



AGENDA
CITY OF CEDAR FALLS, IOWA
PLANNING AND ZONING COMMISSION
WEDNESDAY, APRIL 25, 2018
5:30 PM AT CITY HALL - COUNCIL CHAMBERS

1. **Call to Order and Roll Call**
2. **Approval of Minutes**
3. **Public Comments**
4. **Old Business**
5. **New Business**

A. College Hill Neighborhood Site Plan Review – 1926 Tremont Street

Location: 1926 Tremont Street
Applicant: Aaron Carolan
Previous Discussion: None
Staff Recommendation: Approval.
P&Z Action Needed: Recommend approval and forward to City Council.

B. River Place 4th Addition - Preliminary and Final Plat

Location: Northeast end of E 4th Street at the entrance of the Water Reclamation Plant
Applicant: Eagle View Partners
Previous Discussion: None
Staff Recommendation: Approval.
P&Z Action Needed: Recommend approval and forward to City Council.

C. South Cedar Falls Urban Renewal Plan

Location: Southern Cedar Falls
Applicant: City of Cedar Falls
Previous Discussion: None.
Staff Recommendation: Approval.
P&Z Action Needed: Recommend that the proposed plan is in conformance with the general plan for the development of the city as a whole and forward to City Council.

6. **Adjournment**

Reminders:

- May 9th and May 23rd Planning & Zoning Commission Meeting
- May 7th and May 21st City Council meeting

**Cedar Falls Planning and Zoning Commission
Regular Meeting
April 11, 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, April 11, 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, Giarusso, Hartley, Holst, Leeper, Oberle, Saul and Wingert. Mr. Holst arrived shortly after the meeting began. Karen Howard, Community Services Manager, David Sturch, Planner III, and Iris Lehmann, Planner I, were also present.

- 1.) Chair Oberle noted the Minutes from the March 28, 2018 regular meeting are presented. Mr. Hartley made a motion to approve the Minutes as presented. Ms. Saul seconded the motion. The motion was approved unanimously with 6 ayes (Adkins, Giarusso, Hartley, Leeper, Saul and Wingert), 1 abstention (Oberle) and 0 nays.
- 2.) Rosemary Beach, 5818 Sage Road, came forward with public comments suggesting the City look at the codes more closely in an effort to communicate information with the community. She asked if there was an ex-parte rule for the Planning and Zoning Commission. She cited several newspaper articles and discussed amending zoning codes to address community concerns. She also asked staff and the Commission to find better ways to notify neighbors.

Chair Oberle asked Ms. Sheetz to speak to the ex-parte rules. Ms. Sheetz explained that discussions regarding any land use matter that will come before the Planning and Zoning Commission or the City Council need to happen at a public meeting, so all can hear and will have the benefit of the public input and discussion. This ensures transparency with the information being discussed. It protects everyone involved from any miscommunication and allows everyone the opportunity to comment on aspects being discussed. Ms. Sheetz also noted that in the case of a rezoning, the City is required to notify neighbors within 300' of the property. The notifications are sent before Planning and Zoning Commission and City Council meetings. About nine months ago, the City started to send out courtesy notifications for any land use matter, required or not, to make an effort to maintain transparency. Ms. Sheetz explained that the zoning ordinance overhaul process will be starting soon as well.

Ms. Saul noted that 300' is not as large of a distance as people think it is, meaning that notifications are not required to be sent to as many neighbors as people sometimes think they should. Mr. Holst also noted that we typically send notifications further away than that distance. Mr. Sturch stated that 400 letters were sent out for these rezoning matters.

- 3.) The first item for consideration by the Commission was a discussion regarding zoning ordinance amendments. Chair Oberle introduced the item and Mr. Sturch provided background information. He explained that the goals are to promote existing Commercial Districts for commercial users, promote mixed use developments, and maintain commercial users at the street level. Comprehensive Plan Goals include mixed land uses, retail expansion, and promoting walkable neighborhoods. He discussed mixed use buildings and the definitions that are involved, including principal use, accessory/secondary use and consistency with past interpretation of main level use. Mr. Sturch also talked about parking provisions that need to be addressed, and displayed the results of a parking survey done in other cities. Staff introduced the Ordinance at the January 24, 2018 meeting and have met with Community Main Street and the College Hill Partnership. He noted questions that still need to be

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discussed and considered, and stated that staff would like to continue discussion, research additional information and continue public outreach to gain input from the community. Staff recommends closing the public hearing and tabling the matter in order to gather more information.

Mr. Holst made a motion to approve to receive and file the public notice. Saul seconded the motion. The motion was approved unanimously with 8 ayes (Adkins, Giarusso, Hartley, Holst, Leeper, Oberle, Saul and Wingert), and 0 nays.

Chair Oberle declared the public hearing open and invited the public to come forward with comments or questions. Eashaan Vajpeyi, 3831 Convair Lane (on behalf of his client, Brian Sires and himself), asked why certain parts of the code ordinance overhaul are taking place now and if they are eventually going to be run through a consultant. He questioned the parking ratios that were displayed during the introduction and stated that he doesn't believe Cedar Falls would want the parking in the city to be comparative to a community like Iowa City. He also cautioned allowing the mixed use definition to create a situation where parking is not required in places where it will be needed. He noted that issues with variances made for parking should be handled by the Board of Adjustment, not the Planning and Zoning Commission.

Dennis Bigelow, 3909 Beaver Ridge Circle, stated that parking needs to be available for businesses to survive. He noted that he has spoken to different individuals that are in business with regard to businesses on College Hill. He asked what the requirements be to open a business in that area and the standard answer was parking availability and accessibility.

Carol Lilly, Community Main Street, applauded the Commission for taking a look at the issue. She noted that there is a strategic planning session scheduled for discussion of the parking issues, and would like to get input from other community members and business owners. She also stated that historically, residential is a component of commercial, which is an important part of downtown that they would like to continue.

Brad Leeper clarified that the Commission is not trying to legitimize a particular project. The current zoning requirements were set up based on a classic Main Street commercial building with one story of residential above it. Recently, the Commission has been seeing a different level of development with larger buildings and more density and they are trying to address the issues to clarify it.

Ms. Saul noted that a constituent sent a text to a councilmember stating that Ms. Saul was upset about the parking issue. She clarified that she was concerned, not upset. She agrees that each district is different in its own way and looks forward to further discussion.

Mr. Holst stated that he doesn't agree with having different C-3 regulations between downtown and College Hill. He believes that more variations create more difficult situations. He would prefer a solution that will be uniform and work across the whole City. He also mentioned that the studio size may need to be reconsidered for appropriate parking adjustment.

Ms. Saul asked again about principal use of a structure. She would like more discussion on how that is determined. Ms. Howard clarified that the reason a mixed use definition is being considered is to get away from a principal or secondary use, as all uses in larger mixed use buildings are really principal uses and are creating some kind of parking demand. There is currently confusion on how to calculate parking. The idea is to eliminate the confusion and gray area for parking requirements.

Ms. Giarusso asked about the proposed zoning code overhaul review process when a

consultant is hired and whether it would be better to wait to make these changes. Ms. Howard stated that it may be some time before a new zoning code would be in place and the intent of the current effort is to clarify the parking standards, particularly for the C-3 Zones, as there may be more developments proposed before the total overhaul is discussed. Parking standards can be reviewed again for the zoning code overhaul; however, it is currently a concern, so probably should be addressed at this time to prevent further uncertainty and confusion..

Carol Lilly stated that what is really needed is a better picture of where we want to go as a City.

Ms. Saul made a motion to table the item for a later date. Mr. Holst seconded the motion. The motion was approved unanimously with 8 ayes (Adkins, Giarusso, Hartley, Holst, Leeper, Oberle, Saul and Wingert), and 0 nays.

- 4.) The Commission then considered a zoning ordinance discussion regarding the Central Business District Overlay Amendments. Chair Oberle introduced the item and Ms. Lehmann provided background information. She noted that even though a drafted text amendment has been provided to the commission, at this time Staff would just like feedback on the direction and general ideas being proposed. Ms. Lehmann summarized that the two main points of the review of the district are to clarify the process itself and the applicability and threshold of the review criteria. She added that Community Main Street would like to continue to be a resource, but no longer wishes to review projects as an authority and this is one of the reasons that Staff and Community Main Street is seeking to add more objectivity to the code. In addition to providing more objectivity, staff would also like the Commission to consider removing projecting signage as a substantial improvement as well as flexibility for building setbacks. Ms. Lehmann first discussed setbacks, explaining that currently any new development has to comply with the underlying zoning setbacks that are in place, however many existing buildings are built up to the sidewalk. Staff would like to allow commercial professional offices to build up to the distance of the neighboring buildings in the area. Mr. Holst stated that he feels that it should apply to any building use in the area, not just commercial buildings. Other Commissioners agreed.

Ms. Lehmann then talked about the applicability of the façade design standards. Staff would like to propose that any new development or substantial change would still come through the Commission for approval, however if it falls in a C-1, C-2, or C-3 Zoning District, stricter review criteria would be applied. Residences containing less than seven dwelling units would be exempt from the stricter criteria. Ms. Lehmann provided the list of current review categories and the proposed changes. The first review criteria she asked for feedback on was a potential height requirement. Mr. Holst noted a concern with height limits. Mr. Leeper agreed that height should not be limited, particularly off Main Street. Historically, there were six to eight story buildings by the river at one time. A vision should first be created for downtown area and the requirements should follow. Ms. Saul agreed.

Ms. Lehmann then discussed building composition, noting that it is proposed to keep the small town feel by dividing facades vertically into bays of a minimum of 20 feet and a maximum of 40 feet in width. The bays would be distinguished by varying patterns, recessing wall planes, varying building materials, or establishing a rhythm of architectural elements. Facades would be built with a base, middle and top with horizontal features that generally line up along the street frontage. All mixed-use and non-residential buildings would have a minimum ground floor to structural ceiling height of 14 feet. The Commission liked this approach.

Windows and transparency were the next aspect Ms. Lehman discussed, explaining that 50% of the storefront area would be comprised of transparent windows and doors that allow views

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into the interior of the store. Exceptions would be allowed for buildings on corner lots and repurposing of buildings not originally designed as storefront buildings. Window areas would need to be concentrated between two and ten feet in height above the sidewalk level and start no more than three feet above sidewalk level. Windows should be clear and transparent with low reflectivity, with tinted windows being discouraged but allowed with to a 10% maximum. Upper floors would have a maximum of 75% window coverage. The Commission felt that 50% on the storefront area seemed like a low percentage. There was discussion on the other higher percentages.

