

**Forest View
Urban Renewal Plan**

City of Iowa City, Iowa

2019

Resolution No. 19-187

Resolution determining an area of the city to be a combination economic development and blight area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the city; designating such area as appropriate for an urban renewal project; and adopting the Forest View Urban Renewal Plan therefor.

Whereas, the Council has reasonable cause to believe that the area described below satisfies the eligibility criteria for designation as an urban renewal area under Iowa law; and

Whereas, a Forest View Urban Renewal Plan for the area described below has been prepared, placed on file in the office the City Clerk, and attached hereto and incorporated herein by reference; and

Whereas, this Urban Renewal Plan includes and consists of property legally described below and hereafter referred to as the Forest View Urban Renewal Area:

Commencing at the north quarter corner of Section 4, Township 79, Range 6 west of the fifth principle meridian; thence S 03° 07' 46" E, a distance of 311.18 feet to the northeast corner of Lot 104 of mackinaw village part five as recorded in book 57, page 241 of the records of Johnson county, Iowa Recorder's office, said point being the point of beginning; thence S 86°50'44" E along the southerly right-of-way line of U.S. Highway Interstate 80, a distance of 140.15 feet, thence N 86°23'32" E along said southerly line, a distance of 718.54 feet, thence N 75°35'49" E along said southerly line, a distance of 463.42 feet; thence N 80°27'46" E along said southerly line, a distance of 294.70 feet; thence N 87°03'11" E along said southerly line, a distance of 428.87 feet; thence S 81°04'24"E along said southerly line, a distance of 105.39; thence S 79°11'57" E along said southerly line, a distance of 504.56 feet; said point being on the west line of the northwest quarter of the northwest quarter of Section 3, Township 79, Range 6 west; thence S 01°45'29" E, a distance of 425.26 feet; thence S 88°54'57" W, a distance of 562.46 feet; thence S 88°56'09" W, a distance of 102.69 feet; thence S 01°11'07" E, a distance of 654.95 feet; thence S 88°09'37" W, a distance of 640.01 feet; thence S 88°39'49 W, a distance of 152.49 feet; thence S 49°42'42" W, a distance of 111.02 feet; thence S 26°26'43'41" E, a distance of 158.46 feet; thence S 44°43'52" W, a distance of 337.66 feet; thence S 02°40'38" E a distance of 41.04 feet; thence S 87°04'33" W, a distance of 181.81 feet; thence S 00°01'08" E, a distance of 328.80 feet; thence S 87°58'50" W, a distance of 33.02 feet; thence N 00°01'08" W, a distance of 814.67 feet; thence S 88°41'48" W, a distance of 674.33 feet; N 03°05'12" W, a distance of 1039.43 feet, to the point of beginning. Said parcel of land containing 61.14 acres, more or less, and subject to easement and restrictions of record.

And all of the northwest quarter, of the northwest quarter of Section 3, Township 79, Range 6 west of the fifth principle meridian. Said area containing 39.56 acres, and subject to easements and restrictions of record.

Whereas, it is desirable that these areas be redeveloped as part of the overall redevelopment area covered by said Urban Renewal Plan to be known hereafter as the Forest View Urban Renewal Area.

Whereas, the Iowa statutes require the City Council to submit the proposed Forest View Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the General Plan for development of the City as a whole, prior to City Council approval of such urban renewal project and an urban renewal plan therefore; and

Whereas, the Planning and Zoning Commission has reviewed and recommends creation of the Forest View Urban Renewal Area and adoption of the Forest View Urban Renewal Plan therefore after finding that it conforms with the general plan for development of the City, as evidenced by its written report filed herewith and incorporated herein by the reference; and

Whereas, by a resolution adopted on June 18, 2019, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Forest View Urban Renewal Plan and the division of revenue described therein, and that notice of said consultation and a copy of the proposed Foster Road Urban Renewal Plan be sent to all affected taxing entities; and

Whereas, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities have been provided; and

Whereas, by said resolution this Council also set a public hearing on the adoption of the proposed Foster Road Urban Renewal Plan for this meeting of the Council, and due and proper notice of said public hearing was given, as provided by law, by timely publication in the Press Citizen, which notice set for the time and place for this hearing and the nature and purpose thereof; and

Whereas, in accordance with said notice, all persons or organizations desiring to be heard on said Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and said public hearing has been closed.

