

PLANNING AND ZONING COMMISSION

Thursday, April 2, 2020

Electronic Formal Meeting – 7:00 PM

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

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 joining the Zoom meeting via the internet by going to <https://zoom.us/j/653214606>. If you are asked for a meeting ID, enter 653 214 606 to enter a 'Waiting Room' for the meeting. 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 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
4. Case Nos. REZ19-13
Applicant: Allen Homes, Inc.
Location: Near Eastbrook Street and American Legion Road

An application submitted by Allen Homes, Inc. for a rezoning from Interim Development Single-Family (ID-RS) to Neighborhood Public (P-1) for approximately 2.14 acres, Low Density Multi-Family Residential (RM-12) for approximately 10.64 acres, and Low Density Single-Family Residential (RS-5) for approximately 22.51 acres near the intersection of Eastbrook Street and American Legion Road.

5. Consideration of Meeting Minutes: February 6, 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: April 16 / May 7 / May 21

Informal: Scheduled as needed.

STAFF REPORT

To: Planning & Zoning Commission

Prepared by: Ray Heitner, Associate Planner

Item: REZ19-13

Date: April 2, 2020

GENERAL INFORMATION:

Applicant:

Allen Homes, Inc.
PO Box 3474
Iowa City, IA 52244
319-350-8238
allenhomesinc@gmail.com

Contact Person:

Same as Applicant

Property Owner:

Allen Development, LLC
PO BOX 3474
IOWA CITY IA 52244

Summit Ridge, LLC
PO BOX 3474
IOWA CITY IA 52244

Requested Action:

Rezoning from Interim Development – Single-Family Residential (ID-RS) to Low Density – Multi-Family Residential (RM-12), Low Density – Single-Family Residential (RS-5), and Neighborhood Public (P-1).

Purpose:

Development of single-family and multi-family housing, and a fire station.

Location:

East of Eastbrook Street and north of American Legion Road

Location Map:



Size:	35.29 acres
Existing Land Use and Zoning:	Farmland, Interim Development – Single-Family Residential (ID-RS)
Surrounding Land Use and Zoning:	North: P-1 – Neighborhood Public (Parkland) South: R – County Residential (Farmland and Religious Space) East: RS-5 - Low Density Single-Family Residential (Residential) West: P-1 – Neighborhood Public (Parkland) RM -12 - Low Density Multi-Family Residential (Residential)
Comprehensive Plan:	Southeast District Plan
District Plan:	Southeast District Plan – Low/Medium Single-Family Residential and Duplex; Medium/High Density Single-Family Residential and Townhouse
Neighborhood Open Space District:	SE3
File Date:	November 27, 2019 (Original Submission Date) March 13, 2020 (Revised Submission)
45 Day Limitation Period:	The applicant has waived the 45-day limitation period.

BACKGROUND INFORMATION:

An application submitted by Allen Homes, Inc. for a rezoning of approximately 35.29 acres located north of American Legion Rd and east of Eastbrook St from Interim Development -

Single-Family Residential (ID-RS) to 10.64 acres of Low Density Multi-Family Residential (RM-12), 22.51 acres of Low Density Single-Family Residential (RS-5), and 2.14 acres of Neighborhood Public (P-1). Earlier this year, the Council approved an annexation and rezoning of the subject property 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.
2. The dedication of 17 feet of additional public right-of-way along American Legion Road to be dedicated to the City at the time of final platting.
3. Conveyance of a temporary construction easement to the City along the north side of American Legion Road.

Due to concerns over COVID-19, staff asked the applicant not to hold an in-person good neighbor meeting. Instead, the applicant mailed out pertinent materials to area neighbors.

ANALYSIS:

Current Zoning: Earlier this year, the City Council approved the annexation and rezoning of the subject property from County Residential (R) to Interim Development Single-Family Residential (ID-RS). The Secretary of State's Office is currently reviewing the application for annexation.

The Interim Development zone is intended 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. Therefore, a subsequent rezoning is necessary for the property owner to develop the property beyond an agricultural use.

Proposed Zoning: The applicant is requesting a rezoning of the subject property to 10.64 acres of Low Density Multi-Family Residential zone (RM-12), 22.51 acres of Low Density Single-Family Residential zone (RS-5), and 2.14 acres of Neighborhood Public zone (P-1). The purpose of the Low Density Multi-Family Residential zone (RM-12) is to provide for the development of high density, single-family housing and low density, multi-family housing. This zone is intended to provide a diverse variety of housing options in neighborhoods throughout the city. Careful attention to site and building design is important to ensure that the various housing types in any one location are compatible with one another.

The applicant has submitted the attached concept plan, dated 02/26/2020. The concept shows a total of 104 stacked-flat units and 6 townhouse units in the proposed RM-12 zone. Six 8-10-unit stacked-flat buildings are shown south of the proposed Eastbrook Street extension, with another four 12-unit stacked-flat buildings shown to the north of Eastbrook Street. Densities range between 8-16 units per acre on the proposed RM-12 lots, with densities on the stacked-flat lots between 12-16 units per acre. The proposed density conforms with what is allowed under the RM-12 zone.

The low density single-family residential zone (RS-5) is primarily intended to provide for single-family housing opportunities. The regulations are intended to create, maintain, and

promote livable neighborhoods. The regulations allow for some flexibility of dwelling types to provide housing opportunities for a variety of household types. This zone also allows for some nonresidential uses that contribute to the livability of residential neighborhoods, such as parks, schools, religious institutions, and daycare facilities. Related nonresidential uses and structures should be planned and designed to be compatible with the character, scale, and pattern of the residential development. The attached concept plan shows 56 single-family residential lots on the area to be rezoned to RS-5, with an average density of 4.41 units per acre. This range in density conforms with what is allowed under the RS-5 zone.

