

ORDINANCE NO. 2020-0043**AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF MUSCATINE, IOWA**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE,
IOWA AS FOLLOWS:

Section 1. That the boundaries of the District Map, being a part of the Zoning Ordinance, which is Title Ten of the Ordinance of the City of Muscatine, Iowa, be and the same are, hereby amended to rezone the following described real estate, situated in the City and County of Muscatine, and State of Iowa, to-wit:

Tract 1: Parcel A:

A tract of land described as commencing at the point of beginning which is the most Northerly corner of Lot 4 as depicted on said plat recorded in Book 336 of Lots at page 562, then North 46°57'50" West to the first line depicted on said plat bearing South 89°49'40" then West on said bearing line to a corner depicted on the plat formed by the last described line and a line depicted as bearing North 00°20'40", then North 00°20'40" West 30 feet, then South 89°49'40" West to a point Northwest of the Southwesterly line of said Lot 4 extended Northwesterly which is depicted as bearing North 46°57'50" West, then South 46°57'50" East to the most Westerly corner of said Lot 4 then North 43° 2'10" East to the point of beginning; and, also; An easement thirty-three feet in width over the frontage of Lots 2 and 3 as depicted on said plat for the purpose of ingress and egress to Lot 1; and, also,

Tract 1: Parcel B:

Lots 2 and 3 as set forth on a certain plat of Sections 9 and 10, Township 76 North, Range 2 West of the 5th P.M., said plat having been prepared by James B. Tracy, dated April 28, 1966 and recorded in Book 7 of Plats, page 461; Also, a tract of land beginning on the most Northerly Corner of Lot 4 then North 43°02'10" East 222.1 feet, then South 89°49'40" West to a point Northwest of the Southwesterly line of said Lot 3 extended Northwesterly which is depicted on the Plat recorded in Book 336 of Lots at page 559 as bearing North 46°57'50" then South 46°57'50" East to the point of beginning; and, also; an easement thirty-three feet in width over the frontage of Lot 4 as depicted on said plat for purpose of ingress and egress to Lots 2 and 3;

Tract 2:

A tract of land described as commencing at the point of beginning which is the most Northerly corner of Lot 5 as depicted on said plat, thence North 46°57'50" West to the first line depicted on said plat as bearing South 00°20'40", said line being 123.8 feet West of and parallel to the Section Line between Sections 9 and 10, then South 00°20'40" West along said line to a point Northwest of the Southwesterly line of said Lot 5 extended Northwesterly which is depicted as bearing North 46°57'50" West,

then South 46°57'50" East to the most Westerly corner of said Lot 5 then North 43°2'10" East to the point of beginning; and also;

Tract 3:

Future Street between Lots 4 and 5 as depicted on said plat; and also;

Tract 4:

A tract of land described as commencing at the point of beginning which is the most Northerly corner of Future Street between Lots 4 and 5 as depicted on said plat, thence North 46°57'50" West to the first line depicted on said plat bearing South 89°49'40", then West on said bearing line to a corner depicted on the plat formed by the last described line and a line depicted as bearing South 00°20'40" then South 00°20'40" West to a point Northwest of the Southwesterly line of said Future Street extended Northwesterly which is depicted as bearing North 46°57'50" West, then South 46°57'50" East to the most Westerly corner of said Future Street then North 43°2'10" East to the point of beginning;.

Said real estate shall be rezoned from M-1 Light Industrial and R-2 Single Family Residential to R-6 Multi-Family Residential

Section 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed and this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED, APPROVED AND ADOPTED this 6th day of February, 2020.

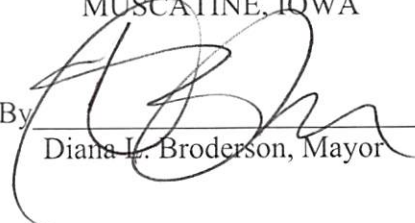
Attest:




Greg Jenkins, Interim City Clerk

CITY COUNCIL OF THE CITY OF
MUSCATINE, IOWA

By


Diana L. Broderson, Mayor

1st Reading 2-6-2020
2nd Reading 2-13-2020
3rd Reading 2-20-2020
Publication 2-29-2020



