

PLANNING AND ZONING COMMISSION

Thursday, December 3, 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/tJUrcumhrzsoHtFLKMENxCONjc71Xwf3jGf_
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 916 5091 0245 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

County Rezoning

4. Case No. CREZ20-0003

Applicant: Yellow Rock, LLC

Location: South of the Rapid Creek Road NE and Rapid Creek Trail NE Intersection

An application for a rezoning from County Agricultural (A) to County Residential (R) for approximately 40.62 acres of land located in unincorporated Johnson County, Fringe Area A – Outside of the City's Growth Area.

5. Consideration of Meeting Minutes: November 5, 2020
6. Planning & Zoning Information
7. 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: December 17 / January 7 / January 21

Informal: Scheduled as needed.



CITY OF IOWA CITY MEMORANDUM

Date: December 3, 2020
To: Planning & Zoning Commission
From: Ray Heitner, Associate Planner
Re: **CREZ20-0003 – Rapid Creek Rd NE Rezoning**

Background Information

The applicant, Yellow Rock LLC., is requesting a rezoning from County Agricultural (A) to County Residential (R) for approximately 40.62 acres of land located in Johnson County directly south of the Rapid Creek Rd NE and Rapid Creek Trail NE intersection in Fringe Area A – Outside of Iowa City's Growth Area. At this time Yellow Rock, LLC, the property owner, would like to rezone this parcel to develop a county subdivision. Because the property is within Iowa City's two-mile Fringe Area, the Fringe Area Agreement specifies that the City will make a recommendation to the County Planning and Zoning Commission before the County Commission considers the application. The final decision on the rezoning falls within the County's jurisdiction.

If this rezoning is approved, the applicant intends to develop a county subdivision, and divide the land into approximately 7 single-family residential lots. City approval will be required if the property is subdivided as proposed.

Analysis

Existing Land Use and Zoning

The subject area is zoned County Agricultural (A) and is currently undeveloped. Woodlands cover the southern half of the property, with natural open space and some farmland covering the northern half of the property. The southern half of the property is also situated within a floodplain, stemming from a creek that bisects the property. It is believed that any development of the property will take place in the northern half, which is largely free of woodland and floodplain areas.

Proposed Zoning & Surrounding Area

The applicants are requesting a rezoning to County Residential (R) which allows single-family homes on lots with a minimum area of 10,890 square feet in size (1/4 Acre) and a maximum area of 1.99 acres. The maximum development density allowed is 1 dwelling unit per acre. The surrounding area is largely comprised of woodlands, natural open space, farmland, and rural residences. A single-family residential neighborhood containing County Residential zoning can be found about 1/2 mile to the west of the subject property. Another residential neighborhood can be found to the northeast of the subject property, along Rapid Creek Trail NE. This subdivision contains larger, estates homes that are nestled within woodlands. Overall, given the existing mixture of woodlands, farmland, and comparable area residential development, City staff does not find that the requested rezoning would be out of character or context with the existing zoning and surrounding area.

Compliance with the County's Comprehensive Plan

The Future Land Use Map of the County's Comprehensive Plan designates this area as Residential. The proposed zoning designation would comply with the County's Future Land Use Map and Comprehensive Plan.

Compliance with the Fringe Area Agreement

In reviewing proposed rezoning in the Fringe Area, staff relies on the policies outlined in the Fringe Area Agreement. The Fringe Area Agreement is a component of the City's

Comprehensive Plan and applies to areas not specifically planned for in the City's Comprehensive Plan. The Fringe Area Agreement is intended to provide guidance regarding the development of land located within two miles of Iowa City's corporate limits. The agreement's stated purpose is to provide for orderly and efficient development patterns appropriate to non-urbanized areas, protect and preserve the fringe area's natural resources and environmentally sensitive features, direct development to areas with physical characteristics which can accommodate development, and effectively and economically provide services for future growth and development.

This property is located in Fringe Area A – Outside the City's Growth Area. For this area, located outside of the City's Growth Area and outside of the Fringe Area's North Corridor, the agreement states that agricultural uses are preferred. According to the Johnson County Comprehensive Plan, the Agricultural land use category envisions agricultural uses, such as row crops and animal husbandry, with "very limited residential development." According to the Johnson County Zoning Code, Agricultural uses are defined as farms, nurseries and greenhouses, orchards and tree farms, with residential uses to be restricted to two single-family dwellings on a farm 40 acres or larger.

The proposed rezoning does not align with the land use policy direction in the Fringe Area Agreement. However, staff believes that the requested rezoning is not out of character for the subject property and surrounding area. Staff recognizes the conflict that exists between the County's updated Comprehensive Plan and the adopted Fringe Area Agreement. Due to these conflicts, staff has been working with County planning staff on updating the Fringe Area Agreement. For properties located outside of the City's Growth Area near the subject property, the draft land use policy direction for the updated Fringe Area Agreement will be consistent with the land use policy direction outlined in the County's Comprehensive Plan and Future Land Use Map.

Staff Recommendation

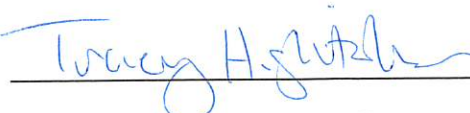
Although the proposed rezoning does not directly align with the policies outlined in the adopted Fringe Area Agreement, staff recommends approval of this rezoning for the following reasons:

1. The proposed rezoning is consistent with the County's Future Land Use Map and comprehensive plan;
2. Staff is working with County planning staff to update the Fringe Area Agreement.

Attachments:

1. Aerial Map
2. Zoning Map
3. Fringe Area Map
4. Rezoning Exhibit
5. Concept Plan
6. Letter of Intent

Approved by: _____



Tracy Hightshoe, Director, Department of Neighbor and Development Services



0 0.075 0.15 0.3 Miles

CREZ20-0003 Rapid Creek Rd. NE



Prepared By: Joshua Engelbrecht
Date Prepared: November 2020



An application submitted by Jesse Allen for the rezoning of 40.62 acres of property located south of 4680 Rapid Creek Rd NE from County Agricultural (A) to County Residential (R).



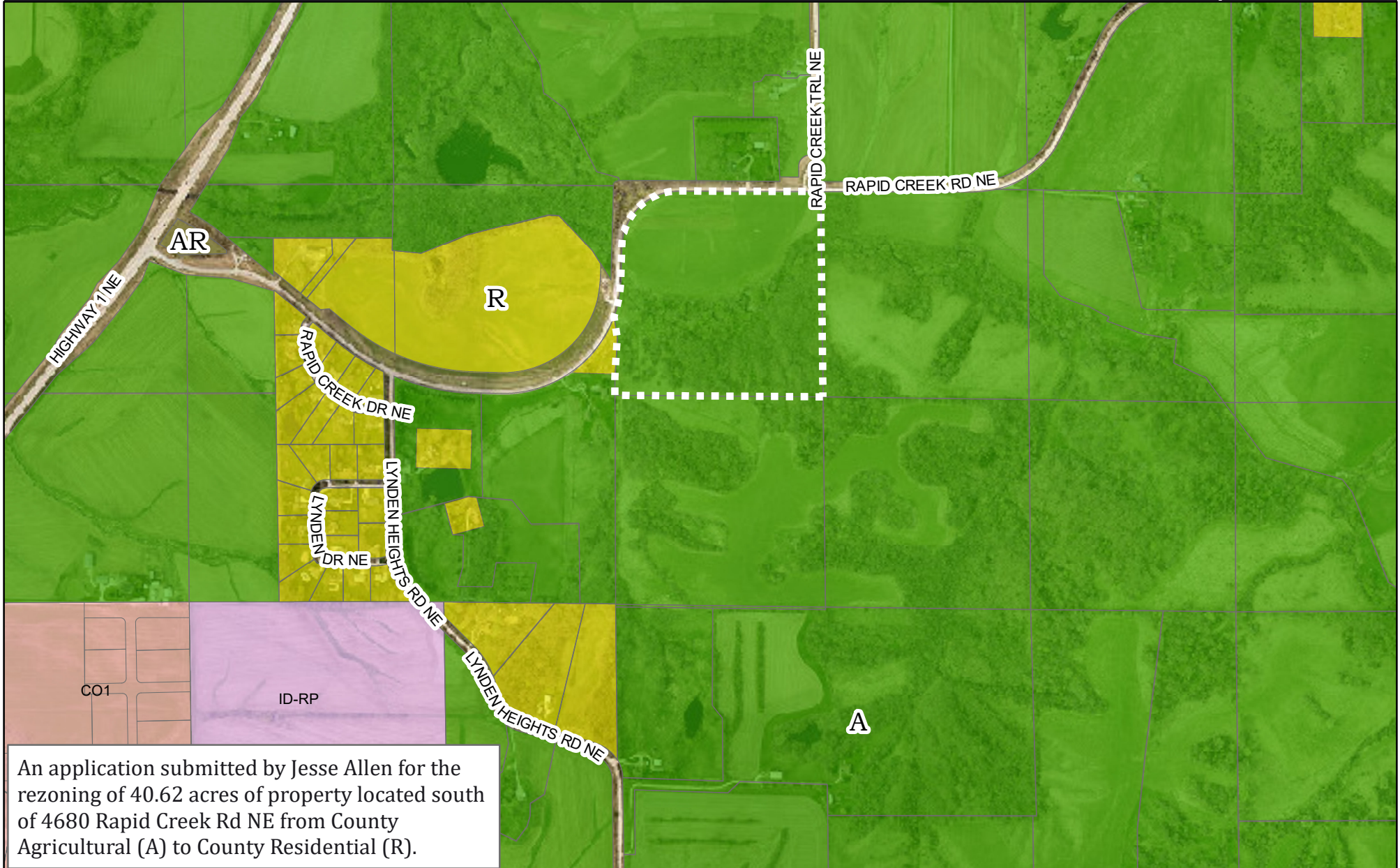
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CREZ20-0003

