including any District Plans or other amendments thereto.

Below verbiage included on page 16 of submitted document

“Riverfront West Development requests that Iowa City’s Comprehensive Plan be amended to extend the Riverfront Crossings District west in the area indicated above from the existing properties in the West Riverfront Subdistrict along Riverside Drive to the eastern property line of the residential properties located on Olive Street and 215/213 Myrtle Ave. The existing West Riverfront Subdistrict would be expanded west as part of this amendment.

This expansion of the West Riverfront Subdistrict would redefine an existing RM-44 zoned area with existing apartment buildings and two converted/ leased single family residential houses. The properties to be included in the current RM-44 zoned area are 219, 223, and 245 S. Riverside Court and 119, 201, 203, 205, and 207 Myrtle Ave. This area also includes a single RS8 lot, 209 Myrtle Ave.

Expanding the West Riverfront Subdistrict is appropriate for this site due to the over 50’ of grade change. Because of this topography, which is atypical of the West Riverfront Subdistrict, the proposed height of the buildings will present a three-story exposure to the Olive Street residences. This is approximately a single story more than the existing apartments building located there now.

This Comprehensive Plan Amendment would allow for a more cohesive development while still being sensitive to the neighborhood scale to the west.”

Neighboring Property Listing – file attached for property owners within 300 feet of the exterior limits of the properties involved in this application.



RIVERFRONT WEST DEVELOPMENT

COMPREHENSIVE PLAN AMENDMENT &
REZONING

SW CORNER OF RIVERSIDE DRIVE AND MYRTLE AVE, IOWA CITY, IA
AUGUST 13, 2020

SHIVEHATTERY
ARCHITECTURE + ENGINEERING

EXISTING SITE PHOTOGRAPHY



EXISTING SITE PHOTOGRAPHY



EXISTING SITE PHOTOGRAPHY



Lack of green space/ vegetated area does not relate to surrounding area. Most of site area devoted to parking.

EXISTING SITE PHOTOGRAPHY



Buildings do not relate to each other. Views are to backs of other buildings both within the site and from Olive Street.

EXISTING SITE PHOTOGRAPHY



Buildings do not relate to Myrtle Street. Extreme grade change from Myrtle to existing buildings.

EXISTING SITE PHOTOGRAPHY



Lack of green space/ vegetated area does not relate to surrounding area.

PROPOSED SITE MASSING PERSPECTIVES





- TEXT AMENDMENT TO WEST RIVERFRONT SUBDISTRICT TO ALLOW
- HEIGHT BONUS ALLOWANCE TO 7 STORIES MAX FOR PROPERTIES
- NORTH OF AND ADJOINING IOWA INTERSTATE RAILROAD

- CORNER PROPERTY CURRENTLY ZONED WEST RIVERFRONT SUBDISTRICT
- FIVE (5) STORIES MAXIMUM FOR PROPERTIES WITHIN THE WEST RIVERFRONT
- SUBDISTRICT THAT DO NOT HAVE FRONTAGE ALONG THE IOWA RIVER.
- HOWEVER, BONUS HEIGHT IS NOT ALLOWED ON LOTS THAT ABUT A RESIDENTIAL ZONE.

MASSING STUDIES | CORNER OF RIVERSIDE DRIVE AND MYRTLE AVE LOOKING

SET BACK 10'

- CORNER PROPERTY CURRENTLY ZONED WEST RIVERFRONT SUBDISTRICT
- FIVE (5) STORIES MAXIMUM FOR PROPERTIES WITHIN THE WEST RIVERFRONT SUBDISTRICT THAT DO NOT HAVE FRONTAGE ALONG THE IOWA RIVER.
- HOWEVER, BONUS HEIGHT IS NOT ALLOWED ON LOTS THAT ADJUT A RESIDENTIAL ZONE.



TEXT AMENDMENT TO WEST RIVERFRONT SUBDISTRICT TO ALLOW
HEIGHT BONUS ALLOWANCE TO 7 STORIES MAX FOR PROPERTIES
NORTH OF AND ADJOINING IOWA INTERSTATE RAILROAD

SET BACK 10'

- CORNER PROPERTY CURRENTLY ZONED WEST RIVERFRONT SUBDISTRICT
- FIVE (5) STORIES MAXIMUM FOR PROPERTIES WITHIN THE WEST RIVERFRONT SUBDISTRICT THAT DO NOT HAVE FRONTAGE ALONG THE IOWA RIVER.
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· TEXT AMENDMENT TO WEST RIVERFRONT SUBDISTRICT TO ALLOW
· HEIGHT BONUS ALLOWANCE TO 7 STORIES MAX FOR PROPERTIES
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· CORNER PROPERTY CURRENTLY ZONED WEST RIVERFRONT SUBDISTRICT
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· RESIDENTIAL ZONE.

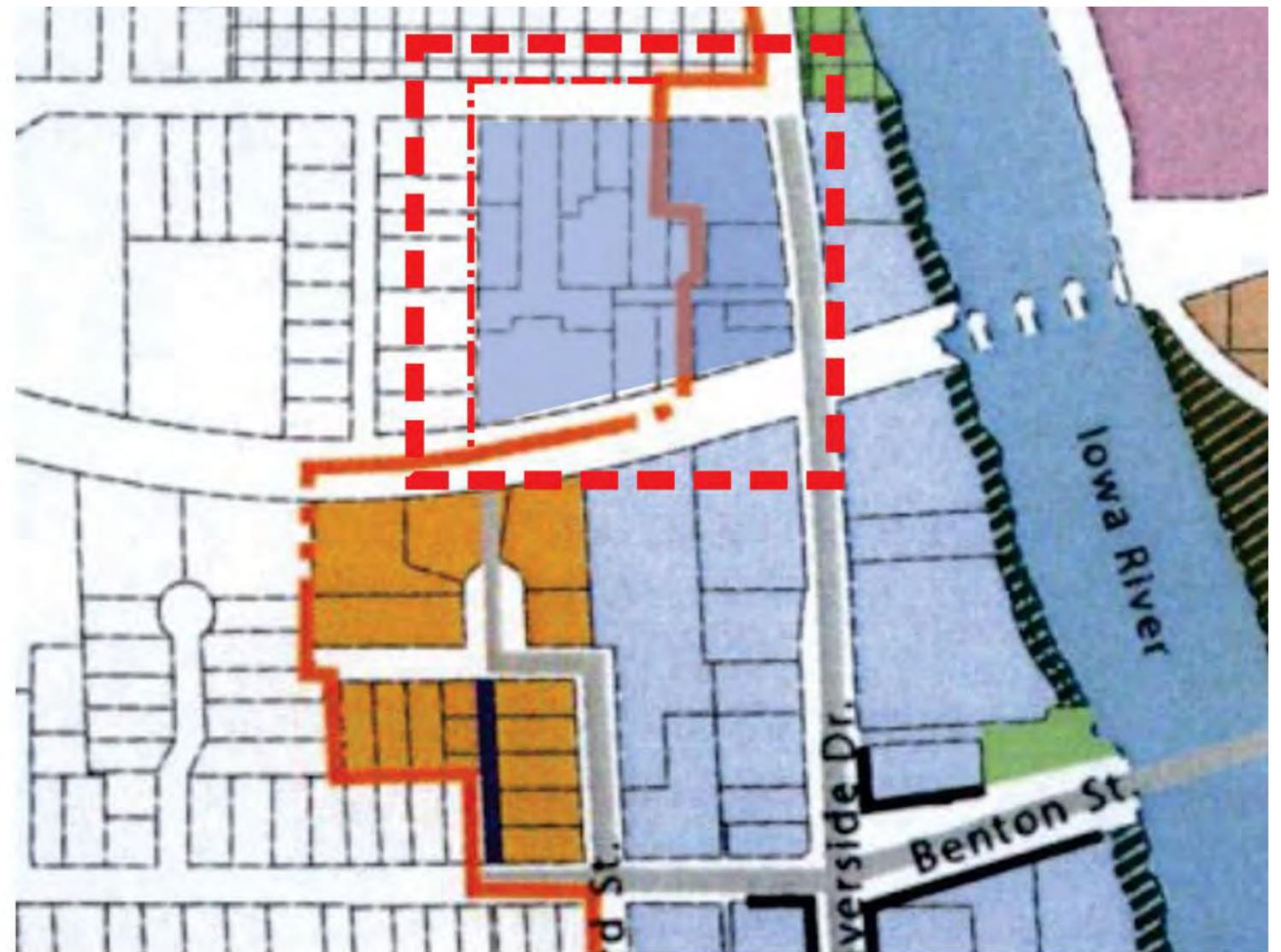
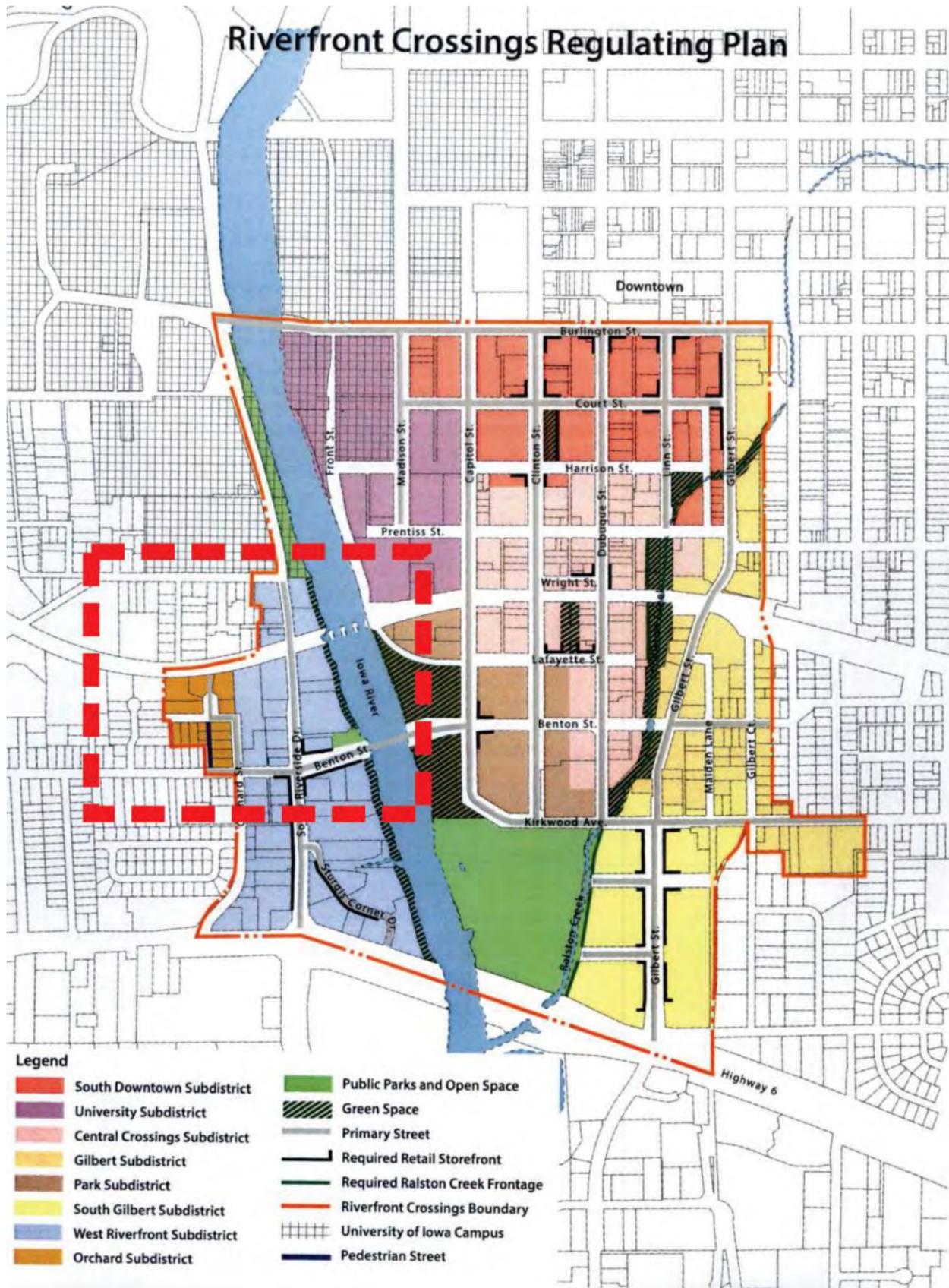




↑ FUTURE TUNNEL LOCATION

- TEXT AMENDMENT TO WEST RIVERFRONT SUBDISTRICT TO ALLOW
- HEIGHT BONUS ALLOWANCE TO 7 STORIES MAX FOR PROPERTIES
- NORTH OF AND ADJOINING IOWA INTERSTATE RAILROAD

PROPOSED SUBDISTRICT WEST RIVERFRONT



DESCRIPTION OF PROPOSED COMPREHENSIVE PLAN AMENDMENT

Riverfront West Development requests that Iowa City's Comprehensive Plan be amended to extend the Riverfront Crossings District west in the area indicated above from the existing properties in the West Riverfront Subdistrict along Riverside Drive to the eastern property line of the residential properties located on Olive Street and 215/213 Myrtle Ave. The existing West Riverfront Subdistrict would be expanded west as part of this amendment.

This expansion of the West Riverfront Subdistrict would include the expansion of the West Riverfront Subdistrict to include the properties to be included in the current RM-44 zoned area are 219, 223, and 245 S. Riverside Court and 119, 201, 203, 205, and 207 Myrtle Ave. This area also includes a single RS8 lot, 209 Myrtle Ave.

Expanding the West Riverfront Subdistrict is appropriate for this site due to the over 50' of grade change. Because of this topography, which is atypical of the West Riverfront Subdistrict, the proposed height of the buildings will present a three-story exposure to the Olive Street residences. This is approximately a single story more than the existing apartments building located there now.

This Comprehensive Plan Amendment would allow for a more cohesive development while still being sensitive to the neighborhood scale to the west.



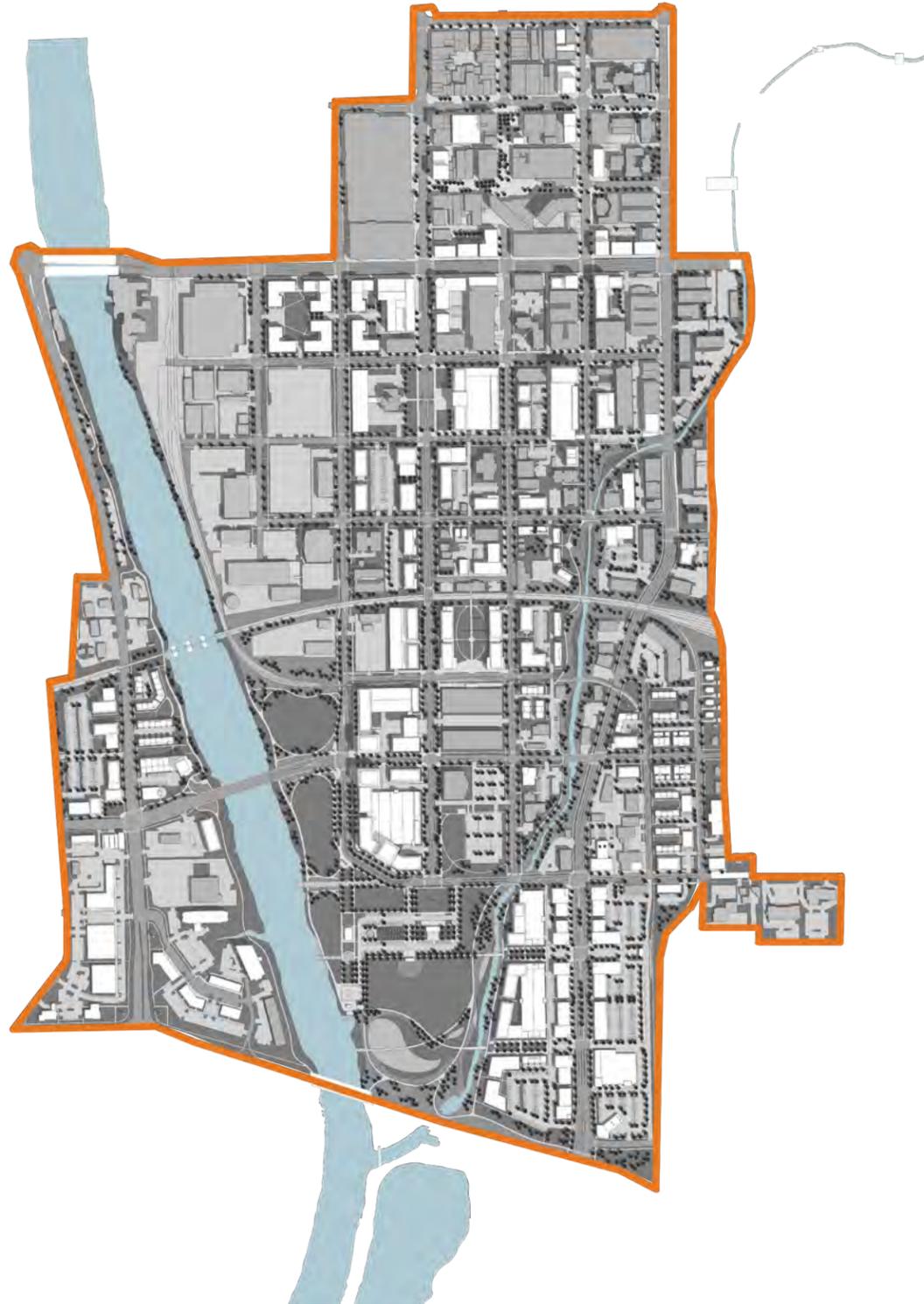
PROPOSED WEST RIVERFRONT SUBDISTRICT

- FIVE (5) STORIES MAXIMUM FOR PROPERTIES WITHIN THE WEST RIVERFRONT SUBDISTRICT THAT DO NOT HAVE FRONTAGE ALONG THE IOWA RIVER.
- HOWEVER, BONUS HEIGHT IS NOT ALLOWED ON LOTS THAT ABUT A RESIDENTIAL ZONE.



- TEXT AMENDMENT TO WEST RIVERFRONT SUBDISTRICT TO ALLOW
- HEIGHT BONUS ALLOWANCE TO 7 STORIES MAX FOR PROPERTIES
- NORTH OF AND ADJOINING IOWA INTERSTATE RAILROAD

downtown & riverfront crossings master plan



ADOPTED
january 2013

AMENDED
october 2015
july 2016
XXXXX 2020



- 1 Downtown Infill Development
- 2 Burlington Street Pedestrian Enhancements
- 3 New Student Housing
- 4 Clinton Plaza
- 5 Clinton Street Promenade
- 6 Ralston Creek Reconstruction
- 7 Rock Island Train Depot/Potential Passenger Rail Station
- 8 Transit Oriented Development and Station Civic Plaza
- 9 Central Crossings Light Rail Stop
- 10 Cottage Homes
- 11 Artist Courts

- 12 Park District Mixed-Use Development
- 13 River Outlook
- 14 Potential Arts Center
- 15 Regional Park
- 16 Gilbert Street Mixed-Use District
- 17 South Gilbert Light Rail Stop
- 18 Riverview Townhomes
- 19 Riverfront Residential Tower
- 20 Riverside Drive Commercial Redevelopment
- 21 Riverside Drive Pedestrian Enhancements
- 22 Entrance Monuments
- 23 Orchard Court Sub-District (July 5, 2016)
- 24 Expansion of West Riverfront Subdistrict

480 ft



sub-districts

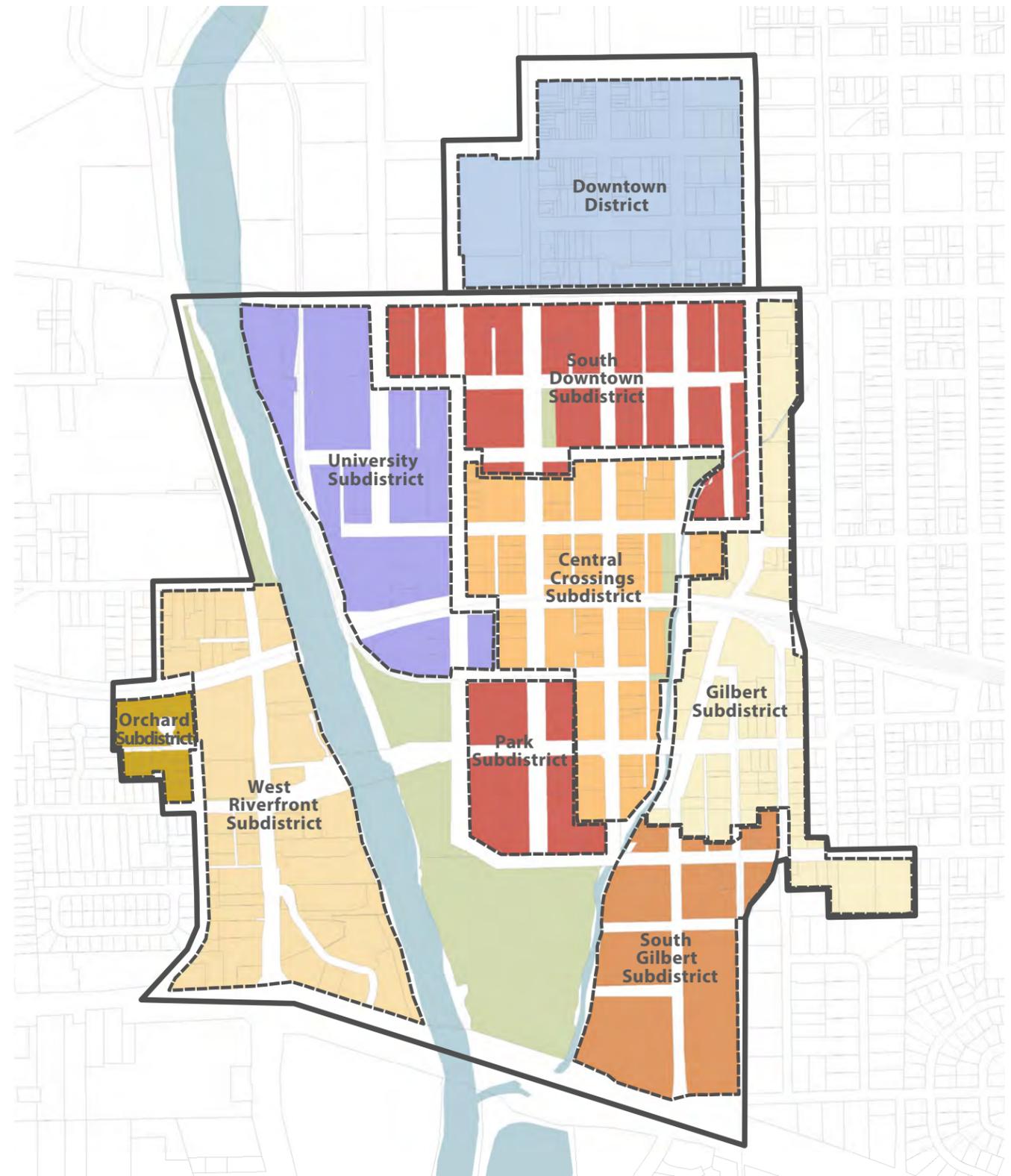
During the course of the planning process, several prominent features were discussed on a recurring basis. Due to either their prominent role in the plan or their relevance and impact on other elements, these features became to be known as Framework Elements. Framework Elements consist of Sub-Districts, Primary Streets and Required Retail Storefronts, Mobility, Green Space, Public Art, and Student Housing. These Framework Elements will be discussed in further detail on the following pages.

The Downtown and Riverfront Crossings Master Plan Study Area is very large in size and contains a number of neighborhoods and settings, each with their own identity. Instead of combining them into one homogeneous district, it was determined that it would be more useful, and appropriate, to break the Study Area into sub-districts. These sub-districts would be identified based on their location, primary use, scale, and other identifying features. In all, eight districts were identified:

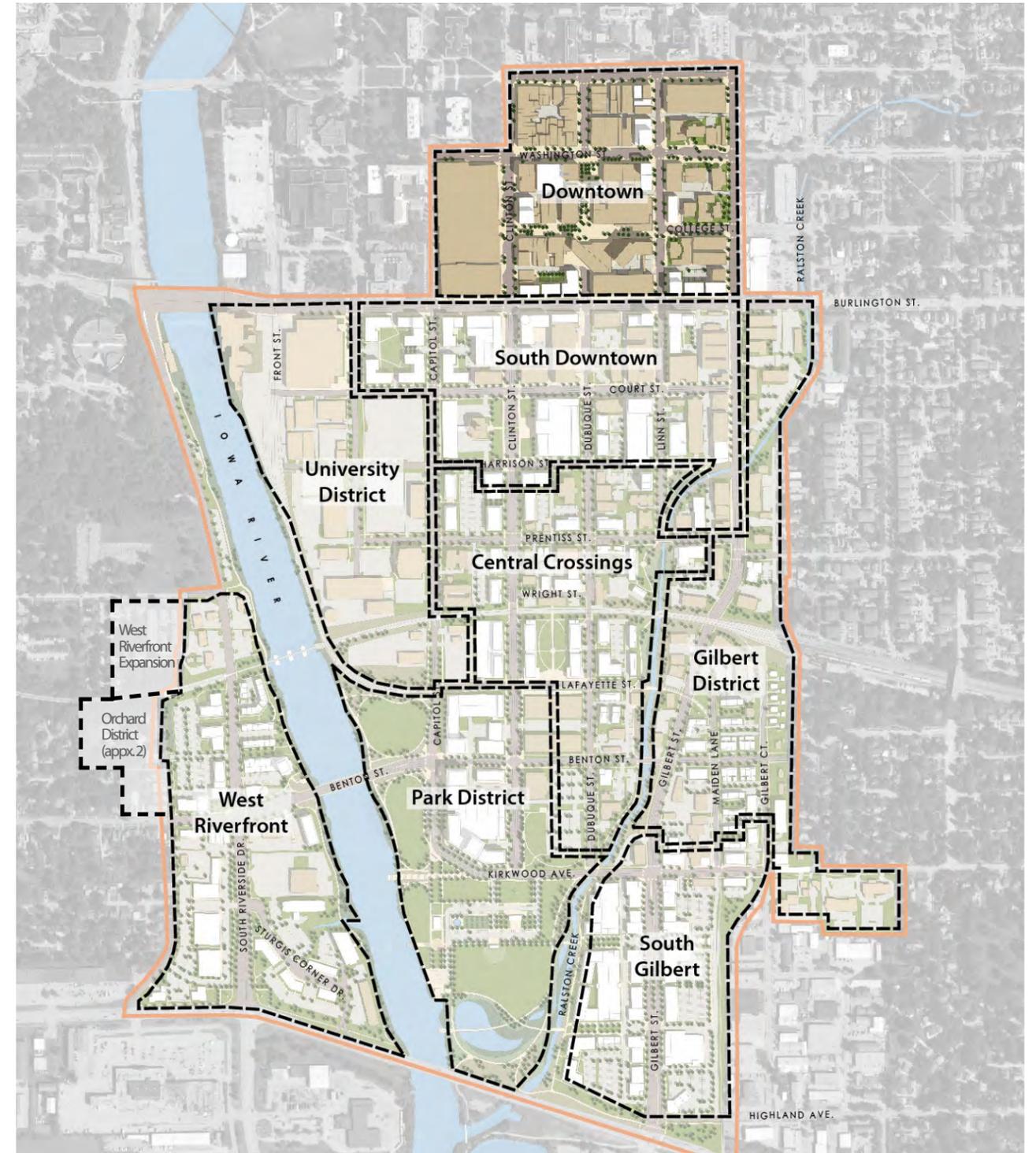
- › Downtown
- › South Downtown
- › Central Crossings
- › Gilbert
- › West Riverfront
- › Orchard
- › University
- › Park
- › South Gilbert

Many of these sub-districts existed in a geographic sense, but were unnamed and given “formal” names as part of the planning process. Other times, the sub-districts were known by their formal names, but did not have defined geographic boundaries. Each sub-district will be described in more detail in the following chapter.

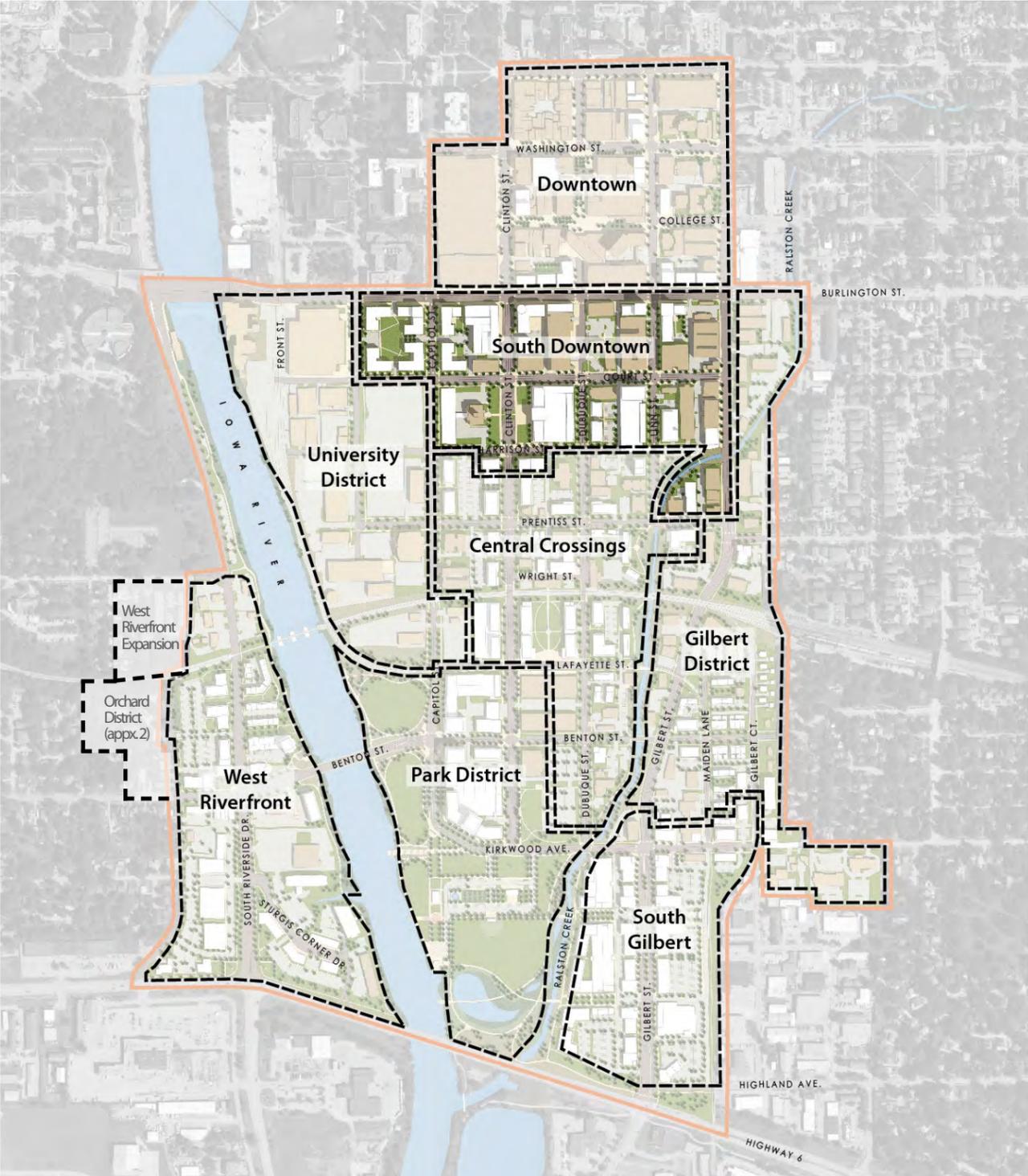
Right: Sub-District Diagram



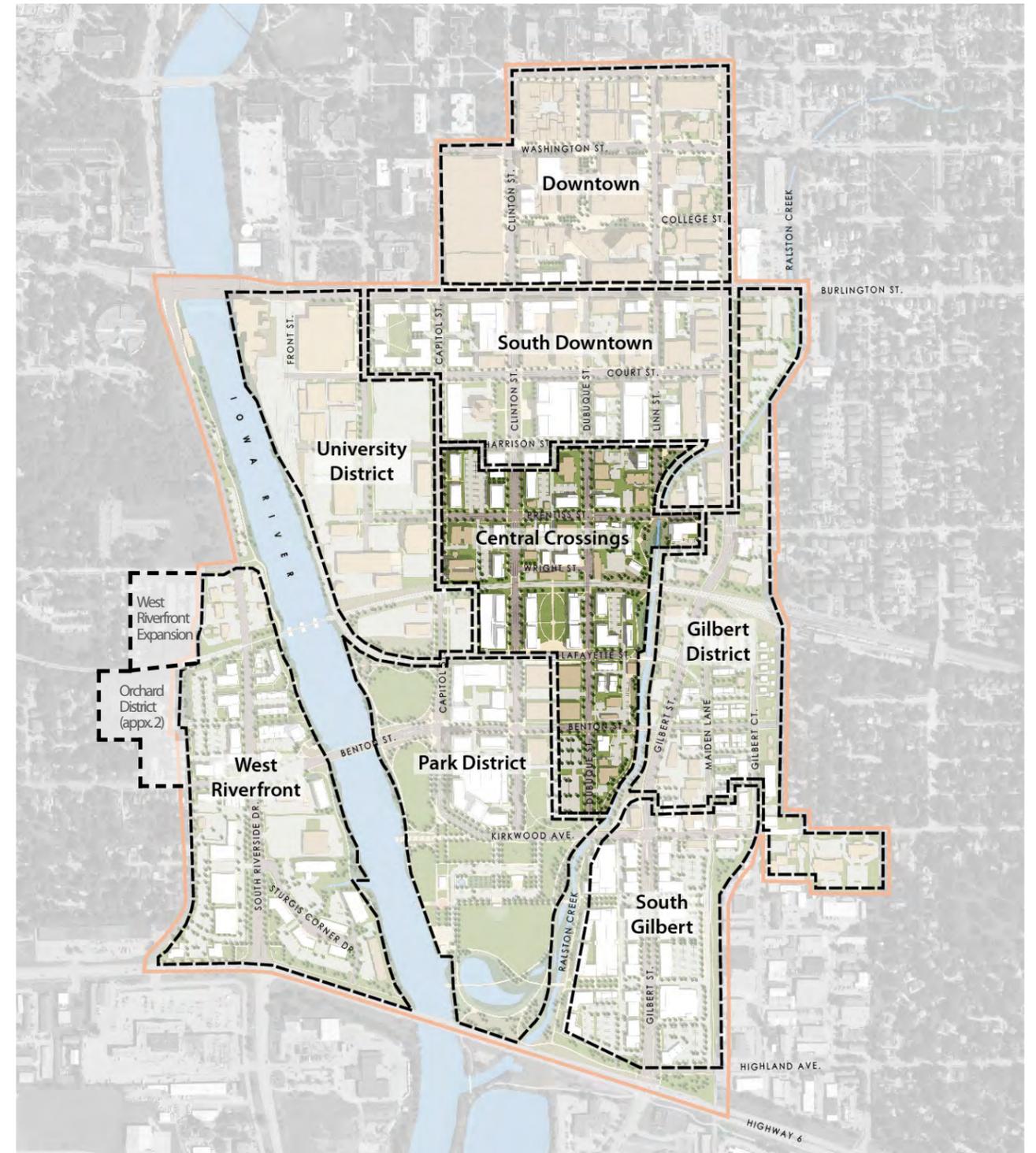
downtown district



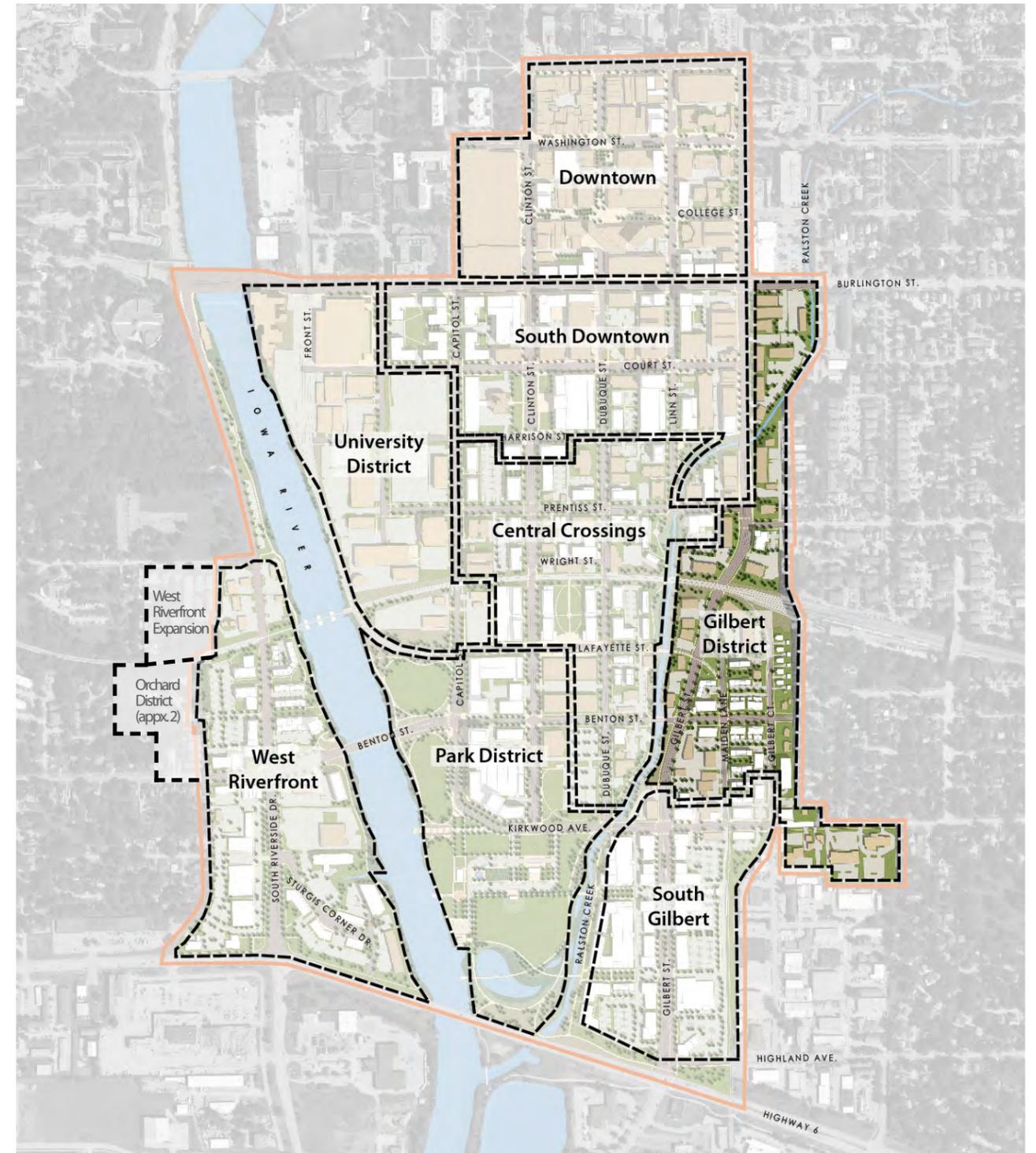
south downtown district



central crossings district



gilbert district



west riverfront district



west riverfront district

The West Riverfront District is a high-traffic, auto-oriented corridor situated on the west side of the Iowa River. South Riverside Drive bisects the district and connects U.S. Highway 6 with the University of Iowa campus. It is lined by commercial uses set back behind surface parking lots. Pedestrians are typically an afterthought. Unlike the rest of the study area, this district plays by different rules in terms of achieving an urban, pedestrian friendly environment.

As redevelopment of the district occurs, new development should capitalize on the Iowa River and its close proximity to the campus. In addition, it should take advantage of the access and visibility provided by Highway 6. It is envisioned that over time, the commercial development on the west side of South Riverside Drive will take on a more pedestrian-friendly framework, or it will transition to urban apartments and mixed-use development. In the development of gas stations and drive thru businesses, the building should be anchored at the corner, with vehicular access and amenities moved to the back to create a pedestrian oriented street frontage (See Appendix A). Redevelopment on the east side of the district will take advantage of river views, and will consist of either pedestrian-friendly commercial uses or niche residential, including higher end townhouses or mid-rise condo towers.

West Riverfront District Summary

Master Plan Objectives:

- › Capitalize on Highway 6 access and visibility
- › Improve pedestrian and bicycle circulation
- › Capitalize on the Iowa River
- › Extend the riverfront trail
- › Capture the football crowd

Development Character:

- › Temper auto orientation
- › Open views and access to river
- › Enhance the streetscape and overall aesthetics

Development Program:

- › Multiple housing typologies, including condo towers, apartments and townhouses
- › Destination river view restaurants
- › Commercial, possible small to midsize box
- › Hospitality



WR – 1: Riverfront Enhancements – In order to help encourage development within the district, a program to enhance the west bank of the Iowa River should be undertaken. This would include utilitarian elements, such as stabilizing the riverbank to prevent further erosion, functional elements, such as extending the riverfront trail to the north and south, and aesthetic elements, such as providing additional landscaping. Included in this would be interpretative stations along the river to provide educational opportunities relating to the river and its plant and wildlife, including the many Bald Eagles that frequent this stretch.

WR – 2: Riverside Drive Enhancements – Riverside Drive is very auto-oriented, with few pedestrian amenities and unappealing aesthetics. As the district transitions into a more urban setting, the right-of-way will need to be redesigned in order to provide enhanced aesthetics and a more walkable environment for pedestrians.

Enhancements to the pedestrian environment should include the following:

- › Reduce the number of curb cuts along the street
- › Provide a wider sidewalk that is set back from the curb a minimum of six feet and preferably more
- › Provide enhanced pedestrian crossings across Riverside Drive and its cross streets
- › Provide a safe pedestrian connection on the west side of Riverside Drive under the Iowa Interstate Railroad bridge.

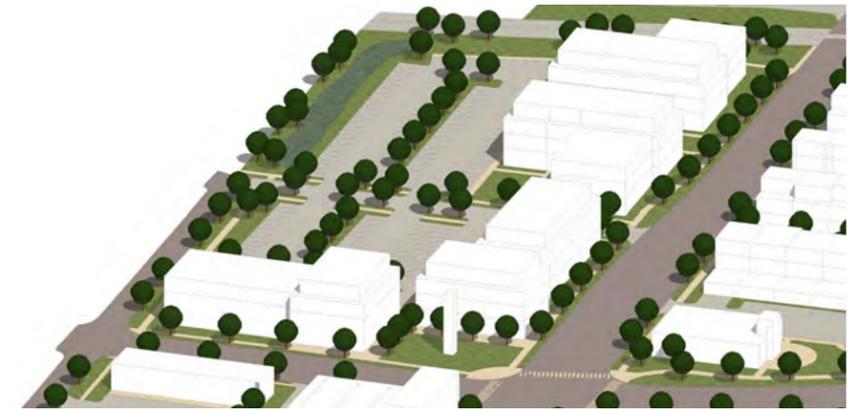
Aesthetic enhancements should include the following:

- › Gateway signage and landscaping at the intersection of U.S. Highway 6
- › Buried utilities
- › Streetscape enhancements, including street trees and other forms of landscaping

WR – 3: Westside Redevelopment – Located along the west side of Riverside Drive and north of Benton Street, the car dealership site provides a large and strategic site for redevelopment. As shown in the plan, the northwest corner of the intersection is reserved for an attached green, which would double the amount of available frontage for neighborhood retail or restaurant uses. This landscaped green could provide outdoor seating for restaurants or cafes, and is the “identity” of the site. The remaining buildings on the site would be pedestrian oriented, with street frontage and parking in the rear. They are designed to accommodate retail uses on their first floors, and apartments on the upper floors. This, as well as the area north of the railroad, could be an appropriate location for dormitory style housing as discussed earlier. There is the possibility for a higher room count if housing developed with a private dorm, provided there is an agreement with the University to provide car storage offsite.

WR – 4: Riverside Commercial Redevelopment – The commercial property on the west side of Riverside Drive and south of Benton Street will take on a more pedestrian friendly format. In order for this to occur, a slip lane will need to be constructed. This lane will provide access to the retail uses, as well as “on-street” parking. In addition, it will be the organizing feature of the site, and help provide a common “build-to” line for new development to address. New commercial buildings will be adorned with enhanced facades and improved landscaping, and overflow parking will be provided to the rear of the buildings.

WR – 5: Sturgis Corner Redevelopment – The commercial uses on the Sturgis Corner site were developed in a conventional manner, with multiple architectural styles, buildings set back behind large surface parking lots, and limited pedestrian amenities. As this area begins to redevelop, development guidelines will establish a new development framework, one that is much more pedestrian friendly. New commercial buildings will front onto Sturgis Corner Drive, sidewalks will connect buildings, and parking will be provided on-street and to the rear of buildings. In addition, a new building site has been proposed for a new condo tower overlooking the river and future regional park.



WR 3: Westside Redevelopment



WR 4: Riverside Commercial Development



WR 5: Sturgis Corner Redevelopment

WR – 6: Riverview – A new neighborhood is designated for the north side of Benton Street. This neighborhood, which will overlook the Iowa River and riverfront trail, will contain a new mid-rise condo tower and townhouses that front onto greens that provide access and view corridors to the river. All buildings will be designed with parking on the ground floor in order to raise habitable space above the floodplain. This design also allows residents to get a more commanding view of the river. A restaurant or retail site is located at the intersection of Benton Street and Riverside Drive. This restaurant would have trail access and is designed with a large patio with views of the river.

