

**Cedar Falls Planning and Zoning Commission
Regular Meeting
January 24, 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, January 24, 2018 at 5:30 p.m. in the City Hall Council Chambers, 220 Clay Street, Cedar Falls, Iowa. The following Commission members were present: Adkins, Arntson, Giarusso, Hartley, Holst, Leeper, Oberle, Saul (via phone) and Wingert. Stephanie Houk Sheetz, Director of Community Development, David Sturch, Planner III, Shane Graham, Planner II, and Iris Lehmann, Planner I, were also present.

- 1.) Chair Oberle noted the Minutes from the January 10, 2018 regular meeting are presented. She noted a correction to Item #1 to change the Acting Chair to Mr. Holst. Mr. Holst made a motion to approve the Minutes with the change as presented. Mr. Wingert seconded the motion. The motion was approved unanimously with 9 ayes (Adkins, Arntson, Giarusso, Hartley, Holst, Leeper, Oberle, Saul and Wingert), and 0 nays.

- 2.) The first item of business was the Nominating Committee Report. Chair Oberle introduced the item and Mr. Arntson stated that the Committee recommends the 2018 slate of officers to include Ms. Oberle as the Chair for her second term and Mr. Holst as the Vice-Chair for his second term.

Mr. Arntson made a motion to approve. Ms. Giarusso seconded the motion. The motion was approved unanimously with 9 ayes (Adkins, Arntson, Giarusso, Hartley, Holst, Leeper, Oberle, Saul and Wingert), and 0 nays.

- 3.) The next item for consideration by the Commission was a College Hill Neighborhood Site Plan Review for 2118 College Street. Chair Oberle introduced the item and Mr. Graham provided background information. He explained that the item has been brought to the Commission at past meetings for discussion and gave a brief overview of the site plan. He showed the original and the revised plans to illustrate the changes that have been made since previous meetings. He discussed additional site plan review items, such as height, building setbacks, trash enclosures, lighting details, and the landscaping plan. An illustration comparing building heights was reviewed. He also discussed the principle commercial use and parking standards. Staff recommends approval of the site plan. Mr. Graham noted that letters that have been submitted since the last meeting were handed out to the Commission.

Larry James, 801 Grand Avenue, Des Moines, Iowa, (attorney on behalf of the applicant), stated that staff laid out the case, the project meets the code requirements and asks that the Commission support the project. He noted that precedent and the

code should be considered, and based on the applicant's submittals, the project should be approved.

James Bunkofske, 1706 Cottage Lane, is a property owner in the area and indicated that he provides adequate parking for his rental properties. He doesn't feel that this development is providing enough parking, which will force taxpayers to pay for future parking lots for their tenants.

Dan Manning, 317 6th Avenue, Des Moines, Iowa, (attorney on behalf of the concerned citizens of College Hill), stated that he believes that the definition of principle use is the main use for the building, which is a residential building. He felt that this was covered at the November meeting and he felt that staff and the Commission were in agreement. He asked that the application be rejected and revised.

Mr. Bunkofske suggested that the developer create parking on other locations that he owns.

Dr. Brian Sires, owner of University Manor at 1939 College Street, feels that this project is not being considered correctly and that there are more cars than are being accounted for. He feels that they are reinventing the code for the project and that this should be considered a residential project. The City is supposed to follow its own code as codes are legal restrictions.

Kurt Rickard, 223 W. 2nd Street, discussed principle permitted use, as well as parking requirements and his interpretation of the code.

Nick Taiber, 1709 Clay Street, believes that people are changing single-family homes into rental homes to meet market demand. He feels the developer is trying to meet that demand. He stated he feels the Commission should start looking at this as a chance to solve problems in neighborhoods and encourage these projects. He suggested that slight modifications to the parking policies will also help.

Dave Deibler, 1616 Campus Street, owner of properties on College Hill, is in favor of the project and feels that it is good for the district.

Andy Fuchtman, 422 N. Ellen Street, (owner of Sidecar Coffee), feels that this will be great for the area and the businesses.

Kara Bigelow Baker, 1826 Quail Run Lane, (works at the Razor's Edge Hair Salon), feels that the project is needed, but feels that the parking is a big issue. She stated that the Commission was sent a request for a parking study in the area and asked why that has not been done. She also discussed issues with the Urban Flats building, University parking passes, and how parking issues have been created in the City lots. The Overlay Districts are in place to preserve the special characteristics of the areas. If the parking availability is continually disrupted, business occupancy will decline.

Dennis Bigelow, 3909 Beaver Ridge Circle, had concerns about the project with regard to deciding whether the principle use is commercial or residential. He suggests that there be a collaborative effort between the City, property owners, and the developer to

complete a parking study. He feels that if you open the door to problems now, the door is open to future problems. He believes the project is a good concept, but parking issues need to be dealt with first.

Ms. Oberle closed the public comment period and asked if the petitioner would like to address any comments. Mr. James stated that he appreciates the comments and that he can see that there are a lot of people who care about their city. He feels his client has heard the concerns of the neighbors and has made adjustments accordingly.

