

**Cedar Falls Planning and Zoning Commission
Regular Meeting
August 25, 2021
In person and via videoconference
Cedar Falls, Iowa**

MINUTES

The Cedar Falls Planning and Zoning Commission met in regular session on August 25, 2021 at 5:30 p.m. at City Hall and via videoconference due to precautions necessary to prevent the spread of the COVID-19 virus. The following Commission members were present: Holst, Larson, Leeper, Lynch, Prideaux, and Sears. Hartley, Saul and Schrad were absent. Karen Howard, Community Services Manager, Michelle Pezley, Planner III, Jaydevsinh Atodaria, Planner I and Chris Sevy, Planner I, were also present.

- 1.) Chair Leeper noted the Minutes from the August 11, 2021 regular meeting are presented. Ms. Lynch made a motion to approve the Minutes as presented. Ms. Sears seconded the motion. The motion was approved unanimously with 6 ayes (Holst, Larson, Leeper, Lynch, Prideaux and Sears), and 0 nays.
- 2.) The first item of business was a Land Use Map Amendment from Medium Density Residential to Community Commercial; and Rezoning from A-1: Agricultural District, C-2: Commercial District, and S-1: Shopping Center District to PC-2: Planned Commercial District. Chair Leeper introduced the item and Ms. Howard provided background information. She explained that the applicant has provided updated documents to staff that appear to be in order. Staff will continue to study them and recommend setting a public hearing for the September 8, 2021 Planning and Zoning meeting.

Ms. Lynch made a motion to approve setting the public hearing. Mr. Larson seconded the motion. The motion was approved unanimously with 6 ayes (Holst, Larson, Leeper, Lynch, Prideaux and Sears), and 0 nays.

- 3.) The next item for consideration by the Commission was a rezoning request for property at 515 W. 2nd and 523 W. 2nd Street. Chair Leeper introduced the item noting that there is a request to open the public meeting and continue to the next meeting. Ms. Pezley explained that the site is located at the northeast corner of 2nd and Iowa Streets and stated that the applicant proposes to combine the lot at 106 1st Street with a carwash and the two smaller lots and redevelop the site into a fast food restaurant with a drive through. She explained that the current focus of criteria is whether the rezoning request is consistent with the Future Land Use Map and the Comprehensive Plan. The *Imagine Downtown!* Vision Plan was adopted by the City in 2019 and that is the plan for the application. The vision plan divides the downtown into character areas for future land use designations. The Overman Park neighborhood is a stable residential area with a few small offices in close proximity to the Main Street parkade. The intent of the area is to protect the residential character and allow limited residential infill. The character districts were drawn after an intensive public comment period and public workshops that included community members, staff, Community Main Street, CFU, etc. Staff finds that the request for rezoning request is inconsistent with the recently adopted *Imagine Downtown!* Vision Plan.

Jim Benda, 1816 Valley High Drive, stated that they asked for a continuance because they weren't able to address some of the concerns from the last meeting. There are drawings that are in the process of being updated and they thought it would be best to wait until all documents are complete. He also noted that he feels that the way the plan is set up does not

allow the appropriate amount of room for parking, and believes the parcels should be larger.

Heather Miller, 622 W. 2nd Street, stated that her house is diagonally opposite from McDonalds and that she feels that having a second fast food restaurant would double the trash, noise, traffic, etc. The house was built in the 1870's and owned by her family for 80 years and she would like to see the area be residential.

Sally and Ben Timmer, 203 Tremont Street, stated that she agrees with the staff recommendations to deny the project and noted her concerns with the trash, noise, and traffic as well. She pointed out that the new Community Bank and Trust was able to meet the plan. She said that McDonalds is a non-conforming use and doesn't mean that it should be used as an example. Mr. Timmer stated the neighborhood is residential and is an attractive place to live because it is close to many trails and other amenities. He feels that there will be a mass exodus for residents if this is allowed.

Mary Jane McCallum, 807 W. 2nd Street, pointed out that none of the people who are proposing this project live anywhere in the area. She also noted the same concerns with trash, traffic and noise. She pointed out that she has seen that police have been called to the McDonalds to break up fights that were happening on the property. She also sees semi-trucks parked on 2nd and Iowa Streets. She asked the Commission if they would want to live by this development.

Mr. Holst made a motion to continue to the next meeting. Ms. Lynch seconded the motion. The motion was approved unanimously with 6 ayes (Holst, Larson, Leeper, Lynch, Prideaux and Sears), and 0 nays.