The Neighborhood Public (P-1) zone accommodates uses such as schools, parks, police and fire stations, and other civic buildings owned or otherwise controlled by the county, the city, or the Iowa City community school district. These uses are subject to certain development standards in order to create a transition between public and private uses. The attached concept plan shows the proposed P-1 zone lot as a site for a future City fire station.

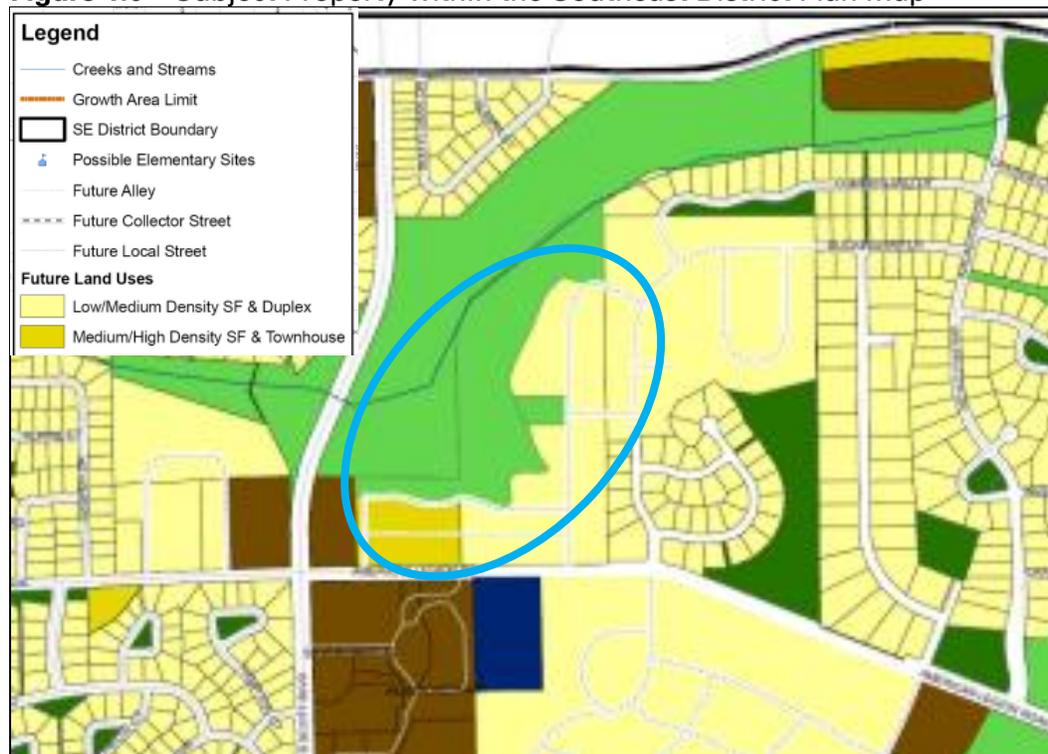
Rezoning Review Criteria:

Staff uses the following two criteria in the review of rezonings:

1. Consistency with the comprehensive plan;
2. Compatibility with the existing neighborhood character.

Consistency with the Comprehensive Plan: The Southeast District Plan shows the subject property within the City's growth area, with two different land use designations over the subject property (see Figure 1.0). The Low/Medium Density Single-Family and Duplex land use designation covers the majority of the subject property and envisions development at a density of 2-8 dwelling units per acre. The Medium/High Density Single-Family and Townhouse designation covers the western portion of the property and envisions zero lot line development, duplexes, townhouses, and narrow lot detached single-family at a density of 8-13 dwelling units per acre.

Figure 1.0 – Subject Property within the Southeast District Plan Map



Within the western portion of the property, lots 57 and 59 in the attached concept plan show a slightly higher density (just under 14 units/acre) than what is envisioned for this area in the Southeast District Plan (8-13 units/acre). On these lots, the concept plan shows stacked-flats, which is a housing type not contemplated in the Southeast District Plan. Rather, the plan generally calls for detached and attached single-family and townhouse-style housing. However, the Comprehensive Plan calls for increasing housing options within the Southeast District and encouraging a mix of housing types within new neighborhoods; which the proposed concept plan accomplishes. The Comprehensive Plan also calls for the continued development of interconnected street networks. Specifically, the Plan calls for new neighborhoods to be designed in a manner that contributes to the larger interconnected street pattern of the city and that provides for safe, efficient and orderly movement of vehicular, pedestrian, and bicycle traffic. The attached concept plan accomplishes this objective by extending Eastbrook Street to the east, thereby providing a connection between the future north-south road and the Eastbrook Flats neighborhood to the west. Despite the slightly higher planned density in the RM-12 zone areas, the housing diversity and street connectivity shown in the concept plan align with the policy direction provided in the Southeast District Plan. Therefore, staff recommends a condition that development on the subject property generally conform to the attached concept plan, dated 02/26/2020, which will include the extension of Eastbrook Street to the future north-south street.

Compatibility with the Existing Neighborhood: The RS-5 zoning that is proposed along the property's east side matches the zoning and scale of housing seen to the east in the Windsor West neighborhood. The attached concept plan does show a transition in intensity from the 3-flat multi-family housing to the west, to some townhouse housing along the southern portion of the proposed north-south street, to the detached single-family housing proposed throughout the eastern portion of the property. While the proposed extension of this style of multi-family housing to the east is more intense than what is detailed in the Southeast District Plan, the relative proximity of this housing to the Eastbrook Flats neighborhood, and to the intersection of Scott Boulevard and American Legion Road, help to justify the proposed extension of density eastward.

Sanitary Sewer: The developer will be required to pay a water main extension fee of \$456.75 per acre before public improvements are constructed. The subject property is located outside of the sewer tap-on fee district and will not be required to pay sanitary sewer tap-on fees.

