



**AGENDA  
CITY OF CEDAR FALLS, IOWA  
PLANNING AND ZONING COMMISSION MEETING  
WEDNESDAY, AUGUST 26, 2020  
5:30 PM AT CEDAR FALLS CITY HALL VIA VIDEOCONFERENCE**

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**To protect against the spread of the COVID-19, the meeting will be held via Videoconference. The public may access/participate in the meeting in the following ways:**

- a) By dialing the phone number +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782 and when prompted, enter the meeting ID (access code) 886 2008 9534.
- b) iPhone one-tap: +13126266799,,88620089534# or +19292056099,,88620089534#
- c) Join via smartphone or computer using this link: <https://us02web.zoom.us/j/88620089534>.
- d) View the live stream on Channel 15 YouTube using this link: <https://www.youtube.com/channel/UCCzeig5nIS-dIEYisqah1uQ> (view only).
- e) Watch on Cedar Falls Cable Channel 15 (view only).

To request to speak when allowed on the agenda, participants must click "Raise Hand" if connected by smartphone or computer, or press \*9 if connected by telephone. All participants will be muted by the presiding officer when not actually speaking.

**Call to Order and Roll Call**

**Approval of Minutes**

- 1. Planning and Zoning Commission Minutes of August 12, 2020.

**Public Comments**

**Old Business**

- 2. **Subdivision Code Text Amendment – Division 3. Final Plat**  
**City Code Section: 20-100**  
**Applicant:** City of Cedar Falls  
**Previous discussion:** August 12, 2020  
**Recommendation:** Approval  
**P&Z Action:** *Review and make a recommendation to City Council*

**New Business**

- 3. **Zoning Code Text Amendment – Adaptive re-use of vacant institutional buildings**  
**Applicant:** City of Cedar Falls  
**Previous discussion:** None  
**Recommendation:** Discussion  
**P&Z Action:** *Review and continue discussion*

**Commission Updates**

**Adjournment**

Reminders:

- \* September 9 and September 23 - Planning & Zoning Commission Meetings
- \* September 8 and September 21- City Council Meetings

**Cedar Falls Planning and Zoning Commission  
Regular Meeting  
August 12, 2020  
Via Videoconference  
Cedar Falls, Iowa**

**MINUTES**

The Cedar Falls Planning and Zoning Commission met in regular session on August 12 at 5:30 p.m. via videoconference due to precautions necessary to prevent the spread of the COVID-19 virus. The following Commission members were present: Hartley, Holst, Larson, Leeper, Lynch, Prideaux, Saul and Schrad. Adkins was absent. Karen Howard, Community Services Manager, Jaydevsinh Atodaria, Planner I, and Chris Sevy, Planner I, were also present.

- 1.) Chair Holst noted the Minutes from the July 22, 2020 regular meeting are presented. Mr. Hartley made a motion to approve the Minutes as presented. Ms. Saul seconded the motion. The motion was approved unanimously with 8 ayes (Hartley, Holst, Larson, Leeper, Lynch, Prideaux, Saul, and Schrad), and 0 nays.
- 2.) The first item for consideration by the Commission was the final plat for the Chrisbro subdivision. Chair Holst introduced the item and Mr. Atodaria provided background information. He explained that the plat is located at 7213 Nordic Drive in the Industrial Park and is in the HWY-1 commercial zoning district. He displayed the location of detention basins and noted that all utilities and internal road connections are private and are available to all platted lots. He noted that the final plat is consistent with the approved preliminary plat. Staff recommends approval with any comments or direction specified by the Commission and conformance to all staff recommendations and technical comments.

Wendell Lupkes, VJ Engineering, stated that the owner doesn't have immediate plans to develop the lots and the proposed second hotel has been put on hold due to COVID-19. They would like to get approval of the final plat to have it ready when potential buyers are ready.

Ms. Saul made a motion to approve the item. Mr. Schrad seconded the motion. The motion was approved unanimously with 8 ayes (Hartley, Holst, Larson, Leeper, Lynch, Prideaux, Saul, and Schrad), and 0 nays.