Ms. Lehmann noted that a reduction or removal of existing windows would require Planning and Zoning Commission and City Council approval. Window film or perforated materials would be counted as 100% coverage. Exceptions would be in place to allow the Commission and Council to approve a project if characteristics of the site or building make it difficult or infeasible to meet the requirements, or the proposed design fits the characteristics of the site and the surrounding neighborhood, and is consistent with the intent of the standard being modified. The Commission liked this approach.

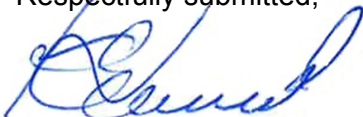
Ms. Lehmann explained that staff would like to see at least 50% of the façade and at least 25% of the rear and side faces of the building made of brick, stone, or terra cotta. She provided a list of other materials that could be used in limited amounts, such as fiber cement, aluminum, metal, EFIS, preformed panels painted wood, and the like. Mr. Holst and Mr. Leeper asked about the percentages and how they may change with the number of stories. It was agreed that the material percentages should be calculated by taking the building's surface area and subtracting the required glass coverage.

The next item Ms. Lehmann discussed was color, noting that it is proposed that buildings should be mostly earth and neutral tones, with potential for more colorful accents that would comprise of no more than 15% of the façade. She also discussed amendments with regard to building entry, stating that staff would like to add that storefronts with frontage of 100 feet or more, a visible entryway be installed every 50 feet. They would also suggest that it must be designed as a prominent feature of the building's design. The Commission liked the approach for the color but felt that requiring entrances to be at sidewalk level was overkill.

- 5.) As there were no further comments, Ms. Saul made a motion to adjourn. Mr. Leeper seconded the motion. The motion was approved unanimously with 8 ayes (Adkins, Giarusso, Hartley, Holst, Leeper, Oberle, Saul and Wingert), and 0 nays.

The meeting adjourned at 8:30 p.m.

Respectfully submitted,



Karen Howard
Community Services Manager



Joanne Goodrich
Administrative Clerk



DEPARTMENT OF COMMUNITY DEVELOPMENT

City of Cedar Falls
220 Clay Street
Cedar Falls, Iowa 50613
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MEMORANDUM
Planning & Community Services Division

TO: Planning and Zoning Commission
FROM: Iris Lehmann, Planner I
DATE: April 17, 2018
SUBJECT: College Hill Neighborhood District Site Plan Review – 1926 Tremont Street

REQUEST: Request to approve a College Hill Neighborhood District Site Plan for a new detached garage.
PETITIONER: Aaron Carolan
LOCATION: 1926 Tremont Street

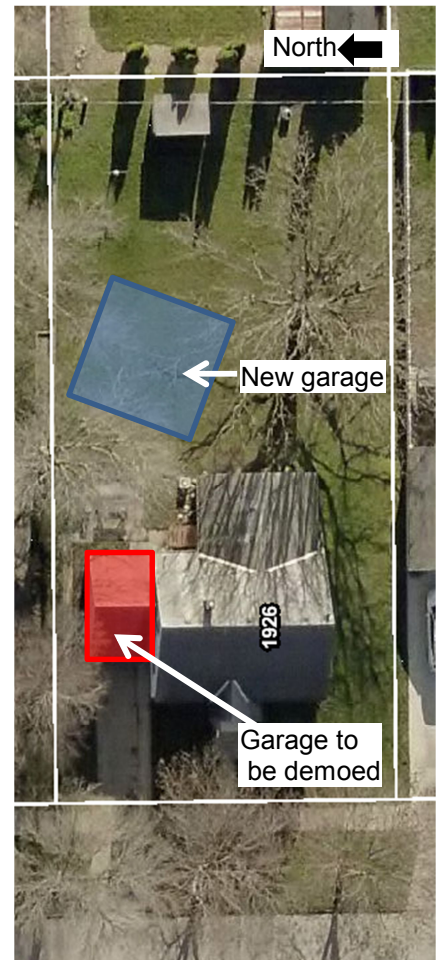
PROPOSAL

The owner of 1926 Tremont Street is proposing to demolish an existing 12ft x18ft attached garage and build a new 24ft x 24ft detached garage.

BACKGROUND

1926 Tremont Street, depicted on the right, has an existing 12ft x 18ft attached garage that has been located on the property since 1934 according to the Black Hawk County Assessor website. The property owners have proposed to remove this existing garage and build a new 24ft x 24ft detached garage. The new garage will be placed further back on the lot and angled to meet the current 8ft separation requirement between the house and garage and provide additional onsite parking.

All substantial improvements in the College Hill Neighborhood Overlay District, as defined in Section 29-160 - CHN, College Hill Neighborhood Overlay Zoning District, must be reviewed and approved by the Planning & Zoning Commission as well as City Council. The construction of a new detached garage qualifies as a substantial improvement under Section. 29-160 c, 20, g: "Any construction of a detached accessory structure measuring more than 300 sq. ft. in base floor area for a residential or commercial principal use."



Item 5.A.

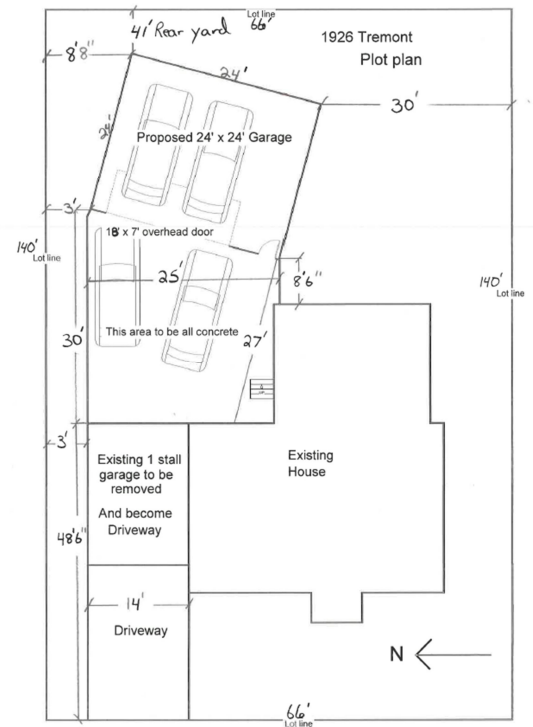
ANALYSIS

The College Hill Neighborhood Overlay District has specific requirements for new detached accessory structures within the district. General zoning requirements for detached accessory structures must also be followed. The attached submitted plans meet all of the minimum College Hill Neighborhood Overlay District and zoning requirements pertaining to detached accessory structures. Details on each requirement are reviewed below. If the new garage is approved by the Planning & Zoning Commission and City Council, a land use and building permit will be required.

Building Material, Color, Roof Lines, Roof Pitch and Roofing Materials: All detached accessory structures exceeding 300 sq. ft. in size shall have similar building materials, colors, roof lines, roof pitch and roofing materials as the principal structure. The proposed garage will be constructed with a light grey horizontal vinyl siding that matches the house. The roof of the garage will be steel and have a similar pitch as the house as well. This requirement has been met.

Setbacks: All detached accessory structures less than 600 sq. ft. in size are required to maintain a minimum 2ft setback from the side and rear property lines. Also, there shall be a minimum separation of 8ft from another structure on the property. The submitted site plan shows the new garage located 3ft from the side property line, 24ft from the rear property line, and 8ft 6in from the house. The applicant is also proposing to extend and replace the existing driveway to service the new garage. All driveways are required to have a 3ft setback from the property line. The submitted site plan shows a 14ft wide driveway that will expand to roughly 25 feet in front of the garage. The driveway will have a 3ft setback from the side property line. This requirement has been met.

Utilities: No structure is allowed over any utility easements. There are no known utility easements along the side of this property where the garage will be located. This requirement has been met.



TECHNICAL COMMENTS

No technical comments were offered.