Rapid Creek Rd. NE



Prepared By: Joshua Engelbrecht
Date Prepared: November 2020



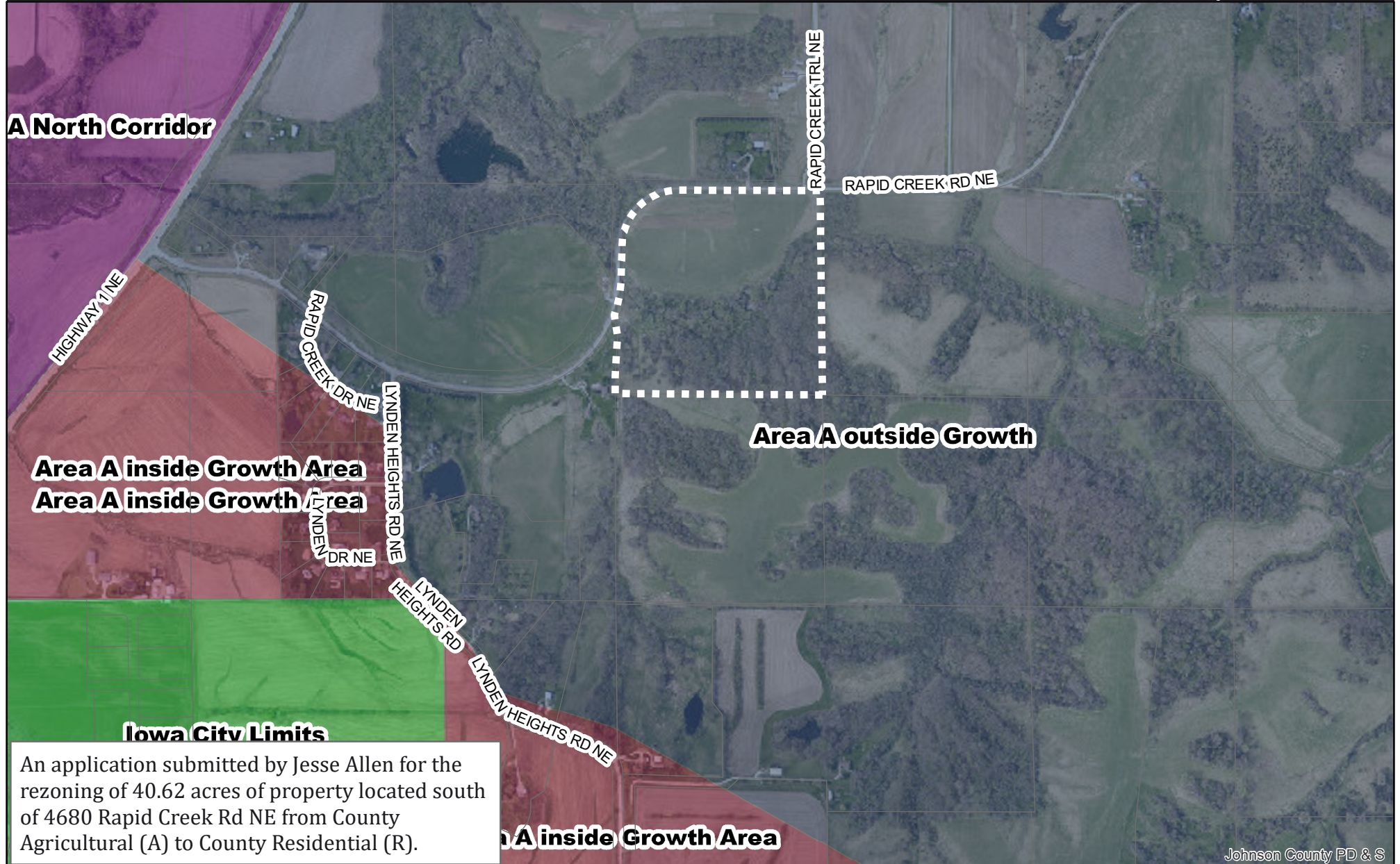


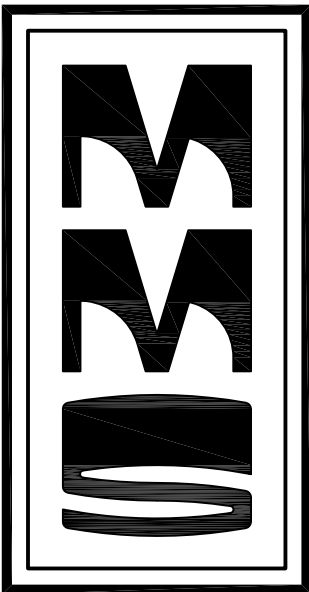
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CREZ20-0003 Rapid Creek Rd. NE



Prepared By: Joshua Engelbrecht
Date Prepared: November 2020





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ENVIRONMENTAL SPECIALISTS

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

| Date | Revision |
|------|----------|
| | |

REZONING
EXHIBIT

A PORTION OF THE
NORTHEAST QUARTER OF
THE FRACTIONAL
NORTHWEST QUARTER OF
SECTION 31, TOWNSHIP 80
NORTH RANGE 5 WEST OF
THE FIFTH PRINCIPAL
MERIDIAN

JOHNSON COUNTY
IOWA

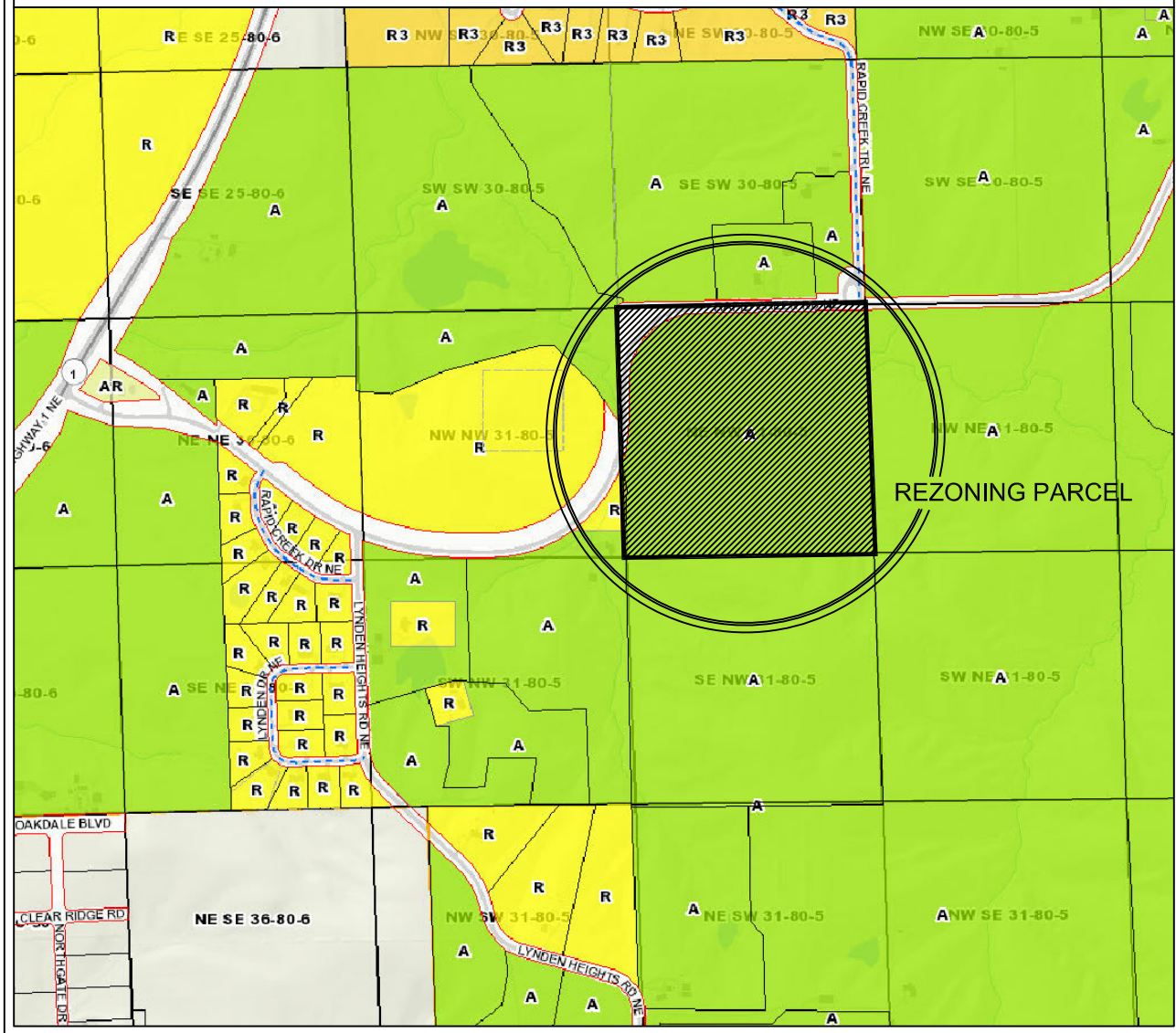
MMS CONSULTANTS, INC.

| | |
|--------------|---------------------------------|
| Date: | 11-3-2020 |
| Designed by: | Field Book No: RLA FIELDBOOK |
| Drawn by: | Scale: RLW 1"=200' |
| Checked by: | Sheet No: RRN 1 |
| Project No: | IOWA CITY 7596-118 of: 1 |

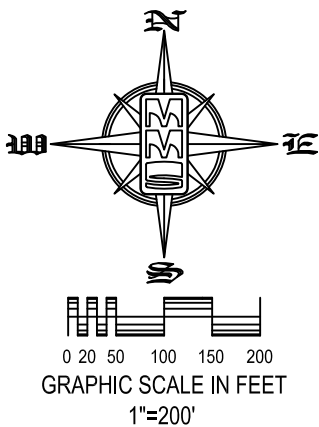
REZONING EXHIBIT

A PORTION OF THE NORTHEAST QUARTER OF THE FRACTIONAL
NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 80 NORTH
RANGE 5 WEST OF THE FIFTH PRINCIPAL MERIDIAN
JOHNSON COUNTY, IOWA

LOCATION MAP - N.T.S.



