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Institutions in Residential Areas: Recommendations for Change

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Institutions in Residential Areas: Recommendations for Change

Prepared for
Karin Franklin, Director of Planning and Community Development
City of Iowa City

By:
Michael Bruce, Jacquelyn E. Jones, & Katina Lewis
Field Problems in Planning 102:210
Graduate Program in Urban and Regional Planning
The University of Iowa

May 11, 1999
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Prepared for
Karin Franklin, Director of Community Planning and Development
City of Iowa City

Instructor: Peter Fisher
Faculty Advisor: Heather MacDonald

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- **Exhibit B:** Census Tract #11 for Johnson County
- **Exhibit C:** Partial Re-zoning of Northside Neighborhood
ACKNOWLEDGMENTS

We would like to thank several persons and organizations whose input and participation throughout the research process were most valuable. Specifically, the input and direction provided by Ms. Karin Franklin and The City of Iowa City’s Planning and Community Development Department, as well as that of Professors Peter Fisher and Heather MacDonald at The University of Iowa Department of Urban and Regional Planning.

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Dianna Fallon, Wellington Heights Neighborhood Association
Angela Williams, Housing Planner - East Central council of Governments,
Margaret Silber, Community Relations Director - Mercy Hospital
Executive Summary

The purpose of this proposal was to suggest or develop a guideline the City of Iowa City could reference or use when managing institutional growth in residential areas. The three institutions examined were schools, churches, and hospitals. There were certain impacts that were common to all three institutions: parking/traffic, housing, and tax-base erosion. There were also impacts that were unique to each institution. These included lighting and expansion of community-health services.

Impacts

➢ The common reason schools expanded was to provide additional parking for students. In addition, expansion also occurred for development of athletic activities. It was determined that expansions of this type created severe parking and traffic difficulties for the surrounding communities. Lighting issues as a unique impact were also examined as it is regarded as a nuisance by the neighboring community.

➢ The common impact of parking was also examined in regards to church expansion. Again, it was determined that this was the most significant impact churches imposed on surrounding neighborhoods. There were no unique impacts the churches imposed upon the surrounding community.

➢ All three common impacts were examined in relation to Mercy Hospital and the surrounding community. It was determined that additional Mercy Hospital expansion could decrease the number of affordable housing units and reduce tax revenue for the city.

Current Tools used by Iowa City

➢ Currently, public schools are not regulated by Iowa City’s Zoning Ordinance. They only have to adhere to the existing building codes if they erect new structures.

➢ Iowa City has been managing church and hospital expansions by requiring special exceptions for such expansions. In addition, the City of Iowa City has denied and approved several variance requests for Mercy Hospital.

Tools Used by other Communities

➢ In Belmont, California and Portland, Oregon, public schools were regulated by the City’s Zoning Ordinances. This proved to be beneficial for the community.

➢ Other municipalities use site plan reviews and the creation of religious districts as a way of managing church expansion. In addition, municipalities
are changing their zoning ordinances to use special exceptions instead of provisional uses.

➢ An exhaustive literature search yielded few examples of managing hospital expansion in other cities. Most of the research focused on building designs and code regulations.

Recommendations
➢ In regard to Iowa City schools, it is recommended that the City of Iowa City incorporate school sites into the present zoning ordinances. This will allow the city to control the growth and expansion of schools into residential areas.

➢ It is also recommended that Iowa City increase the parking ratio for churches from 1 parking space per every 6 auditorium seats (1:6) to 1 parking space per every 4 auditorium seats (1:4). In addition, Iowa City should require a 50-foot set back requirement from all residential lot lines. Iowa City’s Zoning Ordinance seems comparable to that of other cities.

➢ It is suggested that Iowa City partially rezone the Northside Neighborhood as a Neighborhood/ Conservation Residential Zone (RNC-20). This will preserve the character of the existing neighborhood. Furthermore, Iowa City and Mercy Hospital should work collaboratively through planning techniques such as long-range development plans. It is also recommended that Iowa City not allow expansion for additional hospital parking.
Nothing is experienced by itself, but always in relation to its surroundings, the sequences of events leading up to it, the memory of past experiences (Lynch, 1997a, p.1)

Introduction

Institutions expanding into residential areas are a concern for most city planners. The impacts can sometimes be detrimental to the existing community. This is further complicated when the institution is a non-profit entity that provides valuable services to the community. A planner must find a way to align the goals of all interested parties while effectively using the city’s resources. This paper seeks to examine the impacts of expansion and propose guidelines that the City of Iowa City can use to manage the growth of these institutions. For the purposes of this analysis, the focus was restricted to schools, churches, and hospitals and their impacts on the surrounding community.

There are some impacts that are common to most institutions expanding into residential areas. These include parking and traffic congestion problems and a potential reduction in both the affordable housing stock and the tax base. Through the course of this paper, we will examine how these common impacts, as well as impacts that are unique to each institution, should be addressed by the City of Iowa City.

Section 1 of this analysis focuses on the current impacts these aforementioned institutions have had on their surrounding community. This is followed by a discussion of the current tools that the City of Iowa City is using to manage the growth of these institutions. Section 3 discusses tools that other cities and communities have employed to deal with institutional growth into residential areas. The paper concludes with recommendations that the City of Iowa City can incorporate into its existing policies.
Section 1: Impacts

Schools

Two area high schools have expanded into residential areas: City High School and West High School. According to Assistant Superintendent, Jerry Palmer, public schools are exempt from regular city zoning requirements (Interview, 3/23/99). This differentiates schools from other institutions in that new structures can be erected within the confines of the existing property, with the school district having to adhere only to building codes for expansion. (Interview, 3/23/99).

