



**AGENDA**  
**CITY OF CEDAR FALLS, IOWA**  
**PLANNING AND ZONING COMMISSION MEETING**  
**WEDNESDAY, MARCH 10, 2021**  
**5:30 PM AT CITY HALL AND VIA VIDEO CONFERENCE**

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The meeting will also be accessible via video conference and the public may access/participate in the meeting in the following ways:

- a) By dialing the phone number +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782 and when prompted, enter the meeting ID (access code) 886 2008 9534.
- b) iPhone one-tap: +13126266799,,88620089534# or +19292056099,,88620089534#
- c) Join via smartphone or computer using this link: <https://us02web.zoom.us/j/88620089534>.
- d) View the live stream on Channel 15 YouTube using this link: <https://www.youtube.com/channel/UCCzeig5nIS-dIEYisqah1uQ>

To request to speak when allowed on the agenda, participants must click "Raise Hand" if connected by smartphone or computer, or press \*9 if connected by telephone. All participants will be muted by the presiding officer when not actually speaking.

#### **Call to Order and Roll Call**

#### **Approval of Minutes**

1. Planning and Zoning Commission Regular Meeting Minutes of February 24, 2021.
2. Planning and Zoning Commission Work Session Minutes of February 24, 2021.

#### **Public Comments**

#### **Old Business**

3. **Central Business District Overlay Site Plan Review (Case #SP20-012)**  
**Proposal:** New Mixed Use Building  
**Location:** 7th & Main  
**Applicant:** Hi Yield, LLC (Brent Dahlstrom), Rose Schroder, AICP Bolton & Meck, Inc, and Slingshot Architecture  
**Previous Discussion:** February 24, 2021  
**Recommendation:** *Defer to a future meeting to allow time to address the parking*  
**P&Z Action:** *Defer to a future meeting*
4. **Land Use Map Amendment & Rezoning from M-1 to HWY-1 (Case #RZ21-002)**  
**Location:** 7009 Nordic Drive  
**Applicant:** Lydia Brown; Skogman Realty  
**Previous Discussion:** February 24, 2021  
**Recommendation:** *Approval, subject to a conditional zoning agreement.*  
**P&Z Action:** *Hold public hearing, discuss and make a recommendation to the City Council*

#### **New Business**

5. **Imagine College Hill - Vision Plan**  
**Presented for Public Review:** February 10, 2021  
**Recommendation:** *Discuss and set a public hearing date*  
**P&Z Action:** *Discuss and set a public hearing for February 24, 2021*

## **Adjourn to Work Session**

### Reminders:

- \* March 17 (work session) and March 24 (regular meeting) - Planning & Zoning Commission Meetings
- \* March 15 and April 5 - City Council Meetings

**Cedar Falls Planning and Zoning Commission  
Regular Meeting  
February 24, 2021  
Via At City Hall and Videoconference  
Cedar Falls, Iowa**

**MINUTES**

The Cedar Falls Planning and Zoning Commission met in regular session on February 24, 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: Hartley, Holst, Larson, Leeper, Lynch, Saul, Schrad and Sears. Prideaux was absent. Karen Howard, Planning & Community Services Manager, Thomas Weintraut, Planner III, Michelle Pezley, Planner III, Jaydevsinh Atodaria, Planner I and Chris Sevy, Planner I, were also present.

- 1.) Chair Leeper noted the Minutes from the February 10, 2021 regular meeting are presented. Ms. Lynch made a motion to approve the Minutes as presented. Mr. Hartley seconded the motion. The motion was approved unanimously with 8 ayes (Hartley, Holst, Larson, Leeper, Lynch, Saul, Schrad and Sears), and 0 nays.
- 2.) During the public comments portion of the meeting, Eashaan Vajpeyi, 3831 Convair Lane, came forward to speak about density and parking as an attorney on behalf of Concerned Citizens for College Hill. He wanted to recognize that there are items on the agenda that deal with density and parking and he encourages commission members to consider how that will relate to the College Hill Vision Plan update that is being reviewed. He stated that the items will discuss the challenges with higher density and less parking and feels it's a good opportunity to use examples from Downtown issues to help with the College Hill review process.
- 3.) The first item of business was the College Hill Neighborhood Overlay review for 704-706 W. 28<sup>th</sup> Street. Chair Leeper explained that the item was discussed at the last meeting where it was tabled. The Commission has the option to remove the item from the table and give a recommendation or take to take no action and remove it from old business. No action was taken.
- 3.) The next item for consideration by the Commission was a Central Business District site plan review for property at 7<sup>th</sup>, Main and Washington Streets. Chair Leeper introduced the item and Ms. Pezley provided background information. She explained that it is proposed to demolish the existing First Baptist Church located at 123 7<sup>th</sup> Street and replace it with a two-story, 25,778 sq. ft. building with 16 apartments and retail space, with solar panels, green space and an amenity deck on the roof. Setbacks in the Central Business District overlay are 0-10 feet from the property line. The setbacks are met from all streets except for Washington Street, where they are proposing a setback of 94 feet. According to City Code, exceptions are only to be granted if the applicant can:
  - provide a detailed explanation of why the standard cannot be met;
  - explain how the proposed building is uniquely designed to fit the characteristics of the site and neighborhood, how it is consistent with the purpose and intent of the CBD and how it will not detract from other properties nearby;
  - be able to provide an alternative design solution consistent with the intent of the standard being modified if required by the Commission or City Council.

Staff had concerns with the parking lot being next to the public sidewalk as it is not in keeping with the vision for a pedestrian-friendly downtown. To mitigate the negative aspects of a surface parking lot instead of a building at the street corner, the applicant is proposing to put up a decorative screen wall and landscaping to separate the parking from the right-of-way. Given that the site is challenging with frontage on three different streets, staff finds that this is an acceptable compromise to the standard along one street frontage. Ms. Pezley discussed streetscape, landscaping and plans for trash. She also noted that sign location are noted on the site plan, but not the final design of the signs and that a separate sign permit must be submitted for each sign. With regard to the stormwater plan, detention is proposed under the parking lot and the applicant is working with the Public Works Department to coordinate their project with the City's project to reconstruct Washington Street. The final design of the lighting plan has also not been finalized but all lights will need to be fully shielded and downcast.

Ms. Pezley discussed the building design, displaying renderings of the design and style. The building design review included the roof shape, pitch and direction, pattern, building composition and windows and transparency. The project would also require an exception for the percent of fenestration (windows and doors) on the storefront façade facing 7<sup>th</sup> Street. The code allows a request for modification to this standard for corner lot buildings, allowing reduction on the secondary street frontage. Staff notes that the building meets the 70% requirement on the Main Street façade, but does not on the 7<sup>th</sup> Street façade. Given that this is a corner building and due to the interior storage and display needs for a grocery, staff recommends approval of an exception as shown on the site plan with façade recesses that may make it easier in the future to install additional storefront windows. Ms. Pezley discussed the materials and colors proposed as well as architectural features and entries. She noted that there would also be a need for an exception to the required number of entries along the 7<sup>th</sup> Street façade. The applicant proposes to recess the façade near the ground floor windows to provide the opportunity for an additional entry in the future. Staff finds this to be an acceptable solution and recommends approval of the exception.

Parking requirements were discussed, including space requirements, lot setbacks and parking circulation. Ms. Pezley explained that deliveries would come from the 7<sup>th</sup> Street end of the property and continue on to the alley. As the width will not be wide enough for two lanes, access will be one way with removable bollards. Staff notes that the proposal is to reserve the surface parking for the co-op grocery store during business hours. Staff indicated that the requirement in the code is for parking for the residential units in the proposed building. If the parking is going to be reserved for the grocery store, the proposal does not meet the code requirement for residential parking. Staff recommends the site plan be resubmitted showing designated residential parking areas. Pezley discussed the option of using the vacant lot at the corner of Washington and 6<sup>th</sup> Street for at least a portion of the required residential parking and improving the surface parking with screen wall and landscaping as proposed for the other lot. She also noted that if this option were pursued by the developer, this off-site parking would have to be tied to this site plan through a development agreement.

Staff feels the building will be a positive change for the block and that it meets standards of the downtown plan. Staff recommends exceptions to the building setback, windows and transparency, building entries and the parking lot setback. The parking spaces for residential units remain an outstanding issue. Staff recommends gathering comments from the Commission and the public at this time for further discussion at the March 10 meeting. A revised site plan showing the residential parking spaces should be brought forward at that time.

Dan Drendel, Slingshot Architecture, explained that Brent with Hi-Yield will be present at the next meeting for further discussion. He noted that he will be available for any questions at this time.

Kate Dunning, 2100 Grand Boulevard, Waterloo, spoke as a representative of The Rooted Carrot. She explained that The Rooted Carrot is a community-owned, full-service grocery store in the making, focused on local healthy, sustainable foods and products. Ms. Dunning stated that the Imagine Downtown Vision Plan noted that there was a need for a grocery store downtown and she knows the City is committed to such a project. She discussed the statistics of having a locally owned co-op, which will help keep money circulating into local business. She also explained the market research done on co-ops and how they have used that information to create the model being discussed. She spoke about working with the City for parking solutions and asked for support of the shared parking plan.

Mr. Schrad stated concern with how well the shared parking would work for the residents, given the extensive hours for the grocery store. He noted that he really likes the overall plan for the project, but feels the parking is an issue.

