

**Cedar Falls Planning and Zoning Commission
Regular Meeting
April 11, 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, April 11, 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, Leeper, Oberle, Saul and Wingert. Mr. Holst arrived shortly after the meeting began. Karen Howard, Community Services Manager, David Sturch, Planner III, and Iris Lehmann, Planner I, were also present.

- 1.) Chair Oberle noted the Minutes from the March 28, 2018 regular meeting are presented. Mr. Hartley made a motion to approve the Minutes as presented. Ms. Saul seconded the motion. The motion was approved unanimously with 6 ayes (Adkins, Giarusso, Hartley, Leeper, Saul and Wingert), 1 abstention (Oberle) and 0 nays.
- 2.) Rosemary Beach, 5818 Sage Road, came forward with public comments suggesting the City look at the codes more closely in an effort to communicate information with the community. She asked if there was an ex-parte rule for the Planning and Zoning Commission. She cited several newspaper articles and discussed amending zoning codes to address community concerns. She also asked staff and the Commission to find better ways to notify neighbors.

Chair Oberle asked Ms. Sheetz to speak to the ex-parte rules. Ms. Sheetz explained that discussions regarding any land use matter that will come before the Planning and Zoning Commission or the City Council need to happen at a public meeting, so all can hear and will have the benefit of the public input and discussion. This ensures transparency with the information being discussed. It protects everyone involved from any miscommunication and allows everyone the opportunity to comment on aspects being discussed. Ms. Sheetz also noted that in the case of a rezoning, the City is required to notify neighbors within 300' of the property. The notifications are sent before Planning and Zoning Commission and City Council meetings. About nine months ago, the City started to send out courtesy notifications for any land use matter, required or not, to make an effort to maintain transparency. Ms. Sheetz explained that the zoning ordinance overhaul process will be starting soon as well.

Ms. Saul noted that 300' is not as large of a distance as people think it is, meaning that notifications are not required to be sent to as many neighbors as people sometimes think they should. Mr. Holst also noted that we typically send notifications further away than that distance. Mr. Sturch stated that 400 letters were sent out for these rezoning matters.

- 3.) The first item for consideration by the Commission was a discussion regarding zoning ordinance amendments. 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.

- 4.) The Commission then considered a zoning ordinance discussion regarding the Central Business District Overlay Amendments. Chair Oberle introduced the item and Ms. Lehmann provided background information. She noted that even though a drafted text amendment has been provided to the commission, at this time Staff would just like feedback on the direction and general ideas being proposed. Ms. Lehmann summarized that the two main points of the review of the district are to clarify the process itself and the applicability and threshold of the review criteria. She added that Community Main Street would like to continue to be a resource, but no longer wishes to review projects as an authority and this is one of the reasons that Staff and Community Main Street is seeking to add more objectivity to the code. In addition to providing more objectivity, staff would also like the Commission to consider removing projecting signage as a substantial improvement as well as flexibility for building setbacks. Ms. Lehmann first discussed setbacks, explaining that currently any new development has to comply with the underlying zoning setbacks that are in place, however many existing buildings are built up to the sidewalk. Staff would like to allow commercial professional offices to build up to the distance of the neighboring buildings in the area. Mr. Holst stated that he feels that it should apply to any building use in the area, not just commercial buildings. Other Commissioners agreed.

Ms. Lehmann then talked about the applicability of the façade design standards. Staff would like to propose that any new development or substantial change would still come through the Commission for approval, however if it falls in a C-1, C-2, or C-3 Zoning District, stricter review criteria would be applied. Residences containing less than seven dwelling units would be exempt from the stricter criteria. Ms. Lehmann provided the list of current review categories and the proposed changes. The first review criteria she asked for feedback on was a potential height requirement. Mr. Holst noted a concern with height limits. Mr. Leeper agreed that height should not be limited, particularly off Main Street. Historically, there were six to eight story buildings by the river at one time. A vision should first be created for downtown area and the requirements should follow. Ms. Saul agreed.

Ms. Lehmann then discussed building composition, noting that it is proposed to keep the small town feel by dividing facades vertically into bays of a minimum of 20 feet and a maximum of 40 feet in width. The bays would be distinguished by varying patterns, recessing wall planes, varying building materials, or establishing a rhythm of architectural elements. Facades would be built with a base, middle and top with horizontal features that generally line up along the street frontage. All mixed-use and non-residential buildings would have a minimum ground floor to structural ceiling height of 14 feet. The Commission liked this approach.

Windows and transparency were the next aspect Ms. Lehman discussed, explaining that 50% of the storefront area would be comprised of transparent windows and doors that allow views

into the interior of the store. Exceptions would be allowed for buildings on corner lots and repurposing of buildings not originally designed as storefront buildings. Window areas would need to be concentrated between two and ten feet in height above the sidewalk level and start no more than three feet above sidewalk level. Windows should be clear and transparent with low reflectivity, with tinted windows being discouraged but allowed with to a 10% maximum. Upper floors would have a maximum of 75% window coverage. The Commission felt that 50% on the storefront area seemed like a low percentage. There was discussion on the other higher percentages.

Ms. Lehmann noted that a reduction or removal of existing windows would require Planning and Zoning Commission and City Council approval. Window film or perforated materials would be counted as 100% coverage. Exceptions would be in place to allow the Commission and Council to approve a project if characteristics of the site or building make it difficult or infeasible to meet the requirements, or the proposed design fits the characteristics of the site and the surrounding neighborhood, and is consistent with the intent of the standard being modified. The Commission liked this approach.

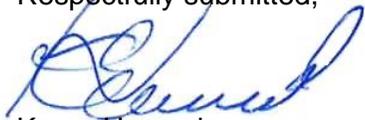
Ms. Lehmann explained that staff would like to see at least 50% of the façade and at least 25% of the rear and side faces of the building made of brick, stone, or terra cotta. She provided a list of other materials that could be used in limited amounts, such as fiber cement, aluminum, metal, EFIS, preformed panels painted wood, and the like. Mr. Holst and Mr. Leeper asked about the percentages and how they may change with the number of stories. It was agreed that the material percentages should be calculated by taking the building's surface area and subtracting the required glass coverage.

The next item Ms. Lehmann discussed was color, noting that it is proposed that buildings should be mostly earth and neutral tones, with potential for more colorful accents that would comprise of no more than 15% of the façade. She also discussed amendments with regard to building entry, stating that staff would like to add that storefronts with frontage of 100 feet or more, a visible entryway be installed every 50 feet. They would also suggest that it must be designed as a prominent feature of the building's design. The Commission liked the approach for the color but felt that requiring entrances to be at sidewalk level was overkill.

- 5.) As there were no further comments, Ms. Saul made a motion to adjourn. Mr. Leeper seconded the motion. The motion was approved unanimously with 8 ayes (Adkins, Giarusso, Hartley, Holst, Leeper, Oberle, Saul and Wingert), and 0 nays.

The meeting adjourned at 8:30 p.m.

Respectfully submitted,



Karen Howard
Community Services Manager



Joanne Goodrich
Administrative Clerk