- 3.) The next item for consideration by the Commission was a site plan amendment for the Hy-Vee located at 6301 University Avenue. Chair Holst introduced the item and Mr. Sevy provided background information. He explained that the Hy-Vee would like to upgrade their current grocery pickup location to a more permanent location that would include a small storage building to house orders, an overhead canopy, changes to parking and signage. He provided renderings of the proposed elevations and signage.

Staff recommends approval of the item with any direction specified by the Commission and conformance to all staff recommendations and technical comments.

John Brehm, representative for Hy-Vee, explained that online orders have increased since COVID-19 and it has created a higher demand and the need for a more permanent solution for pick-up of online orders.

Mr. Leeper made a motion to approve the item. Mr. Larson seconded the motion. The motion was approved unanimously with 8 ayes (Hartley, Holst, Larson, Leeper, Lynch, Prideaux, Saul, and Schrad), and 0 nays.

- 3.) The next item for consideration by the Commission was a Central Business District design review for signage at 515 Main Street. Chair Holst introduced the item and Mr. Atodaria provided background information on the case. Mr. Atodaria explained that the review for this case is about proposed new projecting awning and sign over the public sidewalk for the Masonic Lodge. The illustrations provided by the applicant for the proposed projecting awning and sign meet the City code and design review requirements for Downtown Central Business District Overlay district. Staff recommends approval of the request.

Ms. Prideaux mentioned that this is pretty straightforward case.

Ms. Prideaux made a motion to approve the item. Mr. Hartley seconded the motion. The motion was approved unanimously with 8 ayes. (Hartley, Holst, Larson, Leeper, Lynch, Prideaux, Saul and Schrad) and 0 nays.

- 4.) The next item for consideration by the Commission was a Central Business District Overlay design review for a projecting awning sign at 212 Main Street. Chair Holst introduced the item and Mr. Atodaria provided background information on the case. Mr. Atodaria explained that the review for this case is about projecting sign over the public sidewalk for a new business, Splendore Medical Spa. The illustrations provided by the applicant for the proposed projecting sign meets the City code and design review requirements for Downtown Central Business District Overlay district. Staff recommends approval of the request.

Mr. Schrad asked staff, if there is any lighting that will be focused on the projecting sign for highlighting the sign as the proposed sign is non-illuminated. Mr. Atodaria mentioned that the applicant proposes a non-illuminated sign only; there will be no other projection from the façade as per the applicant's proposal.

Mr. Schrad made a motion to approve the item. Ms. Prideaux seconded the motion. The motion was approved unanimously with 8 ayes. (Hartley, Holst, Larson, Leeper, Lynch, Prideaux, Saul and Schrad) and 0 nays.

- 5.) The next item for consideration by the Commission was a text amendment to the subdivision code for Division 3 Final Plat Section 20-100. Chair Holst introduced the

item and Ms. Howard provided background information. She explained that the purpose of the subdivision code is to establish “minimum standards for the design, development and improvement of subdivisions so that the existing land uses will be protected, and so that adequate provisions are made for public facilities and services, and so that growth occurs in an orderly manner, consistent with the Comprehensive Plan, and to promote the public health, safety and general welfare of the citizens of the city.” Ms. Howard explained the intent and structure of the subdivision ordinance and the differences between the preliminary and final platting processes. She explained that the subdivision code currently doesn’t include specific rules regarding final plat phasing. While a phasing plan is requested, it has been left largely up to the developer to determine the order of development. In some cases, it has resulted in critical street connections remaining unfinished, which can create short and long term costs to the community from the inefficient or incomplete street pattern. Other issues include increased commute times; overburdening certain streets with excess traffic, impacting homeowners along those routes; safety concerns for pedestrians along the congested routes, particularly children; increased driver frustration and speeding; increased emergency response times; and inefficient routing for utilities and services such as refuse pick-up and snow removal. She displayed examples of incomplete streets and problematic final plat phasing using aerial photographs.

Ms. Howard discussed the first step, which is to establish a standard for final plat phasing to ensure that critical infrastructure connections occur in a timely manner and prior to less critical areas of a subdivision. While giving flexibility to the developer to propose phasing that meets the pace of market demand, the City would have the discretion to determine if the final plat phase can function as an independent development and ensure that no essential infrastructure improvements are being circumvented or delayed.