LEGEND AND NOTES

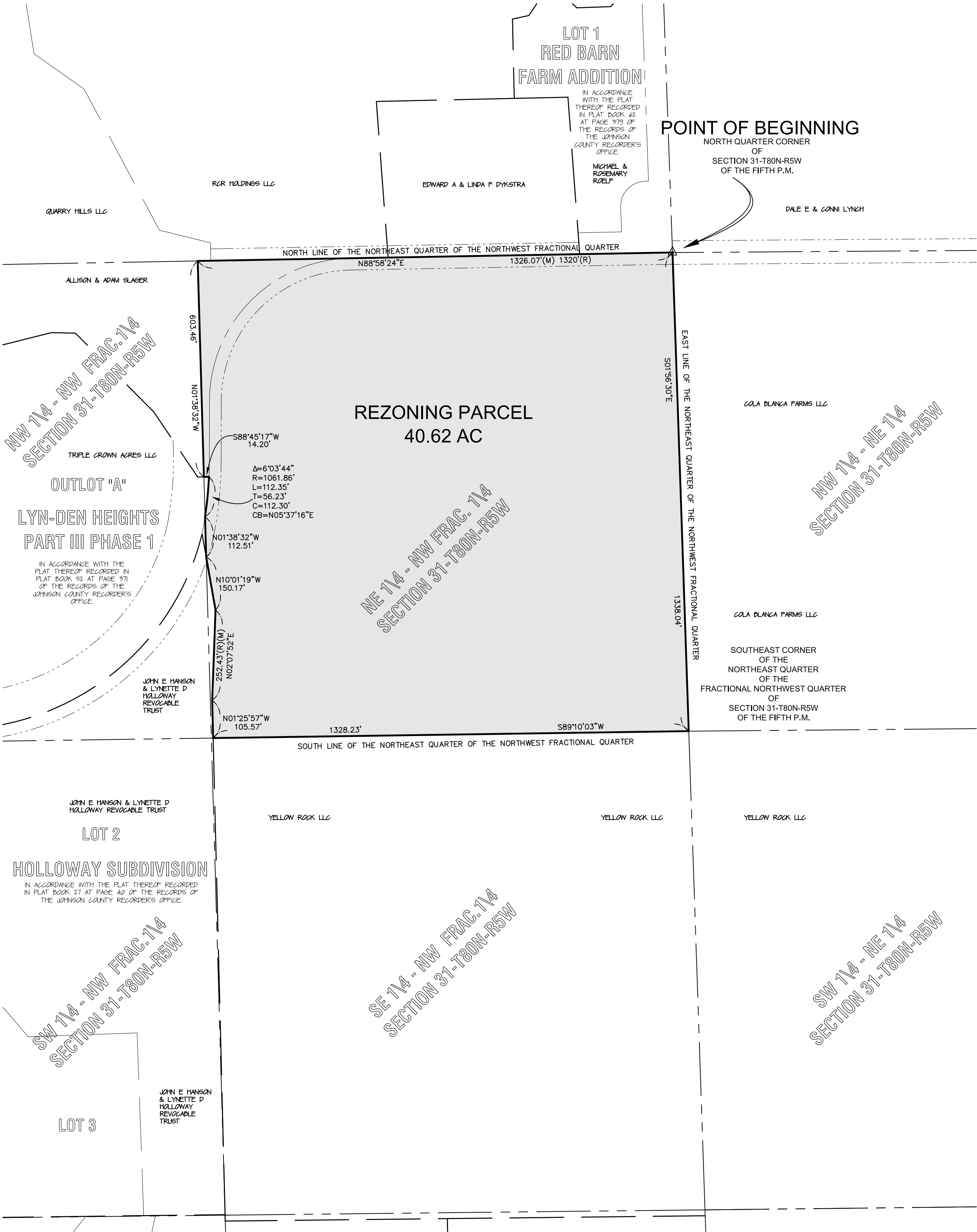


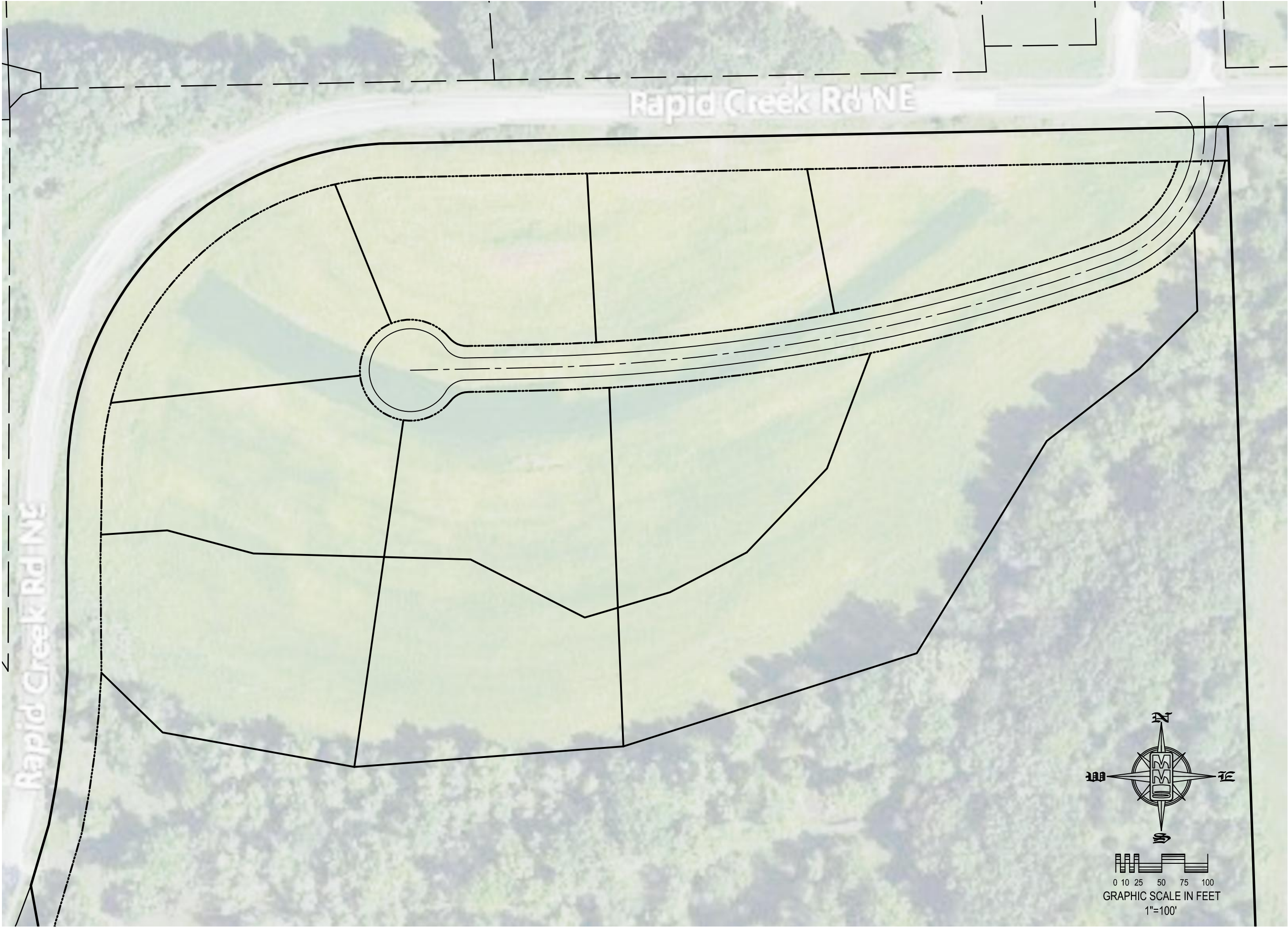
- CONGRESSIONAL CORNER, FOUND
 - PROPERTY &/or BOUNDARY LINES
 - CONGRESSIONAL SECTION LINES
 - RIGHT-OF-WAY LINES
 - CENTER LINES
 - LOT LINES, INTERNAL
 - LOT LINES, PLATTED OR BY DEED
 - EASEMENT LINES, WIDTH & PURPOSE NOTED
 - EXISTING EASEMENT LINES, PURPOSE NOTED
 - RECORDED DIMENSIONS
 - MEASURED DIMENSIONS
 - CURVE SEGMENT NUMBER
- UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN FEET AND HUNDREDTHS

DESCRIPTION - REZONING PARCEL "A" TO "R"

A PORTION OF THE NORTHEAST QUARTER OF THE FRACTIONAL NORTHWEST
QUARTER OF SECTION 31, TOWNSHIP 80 NORTH, RANGE 5 WEST OF THE FIFTH
PRINCIPAL MERIDIAN, JOHNSON COUNTY, IOWA, DESCRIBED AS FOLLOWS:

Beginning at the North Quarter Corner of Section 31, Township 80 North, Range 5 West of the Fifth Principal Meridian, Johnson County, Iowa; Thence S01°56'30"E, along the East Line of the Northeast Quarter of the Fractional Northwest Quarter of said Section 31, a distance of 1338.04 feet, to the Southeast Corner thereof; Thence S89°10'03"W, along the South Line of said Northeast Quarter of the Fractional Northwest Quarter, 1328.23 feet, to a Point on the East Line of Holloway Subdivision, in accordance with the Plat thereof Recorded in Plat Book 27 at Page 40 of the Records of the Johnson County Recorder's Office; Thence N01°25'57"W, along said East Line, 105.57 feet; Thence N02°07'52"E, along said East Line, 252.43 feet; Thence N10°01'19"W, along said East Line, 150.17 feet, to its intersection with the West Line of said Northeast Quarter of the Fractional Northwest Quarter; Thence N01°38'32"W, along said West Line, 112.51 feet, to its intersection with the East Line of Lyn-Den Heights Part III Phase 1, in accordance with the Plat thereof Recorded in Plat Book 52 at Page 371 of the Records of the Johnson County Recorder's Office; Thence Northeasterly, 112.35 feet, along said East Line on a 1061.86 foot radius curve, concave Northwesterly, whose 112.30 foot chord bears N05°37'16"E, to the Northeast Corner thereof; Thence S88°45'17"W, along the North Line of said Lyn-Den Heights Part III Phase 1, 14.20 feet, to its intersection with the West Line of said Northeast Quarter of the Fractional Northwest Quarter; Thence N01°38'32"W, along said West Line, 603.46 feet, to the Northwest Corner thereof; Thence N88°58'24"E, along the North Line of said Northeast Quarter of the Fractional Northwest Quarter, 1326.07 feet, to the Point of Beginning. Said Rezoning Parcel contains 40.62 Acres, and is subject to easements and restrictions of record.





