

**Cedar Falls Planning and Zoning Commission
Regular Meeting
January 10, 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 10, 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, Saul and Wingert. Oberle was absent. David Sturch, Planner III and Shane Graham, Planner II, were also present.

- 1.) Acting Chair Oberle noted the Minutes from the December 13, 2017 regular meeting are presented. Mr. Leeper made a motion to approve the Minutes as presented. Mr. Hartley seconded the motion. The motion was approved unanimously with 7 ayes (Adkins, Arntson, Giarusso, Hartley, Leeper, Saul and Wingert), 1 abstention (Holst) and 0 nays.
- 2.) The first item of business was the College Hill Neighborhood District Site Plan Review for 2119 College Street. Acting Chair Holst introduced the item and Mr. Graham provided background information. He explained that the request came to the Commission in November for initial discussion and review. At that time the project was presented as a five-story, multi-use building that was deemed a principal residential use. The property is located in a C-3 zoning district near College and 22nd Street within the College Hill Neighborhood Overlay Zoning District. Mr. Graham showed the differences being proposed from the original plan with regard to the number of units, commercial vs. residential percentages and parking. He also showed renderings of the proposed building and materials, and discussed additional site plan review elements. He noted that one of the biggest issues that have been discussed is the determination of use. He indicated that based on the new submittal and consistence with several past cases, staff deems this use a principal commercial use. He also explained that staff would like to bring the item to the Commission for continued discussion only at this time.

Mr. Holst opened the discussion to the public, asking that everyone be concise and not repeat items that have already been addressed. Dan Manning, attorney representing concerned citizens in the College Hill area, stated their opposition. He sees it as a violation of the City zoning ordinance. He believes that the ordinance was designed to protect all citizens in the development of property, and feels that the proposed building is primarily residential and should not be considered to be commercial. He doesn't feel the building conforms to the rules and regulations in one of the most regulated areas in the City. Mr. Manning stated that the citizens are not saying that nothing should be built in this area, but the Commission should not rely on what he feels is a "faulty interpretation" of the code. He discussed the parking issues and the standards that need to be met in the area.

Dave Deibler, 1616 Campus Street, expressed his support for the project, stating that he believes the City needs this development. He would like to see College Hill developed and grow.

Kara Bigelow Baker, 1826 Quail Run Lane, does business at the Razor's Edge at 2211 College Street. She stated that she is all for development but doesn't believe it is responsible to have this kind of building without adequate parking. She noted that she followed up with UNI regarding parking and discovered that there is no parking permit available for off campus residents to park overnight in the lot. The information that was provided to the City originally

was false. She discussed the number of parking permits sold to students and stated that the ratio of students with vehicles is much higher than the developer suggested. She noted that the website advertising the building at the Urban Flats building has changed its parking information since it was opened. It originally stated that with a "B" pass they would be eligible to park in the lot north of the building. As of the last meeting they changed the advertisement to "off-street parking available." It now says nothing about parking. She feels that the City should consider amendments to the parking rules for the lots.

Dan Drendel, Slingshot Architecture, architect for the project, feels that the zoning aligns perfectly with the master plan. He displayed renderings of the building showing the height relation to the other buildings, including the Urban Flats building. They feel they have addressed the issues properly in accordance with the ordinance. He also discussed trash enclosures and how they will keep the dumpsters out of view.

Chris Wernimont, 415 ½ Washington Street, pointed out that in the code the principal use does not mention the first floor. It also states that in case of conflict, the most restricted provision shall cover, and he noted that he has concerns about the overall height. He noted concerns by the College Hill Partnership, including height and parking issues.

Brian Sires, 1939 College Street, noted that there should be a single definition of what constitutes the principal use in a building, which is defined as the major use of the building. He's not against development, but believes everyone has to follow city ordinances. He believes it's the Commission's obligation to follow the law.

Mr. Graham wanted to note, on record, the letters that were received from different members of the community. He went through and named the people who sent comments or letters.

Mr. Wingert asked about the parking on the ground floor and noted that precedent is a big part of the law, and that he has to follow that as opposed to interpretation.

Mr. Leeper spoke to the scale of the project, stating that he feels density is a good thing in an underdeveloped part of town.

Mr. Arntson stated there is a bit of a cloud because of Urban Flats, and feels there needs to be some research with the parking issues. He believes that the estimates of people with cars in the area is low and needs to be taken into consideration. He feels the project looks good overall, but parking needs to be addressed.