Ms. Saul asked for further clarification on the second parking lot. Ms. Howard explained that the property owner also owns the vacant parking lot at the northwest corner of that block and staff has spoken with the owner about using the lot for the parking needs of the residents. She stated that it may be an option to come to an agreement to tie the parking lot to the project with a Development Agreement. Staff would recommend that the lot be improved in the same manner as the closer lot.

Eashaan Vajpeyi spoke again as a shareholder in the co-op and noted concern with the idea of shared parking, stating that he doesn't believe that it will work. He also doesn't believe that making so many exceptions is appropriate and sets a bad precedent. He felt that the code states that parking should be on the actual property and not a block away, and that citizens will feel the impact of continually building residential properties above commercial and not creating enough parking.

Ms. Saul agreed that the parking appears to need to go through proper zoning ordinance changes. If changes to the code are to be made, those should be done first. Mr. Larson clarified the parking numbers and stated that he feels that the requirements are met. If the agreement is amenable with the tenant and the developer, it may not be the Commission's business to subjectively speculate as to what the problems might be. Mr. Leeper asked if it is the Commission's job to police who uses the spots if the developer is providing the proper number of spaces. Ms. Howard stated that the code requires parking for the residential tenants of the building, not for the commercial. Since the developer and the grocery store have clearly indicated that the parking will be reserved for the grocery store, the developer will need to show where the parking for the residents will be provided. She also noted that a developer can always provide more parking than what is required. She explained that off-site parking is allowed in the Central Business District within a reasonable distance, but there would need to be an agreement between the developer and the City to reserve that parking over time. Mr. Leeper stated his support for staff recommendations. Mr. Hartley noted that he has concerns with the parking. Although it meets the current code, he feels that there could be conflict and that more parking should be provided. He would like to see a better solution than what is proposed. The item was continued to the next meeting.

- 4.) The Commission then considered a Central Business District Overlay design review for a remodel of the building at 4th and Main Streets. Chair Leeper introduced the item and Mr. Atodaria provided background information. He explained that the building is located at 108 E. 4th Street and the vacant land sits at northeast corner of 4th and Main Street. The request from the applicant is to propose an indoor/outdoor restaurant at this site and the idea is to utilize the maximum of the original structure and retrofit the use. Mr. Atodaria mentioned that this building was never designed as a storefront building and the applicant is requesting an

exception to the fenestration requirements and painting the brick facades. City staff is supportive of those exceptions, as the code allows exception for buildings which are on corner lots and were never designed as storefront buildings. Mr. Atodaria discussed other façade elements in detail, including architectural features, proportion, color, projecting sign, outdoor patio area, street furniture, building entries, materials, windows and transparencies, texture and composition of façade. He discussed that the proposal is likely to make great utilization of this site and also enhance the building, its use, surrounding area and be a great addition to downtown. Staff recommends discussion of the submitted proposal.

Brian Wingert, on behalf of Stone and Terrace LLC, stated that this proposal is more to retrofit the use of an existing building and therefore an exception to fenestration was requested. He was excited for this adaptive re-use project. Previously the commission did discuss how to emphasize adaptive re-use and retain the existing character of a place. It is intended to do the same with this project and pay homage to the history of the site. Moreover the project will bring new activity to this corner, as it is not utilized for about 11 months of the year. Community Main Street has a plan for Santa's workshop, so that will not be an issue. Community Main Street also provided a letter supporting the project, stating that everyone is excited about it. Mr. Wingert believed that most of the regulations have been met and that the requested exception is also supported by staff. He would like to move this forward to Council, if the commission does not have any concerns or comments, to get the project moving quickly. Ms. Saul mentioned that the proposal looks very good. Adding to the comment, Ms. Lynch mentioned that the proposal is going to be a great addition to downtown.

Ms. Saul made a motion to approve the item. Mr. Larson seconded the motion. The motion was approved unanimously with 8 ayes (Hartley, Holst, Larson, Leeper, Lynch, Saul, Schrad and Sears), and 0 nays.

- 5.) The next item of business was a land use amendment and rezoning from M-1 to HWY-1 at 7009 Nordic Drive. Chair Leeper introduced the item and Mr. Sevy provided background information. He explained that the property is in the Industrial Park close to the intersection of Highway 58 and Ridgeway Avenue, and staff feels it would be appropriate to change the land use map from Industrial to Commercial Corridor for that area, since at least a portion of the area has already been zoned HWY-1 and could also include the area proposed for rezoning. Staff recommends discussion at this meeting and setting a public hearing for March 10, 2021. Mr. Sevy then noted that the Commission could either discuss the land use amendment portion of the item or he could continue providing information with regard to the rezoning request that goes with it. Mr. Leeper chose to continue with the zoning information.

Mr. Sevy explained that the applicant is seeking to use the 7.5 acre property at 7009 Nordic Drive for medical or clinical purposes, which is not allowed in the M-1 District. The applicant would like to rezone the property to HWY-1 to allow those uses and Mr. Sevy noted that that zoning district is more restrictive than the M-1 District in many ways. He provided information regarding requirements to fit into the HWY-1 district, including a 20-foot landscaped setback, green space of 10% land area, street trees equivalent to 875 planting points and the interior of parking lots requiring landscape islands with one overstory tree for every 15 stalls.

If the rezoning is approved, staff recommends the following conditions:

- Improve the property to meet the green space planting and street tree requirements as outlined in the staff report.
- Require a landscaping plan and planting schedule prior to final approval of the rezoning.
- The conditional agreement should identify a timeline for when the parking lot interior landscape islands and setback will be brought into compliance.
- Any other conditions identified by the Commission and City Council.

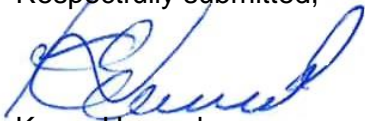
At this time, staff is bringing the project forward for discussion and requesting that the Commission set a public hearing for the next meeting.

Ms. Saul stated that the land use amendment and rezoning make sense. The Commission agreed to set the public hearing for March 10 for the land use map amendment and rezoning.

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

The meeting adjourned at 7:00 p.m.

Respectfully submitted,

  
Karen Howard  
Community Services Manager

  
Joanne Goodrich  
Administrative Assistant

## **Cedar Falls Planning and Zoning Commission Work Session**

**February 24, 2021  
City Hall with Videoconference  
Cedar Falls, Iowa**

The Cedar Falls Planning and Zoning Commission met in special work session on February 24, 2021 at 7:00 p.m. in person and by videoconference. The following Commission members were present: Hartley, Holst, Larson, Leeper, Lynch, Saul, Schrad, and Sears. Prideaux was absent. Stephanie Houk Sheetz, Director of Community Development, Karen Howard, Community Services Manager, and Michelle Pezley, Planner III were also present.

Mr. Leeper opened the work session. Ms. Howard noted that a hard copy of proposed new code was provided to each Commissioner and explained that the staff broke down the review of code into four work sessions for the next four weeks. She asked the Commission for questions and what topics they want to focus on.

Mr. Leeper asked what the process timeframe for this to be adopted. Ms. Howard said that they are giving the public a month to review the code amendments. Staff is also meeting to go over the code with Community Main Street and have also offered work sessions for development professionals in the community to discuss and ask any questions. Staff has allotted three dates for the Planning and Zoning Commission to hold a series of public hearings beginning on March 24. She said that timeframe is adjustable based on how quickly the Commission would like to move forward. Once the Planning and Zoning Commission makes the recommendation to the City Council, there will be a presentation of the Commission's recommended draft to the City Council at a Committee of the Whole meeting. City Council will have the opportunity to hold work sessions, as needed. The code amendments and rezoning will take three separate votes at City Council; staff is anticipating mid to late summer before the code is adopted.

Mr. Leeper asked for a general rundown of the impact to the general public once the code is adopted. Ms. Howard stated that the code is intended to implement the provisions of the *Imagine Downtown! Vision Plan*. The code update will provide specific standards to make a clear and objective code so that it is clear to both the developers and to the public what is expected. This will also allow most projects to be approved administratively. The process time will be reduced as not every application will go before the Planning and Zoning Commission and City Council.

Mr. Leeper asked when the last code updated in this area was done. Ms. Howard pointed out the original code was adopted in the 1970's and there has been layers of amendments making the code a patchwork of amendments over the years. Consequently, the code is ambiguous in places, with conflicting provisions in others, making it difficult to use and understand.

Geoff Ferrell, with Ferrell Madden joined the meeting by videoconference. Mr. Ferrell went over the three parts to the proposed form based code: Regulating Plan (organize by frontages), building forms standards, and architectural standards. The Regulating Plan and form-based code provides more clear and objectives standards, but also more flexibility to fine tune the zoning to the different character areas identified in the vision plan.



Ms. Saul asked how this code looks at uses. Mr. Ferrell pointed out that the use definitions are more general and there are more uses under those definitions. There are some building frontages that have more prescriptive or limited uses, such on Main Street where retail is allowed along the front façade and other uses are allowed in other floors or the back of building. Ms. Saul pointed out that she found the uses listed on page 92 and Mr. Ferrell also pointed to page 31.

Mr. Leeper asked if there are variations of the form based code around the country and how do they differ. Mr. Ferrell said there are many examples of form based codes in the country and they vary based on who is drafting the code. There are some form based codes that are very detailed and little flexibility while others provide more flexibility.

Ms. Saul asked how other cities or developers receive the form based codes. Mr. Ferrell thought that the form based codes are well received. There maybe a few people that don't like it at first but once they go through the process once, they find that they like the code. The code provides a path to move forward with a project with clear standards. If you meet the standards, the project is approved.