Focusing on public high schools as impacting residential areas: City High School and West High School are the only two. City and West High School’s current enrollment is 1600 and 1,511 students, respectively. Nationally, school districts completed more than $12 billion worth of construction during the last year, about $700 million more than had been projected in a survey conducted a year earlier (CEFPI, 1997). If Iowa City follows the national trend, expansion could occur in these two high schools. Although Assistant Superintendent Palmer stated that the enrollment has leveled off, he suggested that sports facilities could be a target for expansion by parent groups or district projects (Interview, 3/23/99). Expansion of facilities is a possibility for the Iowa City school district.

Common Impact

Recently, City High School has expanded its parking lot to accommodate the increased number of student drivers. Of the 1,600 students at City High School, 600 (37.5%) of the students have parking permits. School regulations allow only juniors and seniors parking permits. West High School also has issued a large number of parking permits. Currently, 822 parking permits have been issued, which represents 54% of the student body. The number of parking spaces available at City High School is 348 total spaces and 804 total spaces at West High School. There is a shortage of off-street parking at City High School, which
leads to congested residential streets around the school. When City High School decided to expand its student parking facilities, the Iowa City School Board held informational meetings with concerned residents in the community. Issues regarding lighting and landscaping were discussed (Interview, 3/23/99). Involving the residents in the expansion process is one way the community can voice its concerns. If there is an understanding of the expansion and the surrounding circumstances, the likelihood of opposition is lessened. However, the large number of students driving to City High is of particular concern.

The expansion of City High School’s parking lot is a temporary and partial solution to a continuing problem. When public institutions expand into residential areas, a benefit or service may be added. However, these benefits are set off if an adverse reaction occurs. In this particular situation, parking becomes a problem. There are more permits than parking spaces especially on City High School’s property, which creates parking spill-over into the neighborhood. Concerns by local residents regarding the level of congestion and parking on local streets could become a reality and pose a serious problem. Both schools begin at 8:10am and end at 3:20pm, which means that the traffic peaks around these times. One way to deal with adjacent land uses that have different peak times is to utilize shared parking (Wormser, 1997). The high schools and any other institution that has a varying peak time can utilize the same parking lot, thereby reducing the amount of land used for parking. In the case of the high schools, shared parking could be used when athletic events and other special events are occurring. Shared parking is already currently used around city high school by Hoover Elementary School and a church.

Although zoning does not regulate the schools, but the addition of parking lots are by building codes. According to the Iowa City Zoning Ordinance, senior high schools are required to provide ten parking spaces on site for each classroom (Iowa City Zoning Ordinance, 897). The current expansion of City High School’s parking lot is a result of the increased demand for parking. Therefore, the current
parking ordinance might not have been adequate. Expanding a parking lot for a non-profit institution like a school consumes land that could be taxable (Wormser, 1997). The parking that has recently been expanded by the high school is not for those employed by the school. Both City High School and West High Schools employ 175 people. A balance between offering students a place to park and further expansion into residential areas needs to be addressed.

**Unique Impact**

The way in which a school uses its land can have an effect on its neighbors. A recent donated gift of tennis court lights has created a controversy in the neighborhood around City High School (Interview, 3/23/99). This controversy might not have arisen had proper notice been given to the neighbors. In an article that appeared in the December 4, 1998 edition of the Iowa City Press Citizen, it was found that the neighbors were not given prior notice about the $25,000 project that would allow students and residents to play on the tennis courts at night (3A, 1998). However, the question arises, is it the responsibility of the school board to notify neighbors and get their input? Notification of the new lights by the school board could have helped to dispel some of the concerns of the residents. Furthermore, meetings were never held with the neighbors because the school board felt that the lights would not cause a negative impact on the houses surrounding the school (Interview, 3/23/99). The contrary has occurred. A local resident commented, “You’re using my tax money to do a project that has a direct impact on me. Thirty-six thousand watts of lights are shining on the back of my window. I have three heavy curtains on our bedroom window and the lights come through” (3A, 1998). The process that the school board used to put the lights up severely lacked public input. Director for the city’s department of housing and inspection services, Doug Boothroy, commented that there is no city requirement about public notification for lighting installation (3A, 1998). In this regard the school board acted in the manner that was consistent
with its existing policies. The process the Iowa City School Board employed for installation of the lights is outlined below:

- Project discussed for three years within the school system
- This spring, the Little Hawks Club, a fundraising arm of the booster club, granted approval to raise funds for the lights
- Club submitted the idea to City High Principal Trudy Day
- Day submitted approval to the Iowa City School District’s Voluntary Contribution Committee
- Funds for the projects, $24,915, were privately raised. The City agreed to contribute $10,000. Project went to superintendent Barb Grohe and district’s foundation director, Linda Detroy Alexander
- Project approved by Iowa City School Board in late August or early September (3A, 1998).

More recently, the residents living near the lights are actively trying to get the attention of the school board. They have asked the Iowa City School Board to conduct a feasibility study on the effects of the new lighting in less than a month because they feel that installation of the new lights violated administrative policy (3A, 1999). A feasibility study would be able to determine the potential impacts that the neighbors could face. The school district did tell the residents closest to the tennis courts that $24,915 was needed to pay for the lighting project and the city agreed to contribute $10,000 to the project (Rahim, 1999). The City contributed the money because they felt the lights would be beneficial to the school especially at night making the area safer. However, that does not include the cost of labor and materials, which would drive the cost to over $25,000. This is problematic because the policy of the Iowa City School District Foundation, the district’s fund-raising organization, states that a feasibility study needs to be completed for a project of that price (3A, 1999). Unfortunately, the school district did not use the feasibility study and probably should have.

While the lights pose a nuisance to the local residents, there is another take on the situation. The high school tennis coach addressed the issue that the lighting would allow more practice time for the players. Currently, 60 tennis students rotate in practice. The new lights would allow all of the tennis team to practice
(3A, 1998). This would be more equitable and just for the team. Local residents would also have access to the tennis courts at night. Another local resident stated, “These are not for the high school kids at 10 o’clock at night. These are for the adults. You can’t mix in any high school students and say this is for the good of the high school students, when this is clearly for the good of the parents” (4A, 1998). The use of the tennis courts at night by the local residents is a residual benefit gained as a result of the new lights.