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| Date | Revision |
|------|----------|
|------|----------|

ILLUSTRATIVE EXHIBIT

A PORTION OF THE
NORTHEAST QUARTER OF
THE FRACTIONAL
NORTHWEST QUARTER OF
SECTION 31, TOWNSHIP 80
NORTH, RANGE 6 WEST OF
THE FIFTH P.M.
JOHNSON COUNTY,
IOWA

MMS CONSULTANTS, INC.

| | |
|-------------------------|-------------------|
| Date: | 11-10-20 |
| Designed by: RLA | Field Book No: |
| Drawn by: JDM | Scale: 1"=100' |
| Checked by: | Sheet No: 1 |
| Project No: 7596-118 | of: 1 |



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319.351.8282

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mms@mmsconsultants.net

November 11, 2020

Mr. Josh Busard
Johnson County Planning Development & Sustainability Dept.
913 S. Dubuque St, Suite 204
Iowa City, IA 52240

RE: Letter of Intent for Rapid Creek Road - Rezoning

Dear Josh:

On behalf of Yellow Rock, LLC we are filing a rezoning application for parcel 0831201001, located to the south of Rapid Creek Road NE, approximately 3,000 ft east of Highway 1 NE. The intention is to rezone this agricultural land to residential and to develop a county subdivision. This area has been included in the Johnson County Future Land Use Map as a residential growth area.

The intention is to subdivide the northern portion of this property into 1-acre lots. The Rapid Creek floodway would remain undeveloped, and the goal is to create hiking and recreational opportunities in the creek corridor. Each lot will have its own septic system. A community well will service the lots.

An access for the future subdivision will be located at the far northeast corner of the parcel to line up with the existing driveway on the north. Included with the rezoning exhibit is a concept plan for the subdivision. Please feel free to call if you have questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ron Amelon'.

Ronald Amelon, P.E.

T:\7596\7596-118\Rezone\LetterofIntentRezoning.docx

**MINUTES
PLANNING AND ZONING COMMISSION
NOVEMBER 5, 2020 – 7:00 PM
ELECTRONIC FORMAL MEETING**

PRELIMINARY

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

MEMBERS ABSENT:

STAFF PRESENT: Ray Heitner, Sara Hektoen, Kirk Lehmann, Anne Russett

OTHERS PRESENT: Mark Seabold, Kevin Kane, Steve Long, Mary Ann Dennis

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 7-0 the Commission recommends approval of 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.

By a vote of 7-0 the Commissions recommends approval of REZ20-0003 an application submitted by K&F Properties, LLC. for a rezoning from Medium Density Single-Family Residential (RS-8), High Density Multi-Family Residential (RM-44), and Community Commercial (CC-2) to West Riverfront District (RFC-WR) for approximately 4 acres of land located at 215, 219, 223, and 245 S. Riverside Court; 119, 201, 203, 205, 207, and 209 Myrtle Avenue; 517 and 527 S. Riverside Drive be approved, subject to the following conditions:

1. Prior to issuance of a certificate of occupancy, installation of a 6' wide sidewalk along the west side of South Riverside Drive frontage.
2. Provision of a pedestrian linkage between Myrtle Avenue and South Riverside Drive through the project site, subject to review and approval of the Form-Based Code Committee.
3. In the event that the owner pursues any height bonus for buildings proposed next to the existing single-family on Olive Street, careful attention must be given to the interface and transition between the development and the single-family housing to the west. Any such application shall include mitigating, transitional design elements, including but not limited to increased separation or increased setbacks.
4. The subject area shall be limited to one (1) access point onto South Riverside Drive that shall feature a right-in/right-out design.
5. Dedication of approximately 75 square feet of South Riverside Ct. territory to City right-of-way when the subject area is replatted.

6. Prior to the issuance of building permits, the subject area shall be replatted in a manner that conforms with the future layout of development.

By a vote of 7-0 the Commission recommends approval of REZ20-0004, a proposed amendment to the zoning code to expand the Riverfront Crossings, West Riverfront Subdistrict boundaries to include 219, 223, and 245 S. Riverside Court and 119, 201, 203, 205, 207, and 209 Myrtle Avenue; and to increase the maximum bonus height from five to seven stories for properties in the West Riverfront Subdistrict north of and abutting the Iowa Interstate Railroad, as illustrated in attachment in the staff report.

CALL TO ORDER:

Hensch called the meeting to order at 7:00 PM and welcomed new member Maggie Elliott.

PUBLIC DISCUSSION OF ANY ITEM NOT ON THE AGENDA:

None.

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 public hearing 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.

Lehmann reiterated this is a public hearing to amend the Downtown Riverfront Crossings Master Plan, which is a sub-component of the City's Comprehensive Plan and incorporate it into the West Riverfront Subdistrict. Regarding background, K&F Properties owns approximately four acres south of Myrtle Avenue and west of South Riverside Drive. Lehmann will just begin with a general background because all three applications on the agenda tonight are tied to the same project. The 3.16 acres is west of the Downtown in the Riverfront Crossings Masterplan area and approximately 0.84 acres of that is in the West Riverfront Subdistrict already. Across the four acres there are three zones, medium density single family residential (RS-8), high density multifamily residential (RM-44) and community commercial (CC-2). The applicant, K&F Properties, have submitted three applications to develop a mixed-use project with housing, retail, hospitality, and neighborhood services uses. The first is CPA20-0002 to expand the West Riverfront subdistrict and add it into the Downtown Riverfront Crossings Master Plan, it is followed by REZ20-0003 which is to rezone all four acres to the Riverfront Crossings West Riverfront zone, and finally REZ20-0004 to modify the text of the zoning code to reflect the changes caused by the expansion of the West Riverfront Subdistrict in CPA20-0002 and add that into the regulating plan which is in the zoning code. Additionally they will also look to increase the maximum height bonus from five to seven stories for properties north of and abutting the railroad in the West Riverfront zone.

Beginning with the Comprehensive Plan Amendment, Lehmann explained for the rezoning and

the regulating plan boundaries to be expanded they have to comply with the Comprehensive Plan. If it is approved, then they can go ahead with the rezoning and regulating plan map changes. The bonus height change to the zoning text does not require the approval of the Comprehensive Plan Amendment but it is part of that third application. Lehmann noted the area is bounded by Myrle Avenue to the north, South Riverside Drive to the east, the railroad to the south, and properties on Olive Street to the west. Lehmann showed the zoning map of the area as well as aerial shots of properties noting there are some multifamily units, some commercial properties and some lower density properties as well. Lehmann also noted there's some elevation changes.

Craig asked how many of those trees shown in the pictures are included in this piece of property, Lehmann replied the first layer of trees would be part of the property.

Continuing, Lehmann said the proposed amendment basically has two parts, to do an update of the maps of a boundary extension for the West Riverfront Subdistrict and then there's also a text component that describes the area. The applicant has submitted a proposed concept of mixed-use and it will be sensitive to the less dense single-family homes to the west. The Commission's role tonight is to determine whether the Plan amendment includes evidence of the following approval criteria are met. The approval criteria are codified in City Code Section 14-8D-3D. The first is that circumstances have changed and/or additional information or factors that come to light such that the proposed amendment is in the public interest. The second criteria is that the proposed amendment will be compatible with other policies or provisions of the Comprehensive Plan including any district plans or amendments thereto. Lehmann explained first circumstances have changed in relevant plans and throughout this discussion they'll refer to the Southwest District Plan that was adopted in 2002, also the Downtown Riverfront Crossings Master Plan was adopted in 2013 and that adoption and implementation staff believe constitutes a change, partially because it reflects a major policy evolution where the City has begun to encourage form-based regulation rather than the current zoning and in addition, redevelopment to the south, they mentioned Riverfront West and the Orchard Lofts also constituted change as part of that implementation of the Plan. Finally, unification of ownership over the multiple parcels that are part of this project occurred in 2020 and staff believes that that also presents new opportunities, which constitutes a change of circumstance. Lehmann showed on the maps the area and the context of changing circumstances with redevelopment of properties in the area.

Signs asked if the City had already previously changed either the Comprehensive Plan or zoning on the west side of Orchard Street. Lehmann confirmed they had and he will talk in a bit of how that ties into the policies in the Comprehensive Plan but that is when the Riverfront Crossings Orchard Subdistrict was created, which is meant to act as a transition point from these lower density residential uses to the west, over to the higher density uses on South Riverside Drive.

Lehmann stated the second criteria then moving on from constituting just a change of circumstance is compatibility with policies and provisions of the Comprehensive Plan and any District Plans and any amendments that have been approved so far. Again, in 2002 the Southwest District Plan was adopted and is still in effect. He noted the area that is part of the Roosevelt subarea has some goals in that Plan to include providing a variety of types of housing to allow different types of households to live near the university and downtown. Some of the goals are related to 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. Additionally, the Comprehensive 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. Lehmann next discussed the Downtown Riverfront Crossings Master Plan noting that plan mostly focuses on pedestrian-oriented, mixed-use infill development to enhance the urban fabric and includes residential commercial uses, talks a lot about activating and improving streetscapes and adding pedestrian amenities. In the West Riverfront subdistrict, this is envisioned as occurring over time as commercial uses west of South Riverside Drive take on a more pedestrian-friendly framework or transition to urban apartments and mixed-use development with buildings at corners and vehicular access behind to create a pedestrian-oriented street frontage. East of South Riverside Drive, the Master Plan encourages utilizing river views with walkable commercial or niche residential uses, including townhouses or mid-rise condominium buildings. Lehmann stated a lot of those in the plan are anticipated to be taller east of South Riverside Drive than to the west to utilize some of those views. Both Plans use different strategies, but they generally are after the same goal of compatibility, especially between lower density uses, which tend to be the west and the higher density uses which tend to be along South Riverside Drive and across South Riverside Drive. For that transition, the Southwest Plan basically uses its Future Land Use map to create the transition. Lehmann noted the Southwest District Plan does have a provision to avoid high density multifamily next to low-density single-family housing but again, really what they're encouraging is high quality design and appropriate transitions between uses and densities which is discussed in Title 14 of the Zoning Code and is the Form-Based Standards that affect all the Riverfront Crossings properties. Specifically in the West Riverfront Subdistrict, there is a four story maximum base height if it's not found on the river, which is increased to five stories if not abutting residential zones (if they are abutting residential zones there is no increase in height at all). As they move away residential, they can go up to five stories but that is higher than the current zoning would allow. The Riverfront Crossings Zone also has provisions for if a property is visible from a single family residential zone then above the third story, there would need to be 10 foot setback that would somewhat reduce how much that building is towering over adjacent properties. 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.