Stormwater: There is a stormwater detention easement over the northwestern portion of the property. The attached concept plan shows this detention easement decreasing in overall area but maintaining enough volume for the proposed development in the concept. Public Works staff has reviewed these preliminary estimates on the proposed changes to the detention easement area. The existing detention easement will need to be amended before any building permits can be issued for the proposed development. Staff is also recommending a condition that a permanent drainage easement from the American Legion Road improvement project, be dedicated to the City at a location to be determined by Public Works staff. In addition, staff is recommending a condition that no building permit shall be issued for any of the subject property until the City Council approves a final plat resubdividing the subject property to conform to the zoning boundaries established by the rezoning ordinance.

Environmentally Sensitive Areas: The subject property does not contain any environmentally sensitive features. The northern and western portions of the property are in the 100 and 500-year flood plains.

Access and Street Design: Staff is recommending carrying over conditions from the property's previous rezoning to ID-RS with respect to dedication of 17 feet of additional right-of-way to the City when the property is platted for future development, and another condition to allow for the conveyance of a temporary construction easement to the City along the north side of American Legion Road. These conditions support the public need for enhancing American Legion Road, thereby allowing it to be used as an arterial road.

Staff views the extension of Eastbrook Street as a positive aspect of the concept plan. The plan also provides internal connections to the existing street network that has been established in the Windsor West and Eastbrook Flats neighborhoods. Proposed connections to the City's established trail network on the property's west side to Scott Park, and in the far northeast corner of the property also align with Southeast District Plan goals for enhancing walkability and connectivity. Staff is recommending a condition that trail connections to the City's park and trail networks are provided as shown in the concept plan. The trail connection on the property's far west side must be built to the northern property line. The trail connection between Lots 23 and 24 must be made all the way to the existing trail on City property.

Staff does have some concerns related to the potential for speeding, due to the proposed block lengths shown in the attached concept plan. It appears that several proposed blocks in the concept plan are greater than the City's maximum block length recommendation of 600' for local streets. Additionally, the distance between the proposed north-south street and Buckingham Lane (to the east of the subject property) is less than the recommended 600' block length for arterial streets. Staff is recommending a condition that the applicant work with staff to implement traffic calming measures that staff deems necessary during the plat review stage of the property's development.

NEXT STEPS:

Upon recommendation from the Planning and Zoning Commission, a public hearing will be scheduled for consideration of the application by the City Council. Pending approval by the City Council, the applicant will be required to submit applications for preliminary and final plats to subdivide the land into lots that follow the proposed zoning boundaries.

STAFF RECOMMENDATION:

Staff recommends approval of REZ19-13, a rezoning from Interim Development – Single-Family Residential (ID-RS) to Low Density Multi-Family Residential (RM-12) for approximately 10.64 acres, Low Density Single-Family Residential (RS-5) for approximately 22.51 acres, and Neighborhood Public (P-1) for approximately 2.14 acres with the following conditions (Conditions 1-3 are carried over from REZ 19-09):

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

2. The dedication of 17 feet of additional public right-of-way to along American Legion Road, to be dedicated to the City within seven days of execution of the Conditional Zoning Agreement for REZ19-09.
3. Conveyance of a temporary construction easement along the north side of American Legion Road within seven days of execution of the Conditional Zoning Agreement for REZ19-09.
4. No building permit shall be issued for any development on the subject property until the City Council approves a final plat resubdividing the subject property to conform to the zoning boundaries established by the rezoning ordinance.
5. Any development on the subject property shall generally conform to the attached concept plan, dated 02/26/2020, which will include the extension of Eastbrook Street to the future north-south street, and the development of single-family, townhouse, and stacked-flat multi-family housing as shown in said concept plan.
6. Trail connections to the City's park and trail networks are provided as shown in the attached concept plan. The trail connection on the property's far west side must be built to the northern property line. The trail connection between Lots 23 and 24 must be made all the way to the existing trail on City property. The developer shall be responsible for installing these trails at such time as described in a subdivider's agreement to be executed at the time any portion of this land is subdivided, and in accordance with the specifications for such improvements as to be set forth therein.
7. That a permanent drainage easement from the American Legion Road improvement project be dedicated to the City in a form of agreement acceptable to the City Attorney at the time of platting at a location to be determined by Public Works staff.
8. At platting, traffic calming measures, such as traffic circles, narrower lane widths, etc., must be incorporated to the satisfaction of City staff to address concerns related to speeding.

ATTACHMENTS:

1. Aerial Map
2. Zoning Exhibit
3. Applicants Statement
4. Concept Plan from 02/26/2020



Approved by: _____

Danielle Sitzman, AICP
Department of Neighborhood and Development Services

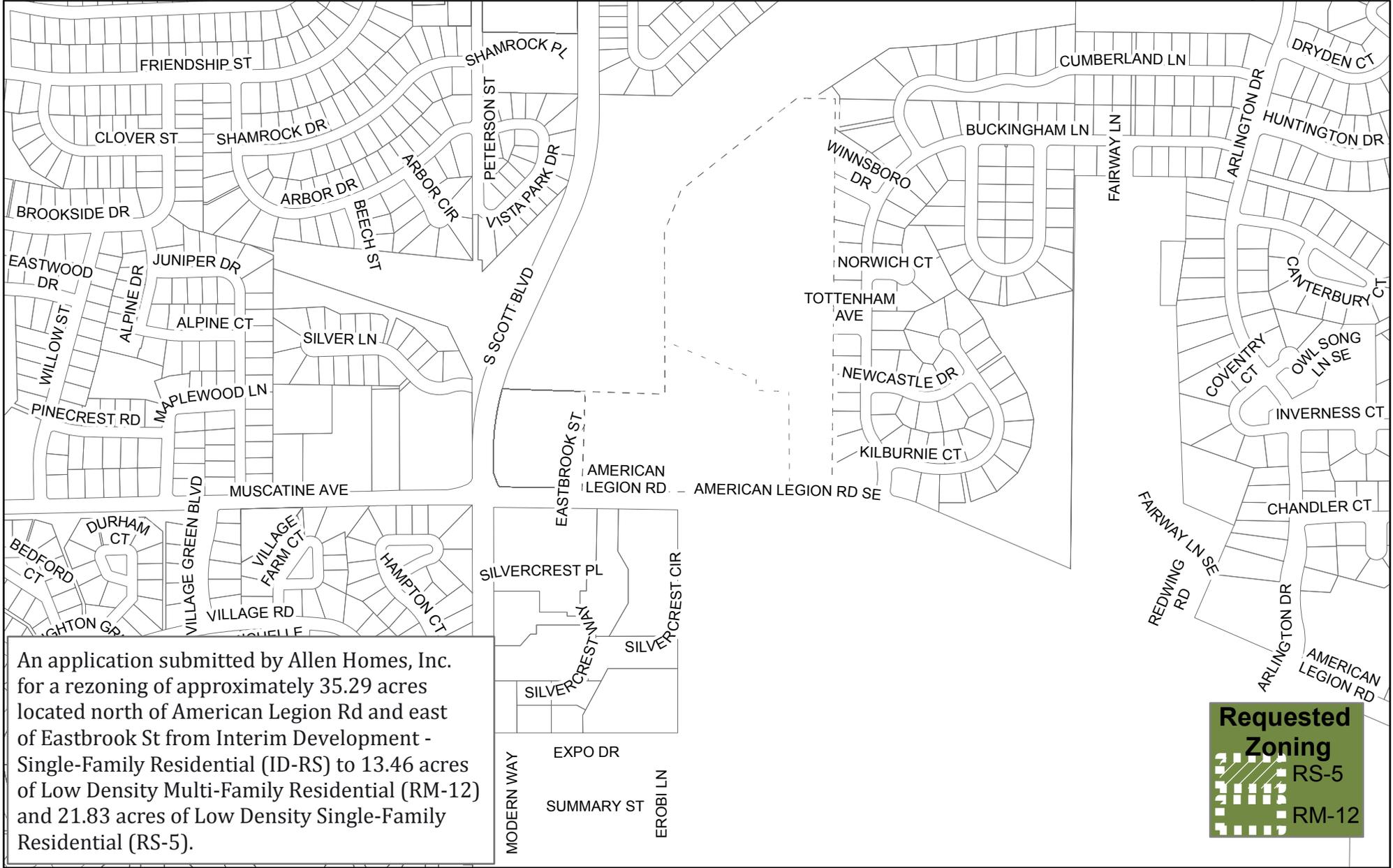


0 0.05 0.1 0.2 Miles

REZ19-13

North of American Legion Road and East of Eastbrook Street

Prepared By: Jade Pederson
Date Prepared: Dec 2019

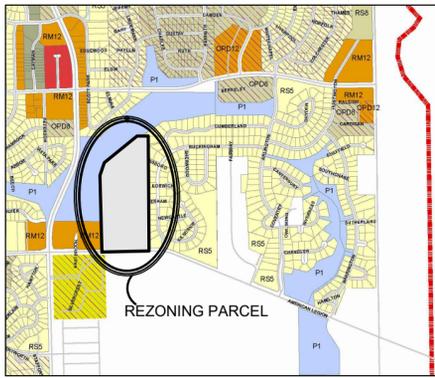


An application submitted by Allen Homes, Inc. for a rezoning of approximately 35.29 acres located north of American Legion Rd and east of Eastbrook St from Interim Development - Single-Family Residential (ID-RS) to 13.46 acres of Low Density Multi-Family Residential (RM-12) and 21.83 acres of Low Density Single-Family Residential (RS-5).

DESCRIPTION - REZONING PARCEL #1 (ID-RS TO P-1)

A PORTION OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 79 NORTH, RANGE 5 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, JOHNSON COUNTY, IOWA, DESCRIBED AS FOLLOWS:

Commencing at the West Quarter Corner of Section 18, Township 79 North, Range 5 West, of the Fifth Principal Meridian, Johnson County, Iowa; Thence S89°26'40"E, along the South Line of the Northwest Quarter of said Section 18, a distance of 461.91 feet, to the Southeast Corner of Eastbrook Flats Addition, in accordance with the Plat thereof Recorded in Plat Book 58 at Page 20 of the Records of the Johnson County Recorder's Office, and the Point of Beginning; Thence N00°33'49"E, along the East Line of said Eastbrook Flats Addition, 299.19 feet; Thence Northeasterly, 138.82 feet, along an arc of a 150.00 foot radius curve, concave Southeasterly, whose 133.92 foot chord bears N64°02'03"E; Thence S89°27'12"E, 145.99 feet; Thence S00°32'48"W, 359.01 feet, to a Point on the South Line of the Northwest Quarter of said Section 18; Thence N89°26'40"W, along said South Line, 265.91 feet, to the Point of Beginning. Said Rezoning Parcel #1 contains 2.14 Acres, and is subject to easements and restrictions of record.