EX-100-528



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

COMMUNITY DEVELOPMENT

To: Mayor and City Council Members

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

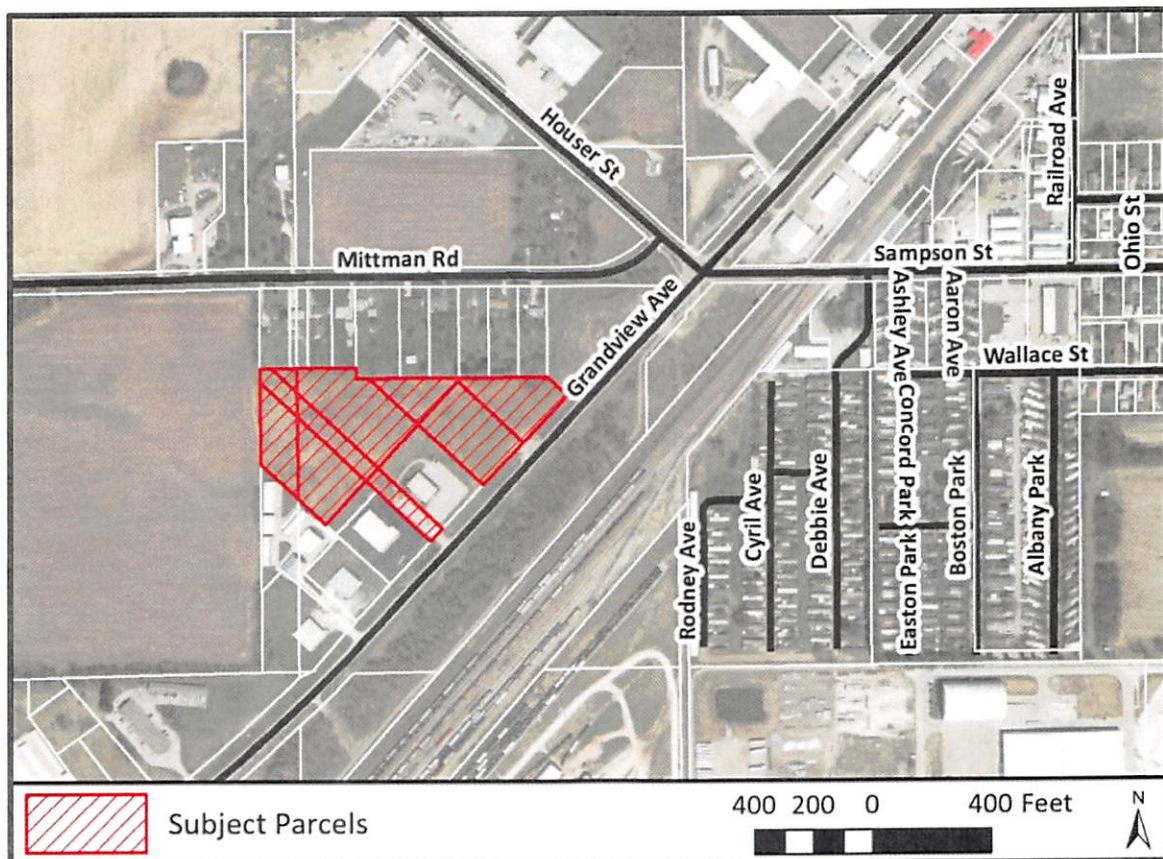
From: Andrew Fangman, Assistant Community Development

Date: February 6, 2020

Re: Rezoning Case No. PZZ-10 • M-1 Light Industrial and R-2 Single Family Residential to R-6 Multi-Family Residential • MVHA Partners • 7 parcels • 7.59 Acres • Northside of Grandview Avenue, 600 feet southwest of Grandview Avenue and Houser Street Intersection

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

MVHA Partners has submitted an application to rezone 7.59 acres located on the northside of Grandview Avenue, approximately 600 southwest of the Grandview Avenue and Houser Street intersection, see exact location below, from M-1 Light Industrial and R-2 Single Family Residential to R-6 Multi-Family Residential. The applicant is requesting this rezoning to enable the construction of a 51-unit multi-family dwelling for low- and moderate-income seniors.