PLANNING & ZONING COMMISSION

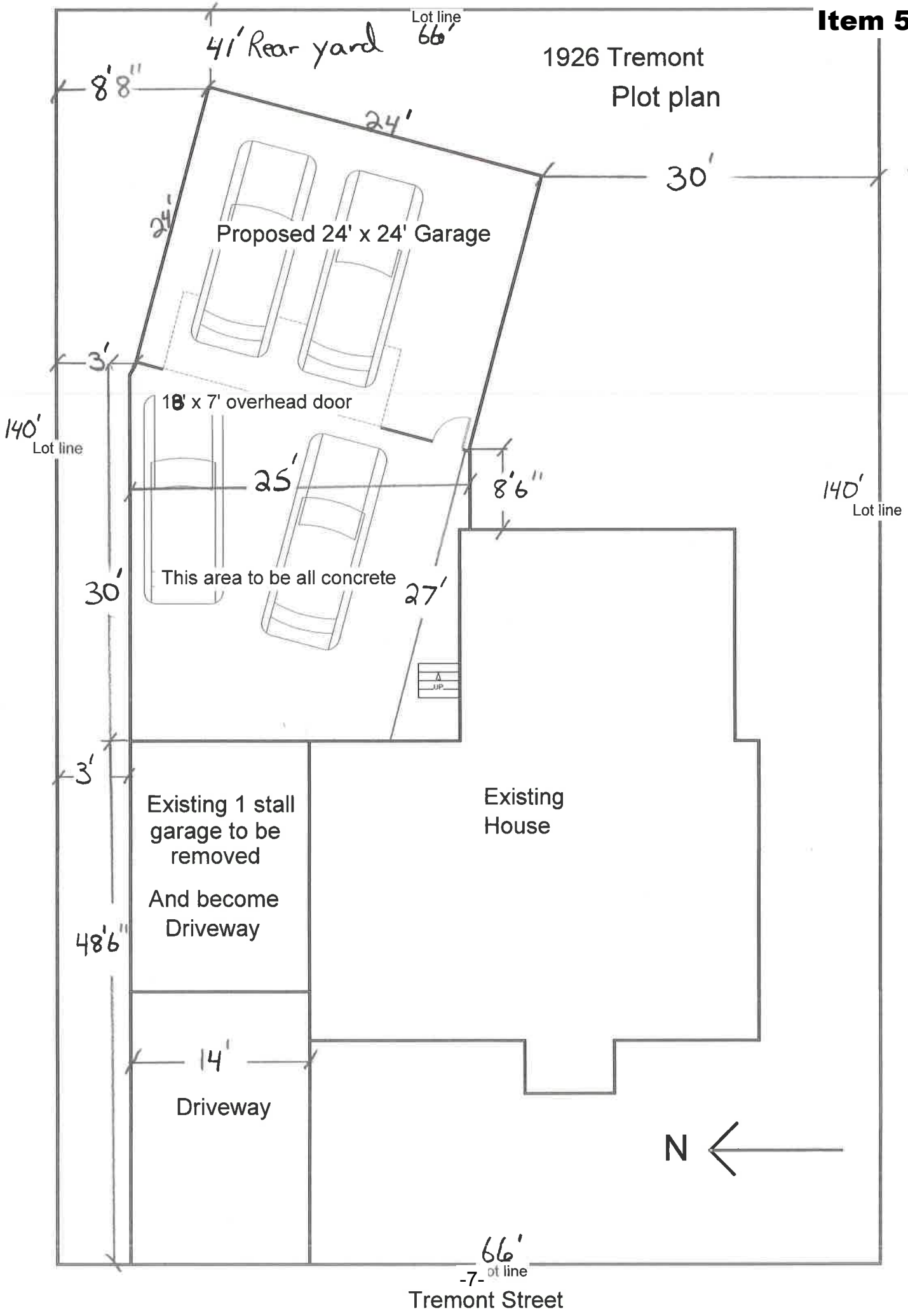
Discussion/Vote
4/25/2018

STAFF RECOMMENDATION

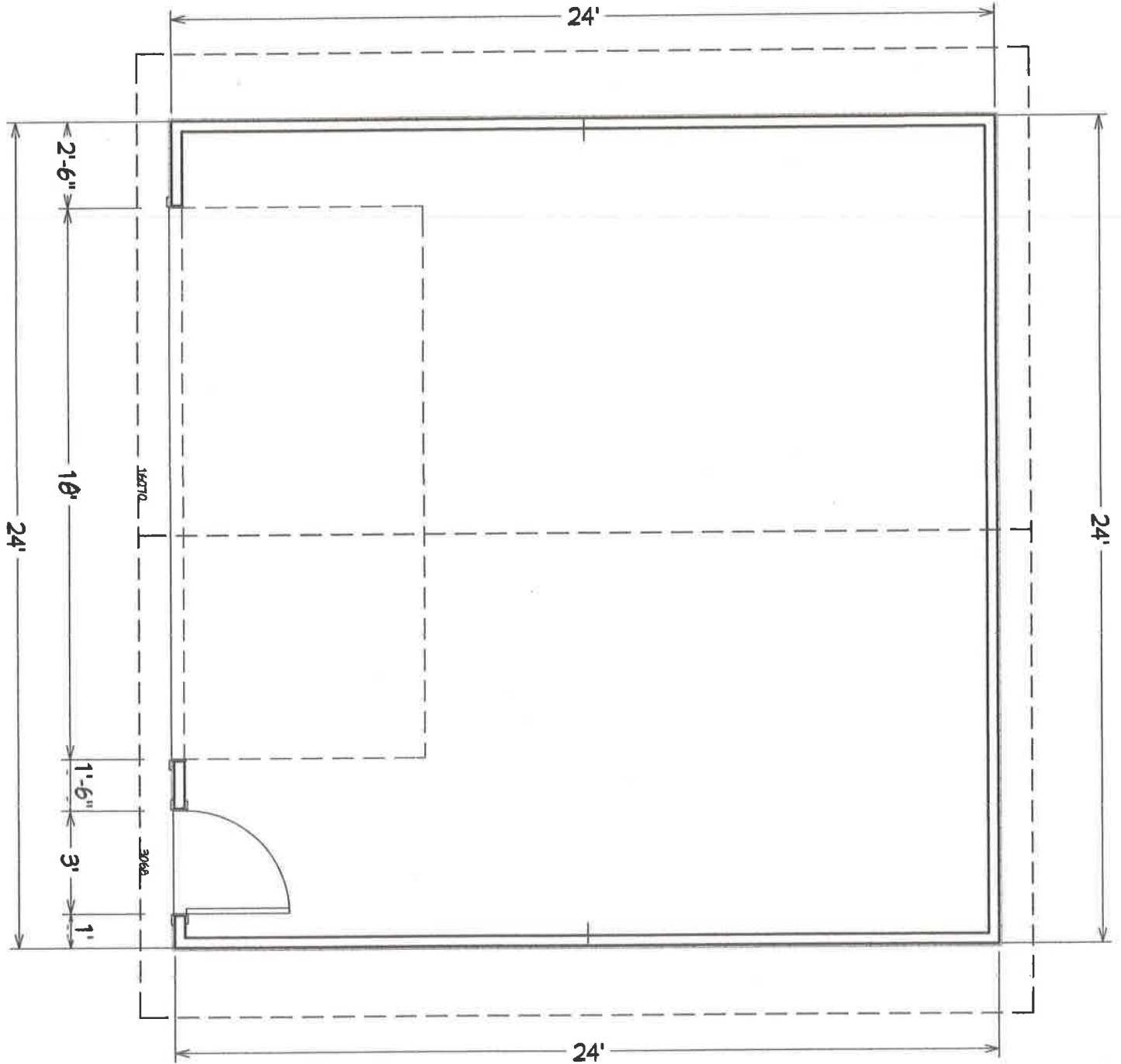
The proposed garage meets all of the College Hill Neighborhood Overlay Zoning District and Zoning Ordinance requirements and would not be out of character for this neighborhood. Staff recommends approval of the submitted garage site plan for 1926 Tremont Street.

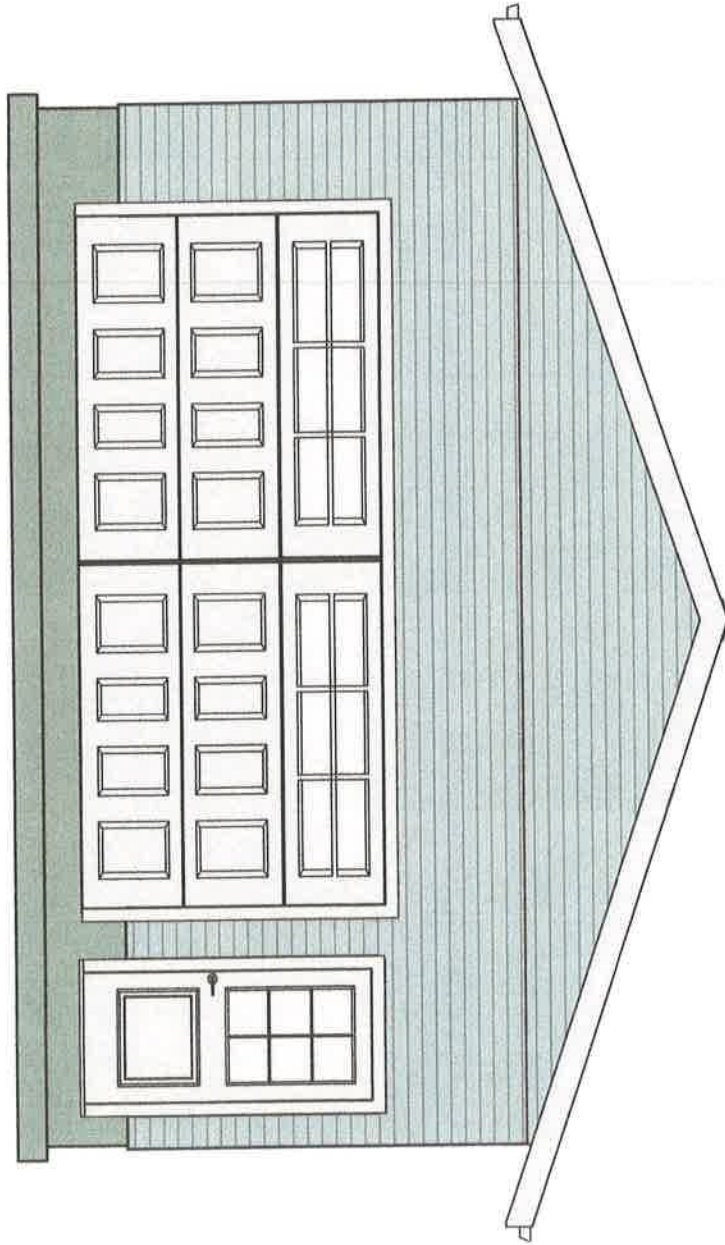
Attachments: Site Plan, Elevation sketches

Item 5.A.



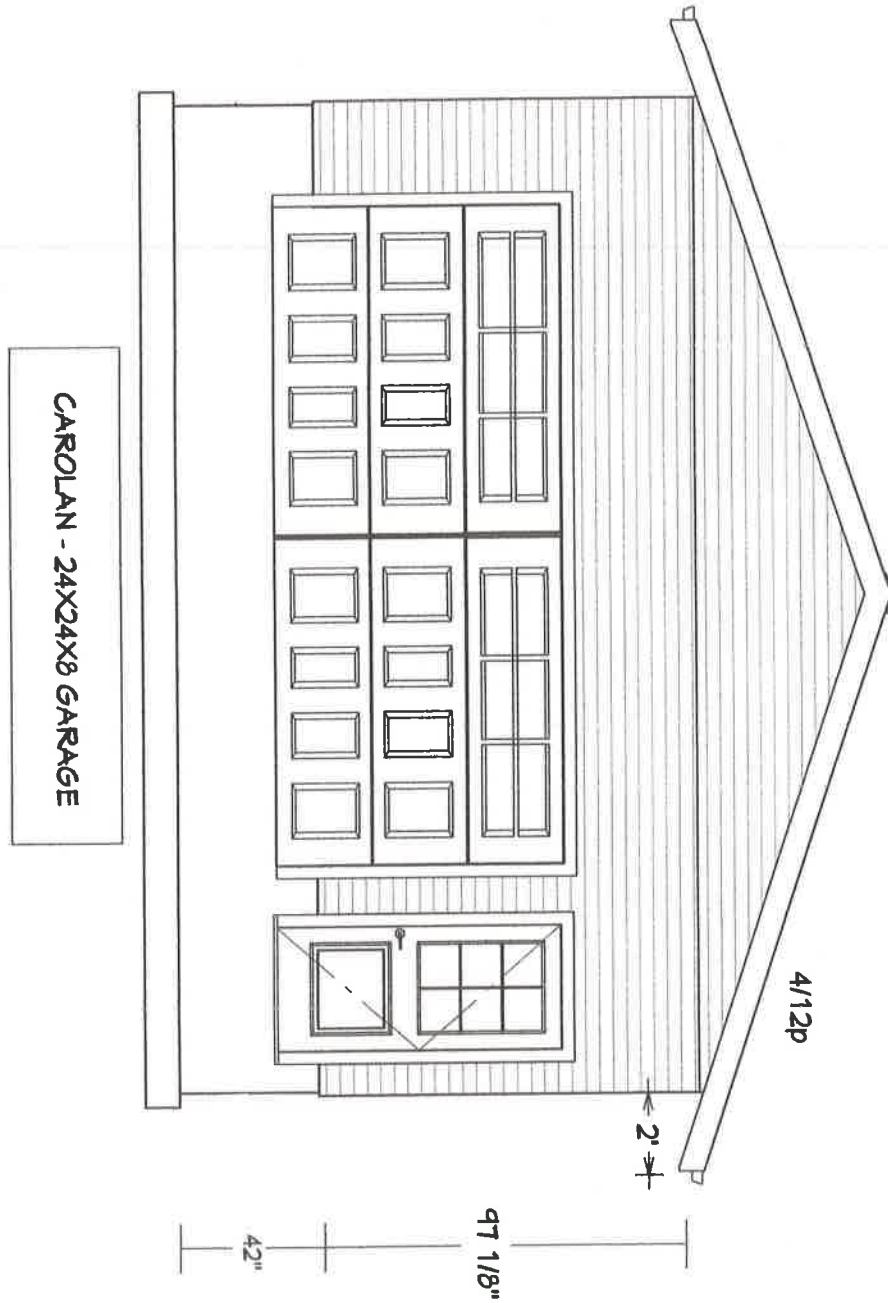
Item 5.A.





