

ORDINANCE NO. 93689-1216

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, commonly known as 610 Maiden Lane, situated in the City and County of Muscatine, and State of Iowa, to-wit:

Lot 46; Lot 47 EXCEPT the South 30.6 feet of Lot 47; the West 30 feet of Lot 48; and Lot 49 EXCEPT the South 20 feet of Lot 49, all in Terrace Heights Addition; and the East 30 feet of the West 85 feet of Lot 1 of Sunset Addition; all in the City of Muscatine, Muscatine County, Iowa.

Said real estate shall be rezoned from R-3 Single Family Residential to S-1 Special Development 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 That all ordinances or parts of ordinances in conflict herewith are hereby repealed and this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.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 15th day of December, 2016.

Attest:

Gregg Mandsager, City Clerk

CITY COUNCIL OF THE CITY OF
MUSCATINE, IOWA

By

Diana L. Broderson, Mayor

1st Reading: December 1, 2016
2nd Reading: December 15, 2016
3rd Reading: December 15, 2016
Publication: _____

PROOF OF PUBLICATION

I, Jeff Lee, being duly sworn, on my oath, say that I am an advertising clerk at the *Muscatine Journal*, a newspaper of general circulation, published in the City of Muscatine, Muscatine County, Iowa; and that the following Notice:

Muscatine City Clerk

Ordinance No. 93689-1216

Of which the annexed printed slip is a true, correct and complete copy, was published in said *Muscatine Journal* one time having been made there in on:

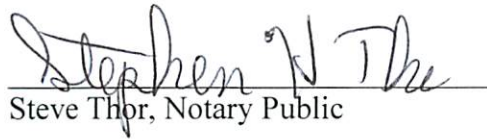
December 23, 2016

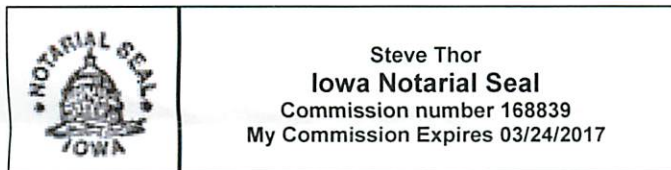
Jeff Lee



**STATE OF IOWA
MUSCATINE COUNTY**

23rd day of December, 2016


Steve Thor, Notary Public



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2nd Reading: December 15, 2016
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City Hall, 215 Sycamore
Muscatine, IA 52761-3840
(563) 262-4141
Fax (563) 262-4142

COMMUNITY DEVELOPMENT

Planning,
Zoning,
Building Safety,
Construction Inspection
Services,
Public Health

To: Mayor and City Council Members
From: Andrew Fangman, City Planner
Cc: Gregg Mandsager, City Administrator
Dave Gobin, Community Development Director
Date: December 1, 2016
Re: Rezoning Case # Z-143-16 • Muscatine Downtown Investors LLC (Tom & Ann Meeker) • 610 Maiden Lane (former Washington Elementary School) • R-3 Single Family Residential to S-1 Special Development District • Approval of a Development Plan Permitting the Use of the Subject Property as Sports and Fitness Center and Multi-Family Dwelling Unit.

INTRODUCTION Muscatine Downtown Investors LLC (Tom & Ann Meeker), have submitted an application to rezone 3.84 acres located at 610 Maiden Lane, the location of the former Washington School, from R-3 Single Family Residential to S-1 Special Development District. The applicant is proposing to make the existing gymnasium facilities available to be rented out for sports practices and fitness use, to convert the rest of the building into 19 dwellings units, and to construct 12 garages and a 26 car parking lot to serve to new dwelling units. See attached map for location details and current zoning of the subject parcel and surrounding area, also attached is the proposed development plan.

BACKGROUND: The subject property is the site of the now closed Washing Elementary School. In late 2016 the Muscatine Community School District signed an agreement to sell the property to Muscatine Downtown Investors. The intent of the applicant is to make the existing gymnasium facilities available to be rented out for sports practices and fitness use, to convert the rest of the building into 19 dwellings units, and to construct 12 garages and a 26 car parking lot to serve to new dwelling units. The applicant is also proposing to construct a new driveway connecting to 8th Street to serve the parking lot and garages that will be constructed to serve the residential portion of the project, the proposed new driveway would largely follow the route of an existing sidewalk that run from the school building to 8th Street. The applicant intends to begin making the gymnasium facilities available to be rented out for sports practices and fitness use immediately after approval of this rezoning request, conversion of the remaining portion of the former school into 19 dwelling units will occur at a later date.

The applicants proposed uses are permitted within the S-1 zoning district. Within the S-1 prior to any usage of existing structures or commencement of new construction a development plan must be approved. This development plan must detailed the proposed usage and development proposed for the subject parcel. The applicant has submitted a proposed development plan, see attached, for concurrent consideration along with the requested rezoning request.