The next step would be to adopt street connectivity standards that provide multiple street stubs to subdivision boundaries, allowing continuation of the street pattern on adjacent properties. Block lengths would be limited and existing restrictions on cul-de-sacs would be enforced. A standard for intersection spacing along major roadways would also be established, as well as consideration of construction access. Code amendments to establish these standards will be brought forward for discussion at a future Commission meeting.

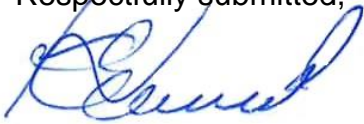
Ms. Howard displayed the proposed amendments to the code and brought it to the Commission for discussion. Ms. Prideaux stated that this has been explained well and will ensure the standard is applied fairly and consistently. Mr. Larson noted that case-by-case attention should be maintained as things do change over time. With regard to street connectivity standards, he would like more information about what other communities are doing. He has some skepticism of using a blanket approach. Mr. Leeper stated that these changes are good to consider. Mr. Schrad asked if staff could look at the zoning in Ankeny to see how they are dealing with sprawl in their community. Mr. Larson and Ms. Saul want to see research regarding street connectivity standards in

other communities and how it has affected them and what changes we could make to keep up with their growth.

- The item will be continued for discussion at the next Planning and Zoning meeting.
- 5.) As there were no further comments, Mr. Hartley made a motion to adjourn. Ms. Prideaux seconded the motion. The motion was approved unanimously with 8 ayes. (Hartley, Holst, Larson, Leeper, Lynch, Prideaux, Saul and Schrad) and 0 nays.

The meeting adjourned at 6:30 p.m.

Respectfully submitted,



Karen Howard  
Community Services Manager



Joanne Goodrich  
Administrative Clerk



## DEPARTMENT OF COMMUNITY DEVELOPMENT

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 220 Clay Street  
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### MEMORANDUM

#### *Planning & Community Services Division*

**TO:** Planning & Zoning Commission  
**FROM:** Karen Howard, AICP, Planning & Community Services Manager  
**DATE:** August 20, 2020  
**SUBJECT:** Subdivision Code Text Amendment – Final plat phasing (TA20-001)

#### BACKGROUND

The stated purpose of the City's Subdivision Code is "to provide minimum standards for the design, development, and improvement of all new subdivisions and re-subdivisions of land, so that existing land uses will be protected, and so that adequate provisions are made for public facilities and services, and so that growth occurs in an orderly manner, consistent with the comprehensive plan, and to promote the public health, safety and general welfare of the citizens of the city." (Sec.20-1(b)). Iowa law states that subdivision platting regulations are intended to "encourage orderly community development and provide for the regulation and control of the extension of public improvements, public services, and utilities, the improvement of land, and the design of subdivisions, consistent with an approved comprehensive plan or other specific community plan." It also states that the purpose of establishing regulations for subdivisions is to "provide for a balance between the land use rights of individual landowners and the economic, social, and environmental concerns of the public when a city or county is developing or enforcing land use regulations." (Iowa Code Section 354.1).

When a property owner desires to divide their land into two or more developable parcels a platting process is required. The preliminary plat is intended to show the layout of streets, blocks and lots and indicate how public improvements will be extended to serve the new lots created with the subdivision. It also identifies any sensitive environmental features that should be preserved and how the new development will be integrated into the larger community of neighborhoods according to the City's Comprehensive Plan. To provide a good understanding how the new development will connect with surrounding neighborhoods and be designed in a manner that will protect the interests of all current and future property owners, the City's subdivision code requires that the preliminary plat include the total contiguous land holdings of the owner (Sec.20-58).

It is the obligation of the owner/developer to design and construct all the public improvements necessary to support the development of homes or other types of buildings on the newly created lots, including all streets, stormwater management facilities, sanitary sewer and water distribution systems, sidewalks and trails, and to provide for the extension of other utilities and communications systems. The cost of these improvements is then incorporated into the price of the lots made available for sale with the final platting of the property. Based on the anticipated

pace of development in the community, the developer may want to develop the subdivision in phases, particularly if the preliminary platted area contains more lots than can be absorbed (sold) within the developer's anticipated timeline.