1926 Tremont

Item 5.A.





DEPARTMENT OF COMMUNITY DEVELOPMENT

City of Cedar Falls
220 Clay Street
Cedar Falls, Iowa 50613
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www.cedarfalls.com

MEMORANDUM

Planning & Community Services Division

TO: Planning & Zoning Commission
FROM: Iris Lehmann, Planner I
DATE: February 18, 2018
SUBJECT: River Place 4th Addition Preliminary and Final Plat

REQUEST: Review and approve the River Place 4th Addition Preliminary and Final Plat

PETITIONER: Eagle View Partners

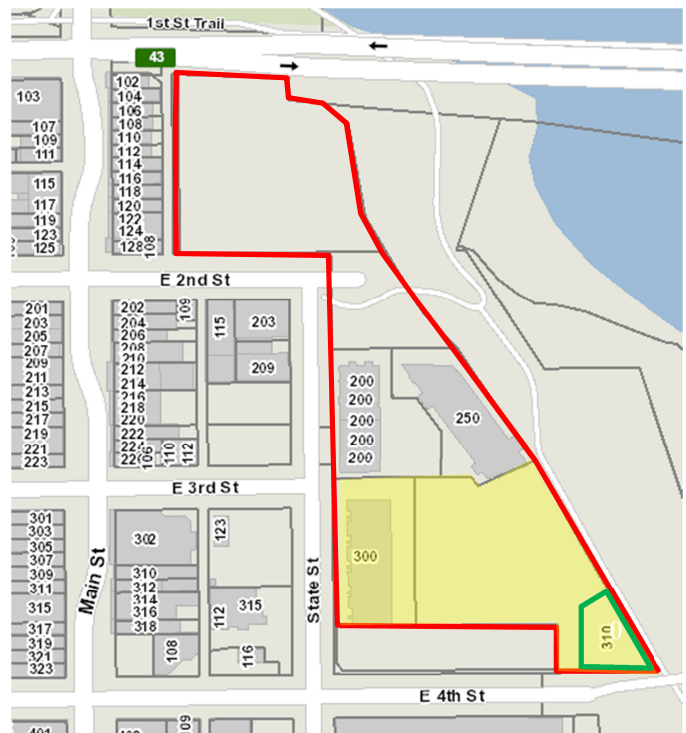
LOCATION: Northeast end of E 4th Street at the entrance of the Water Reclamation Plant

PROPOSAL

The applicant is proposing to create a new lot in the River Place Development to be purchased by Community Main Street (CMS). CMS intends to move their new office to this location. The proposed area will be for Commercial/Office use.

BACKGROUND

The River Place Mixed Use Development project and Master Plan was originally proposed and approved in 2012. The River Place Development encompasses roughly 6 acres from 4th Street to 1st Street, outlined in red in the image to the right. Since 2012 the Final Plats for River Place 1st Addition, 2nd Addition, and 3rd Addition were approved in 2012, 2013, and 2016 respectively. In addition to these Final Plats in 2013, a Minor Plat of Lot 1, created by the River Place 1st Addition, was approved. This Minor Plat split the original lot into two separate parcels, highlighted in yellow in the image to the right. The applicant is proposing another split, to create a new lot for CMS to purchase and move their office. This proposed new lot is outlined in green in the image to the right.



Item 5.B.

Per the city's subdivision code, land that has already gone through a Minor Plat cannot go through another. A full Preliminary and Final Plat review is required.

ANALYSIS

The property in question is located in the C-3, Commercial, zoning district. The proposed Subdivision Plat will create two new lots. Lot 1 will be roughly 0.2 acres and Lot 2 will be roughly 1.5 acres. C-3 zoning does not have a minimum lot area requirement. Lot 1 will be sold to CMS with the plan to locate their new office on it. Lot 2 will remain as part of the River Place Development. A public access easement will be placed over all of Lot 2 to ensure shared parking and free movement for both River Place and CMS staff and patrons. Both proposed lots have at least 40 feet of frontage on E 4th Street, this meets the subdivision minimum frontage requirement.

This property is not located in the 100 year floodplain district. All submittal requirements have been met. A courtesy notice has been sent to property owners within 300 feet of this plat.

TECHNICAL COMMENTS

City technical staff, including Cedar Falls Utilities (CFU) personnel, have reviewed the proposed Preliminary and Final Plats. All comments have been addressed. Water, electric, gas, and communication utility services are available in accordance with the service policies of CFU.

STAFF RECOMMENDATION

The Community Development Department recommends approval of the River Place 4th Addition Preliminary and Final Plats with the following stipulations:

- 1) Final signed documents are submitted prior to City Council approval.

PLANNING & ZONING COMMISSION

Discussion/Vote
4/25/2018

OWNERS' DEED OF DEDICATION AND STATEMENT OF RESTRICTIONS AND EASEMENTS

RIVER PLACE 4th ADDITION IN THE CITY OF CEDAR FALLS, BLACK HAWK COUNTY, IOWA

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, State Street Residences, LC, an Iowa limited liability company (hereinafter the "Owner"), and being desirous of platting and/or re-platting into lots the real estate legally described as set forth on attached Exhibit A, does hereby designate and set apart the aforementioned premises as a subdivision of the city of Cedar Falls, Iowa, to be known and hereinafter referred to as **RIVER PLACE 4th ADDITION IN THE CITY OF CEDAR FALLS, BLACK HAWK COUNTY, IOWA**, all of which is done with the free consent and desire of the undersigned.

RESTRICTIONS

1. The property is zoned C-3 and will be used for mixed-used commercial and residential purposes.
2. The property may be made subject to further restrictions by the Owner, its successors and/or assigns, or by any association that may later be established and charged with the responsibility for the future maintenance of portions of this subdivision.

EASEMENTS

1. The Owner does hereby give, grant, and convey to the City of Cedar Falls, Iowa, its successors and assigns, and to any private corporation, firm or person furnishing utilities for the transmission and/or distribution of water, sanitary sewer, gas, electricity, communication service or cable television, perpetual easements for the erection, laying building and maintenance of said services over, across, and/or under the property as shown on the attached plat.
2. Lots 1 and 2 are served by a shared parking lot. The tenants and residents of Lots 1 and 2 and their licensees and invitees shall have access to this parking lot. The use of said easement premises shall be for parking and access of the buildings located on Lots 1 and 2 and shall be limited in extent and duration to the extent necessary for accessing and servicing the businesses operating and residents living on said Lots 1 and 2. The owners of Lots 1 and 2 agree to execute and record a private easement agreement to address the further use, maintenance, repair and/or replacement of this shared parking lot as necessary following completion of private improvements on Lots 1 and 2.

Item 5.B.

3. The owners, tenants, and residents of the subdivision, and their invitees and licensees shall have an easement over across and along the driveways of the subdivision, including those private roads, drives, and parking lot lanes running through the subdivision, for purposes of access and ingress and egress.

IMPROVEMENTS

Section 27.408 of the Code of Ordinances of the City of Cedar Falls, requires a formal storm water management facility maintenance and repair agreement in connection with the initiation of private improvements on a subdivision. The property presently is subject to and benefited by that one certain maintenance and repair agreement with the City of Cedar Falls filed December 30, 2013, as Doc. No. 2014-12923.

The Owner shall construct and install or cause to be constructed and installed all required public improvements within the subdivision plat, which public improvements shall conform with approved construction plans which meet the specifications of the City of Cedar Falls, Iowa. Such required public improvements shall meet the following requirements:

1. They shall be constructed and installed in a good and workmanlike manner.
2. They shall be free of defects in workmanship or materials.
3. They shall be free of any conditions that could result in structural or other failure of said improvements.
4. They shall be constructed and installed in accordance with the design standards and technical standards established for such public improvements by the City of Cedar Falls and by Cedar Falls Utilities.
5. They shall be constructed and installed in strict compliance with the minimum acceptable specifications for the construction of public improvements set forth in the Cedar Falls Code of Ordinances, including without limitation, Chapter 24, Subdivisions, and as such specifications shall be recommended for approval by the City Engineer from time-to-time, and approved by the city council.

The Owners' construction plans are now on file in the office of the City Engineer for the City of Cedar Falls.

Dated this ____ day of March, 2018.

STATE STREET RESIDENCES, LC, an Iowa limited liability company

By: _____

Name: Mark Kittrell

Title: Managing Member

STATE OF IOWA, BLACK HAWK COUNTY, ss:

This instrument was acknowledged before me on this ____ day of January, 2016, by Mark Kittrell, as Managing Member of State Street Residences, LC.

Notary Public in and for the State of Iowa

Item 5.B.

