



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

To: Mayor and City Council Members

Cc: Greg Jenkins, Interim City Administrator
Jodi Royal-Godwin, Community Development Director

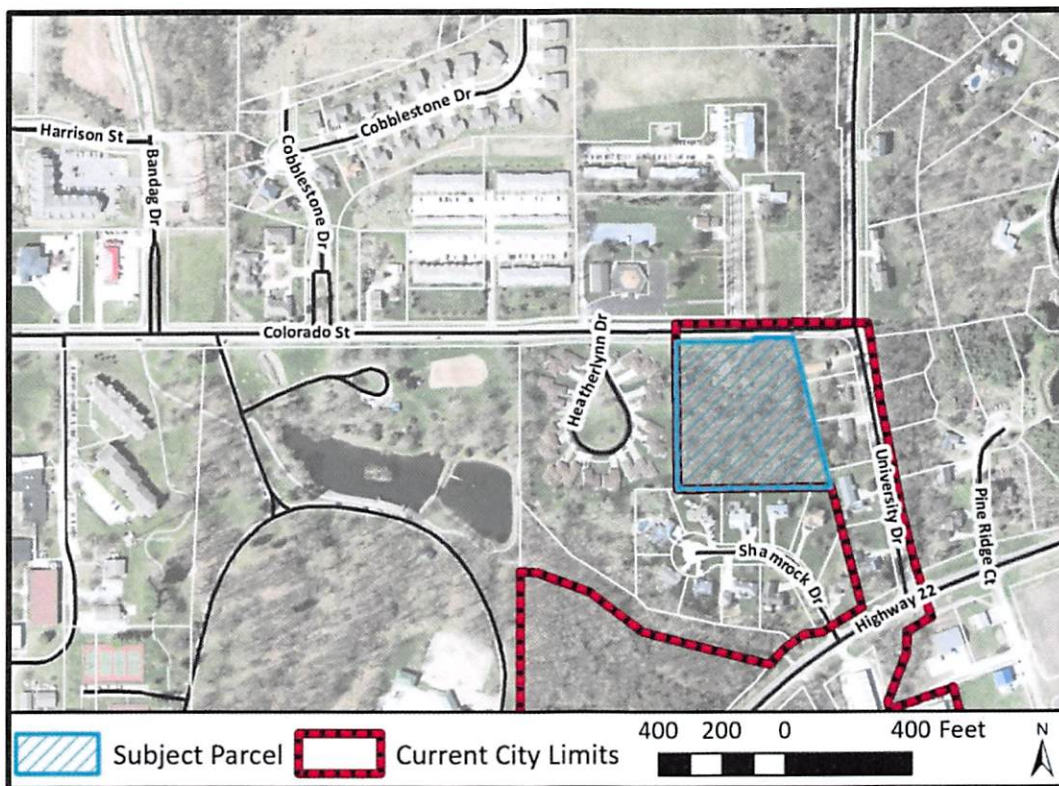
From: Andrew Fangman, Assistant Community Development

Date: February 20, 2020

Re: Resolution Approving a Voluntary Annexation Request &
PPZ-9 • M-3 Multi-Family Residential (Muscatine County Zoning District) to R-6
Multi-Family Residential (City of Muscatine Zoning District • MVHA Partners • 1
Lot • 4.56 Acres • Parcel #0930301002 • 400 Colorado Street

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

MVHA Partners has submitted an application to rezone 4.56 parcel located at 400 Colorado Street, see exact location below, from M-3 Multi-Family Residential (Muscatine County Zoning District) to R-6 Multi-Family Residential (City of Muscatine Zoning District). The applicant has also concurrently requested the voluntary annexation of this parcel. The applicant is requesting this rezoning and voluntary annexation to enable the construction of a 51-unit multi-family dwelling for low- and moderate-income seniors.



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

front elevation

132' x 1'-0"

side elevation

132' x 1'-0"

Should this rezoning be approved, they would then be required, before any construction, to submit a fully developed site plan and undergo the site plan approval process as set forth in Section 10-2-7(l) of City Code. Section 10-7-1 (l)(1) sets forth the following standard: *Approval of site plans is made in accordance*

[illegible]

incompatible relationships between new and existing adjacent land uses. The site plan must provide sufficient detail on points of access, parking layout, location of any structures, drainage, grading, landscaping, outdoor lighting, screening requirements, utility connections, and location of outdoor trash bins to demonstrate compliance with all aspects of City Code and all other applicable regulations.

The residents of the proposed development would be restricted to those over 55 in age with an annual household income of no more than 60% of the area median income. Existing development in the Muscatine area that have the same age and income restrictions include Cottage Grove and the Welch Hotel, and the currently under construction Oak Park Apartment.

