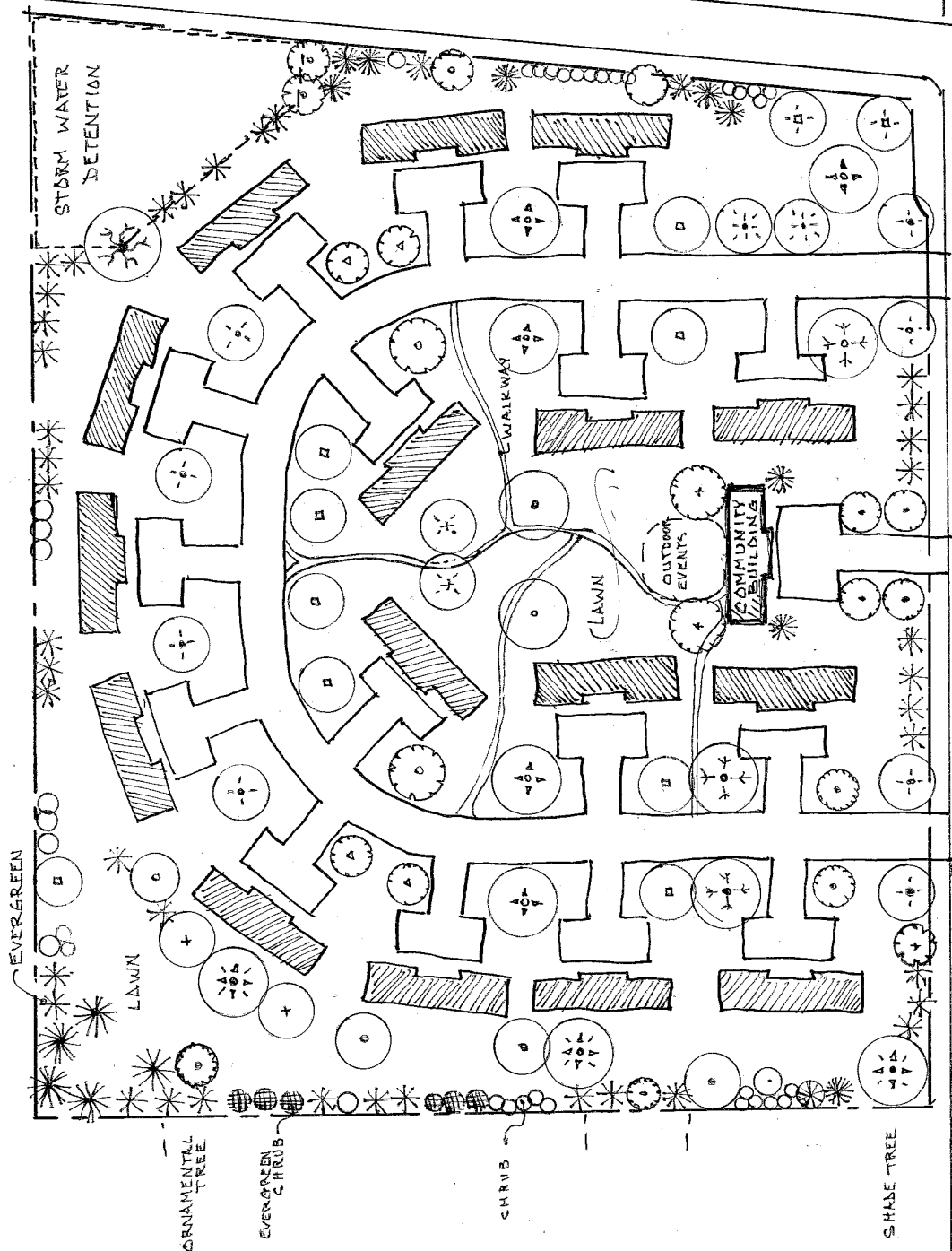


AGENDA
Planning & Zoning Commission
Tuesday, September 12, 2017 – 5:30 p.m.
City Hall Council Chambers

ITEM	RECOMMENDATION	P&Z ACTION	CITY COUNCIL AGENDA
Roll Call. Mission Statement. Minutes: 7/11/17 Rezoning R-3 to RL Oak Park Development • 1 Lot • 10.22 Acres • Parcel #0826226005 • Northwest Corner of Isett Avenue and Blaine Street <u>Adjourn.</u>	Discuss for Approval		




 WORK
 N.T.S.
 (1"=100')
 M'KAIE DESIGNS
 ROCK ISLAND, IL.
 (309) 788 0596
 FOR
 MARTIN & WHITACRE
 MUSCATINE, IA.