The residents have gained some concessions. Thirty poplar trees will be planted for landscaping because 94 percent of the lights face the courts along the south side, and the other 6 percent of the lights face the homes (3A, 1998). The trees will act as a barrier between the lights and the homes. Unfortunately, the trees could take time before they grow the length of the fence, which is smaller than the lights (3A, 1998). Landscape usage as a barrier between the lights and the homes is viable alternative. However, in this case the addition of the trees may be more ornamental than functional.

Should lighting for the schools be regulated by a city zoning ordinance? The City of Iowa City is currently in the process of taking a closer look at the standards for public zoning ordinances regarding lighting (4A, 1999). Currently only business lighting is regulated. This would mean a change in zoning ordinances for the city. The school district can voluntarily comply with the current regulations (4A, 1999). However, it has not in the past. Lighting with regard to schools should be regulated like businesses.

**Religious Institutions**

Religious institutions may have negative impacts on residential neighborhoods. Most concern raised by churches involves impacts of traffic, noise, lighting, signage, access, and parking, not to mention problems with their accessory uses. Often, a church’s congregation is largely composed of members who reside
outside the neighborhood of the church, thus causing major traffic problems. Furthermore, churches may expand their facilities and services so that they are no longer in character with a residential district.

For instance, churches are rapidly expanding other community-serving functions. They are providing child day-care services, building adult educational programs, and providing community centers complete with sports and recreational facilities. To raise money, churches hold bake sales and "all-you-can eat" dinners, rummage sales, children's' fairs, carnivals and picnics. Also, churches are producing plays, giving concerts, providing conference and retreat facilities, and are beginning to provide adult day care for the elderly. Therefore, churches create the same impacts as schools and hospitals.

**Common Impacts**

Some religious uses can have serious, negative impacts on the district as a whole. Besides negative impacts of traffic and parking, churches in residential districts frequently have negative fiscal impacts on neighborhoods. (Kennedy, Christianity Today, April 28, 1997, p. 72). Churches in a neighborhood may decrease the tax base, which is caused by the property tax exemption given to churches. Increasingly, churches around the country are facing opposition to construction or expansion plans because many officials wish to maximize property tax revenues (Kennedy, p. 72)

The majority of churches in Iowa City that have applied for a special exception have done so for the following reasons: to expand the church; increase parking spaces; modify front and side yard requirements; to ask for shared parking; to establish a child care facility; and to add a parochial grade school to the existing high school. The Board approved almost all of the applications. This may suggest that Iowa City does not have a problem with religious institutions
expanding in residential neighborhoods. Alternatively, it could suggest that the special exception process is too lenient and needs to be more stringent.

By far the biggest problem in Iowa City seems to be the need to expand parking for the churches. With this in mind, Iowa City may want to consider increasing its parking requirement. Currently Iowa City requires “parking spaces equal to one-sixth (1/6) the occupant load in main auditoriums or the largest room in the building, whichever is greater.” The 1/6 requirement means that for every six seats, one parking space is required.

Unique Impacts

According to John W. Kennedy in Permission Denied, congregations wanting to relocate to a new area or to expand existing facilities are met with resistance from neighbors and city officials anxious about increased traffic, a decreased tax base, and parking and noise problems (Kennedy, Christianity Today: April 28, 1997 p. 73). Increasingly, our society is forgetting the positive aspects of churches. These positive impacts should be balanced against the negative impacts churches may cause. Religious groups often reach outside their communities and help address societal problems such as homelessness as part of their mission. This is an important function, especially since there is a lack of local, state, and federal funding for these efforts. Churches also send volunteers to help the troubled where they are rather than importing them. They give the example of love and try not to judge their persecutors and are considered a stabilizing agent in a neighborhood (Commonweal, Abigail McCarthy, There Goes The Neighborhood 22 October 1993: 9).

Finally, churches, by their very nature, further public morals and the general welfare see American Friends of the Society of St. Pius v, Schwab, 417 N.Y.S.2d 991 (1979). Further, it was held that "where an irreconcilable conflict exists between the right to erect a religious structure and the potential hazard of traffic
or diminution in value, the latter must yield to the former." Jewish Reconstructionist Synagogue of North Shore v. Incorporated Vil of Roslyn Harbor, N.E.2d at 538.

Also, freedom of religion clearly distinguishes religious institutional expansion from other institutions. The first amendment requires that the government be held to a higher standard when interfering with the exercise of religion. Iowa City's planners need to be aware of the Religious Freedom Restoration Act (RFRA) of 1993 (Public Law 13-141). Under RFRA, "laws 'neutral' toward religion may burden religious exercise as surely as laws intended to interfere with religious exercise."

**Hospitals**

Mercy Hospital – Iowa City, a private not-for-profit corporation, was the first healthcare provider in the area. The hospital was established in 1873 in response to a growing community’s need for medical and social services. Presently, Mercy Hospital has 234 beds and operates at an occupancy rate of approximately 44%. For year 1997, Mercy Hospital had 9,721 inpatient admissions and 203,910 outpatient visits. It employs 1,115 employees from Iowa City and its peripheral communities. Mercy's mission is to provide personalized qualitative health services in the spirit of human kindness, dignity, and understanding for the community it serves. Mercy provides primary and specialized services while focusing on preventative, geriatric, and rural health care.

Mercy Hospital is located in a residential community on the north side of Iowa City known as the Northside Neighborhood. In the last 17 years, Mercy has expanded more than three times to accommodate its modest growth. Most of the expansion has been to improve and provide parking facilities for its patient base and employees. The most recent expansion entailed increasing the size of its emergency room (ER) to accommodate the 12% growth in ER visits in the last 2-
3 years. Although this growth may seem beneficial, there are certain impacts that should be explored when institutions expand into residential areas. This section of the paper seeks to identify and evaluate the impacts of hospitals expanding into residential areas.