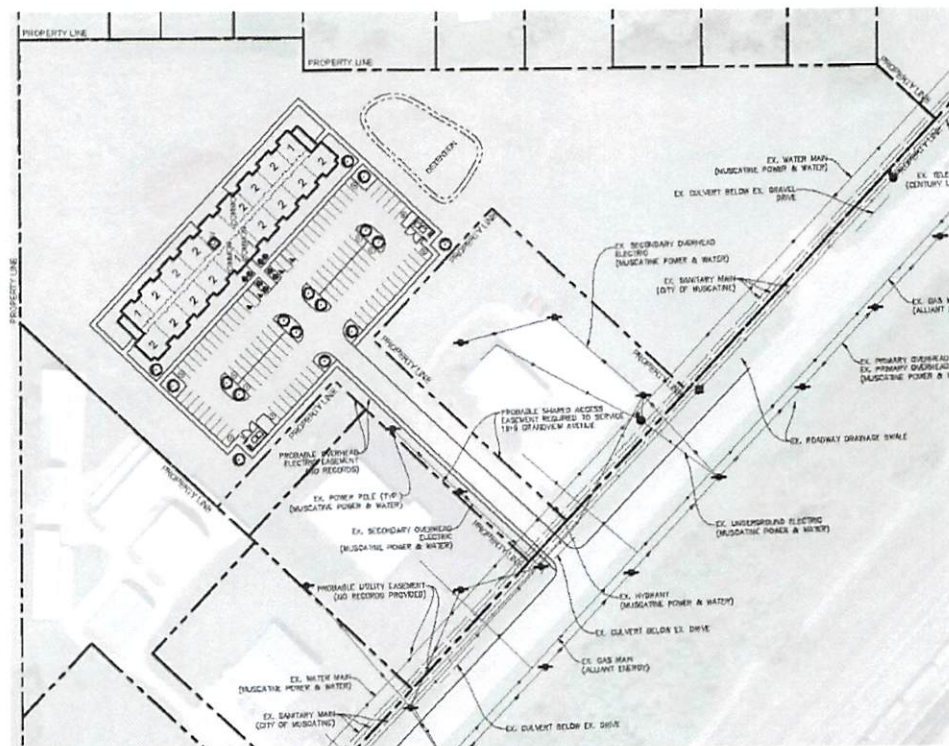


"I remember Muscatine for its sunsets. I have never seen any
on either side of the ocean that equaled them" — Mark Twain

The applicant is proposing to construct a 51-unit senior housing dwelling unit. It will contain a mix of one-bedroom and two-bedroom units. All units would have the full spectrum of amenities, including fully-equipped kitchens and bathrooms, central air, energy efficient design, and open floor plans. Other community amenities would include on-site management, a community room, business center, theater, fitness center, and outdoor recreation space. Under the requested R-6 zoning district the height of the building could not exceed 35'. The applicant has provided a conceptual rendering of their proposed building. An excerpt of which is provided below, with all the renderings provided by the applicant attached at the end of this memo.



The applicant has also provided a conceptual site plan, see to right, with a full-sized version attached at the end of this memo. It is important to note that this is just an initial concept submitted by the applicant, it is intended only to depict the applicant's general concept for their project.



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(I) of City Code. Section 10-7-1 (I)(1) sets forth the following standard: *Approval of site plans is made in accordance with good planning practices, taking into consideration: adequate parking areas, safe ingress and egress to the site, sufficient landscaped areas, adequate screening of unsightly areas such as loading docks, trash containers and parking areas. Further, the development of one site should not cause problems relating to surface drainage, noise, lighting, signing, and*

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 be 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 varies. Single family homes on large lots directly adjoin the subject property to the north. An agricultural field adjoins the subject property to the west. The area to the south of the subject property is currently zoned as light industrial and has been developed as self-storage units and a church. Across from the subject area is a wooded area owned by the City of Muscatine, through which the Kent-Stein to Deep Lakes Park runs. Approximately 700' further southwest along Grandview Avenue is an apartment complex the Pearl Island Apartments (the former Lamplight Inn). The current zoning of this area is largely a mixture of residential, industrial, and agricultural zoning districts. A map showing how this area is currently zoned can be found attached to this memo.

RECOMMENDATION/RATIONALE:

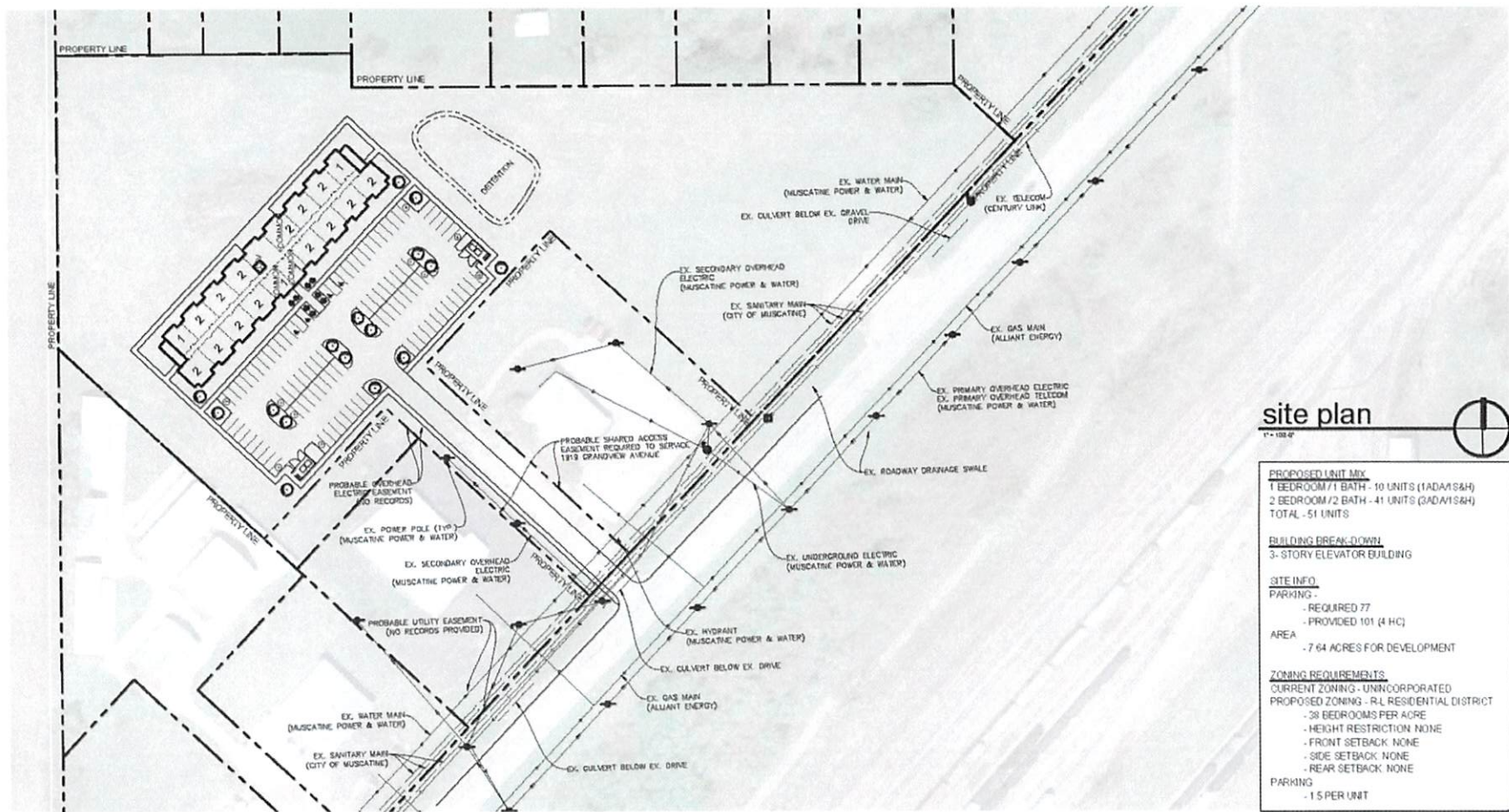
The Planning and Zoning Commission, by a 7-0 vote and Staff recommend approval of this rezoning request. This recommendation is based on a finding that the proposed development addresses the need for affordable senior housing, advances the vision for the community that is set forth in the adopted Comprehensive Plan, and it is compatible with surrounding land uses.

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 of 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 seniors 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 Future Land Use Plan component of the Comprehensive Plan designate the subject area for light industrial development. 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. Additionally, multi-family development can serve as a good transition between area of single-family development, such as adjoins the property to the north, and the industrial and commercial development found to the south of the subject area.

Development at this location requires no additional construction or expansion of any public infrastructure. Grandview Avenue 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.



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"