Now, therefore, be it resolved, by the City Council of the City of Iowa City, Iowa:

Section 1. That the findings and conclusions set forth or contained in the Forest View Urban Renewal Plan for the area of the City of Iowa City, Iowa legally described and depicted in the Plan and incorporated herein by reference (which area shall hereinafter be known as the Forest View Urban Renewal Area), be and the same are hereby adopted and approved as the findings of this Council for this area.

Section 2. The Forest View Urban Renewal Plan conforms to the adopted general plan for the development of the City as a whole; and.

Section 3. That the Forest View Urban Renewal Plan Area is a combination economic development and blight area within the meaning of Iowa Code Chapter 403; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403 of the Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.


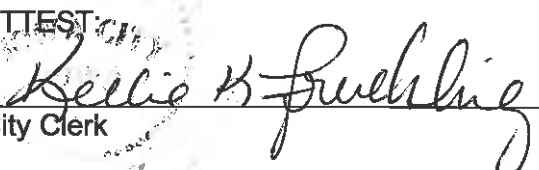
Section 4. That the Forest View Urban Renewal Plan, attached hereto and incorporated herein by reference, be and the same is hereby approved and adopted as the "Forest View Urban Renewal Plan;"; and the City Clerk is hereby directed to file a certified copy of said Forest View Urban Renewal Plan with the proceedings of this meeting.

Section 5. That the Forest View Urban Renewal Plan shall be in full force and effect from the date of this resolution until the later of the date of termination set forth in the Forest View Urban Renewal Plan or the date on which payment of all obligations issued or advances made to carry out the purposes thereof shall be fully provided for. Said Forest View Urban Renewal Plan shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Johnson County, Iowa, to be filed and recorded in the manner provided by law.

PASSED AND APPROVED this 16th day of July, 2019.




Mayor


ATTEST


City Clerk

CORPORATE SEAL

Approved By


City Attorney's Office 7/16/19

Resolution No. 19-187
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It was moved by Teague and seconded by Thomas the
Resolution be adopted, and upon roll call there were:

AYES:	NAYS:	ABSENT:	
<u>X</u>	<u> </u>	<u> </u>	Cole
<u>X</u>	<u> </u>	<u> </u>	Mims
<u> </u>	<u> </u>	<u> X </u>	Salih
<u>X</u>	<u> </u>	<u> </u>	Taylor
<u>X</u>	<u> </u>	<u> </u>	Teague
<u>X</u>	<u> </u>	<u> </u>	Thomas
<u>X</u>	<u> </u>	<u> </u>	Throgmorton

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Section 1- Introduction

This Urban Renewal Plan (“Plan”) for the Forest View Urban Renewal Area (“Urban Renewal Area” or “Area”) has been developed to help local officials promote economic development within Iowa City, Iowa. The City has determined this area to be appropriate for attracting and encouraging new commercial enterprises, enabling the commercial development to serve nearby residential neighborhoods, and improving connectivity for neighborhoods to the west and within the urban renewal area. This Plan contemplates that tax increment financing may be used to assist in the construction of Forest View Drive from Dubuque Street west to and connecting with Algonquin Road and other parcels within the development to facilitate the construction of commercial, office and residential space to meet one or more of the Plan objectives.

To achieve the primary objectives of this Plan, the City of Iowa City shall undertake the urban renewal activities as specified in this Urban Renewal Plan, pursuant to the powers granted to it under Chapters 15A and 403 of the 2019 Code of Iowa, as amended.

Section 2- Description of Urban Renewal Area

The legal description of this Urban Renewal Area is attached and incorporated herein as Addendum No. 1 – Legal Description and depicted in Addendum No. 2 – Location Map.