WR – 7: West Riverfront Expansion – The West Riverfront Sub-District was expanded by a comprehensive plan amendment (CPA20-0002) on XXXX, XX, 2020. The uses on the site at the time of expansion were existing single-family and multi-family uses. The site contains more than 50 feet of grade change, which is atypical of the subdistrict. Redevelopment of the site will allow a larger, mixed-use project which may include housing, retail, hospitality and/or neighborhood services. Any new development should aim to make the site more cohesive and pedestrian-friendly. However, the development must remain sensitive to the less dense, single-family homes to the west.



WR 6: Before and After Renderings Showing the New Riverview Neighborhood Development in the West Riverfront District

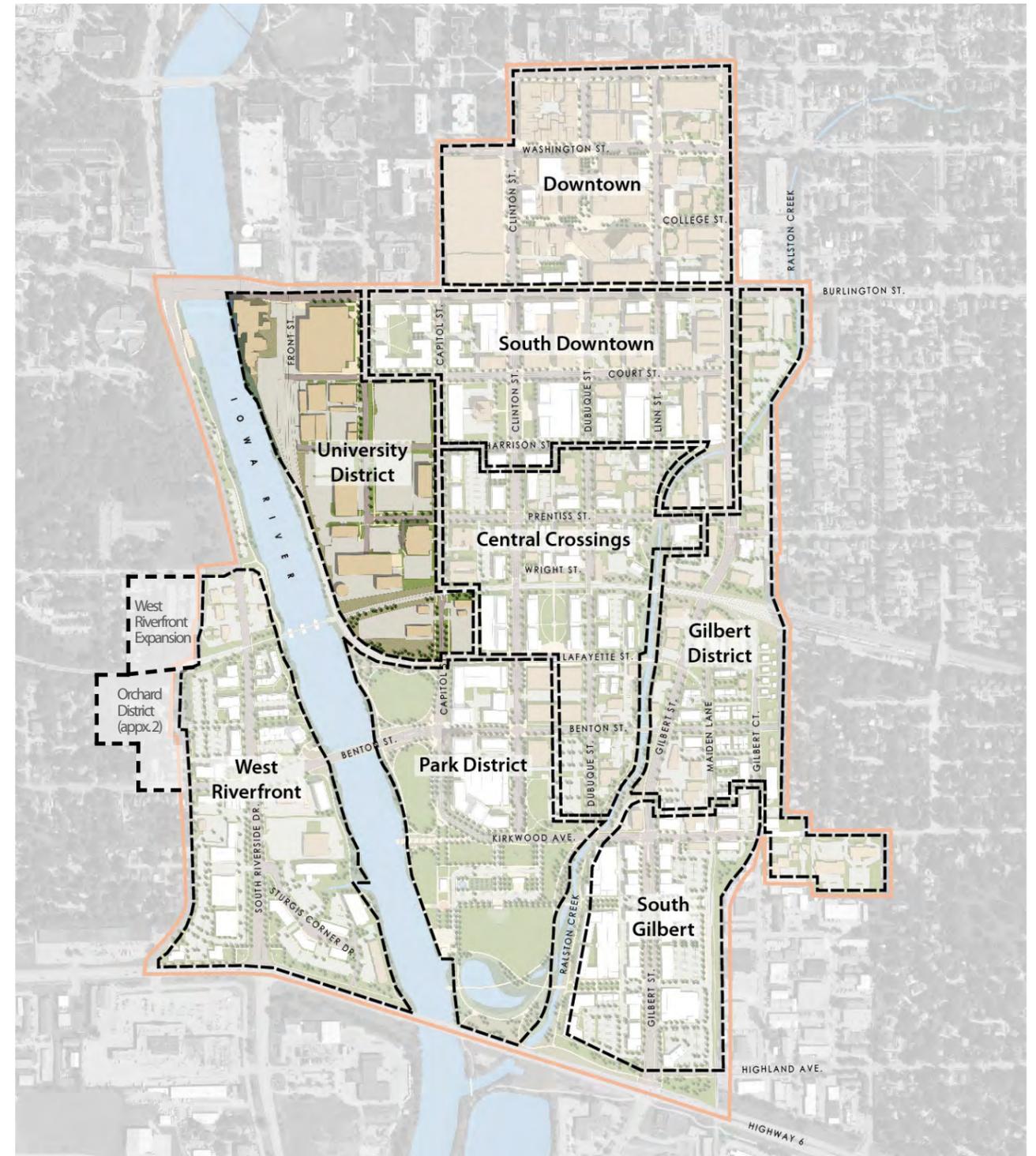
west riverfront yield analysis



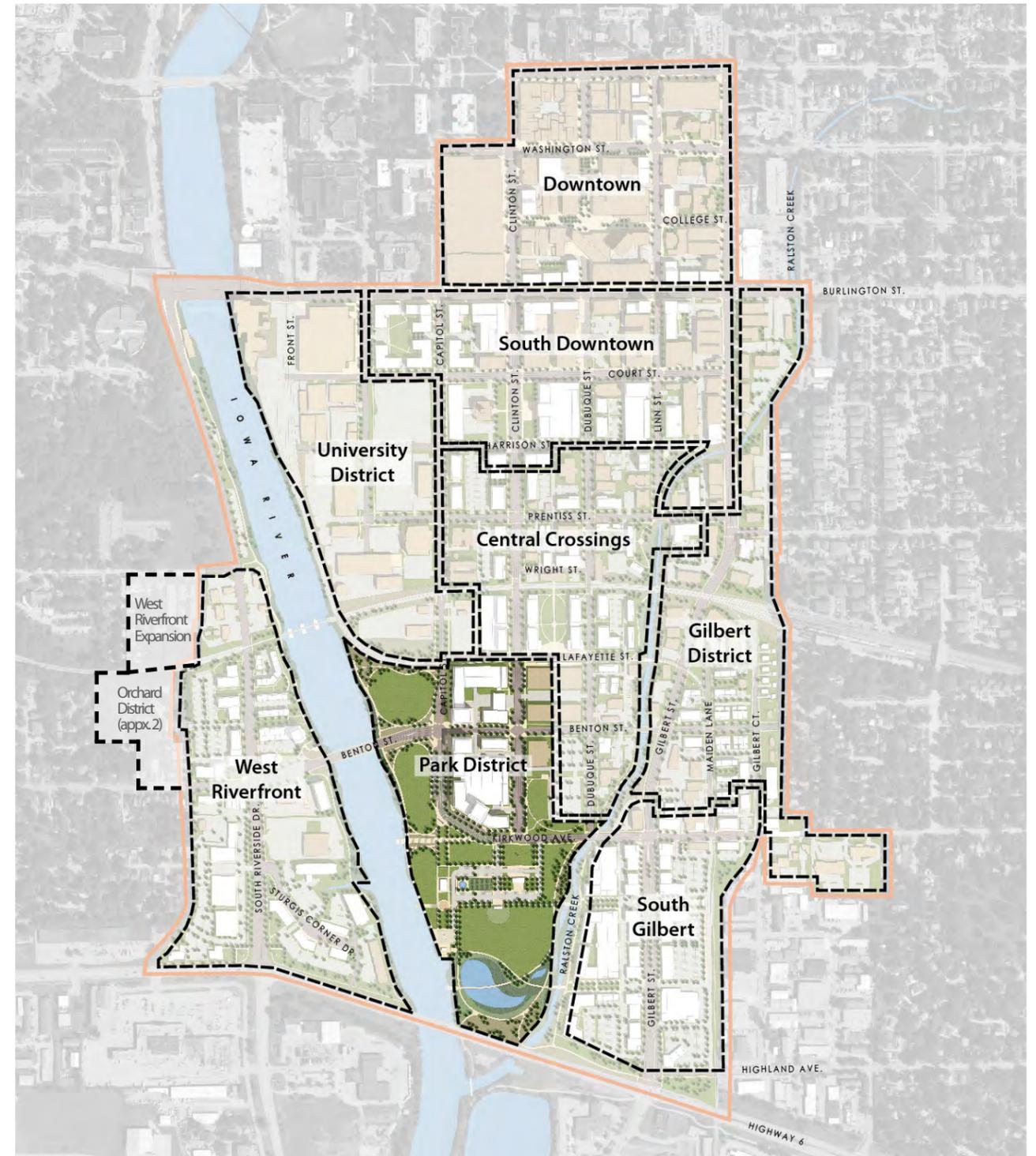
WEST RIVERFRONT DISTRICT

Building ID	Building Type	Building Footprint	Stories	Square Footage	Comm. SF	Office SF	Mixed SF	Resid SF	Hotel SF	Misc SF	Suite Units	Residential Units	Hotel Rooms	Parking Demand	Parking Provided	Private	Pkg Lot	Pkg Gar	Notes
WR-1	Commercial	3,900	1	3,900	3,900	-	-	-	-	-	-	-	-	16	18	-	18	-	
WR-2	Commercial	5,000	1	5,000	5,000	-	-	-	-	-	-	-	-	20	26	-	26	-	
WR-3	Commercial	16,805	1	16,805	16,805	-	-	-	-	-	-	-	-	67	45	-	45	-	
WR-4	Commercial	23,365	1	23,365	23,365	-	-	-	-	-	-	-	-	93	68	-	68	-	
WR-5	Commercial	10,350	1	10,350	10,350	-	-	-	-	-	-	-	-	41	42	-	42	-	
WR-6	Commercial	1,400	1	1,400	1,400	-	-	-	-	-	-	-	-	6	5	-	5	-	
WR-7	Commercial	1,400	1	1,400	1,400	-	-	-	-	-	-	-	-	6	5	-	5	-	
WR-8	Commercial	1,400	1	1,400	1,400	-	-	-	-	-	-	-	-	6	5	-	5	-	
WR-9	Commercial	1,400	1	1,400	1,400	-	-	-	-	-	-	-	-	6	5	-	5	-	
WR-10	Commercial	4,200	2	8,400	8,400	-	-	-	-	-	-	3	-	38	26	-	26	-	
WR-11	Mixed Use	2,555	2	5,110	-	-	2,555	2,555	-	-	-	2	-	12	10	-	10	-	
WR-12	Mixed Use	11,255	4	45,020	-	-	11,255	33,765	-	-	-	21	-	73	45	-	45	-	
WR-13	Mixed Use	13,835	4	55,340	-	-	13,835	41,505	-	-	-	27	-	91	56	-	56	-	
WR-14	Residential	11,640	4	46,560	-	-	-	46,560	-	-	-	32	-	48	61	-	61	-	
WR-15	Residential	11,250	4	45,000	-	-	-	45,000	-	-	-	28	-	42	53	-	53	-	
WR-16	Townhomes	2,885	3	6,675	-	-	-	6,675	-	-	-	3	-	6	8	6	2	-	
WR-17	Townhomes	5,330	3	12,460	-	-	-	12,460	-	-	-	5	-	10	13	10	3	-	
WR-18	Townhomes	4,080	3	9,560	-	-	-	9,560	-	-	-	4	-	8	12	8	4	-	
WR-19	Townhomes	6,080	3	14,070	-	-	-	14,070	-	-	-	6	-	12	14	12	2	-	
WR-20	Townhomes	6,080	3	14,070	-	-	-	14,070	-	-	-	6	-	12	13	12	1	-	
WR-21	Residential	20,315	8	68,875	-	-	-	68,875	-	-	-	40	-	63	40	30	10	-	parking on ground level
WR-22	Commercial	5,185	1	5,185	5,185	-	-	-	-	-	-	-	-	21	14	-	14	-	
WR-23	Mixed Use	10,355	5	45,085	-	-	3,665	41,420	-	-	-	28	-	55	34	17	17	-	
WR-24	Commercial	8,835	1	8,835	8,835	-	-	-	-	-	-	-	-	35	44	-	44	-	
WR-25	Commercial	7,195	1	7,195	7,195	-	-	-	-	-	-	-	-	29	36	-	36	-	
WR-26	Commercial	6,575	1	6,575	6,575	-	-	-	-	-	-	-	-	26	20	-	20	-	
WR-27	Commercial	5,000	1	5,000	5,000	-	-	-	-	-	-	-	-	20	25	-	25	-	
WR-28	Residential	14,520	7	68,940	-	-	-	68,940	-	-	-	38	-	57	57	37	20	-	parking on ground level
WR-29	Hotel	13,620	4	54,480	-	-	-	-	54,480	-	-	-	108	108	90	-	90	-	
WEST RIVERFRONT DISTRICT TOTALS				597,455	106,210	0	31,310	405,455	54,480	0	0	243	108	1,026	890	132	758	0	

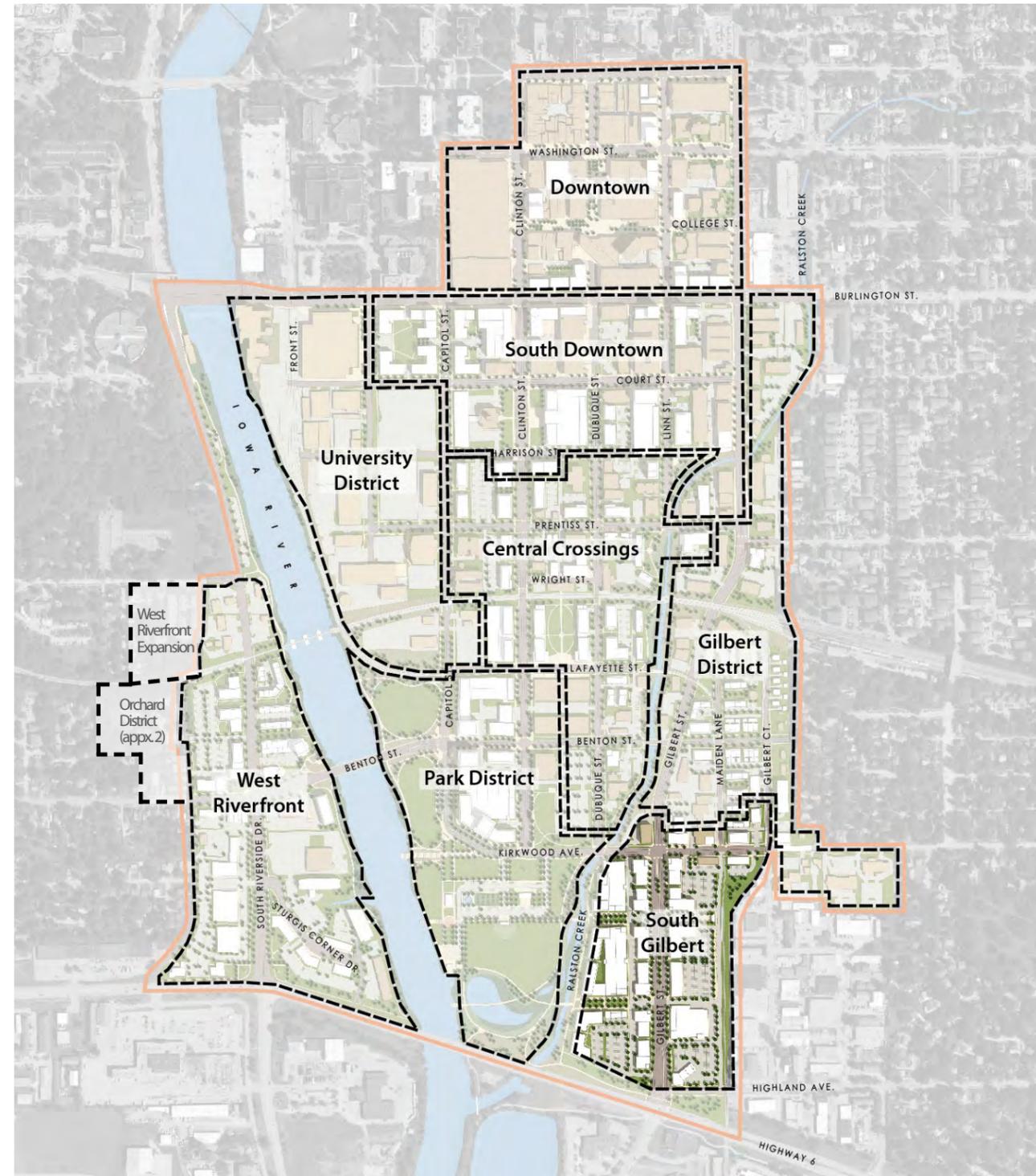
university district



park district



south gilbert district



STAFF REPORT

To: Planning and Zoning Commission

Prepared by: Ray Heitner, Associate Planner

Item: REZ20-0001
Harding Event Center

Date: October 15, 2020

GENERAL INFORMATION:

Applicant:

MMS Consultants
1917 S. Gilbert Street
Iowa City, IA 52240
319-351-8282
l.stutzman@mmsconsultants.net

Property Owner:

Jon Harding
709 Normandy Dr
Iowa City, IA 52246

Requested Action:

Rezoning from Neighborhood Public (P-1) zone to
Community Commercial with a Planned
Development Overlay (OPD / CC-2) zone.

Purpose:

To allow for the construction of 7,000 square foot
building that would function as an event center for
the community.

Location:

Parcel #1112476001 (north of Camp Cardinal Blvd,
west of Camp Cardinal Rd)

Location Map:



Size:

3.1 Acres

Existing Land Use and Zoning:

Vacant (open space), Neighborhood Public (P-1)

Surrounding Land Use and Zoning:

North: Vacant (open space), Interim Development,

Research Park (ID-RP)
 East: Residential & Institutional; Low Density Multi-Family Residential (RM-12) & Low Density Single-Family Residential with Planned Development Overlay (OPD / RS-5)
 South: Residential & Institutional; Low Density Multi-Family Residential (RM-12) & Neighborhood Public (P-1)
 West: Institutional; Institutional Public (P-2)

Comprehensive Plan: General Commercial (as of 09/01/2020)
 District Plan: n/a
 Neighborhood Open Space District: NW1
 Public Meeting Notification: Property owners located within 300' of the project site received notification of the Planning and Zoning Commission public meeting. Rezoning signs were also posted on the site.
 File Date: 10/01/2020
 45 Day Limitation Period: 11/14/2020

BACKGROUND INFORMATION:

Jon Harding owns approximately 3.11 acres of property located at the corner of Camp Cardinal Boulevard and Camp Cardinal Road, across the street from 80 Gathering Place Lane. The owner hired MMS Consulting, the applicant, to prepare three applications to allow the development of a 7,000 square foot building that would function as a community event center on the north side of the property. A Comprehensive Plan Amendment to change the subject property's future land use designation from Public/Private Open Space to General Commercial was approved by the City Council on September 1, 2020. The subject application is for a rezoning from Neighborhood Public (P-1) to Community Commercial with a Planned Development Overlay (OPD / CC-2) zone. The applicant has applied for a vacation of 0.06 acres of city right-of-way located east of the subject property, on Camp Cardinal Road.

Because the proposed development would disturb an existing wetland, a Level II Sensitive Areas Plan is required, which triggers a Planned Development Overlay zone (OPD) to accompany the proposed rezoning to Community Commercial (OPD/CC-2). The wetland is being disturbed to accommodate parking, access, and a utility easement for the proposed community event center.

The applicant has utilized the Good Neighbor Policy by sending out letters to area neighbors on June 20, 2020. Staff has not received any public correspondence for the rezoning.

ANALYSIS:

Current Zoning: The purpose of the Neighborhood Public Zone (P-1) is to provide reference to public ownership and use of land. This zone serves a notice function to those owning or buying land in proximity to publicly owned land. Uses such as schools, parks, police and fire stations, and other civic buildings owned or otherwise controlled by the county, the city, the Iowa City community school district, or other governmental bodies for such uses are designated as P-1. These uses are subject

to certain development standards in order to create a consonant transition between public and private uses (14-2F-1B-1).

Proposed Zoning: The purpose of the community commercial zone (CC-2) is to provide for major business districts to serve a significant segment of the total community population. In addition to a variety of retail goods and services, these centers may typically feature a number of large traffic generators requiring access from major thoroughfares. While these centers are usually characterized by indoor operations, uses may have limited outdoor activities; provided, that outdoor operations are screened or buffered to remain compatible with surrounding uses (14-2C-1F).

General Planned Development Approval Criteria:

Applications for Planned Development Rezoning are reviewed for compliance with the following standards according to Article 14-3A of the Iowa City Zoning Ordinance.

1. *The density and design of the Planned Development will be compatible with and/or complementary to adjacent development in terms of land use, building mass and scale, relative amount of open space, traffic circulation and general layout.*

Density – Although the CC-2 zone allows multi-family uses through the special exception process, the proposed development, as seen in the proposed concept plan in attachment #3, does not contemplate residential uses.

Land Uses Proposed – The proposed land use is for a community event center, intended to accommodate weddings, banquets, and other event oriented gatherings. An event facility is an allowable use by right as a Hospitality Oriented Retail use the CC-2 zone.

Mass, Scale and General Layout– Attachments #4 and #7 show the building elevations and the Preliminary OPD and Sensitive Areas Plan. The elevations show the proposed event center building, which will be approximately 7,840 square feet in size. The OPD plan shows the general layout of the project site. An outdoor patio area is shown to the south of the proposed event center building for outdoor entertaining space. The patio area will be approximately 2,240 square feet in size.

The applicant has also submitted an application for a vacation of 0.06 acres of City right-of-way along the west side of Camp Cardinal Road. Due to an existing cable TV utility line that runs beneath the area to be vacated and conveyed, staff is recommending that a condition of the rezoning be the provision of a 15' wide utility easement along the property's east side (as shown on attachment #5).

The event center building will be required to conform to the City's Commercial Site Development Standards, which regulate issues pertaining to building design, vehicle circulation, landscaping, and screening. These items are typically reviewed at staff's Site Plan Review of the development.

Open Space – The proposed OPD rezoning does contain a public open space requirement, since the rezoning does not involve a residentially zoned planned development. The proposed development intends to preserve approximately 1.26 as enhanced or forested wetland, or as a buffer for the wetland on site.

Traffic Circulation – The proposed event center development would have a single vehicular access point onto Camp Cardinal Road, across from Gathering Place Lane. City transportation planning staff have identified this as a sufficient means of access.

The OPD plan shows 100 parking spaces (the development would require 99 parking spaces) provided over four rows of parking, with 22' between parking rows. Despite the relatively high number of on-site parking that will be provided, due to the intermittent "event traffic" nature of

occupancy at the event center, transportation planning staff does not anticipate that the proposed development will create a traffic nuisance in the area. Annualized DOT traffic counts for the Camp Cardinal Boulevard and Camp Cardinal Road intersection show an average daily traffic count of approximately 8,100 vehicles per day. Contributing traffic counts from Camp Cardinal Road are not currently available from the DOT but are thought to be very low. The proposed development will not change the low traffic volumes from Camp Cardinal Road to Camp Cardinal Boulevard. The majority of traffic from the proposed event center will occur during off-peak hours, similar to nearby St. Andrew's Presbyterian Church. Furthermore, transportation planning staff has indicated that the amount of trips generated from the proposed development will not be overwhelming.

2. The development will not overburden existing streets and utilities.

The subject property can be serviced by both sanitary sewer and water, with both sanitary and water mains being accessed along the east side of Camp Cardinal Road, north and south of the intersection with Gathering Place Lane, respectively. Public Works has indicated that both sanitary sewer and water mains have sufficient capacity to accommodate the proposed development.

Transportation Planning staff have indicated that Camp Cardinal Road has sufficient capacity to accommodate the projected "event traffic" that is expected to originate from the proposed event center. Staff recommends a condition of the rezoning that prior to issuance of building permits, payment of \$5,000 towards the upgrading of approximately 25 feet of Camp Cardinal Road that is adjacent to the subject property that does not meet City standards is made. This amount is based off of Camp Cardinal Road being a collector street, and the applicant contributing 25% of the cost of the approximately 25 feet of road that needs to be improved to the north property line. The applicant has agreed to fulfill this condition.

3. The development will not adversely affect views, light and air, property values and privacy of neighboring properties any more than would a conventional development.

The subject property is bounded by Highway 218 to the south and west, vacant open space land zoned Interim Development Research Park (ID-RP) to the north, and low density multi-family residential to the east, across from Camp Cardinal Road. Views from existing residences to the east will largely remain intact, with the exception of approximately 126' worth of construction along the Camp Cardinal Road frontage to accommodate the development's parking. Existing trees will be preserved to the south and west of the proposed parking lot, which will help buffer the event center building from view from Highway 218.

The proposed event center will only be two stories in height and will not obstruct views or light that is not already obstructed by existing trees. Staff believes there is no reason to suggest that the proposed event center will affect surrounding property values.

4. The combination of land uses and building types and any variation from the underlying zoning requirements or from City street standards will be in the public interest, in harmony with the purposes of this Title, and with other building regulations of the City.

The applicant has not requested any waivers to modify the underlying zoning requirements or City street standards.

Compliance with the Comprehensive Plan:

An amendment to the City's Future Land Use Map in the Comprehensive Plan for the subject property was approved by the City Council on September 1, 2020. The Comprehensive Plan amendment changed the designated future land use from Public/Private Open Space to General Commercial.

The rationale for designating the subject property as appropriate for General Commercial use was twofold. First, staff, the Planning and Zoning Commission and City Council all found that the dynamic of the surrounding area had changed from one of open space and preservation, to an evolving neighborhood with a mixture of residential, office, and church land uses. This dynamic has changed the character of the neighborhood and has opened the neighborhood for provision of more commercial services. It should also be noted that the property had originally been in the possession of Johnson County until 2012, when the County voted to dispose of the property. In 2014, the property was purchase by John Harding. Second, because commercial uses are less sensitive to highway noise, the Council found that a General Commercial designation would be appropriate for this location by buffering residential areas from Highway 218, while benefitting from the visibility and higher traffic counts at this location.

Sensitive Areas Review:

The applicant has applied for approval of a Sensitive Areas Development, a type of planned development. The purpose of the Sensitive Areas Ordinance is to permit and define the reasonable use of properties that contain sensitive environmental features and natural resources and allowing reasonable development while protecting these resources from damage. The following paragraphs describe the impact this development will have on the sensitive features of this site.

Jurisdictional Wetlands- The purpose of regulating development in and around wetlands is to:

1. Preserve the unique and valuable attributes of wetlands as areas where storm water is naturally retained, thereby controlling the rate of runoff, improving water quality, recharging ground water resources, providing erosion control and lessening the effects of flooding;
2. Promote the preservation of habitat for plants, fish, reptiles, amphibians or other wildlife;
3. Minimize the impact of development activity on wetland areas;
4. Provide a greater degree of protection for many wetland areas above and beyond that provided by the federal and state government; and
5. Minimize the long-term environmental impact associated with the loss of wetlands.

The City's Sensitive Areas Ordinance requires a 100 ft. buffer to be maintained between a regulated wetland and any development activity (14-5I-6E-1). The Ordinance does allow for buffer averaging to be permitted where an increased buffer is deemed necessary or desirable to provide additional protection to one area of a wetland for aesthetic or environmental reasons. In this situation, the width of the required buffer around other areas of the wetland may be reduced by up to fifty percent (50%), but the area of the provided buffer must be equal to or greater than the total area of the 100 ft. buffer (14-5I-6E-2). The applicant has proposed buffer averaging, which requires a level II sensitive areas review (14-5I-6E-2). The averaged buffer will provide additional protection to wooded areas to the south and west of the proposed development. Furthermore, because Camp Cardinal Boulevard is an arterial street, access to the site can only be provided from Camp Cardinal Road. The access from Camp Cardinal Road, in addition to parking requirements and stormwater management, creates the need to have some degree of impact on the existing wetland. Attachment #6 from the applicant explains the need for some degree of wetland disturbance in more detail.

Attachment #7 shows how the applicant proposed to utilize the averaged wetland buffer. The area of the averaged wetland buffer equals 52,015 square feet, which is greater than the 100 ft. buffer area of 50,725 square feet. The buffer will protect almost all the remaining property from future development, as it will help preserve wooded areas to the south and west of the proposed development.

Table 1. below summarizes the proposed impacts to the wetland area. The existing wetland is comprised of approximately 25,415 square feet. Approximately 17% of the existing wetland will be disturbed, mostly to accommodate on-site parking for the development. The previously mentioned averaged wetland buffer area, overlaps about 12% of the existing wetland. The averaged wetland buffer applies to the remaining 71% of the existing wetland that is either not directly impacted and

requiring mitigation, of that falls within the averaged buffer area.

Table 1. Summary of Wetland Impacts

<i>Total Existing</i>	<i>Disturbed Wetland (Mitigation Required)</i>	<i>Wetlands within Averaged Buffer Area</i>	<i>Total Disturbed and within Buffer Area</i>
25,415 sq ft	4,431 sq ft	3,065 sq ft	7,496 sq ft
100%	17%	12%	29%

The applicant has obtained a wetland delineation report and an approval letter from the U.S. Army Corps of Engineers. Since the applicant proposed to disturb less than .10 acres of wetland area, the Corps does not require any mitigation for the proposed wetland disturbance. However, the City's Ordinance requires wetland mitigation plan for any property containing a regulated wetland.

Pursuant to 14-5I-6G of City Code, staff has required the applicant to provide mitigation for the proposed disturbance to the existing wetland. Staff feels that the applicant's statement from Attachment #6, explains the applicant's rationale why it is clearly demonstrated that avoiding and minimizing the impact on the wetland is unreasonable. Compensatory mitigation will be provided at a ratio of 3:1. This is the highest standard of wetland mitigation that is required by the City. The applicant has chosen the following means of mitigation:

- Enhancement of .27 acres of remaining wetland areas located on the Harding Event Century Property, through a potential combination of invasive species management, forest and forest ecotone plantings, and herbaceous plantings.

Additional details on the applicant's proposed Wetland Mitigation Plan can be found in Attachment #8.

Stream Corridors - The purpose of regulating development in and around stream corridors is to:

1. Preserve the value of stream corridors in providing floodwater conveyance and storage;
2. Promote filtration of storm water runoff;
3. Reduce stream bank erosion; and
4. Protect and enhance wildlife habitat.

The City's Sensitive Areas Ordinance requires the delineation of any stream corridor and its required natural buffer (14-5I-7). The subject property contains a drainageway that does not have a delineated floodway, and therefore requires a 15' natural buffer between the stream corridor limits and any development activity. The stream corridor's location within the subject property is far enough south where it will not be impacted by any development taking place in the northern portion of the property.

Steep, Critical, and Protected Slopes – The purpose of regulating development on and near steep slopes is to:

1. Promote safety in the design and construction of developments;
2. Minimize flooding, landslides and mudslides;
3. Minimize soil instability, erosion and downstream siltation; and
4. Preserve the scenic character of hillside areas, particularly wooded hillsides.

The City's Sensitive Areas Ordinance requires a 2 ft. buffer for each foot of vertical rise of the protected slope, up to a maximum buffer of fifty feet (50') (14-5I-8D-1). The buffer area is to be measured from the top, toe and sides of the protected slope. No development activity, including removal of trees and other vegetation, will be allowed within the buffer. The SADP contains 567 square feet of protected slopes, but no disturbance to protected slopes.

The applicant is proposing to disturb 2% of critical slopes on the subject property to facilitate

construction of a parking lot on the subject property. The Ordinance allows for up to 35% of critical slopes to be disturbed (14-5I-8E-4). The applicant's proposal for disturbance of critical slopes falls within this limitation. Development activities are allowed in areas containing altered protected slopes. The proposed SADP is showing disturbance to 87% of altered protected slopes, mostly in the eastern portion of the proposed parking lot.

PROPOSED CONDITIONS:

1. Prior to the issuance of building permits, provision of a 15' wide utility easement along the property's east side.
2. Prior to issuance of building permits, payment of \$5,000 towards the upgrading of approximately 25 feet of Camp Cardinal Road that is adjacent to the subject property that does not meet City standards is made. This amount is based off of Camp Cardinal Road being a collector street, and the applicant contributing 25% of the cost of the approximately 25 feet of road that needs to be improved to the north property line.

NEXT STEPS:

Upon recommendation of approval of the rezoning from the Planning and Zoning Commission, the item will proceed to City Council for consideration. The applicant will be required to submit a Final Sensitive Areas Development Plan and Site Plan, both of which will be reviewed administrative by staff before receiving building permits.

STAFF RECOMMENDATION: Staff recommends approval of REZ20-0001, a proposal to rezone approximately 3.1 acres of property located at the corner of Camp Cardinal Blvd and Camp Cardinal Road, across the street from 80 Gathering Place Ln. from Neighborhood Public (P-1) to Community Commercial with a Planned District Overlay (OPD/CC-2)

ATTACHMENTS:

1. Location Map
2. Zoning Map
3. Concept Plan
4. Building Elevations
5. Vacation Plat
6. Statement of Wetland Avoidance and Minimization
7. Preliminary OPD and Sensitive Areas Plan
8. Wetland Mitigation Plan
9. Wetland Delineation Plan

Approved by: _____



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

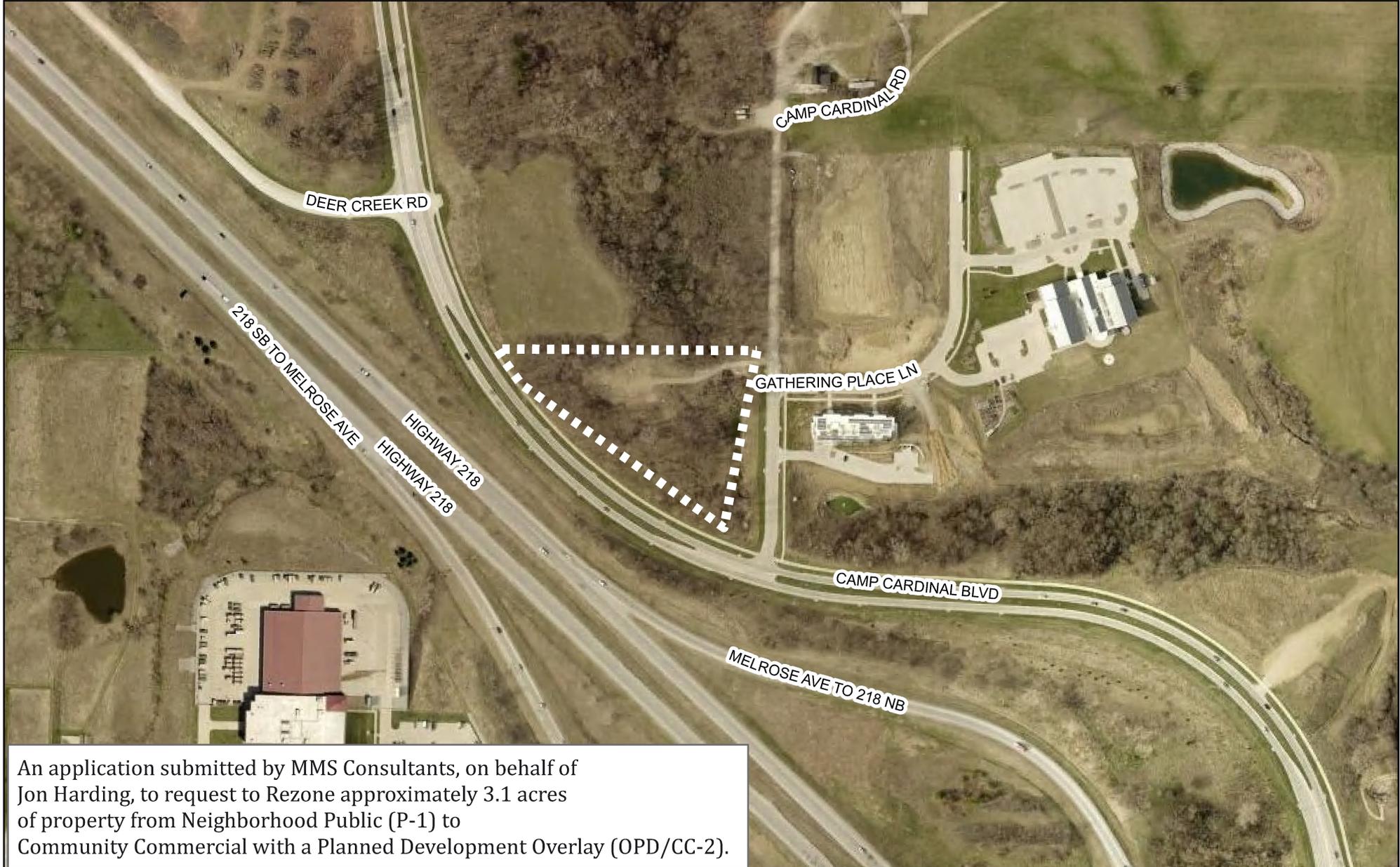


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REZ20-01* - Harding Event Center North of Camp Cardinal Blvd, West of Camp Cardinal Road.



Prepared By: Joshua Engelbrecht
Date Prepared: June 2020



An application submitted by MMS Consultants, on behalf of Jon Harding, to request to Rezone approximately 3.1 acres of property from Neighborhood Public (P-1) to Community Commercial with a Planned Development Overlay (OPD/CC-2).

* indicates that this REZ application was the first application via Energov, but is not the first REZ application recieved this year.

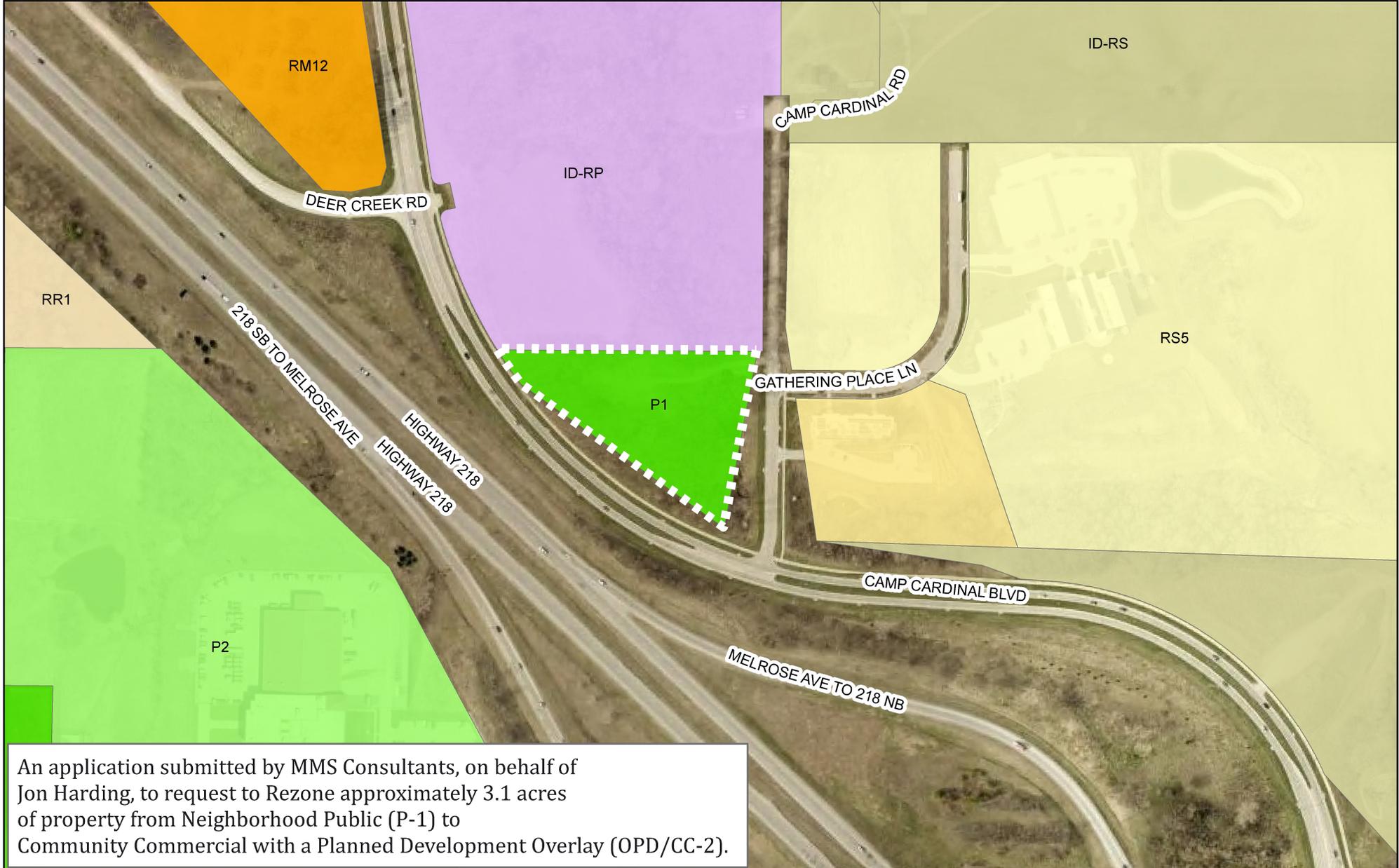


0 0.0325 0.065 0.13 Miles

REZ20-01* - Harding Event Center North of Camp Cardinal Blvd, West of Camp Cardinal Road.



Prepared By: Joshua Engelbrecht
Date Prepared: June 2020



An application submitted by MMS Consultants, on behalf of Jon Harding, to request to Rezone approximately 3.1 acres of property from Neighborhood Public (P-1) to Community Commercial with a Planned Development Overlay (OPD/CC-2).

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Date	Revision
5/5/20	revised ROW vacation area

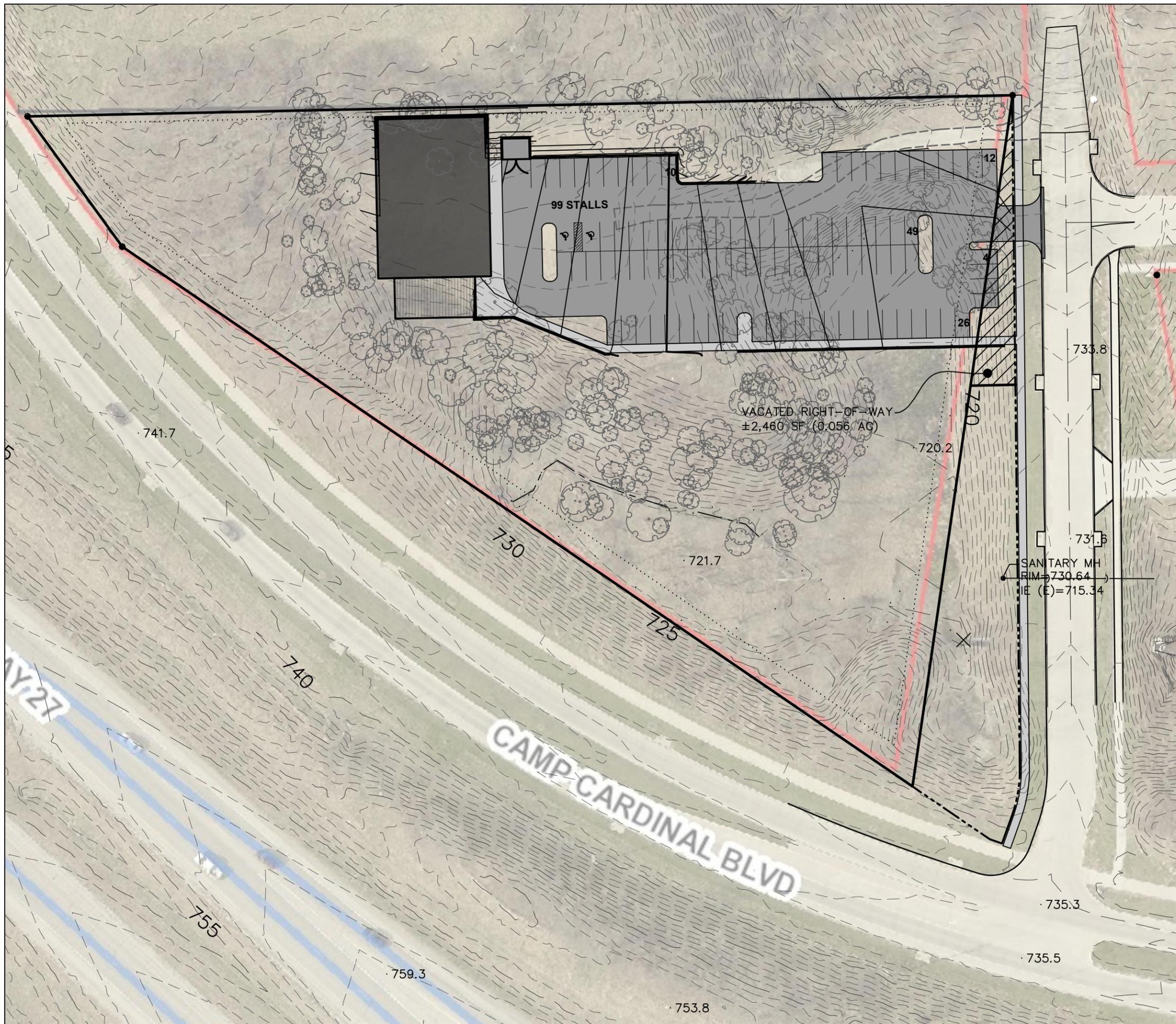
PROPOSED ROW VACATION

HARDING VENUE IOWA CITY

MMS CONSULTANTS, INC.

