



**AGENDA  
CITY OF CEDAR FALLS, IOWA  
PLANNING AND ZONING COMMISSION MEETING  
WEDNESDAY, JANUARY 09, 2019  
5:30 PM AT CITY HALL**

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**Call to Order and Roll Call**

**Approval of Minutes**

1. Planning and Zoning Commission Minutes of December 12, 2018

**Public Comments**

**Public Hearing**

2. **Zoning Code Text Amendments – Proposed changes to Section 29-160, College Hill Neighborhood Overlay Zoning District to define and clarify standards for mixed-use buildings.** (Notice of public hearing was published in the Waterloo Courier on January 2, 2019).

**Previous discussion:** *January 24, 2018, March 28, 2018, April 11, 2018, December 12, 2018*

**Recommendation:** *Recommend Approval*

**P&Z Action Needed:** *Public hearing, discussion, and make a recommendation to City Council*

**Old Business**

3. **College Hill Neighborhood Overlay District - Site Plan Review: 2119 College Street**

**Location:** *2119 College Street, 925 W. 22nd Street, & 1003 W. 22nd Street*

**Applicant:** *CV Commercial, LLC., Owner; Slingshot Architects, Architect*

**Previous discussion:** *None*

**Recommendation:** *Recommend Approval*

**P&Z Action Needed:** *Review and make a Recommendation to City Council*

**Commission Updates**

**Adjournment**

Reminders:

- \* January 23rd Planning & Zoning Commission Meetings
- \* January 21st and February 4th City Council Meetings

**Cedar Falls Planning and Zoning Commission  
Regular Meeting  
December 12, 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, December 12, 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, Giarusso, Hartley, Holst, Larson, Leeper, Saul and Wingert. Oberle was absent. Karen Howard, Community Services Manager and David Sturch, Planner III, were also present.

- 1.) Ms. Howard introduced new Commission member, Kyle Larson. Acting Chair Holst noted the Minutes from the November 28, 2018 regular meeting are presented. Ms. Giarusso made a motion to approve the Minutes as presented. Ms. Adkins seconded the motion. The motion was approved unanimously with 7 ayes (Adkins, Giarusso, Hartley, Larson, Leeper, Saul and Wingert), 1 abstention (Holst) and 0 nays.
  
- 2.) The first item of business was a College Hill Neighborhood Overlay District Site Plan Review for 2119 College Street. Acting Chair Holst introduced the item and Mr. Sturch provided background information. He explained that the item was previously brought before the Commission on November 28 for introduction and stated that the property is near the northwest corner of College and 22<sup>nd</sup> Streets. He provided the Commission with letters received from citizens. He discussed the breakdown of unit types and bedrooms, as well as parking stalls, and the code with regard to requirements. He displayed renderings of the proposed building and explained changes that were made per recommendations. He also showed building materials, as well as height comparison and scale. He spoke to additional site plan review elements and showed the landscaping plan, and noted that staff recommends approval of the building with the following recommendations: the building conforms to all city staff recommendations and technical requirements; a parking agreement be developed and executed for the project; and any comments from the commission.

Kamyar Enshayan, 1703 Washington Street, president of the College Hill Partnership, stated that the board is in favor of the project and that they have submitted a letter of support.

Eashaan Vajpeyi, 3831 Convair Lane, stated that previously Mr. Wingert has recused himself from a vote and feels that he should recuse himself again as he believes it is a conflict of interest. He stated his concerns with the parking and interpretation of the code. He feels that there should be more parking or a smaller building. He believes there should be equal treatment between commercial and residential uses.

Dave Diebler, College Hill business owner, stated that he supports the project, but is concerned about using too much land for parking. He doesn't believe it's as big of an issue as some people feel it is. He feels that a parking study is needed on College Hill to help clarify and create a reasonable code change.

Brian Sires, 1939 College Street, stated that he supports the project, but he feels that the city parking code isn't mentioned. He stated that Section 29-177, the parking code, should be followed. He believes that parking is required based on the code and feels it should still be made available off-site as well to help accommodate parking.

Jerry Geisler, 4412 S. Hudson Road, stated that more parking stalls should be added for one bedroom units, as there is more often than not, more than one vehicle for each.

Becky Hawbaker, 2309 Iowa Street, stated that she feels the project is fairly parked and supports the current proposal.

Andy Fuchtmann, 422 Ellen Street, spoke as owner of Sidecar Coffee and stated that he supports the project and would like to see more projects that help revitalize the Hill.

John Taiber, 250 State Street, feels that parking is not a problem in the downtown area and believes that there should be more walkability and fewer cars. He stated that he supports the project.

Kyle Dehmlow, 2113 Vera Way, has worked on College Hill since 2006 and discussed the lots with meters as opposed to the free lots, stating that people gravitate to the free parking but the lots with meters are mostly open, so he doesn't see a need for additional parking. He supports redevelopment on the Hill.

The discussion moved back to the Commission. Mr. Wingert noted that the reason he is no longer abstaining from the vote is because he has not been included in this project with the developer and the City Attorney said there is no need to recuse himself.

Mr. Leeper stated that the code is fairly old and it wasn't updated at a time when these kinds of projects were considered. This has created the need to interpret the code as it is.

Mr. Holst noted that he supports the project, but still has an issue with the parking code and feels it should be changed before approving the project.

Project developer Brent Dahlstrom, 5016 Samantha Circle, stated that he understands if the project is tabled at this time and time is allowed for changes and clarification.

Mr. Leeper addressed the comments made that suggested the City is serving one particular developer and stated that this is not true and the Commission is volunteering their time to do what they believe is in the best interest of the city.

Mr. Holst stated that the code has been around for a long time and does not reflect these kinds of projects, which requires change to the code.

Ms. Saul believes that the job of the Commission is to make decisions based on the code, and doesn't believe, at this time, that the project agrees with the code. While she loves the project, she feels the item should be tabled at this time.

Ms. Giarusso made a motion to table the item until the code is changed. Ms. Saul seconded the motion. The motion was denied with 3 ayes (Adkins, Giarusso, Saul), 4 nays (Larson, Hartley, Leeper, Wingert) and 1 abstention (Holst).

Mr. Leeper made a motion to defer the item to the January 9, 2019 meeting. Mr. Wingert seconded the motion. The motion was approved with 6 ayes (Adkins, Giarusso, Hartley, Larson, Leeper, and Wingert), 1 nay (Saul) and 1 abstention (Holst).

- 3.) The next item for consideration by the Commission was Zoning Code Text Amendments, including proposed changes to Section 29-160, College Hill Neighborhood Overlay Zoning District to define and clarify standards for mixed-use buildings. Acting Chair Holst introduced the item and Ms. Howard provided background information. She explained that staff is bringing forward an interim solution to clarify the parking requirements for mixed-use buildings. She noted that the City is planning to do a parking study in the College Hill area to help establish the parking needs that can be used to officially update the code. Ms. Howard discussed the costs of setting aside land for parking. She also spoke to the plan to delete ambiguous and confusing language in the code with regard to mixed-use buildings. Staff recommends adding a definition for a mixed-use building and then adding a parking requirement for residential dwelling units within a mixed-use building. As a starting point, staff suggests one parking space per bedroom and eliminating the visitor parking requirement. To provide a level playing field for multiple dwelling buildings, staff recommends adopted the same requirement. Staff notes the importance of making sure the parking requirements are not set too high. After the parking study is completed, there may be a need to adjust the requirement again. Staff also recommends deleting the ambiguous language regarding principal, secondary, and accessory use as it relates to mixed-use buildings and the parking requirements. Language was also added to establish building design standards for the mixed-use buildings that address safe and prominent building entries, quality storefront design and standards for high quality materials. These standards are consistent with the standards already in the code related to design review in the College Hill Overlay and are consistent with the storefront design standards recently adopted for mixed-use storefront buildings in the Downtown Overlay. It is also proposed to clean up terms used for different types of dwellings to match the definitions in Section 29-2 of the code.

Staff recommends discussion of the proposed amendments and setting a date for public hearing at the January 9, 2019 Planning and Zoning Commission meeting. Ms. Saul asked when the parking study will be done. Ms. Howard answered that the decision is up to City Council, but the idea is to review the results of the downtown study and then consider conducting a similar study in College Hill soon thereafter. Mr. Hartley clarified that the code amendments being discussed just apply to the College Hill Overlay, not downtown. Ms. Howard stated that is the case.

Mr. Wingert asked about the process of making any additional changes to parking requirements after the parking study. Ms. Howard discussed the process. Mr. Leeper asked about the timing on the current and future code amendments. Ms. Howard stated that is up to the Commission to decide when to move the current proposed amendments forward to the City Council for consideration. Mr. Leeper asked what happens if someone wants to rehab an upper space in an existing property on College Hill. Ms. Howard noted that existing dwelling units would be grandfathered with no parking required. If new space is being added or converted to residential, they would have to provide parking according to the Code. She noted that there are options that could be explored to exempt upper floor space from the parking requirements. Staff could bring something back at the next meeting for the Commission to consider in this regard. Ms. Saul asked what happens when tenants don't have ample parking and where they can park.



Brent Dahlstrom stated that he feels this is an amicable discussion and that there is work being done to find a balance, but feels that College Hill needs redevelopment. He noted that the floodplain is being updated within the city and suggested using the areas that will be in the floodplain for parking lots.

Eashaan Vajpeyi stated that he supports the project but wants to see the code changed before reviewing the projects. He asked that the code be amended to reflect the development changes that have been coming forward.

Brian Sires stated that he feels that there is some discrepancy in the commercial and residential uses. He also noted that studios and one bedroom units are typically shared by a couple to keep costs down and that isn't counting visitors. He feels that there should be 1.5 stalls per one bedroom to accommodate the parking appropriately.

Ryan Kriener, 4407 Donald Drive, stated that the area isn't just for college students. They are intending to make it a vibrant area for everyone. He asked that the Commission keep that in consideration when making the changes.

Kamyar Enshayan asked the Commission to recommend to City Council to do the parking study immediately. He noted that the College Hill Partnership has also sent a letter to Council asking the same.

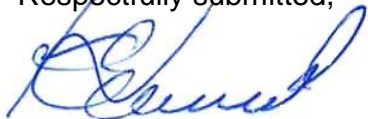
Andy Fuchtmann stated that redevelopment has not been happening very quickly on the Hill and there have been some that have been skeptical about whether starting a business on College Hill was a good idea, but that there are those that have taken the chance and want things to move in a positive direction. He stated that Sidecar Coffee has been a success.

There was further Commission discussion with regard to potential changes to the code. Staff will bring back verbiage for exemptions in existing buildings and will be presented at public hearing on January 9, 2019.

- 4.) Ms. Howard provided Commission updates. The December 26, 2018 will be cancelled due to lack of a quorum during that holiday week. She also noted that on January 7, 2019 the Planning and Zoning Commission is invited to attend a joint meeting with the City Council to discuss the Capital Improvements Plan. The meeting will be held prior to the formal meeting, but the time has yet to be determined, so stay tuned for further information.
- 5.) As there were no further comments, Mr. Hartley made a motion to adjourn. Mr. Wingert seconded the motion. The motion was approved unanimously with 8 ayes (Adkins, Giarusso, Hartley, Holst, Larson, Leeper, Saul and Wingert), and 0 nays.

The meeting adjourned at 7:15 p.m.

Respectfully submitted,



Karen Howard  
Community Services Manager



Joanne Goodrich  
Administrative Clerk



## DEPARTMENT OF COMMUNITY DEVELOPMENT

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### MEMORANDUM

#### *Planning & Community Services Division*

**TO:** Planning & Zoning Commission  
**FROM:** Karen Howard, Planning & Community Services Manager  
**DATE:** January 3, 2019  
**SUBJECT:** Zoning Ordinance text amendments to define and clarify the standards for mixed-use buildings

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**REQUEST:** Zoning Ordinance Amendments  
Section 29-160, CHN College Hill Neighborhood Overlay Zoning District  
**PETITIONER:** Department of Community Development  
**LOCATION:** College Hill Neighborhood Overlay Zoning District

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#### PROPOSAL

City Staff is recommending changes to the zoning ordinance to define and establish parking and design standards for mixed-use buildings in the College Hill Neighborhood Overlay Zoning District (CHN). Previous discussions with the Commission earlier this year involved a broader set of amendments to the zoning ordinance related to parking in both College Hill and in Downtown. Since there is a parking study currently underway in the Downtown area, we will focus at this time on changes to the Section 29-160, College Hill Neighborhood Overlay Zoning District to clarify the language in the zoning ordinance that has created confusion about the parking requirements for buildings that have ground floor commercial uses and upper floor apartments. The intended goal of the proposed amendments is to create clear and objective standards in the code to facilitate consistent review and approval of development in the College Hill Neighborhood Overlay District. Promoting mixed use development, maintaining commercial "street level" uses, retail expansion and having a variety of housing types conveniently located next to commercial and civic uses are common goals listed in the Comprehensive Plan.

#### BACKGROUND

The Planning and Zoning Commission has reviewed a number of mixed-use development plans throughout the city over the past few years. Given some ambiguity in the zoning ordinance, City staff has interpreted the principal use in a mixed-use building in the C-3 District to be the use located on the main floor or street level floor of the property. Upper floor uses have been considered secondary or incidental uses of the property. However, as the demand for residential in these urban centers have increased, larger mixed-use buildings have been proposed than when these definitions of principal and secondary were originally written into the code. Therefore, it is important to clearly define what a mixed-use building is, to remove ambiguous or conflicting language in the code, and update the ordinance in order to provide consistent review of applications, clarity for the public, and guidance for developers

when they are designing new projects in the College Hill Neighborhood. These ordinance amendments will add a definition of a mixed-use building, and add clear direction on how parking is calculated for new mixed-use buildings. Based on public input at the Planning and Zoning Commission meeting on December 12, the Commission requested that for existing mixed-use buildings, upper floor residential uses remain exempt from parking requirements. Existing mixed-use buildings in the College Hill Business District are generally two stories in height, so this allowance will keep existing apartments conforming and maintain the option for conversion of second story space into residential dwellings for those few buildings where the upper floor space is currently underutilized.

**Staff notes that the proposed change to add a fairly substantial parking requirement for upper floor residential in new mixed-use buildings is intended to be an interim fix until a more detailed parking study can be completed for the College Hill Neighborhood.** Some of the questions that might be explored through the study include:

- What is the availability of parking on-street and in public parking lots within a block of the business district during peak times?
- Are there better ways to manage the on-street parking spaces and existing public parking lots to meet short term customer parking needs of the businesses?
- Since most of the college students living in the apartment buildings and mixed-use buildings located directly adjacent to the UNI campus can easily walk to and from classes, should every resident be guaranteed a parking space directly adjacent to their apartment? To reserve the prime land abutting the UNI campus for businesses and housing, are there remote parking solutions that could reasonably meet the parking demand of those students who use their cars primarily on weekends?

Setting the parking requirement at the right level is important, particularly in urban areas where land costs are higher and there is a desire to use land efficiently to create walkable neighborhoods and commercial areas with a mainstreet character, which sets them apart from auto-centric commercial districts in outlying areas.

Parking is often treated as a costless good. However, there are real costs to setting aside land for use solely as a parking area:

- Loss of valuable land that could otherwise be used for active and revenue generating uses, such as businesses and housing. Requiring parking beyond what is needed imposes an unnecessary cost on new development, which translates into higher residential rents and higher lease rates for businesses;
- Large surface parking lots interrupt what might otherwise be a more pleasant and comfortable place to walk with buildings located close to the street, clustered together creating a walkable, mainstreet character that is attractive to visitors/customers;
- On the other hand, providing large amounts of free parking discourages walking and biking since businesses and housing are spread out over a larger area interrupted by parking lots making it more time-consuming and unpleasant to walk to different destinations within the area;
- High parking requirements may discourage redevelopment in the College Hill area where available land for development is limited, even though there is a desire for reinvestment and revitalization.

## ANALYSIS

In Section 29-160, College Hill Neighborhood Overlay Zoning District, there are specific parking standards that are listed for a number of land uses, including single-unit dwellings, two-unit dwellings (duplexes), multiple dwellings, boardinghouse/rooming house, and fraternity/sorority, but there is no standard for what is required in a commercial or mixed-use building. However, even though there is indication both in the Comprehensive Plan and in the code that mixed-use buildings are encouraged within the College Hill Business District, there is no “mixed-use” definition and there is ambiguous language about principal, secondary, and accessory uses. The language implies that upper floor uses within a “commercial use” are accessory or secondary uses and no on-site parking is required for such uses. Calling upper floor apartments in a multi-story building “accessory uses” seems counter-intuitive because they do not fall clearly into the definition of an accessory use, which is typically reserved for uses and structures that are subordinate to the main use of the property. In fact, the examples of accessory uses listed in the definition include parking and storage. The other term used in the code that refers to upper floor uses is “secondary.” However, the code does not include a definition of what a secondary use is, which has led to much speculation and interpretation, parsing of the zoning code language and much frustration on the part of the public, developers, City staff and the Commission.

The common understanding of a mixed-use building is that it is a building that contains multiple principal uses in one building. There may also be accessory uses, such as parking, storage, and lobby areas within the building that serve the principal users of the building. These accessory uses are carefully placed within the building so they contribute the convenience and comfort of the businesses and residents.

While further study and refinement to parking standards in the zoning code is warranted, staff recommends adopting the following limited changes to the College Hill Overlay as an interim measure to provide clarity for the public and for property owners that want to move forward with new buildings and improvements in the College Hill business district. In summary, Staff recommends:

- eliminating the confusing language about accessory and secondary use;
- adding a definition of a mixed-use building;
- Clearly stating the parking requirements for the uses within a mixed-use building. Staff recommends adding a requirement for upper floor residential dwellings within a mixed-use building at a ratio of 1 parking stall per bedroom, but not less than 1 parking stall per unit. This ensures that all unit sizes and bedrooms are treated the same and creates a simple calculation for the building as a whole. Staff believes that this ratio may still be on the high side and parking may be over-supplied, because this assumes that everyone living within the building will have a car and needs on-site parking. Staff is also recommending eliminating the visitor parking requirements. Staff believes the substantial benefits of using land efficiently for active building uses to foster a walkable, mainstreet character to the College Hill Business District outweighs the potential costs of the instances when visitors might exceed the available private parking on the property. Staff believes this is a good interim solution step until further study of the public parking system, including available University parking can be completed. There is already considerable anecdotal evidence that public parking lots, particularly those located east of College Street are underutilized, with parking available for visitors at all times of day.