Section 3- Area Designation

With the adoption of this Plan, Iowa City designates this Urban Renewal Area as a slum and blighted area, as well as an economic development district that is appropriate for residential, office and commercial development.

Section 4- Base Value

If a Tax Increment Financing (TIF) Ordinance is adopted and debt is certified prior to December 1, 2019, the taxable valuation within the area included in the TIF Ordinance as of January 1, 2018 will be considered that area’s frozen “base value.” If debt is not certified until a later date, the “base value” will be the assessed value of the taxable property within the TIF Ordinance area as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt on the Forest View Urban Renewal Area.

Section 5- Urban Renewal Plan Goals and Objectives

This Plan is intended to improve the community by encouraging new commercial development, providing secondary access and improving connectivity between the Peninsula and Mackinaw Village Neighborhoods to Dubuque Street. More specific goals for development within the Urban Renewal Area are as follows:

1. To help finance the cost of constructing public utility and infrastructure extensions and improvements to facilitate a second roadway access.
2. To facilitate the redevelopment of parcels within the area for commercial uses.
3. To stimulate, through public action and commitment, private investment in new commercial development that may be supported in part by additional residential development in the vicinity.
4. To maintain and improve the character of the community by strengthening the tax base.
5. To increase the availability of housing opportunities; which may in turn attract and retain commercial enterprises that will strengthen and revitalize the economy of the State of Iowa and the City.
6. To plan for and provide sufficient land for development in a manner that efficiently provides municipal services.
7. To promote development utilizing any other objectives allowed by Chapter 403 of the Code of Iowa.
8. To provide other support as allowed under Iowa Code Chapters 15, 15A and 403.

The following objectives derived from these goals are hereby established:

1. Undertake and carry out the urban renewal project set forth in Section 7 below;
2. Use any or all other powers granted to the City by the Urban Renewal Act to develop and provide for improved economic conditions in the City and the State of Iowa;
3. Connect neighborhoods, reduce transportation time, allow greater access for pedestrians, bikers and public transportation; and
4. Open opportunities for development of a range of uses including commercial, office, single and multi-family residential units that will help support the commercial enterprises consistent with the Comprehensive Plan and zoning code.

Section 6 - Proposed Urban Renewal Activities

To meet the goals objectives of this Urban Renewal Plan, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, Code of Iowa, including, but not limited to, tax increment financing. Activities may include:

1. Execute development agreements, retain the services of qualified professional consultants and execute any other contracts and instruments necessary to achieve the Plan Goals, Objectives and Projects.

2. Make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.

3. Tax Increment Financing. To the full extent allowed by Iowa Code Chapter 403 and Subchapter III of Chapter 384, the City may issue general obligation bonds, tax increment revenue bonds, internal loans or such other obligations or loan agreements, and seek tax increment reimbursement for, among other things, the costs of urban renewal projects (if and to the extent incurred by the City), including, but not limited to:

- a) Constructing public improvements, such as streets, sidewalks, sanitary sewers, storm sewers, water mains, utilities, trails or other related facilities.
- b) Providing the local matching share of state or federal grant and loan programs.
- c) Making loans or grants or other incentives to private entities or persons related to urban renewal projects.
- d) Other authorized urban renewal projects.

4. To acquire property through a variety of means (purchase, lease, option, etc.) and to hold, clear, or prepare the property for redevelopment.

5. To dispose of property so acquired.

6. To arrange for, or cause to be provided, the construction or repair of infrastructure, including but not limited to, streets, sidewalks, water mains, sanitary sewer, storm water drainage, gas and electric utilities, street lighting, or other public improvements in connection with urban renewal projects.

7. To vacate, dedicate, or obtain certain public roadways, or utility easements when deemed necessary to provide access to new and/or residential developments.

8. To provide for relocation of persons, businesses, and industries displaced by the project, if necessary.

9. To make loans, forgivable loans, tax rebate payments, or other types of grants or incentives to private persons, organizations, or businesses for economic development purposes or residential projects, on such terms as may be determined by the City Council.