Mr. Arntson feels the building looks great and utilizes solid materials. He feels that the effort to put full underground parking with 47 spaces is not an insignificant investment and agrees that there should be a reduction in the number of conversions from single-family to multi-unit in the area to get the population more concentrated in the neighborhood. Mr. Arntson stated that he is torn between the option of limiting the building size or creating an overflow parking area at another location, assuming that there is a parking problem.

Mr. Leeper asked about future development and if staff is encouraging these types of projects. Mr. Graham clarified that staff doesn't really have a preference but would like there to be more clarity in the code if it does come up again.

Ms. Giarusso asked about the zoning district boundary and the parking requirements for R-3 zoning. Mr. Graham explained the standards and parking requirements.

Mr. Holst stated that he feels the need to be fair and look at the intent. He noted that parking regulations need to be maintained for the uses and that there are different requirements in neighboring districts. C-3 is intended for commercial. He doesn't feel it's fair for this to be allowed to have half of the parking that would be expected anywhere else in the City.

Ms. Saul feels that the Commission has to get back to what the zoning ordinance says, and maintains that the primary principle use of the property is residential and should refer to R-4 zoning ordinance requirements. She likes the project and feels we need something like this, but at this time it conflicts with the ordinance.

Mr. Leeper agrees that the primary use is residential and also agrees that these are the kind of projects we should be moving toward. He realizes that people are unhappy with the parking, but hopes that the changes to the zoning ordinance will help to enable more projects like this.

Mr. Wingert agrees that a zoning change is needed to accomplish the growth seen in other communities. He asked about what the facts are with regard to parking and feels a parking study should be done. He completed his own independent parking study and doesn't feel there is a parking problem.

Mr. Hartley made a motion to approve. Mr. Wingert seconded the motion. The motion was approved with 5 ayes (Arntson, Hartley, Leeper, Oberle, and Wingert), and 4 nays (Adkins, Giarusso, Holst and Saul).

- 4.) The Commission then considered a zoning ordinance amendment for the Central Business District Overlay. Chair Oberle introduced the item and Ms. Lehmann provided background information. She defined overlay zoning and explained that staff has been working closely with the Community Main Street Design Committee to review the overlay and ways to improve it. She noted that the item is for discussion only at this time.

Ms. Lehmann noted one of the main reasons for updating the code is to clarify the process of review. Staff is proposing to remove projecting signage as a “substantial improvement” so review of new projecting signs within the district would no longer require P&Z and City Council review/approval. It is also proposed to clarify the role of Community Main Street in project review. Community Main Street is not intended to be an authority, but a resource. Ms. Lehmann also stated that staff would like to look at the applicability and threshold of the review criteria. This includes clarifying the parking requirements outside of the C-3 Zoning, providing additional flexibility for new building setbacks, and incorporating more objectivity into façade reviews.

Ms. Lehmann provided the current categories that are considered with façade reviews, and discussed the proposed changes to the items. She reminded the Commission to keep in mind that these changes will have to be enforced in the future and they will shape the future of development in this area.

Ms. Lehmann first discussed proportion, noting that the Code currently states that the width and height of adjacent buildings shall be considered in the construction or alteration of a building. The current description is very open to interpretation and staff would like to encourage density and height in the downtown but still be respectful to the existing buildings and character of the district. Staff would like to propose a minimum and maximum height, or stories, for different areas in the district, as well as changing the title of the section to massing (as opposed to proportion).

Mr. Holst asked about restriction on height on Main Street, and Mr. Arntson stated that there should be protection for the properties on Main Street through a reasonable transition area.

Ms. Saul noted that if there is no restriction of height on buildings, there could be a parking problem similar to what is being discussed on College Hill. Ms. Lehmann clarified that there are different rules in place regarding parking for residential downtown.

Ms. Lehmann stated that no changes are recommended for roof shape, pitch, and direction. Staff and Community Main Street feel that the section regarding pattern is mostly fine, but ask that more direction be provided on the use of windows in a building. They feel transparency is important for promoting a walkable downtown area and suggest a possible percentage of windows on the first floor. She asked the Commission to consider what percentages they find to be appropriate. Mr. Holst noted concerns with restricting design. Ms. Saul noted that one of the things downtowns worry about is what is called “blank spaces,” stating that it hinders walkability where areas have no windows and no doors, and discourages people from walking further.

The next topic Ms. Lehmann covered was materials and textures, and she noted staff and Community Main Street feel that it would benefit the section to be more specific in those areas. For instance, possibly adding specific materials or prohibiting certain materials. Ms. Oberle noted that this seems that it would be subject to change as building materials and styles evolve. Mr. Arntson stated that if it's on Main Street he would like to see some continuity, but if you go to the other streets the styles can be different. It was agreed that it is a reasonable approach to create specific areas within the downtown overlay and create specific regulations accordingly.