- Add language to ensure that upper floor residential uses within existing mixed-use buildings remain exempt from parking requirements;
- For consistency purposes, staff recommends changing the parking requirement for Multiple Dwellings to match the proposed parking requirement for residential dwelling units within a mixed-use building;
- Establishing minimum and maximum setbacks for mixed-use buildings to ensure a mainstreet character as envisioned for the College Hill Business District.
- Establishing building design standards for mixed-use buildings that address safe and prominent building entries, quality storefront design, and standards for high quality building materials and building articulation to match what is required for multiple dwellings within the College Hill Overlay.
- Some minor clean-up on the terms used for different types of dwellings to match Section 29-2, Definitions.

A copy of the College Hill Neighborhood Overlay Zoning District language is attached with new language underlined and language proposed for deletion indicated with strike-through notation.

### STAFF RECOMMENDATION

The Community Development Department recommends approval of the attached zoning code amendments.

### PLANNING & ZONING COMMISSION

Discussion 1/24/2018 Chair Oberle introduced the discussion with regard to principal and accessory/secondary uses and Mr. Sturch provided background information. He introduced elements for consideration with regard to mixed use developments within the C-3 District. He summarized the Comprehensive Plan goals and introduced ideas to consider when drafting the ordinance amendments.

The Commission members discussed the need to better define an accessory use. Mr. Sturch indicated that the accessory use is only on upper floors of a commercial structure; must comply with the residential parking guidelines; and all parking must be placed behind the street level storefront (commercial use).

Mr. Sturch explained that the C-3 District does not have parking requirements for residential as an accessory use. The City began to apply the requirements based on the State Street development as the lots were assembled. This proposal would better define the building use and set up parking requirements.

Mr. Wingert stated that it is expensive to redevelop and feels the 50% use restricts development. Ms. Giarusso stated that if the Commission is looking at C-3 zoning, residential should be considered as well. Ms. Saul stated many shoppers are from outside the area, and parking needs to be considered.

Mr. Sturch also discussed efficiency/studio unit considerations. These ordinance changed should include the area calculation of each efficiency/studio unit and its parking ratio.

Several members of the public provided comments on the importance of off street parking in the downtown and College Hill area.

Mr. Sturch indicated that staff will seek input from Community Main Street and the College Hill Partnership as well as surveying other communities. This matter will be brought back to the Commission in March.

Discussion  
3/28/2018

Chair Oberle introduced the item and Mr. Sturch provided background information. He summarized the potential changes to the ordinance. At this time, these ordinance amendments are being presented for discussion.

There were several people in the audience to comment on the proposed changes to the zoning ordinance.

Eashaan VajPeyi, 3831 Convair Lane provided some comments on the parking proposal for efficiency/studio units.

Ryan Kreiner, 4525 Quesada Court, spoke about the College Hill Partnership and their mission statement.

Dr. Brian Sires, 8230 Beaver Hills Lane, talked about occupancy standards in one bedroom units. He believes that the proposed parking ratio for efficiency/studio units will create a parking problem by not providing ample stalls for the tenants.

The commission had some comments on the proposed zoning amendments. Mr. Holst asked for clarification on the parking requirements between the studio and one-bedroom units. Ms. Giarusso asked how staff came up with six hundred square feet for the studio units. Mr. Oberle asked how parking was decided for the studio units. Ms. Saul and Mr. Leeper had questions about the exceptions that are proposed. Mr. Sturch responded to these questions.

Mr. Wingert asked if the local developers would comment on the proposed changes. Mr. Holst stated that he wants to see commercial use preserved in commercial districts. Mr. Arntson asked what the difference would be between R-4 and the C-3 proposed parking requirements. Mr. Wingert asked if there are any current buildings that would fit the new criteria to use as an example. Mr. Sturch responded to these questions.

Community Development Director Sheetz provided some comments during the discussion. These parking requirements will be for residential uses in the C-3 district and citywide for efficiency/studio units.

Mr. Wingert wanted to put on the record that it he had no reason to abstain from this project.

Chair Oberle noted that this item will be continued as a public hearing on April 11. That will be the time for any input from developers and citizens.

Discussion  
4/11/18

Chair Oberle introduced the item and Mr. Sturch provided background information. He explained that the goals are to promote existing Commercial Districts for commercial users, promote mixed use developments, and maintain commercial users at the street

level. Comprehensive Plan Goals include mixed land uses, retail expansion, and promoting walkable neighborhoods. He discussed mixed use buildings and the definitions that are involved, including principal use, accessory/secondary use and consistency with past interpretation of main level use. Mr. Sturch also talked about parking provisions that need to be addressed, and displayed the results of a parking survey done in other cities. Staff introduced the Ordinance at the January 24, 2018 meeting and have met with Community Main Street and the College Hill Partnership. He noted questions that still need to be discussed and considered, and stated that staff would like to continue discussion, research additional information and continue public outreach to gain input from the community. Staff recommends closing the public hearing and tabling the matter in order to gather more information.

Mr. Holst made a motion to approve to receive and file the public notice. Saul seconded the motion. The motion was approved unanimously with 8 ayes (Adkins, Giarusso, Hartley, Holst, Leeper, Oberle, Saul and Wingert), and 0 nays.

Chair Oberle declared the public hearing open and invited the public to come forward with comments or questions. Eashaan Vajpeyi, 3831 Convair Lane (on behalf of his client, Brian Sires and himself), asked why certain parts of the code ordinance overhaul are taking place now and if they are eventually going to be run through a consultant. He questioned the parking ratios that were displayed during the introduction and stated that he doesn't believe Cedar Falls would want the parking in the city to be comparative to a community like Iowa City. He also cautioned allowing the mixed use definition to create a situation where parking is not required in places where it will be needed. He noted that issues with variances made for parking should be handled by the Board of Adjustment, not the Planning and Zoning Commission.

Dennis Bigelow, 3909 Beaver Ridge Circle, stated that parking needs to be available for businesses to survive. He noted that he has spoken to different individuals that are in business with regard to businesses on College Hill. He asked what the requirements be to open a business in that area and the standard answer was parking availability and accessibility.

Carol Lilly, Community Main Street, applauded the Commission for taking a look at the issue. She noted that there is a strategic planning session scheduled for discussion of the parking issues, and would like to get input from other community members and business owners. She also stated that historically, residential is a component of commercial, which is an important part of downtown that they would like to continue.

Brad Leeper clarified that the Commission is not trying to legitimize a particular project. The current zoning requirements were set up based on a classic Main Street commercial building with one story of residential above it. Recently, the Commission has been seeing a different level of development with larger buildings and more density and they are trying to address the issues to clarify it.

Ms. Saul noted that a constituent sent a text to a councilmember stating that Ms. Saul was upset about the parking issue. She clarified that she was concerned, not upset. She agrees that each district is different in its own way and looks forward to further discussion.

Mr. Holst stated that he doesn't agree with having different C-3 regulations between downtown and College Hill. He believes that more variations create more difficult situations. He would prefer a solution that will be uniform and work across the whole City. He also mentioned that the studio size may need to be reconsidered for

appropriate parking adjustment.

Ms. Saul asked again about principal use of a structure. She would like more discussion on how that is determined. Ms. Howard clarified that the reason a mixed use definition is being considered is to get away from a principal or secondary use, as all uses in larger mixed use buildings are really principal uses and are creating some kind of parking demand. There is currently confusion on how to calculate parking. The idea is to eliminate the confusion and gray area for parking requirements.

Ms. Giarusso asked about the proposed zoning code overhaul review process when a consultant is hired and whether it would be better to wait to make these changes. Ms. Howard stated that it may be some time before a new zoning code would be in place and the intent of the current effort is to clarify the parking standards, particularly for the C-3 Zones, as there may be more developments proposed before the total overhaul is discussed. Parking standards can be reviewed again for the zoning code overhaul; however, it is currently a concern, so probably should be addressed at this time to prevent further uncertainty and confusion..

Carol Lilly stated that what is really needed is a better picture of where we want to go as a City.

Ms. Saul made a motion to table the item for a later date. Mr. Holst seconded the motion. The motion was approved unanimously with 8 ayes (Adkins, Giarusso, Hartley, Holst, Leeper, Oberle, Saul and Wingert), and 0 nays.

Discussion  
12/12/18

Acting Chair Holst introduced the item and Ms. Howard provided background information. She explained that staff is bringing forward an interim solution to clarify the parking requirements for mixed-use buildings. She noted that the City is planning to do a parking study in the College Hill area to help establish the parking needs that can be used to officially update the code. Ms. Howard discussed the costs of setting aside land for parking. She also spoke to the plan to delete ambiguous and confusing language in the code with regard to mixed-use buildings. Staff recommends adding a definition for a mixed-use building and then adding a parking requirement for residential dwelling units within a mixed-use building. As a starting point, staff suggests one parking space per bedroom and eliminating the visitor parking requirement. To provide a level playing field for multiple dwelling buildings, staff recommends adopted the same requirement. Staff notes the importance of making sure the parking requirements are not set too high. After the parking study is completed, there may be a need to adjust the requirement again. Staff also recommends deleting the ambiguous language regarding principal, secondary, and accessory use as it relates to mixed-use buildings and the parking requirements. Language was also added to establish building design standards for the mixed-use buildings that address safe and prominent building entries, quality storefront design and standards for high quality materials. These standards are consistent with the standards already in the code related to design review in the College Hill Overlay and are consistent with the storefront design standards recently adopted for mixed-use storefront buildings in the Downtown Overlay. It is also proposed to clean up terms used for different types of dwellings to match the definitions in Section 29-2 of the code.



Staff recommends discussion of the proposed amendments and setting a date for public hearing at the January 9, 2019 Planning and Zoning Commission meeting. Ms. Saul asked when the parking study will be done. Ms. Howard answered that the decision is up to City Council, but the idea is to review the results of the downtown study and then consider conducting a similar study in College Hill soon thereafter. Mr. Hartley clarified that the code amendments being discussed just apply to the College Hill Overlay, not downtown. Ms. Howard confirmed that is the case.

Mr. Wingert asked about the process of making any additional changes to parking requirements after the parking study. Ms. Howard discussed the process. Mr. Leeper asked about the timing on the current and future code amendments. Ms. Howard stated that is up to the Commission to decide when to move the current proposed amendments forward to the City Council for consideration. Mr. Leeper asked what happens if someone wants to rehab an upper space in an existing property on College Hill. Ms. Howard noted that existing dwelling units would be grandfathered with no parking required. If new space is being added or converted to residential, they would have to provide parking according to the Code. She noted that there are options that could be explored to exempt upper floor space from the parking requirements. Staff could bring something back at the next meeting for the Commission to consider in this regard. Ms. Saul asked what happens when tenants don't have ample parking and where they can park.

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Eashaan Vajpeyi stated that he supports the project but wants to see the code changed before reviewing the projects. He asked that the code be amended to reflect the development changes that have been coming forward.

Brian Sires stated that he feels that there is some discrepancy in the commercial and residential uses. He also noted that studios and one bedroom units are typically shared by a couple to keep costs down and that isn't counting visitors. He feels that there should be 1.5 stalls per one bedroom to accommodate the parking appropriately.

Ryan Kriener, 4407 Donald Drive, stated that the area isn't just for college students. They are intending to make it a vibrant area for everyone. He asked that the Commission keep that in consideration when making the changes.

Kamyar Enshayan asked the Commission to recommend to City Council to do the parking study immediately. He noted that the College Hill Partnership has also sent a letter to Council asking the same.

Andy Fuchtman stated that redevelopment has not been happening very quickly on the Hill and there have been some that have been skeptical about whether starting a business on College Hill was a good idea, but that there are those that have taken the chance and want things to move in a positive direction. He stated that Sidecar Coffee has been a success.

There was further Commission discussion with regard to potential changes to the code. Staff will bring back verbiage for exemptions in existing buildings and will be presented at public hearing on January 9, 2019.

**Sec. 29-160. - CHN, College Hill Neighborhood overlay zoning district.**

*General Regulations*

- (a) *Boundaries.* The College Hill Neighborhood zoning district (CHN District) boundaries are shown in the College Hill Neighborhood Master Plan and legally described in Attachment A. (Said attachment is not set out at length herein but is on file in the office of the city planner.)
- (b) *Purpose and intent:* The purpose of the College Hill Neighborhood overlay zoning district is to regulate development and land uses within the College Hill Neighborhood and to provide guidance for building and site design standards, maintenance and development of the residential and business districts in a manner that complements the University of Northern Iowa campus, promotes community vitality and safety and strengthens commercial enterprise. New structures, including certain types of fences, certain modifications to existing structures and certain site improvements and site maintenance shall conform to this section.

The provisions of this section shall apply in addition to any other zoning district regulations and requirements in which the land may be classified. In the case of conflict, the most restrictive provisions shall govern unless otherwise expressly provided in this section.

- (c) *Definitions.*
  - (1) *Bedroom:* A room unit intended for sleeping purposes containing at least 70 square feet of floor space for each occupant. Neither closets nor any part of a room where the ceiling height is less than five feet shall be considered when computing floor area.
  - (2) *Change in use:* Change in use shall include residential uses changed from single-unit to two-unit or two-unit to multi-unit or to any increase in residential intensity within a structure (i.e. change from duplex to fraternity house). The term shall also apply to changes in use classifications (i.e. residential to commercial).
  - (3) *Fraternity/sorority:* Residential facilities provided for college students and sponsored by university affiliated student associations. Such facilities may contain individual or common sleeping areas and bathroom facilities but shall provide common kitchen, dining, and lounging areas. Such facilities may contain more than one unit.
  - (4) *Greenway:* Open landscaped area maintained for floodplain protection, stormwater management and public access. Such area may contain pedestrian walkways or bicycle pathways but is not intended for regular or seasonal usage by motorized recreational vehicles.
  - (5) *Landscaped area:* An area not subject to vehicular traffic, which consists of living landscape material including grass, trees and shrubbery.
  - (6) *Lot split, property transfer:* Not a subdivision plat where a new lot is being created; includes any transfer of small segments of property or premises between two abutting properties, whether commonly owned or owned by separate parties, where one property (the "sending property") is dedicating or deeding additional land to another abutting property (the "receiving property."[]]
  - (7) *Mixed-Use Building:* A building designed for occupancy by a minimum of two different uses. Uses generating visitor or customer traffic (such as retail, restaurants, personal

services) are typically located on the ground floor facing the street, whereas uses generating limited pedestrian activity (such as office or residential uses) are typically located on upper floors or behind street-fronting commercial uses.

(7 8) *Neighborhood character:* The College Hill Neighborhood area is one of Cedar Falls' oldest and most densely populated neighborhoods. As the University of Northern Iowa has grown the original single-unit residential neighborhood surrounding the campus area has been transformed into a mixture of single-unit, duplex and multiple unit dwelling units along with a few institutional uses and other university-related uses such as fraternities and sorority houses. These various uses are contained in a variety of underlying zoning districts (i.e. R-2, R-3, R-4, Residential and C-3, commercial districts). Architectural styles vary significantly among existing building structures while differing land uses and building types are permitted in different zoning districts. When references are made in this ordinance to preservation of neighborhood character, uniformity of building scale, size, bulk and unusual or widely varying appearance are of primary concern regardless of the nature of the proposed building use.

New construction, including significant improvements to existing structures, shall be of a character that respects and complements existing neighborhood development. The following variables or criteria shall be used in determining whether a newly proposed construction or building renovation is in keeping with the character of the neighborhood:

- a. Overall bulk/size of the building;
- b. Overall height of the building;
- c. Number of proposed dwelling units in comparison to surrounding properties;
- d. Lot density (lot area divided by number of dwelling units);
- e. Off-street parking provision;
- f. Architectural compatibility with surrounding buildings.

(8 9) *Parking area:* That portion of a parcel of land that is improved and designated or commonly used for the parking of one or more motor vehicles.

(9 10) *Parking lot:* That area improved and designated or commonly used for the parking of three or more vehicles.

(10 11) *Parking space, also parking stall:* An area measuring at least nine feet wide and 19 feet long for all commercial, institutional or manufacturing uses or eight feet wide and 18 feet long for residential uses only, connected to a public street or alley by a driveway not less than ten feet wide, and so arranged as to permit ingress and egress of motor vehicles without moving any other vehicle parked adjacent to the parking space.

(11 12) *Premises:* A lot, plot or parcel of land including all structures thereon.

(13) *Residential Building:* Any building that is designed and/or used exclusively for residential purposes, but not including a tent, cabin or travel trailer.

(12 14) *Residential conversion:* The alteration or modification of a residential structure that will result in an increase in the number of rooming units or dwelling units within the residential structure. The addition or creation of additional rooms within an existing rooming unit or dwelling unit does not constitute a residential conversion.

~~(13~~ 15) *Structural alteration*: Any alteration, exterior or interior that alters the exterior dimension of the structure. This provision shall apply to residential, commercial and institutional uses including churches or religious institutions.

(~~14~~ 16) *Substantial improvement*: Any new construction within the district or any renovation of an existing structure, including the following:

- a. Any increase in floor area or increased external dimension of a residential or commercial structure. Additional bedrooms proposed in an existing duplex or multi-unit residence shall be considered a substantial improvement. Bedroom additions to single-unit residences shall not be considered to be a substantial improvement.
- b. Any modification of the exterior appearance of the structure by virtue of adding or removing exterior windows or doors. Repair or replacement of existing windows or doors which does not result in any change in the size, number or location of said windows and doors shall not be considered to be a substantial improvement.
- c. Any structural alteration that increases the number of bedrooms or dwelling units. Interior room additions, including bedroom additions, may be made to single-unit residential structures without requiring additional on-site parking.
- d. All facade improvements, changes, alterations, modifications or replacement of existing facade materials on residential or commercial structures. Routine repair and replacement of existing siding materials with the same or similar siding materials on existing structures shall be exempt from these regulations.
- e. Any new, modified or replacement awnings, signs or similar projections over public sidewalk areas.
- f. Any increase or decrease in existing building height and/or alteration of existing roof pitch or appearance. Routine repair or replacement of existing roof materials that do not materially change or affect the appearance, shape or configuration of the existing roof shall not be considered a substantial improvement.
- g. Any construction of a detached accessory structure measuring more than 300 sq. ft. in base floor area for a residential or commercial principal use.
- h. Any increase in area of any existing parking area or parking lot or any new construction of a parking area or parking lot, which existing or new parking area or parking lot contains or is designed to potentially accommodate a total of three or more parking stalls.
- i. Any proposed property boundary fence, which utilizes unusual fencing materials such as stones, concrete blocks, logs, steel beams or similar types of atypical or unusual fence materials. Standard chain link fences, wooden or vinyl privacy fences shall be exempt from these provisions.
- j. Demolition and removal of an entire residential, commercial or institutional structure on a property shall not be considered a substantial improvement.