10. To borrow money and to provide security therefor.

11. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of Iowa City and the State of Iowa.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code of Iowa in furtherance of the objectives of this Urban Renewal Plan.

The Council's determination to undertake any of these activities shall be based upon its economic development policy, which may be amended from time to time, as necessary in Council's discretion, and on additional performance criteria the Council finds appropriate on a case-by-case basis.

Section 7 – Proposed Urban Renewal Projects

The eligible urban renewal projects under this Urban Renewal Plan include:

1. Public Improvements and Related Development Agreement:

Under authority granted by the Plan, the City anticipates entering into a Development Agreement (the "Agreement") with North Dubuque, LLC (the "Developer"). The Agreement would obligate the Developer to construct certain Minimum Improvements (as defined in the Agreement) on certain real property located within the Urban Renewal Area, consisting primarily of the construction of Forest View Drive, under the terms and following satisfaction of the conditions set forth in the Agreement. The Agreement would further obligate Developer to construct Public Improvements supporting the project as described below:

Project	Approximate Date	Estimated Cost	Rationale
Construction of Forest View Drive connecting Dubuque Street to Algonquin Road, including street and sidewalk pavement, watermain extension, sanitary sewer, trail and other utility infrastructure and landscaping	2019-2021	Not to exceed \$12,900,000	Necessary infrastructure to foster redevelopment projects. Supports transportation network providing secondary access to neighborhood and encourages walking, biking, and public transit.

The Agreement would then obligate the City to make economic development grants to Developer using tax Increment financing pursuant to the Iowa Code Section 403.19 and made possible by the construction of the Minimum Improvements and the redevelopment of lots within the area, the cumulative total for all such payments not to exceed \$12,900,000. These economic development grants will not be general obligations of the City, but will be payable solely from incremental property taxes generated by the Minimum Improvements.

The City expects to enter into a development agreement with Developer (or a related entity or another entity) that provides detailed terms and conditions, not all of which are included in this Plan.

2. Planning, Engineering, Attorney, and Administrative Fees, and Other Related Costs to Support Urban Renewal Projects and Planning:

Project	Estimated Date	Estimated Cost to be Funded with TIF Funds
Fees and Costs	Undetermined	Not to Exceed \$100,000

Section 8- Conformance with Land Use Policy and Zoning Ordinance

Comprehensive Plan/North District Plan

This Urban Renewal Area is located within the North District set forth in the adopted IC2030 Comprehensive Plan, as amended on August 15, 2017 and subsequently on April 2, 2019, in consideration of the redevelopment plans of North Dubuque, LLC.

The Comprehensive Plan notes that development in the area has been limited due to lack of adequate streets, water and sewer service, and that when infrastructure is improved, there may be market pressure to redevelop some of the existing properties, particularly, the Forest View Mobile Home Park. The 2017 amendment to the plan modified the land use map, accepted a sensitive areas inventory and added certain housing, transportation and design goals. The April 2019 amendment allowed for higher concentration multi-family residential development to be located central to the community and single family residential development to be located along the western edge of the community.

The Comprehensive Plan states that development should be designed to conserve and protect open space by clustering development away from steep slopes and environmentally sensitive areas. While protection of environmentally sensitive areas becomes more of a concern as infrastructure improves inviting new development, the

plan could accommodate development if it is clustered along Forest View Drive (the extension of Laura Drive).

There were several goals adopted and incorporated into the North District Plan resulting from the 2017 resolution. Those included two housing goals requiring the developer to provide relocation assistance to residents, and certain design standards and woodland buffers be met to maintain the livability of the Mackinaw Village neighborhood. There were two commercial and institutional use goals – one, to preserve the scenic character of the primary entrance to the City and another, that a buffer of existing trees and vegetation be preserved between the Dubuque Street right of way and any development. There was also a transportation goal, that upon redevelopment, access to Dubuque Street for south bound traffic north of Foster Rd. may be allowed provided that the intersection is designed to accommodate anticipated traffic volumes from the developing area.