### STATEMENT OF THE PROBLEM

The subdivision code does not currently include specific rules regarding final plat phasing. While City staff request a development phasing plan with the preliminary plat, it has been largely up to the developer to determine how the subdivision develops over time. This practice has resulted in some critical street connections remaining unfinished in certain areas of the community. The most recent example is in the Prairie Winds and Prairie West subdivisions where the final critical segments of both Ashworth Drive and Ironwood Drive have not been constructed, even though the majority of these subdivisions have been built out with new homes. This incomplete street network has forced all traffic to Aldrich Elementary School onto Erik Road. In addition, without a direct connection to Greenhill Road via Ironwood, all commuter traffic to and from these neighborhoods have to use either Erik Road or the one block segment of Harriet Lane, which was never intended to carry a significant traffic load.

Poorly planned subdivision phasing, particularly when combined with excessively long block lengths and few connections between subdivisions create a very inefficient street network. Poorly planned subdivision phasing and lack of street connectivity within and between subdivisions have both short term and long term costs to the community in the form of increased commute times, increased traffic speeds, increased traffic congestion, safety concerns for children along walking routes to school, increased emergency response times, and inefficient routes for utilities, refuse pick-up and snowplowing.

### DISCUSSION OF SOLUTIONS

A first step toward improving the City's subdivision regulations to help ensure the orderly growth of the community would be to establish a standard for final plat phasing to ensure that critical infrastructure connections occur in a timely manner and prior to less critical areas of a subdivision. The standard should give flexibility to the developer to propose phasing that meets the pace of market demand, but give discretion to the City to determine if the final plat phase proposed can function as an independent development with all the necessary public improvements and infrastructure extensions; and most importantly will ensure that no essential infrastructure improvements are being circumvented or delayed.

For example, in the case discussed above, if the final plat phase of Prairie Winds that includes the connection of Ashworth Drive to Arbors Drive would have been built earlier, rather than being the last phase of development, it would have provided an additional route to the elementary school close to the time when the new school opened, which would have more evenly distributed traffic and significantly reduced traffic congestion on Erik Road. These issues have also been a topic of discussion for the future West Fork Crossing development. The recommended phasing plan is intended to ensure that areas of the development that include the critical east-west and north-south street connections occur first with other areas of the development to follow in a logical and timely fashion. With a well-connected street pattern of modest-sized blocks, each new area would provide additional travel routes to help distribute the local traffic so no one street is overburdened by traffic.

As mentioned at the Commission's August 12<sup>th</sup> meeting, additional amendments to the subdivision code are warranted to address the issues with street connectivity described above.

Numerous communities have adopted street connectivity standards that result in a more consistent pattern of development that lowers long term costs to the community. The Commission requested additional information regarding what other cities are doing with regard to street connectivity issues. These will be brought forward for discussion at a future meeting.

### STAFF RECOMMENDATION

To prevent future situations where critical public infrastructure is delayed or circumvented, as described above and to ensure that the same standard is applied consistently and fairly to all future subdivisions, staff recommends adding the following underlined paragraph to City Code Sec. 20-100. (Note: Paragraph (1) is existing code language to remain unchanged). Staff finds that this will establish a better balance of interests between private property owners and the community's interest in timely extension of public improvements to serve a neighborhood.

Staff recommends that the Commission review and make a recommendation to City Council on this matter.

