

**Cedar Falls Planning and Zoning Commission
Regular Meeting
September 13, 2023
Cedar Falls, Iowa**

MINUTES

The Cedar Falls Planning and Zoning Commission met in regular session on September 13, 2023 at 5:30 p.m. at City Hall. The following Commission members were present: Alberhasky, Crisman, Hartley, Larson, Leeper, Lynch, Moser and Stalnaker. Grybovych was absent. Karen Howard, Planning & Community Services Manager, Matthew Tolan, EI, Civil Engineer II, Jaydevsinh Atodaria, Planner I, and Chris Sevy, Planner I were also present.

- 1.) Chair Lynch noted the Minutes from the August 23, 2023 regular meeting are presented. Ms. Lynch made a motion to approve the Minutes as presented. Mr. Stalnaker seconded the motion. The motion was approved unanimously with 8 ayes (Alberhasky, Crisman, Hartley, Larson, Leeper, Lynch, Moser and Stalnaker), and 0 nays.
- 2.) The first item of business was a College Hill Neighborhood Design Review for artwork at Pettersen Plaza. Chair Lynch introduced the item and Mr. Sevy provided background information. He explained that the applicant is requesting permission to install three aluminum composite panels to be secured to aluminum standoffs on the north facing wall of 2016 College Street (Pettersen Plaza). It would be used to display artwork created by UNI students that will be chosen by an annual competition hosted by the UNI Art Department and the UNI Public Art Incubator. He showed an example of what could be displayed for illustration purposes. He noted that the proposed panels and artwork are likely be welcome additions to the neighborhood character. Staff recommends approval of installing the panels.

Mr. Hartley stated that he feels it will be a nice addition. Ms. Moser agreed.

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

- 3.) The next item for consideration by the Commission was a PC-2 Site Plan for 702 LeClair Street. Chair Lynch introduced the item and Mr. Atodaria provided background information. He explained that the proposal is for a site plan for a new building at 702 LeClair Street in the PC-2 District. The property was rezoned in August to provide more flexibility for continuation of the existing business on the site and allow limited expansion. He discussed the proposal, noting that the application will be adding landscaping and a stormwater detention basis on-site. The proposed building would be built as per the Development Agreement. The applicant is requesting to remove a proposed park bench and small trail loop on the south side of the development. He discussed setback and utility easement information, as well as required landscaping and proposed building design. Staff recommends approval.

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

- 4.) The Commission then considered a request regarding an MU District Master Plan Amendment for Pinnacle Prairie Townhomes, Phase I. Chair Lynch introduced the item and Mr. Atodaria provided background information. He explained that the property is at the southeast corner of East Greenhill Road and Oster Parkway and explained the process of plat and site plan

approvals. He displayed a contrast of what was originally proposed to what has changed since then and explained the changes. The application is requesting the amendment of the master plan to build out the remaining land and to update the master plan to match what has been built to date. They are also requesting approval of three possible scenarios for future development with a mix of single-family units, duplex units and a set of detached garage buildings. He discussed the three scenarios and the locations of each proposal and provided an analysis of the proposal, noting that staff finds all three scenarios to be consistent with the intent and requirements of the zoning district. Staff recommends approval of the Master Plan Amendment.

Mr. Hartley clarified that one of the three scenarios must be chosen.

Mr. Leeper asked if there were concerns with the inconsistencies in the plan. Ms. Howard stated that staff analyzed what has been built along with what is proposed, since it is not known why past deviations from the plan were approved without the required review by P&Z and Council.

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

- 5.) The next item for consideration by the Commission was an easement vacation at West Viking Road Industrial Park Phase V, Lots 17 & 18. Chair Lynch introduced the item and Mr. Sevy provided background information. He explained that there is a drainage easement across the eastern edge of Lots 17 & 18 at the northeast block of Technology Parkway and Innovation Drive and noted that the property is owned by the City. A company would like to locate a distribution center in the Industrial Park that requires the combining of all lots within that section of the area. He explained that the original intent of the easement was to provide drainage access to all east and west adjacent properties allowing water to drain southward into the basin located on the south side of Technology Parkway. As the lots are to be combined the drainage easement is no longer necessary. The developer will be responsible for demonstrating on their site plan how stormwater will be managed and directed to the storm sewer according to City requirements at the time of site plan review. Mr. Sevy provided renderings that clarify what is being vacated. Staff recommends approval of the vacation.