The proposed extension in this Comprehensive Plan Amendment is also a logical extension of the West Riverfront Subdistrict as it has similar uses to those in the West Riverfront Subdistrict and is predominantly two- and three-story multifamily buildings. There is about 144 dwelling units there currently, and some lower density buildings as well. Surrounding properties include public uses to the north with The University of Iowa, 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. Staff finds that this proposal is compatible with adjacent properties and the Comprehensive Plan. The West Riverfront Subdistrict as proposed does increase density, but it maintains an appropriate transition. In addition, at this site there's about 50 feet of grade change from the single-family zones all the way to South Riverside Drive so with that, if there are four story buildings, it creates roughly a three story exposure to the single family homes, which would be the same that would be allowed under the current zone if it was at the same grade.

In addition, redevelopment meets some other goals as well. It allows a mix of uses and a high-quality pedestrian oriented design, it allows more cohesive development, better circulation, and

the traffic impact study that was conducted anticipates no major issues. Lehmann added when talking about pedestrian orientation, there is a pedestrian tunnel that is planned underneath the railroad, it was included in the CIP for 2017 but has been delayed a couple years because the City has been working with the railroad to figure out how to go forward with the project in such a way that they're comfortable with.

Finally, Lehmann wanted to note that in mix of uses there would potentially be some affordable housing, market rate housing, retail, hospitality, and neighborhood services.

Lehmann reiterated going over the area in the Comprehensive Plan Amendment area in terms of height, the area that is currently adjacent to residential zones would be limited to four stories. The rest, if approved and zoned appropriately, would be potentially eligible for five stories, and that would require a bonus floor which would be reviewed by staff. Lehmann pointed out to the northeast it is already zoned RFC West Riverfront and already could be developed at five stories. He also reiterated the roughly 50 feet of grade change from where the single-family homes are approximately down to South Riverside Drive.

Staff did receive two pieces of correspondence on this application, one that was for the proposal and one that was against it. One of the comments was that West Riverfront Subdistrict was designed to redevelop properties and currently all of the areas that are in the Western Subdistrict are zoned commercial, and that's what the redevelopment there was initially intended, whereas, the Comprehensive Plan Amendment is proposing to add residential. A second piece of the comment was that redevelopment of the South fold the intent of the plan as amended and therefore does not constitute a change in this circumstance. Riverview West, they noted occurred under the initial vision of the plan and didn't need a new district and the Orchard Lofts created the Orchard Subdistrict so they don't believe that's a comparable comparison to the current area that's being proposed for addition to the West Riverfront District. They also noted that the West Riverfront standards in the code are not intended to transition from an RS-8 zone whereas the Orchard Street Riverfront Crossings District may be a more appropriate transition and limits height to three stories rather than allowing four and potentially five stories and so they believe that the focus should be on three stories, which would be currently allowed at the site rather than the four stories even if there is a grade change there. They also note that because there is no southward connection currently that it may not promote walkability. Additionally, because a lot of those multifamily units are currently relatively affordable, that the proposal may result in the loss of affordable housing. Lehmann noted from the other correspondence, in favor of the application, is from one of the families who's got at least two of the dwelling units out of the 16 units on Olive Street and they were actually in support of the project and that they sold some property to allow the project to move forward.

Lehmann reiterated the role of the Commission is to determine if the proposed amendment should be recommended for approval by City Council, after which Council will make a final decision following three readings, which will include a public hearing, and this will run concurrently with the two related applications that will be heard later tonight for map rezoning and zoning code text amendments.

Staff recommends approval of 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.

Hensch began by reiterating they are just talking about the Comprehensive Plan right now, in analyzing whether in their opinion this amendment meets the two approval criteria. He noted it is pretty easy to get lost in the rezoning piece, but they are just talking about the CPA right now and if this is approved, they'll talk about the rezoning next.

Martin noted one of the concerns is this may result in the loss of low-income housing and how is that so, are those buildings currently supportive of low income housing, because she thought that was predominantly student housing over there. Lehmann replied his understanding is that because those are older multifamily properties, the rents that they provide are relatively affordable but they are not strictly income regulated housing or anything they are just more on the naturally affordable side of things. He will comment more on this later, but since this will be in a Riverfront Crossings District it would require that they abide by the affordable housing requirement, which requires that 10% of units are affordable or fees paid in lieu of those affordable units.

Craig noted her concern on the map is how far west it goes. She understands it feels like an area that's ready for redevelopment, and that is a natural hunk of property to work with but it just felt like it was going a little bit further west than she was comfortable with. Lehmann showed the map again and reiterated the Orchard District was again intended as a transition from single family homes to the west so it's not as far out as it looks when they only look at it in context of the rest Riverfront Districts.

Lehmann also showed a topographic map of the area to understand elevations between the Interstate railroad, Myrtle Avenue, and then from South Riverside Drive to the west boundary of the property.

Hensch opened the public hearing.

Mark Seabold (Shive-Hattery) is here with Steve Long and Kevin Kane, who are with Riverfront West, the developer, and then also they have Mary Ann Dennis who is their affordable housing consultant. Seabold began by acknowledging the Lehmann's presentation was really well done and they've been working with the City for over a year on this going back and forth and just trying to make sure that they're addressing all the issues that they've been working through. Seabold would like to run through his presentation and answer any questions. He began with talking about the relationship with Olive Street and talked about the upzoning from RM-44, which is the highest zoning that the City has, and just how this really reflects with the grade change for the area. He showed some existing images of the site and noted they've already dedicated land to the City to help in both the widening of Riverside Drive as well as pedestrian circulation and trying to control those vehicular access points. Seabold noted it is really a dangerous stretch of pedestrian road right there and currently there's not a building that's less than 40 years old there. It's probably 60 years' worth of development with opportunistic buildings and then a lot of paving with no pedestrian circulation, it's all vehicular circulation and parking. He added a lot of that pavement then just adds to that heat island effect, and this site tends to heat up in the summer just because of all that additional paving. He noted all the buildings that do face Olive Street are really the backs of the buildings. Along Myrtle Street for the most part it is just the severely sloped driveways and again a lack of green space.

Seabold next showed their conceptual designs and as it was indicated in the staff report they're

showing a development scenario with potential character but all is subject to change a little bit at they certainly still need to work through a lot of tenant relationships, decide how they're going to subdivide the site and all those things. The concept is just an image of what this Comprehensive Plan change could mean. He showed the concepts, noting the vehicular access points. On the corner that's already zoned West Riverfront would be a five-story building that is already allowed. Then they're looking at a step back seven story building in that area up against the tracks. Seabold noted they hope to see more pedestrian scale, less access points, lots of sidewalk dining potential, lots of access from pedestrians along the Riverside Drive portion. There would also be a walkway with trees. He added there is room there for a six-foot sidewalk and the trees. He also noted they would stagger the heights of the buildings as they move up the hill with that grade change and will be providing townhomes, with actual with people living on Myrtle Street with access points along Myrtle. That will add to the neighborhood, instead of detracting from it like it does now and the houses will be nestled into the grade change. Doing so really lowers this entire development on this piece of property as it relates to the to the Olive Street neighborhood. Seabold showed a view from that interior courtyard including the pedestrian walkway through the site. They would be providing parking under building except for a few parking spots for those that just want to run into the commercial businesses quickly.

Nolte asked how much commercial space they are envisioning. Seabold said he believes they have about 20,000 square feet of commercial space between the two buildings and then they're looking at the opportunity for commercial offices, it's really undefined at this point. Once the site is rezoned then they can actually start hunting for tenants and seeing what the opportunities there are.

Seabold acknowledged in their concepts they are showing that tunnel under the railroad and they've made provisions for the tunnel by making provisions through the site design to make sure they're working around that eventual tunnel access. Seabold discussed the grade change again along Myrtle Avenue and how they will accommodate the grade, and believes with their concept they will be providing a larger buffer than some of the buildings that exist today and then even that seven story building proposed really doesn't have any kind of an impact of looming up over the neighborhood on Olive Street due to the grade change.

Kevin Kane (K&F Properties and Riverfront West Development) stated they certainly appreciate everyone's time tonight and the Commission's consideration of this comp plan amendment change. He noted they've spent more than a year working with City staff and some time before that trying to acquire the properties. He noted it was quite a feat just to get all 17 parcels bought and purchased so they could start really thinking about this project. Kane stated they are not here to make a big change in the community and ask for the world, they're just trying to make a development that works and lasts a long, long time and it's more friendly to the pedestrians in the area, and really copacetic to what they believe this area could be developed into. Their passion is not high-density type development, they don't focus on student development, that is not what the site's been purchased for. This is really to be an active senior community, where they can start to engage seniors with a very active lifestyle and have the amenities on the site to support that, and others in other neighborhood amenities as well.

Steve Long (K&F Properties and Riverfront West Development) noted he lives a mile from here just to the north and is heavily invested in Iowa City. As he is getting older, he wanted a place to live in someday. Senior housing has been a passion for him for many years and to have this opportunity to create a unique product that he thinks they've only found one other place in the

United States similar that has a focus on health and wellness and heavy on concierge services and hospitality, and really turning the area that developed over the past 60 years in kind of a hodgepodge way into a pedestrian focus, integrated community with access to the hospitals and to downtown. So he is excited as an longtime Iowa City community member to be a part of this change and look forward to any suggestions that they have, or any that they hear in the community as well.

Nolte noted his concern is the amount of commercial space and that it might be difficult to fill. He wonders what is the ideal amount of commercial that should go in something like this versus maybe what Code is requiring and is there flexibility. He knows there's been other properties around where they've done some parking on the first floor so they don't have a lot of vacant commercial space. Long agreed they have to look at this post COVID as the senior industry has been rocked, and everyone's had to pivot and recreate senior living with everything from creating smaller living spaces and living pods so they can isolate, with more elevators, fresh air exchange, and common areas are decreasing and having more exterior, rooftop patios, and also services that used to be incorporated into the buildings now are being off site. So therefore, it may not be traditional retail that in the buildings, it may be health and wellness. Long also added with the hotel, the other thing that's changed with COVID is hotels are built almost to hospital standards and there's a lot of flexibility in hotels so that that'll be a lot of flex space. They don't have it all figured out yet, but it could be maybe a floor would be a rehab floor and when there's a football game, it could be switched over if there's not people living there, or patients. So this project is evolving as COVID evolves. He said they just had a meeting with their potential senior partner this afternoon and the idea is to have services not in the senior living facility, but to have them in the adjacent buildings that will be connected together so the amenities would be for the community and also for the residents.