(d) *Administrative review*.

(1) *Applicability*. The provisions of this section shall constitute the requirements for all premises and properties that lie within the boundaries of the College Hill Neighborhood overlay zoning district. This section and the requirements stated herein shall apply to all new construction, change in use, structural alterations, substantial improvements or site improvements including:

- a. Any substantial improvement to any residential, commercial or institutional structure, including churches.
  - b. Any new construction, change in use, residential conversion or structural alteration, as defined herein, for any structure.
  - c. Any new building structure including single-unit residences.
- (2) In the case of emergency repairs required as the result of unanticipated building or facade damages due to events such as fire, vandalism, flooding or weather-related damages, site plan review by the planning and zoning commission and the city council will not be required for completion of said emergency repairs, provided that the extent of damages and cost of said repairs are less than 50 percent of the value of the structure. However, said emergency repairs along with cost estimates related to the extent of building structural damages shall be verified by the city planner in conjunction with the city building inspector. Said emergency repairs, to the extent possible, shall repair and re-establish the original appearance of the structure. In the event that said emergency repairs result in dramatic alteration of the exterior appearance of the structure as determined by the city planner, the owner of the property shall make permanent repairs or renovations that re-establish the original appearance of the structure with respect to facade features, window and door sizes, locations and appearances of said windows and doors within six months following completion of said emergency repairs. Said emergency repairs shall not alter the number, size or configuration of pre-existing rooms, bedrooms or dwelling units within the structure.
- (3) Submittal requirements. Applicants for any new construction, change in use, structural alteration, facade alteration, residential conversion, substantial improvement, parking lot construction or building enlargement shall submit to the city planning division an application accompanied by such additional information and documentation as shall be deemed appropriate by the city planner in order for the planning division to properly review the application. The required application for any project may include one or more of the following elements depending upon the nature of the application proposal. Some applications will require submittal of more information than other types of applications. The city planner will advise the applicant which of these items need to be submitted with each application with the goal of providing sufficient information so that decision makers can make an informed decision on each application.
- a. Written description of building proposal, whether a new structure, facade improvement, parking lot improvement, building addition, etc. The name and address of the property owner and property developer (if different) must be provided.
  - b. Building floor plans;
  - c. Building materials;
  - d. Dimensions of existing and proposed exterior building "footprint";
  - e. Facade details/exterior rendering of the structure being modified, description of proposed building design elements including but not limited to building height, roof design, number and location of doors and windows and other typical facade details;
  - f. Property boundaries, existing and proposed building setbacks;
  - g. Parking lot location, setbacks, parking stall locations and dimensions along with parking lot screening details;

- h. Lot area and lot width measurements with explanation if any portion of an adjacent lot or property is being transferred to the property under consideration;
- i. Open green space areas and proposed landscaping details with schedule for planting new landscaping materials;
- j. Trash dumpster/trash disposal areas;
- k. Storm water detention/management plans.

Following submittal of the appropriate application materials as determined by the city planner, said application materials shall be reviewed by the City of Cedar Falls Planning and Zoning Commission and the City Council to determine if the submittal meets all ordinance requirements and conforms to the standards of the comprehensive plan, recognized principles of civic design, land use planning and landscape architecture. The commission may recommend and the city council may approve the application as submitted, may deny the application, or may require the applicant to modify, alter, adjust or amend the application as deemed necessary to the end that it preserves the intent and purpose of this section to promote the public health, safety and general welfare.

(e) *District requirements and criteria for review.*

- (1) Minimum on-site parking requirements. If different from the underlying base zone, the following requirements shall govern.
  - a. ~~Single-unit residence~~ Dwelling: Two parking stalls per residence dwelling.
  - b. Single-unit Dwelling, renter-occupied: Two parking stalls per dwelling unit plus one additional parking stall for each bedroom in excess of two bedrooms.
  - b. ~~Two-unit residence~~ Dwelling: Two stalls per dwelling units plus one additional stall for each bedroom in each dwelling unit in excess of two bedrooms.
  - c. ~~Multi-unit residence~~ Multiple Dwelling: ~~Two stalls per dwelling unit plus one additional stall for each bedroom in excess of two bedrooms. One additional stall shall be provided for every five units in excess of five units for visitor parking. One stall per bedroom, but not less than one stall per dwelling unit.~~
  - d. Mixed-Use Building: No parking required for non-residential uses. For dwelling units within mixed-use buildings, one parking stall per bedroom, but not less than one stall per dwelling unit, except as follows. For mixed-use buildings constructed prior to January 1, 2019, no parking is required for existing dwelling units and for upper floor space within said existing mixed-use building that is converted to residential use.
  - d. Boardinghouse/rooming house: Five stalls plus one stall for every guest room in excess of four guest rooms.
  - e. Fraternity/sorority: Five parking stalls plus one stall for every two residents in excess of four residents.
  - f. Where fractional spaces result, the number required shall be the next higher whole number.
  - g. Bicycle accommodations: All new multi-unit residential facilities are encouraged to provide for the establishment of bicycle racks of a size appropriate for the anticipated residential occupancy of the facility. A general suggested bike parking

standard is 2 bike stalls per residential unit. For commercial projects, if lot area is available, bike racks are encouraged to be installed in conjunction with the commercial project.

(2) Parking lot standards:

- a. All newly constructed or expanded parking lots (three or more parking stalls) shall be hard surfaced with concrete or asphalt, provided with a continuous curb, be set back a minimum five feet from adjacent property lines or public right-of-way with the exception of alleyways, in which case a three foot permeable setback will be required, and otherwise conform to all parking guidelines as specified in this section and in section 29-177 of the Zoning Ordinance. Alternative parking lot surfaces may be considered to the extent that such surfaces provide adequate storm water absorption rates, subject to city engineering review and approval, while providing an acceptable surface material and finished appearance. Gravel or crushed asphalt parking lots will not be permitted. However, other types of ecologically sensitive parking lot designs will be encouraged and evaluated on a case-by-case basis.
- b. Landscaping in parking lots shall be classified as either internal or peripheral. The following coverage requirements shall pertain to each classification:
  1. *Peripheral landscaping.* All parking lots containing three (3) or more parking spaces shall provide peripheral landscaping. Peripheral landscaping shall consist of a landscaped strip not less than five feet in width, exclusive of vehicular obstruction, and shall be located between the parking area and the abutting property lines. One tree for each 25 lineal feet of such landscaping barrier or fractional part thereof shall be planted in the landscaping strip. At least one tree shall be planted for every parking lot (such as a 3-stall parking lot) regardless of the lineal feet calculation. In addition to tree plantings, the perimeter of the parking lot shall be screened with shrubbery or similar plantings at least 3-feet in height as measured from the finished grade of the parking lot at the time of planting for purposes of vehicular screening. The vegetative screen should present a continuous, effective visual screen adjacent to the parking lot for purposes of partially obscuring vehicles and also deflecting glare from headlights. If landscaped berms are utilized, the berm and vegetative screening must achieve at least a 3-foot tall screen at time of installation as measured from the grade of the finished parking lot. Each such planting area shall be landscaped with grass, ground cover or other landscape material excluding paving, gravel, crushed asphalt or similar materials, in addition to the required trees, shrubbery, hedges or other planting material. Existing landscaping upon abutting property shall not be used to satisfy the requirements for said parking lot screening requirements unless the abutting land use is a parking lot.
  2. *Exceptions:*
    - (a) Peripheral landscaping shall not be required for single-unit or two-unit residential structures where the primary parking area is designed around a standard front entrance driveway and/or attached or detached residential garage. However, if an open surface parking lot containing three (3) or more parking stalls is established in the rear yard of a two-unit residential structure, the perimeter landscaping/screening requirements as specified herein shall apply.



- (b) Peripheral landscaping shall not be required for parking lots that are established behind building structures where the parking lots do not have any public street or alley frontage or is not adjacent to any open properties such as private yards, parks or similar open areas. Examples of such a parking lot would be one designed with a multiple unit apartment facility where the parking lot is encircled with building structures within the project site and where the parking lot is completely obscured from public view by building structures.
  - (c) Underground or under-building parking lots.
  - (d) Above-ground parking ramps shall provide perimeter screening as specified herein around the ground level perimeter of the parking structure.
3. *Internal landscaping.* All parking lots measuring 21 parking stalls or more shall be required to landscape the interior of such parking lot. At least one over-story tree shall be established for every 21 parking stalls. Each tree shall be provided sufficient open planting area necessary to sustain full growth of the tree. Not less than five percent of the proposed paved area of the interior of the parking lot shall be provided as open space, excluding the tree planting areas. These additional open space areas must be planted with bushes, grasses or similar vegetative materials. Each separate open green space area shall contain a minimum of 40 square feet and shall have a minimum width dimension of a least five feet.
  4. *Exceptions:* Internal landscaping shall not be required for vehicular storage lots, trucking/warehousing lots or for automobile sales lots. However, perimeter landscaping/screening provisions, as specified herein, shall be required for all such parking areas when they are installed or enlarged in area.
  5. *Parking Garages or Parking Ramps:* All such facilities where one or more levels are established for parking either below ground or above ground and where structural walls provide for general screening of parked vehicles, internal landscaping shall not be provided.
  6. It is the intent of this regulation that in parking development sites open green space and landscape areas should be distributed throughout the parking development site rather than isolated in one area or around the perimeter of the parking lot. Trees and shrubs planted within parking areas shall be protected by concrete curbs and provide adequate permeable surface area to promote growth and full maturity of said vegetation.
- c. Parking stalls must provide a minimum separation of four feet from the exterior walls of any principal structure on the property as measured from the vehicle (including vehicular overhang) to the nearest wall of the structure. No vehicular parking stall shall be so oriented or positioned as to block or obstruct any point of egress from a structure, including doorways or egress windows.
  - d. No portion of required front or side yards in any residential (R) zoning district shall be used for the establishment of any parking space, parking area, or parking lot, except for those driveways serving a single unit or two-unit residence. For all other uses, a single driveway no more than 18 feet in width may be established across the required front and side yards, provided that side yard driveway setbacks are observed, as an access to designated rear yard parking areas. ~~unless said lot is~~

~~dedicated entirely to a parking lot, in which case a wider driveway access will be allowed across the required yard area to access said parking lot.~~

- e. When a driveway or access off a public street no longer serves its original purpose as access to a garage or parking lot due to redevelopment of the property or is replaced with an alternative parking lot or parking arrangement with an alternate route of access, the original driveway access shall be re-curbed by the owner at the owner's expense and the parking/ driveway area shall be returned to open green space with grass plantings or other similar landscaping materials.
- f. Routine maintenance of existing parking areas and parking lots, including resurfacing of said areas with similar materials or with hard surfacing will be permitted without requiring review by the planning and zoning commission and city council, provided that no increase in area of said existing parking area or parking lot, or any new construction of a parking area or parking lot, which existing or new parking area or parking lot contains or is designed to potentially accommodate a total of three or more parking stalls, occurs. Any newly paved or hard surfaced parking lot, excluding those existing hard surface parking lots that are merely being resurfaced, must satisfy minimum required setbacks from the property line or alley and must provide a continuous curb around the perimeter of said improved parking lot. Hard surfacing of any existing unpaved parking area or parking lot will require an evaluation by the city engineering division regarding increased storm water run-off/possible storm water detention.

(3) Storm water drainage:

- a. Storm water detention requirements as outlined in City Code Section 27-405 and in Section 29-87 of the Zoning Ordinance shall apply to all newly developed parking lots and new building uses. In addition, said requirements shall apply to any existing parking lot that is resurfaced, reconstructed or enlarged subject to review by the city engineer. In those cases where no municipal storm sewer is readily available to serve a particular property or development site, the use of the property will be limited. The maximum allowable use that shall be permitted on any particular property or development site which is not served by a municipal storm sewer shall be limited to the following uses in Residential zoning districts: a parking lot; a single-unit residence; a two-unit residence; or a multi-unit residence. Provided, however, that the applicant shall be required to submit calculations, which shall be subject to review and approval by the city engineering division, that verify that the total impervious surface area on the particular property or development site that will exist immediately following completion of the proposed new development shall be no greater than the total impervious surface area on the particular property or development site that existed immediately prior to the proposed new development.
- b. Soil erosion control: At the time of new site development, including parking lot construction, soil erosion control measures must be installed on the site in conformance with city engineering standards. Said soil erosion measures must be maintained until the site is stabilized to the satisfaction of the city engineering division.

(4) Open space/landscaping requirements:

- a. Principal permitted uses within the district shall provide minimum building setbacks as required in the zoning ordinance. With the exception of construction periods

said required front and side setback areas (required yards) shall be maintained with natural vegetative materials and shall not be obstructed with any temporary or permanent structure, on-site vehicular parking including trailers or recreational vehicles, nor disturbed by excavations, holes, pits or established recreational areas that produce bare spots in the natural vegetation.

- b. Driveways measuring no more than 18 feet in width, sidewalks and pedestrian access ways measuring no more than six feet in width may be established across the required front and side yard areas.
- c. All newly constructed office or institutional buildings in the R-3 or R-4 districts and all newly constructed single unit dwellings, two-unit dwellings, or ~~multi-unit multiple dwellings residential structures~~ in residential or commercial districts shall provide on-site landscaping within the required yard areas or in other green space areas of the property at the rate of 0.04 points per square foot of total lot area of the site under consideration for the proposed residential development or improvement. Landscaping shall consist of any combination of trees and shrubbery, subject to review and approval by the planning and zoning commission and the city council. In addition to these requirements, parking lot plantings and/or screening must be provided as specified herein. Plantings must be established within one year following issuance of a building permit. This provision shall not apply to ~~commercial uses or commercial structures~~ commercial or mixed-use buildings established in the C-3, commercial district.
- d. Measured compliance: The following landscaping point schedule applies to required landscaping in all zoning districts within the College Hill Neighborhood overlay district with the exception of commercial uses in the C-3 commercial business district, and shall be used in determining achieved points for required plantings. The points are to be assigned to plant sizes at time of planting/installation.

<i>Over-Story Trees:</i>	
4-inch caliper or greater	100 points
3-inch caliper to 4-inch caliper	90 points
2-inch caliper to 3-inch caliper	80 points
1-inch caliper to 2-inch caliper	60 points

<i>Under-Story Trees:</i>	
2-inch caliper or greater	40 points
1½-inch caliper to 2-inch caliper	30 points
1-inch to 1½-inch caliper	20 points

<i>Shrubs:</i>	

5-gallon or greater	10 points
2-gallon to 5-gallon	5 points

<i>Conifers:</i>	
10-foot height or greater	100 points
8-foot to 10-foot height	90 points
6-foot to 8-foot height	80 points
5-foot to 6-foot height	40 points
4-foot to 5-foot height	30 points
3-foot to 4-foot height	20 points

(5) Fences/retaining walls:

- a. Fences shall be permitted on properties in accordance with the height and location requirements outlined in section 29-86 of the Zoning Ordinance. Zoning/land use permits shall be required for fences erected within the district.
- b. Any existing fence or freestanding wall that is, in the judgment of the building inspector, structurally unsound and a hazard to adjoining property shall be removed upon the order of the building inspector.
- c. Retaining walls may be installed on property as a measure to control soil erosion or storm water drainage. However, said retaining walls shall be permitted only after review and approval by the city engineer.

(6) Detached accessory structures. All newly constructed detached accessory structures or expansions of existing detached accessory structures exceeding 300 sq. ft. in base floor area proposed to be situated on residential or commercial properties shall be subject to review and approval by the planning and zoning commission and city council. Maximum allowable building height, size and location requirements for accessory structures as specified in section 29-115 shall apply. In addition to those standards, proposed detached accessory structures or expanded structures larger than 300 sq. ft. in area shall be designed in such a manner as to be consistent with the architectural style of the principal residential or commercial structure on the property. Similar building materials, colors, roof lines, roof pitch and roofing materials shall be established on the accessory structure to match as closely as possible those elements on the principal structure. In addition, vertical steel siding along with "metal pole barn" type construction shall not be allowed.

(7) No existing single-unit residential structure in the R-2 district shall be converted or otherwise structurally altered in a manner that will result in the creation or potential establishment of a second dwelling unit within the structure.

(8) No ~~duplex (two-unit)~~ two-unit dwelling or ~~multi-unit~~ multiple dwelling shall add dwelling units or bedrooms to any dwelling unit without satisfying minimum on-site parking

requirements. If additional parking spaces are required, the entire parking area must satisfy parking lot development standards as specified herein.

- (9) No portion of an existing parcel of land or lot or plot shall be split, subdivided or transferred to another abutting lot or parcel for any purpose without prior review and approval by the city planning and zoning commission and the city council. Land cannot be transferred or split from one lot or property to be transferred to another for purposes of benefiting the "receiving" property while diminishing the minimum required lot area, lot width or building or parking lot setback area of the "sending" property. Such lot transfer or split shall not create a nonconforming lot by virtue of reduction of minimum required lot area, lot width or reduction of minimum required building or parking lot setbacks. Said lot transfer or split shall not affect any existing nonconforming property by further reducing any existing nonconforming element of the lot or property including lot area, lot width or building or parking lot setbacks in order to benefit another abutting property for development purposes. This provision shall not apply to those instances where separate lots or properties are being assembled for purposes of new building construction where existing structures on the assembled lots will be removed in order to accommodate new building construction.
- (10) Site plan revisions/amendments: All changes, modifications, revisions and amendments made to development site plans that are deemed to be major or substantial by the city planner shall be resubmitted to the planning and zoning commission in the same manner as originally required in this section. Examples of major or substantial changes shall include but are not limited to changes in building location, building size, property size, parking arrangements, enlarged or modified parking lots, open green space or landscaping modifications, setback areas or changes in building design elements.
- (11) Trash dumpster/trash disposal areas must be clearly marked and established on all site plans associated with new development or redevelopment projects. No required parking area or required parking stalls shall be encumbered by a trash disposal area.
  - a. Large commercial refuse dumpsters and recycling bins serving residential or commercial uses shall be located in areas of the property that are not readily visible from public streets. No such dumpster or bin shall be established within the public right of way. All dumpsters and bins shall be affixed with a solid lid covering and shall be screened for two purposes: (1) visual screening; and (2) containing dispersal of loose trash due to over-filling. Screening materials shall match or be complementary to the prevailing building materials.
- (f) *Design review.* Any new construction, building additions, facade renovations or structural alterations to commercial or residential structures, or substantial improvements to single-unit residences that, in the judgment of the city planner, substantially alters the exterior appearance or character of permitted structures shall require review and approval by the Cedar Falls Planning and Zoning Commission and City Council.
  - (1) *Criteria for review:*
    - a. Applications involving building design review. Neighborhood character, as herein defined, shall be considered in all.
    - b. The architectural character, materials, textures of all buildings or building additions shall be compatible with those primary design elements on structures located on adjoining properties and also in consideration of said design elements commonly

utilized on other nearby properties on the same block or within the immediate neighborhood.