BLAINE STREET
 OAK PARK SUBDIVISION
 MAJOR PLANTINGS CONCEPT
 SEPT 2017



City Hall, 215 Sycamore St.
Muscatine, IA 52761-3840
(563) 262-4141
Fax (563) 262-4142

COMMUNITY DEVELOPMENT

Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

September 8, 2017

Dear Property Owner(s):

Notice is hereby given that Oak Park, LLC, is requesting to rezone approximately ten acres located at the corner of Blaine Street and Isett Avenue from Single Family Residential to R-L Large Scale Residential Development. Oak Park, LLC has contracted to purchase this property from Grace E. King, the current property owner. The applicant is proposing to construct 48 dwellings units, in the form of 16 triplexes, and is also proposing to construct a community building that will serve this development. The applicant intends for this development to solely serve individuals over the age of 55 with income of no more than 60 percent of the area median income.

Any development within the R-L district must be in accordance with an approved development plan. Attached is the development plan submitted by the applicant as part of their request for a rezoning to the R-L district.

The Planning and Zoning Commission will hold a hearing on this proposed rezoning in the City Hall Council Chambers, at 5:30 p.m. Tuesday, September 12th, at which time all interested property owners will be given an opportunity to be heard with reference to the matter set out in said case.

For further information, please contact Andrew Fangman 563-262-4141 between 8:00 a.m. and 5:00 p.m. Monday through Friday, or by email at afangman@muscatineiowa.gov

Sincerely,

Andrew Fangman
City Planner

OAK PARK DEVELOPMENT OUTLINE DEVELOPMENT PLAN

September 5, 2017

Introduction. Oak Park, LLC, has entered into a purchase agreement dated July 5, 2017, with Grace E. King to purchase approximately ten acres lying adjacent to and North of Blaine Street and adjacent to and West of Isett Avenue. Oak Park is located just across Blaine Street on the South.

- a. The project will be known as Oak Park Development.
- b. The site slopes and drains from West to East with level access along Blaine Street and Isett Avenue. The contours are shown on Exhibit C, the Site Layout. A natural storm water detention basin is located in the Northeast corner and will be further engineered for construction; it will drain to the existing storm sewer manhole shown on the Site Layout.
- c. The site is undeveloped and vacant.
- d. The proposed dwellings include 16 new triplexes and a community room for individuals over age 55. All 48 apartments will be at least 1,000 square feet with two bedrooms and private patios. Incomes will be limited to 60 percent of the area median income, which is \$31,320, and rents will be approximately \$600 before utilities.
- e. The enclosed Site Layout depicts the approximate location of the private driveway through the development with two points of access from Blaine Street. The driveway will be between 24 and 31 feet wide. An additional point of access from Blaine Street leads to a community building in the middle of the development.
- f. No areas are reserved for future use as school sites, parks, playgrounds, or similar features.
- g. No areas will be dedicated to public use.
- h. The landscaping and tree planting plan prepared by Green Thumbers provides for an evergreen-tree buffer along the West side of the development, a mixture of ornamental and hardwood trees throughout the development, and perennial shrubs and flowers at each building all in accordance with City ordinances.
- i. Parking areas are shown on the Site Layout.
- j. Sewer lines will be extended from the end of Cleveland Street accessing the Northeast corner of the property. The water main will be accessed at Fourth Avenue and Blaine Street, loop within the property, generally following the private drive, and tie back into the City

EXHIBIT A

water main on Blaine Street. The sewer and water line connections are shown on the Site Layout. Electric heat and hot water heaters will be used, so no gas service will be needed to the site.

k. The legal description of the site includes the West half of Isett Avenue, but the developer is not aware of any other existing easements on the site.

l. Bearings and distances to a corner of a Congressional district division are shown on the attached Site Layout.

m. Exhibit E identifies the owners of all properties within 200 feet of the perimeter of the site.

n. The legal description of the site is as follows:

A part of the Northeast Quarter of Section 26, Township 77 North, Range 2 West of the 5th P.M. in Muscatine County, Iowa, more particularly described as follows: Beginning at the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 26; thence South 2.21 chains (145.86 feet); thence East 13.50 chains (891.00 feet); thence South 5°11' East along the center of Tipton Road (also known as Isett Avenue) 606.10 feet; thence West along the North line of Blaine Street in Park Place Addition to the City of Muscatine, as originally platted, 1136.00 feet; thence North 749.00 feet along a line 152.00 feet East of the East line of Sixth Avenue in Park Place Addition and parallel thereto; thence East 4.46 chains (294.36 feet) to the Place of Beginning; EXCEPT parts thereof conveyed by Warranty Deed recorded in Book 282 Lots, page 434, and by Quit Claim Deed recorded in Book 292 Lots, page 1269, in the Muscatine County, Iowa, Recorder's office.

o. Ricky Teed of Martin & Whitacre Surveyors & Engineers is the registered engineer for the project. No seal is required for the Site Layout.

Comprehensive Plan. The project is located in the East Hill Planning District of the City of Muscatine Comprehensive Plan and is designated as "Vacant and Potentially Developable."

Adjoining Uses. Single family residences abut the project on the West, and single family residences and duplexes are across Isett Avenue on the East. Oak Park is located across Blaine Street on the South, and the 12.33-acre tract on the North is zoned R-3 Single Family Residential.