Mary Ann Dennis (Affordable Housing Consultant) said in the development they plan to have a mix of owner occupied and rental dwellings that would be affordable and they would certainly comply with all the Riverfront Crossings inclusionary housing requirements as far as income levels, and then price points for sales and rents.

Hensch closed the public hearing.

Nolte moved to recommend approval of 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.

Martin seconded the motion.

Hensch stated he feels staff laid it out as it pretty clearly meets the approval criteria set forth in the Iowa City Code and their obligation is to analyze application against that approval criteria and he agrees it meets that approval criteria.

Signs noted that the elevation section was really helpful and address some of his concerns. He added because they have already moved the Orchard Street District it doesn't seem like it sticks out more than what they've already approved.

Craig reiterated her concern about how far west it goes but that is a minor issue, and it does

meet the requirements so she is supportive.

Townsend stated that she's been in those apartments that they're going to be replacing and those are probably the most dangerous access as far as getting into the driveways and trying to get back out so she is pleased that they're doing something other than apartments in that area but is hoping that they are going to keep some affordable housing in those units.

A vote was taken and the motion passed 7-0.

CASE NO. REZ20-0003:

Applicant: K&F Properties, LLC

Location: 215, 219, 223, and 245 S. Riverside Court; 119, 201, 203, 205, 207, and 209 Myrtle Avenue; 517 and 527 S. Riverside Drive

An application submitted for a rezoning of approximately 4 acres of land from Medium Density Single-Family Residential (RS-8) zone, High Density Multi-Family Residential (RM-44) zone, and Community Commercial (CC-2) zone to Riverfront Crossings, West Riverfront (RFC-WR) zone.

Heitner began the staff report noting this is the second prong of three applications on this development. The first prong was the amendment to the Comprehensive Plan and now is consideration and review of applying the Riverfront Crossings, West Riverfront zone.

Heitner stated this area includes about four acres and includes businesses there that already have a CC-2 zoning and were included into the West Riverfront Subdistrict. The current zoning of the subject property has three different zones, as previously mentioned the Community Commercial (CC-2) zone, High Density Multifamily Residential (RM-44) and then Medium Density Single Family Residential (RS-8) for a couple parcels. The proposed zoning again is for the entire assemblage to be rezoned to West Riverfront Crossings. Heitner noted typically what is envisioned for this zone is commercial and mixed-use developments. The zone has a base max height of four stories with an additional bonus height up to five stories with the exception of parcels adjacent to residential zones where the max height is four stories.

In terms of review criteria for rezonings, staff uses two criteria points for rezoning review which are consistency with Comprehensive Plan and compatibility with the existing neighborhood character. In terms of consistency with Comprehensive Plan, so the list of Riverfront Districts lays out a series of objectives and ambitions for development character. Staff believes that the proposed project would accomplish quite a few of those objectives such as the desire to improve pedestrian circulation and connectivity in this area. Staff believes that can be accomplished in a couple ways by having a sidewalk along the west side of South Riverside Drive and also some internal connectivity for the associated development with this rezoning application. Heitner pointed out there is a pretty expansive surface parking element to this subject area that doesn't conform with the goals of the West Riverfront District. The District also strives to generally enhance streetscape and overall corridor aesthetics with a more form-based building massing. Heitner noted a couple of interesting goals within this District discuss potential for hospitality and commercial uses and the applicant has already alluded to the potential for featuring those uses with their proposal.

Heitner showed some images of the area to illustrate the form that is envisioned with this plan where there would be shallower setbacks, buildings closer to the front right-of-way, tree lined sidewalks, a certain design element to buildings. Heitner showed the proposed concept and pointed out how it accomplishes those goals. He next showed some images of potential internal circulation and connectivity that would be associated with this project.

In terms of compatibility with the existing neighborhood, the West Riverfront zoning is already found to the east of Riverside Drive and then also directly adjacent to this property assemblage in the southwest corner of Riverside and Myrtle. Heitner noted they've already talked about building scale and there's already some sizable multifamily directly south about four stories. The existing density within this area, RM-44 is a fairly dense zone, as is with about a one bedroom per 500 square feet of lot area density. Staff did acknowledge in the report that it would potentially be an adjustment having allowable buildings up to four stories adjacent to the existing neighborhood at Olive Street but also as already discussed there is a significant grade difference and that adds some needed physical context to the consideration of this rezoning as there is a 50 foot grade difference between buildings on the western end of proposed development and the homes on Olive Street. One condition that staff would like to recommend as a part of this rezoning to address that issue a bit more head on would be to provide traditional design elements for any building seeking any height bonus next to Olive Street and that would be determined at staff design review. For example if a project was seeking that fifth story, adjacent to the existing residences on Olive Street, staff would institute additional measures to soften that transition such as step backs within the building.

Heitner again showed pictures to show the grade change and also the current outcropping of the West Riverfront Subdistrict. He pointed out the plans, building massing and how some buildings that are already there are of taller scale. Additionally the plan envisions them transitioning down in scale so it could be fitting to have buildings that could be four or five stories of scale. Heitner noted in the West Riverfront zone technically four stories are built up on a little bit of a berm so effectively the massing could be argued to be a little more than four stories. Lastly Heitner showed the view looking northward on Riverside Drive to show the transition to the form-based goals that the City's putting into this area already take place with the sidewalk being put in, the landscaping taking route, the buildings being brought closer to the street, and parking being tucked back or underneath these buildings.

Next, in terms of traffic implications and access, Heitner stated the applicant did submit a traffic study that City transportation planning staff did request, a fairly extensive study, and the study found that all intersections and all intersection approaches that were analyzed would operate at acceptable levels of service as determined by the Institute of Transportation Engineers. Heitner explained allowable levels of service at D or E or better, the scale goes from A to F with A being pretty free flowing traffic and F being sort of gridlock. For the most part, most of those intersections were still even with this development around A or B or C but there were a couple that came out to D or E and some of that really had almost as much to do with just anticipated trends and traffic growth and not so much with the addition of units that that might be expected for a rezoning here. The study determined that the estimated peak hour trips generated from the proposed use, given the variety of uses that might be envisioned associated with the proposed development, would be about 259 and that would include trips to and from the use.

Finally Heitner wanted to reiterate the City is still working with the railroad in hopes of getting a pedestrian tunnel underneath the railroad overpass and again that projects already been

budgeted and planned for it's just trying to come to an agreement and a solution with the railroad to do that in a manner that they feel won't compromise any structural integrity of the railroad elevation there.

Going back to the traffic study, Heitner noted the study was of eight intersections that were analyzed, mostly along Myrtle and Riverside. Staff is recommending conditions to approval that are related to traffic implications. In an effort to limit curb cuts on Riverside Drive, staff is recommending just one access point from the subject property, with a right-in right-out design, onto Riverside Drive. There is also an irregular piece of land that juts out from where the rest of the right-of-way is flush and staff will like to acquire 75 square feet of that right-of-way to make the right-of-way line flush, and then they would like the applicant and developer to replat this area when the plans get a bit further along to help consolidate some of these lots that are on the subject area and ideally assign one lot per building.

Heitner noted there could potentially be some challenges in developing this site with respect to utilities but those things typically get worked out at a site plan review stage. He noted there are several existing water service lines for all these buildings that would have to be retired and capped at the respective water mains that they originate from, and that's something to be expected with a development like this. There is an existing sanitary sewer easement located on the property that could potentially need to be relocated if a plan shows that a building would be over the top of that sewer easement. He added there will still be stormwater management requirements associated with redevelopment of this property and a small portion of the subject area in the 500 year floodplain and so any development in the subject area would be required to comply with the City's floodplain management standards.

Regarding correspondence received, staff did receive two letters of correspondence, one in support of the project and one with some concerns on the project. Some of those concerns including form-based code standards for West Riverfront Crossings originally targeted redevelopment strictly on the buildings along Riverside Drive, that the Orchard Subdistrict was developed to transition to residential zones and that Orchard Subdistrict zone might be more appropriate than the West Riverfront zone next to an RS-8 zone and that there is already existing opportunity to redevelop properties within the RM-44 zone. The letter had some concerns about negative impacts from adjacent buildings in relation to the Olive Street homes with respect to noise and lighting. Heitner noted the Commission has already discussed some questions on demand for the amount of ground floor commercial space that may result from this project and concern over the development as creating an island without a pedestrian tunnel, south of the railroad tracks. Concerns about increased auto congestion from a project of this scale were also raised as well as loss of affordable rental housing. Heitner did add though they did get some support from Olive Street property owners as well.

Heitner stated the role of the Commission is to determine whether the rezoning complies with the Comprehensive Plan and is compatible with the existing neighborhood character. Next steps would be pending recommendation from the Planning and Zoning Commission the City Council will hold a public hearing on the rezoning.

Staff is recommending approval of an application submitted by K&F Properties, LLC. for a rezoning from Medium Density Single-Family Residential (RS-8), High Density Multi-Family Residential (RM-44), and Community Commercial (CC-2) to West Riverfront District (RFC-WR) for approximately 4 acres of land located at 215, 219, 223, and 245 S. Riverside Court; 119, 201,

203, 205, 207, and 209 Myrtle Avenue; 517 and 527 S. Riverside Drive be approved, subject to the following conditions:

1. Prior to issuance of a certificate of occupancy, installation of a 6' wide sidewalk along the west side of South Riverside Drive frontage.
2. Provision of a pedestrian linkage between Myrtle Avenue and South Riverside Drive through the project site, subject to review and approval of the Form-Based Code Committee.
3. In the event that the owner pursues any height bonus for buildings proposed next to the existing single-family on Olive Street, careful attention must be given to the interface and transition between the development and the single-family housing to the west. Any such application shall include mitigating, transitional design elements, including but not limited to increased separation or increased setbacks.
4. The subject area shall be limited to one (1) access point onto South Riverside Drive that shall feature a right-in/right-out design.
5. Dedication of approximately 75 square feet of South Riverside Ct. territory to City right-of-way when the subject area is replatted.
6. Prior to the issuance of building permits, the subject area shall be replatted in a manner that conforms with the future layout of development.

Hensch started with a couple questions on the conditions the staff enumerated, specifically the second one and the provision of pedestrian linkage between Myrtle and South Riverside Drive, does that mean like a sidewalk through the property, he would like to more information on that. Heitner noted the preliminary concept plan showed a pedestrian walkway that took a little more than a 90-degree right angle between Myrtle and Riverside. Staff is not saying that needs to be built exactly in that form but just to facilitate a bit more connectivity within the development staff would like to see some sort of connection between Myrtle and Riverside.