- c. Comparable scale and character in relation to adjoining properties and other nearby properties in the immediate neighborhood shall be maintained by reviewing features such as:
    1. Maintaining similar roof pitch.
    2. Maintaining similar building height, building scale and building proportion.
    3. Use of materials comparable and similar to other buildings on nearby properties in the immediate neighborhood.
  - d. Mandated second entrances or fire escapes established above grade shall not extend into the required front yard area.
  - e. Existing entrances and window openings on the front facades and side yard facades facing public streets shall be maintained in the same general location and at the same general scale as original openings or be consistent with neighboring properties.
  - f. Projects involving structural improvements or facade renovations to existing structures must provide structural detail and ornamentation that is consistent with the underlying design of the original building.
  - g. The primary front entrances of all residential buildings shall face toward the public street. Street frontage wall spaces shall provide visual relief to large blank wall areas with the use of windows or doorways and other architectural ornamentation.
- (2) *Building entrances for ~~multi-unit residential~~ multiple dwellings.* Main entrances should be clearly demarcated by one of the following:
- a. Covered porch or canopy.
  - b. Pilaster and pediment.
  - c. Other significant architectural treatment that emphasizes the main entrance. Simple "trim" around the doorway does not satisfy this requirement.
- (3) *Building scale for ~~multi-unit residential~~ multiple dwellings.* Street facing walls that are greater than 50 feet in length shall be articulated with bays, projections or alternating recesses according to the following suggested guidelines:
- a. Bays and projections should be at least 6 feet in width and at least 16 inches, but not more than 6 feet, in depth. Recesses should be at least 6 feet in width and have a depth of at least 16 inches.
  - b. The bays, projections and recesses should have corresponding changes in roofline or, alternatively, should be distinguished by a corresponding change in some architectural elements of the building such as roof dormers, alternating exterior wall materials, a change in window patterns, the addition of balconies, variation in the building or parapet height or variation in architectural details such as decorative banding, reveals or stone accents.
- (4) *Building scale for commercial buildings and mixed-use buildings.* The width of the front façade of new commercial and mixed-use buildings shall be no more than 40 feet. Buildings may exceed this limitation if the horizontal plane of any street-facing façade of a building is broken into modules that give the appearance or illusion of smaller,

individual buildings. Each module should satisfy the following suggested guidelines that give the appearance of separate, individual buildings:

- a. Each module should be no greater than 30 feet and no less than 10 feet in width and should be distinguished from adjacent modules by variation in the wall plane of at least 16 inches depth. For buildings 3 or more stories in height the width module may be increased to 40 feet.
- b. Each module should have a corresponding change in roof line for the purpose of separate architectural identity.
- c. Each module should be distinguished from the adjacent module by at least one of the following means:
  1. Variation in material colors, types, textures
  2. Variation in the building and/or parapet height
  3. Variation in the architectural details such as decorative banding, reveals, stones or tile accent
  4. Variation in window pattern
  5. Variation in the use of balconies and recesses.

(5) *Balconies and exterior walkways, corridors and lifts serving multi-unit residences.*

- a. Exterior stairways refer to stairways that lead to floors and dwelling units of a building above the first or ground level floor of a building. Exterior corridors refer to unenclosed corridors located above the first floor or ground level floor of a building. Balconies and exterior stairways, exterior corridors and exterior lifts must comply with the following:
  1. Materials must generally match or be complementary to the building materials utilized on that portion of a building where the exterior corridor or balcony is established.
  2. Unpainted wooden materials are expressly prohibited.
  3. Stained or painted wood materials may only be utilized if said material and coloration is guaranteed for long term wear and the material is compatible with the principal building materials on that portion of the building where the exterior corridor is established.
  4. The design of any balcony, exterior stairway, exterior lift or exterior corridor must utilize columns, piers, supports, walls and railings that are designed and constructed of materials that are similar or complementary to the design and materials used on that portion of the building where the feature is established.
  5. Exterior stairways, exterior lifts, corridors and balconies must be covered with a roof similar in design and materials to the roof over the rest of the structure. Said roof shall be incorporated into the overall roof design for the structure. Alternatively, such features (stairways, lifts, corridors or balconies) may be recessed into the façade of the building.
  6. Exterior corridors may not be located on a street-facing wall of the building.
- b. Exterior fire egress stairways serving second floor or higher floors of multi-unit residences shall be allowed according to city requirements on existing buildings that otherwise are not able to reasonably satisfy city fire safety code requirements,

provided the fire egress stairway or structure is not located on the front door wall of a building that faces a street. All such egress structures that are located on the front door wall of a building that faces a street, whether new or replacement of an existing egress structure, shall be subject to review by the commission and approval by the city council. Areas of review shall be general design, materials utilized and location of the proposed egress structure. On corner lots, if a side street-facing mandated access is necessary and other options are unavailable, the side-street facing wall shall be used for this egress structure. In any case, fire egress stairways must utilize similar materials as outlined above; i.e., no unpainted wooden material shall be allowed.

(6) *Building materials for multi-unit residential dwellings.*

- a. For multiple unit dwellings, at least 30% of the exterior walls of the front facade level of a building must be constructed with a masonry finish such as fired brick, stone or similar material, not to include concrete blocks and undressed poured concrete. Masonry may include stucco or similar material when used in combination with other masonry finishes. The following trim elements shall be incorporated into the exterior design and construction of the building, with the following recommended dimensions to be evaluated on a case-by-case basis:
  1. Window and door trim that is not less than 3 inches wide.
  2. Corner boards that are not less than 3 inches wide unless wood clapboards are used and mitered at the corners.
  3. Frieze boards not less than 5 inches wide, located below the eaves.
- b. For commercial and mixed-use buildings, street-facing facades shall be comprised of at least 30% brick, stone, or terra cotta. These high quality materials should be concentrated on the base of the building. On street-facing facades, a minimum of 70% of the ground level floor between 2 and 10 feet in height above the adjacent ground level shall consist of clear and transparent storefront windows and doors that allow views into the interior of the store. Exceptions may be allowed for buildings on corner lots where window coverage should be concentrated at the corner, but may be reduced along the secondary street façade. The bottom of storefront windows shall be no more than 2 feet above the adjacent ground level, except along sloping sites, where this standard shall be met to the extent possible so that views into the interior of the store are maximized and blank walls are avoided.
- ~~b-c.~~ Any portion of a building with a side street façade must be constructed using similar materials and similar proportions and design as the front facade.
- ~~e.~~ ~~In those cases where the developer of the property chooses not to utilize at least 30% masonry finish as specified above, the developer shall be required to incorporate building scale specifications outlined in subsection (f)(3) of this section, pertaining to articulation of bays, projections and recesses.~~
- d. Exposed, unpainted or unstained lumber materials are prohibited along any facade that faces a street-side lot line (i.e., public street frontage).
- e. Where an exterior wall material changes along the horizontal plane of a building, the material change must occur on an inside corner of the building.
- f. For buildings where the exterior wall material on the side of the building is a different material than what is used on the street facing or wall front, the street



facing or wall front material must wrap around the corners to the alternate material side of the building at least 3 additional feet.

- g. Where an exterior wall material changes along the vertical plane of the building, the materials must be separated by a horizontal band such as a belt course, soldier course, band board or other trim to provide a transition from one material to another.
- (g) *Commercial district.* The College Hill Neighborhood commercial district is defined by the boundaries of the C-3, commercial zoning district. The district is made up primarily of commercial buildings and mixed-use buildings. ~~uses as the principal uses on individual properties.~~ However, some properties are occupied or may be occupied in the future by residential buildings. ~~uses that serve as the principal permitted use on individual properties.~~ Residential buildings ~~uses established on individual properties as the principal use~~ are to be discouraged due to the limited area available for commercial uses. Standards for residential buildings are set forth below. However, dwelling units located on upper floor(s) of mixed-use buildings are allowed, as set forth below. ~~In some cases residential uses may be contained within principal commercial uses and in such cases the residential uses are considered to be secondary or accessory uses to the principal commercial use on the property.~~
- (1) ~~Principal permitted~~ Residential buildings ~~uses~~ are only allowed ~~able~~ within the commercial district subject ~~only~~ to planning and zoning commission and city council review and approval. In general, ~~principal permitted residential uses~~ such uses are to be discouraged ~~from being established~~ within the commercial district due to the limited area available for commercial establishments. In those cases where a residential building ~~use~~ is permitted ~~and said use serves as the principal use on an individual property,~~ that residential use will be governed by minimum lot area, lot width and building setback requirements as specified in the R-4, Residential zoning district. In addition, all other applicable requirements pertaining to substantial improvements or new construction of any ~~principal permitted~~ residential use shall conform to the requirements of this section, including on-site parking, landscaping, and building setbacks, with no vehicular parking allowed in the required front and side yards, said required yards being those as defined within the R-4, Residential district.
  - (2) ~~Secondary or accessory residential uses to be established on the upper floors of principal permitted commercial uses are allowed.~~ On-site parking will not be required for secondary, accessory residential uses. Commercial and mixed-use buildings are allowed. In a mixed-use building, no accessory or secondary residential use may be established on the main floor or street level floor, other than entrance and lobby areas that provide access to upper floor uses. To provide safe access for residents of the building, there must be at least one main entrance on the street-facing façade of the building that provides pedestrian access to dwelling units within the building. Access to dwelling units must not be solely through a parking garage or from a rear or side entrance. To foster active street frontages, commercial and mixed-use buildings must be placed to the front and corner of lots, and set back a minimum of 0 feet and maximum of 15 feet from street-side lot lines. The ground floor floor-to-structural ceiling height shall be 14 feet minimum. Entries to individual ground floor tenant spaces and entries to common lobbies accessing upper floor space shall open directly onto public sidewalks or publicly-accessible outdoor plazas. Thresholds at building entries shall match the grade of the adjacent sidewalk or plaza area. Entries on street-facing facades shall be sheltered by awnings or canopies that project a minimum of four feet

from the building façade and must be a minimum of 8 feet above the adjacent sidewalk.

~~of any storefront or commercial shop front of a principal permitted commercial building structure within the C-3, commercial district. Planning and zoning commission and city council review relating to the establishment of secondary or accessory residential uses shall not be required unless the property owner proposes to utilize any portion of the ground floor area of a commercial use on a property for residential purposes.~~

- (3) Conditional uses. The following uses may be allowed as a conditional use subject to review and approval by the planning and zoning commission and the city council. The proposed use must conform to the prevailing character of the district and such use shall not necessitate the use of outdoor storage areas. In addition such conditional uses must not generate excessive amounts of noise, odor, vibrations, or fumes, or generate excessive amounts of truck traffic. Examples of uses that may be allowed subject to approval of a conditional use permit are:
  - a. Printing or publishing facility;
  - b. Limited manufacturing activity that is directly related to the operation of a retail business conducted on the premises;
  - c. Home supply business.
- (4) Prohibited uses. In all cases the following uses will not be allowed within the C-3, commercial district either as permitted or conditional uses:
  - a. Lumber yards;
  - b. Used or new auto sales lots and displays;
  - c. Auto body shop;
  - d. Storage warehouse or business;
  - e. Mini-storage warehouse;
  - f. Sheet metal shop;
  - g. Outdoor storage yard;
  - h. Billboard signs.
- (5) Signage. Typical business signage shall be permitted without mandatory review by the planning and zoning commission and approval by the city council unless a proposed sign projects or extends over the public right-of-way, or a free-standing pole sign is proposed which is out of character with the prevailing height or size of similar signs, in which case planning and zoning commission review and approval by the city council shall be required. All signage within the district shall conform to the general requirements of the Cedar Falls Zoning Ordinance, with the exception that excessively tall free-standing signs (i.e., 30 feet or more in height) shall not be allowed.

Exterior mural wall drawings, painted artwork and exterior painting of any structure within the commercial district shall be subject to review by the planning and zoning commission and approval by the city council for the purpose of considering scale, context, coloration, and appropriateness of the proposal in relation to nearby facades and also in relation to the prevailing character of the commercial district.

**Editor's note**— Ord. No. 2797, § 1, adopted Sept. 23, 2013, repealed § 29-160, in its entirety and enacted new provisions to read as herein set out. Prior to this amendment, § 29-160 pertained to similar subject matter. See Code Comparative Table for derivation.



## DEPARTMENT OF COMMUNITY DEVELOPMENT

City of Cedar Falls  
220 Clay Street  
Cedar Falls, Iowa 50613  
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### MEMORANDUM

#### *Planning & Community Services Division*

**TO:** Planning & Zoning Commission  
**FROM:** David Sturch, Planner III  
**DATE:** January 3, 2019  
**SUBJECT:** College Hill Neighborhood Site Plan Review – 2119 College Street

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**REQUEST:** Request to approve a College Hill Neighborhood District Site Plan Review for a new multi-use building at 2119 College Street.

**PETITIONER:** Slingshot Architecture

**LOCATION:** 2119 College Street, 925 W 22<sup>nd</sup> Street, and 1003 W 22<sup>nd</sup> Street

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#### PROPOSAL

It is proposed to demolish the existing multi-family dwellings currently located at 2119 College Street and 1003 W 22<sup>nd</sup> Street, in order to construct a new 5-story mixed-use building, which will include a commercial retail space on the first floor and 31 residential units on the second through fifth floors.



Building view from corner of College Street and W 22nd Street.

## BACKGROUND

The two multi-family dwellings on the property (2119 College and 1003 W. 22<sup>nd</sup>) were constructed in 1900. The commercial property at 925 W. 22<sup>nd</sup> Street was demolished earlier this year. The developer has owned the multi-family dwellings since 2016, and the commercial building since 2012. The two remaining multi-unit residential buildings will be demolished and a new 5-story mixed-use building will be constructed in its place. In the last year, the Planning & Zoning Commission has considered two other development proposals for this site, but neither was approved. This is a new submittal for a mixed-use building at 2119 College Street with a parking lot at 925 and 1003 W. 22<sup>nd</sup> Street.

## ANALYSIS

The property is zoned C-3, High Density Commercial District and is located within the College Hill Neighborhood Overlay District. Projects within this district require a site plan review by the Planning & Zoning Commission and City Council, based on the following elements:

- 1) Proposed Use: The proposed building is designed with commercial space on the main floor with four upper floors containing 31 residential dwelling units with a total of 47 bedrooms. A principal commercial use with residential dwellings located on the upper floors is allowed in the C-3 District and College Hill Neighborhood Overlay District, subject to site plan approval by the Planning & Zoning Commission and City Council. **Principal commercial use with residential uses on upper floors is allowed.**
- 2) Building and Parking Lot Setbacks: The property is zoned C-3 Commercial District. Principal commercial uses within this district are not required to be setback from the property lines. The site plan shows the building having a varied front setback from College Street, with the closest façade being 5 feet from the front property line. A 6-foot building setback is proposed from the north lot line and a 5-foot building setback from the south lot line. The parking lot situated along W. 22<sup>nd</sup> Street provides a 7-foot setback along all property lines. The minimum parking lot setback in the C-3 commercial district is 5 feet. **Building and parking lot setbacks are satisfied.**
- 3) Density: For a commercial building with upper floor residential, there is no residential density requirement. **This standard is not applicable.**
- 4) Parking: In the C-3 District, on-site parking is not required for the commercial component of the project. Also, the College Hill Neighborhood Overlay District states that on-site parking is not required for secondary, accessory residential uses that are located on upper floors of a principal permitted commercial use. Per Section 29-160(g)(2) secondary or accessory residential uses to be established on the upper floors of principal permitted commercial uses are allowed. On-site parking will not be required for secondary, accessory residential uses. Other than the entrance/elevator lobby for the residents located at the rear of the building, the entire main floor is designed to accommodate any principal commercial uses allowed in the C-3 District. There are no residential uses located on the main floor of the building. All residential uses are located on the upper floors of the building. Planning and zoning commission and city council review relating to the establishment of secondary or accessory residential uses shall not be required unless the property owner proposes to utilize any portion of the ground floor area of a commercial use on a property for residential purposes. While staff finds that parking is not required for the proposed building, the developer is proposing to provide a total of 47 on-site parking spaces for 47 bedrooms in the proposed building. **Parking is not required.**

**for this use within the C-3 District, but the developer is providing 47 on-site parking spaces. Staff recommends that the developer enter into a parking agreement that joins the 47 parking stalls with the proposed building at 2119 College Street.**

- 5) Open Green Space: For commercial buildings in the C-3 District there are no open green space area requirements, since the goal is to encourage commercial buildings to be located close to the street to create a walkable, mainstreet character to the College Hill business district.

The provided site plan does show some open space along the north and south side of the building and around the parking lot, where grass and landscape plantings will be provided. Within the front setback area along College Street there is an outdoor plaza illustrated on the site plan as an outdoor service area. **No open green space is required, but some open space is provided on the site.**

- 6) Landscaping: The College Hill Neighborhood Overlay District requires landscaping along the periphery of the parking area and internal to the parking area.

A landscaping plan has been submitted, which shows plantings along W 22<sup>nd</sup> Street and along the periphery of the parking lot. The plans include additional landscaping in front of the building on College Street with an extra tree and grate in the sidewalk. The existing driveway into 2119 College Street will be removed and reconstructed as sidewalk area. There are also trees and plantings planned within the parking area and street trees and screening proposed along the 22<sup>nd</sup> Street frontage that will provide a buffer between the parking area and the public sidewalk. **Landscaping plan meets the requirements of the code.**

- 7) Building Design: The College Hill Neighborhood Overlay District states that the architectural character, materials, and textures of all buildings shall be compatible with those primary design elements on structures located on adjoining properties and also in consideration of said design elements commonly utilized on other nearby properties on the same block or within the immediate neighborhood. Comparable scale and character in relation to adjoining properties and other nearby properties in the immediate neighborhood shall be maintained by reviewing several design elements. These are noted below with a review on how each element is addressed.