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

- 6.) The next item for consideration by the Commission was a Zoning Code text amendment for on-street parking as shared parking. Chair Lynch introduced the item and Ms. Howard provided background information. She explained that the Commission has been asked to consider eliminating the zoning code provision that allows on-street parking that directly abuts a property to count toward the shared parking requirement for any new development on the property. More specifically, it is requested to delete City Code Section 26-196E, Special Parking Standards. She provided brief background again regarding the current code, explaining that the ordinance provides flexibility on how the shared parking requirement is satisfied. She noted that the flexibility is intended to help reduce the burden/cost of making this contribution to the supply of publicly available parking.

Staff recommends that the Commission hold a public hearing, discuss and make a recommendation to the City Council regarding their petition to delete the code.

Mr. Leeper asked what the options were. Ms. Howard stated that they can either approve or deny the deletion of the section of the code.

Mr. Hartley stated that the Commission discussed this a great deal during the process and feels that they made a reasoned decision at that time and that they are now being asked to change it, when they have already calculated and made a decision. Mr. Leeper agreed and stated that the provisions are meant to encourage density and in order to promote growth downtown, a different approach to parking is needed. Mr. Larson agreed with those sentiments.

Ms. Moser made a motion to approve the item. Mr. Hartley seconded the motion. The motion was denied unanimously with 8 nays (Alberhasky, Crisman, Hartley, Larson, Leeper, Lynch, Moser and Stalnaker), and 0 ayes.

- 7.) The next item for consideration by the Commission was an RP Master Plan Amendment for Autumn Ridge Development. Ms. Alberhasky and Mr. Larson recused themselves from the discussion and left the meeting. Chair Lynch introduced the item and Mr. Atodaria provided background information. He gave a brief recap of what has been discussed at previous meetings regarding the proposal, including the specifics about the park space, stormwater management and increasing width of single-family units, the things that were recommended by both staff and Planning and Zoning Commission members. Mr. Atodaria also explained the updated master plan proposal, provided comparison of type of units proposed with other low density residential zone, discussed the new park location and highlighted easements and setbacks proposed for the units.

Mr. Tolan spoke about the stormwater management for the development and Mr. Atodaria stated that staff recommends approval of the Master Plan Amendment subject to compliance with conditions noted in the staff report and any comments or direction specified by the Planning and Zoning Commission.

Mr. Leeper asked how many units were planned originally. Mr. Atodaria stated that there were originally 58 units, and the current has 86 units.

Adam Daters, CGA Engineers, 5106 Nordic Drive, spoke about the functioning of the stormwater detention and provided renderings to demonstrate where and how it works. He explained different watershed analysis scenarios that have been considered and the results of each.

Dennis Happel, BNKD, noted that he has had a great deal of review and confirmation regarding detention information and their numbers have come out as correct. He mentioned the maintenance concerns and stated that it has been out of sight, out of mind, but that no one has contacted them with issues. He stated that they have come to a decision with the City that issues will be addressed during grading of the site for construction and thereafter there will be an established and regular mowing plan for the stormwater facility. With regard to capacity of the facility, he said that they far exceed what is required for the area.

Ms. Moser asked about the status of the area that Maria Perez, Stormwater Specialist found when she came out to visit the site. Mr. Happel stated that any mowing debris will be collected at the time. Anything that was previously done is intertwined with new growth will be addressed during the maintenance process and reshaping of the detention facility.

John Englin, 4327 Wynnewood Drive, spoke about the letter that was received regarding this meeting and noted that he emailed the Commission members his concerns. He discussed the previously presented 90 dwelling units and concerns by the Commission with the density. At

this time the units have only been decreased by four units and he feels that the concerns about density have been disregarded by the City and BNKD. He discussed concerns regarding this proposal.

Lyle Simmons, 207 Corduroy Drive, echoed Mr. Englin's sentiments.

Genevieve VanDorn, 4124 Thresher Court, Unit 304, thanked staff for their hard work. She noted her concerns with the number of units being built. She explained that she had been originally told that there would be far less and that this increase would make for greater traffic issues. She also commented on the pricing for these units and how they are not what would be considered to be affordable. She also brought forward concerns about the location of the playground and its maintenance.