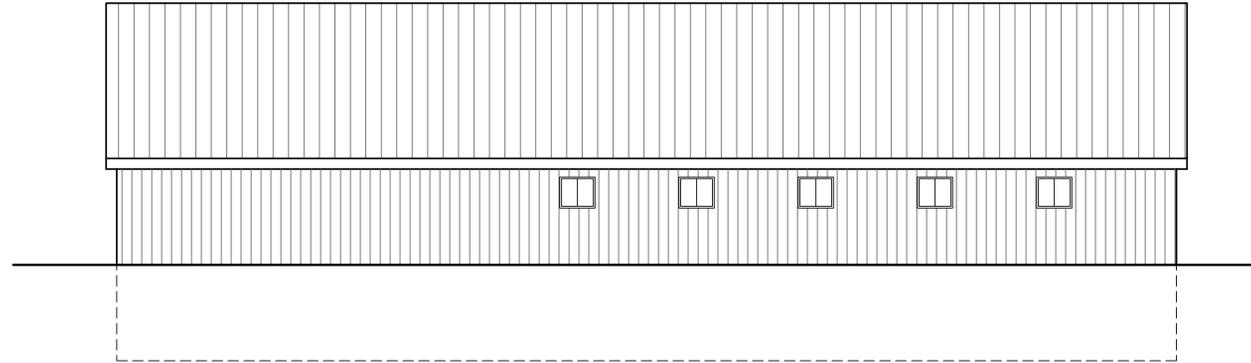
Date: 01/29/2020

Designed by:	KB	Field Book No:	
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Checked by:	LCN	Sheet No:	X
Project No:	IC 9744-004	of:	X

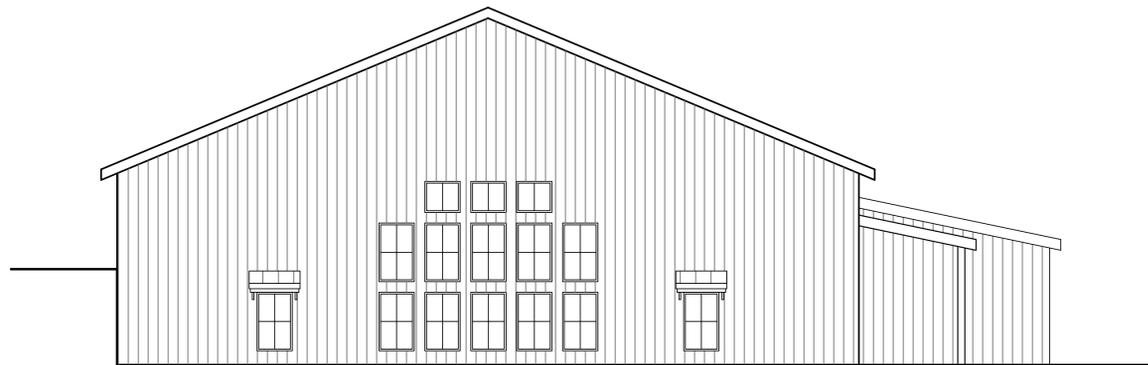




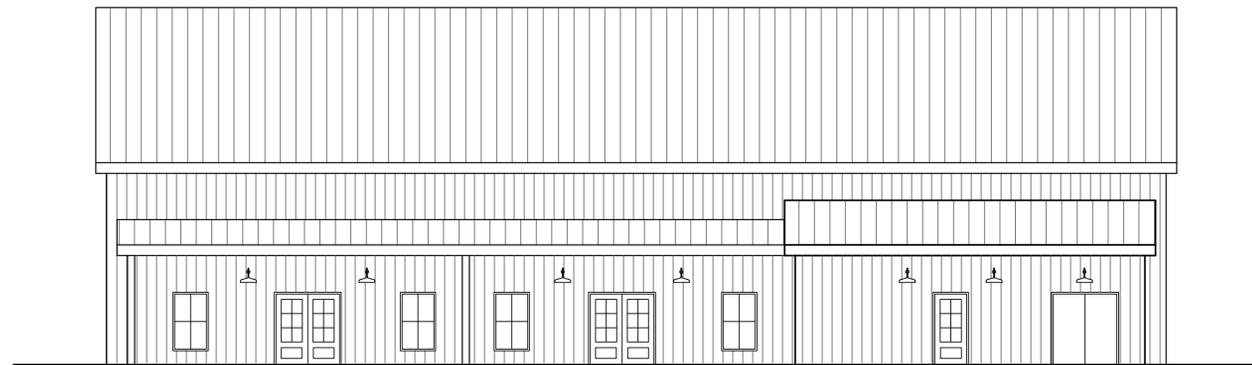
2 EAST ELEVATION
A2.0 SCALE: 1/8" = 1'-0"



10 NORTH ELEVATION
A2.0 SCALE: 1/8" = 1'-0"



4 WEST ELEVATION
A2.0 SCALE: 1/8" = 1'-0"



12 SOUTH ELEVATION
A2.0 SCALE: 1/8" = 1'-0"

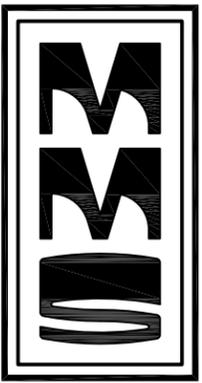
PROJECT # 20044
DATE: 18JUNE2020
REV/NOV: _____

STOAKES & FELL
ARCHITECTURE AND DESIGN
8 W CHERRY STREET
NORTH LIBERTY, IOWA 52317
PHONE: 319.541.4222
www.stokesandfell.com
EMAIL: martha.stokes@stokesandfell.com

These drawings and specifications are the property and copyright of Andrew Fell, Architecture and Design and shall not be used on any other work except by written agreement with the Architect. Only written dimensions shall be used. Do not scale drawings. Dimensions shall be verified on the job. In the event of a discrepancy, the dimensions shown on these drawings shall be brought to the notice of the Architect prior to the commencement of any work.

CORPORATE RETREAT
NEW CONSTRUCTION
IOWA CITY, IOWA

A2.0



CIVIL ENGINEERS
 LAND PLANNERS
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 LANDSCAPE ARCHITECTS
 ENVIRONMENTAL SPECIALISTS

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 IOWA CITY, IOWA 52240
 (319) 351-8282

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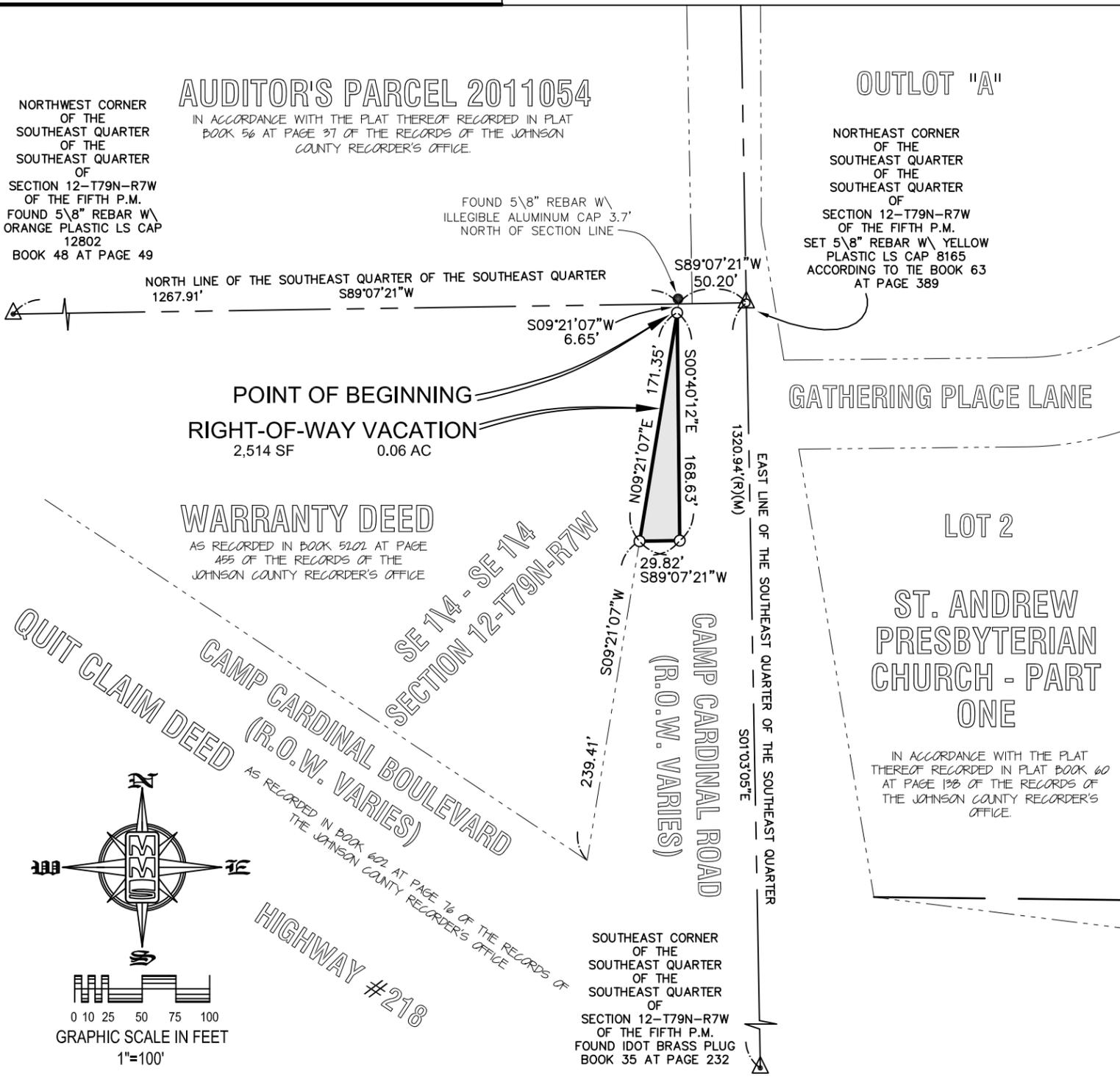
PLAT OF SURVEY RIGHT-OF-WAY VACATION IOWA CITY, JOHNSON COUNTY, IOWA

LEGEND AND NOTES	
	- CONGRESSIONAL CORNER, FOUND
	- PROPERTY CORNER(S), FOUND (as noted)
	- PROPERTY CORNERS SET (5/8" Iron Pin w/ yellow, plastic LS Cap embossed with "MMS")
	- PROPERTY &/or BOUNDARY LINES
	- CONGRESSIONAL SECTION LINES
	- RIGHT-OF-WAY LINES
	- CENTER LINES
	- LOT LINES, PLATTED OR BY DEED
	- EXISTING EASEMENTS LINES, PURPOSE NOTED
	- RECORDED DIMENSIONS
	- MEASURED DIMENSIONS
(R)	
(M)	

UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN FEET AND HUNDREDTHS

LOCATION: A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 79 NORTH, RANGE 7 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, IOWA CITY, JOHNSON COUNTY, IOWA.	SURVEY REQUESTED BY: JON M HARDING 709 NORMANDY DRIVE IOWA CITY, IOWA 52246
LAND SURVEYOR: GLEN D. MEISNER P.L.S MMS CONSULTANTS INC. 1917 SOUTH GILBERT STREET IOWA CITY, IOWA, 52240 PHONE: 319-351-8282	PROPRIETOR OR OWNER: JON M HARDING 709 NORMANDY DRIVE IOWA CITY, IOWA 52246
	DOCUMENT RETURN INFORMATION: LAND SURVEYOR

FOR COUNTY RECORDER'S USE



DESCRIPTION - RIGHT-OF-WAY VACATION

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 79 NORTH, RANGE 7 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, IOWA CITY, JOHNSON COUNTY, IOWA, DESCRIBED AS FOLLOWS:

Commencing at the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 12, Township 79 North, Range 7 West, of the Fifth Principal Meridian, Iowa City, Johnson County, Iowa; Thence S89°07'21"W, along the North Line of said Southeast Quarter of the Southeast Quarter, 50.20 feet, to its intersection with the West Right-of-Way Line of Camp Cardinal Road; Thence S09°21'07"W, along said West Right-of-Way Line, 6.65 feet, to the Point of Beginning; Thence S00°40'12"E, 168.63 feet; Thence S89°07'21"W, 29.82 feet, to a Point on said West Right-of-Way Line of Camp Cardinal Road; Thence N09°21'07"E, along said West Right-of-Way Line, 171.35 feet, to the Point of Beginning. Said Right-of-Way Vacation contains 0.06 Acre, and is subject to easements and restrictions of record.

Date	Revision
06-24-2020	PER GDM REVIEW - RLW
08-17-2020	PER CITY COMMENTS - RLW

PLAT OF SURVEY RIGHT-OF-WAY VACATION

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 79 NORTH, RANGE 7 WEST, OF THE FIFTH PRINCIPAL MERIDIAN

IOWA CITY
 JOHNSON COUNTY
 IOWA
 MMS CONSULTANTS, INC.

Date: **06-22-2020**

Designed by: JDM	Field Book No: 1259
Drawn by: RLW	Scale: 1"=100'
Checked by: GDM	Sheet No: 1
Project No: IC 9744-004	of: 1

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

_____, 20____

GLEN D. MEISNER
 P.L.S. Iowa Lic. No. 8165

My license renewal date is December 31, 20____.

Pages or sheets covered by this seal:

SEAL

LICENSED PROFESSIONAL LAND SURVEYOR
 GLEN D. MEISNER
 8165
 IOWA

MEMO



To: Ray Heitner, City of Iowa City

From: Chant Eicke, Impact7G on behalf of Jon Harding

Subject: Statement of Wetland Avoidance and Minimization

Date: September 30th, 2020

Entrance to the developable portion of the property can only be accessed from Camp Cardinal Road, necessitating improvements to the existing entrance which, in its current state, could not safely handle commercial traffic. Furthermore, the entrance is not currently aligned with the current intersection of Camp Cardinal Road and Gather Place, per City preferences, requiring shifting to the south and associated wetland impacts. Satisfying parking requirements, per city code, and stormwater management beneath the parking lot require a footprint in wetland areas due to available space and protected slope constraints. Several earlier site layout iterations included conventional stormwater management practices that resulted in loss of as much as 50% of the wetlands within the parcel. The proposed design minimized wetland loss to 16% of all wetlands by utilizing an underground stormwater management system to arrive at an absolute minimum wetland impact amount allowing for the proposed facility, required parking, stormwater management, and intersection approach.

Additionally, wetland impacts are limited to the lowest quality wetland areas identified on the parcel. This is an effective *minimization* of wetland impacts. Wetland areas avoided include forested wetland and those within a stream corridor which are considered higher quality by the City of Iowa City, whereas impacted wetlands include non-forested wetlands that are considered low-quality, as rated by regional wetland Routine/Rapid Assessment Methodologies (Iowa & Minnesota) due primarily to the predominance of invasive species.

Respectfully,
Chant Eicke, Impact7G

PRELIMINARY OPD AND SENSITIVE AREAS PLAN CAMP CARDINAL EVENT CENTER IOWA CITY, IOWA

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

OWNER/APPLICANT:
JON M. HARDING
709 NORMANDY DRIVE
IOWA CITY, IA 52246

APPLICANT'S ATTORNEY:
RYAN J. PRAHM
425 E. OAKDALE BLVD, SUITE 201
CORALVILLE, IA 52241

3.17 AC



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IOWA CITY, IOWA 52240
(319) 351-8282
www.mmsconsultants.net

Date	Revision
7/8/20	PROVIDE SEN. AREA SQUARE FEET
8/8/20	PER CITY COMMENTS - NPJ
9/23/20	PER CITY COMMENTS - JDM
09/30/20	PER CITY COMMENTS - JDM

PRELIMINARY OPD AND
SENSITIVE AREAS PLAN
(GRADING AND EROSION CONTROL)

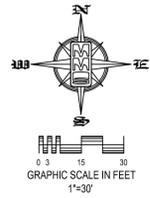
CAMP CARDINAL
EVENT CENTER

IOWA CITY
JOHNSON COUNTY
IOWA

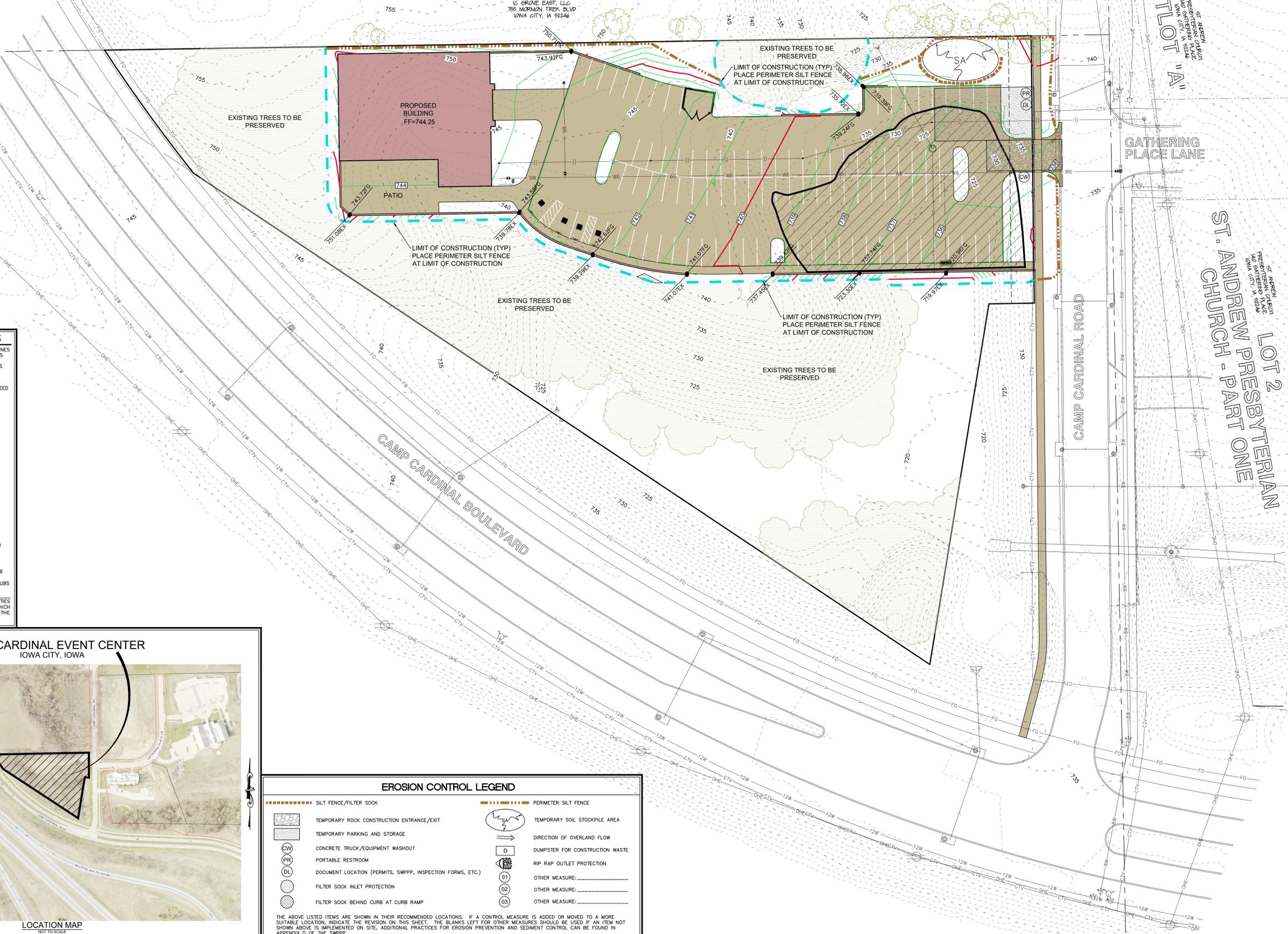
MMS CONSULTANTS, INC.

Date:	06-25-2020
Designed by:	KB
Field Book No.:	1259
Drawn by:	JDM
Scale:	1"=30'
Checked by:	KB
Sheet No.:	2
Project No.:	9744-004

9744-004 of 6



AUDITOR'S PARCEL 2011054



CONSTRUCTION LIMITS

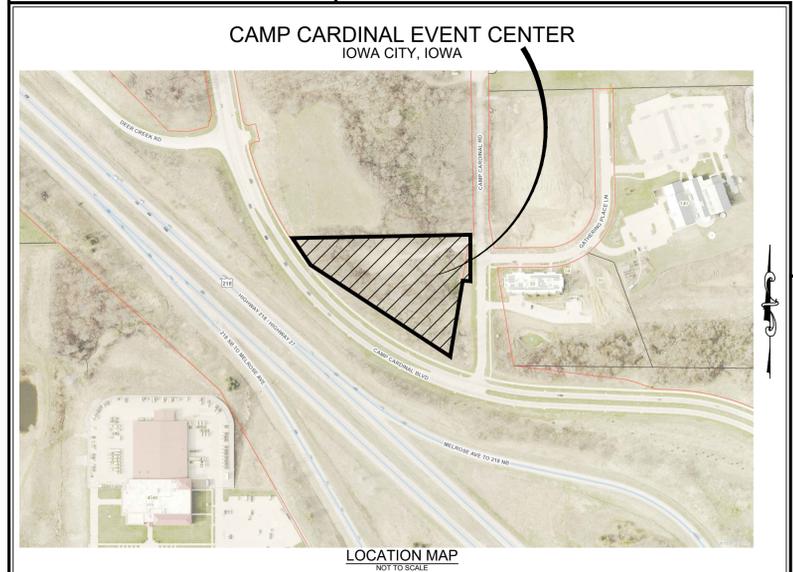
STANDARD LEGEND AND NOTES

- PROPERTY &/or BOUNDARY LINES
- CONGRESSIONAL SECTION LINES
- RIGHT-OF-WAY LINES
- EXISTING RIGHT-OF-WAY LINES
- CENTER LINES
- EXISTING CENTER LINES
- LOT LINES, INTERNAL
- LOT LINES, PLATTED OR BY DEED
- PROPOSED EASEMENT LINES
- EXISTING EASEMENT LINES
- BENCHMARK
- RECORDED DIMENSIONS
- CURVE SEGMENT NUMBER

SYMBOLS:

- POWER POLE
- POWER POLE W/DROP
- POWER POLE W/TRANS
- POWER POLE W/LIGHT
- GUY POLE
- LIGHT POLE
- SANITARY MANHOLE
- FIRE HYDRANT
- WATER VALVE
- DRAINAGE MANHOLE
- CURB INLET
- FENCE LINE
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- WATER LINES
- ELECTRICAL LINES
- TELEPHONE LINES
- GAS LINES
- CONTOUR LINES (1' INTERVAL)
- PROPOSED GROUND
- EXISTING TREE LINE
- EXISTING DECIDUOUS TREE & SHRUB
- EXISTING EVERGREEN TREES & SHRUBS

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



EROSION CONTROL LEGEND

- SILT FENCE/FILTER SOCK
- PERIMETER SILT FENCE
- TEMPORARY ROCK CONSTRUCTION ENTRANCE/EXIT
- TEMPORARY SOIL STOCKPILE AREA
- TEMPORARY PARKING AND STORAGE
- TEMPORARY ROCK CONSTRUCTION ENTRANCE/EXIT
- CONCRETE TRUCK/EQUIPMENT WASHOUT
- PORTABLE RESTROOM
- DOCUMENT LOCATION (PERMITS, SWPPP, INSPECTION FORMS, ETC.)
- DIRECTION OF OVERLAND FLOW
- DUMPSTER FOR CONSTRUCTION WASTE
- RIP RAP OUTLET PROTECTION
- FILTER SOCK INLET PROTECTION
- FILTER SOCK BEHIND CURB AT CURB RAMP
- OTHER MEASURE: _____
- OTHER MEASURE: _____
- OTHER MEASURE: _____

THE ABOVE LISTED ITEMS ARE SHOWN IN THEIR RECOMMENDED LOCATIONS. IF A CONTROL MEASURE IS ADDED OR MOVED TO A MORE SUITABLE LOCATION, INDICATE THE REVISION ON THIS SHEET. THE BLANKS LEFT FOR OTHER MEASURES SHOULD BE USED IF AN ITEM NOT SHOWN ABOVE IS IMPLEMENTED ON SITE. ADDITIONAL PRACTICES FOR EROSION PREVENTION AND SEDIMENT CONTROL CAN BE FOUND IN APPENDIX D OF THE SWPPP.

PRELIMINARY OPD AND SENSITIVE AREAS PLAN CAMP CARDINAL EVENT CENTER IOWA CITY, IOWA

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

OWNER/APPLICANT:
JON M. HARDING
709 NORMANDY DRIVE
IOWA CITY, IA 52246

APPLICANT'S ATTORNEY:
RYAN J. PRAHM
425 E. OAKDALE BLVD, SUITE 201
CORALVILLE, IA 52241

3.17 AC



CIVIL ENGINEERS
LAND PLANNERS
LAND SURVEYORS
LANDSCAPE ARCHITECTS
ENVIRONMENTAL SPECIALISTS

1917 S. GILBERT ST.
IOWA CITY, IOWA 52240
(319) 351-8282
www.mmsconsultants.net

Date	Revision
7/8/20	PROVIDE SEN. AREA SQUARE FEET
9/8/20	PER CITY COMMENTS - NPB
9/23/20	PER CITY COMMENTS - JDM
09/30/20	PER CITY COMMENTS - JDM

PRELIMINARY OPD AND
SENSITIVE AREAS PLAN
(SENSITIVE AREAS MAP)

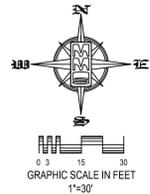
CAMP CARDINAL
EVENT CENTER

IOWA CITY
JOHNSON COUNTY
IOWA

MMS CONSULTANTS, INC.

Date:	06-25-2020
Designed by:	KB
Field Book No.:	1259
Drawn by:	JDM
Scale:	1"=30'
Checked by:	KB
Sheet No.:	3
Project No.:	9744-004

9744-004 of 6



AUDITOR'S PARCEL 2011054

1/2 GROVE EAST, LLC
759 NORMANDY TRAIL BLVD
IOWA CITY, IA 52246

OUTLOT "A"
ST. ANDREW'S
PRESBYTERIAN CHURCH
1917 S. GILBERT ST.
IOWA CITY, IA 52240

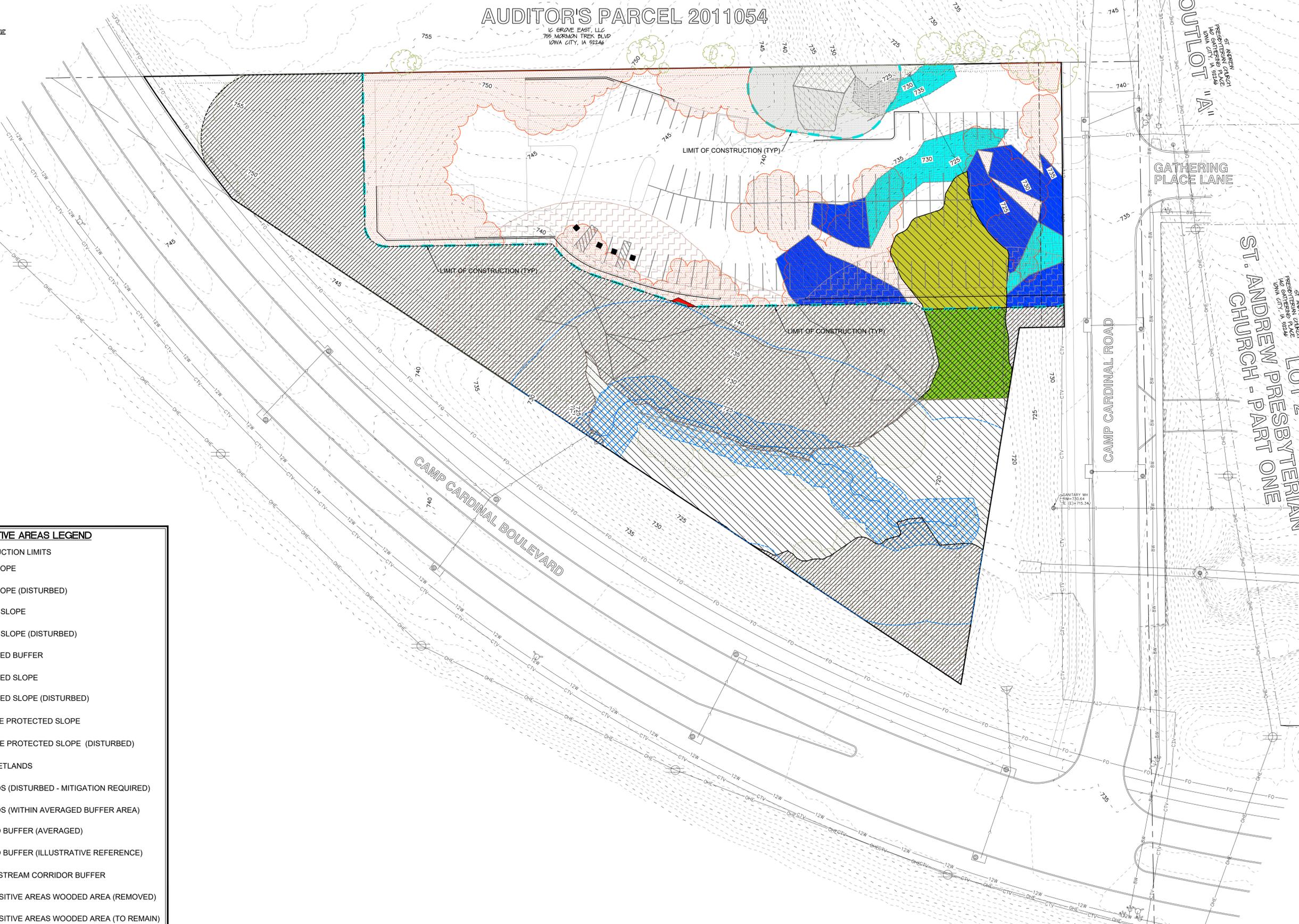
GATHERING PLACE LANE

ST. ANDREW'S
PRESBYTERIAN CHURCH
1917 S. GILBERT ST.
IOWA CITY, IA 52240
LOT 2
ST. ANDREW'S PRESBYTERIAN
CHURCH - PART ONE

CAMP CARDINAL BOULEVARD

CAMP CARDINAL ROAD

SENSITIVE AREAS LEGEND	
	CONSTRUCTION LIMITS
	STEEP SLOPE
	STEEP SLOPE (DISTURBED)
	CRITICAL SLOPE
	CRITICAL SLOPE (DISTURBED)
	PROTECTED BUFFER
	PROTECTED SLOPE
	PROTECTED SLOPE (DISTURBED)
	MAN MADE PROTECTED SLOPE
	MAN MADE PROTECTED SLOPE (DISTURBED)
	TOTAL WETLANDS
	WETLANDS (DISTURBED - MITIGATION REQUIRED)
	WETLANDS (WITHIN AVERAGED BUFFER AREA)
	WETLAND BUFFER (AVERAGED)
	WETLAND BUFFER (ILLUSTRATIVE REFERENCE)
	15-FOOT STREAM CORRIDOR BUFFER
	NON-SENSITIVE AREAS WOODED AREA (REMOVED)
	NON-SENSITIVE AREAS WOODED AREA (TO REMAIN)



PRELIMINARY OPD AND SENSITIVE AREAS PLAN CAMP CARDINAL EVENT CENTER IOWA CITY, IOWA

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

OWNER/APPLICANT:
JON M. HARDING
709 NORMANDY DRIVE
IOWA CITY, IA 52246

APPLICANT'S ATTORNEY:
RYAN J. PRAHM
425 E. OAKDALE BLVD, SUITE 201
CORALVILLE, IA 52241

3.17 AC



CIVIL ENGINEERS
LAND PLANNERS
LAND SURVEYORS
LANDSCAPE ARCHITECTS
ENVIRONMENTAL SPECIALISTS

1917 S. GILBERT ST.
IOWA CITY, IOWA 52240
(319) 351-8282
www.mmsconsultants.net

Date	Revision
7/8/20	PROVIDE SEN. AREA SQUARE FEET
8/8/20	PER CITY COMMENTS - NPB
9/23/20	PER CITY COMMENTS - JDM
09/30/20	PER CITY COMMENTS - JDM

PRELIMINARY OPD AND SENSITIVE AREAS PLAN SLOPES

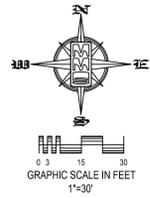
CAMP CARDINAL EVENT CENTER

IOWA CITY
JOHNSON COUNTY
IOWA

MMS CONSULTANTS, INC.

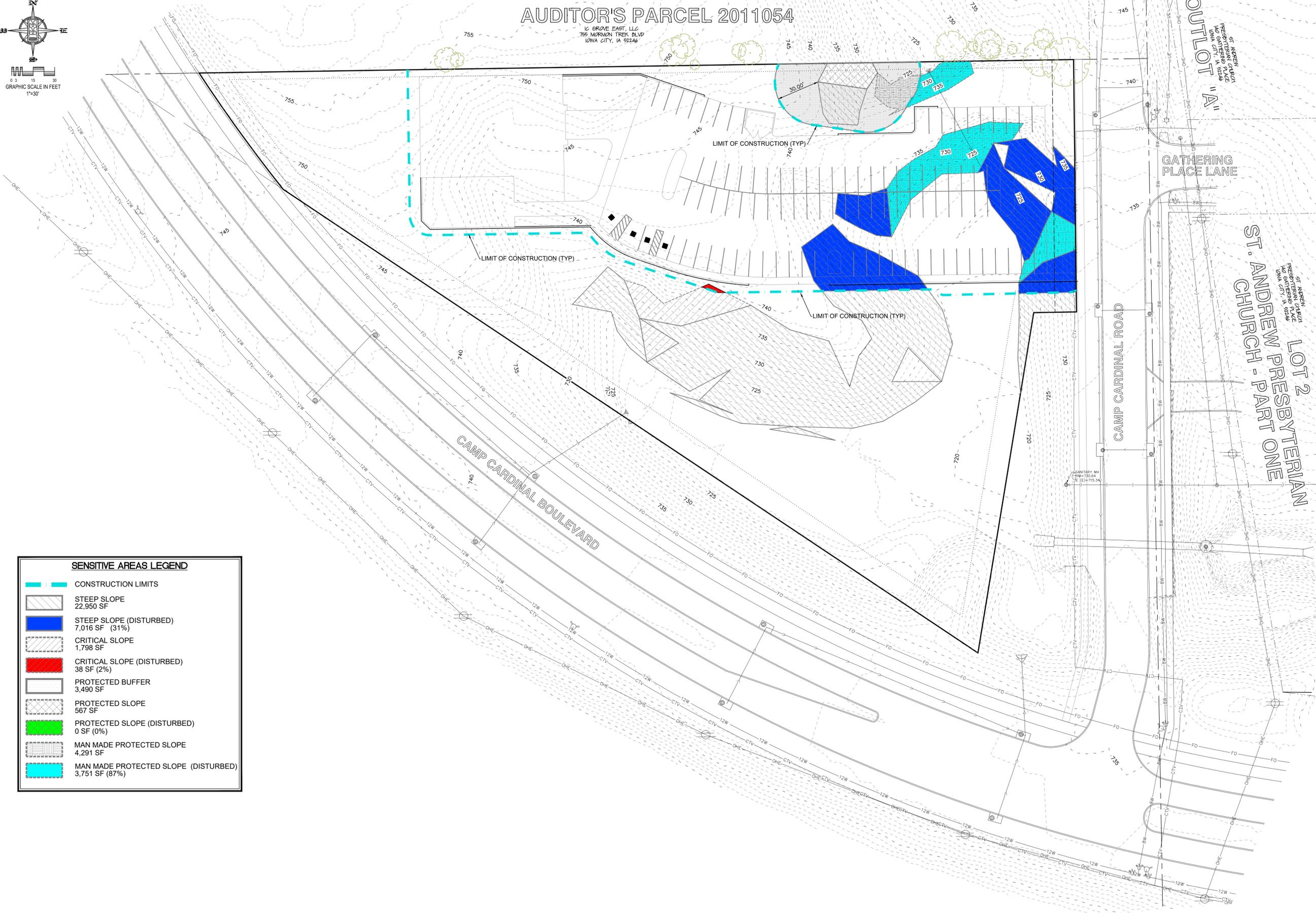
Date:	06-25-2020
Designed By:	KB
Field Book No.:	1259
Drawn By:	JDM
Scale:	1"=30'
Checked By:	KB
Sheet No.:	4
Project No.:	9744-004

of 6



AUDITOR'S PARCEL 2011054

1/2 GROVE EAST, LLC
75% NORMANDY TRK BLVD
IOWA CITY, IA 52246



SENSITIVE AREAS LEGEND

	CONSTRUCTION LIMITS
	STEEP SLOPE 22,950 SF
	STEEP SLOPE (DISTURBED) 7,016 SF (31%)
	CRITICAL SLOPE 1,798 SF
	CRITICAL SLOPE (DISTURBED) 38 SF (2%)
	PROTECTED BUFFER 3,490 SF
	PROTECTED SLOPE 567 SF
	PROTECTED SLOPE (DISTURBED) 0 SF (0%)
	MAN MADE PROTECTED SLOPE 4,291 SF
	MAN MADE PROTECTED SLOPE (DISTURBED) 3,751 SF (87%)

PRELIMINARY OPD AND SENSITIVE AREAS PLAN CAMP CARDINAL EVENT CENTER IOWA CITY, IOWA

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

OWNER/APPLICANT:
JON M. HARDING
709 NORMANDY DRIVE
IOWA CITY, IA 52246

APPLICANT'S ATTORNEY:
RYAN J. PRAHM
425 E. OAKDALE BLVD, SUITE 201
CORALVILLE, IA 52241

3.17 AC



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8/8/20	PER CITY COMMENTS - NPB
9/23/20	PER CITY COMMENTS - JDM
09/30/20	PER CITY COMMENTS - JDM

PRELIMINARY OPD AND SENSITIVE AREAS PLAN WETLANDS

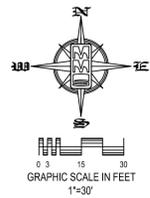
CAMP CARDINAL EVENT CENTER

IOWA CITY
JOHNSON COUNTY
IOWA

MMS CONSULTANTS, INC.

Date:	06-25-2020
Designed By:	KB
Field Book No.:	1259
Drawn By:	JDM
Scale:	1"=30'
Checked By:	KB
Sheet No.:	5
Project No.:	9744-004

of 6



AUDITOR'S PARCEL 2011054

1/2 GROVE EAST, LLC
75% NORMAN TREK BLVD
IOWA CITY, IA 52246



SENSITIVE AREAS LEGEND	
	CONSTRUCTION LIMITS
	TOTAL WETLANDS 25,415 SF
	WETLANDS (DISTURBED - MITIGATION REQUIRED) 4,431 SF (17%)
	WETLANDS (WITHIN AVERAGED BUFFER AREA) 3,065 SF (12%)
	TOTAL WETLANDS DISTURBED AND WITHIN BUFFER 7,496 SF (29%)
	WETLAND BUFFER (AVERAGED) 52,015 SF
	WETLAND BUFFER (ILLUSTRATIVE REFERENCE) 50,725 SF
	15-FOOT STREAM CORRIDOR BUFFER 9,228 SF

PRELIMINARY OPD AND SENSITIVE AREAS PLAN CAMP CARDINAL EVENT CENTER IOWA CITY, IOWA

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

OWNER/APPLICANT:
JON M. HARDING
709 NORMANDY DRIVE
IOWA CITY, IA 52246

APPLICANT'S ATTORNEY:
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3.17 AC



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9/23/20	PER CITY COMMENTS - JDM
09/30/20	PER CITY COMMENTS - JDM

PRELIMINARY OPD AND
SENSITIVE AREAS PLAN
(LANDSCAPE PLAN)

CAMP CARDINAL
EVENT CENTER

IOWA CITY
JOHNSON COUNTY
IOWA

MMS CONSULTANTS, INC.

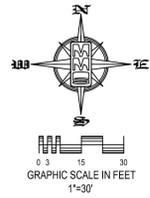
Date: 06-25-2020

Designed by: KB Field Book No: 1259

Drawn by: JDM Scale: 1"=30'

Checked by: KB Sheet No: 6

Project No: 9744-004 of 6



AUDITOR'S PARCEL 2011054

1/2 GROVE EAST, LLC
75% NORMANDY TRK BLVD
IOWA CITY, IA 52246

PARKING SCREEN PROVIDED
BY RETAINING WALL

EXISTING TREES TO
BE PRESERVED

LIMIT OF CONSTRUCTION (TYP)

PROPOSED BUILDING

PATIO

EXISTING TREES TO BE
PRESERVED

LIMIT OF CONSTRUCTION (TYP)

EXISTING TREES TO BE
PRESERVED

EXISTING TREES TO BE
PRESERVED

CAMP CARDINAL BOULEVARD

CAMP CARDINAL ROAD

GATHERING
PLACE LANE

ST. ANDREW PRESBYTERIAN
LOT 2
PART ONE

CONSTRUCTION LIMITS

LANDSCAPE REQUIREMENTS

PARKING

- 1. 1 LARGE TREE WITHIN 60' OR 1 SMALL TREE WITHIN 40' OF EVERY PARKING SPACE.

- 8 PROVIDED

- 1. S2 SCREENING REQUIRED BETWEEN PARKING AREAS AND ADJACENT RESIDENTIAL ZONE.*

- * S2 SCREENING: LOW LEVEL SCREENING. SEPARATES DIFFERENT ZONING AREAS. 33% MUST BE AT LEAST 4' TALL.

- 40 PROVIDED

NOTE: NO DEVELOPMENT ACTIVITY OR REMOVAL OF TREES MAY TAKE PLACE WITHIN WETLAND OR PROTECTED SLOPE BUFFER AREAS

PLANT LIST - TREES					
QTY	KEY	BOTANICAL NAME	COMMON NAME	INSTALL SIZE	NATURE
3	AS	ACER SACCHARINUM	SUGAR MAPLE	3" CAL.	D & D
5	AB	ACER X FRAXINUS 'AUTUMN BLAZE'	AUTUMN BLAZE RED MAPLE	3" CAL.	D & D
9	SR	SYRINGA RETICULATA 'VIRKY SILK'	WIKY SILK JAPANESE TREE LILAC	1 1/2" CAL.	D & D

PLANT LIST - SHRUBS, PERENNIALS, ORNAMENTAL GRASSES & GROUND COVER					
QTY	KEY	BOTANICAL NAME	COMMON NAME	INSTALL SIZE	NATURE
11	DM	BERBERIS THUNBERGII 'RUBY CARAMEL'	RUBY CARAMEL BERBERIS	8" HT.	CONT.
11	PD	FINIS MURDO MURPHY	DWARF MURDO PINE	8" HT.	CONT.
11	VP	VERONICA PENICILLATA 'CHRISTOPH BLUE MUFFIN'	BLUE MUFFIN ARBORESC. VERONICA	2 1/2" HT.	CONT.

Wetland Mitigation Plan, Iowa City Sensitive Lands & Features



Camp Cardinal Event Center

Prepared for:
Jon Harding

Prepared by:



Impact7G, Inc.
310 Second St.
Coralville, Iowa 52241
Project #: Harding-001

September 30, 2020

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1.0 Executive Summary

Construction of the Camp Cardinal Event Center in Iowa City, IA, will result in the permanent loss of 0.09 acre of emergent wetland area, and the temporary impact of 0.01 acre of emergent wetland area. City Code 14-51-6 of Iowa City requires wetland mitigation for the permanent wetland loss. Compensatory mitigation for this wetland area is proposed to be conducted onsite through enhancement of remaining wetland areas on the property.

This wetland mitigation plan is proposed specifically to meet objectives of the *Purpose* of regulating development in and around wetlands in Iowa City, as specified in City Code 14-51-6A. Proposed mitigation efforts would preserve and enhance the wetland functions and values provided to the City, its residents, and the local environment through:

- Preservation of existing natural stormwater retention, control of runoff, water quality improvement, ground water recharge and flood storage;
- Preservation and improvement of habitat for plants, amphibians, and other wildlife;
- Minimization of development impact on wetland areas through active preservation, enhancement, and management of the remaining wetland areas;
- Protection of wetland areas above and beyond that of federal and state government requirements through implementation of this mitigation plan strictly and solely for the purposes of meeting City of Iowa City Code; and
- Minimization of the long term environmental impact of wetland loss associated with this development, offset by increased biologic, hydrologic, and geochemical functionality of the remaining wetlands through increased species diversity and invasive species management.

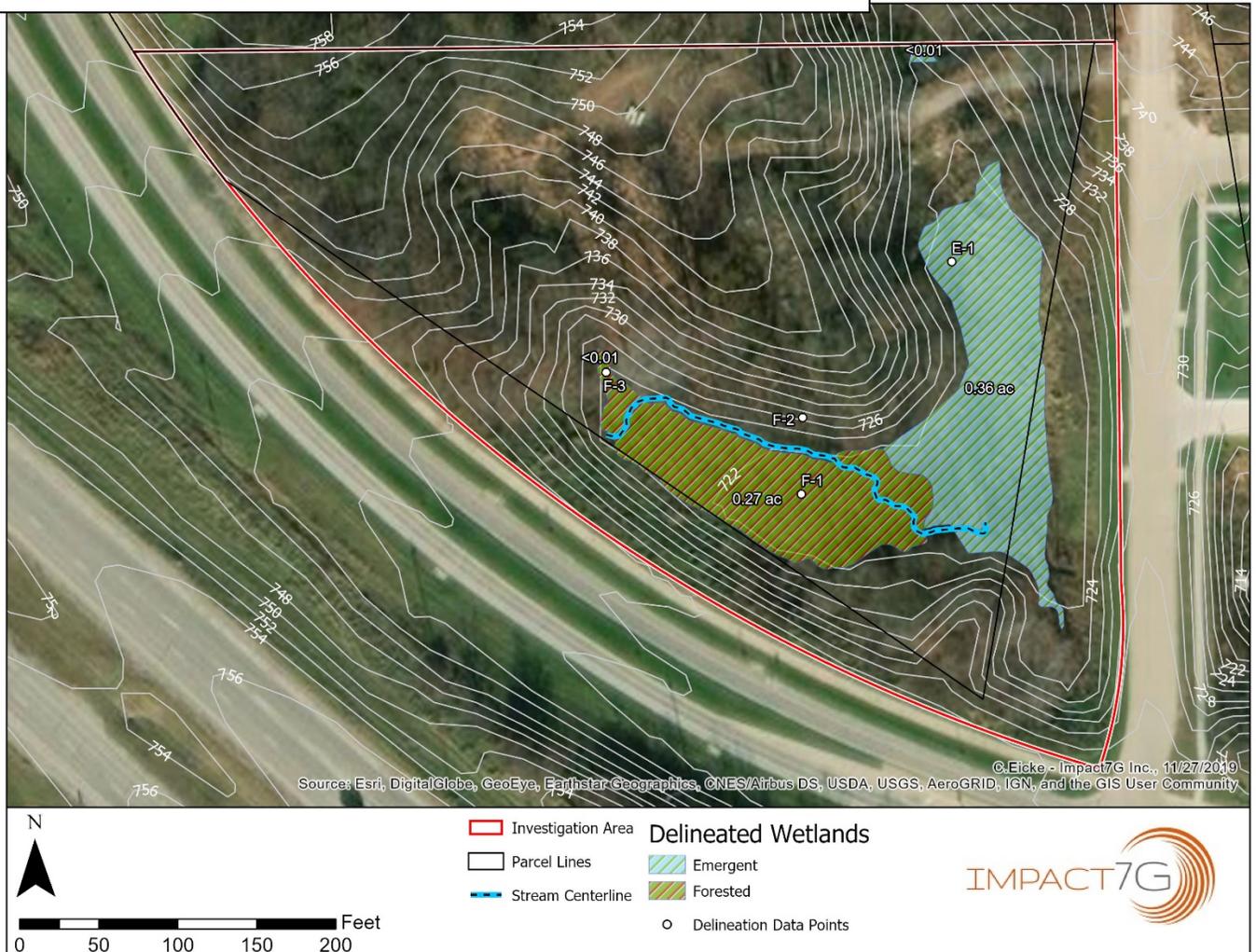
2.0 Wetland Mitigation (City Code 14-51-6C)

The following sections provide details of construction activities and impacts and provide reference to appropriate external documentation provided separately or as attachments to this document.