Mr. Hartley asked if form based codes stimulate development. Mr. Ferrell had seen where the form base codes, once adopted, stimulated development; as most form based codes provide more flexibility than standard codes. Ms. Howard pointed out when the City was working on the Vision Plan; the consultant team had an economist as part of the team to look at the market in Cedar Falls. That person looked at what needed recalibrating to encourage development and to make sure that vision was attainable.

Ms. Saul stated that the new code requires hiding the utilities. Have the utility company been contacted with this code provision? Mr. Ferrell said that the utilities were consulted and he stated that they will be consulted again before this process is over. Ms. Howard pointed out that Cedar Falls Utilities have been great to work with.

Mr. Leeper asked what the Commission should be mindful of in their review. Mr. Ferrell thought it was important to walk through the code and want to make sure the public sees how it all fits together; how design is different; and it is a different way of thinking. Ms. Howard pointed out that there is a lot a little details that could become overwhelming topics. Mr. Ferrell said that asking questions are the key. Ms. Howard added that the City is working with Community Main Street and developers with their own work sessions to make sure that the code fits Cedar Falls. She also noted that once we see how the code works in action, tweaks can always be made in the future.

Ms. Saul asked why a garage door is not allowed on the storefront on Main Street. Mr. Ferrell said it is about quality that the City wants within Main Street and there are better ways to connect the interior space with the outside.

Ms. Saul stated that she has been able to travel internationally and did not understand the requirement to have a one to three feet wall from the ground to limit foot traffic into a Main Street retail space. Ms. Howard noted that that the restriction on using garage doors was limited to the designated storefront frontages along the parkade to ensure that the traditional storefronts and historic character is maintained. Community Main Street and other indicated the importance of preserving the historic character of downtown. This restriction is intended to further that goal of the vision plan. She noted that most traditional storefront configurations include a short knee wall below the large display windows. Ms. Saul stated that she was also

interested on how this plan will help protect the historic character of downtown and that answered that question.

Mr. Larson asked if the property owner would like to make improvements to an existing building or change the use of the building, what triggers the review process and how does grandfathering fit in. Ms. Howard stated that the last work session will review a “trigger” chart that will answer this question. She said the main point is it will depend on what the property owner is proposing to do. Generally, the goal is as properties are improved over time they are brought closer into compliance with the new code requirements.

Larson asked how it was decided where the different frontage designations were placed on the regulating plan. Howard explained how the adopted Vision Plan has a lot of detail regarding the existing character of each area and where the transition between different frontages would be located. The code is intended to implement the plan. She continued and highlighted that the code provides the neighborhood manners section for those transition spaces and provide protections for single family residences for new development does not loom over them. Mr. Larson thought the code should be mindful of existing commercial uses around Overman Park and along Clay Street.

Ms. Saul asked for clarification regarding the “civic buildings” shown on the regulating plan and how they were treated differently. Mr. Farrell stated that the team was careful to define and regulate civic buildings because these institutional buildings are different by design and function and should not be tied to the same rules as other uses. They are meant to stand out and be special buildings. Ms. Saul asked if there is room to build a new civic building at a new location. Mr. Ferrell stated that it is possible but they would need to go through the rezoning process to change the designation on the Regulating Plan map.

Mr. Larson asked about the changing the frontage types on the Regulating Plan. Ms. Howard pointed out that if there is someone that would like to change the Regulating Plan, they would have to go through a rezoning process. A subdivision would be required if new streets need to be created; the property owner will have to rezone the property as well. Mr. Ferrell added that the Vision Plan looked very carefully of the frontage types based on the existing uses and pointed out that at the transitional line between the two frontages; is flexible within 30 feet of that transition line. Larson asked that if someone wanted to move the transitional line more than 30 feet then the property owner would require a rezoning process. Mr. Ferrell agreed and he pointed out that the transitional line between small neighborhood frontage and urban frontage would be harder to change.

Mr. Larson asked about the special condition that is noted within the Regulating Plan key and asked for an explanation for how does that apply. Mr. Ferrell pointed out that there are only two scenarios in which the special condition applies. He showed on the map where there is a corner lot is along a street and alley within the commercial frontages. There is a special provision that the parking minimum line may be reduced if the parking is behind a building wall. The other special condition is in a neighborhood frontage type where a property is on the corner of the alley and the street. The property owner may move closer to the property line if the parking is within a garage.

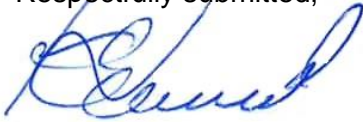
Mr. Larson asked when it would be appropriate to bring up the boundary line between districts. Ms. Howard said at any time during their work sessions. Mr. Larson asked about the few houses along Franklin Street around Overman Park has businesses within the residences. Ms. Howard pointed out that the Vision Plan looked very closely at that area and the current regulations do not allow new residential uses in the existing zoning district, even though the

existing buildings were originally built as houses. The proposed code would allow these original structures to be re-used again as housing or be redeveloped as new housing. Ms. Sheetz pointed out that the City received public comment regarding that area to be able to build new single family residences in that area. Mr. Larson recommended looking closer at that area to allow the existing businesses to remain.

Ms. Howard asked the Commission if there is anything that they would like to focus during one of the work sessions to let her know. She also told the Commission that she would send all the remaining work session agendas to the Commissioners so they can see what is being proposed when. Ms. Saul mentioned that parking will be one topic in which they will focus.

As there were no further comments, Mr. Leeper asked for a motion to adjourn. Ms. Lynch made a motion to adjourn. Ms. Saul seconded the motion. The motion was approved unanimously with 8 ayes (Hartley, Holst, Larson, Leeper, Lynch, Saul, Schrad, and Sears), and 0 nays. The meeting was adjourned at 8:12PM.

Respectfully submitted,



Karen Howard  
Planning & Community Services Manager



Joanne Goodrich Community  
Administrative Assistant



## DEPARTMENT OF COMMUNITY DEVELOPMENT

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### MEMORANDUM

#### Planning & Community Services Division

**TO:** Planning and Zoning Commission  
**FROM:** Chris Sevy, Planner I  
**DATE:** March 4, 2021  
**SUBJECT:** Rezoning Request – 7009 Nordic Drive

**REQUEST:** Rezone property from M-1 Light Industrial District to HWY-1 Highway Commercial District. (Case #RZ21-002)

**PETITIONER:** Lydia Brown; Skogman Realty

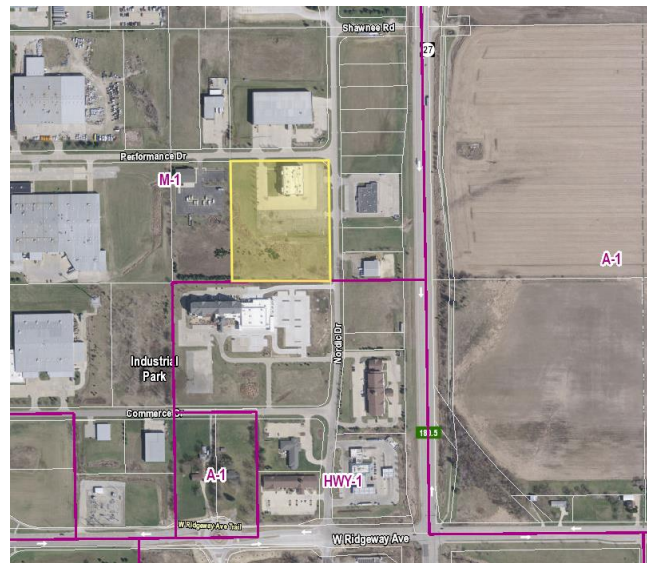
**LOCATION:** 7009 Nordic Drive

### PROPOSAL

The applicant is seeking to use the property at 7009 Nordic Drive for medical or clinical purposes which is not allowed in the M-1 Light Industrial District as a principal permitted use. Therefore, the applicant is requesting to rezone this property to HWY-1 Highway Commercial where medical or clinical uses are allowed.

### BACKGROUND

7009 Nordic Drive was zoned M-1 Light Industrial since prior to its platting in 2001. The building was built in 2003 as a secondary education facility and was used as a general education and nursing school until February 2019. Today, part of the building is leased to Compassus, LLC which offers hospice services. The equipment rental and staffing aspects of hospice are acceptable activities in the M-1 District as long as inpatient care is not a principal use. The HWY-1 Highway Commercial District boundary borders this property on the southern edge. On the map to the right the purple lines indicate the zoning district boundaries and the subject property is



shaded in yellow.

## ANALYSIS

The intent of the M-1 Light Industrial District is as the name implies. It prohibits heavier industrial uses that produce odors, emissions, noise, and other hazards. By contrast, it limits residential uses and uses for human care only to situations where those uses are incidental to a principally permitted use. Otherwise, the M-1 district has a very broad list of allowed uses because our code has a “use pyramid” where the higher-intensity zones allow most or all of the uses of the lower zones plus a few more uses that are unique to that zone. The M-1 District allows basically all commercial uses listed in C-3, C-2, and C-1 zones. Residential and human care are limited since they are not compatible with industrial uses that could have noises through the night and other activities that can be considered nuisances to 24-hour living, but not to other M-1 uses.

As a city we have used the M-1 Light Industrial District to apportion land in the form of industrial parks and reserve those areas for potential economic growth where firms can locate. Rezoning this parcel takes away somewhat from that, but the impact is not concerning as our industrial parks still have plenty of space to fill.