In summary, the goals, objectives and projects set forth in this Plan are in conformity with the City's Comprehensive Plan.

Current Zoning and Proposed Land Uses

Currently the Urban Renewal Area is conditionally zoned a mix of High Density Single-Family Residential with a Planned Development Overlay (OPD/RS-12) (50.82 acres); Highway Commercial with a Planned Development Overlay (OPD/CH-1) (20.45 acres); and Neighborhood Public with a Planned Development Overlay (OPD/P-1) for 1.88 acres, subject to a conditional zoning agreement that imposes certain use obligations and limitations to meet public needs created by the rezoning.

The proposed land uses include commercial, office, public open space, and residential, which are consistent with the zoning.

Section 9- Relocation

The Urban Renewal Area currently surrounds the Forest View Mobile Home Park, a mobile home park established in the 1940s. This park will eventually be demolished as part of redevelopment of the Urban Renewal Area. A feasible method exists for the location of families who will be displaced from the urban renewal area into decent, safe, and sanitary dwellings within their means and without undue hardship to such families. The City and the developer will negotiate and execute an Affordable Housing Agreement or similar agreement detailing the terms of such relocation plan. The provisions of said agreement shall be guided by the principles of the Forest View Mobile Home Park Relocation Plan dated May of 2018 prepared and submitted by Owner and the residents of Forest View Mobile Home Park and the Center for Worker Justice, a copy of which is

attached to the rezoning Ordinance No. 19-4794, and shall include the provision (at the residents' options) of replacement housing, financial advisory services and reasonable moving expenses to all households residing on the above-described property upon the effective date of the Conditional Zoning Agreement. The affordable housing agreement shall foster diligent communication with residents, ensure the provision of replacement housing prior to demolition of the existing housing, and offer opportunities for homeownership to minimize the impact of displacement and hardship on the residents. The Owner shall offer three categories of replacement housing to ensure that residents are relocated to affordable, decent, safe and sanitary houses which are, at a minimum, comparable in size and features to what residents currently have in the existing Forest View Mobile Home Park. Those three categories are: relocation to the new Forest View Manufactured Housing Park (moving expenses and financing options available); relocation to the new multi-family buildings constructed within the above-described property (moving expenses and financing options available); and relocation not within the above-described property (reasonable moving expenses available). Said affordable housing agreement shall be approved by the City Council.

Section 10- Financial Data

1. Constitutional Debt Limit: \$ 295,383,033
2. Current general obligation debt: \$ 48,030,000
3. Proposed amount of indebtedness to be incurred: Although a specific amount of tax increment debt to be incurred (including direct grants, loans, advances, indebtedness, or bonds) for projects over time has not yet been determined, it is anticipated that the cost of the Proposed Urban Renewal Activities and Proposed Projects identified in Section 6 and 7 above will be \$13,000,000 million. In no event will debt be incurred that would exceed the City's debt capacity. It is further expected that loans, advances, indebtedness or bonds to be incurred for the Proposed Project or subsequent projects, including interest on the same, will be financed in whole or in part with tax increment revenues from the Urban Renewal Area. The City Council will consider each request for financial assistance or a project proposal on a case-by-case basis to determine if it is in the City's best interest to participate.

Section 11- Urban Renewal Plan Amendments

This Urban Renewal Plan may be amended from time to time for a number of reasons, including, but not limited to changes in the boundary; to modify goals, objectives, or types of activities; or to amend property acquisition and disposition provisions.

If the City of Iowa City desires to amend this Urban Renewal Plan, it shall do so in conformance with applicable state and local laws.

Section 12 - Property Acquisition/Disposition

If property acquisition/disposition by the City becomes necessary to accomplish the objectives of the Plan, such acquisition/disposition will be carried out, without limitation, in accordance with the Iowa Code.