Topographic Features. The site slopes and drains from West to East with level access along Blaine Street and Isett Avenue. The contours are shown on the Site Layout. The grade differentiation makes the finished product more appealing. A natural storm water detention basin is located in the Northeast corner and will be further engineered for construction; it will drain to the existing storm sewer manhole shown on the Site Layout.

Limiting Conditions. None.

Development Schedule. The Iowa Finance Authority's (IFA's) Affordable Housing Tax Credit will serve as the financial catalyst for the project, with applications due November 16, 2017. If approved in March 2018, construction is expected to begin by the summer of 2018, and units will be ready for occupancy in 2019.

Land Ownership. Grace E. King

Property Owners. Exhibit E identifies the owners of all properties within 200 feet of the perimeter of the site.

Management of Project. The project will be managed by Pioneer Property Management Company which is owned by Brian Fitz. Chris Ales will serve as a Consultant to the owner. Pioneer currently manages two similar properties in Muscatine – Cottage Grove and the Welch Hotel, both of which were developed by Chis Ales. Fitz will also be the owner and manager of Oak Park, LLC.

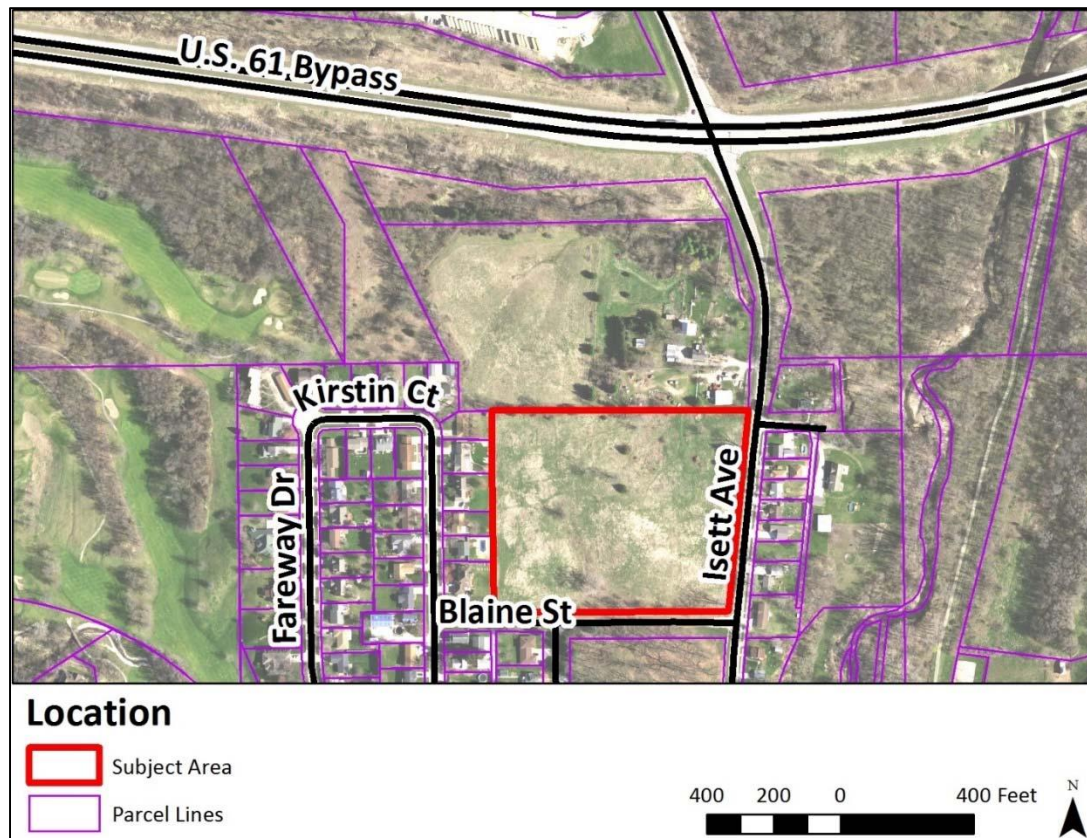
Contingencies. In addition to IFA's Affordable Housing Tax Credit, rezoning the site to RL Large Scale Residential Development and 70 percent tax increment financing for 15 years are essential to the project's viability. In addition, Muscatine Public Housing Authority is being requested to provide 12 Section 8 Project Based Vouchers.

COMMUNITY DEVELOPMENT

Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

To: Planning and Zoning Commission
From: Andrew Fangman, City Planner
Date: September 12, 2017
Re: Rezoning R-3 to RL • Oak Park Development • 1 Lot • 10.22 Acres • Parcel #0826226005 • Northwest Corner of Isett Avenue and Blaine Street

Oak Park, LLC, is requesting to rezone approximately ten acres located at the corner of Blaine Street and Isett Avenue from Single Family Residential to R-L Large Scale Residential Development. Oak Park, LLC is owned by Brian Fitz of the Quad Cities and has contracted to purchase this property from Grace E. King, the current property owner. The applicant has also submitted, as is required in the R-L District, an outline development plan.