2.1 Wetlands Delineated

Impact7G delineated a total of 0.63 acres of wetlands within the parcel and immediately adjacent, composed of 0.27 acre of forested wetland and 0.36 acre of emergent wetland. Please refer to *Wetland Delineation Harding Property, 2019*, (Attachment A) for more information. See Figure 1, below. The U.S. Army Corps of Engineers conducted a review of this delineation and provided acceptance through issuance of a Section 404 Wetland Permit, # 2020-1098 (Attachment B) for the proposed Event Center development.

Figure 1: Map Excerpt from *Wetland Delineation Harding Property, 2019*



2.2 Wetlands Disturbed, Buffer Averaging, & Construction Limits

Wetlands Disturbed

A total of 0.09 acre of emergent wetlands will be removed permanently. A temporary impact of 0.01 acre will occur through operation of construction equipment within emergent wetland areas directly adjacent to a retaining wall.

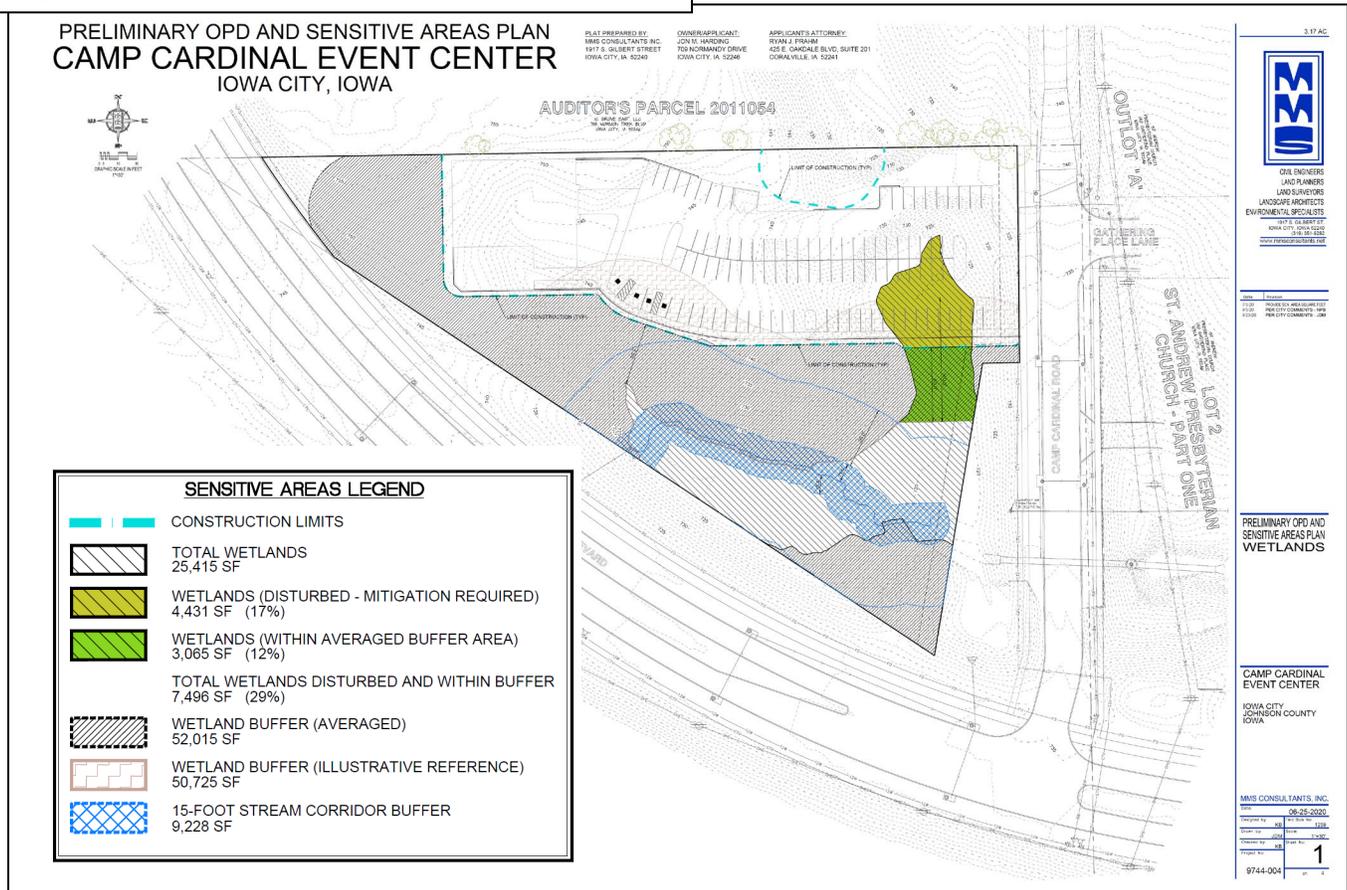
Wetland Buffers

For reference, buffer of remaining wetlands would equal 50,015 SF (1.15 acres). Buffer averaging at this location will result in 52,015 SF (1.19 acres) of buffer area. See *OPD And Sensitive areas Plan* for reference, and Figure 2, below.

Construction Limits

Operation, storage, or any other equipment or construction materials use, not directly intended to complete wetland mitigation activities as described herein, will be strictly prohibited from remaining (preserved) wetlands and buffer areas. The limits of construction activity (not pertaining to wetland mitigation) is illustrated on the *OPD And Sensitive Areas Plan* and Figure 2, below.

Figure 2: "Wetlands" Preliminary Site Plan Excerpt



2.3 Wetland Erosion & Equipment Protections

Prior to any other development activities, construction limits will be protected by silt fencing where possible and appropriate. Construction limits adjacent to wetland buffers and/or wetland areas will also be clearly marked with orange construction fencing.

Please refer to the *Camp Cardinal Event Center Stormwater Management Plan*, prepared by MMS Consultants, for more erosion control details.

2.4 Wetland Certification, State & Federal Permitting

The report, *Wetland Delineation Harding Property*, was prepared by Impact7G in 2019 and submitted to the U.S. Army Corps of Engineers in 2020. Receipt and acceptance of the findings in the wetland delineation is documented by means of a Section 404 Wetland Permit, # 2020-1098 (Attachment B).

Section 404 Permit # 2020-1098 provides federal and state authorization for the wetland impacts proposed in association with Camp Cardinal Event Center construction activities provided all terms and conditions of Nationwide Permit (NWP) No. 39 are met.

Wetland enhancements proposed herein will be conducted under NWP 27.

2.5 Wetland Buffer Reduction

No wetland buffer reduction is requested.

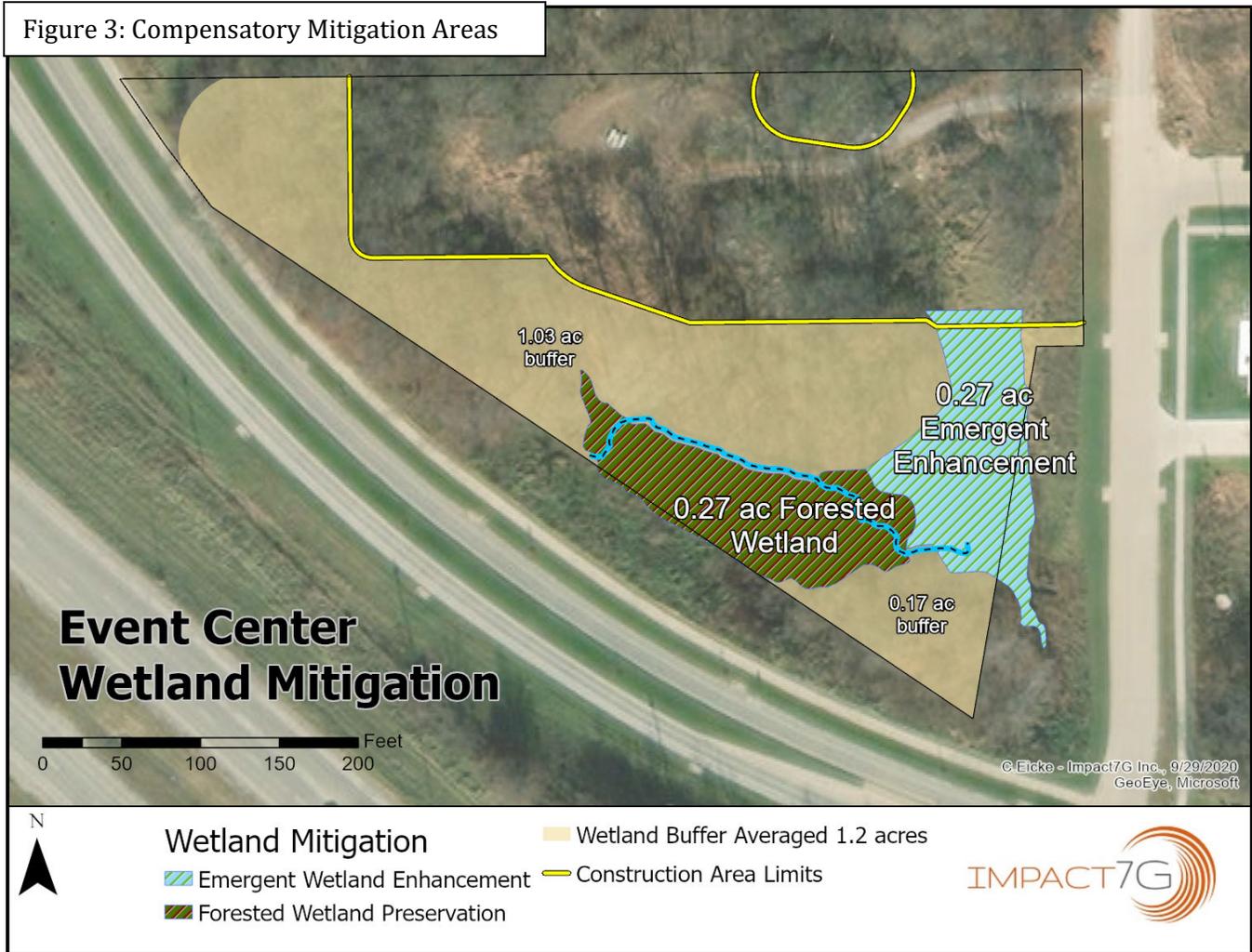
2.6 Stormwater Management Plan

Please refer to the *Camp Cardinal Event Center Stormwater Management Plan*, prepared by MMS Consultants, submitted separately.

3.0 Compensatory Mitigation Plan (City Code 14-51-6G)

Compensatory mitigation for wetland loss as a result of construction of the Camp Cardinal Event Center includes preservation and management of all remaining wetlands within the parcel and enhancement of approximately 0.27 acre of emergent, non-forested wetland area. See Figure 3, below. The emergent wetland area is currently a monoculture of the invasive species reed canary grass (*Phalaris arundinacea*), and is proposed to be converted to a sedge meadow vegetative community, qualifying as *enhancement* (under city code 15-51-6) to a “diverse plant associations of infrequent occurrence”. In addition, native shrubs would be established to provide forest ecotone areas and native tree species would be established along the wetland edge to increase the woody species diversity and habitat.

Figure 3: Compensatory Mitigation Areas



3.1 Wetland Impact Value Assessment and Replacement Ratios

Wetland impacts proposed include permanent loss of 0.09 acre of emergent wetland and temporary disturbance of 0.01 acre of emergent wetland.

Regarding *relative size* to the overall wetland, the proposed permanent wetland loss is reduced from previous site layouts to just under 0.1 acre of emergent wetland proposed to be lost. This wetland loss represents 16% of the total wetlands delineated onsite, a reduction of 34% from the earlier site layouts which included as much as 50% wetland loss, primarily for stormwater management. Wetland and buffer areas are maximized while providing for required parcel entry and parking requirements necessary for the desired facility.

Regarding adverse impact on the overall wetland, it is reasonable to argue that there is no net adverse impact for the following reasons.

- The wetlands are considered low quality, as rated by regional wetland Routine/Rapid Assessment Methodologies (Iowa & Minnesota). The wetland’s vegetation is composed of 100% (monoculture) non-native and invasive reed canary grass (*Phalaris arundinacea*), which provides minimal wildlife habitat and no species diversity compared to emergent wetlands with a diverse native species assemblage. Due primarily to the small wetland size, poor ecological quality, and ecological conditions of its watershed, the lost wetland provides a minimal contribution to any hydrologic,

biogeochemical, or habitat functions to the local community and watershed that are not provided by those wetlands remaining onsite.

- Relative to the quality of proposed wetlands lost, compensatory mitigation would, at a minimum, minimize any long term environmental impact of wetland loss associated with this development through increased biologic, hydrologic, and geochemical functionality of the remaining wetlands through increased species diversity and invasive species management.
- This district of Iowa City is expected to continue to be developed. The perpetual conservation of the remaining wetlands will insure the provision of continued ecological functions into the future.
- The perpetual conservation of the expansive, high quality buffer (as averaged) will protect those remaining wetlands from expected development pressures in the area.

Replacement Ratios

City Code 14-51-6, sections G1 and G2, outline standards by which wetlands should be mitigated at certain ratios or be considered “no build” areas. The proposed wetland impact areas do not fit any of the listed defining characteristics criteria for elevated mitigation ratios (2:1 or 3:1) including:

- presence of threatened and endangered species or their habitat;
- presence within a regulated stream corridor;
- the presence of diverse plant associations of infrequent occurrence or of regional importance;
- forested wetlands;
- standing water throughout the calendar year; or
- migratory bird habitat of significance.

Therefore, a mitigation ratio of 1:1 would be considered applicable in this circumstance.

Furthermore, as stated in City Code, “If said wetland or the replacement habitat is enhanced so that it contains one or more of the defining characteristics listed in subsection G1 or G2 of this section, [listed above] the required replacement ratio may be reduced to 0.5:1.”

The wetland compensatory mitigation plan proposed herein is an *enhancement* of existing onsite wetlands from their current state. *Enhancement* includes one or more of the defining characteristics listed above, thus an appropriate replacement ratio in this circumstance is 0.5:1, equal to 0.045 acre of compensatory mitigation for 0.09 acre of wetland loss.

Compensatory mitigation proposed below is an enhancement of 0.27 acres, equaling a replacement ration of 3:1.

3.2 Buffer Averaging Justification

Regarding the need for buffer averaging, there are clear environmental and aesthetic benefits, listed below

- The proposed buffer averaging results in 4% greater total area than required minimums.
- The buffer averaging includes areas of distinctly higher quality vegetation than those areas that would be included in a standard (not averaged) buffer. Averaging results in an increase in species richness due to the high quality assemblage of native upland and mesic tree, shrub and herbaceous species identified, including white oak and shagbark hickory species.
- The upland species diversity is increased through averaging and provides habitat and food for aquatic wildlife in the preserved wetland.
- Stream and wetland water temperature moderation will be preserved through direct shading and expanded shading of the upland watershed in areas that would otherwise be susceptible to future clearing or development.
- Buffer averaging results in additional roots and down woody debris that slow water movement and increase stormwater infiltration, decreasing the frequency and intensity of downstream flooding.

- The resulting expanded buffer area provides aesthetic benefits to both the public and the developer.
- The expanded buffer preserves woodlands that would be afforded no other protection, and that will continue to provide Camp Cardinal Road and pedestrians a wooded corridor along the entire length of the parcel. Additionally, the proposed event center will benefit directly from the established woodland landscape through screening of the view and noise of Camp Cardinal Road and Highway 218.

3.3 Mitigation Goals

The proposed compensatory mitigation is composed of three specific goals for enhancement of the 0.27 acre emergent wetland area. Goals and associated benchmarks are described below.

Wetland Impact	Required Mitigation Ratio	Required Compensatory Mitigation Area	Proposed Mitigation Ratio	Proposed Compensatory Mitigation Area
0.09 acre	0.5:1	0.045 acre	3:1	0.27 acre emergent enhancement

- I. Invasive species management through significant reduction of the presence of invasive species *Phalaris arundinacea* (reed canary grass, or RCG).

Near 100% dominance in absolute cover of RCG in the entire emergent wetland area results in a loss of habitat and species richness throughout the wetland. Enhancement is proposed through removal of RCG through targeted chemical and mechanical means and replacement with native wetland species, preferably with a predominance of sedge and rush species, such as those with *Carex*, *Scirpus* and *Juncus* Genus. RCG cannot be eliminated due to its presences in the adjacent forested wetland area as well as upstream seed sources. Some RCG management in the preserved forested wetland area may be conducted to assist in meeting enhancement goals tied to the emergent area.

Performance Benchmark		Estimated Completion Date
1	~60% reduction of RCG in emergent enhancement area <ul style="list-style-type: none"> • no more than 40% absolute cover 	10/15/2021 (Year 1)
2	~90% reduction of RCG in emergent enhancement area <ul style="list-style-type: none"> • no more than 10% absolute cover 	10/15/2022 (Year 2)

- II. Establish a diverse assemblage of native wetland species.

Seeding and planting native species will be conducted and evaluated based on species richness/diversity and mean conservation of conservatism rating.

Performance Benchmark		Estimated Completion Date
3	25% cover by native species	10/15/2022 (Year 2)
4	80% cover by native species	10/15/2023 (Year 3)
5	Minimum 20 native wetland species established with a mean Coefficient of Conservatism of 3.5.	10/15/2025 (Year 5)

III. Establish forest and forest ecotone strata within the emergent area.

Ecotone and forest enhancement will be accomplished through planting of wetland shrubs within the enhancement area and wetland or mesic tree species on sloped areas adjacent to wetlands.

Performance Benchmark		Estimated Completion Date
6	Native trees (minimum 10) and shrubs (minimum 8) planted.	10/15/2022 (Year 2)
7	Establishment of 8 native wetland shrubs within emergent enhancement areas. <ul style="list-style-type: none"> Vigorously growing and fully leafed out after at least 1 full growing season from planting date. 	10/15/2025 (Year 5)
8	Establishment of 10 native trees established within or adjacent to the wetland areas. <ul style="list-style-type: none"> Vigorously growing and fully leafed out after at least 1 full growing season from planting date. 	10/15/2025 (Year 5)

3.4 Mitigation Site Suitability Analysis

The proposed compensatory mitigation involves enhancement of existing wetland areas that were identified as meeting wetland characteristics of soil, substrate and hydrology by Wetland Scientists in 2019. Please refer to the report completed by Impact7G titled, *Wetland Delineation Harding Property, 2019*, (Attachment A) for more information.

3.5 Plant Lists

Wetland herbaceous seeding shall consist of native species of regional ecotype with a significant component of sedge and rush genus, such as *Carex*, *Scirpus*, *Juncus*, and *Eleocharis*. Seed mixes shall contain a minimum of 30 native species.

The following is an example seed mix.

Botanical Name (Common Name)	% by wt.
Acorus americanus (Sweet Flag)	0.69
Alisma subcordatum (Mud Plantain)	1.38
Ammannia coccinea (Scarlet Toothcup)	0.69
Asclepias incarnata (Rose Milkweed)	4.15
Bidens aristosa (Swamp Marigold)	1.38
Boltonia asteroides (False Aster)	0.9
Aster umbellatus (Flat-Topped Aster)	0.6
Eupatorium perfoliatum (Boneset)	0.69
Euthamia graminifolia (Grass-leaved Goldenrod)	1.38
Eutrochium maculatum (Joe Pye Weed)	0.69
Helenium autumnale (Sneezeweed)	1.38
Hibiscus laevis (Rose Mallow)	2.77
Iris versicolor (Northern Blue Flag)	3.46
Liatis pycnostachya (Prairie Blazing Star)	5.53
Lobelia siphilitica (Great Blue Lobelia)	1.73
Mimulus ringens (Monkey Flower)	0.3
Oligoneuron riddellii (Riddell's Goldenrod)	0.6

Penthorum sedoides (Ditch Stonecrop)	1.38
Physostegia virginiana (Obedient Plant)	1.04
Pycnanthemum virginianum (Mountain Mint)	0.69
Ranunculus sceleratus (Annual Buttercup)	1.38
Sagittaria latifolia (Common Arrowhead)	0.75
Sparganium eurycarpum (Great Bur Reed)	11.15
Symphotrichum novae-angliae (New England Aster)	1.21
Verbena hastata (Blue Vervain)	3.01
Vernonia fasciculata (Common Ironweed)	1.38
Total of WILDFLOWERS:	50.36%
GRASSES, SEDGES & RUSHES	
Botanical Name (Common Name)	% by wt.
Bromus ciliatus (Fringed Brome)	20.48
Carex comosa (Bristly Sedge)	1.38
Carex crinita (Fringed Sedge)	4.15
Carex hystericina (Porcupine Sedge)	3.01
Carex vulpinoidea (Brown Fox Sedge)	2.08
Eleocharis acicularis (Spike Rush)	1.38
Elymus virginicus (Virginia Wild Rye)	11.07
Glyceria grandis (Reed Manna Grass)	2.08
Scirpus atrovirens (Dark-green Bulrush)	0.69
Scirpus cyperinus (Wool Grass)	0.3
Scirpus validus (Great Bulrush)	1.51
Spartina pectinata (Cord Grass)	1.51
Totals of GRASSES, SEDGES & RUSHES:	49.64%

Mitigation tree and shrub plantings shall consist of native species of regional ecotype. The following lists appropriate species examples and are selected for their habitat value and tolerance of environmental conditions noted at the proposed mitigation location. Due to the small area, no tree or shrub diversity requirement is recommended. Substitutions allowed providing for habitat value and site condition limitations are allowed if approved by a qualified wetland scientist.

Shrub Species:

Common name	Species Name
Buttonbush	<i>Cephalanthus occidentalis</i>
Rose mallow	<i>Hibiscus laevis</i>
Elderberry	<i>Sambucus canadensis</i>

Tree Species:

Common name	Species Name
Sycamore	<i>Platanus occidentalis</i>
Swamp White Oak	<i>Quercus bicolor</i>
Bur Oak	<i>Quercus macrocarpa</i>
Pecan	<i>Carya illinoensis</i>
River Birch	<i>Betula nigra</i>

3.6 Monitoring Requirements

Wetlands will be monitored by a qualified wetland scientist. Monitoring will occur during the growing season, at least 2 times annually, to assess the status of mitigation goals stated above.

An annual report will be provided to the City of Iowa City by December 31st of each monitoring year, detailing the following:

1. Data on plant species diversity and the extent of plant cover established in the enhanced wetland;
2. Wildlife presence;
3. Data on water regimes, water chemistry, soil conditions and ground and surface water interactions; and
4. Proposed alterations or corrective measures to address deficiencies identified in the created or enhanced wetland, such as a failure to establish a vegetative cover or the presence of invasive or foreign species.

Annual monitoring and reporting will be conducted for a minimum of 5 years. At the end of 5 years and/or when all Mitigation Goal Benchmarks are achieved, compensatory monitoring and reporting will cease upon concurrence of the City of Iowa City.

This report has been prepared for the exclusive use of our client, and for specific application to the project discussed. To the best of my knowledge the above statements, attachments, including those labeled and identified as enclosures, and all conclusions are true, accurate, and based on current environmental principles and science. No warranties, either expressed or implied, are intended or made. In the event that changes in the nature, design or location of the project as shown are planned, the conclusions and recommendations contained on this form shall not be considered valid unless Impact7G, Inc. reviews the changes and either verifies or modifies the conclusions of this form in writing. This report has been prepared by:



Prepared by: Chant Eicke, PWS



9/30/2020

Date

Attachment A: Wetland Delineation Harding Property

Attachment B: Section 404 Wetland Permit, # 2020-1098

Wetland Delineation



Harding Property

Prepared for:

Jon Harding
709 Normandy Dr.
Iowa City, IA 52246

Prepared by:



Impact7G, Inc.
310 Second St.
Coralville, Iowa 52241
Project #: Harding-001

December 2, 2019

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1.0 Executive Summary

1.1 Purpose & Need

Impact7G was contracted by Jon Harding to complete a wetland delineation investigation for a proposed urban development. The intent of this wetland investigation is to document existing site conditions, at the time of delineation, as may be of consequence to any potential regulatory compliance needs.

1.2 Location

Street Address: NW corner of Camp Cardinal Road
and Camp Cardinal Boulevard

Township: 79N

Range: 07W

Section: 12

Quarter: Southeast

See Figure B for Location Map.

1.3 Summary Findings

Impact7G delineated a total of 0.63 acres of wetlands within the project boundary, composed of 0.27 acre of forested wetland and 0.36 acre of emergent wetland.

Potential jurisdiction of wetlands by state or federal agencies is not discussed in this report.

2.0 Methodology: Delineation of Wetlands and Other Waters of the U.S.

2.1 Wetlands

Field analysis was completed using the routine onsite determination method defined in the *U.S. Army Corps of Engineers Wetland Delineation Manual* (Environmental Laboratory, 1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region* (USACE, 2010). Delineation data points and wetland boundaries were recorded across the site and associated shapefiles are available upon request.

2.2 Streams & Tributaries

For the purposes of this report, streams & tributaries are characterized by having both a defined bed and bank, and an ordinary high water mark (OHWM).

2.3 Ditches

Any areas identified as ditches within the project area were specifically designed and are maintained to promote roadway or other drainage. Ditches exhibiting wetland characteristics (hydrophytic vegetation, hydric soils, or wetland hydrology), that were constructed in upland areas are not identified as wetlands or other waters of the U.S. For the purposes of this report, ditches or portions of ditches meeting wetland characteristics that were likely constructed in pre-existing wetlands and/or intersect existing wetlands, or

other waters of the U.S., are identified as wetlands. Furthermore, ditches are distinguished herein from streams or tributaries if they lack a defined bed and bank, ordinary high water mark, and perennial flow.

3.0 Discussion of Findings

Wetland delineation fieldwork was completed on October 17, 2019 by:
Chant Eicke, PWS, Certified Wetland Delineator

3.1 Current Conditions

The investigation area consists of a forested hillside consisting of two converging drainageways, which slope down to a partially forested, topographically low basin, draining to the southeast via a road culvert. The lot is undeveloped except for an access road crossing a ravine (along the eastern property boundary that appears to have been placed in 2014 – 2015) and minor disturbances associated with tree removal activities.

Based on the Weekly Palmer Drought Indices, long term conditions through the week of October 12 were extremely moist for this region of Iowa. Rainfall conditions on the day of the delineation and immediately preceding fieldwork were seasonally normal.

US Fish and Wildlife Service National Wetland Inventory (NWI) mapping identifies an impoundment or pond which generally corresponds to the field delineated emergent wetland. SSURGO soil data indicates an area mapped as Water in the low-landscape areas, which also corresponds to wetlands identified during field investigation (Figure D). USGS 24,000 topographic mapping includes a blue line stream that is consistent with stream indicators identified during field investigations (Figure C).

3.2 Wetland Determinations

Impact7G delineated 0.63 acre of emergent and forested wetlands within the investigation area.

Emergent wetlands are characterized as reed canary grass-dominated low-landscape areas subject to frequent flooding and high water tables. Low-level impoundment of the wetland drainageway has been caused by installation of a culvert that drains under Camp Cardinal Road to the east.

Floodplain forest areas are dominated by reed canary grass and black willow trees and are slightly higher and drier than emergent areas to the east. A stream flows through the forested wetland roughly following the northern toe of slope.

Table 1: Delineated Wetland Areas (Cowardin Classification)

Palustrine Wetland Class	Total Acres
Emergent	0.36
Forested	0.27

See also:
Figure A: Wetland Delineation Map
Appendix A: Photos
Appendix B: Wetland Delineation Datasheets

3.3 Streams & Tributaries

Cardinal Creek South Branch (USGS Topo Maps) is located within the project area and is illustrated on Figure A. The tributary enters the property through a culvert in the southwest and flows generally to the east before losing a defined bed and bank in the emergent wetland to the east. The emergent wetland drains through a

culvert to the east, under Camp Cardinal Road. This stream is named on USGS topographic mapping and is included in the Stream Centerlines of Iowa dataset provided by Iowa GeoDATA.

Within the project area, the tributary is described as follows:

- 302 linear feet
- 2.5 feet average width
- 4 inch general depth
- well connected with floodplain
- silty substrate
- perennial flow
- functionally compromised due to the length of culverted portions of the waterway immediately upstream from the investigation area.

Noted evidence of the OHWM include: a clear, natural line impressed on the bank; shelving; changes in the character of soil; destruction of terrestrial vegetation; and the presence of litter and debris.

4.0 Regulatory Review

The U.S. Army Corps of Engineers regulates the discharge of dredged or fill materials into all regulated waters of the United States (WATERS), including wetlands and streams, in Section 404 of the Clean Water Act (USAEWES Environmental Laboratory, 1987). The process of Jurisdictional Determination, conducted by the U.S. Army Corps of Engineers, may determine that all or part of the WATERS delineated for this project are considered regulated. Based on the information provided, it appears this project may involve filling part of WATERS and therefore may require permits from the Corps of Engineers and the Iowa Department of Natural Resources prior to beginning work.

The Corps of Engineers normally requires acquisition of a Section 404 permit and mitigation when any WATERS impact is proposed. In general, there are two types of permits as described below.

Nationwide Permits: A nationwide permit is generally the simplest form of the 404 permits. Wetland loss of 1/2 acre or less is typically permitted under a Nationwide Permit. Stream impacts of 300 linear feet or less are typically permitted under a Nationwide Permit. This permit often requires preconstruction notification to the Corps for impacts to as little as 1/10 of an acre or less. Generally, this permit takes 30 to 45 days to obtain.

Individual Permits: An individual permit requires a full public interest review. A Public Notice is distributed to all known interested persons. After evaluating comments and information received, a final decision on the application is made. The permit decision is generally based on the outcome of a public interest balancing process in which the benefits of the project are balanced against the detriments. A permit will be granted unless the proposal is found to be contrary to the public interest. Processing time usually takes 60 to 120 days unless a public hearing is required or an environmental statement must be prepared.

During the permitting process for either type of permit, the Corps of Engineers requires that applicants first establish that impacts to WATERS cannot be avoided. Permit applicants then must demonstrate that reasonable efforts to minimize impacts to WATERS have been made in the design and construction plans. Having taken the first two steps, applicants then must provide a plan for compensation, usually through mitigation, for unavoidable impacts. In general, our experience has been that the Corps requires in-kind mitigation be done at a minimum ratio of one (1) to one (1) but may require a compensation ratio of 1.5:1 to 2.5:1 (i.e., two and one-half acres of constructed wetland for every one acre of impact) in some circumstances.

5.0 Conclusions

Impact7G delineated a total of 0.63 acres of wetlands within the investigation area, including 0.36 acres of forested wetland and 0.27 acre of emergent wetland. Cardinal Creek South Branch, a functionally compromised perennial tributary to Clear Creek, is also present within the investigation area.

If proposed activities will impact these areas, consultation with the U.S. Army Corps of Engineers and the Iowa Department of Natural resources is strongly recommended.

This report has been prepared for the exclusive use of our client, and for specific application to the project discussed. To the best of my knowledge the above statements, attachments, including those labeled and identified as enclosures, and all conclusions are true, accurate, and based on current environmental principles and science. No warranties, either expressed or implied, are intended or made. In the event that changes in the nature, design or location of the project as shown are planned, the conclusions and recommendations contained on this form shall not be considered valid unless Impact7G, Inc. reviews the changes and either verifies or modifies the conclusions of this form in writing. This report has been prepared by:



12/2/2019

Prepared by: Chant Eicke, PWS

Date

Reviewed by: Will Downey, Environmental Specialist

References

- Hurt, G.W. (ed.), 2006. Field Indicators of Hydric Soils in the United States, Version 6.0. USDA, NRCS, Baltimore, MD.
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- "Weekly Palmer Drought Indices." *National Oceanic and Atmospheric Administration*, US Department of Commerce, 3 October 2019, <https://www.ncdc.noaa.gov/temp-and-precip/drought/weekly-palmers/>

GIS & Mapping Layer Sources

All field data shown on maps for wetlands, waterways, bat tree habitat, and data points field-collected and post-processed using ArcGIS by Impact7G Inc..

Aerial photography provided by Iowa GEODATA (ArcGIS Server)

Source: <https://geodata.iowa.gov/>

Base-mapping data provided by Iowa GEODATA, including:

- 2-foot contour lines
- USGS 24,000 Topographic Mapping
- National Wetland Inventory (NWI) mapping
- Stream Centerlines in Iowa
- Source: <https://geodata.iowa.gov/>

Digital SSURGO Soils Data provided by USDA data gateway.

Source: <http://datagateway.nrcs.usda.gov/>

Figure A: Wetland Delineation Map

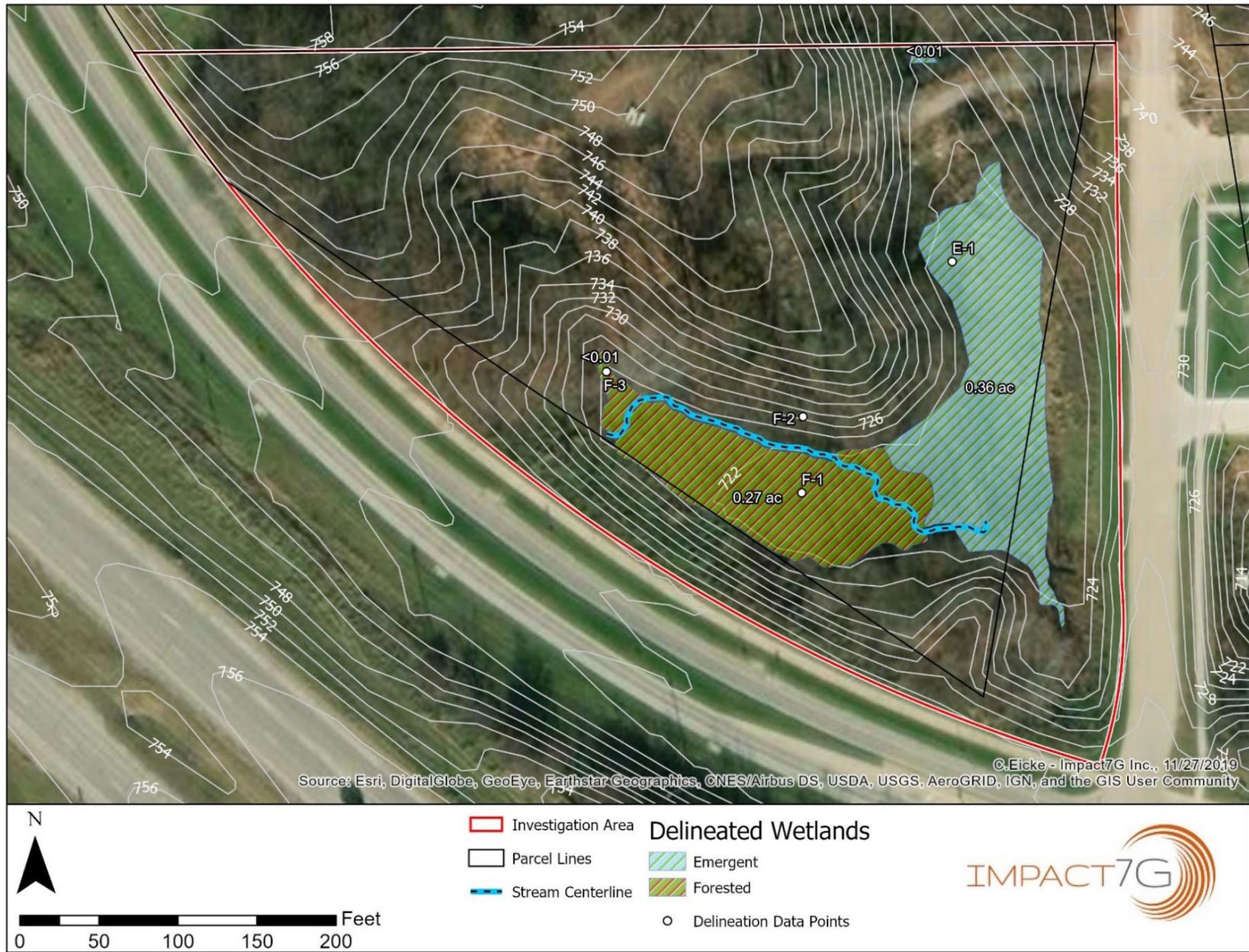


Figure B: Location Map

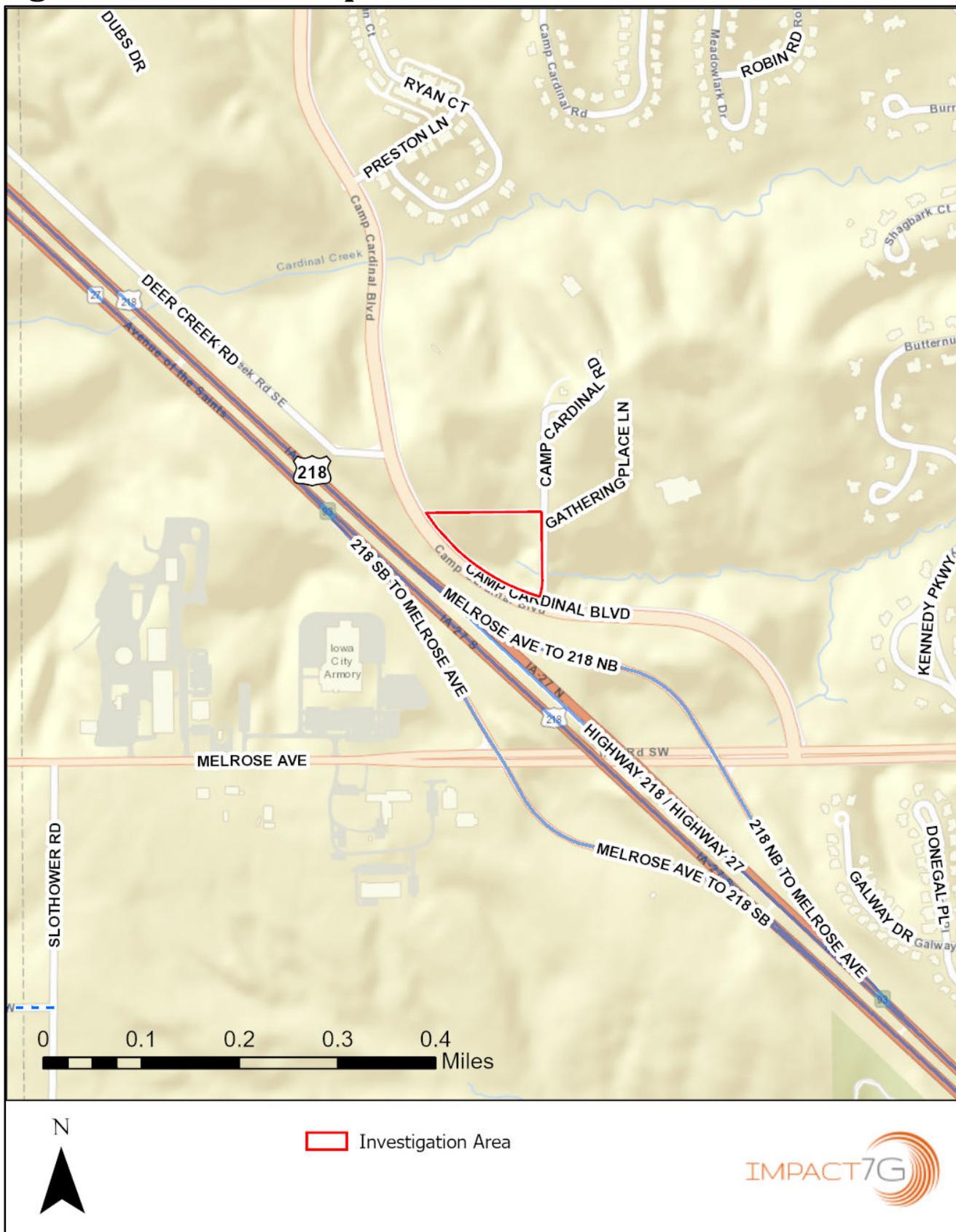


Figure C: USGS Topo 7.5 Minute Quadrangle Map (1:24,000)

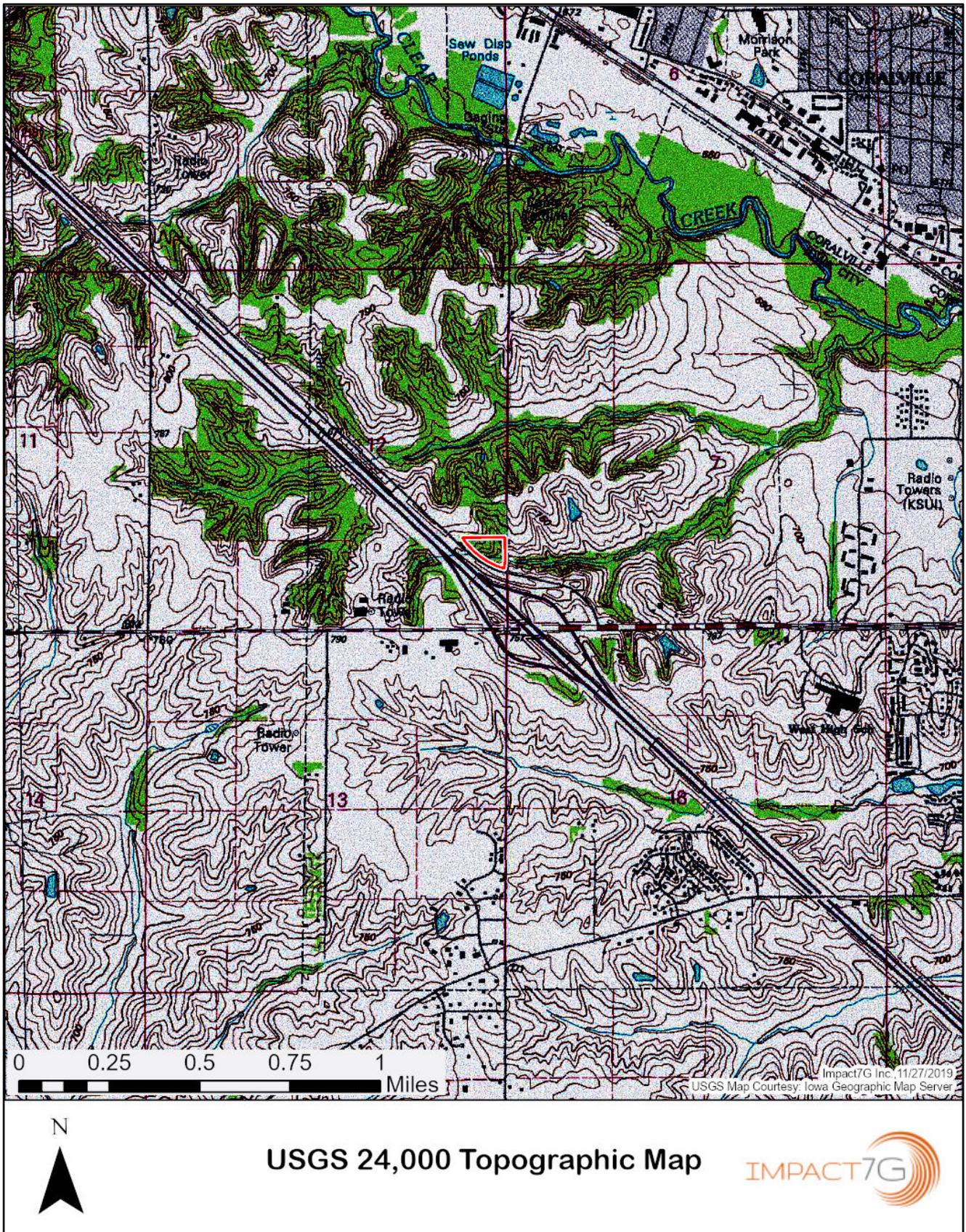


Figure D: Soils and National Wetland Inventory (NWI) Map



Figure E: FEMA National Flood Hazard Layer & IA Streams



Appendix A: Photos



Photo 1:
Data Point E-1
Date: 10/17/2019
Direction: south



Photo 2:
Extension of emergent
wetland north of the
access road (data point
E-1)
Date: 10/17/2019
Direction: northeast



Photo 3:
Data Point F-1
Date: 10/17/2019
Direction: east



Photo 4:
Data Point F-2
Date: 10/17/2019
Direction: west



Photo 5:
Data Point F-3
Date: 10/17/2019
Direction: southeast



**Photo 6: Stream & Floodplain
Forest Wetland**
Date: 10/17/2019
Looking east along the toe of slope,
downhill from data point F-2



Photo 7: SW Culvert Outlet

Date: 10/17/2019

Culvert that conveys the tributary into the Investigation Area, from under Camp Cardinal Boulevard and Highway 218.