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

RECOMMENDATION/RATIONALE:

The Planning and Zoning Commission and Staff recommend approval of this rezoning request and concurrent approval of the attached development plan. This recommendation is based on a finding that the request would further the accomplishment of a number of goals within the Comprehensive Plan and would be compatible with surrounding land usage.

It is in the community's best interest for this currently disused property to be returned to use in a manner that does not negatively impact nearby residences. This is in alignment with Goal LU.16 of the Comprehensive Plan which states: *"The revitalization of established neighborhoods, particularly blighted areas by promoting development that conserves land, protects historic resources, promotes pedestrian accessibility, and integrates different uses of property. Remediation and reuse of existing sites, structures, and infrastructure is preferred over new construction in undeveloped areas"*

The rezoning of the subject parcel is a necessary step in returning the currently disused site back to productive use. Under the current R-3 zoning the only permissive use of the subject property are as single family home, place of worship, or school. The current structure is not suitable for use as a single family home, and there is not much demand for new schools or places of worship. There is however a demand for indoor recreational spaces and apartments, reusing the former Washington School would help meet these demands by putting a currently disused structure back to use.

The applicant's intent to make the former school gymnasium available for rental would help with achievement of Goal LU.3, of the Comprehensive Plan, which is to, *Increase new development (housing and commercial) on vacant lots in portions of the City already served by public infrastructure*. The applicant's proposal to construct 19 new housing units in a location within the core of the City clearly furthers the goal of seeing growth occur through infill development. This development requires no new construction or improvements to public infrastructure and maximizes the community benefits of previous public infrastructure investments.

The applicant's intent to make the former school gymnasium available for rental would help with achievement of Goal PR.9, of the Comprehensive Plan, which is to, *"To expand cold and all-weather recreational amenities and activities"*. During the public outreach process portion of drafting the Comprehensive Plan the need for more all-weather recreational amenities was apparent, and the applicant's proposal helps meet the community need.

Commercial uses relying on parking spaces located within the public ROW are not unprecedented within the City of Muscatine, there are numerous examples of this arrangement, mostly downtown within the C-2 zoning district which does not require any off-street parking spaces for commercial uses, however under the appropriate circumstances such an arrangement may also be permitted within the S-1 District.

There are three zoning districts which do not specifically require a certain number of required off-street parking spaces: the S-1, S-3, & C-2 zoning districts.

In the S-1 District, the number of required number of parking spaces is determined by what is shown on the development plan which is approved by P&Z and Council in conjunction with the rezoning. The development plan submitted by the applicant shows the use of the existing parking spaces located with the ROW in lieu of the construction of additional off street parking spaces.

The unique challenges and opportunities of repurposing the currently vacant school site, warrants taking a more unconventional approach to parking, than would the same development proposed as greenfield construction. The S-1 district was specifically designed to provide the flexibility necessary to allow for the successful reuse of sites such as this. Section 10-16-1, describes the intent and purpose of the S-1 District, it states: "It is the purpose of this District to provide an opportunity for modern and imaginative architectural design, site arrangement, and City planning for certain special and unusual areas."

The alternate to reusing the existing 28 parking spaces within the public ROW, would be the construction of an 28 off-street parking spots and the attendant access drives and aisle on the subject property. It is the strong opinion of both the Planning and Zoning Commission and staff that construction of such a parking lot would not be positive outcome for the neighborhood in question, the community as a whole, or the proposed redevelopment of Washington School.

