

**Cedar Falls Planning and Zoning Commission
Regular Meeting
September 28, 2022
Cedar Falls, Iowa**

MINUTES

The Cedar Falls Planning and Zoning Commission met in regular session on September 28, 2022 at 5:30 p.m. at the Community Center. The following Commission members were present: Crisman, Grybovych, Hartley, Holst, Larson, Lynch, Moser and Saul. Holst arrived after the minutes were approved. Leeper was absent. Karen Howard, Planning & Community Services Manager, Thomas Weintraut, Planner III, and Jaydevsinh Atodaria, Planner I were also present.

- 1.) Acting Chair Hartley noted the Minutes from the September 14, 2022 regular meeting are presented. Ms. Lynch made a motion to approve the Minutes as presented. Ms. Saul seconded the motion. The motion was approved unanimously with 7 ayes (Crisman, Grybovych, Hartley, Larson, Lynch, Moser and Saul), and 0 nays.

- 2.) The first item of business was a public hearing regarding an Amendment to a Zoning Agreement for Lots 5 and 6 in Midway Business Park. Acting Chair Hartley introduced the item and Mr. Weintraut provided background information. He explained that the Midway Business Park is located off of Greenhill Road at Waterloo city limits. The property is zoned R-4, but is subject to the zoning agreement that restricts the uses to professional offices. The zoning agreement was amended previously to allow development of assisted living or nursing home uses on Lots 7 and 8. A similar request to amend the agreement for Lots 5 and 6 to allow assisted living has now been submitted. Staff recommends approval of the amendment with the provision that a revised Zoning Amendment Agreement signed by all property owners within the Midway Business Park Addition subdivision be submitted for approval by City Council.

Luke Moore, 8206 West Ridgeway, stated that the signatures should be completed in a few days.

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

- 3.) The next item for consideration by the Commission was a public hearing regarding a zoning text amendment with regard to parking requirements in the Downtown Character District. Acting Chair Hartley introduced the item and Ms. Howard provided background information. She noted that this item was introduced at the last meeting and explained that City Council has petitioned to amend the parking requirements for the Downtown Character District by deleting all requirements for shared parking and increasing the minimum parking requirements for residential in multi-unit and mixed-use buildings from 0.75 spaces per bedroom to one space per bedroom.

Craig Fairbanks, 405 Spruce Hills Drive, stated his support for removing the shared parking and increasing to one space per bedroom.

Mr. Holst asked about the current 0.75 spaces per bedroom and 0.25 spaces shared parking. As that is equal to one, he asked what happens if a developer says they don't want to provide shared parking could they just provide one parking stall per bedroom to get the total parking requirement and not have shared parking. Ms. Howard explained the several different options

to provide shared parking, noting that there is only a certain period of time that parking has to be shared, so if they built all the parking on-site they would have to make at least 0.25 spaces per bedroom available to the public for the minimum amount of time required.

Ms. Moser asked if there have been any complaints from property owners about the code requirements. Ms. Howard stated that she is not aware of any.

Ms. Saul asked why this is coming back to the Commission if the mayor has stated that he will veto the decision if they vote to pass the items. Ms. Howard stated that she believes that he was speaking about a different code amendment being discussed at Council.

Mr. Hartley stated that he has struggled with this item as he understands property owners not wanting to be told what to do with their property, however he also understands the need for parking. Mr. Larson stated that he feels that the Commission has gone over this extensively in the past and feels that it won't help to discuss it all again. He feels that parking isn't as big of an issue based on the parking studies that have been done. He has no problem standing behind the original decision. Mr. Holst stated that the change hasn't had a chance to be tried out and he would like to see how it would work before changing his mind.

Ms. Saul stated concerns what happens if buildings go in and the original plan for shared parking doesn't work. Once it's been done it can't be undone. Ms. Crisman noted that this is a hypothetical problem and the only way to know if there is going to be a problem is if buildings go up. Right now this is more of a matter of opinion. There has been a great deal of discussion and that is the decision that was made based on a lot of time weighing the matter.

Ms. Lynch made a motion to approve deleting all shared parking in the Downtown District. Ms. Saul seconded the motion. The motion failed with 1 aye (Saul) and 7 nays (Crisman, Grybovych, Hartley, Holst, Larson, Lynch and Moser).

Ms. Lynch made a motion to approve moving from 0.75 spaces per bedroom to one per bedroom for multi-unit buildings in the Downtown Character District. Ms. Saul seconded the motion. The motion was denied with 1 aye (Saul) and 7 nays (Crisman, Grybovych, Hartley, Holst, Larson, Lynch and Moser).

- 4.) The next item for consideration by the Commission was a partial easement vacation for 3718 Apollo Street. Acting Chair Hartley introduced the item and Mr. Atodaria provided background information. It is proposed to vacate a portion of sanitary sewer easement at that address in the Pheasant Hollow 7th Addition. Engineering confirms that there would still be sufficient sanitary and utility easement to maintain and operate the services at that location. Staff notes that all other easements as platted are retained. Staff notes that the legal papers for the vacation must note that all other easements of record shall be retained. It is recommended to approve the vacation with any comments or direction from the Commission.

Travis Stewart, 2317 Richard Road, engineer from CGA, stated that the developer requested that the easement be minimized to make that area more useful.

Steve Bridges, 3816 Trent Lane, Waterloo, is the property owner to the south. He stated that he has no problem with what they're doing but has an issue with the way it has been described. He noted that he believes that the lots mentioned were incorrect. Staff updated that the corrections will be done as needed.

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

- 5.) The last item for consideration was a College Hill Neighborhood Overlay Design review for a new garage at 1214 West 20th Street. Acting Chair Hartley introduced the item and Mr. Atodaria provided background information. He explained that it is proposed to relocate an existing garage on an adjacent property to the subject property. He discussed review requirements for on-site parking and detached accessory structures, architectural compatibility with surrounding buildings and how it fits in with the neighborhood character. All existing utilities are required to be disconnected and abandoned before the relocation of the existing structure. The applicant will also have to apply for a demolition permit, building permit, floodplain development permit and elevation certificate to execute the proposal on the site. Once the construction is complete a final elevation certificate is required to verify that the home is built to the required elevation above the floodplain. Staff recommends approval subject to comments and directions from the Commission.

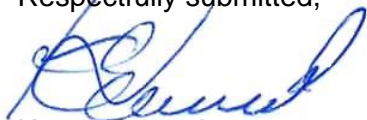
Aaron Carolan, 5232 Metz Road, was available for any questions and stated that he would have submitted this proposal at the time they went through the removal of the house, but he didn't realize how much was required for this process.

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

- 6.) As there were no further comments, Ms. Lynch made a motion to adjourn. Ms. Crisman seconded the motion. The motion was approved unanimously with 8 ayes (Crisman, Grybovych, Hartley, Holst, Larson, Lynch, Moser and Saul), and 0 nays.

The meeting adjourned at 6:10 p.m.

Respectfully submitted,


Karen Howard
Community Services Manager


Joanne Goodrich
Administrative Assistant