This 7.37 acre property borders a Hilton Garden Inn to the south which is zoned HWY-1 Highway Commercial. The HWY-1 District is intended to serve the travelling public and regional customer bases. It has a relatively short list of allowed uses and is more restrictive than the M-1 Light Industrial District. Also the HWY-1 District specifically prohibits manufacturing and warehousing which are not ideal uses for the existing building at 7009 Nordic Drive.

Also worth noting are the aesthetic standards of the HWY-1 District which outlines architectural standards, standards for plantings in parking areas, green space standards, street trees, and other landscaping requirements. The District also requires an unpaved landscaped 20-foot setback from the street. These requirements are not met by the site as currently constituted and reasonable improvements should be required as conditions of the rezone. These standards will be required for all future site proposals including anything that will take up the open space to the south of the current building. In contrast to the M-1 district, all HWY-1 site plans require review and approval by the Planning and Zoning Commission and City Council.

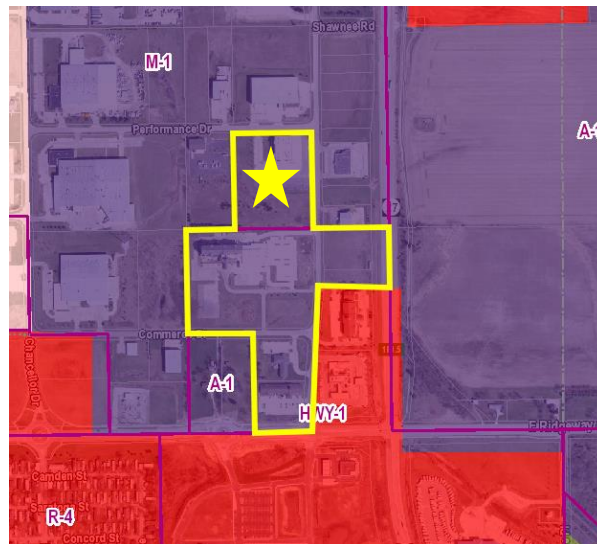
The following is an outline of specific requirements of the HWY-1 District and how they should inform conditions of the rezone:

1. There is a required 20-foot setback from the property line along streets and accessways consisting of landscape material. This setback applies to parking areas and structures.
  - a. Deficiency: The row of parking along the eastern edge encroaches 13 feet into this setback. Also, the northern border of the parking lot encroaches 5 feet.
  - b. Condition of rezone: Unless major improvements are intended by the applicant at this time, it will not be reasonable to immediately expect an adjustment or reconfiguring of the parking area. However, a timeline may be agreed upon between the city and applicant as to when the property will be brought into compliance. If prior to that timeline any future development plan requires post-construction storm water control per article 6 Section 24 of the Cedar Falls Code of Ordinances then the owner will be required to abide by this setback standard at that point.

2. There is required green space equal to 10% of the entire site area in addition to (not including) the 20 foot setback. This is intended to be distributed throughout the site with plantings equating to 6,421 planting points based on the point schedule for the HWY-1 District. The applicant has indicated an intention to develop the southern portion which makes up approximately 40% of the site area. The planting points required for the northern portion should be 3,853.
  - a. Deficiency: The current plantings do not meet the points requirement. There is plenty of green space on the western edge of the property and a grass area immediately bordering the western edge of the building.
  - b. Condition of rezone: The applicant should be required to submit a landscaping plan noting the planting points achieved by current and proposed plantings based on the planting point schedule for the HWY-1 District.
  
3. Street trees equating to 875 planting points are required based on the point schedule for the HWY-1 District.
  - a. Deficiency: There are currently 5 understory street trees that achieve 200 points total which falls short of the 875 point requirement.
  - b. Condition of rezone: The applicant should be required to submit a landscaping plan demonstrating that they meet the points for the street tree requirement.
  
4. In addition to the above requirements, the interior of the parking lot is required to provide one overstory tree for every 15 parking stalls. The applicant has indicated that 290 parking stalls are on the property which requires 20 overstory trees. The applicant has also indicated that 160 parking stalls would be associated with the existing building and the rest would provide parking for potential development of the area to the south.
  - a. Deficiency: There are no overstory trees in the interior of the site parking lot.
  - b. Condition of rezone: Unless major improvements are intended by the applicant at this time, it will not be reasonable to immediately expect them to install islands for interior trees. However, a timeline may be agreed upon between the city and applicant as to when the property will be brought into compliance. If prior to that timeline any future development plan requires post-construction storm water control per article 6 Section 24 of the Cedar Falls Code of Ordinances then the owner will be required to abide by this standard at that point.

Rezoning considerations also involve evaluation of three main criteria:

- 1) *Is the rezoning request consistent with the Future Land Use Map and the Comprehensive Plan?*  
 Not at this time. The Future Land Use Map shades this property in purple which is for industrial use. It is evident that a large portion of the area south of 7009 Nordic Drive currently zoned as HWY-1 is designated for industrial. True to the HWY-1 District, the entire area outlined in yellow which includes the subject property in the northernmost portion (marked by a star) should be amended to be a "Commercial Corridor" which is



designated by areas shaded in red. A proposal to amend the Future Land Use Map concurrent with the rezoning consideration will make the zoning and the Future Land Use Map consistent with each other.

2) *Is the property readily accessible to sanitary sewer service?*

Yes, all utilities are readily available to the site.

3) *Does the property have adequate roadway access?*

Yes, the property currently has access to Nordic Drive and Performance Drive.

### TECHNICAL COMMENTS

Staff believes the following should be conditions of the rezone:

1. Property must undergo improvements to meet the green space planting and street tree requirements as outlined in staff's analysis. A code compliant landscaping plan and planting schedule will be required prior to final approval.
2. The City and the applicant will work to establish an agreement on the timeline for when the parking lot interior and setback will be brought into compliance. An executed agreement will be required prior to final approval.

A notice was mailed to property owners within 300 feet of the parcel under consideration on February 17, 2021 regarding this rezoning request. Notice was also published in the Courier on March 3, 2021.

### STAFF RECOMMENDATION

Staff recommends that the request to rezone 7009 Nordic Drive from M-1, Light Industrial District to HWY-1, Highway Commercial District be approved subject to the following conditions:

1. Property must undergo improvements to meet the green space planting and street tree requirements as outlined in staff's analysis. A code compliant landscaping plan and planting schedule will be required prior to final approval.
2. The City and the applicant will work to establish an agreement on the timeline for when the parking lot interior and setback will be brought into compliance. An executed agreement will be required prior to final approval.
3. Any other conditions identified by the Planning and Zoning Commission and City Council.

Concurrent with the rezone, Staff also recommends approval of an amendment to the Future Land Use Map to designate the specified HWY-1 zoned properties as Commercial Corridor.

### PLANNING & ZONING COMMISSION

Introduction 2/24/2021 Chair Leeper introduced the item and Mr. Sevy provided background information. He explained that the property is in the Industrial Park close to the intersection of Highway 58 and Ridgeway Avenue, and staff feels it would be appropriate to change the land use map from Industrial to Commercial Corridor for that area. Staff recommends discussion at this meeting and setting a public hearing for March 10, 2021. Mr. Sevy then noted that the Commission could either discuss the land use amendment portion of the item or he could continue providing information with regard to the rezoning request that goes with it. Mr. Leeper chose to continue with the zoning information.

Mr. Sevy explained that the applicant is seeking to use the 7.5 acre property at 7009 Nordic Drive for medical or clinical purposes, which is not allowed in the M-

1 District. The applicant would like to rezone the property to HWY-1 to allow those uses and Mr. Sevy noted that that zoning district is more restrictive in many ways. He provided information regarding requirements to fit into the HWY-1 district, including a 20-foot landscaped setback, green space of 10% land area, street trees equivalent to 875 planting points and the interior of parking lots requiring landscape islands with one overstory tree for every 15 stalls.

The recommended conditions of the rezoning include:

- The property must undergo improvements to meet the green space planting and street tree requirements as outlined in the staff report.
- A code compliant landscaping plan and planting schedule will be required prior to final approval.
- The City and the applicant will need to work to establish an agreement on the timeline for when the parking lot exterior and setback will be brought into compliance. An executed agreement will be required prior to final approval.
- Any other conditions identified by the Commission and City Council.

At this time, staff is just bringing the project forward for discussion.

Ms. Saul stated that the land use amendment and rezoning make sense. The item will be brought back to the Commission on March 10.

Attachment: Letter to Adjacent Property Owners  
Public Notice





## DEPARTMENT OF COMMUNITY DEVELOPMENT

**PLANNING & COMMUNITY SERVICES**  
 220 CLAY STREET  
 PH: 319-273-8606  
 FAX: 319-273-8610

**INSPECTION SERVICES**  
 220 CLAY STREET  
 PH: 319-268-5161  
 FAX: 319-268-5197

**RECREATION & COMMUNITY PROGRAMS**  
 110 E. 13<sup>TH</sup> STREET  
 PH: 319-273-8636  
 FAX: 319-273-8656

**VISITORS & TOURISM/  
 CULTURAL PROGRAMS**  
 6510 HUDSON ROAD  
 PH: 319-268-4266  
 FAX: 319-277-9707

February 17, 2021

RE: Rezoning Request

7.37 acres of property located at 7009 Nordic Drive, the southwest corner of the intersection of Nordic Drive and Performance Drive.