DESCRIPTION - REZONING PARCEL #2 (ID-RS TO RM-12)

A PORTION OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 79 NORTH, RANGE 5 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, JOHNSON COUNTY, IOWA, DESCRIBED AS FOLLOWS:

Commencing at the West Quarter Corner of Section 18, Township 79 North, Range 5 West, of the Fifth Principal Meridian, Johnson County, Iowa; Thence S89°26'40"E, along the South Line of the Northwest Quarter of said Section 18, a distance of 461.91 feet, to the Southeast Corner of Eastbrook Flats Addition, in accordance with the Plat thereof Recorded in Plat Book 58 at Page 20 of the Records of the Johnson County Recorder's Office; Thence N00°33'49"E, along the East Line of said Eastbrook Flats Addition, 299.19 feet, to the Point of Beginning; Thence continuing N00°33'49"E, along said East Line, 210.61 feet, to the Northeast Corner of said Eastbrook Flats Addition, and a Point on the South Line of Parcel 1 of "Ralston Creek South Property Acquisition", in accordance with the Plat thereof Recorded in Plat Book 19, at Page 84 of the Records of the Johnson County Recorder's Office; Thence S89°26'59"E, along said South Line, 373.32 feet, to the Southeast Corner thereof; Thence N01°31'04"W, along the East Line of said Parcel 1, a distance of 230.90 feet; Thence S72°19'56"E, 481.11 feet; Thence S00°48'17"E, 239.99 feet; Thence S89°27'12"E, 165.05 feet; Thence S00°48'17"E, 359.23 feet, to a Point on the South Line of the Northwest Quarter of said Section 18; Thence N89°26'40"W, along said South Line, 738.21 feet; Thence N00°32'48"E, 359.01 feet; Thence N89°27'12"W, 145.99 feet; Thence Southwesterly, 138.82 feet, along an arc of a 150.00 foot radius curve, concave Southeasterly, whose 133.92 foot chord bears S64°02'03"W, to the Point of Beginning. Said Rezoning Parcel #2 contains 10.64 Acres, and is subject to easements and restrictions of record.

DESCRIPTION - REZONING PARCEL #3 (ID-RS TO RS-5)

A PORTION OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 79 NORTH, RANGE 5 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, JOHNSON COUNTY, IOWA, DESCRIBED AS FOLLOWS:

Commencing at the West Quarter Corner of Section 18, Township 79 North, Range 5 West, of the Fifth Principal Meridian, Johnson County, Iowa; Thence S89°26'40"E, along the South Line of the Northwest Quarter of said Section 18, a distance of 461.91 feet, to the Southeast Corner of Eastbrook Flats Addition, in accordance with the Plat thereof Recorded in Plat Book 58 at Page 20 of the Records of the Johnson County Recorder's Office; Thence N00°33'49"E, along the East Line of said Eastbrook Flats Addition, 509.80 feet, to the Northeast Corner thereof, and a Point on the South Line of Parcel 1 of "Ralston Creek South Property Acquisition", in accordance with the Plat thereof Recorded in Plat Book 19, at Page 84 of the Records of the Johnson County Recorder's Office; Thence S89°26'59"E, along said South Line, 373.32 feet, to the Southeast Corner thereof; Thence N01°31'04"W, along the East Line of said Parcel 1, a distance of 230.90 feet, to the Point of Beginning; Thence continuing N01°31'04"W, along said East Line, 525.20 feet; Thence N20°10'51"E, along said East Line, 209.78 feet; Thence N50°29'32"E, along said East Line, 690.91 feet, to the Northeast Corner thereof; Thence N89°45'05"E, 177.85 feet, to a Point on the West Line of Windsor West - Part Three, in accordance with the Plat thereof Recorded in Plat Book 58, at Page 235 of the Records of the Johnson County Recorder's Office; Thence S00°50'20"E, along said West Line, and the West Line of Windsor West - Part One, in accordance with the Plat thereof Recorded in Plat Book 50 at Page 266 of the Records of the Johnson County Recorder's Office, 1910.78 feet, to the Southwest Corner of said Windsor West - Part One, and a Point on the South Line of the Northwest Quarter of said Section 18; Thence N89°26'40"W, along said South Line, 165.48 feet; Thence N00°48'17"W, 359.23 feet; Thence N89°27'12"W, 165.05 feet; Thence N00°48'17"W, 239.99 feet; Thence N72°19'56"W, 481.11 feet, to the Point of Beginning. Said Rezoning Parcel #3 contains 22.51 Acres, and is subject to easements and restrictions of record.

**PARCEL 1
RALSTON CREEK SOUTH PROPERTY
ACQUISITION**

IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 19 AT PAGE 84 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE

S89°26'59"E 373.32'(M) 373.47'(R)

POINT OF BEGINNING REZONING PARCEL #2

EASTBROOK FLATS ADDITION

IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 58 AT PAGE 20 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE

POINT OF BEGINNING REZONING PARCEL #1

WEST QUARTER CORNER OF SECTION 18-T79N-R5W OF THE FIFTH P.M.

S89°26'40"E 461.91'

SILVERCREST RESIDENTIAL COMMUNITY
IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 40 AT PAGE 174 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE

JOHNSON COUNTY IOWA	
MMS CONSULTANTS, INC.	
Date:	11-26-2019
Designed by:	RLA
Drawn by:	RLW
Checked by:	JEL
Project No.:	7596-105
Scale:	1"=100'
Sheet No.:	1

A PORTION OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 79 NORTH, RANGE 5 WEST, OF THE FIFTH P.M.

REZONING EXHIBIT

Date	Revision
7-23-2019	PER JEL REVIEW - RLW

ENVIRONMENTAL SPECIALISTS
LANDSCAPE ARCHITECTS
LAND SURVEYORS
CIVIL ENGINEERS
LAND PLANNERS



PROJAC

**PARCEL 1
RALSTON CREEK SOUTH PROPERTY
ACQUISITION**

NW 1/4 - NW 1/4 SECTION 18-79-5

NE 1/4 - NW 1/4 SECTION 18-79-5

**REZONING PARCEL #3
ID-RS TO RS-5
22.51 AC**

SW 1/4 - NW 1/4 SECTION 18-79-5

SE 1/4 - NW 1/4 SECTION 18-79-5

POINT OF BEGINNING REZONING PARCEL #3

756.10'(M) 756.03'(R)

525.20'

N01°31'04"W

230.90'

373.32'(M) 373.47'(R)