*Maintaining Similar Roof Pitch:*

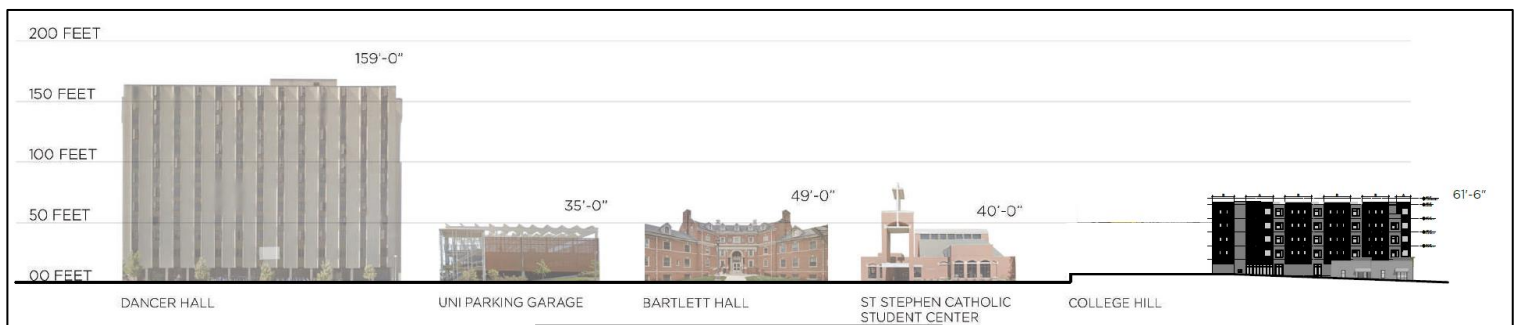
Flat roofs are used in this area. The proposed building also uses a flat roof.

*Maintaining Similar Building Height, Building Scale and Building Proportion:*

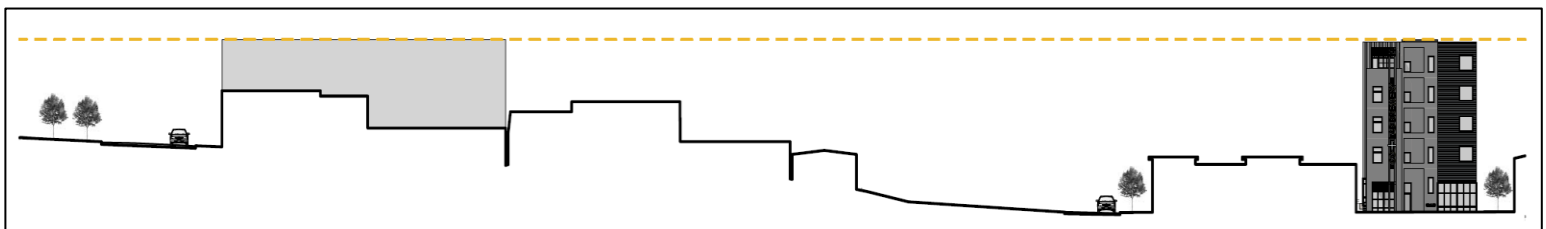
Most of the buildings in this immediate area are either one-story or two-story in height. The proposed building will be 5 stories in height, which would replace two existing two-story structures that are currently on the property. The property is zoned C-3 Commercial District, which has a building height limitation of 165 feet or three times the width of the road that the building faces. In this case College Street is 40 feet in width, meaning that the maximum building height allowed would be 120 feet (40 feet x 3). As this structure would be 61 feet 6 inches in height, it would meet the height requirement of the Zoning Ordinance. This property is also located within the College Hill Neighborhood Overlay

Zoning District. This overlay district does not have a specific height limitation for buildings, but it does call for reviewing the scale of a proposed building in relation to adjoining properties and other nearby properties within the immediate neighborhood.

The applicant has provided a diagram which shows several other buildings within a 2-3 block area that are taller than the proposed building (see attached diagram for building locations). In the diagram, it shows the proposed building with a height of approximately 62 feet. Other buildings in the area and their heights include the St. Stephen Catholic Student Center on W 23<sup>rd</sup> Street at 40 feet in height, Bartlett Hall on the UNI campus on W 23<sup>rd</sup> Street at 49 feet in height, the UNI parking garage on W 23<sup>rd</sup> Street at 35 feet in height, and Dancer Hall on Campus Street on the UNI campus at 159 feet in height. Also, the applicant has provided a side elevation diagram which shows the street section of buildings located on College Street and their height comparison to the proposed building. Based on the diagrams presented below, staff feels that the building scale and height will not be out of character for the area, as there are other structures within the neighborhood that are comparable in scale and height to the proposed building.



Building Height Comparisons



Street Section along College Street

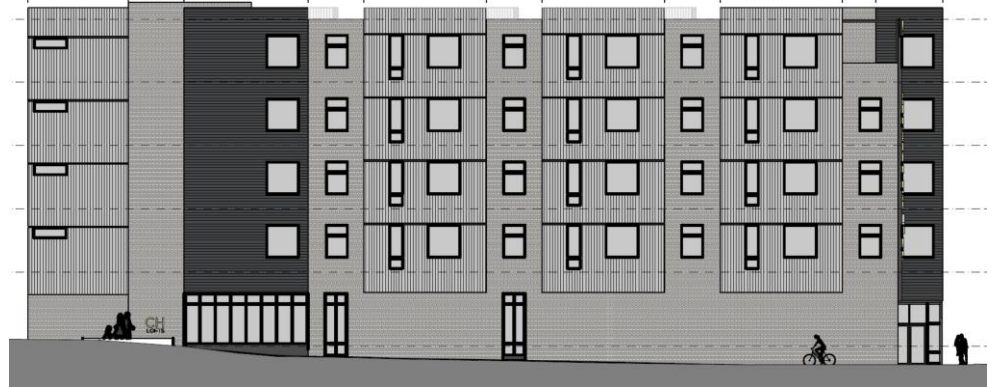
*Use of Materials Comparable and Similar to Other Buildings on Nearby Properties in the Immediate Neighborhood:*

Most of the buildings in this immediate neighborhood are constructed with brick materials. The proposed building will have a more modern look, as it will be constructed with a mix of metal paneling (with a contrasting color and design), brick and glass openings. The colors include charcoal/black for the entry masses at the front and rear of the building with off-white as the metal panel along the larger north and south portions. The brick is planned to be a neutral tan/gray with brick detailing similar to the image shown at key locations. Each of the four sides of the building will have a slightly different design in relation to the amount and type of materials used. Please see the table below which breaks down the use of materials by building side.

Side of Building	Brick	Metal Paneling	Openings
North	25%	54%	21%
South	34%	52%	14%
East (College St)	47%	30%	23%
West	32%	52%	16%



**East Elevation**



**South Elevation**

In addition to the design of the building, the overlay district looks at building scale, in that the maximum width of the front facade shall not be wider than 40 feet. If a building were to have a larger width than 40 feet, the facade of the building must be broken into modules that give the appearance of smaller, individual buildings.

Each individual module should adhere to the following guidelines, in order to give the appearance of separate, individual buildings:

1. Each module shall be no greater than 40 feet and no less than 10 feet in width.
2. Each module should have a corresponding change in roof line for the purpose of architectural identity.
3. Each module should be distinguished from the adjacent module by at least one of the following means:
  - a. Variation in material colors, types and textures
  - b. Variation in the building and/or parapet height
  - c. Variation in the architectural details such as decorative banding, reveals, stones or tile accent
  - d. Variation in window pattern
  - e. Variation in the use of balconies and recesses

The building has a width of 45 feet as viewed from College Street, but is broken into three modules, distinguished by changes in building material, wall plane, colors, and textures. The sides and rear of the building are also broken into modules with similar changes in material, color, and changes in the wall plane that helps to break up the mass of the building from all vantage points.

**Staff finds that the proposed building design meets the standards.**

- 8) Trash Dumpster Site: The site plan shows a dumpster enclosure contained within the parking area at the northwest corner of the lot. The 8'-0" tall trash enclosure is constructed with a brick wall to match the building with metal doors. The landscaping plan shows trees,



shrubs and ornamental grasses along the north and west side of the enclosure. **Trash enclosure is acceptable.**

- 9) Lighting: The C-3 District and College Hill Neighborhood Overlay District regulations do not have specific lighting design guidelines. A lighting plan has been submitted, which details the exterior lighting to be placed along the faces of the building along College Street. This lighting will light up the faces of the building, highlighting the masonry materials without producing light spill onto other properties. The LED lighting in the parking areas will be oriented to prevent shining into the residential windows of the neighboring properties. **Lighting plan is acceptable.**



- 10) Signage: Wall signs are illustrated on the building renderings along the east side of the building facing College Street. These signs will indicate the name of the development. The proposed wall signs appear to be well within the District limitations of no larger than 1/3<sup>rd</sup> of the surface area of the single wall area to which the wall sign is attached, however this will be reviewed in detail at the time a sign permit is requested. **Signage is acceptable, subject to detailed review with a sign permit.**



Wall Mount Fixture

- 11) Sidewalks: A minimum 5 foot paved sidewalk exists in front of the property along both College Street and W 22<sup>nd</sup> Street. The site plan shows additional pedestrian plaza area along College Street and additional decorative paving located near the entrance on the west side of the building. There is a change in grade along College Street that will need to be addressed. The staff will work with the applicant to make sure that areas are accessible and maintain a pedestrian-oriented frontage to coincide with the public sidewalk. **Sidewalk requirements are met.**

- 12) Bike Racks: There are 2 bike racks located on College Street next to the tree grates and bike racks by the rear entrance. These are a black powder coated rack for five bikes. Additional bike racks should be placed behind the building next to the parking lot.



- 13) Storm Water Management: Storm water will be collected on site via an underground detention area underneath the parking lot and piped along the north side of the building to the storm sewer along College Street. City Engineering Staff has indicated that they will need to see the final details on the system once they are designed by the developer's engineer. **Stormwater requirements will need to be reviewed and approved once final design is completed.**

### TECHNICAL COMMENTS

City technical staff, including Cedar Falls Utilities (CFU) personnel, have few comments on the proposed item. The developer will be responsible to extend all utilities to the site.

## STAFF RECOMMENDATION

The Community Development Department recommends approval of the College Hill Neighborhood District Site Plan for a new mixed-use building at 2119 College Street with the following stipulations:

- 1) Any additional comments or direction specified by the Planning & Zoning Commission.
- 2) Enter into a parking easement agreement in order to maintain the 47 parking stalls with the proposed building.

## PLANNING & ZONING COMMISSION

Discussion  
11-28-18      Chair Oberle introduced the site plan for 2119 College Street Mr. Sturch provided background information. He explained that the project consists of three lots near the Great Wall building (2119 College Street, 925 W. 22<sup>nd</sup> Street, and 1003 W. 22<sup>nd</sup> Street) and is located in the C-3, Commercial District. It is proposed to demolish the existing multi-family dwellings and construct a new 5-story mixed-use building. He discussed the code with regard to property use and noted that staff feels that this is an appropriate project for this area. He spoke about the parking requirements and plans, provided building renderings from different perspectives and building materials. Mr. Sturch also noted that staff received a letter from an attorney provided a copy to the commission members.

Ms. Oberle asked if there has been any notification sent to neighbors in the area. Mr. Sturch noted that notifications were sent out and there was not a great deal of response. Mr. Leeper stated that he would feel more comfortable moving the item to the next Planning and Zoning meeting when there are more clarifications that can be presented to the Commission. Chair Oberle cautioned that the Commission that it is not correct to tie this application to what changes they would like to see in the code. Ms. Howard agreed that the votes for this item need to be separate from the discussion regarding what the Commission would like to change the code to say.

The item will be continued at the December 12, 2018 meeting.

Vote  
12-12-18      The first item of business was a College Hill Neighborhood Overlay District Site Plan Review for 2119 College Street. Acting Chair Holst introduced the item and Mr. Sturch provided background information. He explained that the item was previously brought before the Commission on November 28<sup>th</sup> for introduction and stated that the property is near the northwest corner of College and 22<sup>nd</sup> Streets. He provided the Commission with letters received from citizens. He discussed the breakdown of unit types and bedrooms, as well as parking stalls, and the code with regard to requirements. He displayed renderings of the proposed building and explained changes that were made per recommendations. He also showed building materials, as well as height comparison and scale. He spoke to additional site plan review elements and showed the landscaping plan, and noted that staff recommends approval of the building with the following recommendations: the building conforms to all city staff recommendations and technical requirements; a parking agreement be developed and executed for the project; and any comments from the commission.

There were several individuals in the audience to speak in favor of and in opposition of the project. After the public comments, the Commission discussed the project.

Mr. Wingert noted that the reason he is no longer abstaining from the vote is because he has not been included in this project with the developer and the City Attorney said there is no need to recuse himself.

Mr. Leeper stated that the City is not serving one particular developer and the Commission is volunteering their time to do what they believe is in the best interest of the city. He believes that the code is fairly old and it wasn't updated at a time when these kinds of projects weren't considered. This has created the need to interpret the code as it is. Mr. Holst noted that he supports the project, but still has an issue with the parking code and feels it should be changed before approving the project.

Project developer Brent Dahlstrom stated that he understands if the project is tabled at this time and time is allowed for changes and clarification.

Ms. Saul believes that the job of the Commission is to make decisions based on the code, and doesn't believe, at this time, that the project agrees with the code. While she loves the project, she feels the item should be tabled at this time.

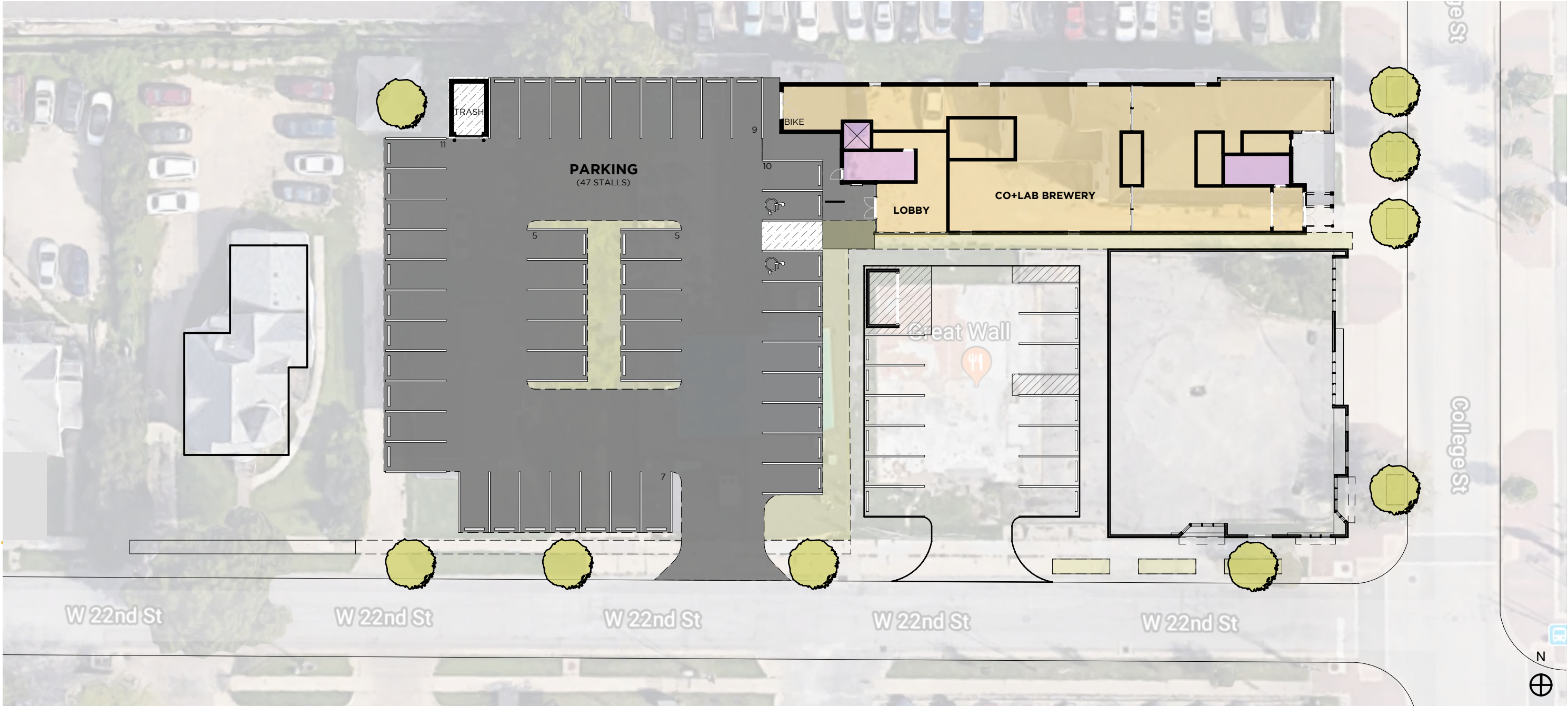
Ms. Giarusso made a motion to table the item until the code is changed. Ms. Saul seconded the motion. The motion was denied with 3 ayes (Adkins, Giarusso, Saul), 4 nays (Larson, Hartley, Leeper, Wingert) and 1 abstention (Holst).

Mr. Wingert made a motion to defer the item to the January 9, 2019 meeting. Mr. Wingert seconded the motion. The motion was approved unanimously with 6 ayes (Adkins, Giarusso, Hartley, Larson, Leeper, and Wingert), 1 nay (Saul) and 1 abstention (Holst).