Dear Area Resident/Property Owner:

I wish to notify you that the City of Cedar Falls Planning and Zoning office has received a request to rezone approximately 7.37 acres of property located at 7009 Nordic Drive, the southwest corner of the intersection of Nordic Drive and Performance Drive from M-1 Light Industrial District to HWY-1 Highway Commercial District.

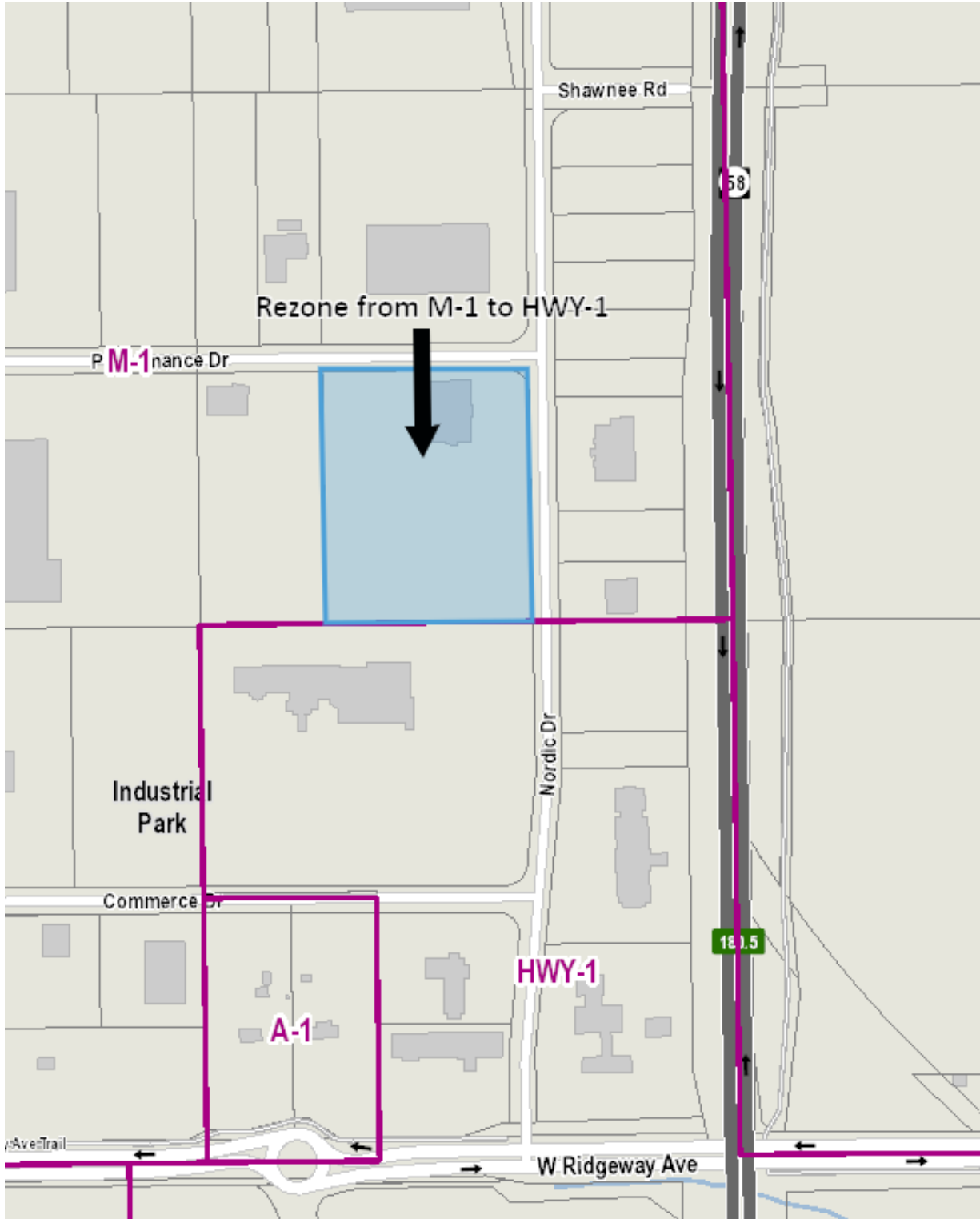
This rezoning request will be introduced for initial discussion at the Cedar Falls Planning and Zoning Commission meeting **on Wednesday, February 24, 2021. At that time, the Commission will discuss the request and consider any public comments. Also, a public hearing for this rezoning will potentially take place on March 10, 2021. Based on pandemic levels, meetings may be by videoconference or an option to come to City Hall may be available, please check the agenda prior to the meeting, which will be posted at [www.cedarfalls.com/ccvideo](http://www.cedarfalls.com/ccvideo).** Directions on how to participate in the meeting and provide your comments will be included in the meeting agenda, which will be available on the city website. Written comments may be filed with the Commission at any time prior to the time of the meeting by forwarding your comments to [Chris.Sevy@cedarfalls.com](mailto:Chris.Sevy@cedarfalls.com). A copy of the staff report and attachments will be online by the end of the day on February 19 at [www.cedarfalls.com/ccvideo](http://www.cedarfalls.com/ccvideo).

If you have any comments or questions regarding this matter, please feel free to contact this office at (319) 273-8600. Thank you for your consideration.

Sincerely,

Chris Sevy  
 Planner I

Attachment: Rezoning Map



**PUBLIC NOTICE**

To Whom It May Concern:

NOTICE IS HEREBY GIVEN that Lydia Brown of Scogman Realty has petitioned the Cedar Falls Planning and Zoning Commission to rezone real estate located at 7009 Nordic Drive from M-1, Light Industrial District to HWY-1, Highway Commercial District. The property is described as:

CF INDUSTRIAL PARK PHASE XIV LOT 11 LOT 12 LOT 13 LOT 14

A public hearing will be held on said petition at 5:30 p.m. on the 10th day of March, 2021. To protect against the spread of COVID-19, said meeting may be conducted via videoconference and directions on how to participate in the meeting will be included in the meeting agenda, which will be available on the city web site at [www.cedarfalls.com](http://www.cedarfalls.com). At this time said Commission shall hear comments regarding the matter as presented in the petition. Written comments may be filed with said Commission at any time prior to the time of the public hearing by forwarding such comments to [Chris.Sevy@cedarfalls.com](mailto:Chris.Sevy@cedarfalls.com) and oral comments will be heard at said public hearing.

Brad Leeper, Chair  
Planning and Zoning Commission

**Please publish once: Wednesday, March 3, 2021**



## DEPARTMENT OF COMMUNITY DEVELOPMENT

City of Cedar Falls  
 220 Clay Street  
 Cedar Falls, Iowa 50613  
 Phone: 319-273-8600  
 Fax: 319-273-8610  
 www.cedarfalls.com

### MEMORANDUM

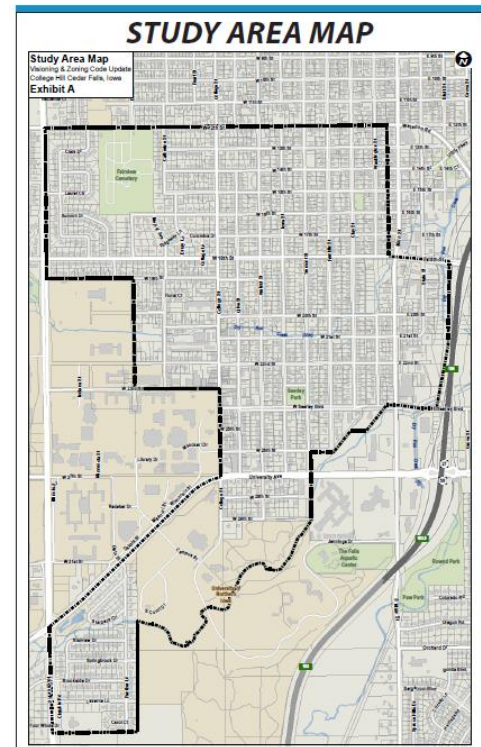
#### Planning & Community Services Division

**TO:** Planning & Zoning Commission  
**FROM:** Michelle Pezley, Planner III  
**DATE:** March 3, 2021  
**SUBJECT:** Discussion of Public Review Draft of the *Imagine College Hill!* – Vision Plan

### Project Background

College Hill is one of the older, more diverse, and densely populated areas within Cedar Falls. This area is another area, like the Downtown core, that has had many ongoing discussions about the importance of stabilizing and revitalizing the area. The last study done within College Hill was the 1993 College Hill Neighborhood Plan. The College Hill Overlay District was adopted in November 8, 1993

There was a recognition that more needed to be done to guide future growth in the College Hill and the surrounding neighborhoods to meet the current and future needs of the community. Therefore, the City initiated the *Imagine College Hill!* Visioning Project. The project has two phases, an extensive community visioning effort, followed by development of zoning tools to implement the vision. The study area includes the College Hill Overlay District, extends to the north to 12<sup>th</sup> Street, and extends to the neighborhood directly south of the University of Northern Iowa (see map to the right)



### Project Summary

Similarly to the *Imagine Downtown!* Vision Plan, the *Imagine College Hill!* Vision Plan is the result of an extensive public engagement process that kicked off January 2020 with a priority-setting session with the City Council, followed by a public workshop, stakeholder interviews, focused group sessions, and a study of the existing character of the study area, the market, and transportation network. Due to Covid-19, the Community Design Charrette was delayed to October of 2020 and held virtually. The intensive week long Community Design Charrette, was kicked off with a videoconference workshop where the public was invited to share their aspirations for the future to ensure that the plan would be grounded in reality. The design team held three drop-in lunch videoconferencing meetings to update the public of their process and hold informal conversations. The design team presented to the Planning and Zoning

Commission at their November 11, 2020 meeting on the big ideas gathered during the Community Design Charrette. Over the last several months, the consultant team, led by Ferrell Madden, has refined and fleshed out the plan and it is now ready for public review.