EXHIBIT A LEGAL DESCRIPTION

PARCEL M IN THE MINOR PLAT OF RIVER PLACE 1ST ADDITION BEING A SUBDIVISION IN PART OF THE NE ¼ OF SECTION 12, TOWNSHIP 89 NORTH, RANGE 14 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF CEDAR FALLS, BLACK HAWK COUNTY, IOWA EXCEPT THAT PART DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL M; THENCE SOUTH 70°31' ½" WEST ALONG THE NORTH LINE OF SAID PARCEL M, A DISTANCE OF 71.0 FEET; THENCE SOUTH 89°58' ¼" WEST ALONG SAID NORTH LINE OF PARCEL M, A DISTANCE OF 40.47 FEET TO A POINT ON THE SOUTH LINE OF LOT 2 IN RIVER PLACE 3RD ADDITION; THENCE SOUTH 37°25'03" EAST ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 21.59 FEET; THENCE NORTH 65°56'33" EAST ALONG SAID SOUTH LINE OF LOT 2, A DISTANCE OF 103.53 FEET TO THE POINT OF BEGINNING OF SAID EXCEPTION.

SAID PARCEL CONTAINS 1.724 ACRES AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.



DEPARTMENT OF COMMUNITY DEVELOPMENT

City of Cedar Falls
220 Clay Street
Cedar Falls, Iowa 50613
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MEMORANDUM

Planning & Community Services Division

TO: Planning & Zoning Commission
FROM: Shane Graham, Planner II
DATE: April 19, 2018
SUBJECT: Approval of a proposed South Cedar Falls Urban Renewal Plan for a proposed South Cedar Falls Urban Renewal Area.

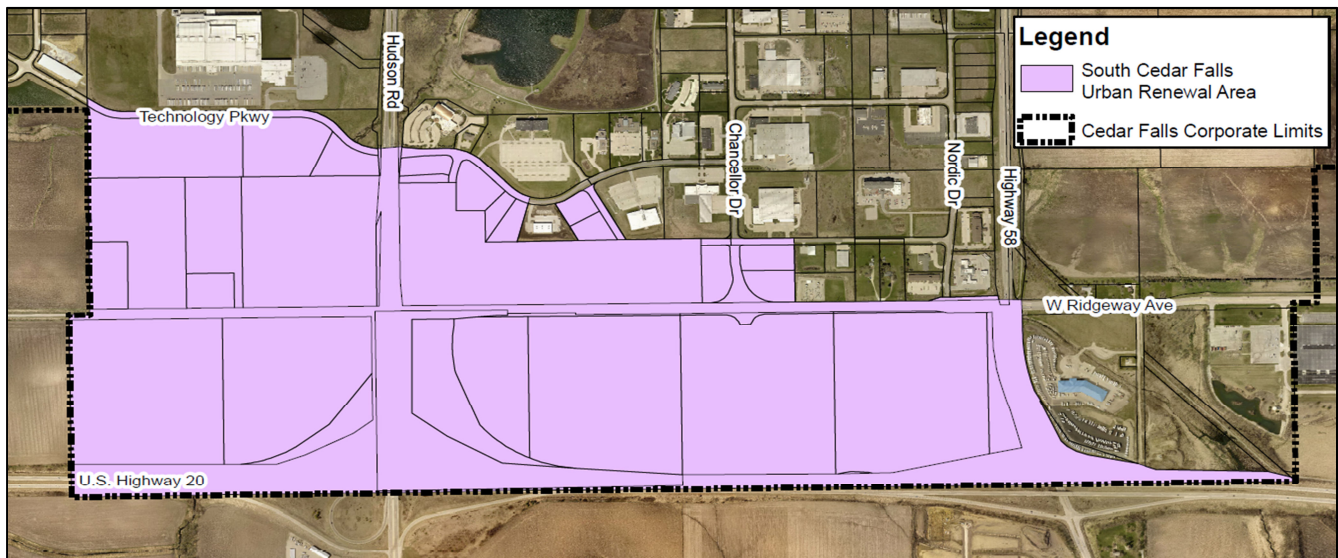
REQUEST: To approve the South Cedar Falls Urban Renewal Plan for a proposed South Cedar Falls Urban Renewal Area.

PETITIONER: City of Cedar Falls

LOCATION: Southern Cedar Falls

PROPOSAL

The City of Cedar Falls is proposing an urban renewal plan for a new urban renewal area, located in south Cedar Falls (see map below). This new urban renewal area is being developed to help promote economic development within this area of Cedar Falls, with the goal of the plan being to stimulate, through public involvement and commitment, private investment in new and expanded commercial and industrial development. This area is being formed from property that was removed from the Cedar Falls Unified Highway 58 Corridor Urban Renewal Area because it has reached its sunset (20 years), and it has generally not yet developed. By placing this property in a new urban renewal area, the City hopes to renew efforts to develop this portion of the City.



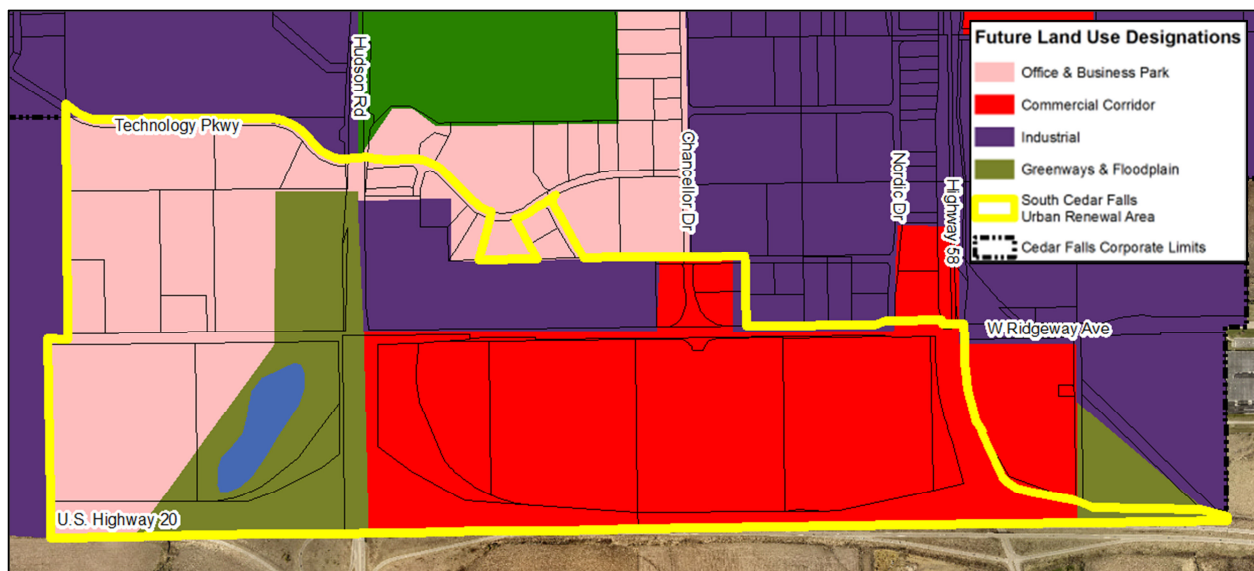
Proposed Urban R-19- al Area Boundary

Item 5.C.

ANALYSIS

Chapter 403 of the Code of Iowa gives cities the power to undertake urban renewal activities. More specifically, Chapter 403.5(2)(a) of the Code states that “prior to its approval of an urban renewal plan, the local governing body shall submit such plan to the planning commission of the municipality, if any, for review and recommendations as to its conformity with the general plan for the development of the municipality as a whole”. This recommendation must then be forwarded to the City Council prior to the public hearing on the adoption of the urban renewal plan. The City Council public hearing regarding the plan has been set for May 7, 2018.

The City of Cedar Falls has a general plan for the physical development of the city, as a whole, designated as the “Cedar Falls Comprehensive Plan”, which was adopted in May of 2012. The Comprehensive Plan for Cedar Falls presents a unified and compelling vision for the community and establishes the actions necessary to fulfill that vision. Specific goals outlined in the Comprehensive Plan include expanding and enhancing the commercial and industrial base, supporting new businesses through innovative economic development programs, repairing aging infrastructure, and expanding technology infrastructure to attract business and industry, to name a few. Within the Comprehensive Plan is also found a Future Land Use Map, which includes both current and proposed uses within the city. More specifically for the area of the city where the proposed South Cedar Falls Urban Renewal Plan is being proposed, the Future Land Use Map designates this area for Commercial, Industrial, and Office/Business Park uses (see map below).



Future Land Use Map Designations

Several of the objectives of the proposed South Cedar Falls Urban Renewal Plan include stimulating private investment in new commercial and industrial development, planning and providing for sufficient land for commercial or industrial development, providing for the installation of public infrastructure, providing a more marketable and attractive investment climate through the use of various governmental incentives, achieving a diversified, well-balanced economy, and developing a sound economic base that will serve as the foundation for future growth and development.

In order to meet the above objectives, some of the activities the City may undertake include acquiring property for development; making surveys, plans or studies; constructing, relocating or

repairing public infrastructure; and making loans, tax rebate payments, or other types of economic development grants or incentives.

Based on the goals and designated future land uses listed in the Comprehensive Plan, staff finds that the proposed objectives and activities of the proposed South Cedar Falls Urban Renewal Plan are in conformance with the general plan for the development of the municipality as a whole.

STAFF RECOMMENDATION

The Community Development Department recommends that the Planning & Zoning Commission find that the proposed South Cedar Falls Urban Renewal Plan is in conformance with the Cedar Falls Comprehensive Plan.

PLANNING & ZONING COMMISSION

Discussion
and Vote
4/25/2018

Attachments: Urban Renewal Plan
Urban Renewal Area Map

**SOUTH CEDAR FALLS URBAN
RENEWAL PLAN**

for the

**SOUTH CEDAR FALLS
URBAN RENEWAL AREA**

CITY OF CEDAR FALLS, IOWA

South Cedar Falls Urban Renewal Plan - 2018

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SOUTH CEDAR FALLS URBAN RENEWAL PLAN

CITY OF CEDAR FALLS, IOWA

INTRODUCTION AND BACKGROUND

This Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the South Cedar Falls Urban Renewal Area (the “Area” or “Urban Renewal Area”) has been developed to help promote economic development in the City of Cedar Falls (the “City”). The primary goal of this Plan is to stimulate, through public involvement and commitment, private investment in new and expanded commercial and industrial development in the Urban Renewal Area.