## **DIVISION 3. FINAL PLAT**

### **Sec. 20-100. Submission required.**

- (1) The owner shall, within two years from the date of approval of the preliminary plat, unless such time period has been extended by the city council, prepare and file with the city planner, six unsigned copies of the proposed final plat and required attachments, as set forth in this division along with at least one reproducible-size copy (no larger than 11 inches by 17 inches) of the final plat. An electronic copy of the plat in an approved AutoCAD program must also be submitted. The proposed deed of dedication or owner's statement shall be submitted along with the plat fee. Sewer tapping fees, if any, shall be submitted at the time of initial plat submittal. Except for a final plat for a minor subdivision as set forth herein, no final plat shall be considered by the city council until and unless a preliminary plat for the area included in the proposed final plat has been approved. The final plat shall be in substantial conformance with the approved preliminary plat as determined by the city engineer. Furthermore, a final plat shall not be accepted for consideration by city staff until all required construction plans and specifications for all required improvements and public infrastructure as indicated on the approved preliminary plat, including cost estimates, have been submitted and approved by the city engineer. In addition a written environmental report shall be submitted and approved by the city engineer prior to final plat submittal. Lien waivers and mortgage releases of all interested parties shall be provided to the city prior to final plat approval.
- (2) In response to the pace of market demand, the subdivider may request that a final plat include only a portion of the development illustrated on the preliminary plat, if that portion can function as a separate development, including street access, storm water management, and utilities, and if no essential public infrastructure extensions are delayed. Alternate phasing of a subdivision may be required to ensure timely connection of essential infrastructure. Whether or not said infrastructure is essential in nature shall be determined by the City. In particular, emphasis will be placed on ensuring the timely connection of streets within the development to ensure multiple, shorter and more direct routes between neighborhood destinations and to ensure that critical street routes are



completed first to reduce traffic congestion, encourage safe walking and biking, improve emergency access and response times, and allow for more efficient provision of public utilities and services.

## PLANNING & ZONING COMMISSION

Discussion 8/12/2020 The next item for consideration by the Commission was a text amendment to the subdivision code for Division 3 Final Plat Section 20-100. Chair Holst introduced the item and Ms. Howard provided background information. She explained that the purpose of the subdivision code is to establish “minimum standards for the design, development and improvement of subdivisions so that the existing land uses will be protected, and so that adequate provisions are made for public facilities and services, and so that growth occurs in an orderly manner, consistent with the Comprehensive Plan, and to promote the public health, safety and general welfare of the citizens of the city.” Ms. Howard explained the intent and structure of the subdivision ordinance and the differences between the preliminary and final platting processes. She explained that the subdivision code currently doesn’t include specific rules regarding final plat phasing. While a phasing plan is requested, it has been left largely up to the developer to determine the order of development. In some cases, it has resulted in critical street connections remaining unfinished, which can create short and long term costs to the community from the inefficient or incomplete street pattern. Other issues include increased commute times; overburdening certain streets with excess traffic, impacting homeowners along those routes; safety concerns for pedestrians along the congested routes, particularly children; increased driver frustration and speeding; increased emergency response times; and inefficient routing for utilities and services such as refuse pick-up and snow removal. She displayed examples of incomplete streets and problematic final plat phasing using aerial photographs.

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### MEMORANDUM

#### *Planning & Community Services Division*

**TO:** Planning & Zoning Commission  
**FROM:** Chris Sevy, Planner I  
**DATE:** August 12, 2020  
**SUBJECT:** Zoning Code Text Amendment – Adaptive re-use of church and civic buildings (TA20-002)

#### INTRODUCTION

The owner of a vacant church building in an R-1 residential district has inquired about alternative uses and wants to operate an event space there for wedding receptions. The activity associated with that use may not be too different from that of a church and could be compatible with the neighborhood. However, in the R-1 and R-2 districts, principal uses are limited to residential dwellings and uses of a religious or civic nature (churches, schools, community centers). And while the R-3 and R-4 zoning districts do allow a wider variety of uses, in some instances in order to preserve the large institutional building some flexibility in the standards may be needed. In the recent inquiry, the owner of the vacant church has only four realistic options allowed by code: 1. Sit vacant; 2. Sell to another church; 3. Convert the use to a public or parochial school; or 4. Tear down and subdivide into residential lots. Staff is bringing this before the Planning and Zoning Commission to explore ways to provide more flexibility within the zoning ordinance for repurposing existing religious and civic buildings currently in R districts.

#### STATEMENT OF THE PROBLEM

When at the end of their useful life, the common consideration to close or tear down these buildings is often a tough reality for the owner and the people that attended there. They are often buildings of historical or cultural significance worthy of preservation but also pose unique challenges because they are large buildings that sit on large parcels. They have plenty of potential but their location within a residential zone is usually the biggest hurdle keeping them from converting into another practical use. As such, providing flexibility within the zoning ordinance for economically viable alternatives to religious or civic uses may be appropriate to provide a path to repurpose these institutional facilities.

