



City of Muscatine



AGENDA ITEM SUMMARY

DATE:10-1-20

City Council

STAFF

Andrew Fangman, Assistant Community Development Director

SUBJECT:

Ordinance Approving Rezoning Case #PZZ-13 • City of Muscatine • 304 Iowa Avenue (Former Musser Public Library) • R-5 Multi-Family Residence to C-2 Central Commercial.

EXECUTIVE SUMMARY:

The City of Muscatine has submitted a request to rezone 17,080 square feet located at the 304 Iowa Avenue (former location of the Musser Public Library at the northwest corner of Iowa Avenue and Third Street), from R-5 Multi-Family Residence to C-2 Central Commercial.

STAFF RECOMMENDATION

On September 15, 2020 the Planning and Zoning Commission voted unanimously to recommend approval of this rezoning request. Staff recommends approval of this rezoning request. The recommendation of approval is based on a finding that the proposed rezoning is supported by the adopted Comprehensive Plan, and compatibility with adjoining and nearby land uses. See attached memo for a more detailed discussion of the staff recommendation

BACKGROUND/DISCUSSION

City Staff has negotiated with the Stanley Center the attached purchase agreement for the old library, which sets a purchase price of \$120,000. The proposed sale would close no later than October 22, 2020. Closing is contingent on the successful rezoning of the property from R-5 Multi-Family Residential, to C-2 Downtown Commercial

CITY FINANCIAL IMPACT

Execution, which is contingent on approval of this rezoning, of the purchase agreement for the old library, will result in a \$120,000 payment to the City, the negotiated purchase price. Between utility costs and staff time for the upkeep and maintenance of this building it costs the City approximately \$10,000 to maintain ownership of this building, this sale will eliminate these costs.

ATTACHMENTS

1. Memo
2. Ordinance Approving Rezoning Request



COMMUNITY DEVELOPMENT DEPARTMENT

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

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

To: Mayor and City Council Members

Cc: Carol Webb, City Administrator
Jodi Royal-Goodwin, Community Development Director

From: Andrew Fangman, Assistant Community Development Director

Date: October 1, 2020

Re: Ordinance Approving Rezoning Case #PZZ-13 • City of Muscatine • 304 Iowa Avenue (Former Musser Public Library) • R-5 Multi-Family Residence to C-2 Central Commercial

INTRODUCTION The City of Muscatine has submitted a request to rezone 17,080 square feet located at the 304 Iowa Avenue (former location of the Musser Public Library at the northwest corner of Iowa Avenue and Third Street), from R-5 Multi-Family Residence to C-2 Central Commercial.

BACKGROUND: This summer the Stanley Center for Peace and Security (formerly the Stanley Foundation), an endowed, private operating foundation funded by the long-term investment of its founders, Max and Betty Stanley, and the Stanley family, determined that the former Musser Public Library would make ideal location, after significant renovation, to become the Center's permanent headquarters. The Stanley Center currently operates out of leased space at Laurel Building in downtown Muscatine. The Center is anticipating investing more than \$6 million in renovation of the old library, which upon completion of the renovation, be occupied by a staff of 24. The Stanley Center have also set a goal of this renovation creating Iowa's first fully-certified Living Building. Living Building certification is the world's most rigorous proven-performance standard for buildings. To achieve certification, Living Buildings must connect occupants to light, air, food, nature, and community, be self-sufficient and remain within the resource limits of their site, and create a positive impact on the human and natural systems that interact with them. The renovated structure would also include space dedicated to the center's educational programming in Muscatine. Construction is targeted to begin in the spring of 2021, and for the renovation to be completed in the spring of 2022.

City Staff has negotiated with the Stanley Center, the attached purchase agreement for the old library, which sets a purchase price of \$120,000. The proposed sale would close no later than October 22, 2020. Closing is contingent on the successful rezoning of the property from R-5 Multi-Family Residential, to C-2 Downtown Commercial, and completion by the Stanley Center of structural and environmental due diligence on the property.