Mr. Holst agreed with the sentiments of Mr. Arntson and has issues with the parking. He feels that it is a residential building and it should be treated as such. Ms. Giarusso and Ms. Saul also agreed that they have an issue with the parking.

The item was continued to a future meeting.

- 3.) The next item for consideration by the Commission was the Kwik Star Convenience Store. Acting Chair Holst introduced the item and Mr. Sturch provided background information. He discussed the revised site plan and the detached car wash, the landscaping plan, building and canopy design, and noise level study information. He also provided information about the lighting design, roadway improvements, signage plan, stormwater detention plan and utility easement vacation/dedication. Staff recommends the approval of the item subject to stipulations and comments or direction from the Commission.

Penny Popp, 4805 S. Main Street, asked that the Commission take no action on the item tonight and asked to have a neighborhood meeting where representatives are present to

speak to questions regarding the project. She stated that traffic concerns remain paramount and need to be addressed. She also had questions regarding the lighting, building materials and noise levels.

In a point of order, Mr. Leeper made a motion to remove the item from the table. Ms. Giarusso seconded the motion. The motion was approved unanimously with 7 ayes (Adkins, Arntson, Giarusso, Hartley, Leeper, Saul and Wingert), 1 abstention (Holst) and 0 nays.

Steve Ephraim, 327 Balboa, noted additional pedestrian traffic and emergency vehicles should be included in studies. He asked that other options (such as a public meeting) be considered.

Jill Fisher, 203 Cordoba Avenue, stated her traffic concerns and asked that the construction of the buildings be tabled until improvements are completed.

Lynn Barnes, 118 Cordoba Avenue, asked that the voting record be left on the screen for an extended time.

Rosemary Beach, 5018 Sage Road, asked if the Commission has driven out to the area at different times of day to see the traffic issues. She also discussed traffic patterns she's noticed where people are trafficking through Western Home to avoid Greenhill Road. She suggested more time be taken to review the item.

Dave Nedrow, 4201 Stewart Lane, feels that they should be relocated to a more retail oriented area. He feels that the Commission should explore other options within the community to locate the Kwik Star and Fareway. He also feels that the infrastructure should be put in place sooner than later to avoid traffic and safety concerns.

John Dutcher, 1238 Clark Drive, head maintenance person and part owner of Balboa Point Properties, spoke to common sense and what people want. He brought in petitions with over 200 signatures from people in the neighborhood who are in favor of the project. He did note that the people he spoke to were concerned about the traffic. Mr. Dutcher would like the project to move forward.

Craig Lohmann, 205 Alvarado Avenue, stated that he thinks it's a great project and would like to have the convenience.

Kyle Helland, 228 Alvarado Avenue, stated that Greenhill Road was created to allow for citizens to travel from Hudson Road to Cedar Heights without dealing with lights. He discussed the changes that have happened over the years and the traffic issues that have been there long before there was consideration of Kwik Star or Fareway. He feels it would be a shame not to allow the businesses to come because of it and that the traffic issues should be handled and the new construction should be approved.

Jerry Dixon, 218 Spruce Hills Drive, discussed contamination and gas spills.

Mr. Leeper asked staff to clarify when the City allowed this use. Mr. Sturch stated around 2006 the zoning changed. He also discussed several site plans that were considered in the interim and many things that never came to fruition. Around 2014 the Master Plan was reconsidered, and although the usage has been allowed since 2006 according to the zoning, the mix and location of uses in this MU District was changed in 2014, reflecting commercial use at this corner. Mr. Leeper also asked about the lighting plan. Wade Dumont from Kwik Star, explained that the city standard has to be one foot candle or less at the property line to keep the light from spilling into other areas. On the site more light is needed for security and ability to see the pumps. Very specific fixtures are selected to allow them to adjust the light as

needed.

Mr. Arntson noted that he has visited the Kwik Star on Ansborough to look at the lighting and while the lights are very well aimed, with very little bleed over, he asked about a bright red banner that goes around the canopy. Mr. Sturch clarified that the plan shows that the banner goes all the way around the canopy. Mr. Arntson asked if there would be a way to dim that lighting, or not put the band on the north side as a compromise.