Common Impacts

"Hospitals, schools, day-care centers, and clubs are needed in a community but may give rise to traffic congestion and dangers, or to severe parking difficulties" (Cullingworth, 1997, 81). This is of particular concern for Mercy Hospital and the City of Iowa City. Over the past 17 years, Mercy Hospital has expanded its parking facilities three times to accommodate the hospital's growth. The hospital now has a total of 762 parking spaces. Currently, Mercy Hospital has an employee parking ramp with 232 available spaces and a 430 patient/visitor parking facility. The employee-parking ramp is a free service for employees of the hospital. Mercy Hospital's Plaza parking ramp provides parking for patients and visitors of the hospital and medical offices. There are a few employee-parking spaces in this ramp. In addition, the hospital has three parking lots that are used for overflow parking and a recently expanded ER parking lot. These additional parking lots have approximately 100 spaces.

Parking and traffic congestion are problems that are encountered when a hospital expands in a residential area. However, there seem to be few policies that regulate the number of parking spaces allowable for these entities. Most of the planning literature supports a minimum number of parking spots at a 1 to 1 ratio of beds: parking spaces, yet there is not a mechanism to determine the maximum number of parking spots hospitals actually need. Mercy Hospital does not have a maximum number of parking spaces needed. It may be reasonable to assume that Mercy Facilities has satisfied the parking needs of its employees, patients, and visitors based on the total number of parking spaces the facility presently has. It is suggested that if Mercy Hospital decides to further expand for
additional parking in the near future, the City of Iowa City should carefully evaluate this notion.

**Housing**

The average cost of housing within the two-block area of Mercy Hospital is $100,832 (see Appendix A). This data was retrieved from the 1997/98 County Assessor’s Records. This residential area includes houses located on Market, Jefferson, Gilbert, Iowa, North Van Buren, North Johnson, Dodge, and Bloomington streets. Most homes are single-family dwelling units, with a few scattered rental units. According to a 1999 Housing Needs Assessment and Action Plan, conducted by the East Central Iowa Council of Governments (ECICOG), the average cost of housing in this area is considered affordable. Based on ECICOG’s findings, a four-person household with income 51%-80% of the Iowa City median income should be able to afford a $110,842 home with a 10% down payment. Table 1 displays the findings:

**Table 3**: 1998 HUD Median Income Levels with Maximum Home Price Affordable for Low to Moderate Income Households

<table>
<thead>
<tr>
<th>Household Size</th>
<th>Household Median Income in Iowa City</th>
<th>51-80% of the Median Income</th>
<th>Maximum Home Price with 10% down</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$37,500</td>
<td>$18,751 - 30,000</td>
<td>$77,493</td>
</tr>
<tr>
<td>2</td>
<td>$42,900</td>
<td>$21,451 - 34,300</td>
<td>$88,609</td>
</tr>
<tr>
<td>3</td>
<td>$48,200</td>
<td>$24,101 - 38,600</td>
<td>$99,726</td>
</tr>
<tr>
<td>4</td>
<td>$53,600</td>
<td>$26,801 - 42,900</td>
<td>$110,842</td>
</tr>
</tbody>
</table>

Source: Johnson County 1999 Housing Needs Assessment & Action Plan – Prepared by ECICOG Housing Planner Angela Williams

The area around Mercy also has a lower cost of housing when compared to census tract #11 for Johnson County where the average owner cost is $109,364 (see Appendix A, Exhibit B for census tract #11). A windshield survey was conducted on the homes in the two-block area. Based on the survey, 62% of the homes were rated in fair condition with minor deficiencies based on ECICOG’s windshield survey criteria. Of the 100 homes surveyed, six were identified as rental units.
Within this two-block residential area, Mercy Hospital owns five residential properties. If Mercy Hospital were to utilize the land for purposes other than residential, it would fray the fabric of the community. Presently, this part of the Northside Neighborhood is zoned commercial/office zone (CO-1). Please see map for CO-1 zoning in Appendix A, Exhibit C. Within this two-block area, there is a gas station, St. Weneslaus and Zion Lutheran churches, three private physician practices and Mercy's facilities, which include parking ramps, physician office space, a cancer clinic, and the hospital structure. Exhibit A shows how the neighborhood is interwoven between these structures. Additional expansion of Mercy’s organization could threaten the affordable housing stock. Mercy’s residential holdings are listed below. Please see Exhibit A for Mercy Hospital residential holdings.

- 127 N. Dodge Street
- 109 N. Dodge Street
- 115 N. Dodge Street
- 609 E. Bloomington Street
- N. Dodge Street, S 50' of E 50' Lot 1 Block 26

**Tax Base Erosion**
Mercy Hospital has tax-exempt status for some of its residential and hospital properties. However, the hospital is currently in the process of transitioning four residential properties from taxable status to tax-exempt status because the land will now be used for charitable or community purposes. This will erode Iowa City’s revenue from taxes by $9,118. This may be of particular concern for the City of Iowa City as it may indicate a future change in present land usage. Furthermore, if they decide to use the existing residential properties for non-taxable purposes, the City of Iowa City stands to lose an additional $5,774 in revenue. Commercial properties were included to show the potential revenue loss for the city if these properties were converted. Table 2 shows the current taxes paid in 1997 by Mercy Hospital for all of their current properties. All data was obtained from the County and City Assessor's Office.
Table 2: Current Taxes Paid in 1997 by Mercy Hospital

<table>
<thead>
<tr>
<th>Residential Properties</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>S 50' of E 50' Lot 1 Block 26</td>
<td>$198.00</td>
</tr>
<tr>
<td>127 N. Dodge Street</td>
<td>$1,322.00</td>
</tr>
<tr>
<td>109 N. Dodge Street</td>
<td>$1,108.00</td>
</tr>
<tr>
<td>115 N. Dodge Street</td>
<td>$1,234.00</td>
</tr>
<tr>
<td>609 E. Bloomington</td>
<td>$1,912.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$5,774.00</strong></td>
</tr>
</tbody>
</table>