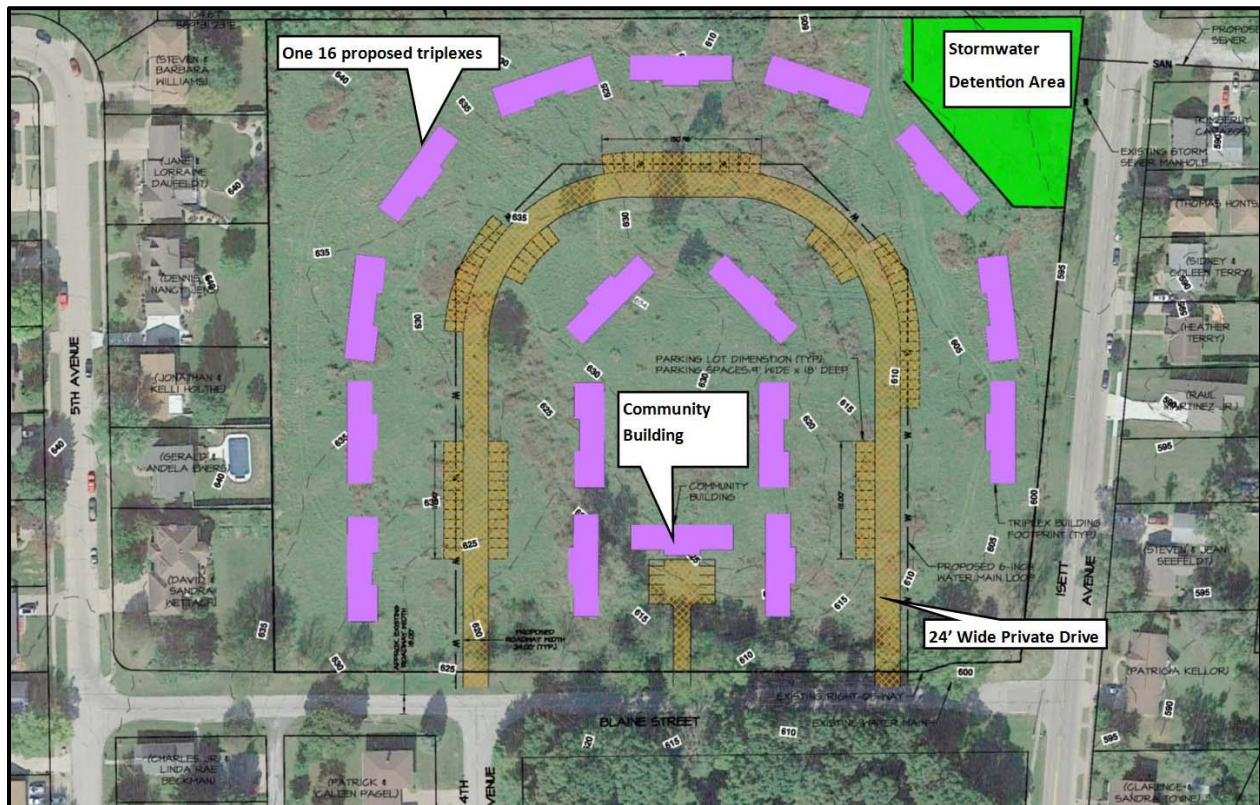
"I remember Muscatine for its sunsets. I have never seen any
on either side of the ocean that equaled them" — Mark Twain

The proposed would construct 48 two-bedroom dwelling units of at least 1,000 square feet, with each unit having a private patio. These new dwelling units would be in the form of 16 new triplex arranged around a new private street with two entrances off of Blaine Street, across Blaine Street from Oak Park. The development would also include a community building, for the use of residents of the development. Residents would be limited to those over 55 in age with an annual income of no more than 60% of the area median.