This Urban Renewal Area is being formed from property that was removed from the Cedar Falls Unified Highway 58 Corridor Urban Renewal Area because it had not yet developed. By placing this property in a new urban renewal area, the City hopes to renew efforts to develop this portion of the City.

In order to achieve this Plan’s objectives, the City intends to undertake urban renewal activities pursuant to the powers granted to it under Chapter 403 and Chapter 15A, *Code of Iowa*, as amended.

DESCRIPTION OF THE URBAN RENEWAL AREA

The South Cedar Falls Urban Renewal Area is illustrated in Exhibit A and described in Exhibit B.

The City reserves the right to modify the boundaries of the Area by amendments to this Plan.

AGREEMENT TO INCLUDE AGRICULTURAL LAND

Some of the property being included in the Urban Renewal Area is defined as “agricultural land” by Iowa Code Section 403.17(3). In accordance with Iowa Code Section 403.17(10), the owners of such property have entered into agreement(s) agreeing to allow the City to include their real property defined as “agricultural land” in the Urban Renewal Area. A copy of the signed agreement of each agricultural land owner within the Urban Renewal Area is attached as Exhibit C. The original signed agreements will be on file at City Hall.

AREA DESIGNATION

With the adoption of this Plan, the City of Cedar Falls designates this Urban Renewal Area as an economic development area that is appropriate for the promotion of industrial and/or commercial economic development.

BASE VALUE

If the South Cedar Falls Urban Renewal Area is legally established, a Tax Increment Financing (TIF) Ordinance is adopted, and debt is certified all prior to December 1, 2018, the taxable valuation within the area included in the TIF Ordinance as of January 1, 2017, will be considered

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the frozen “base valuation.” If debt is not certified until a later date or if a TIF ordinance is not adopted until later, the “base value” will be the assessed value of the taxable property within the TIF Ordinance area as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt on the Area. It is possible that separate TIF ordinances for separate parcel(s) may be adopted as development in the Area warrants. In that case, each separate TIF ordinance area may have a separate base and separate sunset or expiration date.

DEVELOPMENT PLAN

The City of Cedar Falls has a general plan for the physical development of the City, as a whole, designated as the “Cedar Falls Comprehensive Plan” adopted in May 2012. This Urban Renewal Plan is in conformity with the Cedar Falls Comprehensive Plan. The urban renewal projects included in this Plan also are consistent with the Cedar Falls Comprehensive Plan.

The Plan does not modify the City’s existing zoning policies or designations.

The need for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area is set forth in this Urban Renewal Plan. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

PLAN OBJECTIVES

Renewal activities are designed to provide opportunities, incentives, and sites to promote economic development, including new and expanded industrial and commercial development. More specific objectives for development within this Urban Renewal Area include:

1. To stimulate through public action and commitment, private investment in new commercial and industrial development.
2. To plan for and provide sufficient land for commercial or industrial development in a manner that is efficient from the standpoint of providing municipal services and that encourages the creation and retention of jobs.
3. To provide for the installation of public infrastructure, including gas, water, and communications infrastructure, and public facilities in the Urban Renewal Area, which ultimately contribute to the sound development of the entire City.
4. To provide a more marketable and attractive investment climate through the use of various governmental incentives.
5. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities, and strengthening the tax base.
6. To develop a sound economic base that will serve as the foundation for future growth and development.

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7. To provide reimbursement of City personnel costs and other administrative and legal fees associated with the development and implementation of urban renewal projects within the Urban Renewal Area.

TYPE OF RENEWAL ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage the development of the Urban Renewal Area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, *Code of Iowa*. Activities may include:

1. To undertake and carry out urban renewal projects through the execution of leases, contracts, and other instruments.
2. To make or have made surveys, studies, and plans necessary for the implementation of the Urban Renewal Program or specific urban renewal projects.
3. To arrange for or cause to be provided the construction, relocation, or repair of public infrastructure, including but not limited to, streets, water, storm sewer, sanitary sewer, public utilities, sidewalks, street lights and signs, streetscaping and landscaping, or other related facilities and activities in connection with urban renewal projects.
4. To acquire property through a variety of means (purchase, lease, option, contract, etc.) and to hold, clear, or prepare the property for redevelopment, or to dispose of property.
5. To provide for the construction of specific site improvements such as grading and site preparation activities including site/soil reports and studies, access roads and parking, fencing, utility connections, and related activities.
6. To make loans, forgivable loans, tax rebate payments, or other types of economic development grants or incentives to private persons or businesses for economic development purposes on such terms as may be determined by the City Council.
7. To use tax increment financing to facilitate urban renewal projects, including, but not limited to, financing to achieve a more marketable and competitive land offering price and to provide for necessary physical improvements and infrastructure.
8. To borrow money and to provide security therefor.
9. To provide contributions and/or incentives for appropriate redevelopment and development projects.
10. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of Cedar Falls and the State of Iowa.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance in of the objectives of this Urban Renewal Plan.

ELIGIBLE URBAN RENEWAL PROJECTS

1. Development Agreements

The City expects to consider requests for development agreements for projects that are consistent with this Plan, in the City’s sole discretion. Such agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to, land, loans, grants, tax rebates, public infrastructure assistance, and other incentives. The costs of such development agreements are estimated not to exceed \$5,000,000.

2. Land Acquisitions

The City expects to consider acquiring land in the Urban Renewal Area to accommodate future economic development and facilitate the provision of public services in an efficient manner that allows the City to provide these services to new and expanded businesses in the Urban Renewal Area. These acquisitions are expected to occur over the life of the Area as development occurs. The costs of such land acquisitions are estimated not to exceed \$5,000,000.

3. Extensions of Utilities by Cedar Falls Utilities

The City expects to enter into agreements with Cedar Falls Utilities providing for the extension of services by Cedar Falls Utilities in the Urban Renewal Area, to ensure the installation and/or relocation of utility infrastructure as necessary to accommodate and promote economic development and growth in the Urban Renewal Area. The agreement(s) will likely provide for the provision of infrastructure for the following utilities: gas, water, communication, and electric. The extension of utility services will take place over the life of the Area as development occurs. The cost of these agreements to be reimbursed through tax increment financing is estimated not to exceed \$5,000,000.

4. Capital Improvement Projects/Public Infrastructure Projects

Project	Estimated Project Date	Not to Exceed	Rationale
Sanitary sewer and other necessary infrastructure extensions for economic development growth along the Highway 20, Highway 58, Hudson Road and Ridgeway Avenue corridors within the Urban Renewal Area.	2019-2039	\$5,000,000	Economic Development-promotion of commercial/industrial

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Construction of current or future public infrastructure within the Urban Renewal Area to include new and reconstructed roadways in the Urban Renewal Area.	2019-2039	\$5,000,000	Economic Development-promotion of commercial/industrial
Other infrastructure tied to development, including but not limited to water, sanitary sewer, storm sewer, gas, electric, rail and communications in the Urban Renewal Area.	2019-2039	\$2,000,000	Economic Development-promotion of commercial/industrial
Construction, design, studies, inspection, and all other related costs for potential roadway modifications within the Urban Renewal Area, including but not limited to intersection improvements or modifications, new roadways, turning lanes, medians, and other road related improvements.	2019-2039	\$2,000,000	Economic Development-promotion of commercial/industrial
Streetscape, landscaping and public art installation along roadways within the Urban Renewal Area.	2019-2039	\$400,000	Economic Development-promotion of commercial/industrial
Industrial Park Signage Program to include the installation of new signage in the South Cedar Falls Industrial Park, Wayfinding Signage, or other appropriate City signage within the Urban Renewal Area, along with ongoing maintenance, repair, or replacement of existing signage within the Urban Renewal Area.	2019-2039	\$200,000	Economic Development-promotion of commercial/industrial

5. Fees, Costs, and Expenses (for urban renewal projects and planning)

Project	Estimated Project Date	Not to Exceed
Legal Fees:		

Legal, consulting, recording, publication, and other miscellaneous fees associated with land acquisition and economic development projects occurring within the Urban Renewal Area.	2019-2039	\$500,000
Personnel Costs and Other Administrative Expenses to Support Urban Renewal Projects and Planning:		
Staffing/Personnel related expenses including but not limited to salary and benefits incurred by Community Development Department and other City personnel tied to supporting economic development and urban renewal projects within the Urban Renewal Area. Plan Amendment preparation and administration included.	2019-2039	\$500,000
Engineering, Planning, and Study Costs:		
Engineering, design and inspection costs incurred for future roadway and infrastructure projects within the Urban Renewal Area.	2019-2039	\$1,000,000
Planning, design, studies and associated costs for the development of land within the Urban Renewal Area.	2019-2025	\$500,000
Traffic planning and studies tied to any roadway improvement projects.	2019-2039	\$200,000

FINANCIAL DATA

Constitutional debt limit (as of July 1, 2017):	\$149,224,259
Current general obligation debt:	\$13,270,000
Proposed amount of indebtedness to be incurred: (This amount does not include financing costs, which will be incurred over the life of the Area.)	\$32,300,000

PROPOSED AMOUNT OF LOANS, ADVANCES, INDEBTEDNESS OR BONDS TO BE INCURRED

A specific amount of actual debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax

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increment revenues from the Urban Renewal Area.

Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above will be approximately \$32,300,000

URBAN RENEWAL FINANCING

The City intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City has the statutory authority to use a variety of tools to finance physical improvements within the Areas. These include:

A. Tax Increment Financing.

Under Section 403.19 of the *Code of Iowa*, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements, economic development incentives, or other urban renewal projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. Certain increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City, and in any event upon the expiration of the tax increment district.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates, or other incentives to developers or private entities in connection with the urban renewal projects identified in this Plan. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area for urban renewal projects. Alternatively, the City may determine to use available funds for making such loans or grants or other incentives related to urban renewal projects. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

B. General Obligation Bonds.

Under Division III of Chapter 384 and Chapter 403 of the *Code of Iowa*, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area and for other urban renewal projects or incentives for development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City of Cedar Falls. It may be, the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

PROPERTY ACQUISITION/DISPOSITION

The City may finance or assist with financing the cost of land acquisitions in the Area. The City will follow applicable legal proceedings and procedures for the acquisition and disposition of property.

RELOCATION

The City does not expect there to be any relocation required of residents or businesses as part of the proposed urban renewal projects; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform to state and local laws will be complied with by the City and/or the developer in implementing this Urban Renewal Plan and its supporting documents, objectives, and renewal activities.