*Residential Properties that are being transitioned*

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>611 E. Market Street</td>
<td>$4,826.00</td>
</tr>
<tr>
<td>230 N. Gilbert Street</td>
<td>$2,094.00</td>
</tr>
<tr>
<td>220 N. Johnson</td>
<td>$1,352.00</td>
</tr>
<tr>
<td>411 E. Bloomington</td>
<td>$846.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$9,118.00</strong></td>
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<table>
<thead>
<tr>
<th>Commercial Properties</th>
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<tbody>
<tr>
<td>540 Jefferson Street</td>
<td>$183,806.00</td>
</tr>
<tr>
<td>625 E. Market Street</td>
<td>$3,698.00</td>
</tr>
<tr>
<td>601 E. Bloomington</td>
<td>$22,122.00</td>
</tr>
<tr>
<td>1011 Arthur Street</td>
<td>$13,642.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$223,268.00</strong></td>
</tr>
</tbody>
</table>

Source: Iowa City Treasurer's Office

*Transitional properties refer to residential properties that are being transferred from taxable to tax-exempt status.

Employment Opportunities

As stated earlier, Mercy Hospital presently employs 1,115 employees. It is the sixth largest employer in Iowa City. As of April 1, 1999 there were 46 employment opportunities at the hospital, of which 7 will be filled internally, leaving a total of 39 positions that can be filled externally. It could not be determined if the present expansion of the emergency room will generate additional employment opportunities. Mercy Hospital’s spokesperson suggested that the organization is facing many of the same ‘hiring’ dilemmas that other organizations in Iowa City are facing due to the current state of the economy and low unemployment rate. Nonetheless, if Mercy Hospital decides to continue expansion and act on existing property holdings for medical purposes, additional
employment opportunities will be generated. This may be likely as the Chamber of Commerce in conjunction with Mercy Hospital, has launched a *Healthy People 2000* initiative aimed at increasing awareness of Iowa City’s abundant medical resources. The impact of additional employment should be assessed at that time.

*Unique Impacts*

Mercy Hospital serves as a common hospital for its immediate surrounding community. This is important to most residents in the area because it provides medical services that are beneficial to the entire community. The ease of knowing that a medical provider is in close proximity provides added comfort and ease to the residents. In addition, residents know that they can receive routine medical treatment such as blood tests and pap smears, in their community. Presently, Mercy Hospital is focusing on geriatric care in the form of home health care and oncology services by offering new radiological equipment and a future breast-imaging center. These ancillary services are particularly important due to the demographic make-up and current clinical conditions of the Iowa City population.

*Section 2: Current Tools used by Iowa City*

This section discusses the tools that Iowa City currently uses to regulate not-for-profit public institutions. The first part discusses how schools are regulated. The second part discusses how churches are regulated and includes a discussion on Iowa City’s special exception process. Finally, part three discusses how Mercy Hospital is currently regulated in Iowa City.

*Schools*

Currently, public schools are not regulated by the city of Iowa City because they are facilities that are state owned. The only regulations they have to follow if they
expand on their own property are building codes. Off street parking is regulated as ten parking spaces for each classroom (897).

Churches

Iowa City effectively deals with the expansion of Religious Institutions by granting or denying special exceptions. Section 14-4B-4C allows the Board of Adjustment to consider imposing additional conditions on the approval of a special exception if it feels that they are reasonable and necessary to protect the public interest. Pursuant to this section, in past special exception cases, the staff has imposed alterations involving additional landscaping and screening, increasing the setback for the parking areas along certain segments of a lot, and measures to minimize the effects of lighting from the parking lot on adjacent properties.

➢ Special exception procedure
In the past, the City of Iowa City allowed churches either by right (provisional use) or by special exception in all Residential Districts. Under the special exception process, a new church or an expanding church must apply to the Board of Adjustment for a special exception to permit or deny the proposed change. The purpose of the special exception is to permit the construction of an addition to an existing building, alter minimum yard requirements delineated by the zoning ordinance, permit redevelopment of a religious institution, or to allow the expansion of the parking area for the church currently located on the site. However, the church must meet certain criteria designed to ensure that the church is compatible with surrounding property uses, before it can locate or expand in the residential zone.

➢ General Special Exception Standards
Before approving a special exception request, the Board must be confident that the applicant meets the standards contained in the City Code section 14-4B-4B. To obtain a special exception permit an applicant must satisfy three
requirements. (1) The specific proposed exception will not be detrimental to or endanger the public health, safety, comfort or general welfare. (2) The specific proposed exception will not be injurious to the use and enjoyment of other property in the immediate vicinity and will not substantially diminish or impair property values in the neighborhood. (3) Establishment of the specific proposed exception will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zone in which such property is located. (Iowa City Zoning Ordinance). In addition, Religious Institutions must meet the requirements of section 14-6L-1, which requires:

1. Religious institutions shall have access to arterial or collector streets or on streets with paving wider than twenty-eight feet (28'). (Ord. 94-3624, 6-14-1994)

2. Dimensional requirements shall be as follows:
   a. Minimum Lot Area: 40,000 square feet.
   b. Minimum Yards: Two feet (2') of horizontal distance shall be provided for each foot of building height measured between the nearest point of any lot line and the nearest point from which the height is measured.

**Hospitals**

In the past, the City of Iowa City has dealt with Mercy Hospital’s expansion by allowing the hospital to submit variances and special exceptions to the Board of Adjustment. The Board of Adjustment, with the help of the planning staff, either denies or approves the proposed variance or special exception. The Board’s primary goal is to ensure that the proposed variance or special exception “is in accordance with the coordinated and harmonious development of the City.” However, before a Board may grant a variance, unnecessary hardship must be proven by the landowner.

From 1982 until the present, most of Mercy Hospital’s expansion has dealt with providing additional off-street parking for employees, patients, and visitors. The problem that arises is whether this is deemed as an unnecessary hardship for the
existing residential community. According to Karin Franklin in the August 4, 1982 Staff Report, this issue can be attributed to the hospital located in a residential area where parking is already considered a problem (Staff Report).