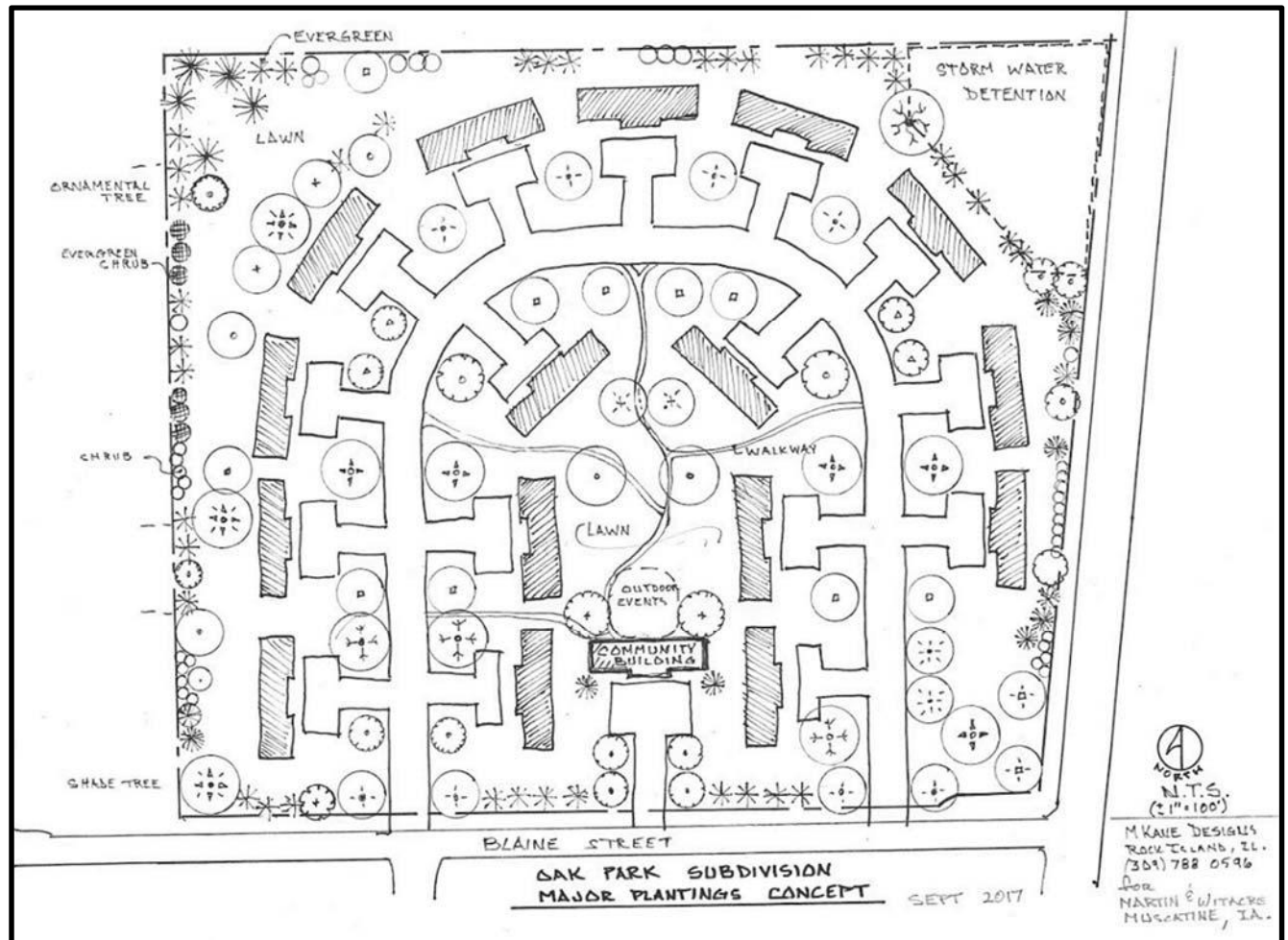
The project would be managed by Pioneer Property Management, who also manages to similar development in Muscatine – Cottage Grove and the Welch Hotel. The proposed development is modeled, in both appearance and type of residents serves, after Cottage Grove, picture to the right. Following is the submitted outline development plan. The full size version is attached to this memo.