Δ=53°01'30"
R=150.00'
L=138.82'
T=74.83'
C=133.92'
CB=S64°02'03"W
N64°02'03"E

**REZONING PARCEL #1
ID-RS TO P-1
2.14 AC**

**REZONING PARCEL #2
ID-RS TO RM-12
10.64 AC**

CHURCH OF CHRIST SUBDIVISION

IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 30 AT PAGE 280 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE

WHITE BARN ESTATES

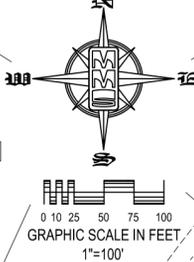
IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 49 AT PAGE 160 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE

WINDSOR WEST - PART THREE

IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 66 AT PAGE 295 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE

WINDSOR WEST - PART ONE

IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 50 AT PAGE 346 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE



S00°50'20"E

1910.78'(M) 1911.04'(R)

SCOTT PARK

NW 1/4 - NW 1/4 SECTION 18-79-5

NE 1/4 - NW 1/4 SECTION 18-79-5

**REZONING PARCEL #3
ID-RS TO RS-5
22.51 AC**

SW 1/4 - NW 1/4 SECTION 18-79-5

SE 1/4 - NW 1/4 SECTION 18-79-5

POINT OF BEGINNING REZONING PARCEL #3

756.10'(M) 756.03'(R)

525.20'

N01°31'04"W

230.90'

373.32'(M) 373.47'(R)

Δ=53°01'30"
R=150.00'
L=138.82'
T=74.83'
C=133.92'
CB=S64°02'03"W
N64°02'03"E

**REZONING PARCEL #1
ID-RS TO P-1
2.14 AC**

**REZONING PARCEL #2
ID-RS TO RM-12
10.64 AC**

CHURCH OF CHRIST SUBDIVISION

IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 30 AT PAGE 280 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE

WHITE BARN ESTATES

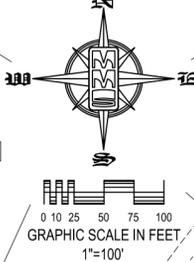
IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 49 AT PAGE 160 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE

WINDSOR WEST - PART THREE

IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 66 AT PAGE 295 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE

WINDSOR WEST - PART ONE

IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 50 AT PAGE 346 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE



S00°50'20"E

1910.78'(M) 1911.04'(R)

SCOTT PARK

NW 1/4 - NW 1/4 SECTION 18-79-5

NE 1/4 - NW 1/4 SECTION 18-79-5

**REZONING PARCEL #3
ID-RS TO RS-5
22.51 AC**

SW 1/4 - NW 1/4 SECTION 18-79-5

SE 1/4 - NW 1/4 SECTION 18-79-5

POINT OF BEGINNING REZONING PARCEL #3

756.10'(M) 756.03'(R)

525.20'

N01°31'04"W

230.90'

373.32'(M) 373.47'(R)

Δ=53°01'30"
R=150.00'
L=138.82'
T=74.83'
C=133.92'
CB=S64°02'03"W
N64°02'03"E

**REZONING PARCEL #1
ID-RS TO P-1
2.14 AC**

**REZONING PARCEL #2
ID-RS TO RM-12
10.64 AC**

CHURCH OF CHRIST SUBDIVISION

IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 30 AT PAGE 280 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE

WHITE BARN ESTATES

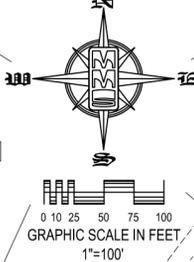
IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 49 AT PAGE 160 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE

WINDSOR WEST - PART THREE

IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 66 AT PAGE 295 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE

WINDSOR WEST - PART ONE

IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 50 AT PAGE 346 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE



S00°50'20"E

1910.78'(M) 1911.04'(R)

SCOTT PARK

NW 1/4 - NW 1/4 SECTION 18-79-5

NE 1/4 - NW 1/4 SECTION 18-79-5

**REZONING PARCEL #3
ID-RS TO RS-5
22.51 AC**

SW 1/4 - NW 1/4 SECTION 18-79-5

SE 1/4 - NW 1/4 SECTION 18-79-5

POINT OF BEGINNING REZONING PARCEL #3

756.10'(M) 756.03'(R)

525.20'

N01°31'04"W

230.90'

373.32'(M) 373.47'(R)

Δ=53°01'30"
R=150.00'
L=138.82'
T=74.83'
C=133.92'
CB=S64°02'03"W
N64°02'03"E

**REZONING PARCEL #1
ID-RS TO P-1
2.14 AC**

**REZONING PARCEL #2
ID-RS TO RM-12
10.64 AC**

CHURCH OF CHRIST SUBDIVISION

IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 30 AT PAGE 280 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE

WHITE BARN ESTATES

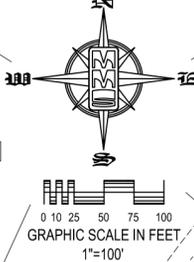
IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 49 AT PAGE 160 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE

WINDSOR WEST - PART THREE

IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 66 AT PAGE 295 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE

WINDSOR WEST - PART ONE

IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 50 AT PAGE 346 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE



This property is surrounded on three sides by City corporate limits, and is within the growth area of Iowa City. American Legion Road is currently being designed to be upgraded to City standards, including a wide sidewalk/trail and utility infrastructure. The Iowa City School District recently established Hoover Elementary School approximately 1/2 mile to the east. These factors make the property ripe for development.

The zoning of surrounding properties include Low Density Multi-Family (RM-12) to the west, Public property to the north (Scott Park), Low Density Single Family (RS-5) to the east, and High Density Single Family (RS-12) to the south. We have strove to be consistent with the surrounding zoning, by transitioning from multi-family to single family from west to east. Another factor in the rezoning proposal is meeting the City requirement that 10% of units be designated for affordable housing.

Thank you for your consideration.