As noted earlier, additional expansion of Mercy Hospital into the Northside Neighborhood threatens the fabric of this community. Margaret Silber, Community Relations Director for Mercy Hospital, alluded to some of the resistance the hospital encountered from the Northside Neighborhood Association during the most recent expansion. The Association was concerned about the potential increase in traffic and congestion, displacement of several students, and the clearing of several houses in the community.

However, expansion may be inevitable for the Hospital as it continues to increase inpatient and outpatient admissions. The most recent extension of Mercy Hospital entailed providing more parking for Emergency Room patients and the actual expansion of the ER. While this is looked upon favorably because it adds clinical value to the community, the Northside Neighborhood Association concerns were well warranted as several residents were displaced and homes were cleared in the expansion process. If possible, the growth of Mercy Hospital must be managed in a manner that is advantageous to all interested parties.

Section 3: Tools used by Other Communities

In section three, we will discuss tools used to regulate not-for-profit institutions in other communities and municipalities. Part one focuses on schools. Part two will focus on churches. And part three will focus on managing hospital expansion in other communities and municipalities.
Schools

Integrating the schools into land use planning is an effort that should be considered by the city. An example of this can be taken from Portland, Oregon. Portland has included the regulation of the land use of public schools in their zoning ordinances (School and School Sites, 1991, p.218-1). Portland has stated in the purpose of the ordinance that the regulations reflect the fact that there is constant change in uses, programs and buildings as the school districts respond to changing demographics and educational innovations (School and School Sites, 1991, p.218-1). The provision that the school districts are undergoing constant change to respond to demographic changes would be important for the city to include in their possible ordinance. Portland’s ordinance also states that the regulations protect the surrounding uses from negative impacts by providing a forum for the review of major changes to uses or buildings (School and School Sites, 1991, p.218-1). If use of a forum for the review of major changes were a requirement for the school board, the recent controversy regarding the tennis court lights at City High School would not likely have occurred. Portland’s use of a zoning ordinance for schools to balance land uses is an option that the City of Iowa City should consider.

Another example of a city using a zoning ordinance regarding schools is from Belmont, California. Belmont’s ordinance created School and Compatible Multiple Use Districts, which are established to provide for the location of schools and other compatible uses within or adjacent to school buildings and structures (ftp.aimnet.com/put.../belmont, 1997, p.1). This ordinance is another model that establishes a land use-zoning ordinance regarding schools. The ordinance states that the continued operation of neighborhood schools, including the public recreational uses at the schools, while allowing for the joint occupancy of vacant school property and buildings during periods of less than capacity enrollment are
allowed in the zone (ftp.aimnet.com/pu.../belmont, 1997, p.1). The use of school property when less than capacity enrollment occurs could carry over to the use of the school's parking lots in a shared parking scenario. The permitted uses included in the ordinance are:

a) Public schools and uses by other school districts, federal government or its agencies, the state, county, city and county, city or special districts as permitted and regulated by the State Education Code, as it may be amended.
b) Parochial schools, private schools, and colleges.
c) Activities of religious organizations including regular church services.
d) Private day or residential schools and colleges, including education, business or professional schools.
e) Library and library extension services.
f) Activities and administrative offices of community/charitable organizations, including senior citizens' services.
g) Activities and administrative offices of civic and service organizations, e.g. Rotary, Lions, Kiwanis, Y.M.C.A, etc.
h) Nursery schools and day care centers.

Also, explicitly stated in the ordinance is the responsibility of the school district to provide for and ensure acceptable separation between the school and non-school use dependent upon such conditions as location, shared facilities, and intensity of the proposed non-school use (ftp.aimnet.com/pu.../belmont, 1997, p.4). The reliance on the school district to ensure separation between school and non-school uses does provide administrative control by the district, so if the school district in Iowa City modeled its ordinance after this, the school district would be able to retain some of its control over the land. Belmont's ordinance is another example of how a community deals with schools and land use.

Both Portland, OR and Belmont, CA are useful examples of how cities are dealing with schools and land use issues. It is important for the City of Iowa City to consider creating a zoning ordinance regarding schools. This would accomplish two things. First, the city would have more control over what kinds of things the school board could build on its property. Second, a zoning ordinance
involving the schools would allow more public discourse in some instances. Combining these two efforts would be beneficial to both the City and the school board.

**Churches**

Today, municipalities choose to regulate churches through site plan review, which can include regulating traffic, parking lot area, setbacks, screening, and other usual site requirements. “This alternative allows the applicant to set his/her own site qualifications, but must go through a site plan review and approval prior to obtaining zoning clearances and building permits. This is a staff review and decision with appeal to a board, either BZA or Planning Commission--with most site reviews appealed to the Planning Commission.” (The Zoning Report Vol. 1, NO. 6-Nov 14, 1983).

By choosing to review the preliminary site plan as opposed to the final site plan, churches will not have exercised any options on property or have spent money for extensive engineering and design work. Therefore, it will be much easier at this stage to get the church and developer to make changes.

Primary site qualifications are lot area, width, and yards. As suggested by Reed, the author of the Zoning Report, usually a two to five acre lot size should be a minimum, with at least 50 foot setbacks on all residential lot lines, and a lot width of 200 feet. The authors of the Zoning Report suggest that a city’s Zoning Ordinance should reserve the right to increase these qualifications through planning commission review if the church complex contains unusually large or intense accessory uses. (The Zoning Report Vol. 1, NO. 6-Nov 14, 1983 Charles Reed, AICP, Editor/Publisher).

In comparing these suggestions to Iowa City, Iowa City requires a Minimum Lot Area: 40,000 square feet; and a Minimum Yard: Two feet (2') of horizontal
distance shall be produced for each foot of building height . . . (Iowa City Zoning Ordinance). Notably, the major difference between Iowa City’s requirement and the suggestion is the setback requirement. Iowa City’s setback requirement is not as strict as the suggested requirement.