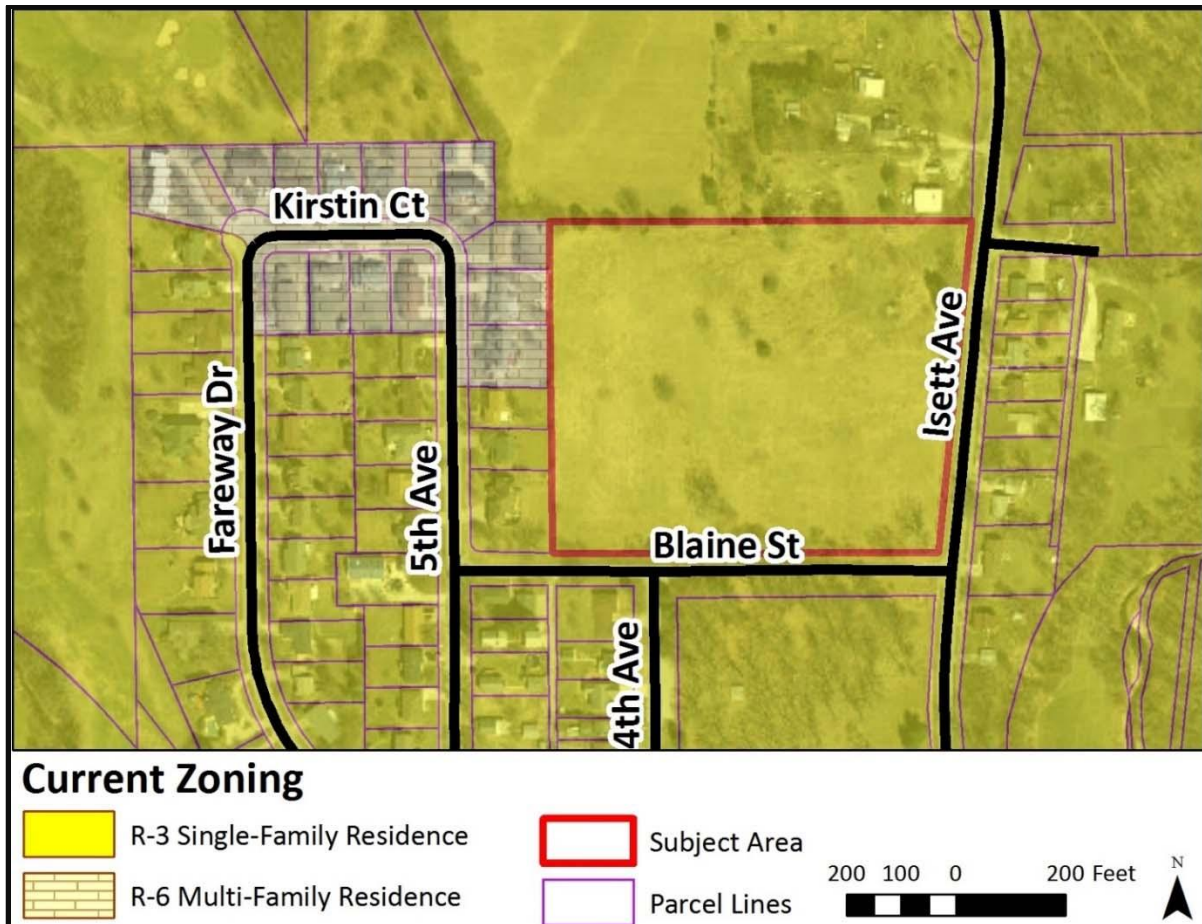
Cottage Grove



The applicant also submitted the following landscaping plan, as is required under the R-L zoning district.

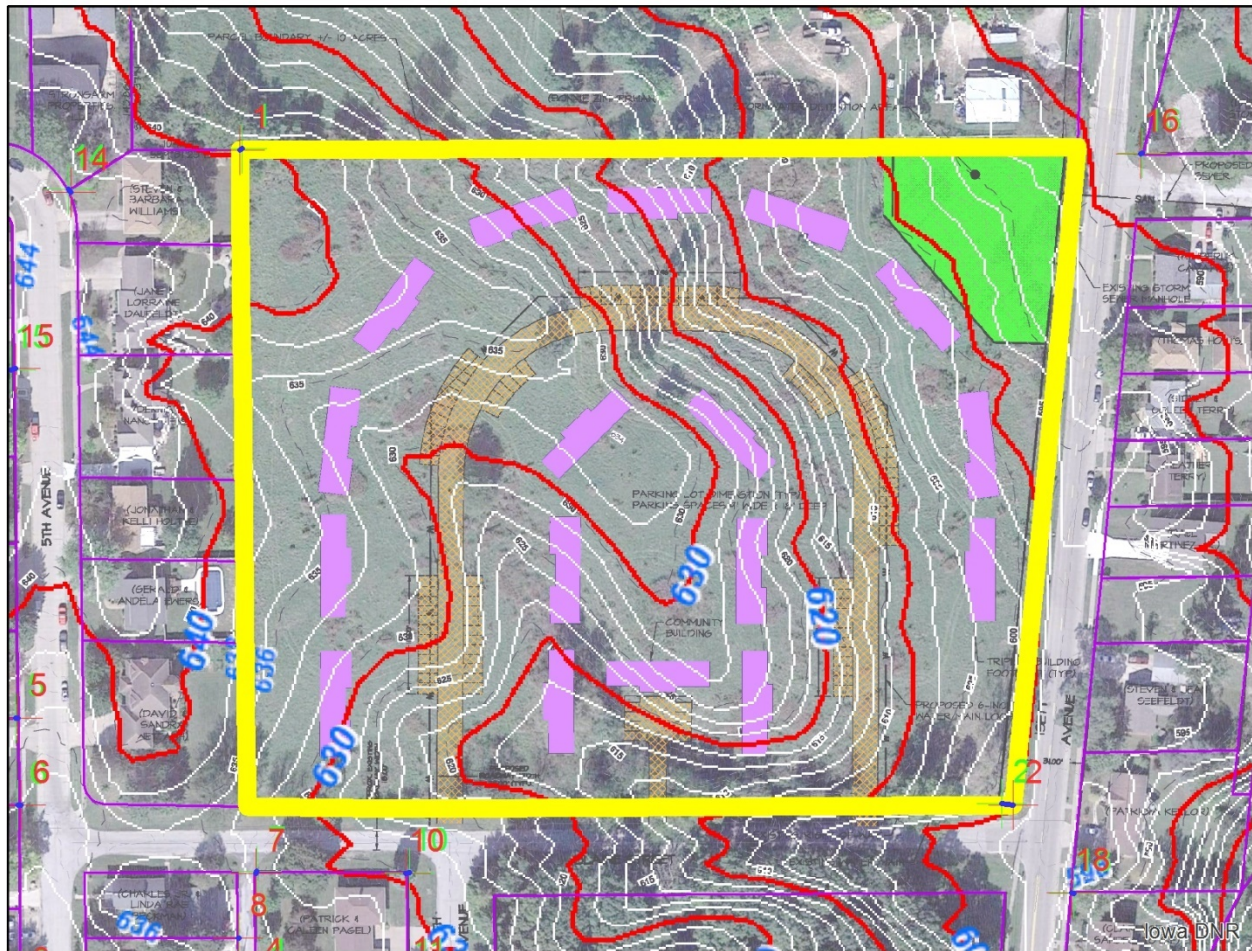


Currently the subject area is zoned R-3 Single Family Residential, minimum lot size 7,000 square feet. The majority of the surrounding and adjoin parcels are also zoned R-3. The subject parcel also adjoins, to the west, an area zoned R-6 Multi-Family Residential.