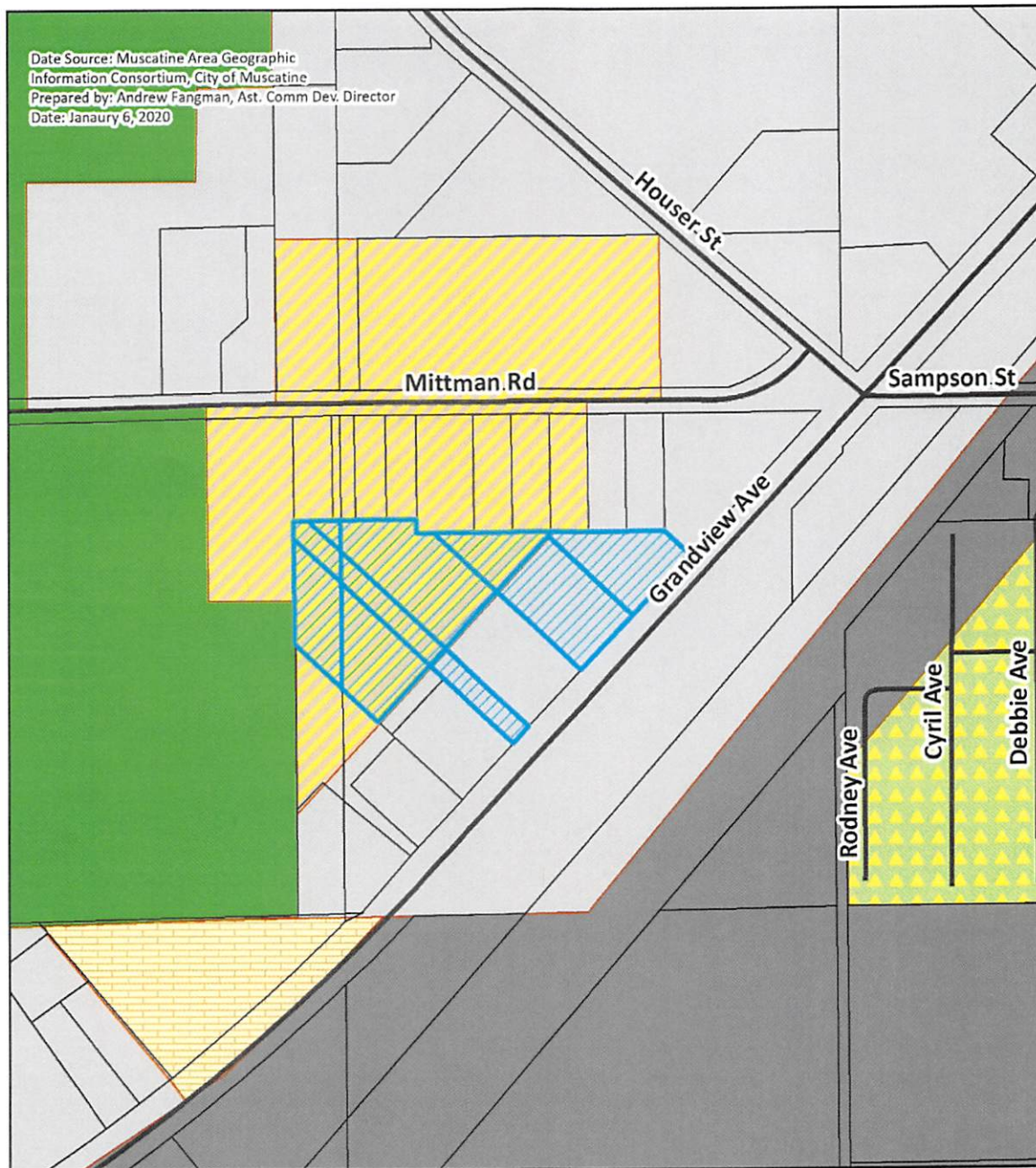


front elevation

1/32" = 1'-0"

side elevation

1/32" = 1'-0"









MUSCATINE Rezoning Case #PZZ-10

Legend

-  Subject Parcels
-  Parcel Lines

Zoning District

-  AG-Agricultural
-  M-1 Light Industrial
-  M-2 General Industrial

-  R-2 Single-Family Residence
-  R-4 Two-Family Residence
-  R-6 Multi-Family Residence

0 200 400 800 Feet





Looking north across the subject area



Looking northeast at the north property line of the subject area



Looking south across the subject area towards Grandview Ave



Looking north across Grandview at the subject area (access to subject area is the 60 wide strip to right of the power poles.)

***** Proof of Publication *****

The undersigned, being first duly sworn, on oath does say that he/she is an authorized employee of THE MUSCATINE JOURNAL, morning edition, a daily newspaper printed and published by Lee Enterprises, Incorporated, in the City of Davenport, Scott County, Iowa, and that a notice, a printed copy of which is made a part of this affidavit, was published in said THE MUSCATINE JOURNAL, on the dates listed below.

CITY OF MUSCATINE- Legals account

215 Sycamore Street
MUSCATINE, IA 52761

ORDER NUMBER 64623

The affiant further deposes and says that all of the facts set forth in the foregoing affidavit are true as he/she verily believes.