The *Imagine College Hill!* Vision Plan will provide a road map for growth and development in and around College Hill and surrounding neighborhoods in Cedar Falls. It will establish a general framework for public policy decisions and investment, in tandem with clear aspirations for the scale and character of future development of College Hill, which will be reflected in new zoning standards that will be developed in phase two of the project.

**Where we are today:**

At the February 10th Planning & Zoning Commission meeting, Ferrell Madden provided an overview of the public review draft of the *Imagine Downtown!* Vision Plan. The Imagine College Hill Vision Plan has been posted on [www.ourcedarfalls.com](http://www.ourcedarfalls.com) since February 11, 2021. There has been a survey posted in an effort to obtain feedback as well. Attached is the survey results as of March 26, 2021. The majority of the people that filled out the survey feel that the vision plan is on the right track.

**Recommendation:**

Staff recommends introducing the plan for initial discussion and inquiries at your March 10 meeting and to set the a formal public hearing for your March 24, 2021 meeting.

If you have any questions, please contact staff.

# Give us your feedback!

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## **SURVEY RESPONSE REPORT**

24 January 2021 - 22 February 2021

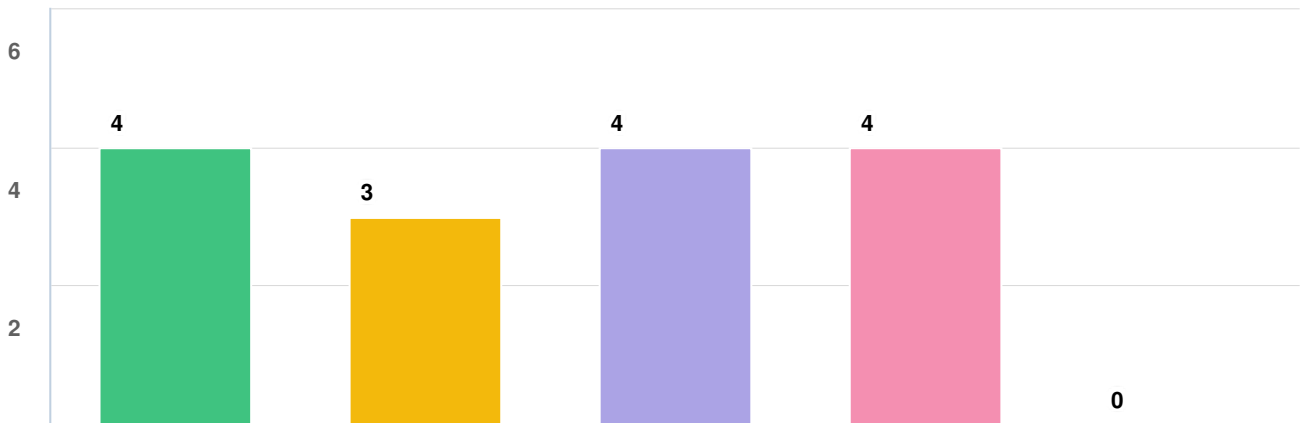
### **PROJECT NAME:**

Draft Imagine College Hill Vision Plan



SURVEY QUESTIONS

**Q1** Do you currently... (check all that apply)



**Question options**

- Live in the study area
- Work in the study area
- Own property in the study area
- Other
- Go to school in the study area

Mandatory Question (7 response(s))

Question type: Checkbox Question



**Q2** | If you answered 'OTHER,' please explain.

Anonymous

2/08/2021 12:32 PM

This is Michelle

Anonymous

2/16/2021 02:53 PM

I was a faculty member at UNI and know this area fairly well.

Anonymous

2/16/2021 06:44 PM

Shop, dine, and attend events in the study area

Anonymous

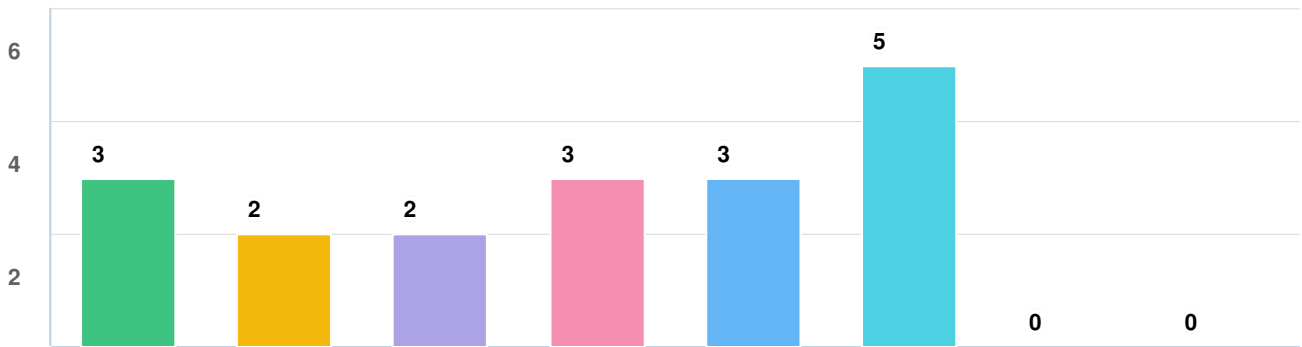
2/19/2021 11:38 AM

I also shop in the area, walk in the area, and am well-connected with neighbors and others living here.

**Mandatory Question** (4 response(s))

**Question type:** Single Line Question

**Q3 Which of College Hill Vision Plan events did you attend? (check all that apply)**

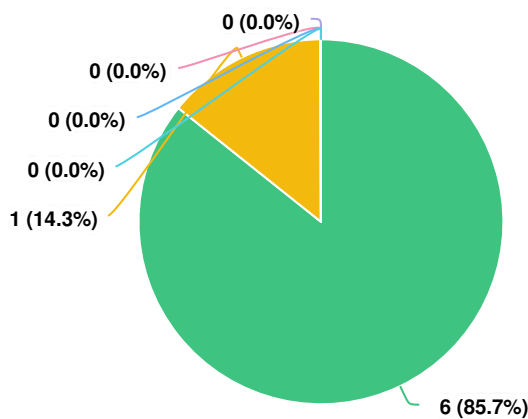


**Question options**

- Kick-Off Presentation (January 2020 at CEEE)
- Virtual Design Workshop (Saturday, October 3)
- Virtual Technical Meeting or Stakeholder Interview (October 5-7)
- Virtual Open Studio Q&A (October 5 or 7)
- Virtual Work-in-Progress Presentation (October 14)
- Virtual Draft Vision Plan Presentation (February 10, 2021)
- On-Line UNI Student Survey (October 3-8)
- None

Mandatory Question (7 response(s))  
Question type: Checkbox Question

**Q4 Based on your review of the Draft Imagine College Hill Vision Plan, in general, does the Plan provide a good framework for ...**

