

**Cedar Falls Planning and Zoning Commission
Regular Meeting
June 27, 2018
City Hall Council Chambers
220 Clay Street, Cedar Falls, Iowa**

MINUTES

The Cedar Falls Planning and Zoning Commission met in regular session on Wednesday, June 27, 2018 at 5:30 p.m. in the City Hall Council Chambers, 220 Clay Street, Cedar Falls, Iowa. The following Commission members were present: Adkins, Arntson, Giarusso, Hartley, Holst, Leeper, Oberle, Saul and Wingert. Karen Howard, Community Services Manager and Shane Graham, Planner II, were also present.

- 1.) Chair Oberle noted the Minutes from the June 13, 2018 regular meeting are presented. Ms. Saul made a motion to approve the Minutes as presented. Ms. Adkins seconded the motion. The motion was approved unanimously with 9 ayes (Adkins, Arntson, Giarusso, Hartley, Holst, Leeper, Saul and Wingert), 1 abstention (Oberle) and 0 nays.
- 2.) The first item of business was a public hearing regarding the rezoning of the southwest corner of Highway 58 and West Ridgeway. Chair Oberle introduced the item and Mr. Graham provided background information. He explained that it is proposed to rezone the 50 acre property from A-1, Agricultural to HWY-1, Highway Commercial to allow for retail commercial development, including a large retail store, as well as smaller retail outlets. Currently, there is similar zoning in the adjacent vicinity. Mr. Graham discussed the concept plan, giving more specific information for the proposed development. He also discussed the requirements for a land use map amendment, such as proper sewer and water main services being readily available to the site and proper roadway access. Staff would like to gather any comments from the public or planning commission at this time to bring forward at the next meeting.

Chair Oberle stated that a motion is needed to receive and file the public hearing notice placed in the Waterloo Courier on June 20, 2018. Mr. Leeper made a motion to approve. Mr. Hartley seconded the motion. The motion was approved unanimously with 9 ayes (Adkins, Arntson, Giarusso, Hartley, Holst, Leeper, Saul and Wingert), 1 abstention (Oberle) and 0 nays.

Nicole Chimento, the applicant's representative/development manager at Midland Atlantic, 8044 Montgomery Road, Cincinnati, Ohio. Midland Atlantic developed the East Viking Plaza around ten years ago and is excited to work with staff and the community on this project. Ms. Chimento introduced the development team.

Mr. Holst asked about the plan to mitigate the wetland area. Ms. Chimento noted that it will be mitigated through wetland bank credit. Mr. Arntson asked about the timing of the traffic study and the next piece in the process. Mr. Graham stated that the traffic study would be done and reviewed by the time the site plan comes to the Commission. Ms. Giarusso asked about the interchange at the corner of Ridgeway and Highway 58. Mr. Graham stated that the stoplights would probably be removed and off ramps

added. Mr. Leeper asked the applicant to keep in mind that this is a gateway to the community and to be conscious of that in their design.

As there were no further questions or comments, the public hearing will remain open on this item and be continued at the next Planning and Zoning meeting.

- 3.) The next item for consideration by the Commission was a public hearing regarding the rezoning and land use map amendment of 1015/1021 West 22nd Street. The notice of public hearing was published in the Waterloo Courier on June 20, 2018.

Mr. Holst made a motion to receive and file the public hearing notice. Mr. Leeper seconded the motion. The motion was approved unanimously with 9 ayes (Adkins, Arntson, Giarusso, Hartley, Holst, Leeper, Saul and Wingert), 1 abstention (Oberle) and 0 nays.

Mr. Wingert noted that he will need to abstain from this item.