Some municipalities require a long-range development plan. The development plan is nice because it can avoid surprise to neighbors. That is, new additions or accessory uses added years later should not surprise neighbors since the idea was already in the development plan. Thus, the neighbors are, in essence, forewarned. Currently, Iowa City does not require the use of a long-range development plan.

The use of special exceptions (which is equivalent to conditional use or a special use permit) seems to be increasing in other municipalities. Most (about half) of the zoning ordinances that Zoning News surveyed chose this alternative. For example, municipalities had language saying that the following things are allowed as conditional uses: "Child care Center within a church building currently being used as a church." (Enid OK) "Church or other places of worship, Sunday School, Church School" (Poscataway Township NJ) "Churches, when approved by the Planning Commission as a conditional use, but not including night lighting for out-door recreational purposes." (Poscataway Township NJ).

Iowa City seems to be on the “right track” with granting special exceptions. Under this process, the municipality and neighborhood opponents may air their concerns during informal sessions as well as in public hearings. The Municipality can scrutinize the church proposal and Iowa City can impose regulations under this system to reduce negative impacts on the surrounding community by churches. These regulations may include: additional setback requirements for structures and activities, additional plants or structural screening to buffer the area from religious uses, limits on height, size, or illumination of signs, and limits on potential nuisances to adjoining property.
Other municipalities have made a list of specific religious accessory uses they want to allow and prohibit in specific zones. An example would be to exclude from residential areas altogether "Churches, including church elementary schools and kindergarten, auditoriums, rectories, and living quarters for church ministry and other members of the religious order who carry out their duties primarily on the site." (Reed, Zoning Report). Furthermore, if high schools, monasteries, church-affiliated colleges or seminaries are not wanted in particular zones, then the city can specify that in the ordinance, although other zones need to be made available in your ordinance for them. However, a large amount of land zoned for these uses will be necessary so that churches can locate in the communities. Thus, this may not be the best tool for Iowa City to use.

Larger municipalities have used particular Site Plan Requirements such as requiring churches to locate on arterial and collector streets, which Iowa City requires also. For instance, Florida requires that churches over a certain size be located adjacent to arterial streets to reduce their traffic impact on residential areas. However, the drawback to this approach is that some churches need to locate near their constituents; in addition, you need large plots of vacant land to accomplish this.

Both Raleigh, North Carolina and Pasadena, California have provisions for churches that reach a certain size. Raleigh requires churches that are designed to draw from a wider metropolitan area to submit a site plan like any residential institution. The ordinance limits maximum building lot coverage to 20 percent for one-story buildings and 15 percent for all others, and sets a maximum floor area ratio of .33. It also requires that principal access to the site include either thoroughfares or commercial streets, and not include residential streets other than collector streets." (The Zoning Report Vol. 1, NO. 6-Nov 14, 1983).

Other municipalities are encouraging joint use of off-street parking for churches and their accessory uses. At least one church in Iowa City, Hope United Methodist, has applied for a special exception to allow shared parking. Like Iowa
City, the City Ordinance in many Cities have been amended to include language authorizing the Planning Commission the right to consider joint off-street parking with other institutions.

Language similar to the following has been adopted in Vista California. "Subject to the conditions set forth herein, the Planning Commission may, upon application by the owner or lessee of any property, authorize the reciprocal use of parking facilities provided to serve any other property or use...

a. Up to 50% of the number of parking spaces required . . . for a day time use may be provided by the parking spaces provided for a night time or Sunday use, and up to 50% of the number of parking spaces required . . . for a night time or Sunday use may be provided by the parking spaces provided for a day time use.

b. Up to 50% of the number of parking spaces required . . . for a church or an auditorium incidental to a school may be provided by the parking spaces provided for a daytime use.

c. The Planning Commission shall determine which uses are daytime uses, and which uses are nighttime uses on the basis of evidence of hours of operation and times of the day when motor vehicle traffic requires parking spaces with respect to the various uses for which joint use is required." (Vista CA)

Currently Iowa City allows up to 100% of the parking spaces required for a religious institution to be shared by financial institutions, offices, retail establishments, repair shops, personal services establishments and similar uses not normally open, used or operated during the same hours. (Staff Report Prepared by Melody Rockwell March 8, 1995, Item: EXC95-0004. 1705 First Avenue.).

Iowa City could follow other municipalities that have created Special Religious Districts. Special Religious Districts is a locational tool in which churches are excluded from lower-density districts and allowed instead in higher-density residential districts or in commercial zones. For instance, "Religious Institutions Districts: This district may include such compatible and related activities as
churches, Sunday schools, parochial schools, youth centers, convents, monasteries, rectories, parsonages, assembly halls, religious office spaces, and other directly related religious institution uses." (Jackson, MS). The advantage of these districts is that churches are not allowed in areas where they could negatively impact low-density residential neighborhoods. On the other hand, there are many disadvantages to this approach. A municipality will need a sufficient amount of land set aside to do this. And more importantly, churches will not be near their congregation members.

Finally, since too many churches—or institutions in general—in a residential area could potentially cause nuisances, parking problems, and demands too great for existing community services, some localities have considered restricting the number of churches in an area by a percentage of homes in an area. (block or census tract).

**Hospitals**

An exhaustive literature search yielded few examples of managing hospital expansion in other cities. Most of the literature focused on building designs and code regulations.

**Section 4: Alternatives**

In this section, we will discuss alternatives that Iowa City may consider implementing into their zoning ordinance. These alternatives are based on suggestions from planners and based on other municipalities' zoning ordinances.