The land use in the vicinity of the subject area is mostly comprised of single family dwellings, with some undeveloped land to the north, and Oak Park located to the south across Blaine Street. Additionally, within 750' to the west of the subject area, along Kirstin Court, there are five multi-family dwelling units, of less than five dwelling units each, that are not dissimilar to the triplexes that are being proposed by the applicant.

As illustrated in the map below, the subject area is far from flat, containing many areas of significant slope. There is a difference of 48 feet between the highest and lowest elevations within the subject area. This clearly creates questions on how drainage will be handled and what other sort of grade changes will be required. Prior to any development, as part of the approval of a preliminary and final plan, as detail further on this memo, A Grading plan, to include the location of waterways on the site or on adjacent land, and drainage plan with sufficient control grades to indicate the intent of the developer, will have to be submitted, reviewed and recommended for approval by staff and the Planning and Zoning Commission, and approved by council. The public and nearby properties would be informed in the same as they were about this rezoning. Approval of a grading plan, as a component of the development plan, would be based on a finding that it would increase the flow of stormwater onto the property of others, and is in substantial compliance with the outline development plan and recognized principles of civic design, land use, and landscape architecture.



The approximate maximum number of dwelling units that could potentially be developed on the subject area under the current R-3 zoning is 48. The current R-3 zoning district establishes a minimum lot size of 7,000 square feet and a minimum lot frontage along a public street. Together these requirements effectively established a maximum density of 1 dwelling per 8,800 square feet in the R-3 district, because the half width of 60 feet of a public street is 1,800 square feet in size. The subject area is approximately 10.23 acres in size. Assuming, that as with this proposal, that about .5 acres is set aside for storm water detention, leaving 9.73 acres, which at one dwelling unit per 8,800 works out to a total of 48 dwelling units.

All development in R-L district must be in accordance with an approved development plan. The development plan submitted as part of this rezoning application contains 48 dwelling units. As such the proposed rezoning does not allow a higher residential density than what could be potential developed under the current R-3 zoning.

Staff is conditionally recommending approval of the proposed rezoning and associated outline development plan. This recommendation is based on a finding that the proposed development addresses the need for accessible single story senior housing, does not contradict the vision of the Comprehensive Plan, and it is compatible with surrounding land uses. This recommendation for approval is conditional on the applicant submitting a grading and drainage plan as part the preliminary and final development plan approval process that handles all drainage issues, adheres to the development concept set for the outline development plan, and is compatible with the surrounding area.

Housing for seniors that contain no steps is long identified housing need in Muscatine. An adequate supply of this type of housing is necessary to ensure that seniors can remain in Muscatine in housing that meets their needs. Without an adequate supply of this type of housing an increasing number of seniors will be faced with the choice of either moving out of Muscatine, or living in housing that does not meet their needs. As the Baby Boom Generation continues to age, this demand for this type of housing will continue to increase.

The proposed development is compatible with the adopted Comprehensive Plan, to increase new development on vacant lots in portions of the City already served by public infrastructure; and for residential land use occurring in a manner that enhances the quality of life in Muscatine. The proposed development would construct 48 new dwelling units without necessitating the construction of any new public infrastructure. The proposed development will also help enhance the quality of life in Muscatine by increased the supply of needed senior housing, and housing stock that meet the needs of the community is a major component of quality of life.

It needs to acknowledged that the density of the proposed development at 4.7 dwelling units per acres, exceeds the 2 to 3 dwelling units per acre established for this area by Future Land Use Plan of the Comprehensive Plan. However, the proposed rezoning does not allow for a greater density that is currently permitted under the subject areas current zoning district. Therefore, because this rezoning does not allow for a greater departure from what the Future Land Use Plan envisions, the exceedance of the proposed density from what is recommended in the Future Land Use Plan is an insufficient reason, in and of itself, to recommend denial of this rezoning request.

The proposed development is generally consistent with existing land use patterns in the area and is compatible with adjoining and nearby existing land uses. As previously detailed the proposed rezoning allows for a similar number of dwelling units as would be permitted under current zoning. While the proposed project is located in an area primarily composed of single family homes, there are five multi-family dwelling units, of less than five dwelling units each, that are not dissimilar to the triplexes that are being proposed by the applicant, located within 750' of the subject area on Kirsten Court. A change to the R-L zoning district, because it is based on a specifically approved site plan, allows for a greater degree of screening and buffering than does the current R-3 district. For example, the submitted outline development plan creates a landscape buffer yard of 75' between the proposed development and the

property lines of homes adjoining to the west. Under the current R-3 zoning, the same number of dwelling units could be constructed along the west side of the property, but they could be as close as 25 feet and there is no mechanism for the City to require any screening or landscaping under the R-3 zoning.