Ms. Lehmann discussed the category of colors, noting the suggestion of limiting colors to earth or neutral colors, specifying all other colors can be used as highlights within a certain percentage. Ms. Oberle asked where this restriction would apply. Ms. Saul stated that she feels they should allow flexibility for color as it is good for business and is inviting. Ms. Lehmann noted that the issue with not having more specific guidelines leaves the Commission in a tough position as it becomes very subjective and it becomes difficult from a legal standpoint if it is challenged. Mr. Holst feels it would be reasonable to put a percentage on the color.

Ms. Lehmann noted that no changes are suggested for the architectural features or the exterior mural wall drawing/painted artwork/exterior painting sections. Staff is exploring suggestions from Community Main Street with regard to signage. She noted that this will be discussed at a future meeting. Ms. Lehmann thanked the Commission for their initial feedback. Mr. Holst asked staff to send out preliminary language to the Commission to give them an idea of what is being proposed.

Karen Smith, 816 Hudson Road, (member of the Historical Society and speaking on behalf of the Community Main Street Design Committee) thanked the Commission for taking time to look over the ordinance and consider their advice in the past. She did want to caution against different areas being expected to follow different guidelines.

- 5.) The next item of business was a zoning ordinance discussion with regard to principle and accessory/secondary uses. Chair Oberle introduced the item and Mr. Sturch provided background information. He introduced elements for consideration with regard to mixed use developments within the C-3 District. They would like to maintain and promote the usage and development while maintaining commercial street level uses. Comprehensive plan goals include mixed land uses, rental expansion and promoting walkable neighborhoods.

Mr. Sturch presented three separate ideas to consider when drafting the ordinance amendments. These include the following:

- 1) Calculate the entire area of the structure with residential less than 50% of the total building area
- 2) First floor (street level) commercial use only. If parking is used under the building footprint, that area must be compensated on the upper floors as a commercial use.
- 3) Calculate the area of the first floor (street level). The majority (define) of said floor area within the building's footprint to be used as commercial.

Ms. Giarusso noted that there is a need to better define accessory. Mr. Sturch provided additional considerations, including:

- 1.) Residential dwelling units to be established on the upper floors of a commercial structure.
- 2.) The residential use shall comply with the residential parking guidelines.
* Exceptions: apply a minimum standard for a number of units/bedrooms (ex. Remodel, contributing buildings in the historic district)
- 3.) All parking under building 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. He asked where staff has gotten these guidelines and percentages for parking. Mr. Sturch stated that it has been carried on from older codes. Ms. Giarusso stated that if the Commission is looking at C-3 zoning, residential should be considered as well. Mr. Holst asked when the process of rewriting the zoning ordinance will begin. Stephanie Houk Sheetz, Director of Community Development, stated that the staff changes that have happened over the last few years have impacted the ability to get it started as it will be a lengthy process. Ms. Saul stated many shoppers are from outside the area, which means that parking still needs to be considered no matter how walkable we would like it to be. Ms. Sheetz noted that there is a plan in place to hire a consultant to help with rewriting the code who will be familiar with other communities to help consider appropriate changes.

Mr. Sturch discussed efficiency/studio unit considerations, which include:

- 1) Define an efficiency/studio unit – residential unit less than 600 sq. ft.
- 2) Adopt an efficiency/studio unit parking ration – 1 stall/unit
- 3) Apply citywide

He stated that the recommendation is to focus on the first floor, making sure the majority use is commercial, and if parking is required and located on the first floor, that commercial area should be compensated on the upper floors. It is also recommended to keep residential units on the upper floor and look at the parking regulations for the residential side of the project. There could also be consideration for using adjacent properties for parking and have the commercial on first floor define the use, keeping all parking behind the commercial storefronts.

Kurt Rickard, 223 W. 2nd, encouraged the Commission to look at the residential areas in the C-3 and require the parking be the same as R-4 use. He feels parking is needed for commercial use downtown.

Dan Drendel, Slingshot Architecture, stated that Des Moines is about to adopt a new zoning ordinance, and part of their process included teaming up with the University of Iowa to have several community events over the course of a year to discuss what they wanted to achieve. That led into a master plan which laid the groundwork for codifying

the ordinance. They brought in people from the public as well as professionals to discuss what they would like to see. It helped to develop the vision first and then work on updating the ordinance.

Jeannette Geisler, agrees that we do want more density, but she feels that there is a definite problem with parking on College Hill. She has issues all the time with business and residential units that she owns. She noted that a parking ramp would be appropriate in these kinds of areas.

Mr. Holst stated that the Comprehensive Plan that was done a few years ago would be a good lead in to working on the zoning ordinance. Ms. Sheetz suggested having workshops to go over the Comprehensive Plan as a precursor to leading into the ordinance. Mr. Wingert asked about the metered and non-metered parking in the City lots. He noted that the metered parking lot on College Hill is almost always empty and asked if it can be changed to non-metered.

Mr. Leeper suggested having future developers share costs of amenities to help provide for future parking.

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

The meeting adjourned at 8:00 p.m.

Respectfully submitted,



Stephanie Houk Sheetz
Director of Community Development



Joanne Goodrich
Administrative Clerk