**MINUTES
PLANNING AND ZONING COMMISSION
FEBRUARY 6, 2020 – 7:00 PM – FORMAL MEETING
EMMA J. HARVAT HALL, CITY HALL**

PRELIMINARY

MEMBERS PRESENT: Larry Baker, Carolyn Dyer, Mike Hensch, Max Parsons, Mark Signs, Billie Townsend

MEMBERS ABSENT: Phoebe Martin

STAFF PRESENT: Ray Heitner, Sarah Hekteon

OTHERS PRESENT: Sandy Steil, Deborah Mulford

RECOMMENDATIONS TO CITY COUNCIL:

By a vote of 6-0 the Commission recommends approval of CZ19-04 an application submitted by Deborah Mulford on behalf of the Amy A. Mulford Inter Vivos Trust requesting rezoning from County Agricultural (A) to County Residential (R) for 115 acres of land located in unincorporated Johnson County, north of Iowa City along the west side of Highway 1 NE in Fringe Area A of the North Corridor.

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. CZ19-04:

Applicant: Deborah Mulford on behalf of the Amy A. Mulford Inter Vivos Trust
Location: Fringe Area; West side of Highway 1 NE, across from 3188 Highway 1 NE

An application submitted by Deborah Mulford for a rezoning of approximately 115 acres of County Agriculture (A) to County Residential (R) in unincorporated Johnson County.

Heitner began the staff report with an aerial view of the subject property noting it is located on the west side of Highway 1 NE, just a little bit north of the T intersection between Highway 1 NE and Rapid Creek Road NE. He next showed the County zoning stating the subject parcel is currently County agricultural zoning. To the north of the subject parcel is some County residential zoning, across Highway 1 there's some R-3 County residential zoning which allows for larger three acre lots. The subject parcel is located in the North Corridor area outside of the growth area.

Heitner shared some background information on the application, as mentioned the subject property falls within Fringe Area A, North Corridor outside of the City's current growth boundary. The proposed rezoning is to County Residential (R). Heitner noted one kind of unique aspect of the Fringe Area Agreement, as it pertains to this case is that rezonings in this portion of the

Fringe Area do require submittal of a concept plan. Heitner showed the proposed concept plan that the applicants submitted for this rezoning. There's a pretty good amount of open space designated flowing through the middle of this concept with a curved linear subdivision street pattern with 51 single family residential lots.

In terms of how the application complies with the County's Comprehensive Plan, the County's future land use map shows this area for residential future land use. The County residential zoning designation envisions primarily single-family detached houses with a preferred density of one unit per acre or denser. As a refresher on the City/County Fringe Area Agreement, the Fringe Area Agreement is a component of the City's Comprehensive Plan and applies to areas outside of the City's jurisdiction that are not planned for in the City's Comprehensive Plan and provides guidance regarding land development within two miles of the Iowa City corporate limits. Staff does rely on the Fringe Area Agreement policies in reviewing rezonings in the Fringe Area. In terms of how the subject application complies with the Fringe Area Agreement, the proposed rezoning is located in Fringe Area A, North Corridor, outside of the City's growth boundary. As discussed earlier residential uses are preferred in this area and single-family residential zoning will only be considered in this area for concept plan showing a minimum of 50% of the property designated for outlot open space or agricultural. Staff finds that the submitted concept plan shows a designation of 50% of the property is open space. The identified open space is primarily consisting of sensitive features. but a goal of the Fringe Area Agreement is to preserve natural resources and environmentally sensitive features and staff feels this is accomplished in this concept. Staff had a few comments while reviewing the concept plan. One was that any connections to Highway 1 would require DOT approval, two, staff would like to see future connections to the west provided for at the time of planning just in case there is any development to the west to provide some level of connectivity and three, because a portion of the subject area does fall within the 100 and 500 hundred year flood plains it is noted the concept as it shown right now designates all of this area as open space but this is just a concept and it can change at time of subdivision and a future subdivision will be reviewed at the time of application pursuant to applicable subdivision regulations in the Fringe Area Agreement and with Johnson County.

Heitner noted as a part of the City's process to update the Fringe Area Agreement staff will be recommending that this area is included in the City's growth boundary. They think it's important to plan for a transition from planned commercial and office research park uses the south to what are some larger lot residential uses to the north. Staff would like to include this area to try to fill that gap.

For the subject application tonight, the role of the Commission is to provide a recommendation to City Council on the rezoning based on the Fringe Area Agreement. Ultimately, the Johnson County Board of Supervisors will make the decision on the application. In terms of next steps, after tonight's recommendations, City Council will review and provide recommendation to the Johnson County Planning Commission.

Staff recommends approval of CZ19-04 an application submitted by Deborah Mulford on behalf of the Amy A. Mulford Inter Vivos Trust requesting rezoning from County Agricultural (A) to County Residential (R) for 115 acres of land located in unincorporated Johnson County, north of Iowa City along the west side of Highway 1NE in Fringe Area One of the North Corridor.

Parsons noticed there were two potentially entrances to Highway 1 in the concept plan and asked what the distances between those were. Heitner confirmed there were two entrances, but the applicant would have to answer the distance question.

Dyer noted the recommendation for connection to the west doesn't seem to be incorporated in the plan. Heitner confirmed it is not incorporated into this concept, that would be staff's recommendation to add.

Hensch opened the public hearing.

Sandy Steil (MMS Consultants) represents Deb Mulford who is the daughter of Amy Mulford who will be 94 this week, so they are just trying to get the things lined up before things happen. Steil confirmed from the concept there's a big area in the middle left for open space, it is a wet spot that's going to stay as an open space and there's nothing to change that. Outlot A to the south of the road coming in is mostly flood plain, not flood way, but that is also open space and that again will not change. The distance between the two entrances off Highway 1 is over 500 feet, which is what's required on a state highway that's 55 miles per hour or more. What will most likely happen is the DOT will require some kind of study to see if turning lanes are warranted. There is a connection up to Mike Furman's ground to the north in case he would ever want to develop that he could tie into this development as well. Also if Moss Ridge ever gets developed, hopefully this will be an accommodating residential subdivision for the area. In regard to the connection to the west, that would most likely be somewhere along lots 51 and 50 but they'd have to look at that more down the road and see what this growth area change may do for the concept.