#### DISCUSSION OF SOLUTIONS

While exploring this issue, staff reached out to planners in Iowa City, Cedar Rapids, Des Moines, and Council Bluffs to find out how they have handled similar issues in their cities. While a number of these cities indicated that they have encountered similar inquiries about re-purposing obsolete institutional buildings, only a couple have pursued ordinance

amendments: Council Bluffs and Iowa City. Staff in Council Bluffs proposed amendments to allow alternative uses through a conditional use process, but these have yet to be adopted. Iowa City allows repurposing of buildings of historical significance through a special exception process, which is similar to a conditional use process, but has to be reviewed and approved through their Board of Adjustment rather than through the Planning and Zoning Commission and City Council. A conditional use or special exception process allows requests to be carefully considered through a public hearing process at the Planning and Zoning Commission and City Council or by the Board of Adjustment, whereby surrounding property owners are notified and the specific characteristics of the property and the neighborhood can be reviewed to determine if the proposed alternative use would be compatible with the neighborhood. Through this review the proposal can be denied, approved, or approved with conditions. Staff identified issues that we may want to consider in a potential ordinance amendment. These include the following:

- Not all uses are compatible with residential neighborhoods. We may want to limit the alternative uses that can be considered.
- Nuisance issues such as noise and traffic will be important to evaluate when considering alternative uses.
- Allowing an opportunity for neighborhood input will be important in the review process.
- Depending on the proposed use and the characteristics of the site, additional conditions may need to be imposed, such as additional parking, limits to hours of operation, restrictions on use of amplified sound, additional landscape screening and buffering to ensure compatibility with the neighborhood.

In order to address issues of neighborhood compatibility, each unique case should be evaluated on its own merits rather than granting alternative uses by right in the zoning code. Therefore, staff recommends establishing a conditional use process to consider these types of requests. Each conditional use application that qualifies would require review by the Planning and Zoning Commission and approval of the City Council. Surrounding property owners would be notified and staff would review and provide analysis of the proposal.

Not all uses should qualify for consideration. The following is a list of potential alternative uses that staff has identified as appropriate for consideration:

- Hospitality-oriented uses such as: retreat facilities, guesthouses, commercial meeting halls, and event facilities.
- Conversion to a multi-unit dwelling where the proposed number of units may not otherwise be allowed.
- Community service uses such as: libraries, museums, senior centers, community centers, neighborhood centers, youth club facilities, social service facilities, and vocational training facilities for the physically or mentally disabled.
- Specialized educational facilities such as: music schools, dramatic schools, dance studios, martial arts studios, language schools, and short-term examination preparatory schools.
- Professional office uses such as accountants, lawyers, and architects.

Neighborhood character can be safeguarded if each case is evaluated carefully with regard to aspects of the proposed use that might create a nuisance in the neighborhood. For example:

- Are the proposed hours of operation compatible with the neighborhood context?

- Will noise levels be at or below the levels produced by the previously permitted use or otherwise controlled in a manner that is compatible with residential living?
- Will the traffic generated by the proposed use be similar or less than what was generated by the previously permitted use?
- Will the proposed use draw similar or lower numbers of people to the site than the previously permitted use? Will it draw large groups converging for a singular event? Small groups? Constant stream of visitors?
- Will the frequency of activity be similar or less intense than the previously permitted use? Will it be every day? Just weekends?
- Does the proposed use require any updates to parking or landscaping to address issues of neighborhood compatibility or compliance with current zoning standards?
- Is special consideration warranted in order to preserve a building or site of historical or cultural value?
- What type of signage, if any, should be allowed?
- Is there neighborhood support for the proposal? Have neighborhood concerns been adequately addressed?

The above questions will help identify conditions that the Commission or City Council may want to impose. Depending on the evaluation of the proposed use, the Planning and Zoning Commission and City Council may approve a proposal, disapprove, or approve with conditions.

#### STAFF RECOMMENDATION

To provide more flexibility to re-purpose defunct institutional uses within residential neighborhoods, staff recommends adding a conditional use process to the zoning ordinance. Staff requests review and discussion of this proposal by the Commission. If the Commission is in favor of staff moving forward, staff will bring forward specific code language for consideration at your next meeting.

#### PLANNING & ZONING COMMISSION

Discussion

8/26/2020

Attachments: None