Photo 8: SE Culvert Inlet

Date: 10/17/2019

Culvert that conveys the tributary out of the Investigation Area, under Camp Cardinal Road.

Appendix B: Wetland Delineation Data Sheets

See Figure A: Wetland Delineation Map for data point locations.

Wetland Determination Data Form - Midwest Region

Project/Site: **Harding-001** Sensitive Areas Environmental Investigation City/County: **Johnson** Date: **10/17/2019**
 Applicant/Owner: **Jon Harding** State: **IA** Sample Point: **E-1**
 Investigator(s): **Impact7G Inc. (C. Eicke)** Section, Township, Range: **Section12, T79N, R07W**
 Landform (hillslope, terrace, etc.): **drainageway** Local relief (concave, convex, none): **concave**
 Slope (%) **0-2%** Latitude(dd): **41.660346** Longitude(dd): **-91.599466** Datum **NAD 1983 UTM Zone 15N**
 Soil Map Unit Name: **WATER**

Are climatic / hydrologic conditions on the site typical for this time of year? Yes No (If no, explain in Remarks.)
 Are Vegetation Soil or Hydrology significantly disturbed? Are "Normal Circumstances" present? No
 Are Vegetation Soil or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

Summary of Findings - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation present? Is the Sampled Area within a Wetland? **Wetland** Wetland Type: **wet prairie**
 Hydric Soil present? **Non-Wetland**
 Wetland Hydrology present?
 Remarks: **Reed canary grass-dominated marsh is mapped as WATER on SSURGO soils and Pond/Impoundment on National Wetland Inventory.**

Vegetation

Tree Stratum:		Plot size: 30ft radius, DBH >	Common Name	Absolute % Cover	Dominant Species?	Status
1.				0		
2.				0		
3.				0		
4.				0		
5.				0		
				0	= Total Cover	
Sapling/Shrub Stratum:		Plot size: 15' radius	Common Name	Absolute % Cover	Dominant Species?	Status
1.				0		
2.				0		
3.				0		
4.				0		
5.				0		
				0	= Total Cover	
Herbaceous Stratum:		Plot size: 5' radius	Common Name	Absolute % Cover	Dominant Species?	Status
1.	Phalaris arundinacea		Reed Canary Grass	100	YES	FACW
2.				0		
3.				0		
4.				0		
5.				0		
6.				0		
7.				0		
8.				0		
9.				0		
10.				0		
				100	= Total Cover	
Vine Stratum:		Plot size: 30ft radius, > 1m t	Common Name	Absolute % Cover	Dominant Species?	Status
1.				0		
2.				0		
				0	= Total Cover	

Dominance Test worksheet:
 Number of Dominant Species That Are OBL, FACW, OR FAC: 1 (A)
 Total Number of Dominant Species Across All Strata: 1 (B)
 Percent of Dominant Species That Are OBL, FACW, or FAC: 100% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species: <u>0</u>	x 1 <u>0</u>
FACW species: <u>100</u>	x 2 <u>200</u>
FAC species: <u>0</u>	x 3 <u>0</u>
FACU species: <u>0</u>	x 4 <u>0</u>
UPL species: <u>0</u>	x 5 <u>0</u>
Column Totals: <u>100</u> (A)	<u>200</u> (B)
Prevalence Index = B/A = <u>2.00</u>	

Hydrophytic Vegetation Indicators:

Dominance Test is >50%
 Prevalence Index is ≤3.0¹
 Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)
 Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes No

Soils

Sample Point: E-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks:
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-1	10YR 3/2						sil	saturated
1-2	10YR 4/3						sil	
2-18	10YR 4/1		7.5YR 4/6	20	C	M	sil	depletions become more numerous with depth

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:

- | | |
|--|--|
| <input type="checkbox"/> Histosol (A1) | <input type="checkbox"/> Sandy Gleyed Matrix (S4) |
| <input type="checkbox"/> Histic Epipedon (A2) | <input type="checkbox"/> Sandy Redox (S5) |
| <input type="checkbox"/> Black Histic (A3) | <input type="checkbox"/> Stripped Matrix (S6) |
| <input type="checkbox"/> Hydrogen Sulfide (A4) | <input type="checkbox"/> Loamy Mucky Mineral (F1) |
| <input type="checkbox"/> Stratified Layers (A5) | <input type="checkbox"/> Loamy Gleyed Matrix (F2) |
| <input type="checkbox"/> 2 cm Muck (A10) | <input checked="" type="checkbox"/> Depleted Matrix (F3) |
| <input type="checkbox"/> Depleted Below Dark Surface (A11) | <input type="checkbox"/> Redox Dark Surface (F6) |
| <input type="checkbox"/> Thick Dark Surface (A12) | <input type="checkbox"/> Depleted Dark Surface (F7) |
| <input type="checkbox"/> Sandy Mucky Mineral (S1) | <input type="checkbox"/> Redox Depressions (F8) |
| <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) | |

Indicators for Problematic Hydric Soils³

- Coast Prairie Redox (A16)
 Iron-Manganese Masses (F12)
 Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____ Depth (inches): _____

Hydric Soil Present?

Yes
No

Soil Remarks:

Hydrology

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- | | |
|--|---|
| <input type="checkbox"/> Surface Water (A1) | <input type="checkbox"/> Water-Stained Leaves (B9) |
| <input type="checkbox"/> High Water Table (A2) | <input type="checkbox"/> Aquatic Fauna (B13) |
| <input checked="" type="checkbox"/> Saturated in Upper 12" (A3) | <input type="checkbox"/> True Aquatic Plants (B14) |
| <input type="checkbox"/> Water Marks (B1) | <input type="checkbox"/> Hydrogen Sulfide Odor (C1) |
| <input type="checkbox"/> Sediment Deposits (B2) | <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) |
| <input type="checkbox"/> Drift Deposits (B3) | <input type="checkbox"/> Presence of Reduced Iron (C4) |
| <input type="checkbox"/> Algal Mat or Crust (B4) | <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) |
| <input type="checkbox"/> Iron Deposits (B5) | <input type="checkbox"/> Thin Muck Surface (C7) |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) | <input type="checkbox"/> Gauge or Well Data (D9) |
| <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) | <input type="checkbox"/> Other (Explain in Remarks) |

Secondary Indicators (minimum of two required)

- Surface Soil Cracks (B6)
 Drainage Patterns (B10)
 Dry-Season Water Table (C2)
 Crayfish Burrows (C8)
 Saturation Visible on Aerial Imagery (C9)
 Stunted or Stressed Plants (D1)
 Geomorphic Position (D2)
 FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes No Depth (inches): _____
 Water Table Present? Yes No Depth (inches): _____
 Saturation Present? Yes No Depth (inches): 0
 (includes capillary fringe)

Wetland Hydrology Present?

Yes
No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Hydrology Remarks:

Areas of inundation to a 4" depth in adjacent areas. Located within a steep ravine with culvert that connects drainage areas to the north of an access roadway. The wetland area is impounded by the high elevation of a culvert that drains to the east and under Camp Cardinal Road.

Wetland Determination Data Form - Midwest Region

Project/Site: **Harding-001** Sensitive Areas Environmental Investigation City/County: **Johnson** Date: **10/17/2019**
 Applicant/Owner: **Jon Harding** State: **IA** Sample Point: **F-1**
 Investigator(s): **Impact7G Inc. (C. Eicke)** Section, Township, Range: **Section12, T79N, R07W**
 Landform (hillslope, terrace, etc.): **interfluve** Local relief (concave, convex, none): **concave**
 Slope (%) **0-2%** Latitude(dd): **41.659949** Longitude(dd): **-91.599824** Datum **NAD 1983 UTM Zone 15N**
 Soil Map Unit Name: **WATER**

Are climatic / hydrologic conditions on the site typical for this time of year? Yes No (If no, explain in Remarks.)
 Are Vegetation Soil or Hydrology significantly disturbed? Are "Normal Circumstances" present? No
 Are Vegetation Soil or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

Summary of Findings - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation present? Is the Sampled Area within a Wetland? **Wetland** Wetland Type: **floodplain forest**
 Hydric Soil present? **Non-Wetland**
 Wetland Hydrology present?
 Remarks: **Forested floodplain along a stream tributary.**

Vegetation

Tree Stratum: Plot size: 30ft radius, DBH > Common Name Absolute % Cover Dominant Species? Status

	Common Name	Absolute % Cover	Dominant Species?	Status
1.	Salix nigra	80	YES	OBL
2.		0		
3.		0		
4.		0		
5.		0		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, OR FAC: 3 (A)
 Total Number of Dominant Species Across All Strata: 3 (B)
 Percent of Dominant Species That Are OBL, FACW, or FAC: 100% (A/B)

Sapling/Shrub Stratum: Plot size: 15' radius Common Name Absolute % Cover Dominant Species? Status

	Common Name	Absolute % Cover	Dominant Species?	Status
1.	Cornus racemosa	2	NO	FAC
2.		0		
3.		0		
4.		0		
5.		0		

Prevalence Index worksheet:

	Total % Cover of:	Multiply by:	
OBL species:	<u>80</u>	x 1	<u>80</u>
FACW species:	<u>100</u>	x 2	<u>200</u>
FAC species:	<u>12</u>	x 3	<u>36</u>
FACU species:	<u>2</u>	x 4	<u>8</u>
UPL species:	<u>0</u>	x 5	<u>0</u>
Column Totals:	<u>194</u> (A)		<u>324</u> (B)

Prevalence Index = B/A = 1.67

Herbaceous Stratum: Plot size: 5' radius Common Name Absolute % Cover Dominant Species? Status

	Common Name	Absolute % Cover	Dominant Species?	Status
1.	Phalaris arundinacea	100	YES	FACW
2.	Solidago canadensis	2	NO	FACU
3.		0		
4.		0		
5.		0		
6.		0		
7.		0		
8.		0		
9.		0		
10.		0		

Hydrophytic Vegetation Indicators:

Dominance Test is >50%
 Prevalence Index is ≤3.0¹
 Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)
 Problematic Hydrophytic Vegetation¹ (Explain)

Vine Stratum: Plot size: 30ft radius, > 1m t Common Name Absolute % Cover Dominant Species? Status

	Common Name	Absolute % Cover	Dominant Species?	Status
1.	Toxicodendron radicans	10	YES	FAC
2.		0		

Remarks: (Include photo numbers here or on a separate sheet)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes No

Soils

Sample Point: F-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks:
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-1	10YR 3/2				c	M	sil	saturated
1-5	10YR 4/2		7.5YR 4/6	10	C	M	sil	
5-14	10YR 4/1		5YR 4/6	20	C	M	sil	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:

- | | |
|--|--|
| <input type="checkbox"/> Histosol (A1) | <input type="checkbox"/> Sandy Gleyed Matrix (S4) |
| <input type="checkbox"/> Histic Epipedon (A2) | <input type="checkbox"/> Sandy Redox (S5) |
| <input type="checkbox"/> Black Histic (A3) | <input type="checkbox"/> Stripped Matrix (S6) |
| <input type="checkbox"/> Hydrogen Sulfide (A4) | <input type="checkbox"/> Loamy Mucky Mineral (F1) |
| <input type="checkbox"/> Stratified Layers (A5) | <input type="checkbox"/> Loamy Gleyed Matrix (F2) |
| <input type="checkbox"/> 2 cm Muck (A10) | <input checked="" type="checkbox"/> Depleted Matrix (F3) |
| <input type="checkbox"/> Depleted Below Dark Surface (A11) | <input type="checkbox"/> Redox Dark Surface (F6) |
| <input type="checkbox"/> Thick Dark Surface (A12) | <input type="checkbox"/> Depleted Dark Surface (F7) |
| <input type="checkbox"/> Sandy Mucky Mineral (S1) | <input type="checkbox"/> Redox Depressions (F8) |
| <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) | |

Indicators for Problematic Hydric Soils³

- Coast Prairie Redox (A16)
 Iron-Manganese Masses (F12)
 Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____ Depth (inches): _____

Hydric Soil Present?

Yes
 No

Soil Remarks:

Hydrology

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- | | |
|--|---|
| <input type="checkbox"/> Surface Water (A1) | <input type="checkbox"/> Water-Stained Leaves (B9) |
| <input type="checkbox"/> High Water Table (A2) | <input type="checkbox"/> Aquatic Fauna (B13) |
| <input checked="" type="checkbox"/> Saturated in Upper 12" (A3) | <input type="checkbox"/> True Aquatic Plants (B14) |
| <input type="checkbox"/> Water Marks (B1) | <input type="checkbox"/> Hydrogen Sulfide Odor (C1) |
| <input type="checkbox"/> Sediment Deposits (B2) | <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) |
| <input type="checkbox"/> Drift Deposits (B3) | <input type="checkbox"/> Presence of Reduced Iron (C4) |
| <input type="checkbox"/> Algal Mat or Crust (B4) | <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) |
| <input type="checkbox"/> Iron Deposits (B5) | <input type="checkbox"/> Thin Muck Surface (C7) |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) | <input type="checkbox"/> Gauge or Well Data (D9) |
| <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) | <input type="checkbox"/> Other (Explain in Remarks) |

Secondary Indicators (minimum of two required)

- Surface Soil Cracks (B6)
 Drainage Patterns (B10)
 Dry-Season Water Table (C2)
 Crayfish Burrows (C8)
 Saturation Visible on Aerial Imagery (C9)
 Stunted or Stressed Plants (D1)
 Geomorphic Position (D2)
 FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes No Depth (inches): _____
 Water Table Present? Yes No Depth (inches): _____
 Saturation Present? Yes No Depth (inches): 0
 (includes capillary fringe)

Wetland Hydrology Present?

Yes
 No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Hydrology Remarks:

A stream channel enters the wetland from a culvert leading under Camp Cardinal Boulevard to the southwest. The wetland area is somewhat impounded by the high elevation of a culvert that drains the stream to the east and under Camp Cardinal Road. The forested area is slightly higher in elevation than the emergent area to the east (data poin E-1).

Wetland Determination Data Form - Midwest Region

Project/Site: **Harding-001** Sensitive Areas Environmental Investigation City/County: **Johnson** Date: **10/17/2019**
 Applicant/Owner: **Jon Harding** State: **IA** Sample Point: **F-2**
 Investigator(s): **Impact7G Inc. (C. Eicke)** Section, Township, Range: **Section12, T79N, R07W**
 Landform (hillslope, terrace, etc.): **hillslope** Local relief (concave, convex, none): **convex**
 Slope (%) **>14%** Latitude(dd): **41.660081** Longitude(dd): **-91.599818** Datum **NAD 1983 UTM Zone 15N**
 Soil Map Unit Name: **Fayette silt loam, till plain, 25 to 40 percent slopes**

Are climatic / hydrologic conditions on the site typical for this time of year? Yes No (If no, explain in Remarks.)
 Are Vegetation Soil or Hydrology significantly disturbed? Are "Normal Circumstances" present? No
 Are Vegetation Soil or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

Summary of Findings - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation present? Is the Sampled Area **Wetland** Wetland Type: _____
 Hydric Soil present? within a Wetland? **Non-Wetland**
 Wetland Hydrology present?
 Remarks: Upland data point, upslope from all wetland areas.

Vegetation

Tree Stratum: Plot size: 30ft radius, DBH > Common Name Absolute % Cover Dominant Species? Status

1.	Common Name	Absolute % Cover	Dominant Species?	Status
1.	Slippery Elm	60	YES	FAC
2.	Common Hackberry	40	YES	FAC
3.	Black Cherry	20	NO	FACU
4.	Shag-Bark Hickory	10	NO	FACU
5.	Pin Oak	5	NO	FACW

135 = Total Cover

Dominance Test worksheet:
 Number of Dominant Species That Are OBL, FACW, OR FAC: 2 (A)
 Total Number of Dominant Species Across All Strata: 5 (B)
 Percent of Dominant Species That Are OBL, FACW, or FAC: 40% (A/B)

Sapling/Shrub Stratum: Plot size: 15' radius Common Name Absolute % Cover Dominant Species? Status

1.	Common Name	Absolute % Cover	Dominant Species?	Status
1.	Amur Honeysuckle	30	YES	UPL
2.	Shag-Bark Hickory	5	NO	FACU
3.	American Plum	2	NO	UPL
4.	Green Ash	2	NO	FACW
5.	Burr Oak	2	NO	FAC

41 = Total Cover

Prevalence Index worksheet:

Total % Cover of:	Multiply by:	
OBL species: <u>0</u>	x 1	<u>0</u>
FACW species: <u>7</u>	x 2	<u>14</u>
FAC species: <u>104</u>	x 3	<u>312</u>
FACU species: <u>95</u>	x 4	<u>380</u>
UPL species: <u>77</u>	x 5	<u>385</u>
Column Totals: <u>283</u> (A)		<u>1091</u> (B)

Prevalence Index = B/A = 3.86

Herbaceous Stratum: Plot size: 5' radius Common Name Absolute % Cover Dominant Species? Status

1.	Common Name	Absolute % Cover	Dominant Species?	Status
1.	Virginia-Creeper	60	YES	FACU
2.	Black Bugbane	25	YES	UPL
3.	Amur Honeysuckle	15	NO	UPL
4.	Illinois Greenbrier	5	NO	UPL
5.	Burr Oak	2	NO	FAC
6.		0		
7.		0		
8.		0		
9.		0		
10.		0		

107 = Total Cover

Hydrophytic Vegetation Indicators:

Dominance Test is >50%
 Prevalence Index is ≤3.0¹
 Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)
 Problematic Hydrophytic Vegetation¹ (Explain)

Vine Stratum: Plot size: 30ft radius, > 1m t Common Name Absolute % Cover Dominant Species? Status

1.	Common Name	Absolute % Cover	Dominant Species?	Status
1.		0		
2.		0		

0 = Total Cover

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes No

Soils

Sample Point: F-2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks:
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-3	10YR 3/2						sil	dry
3-12	10YR 4/4						sil	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:

- | | |
|--|---|
| <input type="checkbox"/> Histosol (A1) | <input type="checkbox"/> Sandy Gleyed Matrix (S4) |
| <input type="checkbox"/> Histic Epipedon (A2) | <input type="checkbox"/> Sandy Redox (S5) |
| <input type="checkbox"/> Black Histic (A3) | <input type="checkbox"/> Stripped Matrix (S6) |
| <input type="checkbox"/> Hydrogen Sulfide (A4) | <input type="checkbox"/> Loamy Mucky Mineral (F1) |
| <input type="checkbox"/> Stratified Layers (A5) | <input type="checkbox"/> Loamy Gleyed Matrix (F2) |
| <input type="checkbox"/> 2 cm Muck (A10) | <input type="checkbox"/> Depleted Matrix (F3) |
| <input type="checkbox"/> Depleted Below Dark Surface (A11) | <input type="checkbox"/> Redox Dark Surface (F6) |
| <input type="checkbox"/> Thick Dark Surface (A12) | <input type="checkbox"/> Depleted Dark Surface (F7) |
| <input type="checkbox"/> Sandy Mucky Mineral (S1) | <input type="checkbox"/> Redox Depressions (F8) |
| <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) | |

Indicators for Problematic Hydric Soils³

- Coast Prairie Redox (A16)
- Iron-Manganese Masses (F12)
- Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____ Depth (inches): _____

Hydric Soil Present?

Yes
No

Soil Remarks:

Hydrology

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- | | |
|--|---|
| <input type="checkbox"/> Surface Water (A1) | <input type="checkbox"/> Water-Stained Leaves (B9) |
| <input type="checkbox"/> High Water Table (A2) | <input type="checkbox"/> Aquatic Fauna (B13) |
| <input type="checkbox"/> Saturated in Upper 12" (A3) | <input type="checkbox"/> True Aquatic Plants (B14) |
| <input type="checkbox"/> Water Marks (B1) | <input type="checkbox"/> Hydrogen Sulfide Odor (C1) |
| <input type="checkbox"/> Sediment Deposits (B2) | <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) |
| <input type="checkbox"/> Drift Deposits (B3) | <input type="checkbox"/> Presence of Reduced Iron (C4) |
| <input type="checkbox"/> Algal Mat or Crust (B4) | <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) |
| <input type="checkbox"/> Iron Deposits (B5) | <input type="checkbox"/> Thin Muck Surface (C7) |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) | <input type="checkbox"/> Gauge or Well Data (D9) |
| <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) | <input type="checkbox"/> Other (Explain in Remarks) |

Secondary Indicators (minimum of two required)

- Surface Soil Cracks (B6)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Crayfish Burrows (C8)
- Saturation Visible on Aerial Imagery (C9)
- Stunted or Stressed Plants (D1)
- Geomorphic Position (D2)
- FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes No Depth (inches): _____

Water Table Present? Yes No Depth (inches): _____

Saturation Present? Yes No Depth (inches): _____
(includes capillary fringe)

Wetland Hydrology Present?

Yes
No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Hydrology Remarks:

Wetland Determination Data Form - Midwest Region

Project/Site: **Harding-001** Sensitive Areas Environmental Investigation City/County: **Johnson** Date: **10/17/2019**
 Applicant/Owner: **Jon Harding** State: **IA** Sample Point: **F-3**
 Investigator(s): **Impact7G Inc. (C. Eicke)** Section, Township, Range: **Section12, T79N, R07W**
 Landform (hillslope, terrace, etc.): **interfluve** Local relief (concave, convex, none): **concave**
 Slope (%) **0-2%** Latitude(dd): **41.660165** Longitude(dd): **-91.600271** Datum **NAD 1983 UTM Zone 15N**
 Soil Map Unit Name: **Fayette silt loam, till plain, 25 to 40 percent slopes**
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes No (If no, explain in Remarks.)
 Are Vegetation Soil or Hydrology significantly disturbed? Are "Normal Circumstances" present? No
 Are Vegetation Soil or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

Summary of Findings - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation present? Is the Sampled Area within a Wetland? **Wetland** Wetland Type: **floodplain forest**
 Hydric Soil present? **Non-Wetland**
 Wetland Hydrology present?
 Remarks:

Vegetation

Tree Stratum: Plot size: 30ft radius, DBH > Common Name Absolute % Cover Dominant Species? Status

	Common Name	Absolute % Cover	Dominant Species?	Status
1.	Ulmus rubra Slippery Elm	70	YES	FAC
2.		0		
3.		0		
4.		0		
5.		0		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, OR FAC: 3 (A)
 Total Number of Dominant Species Across All Strata: 3 (B)
 Percent of Dominant Species That Are OBL, FACW, or FAC: 100% (A/B)

Sapling/Shrub Stratum: Plot size: 15' radius Common Name Absolute % Cover Dominant Species? Status

	Common Name	Absolute % Cover	Dominant Species?	Status
1.		0		
2.		0		
3.		0		
4.		0		
5.		0		

Prevalence Index worksheet:

Total % Cover of: Multiply by:

OBL species:	<u>5</u>	x 1	<u>5</u>
FACW species:	<u>37</u>	x 2	<u>74</u>
FAC species:	<u>72</u>	x 3	<u>216</u>
FACU species:	<u>2</u>	x 4	<u>8</u>
UPL species:	<u>0</u>	x 5	<u>0</u>
Column Totals:	<u>116</u> (A)		<u>303</u> (B)

Prevalence Index = B/A = 2.61

Herbaceous Stratum: Plot size: 5' radius Common Name Absolute % Cover Dominant Species? Status

	Common Name	Absolute % Cover	Dominant Species?	Status
1.	Phalaris arundinacea Reed Canary Grass	20	YES	FACW
2.	Impatiens capensis Spotted Touch-Me-Not	15	YES	FACW
3.	Persicaria hydropiper Mild Water-Pepper	5	NO	OBL
4.	Persicaria virginiana Jumpseed	2	NO	FAC
5.	Solidago canadensis Canadian Goldenrod	2	NO	FACU
6.	Symphotrichum lateriflorum Farewell-Summer	2	NO	FACW
7.		0		
8.		0		
9.		0		
10.		0		

Hydrophytic Vegetation Indicators:

Dominance Test is >50%
 Prevalence Index is ≤3.0¹
 Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)
 Problematic Hydrophytic Vegetation¹ (Explain)

Vine Stratum: Plot size: 30ft radius, > 1m t Common Name Absolute % Cover Dominant Species? Status

	Common Name	Absolute % Cover	Dominant Species?	Status
1.		0		
2.		0		

Remarks: (Include photo numbers here or on a separate sheet)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes No

Soils

Sample Point: F-3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks:
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-2	10YR 4/1	100	10YR 4/8	15	c	M	sil	
2-4	10YR 4/2	100	10YR 4/8	15	C	M	sil	
4-18	10YR 3/1	100	5YR 3/6	20	C	PL	sil	very red
			10YR 6/1	2	D	M		

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:

- | | |
|--|--|
| <input type="checkbox"/> Histosol (A1) | <input type="checkbox"/> Sandy Gleyed Matrix (S4) |
| <input type="checkbox"/> Histic Epipedon (A2) | <input type="checkbox"/> Sandy Redox (S5) |
| <input type="checkbox"/> Black Histic (A3) | <input type="checkbox"/> Stripped Matrix (S6) |
| <input type="checkbox"/> Hydrogen Sulfide (A4) | <input type="checkbox"/> Loamy Mucky Mineral (F1) |
| <input type="checkbox"/> Stratified Layers (A5) | <input type="checkbox"/> Loamy Gleyed Matrix (F2) |
| <input type="checkbox"/> 2 cm Muck (A10) | <input checked="" type="checkbox"/> Depleted Matrix (F3) |
| <input type="checkbox"/> Depleted Below Dark Surface (A11) | <input type="checkbox"/> Redox Dark Surface (F6) |
| <input type="checkbox"/> Thick Dark Surface (A12) | <input type="checkbox"/> Depleted Dark Surface (F7) |
| <input type="checkbox"/> Sandy Mucky Mineral (S1) | <input type="checkbox"/> Redox Depressions (F8) |
| <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) | |

Indicators for Problematic Hydric Soils³

- Coast Prairie Redox (A16)
 Iron-Manganese Masses (F12)
 Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____ Depth (inches): _____

Hydric Soil Present?

Yes
No

Soil Remarks:

Hydrology

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- | | |
|--|---|
| <input type="checkbox"/> Surface Water (A1) | <input checked="" type="checkbox"/> Water-Stained Leaves (B9) |
| <input type="checkbox"/> High Water Table (A2) | <input type="checkbox"/> Aquatic Fauna (B13) |
| <input checked="" type="checkbox"/> Saturated in Upper 12" (A3) | <input type="checkbox"/> True Aquatic Plants (B14) |
| <input type="checkbox"/> Water Marks (B1) | <input type="checkbox"/> Hydrogen Sulfide Odor (C1) |
| <input type="checkbox"/> Sediment Deposits (B2) | <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) |
| <input type="checkbox"/> Drift Deposits (B3) | <input type="checkbox"/> Presence of Reduced Iron (C4) |
| <input type="checkbox"/> Algal Mat or Crust (B4) | <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) |
| <input type="checkbox"/> Iron Deposits (B5) | <input type="checkbox"/> Thin Muck Surface (C7) |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) | <input type="checkbox"/> Gauge or Well Data (D9) |
| <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) | <input type="checkbox"/> Other (Explain in Remarks) |

Secondary Indicators (minimum of two required)

- Surface Soil Cracks (B6)
 Drainage Patterns (B10)
 Dry-Season Water Table (C2)
 Crayfish Burrows (C8)
 Saturation Visible on Aerial Imagery (C9)
 Stunted or Stressed Plants (D1)
 Geomorphic Position (D2)
 FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes No Depth (inches): _____
 Water Table Present? Yes No Depth (inches): _____
 Saturation Present? Yes No Depth (inches): 6"

Wetland Hydrology Present?

Yes
No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Hydrology Remarks:

STAFF REPORT

To: Planning & Zoning Commission

Prepared by: Ray Heitner, Associate Planner

Item: VAC20-0001
Harding Event Center

Date: October 15, 2020

GENERAL INFORMATION:

Applicant:

MMS Consultants
1917 S. Gilbert Street
Iowa City, IA 52240
319-351-8282
l.stutzman@mmsconsultants.net

Requested Action:

Vacation of Camp Cardinal Road right-of-way

Purpose:

To create adequate parking space for future development.

Location:

Camp Cardinal Road right-of-way adjacent to Parcel #1112476001.

Location Map:



Size:

Approximately 2,815 square feet

Existing Land Use and Zoning:

Vacant (open space);

Neighborhood Public (P-1)

Surrounding Land Use and Zoning:

North: Vacant (open space), Interim Development, Research Park (ID-RP)
East: Residential; Low Density Single-Family Residential with Planned Development Overlay (RS-5 OPD)
South: Residential & Institutional; Low Density Multi-Family Residential (RM-12) & Neighborhood Public (P-1)
West: Institutional; Institutional Public (P-2)

File Date:

June 25, 2020

45-Day Limitation:

NA

BACKGROUND INFORMATION:

The applicant, MMS Consultants, is applying for a vacation of 0.06 acres of City right-of-way located on Camp Cardinal Road, north of Camp Cardinal Boulevard and west of Gathering Place Lane. The applicant is working on behalf of Jon Harding, who owns the abutting property to the west of the subject vacation area. The owner hired MMS Consulting, the applicant, to prepare three applications (Comprehensive Plan Amendment CPA20-0001, OPD Rezoning REZ20-0001, and Vacation of right-of-way VAC20-0001) to allow the development of a 7,000 square foot building that would function as a community event center on the north side of the property. The conveyed right-of-way would allow the applicant to meet parking needs for the proposed development.

ANALYSIS:

The following factors are to be considered in evaluating a vacation request:

- a) Impact on pedestrian and vehicular access and circulation;
- b) Impact on emergency and utility vehicle access and circulation;
- c) Impact on access of adjacent private properties;
- d) Desirability of right-of-way for access or circulation needs;
- e) Location of utilities and other easements or restrictions on the property;
- f) Any other relevant factors pertaining to the specific requested vacation.

a) Vehicular and pedestrian circulation and access to private property:

The subject right-of-way to be vacated currently has no use for vehicular or pedestrian circulation and does not contain any means of access to the property to the west.

b) Emergency and utility and service access:

Emergency service access to this right-of-way will not be diminished by this vacation. The resulting right-of-way on Camp Cardinal Road will be 66' wide, which meets the standard width requirement for a city collector street.

c) Impact on access of adjacent private properties:

Currently there is no formal means of access on the property to the west of the proposed vacation. The OPD plan for the development on the property to the west shows an access point onto Camp Cardinal Road, across from the existing Camp Cardinal Road access to Gathering Place Lane to the east.

d) Desirability of right of way for access or circulation needs:

The subject right-of-way currently provides no purpose for access or circulation needs. City transportation planning staff has indicated that there is no need for Camp Cardinal Road to obtain more right-of-way width than the proposed 66' width, as future widening of Camp Cardinal Road is unlikely.

e) Location of utilities and other easements or restrictions on the property:

The OPD plan for the proposed rezoning and development on the property to the west of the subject vacation will include a 15' wide utility easement. Currently, there is a cable TV utility line that runs beneath the eastern edge of the subject vacation area. The cable TV utility line will be located in the 15' wide utility easement. Staff is recommending that provision of the 15' wide public utility easement be a condition of the OPD rezoning for the property to the west.

f) Any other relevant factors pertaining to the specific requested vacation:

Staff has not found any other relevant factors pertaining to the specific requested vacation. The City Attorney's Office has reviewed the required purchase agreement from the applicant for this right-of-way area. The City Council will need to approve the submitted purchase agreement offer.

SUMMARY:

The subject right-of-way currently has no practical use. The owner of the property to the west intends to purchase this land from the City at fair market value and convert the right-of-way area into an access to the proposed event center's parking area. The conveyed right-of-way will also feature a utility easement.

NEXT STEPS:

Upon recommendation of approval by the Planning and Zoning Commission, the proposed vacation will be reviewed by the City Council. The City Council will not only discuss the vacation, but also the conveyance of this land. The applicant has offered fair market value for the vacation.

STAFF RECOMMENDATION:

Staff recommends the approval of VAC20-0001, a vacation 0.06 acres of the Camp Cardinal Road right-of-way north of Camp Cardinal Boulevard and west of Gathering Place Lane in Iowa City, IA.

ATTACHMENTS:

1. Location Map
2. Vacation Exhibit

Approved by: 
Danielle Sitzman, AICP, Development Services Coordinator
Department of Neighborhood and Development Services



0 0.01 0.02 0.04 Miles

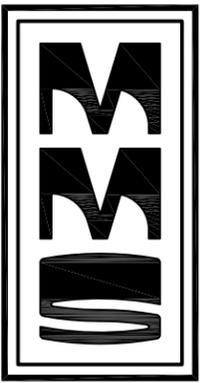
VAC20-01 - Harding Event Center North of Camp Cardinal Blvd , West of Camp Cardinal Road.



Prepared By: Joshua Engelbrecht
Date Prepared: June 2020



An application submitted by MMS Consultants, on behalf of Jon Harding, to request a vacation of the public right-of-way of approximately 2,815 square feet of property in order to acquire this portion of the right-of-way and add it to the adjacent property.



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1917 S. GILBERT ST.
 IOWA CITY, IOWA 52240
 (319) 351-8282

www.mmsconsultants.net

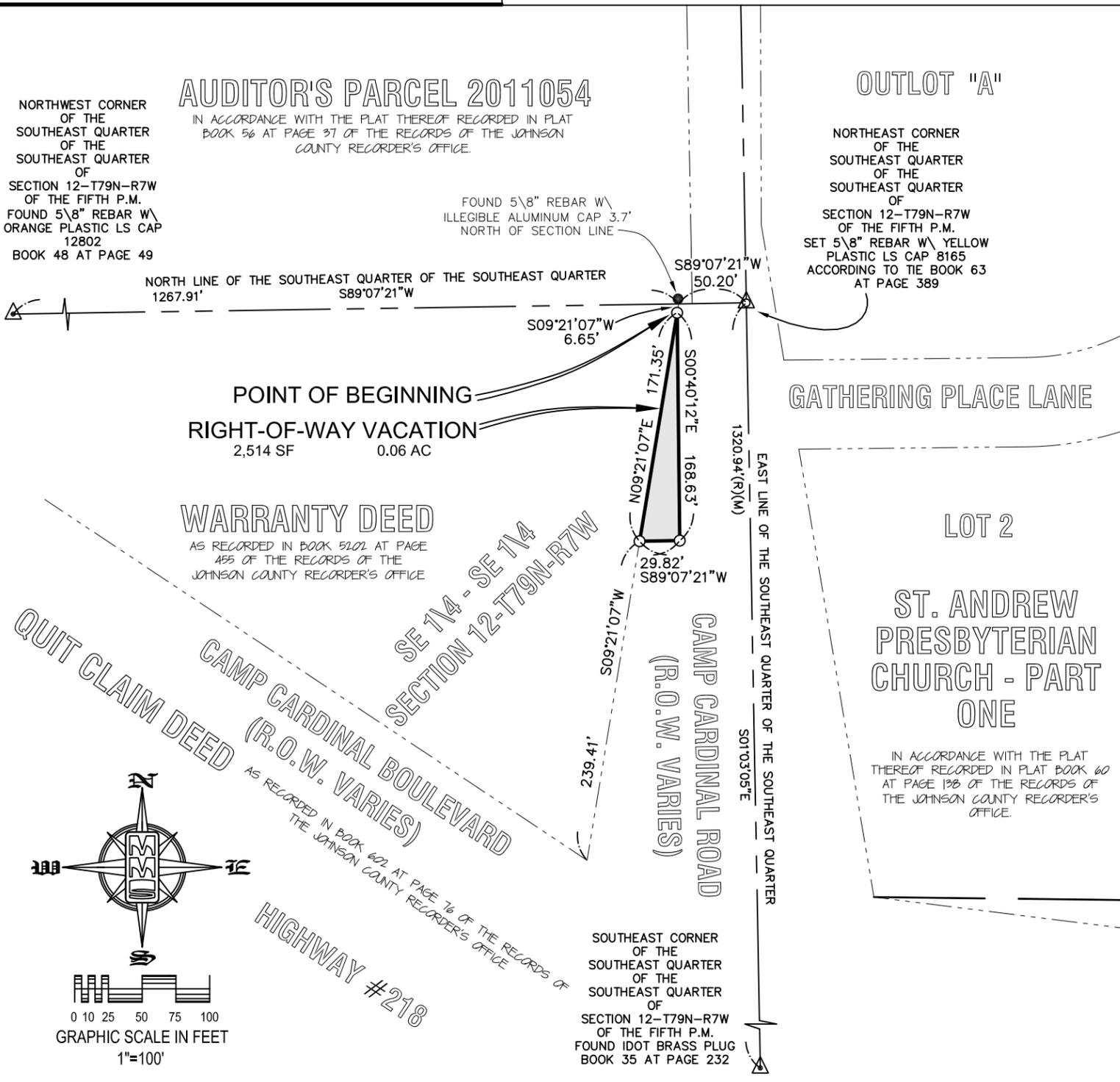
PLAT OF SURVEY RIGHT-OF-WAY VACATION IOWA CITY, JOHNSON COUNTY, IOWA

LEGEND AND NOTES	
	- CONGRESSIONAL CORNER, FOUND
	- PROPERTY CORNER(S), FOUND (as noted)
	- PROPERTY CORNERS SET (5/8" Iron Pin w/ yellow, plastic LS Cap embossed with "MMS")
	- PROPERTY &/or BOUNDARY LINES
	- CONGRESSIONAL SECTION LINES
	- RIGHT-OF-WAY LINES
	- CENTER LINES
	- LOT LINES, PLATTED OR BY DEED
	- EXISTING EASEMENTS LINES, PURPOSE NOTED
	- RECORDED DIMENSIONS
	- MEASURED DIMENSIONS
(R)	
(M)	

UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN FEET AND HUNDREDTHS

LOCATION: A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 79 NORTH, RANGE 7 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, IOWA CITY, JOHNSON COUNTY, IOWA.	SURVEY REQUESTED BY: JON M HARDING 709 NORMANDY DRIVE IOWA CITY, IOWA 52246
LAND SURVEYOR: GLEN D. MEISNER P.L.S MMS CONSULTANTS INC. 1917 SOUTH GILBERT STREET IOWA CITY, IOWA, 52240 PHONE: 319-351-8282	PROPRIETOR OR OWNER: JON M HARDING 709 NORMANDY DRIVE IOWA CITY, IOWA 52246
	DOCUMENT RETURN INFORMATION: LAND SURVEYOR

FOR COUNTY RECORDER'S USE



DESCRIPTION - RIGHT-OF-WAY VACATION

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 79 NORTH, RANGE 7 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, IOWA CITY, JOHNSON COUNTY, IOWA, DESCRIBED AS FOLLOWS:

Commencing at the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 12, Township 79 North, Range 7 West, of the Fifth Principal Meridian, Iowa City, Johnson County, Iowa; Thence S89°07'21"W, along the North Line of said Southeast Quarter of the Southeast Quarter, 50.20 feet, to its intersection with the West Right-of-Way Line of Camp Cardinal Road; Thence S09°21'07"W, along said West Right-of-Way Line, 6.65 feet, to the Point of Beginning; Thence S00°40'12"E, 168.63 feet; Thence S89°07'21"W, 29.82 feet, to a Point on said West Right-of-Way Line of Camp Cardinal Road; Thence N09°21'07"E, along said West Right-of-Way Line, 171.35 feet, to the Point of Beginning. Said Right-of-Way Vacation contains 0.06 Acre, and is subject to easements and restrictions of record.

Date	Revision
06-24-2020	PER GDM REVIEW - RLW
08-17-2020	PER CITY COMMENTS - RLW

PLAT OF SURVEY RIGHT-OF-WAY VACATION

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 79 NORTH, RANGE 7 WEST, OF THE FIFTH PRINCIPAL MERIDIAN

IOWA CITY
 JOHNSON COUNTY
 IOWA
 MMS CONSULTANTS, INC.

Date: **06-22-2020**

Designed by: JDM	Field Book No: 1259
Drawn by: RLW	Scale: 1"=100'
Checked by: GDM	Sheet No: 1
Project No: IC 9744-004	of: 1

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

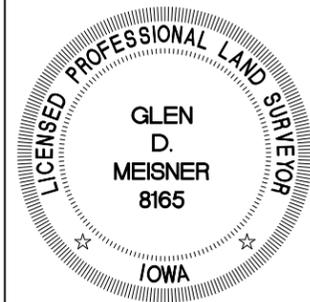
_____, 20____

GLEN D. MEISNER
 P.L.S. Iowa Lic. No. 8165

My license renewal date is December 31, 20____.

Pages or sheets covered by this seal:

SEAL



STAFF REPORT

To: Planning & Zoning Commission

Prepared by: Ray Heitner, Associate Planner

Item: ANN20-0001/REZ20-0002

Date: October 15, 2020

GENERAL INFORMATION:

Applicant:

MMS Consultants
1917 S. Gilbert St.
Iowa City, IA 52240
319-351-8282
l.sexton@mmsconsultants.net

Contact Person:

Jesse Allen
Allen Homes, Inc.
215 N. Linn St.
Iowa City, IA 52244
319-530-8238
allenhomesinc@gmail.com

Property Owner:

Thomas L. Carson and Linda A. Carson Revocable Living Trust
James T. Carson Revocable Trust
Rebecca Albertson Revocable Trust
Steven M. Carson

Requested Action:

Annexation & Rezoning

Purpose:

Annexation of 196.17 acres of land currently in unincorporated Johnson County and rezoning it from the County Residential (R) and County Urban Residential (RUA) zone to Interim Development – Single-Family Residential (ID-RS).

Location:

West of Highway 218 and south of Rohret Rd.



Location Map:

Size:

196.17 acres

Existing Land Use and Zoning:

Farmland, County Residential (R) and County Urban

Residential (RUA)

Surrounding Land Use and Zoning:	North: County RR-1 – Neighborhood Public (Farmland) South: County R – County Residential (Farmland) East: RS-8 and RM-12 - Medium Density Single-Family Residential (Residential) and Low Density Multi-Family Residential (Residential) West: County R – Neighborhood Public (Farmland)
Comprehensive Plan:	Iowa City/Johnson County Fringe Area Agreement
District Plan:	Southwest District Plan – Single-Family/Duplex Residential; Open Space
Neighborhood Open Space District:	NA
File Date:	July 30, 2020
45 Day Limitation Period:	N/A since associated with an annexation

BACKGROUND INFORMATION:

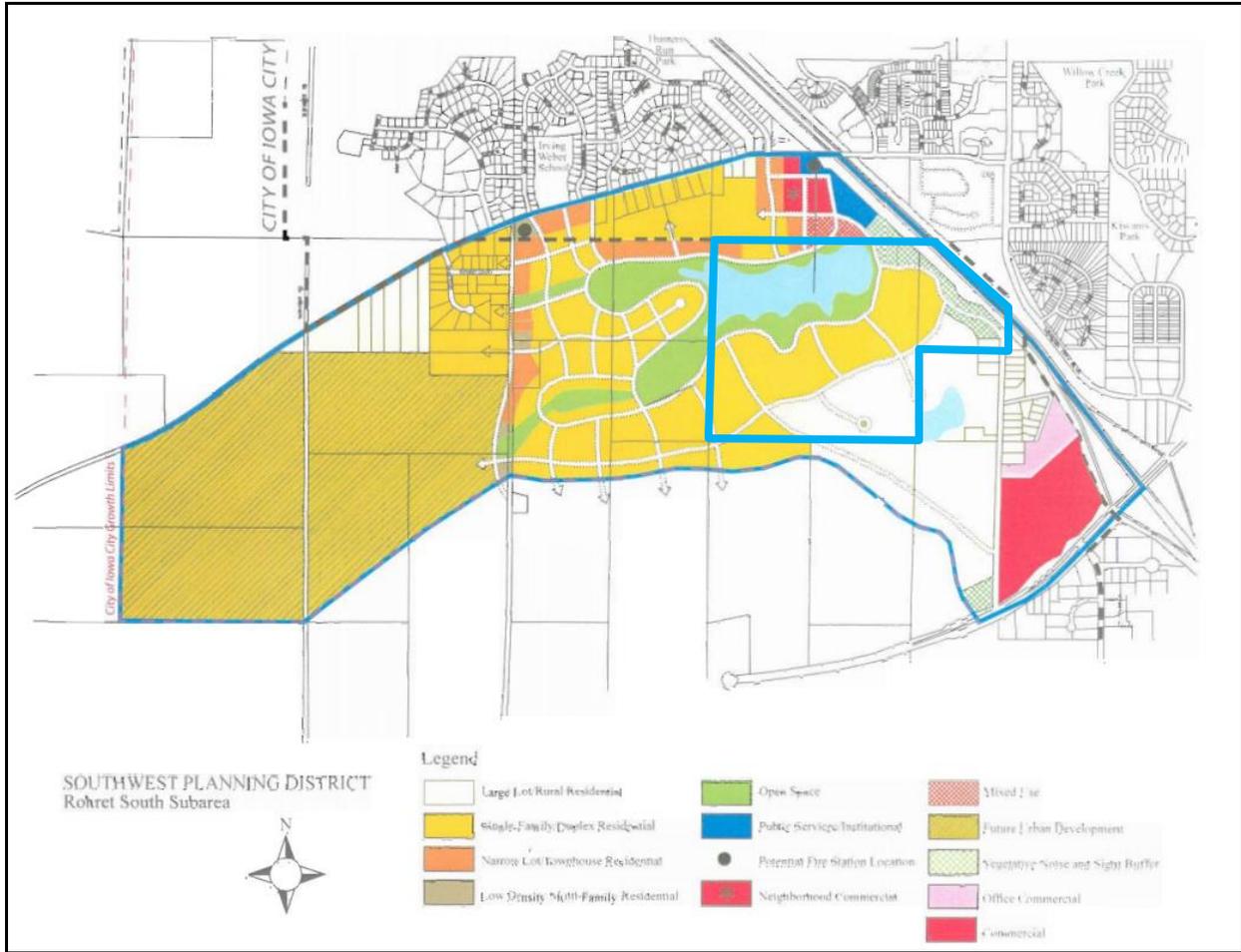
The applicant, MMS Consultants, with the consent of the owners, is requesting annexation and rezoning of 196.17 acres of property located west of Highway 218 and south of Rohret Road. The applicant has requested that the property be rezoned from County Residential (R) and County Urban Residential (RUA) to Interim Development Single -Family (ID-RS) for the entire 196.17 acres.