Hensch asked if Steil was averse to having connection to the west if that is stipulated, noting it looks pretty steep deep down by a lot 51. Steil noted it is probably going to be north of lot 50, that's where she'd put it.

Deborah Mulford noted she is the sibling that lives here, she is not a farmer, her dad passed away eight years ago, and her mom is very well on in years. So as a family they would like to have this at least set up for an option to develop something in the future. They would like something that's more unique and attractive, there's some very nice homes in the area already and none of them look alike and they like that. Mulford believes the land to the west is the Burr Oak Land Trust.

Steil noted she used to be on the board of directors for Burr Oak Land Trust which has a conservation easement along the northwest side of the property.

Hensch closed the public hearing.

Parsons moved to recommend approval of CZ19-04 an application submitted by Deborah Mulford on behalf of the Amy A. Mulford Inter Vivos Trust requesting rezoning from County Agricultural (A) to County Residential (R) for 115 acres of land located in unincorporated Johnson County, north of Iowa City along the west side of Highway 1 NE in Fringe Area A of the North Corridor.

Motion was seconded by Townsend.

Hensch noted there's been a lot of discussion from a lot of realtors wanting some larger lot residential areas for development in that corridor area of Johnson County and this certainly fulfills that need.

Signs agreed and noted it is in an area where there is already some residential development to the north and east.

Parsons noted the Commission just saw a rezoning for the entrance for Moss Ridge Road, so activity is definitely gaining interest in that area.

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

CONSIDERATION OF MEETING MINUTES: January 16, 2020:

Townsend moved to approve the meeting minutes of January 16, 2020.

Signs seconded.

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

PLANNING AND ZONING INFORMATION:

Heitner noted he had several updates to give. First, the American Legion Road annexation and rezoning that came to this Commission in November was finally approved by Council. That was an annexation with a rezoning to ID-RS (Interim Development Single Family).

Second, 218 Commercial Park, which was on last meeting's agenda, Council recommended denial of the rezoning and approval of the subdivision at its meeting this week. So that will go on to the Johnson County Planning and Zoning Commission for consideration.

The issue of the height bonus at 12 East Court was heard at City Council this week and that item has been deferred to the next meeting on February 18.

Heitner noted he and Anne Russett did present at this week's Council work session some initial recommendations that they have for potential areas of expansion for the growth boundary with the upcoming revisions to the Fringe Area Agreements. Council was mostly open to those recommendations. Per the suggestion of Johnson County staff Council did agree to formulate a working group with the County Board of Supervisors to collaborate on revisions to that Fringe Area Agreement. That working group will include Councilor Mims and Councilor Thomas.

Finally, if anyone from the Commission is interested in attending the national APA conference in April the City does have an opening. The conference will be April 25 -28 in Houston. Heitner will be in attendance, if interested feel free to reach out to him.

Dyer asked if Heitner knew the status of the Forest View Project. Heitner stated he has not been too closely involved in that but can look into and report at the next meeting.

Signs asked if Heitner knew what phase of the process they were on with the South District Form Based Code project. Heitner stated that Opticos, the consultant, will be here for another visit in two weeks and essentially during that visit, they're going to have basically two days full of meetings with local property owners', stakeholders, and the local board of education. Right now it is just the City explaining the process, what they are envisioning for the area, how they're working with the consultant through some of the regulating plan details and polishing up the draft of the regulating plan they have. There should be a draft for public viewing of the regulating plan within the next month or two.

Signs also noted it's been his understanding that the City has been planning a roundabout at Scott Boulevard and Muscatine/American Legion Road. He wonders if there has been any reconsideration given since Amazon decided to put their warehouse on the southeast side. Seeing that's going to be probably a major truck route, he would envision that a roundabout on a major truck route would not be a positive thing. Heitner said he cannot say if any reconsideration has been given, he knows that the planning process for that roundabout is fairly far in at this point and he would imagine that that is likely to happen.

ADJOURNMENT:

Baker moved to adjourn.

Dyer seconded.

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

**PLANNING & ZONING COMMISSION
ATTENDANCE RECORD
2018 - 2019**

	1/17	(W.S.) 2/4	2/21	3/7	3/21	4/4	4/18	5/16	6/6	6/20	7/18	8/15	9/5	10/3	10/17	11/7
BAKER, LARRY	X	X	X	X	X	X	X	O/E	X	X	X	X	X	O/E	X	X
DYER, CAROLYN	O/E	X	X	X	X	X	X	O/E	X	X	X	X	X	O/E	X	X
FREERKS, ANN	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
HENSCH, MIKE	X	X	X	X	O/E	X	X	X	X	O/E	X	X	X	X	X	X
MARTIN, PHOEBE	X	O/E	X	X	X	O/E	X	X	X	X	O/E	O/E	X	X	X	X
PARSONS, MAX	X	X	X	X	X	X	X	X	X	X	X	X	O/E	X	X	X
SIGNS, MARK	X	X	X	X	X	O/E	X	X	X	X	O/E	X	X	X	X	X
THEOBALD, JODIE	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
TOWNSEND, BILLIE	X	X	X	O/E	X	X	X	X	X	X	X	X	X	X	X	X

	12/5	1/16	2/6													
BAKER, LARRY	X	X	X													
DYER, CAROLYN	X	X	X													
HENSCH, MIKE	X	X	X													
MARTIN, PHOEBE	O/E	X	O/E													
PARSONS, MAX	X	X	X													
SIGNS, MARK	X	X	X													
TOWNSEND, BILLIE	O/E	X	X													

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