Section 13- Property Within an Urban Revitalization Area

The Urban Renewal Area, as amended, may (now or in the future) also be located within an Urban Revitalization Area. The City Council, at its sole discretion, shall determine which incentives are available through either: (a) this Plan, for urban renewal incentives, if any urban renewal incentives are offered by the City; or (b) tax abatement incentives under the Urban Revitalization Plan; or (c) some combination of the two incentives as determined by the City in its sole discretion.

Section 14 - Effective Period

This Urban Renewal Plan will become effective upon its adoption by the City Council of Iowa City and will remain in effect as a plan until it is repealed by the City Council.

With respect to the property included within the Forest View Urban Renewal Area, which is also included in an ordinance which designates that property as a tax increment area, the use of incremental property tax revenues or the "division of revenue," as those words are used in Chapter 403 of the Code of Iowa, beginning with the second fiscal year after the year in which the municipality first certifies to the county auditor the amount of debt which qualifies for payment from the division of the revenue in connection with any such project.

The division of revenues may continue in the Urban Renewal Area for the maximum period allowed by law. It is also anticipated that separate TIF ordinances for separate parcel(s) may be adopted as development in the Area warrants. In that case, each separate TIF ordinance may have a separate base and separate sunset or expiration date.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue

provided in Section 403.19 of the Code of Iowa) by the City for activities carried out in the Forest View Urban Renewal Area shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

Section 15: Severability Clause

If any part of this Plan is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the Plan as a whole or any part of the Plan not determined to be invalid or unconstitutional.

Addendum No. 1
Legal Description of the
Urban Renewal Area

Commencing at the north quarter corner of Section 4, Township 79, Range 6 west of the fifth principle meridian; thence S 03° 07' 46" E, a distance of 311.18 feet to the northeast corner of Lot 104 of mackinaw village part five as recorded in book 57, page 241 of the records of Johnson county, Iowa Recorder's office, said point being the point of beginning; thence S 86°50'44" E along the southerly right-of-way line of U.S. Highway Interstate 80, a distance of 140.15 feet, thence N 86°23'32" E along said southerly line, a distance of 718.54 feet, thence N 75°35'49" E along said southerly line, a distance of 463.42 feet; thence N 80°27'46" E along said southerly line, a distance of 294.70 feet; thence N 87°03'11" E along said southerly line, a distance of 428.87 feet; thence S 81°04'24"E along said southerly line, a distance of 105.39; thence S 79°11'57" E along said southerly line, a distance of 504.56 feet; said point being on the west line of the northwest quarter of the northwest quarter of Section 3, Township 79, Range 6 west; thence S 01°45'29" E, a distance of 425.26 feet; thence S 88°54'57" W, a distance of 562.46 feet; thence S 88°56'09" W, a distance of 102.69 feet; thence S 01°11'07" E, a distance of 654.95 feet; thence S 88°09'37" W, a distance of 640.01 feet; thence S 88°39'49 W, a distance of 152.49 feet; thence S 49°42'42" W, a distance of 111.02 feet; thence S 26°26'43'41" E, a distance of 158.46 feet; thence S 44°43'52" W, a distance of 337.66 feet; thence S 02°40'38" E a distance of 41.04 feet; thence S 87°04'33" W, a distance of 181.81 feet; thence S 00°01'08" E, a distance of 328.80 feet; thence S 87°58'50" W, a distance of 33.02 feet; thence N 00°01'08" W, a distance of 814.67 feet; thence S 88°41'48" W, a distance of 674.33 feet; N 03°05'12" W, a distance of 1039.43 feet, to the point of beginning. Said parcel of land containing 61.14 acres, more or less, and subject to easement and restrictions of record.