Mr. Holst stated that the Commission's primary task is to review the site plan to ensure it follows code. As this project meets all City requirements, he doesn't feel it should be denied. Mr. Arntson noted that the Commission is taking everyone's concerns into consideration, but also discussed the duties of the Commission. He asked about traffic on South Main Street and its future increase. Mr. Resler explained that there may be increase in traffic, but does not believe it will be significant in that portion of the roadway.

Mr. Wingert made a motion to approve. Ms. Saul seconded the motion. The motion was approved unanimously with 6 ayes (Arntson, Giarusso, Hartley, Leeper, Saul and Wingert), 1 abstention (Holst) and 1 nay (Adkins).

Mr. Sturch noted that the proposed project will be sent to City Council and notifications will be sent out to neighbors at that time.

- 4.) The Commission then considered the Fareway Grocery Store. Acting Chair Holst introduced the item and Mr. Sturch provided background information. He explained that this item was introduced for discussion at the last Planning and Zoning meeting and he reviewed the details of the site plan and proposals. He discussed the various requirements and design elements and stated that staff recommends approval subject to the submittal of a storm water maintenance and repair agreement prior to City Council approval, conformance with technical comments and any additional comments or direction from the Planning and Zoning Commission.

Jill Fisher, 230 Cordoba Avenue, stated concern with the traffic. She feels that there will, in fact, be an impact on traffic. She feels the infrastructure should be finished before 2020.

John Dutcher, 1238 Clark Drive, reiterated that there is a great deal of the neighbors want the Fareway brought to the area.

Garrett Piklapp, Fareway Stores, commented on the photometrics, said that the suggested bike trail connection was accommodated, and noted that Fareway is just as eager to address traffic improvements as well as everyone else.

Mr. Arntson stated that it is appropriate for the Planning and Zoning Commission to stress to City Council that the intersection at Greenhill Road and South Main Street be a priority.

Ms. Saul agreed that this is a great project and that the traffic needs to be a priority.

Ms. Saul made a motion to approve the site plan and easement and to make Greenhill Road and South Main Street a priority. Mr. Hartley seconded the motion. The motion was approved unanimously with 7 ayes (Adkins, Arntson, Giarusso, Hartley, Leeper, Saul and Wingert), 1 abstention (Holst) and 0 nays.

- 5.) The next item of business was the River Place Development (MU2 building). Acting Chair Holst introduced the item and Mr. Graham provided background information. He explained that this is a Central Business District site plan review that was initially introduced to the

Commission in December. The site plan for this building was approved in 2016, and the applicant would like to increase the building height by 8 feet to add a dedicated second floor for office space. He showed renderings of the original three-story building in comparison to the proposed building and discussed the proposed parking plan. Staff recommends approval subject to the construction of River Place Plaza as indicated on the River Place Master Plan which was previously approved by the Commission, as well as any additional comments or direction the Commission may have. Mr. Graham also noted that they received letters and communication from different people with comments regarding the request.

Trace Steffan, 807 W. 13th Street, has an office at 200 State Street and is excited about the additional office space and potential for growth. He stated that he doesn't have any issues with parking.

Nick Hash, 2614 Green Creek, is also in favor of the project as he has a business downtown and is happy about the additional office space in that area. He feels it is a great location and likes the idea of more office space downtown. He also doesn't feel there is an issue with parking.

Dan Drendel, Slingshot Architecture, noted that they have addressed the issue with the building scale, and also noted that he believes that the parking is working out well in the current buildings so he feels that will not be a problem.

Julie Shimek, 104 Main Street, read a letter on behalf of Dawn Wilson, the owner of Cup of Joe (102 Main Street). The letter stated concerns with added employees and additional residents creating more parking issues. Ms. Shimek also commented that the tenants and employees downtown will need a place to park.

Don Blau, 527 Jessica Lane, landlord for a building at 120 Main Street, noted his concerns with a lack of parking. He also felt that the building height takes away from the character of the downtown area.

Brent Johnson, 621 Clay Street, stated that he is supportive of the original project, but has reservations about adding the extra floor. He believes that the parking will be a big issue. He also feels that the City is building too fast.

Mr. Leeper felt that there seems to be more of a perception problem with regard to parking. He feels that people just aren't used to having to walk an extra block or two like they would have to in other cities.

Mr. Arntson noted that he isn't sure how much more building downtown can take. He feels that the bigger picture should be considered.