The applicant is proposing partially funding this project through tax credits from the Iowa Finance Authority. As part of this the Iowa Finance Authority, requires that the developer sign and record an extensive set of restrictive covenants. These restrictive covenants cover topics such as: who is eligible to rent the dwelling units, property maintenance standards, methods and materials of construction of the units, amenities that must offered to residents of the development, and energy efficiency requirements. These covenants make the 55+ age restriction and income restriction binding.

The land use in the vicinity of the subject area is mostly single-family homes and duplexes, interspersed with a number of apartment complexes. Single family homes directly adjoin the subject property to the east and south. A development of duplexes adjoining the subject property to the west. A church, a single-family home, and an entrance to an apartment complex are located north across Colorado Street from the subject parcel. There are five existing apartment complexes within 2,000' of the subject parcel.

The current zoning of this area is largely a mixture of residential districts which support the existing residential developments. A map showing how this area is currently zoned can be found attached to this memo. Currently, the subject parcel is zoned R-3 Multi-family residential within unincorporated Muscatine County. Under this County zoning designation, the construction of a multi-family dwelling would be allowed use. However, under City Code, when an area is annexed into the City it is automatically placed in the Agriculture zoning district, unless concurrent rezoning action is taken.

RECOMMENDATION/RATIONALE:

The Planning and Zoning Commission, by a 7-0 vote and Staff recommend approval of this rezoning request and request for voluntary annexation. This recommendation is based on a finding that the proposed development addresses the need for affordable senior housing, advances the vision for the community that is set forth in the adopted Comprehensive Plan, and it is compatible with surrounding land uses. Additionally, the proposed zoning of R-6 Multi-Family Residential is the zoning within the City of Muscatine that is most equivalent to the current zoning of the subject parcel within in unincorporated Muscatine County.





The applicant's proposed project meets an important community need. Housing that is affordable, provides lower maintenance options for empty-nesters, retirees, and active seniors, and that is of high quality is a critical and growing community need. In this context senior housing does not mean nursing homes and assisted living facilities, but rather refers to housing that matches the needs of an aging population; low maintenance and designed with accessibility in mind which allows for seniors to remain in their home communities for longer.

In 2010, 25.5% of the City Muscatine's population and 26% of Muscatine County's population was over the age 55. This population will only continue to grow as the youngest Baby Boomers turn 55 in the coming years, with senior's living in the county searching for options closer to city amenities that also have less maintenance. The 2010 Census reported there were 11,466 people living in Muscatine County who were age 55 or older. The Housing Demand Study that was conducted for the City of Muscatine in 2017, projects that by 2025 that there will be 13,454 people age 55 or older living in Muscatine. While affordability is critically issue for housing for people of all ages, it is a particular importance for seniors due to the large number of senior subsisting on a fixed income. The other significant community benefit to constructing more of this type of housing is that it can also increase the availability of quality entry level or family-sized homes as seniors, retirees, or empty-nesters move out of traditional single-family dwellings.

The proposed density of a little over 11 dwelling units per acres exceeds the 8 dwelling units per acre that was recommended for this location in the Future Land Use Plan component of the Comprehensive Plan. However, the proposed rezoning is compatible with one of the most important components of the overarching vision for Muscatine contained within the Comprehensive Plan, that the development of needed new housing stock should occur locations in which the necessary infrastructure to support such development already exists.

Development at this location requires no additional construction or expansion of any public infrastructure. Colorado Street, which was recently totally rebuilt, can easily handle the projected traffic from the proposed project. Based on the *Institute of Transportation Engineers Trip Generation Handbook*, the proposed project would generate an additional 9 cars per hour, during the busiest hour, on Colorado Street. The proposed development would also make use of prior investments in sanitary sewer infrastructure. In 1999 when the Irish Ivy Subdivision was constructed directly adjacent to the south of the subject area, public sewer as extended to the south property line of the subject property line, with the intent that it serves future development on the subject parcel. The applicant's proposed development would tie on this sewer. By longstanding City of Muscatine policy annexation is required to connect the City's sanitary sewer system.