SEVERABILITY

In the event one or more provisions contained in the Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized, or unenforceable in any respect, such invalidity, illegality, unauthorized, or enforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

URBAN RENEWAL PLAN AMENDMENTS

This Urban Renewal Area Plan may be amended from time to time for a number of reasons, including but not limited to, to change in the area, to add new urban renewal projects, to update and/or modify ongoing urban renewal projects, to delete completed urban renewal projects, to add or change land use controls and regulations, to modify goals or types of renewal activities, or to amend property acquisition and disposition provisions. The City Council may amend this Plan pursuant to appropriate procedures under Iowa Code Chapter 403.

EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the Cedar Falls City Council and will remain in effect until it is repealed by City Council.

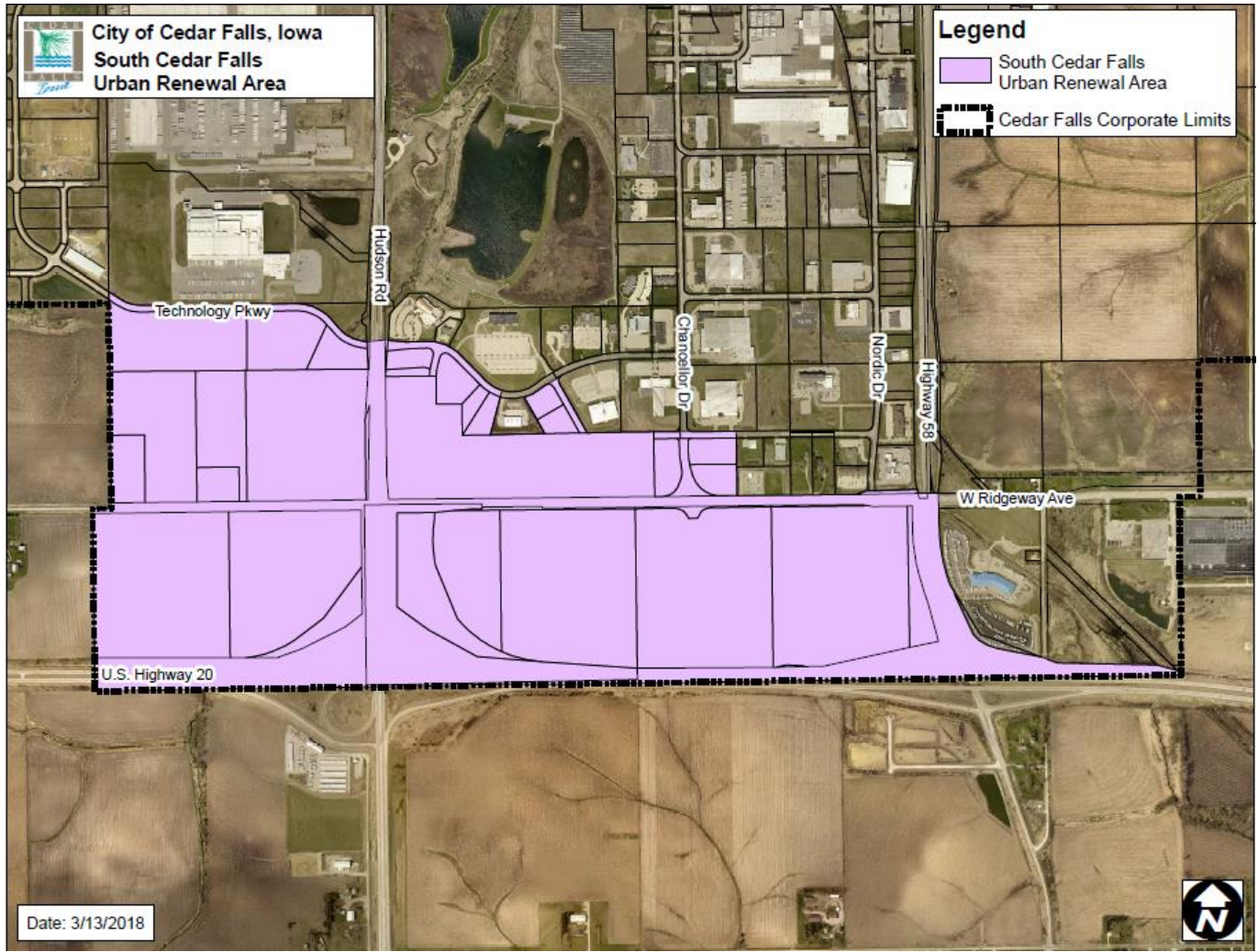
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With respect to the property included within the South Cedar Falls Urban Renewal Area, which is also included in an ordinance which designates that property as a tax increment area, the use of incremental property tax revenues or the “division of revenue,” as those words are used in Chapter 403 of the *Code of Iowa*, is limited to twenty (20) years beginning with the first calendar year following the calendar year in which the City first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the incremental property tax revenues attributable to that property within a TIF ordinance of the South Cedar Falls Urban Renewal Area. The division of revenues shall continue on the Urban Renewal Area for the maximum period allowed by law.

It is possible that separate TIF ordinances for separate parcel(s) may be adopted as development in the Area warrants. In that case, each separate TIF ordinance may have a separate base and separate sunset or expiration date.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the Code of Iowa) by the City for activities carried out in the South Cedar Falls Urban Renewal Area shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

EXHIBIT A
MAP OF THE SOUTH CEDAR FALLS URBAN RENEWAL AREA



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EXHIBIT B **LEGAL DESCRIPTION OF THE SOUTH CEDAR FALLS URBAN RENEWAL AREA**

That part of Section Nos. 35 and 36, lying in Township 89 North, Range 14 West of the 5th Principal Meridian and that part of Section No. 2 and 3, Township 88 North, Range 14 West of the 5th Principal Meridian, described as follows:

Commencing at the Northwest corner of said Section 35;
thence along the West line of said Section 35 South to the Northerly right of way line of Technology Parkway, being the Point of Beginning;
thence along said Northerly right of way line Easterly to the Northerly extension of the Westerly line of Lot 20 in Cedar Falls Technology Park Phase 2;
thence along said extension Southwesterly to the Northwesterly corner of said Lot 20;
thence along the Westerly line of said Lot 20 Southwesterly to the South line of said Cedar Falls Technology Park Phase 2;
thence along the South line of said Cedar Falls Technology Park Phase 2 East to the Southeasterly corner of Lot 19 in said Cedar Falls Technology Park Phase 2;
thence along the Easterly line of said Lot 19 Northwesterly to Southerly right of way line of said Technology Parkway;
thence along said Southerly right of way line Easterly to the Easterly right of way line of Waterway Avenue;
thence along said Easterly right of way line Southeasterly to the South line of said Cedar Falls Technology Park Phase 2;
thence along said South line East to the Northwest corner of Tract B in Ridgeway Park Addition, point also being the Northwest right of way corner of Commerce Drive;
thence along the Northerly right of way line of said Commerce Drive East to the Northerly extension of the East line of said Ridgeway Park Addition;
thence along said Northerly extension South to the Northeast corner of said Ridgeway Park Addition;
thence along the East line of said Ridgeway Park Addition South to the Northerly right of way line of Ridgeway Avenue;
thence along said Northerly right of way line Easterly to the Easterly right of way line of Iowa Highway 58;
thence along said Easterly right of way line Southerly to the Northerly right of way line of U.S. Highway 20;
thence along said Northerly right of way line Easterly to the East line of said Section 2;
thence along said East line South to the South Corporate Limits line of the City of Cedar Falls;
thence along said South Corporate Limits line West to the West line of said Section 3;
thence along said West line North to the Northwest corner of said Section 3;
thence along the North line of said Section 3 East to the Southwest corner of said Section 35;
thence along the West line of said Section 35 to the Point of Beginning.

EXHIBIT C
AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE
SOUTH CEDAR FALLS URBAN RENEWAL AREA

WHEREAS, the City of Cedar Falls, Iowa, (the "City") has proposed to establish the South Cedar Falls Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Urban Renewal Area will include certain property which is owned by the Agricultural Land Owner listed below; and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that all or a portion of the property to be added to the Urban Renewal Area and owned by the Agricultural Land Owner meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain Property contained within the Urban Renewal Area.
2. The Agricultural Land Owner hereby agrees that the City of Cedar Falls, Iowa, may include the portion of the property owned by the Agricultural Land Owner in the Urban Renewal Area.
3. The Agricultural Land Owner further authorizes the governing body of the City of Cedar Falls, Iowa, to pass any resolution or ordinance necessary to designate said property as an Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this _____ day of _____, 201__.

Name of Agricultural Land Owner: _____
(signed by Agricultural Land Owner or person authorized to sign on Agricultural Land Owner's behalf)