Mr. Holst also feels the parking is very dense in the 100 block and is concerned that the businesses will suffer.

Mr. Wingert agreed with Mr. Leeper, stating that he understands that there are people who may have difficulty walking longer distances, but he feels that most people just aren't accustomed to walking a little further.

Mark Kittrell, Eagle View Properties (developer), noted that he feels that the downtown is a very successful area and that they try to be sensitive to balancing the different views and comments from surrounding businesses. He stated that there is a requirement in the lease that all employees park in one of their designated lots. They are given parking passes for those vehicles to be in the lot. Mr. Kittrell stated that employees will not be parking in City lots.

Ms. Giarusso asked if it is time to do another parking study, as there has been a great deal of growth downtown. Ms. Sheetz discussed some of the options that are being considered and noted that there will be a joint City Council and Planning and Zoning meeting coming up where they will be discussing some parking items in the Capital Improvements Plan (CIP).

Ms. Saul asked about the potential height issue and where the building will be in relation to the buildings around it. Mr. Drendel showed a rendering to illustrate the height variation.

Mr. Artson asked about the intended use of the building and the area, including the plaza and public restrooms. Mr. Kittrell stated they are continuing to work with the public amenities. They are currently working to find funding for the public restrooms.

Mr. Leeper asked if the employees are, in fact parking in the designated spaces, or are they using public parking. Ms. Shimek stated that she couldn't be sure, as she is further away.

Mr. Wingert made a motion to approve. Mr. Arntson seconded the motion. The motion was approved unanimously with 6 ayes (Adkins, Arntson, Giarusso, Hartley, Saul and Wingert), 1 abstention (Holst) and 1 nay (Leeper).

6.) The next item for consideration by the Commission was the Gateway Business Park at Cedar Falls Preliminary Plat. Acting Chair Holst introduced the item and Mr. Graham provided background information. He stated that the property is located on 46 acres on the northeast corner of the intersection of West Ridgeway Avenue and Hudson Road. The property is zoned HWY-1 and is located near the Industrial Park. There are six lots that will be commercially developed with recreation trails added. Mr. Graham also provided renderings showing street connectivity and stormwater management. At this time, staff would like to submit this item for discussion only and continue discussion at the January 24, 2018 Planning and Zoning meeting. Staff answered brief questions by the Commission regarding the traffic study and turn lanes, as well as curb cuts. The item was continued to the next meeting.

7.) The Commission then considered a College Hill Site Plan Review for 2128 College Street. Acting Chair Holst introduced the item and Mr. Sturch provided background information. He explained that it is proposed to add a drive up window to Bani's Liquor and Tobacco Outlet. All requirements are met for the project and staff recommends approval.

Mr. Leeper made a motion to approve. Mr. Hartley seconded the motion. The motion was approved unanimously with 7 ayes (Adkins, Arntson, Giarusso, Hartley, Leeper, Saul and Wingert), 1 abstention (Holst) and 0 nays.

8.) The next item of business was a Central Business District Façade review at 115 E. 4th Street. Acting Chair Holst introduced the item and Mr. Sturch provided background information. He explained there is a new projecting wall sign proposed for Far Side Games. All requirements are met and staff recommends approval.

Mr. Hartley made a motion to approve. Mr. Adkins seconded the motion. The motion was approved unanimously with 7 ayes (Adkins, Arntson, Giarusso, Hartley, Leeper, Saul and Wingert), 1 abstention (Holst) and 0 nays.

9.) Mr. Sturch noted that a nominating committee would need to be formed to select the Chair and Vice Chair for 2018. Ms. Saul and Mr. Arntson volunteered to be on the committee.

10.) As there were no further comments, Mr. Wingert made a motion to adjourn. Mr. Leeper

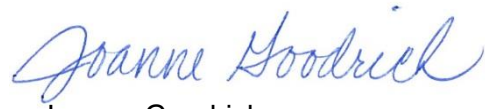
seconded the motion. The motion was approved unanimously with 7 ayes (Adkins, Arntson, Giarusso, Hartley, Holst, Leeper, Saul and Wingert), 1 abstention (Oberle) and 0 nays.

The meeting adjourned at 8:50 p.m.

Respectfully submitted,



Stephanie Houk Sheetz
Director of Community Development



Joanne Goodrich
Administrative Assistant