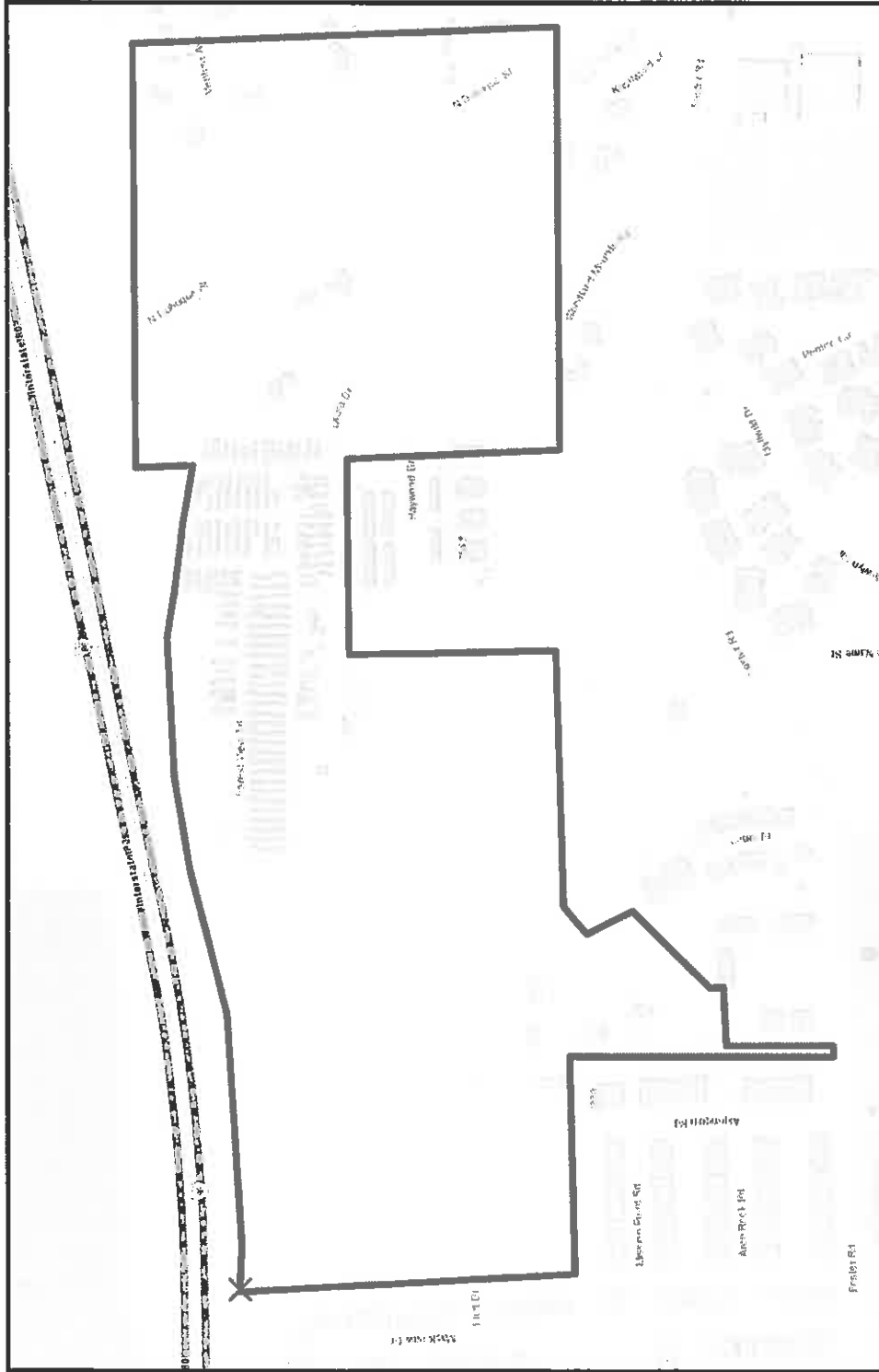
And all of the northwest quarter, of the northwest quarter of Section 3, Township 79, Range 6 west of the fifth principle meridian. Said area containing 39.56 acres, and subject to easements and restrictions of record.

Approximately 100.7 acres in total.


Addendum No. 2

Location Map: Forest View Urban Renewal Area


Forest View Urban Renewal Area



CITY OF IOWA CITY



Urban Renewal Area
Point of Beginning



0 150 300 600 Feet