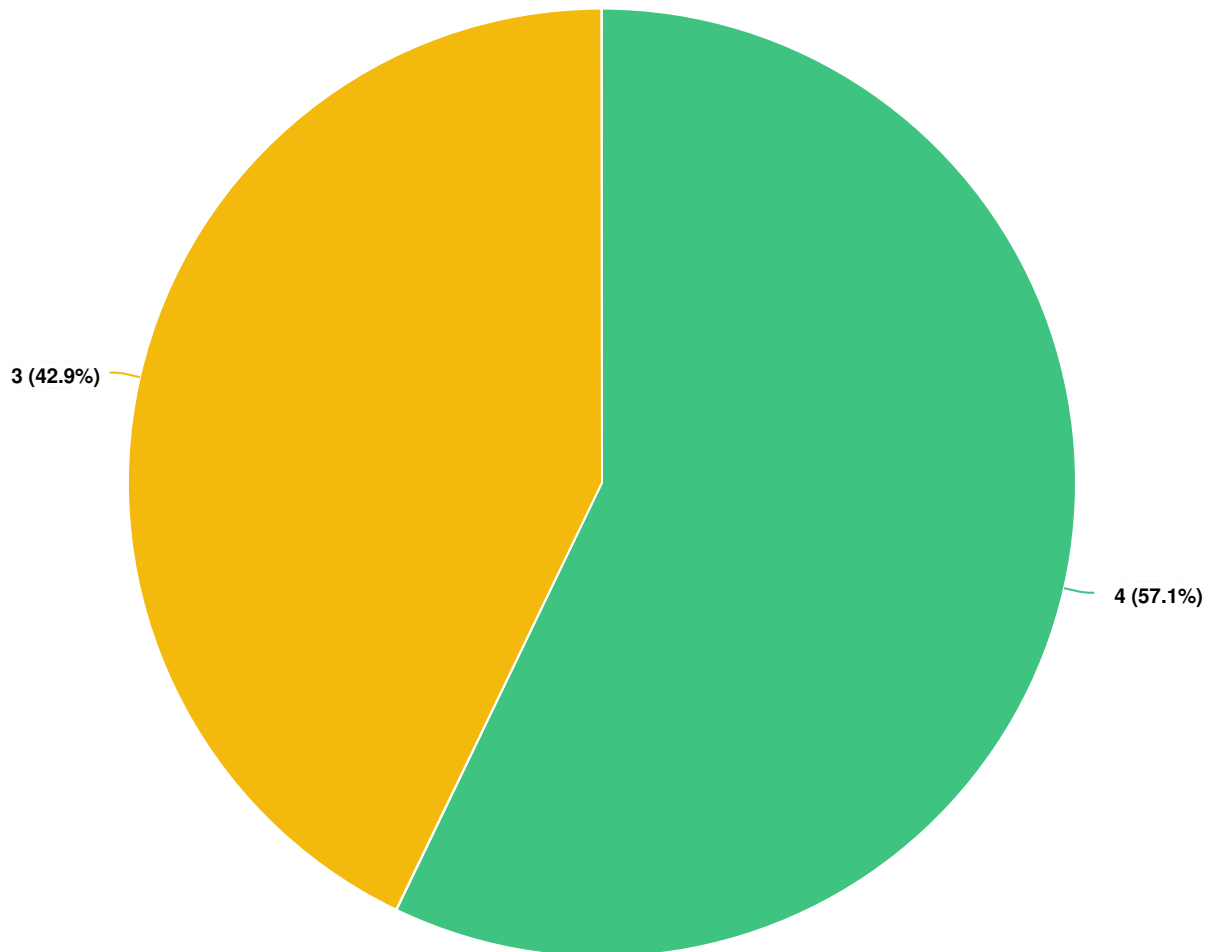


**Question options**

- Yes, definitely
- Generally, Yes
- Somewhat
- Generally, No
- Definitely Not
- Don't know/No opinion

Mandatory Question (7 response(s))  
Question type: Radio Button Question

**Q5 | Do you have any comments or questions about the PLAN RECOMMENDATIONS in the EXECUTIVE SUMMARY.**



**Question options**

- Yes
- No

*Optional question (7 response(s), 0 skipped)*  
*Question type: Radio Button Question*

**Q6** Please identify the specific Plan Recommendation(s), if applicable.

Anonymous  
2/08/2021 12:32 PM

this is Michelle

Anonymous  
2/16/2021 02:53 PM

While I agree there is a major parking situation, the plan seems to really hit that hard. The consultants seem to think that college students will live in the area and NOT bring their cars to Cedar Falls. Do they actually know college students?? And I wonder why you are considering clear up to 12th street as part of College Hill???

Anonymous  
2/19/2021 11:38 AM

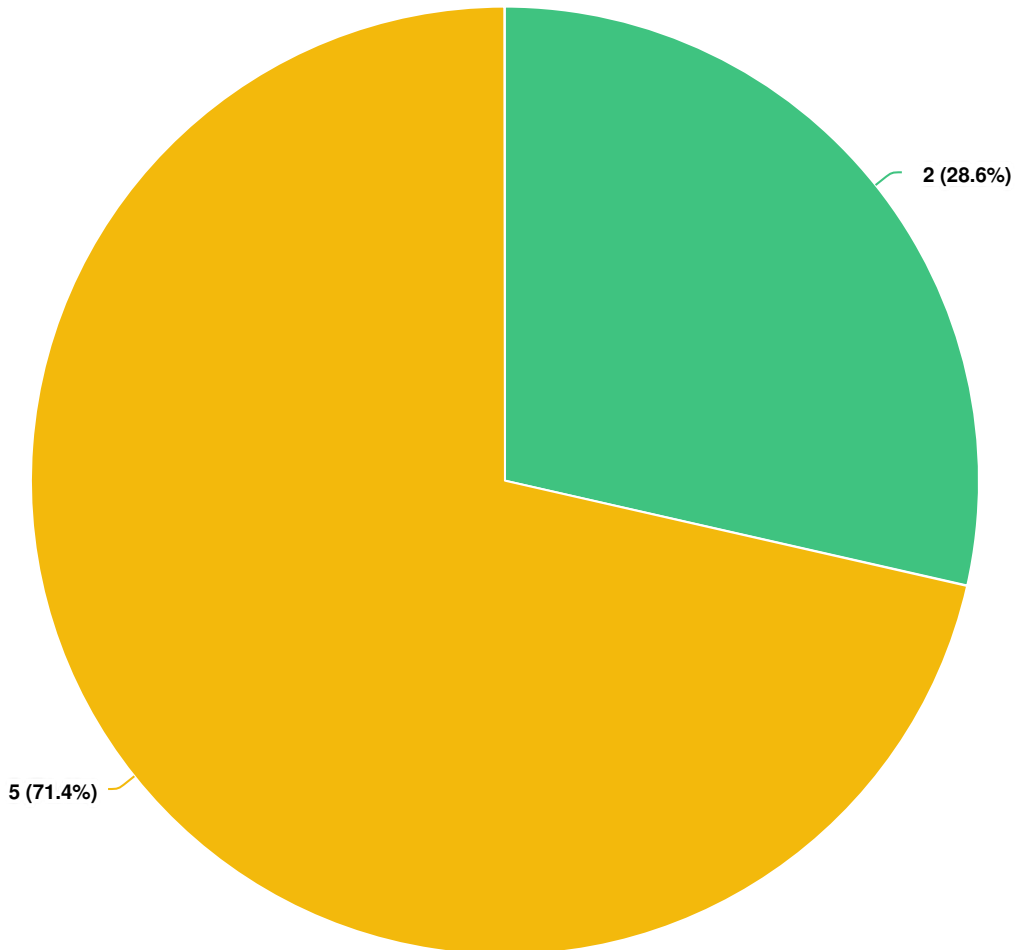
This is a great plan. It's visionary and will assist in providing good public space and connection between neighborhoods and college hill. I appreciate the aesthetic as well. I appreciate anything tying in interests of the various constituents in the area and not just something that will benefit the almighty dollar. Thank you for considering this plan and thanks to all who have worked so hard on it.

Anonymous  
2/22/2021 03:54 PM

I appreciated that the College Hill Partnership was included in the priorities listed in the Executive Summery. I would like to see in the "Create gateways to College Hill to provide a sense of arrival" section: a note that these gateways to the area are very important as the Hill is one of the first places that visitors to Cedar Falls by way of the university see. The Hill should play a vital role of inviting university visitors into the rest of the city.

**Mandatory Question** (4 response(s))  
**Question type:** Essay Question

**Q7** | Do you have specific comments and/or questions on the ANALYSIS section of the Imagine College Hill Vision Plan?



**Question options**

- Yes
- No

Mandatory Question (7 response(s))  
Question type: Radio Button Question

**Q8** Provide us your specific comments here! Please reference specific sub-sections or page numbers in your response, if possible.

Anonymous

2/08/2021 12:32 PM

Test: This is Michelle

Anonymous

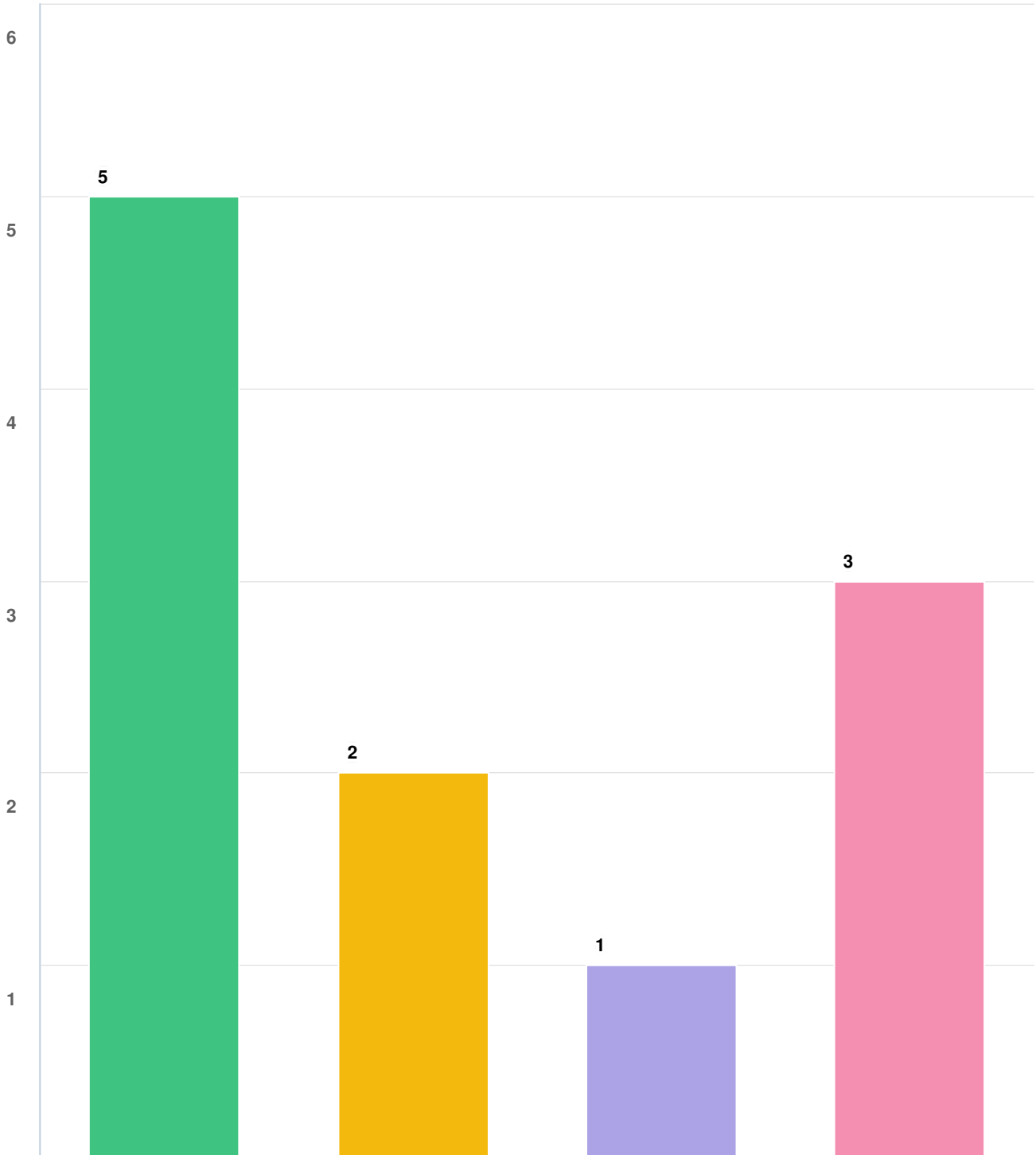
2/22/2021 03:54 PM

I appreciate the inclusion of feedback form the university students especially the highlight of mobility. There is a lot of speculation about the university students and their transportation habits and requirements by the greater community. Many times the speculation is just an assumption and not based on data for feedback from the current student population.