# COLLEGE HILL

## SITE PARKING



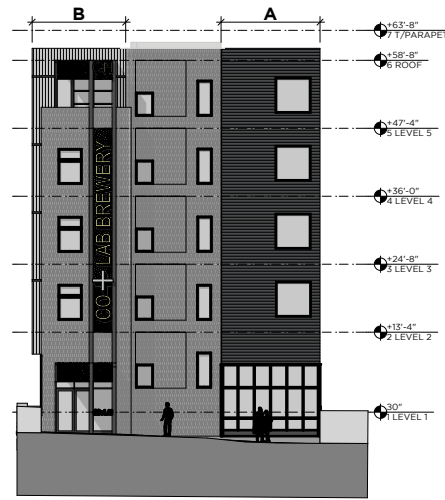
### GROUND LEVEL PARKING PLAN

SCALE: 1" = 30'



# COLLEGE HILL

## ELEVATIONS



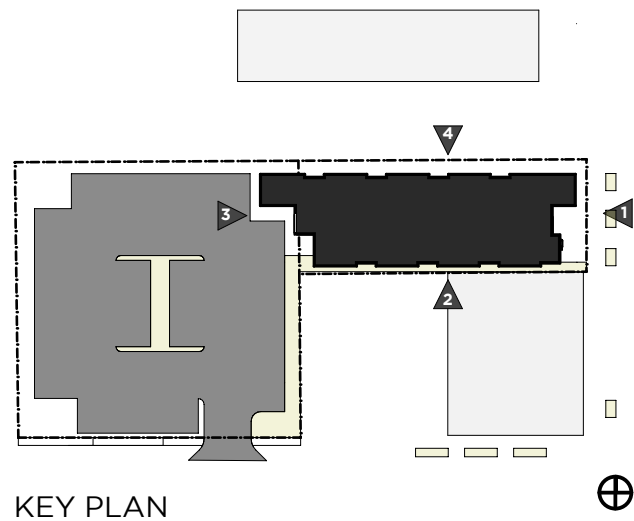
(1) EAST ELEVATION

METAL PANEL - 30%  
BRICK - 47%  
OPENINGS - 23%

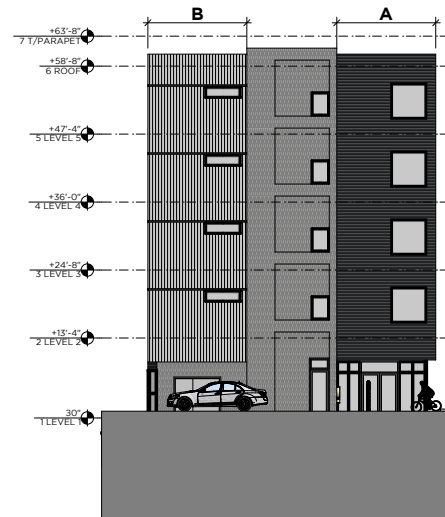


(2) SOUTH ELEVATION

METAL PANEL - 52%  
BRICK - 34%  
OPENINGS - 14%



KEY PLAN



(3) WEST ELEVATION

METAL PANEL - 52%  
BRICK - 32%  
OPENINGS - 16%

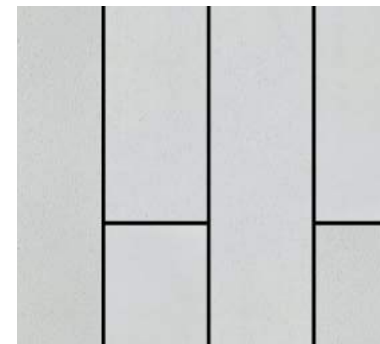


(4) NORTH ELEVATION

METAL PANEL - 54%  
BRICK - 25%  
OPENINGS - 21%



(A) METAL PANEL



(B) METAL PANEL



BRICK



BRICK DETAILING

# COLLEGE HILL

CORNER OF COLLEGE AND 22ND



# COLLEGE HILL

## FRONT VIEW





# COLLEGE HILL

## COLLEGE STREET VIEW



# COLLEGE HILL

## COLLEGE RESIDENTIAL ENTRY



# COLLEGE HILL

## FLOOR LEVELS

### APARTMENT RENTABLE SQUARE FOOTAGE

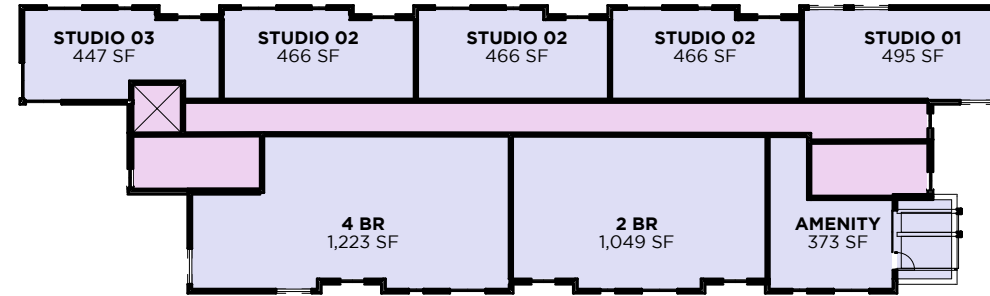
UNIT TYPE	QTY.	UNIT SQ. FT.	TOTAL SQ. FT.
STUDIO 01	4	495	1,980
STUDIO 02	12	466	5,592
STUDIO 03	4	447	1,788
STUDIO 04	3	500	1,500
2 BEDROOM	4	1,049	4,196
4 BEDROOM	4	1,223	4,892
<b>TOTAL</b>	<b>31</b>		<b>19,948</b>
<b>TOTAL BEDS</b>	<b>47</b>		
<b>ON-SITE PARKING</b>	<b>47 (2 ACCESSIBLE STALLS)</b>		

### GROSS FLOOR AREAS

LEVEL	USE	AREA (sq ft)
LEVEL 1	LOBBY + RETAIL	6,488 sq ft
LEVEL 2	RESIDENTIAL	6,233 sq ft
LEVEL 3	RESIDENTIAL	6,233 sq ft
LEVEL 4	RESIDENTIAL	6,233 sq ft
LEVEL 5	RESIDENTIAL + AMENITY	6,084 sq ft
<b>TOTAL</b>		<b>31,271 sq ft</b>

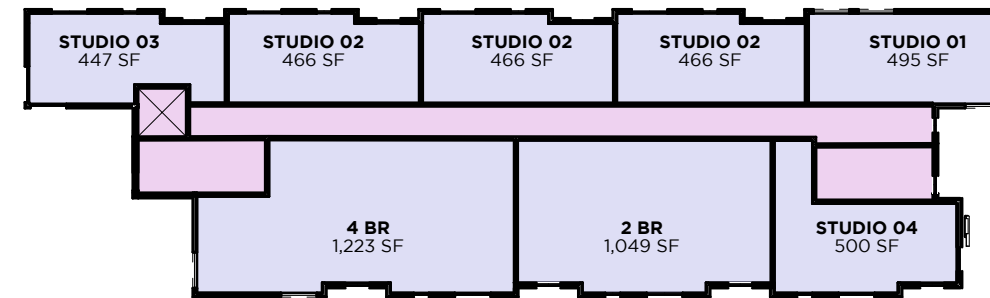
### LEGEND

- RESIDENTIAL UNITS
- CIRCULATION
- RETAIL/AMENITY



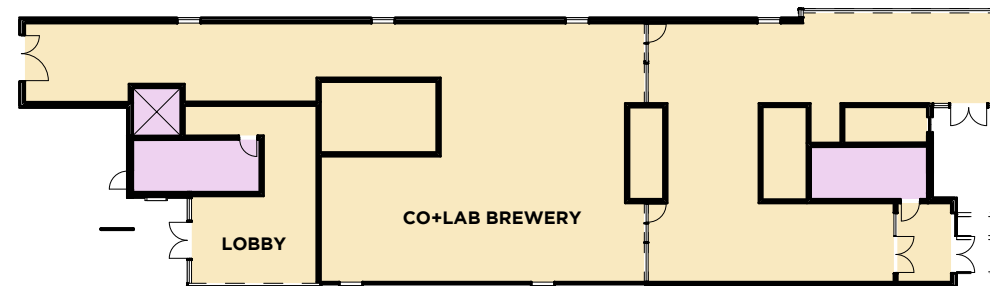
### RESIDENTIAL 5 FLOOR PLAN

SCALE: 1/32" = 1'-0"



### RESIDENTIAL 2-4 FLOORS

SCALE: 1/32" = 1'-0"



### RETAIL 1 FLOOR

SCALE: 1/32" = 1'-0"

**OWNER OF RECORD:**

CV COMMERCIAL, LLC

**DATE OF PREPARATION:**

9-26-2018

**APPLICANT INFORMATION**

SLINGSHOT ARCHITECTURE  
305 EAST COURT AVE.  
DES MOINES, IOWA 50309

**DEVELOPER INFORMATION**

604 CLAY ST.  
CEDAR FALLS, IOWA 50613  
CONTACT: CORY HENKE (319-640-0182)

**ZONE INFORMATION:**

DISTRICT: C3 (COLLEGE HILL OVERLAY)

**BUILDING SETBACKS**

	REQUIRED	PROVIDED (MIN)
FRONT YARD:	0'	0'
SIDE YARDS:	5'	5'
REAR YARD:	5'	5'
LOT AREA: 0.69 AC (29,914 SF) IMPERVIOUS: 0.56 AC (24,316 SF)		

**PARKING INFORMATION:**

	PROVIDED
STANDARD STALLS	45
ACCESSIBLE STALLS	2

**FLOODPLAIN INFORMATION:**

NO FLOODPLAIN PRESENT PER FIRM PANEL #19013C0164F

**LEGEND**

- ① PCC
- ② LANDSCAPING

**STORMWATER MANAGEMENT**

STORMWATER MANAGEMENT TO BE PROVIDED BY UNDERGROUND DETENTION

**PROPERTY USE**

MULTIFAMILY HOUSING AND RETAIL

**SIGHT TRIANGLES**

SIGHT TRIANGLE DIMENSIONS ARE BASED ON A 30 MPH DESIGN SPEED

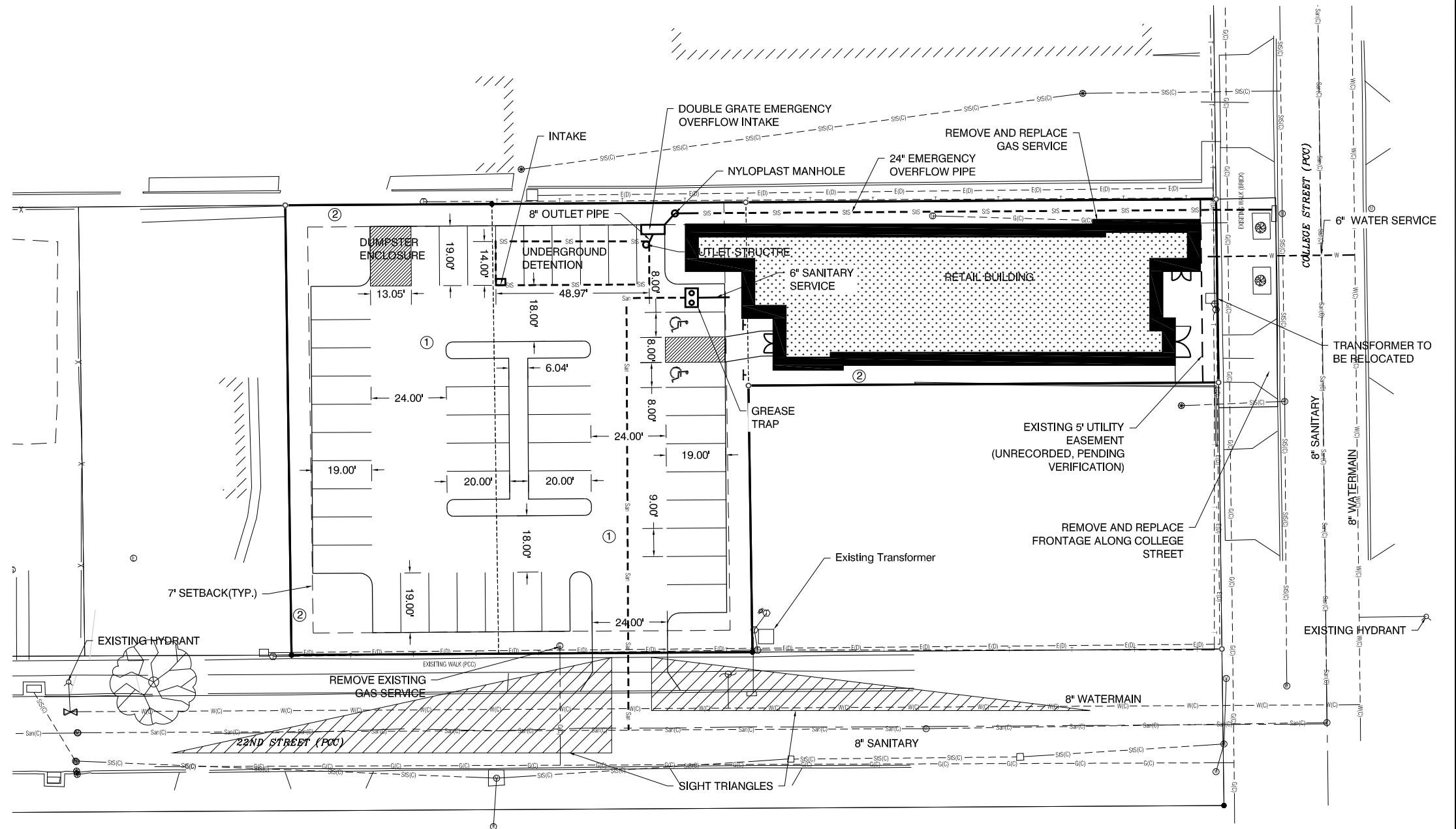
**UTILITY INFORMATION**

CENTURY LINK UTILITIES ARE PRESENT ON SITE. TO BE REMOVED DURING CONSTRUCTION.

**EASEMENTS**

NO EXISTING RECORDED EASEMENTS ARE PRESENT ON SITE.

PROVIDE 6'X6' EASEMENT FOR RELOCATED TRANSFORMER AND COMMUNICATIONS PAD. COORDINATE LOCATION WITH OWNER OF LOT.



NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE



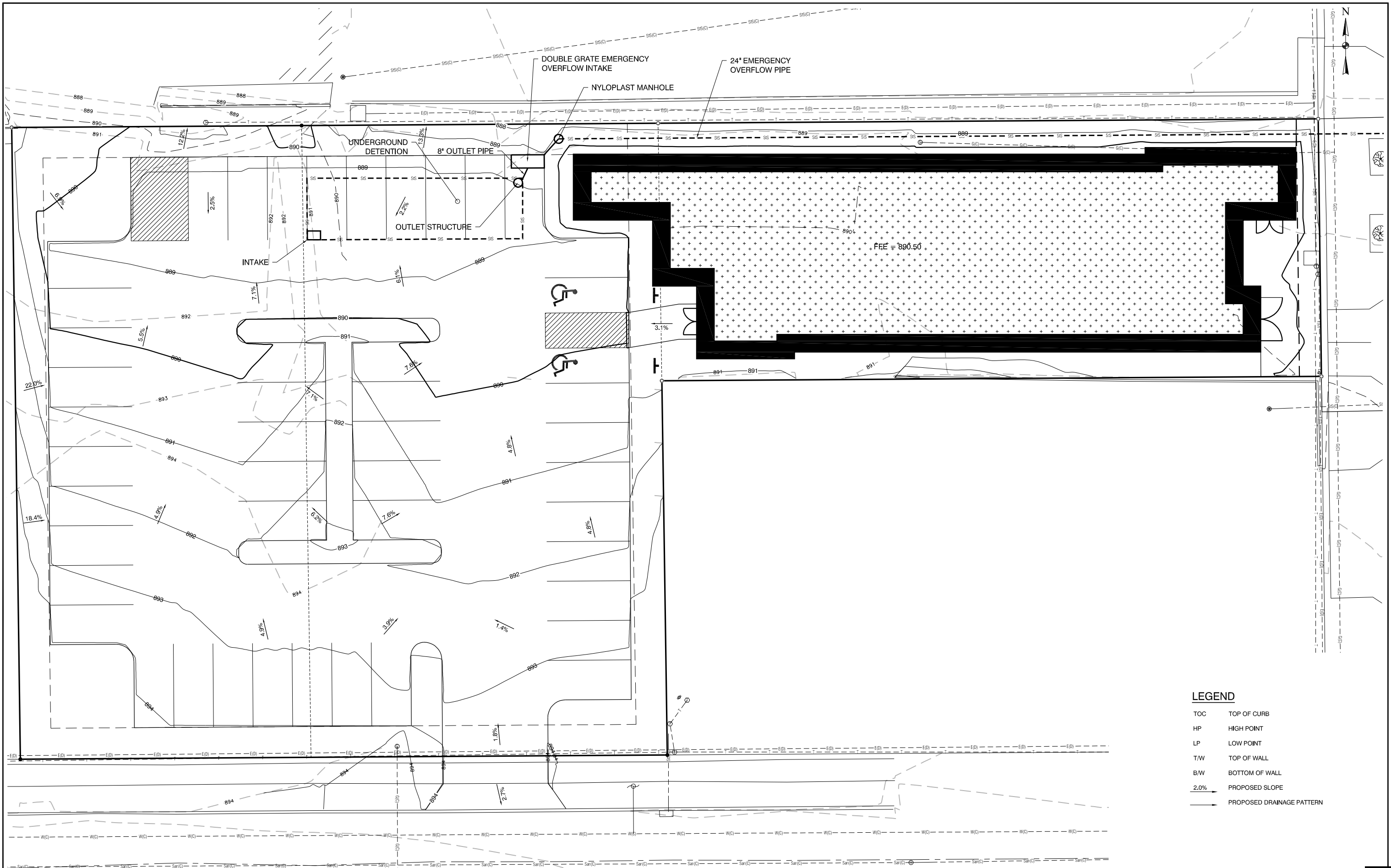
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DRAWN:	DATE:
CHECKED:	DATE:
APPROVED:	DATE:

**COLLEGE HILL**  
CEDAR FALLS, IOWA

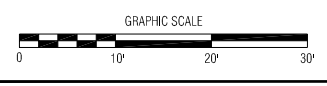
LAYOUT PLAN

PROJECT: 562  
SHEET NO. C.200





- LEGEND**
- TOC TOP OF CURB
  - HP HIGH POINT
  - LP LOW POINT
  - T/W TOP OF WALL
  - B/W BOTTOM OF WALL
  - 2.0% PROPOSED SLOPE
  - PROPOSED DRAINAGE PATTERN



NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE

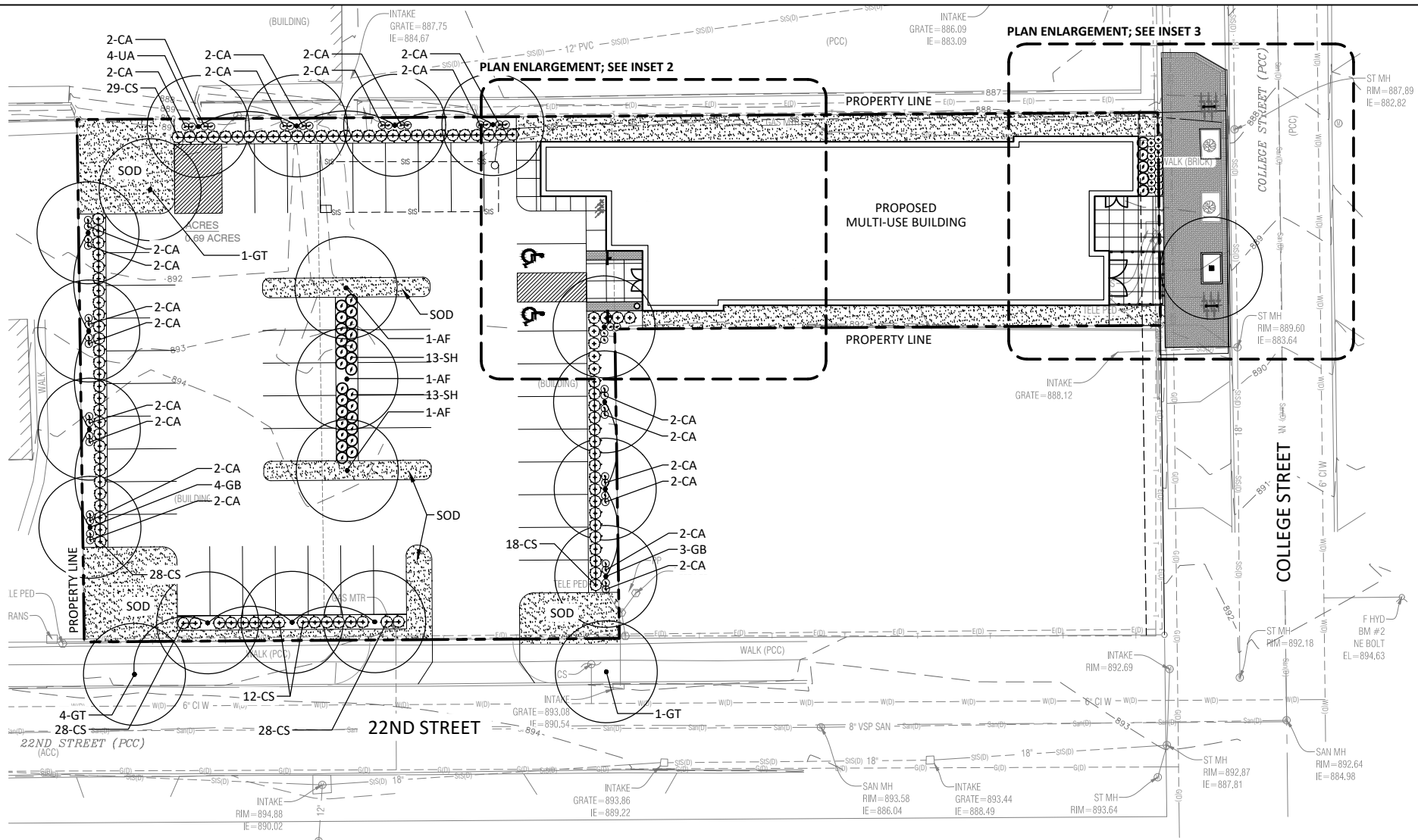
**CGA** Clapsaddle-Garber Associates, Inc.  
 16 East Main Street  
 Marshalltown, Iowa 50158  
 Ph 641-752-6701  
 www.cgaconsultants.com

DESIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_  
 DRAWN: \_\_\_\_\_ DATE: \_\_\_\_\_  
 CHECKED: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

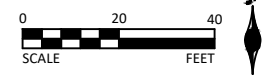
**COLLEGE HILL**  
 CEDAR FALLS, IOWA

**GRADING PLAN**

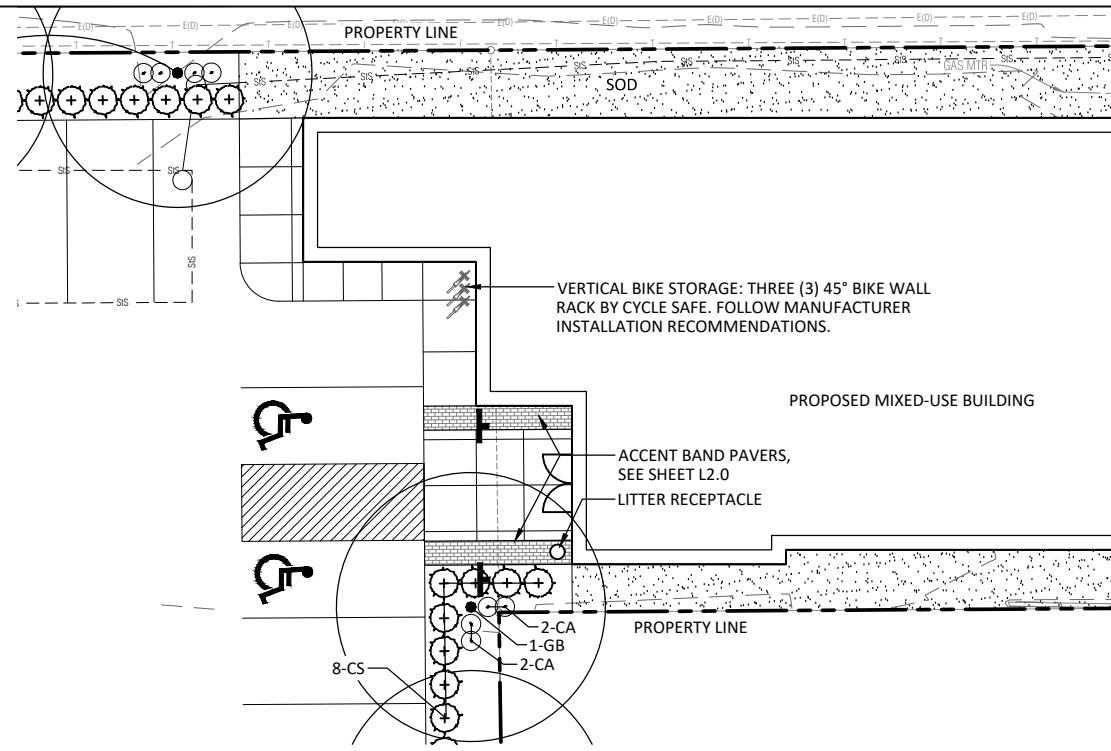
J:\5627.dwg\Sheets\5627 - Grading.dwg - CGA Plan - 11-01-18 - 3:42pm - Eaw04



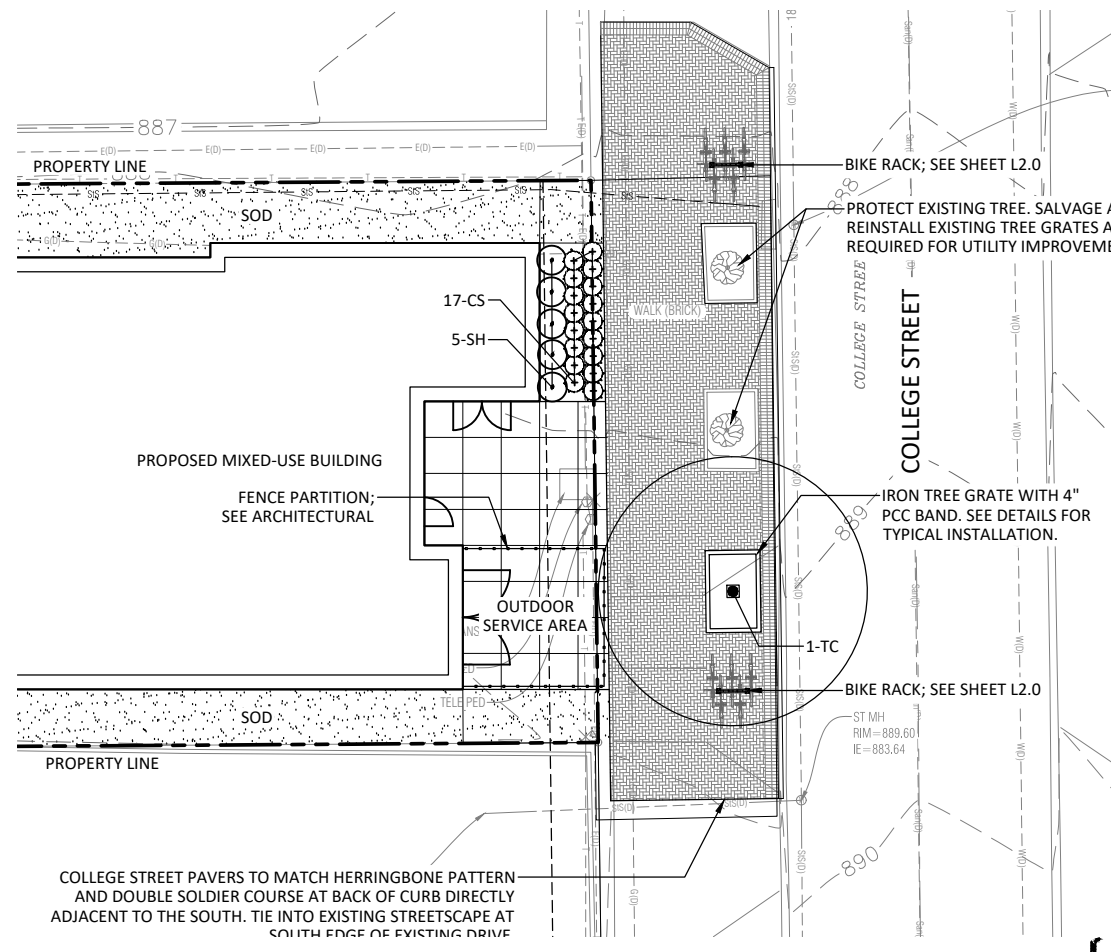
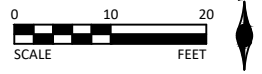
1 PLANTING PLAN  
SCALE: 1"=10'-0"



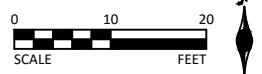
MASTER PLANT SCHEDULE							
QTY.	SYM.	SCIENTIFIC NAME	COMMON NAME	UNIT	SIZE	SPACING	REMARKS
<b>TREES AND SHRUBS</b>							
3	AF	<i>Acer x freemani 'Jeffersred'</i>	AUTUMN BLAZE MAPLE	EA	2.5" CAL. B&B	SEE PLAN	
8	GB	<i>Ginkgo biloba 'Princeton Sentry'</i>	PRINCETON SENTRY GINKGO	EA	2.5" CAL. B&B	SEE PLAN	
6	GT	<i>Gleditsia triacanthos f. inermis 'Skycole'</i>	SKYLINE HONEYLOCUST	EA	2.5" CAL. B&B	SEE PLAN	
1	TC	<i>Tilia cordata</i>	LITTLELEAF LINDEN	EA	2.5" CAL. B&B	SEE PLAN	
4	UA	<i>Ulmus americana 'Princeton'</i>	PRINCETON ELM	EA	2.5" CAL. B&B	SEE PLAN	
<b>SHRUBS, PERENNIALS &amp; GRASSES</b>							
48	CA	<i>Calamagrostis acutiflora 'Karl Foerster'</i>	FEATHER REED GRASS	EA	1 GAL.	SEE PLAN	
168	CS	<i>Cornus stolonifera 'Farrow' P.P. #18,523</i>	ARCTIC FIRE RED TWIG DOGWOOD	EA	1 GAL.	SEE PLAN	
31	SH	<i>Sporobolus heterolepis 'Tara'</i>	TARA PRAIRIE DROPSEED	EA	1 GAL.	18" O.C.	



2 WEST ENTRANCE PLAZA  
SCALE: 1"=10'-0"



3 COLLEGE STREET (EAST) ENTRANCE  
SCALE: 1"=10'-0"



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309 E 5TH STREET  
DES MOINES, IO 50319  
Phone: (515) 261-1111  
Email: DesMoines@boltonmenk.com  
www.bolton-menk.com

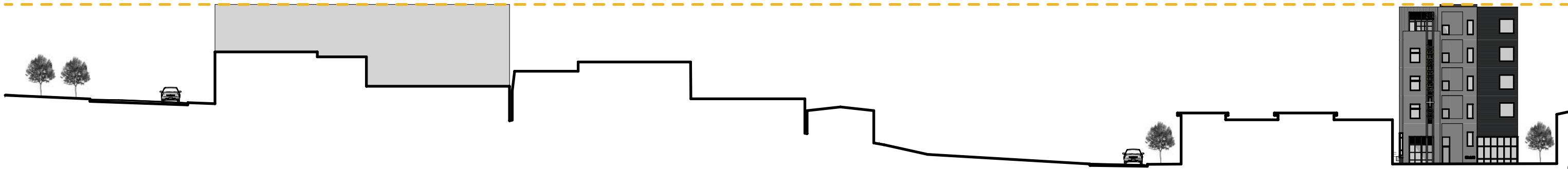
DESIGNED	NO.	REVISION	DATE
SJK			
DRAWN			
NMW			
CHECKED			
SJK			
CLIENT PROJ. NO.	XXXXXXXXXX		

COLLEGE HILL  
CEDAR FALLS, IOWA  
LANDSCAPE PLAN

SHEET  
L1.0

# COLLEGE HILL

## STREET SECTION



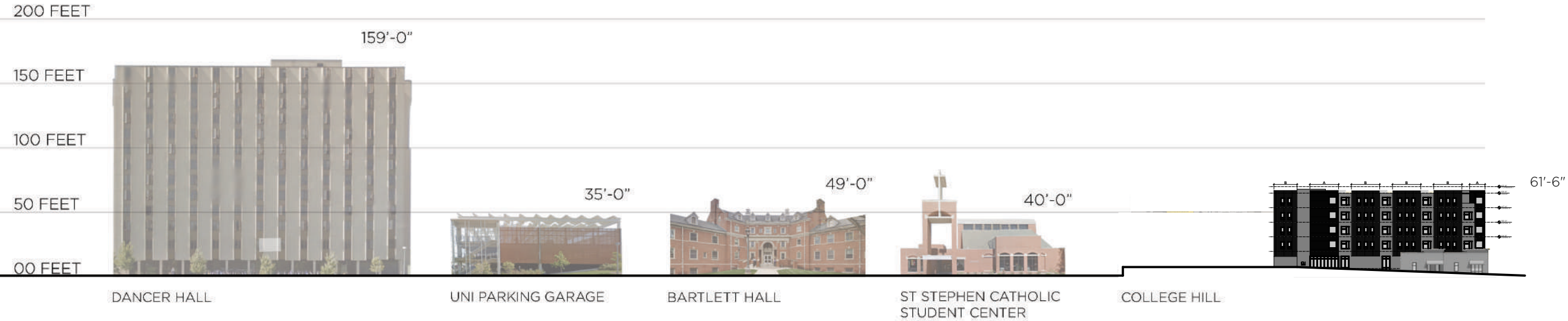


# COLLEGE HILL

## ELEVATION STUDY

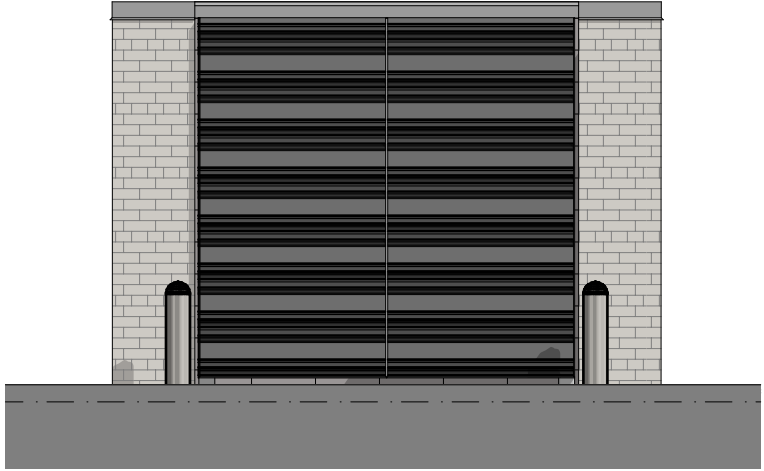
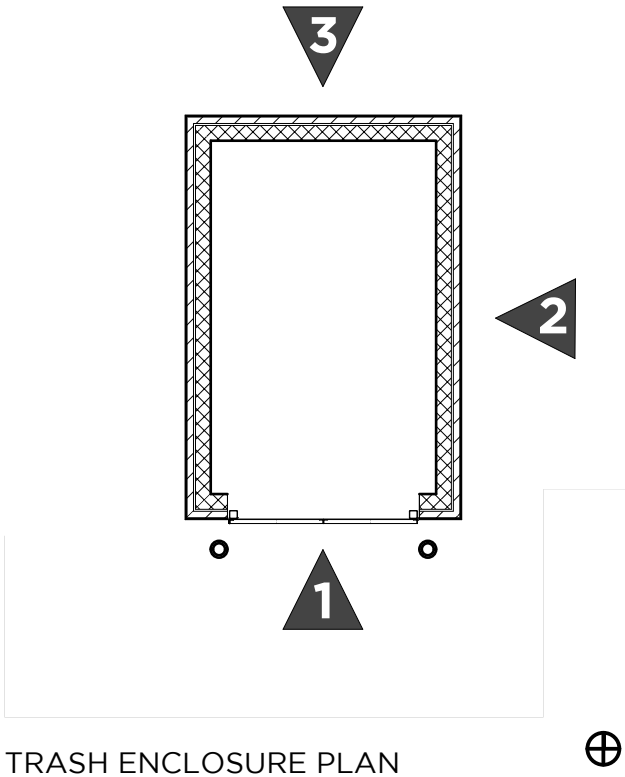