Ms. Howard provided background information, noting that this item will include a land use map amendment and rezoning from R-3, Residential to C-3, Commercial at 1015 and 1021 West 22nd Street. Ms. Howard showed a rendering of the College Hill Neighborhood Plan and the goals of that plan to extend the commercial to the west along 22nd Street and discussed the 2012 Comprehensive Plan goal of improving the streetscape for pedestrians along 22nd Street to encourage additional mixed-use storefronts with apartment dwellings above; linking the "Upper Hill" and the "Lower Hill" along College Street into a more cohesive, walkable retail area. She noted how the vision for the area had shifted from the earlier College Hill Neighborhood Plan that showed a larger parking court surrounded by buildings to the more recently adopted 2012 Comprehensive Plan that discusses the desire for a more walkable, urban character with buildings close to the street and parking located on-street or behind buildings, so the streetscape is not interrupted by unscreened surface parking areas. She also discussed addressing the need for additional parking to serve the proposed mixed-use building on College Street, improve the streetscape on 22nd Street with deeper setback and an area for useable greenspace. Staff had initial concerns with replacing active building uses with surface parking, but find that the proposal for a surface parking area with an attractive, useable greenspace along the public sidewalk would provide a reasonable balance of the Comprehensive Plan goals of encouraging additional mixed-use development and also providing additional parking.

Ms. Howard explained that the current R-3, Residential Zoning is unlikely to achieve the goals of the comprehensive plan due to larger front setbacks and limited residential densities. The proposed C-3, Commercial Zoning would allow mixed-use development with storefronts located close to the sidewalk with upper floor residential uses as envisioned in the Comprehensive Plan. Staff recommends gathering comments from the public and staff, and continuing the public hearing to the next meeting. Mr. Holst asked about the possibility of extending the proposed commercial Land Use Map designation to other properties to create a more consistent boundary and to encourage additional redevelopment along 22nd Street. Ms. Giarusso asked if the property at 1009 22nd Street would be included in the area of the rezoning. Ms. Howard noted that it is already zoned C-3. Ms. Saul agreed that spot zoning isn't a

good idea. Howard noted that the proposed rezoning would not be considered a “spot zone” as it is contiguous to other properties zoned C-3.

Chair Oberle asked if there was an applicant present that would like to speak to the Commission. Dan Drendel, Slingshot Architecture, stated that they are trying to balance the desire for growth with request for additional parking in a way that creates a walkable street with parking buffered from the sidewalk. Design provides additional amenities for the area, including usable greenspace and bicycle parking.

Eashaan Vajpeyi, 3031 Convoir Lane, attorney for Brian Sires, feels that that they want the rezoning to provide additional parking for the proposed building as well as another building, while there isn't enough parking for the current building. He heard that students who live in that building could park in a student lot and wasn't sure if that meant a UNI lot, which would mean reducing the requirement of parking for this particular site plan and putting it off on UNI. He also noted that he heard the quote “requested” parking at a past meeting and this is required parking, not a request.

Dave Deibler, 1616 Campus Street, expressed his support for the project and more density on College Hill.

Chris Martin, 421 W. Seerley Boulevard, feels that it fits into the vision for linking the upper and lower College Hill and is in favor of the request.

Dan Drendel responded to comments noting that this will not be a public parking lot.

Mr. Holst, Ms. Saul and Mr. Arntson agreed that based on the use, the rezoning would be appropriate for the area.

As there were no further questions or comments, the public hearing will remain open on this item and be continued at the next Planning and Zoning meeting.

- 4.) The Commission then considered a College Hill Neighborhood District Site Plan Review for 2119 College Street and 1015-1021 W. 22nd Street. Chair Oberle introduced the item and Ms. Howard provided background information. She noted that this item is contingent on approval of the previous Land Use Map Amendment and Rezoning. The applicant proposes to construct a 5-story mixed-use building at property at 2119 College Street, 925 W. 22nd Street and 1003 W. 22nd Street that will contain two retail storefront spaces, 83 residential units on upper floors and 65 on-site parking spaces, as well as 29 off-site spaces. She displayed a site plan showing the layout of the proposed project. She explained that a mixed-use building typically has the ground floor devoted to commercial uses, which rely on the visibility and accessibility to the public street to attract customers. Secondary uses, such as residential apartments are located on the upper floors. This creates a buffer and measure of privacy from the commercial activity at the street level. Ms. Howard covered the allowed uses with regard to principal versus secondary use, as well as site plan requirements. She noted that the change from the previous application was the addition of 29 off-site parking spaces on the lots at 1015 and 1021 W. 22nd Street and showed a rendering of the proposed off-site parking area.

