Cedar Falls Planning and Zoning Commission
Regular Meeting
October 23, 2024
Cedar Falls, Iowa

MINUTES

The Cedar Falls Planning and Zoning Commission met in regular session on October 23, 2024 at 5:30 p.m. at City Hall. The following Commission members were present: Alberhasky, Grybovych, Hartley, Henderson, Johnson, Moser, Sorensen, and Watkins. Stalnaker was absent. Karen Howard, Planning and Community Services Manager and Thomas Weintraut, Planner III, were also present.

1.) Chair Hartley noted the Minutes from the October 9, 2024 regular meeting are presented. Sorensen made a motion to approve the Minutes as presented. Alberhasky seconded the motion. The motion was approved unanimously with 8 ayes (Alberhasky, Grybovych, Hartley, Henderson, Johnson, Moser, Sorensen, and Watkins), and 0 nays.

2.) The first item of business was a rezoning request for 2.68 acres located south of 1st Street and 350 ft. east of Winding Ridge Estates from A-1 Agriculture to R-P Planned Residence (RZ24-003). An R-P District Master Plan Amendment for Meadow Ridge (MP24-004x) was also added to this discussion. Chair Hartley introduced the item and Mr. Weintraut provided background information. He explained that the area is shown as Medium Density Residential on the Future Land Use Map and in order to access public services, a subdivision will be necessary. He also explained that an R-P District Master Plan Amendment would be required to incorporate the new area into the Master Plan. He discussed the site features and sensitive environmental areas. Mr. Weintraut listed questions that were raised at the last meeting with regard to the item and noted that a representative from the petitioner was available to answer.

Dan Arends, VJ Engineering (1501 Technology Parkway), explained that he and Paul Arch will be working on this project in place of Wendell Lupkes and stated that they are available for questions.

Chris Brawner, 902 Juanita Avenue, stated he lives north of the proposed development and spoke about the erosion and debris that comes into a community pond from the property being discussed. He stated concerns regarding the potential damage from increased runoff and would like to know what is being done to prevent that erosion.

Tom Nagle, 328 Winding Ridge Road, spoke about the traffic study and the change in data that was taken since the pandemic in 2020. Nagle asked why no pedestrian count was done and feels that a new traffic study would be done as it would not be applicable now.

Corey Lorenzen spoke as attorney for the Shah family at 412 Winding Ridge Road. They believe this project is not compliant with the comprehensive plan. Lorenzen feels that the proposed plan does not meet with medium density development and provided his argument as to why the project is not compliant, particularly regarding the buffer. There was also discussion about water issues and they ask that the proposal be denied.

Kamyar Enshayan, 1703 Washington Street, noted concerns with wetlands and spoke to their benefits. Enshayan believes that everything should be done to protect the wetlands and noted that previously the Army Corps of Engineers felt this was not an appropriate place to develop the wetlands.

Atul Patel, 307 Winding Ridge Road, spoke about safety and security concerns, trespassing, and the constant transition of neighbors.

Kristina Mehmen, 1107 Eagle Ridge Road, asked that the Commission vote no.

Fethiye Tuken, 218 Winding Ridge Road, echoed the issues that have been brought forward.

Xavier Faucon, 302 Winding Ridge Road, reiterated wetland concerns and questioned whether the project has received the required approval from City Council.

Brian Larson, 810 Lakeridge Drive, noted concerns with traffic and the intersection design, wetland issues and safety and security concerns.

Bharatkuma Patel, 3109 North Ridge Circle, stated concerns about removal of the wetlands and increase environmental issues.

Tom Nagle asked about what kind of units will be built.

Fethiye Tuken stated that the developer will come in, build and then leave the neighbors with the issues and that there should be more consideration for the community currently living there.

Cameron Lee asked about the environmental studies and being allowed to see them and for clarification on the amount of caffeine in the water and what that means for the project.

Atul Patel asked about the guidelines for determining density and what is allowed.

Christina Kettman, 1120 Lakeview Drive, asked about school capacity and whether this has been taken into consideration when adding more density.

Atul Patel also asked about the time that the traffic studies are done and the guidelines that are used to determine results.

Dan Arends stated that the environmental and traffic studies are done by professionals who use guidelines that are state or federally regulated and outlined in the studies. He also stated that the permit for the mitigation of the wetlands was issued by the Corp of Engineers and that these are not easy permits to obtain. They are only granted when wetlands are in very poor shape, noting that the wetlands were considered to be very degraded and very disturbed in the reports. Arends explained that the caffeine level is an indicator of it being a manmade water source. Once the sewer issues were fixed, the wetlands didn't increase in quality, they shrunk. He explained that these are wetlands that were manmade and haven't been there for decades. The developer has used as little of the wetlands as possible.

Hartley asked if there is a creek running through this area. Arends stated that it is a perennial stream that is there only in very wet times. He explained the plan for cleanup and detention.

There was further discussion regarding the area and its uses, as well as the rezoning process. Ms. Howard explained what is required at the different stages of the process and what the Commission is being asked to consider at this time.

Chair Hartley noted that the Courier did not get the public meeting notice in the paper when it was supposed to so the meeting will have to be continued to the next meeting date. Ms. Howard stated that this would be a good time for the Commission to let the developer know what additional information or changes they would like to see.

Chair Hartley noted he is struggling with this issue as he knows that the property is zoned for this kind of development and they should be allowed to build, but also understands that this will bring higher density into a low density area.

Moser would like to see a re-write of the plan that has lower density and that works around the wetlands so not as much wetland area is lost.

Alberhasky would like to see an updated plan with lower density as well, as well as a new traffic study that is more reflective of the current data.

Henderson agreed that it would be helpful to see updated data, but the reality is that the property was zoned this way before the houses were built and that it should be taken into consideration that this has always been a possibility, even before the current homes were built around it.

Sorensen stated that a better buffer could help with the transition.

Grybovych noted concerns with quality of life and whether greenspace and parks are being added or just more density. She also asked that wetlands and their roles be discussed more, as well as wetland credits.

Watkins stated that it makes sense to allow for change and have these conversations.

Hartley made a motion to continue the item to the November 6 meeting. Alberhasky seconded the motion. The motion was approved unanimously with 8 ayes (Alberhasky, Grybovych, Hartley, Henderson, Johnson, Moser, Sorensen, and Watkins), and 0 nays.

3.) The Commission then considered a request to renew the College Hill Self Supporting Municipal Improvement District (SSMID). Chair Hartley introduced the item and Ms. Howard provided background information. She explained that this has been in place for some time and every five years it must be renewed. A minimum 25% of the unique property owners representing a minimum of 25% of the total valuation of the property with the SSMID District must agree to the renewal. The College Hill Partnership submitted signatures that represent over 45% of unique property owners that represent over 45% of the total valuation, so the State requirements to renew the SSMID have been met.

Alberhasky made a motion to recommend approval to City Council. Grybovych seconded the motion. The motion was approved unanimously with 8 ayes (Alberhasky, Grybovych, Hartley, Henderson, Johnson, Moser, Sorensen, and Watkins), and 0 nays.

4.) As there were no further comments, Sorensen made a motion to adjourn. Alberhasky seconded the motion. The motion was approved unanimously with 8 ayes (Alberhasky, Grybovych, Hartley, Henderson, Johnson, Moser, Sorensen, and Watkins), and 0 nays.

The meeting adjourned at 6:57 p.m.

Respectfully submitted,

Karen Howard
Community Services Manager

Joanne Goodrich
Administrative Assistant