This area is located adjacent to Iowa City's current boundary and within Fringe Area C of Johnson County's Fringe Area Agreement with Iowa City. The Southwest District Plan shows this area within the City's growth area with a future land use of single-family residential and duplex housing at a density of 2-12 dwelling units per acre. A northern portion of the property (shown below in Figure 1.0) is shown as having a future land use of open space, surrounding a lake for stormwater detention.

The City's 2020-2024 Capital Improvement Plan includes the extension of the Abbey Lane trunk sewer in its list of funded projects. Per the plan, construction is scheduled for 2023. The extension of the sewer will allow development to continue west of Highway 218.

In anticipation of this trunk line extension, Planning staff is currently in the process of updating the Rohret South Subarea portion of the Southwest District Plan, which was adopted in October 2002. The Rohret South Subarea includes a concept plan (Figure 2) for the area contemplated for annexation. With the update to the plan underway, the vision for development, including the general intended land uses, street network, and storm water management system, will likely change from what is currently shown in the adopted plan. The applicant has been informed of the potential for change to the existing subarea plan.

Figure 1.0 – Subject Property within the Rohret South Subarea Future Land Use Map



The Comprehensive Plan encourages growth that is contiguous and connected to existing neighborhoods to reduce the costs of providing infrastructure and City services. The subject property is bordered by the city limits on the north and east sides (across from Highway 218). Therefore, the subject property is contiguous to current development and meets the goal of contiguous growth.

The proposed annexation will help to accomplish the City's larger goal of fulfilling the need for expanded housing options to accommodate the City's growing population. Because of this need, staff is recommending that as a condition of the rezoning, the developer satisfy the Comprehensive Plan's Annexation Policy requirement, as stated in Resolution 18-211, related to affordable housing. The policy requires annexation of land for residential use of 10 or more dwelling units satisfy the City's goal of creating and maintaining a supply of affordable housing by providing affordable units equal to 10% of the total units in the annexed area, with an assurance of long-term affordability.

3. Control of the development is in the City's best interest. The property is within the City's designated Growth Area. It is appropriate that the proposed property be located within the city so that residents of future development may be served by Fire, Police, water, and sanitary sewer service. Annexation will allow the City to provide these services and control zoning so that the subject area remains compatible with the Comprehensive Plan. Furthermore, upon annexation, the City will be able to guide future development of the area's road network and subdivision design to meet the goals of the City's Comprehensive Plan.

For the reasons stated above, staff finds that the proposed annexation complies with the annexation policy.

Zoning: The subject property is currently zoned County (R) Residential and County (RUA) Urban Residential. The County (R) zone allows for single-family residential dwellings to be built in the subject area, while the County (RUA) zone allows for multi-family residential at a density of up to four units per acre. The Southwest District Plan currently calls for single-family and duplex residential throughout the subject area. Because of the subject area's location in Iowa City's Fringe Area within the growth boundary, all development in this area must be constructed to City standards and it is unlikely that development would occur prior to annexation.

The applicant is requesting rezoning of the subject property to Interim Development Single-Family (ID-RS) for all 196.17 acres of the property. The purpose of the Interim Development zone is to provide areas of managed growth in which agricultural and non-urban land uses can continue until the City is able to provide services to support development. Under this zoning, the only use that is permitted by right is agriculture. Low density single-family residential development at a density of 1 dwelling unit per 5 acres is also allowed. The applicant is currently exploring options for subdividing and developing the property. Interim zoning is appropriate for this property since it is currently not served by City sanitary sewer and water. Additionally, the proposed layout of development is still undetermined.

Sanitary Sewer and Water: The subject area is currently not serviced by City sanitary and water utilities. The City currently has extension of the Abbey Lane trunk sewer line to the subject area within its 5-year Capital Improvement Program. It is unlikely that this area will be serviced by sanitary sewer, and therefore suitable for urban development, before 2023.

The nearest water main is located north of the subject property, along Rohret Road. The developer will be required to pay a water main extension fee of \$456.75 per acre before public improvements are constructed.

Environmentally Sensitive Areas: The subject property does contain a blue line stream. The stream will need to be incorporated into future development plans and may trigger a Level I or Level II Sensitive Areas Review upon subsequent rezoning. The Office of the State Archaeologist did state that an archaeological surface study should be conducted prior to ground disturbing activities, as the potential for intact and significant archaeological sites is moderate. It is expected that this survey will take place closer to subsequent rezoning and development of the subject area.

Access and Street Design: Since the proposed rezoning is only for Interim Development Single-Family residential (ID-RS), the applicant does not yet have a design for street access and interior street connectivity on the subject property. These designs will become available for analysis upon subsequent rezoning and platting of the property.

It is anticipated that access to the area will come from Rohret Road, north of the subject property. As the area continues to develop, access to the west and south will need to be provided. Staff hopes to have more direction on access and street design of the subject area upon completion of the Rohret South Subarea plan update.

NEXT STEPS:

Pending recommendation of approval of the proposed annexation and rezoning from the Planning and Zoning Commission, the City Council will hold a public hearing. Before the public hearing, utility companies and non-consenting parties will be sent the application via certified mail. Pending approval of the annexation by the City Council, the application for annexation will be sent to the State Development Board for consideration of approval.

STAFF RECOMMENDATION:

Staff recommends approval of ANN20-0001 and REZ20-0002, a voluntary annexation of approximately 196.17 acres and a rezoning from County Residential (R) and County Urban Residential (RUA) to Interim Development – Single-Family Residential (ID-RS) with the following conditions:

1. The developer satisfies the Comprehensive Plan's Annexation Policy, as stated in Resolution 18-211.

ATTACHMENTS:

1. Annexation Exhibit
2. Location Map
3. Zoning Map
4. Applicants Statement
5. Steve Carson Statement
6. Approximate Timeline of Annexation Approval

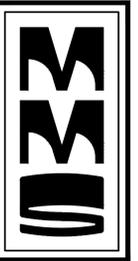
Approved by: _____



Danielle Sitzman, AICP
Department of Neighborhood and Development Services

ANNEXATION EXHIBIT

A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, ALL OF TOWNSHIP 79 NORTH, RANGE 6 WEST, OF THE FIFTH PRINCIPAL MERIDIAN
JOHNSON COUNTY, IOWA



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LAND SURVEYORS
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ENVIRONMENTAL SPECIALISTS

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IOWA CITY, IOWA 52240
(319) 351-8282
www.mmsconsultants.net

Date: Revision:

OWNERS:
JAMES T CARSON REVOCABLE TRUST
REBECCA ALBERTSON REVOCABLE TRUST

APPLICANT:
ALLEN DEVELOPMENT LLC
PO BOX 3474
IOWA CITY, IA 52244

APPLICANT'S ATTORNEY:
ERIK SITTING
119 WRIGHT STREET
IOWA CITY, IA 52240

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

THOMAS L CARSON & LINDA A CARSON
REVOCABLE LIVING TRUST

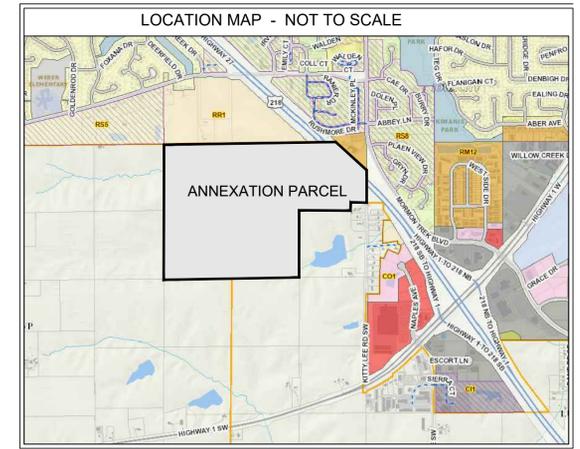
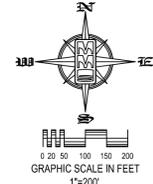
STEVEN M. AND MARY BETH CARSON
3207 ROHRET ROAD
IOWA CITY, IA 52246

IOWA DEPARTMENT OF TRANSPORTATION
800 LINCOLN WAY
AMES, IA 50010

LEGEND AND NOTES

- CONGRESSIONAL CORNER, FOUND
- CONGRESSIONAL CORNER, REESTABLISHED
- CONGRESSIONAL CORNER, RECORDED LOCATION
- PROPERTY CORNER(S), FOUND (as noted)
- PROPERTY CORNERS SET (5/8" Iron Pin w/ yellow, plastic LS Cap embossed with "MMS")
- CUT "X"
- PROPERTY &/or BOUNDARY LINES
- CONGRESSIONAL SECTION LINES
- RIGHT-OF-WAY LINES
- CENTER LINES
- LOT LINES, INTERNAL
- LOT LINES, PLATED OR BY DEED
- EASEMENT LINES, WIDTH & PURPOSE NOTED
- EXISTING EASEMENT LINES, PURPOSE NOTED
- RECORDED DIMENSIONS
- MEASURED DIMENSIONS
- CURVE SEGMENT NUMBER

UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN FEET AND HUNDREDTHS



DESCRIPTION - ANNEXATION PARCEL

A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, ALL OF TOWNSHIP 79 NORTH, RANGE 6 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, JOHNSON COUNTY, IOWA, DESCRIBED AS FOLLOWS:

Beginning at the Southeast Corner of the Northeast Quarter of Section 19, Township 79 North, Range 6 West, of the Fifth Principal Meridian, Johnson County, Iowa; Thence S89°18'06"W, along the South Line of said Northeast Quarter, 2651.04 feet, to the Southwest Corner thereof; Thence N00°00'29"E, along the West Line of said Northeast Quarter, 2610.20 feet; Thence N44°43'20"E, 46.90 feet, to a Point on the North Line of said Northeast Quarter; Thence N89°26'11"E, along said North Line, 2617.53 feet, to the Northeast Corner thereof; Thence N89°44'19"E, along the North Line of the Northwest Quarter of the Northeast Quarter of Section 20, Township 79 North, Range 6 West, of the Fifth Principal Meridian, 737.85 feet, to its intersection with the Northeastly Right-of-Way Line of Highway #218; Thence S48°04'02"E, along said Northeastly Right-of-Way Line, 793.23 feet, to its intersection with the East Line of said Northwest Quarter of the Northwest Quarter; Thence S00°01'48"W, along said East Line, 630.90 feet, to its intersection with the North Line of Lot 1 of Kitty Lee Subdivision, in accordance with the Plat thereof Recorded in Plat Book 28 at Page 3 of the Records of the Johnson County Recorder's Office; Thence S87°35'06"W, along said North Line, 306.03 feet, to the Northwest Corner of said Lot 1; Thence S01°42'33"W, along the West Line of said Lot 1, a distance of 144.26 feet, to its intersection with the South Line of the Northwest Quarter of the Northwest Quarter of said Section 20; Thence S89°47'19"W, along said South Line, 1017.56 feet, to the Southwest Corner thereof, and the Northeast Corner of the Southeast Quarter of the Northeast Quarter of said Section 19; Thence S00°00'12"E, along the East Line of said Southeast Quarter of the Northeast Quarter, 1318.60 feet, to the Point of Beginning. Said Annexation Parcel contains 196.17 Acres, and is subject to easements and restrictions of record.

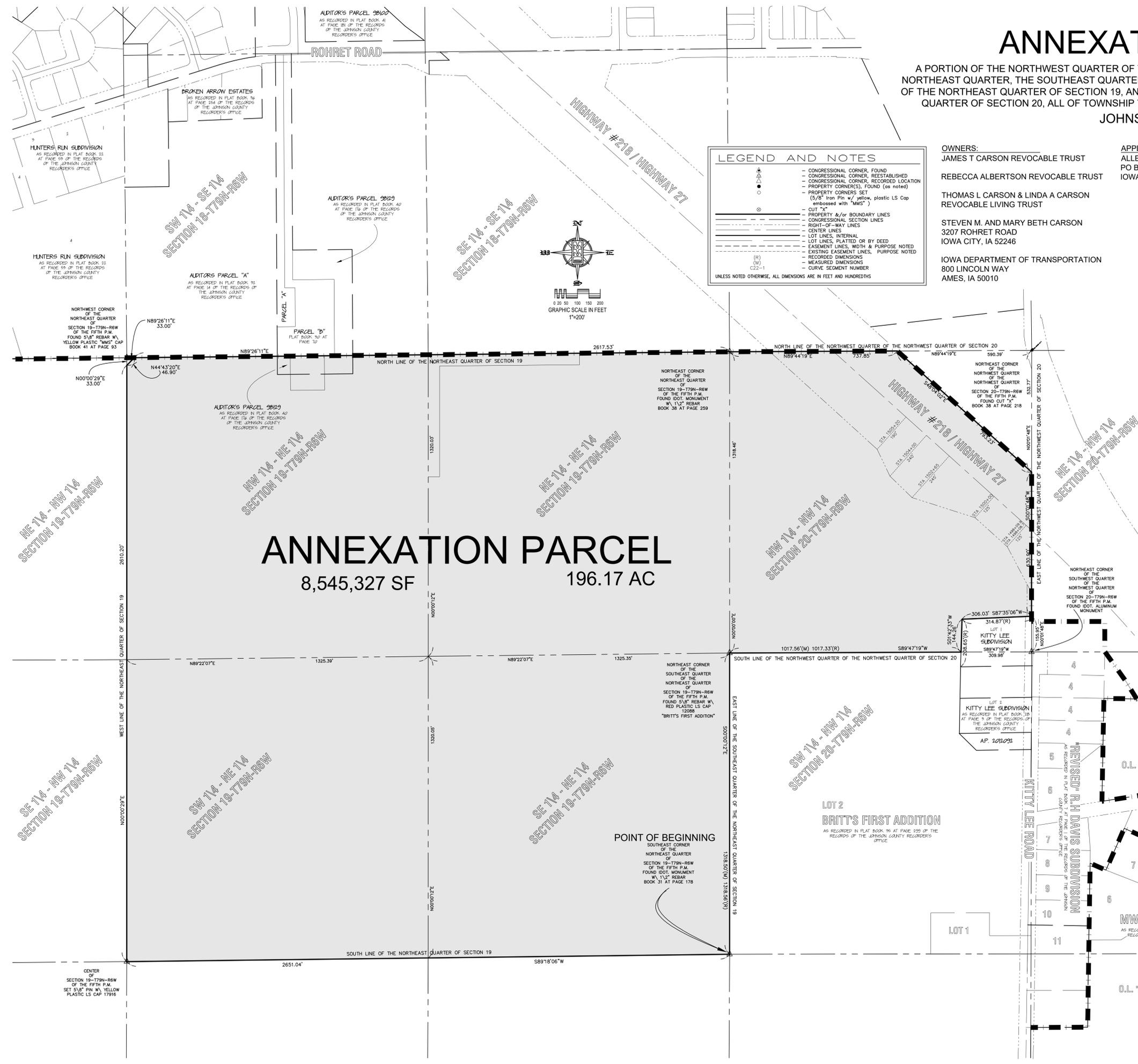
ANNEXATION EXHIBIT

A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, ALL OF TOWNSHIP 79 NORTH, RANGE 6 WEST, OF THE FIFTH PRINCIPAL MERIDIAN

JOHNSON COUNTY IOWA

MMS CONSULTANTS, INC.

Date:	07-29-2020
Designed by:	RLA
Drawn by:	RLW
Checked by:	GDM
Project No.:	IOWA CITY 7596-107
Field Book No.:	1291
Scale:	1"=200'
Sheet No.:	1
of:	1





0 0.075 0.15 0.3 Miles

ANN20-0001 / REZ20-0002*

Carson Farms:
West of Highway 218, South of Rohret Rd.



Prepared By: Joshua Engelbrecht
Date Prepared: August 2020



An application submitted by MMS Consultants, on behalf of Allen Development, LLC for the annexation of 196.17 acres of property located West of Highway 218 and South of Rohret Rd. and rezoning of the subject property from County Residential (R) and County Urban Residential (RUA) to Single Family Interim Development (ID-RS).

* due to new software implimentation there are 2 cases labeled REZ20-02



0 0.075 0.15 0.3 Miles

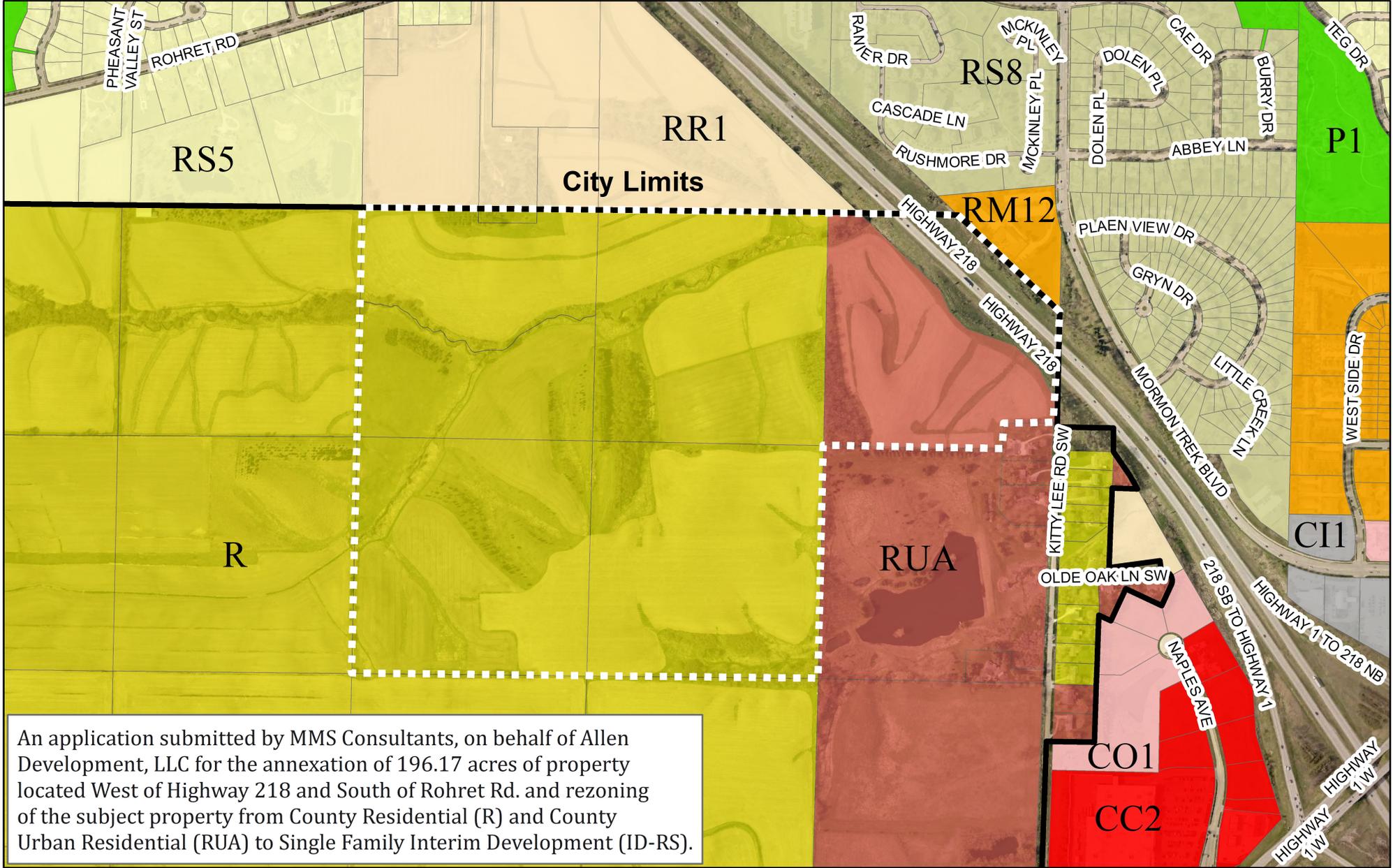
ANN20-0001 / REZ20-0002*

Carson Farms:

West of Highway 218, South of Rohret Rd.



Prepared By: Joshua Engelbrecht
Date Prepared: August 2020



An application submitted by MMS Consultants, on behalf of Allen Development, LLC for the annexation of 196.17 acres of property located West of Highway 218 and South of Rohret Rd. and rezoning of the subject property from County Residential (R) and County Urban Residential (RUA) to Single Family Interim Development (ID-RS).

* due to new software implimentation there are 2 cases labeled REZ20-02



July 30, 2020

City of Iowa City
Planning and Community Development
Attn: Anne Russett
410 E Washington
Iowa City, IA 52240

RE: Carson Annexation

Dear Anne:

MMS Consultants, on behalf of Allen Development LLC, would like to request an annexation for the property south of Rohret Road and west of Highway 218, please see attached Annexation Exhibit for exact location. The property is currently owner by Thomas L Carson & Linda A Carson Revocable Living Trust, James T Carson Revocable Trust, and Rebecca Albertson Revocable Trust. Ownership is anticipated to be transferred to Allen Development LLC. The property is currently within Johnson County and is zoned residential. The applicant is proposing an annexation into the city limits of Iowa City.

The property is within the growth area of the City of Iowa City, and is in compliance with the Comprehensive Plan. The applicant is requesting Interim Development zoning due to infrastructure not being available at this time. As infrastructure becomes available, the applicant intends to develop the property into new neighborhoods, in compliance with City planning documents.

The property immediately to the north of the described parcels is within city limits, is currently zoned RR-1 and is also owned by Thomas L Carson & Linda A Carson Revocable Living Trust, James T Carson Revocable Trust, and Rebecca Albertson Revocable Trust. This property is also anticipated to transfer ownership to Allen Development LLC and be developed in conjunction with the property being requested for annexation. If you have any questions or comments please feel free to contact myself or John Yapp.

Respectfully submitted,

Jon Marner, Partner

7596-107L1.docx

CARSON FARM

Steve Carson, Mgr.
3207 Rohret Rd., Iowa City, IA 52246
(319) 400-3427

August 8, 2020

Urban Planning Staff
City of Iowa City
410 E. Washington Street
Iowa City IA 52240

RE: Annexation of Carson Property

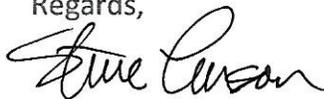
To Urban Planning Staff:

This letter is in support of the annexation by the City of Iowa City of approximately 196.0 acres of land owned by the Carson family in the Southwest District of Iowa City. The requested annexation of the property conforms with the projected development outlined in the 2002 Southwest District Plan for the Rohret South Subarea.

This acreage appears to be the next logical area for city expansion to the west of US Hwy 218 and south of Rohret Road without skipping over other undeveloped property.

Thank you for your consideration of this matter.

Regards,



Steve Carson

Targeted Annexation/Rezoning Timeline (timeline subject to change):

- Planning and Zoning Commission Meeting – 10/15/20
- Mailing applications to utilities and non-consenting parties – 11/05/20
- Mailing public hearing notices – 11/05/20
- Setting of Public Hearing by City Council – 11/17/20
- City Council Public Hearing – 12/01/20
- City Development Board Submission – 12/04/20
- City Development Board Meeting – 01/14/21
- Annexation Approval – 02/15/21

STAFF REPORT

To: Planning & Zoning Commission

Prepared by: Ray Heitner, Associate Planner

Item: VAC20-0002
St. Mathias Alley Vacation

Date: October 15, 2020

GENERAL INFORMATION:

Applicant/Property Owner:

J+M Civil Design, LLC
2550 Middle Road, Suite 602
Bettendorf, IA 52722
563-345-3470
calisse@jmcivildesign.com

Requested Action:

Vacation of St. Mathias Alley right-of-way

Purpose:

To accommodate a pick-up window and drive aisle

Location:

St. Mathias Alley right-of-way adjacent to Parcel #1002334001.

Location Map:



Size:

Approximately 1,500 square feet

Existing Land Use and Zoning:

Vacant (open space);
Community Commercial (CC-2)

Surrounding Land Use and Zoning: North: Community Commercial
With Planned Development Overlay
(OPD CC-2)
East: Low Density multi-family residential
(RM-12) and St. Joseph Cemetery
South: Low Density multi-family residential
(RM-12)
West: Community Commercial (CC-2)

File Date: September 24, 2020

45-Day Limitation: NA

BACKGROUND INFORMATION:

The applicant, J+M Civil Design, LLC, is applying for a vacation of 1,500 square feet of City right-of-way located on St. Mathias Alley, between 1120 N. Dodge St. and Saint Joseph Cemetery. The applicant is working on behalf of Ryan Wade who is working to purchase the property west of the subject vacation area. J+M Civil Design, LLC, the applicant, prepared this vacation application to prepare for the redevelopment and reuse of 1120 N. Dodge Street that would function as mixed use building with a pick-up window and drive aisle on the ground floor and apartment above. The conveyed right-of-way would allow the applicant to accommodate a drive aisle for the pick-up window.

ANALYSIS:

The following factors are to be considered in evaluating a vacation request:

- a) Impact on pedestrian and vehicular access and circulation;
- b) Impact on emergency and utility vehicle access and circulation;
- c) Impact on access of adjacent private properties;
- d) Desirability of right-of-way for access or circulation needs;
- e) Location of utilities and other easements or restrictions on the property;
- f) Any other relevant factors pertaining to the specific requested vacation.

a) Vehicular and pedestrian circulation and access to private property:

The existing alley right-of-way extends from N. Dodge Street west to St. Clement Street. However, the alley is improved only near N. Dodge St. and provides access only to 1120 N. Dodge Street and Saint Joseph Cemetery. Although the existing right-of-way is 30' between the Cemetery and 1120 N. Dodge St. the remainder of the right-of-way is 20'. See Figure 1.

The proposed vacation of the western 10' of public right-of-way located to the immediate east of the structure currently situated at 1120 N. Dodge St. is intended to accommodate a drive-through facility for a proposed mixed-use development at 1120 N. Dodge St. The vacation would allow for a 9' wide drive-through lane to be utilized on the 1120 N. Dodge St. site, while still providing 20' of right-of-way between N. Dodge Street and St. Clements Street.

Figure 1.



b) Emergency and utility and service access:

Emergency or utility and service access will not be impaired by the proposed vacation and redevelopment of the Alley. The vacation will result in a 20' right-of-way, which meets the minimum alley standard. Two-way traffic patterns will be preserved at the Alley's entrance on N. Dodge St. The Alley improvements will extend to the western property line of 1120 N. Dodge St.

c) Impact on access of adjacent private properties:

The vacation will not result in any negative impacts to adjacent properties. The right-of-way will be maintained between N. Dodge St. and St. Clements St. and the existing two-way access to the Saint Joseph Cemetery will remain.

d) Desirability of right of way for access or circulation needs:

The applicant has chosen to apply for the vacated and conveyed right-of-way to help facilitate development of a drive-through lane for a ground floor commercial use within a mixed-use building at 1120 N. Dodge St. The proposed configuration was necessary since the renovated structure is closely situated to the eastern property line of 1120 N. Dodge St., and because the applicant is proposing to have parking along installed to the west of the existing structure. The applicant has maintained that the drive-through lane is a vital component to the success of the proposed ground-floor business.

e) Location of utilities and other easements or restrictions on the property:

The subject area to be vacated and conveyed does not contain any utilities, easements, or other restrictions.

f) Any other relevant factors pertaining to the specific requested vacation:

Staff has not found any other relevant factors pertaining to the specific requested vacation. The City Attorney's Office has reviewed the required purchase agreement from the applicant for this right-of-

way area. The City Council will need to approve the submitted purchase agreement offer.

SUMMARY:

Staff finds that the subject right-of-way can be vacated and conveyed to the applicant while still maintaining a safe two-way means of travel through the remaining St. Matthias Alley right-of-way. Existing two-way travel patterns will remain in place, and improvements made to the alley between the intersection with the N. Dodge St. and the western property line of 1120 N. Dodge St. will create an improved driving surface for that portion of the alley.

NEXT STEPS:

Upon recommendation of approval by the Planning and Zoning Commission, the proposed vacation will be reviewed by the City Council. The City Council will not only discuss the vacation, but also the conveyance of this land. The applicant has offered fair market value for the vacation.

STAFF RECOMMENDATION:

Staff recommends the approval of VAC20-0002, a vacation of the St. Mathias Alley right-of-way south of N. Dodge St. and east of 1120 N. Dodge St. in Iowa City, IA.

ATTACHMENTS:

1. Location Map
2. Vacation Plat
3. 1120 N. Dodge St. Concept Plan

Approved by: _____



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



VAC20-0002 1120 N. Dodge St

0 0.01 0.02 0.04 Miles

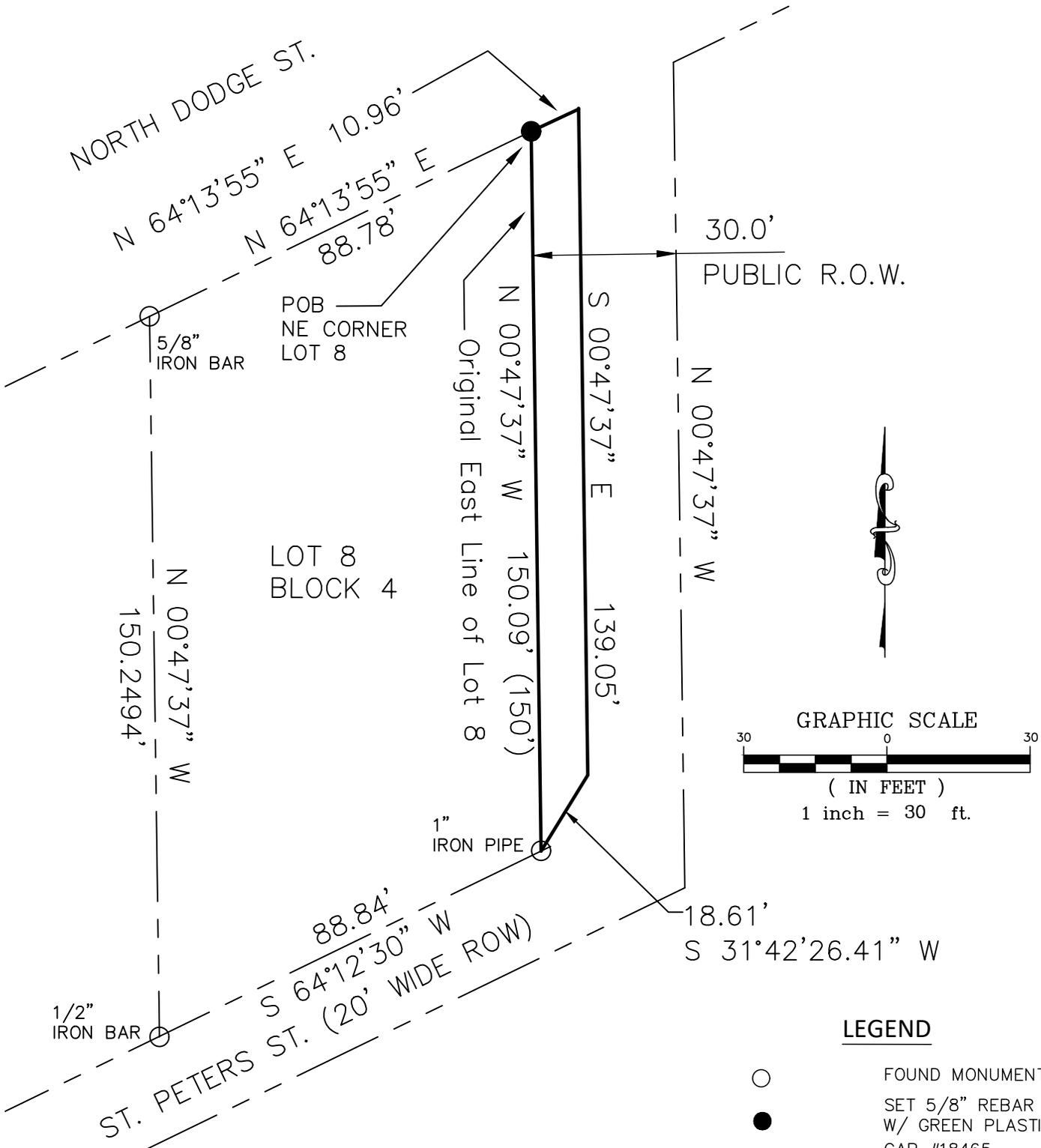


Prepared By: Joshua Engelbrecht
Date Prepared: October 2020



VACATION EXHIBIT

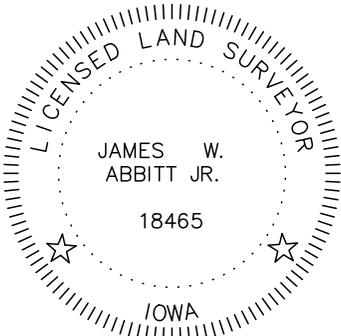
FOR THE VACATION OF EXISTING RIGHT OF WAY OF A PUBLIC ALLEY; DESCRIBED AS:
 THE WESTERLY 10 FEET OF A 30 FOOT-WIDE PUBLIC RIGHT-OF-WAY BEING SOUTHERLY OF NORTH DODGE STREET
 AND NORTHERLY OF ST. PETERS STREET, ADJOINING AND CONTIGUOUS TO THE EAST LINE OF LOT 8 OF
 ST. MATTHIAS ADDITION; CONTAINING 1,444.79 SQUARE FEET, MORE OR LESS.
 SEE SHEET 2 FOR A FULL LEGAL DESCRIPTION



I HEREBY VERIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

 JAMES W. ABBITT, JR. DATE _____
 REG. NO. 18465
 MY LICENSE EXPIRES DECEMBER 30, 2020
 PAGES OR SHEETS COVERED BY THIS SEAL:
 SHEETS 1 & 2

LEGEND	
○	FOUND MONUMENT
●	SET 5/8" REBAR W/ GREEN PLASTIC CAP #18465
—	VACATION LINE
—	RIGHT OF WAY OR ORIGINAL LOT LINE
(100')	DEED OR PLATTED
100.00'	MEASURED





Abbitt
 Survey & Development, PLLC

ABBITT SURVEY & DEVELOPMENT, PLLC.
 5030 38TH AVE., SUITE 19
 MOLINE, ILLINOIS 61265
 PH. 309-524-3124

DATE: 9-24-2020	SCALE: 1" = 30'	DRAWN BY: JRV	CHECKED BY: JWA
PREPARED FOR: J+M Civil Design, LLC 2550 Middle Road, Suite 602 Bettendorf, IA 52722			SHEET 1 OF 2
DRAWING TITLE: VACATION EXHIBIT			DRAWING No.: 20-224-IAIC-BT-J+M

VACATION EXHIBIT

**FOR THE VACATION OF EXISTING RIGHT OF WAY OF A PUBLIC ALLEY; DESCRIBED AS:
THE WESTERLY 10 FEET OF A 30 FOOT-WIDE PUBLIC ROADWAY BEING SOUTHERLY OF NORTH DODGE STREET
AND NORTHERLY OF ST. PETERS STREET, ADJOINING AND CONTIGUOUS TO THE EAST LINE OF LOT 8 OF
ST. MATTHIAS ADDITION; CONTAINING 1,500 SQUARE FEET, MORE OR LESS.**

SEE FULL LEGAL DESCRIPTION BELOW

LEGAL DESCRIPTION – PROPOSED ALLEY VACATION

BEGINNING AT THE NORTHEAST CORNER OF LOT 8 IN BLOCK 4 OF ST. MATTHIAS ADDITION;

THENCE NORTHEASTERLY ALONG THE NORTHEASTERLY EXTENSION OF THE NORTH LINE OF SAID BLOCK 4 AND THE SOUTHERLY LINE OF NORTH DODGE STREET (FORMERLY KNOWN AS MILITARY ROAD), NORTH $64^{\circ}13'55''$ EAST, A DISTANCE OF 10.96 FEET TO A LINE WHICH IS 10.00 FEET EASTERLY OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 8;

THENCE SOUTHERLY ALONG SAID PARALLEL LINE, SOUTH $00^{\circ}47'37''$ EAST, A DISTANCE OF 139.05 FEET TO A POINT ON THE EASTERLY LINE OF SAID BLOCK 4;

THENCE SOUTH $31^{\circ}42'26''$ WEST, A DISTANCE OF 18.61 FEET TO THE SOUTHEAST CORNER OF SAID LOT 8;

THENCE NORTHERLY ALONG THE EAST LINE OF SAID LOT 8, NORTH $00^{\circ}47'37''$ WEST, A DISTANCE OF 150.09 FEET TO THE NORTHEAST CORNER OF SAID LOT AND THE POINT OF BEGINNING.

THE ABOVE DESCRIBED REAL ESTATE CONTAINS 1444.79 SQUARE FEET, MORE OR LESS.



Abbitt
Survey & Development, PLLC

ABBITT SURVEY & DEVELOPMENT, PLLC.
5030 38TH AVE., SUITE 19
MOLINE, ILLINOIS 61265
PH. 309-524-3124

DATE: 9-24-2020

PREPARED FOR: J+M Civil Design, LLC
2550 Middle Road, Suite 602
Bettendorf, IA 52722

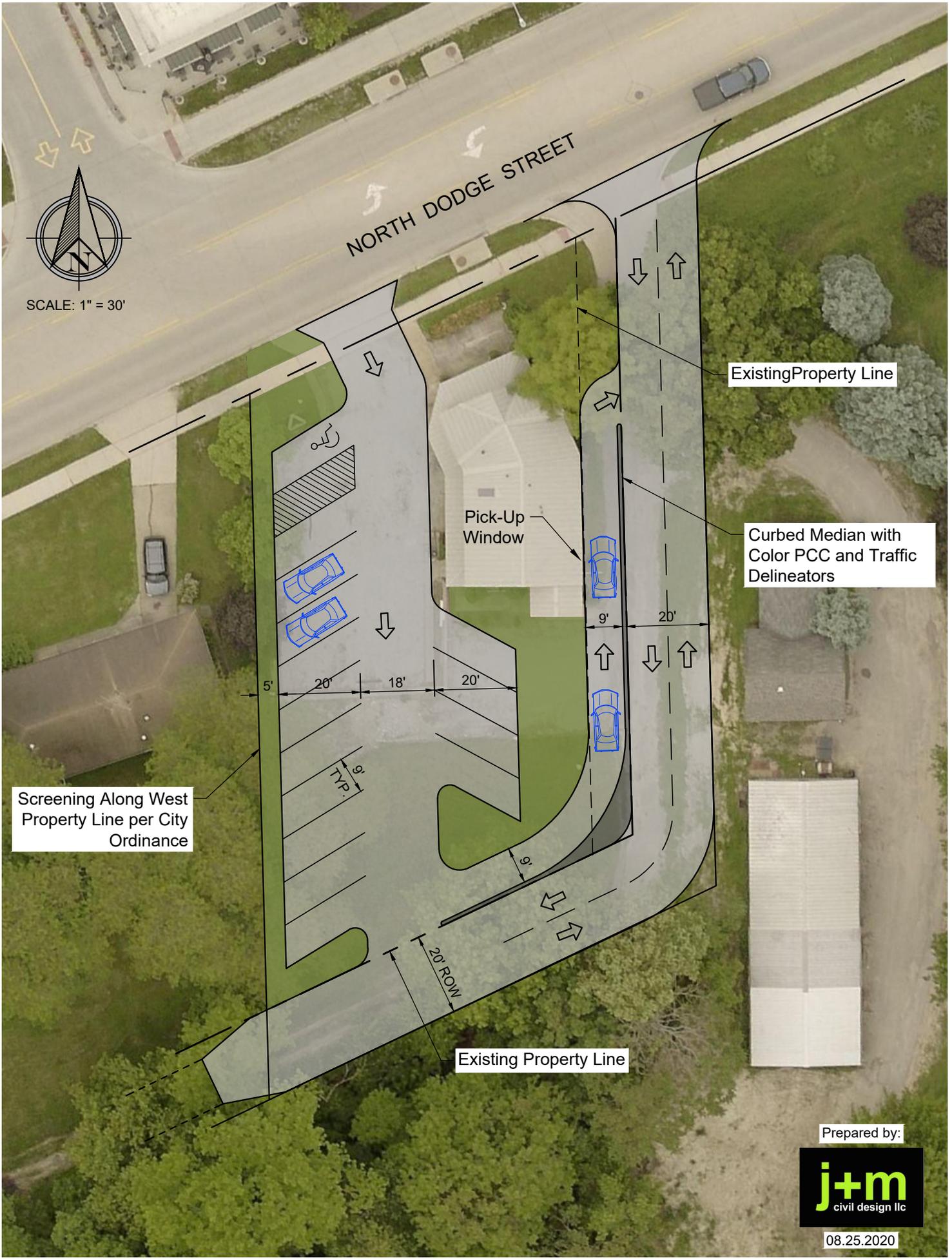
SHEET 2 OF 2

DRAWING No.:

DRAWING TITLE:

VACATION EXHIBIT

20-224-IAIC-BT-J+M



SCALE: 1" = 30'

NORTH DODGE STREET

Existing Property Line

Curbed Median with Color PCC and Traffic Delineators

Pick-Up Window

Screening Along West Property Line per City Ordinance

Existing Property Line

Prepared by:



08.25.2020

STAFF REPORT

To: Planning and Zoning Commission

Prepared by: Anne Russett, Senior Planner

Item: REZ20-0008 – 400 N. Clinton St. &
112 E. Davenport St.

Date: October 15, 2020

GENERAL INFORMATION:

Applicant:

Jeff Clark
319/ 631-1867
jeffmc1973@yahoo.com

Property Owner:

John R. Rummelhart, Jr.

Requested Action:

Rezoning from High Density Multi-Family
Residential (RM-44) to Planned High Density Multi-
Family Residential (PRM)

Purpose:

Development of multi-family housing

Location:

400 N. Clinton Street & 112 E. Davenport Street

Location Map:



Size:

12,000 square feet

Existing Land Use and Zoning:

Residential, RM-44

Surrounding Land Use and Zoning:

North: RM-44, Multi-family residential
South: PRM, Multi-family residential
East: RM-44, Multi-family residential
West: Institutional Public (P-2), Residence Hall

Comprehensive Plan:

25+ dwelling units / acres

District Plan:	Central District, High Density Multi-Family
Neighborhood Open Space District:	C1
Public Meeting Notification:	Property owners and some residents located within 500' of the project site received notification of the Planning and Zoning Commission public meeting. Rezoning signs were also posted on the site.
File Date:	September 24, 2020
45 Day Limitation Period:	November 9, 2020

BACKGROUND INFORMATION:

The applicant, Jeff Clark, has requested a rezoning from High-Density Multi-Family Residential (RM-44) zone to Planned High Density Multi-Family Residential (PRM) zone for 12,000 square feet of land located at 400 N. Clinton Street and 112 E. Davenport Street. The proposed rezoning request is being pursued in conjunction with the proposed zoning code amendment to allow minor adjustments in PRM zones for new construction projects which involve preserving a separate historic structure (REZ20-0005) and a rezoning application to designate the property at 410-412 N. Clinton Street as an Iowa City Historic Landmark (REZ20-0009).

Staff has been coordinating with the applicant on the proposed redevelopment of 400 N. Clinton Street and 112 E. Davenport Street for several months. Here is a summary of the timeline:

- **January 2019:**
 - The City Council considered an Iowa City Historic Landmark rezoning for the property at 410-412 N. Clinton Street (Figure 1). Both the Historic Preservation Commission and the Planning and Zoning Commission recommended approval of the landmark rezoning. While a majority of the City Council supported the designation, the vote ultimately failed as a supermajority was required, but not reached.
 - After the failed vote at Council, City staff reached out to the property owner to explore possible scenarios that could result in a voluntary local historic landmark designation. Through discussions, the property owner of 410-412 N. Clinton Street mentioned the possibility of acquiring two properties immediately to the south – 400 N. Clinton Street and 112 E. Davenport Street (Figure 2). Assuming acquisition of these properties, the property owner was open to exploring a scenario in which the City would grant extra development potential on those lots in exchange for the local landmark designation of 410-412 N. Clinton Street. The additional development potential would include a rezoning of 400 N. Clinton Street and 112 E. Davenport Street to the PRM zone and potential text amendments to the PRM zone bonus provisions, which offer regulatory incentives for projects that provide public benefits.
- **May 2019:** Prior to exploring this option with the property owner, staff presented this option at a City Council work session. During this work session the City Council expressed a willingness to consider a rezoning and text amendment.
- **January 2020:** Staff presented the proposal to redevelop 400 N. Clinton Street and 112 E. Davenport Street in exchange for the designation of 410-412 N. Clinton Street as a local historic landmark to the Historic Preservation Commission. The main takeaway from

this meeting was to continue to explore solutions resulting in the local landmark designation of 410-412 N. Clinton Street.

- **February 2020:** Staff shared the Historic Preservation Commission's comments with the City Council.
- **February – June 2020:** After the February Council meeting, the applicant worked with an architect to further revise the plans for the proposed redevelopment of 400 N. Clinton Street and 112 E. Davenport Street.
- **July 2020:** Both the Historic Preservation Commission and the City Council reviewed the revised plans [Attachment 3]. The Historic Preservation Commission and the City Council supported the revised plans and had the following comments:
 - Development of a rehabilitation plan based on the Secretary of Interior Standards for the 1860s historic building located at 410-412 N. Clinton Street.
 - Salvage of demolished buildings at 400 N. Clinton and 112 E. Davenport Streets.
 - Ensure that the proposed wall around the open space is not physically connected to the historic structure.
 - Substantial compliance with the concept plan and elevations to ensure the height is capped at 5 stories.