Signature: _____ Date: _____

Print Name: _____



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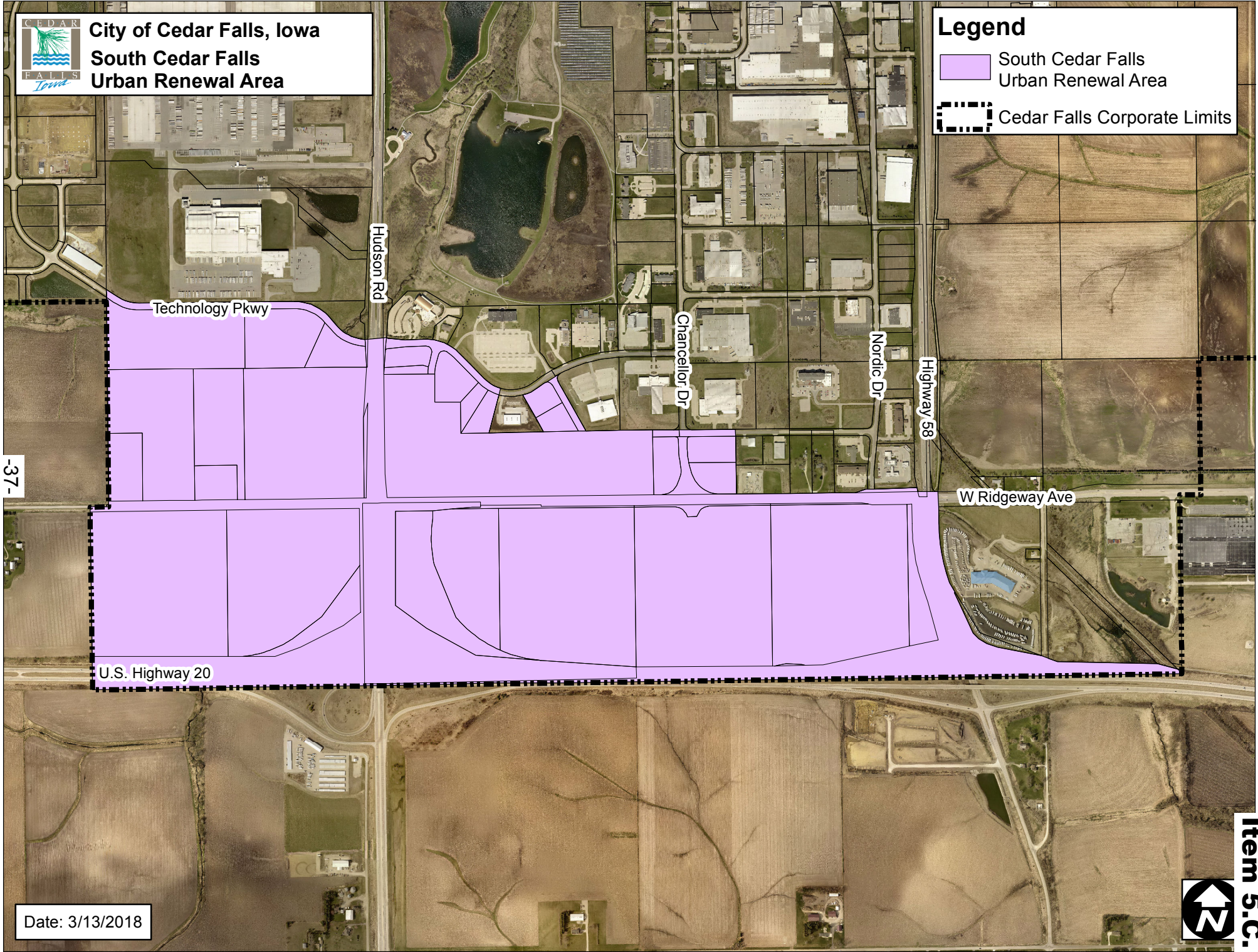
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City of Cedar Falls, Iowa
South Cedar Falls
Urban Renewal Area

Legend

-  South Cedar Falls Urban Renewal Area
-  Cedar Falls Corporate Limits



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Date: 3/13/2018





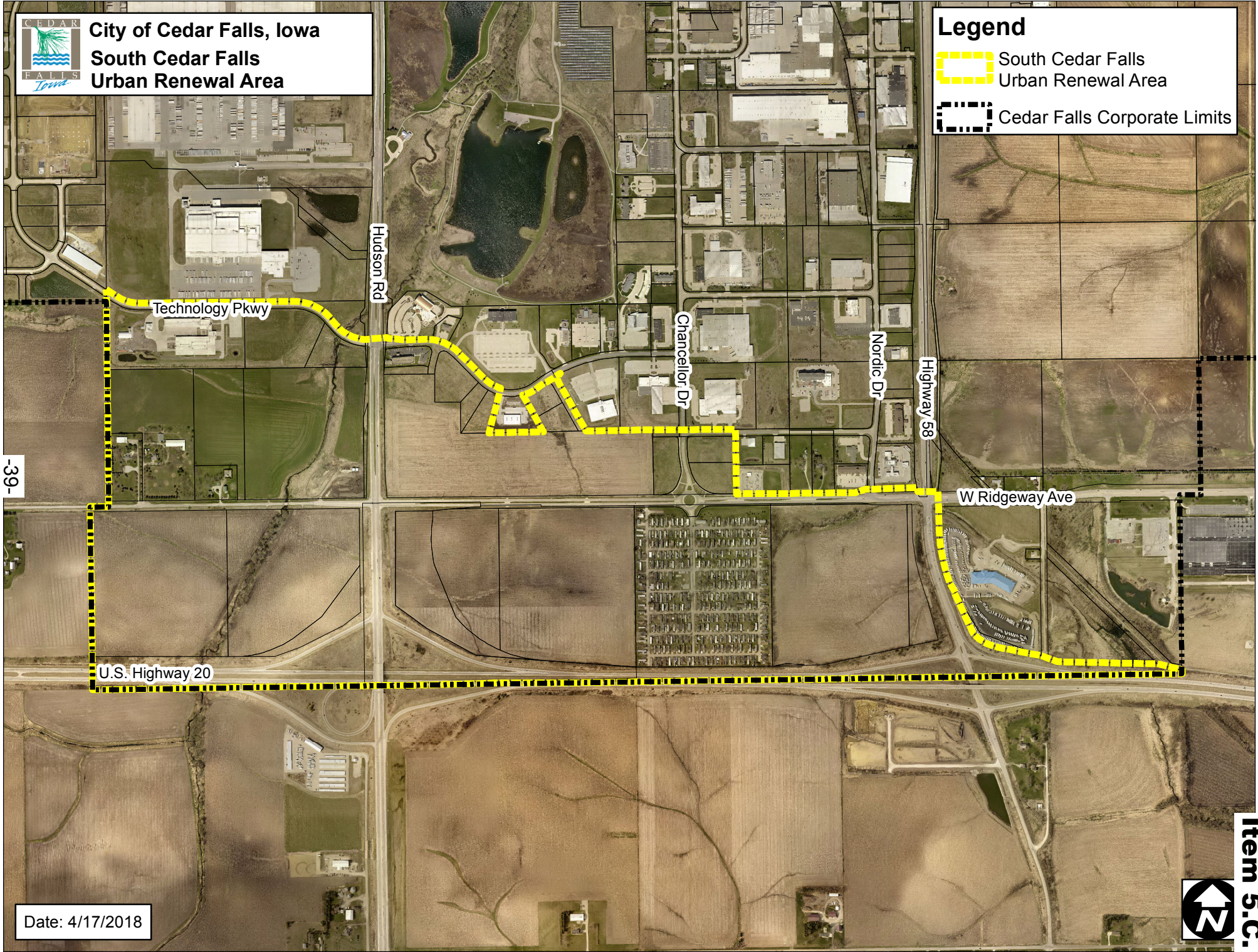
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City of Cedar Falls, Iowa
South Cedar Falls
Urban Renewal Area

Legend

-  South Cedar Falls Urban Renewal Area
-  Cedar Falls Corporate Limits



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Date: 4/17/2018




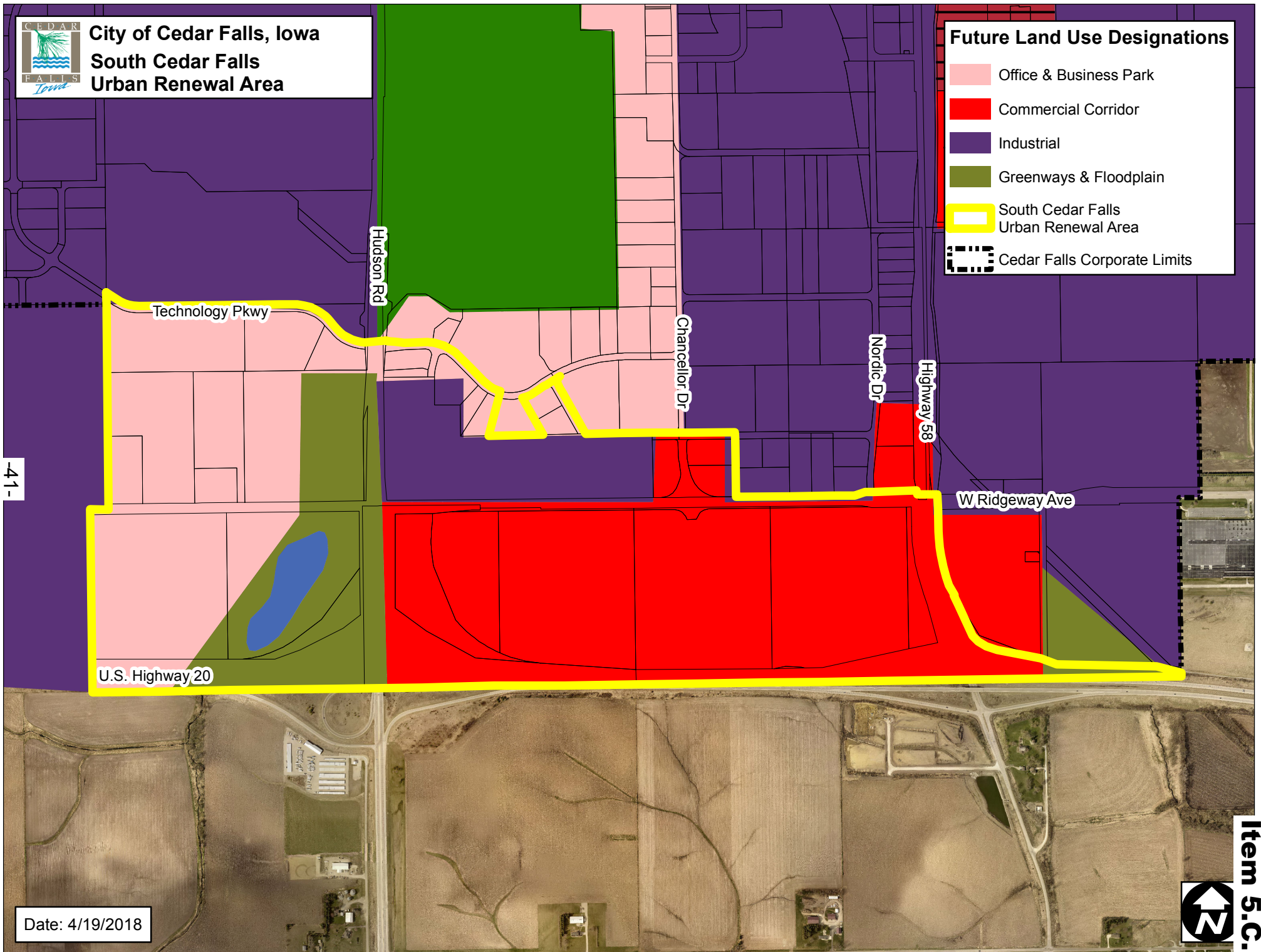
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City of Cedar Falls, Iowa
South Cedar Falls
Urban Renewal Area

Future Land Use Designations

-  Office & Business Park
-  Commercial Corridor
-  Industrial
-  Greenways & Floodplain
-  South Cedar Falls Urban Renewal Area
-  Cedar Falls Corporate Limits



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Date: 4/19/2018



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