Ms. Howard also discussed open green space requirements and the proposal, showing a rendering of the proposed green space. She discussed landscaping, building, stormwater management and other requirements, explaining how each have been met. Staff recommends gathering additional comments from the Commission and the public before returning the matter to the next meeting.

Mr. Wingert stated that he will need to abstain from this project as well.

Dan Drendel, Slingshot Architecture, spoke about specific strategies with the design of the project. He noted that they are really trying to balance everyone's needs in this process; desire for additional mixed-use development and additional parking designed to create a pedestrian-friendly environment in the neighborhood. He gave perspective on the parking number based on experience in other communities and how they integrated that information into this project.

Sam Kessle, landscape architect from Bolton & Menk, 309 E. 5th Street, Suite 202, Des Moines, Iowa, spoke about the streetscape and landscaping being done on the property. The design will fit in with the current streetscape in the area and will focus on the pedestrian access. There will also be added greenspace design with areas for bicycles and benches.

Eashaan Vajpeyi, 3831 Convair Lane, stated that he doesn't feel that the building meets the code and explained his disagreement with the project. He gave examples of other buildings that he feels were also controversial and provided renderings of his findings.

Mr. Drendel stated that the secondary residential use is clarified in the College Hill Overlay and that this building is allowed based on that.

Mr. Holst stated that he likes the project but he believes that more parking should be required and doesn't agree with staff's interpretation of the code.

Ms. Saul asked about the overlay superseding the parking requirement. Ms. Howard explained that there is additional language in the College Hill Overlay Zoning District to address parking for a mixed-use building in the College Hill area. She explained that when the code is unclear or there is conflict between provisions, an interpretation is necessary. It is an accepted principal of statutory construction that the ordinance should not be interpreted in a manner that renders language in the code meaningless. In other words, the language in the College Hill Overlay was intended to address specific needs in College Hill so would supersede general zoning language that may conflict. She stated that staff can provide a more detailed explanation of staff's zoning interpretation at the next meeting. Ms. Saul also asked about parking.

Mr. Leeper feels it meets the long term goals for the area and it technically it meets the secondary use requirements, but feels there needs to be more long term clarification regarding the requirements. He supports the project.

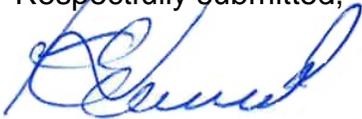
Mr. Holst stated that he doesn't believe the project meets the code. Ms. Saul loves the project but agrees that it doesn't meet the code. Ms. Giarusso voiced her concern with the parking as well. Mr. Arntson suggested having an explanation from City legal staff.

Ms. Saul stated concern with where the vehicles beyond the allotted stalls will park. Oberle asked for the Commission to be specific if additional information is needed from the applicant or from staff. Howard agreed to provide additional clarification regarding the questions about parking and the ordinance requirements. As there were no further questions or comments, the discussion will be continued at the next Planning and Zoning meeting.

- 5.) As there were no further comments, Mr. Holst made a motion to adjourn. Mr. Leeper seconded the motion. The motion was approved unanimously with 9 ayes (Adkins, Arntson, Giarusso, Hartley, Holst, Leeper, Saul and Wingert), 1 abstention (Oberle) and 0 nays.

The meeting adjourned at 7:20 p.m.

Respectfully submitted,



Karen Howard
Community Services Manager



Joanne Goodrich
Administrative Clerk