### CEDAR FALLS BUILDING HEIGHTS

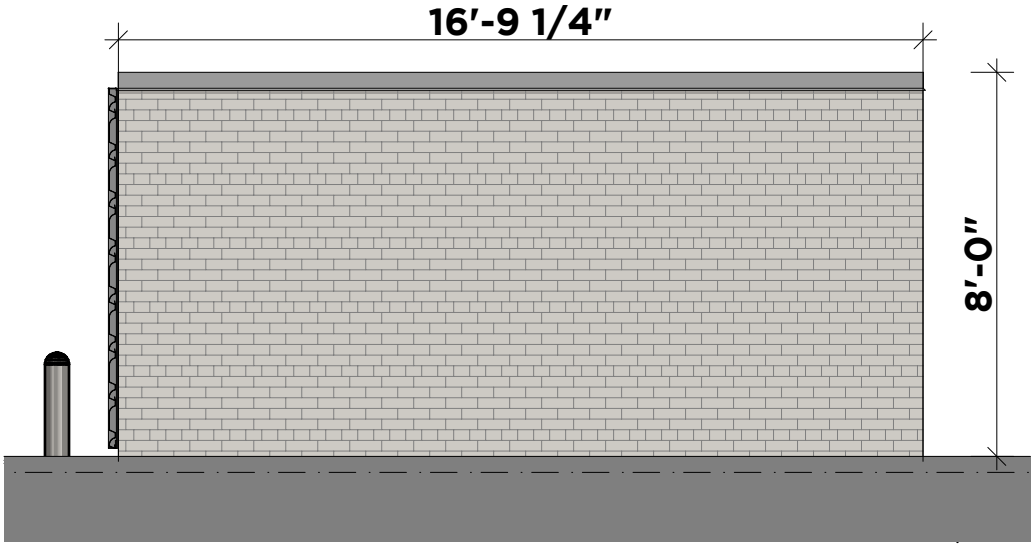




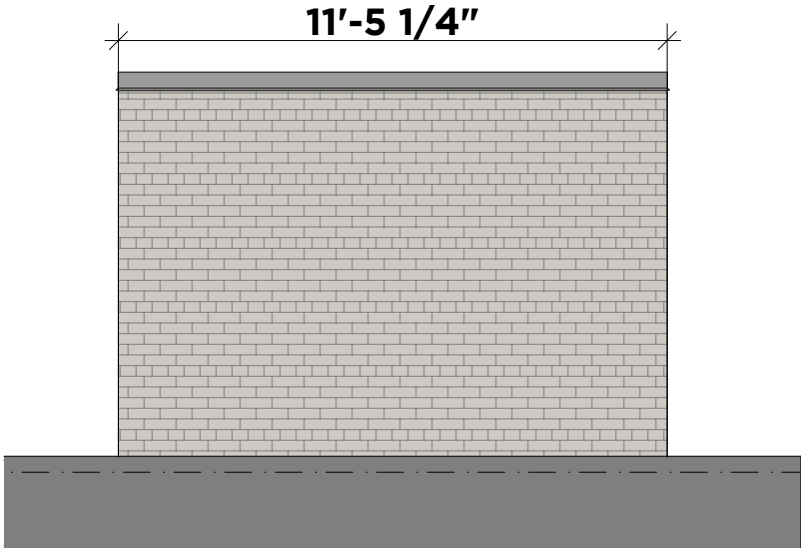
# COLLEGE HILL TRASH ENCLOSURE



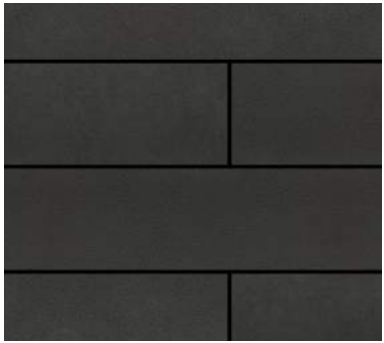
(1) SOUTH ELEVATION



(2) EAST/WEST ELEVATION



(3) NORTH ELEVATION



(A) METAL PANEL



BRICK

# SLINGSHOT ARCHITECTURE

2018.11.06

David Sturch  
City of Cedar Falls  
Planning and Community Services  
Cedar Falls, IA 50613

RE: College Hill Project - Exterior Building Lighting

David:

In follow up to the staff comments on the project, we also wanted to provide a narrative for the exterior lighting design of the project. Two primary strategies will be implemented and are described below.

First, the face of the building that fronts the public street to the east will be washed with vertical, narrow beam sconces as well as the residential entry on the west. The intent is to light up these active faces of the building to add to the character and safety of the neighborhood. By washing the surfaces of the building, the masonry materiality of the building will be highlighted without producing light spill on to other properties.

For the parking areas, the goal will be to provide safety without producing unnecessary light spilling on to other properties or shining into any residential windows of neighboring properties. All site lighting of the parking lot will meet minimum requirements and limit the light levels at the property line to a maximum of 1 foot candle.

Cut sheets for each lighting types described above are attached for reference.

Please let us know if you have any questions on the items above.

Respectfully submitted,



Dan Drendel, AIA  
Slingshot Architecture

# BALL, KIRK & HOLM, P.C.

ATTORNEYS AT LAW



Max E. Kirk  
H. Daniel Holm, Jr.  
David W. Stamp  
Jennifer L. Chase  
Eashaan Vajpeyi

William C. Ball (1928-2011)  
Michael W. Buckner (retired)

3324 KIMBALL AVENUE  
P.O. BOX 2696  
WATERLOO, IOWA 50704-2696  
TELEPHONE: (319) 234-2638  
FACSIMILE: (319) 234-2237  
E-MAIL: [bkh@ballkirkholm.com](mailto:bkh@ballkirkholm.com)

November 27, 2018

City of Cedar Falls  
ATTN: Planning and Zoning Commissioners  
City Attorney  
City Planning Staff

Sent via email only to:  
[Kevin.Rogers@cedarfalls.com](mailto:Kevin.Rogers@cedarfalls.com)  
[Stephanie.Sheetz@cedarfalls.com](mailto:Stephanie.Sheetz@cedarfalls.com)  
[David.sturch@cedarfalls.com](mailto:David.sturch@cedarfalls.com)  
[Karen.Howard@cedarfalls.com](mailto:Karen.Howard@cedarfalls.com)

RE: 2119 College Street Proposal for 11/28/2018

Dear Commission Members and Staff:

The background on this issue is well known. This revised site plan for 2119 College Street is quite different than previous plans submitted for this lot. However, the plan still suffers from the fatal flaws contained in all prior plans—violation of the Code of Cedar Falls regarding parking. While the building size has decreased, the applicant has also reduced parking. Prior site plans provided 48% of parking required by Code. The current plan provides 62% of required parking.

Under Ordinance §§ 29-177(a)(12B) & 29-160(e)(1)(c) this building requires: 46 spaces for the 23 studio units; 8 spaces for the 4 two-bedroom units; 16 spaces for the 4 four-bedroom units; and at least 5 visitor spaces. This totals 75 required spots, yet only 47 are provided. Prior site plans included one level of underground parking, which could provide some of these missing spots, yet the applicants have eliminated all underground parking from the current plan.

City staff claims no parking is required and calls this building a principal commercial use with a secondary residential use, based only on the use of the first floor. 2119 College remains a building with 1 floor of commercial space and 4 floors of residential space. Staff fails to justify how the first-floor of a building decides the character of the entire building. Their reliance on “precedent” is flawed because the only “precedents” are their prior actions that were themselves equally problematic. It defies logic to call this a principal commercial building and the City fails to cite to any code provision justifying their interpretation. Repetition of their reasoning over and over does not make it any more sensible or legally sound. Passing this plan through would be a blatant violation of City Code that would jeopardize any building constructed, if a reviewing court agreed it was illegal and rescinded the building permit.

The applicants will undoubtedly tout this plan as a serious move toward compliance and ask “what else can we do?” The answer is to reduce units, add parking, or seek a variance from the Board of Adjustment. The applicants themselves are done a disservice by staff who have led them to believe this type of a project is appropriate under the Code.

Regardless of your personal opinions about the project or whether a studio should be required to have 2 parking spots, the Code does require 2 spots per studio. Personal excitement or opinions on the appealing nature of this project do not change the fact that it violates code. Staff dodges the issue by showing parking ratios from other cities like Des Moines and Iowa City, both of which are very different than Cedar Falls. This is a project in Cedar Falls subject to Cedar Falls code. A vote in favor of this site plan is a vote that would not be based in the law, would ignore the code, and would accept a logically inconsistent and flawed interpretation by staff.

Sincerely,  
BALL, KIRK & HOLM, P.C.



Eashaan Vajpey



**College Hill Partnership**

2304 College Street  
Po Box 974  
Cedar Falls, Iowa 50613

Phone: 319-273-6882  
collegehillpartnership@gmail.com  
www.collegehillpartnership.org

—

**2018-2019**

**Board of Directors**

Kamyar Enshayan, President  
Dave Deibler, Vice President  
Becky Hawbaker, Secretary  
Doug Johnson, Treasurer  
Alex Funke  
Andrea Geary  
Andrew Stensland  
Andy Fuchtman  
Barb Schilf  
Chris Martin  
Chris Wernimont

---

6 December 2018

**Members of the Planning and Zoning Commission**

220 Clay Street  
Cedar Falls, IA 50613

Members of the Planning and Zoning Commission,

The members of the Board of Directors for the College Hill Partnership have reviewed the proposal for the mixed use building to be located at 2119 College Street. Upon their review the vast majority of the Board voiced positive support for this proposed development. (we have heard support from 9 of the 11 of the Board members).

The College Hill Partnership thinks the developer has taken feedback from the last few drafts of this proposal and worked out a generous compromise. The Board of Directors appreciates the consideration of the developer especially in regards to the amount of parking provided in this current proposal.

The College Hill Partnership is supportive of this development and believes it fits into the City's 2020 strategic comprehensive plan for the College Hill Overlay District. Mixed use developments such as this one helps encourage density and lower level retail space which achieves several goals laid out in Aims 1.1, 1.2, and 1.3 of the Cedar Falls 2020 Plan.

We thank you all for your time and service to the City of Cedar Falls and your careful consideration in Planning and Zoning matters as they greatly affect the City of Cedar Falls and the College Hill Overlay District.

Regards,

**Kamyar Enshayan, President**

On behalf of the College  
Hill Partnership Board Of  
Directors



December 11, 2018

City of Cedar Falls  
ATTN: Planning and Zoning Commissioners  
City Planning Staff

RE: 2119 College Street Proposal

Dear Commission Members and Staff:

I want to thank the members of the planning and zoning commission for the thoughtful consideration you have given to those of us who have come before you on this issue.

I feel there is no significant opposition to a building of some type being placed on this site. I am certainly in favor of such a project. But it is important to point out that the changes which have occurred to the building proposal as a result of the voices of opposition have resulted in a proposal which will no longer have the catastrophic effect on local parking which would have occurred with the initial plan. This is a significant win for everyone in the College Hill area.

There remain potential problems going forward however, both for this proposal and other mixed use proposals which may follow, due to the city's belief that a single ground floor of commercial space results in relief of nearly all height and density constraints (i.e. unlimited apartments in a building up to 120 feet tall), as well as a lack of any parking requirements. These city positions have no basis in the city code, if the code is not taken out of context (I refer you to Section **29-177 (b) (4)** which specifically deals with parking for mixed or joint uses). **It is important to note that while on-site parking requirements in the City of Cedar Falls are exempted for permitted principal commercial and secondary residential uses in the C3 zone, this does not exempt them from all parking requirements. Specifically, according to Section 29-177 of the Cedar Falls Zoning Code, off premise parking must be provided 'within a reasonable distance' from the principal use in question.** Methods of calculating the number of parking spaces for various uses are provided. This ordinance is where most of the confusion has existed in calculating the number of parking spaces for this project. **Exempting these building uses from on site parking does not exempt them from the need to provide any parking. In fact, 29-177 requires that both uses of such a building must have parking, and it is the sum of these individual uses that is the total parking requirement.**

I am also concerned that a proposal by the city to lower parking requirements for new mixed use buildings near the University by as much as 50% for some unit types will cause parking problems in the area. **The concept of shared parking in mixed use buildings does not work well with University students**, who use their cars irregularly and only occasionally, and so occupy their parking spaces for extended periods of time. (And 98% of these students living

near the University do have cars, according to a survey of car registration at student occupied apartments near the University). The idea that mixed use buildings can share parking with University students will therefore lead to spillover of parking into the city streets and lots. **Any rush to lower parking requirements for mixed use buildings containing apartments in the College Hill area should be questioned, due to the parking problems such buildings have caused downtown.**

It is also important to mention the fact that **bonus density considerations in C3 zoning areas** (such as this one) that allow an increase number of apartments on a given lot **limit the height of such a building to four stories**. Buildings as large as the one proposed tower two to five times higher than surrounding buildings. To compare such an apartment or mixed use building to University dormitories and parking ramps is inappropriate to the neighborhood setting in which this building will exist. Indeed, the only non-university building to which the current proposal has been compared is a church, which is more than 20 feet lower in height than the proposed building.

**Turning the College Hill area into dormitory style housing may not be what is in its best interest.** But if higher density is what is to be allowed, the buildings must not compound the shortage of parking caused by similar complexes downtown, or prior mixed use complexes on the College Hill. These complexes should not capture parking spaces owned by the citizens of Cedar Falls, which are meant to be used by patrons of the businesses on College Hill. The buildings should also exhibit reasonable harmony with the surrounding residential buildings and houses, follow height restrictions established in the code and park all mixed use components as required by Cedar Falls City Zoning Code 29-177.

City proposals to change the zoning code to park both uses of mixed use buildings is consistent with the current city code and will help alleviate the types of parking problems that have been associated with the downtown mixed use buildings. I also believe the city proposal to have the residential parking component of mixed use buildings placed behind the storefront of the commercial space will help continue to improve the developing character of the College Hill and prevent the scale and footprint of these buildings from detracting from their impact on this special area of Cedar Falls.

Sincerely Yours,

Brian Sires

December 11, 2018

Re: 2119 College Street, Revised plan dated Nov. 19. 2018

Dear Planning and Zoning Commission Members,

As a resident of College Hill neighborhood (404 W. Seerley), I would like to express my opposition to the proposed high density apartment and retail space at 2119 College.

My concerns are the following:

- Unnecessary: already substantial rentals and dwellings available; some need to be improved
- Not in line with the College Hill Urban Revitalization Plan: focus should be on improving existing structures
- Increased traffic and litter
- Inequitable: benefits developer, not neighborhood or consumers

Regarding the first point, there are already many rentals and single and multi-family houses for sale in the College Hill neighborhood. The Quarters exists just west of Hudson on 27<sup>th</sup> Street and multiple houses are currently for sale along Seerley and cross streets of Olive, Tremont, Franklin, and others. Numerous rental units sit unoccupied.

It is probable that these houses and units sit unoccupied because they have not been properly maintained by landlords. It is my understanding from the “designation criteria” for the College Hill revitalization plan that there is to be an emphasis on improvements to existing structures, not new developments—indeed, that is the first and second bullet points in part “C. Plan Objectives,” page 2 of the document.

I am also concerned about multi-storeys on the proposed plan because of concomitant increased traffic and litter. Already both are problems in the neighborhood—cars consistently speed on College and Seerley, to the danger of pedestrians and bikers. Litter is ubiquitous. Further, I am concerned that five storeys would be too tall and dwarf existing structures, out of line with current architecture and aesthetics of the Hill.

Finally, it seems to me that Cedar Falls has need for more *affordable* housing—Section 8 is full, and people don’t want to live in the run-down unmaintained houses. We need more affordable housing, but this development benefits only those who already have money—those who can afford a brand-new apartment’s rent, and the developer and landlord who will take their money. It does not help diversify and vivify the neighborhood, but rather keeps wealth in the hands of few.

In conclusion, I am not opposed to retail space, or even, perhaps a 2-storey building at the proposed site. However, as I have written above, there are many alternatives to this particular



development plan and I encourage the Planning and Zoning Commission and City officials to review the Revitalization plan and encourage developers and landlords to look elsewhere—perhaps to the houses they already own and that need renovations.

Thank you for your consideration,

Elizabeth Sutton

404 W Seerley Boulevard

Esutton001@gmail.com

December 12, 2018

To: Cedar Falls Planning and Zoning Commission  
Re: 2119 College Street Site Plan Review  
From: Geisler Rentals

Realizing that the city staff wants this project and is willing to reduce all standards required of other developers to date, I find that the only argument that any of them will even consider has to do with parking. Will the increased taxes from this project offset the increased parking problems?

I own the house next door to this project. At this time I probably provide 1 or 2 stalls/weekend to the bars, Side Car, Urban Flats etc. We have threatened towing and towed vehicles out and cured much of the Urban Flats problem during the week at \$100/tow, but not the weekend problem.

I can't hold any more of the bars and Mr. Dahlstrom's parking. The city is even going to make this worse as they reduce my available parking when I have to pave in two and a half years. I'm only one landlord facing this dilemma created by reducing the parking requirements to date. As the number of amenities and rent/1 bedroom goes up, so does the frequency of 2 tenants per bedroom.

I realize the cost of a parking lot and value of land on college hill probably better than most any one here, except Brent. To build a parking space we figure \$10,000/space minimum for land, grading, concrete, storm water storage etc. Any time a developer can cut these costs it adds to his bottom line and makes him even more competitive. Just the concrete and grading (no land cost, no storm water retention ) cost me over \$80,000 on 20<sup>th</sup> street.

Note that after the lot is built there is still maintenance. If a landlord, bar owner, business owner, etc. does not have to pay for snow removal, stall marking, sweeping, lot repair and machine repair etc. his bottom line is greatly reduced. Yet you may ask the other landlords and city taxpayers to provide for the over flow parking from this project – WOW!

There has not been even the slight suggestion of a parking study that I have heard for this project. Below is a parking summary of my 1 bedrooms for the last 2 years on 20<sup>th</sup> street since I was forced to pave. By the way our visitors now have to park on the street.

2017-18 Parking density:

1016 W 20 <sup>th</sup>	1 bedroom	1 tenant	1 car
1018 W 20 <sup>th</sup>	1 bedroom	2 tenants	2 cars
1020 W 20 <sup>th</sup>	1 bedroom	2 tenants	2 cars
1022 W 20 <sup>th</sup>	1 bedroom	2 tenants	2 cars

2018-19 Parking density:

1016 W 20 <sup>th</sup>	1 bedroom	2 tenants	2 cars
1018 W 20 <sup>th</sup>	1 bedroom	2 tenants	2 cars
1020 W 20 <sup>th</sup>	1 bedroom	1 tenant	1 car
1022 W 20 <sup>th</sup>	1 bedroom	2 tenants	2 cars

I could look back 20 years and find the same density. Anyone of my fellow landlords with 1 bedroom apartments could vouch for similar density. I would bet big money that a paid parking study of one bedroom apartments would have showed the same results.

Probably the most aggravating part of all this is the calls I get at 2:00 am from tenants who have come home and found their stall stolen. This 1 stall per bedroom idea will make this even worse. One of my more recent calls involved a student who came home from a shift at Allen Hospital at 2:00 am. Her stall had been stolen. She had to walk from a space 3 blocks away. Would you as a tenant or parent appreciate this situation when you paid for this stall? With this project, the frequency of this situation will increase.

Asking for the world at the start of this project and now claiming to try to appease the other landlords by improving the parking density is a sham!

1 bedroom – 1 parking stall – NO!!

1 bedroom – 1 parking stall/tenant – YES!!

Look at the headline on the Friday December 7, 2018 Courier to see the problem you are being asked to create. Since 1992 landlords have been forced to improve the density and parking problem. Now we will probably be told "sorry".

If any of you would like more facts on this subject, site visitation etc. please contact me.

*Jerry L. Harte*  
319-415-5807