Hensch's second question was he believes the Commission approved that eight story building abutting the Iowa Interstate Railroad on the Prentiss Street project between Gilbert and Ralston Creek, and then the Council approved the bonus height on that building. Russett confirmed that was correct. Hensch thought there was some conversation about reducing the number of subdistricts in the Riverfront Crossings and wondered if that's proceeding. Russett noted Lehmann is actually working on some amendments to the Riverfront Crossings code right now, a lot of them are cleanup items but one thing that they are exploring is the possibility of consolidating districts.

Martin asked if the right in - right out in the traffic is similar to what is located at Red Ginger on Gilbert Street because it is absolutely awful and very difficult to go right. Since there is a light at Myrtle, she suggested maybe they think about something else.

Signs asked about the use of ground floor garages in place of commercial space and what does the Code say about that, it is being done a lot in Coralville and it makes a ton of sense to him. Russett replied that the Code does not allow for first floor parking in lieu of commercial space in the Riverfront Crossings Code but has what could be described as a parking setback where the parking has to be behind occupied space. She added however this area doesn't require first floor commercial so the first floor could be other types of uses besides commercial space.

Elliott noted regarding a pedestrian friendly sidewalk they showed a photo of a six-foot sidewalk with no trees and that feels totally unsafe to her and not pedestrian friendly at all. Tonight, the proposal shows a nice picture of the trees and it seems completely different so how do they

ensure that it will be a pedestrian friendly parkway with separation with trees. Heitner said with respect to trees, the West Riverfront Code requires trees to be planted every 30 feet along that frontage at a minimum and that sort of landscaping element would be approved by or reviewed by the City Forester in site plan review. Signs noted the trees along the large building south of the tracks are pretty small, and Lehmann stated they also appear to be west of the sidewalk rather than between the sidewalk and the street, in that case it could be tied to utilities, sometimes that happens too.

Hensch opened the public hearing.

Mark Seabold (Shive-Hattery) began by thanking the Commission for approving the Comprehensive Plan Amendment. He noted Heitner had talked about the two pieces of correspondence that came in and wanted to add they also had a good neighbor meeting for about an hour and a half and had seven residents that were in attendance and there was some great dialogue and conversation about the project. Seabold acknowledged they have a lot of work to do, obviously with planning staff, to make sure that project is compliant with the form-based code and with the new zoning criteria. Overall they really want to provide a quality project on this site. Seabold did want to address the comment regarding the Riverside Drive right-in right-out. When the staff comment said restricting that would be the public access that they were asking for just that as a private, probably an entrance only for firetruck and delivery access to go around the site.

Heitner confirmed that is why they included item four in the staff conditions, as the Public Works staff was adamant about only having one access point onto Riverside Drive. Seabold noted reading the comments from K&F traffic study it sounded like they were worried about that being an egress point but from an access only standpoint, and they are willing to have that conversation, and think it'll be a lot easier to have traffic route through the site along there, give the Fire Department access and full 360 degree coverage around the whole perimeter of the project. Additionally regarding egressing from that point, especially adjacent to the abutment on the railroad bridge, and in the potential pedestrian connection, but what do they need to do with that item, is that something they need to talk about further, or is staff still going to be recommending that condition. Russett said staff is still going to be recommending that condition, Public Works is very adamant that is only one access, and even if they want it to be private, just for fire access, Public Works is not in support of that, they want only one access that's limited to right-in right-out.

Hensch noted in that area there appears to be multiple vehicular access and egress right now to Myrtle and South Riverside and this proposal is actually going to clean that up. He added there's a pretty high accident rate at the intersection of Riverside and Myrtle so if they are able to funnel this down into fewer ingress and egresses, they're going to have better control of that area. He did point out that off of Myrtle it looks like there's at least four egress areas currently, and then on Riverside, it's just a mess. Seabold agreed and said it is their goal is to clean that up and to make it compliant with what the traffic coding standards are. Right now all those drives on Myrtle are needed because they are all individual properties and need those individual access points but once they consolidate those, then they can strip those down to two access points on Myrtle and then that right-in right-out public access.

Hensch stated his other question is this area is just quite the heat island so what are their plans to cool the area and to decrease the big area of impervious surfaces to have better stormwater

management and add green space. Seabold said as they've looked at this property, they are looking forward to capitalizing the amount of green space in between building spaces. Specifically, in between those two commercial buildings they're looking for that to be a pedestrian walkway and add some greenery there. Additionally really capitalizing on the roof decks and having those be active accessible spaces to not only the residents in the buildings, but also areas that would be designated for the public to go and enjoy some time up on the roof. The views of downtown will be fantastic from some of the higher elevations and they want to make sure they're taking advantage of that and it will help with stormwater detention with providing those green roof systems. Right now it is a paved site with zero control so they would put in some water quality items, some to slow it down with the adjacency to the river, and maybe a detention requirement.

Craig noted when talking about the views, someday they could have a seven-story building right across from this. Seabold said that is correct however the area is pretty small on that side of Riverside Drive, specifically the Dairy Queen lot and the moped store, those are pretty small. Additionally in the form-based code, it's highly dependent on parking so those will be challenging sites to get that kind of density.

Townsend noted those sites on the east side of Riverside Drive were also in the flood zone, which Seabold confirmed. Townsend asked a question about traffic and even though they have an extensive traffic review, that area has horrible traffic, especially when people are working during rush hour, so coming off of that one exit is still of concern to her. Seabold noted there is a road connection all the way through the site so people will have opportunities to choose which street they want to either enter or exit from and on Myrtle there is a light.

Hensch closed the public hearing.

Craig moved to recommend approval of of an application submitted by K&F Properties, LLC. for a rezoning from Medium Density Single-Family Residential (RS-8), High Density Multi-Family Residential (RM-44), and Community Commercial (CC-2) to West Riverfront District (RFC-WR) for approximately 4 acres of land located at 215, 219, 223, and 245 S. Riverside Court; 119, 201, 203, 205, 207, and 209 Myrtle Avenue; 517 and 527 S. Riverside Drive be approved, subject to the following conditions:

- 1. Prior to issuance of a certificate of occupancy, installation of a 6' wide sidewalk along the west side of South Riverside Drive frontage.**
- 2. Provision of a pedestrian linkage between Myrtle Avenue and South Riverside Drive through the project site, subject to review and approval of the Form-Based Code Committee.**
- 3. In the event that the owner pursues any height bonus for buildings proposed next to the existing single-family on Olive Street, careful attention must be given to the interface and transition between the development and the single-family housing to the west. Any such application shall include mitigating, transitional design elements, including but not limited to increased separation or increased setbacks.**
- 4. The subject area shall be limited to one (1) access point onto South Riverside Drive that shall feature a right-in/right-out design.**
- 5. Dedication of approximately 75 square feet of South Riverside Ct. territory to City right-of-way when the subject area is replated.**
- 6. Prior to the issuance of building permits, the subject area shall be replated in a manner that conforms with the future layout of development.**

Townsend seconded the motion.

Hensch stated he feels this application was really well put together and acknowledged it is a difficult area, it is just sort of a hodgepodge development over time, Myrtle Avenue hill makes it very tough and Riverside is a really busy street, so this is a tough area to redevelop.

Signs agreed and noted to the north of this site is really just an open hillside off of Riverside up to the University parking lot at the top of the hill and then there is the natural area that surrounds the law building so it is his feeling the proposed mass is appropriate since there's a large body of greenspace to the north, which will also add really nice views for the people who live in those units. He did agree, as the letter from Olive Street resident indicated, the Olive Street view may change but is very minimal from what he can tell. He also really appreciates that section going up Myrtle and did want to put a bug in in both the developer and staff's ear for that potential access drive around the perimeter. He has seen some projects in other places where they used a permeable paver grass mixed with a permeable mesh where the grass was grown in and it provided the support necessary for an access point, but it also was very green.

A vote was taken and the motion passed 7-0.

CASE NO. REZ20-0004:

Applicant: K&F Properties, LLC

Modifications to the Riverfront Crossings, West Riverfront Subdistrict Ordinance

Consideration of the Modifications to the Riverfront Crossings, West Riverfront Subdistrict Ordinance, which amends Title 14 Zoning to expand the Riverfront Crossings, West Riverfront Subdistrict boundaries to include 219, 223, and 245 S. Riverside Court and 119, 201, 203, 205, 207, and 209 Myrtle Avenue and to increase the maximum height bonus from five to seven stories for properties north of and abutting the Iowa Interstate Railroad in the West Riverfront Subdistrict.

Lehmann began the staff report stating the applicant is requesting amendments to the Riverfront Crossings form-based regulations in the zoning code. The first is to expand the Riverfront Crossings, West Riverfront Subdistrict boundaries to match the regulating plan which is in the zoning code text to match the Comprehensive Plan amendment that was approved earlier tonight. The second piece is to increase the maximum bonus height from five to seven stories for properties in the West Riverfront Subdistrict zone that is north of the Iowa Interstate Railroad. Lehmann noted the Riverfront Crossings form-based development standards are located in Iowa City Code, Title 14, Chapter 2, Article G, and those are the standards that really implement the 2013 Riverfront Crossings Master Plan. Lehmann explained it does include the regulating county boundaries and includes the general requirements and the bonus height as well as the base height. Finally there are also some other small references throughout that have to be amended, just to make sure that everything lines up including all the maps throughout the zoning code text.

Lehmann reiterated the first piece is to just expand that western boundary north of the railroad. Currently that area is outside of the Riverfront Crossings District and even if it was rezoned then

this is a zoning code cleanup item where the Regulating Plan would be modified to be the same as the Comprehensive Plan. The rezoning is really focusing on pedestrian streetscape and ensuring that parking is not first and foremost, but rather the buildings in that pedestrian space are first and foremost. So currently that Riverfront Crossings West Riverfront Subdistrict is bounded by Myrtle Avenue to the north, the Iowa River to the east, Highway 6 to the south, and to the west, Orchard Street south of the railroad and parcels abutting South Riverside Drive north of the railroad, and the proposals to expand that over to the properties on all streets. Lehmann showed a map of the area.