EXTERIOR FINISH LEGEND

-  FACE BRICK VENEER (FB-1)
-  VINYL SIDING, LAP-STYLE (VS-1).
-  VINYL SIDING, SHAKE-STYLE (VS-2).
-  ROOFING, ARCHITECTURAL FIBERGLASS SHINGLES (AFS-1).
ANTI-FUNGAL AND MIN. 30-YEAR WARRANTY
- SHEET METAL FLASHING AND TRIM. ALL PRE-FINISHED METAL GUTTER, DOWNSPOUTS, FASCIAS, ETC. TO BE BY DIMENSIONAL METALS INC. NOTE: REFER TO SPECS FOR EQUAL MANUFACTURERS ACCEPTABLE FOR USE.



rear elevation

1/32" = 1'-0"

side elevation

1/32" = 1'-0"



front elevation

1/32" = 1'-0"

side elevation

1/32" = 1'-0"

RESOLUTION NO. _____

**RESOLUTION VOLUNTARILY ANNEXING CERTAIN REAL
ESTATE TO THE CITY OF MUSCATINE, IOWA**

WHEREAS, the City of Muscatine, Iowa, is a duly organized municipal corporation; and

WHEREAS, there has been presented to the City Council an Application for Annexation, as required by Iowa Code 368.7 executed by the owners of the real estate to be annexed, said real estate lying adjacent to the existing corporate limits of the City of Muscatine, Iowa, and being described in **Exhibit A** attached hereto; and

WHEREAS, a map showing the relationship of the territory to be annexed to the existing boundaries of the City of Muscatine is attached hereto as **Exhibit B**; and

WHEREAS, the Planning and Zoning Commission, on January 1, 2020, voted to recommend approval of the proposed annexation; and:

WHEREAS, the City of Muscatine, Iowa, desires to annex said real estate:

IT IS, THEREFORE RESOLVED BY THE CITY OF MUSCATINE, IOWA, as follows:

1. The Application of Annexation of the real estate described in the attached **Exhibit C** is approved.
2. The annexed real estate shall be and become part of the City of Muscatine, Iowa, upon receipt of acknowledgement by the Secretary of State for the State of Iowa that it has received the attached map, resolution, and a certificate by the City Clerk that copies of the attached map and this resolution have been filed with the Muscatine County Recorder and the Secretary of State and that copies of this resolution and attached map and legal description have been filed with the Iowa Department of Transportation.
3. The City Clerk shall cause this Resolution and the Exhibits attached hereto to be filed with the Secretary of State, the Muscatine County Recorder, and the Iowa Department of Transportation as required as required by Iowa Code 368.7

PASSED, APPROVED AND ADOPTED this 20th day of February, 2020.

**BY THE CITY COUNCIL OF THE
CITY OF MUSCATINE, IOWA**

Diana L. Broderson, Mayor

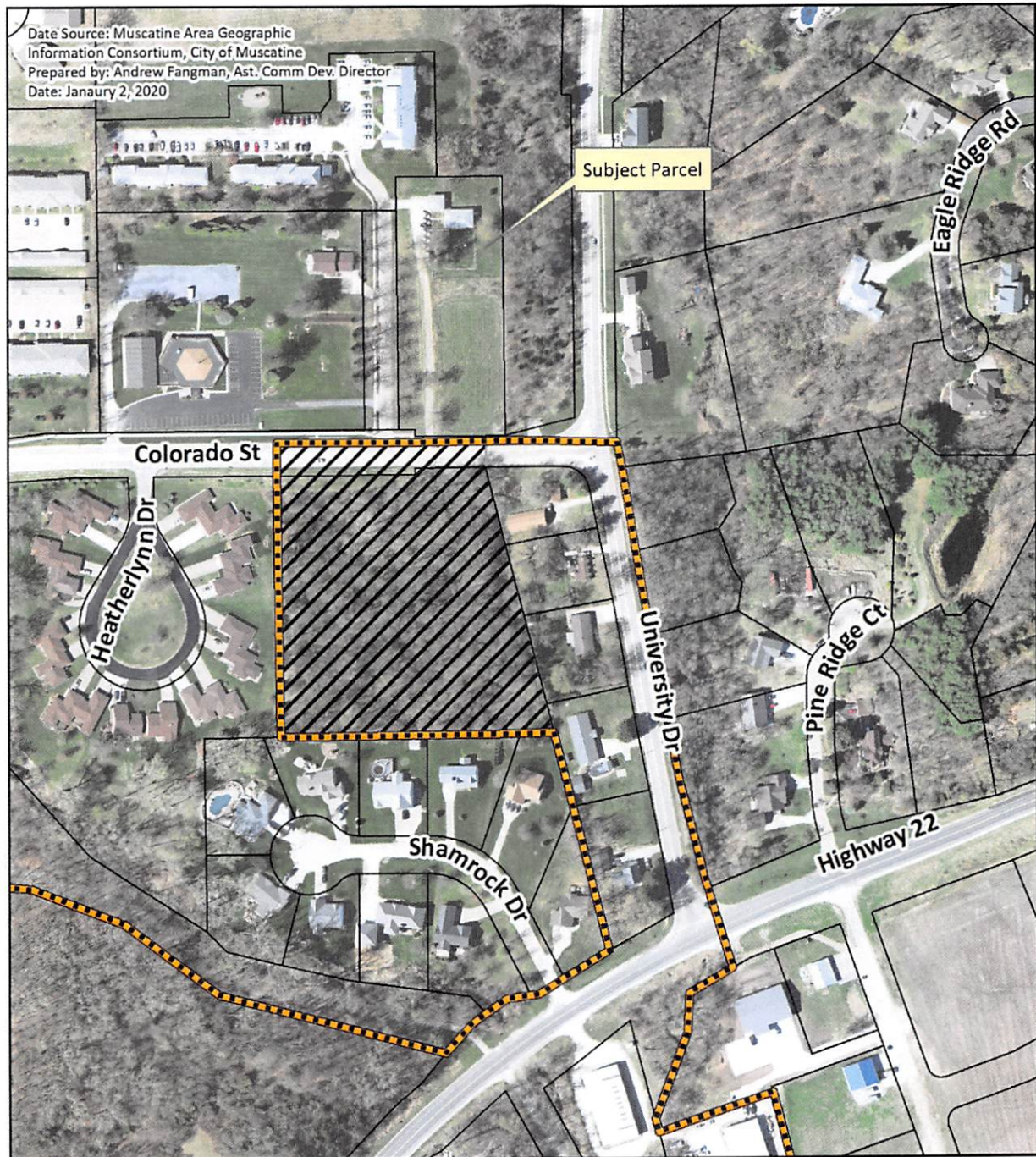
Attest:




Greg Jenkins, Interim City Clerk

Exhibit A Voluntary Annexation– Legal Description of Annexation Area

Commencing at the northeast corner of Lot 2 of Kleindolph Subdivision, as recorded in Plat Book 7, Page 62, Muscatine County Records' Office; thence north to the northerly right of way line of Colorado Street; thence westerly along said right of way line to intersection with an extension of the westerly line of said Lot 2; thence southerly along the extension of the westerly line of said Lot to the northwest corner of said Lot 2; thence southerly along the westerly line of said Lot to an intersection with the southerly line of said Lot 2; thence easterly along the southerly line of said Lot 2 to an intersection with the easterly line of said Lot ; thence northerly along the easterly line of said Lot 2 to the point of beginning. All located in the Southwest $\frac{1}{4}$ of Section 30, Township 77 North, Range 1 West of the 5th principal meridian.

Exhibit B Voluntary Annexation– Map of Annexation Area



-  Area Requesting Voluntary Annexation
-  Current City Limits
-  Parcel Lines

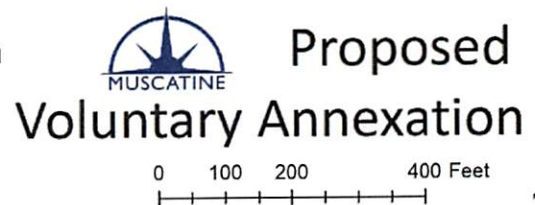


Exhibit C Voluntary Annexation– Annexation Application



January 2, 2020

Mr. Andrew Fangman
Assistant Community Development Director
City of Muscatine
215 Sycamore St.
Muscatine, IA 52761

RE: Annexation request for 400 Colorado St., Muscatine, IA 52761

Dear Mr. Fangman:

On behalf of the property owner of 400 Colorado, Muscatine, IA 52761, we request to apply for the property located at 400 Colorado St., Muscatine IA 52761 (legal description: 30-77-1W(EX PARCEL III RD ROW) LOT 2 KLEINDOLPH SD7 PL 62 2013-04567 shown as parcel no. 0930301002.) to be annexed into the City of Muscatine. See attached signed consent from property owner to make such an application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hume An', is written over a horizontal line.

Hume An
Senior Vice President

9349 Waterstone Blvd. Suite 200 ■ Cincinnati, OH 45249 ■ (312) 286-8128

Exhibit C Voluntary Annexation– Annexation Application

The undersigned, being owner(s) of all or part of the lands described below, hereby consent(s) to Hume An of MVAH Partners to petition the City of Muscatine to seek rezoning and annexation applications to the subject property to allow for a multifamily housing development.

Abbreviated Legal Description of Property Affected

That certain 4.59 acres of real property, net of any wetland or waterways, located at 400 Colorado Street, Muscatine, Iowa and shown as parcel no. 0930301002.

x Teresa Theobald executor (signature)

Owner(s): Teresa Theobald, Executor of the Estate of Robert Kleindolph