Aileen Cooper

Section: Notices & Legals

Category: 2627 Miscellaneous Notices

PUBLISHED ON: 02/29/2020

TOTAL AD COST: 61.88

FILED ON: 2/29/2020

Subscribed and sworn to before me by said affiant this 29 day of February 2020.

Cheryl Lou Schemmel

Notary Public in and for Scott County, Iowa



ORDINANCE NO. 2020-0044
AN ORDINANCE AMENDING THE
ZONING ORDINANCE
OF THE CITY OF MUSCATINE, IOWA
BE IT ORDAINED BY THE CITY
COUNCIL OF THE CITY OF MUSCA-
TINE, IOWA AS FOLLOWS:
Section 1. That the boundaries of the
District Map, being a part of the Zoning
Ordinance, which is Title Ten of the
Ordinance of the City of Muscatine, Iowa,
be and the same are, hereby amended to
rezone the following described real
estate situated in the City and County of
Muscatine, and State of Iowa, to wit:
Tract A:
A tract of land described as commencing
at the point of beginning which is the most
Northerly corner of Lot 4 as depicted on
said plat recorded in Book 336 of Lots at
page 562, then North 46°57'50" West to
the first line depicted on said plat bearing
South 89°49'40" then West on said
bearing line to a corner depicted on the
plat formed by the last described line and
a line depicted as bearing North
00°20'40", then North 00°20'40" West to a point
Northwest of the Southwestern line of
said Lot 4 extended Northwesternly which
is depicted as bearing North 46°57'50"
West, then South 46°57'50" East to the
most Western corner of said Lot 4 then
North 43°2'10" East to the point of
beginning; and, also: An easement
thirty-three feet in width over the frontage
of Lots 2 and 3 as depicted on said plat
for the purpose of ingress and egress to
Lot 1; and, also,
Tract B:
Tract 1: Parcel B:
Lots 2 and 3 as set forth on a certain plat
of Sections 9 and 10, Township 76 North,
Range 2 West of the 5th P.M., said plat
having been prepared by James B. Tracy,
dated April 28, 1966 and recorded in
Book 7 of Plats, page 461; Also, a tract of
land beginning on the most Northern
Corner of Lot 4 then North 43°02'10" East
222.1 feet, then South 89°49'40" West to
a point Northwest of the Southwesternly
line of said Lot 3 extended Northwesternly
which is depicted on the Plat recorded in
Book 336 of Lots at page 559 as bearing
North 46°57'50" then South 46°57'50"
East to the point of beginning; and, also:
said plat for purpose of ingress and
egress to Lots 2 and 3;
Tract 2:
A tract of land described as commencing
at the point of beginning which is the most
Northerly corner of Lot 5 as depicted on
said plat, thence North 46°57'50" West to
the first line depicted on said plat as
bearing South 00°20'40", said line being
123.8 feet West of and parallel to the
Section Line between Sections 9 and 10,
then South 00°20'40" West along said line
to a point Northwest of the Southwesternly
line of said Lot 5 extended Northwesternly
which is depicted as bearing North
46°57'50" West, then South 46°57'50"
East to the most Western corner of said
Lot 5 then North 43°2'10" East to the
point of beginning; and also:
Future Street between Lots 4 and 5 as
depicted on said plat; and also;
Tract 4:
A tract of land described as commencing
at the point of beginning which is the most
Northerly corner of Future Street between
Lots 4 and 5 as depicted on said plat,
thence North 46°57'50" West to the first
line depicted on said plat bearing South
89°49'40", then West on said bearing line
to a corner depicted on the plat formed by
the last described line and a line depicted
as bearing South 00°20'40" then South
00°20'40" West to a point Northwest of
the Southwesternly line of said Future
Street extended Northwesternly which is
depicted as bearing North 46°57'50"
West, then South 46°57'50" East to the
most Western corner of said Future
Street then North 43°2'10" East to the
point of beginning;
Said real estate shall be rezoned from
M-1 Light Industrial and R-2 Single Family
Residential to R-6 Multi-Family Residen-
tial
Section 2. That all ordinances or parts of
ordinances in conflict herewith are hereby
repealed and this Ordinance shall be in
full force and effect from and after its
passage and publication as provided by
law.
PASSED, APPROVED, AND ADOPTED
this 6th day of February, 2020
CITY COUNCIL OF THE CITY OF
MUSCATINE, IOWA
Attest:
By Diana L. Brodersen, Mayor
Greg Jenkins, Interim City Clerk
1st Reading 2-6-2020
2nd Reading 2-13-2020
3rd Reading 2-20-2020
Publication February 20, 2020