Figure 1. *410-412 N. Clinton Street*



Figure 2. *400 N. Clinton Street & 112 E. Davenport Street*



ANALYSIS:

Current Zoning: The property is currently zoned RM-44. The purpose of the RM-44 zone is to establish areas for the development of high density, multi-family dwellings and group living quarters. Properties zoned RM-44 should have good access to all city services and facilities, including transit. Vehicular access and parking should be designed carefully to ensure efficient traffic and pedestrian circulation on adjacent streets. Due to the high density permitted in this zone, careful attention to site design is expected.

Proposed Zoning: The applicant has requested a rezoning to PRM. The purpose of the planned high-density multi-family residential zone (PRM) is to provide for development of high-density multi-family housing in close proximity to centrally located employment, educational, and commercial uses. Because of the high density of development anticipated in this zone, special consideration of building and site design is required. The PRM bonus provisions provide regulatory incentives for projects that provide public benefits. For example, increases in height, density, and reductions in setbacks. The maximum base height in the PRM zone is 35-feet, but with bonuses may increase to 65-feet.

Compliance with Comprehensive Plan: The Future Land Use Map of the Comprehensive Plan has designated this area for residential development at a density of 25+ dwelling units per acre. The Central District Plan identifies this area as appropriate for High Density Multi-Family Residential Development, which is intended for high density residential development at 16-49 dwelling units per acre. This designation is reserved for areas close to downtown, the University, and other employment centers that have good access to city services and facilities.

The proposed amendment aligns with goals related to the preservation and rehabilitation of historic buildings with the demand for infill development near downtown. Specifically:

- Identify and support infill development and redevelopment opportunities in areas where services and infrastructure are already in place.
- Support the Historic Preservation Commission's efforts to meet its goals.
- Support housing rehabilitation programs and re-invest in housing in existing neighborhoods.

Compatibility with Neighborhood: The site of the proposed rezoning is surrounded by existing multi-family residential development, as well as University of Iowa residence halls. The existing building to the north is two stories in height. Currier Hall across Clinton Street to the west is five stories in height. The concept provided by the applicant shows a five-story building with 32 dwelling units, 71 bedrooms and 21 subterranean parking spaces. It also incorporates 1,768 square feet of open space between the historic structure at 410-412 N. Clinton Street and the new building. Figure 3 shows the west elevation of the building which incorporates many of the suggestions made by staff, the Historic Preservation Commission, and the City Council. The concept shows a building that was reduced to five stories from previous concepts to align better with the height of Currier Hall across the street. It also incorporated a flat roof to visually reduce the building scale and added open space. The plans incorporate a portion of the new construction that wraps around the historic structure. That portion of the building is reduced to three stories. To ensure compatibility with the existing context of the neighborhood in terms of scale, and honor the Historic Preservation Commission's request that the height not exceed the 56-feet as shown, staff proposes a condition to require substantial compliance with the attached site plan and elevations.

Figure 3. West Elevation



NEXT STEPS:

Upon recommendation from the Planning and Zoning Commission, a public hearing will be scheduled for consideration by the City Council. This rezoning is connected to the proposed PRM text amendment (REZ20-0005) and the local landmark rezoning of 410-412 N. Clinton Street (REZ20-0009), which will also be reviewed by the Planning and Zoning Commission. Staff plans to have all three applications on the December 2, 2020 City Council agenda, with public hearings set at the Council's November 17 meeting.

STAFF RECOMMENDATION:

Staff recommends approval of REZ20-0008, a proposal to rezone approximately 12,000 square feet of land located at 400 N. Clinton Street and 112 E. Davenport street from High-Density Multi-Family Residential (RM-44) zone to Planned High Density Multi-Family Residential (PRM) zone subject to the following condition:

- 1) Substantial compliance with the site plan and elevations dated July 1, 2020 if any PRM bonus provisions or minor adjustments are requested for the property.

ATTACHMENTS:

1. Location Map
2. Zoning Map
3. Site Plan and Elevations; July 1, 2020.

Approved by: _____

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



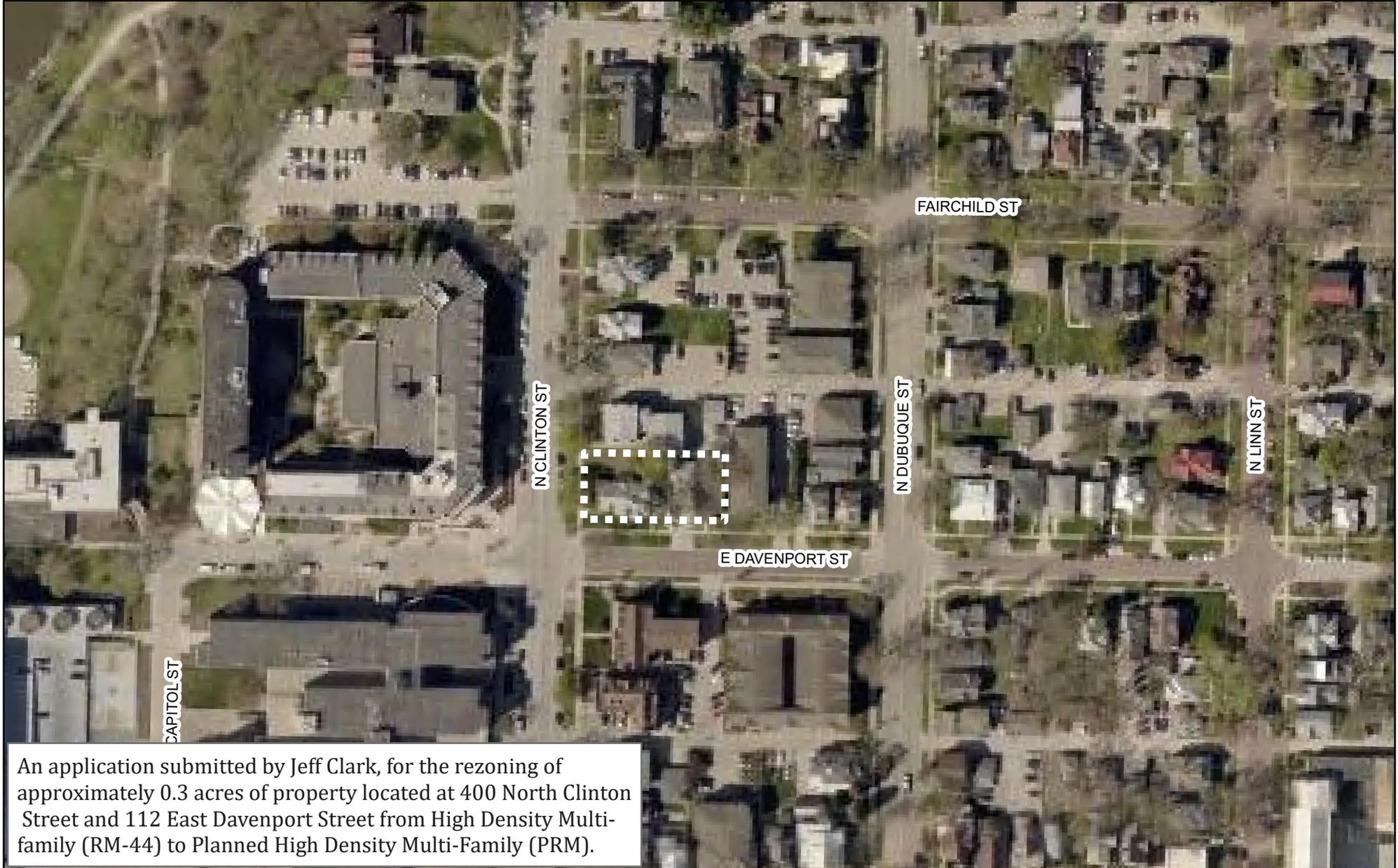
0 0.015 0.03 0.06 Miles

REZ20-0008

400 N Clinton & 112 E Davenport



Prepared By: Joshua Engelbrecht
Date Prepared: October 2020



An application submitted by Jeff Clark, for the rezoning of approximately 0.3 acres of property located at 400 North Clinton Street and 112 East Davenport Street from High Density Multi-family (RM-44) to Planned High Density Multi-Family (PRM).



0 0.015 0.03 0.06 Miles

REZ20-0008

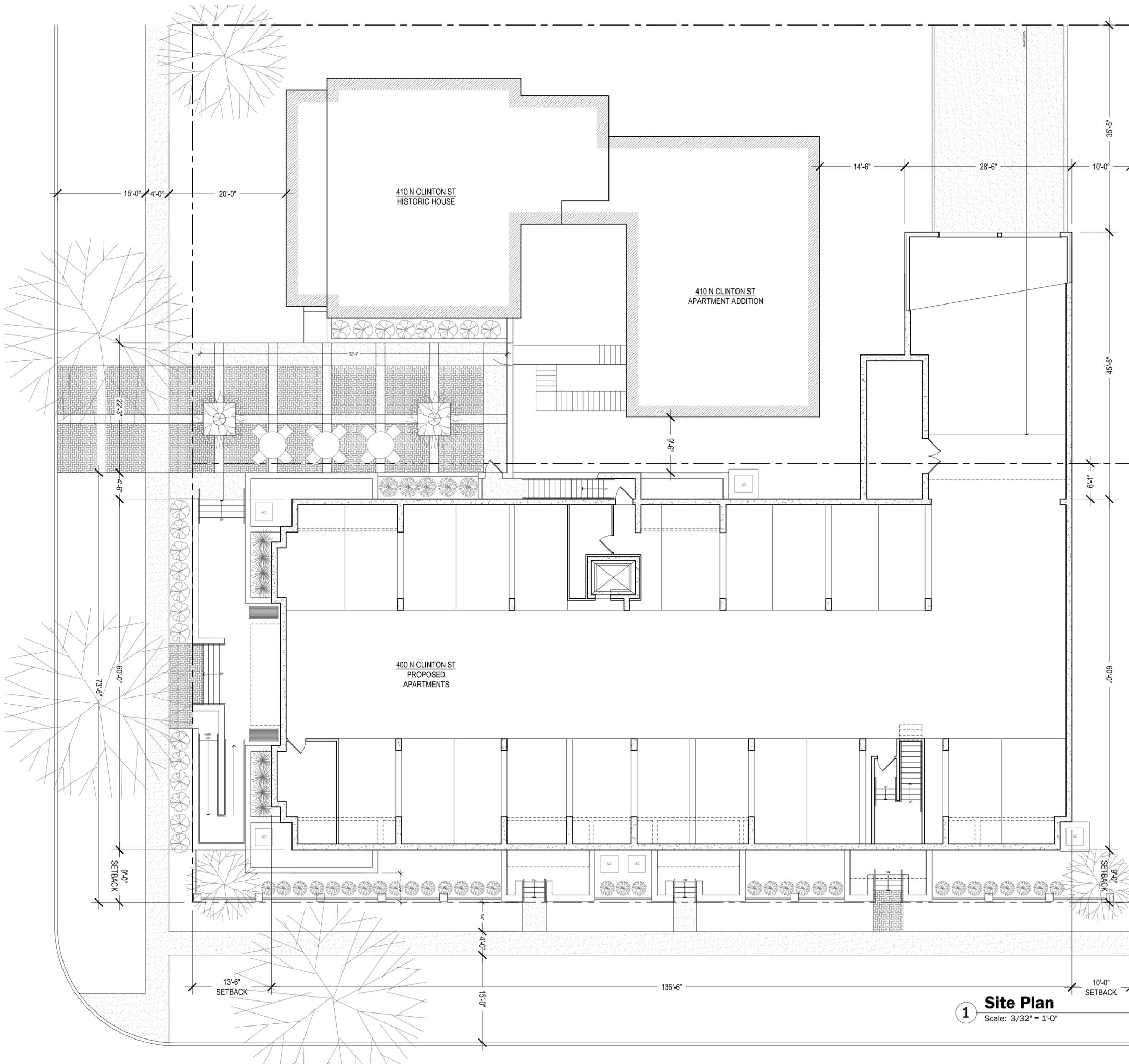
400 N Clinton & 112 E Davenport



Prepared By: Joshua Engelbrecht
Date Prepared: October 2020



An application submitted by Jeff Clark, for the rezoning of approximately 0.3 acres of property located at 400 North Clinton Street and 112 East Davenport Street from High Density Multi-family (RM-44) to Planned High Density Multi-Family (PRM).



DEVELOPMENT CHARACTERISTICS
 BASE ZONE: RM-44
 REZONING: PRM

LOT AREA: 24,000 SF
 FRONTAGE: 310 FT
 LOT COVERAGE: 16,904 SF
 BUILDING COVERAGE: 13,161 SF

GROSS SF
 NEW RESIDENTIAL: 40,503 SF
 NEW PARKING: 9,922 SF
 HOUSE + ADDITION: 7,140 SF

NEW RESIDENTIAL UNITS

UNITS:	3 BR	2 BR	1 BR	MU	# BR
FLOOR 1	3	2	1	0	14
FLOOR 2	3	3	1	0	16
FLOOR 3	3	3	1	0	16
FLOOR 4	3	2	1	0	14
FLOOR 5	2	1	1	2	11
TOTAL	14	12	4	2	71

PUBLIC BENEFIT FEATURES

MATERIALS
 HISTORIC BUILDINGS
 COMMUNITY SPACE
 ROOF TOP: 323 SF
 HARDSCAPE: 1,164 SF (ON-SITE)
 274 SF (R.O.W.)

WINDOWS

1 Site Plan
 Scale: 3/32" = 1'-0"

designer
Shelley McCafferty

shellmac7@yahoo.com
 605.209.7898

Residences at 400 N Clinton St

Designed for Jeff Clark Iowa City, IA

sheet title

Site Plan

date
July 1, 2020

sheet number

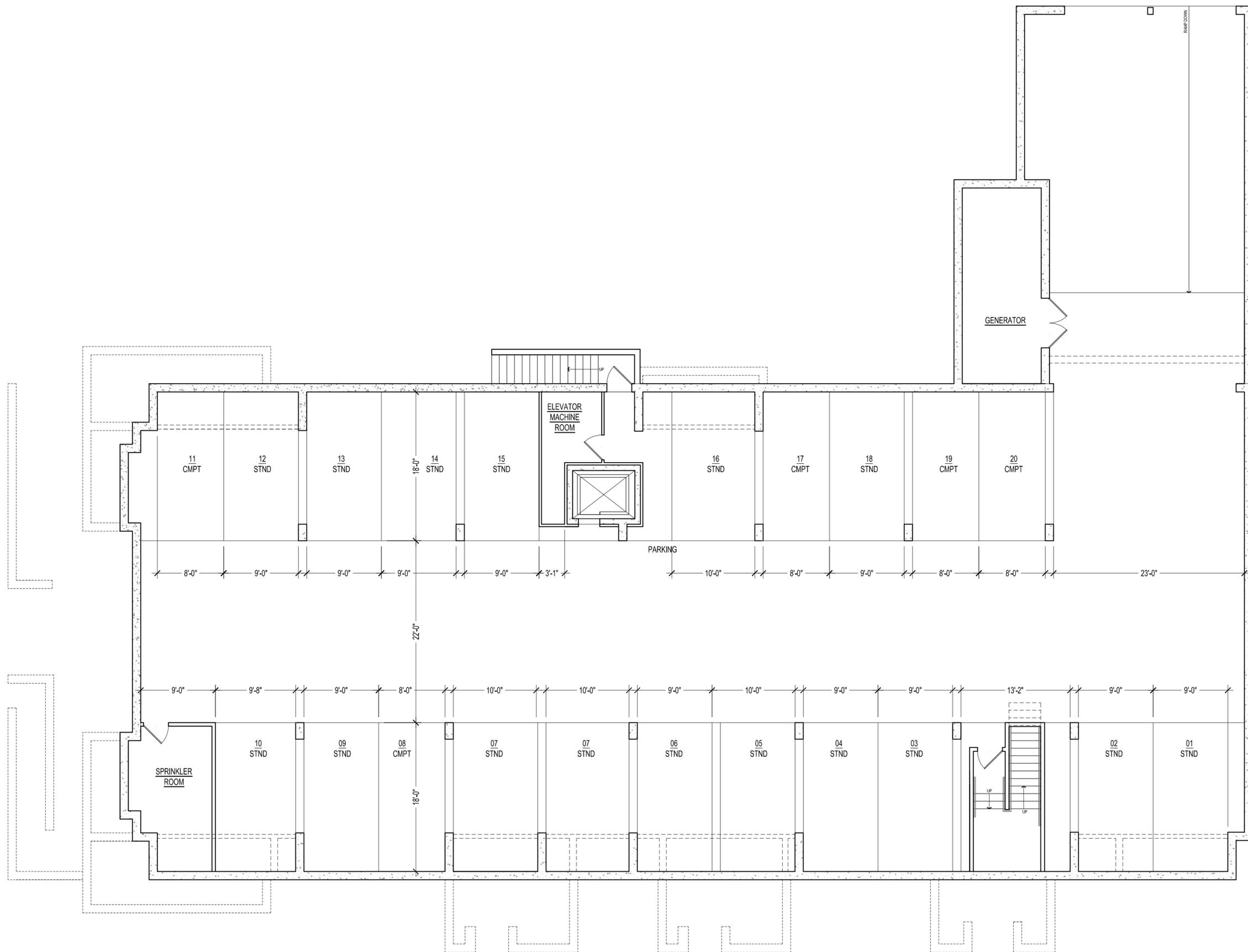
designer

Shelley McCafferty

shellmac7@yahoo.com
605.209.7898

Residences at 400 N Clinton St

Designed for Jeff Clark, Iowa City, IA



1 Garage Floor Plan
Scale: 1/8" = 1'-0"

sheet title

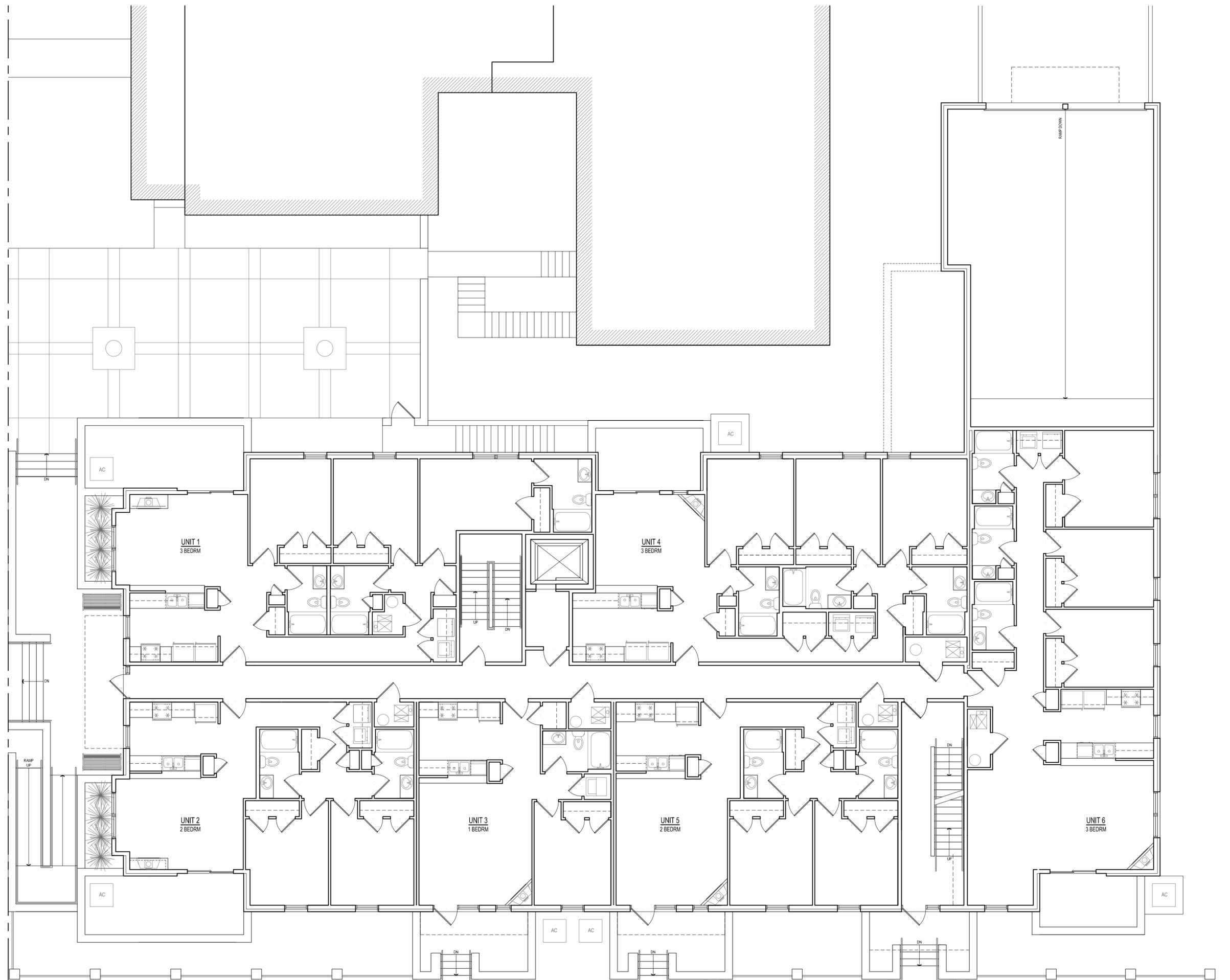
First Floor Plan

date

July 1, 2020

sheet number

2



designer
Shelley McCafferty
 shellmac7@yahoo.com
 605.209.7898

Residences at 400 N Clinton St

Designed for Jeff Clark Iowa City, IA

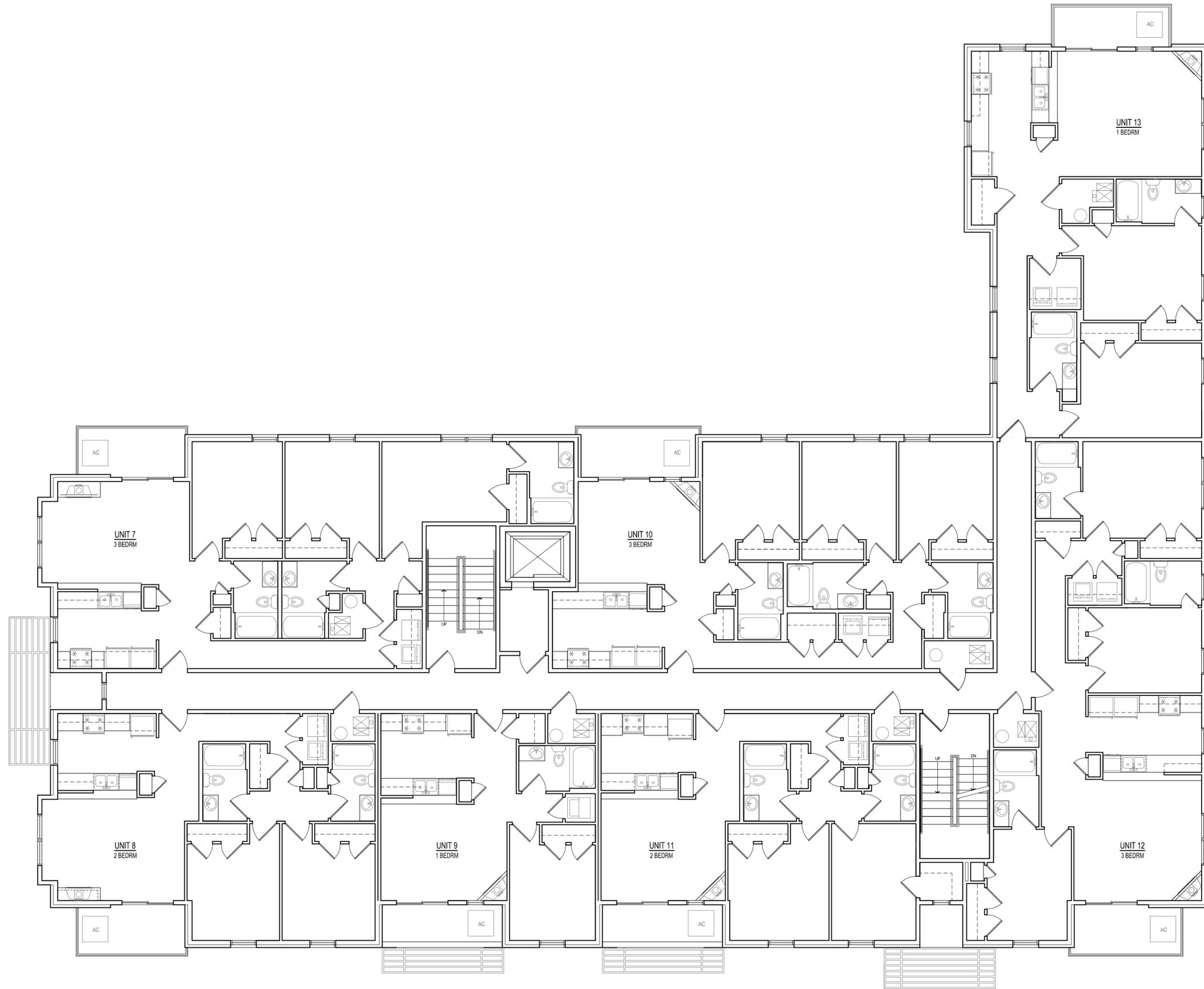
sheet title
First Floor Plan

date
July 1, 2020

sheet number

1 First Floor Plan
 Scale: 1/8" = 1'-0"





designer
Shelley McCafferty
 shellmac7@yahoo.com
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Residences at 400 N Clinton St

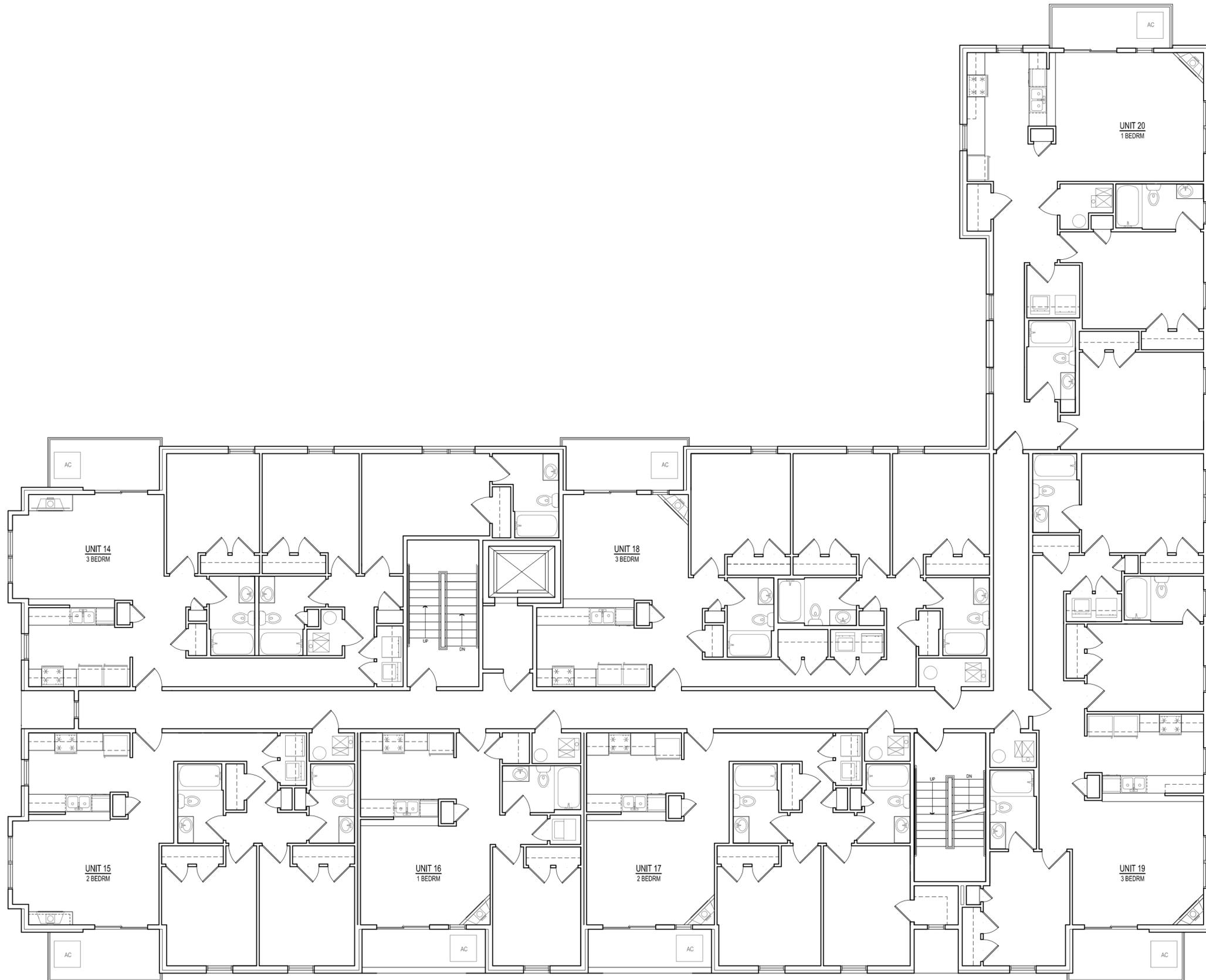
Designed for Jeff Clark Iowa City, IA

sheet title
Second Floor Plan

date
July 1, 2020

sheet number

1 Second Floor Plan
 Scale: 1/8" = 1'-0"



designer
Shelley McCafferty
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Residences at 400 N Clinton St

Designed for Jeff Clark Iowa City, IA

sheet title
Third Floor Plan

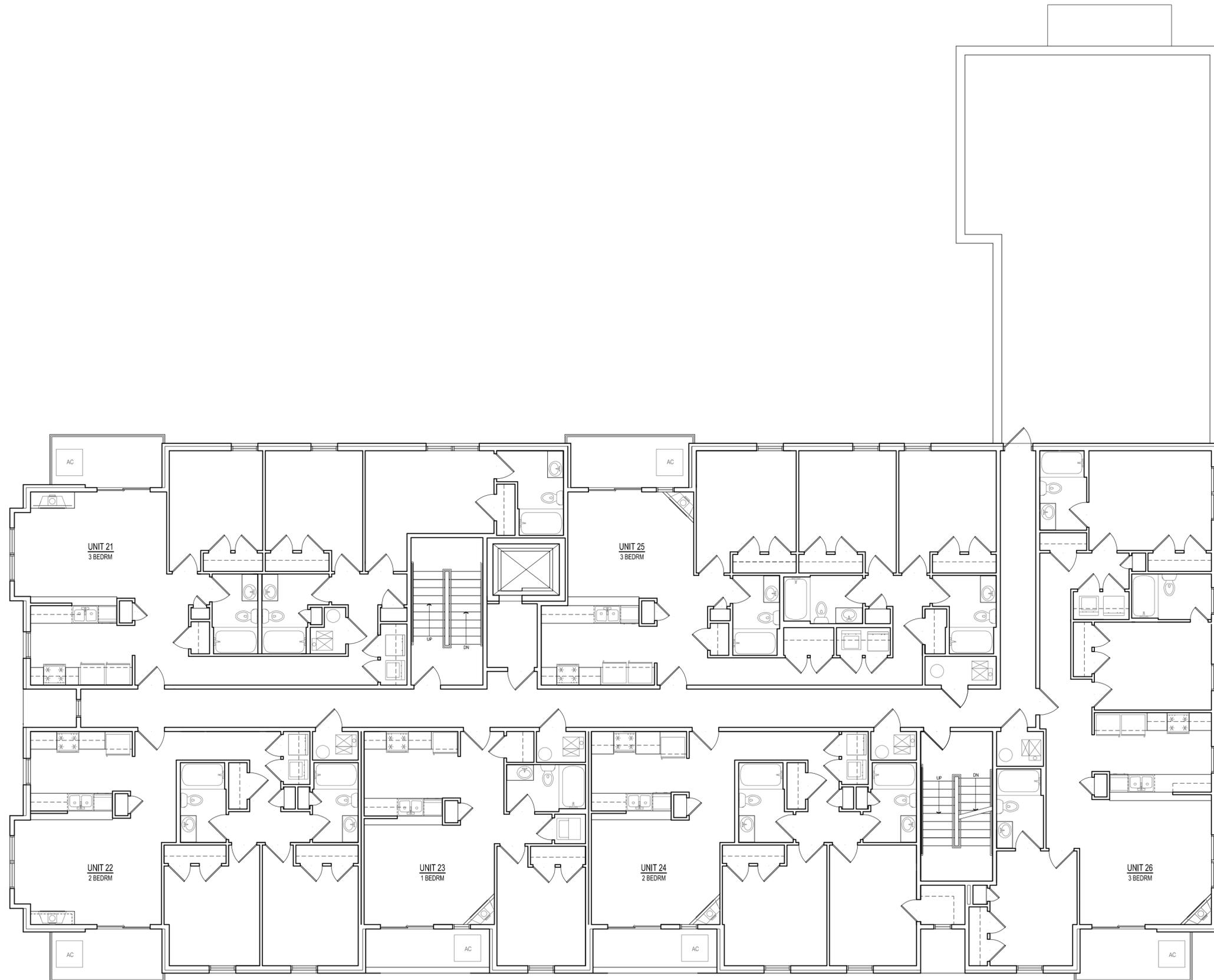
date
July 1, 2020

sheet number

1 Third Floor Plan
 Scale: 1/8" = 1'-0"



5



designer
Shelley McCafferty
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Residences at 400 N Clinton St

Designed for Jeff Clark Iowa City, IA

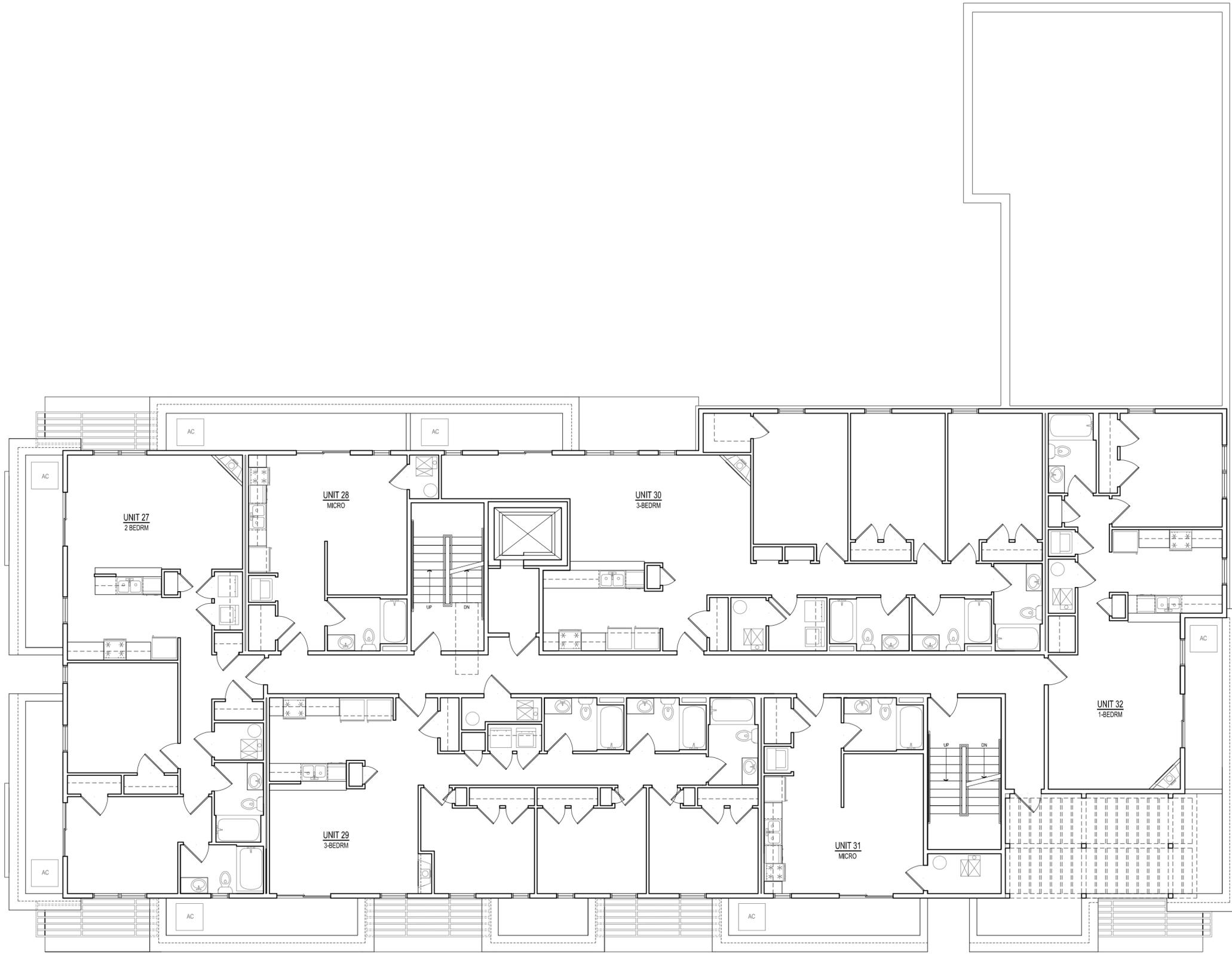
sheet title
Fourth Floor Plan

date
July 1, 2020

sheet number

1 Fourth Floor Plan
 Scale: 1/8" = 1'-0" 

6



designer
Shelley McCafferty
 shellmac7@yahoo.com
 605.209.7898

Residences at 400 N Clinton St

Designed for Jeff Clark Iowa City, IA

sheet title
Fifth Floor Plan

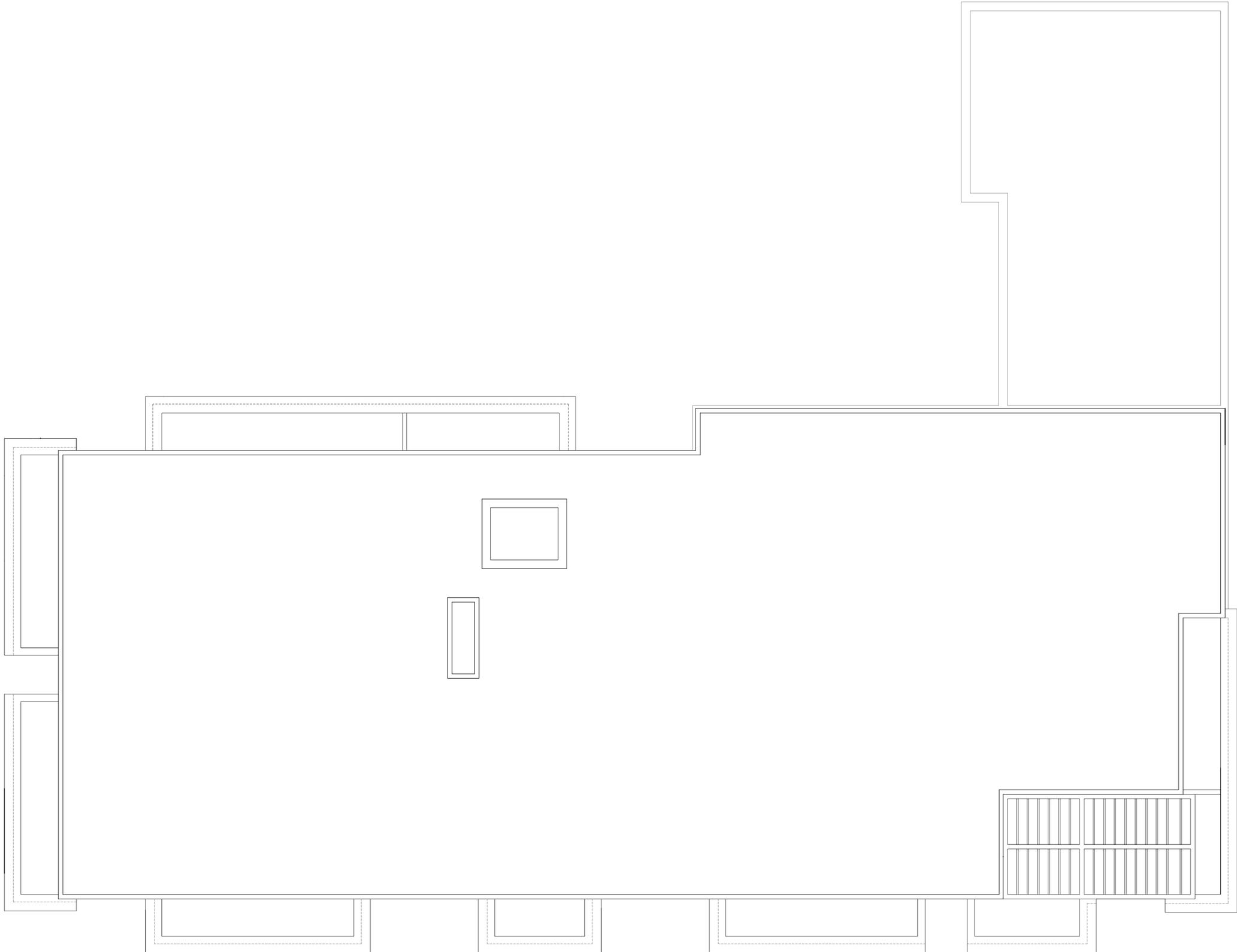
date
July 1, 2020

sheet number

1 Fifth Floor Plan
 Scale: 1/8" = 1'-0"



7



1 Roof Plan
Scale: 1/8" = 1'-0"



designer

Shelley McCafferty

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605.209.7898

Residences at 400 N Clinton St

Designed for Jeff Clark Iowa City, IA

sheet title

Roof Plan

date

July 1, 2020

sheet number

8

designer

Shelley McCafferty

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605.209.7898

Residences at 400 N Clinton St

Designed for Jeff Clark Iowa City, IA

sheet title

West Elevation

date

July 1, 2020

sheet number

9



ORNAMENTAL TREE
BRICK SCREEN WALL

METAL SIDING
 STONE CORNICE
 STONE LINTELS
 METAL SHADE SCREEN
 STONE BAND
 METAL GUARDRAILS
 METAL BALCONY CLADDING
 METAL DOUBLE-HUNG WINDOWS
 METAL SIDING
 ENTRANCE CANOPY
 PLANTER
 METAL FENCE
 BRICK MASONRY PIERS W/ STONE CAP

1 West Elevation
Scale: 1/8" = 1'-0"

designer

Shelley McCafferty

shellmac7@yahoo.com
605.209.7898

Residences at 400 N Clinton St

Designed for Jeff Clark Iowa City, IA



sheet title

South Elevation

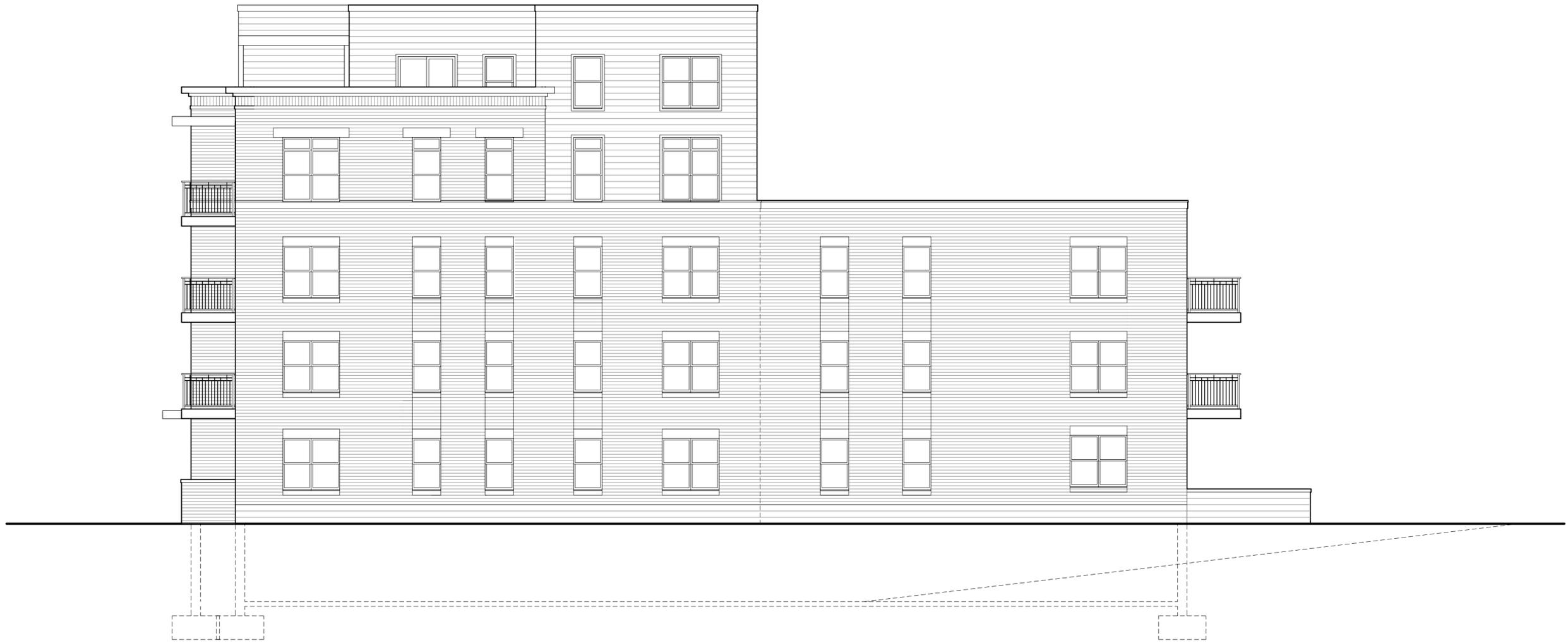
date

July 1, 2020

sheet number

1 **South Elevation**
Scale: 1/8" = 1'-0"

10



1 East Elevation
Scale: 1/8" = 1'-0"

designer
Shelley McCafferty
shellmac7@yahoo.com
605.209.7898

Residences at 400 N Clinton St
Designed for Jeff Clark Iowa City, IA

sheet title
East Elevation

date
July 1, 2020

sheet number

11

designer

Shelley McCafferty

shellmac7@yahoo.com
605.209.7898

Residences at 400 N Clinton St

Designed for Jeff Clark Iowa City, IA



sheet title

North Elevation

date

July 1, 2020

sheet number

1 North Elevation
Scale: 1/8" = 1'-0"

12



CITY OF IOWA CITY MEMORANDUM

Date: October 15, 2020

To: Planning & Zoning Commission

From: Kirk Lehmann, Associate Planner, Neighborhood & Development Services

Re: Zoning Code Amendment (REZ20-0005) to allow minor adjustments in Planned High Density Multi-Family Residential Zone (PRM) zones for new construction projects which involve preserving a separate historic structure

Introduction

The proposed amendment (REZ20-0005) modifies the PRM Zone Bonus Provisions in Iowa City Code section 14-2B-7. It allows an applicant to seek minor adjustments in the Planned High Density Multi-Family Residential (PRM) Zone for new construction projects which involve the preservation of a separate historic structure. Specifically, the proposed amendment allows the Staff Design Review Committee to consider waiving or modifying several standards. The purpose is to incentivize the designation of 410-412 N. Clinton Street as a local historic landmark, which would occur in conjunction with the redevelopment of 400 N. Clinton Street and 112 E. Davenport Street. The amendment may incentivize some future historic preservation efforts, though its application is limited. The proposed amendment is detailed in Attachment 1.