- 4.) The Commission then considered a MU District site plan for Bluebell Health Plaza OBGYN addition. Chair Leeper recused himself from the item and Acting Chair Larson introduced the item. Mr. Atodaria explained that the applicant would like to add 5,400 square feet of space to the existing building of Bluebell Health Clinic to provide OBGYN services. The project scope also includes expanding the parking area and making landscaping improvements on-site as per zoning code requirement. Mr. Atodaria mentioned that the proposal meets the setback requirements, landscaping requirements and building design criteria for the MU Zoning District and stated that the proposed addition will have similar exterior materials as the existing building. He also added that with this proposal the applicant is including a master plan for the site highlighting future property divisions and public improvements. The improvements will include sidewalk and trail connections that will be added with the development of the southern area of the property to comply with zoning standards and Pinnacle Prairie Master Plan guidelines. Staff recommends approval of the submitted MU district site plan for the Bluebell Health Clinic with stipulations to any comments or direction from the Planning and Zoning Commission and conformance with all city staff recommendations and technical requirements.

Mr. Larson stated that this looks pretty straightforward. Mr. Holst added that the project meets all the criteria and fits in well. Mr. Holst made a motion to approve the item. Ms. Prideaux seconded the motion. The motion was approved unanimously with 5 ayes (Holst, Larson, Lynch, Prideaux, and Sears), 1 abstain (Leeper) and 0 nays.

- 5.) The next item of business was a land use map amendment and rezoning request for the northwest corner of the intersection of Cedar Heights Drive and Valley High Drive. Chair Leeper introduced the item and Mr. Larson recused himself, as he is the developer for the project. Mr. Sevy provided background information, explaining that the applicant would like to rezone 6.38 acres from C-1, Commercial to RP, Planned Residence. It is proposed to build six 12-plex units, and the request involves an amendment to approximately 12.5 acres of the Future Land Use Map. The item is currently for discussion and setting a public hearing.

Mr. Sevy provided a rendering of the current Future Land Use Map and noted that interest and demand for Office/Business Park uses have been limited in the location and that the rezoning would help with housing needs. Staff recommends gathering comments from the Commission and public relating to the request, and scheduling a public hearing for September 8, 2021.

John Lane, 3909 Legacy Lane #1, shared personal concerns, including a letter from Trent Law Firm. He noted concerns with who the developer is going to be. Kyle Larson met with Mr. Lane as the builder and Mr. Lane asks that specific details regarding a drainage issue that is alleged to be fixed. He also noted concerns with the potential phasing, as well as the height of the building being three stories instead of two.

Steve Umthum, 4102 Legacy Lane #4, thanked the Commission for their work and mentioned concerns from the letter that was submitted before the meeting from Trent Law Firm. As the Commission has not had time to read the letter, he spoke to his questions and comments but noted that he is aware that this may be better for discussion at a future meeting. He mentioned proper stormwater detention and flooding mitigation and provided his concerns and suggestions. Development design and traffic, as well as buffering and privacy, were also discussed in the letter and Mr. Umthum outlined his concerns.

Dan Levi, Levi Architecture, 1009 Technology Parkway, spoke to the project and explained who the developers and owners are and answered questions that had been asked.

Ms. Howard clarified that the discussion is still just referring to the land use map amendment and noted that Mr. Sevy has more information to present about the rezoning.

Mr. Sevy spoke about the primary criteria for rezoning and explained how the applicant proposes to meet the criteria, and discussed the conditions for the rezoning. Staff recommends gathering comments from the Commission and the public relating to the request, and scheduling a public hearing for September 8, 2021.

Mr. Holst asked how comfortable staff is with changing from commercial to residential and if there has been negative response from neighbors. Mr. Sevy explained that it appears to be a positive reaction as the rezoning is from a less restrictive zone to a more restrictive zone.

Ms. Lynch made a motion to set a public hearing for the next meeting. Ms. Sears seconded the motion. The motion was approved unanimously with 5 ayes (Holst, Leeper, Lynch, Prideaux and Sears), 1 abstention (Larson) and 0 nays.

- 6.) As there were no further comments, Ms. Lynch made a motion to adjourn. Mr. Holst seconded the motion. The motion was approved unanimously with 6 ayes (Holst, Larson, Leeper, Lynch, Prideaux and Sears), and 0 nays.

The meeting adjourned at 6:35 p.m.

Respectfully submitted,


Karen Howard
Community Services Manager


Joanne Goodrich
Administrative Assistant