While staff is recommending approval of this rezoning request, this recommendation is conditional on the applicant submitting a grading and drainage plan as part of the preliminary and final development plan approval process that handles all drainage issues, adheres to the development concept set for the outline development plan, and is compatible with the surrounding area. There are significant, but not insurmountable, topographic challenges to appropriately develop this parcel. It will be up to the applicant to demonstrate how they plan to accomplish this, when, assuming approval of this rezoning, they submit a preliminary development plan to Planning and Zoning Commission.

Approval of this rezoning and outline development plan, does not give the applicant the go ahead to construct the proposed development. Prior to the commencement of any development both a preliminary and final development plan must be approved by City Council, after recommendation by the Planning and Zoning Commission. The preliminary and final development plan include greater levels of details regarding the proposed development.

Approval of both the preliminary and final development plans is based on a finding that they are in substantial compliance with the outline development plan and recognized principles of civic design, land use, and landscape architecture. Upon request the Planning and Zoning Commission may opt to concurrently review the preliminary and final development plan. Notification and opportunities for the public to offer comment, will be the same for action on any preliminary and final development as they are for this rezoning request.

A preliminary development plan shall contain all the following:

1. The location, width, and dimensions of all existing and proposed thoroughfares, streets, alleys, sidewalks, and walkways.
2. All plot lines and plot designs (if applicable).
3. Areas proposed to be conveyed, dedicated, or reserved for parks, parkways, playgrounds, school sites, public buildings, and similar public or semi-public uses.
4. The location and dimensions of each building site, common open area, improvement, and indication of open spaces around buildings and structures.
5. Elevation and perspective drawings of proposed structures and improvements, except single-family residences and single-family residence

accessory buildings. These drawings need not be of final architectural decisions and need not be in detail.

6. A development schedule indicating approximate dates for start and completion of the project, if such schedule varies considerably from the schedule submitted with the outline development plan.
7. All agreements, provisions, or covenants which will govern the use, maintenance, protection, performance, and/or design of the development and any of its common open areas.
8. Off-street parking plan.
9. A circulation diagram indicating proposed movement of vehicles and pedestrians within the development and to and from existing features and location and type of traffic regulation devices needed to facilitate or ensure the safety of this circulation pattern.
10. A landscaping and tree planting plan.
11. The location and size of all existing storm or sanitary sewers, water mains, or field drains within or readily accessible to the development.
12. The location and character of all existing easements and those proposed to be provided by the owner.
13. The location of all proposed sewers.
14. The location of all proposed water and gas mains.
15. Grading plan, to include the location of waterways on the site or on adjacent land, and drainage plan with sufficient control grades to indicate the intent of the developer.
16. The scale used on the drawings.
17. Any other plans, diagrams, or information, as requested by the Planning and Zoning Commission or the City Council.

A final development plan shall contain all the following in addition to the item required by the preliminary development:

- 1.** The proposed names of all streets, public ways, and places dedicated for public use; and the location, width, dimensions, and specifications of all streets, alleys, sidewalks, and walkways.
- 2.** The type and location of all permanent monuments at block and lot corners and elsewhere within the development.
- 3.** All radii, arcs, chords, points of tangency, and central angles for curved streets and the radii of all rounded curves.
- 4.** The location, size, grade, and specifications of all proposed sewers, pumping stations, manholes, and other necessary appurtenances.
- 5.** The location, size, grade, and specifications of all proposed water and gas mains; and the location, size, and specifications of all fire hydrants.
- 6.** The location and character of all proposed electric transmission lines.
- 7.** The certification of the engineer or architect preparing the documents with his or her license number and seal and the date of preparation.
- 8.** Certificate of approval for construction of water, electric, and gas service from the respective utility companies accompanied by a plat showing any easements required.
- 9.** Three sets of improvement plans and profile. All plans and drawings are to be submitted on twenty-four inch 24" x 36" plan and profile paper. Note: Any plans or profiles for recording in the Office of the County Recorder shall be 11" x 17".
- 10.** Three copies of all easement agreements for utility or other purposes.
- 11.** Three copies of a proposed resolution to be adopted by the City Council accepting lands to be dedicated for public use.
- 12.** Three copies of any agreement to be entered into between the applicant and the City of Muscatine providing for the grading of streets and installation of sewer system and other utilities or other improvements as may be required.

- 13.** Three (3) copies of any deed restrictions or covenants required by the City Council, or any other conditions imposed by the City Council under Section 10-10-7 of this Ordinance.
- 14.** Three copies of a proposed resolution to be adopted by the City Council approving and accepting the final development plan.