Background

At City Council's work session on August 4, 2020, staff presented concepts for the potential redevelopment of 400 N. Clinton Street and 112 E. Davenport Street and input regarding the concept from the Historic Preservation Commission and Friends of Historic Preservation. The redevelopment would require relief from certain provisions of the zoning code, so in exchange, the owner would designate 410-412 N. Clinton Street as a local historic landmark. Council indicated that staff should proceed with code changes to provide the flexibility necessary for the redevelopment so long as the historic property is concurrently preserved.

Proposed Amendment

Staff developed the proposed amendment to be similar to existing forms of flexibility and incorporated it into the PRM Zone Bonus Provisions (14-2B-7) section. It is written so new construction projects which involve the preservation of a separate abutting structure that is eligible to be designated as an Iowa City Historic Landmark can utilize the provision, as will be the case at 400 N. Clinton Street. However, the minor adjustment provisions cannot be used in conjunction with other PRM Zone Bonus provisions. While all properties do not need to be under the same ownership, all owners must agree on the project.

Waivers

The proposed amendment allows applicants to request waivers from the following standards:

- 1) 14-2B-4 Dimensional Requirements: Includes lot size, setbacks, height and width, lot coverage, open space, number of bedrooms per unit, and dwelling unit density;

- 2) 14-2B-6 Multi-Family Site Development Standards: Includes parking area setbacks, location and screening, pedestrian and vehicular access and circulation, building entrances, materials, scale, and design.
- 3) 14-5 Site Development Standards: Includes general standards for off street parking and loading, signs, access management, intersection visibility standards, landscaping and trees, screening and buffering, outdoor lighting, and performance standards, but sensitive lands and features or floodplain management are specifically excluded.

Approval Criteria

The proposed amendment includes several requirements and approval criteria to ensure that the amendment meets its intent. First, the abutting historic structure cannot be designated as a local historic landmark prior to the minor adjustment application. In addition, the Design Review committee, through a level I design review process, must find that the requested minor adjustment meets the following approval criteria:

1. Historic Landmark Documentation. Must document that the historic property is being designated as an Iowa City Historic Landmark in conjunction with the minor adjustment. Council must approve the landmark prior to a building permit being issued.
2. Rehabilitation Plan. Must detail how the project preserves the abutting historic property and its timeline for completion. This must be approved by the Historic Preservation Commission prior to submittal.
3. Landfill Diversion Plan. Must contain specifications as required by the Design Review Committee where such a project will involve the demolition of any existing buildings.
4. Redevelopment Character and Limitations. The proposed building height shall not exceed five stories and 60 feet, and its design will be reviewed to ensure it is sensitive to preserving the historic property and the characteristics of the site and the surrounding neighborhood. In addition, the project shall not detract from or be injurious to other property or improvements in the vicinity.
5. Consistency with Plans. The adjustment must be consistent with the goals of the Comprehensive Plan, District Plans, and Historic Preservation Plan, as applicable.

Because the amendment requires a design review process, staff will also receive a site plan and concept for the redeveloped property. If an applicant disagrees with a staff determination about a project, it may be appealed to the Board of Adjustment.

Analysis

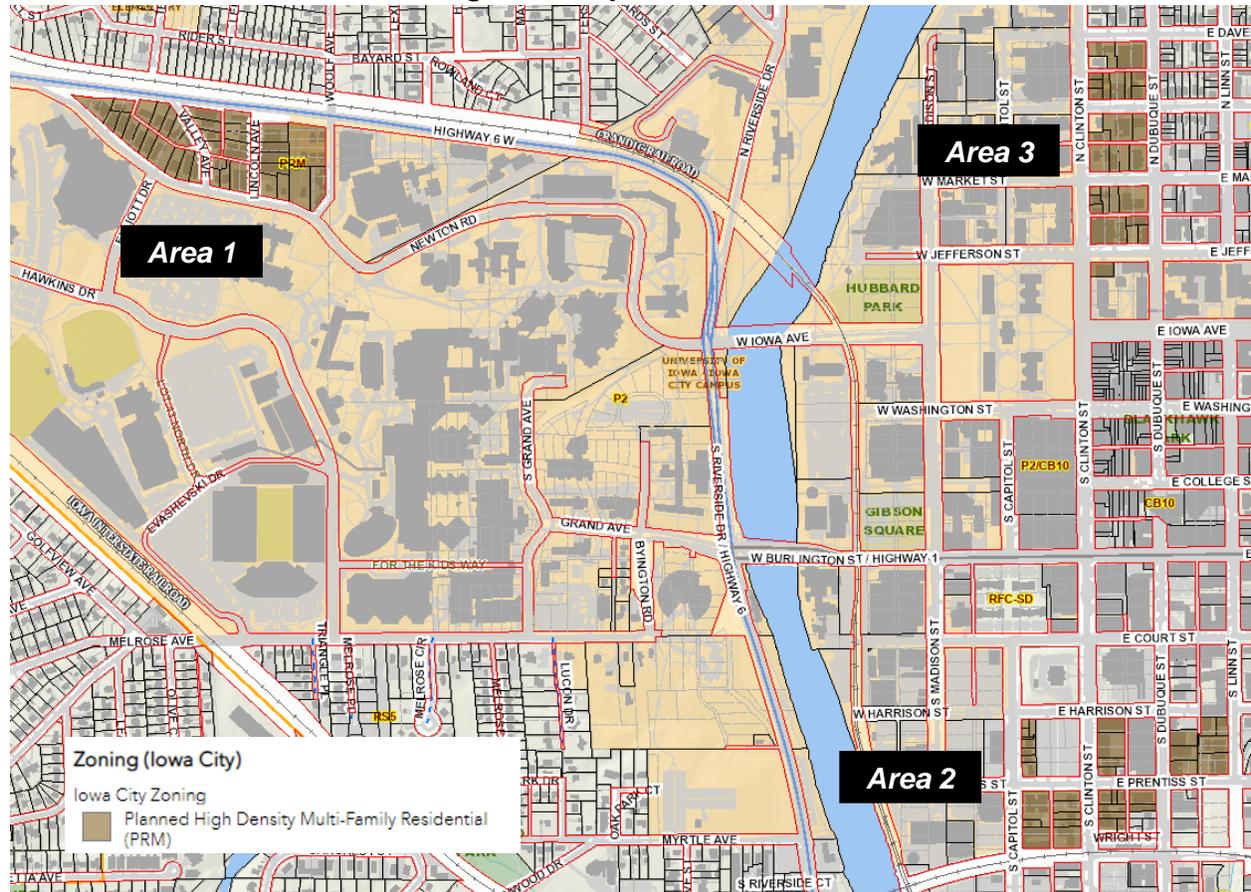
The proposed amendment would only affect PRM zones in Iowa City, which are relatively limited in their geographic scope. PRM zones, shown in Figure 1 below, are primarily located in three areas, all of which are near downtown and/or the University of Iowa:

1. Near the west University of Iowa campus, between Highway 6 W and Newton Road;
2. In Riverfront Crossings, bounded by E. Harrison Street to the north, S. Linn Street to the east, the Iowa Interstate Railroad to the south, and S. Capitol Street to the west; and
3. Near the northside, bounded roughly by E. Davenport Street to the north, N. Dubuque Street to the east, E. Jefferson Street to the south, and N. Clinton Street to the west.

This final area near the northside is where 400 N. Clinton and the proposed redevelopment are located. Based on this and the location of existing historic resources, staff anticipates the near northside area would be most likely to continue utilizing the minor adjustment in the future. While some other areas have historic resources, specifically in Riverfront Crossings, staff believes these are more likely to be rezoned and developed under the form-based code standards rather than through the proposed amendment due to the potential for higher densities.

Consequently, the implications of the proposed amendment are relatively limited. As noted, the PRM zones in Iowa City are geographically concentrated. There is also not much overlap between potentially historic properties and PRM zones, except in the northside and Riverfront Crossings, the latter of which is not likely to redevelop under the PRM zoning designation. As such, the proposed amendment may lead to the designation of additional buildings as local historic landmarks while promoting infill redevelopment that would further the goals of the City, similar to the proposed redevelopment at 400 N. Clinton Street. However, it is not likely to be widespread in its application.

Figure 1. Map of PRM Zones



Consistency with Comprehensive Plan

The proposed amendment effectively pairs goals related to the preservation and rehabilitation of historic buildings with the demand for infill development near downtown. By providing flexibility for redevelopment in return for the designation of historic properties, the proposed amendment helps preserve key buildings that contribute to the historic character of Iowa City’s downtown neighborhoods. In addition, the requirement that a Rehabilitation Plan be submitted for the historic property, to be approved by the Historic Preservation Commission, ensures that historic properties continue to see investment. Adoption also furthers climate action goals related to the diversion of landfill waste associated with the demolition of any buildings involved in the project.

More specifically, the proposed amendment supports the following goals and strategies from the comprehensive plan:

- Identify and support infill development and redevelopment opportunities in areas where services and infrastructure are already in place.
- Support the Historic Preservation Commission’s efforts to meet its goals.

- Support housing rehabilitation programs and re-invest in housing in existing neighborhoods.

Staff Recommendation

Staff recommends approval of REZ20-0005, a proposed amendment to the zoning code to allow minor adjustments in Planned High Density Multi-Family Residential Zone (PRM) zones for new construction projects which involve preserving a separate historic structure, as illustrated in Attachment 1.

Next Steps

Because this zoning text amendment is directly connected to 400 N. Clinton St., 112 E. Davenport St, and 410-412 N. Clinton St., following a vote by the Planning and Zoning Commission, this amendment will be held to run concurrently through City Council with the following applications:

1. The rezoning of 400 N. Clinton St. and 112 E. Davenport St. from RM-44 to PRM (REZ20-0008)
2. The local landmark designation of 410-412 N. Clinton St. (REZ20-0009)

All three applications are expected to be on the December 1, 2020 City Council agenda, with public hearings set at Council's November 17 meeting.

Attachments

1. Proposed Zoning Code Text Amendment

Approved by:



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

Draft Zoning Code Text Amendments

Underlined text is suggested new language. Strike-through notation indicates language to be deleted. Italics indicate notes.

Amend 14-2B-7 as follows:

PRM ZONE BONUS AND MINOR ADJUSTMENT PROVISIONS:

- A. Purpose: The PRM zone bonus provisions provide an incentive for developments to incorporate features that provide a public benefit and encourage excellence in architectural design. The PRM zone minor adjustment provisions allow flexibility to a project in a PRM zone which involves new construction in conjunction with the preservation of nearby historic properties.
- B. Application: The bonus and minor adjustment provisions will be administered through the design review process as set forth in chapter 8, article B, "Administrative Approval Procedures", of this title. Decisions of the committee may be appealed to the board of adjustment. A project shall use either the provisions in C. "Bonus Provisions" or the provisions in D. "Minor Adjustments" below, but not both.
1. Bonuses Provisions include allowance of dwelling units in excess of the density otherwise achievable under the provisions of the base zone, additional building bulk, and/or reductions of the required setback area. Bonuses are based on a point system. Points may be awarded for public benefit features that the design review committee determines are appropriate in design and location. Bonuses will not be granted for site development features or standards already required by this title. ~~Decisions of the committee may be appealed to the board of adjustment.~~ The number of points allowed for public benefit features and the number of points required per bonus item are set forth in C. "Bonus Provisions" below.
 2. Minor adjustments to dimensional and site development standards may be allowed for a newly constructed building where the project also preserves a historic property as set forth in D. "Minor Adjustments" below.
- C. Bonus Provisions in the PRM Zone: Development that includes the following public benefit features may qualify for the bonuses listed in the Bonus Menu below.
1. Public Benefit Features:
 - a. Materials: Masonry finish on all nonfenestrated areas of walls visible from a public street. For purposes of this provision, "masonry" is defined as fired brick, stone or similar such materials, not including concrete blocks and undressed poured concrete. "Masonry" may include stucco or like material when used in combination with other masonry finish. Points allowed: 5
 - b. Open Space: The provision of usable open space of a size and at a grade that, at a minimum, allows passive recreational uses and is accessible to all residential occupants of the building. Such space may include yards, other than required setback areas, terraces and rooftop gardens designed and approved for outdoor activities. Balconies serving individual dwelling units are not eligible for this bonus. Points allowed: 1 per 250 square feet
 - c. Historic Buildings: Rehabilitation of a historically significant building as determined by the survey of the historic and architectural resources for the vicinity. Points allowed: 7
 - d. Assisted Housing: Dwelling units committed to the city's assisted housing program or some other affordable housing program approved by the city, provided such units do not exceed thirty percent (30%) of the total units contained within a building. Points allowed: 3 per unit

- e. *Streetscape Amenities: The provision of funds for all street furniture, lighting and landscaping improvements along adjacent street rights of way in accordance with an approved city streetscape plan. Points allowed: 5*
 - f. *Landscaping: The provision of additional landscaped areas that are visible from a public street. Required setback areas and required landscape buffers do not qualify for bonus points. Points allowed: 1 per 250 square feet*
 - g. *Windows: Installing individual window units that have a height that is at least one and one-half (1.5) times greater than the width of the window unit in all primary living spaces, such as living rooms, dining rooms and bedrooms. Individual window units may be located side by side in a wider window opening. Skylights, windows in bathrooms and kitchens, and decorative windows, such as stained glass and ocular windows, are not required to meet this standard for the building to qualify for bonus points. Points allowed: 3*
2. *Bonus Menu:*
- a. *Setback Reduction: The front setback may be reduced by a maximum of fifty percent (50%). When determining the appropriateness of such a reduction, the character of adjacent development and setbacks will be considered. Points required: 7*
 - b. *Height Increase: The maximum allowed building height may be increased from thirty five feet (35') up to a maximum of sixty five feet (65'), provided the portion of building exceeding thirty five feet (35') is stepped back a minimum of five feet (5') for each story located above thirty five feet (35') to reduce the appearance of the bulk of the building. Points required: 7*
 - c. *Density Bonus:*
 - ~~(1) For efficiency apartments, the minimum lot area per unit may be reduced to five hundred (500) square foot. Points required: 7~~
 - ~~(2) For one bedroom apartments, the minimum lot area per unit may be reduced to seven hundred (700) square foot. Points required: 7~~
 - ~~(3) For efficiency apartments, the minimum lot area per unit may be reduced to four hundred twenty (420) square feet. Points required: 12~~
 - ~~(4) For one bedroom apartments, the minimum lot area per unit may be reduced to four hundred fifty (450) square foot. Points required: 12~~
 - d. *Building Coverage Increase: The maximum building coverage may be increased to sixty five percent (65%). Points required: 7*

D. Minor Adjustments in the PRM Zone:

1. *Minor Adjustments: Through a Level I Design Review, the Design Review Committee may approve a minor adjustment from any standard found in 14-2B-4 "Dimensional Requirements", 14-2B-6 "Multi-Family Site Development Standards," or 14-5 "Site Development Standards", except for those in 14-5I "Sensitive Lands and Features" and 14-5J "Floodplain Management Standards". Historic properties may have standards waived through the 14-2B-8A "Historic Preservation Exceptions" process.*
2. *Applicability: The minor adjustment provides flexibility for new construction projects which involve preservation of a separate historic structure provided the following circumstances are met:*
 - a. *The property for which a minor adjustment is requested abuts a property in any zone that is eligible to be designated as an Iowa City Historic Landmark (herein "historic property");*
 - b. *The historic property is not designated as an Iowa City Historic Landmark prior to receipt of an application for a minor adjustment; and*
 - c. *An acknowledged statement from all owner(s), including those of the historic property, is provided in a form acceptable to the City of Iowa City, including that*

any required plans submitted are done so with their free consent and are in accordance with the desires of said owner(s).

3. Approval Criteria: The request for a minor adjustment shall meet the following approval criteria to the satisfaction of the Design Review Committee:
 - a. Documentation that the historic property is pursuing designation as an Iowa City Historic Landmark in conjunction with the minor adjustment. The City shall not issue a building permit for the project seeking the minor adjustment until the City Council has approved the Iowa City Historic Landmark designation of the historic property;
 - b. Submittal of a rehabilitation plan approved by the Historic Preservation Commission that details how the project preserves the abutting historic property and its timeline for completion;
 - c. If the project involves demolition of (an) existing building(s), submittal of a demolition waste landfill diversion plan as required by the Design Review Committee;
 - d. The proposed building height shall not exceed five (5) stories and sixty feet (60'), and its design shall be sensitive to preserving the historic property and shall fit the characteristics of the site and the existing neighborhood context;
 - e. The project shall not detract from or be injurious to other property or improvements in the vicinity; and
 - f. The requested adjustment shall be consistent with the goals of the Comprehensive Plan, District Plans, and Historic Preservation Plan, as applicable.

Amend 14-2B-4 as follows:

Dimensional Requirements: The dimensional requirements for the multi-family residential zones are stated in table 2B-2, located at the end of this section. Each of the following subsections describes in more detail the regulations for each of the dimensional requirements listed in the table. Provisional uses and uses allowed by special exception may have specific dimensional requirements not specified in table 2B-2, located at the end of this section. Approval criteria for these uses are addressed in chapter 4, article B of this title. Dimensional requirements may be waived or modified for developments approved through the planned development process (see chapter 3, article A, "Planned Development Overlay Zone (OPD)", of this title) or through minor adjustments in PRM Zones as outlined in section 14-2B-7, "PRM Zone Bonus and Minor Adjustment Provisions" or historic preservation exception as outlined in section 14-2B-8, "Special Provisions", of this article.

Amend 14-2B-6 as follows:

K. Exceptions and Minor Adjustments: A special exception to waive or modify specific provisions of this section may be requested through the historic preservation exception as outlined in section 14-2B-8, "Special Provisions", of this article. A minor adjustment to modify specific provisions of this section may be requested as specified in Minor Adjustments in PRM Zones" as found in section 14-2B-7, "PRM Zone Bonus and Minor Adjustment Provisions".

**MINUTES
PLANNING AND ZONING COMMISSION
OCTOBER 1, 2020 – 7:00 PM
ELECTRONIC FORMAL MEETING**

PRELIMINARY

MEMBERS PRESENT: Susan Craig, Mike Hensch, Phoebe Martin, Mark Nolte, Mark Signs, Billie Townsend

MEMBERS ABSENT:

STAFF PRESENT: Sara Hektoen, Anne Russett

OTHERS PRESENT:

Electronic Meeting

(Pursuant to Iowa Code section 21.8)

An electronic meeting was held because a meeting in person is impossible or impractical due to concerns for the health and safety of Commission members, staff and the public presented by COVID-19.

RECOMMENDATIONS TO CITY COUNCIL:

By a vote of 6-0 the Commissions recommends that the zoning code be amended as illustrated in the staff report to help invigorate neighborhood commercial districts and empower new small neighborhood commercial nodes by allowing the Board of Adjustment to provide flexibility from zoning regulations in certain commercial zones.

By a vote of 6-0 the Commissions recommends to amend Title 14 Zoning to allow parking reductions of up to 50% of the required number of spaces through a minor modification process in the Mixed Use (MU), Commercial Office (CO-1), Neighborhood Commercial (CN-1), Community Commercial (CC-2), Central Business Service (CB-2), and Central Business Support (CB-5) zoning districts.

CALL TO ORDER:

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

PUBLIC DISCUSSION OF ANY ITEM NOT ON THE AGENDA:

None.

CASE NO. REZ20-0006:

Commercial Reuse Exception Ordinance

Consideration of the Commercial Reuse Exception Ordinance, which amends Title 14 Zoning to allow exceptions to zoning regulations for alterations and expansions to existing buildings due to building and/or site constraints in the Mixed Use (MU), Commercial Office (CO-1), Neighborhood Commercial (CN-1), Community Commercial (CC-2), Central Business Service (CB-2), and Central Business Support (CB-5) zoning districts.

Russett stated in terms of background, the City actually received an inquiry from a developer about a long vacant building located at 1120 North Dodge Street, and what was being proposed required flexibility from the City's zoning regulations. There are also other underutilized commercial properties that have experienced issues meeting zoning regulations due to existing physical and site and building constraints. The proposed amendment would support the reuse of existing buildings by providing flexibility from zoning regulations due to building and site constraints. There is existing flexibility incorporated into the Code now that provides some flexibility from zoning regulations. These are reviewed administratively through the minor modification process. There's also minor adjustments which staff can review in the Riverfront Crossings District and there are also some special exceptions that the Board of Adjustment can review for providing waivers to zoning regulations, particularly for historic properties. Russett explained this proposed amendment would expand upon those existing provisions in the Code.

In terms of a summary of the ordinance, the goal is to address barriers for small scale commercial areas that have site constraints by providing flexibility from zoning regulations, so that means flexibility from parking standards, setback, lot coverage, etc. The focus is on lower intensity commercial zones that typically serve neighboring residences. It would allow alteration and expansion of existing structures, it would not allow the demolition of existing principal structures, and it requires the review and approval by the Board of Adjustment through a special exception process and there's specific approval criteria outlined in the draft.

Next Russett discussed the applicability of the proposed ordinance, there are certain commercial zones that are eligible and certain zones that are ineligible. She showed there are six eligible zones, which are lower intensity commercial zones. The ineligible zones include Intensive Commercial zones, Highway Commercial, and the Central Business, CB-10 zone. Those three zones are higher intensity and have been excluded because they typically don't provide commercial uses to neighboring residential areas. In addition, the project must result in an alteration or expansion of an existing structure, it can't result in any demolition of a principal structure. Finally, the property cannot be designated as a historic structure and that's because there are existing Code provisions that provide flexibility from zoning regulations for historic structures.

In terms of potential waivers, Russett noted the list is pretty extensive. The waivers that could be requested include waivers from specific approval criteria. These are approval criteria for specific land uses, for example, density standards for group living uses or requirements for multifamily uses. Also, approval criteria for accessory uses would be eligible. This includes things like drive setbacks for drive throughs, or size requirements for accessory retail uses, and will also allow waivers from commercial zone dimensional requirements. That includes things like lot size, setbacks, height, open space, as well as site development standards, both commercial site development standards and general site development standards. This includes things like

parking area setbacks, screening, access, and circulation. In terms of general site development standards, this includes things like parking, landscaping, screening, outdoor lighting. Russett stated there are certain waivers that are not eligible for this request and that includes the minimum separation distance standards that are in the Code for drinking establishments, as well as separation distance requirements for adult businesses. Additionally there are sensitive areas ordinance and floodplain management regulations, and waivers from those standards could not be requested through the proposed ordinance.

The proposed ordinance also includes a list of specific approval criteria, Russett showed the approval criteria that staff would review the application against as well as the Board of Adjustment. All of these criteria must be met in order for the project to be approved by the Board of Adjustment. The first approval criteria is that the exception is necessary because of existing building or site constraints that make meeting the standard difficult. In addition, the exception must be compatible and/or complimentary to adjacent development in terms of mass and scale, open space, traffic circulation, general layout and lighting. The exception cannot adversely affect views, noise, storm water, light and air privacy from neighboring residences. The exception cannot be contrary to the intent of the standard and it must be in the public interest. Staff reviewed and did an analysis to identify the parcels that would be potentially eligible to request a waiver, and most neighborhood commercial areas are eligible. This includes the Northside Market area, Towncrest, Old Town Village and Pepperwood Plaza. There's also some other pockets of commercial that would also be eligible such as the area on North Dodge, for example, Hilltop Tavern. Russett noted this does not provide any flexibility from standards for businesses that are located in residential zones. She showed a city-wide map that shows some potential eligible properties, they are parcels that have a structure on them and no vacant lots are included and any properties that are historic or located in a historic district have also been excluded. Russett noted they can see from the map that there are some commercial areas that would be eligible that are not what one would think of a small scale or neighborhood oriented commercial. That includes the North Gate Business Park, as well as the intersection of 218 and Highway 1. In these cases, the amendment would rely on the approval criteria which would be evaluated on a case by case basis and they must address any compatibility standards related to surrounding properties. The burden of proof to meet those specific approval criteria is on the applicant and large-scale commercial properties may have a difficult time meeting some of those standards.

Staff has reviewed this against the Comprehensive Plan and the proposed amendments supports the City Council's Strategic Plan, as well as several policies within the Comprehensive Plan related to encouraging compact and efficient development and a healthy mix of independent and locally owned businesses, and improving environmental and economic health of the community through efficient use of resources. The flexibility would allow existing commercial buildings to be efficiently utilized to promote economic activity throughout the community. Staff thinks that this would be primarily used by local businesses on unique infill lots.

The role of the Commission tonight is to review the proposed zoning code text amendments and its consistency with the Comprehensive Plan and provide a recommendation to City Council.

Staff recommends the Zoning Code be amended as illustrated in the staff report to help invigorate neighborhood commercial districts and empower new small neighborhood commercial nodes by allowing the Board of Adjustment to approve flexibility from zoning regulations in certain commercial zones.

Hensch asked if the impetus for this amendment the strategic plan the City Council approved. Russett stated it is a combination of things. They've received inquiries for infill sites over the years that have had a challenging time meeting standards. The most recent one was a request for reusing the building on 1120 North Dodge.

Hensch asked if all these waivers have to go to the Board of Adjustment or is there a process where some of the minor modifications can just be administratively approved by staff? Russett replied the existing minor modifications will stay as is in the Code. However, the proposed amendment would require review and approval by the Board of Adjustment through a special exception process.

Hensch asked if the maps Russett showed were for illustration purposes only or did they in fact contain all the applicable zones? Russett said they included all of the applicable zones and also removed any properties that were vacant. They wanted to show all those zones that were eligible that had existing structures on them.

Hensch also asked about the stormwater waivers and would the Board of Adjustment be able to waive a requirement of the city engineer. Russett stated the stormwater management regulations are in a different title of the Code, and that would not be eligible under the proposed amendment because the stormwater management regulations are not in the Zoning Code.

Signs noted Russett mentioned infill several times and are these special exceptions available on an empty lot and not just for reuse in properties that are reusing an existing building. Russett confirmed empty lots are not eligible.

Craig questioned how this will affect things in the long term, if someone has a use, they have the property, they get the special exception, and everything goes fine with their commercial enterprise but six years later they're moving on, they've grown and they're going to a new building, or whatever. Is that building then available for a different use or do the people who want to use it for something else now have to come back and get a special exception as well. Russett said this ordinance isn't changing what uses are allowed in these commercial zones, it's just providing flexibility to specific standards, but not uses, and the special exceptions go with the property, not the ownership.

Townsend asked if there is a property that's not on this list or map, how can they take advantage of these exceptions. Russett said if something comes available that's meets these requirements and is in an eligible zone with an existing structure and there's no demolition, if they meet the approval criteria, they could request a waiver.

Townsend asked if there was a good neighbor held for special exceptions. Russett said it is encouraged and explained there's a public hearing, there's notification, there's signs, very similar to zonings and subdivisions.

Hensch opened the public comment.

Hearing no comments, Hensch closed the public comment.

Nolte moved that the zoning code be amended as illustrated in the staff report to help

invigorate neighborhood commercial districts and empower new small neighborhood commercial nodes by allowing the Board of Adjustment to provide flexibility from zoning regulations in certain commercial zones.

Townsend seconded the motion.

Hensch noted he really likes this and thinks they need to find a way to work on neighborhood commercial. He hopes this is something that can really help entrepreneurs and developers to be able to reuse some of these properties, particularly in the neighborhood commercial areas.

Townsend agreed and noted there are a lot of places that are vacant now and it would be nice to get them filled up. Especially the Marketplace Mall, it is such a big, beautiful mall, and there's nobody in it.

Signs agrees that there's a lot of vacant and underutilized properties in quite a few areas and unfortunately, there's a chance that they'll see more vacant properties in the in the near term so making it potentially easier for a new person to come in and start a new business is a positive thing.

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

CASE NO. CREZ20-0007:

Parking Reduction in Commercial Zones Ordinance

Consideration of the Parking Reductions in Commercial Zones Ordinance, which amends Title 14 Zoning to allow parking reductions of up to 50% of the required number of spaces through a minor modification process in the Mixed Use (MU), Commercial Office (CO-1), Neighborhood Commercial (CN-1), Community Commercial (CC-2), Central Business Service (CB-2), and Central Business Support (CB-5) zoning districts.

Russett began with background stating this again is related to barriers to infill development and minimum parking requirements can be a barrier to developing and redeveloping infill commercial properties. Russett stated this would apply to vacant lots and the proposed amendment could support the development of vacant infill commercial lots by providing reductions to parking standards. Russett noted there are some existing provisions in the Code that provide reductions to parking standards but there are also gaps, which this amendment is trying to address, the Code often does not apply reductions to multifamily parking for mixed use development in commercial zones and sometimes the reductions are limited to small amounts that wouldn't be beneficial for commercial properties.

In terms of a summary of the proposed ordinance, staff is proposing to replace an existing provision in the Code that applies to CN-1 Zones, the Neighborhood Commercial Zone, which was adopted in 1995 and it allowed land banking to reduce parking. Russett noted how that provision is structured is that it allows reduced parking to promote neighborhood commercial uses. It could require that up to 30% of the land that would otherwise be needed for onsite parking remain as open space and then if that area was needed in the future, the City could require the owner to construct the parking. The CN-1 Zone is not heavily utilized throughout the City and staff did a search and couldn't find any examples of this provision ever being used since

it was adopted in 1995. Therefore, staff is proposing to get rid of that land banking requirement and revise it to allow a reduction that would be available for new construction, redevelopment, alteration or expansion of projects for residential and commercial uses within again, similar to the last ordinance, these lower intensity commercial zones. This would not apply to the Central Business District Zone or Intensive Commercial or Highway Commercial. The parking reductions could be requested for both commercial and residential uses, up to 50% of the required parking could be waived, no land banking would be required and it would be reviewed through the City's minor modification process which is an administrative staff level review but does require notifying neighbors of the request and an administrative hearing.

Staff has identified some approval criteria that they think would be appropriate for staff to review in any requests for parking reductions. To ensure that this really assists smaller scale neighborhood commercial buildings, they want to limit the footprint of those buildings to 5000 square feet. They would like the applicant to submit a parking demand analysis that demonstrates the proposed parking will meet the demand. Also the ordinance would protect historic, or potentially historic structures by not allowing their demolition. Again, staff looked at the areas that could be eligible to request a parking reduction and it includes Pepperwood Plaza, Old Town Village and it would also be useful in areas where commercial lots remain vacant, like 2229 Muscatine Avenue and 620 South Riverside Drive. Russett showed a couple maps that showed the parcels that have the eligible zoning district. It includes vacant lots and includes lots with structures on them.

Russett noted similar to the last ordinance, there are some commercial areas that are eligible but may not be areas that one would think of as smaller scale commercial, like the North Gate Business Park, and if a request for reduction was requested and it would rely on a case by case review and building size limits that staff would review by each request. Some of the benefits are it would reduce costs of businesses, it could potentially encourage other modes of transportation, it would be less impervious surface and less runoff and a more efficient use of the site.

The proposed amendment does support several Comprehensive Goals and strategies as well as the City's Strategic Plan and Climate Action Plan.

The role of the Commission is to determine if the proposed amendment is consistent with the Comprehensive Plan and make a recommendation to Council.

Staff recommends the Commission recommend approval of the proposed ordinance as presented in the staff report.

Hensch asked on the parking demand analysis, is that just something as simple as they could just give like a prediction of their parking demands or the historical parking demands, or would they need to retain a consultant to develop that. Russett said it wouldn't be required but the ordinance will give staff flexibility to request a more robust study if they felt it was necessary based on the proposal.

Hensch asked if there is anything the MPO does, because they do all that traffic analysis, in terms of a parking analysis or where do those numbers come from. Russett replied the applicant has to provide it.

Hensch then asked if there's retail on the first floor and housing units on the second floor is that

taken into consideration to make sure there's enough parking provided for residents, could they decrease those numbers. Russett said the applicant could request a reduction up to 50%.

Finally, Hensch asked if the environmental improvement is simply because of the reduction of impervious pavement. Russett replied that is a benefit but it can also potentially mean more people might bike or walk and therefore could be help with emissions if there's less car traffic.

Hensch opened the public comment.

Having none, Hensch closed the public comment.

Craig moved to amend Title 14 Zoning to allow parking reductions of up to 50% of the required number of spaces through a minor modification process in the Mixed Use (MU), Commercial Office (CO-1), Neighborhood Commercial (CN-1), Community Commercial (CC-2), Central Business Service (CB-2), and Central Business Support (CB-5) zoning districts.

Townsend seconded the motion.

Hensch stated he thinks this is a great idea as he thinks they really need to decrease the amount of concrete and the creation of stormwater runoff and find ways to green the City and this is a way to do it.

Martin stated she is always in favor of less parking, because she likes encouraging less driving but also wants to be on record that she hopes the City is also looking at bettering the bike lanes, and some sort of patrol to make sure that cars are respectful of those bike lanes. She really hopes that this spurs a further conversation about making sure that the City does have the connectivity that they've been talking about for years, whether it's pedestrian or bicycle, a further conversation does need to happen. Overall yes, she wants less parking and less concrete but to not forget the big picture.

Townsend respectfully disagreed with Martin, for example on Muscatine there is not a lot of places to park, there is a CVS and a Walgreens but as far as on-street parking, there is none for any small business, and biking is not always an option for more mature individuals. She agrees there is a need for both, yes they need safety for bicycles and safety for walking, but also places for those who do still drive to be able to park and not have to walk a mile to get to those businesses.

Signs stated he has been on record before expressing his concerns about the continued parking reduction efforts throughout the community. He is not a bike rider but looking at some projects where things have been put in with parking reductions such as what happened on South Gilbert around Big Grove Brewery has caused issues. Also on Summit Street, he has seen issues around Deluxe Bakery when it's busy, therefore a 50% reduction concerns him.

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

DISCUSSION ON THE GOOD NEIGHBOR PROGRAM:

Russett discussed the staff memo regarding the Good Neighbor Program. She explained it a voluntary approach to ensure that there's dialogue between the development community and neighboring residents. She reiterated it's a voluntary program that the City encourages developers to do. Russett stated it is the applicants meeting, but they coordinate with City staff. The Good Neighbor Program was created in 1998 and in 2013 the program was reviewed by staff and they recommended that it maintain its voluntary status and the Council agreed. Last year, staff reviewed the Good Neighbor Program and came up with the same conclusions that it should be voluntary, and that staff should continue to work with applicants on encouraging these meetings. When the Commission discussed this at their meeting in August there were four recommendations that came out of that meeting. The first is that that the Good Neighbor meetings should be required for most land development projects but there may be some exceptions, and that in some cases, a second Good Neighbor meeting should be required such as if it spans multiple years; second that staff should look at ways to notify renters in addition to property owners; third they should increase the notification radius from 300 feet to 500 feet; and fourth that they should ensure that there's coordination with neighborhood associations.

First Russett wants to discuss voluntary versus mandatory. Staff's thoughts on a mandatory meeting is that if they go the route of having a mandatory program then they need a clear policy that's easily understood, that it's limited to projects that have the most impacts, which are changes to land use policy, so Comprehensive Plan amendments, or rezonings that are project specific, staff would not recommend mandatory meetings for more technical reviews, such as subdivisions, or vacations or the applications reviewed by the Board of Adjustment. Russett showed a slide to outline what they would specifically require. They would want to see mandatory meetings for annexations and maybe a second meeting for annexations if there were two rezonings that were associated with that. Their thought on that is typically when land comes into the City it's rezoned to an interim development so there might not be any development project in mind at the time, there might not be a concept, that might come later and at that time there should be another rezoning Good Neighbor meeting held. In addition, they could be required for a project specific Comprehensive Plan amendments and associated rezonings, but again not for subdivisions, vacations or Board of Adjustment applications.

In terms of notifying renters and the notification radius, staff supports the Commission's recommendation to increase it to 500 feet and they also want to work to notify renters. They are however concerned with the amount of staff time that it could potentially take to notify renters so they want to limit it to notifying those where the data is easily available to staff through the assessor's site. Lastly, if they increase the notification radius for Good Neighbor meetings, this is also going to impact the letters that staff sends out in advance of Planning and Zoning Commission meetings. Those radiuses need to be the same so if they increase the radius to 500 feet for Good Neighbor meetings, they need to increase the radius to 500 feet for the mailings that staff sends out. Staff looked at a couple examples to figure out how that increase would affect the number of letters and mailing cost. With a downtown example, because of the density of downtown, the increase in letters seems like a lot, from 300 feet just being property owners, it's 93 and at 500 feet and including owners and residents, it's 508. The increase in the number of letters and the increase in the cost and postage is a lot and that would take quite a bit of staff time. They don't have administrative staff support for planners available for that so planners and interns would have to do that, but it's probably manageable.

In terms of additional notifications, staff will continue to work with their neighborhood outreach coordinator to notify the neighborhood associations and they will continue to post signs. Russett added they also have a new customer self-service portal that was launched a couple months ago, it's publicly available, and it is a website to search for projects that are going on in the City. They'll continue to use that as a tool and also look at ways to improve electronic notifications.

In summary, Russett noted staff supports some changes to the Good Neighbor Program to help ensure that more people are aware of proposed development projects in their neighborhood, but they do have some concerns on how the changes could impact staff times. Based on experience, they have been able to work with applicants and applicants have been willing to hold good neighbor meetings when they're proposing a project that is a larger scale and has a greater impact. Staff also feels that they need input from the development community on this if they're going to make it mandatory. It would also require a Code change. Additionally, staff hasn't really heard one way or the other from members of the development community on this proposal. Russett reviewed the pros and cons, the pros are that more people would be notified, it would clarify the expectations of the Planning Commission, and they have a clear policy. Some of the cons are that it is an additional requirement for the development community that they've typically been willing to do when it's voluntary, it could increase the time for review of these applications, it's going to increase staff's time on administrative tasks, and there is going to be some financial budget impacts to the City in terms of postage.

Townend asked how the Good Neighbor Meetings would affect areas outside of the City and into Johnson County if the radius was enlarged to 500 feet, would the County people be informed as well. Russett confirmed they would.

Hensch stated he really likes the recommendations staff developed and concurs that since they're asking for the increase in communication with neighbors, they should also make sure they're communicating as well with the development community, to let them express their thoughts on this also. He just wanted to add for the long term members of the Commission this is just a recurring problem, they've heard so many times people saying "they weren't made aware of these developments, or applications as they're coming through" and he just feels like they really need to find a solution to it or address that issue. He does like the way staff have to address this.

Hektoen noted it's worth pointing out to that the State Code allows if 20% of the property owners within 200 feet of the property to object to a rezoning and that objection could trigger a supermajority approval at the Council level, and this will in no way impact that requirement. This won't give anybody any greater rights to require a supermajority vote.

Signs asked if staff is recommending making the meetings mandatory in limited circumstances. Russett said if they're going to the mandatory route, they need a clear policy. What concerns her is requiring two meetings in certain instances based on the time period of the project, that would require monitoring the project and how long it's been going on and if they need to have another Good Neighbor meeting, she doesn't want staff to be spending time doing that. If they're going to require it, it should be when these major changes are proposed related to land use.

Hensch agrees and wrote a note down on the annexations because typically the land use doesn't change on those so he is not sure that's particularly important but the second land use change is the important one. Notifying people that land is getting annexed into the City is

important, but he is not sure that Good Neighbor meeting is quite as necessary in that scenario.

Additionally, Hensch is very sympathetic to the demand on staff time and if the time comes, they certainly can make a request that the City has additional staff.

Signs would certainly support tacking on just a recommendation that the drain on, or the change on staff's time be monitored and that the Commission acknowledges there may need to be staffing adjustments to accommodate these changes.

Hensch noted one thing he thinks they've learned, or heard loud and clear in the recent community protests, is people want to have a voice, and people want to be heard so it's our responsibility as community representatives to amplify that.

Hekteon stated another option might be to increase the application fee, maybe to absorb some of that actual cost that the City is going to incur.

Hensch would certainly endorse whatever recommendation staff gives to assist with the additional staff time and costs because the answer isn't just to keep giving more tasks to staff and they want to be very sensitive to that.

Townsend stated however, in the long run with the Good Neighbor meetings they get to find out what the neighbors are thinking and if there are concerns before something that comes up at a Commission meeting. The Commission only gets one side of the story unless they hear from those neighbors that are going to be affected by it, yes it's more work but in the long run it'll save all a lot of time and a lot of headaches.

Hensch agrees and thinks it is actually to the developer's advantage to have good communication with the neighbors but not everybody sees it that way.

Townsend had a question about in the memo where staff talk about next steps, to make this mandatory it would require an amendment to the City's Zoning Code but the rest of this, like expanding from 300 to 500 feet is purely administrative correct, so what does the City Council have to approve to begin making changes. Russett confirmed to make it mandatory they would need a Code change. Regarding radius the standard now is 300 feet but there are several examples of Good Neighbor meetings where they worked with the applicant, and they've expanded that radius. So even though they don't technically require 500 feet, staff is always asking them to do more. Townsend asked though if they're going to codify 500 feet she wondered if the Council had to do that before staff could start requiring it, but it appears it is an internal thing and staff is already suggesting it to applicants.

Russett said they have a published pamphlet that sets forth the Good Neighbor policy so it is articulated in a public manner and provided to the developers. In terms just amending the policy itself that could be done and Council does need to adopt the policy, but it's not an ordinance, it would just be approval of a resolution.

Townsend asked what action is needed tonight to endorse what the staff has recommended. Russett said staff is going to have to take this to Council for their feedback. The last time they discussed the Good Neighbor policy the discussion ended up at Council, she is not sure if it will get on a work session as they have a very packed agenda lately, but she can keep them posted

on that.

Townsend had one more question regarding sending out the notices to the renters, if they don't have to have the names of the renters can they just send it to the addresses. Russett agreed they could.

Signs feels like they need to make a recommendation or endorse a proposal or something to Council so that it gets action and they resolve this issue, because it does seem to be kicking the can down the road here for a couple years. He thinks it's incumbent on the Commission to make a recommendation to Council.

Hensch stated because Council's agenda has been really packed lately perhaps the Commission should put it on the agenda for another meeting and discuss it again briefly and make a recommendation to take to an informal Council meeting to get direction from them when their agendas are a bit less packed.

Hensch opened the public hearing.

Hearing no comments Hensch closed the public hearing.

CONSIDERATION OF MEETING MINUTES: AUGUST 20, 2020:

Townsend moved to approve the meeting minutes of August 20, 2020.

Signs seconded the motion.

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

PLANNING AND ZONING INFORMATION:

Hensch first wanted to acknowledge how very surprised and saddened he was to hear of the quite unexpected death of Carolyn Dyer a long-term Commission member. She was always looking out for the little person and the Commission could really appreciate her input in her presence.

Russett gave an update on the Forest View project, in terms of the proposed development, there's nothing new to report. The rezoning was approved last year but they still need approval on their preliminary and final plat as the City has requested some additional information from the applicant but hasn't received it. Russett did want to let the Commission know that the City has provided some funds to the Forest View Tenants Association to help them weatherize their mobile homes for the winter. Additionally, toward the end of this month the property owner is going to start removing some of the abandoned mobile homes from the property so there may be a little activity in that area, but it's not going to be related to the project.

Next Russett discussed the South District Form-Based Code, it is an ongoing project. They got a revised draft of the Code from the consultant in July and they've been working on reviewing it and have provided some comments back to the consultant last week. As soon as all their

comments are addressed and they have a workable code they can release that to the public.

Lastly, Russett stated the conditional use permit for the kennel in the unincorporated area that the Commission recommended against at the last meeting, the City Council actually ended up recommending approval of that with one additional condition related to incorporating sound deadening material between the outdoor exercise areas and the adjacent residential properties. Therefore that'll have to come back to the City and they'll review at the staff level.

Signs asked about the new self-service portal and wondered if at a future meeting where they didn't have a really full agenda, staff could give the Commission a quick tour of that. Russett agreed.

ADJOURNMENT:

Nolte moved to adjourn.

Signs seconded.

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

**PLANNING & ZONING COMMISSION
ATTENDANCE RECORD
2020-2021**

	7/16	8/6	8/20	10/1												
CRAIG, SUSAN	X	X	X	X												
DYER, CAROLYN	O/E	O/E	---	---	---	---	---	---	---	---	---	---	---	---	---	---
HENSCH, MIKE	X	X	X	X												
MARTIN, PHOEBE	X	X	X	X												
NOLTE, MARK	---	---	X	X												
SIGNS, MARK	X	X	X	X												
TOWNSEND, BILLIE	O/E	X	X	X												
Vacancy																

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