**Mandatory Question** (2 response(s))

**Question type:** Essay Question

**Q9** Some of the sub-sections of the IMAGINE COLLEGE HILL FRAMEWORK section of the College Hill Plan are listed below. Please select which sub-sections you'd like to comment on, if any.



**Question options**

- Big Ideas
- Character Areas
- Building Frontages
- No Comment on any sub-sections

Mandatory Question (7 response(s))  
Question type: Checkbox Question

**Q10 | Leave us your comments or questions about the BIG IDEAS for College Hill.**

Anonymous  
2/08/2021 12:32 PM

Test: This is Michelle

Anonymous  
2/16/2021 02:53 PM

The plan looks great. Is it realistic? Remake the streets? Remake store fronts? Where does the funding come from?

Anonymous  
2/16/2021 04:48 PM

Overall, the plans for transforming the Dry Run Creek area as greenspace is sound and quite positive. However, we should add mitigation against urban flooding by not building a walk way covering over the creek between Pettersen Plaza and Olive St. We need to secure our investment by allowing potentially record-level floodwaters to flow through rather than be squeezed by a longer drainage culvert beneath College St and Pettersen Plaza.

Anonymous  
2/16/2021 07:38 PM

The Big Ideas are all spot-on and the city and neighborhood need to take these up.

Anonymous  
2/22/2021 03:54 PM

I think these big ideas really capture the desires of the community to improve College Hill.

**Mandatory Question** (5 response(s))  
**Question type:** Essay Question

**Q11 | Leave us your comments or questions about the CHARACTER AREAS identified for College Hill. (Please include the name of the individual character area, if applicable.)**

Anonymous  
2/08/2021 12:32 PM

Test: This is Michelle

Anonymous  
2/22/2021 03:54 PM

Something minor but I do question why the houses along w 18th street (South Side) are included in Fairview Neighborhood I would think that would be included in Seerley Park and Clay Street Park.

**Mandatory Question** (2 response(s))  
**Question type:** Essay Question



**Q12** | Leave us your comments or questions about the **BUILDING FRONTAGE TYPES** identified for College Hill. (Please include the name of the individual building frontage type, if applicable.)

Anonymous

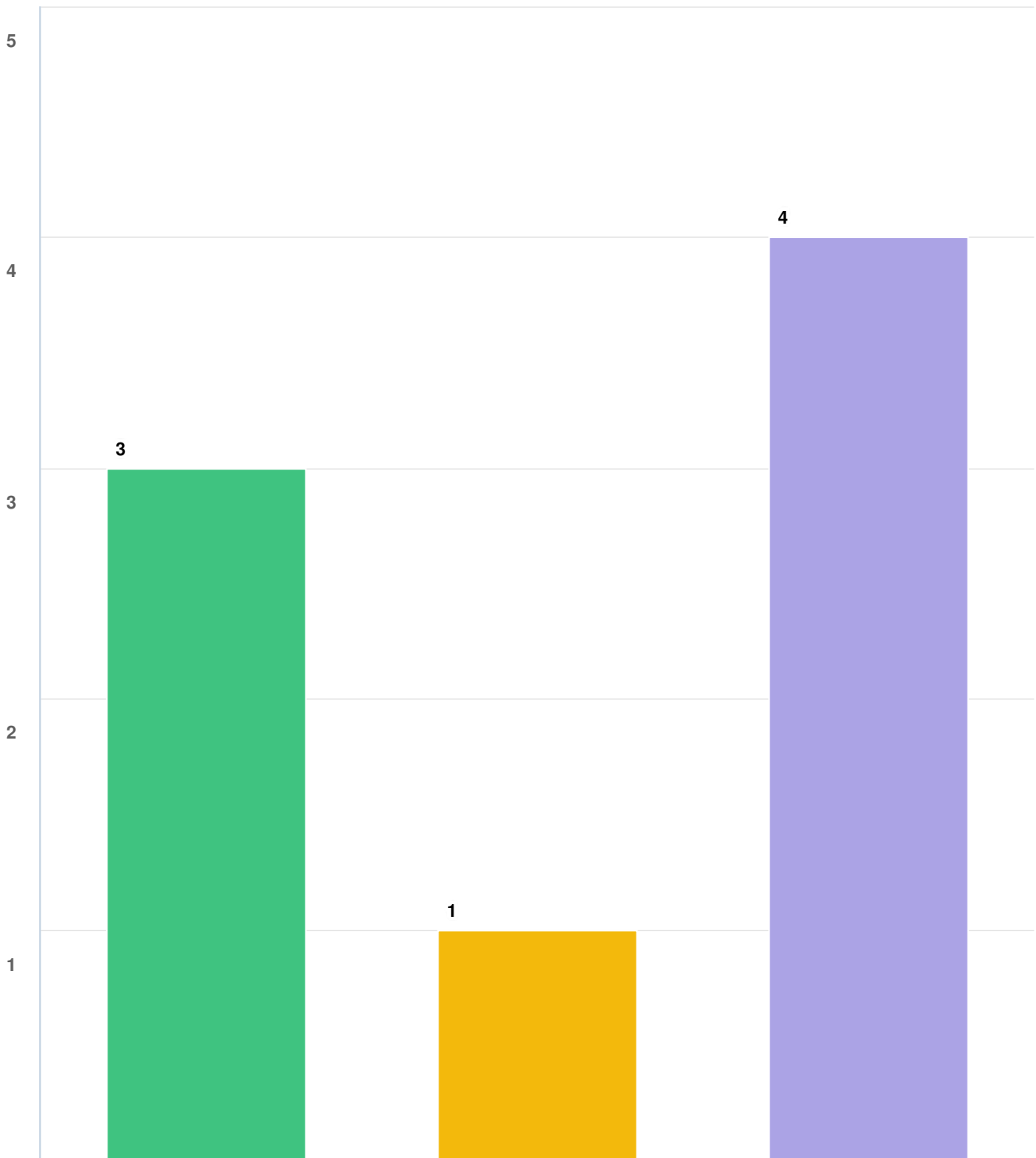
Test: This is Michelle

2/08/2021 12:32 PM

**Mandatory Question** (1 response(s))

**Question type:** Essay Question

**Q13** Some of the sub-sections of THE VISION section of the College Hill Plan are listed below. Please select which sub-sections you'd like to comment on, if any.



**Question options**

- Illustrative Projects: Visualizing Change
- Next Steps
- No Comment on any sub-sections

Mandatory Question (7 response(s))  
Question type: Checkbox Question

**Q14** | Leave us your comments or questions about any of the ILLUSTRATIVE PROJECT pages. (Please provide the project number or name with your response.)

Anonymous

2/08/2021 12:32 PM

Test: This is Michelle

Anonymous

2/16/2021 04:48 PM

Trees are extremely important and necessary to replace our devastated canopy. I really approve of the redevelopment of 23rd St. between College and Olive.

Anonymous

2/16/2021 07:38 PM

Beautiful. This is what we need.

**Optional question** (3 response(s), 4 skipped)

**Question type:** Essay Question

**Q15** | Leave us your comments or questions about the NEXT STEPS section.

Anonymous

2/08/2021 12:32 PM

Test: This is Michelle

**Optional question** (1 response(s), 6 skipped)

**Question type:** Essay Question

**Q16** | If you wish to provide any additional comments or questions, please use the space below.

Anonymous

2/08/2021 12:32 PM

Test: This is Michelle

Anonymous

2/16/2021 02:53 PM

I like parts of the vision. But please get realistic about this. AND - consider that the enrollment at UNI is not only way down now, but most likely will never get back to where it was in the fall of 2012 (i.e. over 13,000).

Anonymous

2/16/2021 06:44 PM

I fully support this vision plan. Comprehensive and forward thinking. Thank you!

Anonymous

2/22/2021 03:54 PM

I think the vision plan clearly describes exactly what we have been hearing in the public but also what was said in all of the public meetings. I am excited to see how this vision plan changes the hill over the long term. I hope that others in Cedar Falls will embrace this plan and be willing to take the steps to move it forward. Especially when it comes to changing the parking requirements close to campus to be able to execute the overall vision of enhancing the area.

**Optional question** (4 response(s), 3 skipped)

**Question type:** Essay Question