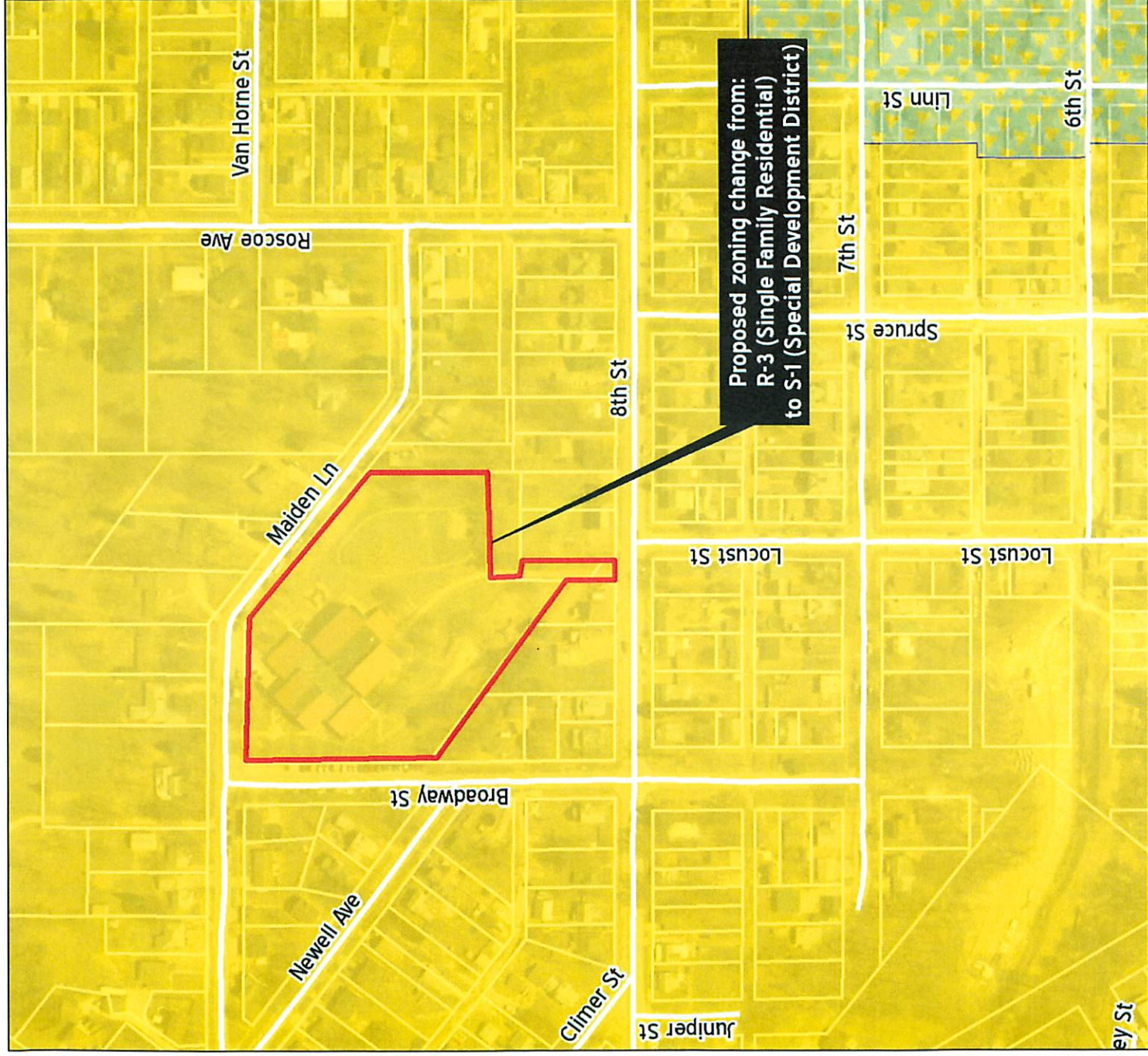
The current location for parking for the gym is the least impactful design to adjoining and nearby by residences, any parking lot constructed in lieu of the use of the existing parking spaces would be located nearer to existing residence than the current parking spots. Additionally, instead of being buffered from the nearest residences by a street, they likely would be directly adjacent to the property lines of a number of adjoining residences. Keeping parking as far away and as buffered from existing residences as possible is the most desirable outcome as this lessens the potential for conflict between adjoining landowners.

The more impervious surfaces that are added, the more difficult storm water becomes to manage, both in terms of water quality and the impact of larger events on property owners at lower elevations. It is clearly more desirable from a storm water management perspective to make use of existing hard surfaces than it is to construct new hard surfaces for which the run off will now have to be managed.

Because these parking spaces are located behind the curb, they are the adjacent property owner's responsibility to maintain. This is similar to maintenance of sidewalk or driveway aprons located within the public ROW

BACKUP INFORMATION:

1. Map
2. Development Plan
3. Ordinance



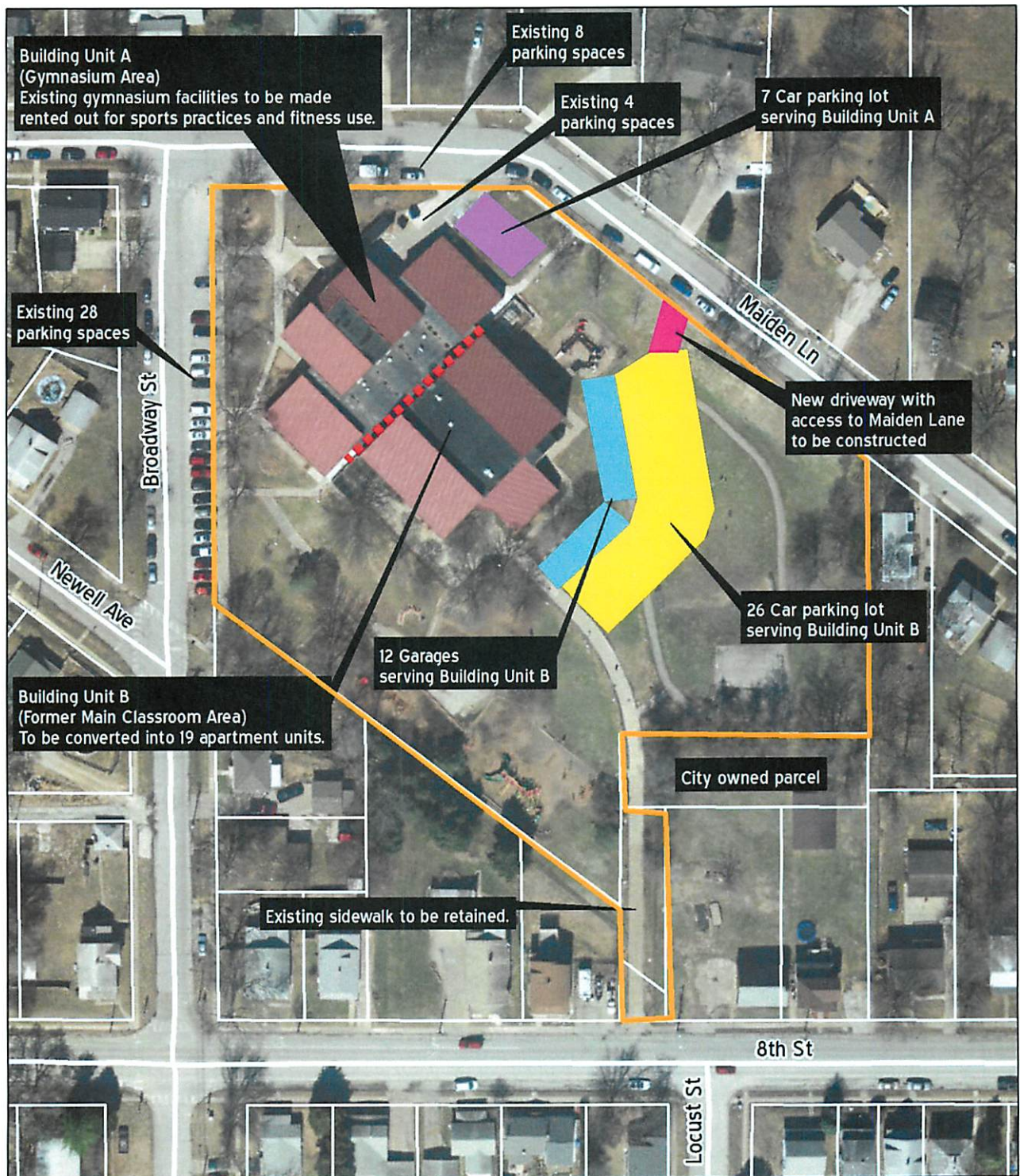
Rezoning Case # Z-143-16 ***610 Maiden Lane***

Current Zoning District

- R-3 Single Family Residential**
- R-4 Two Family Residential**

Date Source: Muscatine Area Geographic
 Information Consortium, City of Muscatine
 Prepared by: Andrew Fangman, City Planner
 Date: October 31, 2016





MUSCATINE

Propose preliminary/final development plan for the property at 610 Maiden Lane, as is required by Section 10-16-5 of City Code for any development/change in Use within the S-1 Zoning District.

Proposed Preliminary/Final Development Plan 610 Maiden Lane



MUSCATINE DOWNTOWN INVESTORS
SUMMARY OF PLANS FOR FORMER WASHINGTON SCHOOL AT 610 MAIDEN LANE

PLANNING AND ZONING MEETING 11.8.16

While this property is one building, it actually has 2 very distinct, separate parts. One is the one-story gym area and the other is the three-story classroom, library, office area. There is a fire wall between these two parts. Our plan for the building is to maximize the existing structure by using those separate parts for activities each part is particularly suited for.

DESCRIPTION OF UTILIZATION OF THE PROPERTY

BUILDING UNIT A (Gymnasium area)

1. This area will be used as a gym for activities such as sports practices and fitness.
2. We expect 25-30 max. using the gym at one time
3. There are 47 parking spots on Broadway and Maiden Lane for the gym.

BUILDING UNIT B (Main school area)

1. This three-story area will become 19 industrial-style apartments for young professionals.
2. There will be no low income tenants in this building.
3. Parking will be on the property; there are 20 spots at the rear of the building. There is an existing road there that is accessed from 8th Street.
4. 12 garages will be added on the existing property for the apartment residents.
5. There will be a total of 38 parking spots on the property for Unit B residents.