The second part is the increase in maximum building height. Lehmann noted the text amendment was constructed in a way to ensure that it's an area to allow the concept as proposed to increase to seven stories within 200 feet of the railroad right-of-way, in the Riverfront Crossings, West Riverfront zone if it's north of and abutting the railroad. Lehmann also stated the code includes a maximum base height, which occurs by right, and then a maximum bonus height, which is a discretionary process that the City can use to increase height. The bonus height does require that there's some specified public benefit that matches what is currently in the zoning code text (provisions in 14-2G-7G). It includes things like providing affordable housing, hotel space, class A office space, and a number of other bonuses that can be chosen from a menu of options. If the request is two stories or less above the base height, it is a staff review, if it's three or more stories or a transfer of development rights, then it also gets reviewed by Council and they have to approve it. Again the West Riverfront Crossings Subdistrict baseline is four stories if there is frontage on the Iowa River which both the properties to the east of the proposed area have Iowa River frontage and base height is eight stories with a bonus height of five stories so the max can be up to 12 stories. However, Lehmann reiterated if it abuts a residential zone no bonus height is allowed regardless of what the maximum bonus height is. Additionally, there is also that 10 foot step back above the third floor if it's visible from the residential properties. So in this case, if a project builds a building that is proposed seven stories it would require Council approval because it's above the two stories that would be done just by a staff review. Lehmann referred them to the table in the staff report and he also showed a map showing the rezoning and the Comprehensive Plan Amendment area. Lehmann noted they are anticipating the replatting of parcels that reflect the buildings that are going to be constructed there based on the concept submitted. The concept shows a residential building on the west side of the property, that would potentially be one parcel, another two buildings, or possibly the commercial building, would probably be its own parcel, and on the southeast part of the site would be the hotel or whatever that would be seven stories and its own parcel. There would be pedestrian connections but they are imagining the area being replatted to correspond with the buildings, roughly a single plat for each building.

Russett confirmed what Lehmann is saying as a possibility but since they haven't received a plat from the applicants, they don't really know what the applicants are envisioning. What is being shown here is the proposed text amendment is applied to the existing lot lines and these would be the stories that would be allowed, she would envision that the red area shown on the map is probably going to be a smaller area when the applicant replats it.

Craig stated that is her concern as she could support this but she's not sure she could support it if the red area was smaller and those houses on Olive Street will have a seven-story building out their back door.

Russett agreed and noted that is why they recommended the condition on the rezoning that talks

about if any bonus height is proposed next to the residential, that it needs to incorporate some design features that ensure that there's no impacts, and that there's a transition from those existing single family homes. Additionally, Lehmann added they also proposed the 200 foot buffer from the railroad, so they could not have a single plat that takes up the entire east half of the property where it could all be seven stories. He did remind them there is a de facto hundred-foot buffer with 40 feet of grade change,

Lehmann moved onto the analysis side of things. The West Riverfront Subdistrict should be expanded in the Regulating Plan to make sure that everything is lined up properly and the bonus height increase requested is required for the concept as shown. In the expanding of the Subdistrict it increases density, but maintains compatibility, it's got more stringent design standards, a higher level of review, the typography and the zone height limitations and the step backs as they're currently constructed to ensure that appropriate transition. Additionally, the Riverfront Crossings District is subject to affordable housing requirements and 10% of the units must be affordable, or a fee in lieu is required, which would pay for affordable units elsewhere in the District. Regarding the seven-story bonus height next to the railroad, staff does believe that if it's constructed the text amendment limits any negative impacts to surrounding properties. Staff review would be required for five or six stories of bonus heights, and Council would have to approve it if it was seven stories high which does provide a level of review against making sure that seven stories isn't happening right next to single family homes. Second, it makes sense because east of South Riverside Drive, eight stories are allowed by right so it's not that different from what one might find in the other side of the streets. Lehmann reiterated if those properties abut residential zones, they can't utilize bonus heights. He also brought up again that with the seven stories relative to the properties to the west, there is 50 feet of grade change over the site.

In terms of consistency with the Comprehensive Plan, it calls for expansion of the West Riverfront Subdistrict and this also maintains an appropriate transition of land uses, provides for high-quality pedestrian- oriented design, allows for better circulation and a mix of uses, and promotes infill development which strengthens downtown Iowa City. For the bonus height on the two places where that really fits in is allowing growth and development in Riverfront Crossings District in a manner that increases its residential appeal and enhances the commercial viability of downtown. Obviously, the more people in the space the greater the viability of commercial uses in the area. Additionally, it does also help promote the commercial development on the west side of South Riverside Drive, which can transition to urban apartments and mixed-use development.

In terms of public correspondence, Lehmann noted in one of the correspondence it was noted that the Orchard Subdistrict may be more appropriate than the West Riverfront Subdistrict next to an RS-8 zone and that difference in grade may not provide enough transition and they encourage a lower building heights. They also noted that increased building height may not be needed if the current zoning is retained or that or a different zone is preferred. They also noted that use of the river created by a seven-story development could be blocked by subsequent development to the east if that was one of the intentions. Lehmann noted all those comments were addressed previously tonight. The letter writer also noted that increased height doesn't match the current concept from the plan as it's currently approved. Then on the flip side, generally there's just been support for the project from the Olive Street property owners.

The role of the Commission and next steps is to determine if the proposed zoning code text amendment should be recommended for City Council for which they'll make a decision following three readings which will include a public hearing. It will run concurrently with the other two

amendments that have been approved earlier tonight.

Staff recommends approval of REZ20-0004, a proposed amendment to the zoning code to expand the Riverfront Crossings, West Riverfront Subdistrict boundaries to include 219, 223, and 245 S. Riverside Court and 119, 201, 203, 205, 207, and 209 Myrtle Avenue; and to increase the maximum bonus height from five to seven stories for properties in the West Riverfront Subdistrict north of and abutting the Iowa Interstate Railroad, as illustrated in attachment A of the staff report.

Hensch opened the public hearing.

Mark Seabold (Shive-Hattery) wanted to stress they will continue to work with City staff.

Hensch asked if they had started working on the plat yet for the development. Seabold replied they haven't but what Lehmann presented tonight is pretty close, they are going to be taking careful look at that making sure they're complying with the requirements of the City and making sure they're allowing enough of a buffer from the neighborhood and working with both the building height and the grades to make sure that they're not impacting the neighborhood. He reiterated it is a challenging site but also a great opportunity to do some really quality development that is sensitive to the neighborhood, but also creates a little more vitality for this area.

Hensch closed the public hearing.

Signs moved to recommend approval of REZ20-0004, a proposed amendment to the zoning code to expand the Riverfront Crossings, West Riverfront Subdistrict boundaries to include 219, 223, and 245 S. Riverside Court and 119, 201, 203, 205, 207, and 209 Myrtle Avenue; and to increase the maximum bonus height from five to seven stories for properties in the West Riverfront Subdistrict north of and abutting the Iowa Interstate Railroad, as illustrated in attachment a on the staff report.

Townsend seconded the motion.

Signs noted he is not a huge fan of these narrowly refined text amendments in general, but having said that, this makes total sense in this spot, so he'll be supporting it.

Hensch agreed and noted they just approved something very similar, not in actual design, but in height on Gilbert and Prentiss abutting the Iowa Interstate Railroad. It had a unique topography and was railroad adjacent.

Martin acknowledged she is still hung up on right-in right-out and also doesn't feel a hotel is appropriate for this particular piece but she'll get over it. Russett acknowledged the right-in right-out by Red Ginger has been discussed and staff knows it is a problem and agrees they don't want to recreate the same problem in another location.

Townsend acknowledged she still has concerns about the seven foot plus bonuses in that area, but it's a way of the time.

A vote was taken and motion passed 7-0.

OVERVIEW OF THE CITY'S NEW ONLINE PERMITTING SYSTEM:

Russett stated the City has a new online permitting system that was implemented toward the end of June. She showed the public interface of the system, it is called CSS (City's Self Service). She showed how they can search for applications and what to do if you're an applicant, going through the screens for permits and other things. She also showed the user guides, so if you're not really sure what type of attachments you need to include in a rezoning application, you can go to our guidance documents. Also under rezoning they have an application guide for County rezonings, overlay rezonings, regular rezonings, text amendments, and it kind of walks you through all of the information that you need. Russett noted the part that the Commission is going to be most interested in is the search tool where for example if there's a new construction in your neighborhood, and you want to know what's going on you can search and be able to find some information on the proposed project. Russett showed several of the screens and how to search various applications and see what stage they are in.

Signs noted this is lightyears ahead of the previous system, or lack thereof and is really impressed.

Russett noted here is also some historic data in there too, so if you're maybe buying a new house that was built recently, and you're looking for the plans, you can check here to see if they're approved. Also historical review applications are going to be put in here as well as any complaints, nuisance complaints, snow and ice, all of those cases will be able to be seen as well.

CONSIDERATION OF MEETING MINUTES: OCTOBER 15, 2020:

Nolte moved to approve the meeting minutes of October 15, 2020.

Signs seconded the motion.

A vote was taken and the motion passed 7-0.

PLANNING AND ZONING INFORMATION:

Russett gave an updated on some recent cases. Regarding the text amendments on flexibility to the zoning code for commercial properties and parking reductions the public hearing was held at Council and they approved the first reading of that rezoning ordinance.

ADJOURNMENT:

Craig moved to adjourn.

Townsend seconded.

A vote was taken and the motion passed 7-0.

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

| | 7/16 | 8/6 | 8/20 | 10/1 | 10/15 | 11/5 | | | | | | | | | | |
|-------------------------|-------------|------------|-------------|-------------|--------------|-------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| CRAIG, SUSAN | X | X | X | X | X | X | | | | | | | | | | |
| DYER, CAROLYN | O/E | O/E | -- -- | -- -- | -- -- | -- -- | -- -- | -- -- | -- -- | -- -- | -- -- | -- -- | -- -- | -- -- | -- -- | -- -- |
| ELLIOTT, MAGGIE | -- -- | -- -- | -- -- | -- -- | -- -- | X | | | | | | | | | | |
| HENSCH, MIKE | X | X | X | X | X | X | | | | | | | | | | |
| MARTIN, PHOEBE | X | X | X | X | X | X | | | | | | | | | | |
| NOLTE, MARK | -- -- | -- -- | X | X | X | X | | | | | | | | | | |
| SIGNS, MARK | X | X | X | X | X | X | | | | | | | | | | |
| TOWNSEND, BILLIE | O/E | X | X | X | X | X | | | | | | | | | | |

KEY:

X = Present

O = Absent

O/E = Absent/Excused

-- = Not a Member