Cindy Luchtenberg, 4322 West 1st Street, spoke to concerns with density and congestion and how it will affect access for emergency vehicles. She also noted concerns with how close the houses would be, particularly in case of fire, and the potential for it to spread to the next house.

Ann Spurr, 4211 Berryhill Drive, took issue with a statement made by the developer regarding stormwater maintenance and how it's been out of sight, out of mind. She stated that the HOA has sent dues to him each year, which should be a reminder. She also noted that the calculations from Mr. Dater causes her to question why there is water in their back yards when they are being told it will be in the detention basins. If it is already encroaching now, what will happen with more housing? She also questioned the proposal of bi-attached homes, noting that a change of a site plan was recently approved in another part of town to remove bi-attached dwellings because they are not selling.

Mr. Happel spoke to the comment regarding the association dues, explaining that the whole detention is owned by the Autumn Ridge Stormwater Association. The dues are deposited in an account and are available at any time.

Mr. Daters stated that they can only deal with the data that is in front of them and the survey information and analysis indicates that the stormwater facility has adequate capacity for all areas. He said more specific information would be needed from individual property owners about any encroachment into their yards so they could investigate.

Jim Hancock, 821 Lakeshore Drive, stated concerns with a lack of adjustment for the additional density added with regard to the detention area. He asked about additional sizing has been placed in the spillway to add for the 48% density being added to the project. He feels that there hasn't been adequate attention given to what is actually happening versus what is being calculated. He also asked about the lack of additional rip rap that he has seen go into other projects but has not been factored in for this one.

Mr. Tolan explained that rip rap throughout an entire stream channel is not an effective use or measure. They use rip rap in energy dissipation and areas where additional armoring is needed, but typically for best stream corridor practices for aquatic life, etc., a grass system with plantings with strong root systems that hold the banks in is best.

Mr. Daters explained that they did analyze the increased runoff from a higher density and he was trying to show that the capacity from the model they performed appears to be sufficient. If there are discrepancies in what people are seeing versus what the model shows, they are more than happy to work with staff and any other third party engineers that would have comments. He also noted that this isn't the final stormwater analysis that would be done. When the final plat is submitted a more detailed final report is submitted and reviewed by staff.

Tim Caswell, 4119 Shocker Road, stated concerns with and questioned who has the liability for the stormwater runoff issues.

Jeff Ries, 4227 Paddington, agreed with the statements made by other neighbors. He stated that he met with Rhonda Happel when first moving to the neighborhood and was promised something very different than what is currently being proposed. He noted issues with stormwater as well.

Ms. Crisman asked for more clarification regarding the park. Mr. Atodaria explained that the proposed park space is 2.1 acres and will be a City park. The Park Commission will be discussing this proposal request tomorrow at their regular scheduled meeting. Ms. Howard added that if parkland is proposed by developer in a subdivision, and is to be dedicated as a city park, the land needs to be prepared to City standards before it is accepted by the City. Once it is City parkland, further improvements such as playground and other park amenities can be proposed and approved by City Council as part of the capital improvements plan.

Mr. Leeper noted that he struggles with the project as he feels that the developer has done an adequate job with the numbers and requirements, but noted concerns with the expectations that the neighbors were given compared to what is now being proposed. Ms. Moser agreed with that struggle. Mr. Hartley also noted concerns with the extreme change in density.

Ms. Lynch stated that while she loves the public process and truly appreciates everyone showing up to speak their thoughts and concerns, but she also feels that the numbers still fit into the parameters of low density. With the need for housing the community she is struggling with how she feels for the neighbors versus the facts presented.


Ms. Crisman stated similar concerns, noting that as a Commission they don't do a lot of actual planning. They mostly vote. While this project does meet the requirements, that doesn't take into account complaints raised by the citizens. She knows there is an issue with housing, but doesn't feel the solution is more \$400,000 homes. She would like to see a revision that takes into consideration the comments made to make an impact on the community.

Mr. Leeper made a motion to approve the item. Ms. Crisman seconded the motion. The motion was denied with 6 nays (Crisman, Hartley, Leeper, Lynch, Moser and Stalnaker), and 2 abstentions (Alberhasky and Larson).

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

The meeting adjourned at 7:05 p.m.

Respectfully submitted,



Karen Howard
Community Services Manager



Joanne Goodrich
Administrative Assistant