The City of Muscatine has operated a library on site from 1901 to 2018, when the Musser Public Library moved to its current location on 2nd Street. The existing building at 304 Iowa Avenue, was built in phases in 1965 and 1972, and replaced the original Musser Public Library which was constructed, on the same site at the intersection of Iowa Avenue and 3rd Street, in 1901. When the City of Muscatine adopted its first zoning ordinance, this entire block was zoned as B-2 Business, a zoning district which is equivalent to the existing C-2 zoning district. Under this zoning the library was compliant with all zoning requirements, permitted use, setbacks, required parking, etc. In 1974 the City adopted a comprehensive rewrite of the zoning ordinance. A new zoning district map adopted as part of this rewrite placed this block in the R-

5 District. With this rezoning the library became a legal non-conforming use, as a library is not allowed use within the R-5 district, and the existing structure does not meet required setbacks for the R-5 district, nor is there any off-street parking, something which every permitted use in R-5 district requires.

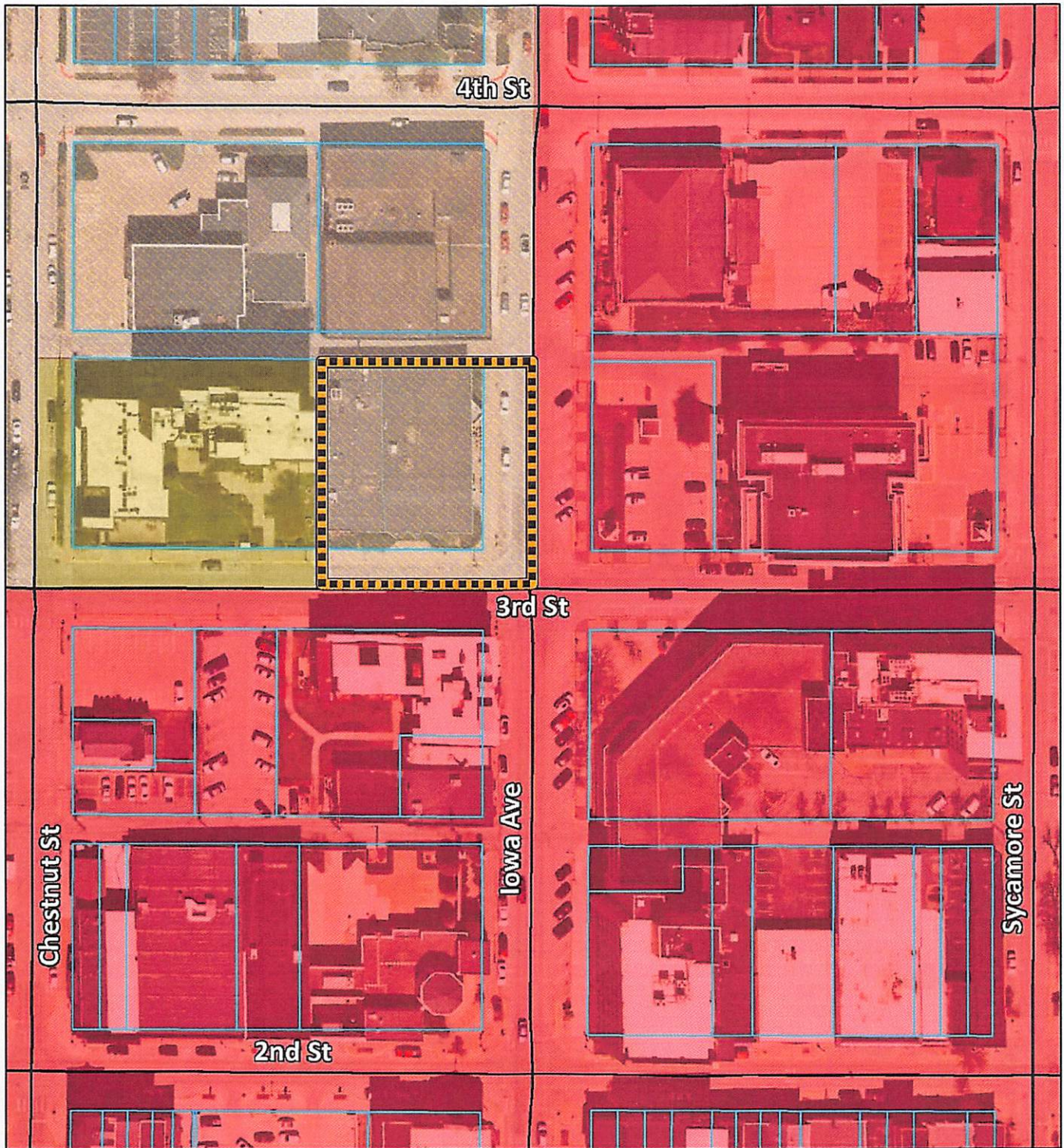
RECOMMENDATION/RATIONALE:

On September 15, 2020 the Planning and Zoning Commission voted unanimously to recommend approval of this rezoning request.

Staff recommends approval of this rezoning request. The recommendation of approval is based on a finding that the proposed rezoning is supported by the adopted Comprehensive Plan, and compatibility with adjoining and nearby land uses. The office use being proposed by the Stanley Center is very much in harmony with surrounding land uses. Two of the other three buildings located at the intersection of Iowa Avenue and 3rd Street are being used for office purposes. The size and placement of the current building, a multi-story building that occupies nearly all of the parcel, leaving no room for off-street parking is consistent with both what is allowed and found in the adjoining areas zoned as C-2.

This rezoning request is also rational as the current building cannot be used for any purpose without demolishing at least part of the existing structure or obtaining a variance from the requirement in the R-5 district for all uses to provide off-street parking.

The Stanley Center's renovation of this building would represent a major investment in downtown Muscatine, this investment and keeping the Stanley Center's staff located in downtown Muscatine; are both important steps in ongoing effort to build an even more vibrant downtown.



Area Proposed for Rezoning to C-2



Parcel Lines

Current Zoning Distircts



S-1 Special Development



C-2 Central Commercial



R-5 Multi-Family Residence



MUSCATINE

Rezoning Case #PZZ-13

Date Source: Muscatine Area Geographic
Information Consortium, City of Muscatine
Prepared by: Andrew Fangman,
Assistant Community Development Director
Date: September 4, 2020

0 50 100 200 Feet



ORDINANCE NO. 2020-0329

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF MUSCATINE, IOWA (304 IOWA AVENUE)**

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:

**Lots 4 & 5 of Block 55 of Original Town, City of Muscatine, Muscatine County
Iowa.**

Said real estate shall be rezoned from R-5 Multi-Family Residence District; to C-2 Central Commercial District

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 1st day of October, 2020.



Attest

Carol Webb, City Clerk

CITY COUNCIL OF THE CITY OF
MUSCATINE, IOWA

By

Diana L. Broderson, Mayor

1st Reading 10-1-2020

2nd Reading 10-8-2020

3rd Reading 10-15-2020

Publication _____

***** 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 80807

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

Dana Denay

ORDINANCE NO. 2020-0329
AN ORDINANCE AMENDING THE
ZONING ORDINANCE OF THE CITY OF
MUSCATINE, IOWA
(304 IOWA AVENUE)

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:

Lots 4 & 5 of Block 55 of Original
Town, City of Muscatine, Muscatine
County Iowa.

Said real estate shall be rezoned from
R-5 Multi-Family Residence District; to
C-2 Central Commercial District.

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 1st day of October, 2020.

CITY COUNCIL OF THE CITY OF
MUSCATINE, IOWA

Attest:

By /s/Diana L. Broderson, Mayor

/s/Carol Webb, City Clerk

1st Reading 10-1-2020

2nd Reading 10-8-2020

3rd Reading 10-15-2020

Section: Notices & Legals

Category: 2635 Legal Ordinance

PUBLISHED ON: 10/22/2020

TOTAL AD COST: 37.83

FILED ON: 10/22/2020

Subscribed and sworn to before me by said affiant this 22 day of
October 2020.

Danine Glascock

Notary Public in and for Scott County, Iowa