**Schools**
The tools that should be considered by the city to deal with issues like the expansion of services are suggested below. The recommendations we suggest are the following:

- Involve the local residents in the discussion regarding the proposed expansion
- Host workshops and informational meetings to dispel residents’ fears
- An ordinance needs to be established that creates distinct school zones

Churches

As stated earlier, the biggest problem in Iowa City is the need for more parking for churches. Iowa City should consider increasing the amount of spaces that need to be provided by religious institutions to (1/4) of the largest room in the auditorium. Hopefully, this amendment will reduce the amount of applicants that go before the board trying to get permission to expand parking. In addition, this change may reduce the amount of “spillover” impacts at peak times in Iowa City felt by people in residential areas.

Hopefully, this will not impact residents of the neighborhood too much. However, a large parking lot will not mitigate the impact of a church on a neighborhood. None the less, almost all of the churches that applied for a special exception to expand parking were approved. Therefore, increasing the parking requirements for churches should work since they are getting the parking spaces anyway. However, upgrading to a ¼ ratio may have a negative impact on churches because they will have to find additional parking as a result.

Also, Iowa City has no requirements as strict as the “at least 50 feet setback” requirement for all residential lot lines, as suggested in the Zoning Report. The following is Iowa City’s requirement pertaining to Setbacks from the property Lines: for every “two feet (2’), of horizontal distance shall be provided for each
foot of building height measured between the nearest point of any lot line and the nearest point from which the height is measured. (Iowa City, City Ordinance).

In Iowa City, for example, All Nations Baptist Church, its existing church structure is 20 feet in height and is set back 50 to 52 feet (exceeding the city's requirement) from the Highway 218 right-of-way line, and is setback even further on its other lot lines. Iowa City's setback requirement provides that a 20' church structure can build within 40 feet of any lot line. Iowa City may want to consider using a stricter setback requirement.

This increased distance should decrease the negative impacts on surrounding areas substantially. In addition, it will allow for a more in-depth landscaped buffer between a residential property and the impacts of a religious institution and the increased traffic. Alternatively, this requirement may have the effect of barring a church from certain areas in neighborhoods if the lots are not large enough.

And finally, Iowa City may consider requiring a long-range development plan. "This plan might be a statement describing preferences and desires for ultimate development of the entire site." (Reed, The Zoning Report). This plan may be necessary in the future as churches expand and increase their community services. In addition, the plan will foster open communication with the expanding religious institution and the city, which could lead to negotiated development that is less harmful to the residential area.

**Hospitals**

The City of Iowa City has several options it can pursue when managing the growth of Mercy Hospital. The City of Iowa city can allow the current area to remain zoned as CO-1 and continue with existing practices of submittals to the Board of Adjustment, or partially re-zone the current area being discussed as Neighborhood/Conservation Residential Zone (RNC-20). Please see map in
Appendix A for areas surrounding Mercy Hospital. These suggestions are not limited to the aforementioned options.

Allowing the area to remain CO-1 and continuing with existing practices may not be beneficial for the City of Iowa City. It is a temporary solution to a continuing problem. Although the 'continuing problem' seemed to be parking, Mercy Hospital now has ample parking for employees and patients. The employee parking ramp ensures that there will be adequate parking for employees while the public parking ramps provide accessible parking for patients and visitors. In addition, the public parking ramp has an occupancy rate of approximately 85%. Furthermore, based on the future plans of Mercy Hospital, most expansion will be in the form of additional medical and healthcare services, such as the breast-imaging center and geriatric care services. Parking lots will not have to be erected but building structures will have to be modified to accommodate the new services.

The City of Iowa City could partially rezone the area as a Neighborhood/Conservation Residential Zone (RNC-20). RNC-20 zoning is intended to preserve the character of the existing neighborhood. Provisional uses include nursing homes, adult day care centers, and elder family homes. Again, this zoning has the potential to satisfy the goals of both interested parties while preserving the integrity of existing community. Mercy Hospital's commitment to providing geriatric care could be resolved while the fabric of the community is preserved. As stated earlier, this is of particular concern for the Northside area as this is an affordable housing section in Iowa City.

Finally, the city of Iowa City could manage the growth of Mercy Hospital through collaborative efforts. According to the 1988 Zoning Report, hospital expansion and growth could be managed through the following caveats:

- Require hospital to submit long range development plans
• Require site planning standards for hospitals
• Require a landscape buffer
• Require major project review for hospital zoning proposals
• City should establish off-street parking requirements by establishing a ratio for the hospital

Section 5: Conclusions

The three institutions discussed in the paper are all beneficial, but can be detrimental to the residential areas in which they are located. This paper yields different solutions to dealing with their expansions into residential areas. All of the institutions affect the neighborhoods in which they reside and should be regulated so as not to devalue or degrade those neighborhoods.

Schools are dealt with much differently from both churches and hospitals in Iowa City. Schools, because they are public uses, do not adhere to the zoning ordinances. If the schools expand on their own properties they are only required to follow building codes. The regulation of lighting by schools is currently under discussion by the city and could be enforced in the future. Our recommendation is to regulate schools by the use of zoning regulations.

Churches are regulated by the city using special exceptions. However, the use of this can be weak. Increasing the parking requirement from 1/6 to ¼ could better serve the churches and the surrounding community by getting those cars off the street. Stricter setback requirements are also suggested. It is suggested that the setbacks be increased to 50 feet to separate it from surrounding homes. Our recommendation is to use both of the above tools to better regulate church expansion into residential areas.

Mercy Hospital is currently in an area zoned CO-1. It is suggested that the neighborhood in which it resides by partially re-zoned as a
Neighborhood/Conservation Residential Zone (RNC-20) or that a collaborative effort be maintained between the City and Mercy through long range development planning. This would preserve the character of the existing neighborhood and prevent multi-family uses. This could accomplish the goals of the city and accommodate Mercy Hospital's strategic plan.

These are preliminary suggestions for the City of Iowa City to use at their discretion. They are by no means a final policy solution.
Appendix A
Reed, Charles. *The Zoning Report* 1.6 (1983)

---. *The Zoning Report* 1.6 (1988)

Rockwell, Melody. March, 8, 1995. Staff Report. Iowa City Board of Adjustment.

Vista, California Zoning Ordinance.