

Planning and Zoning Commission

Council Chambers

July 26, 2016 6:00 P.M.

Present: Ron Welder, Ed Delaney, Lyle Brown, Neal Boeding, Larry Wright
Absent: Joel Amandus
Staff: City Manager David Varley and City Clerk Melinda Blind
Visitors: Council Members Mark Lair and Rusty Andrews, Timothy Older, Ric Roxlau, Gary Pilkington, Chris and Paula Faulkner, Teresa Garcia, Kevin and Liz Carr, Tom Frantz, Robin Delaney, Justin Pieper, Maggie Guzman, Justin Pieper, Shari Bartlett, Laura Francisco, Cassie Gilbert, Neva Peak, Lee Vandenburg

Chairman Welder called the meeting to order at 6:00 P.M. with five members present.

NON AGENDA ITEMS

Lisa Yeargin, 1020 Avenue F, and Roberta McGhghy, 4515 Avenue L, said their husbands are truck drivers and want to bob tail their tractors home but this is in violation of City Code. They said they are being threatened with citations if they do so. Yeargin said her husband is home almost every weekend but only parks his tractor at their residence. McGhghy said her husband was paying the owner of the old bowling alley \$20 a month to park his truck there but a neighbor complained. They feel truck drivers are being targeted. Other drivers are parking their truck and trailers at their property and are not at risk of being cited.

Varley explained this has already been brought to the City Council's attention. One of the issues is the weight and the other is storage of commercial vehicles on city streets. Planning & Zoning Director Krogmeier is doing research on this and will have a report for the Planning & Zoning Commission meeting.

Discussion Concerning Possible Modification of Zoning Code Related to Schools in the Ground Floor of a B-1 District

Welder opened the public hearing at

Varley reported that Southeastern Community College is considering moving to the main floor of the old Lee County Bank Building. In order to do so, this would require a change in the city zoning code. Currently schools are not allowed on the ground floor in the B1 District. If the zoning code is changed and there would be a proposal to bring in the school, issues such as parking would be addressed at this time. He added there have been issues with the development of this building. The developers did not meet the deadline to complete the building. There have been conference calls with the state on this, contractors have not been paid and have left town. The Development

Agreement with the City states that the developer commits to create usable space on ground floor for office and retail space. At the present time, the building might not be finished and this would be putting the cart before the horse.

Tom Frantz, Frantz Community Developers, said the company he works for owns the building. SCC is interested in leasing the entire first floor of the building. He thinks this is a tremendous opportunity to stimulate the downtown. He said there would probably be 68 students at full capacity, would probably start out at 25 students. He said this would be a very long term commitment.

Kevin Carr, VP of Administrative Services of SCC, said this ultimately needs to go through the Board of Trustees.

Rick Roxlau, 804 Avenue F, former trustee of SCC, felt parking is not a problem. He counted 100 available parking spots between 9th and 7th Streets and Avenues H to F. He was in favor of doing everything the City can to further enhance what SCC can do for the community.

Justin Pieper, #2 Blackhawk Heights, speaking on behalf of Executive Committee, Fort Madison Chamber of Commerce, wished to go on the record of supporting this. .

Tim Older, 2164 North Fork Drive, owner of a downtown business, said while the argument is certainly valid that we like to put bodies downtown, the probation office does a good job of putting bodies downtown. There is a definite lack of parking in the 800 block and that doesn't take long to fill it up. At the beginning, we were informed this building was the crown jewel of the project with plans for a restaurant or clothing boutique to go there, not a school. As Vice President of SSMID, he was very involved with the Iowa Fertilizer Plant workers being trained in downtown buildings. When someone complained about parking they came to me, and I went straight to the project manager and they took care of it immediately. He didn't think this would happen with Mr. Frantz. He felt short term gain needed to be weighed against long term loss. When he was a college student, the best place to get a beer was in the downtown and he didn't remember going to another downtown business.

Welder closed the public hearing at 6:25 p.m.

Wright said he understood both sides, more people are wanted downtown, but more retail is also needed. He pointed out what is set out in the City's Comprehensive Plan and nowhere does it say anything about educational facilities in a retail district. Parking is an issue and there are other pros and cons. The business owners he has talked to are not in favor.

At a question from Pieper, Wright said the comprehensive plan just labels that we should be focusing on retail.

Welder felt changing the zoning code was the last option.

Lee Vandenberg, 534 Avenue E, had a question regarding Top Hatters and how they were allowed. A short discussion was held regarding Top Hatters Dance Studio, its former location on the top floor of the old Lee County Bank Building and its current main floor location. Wright said he can't control what wasn't done in the past, but only with the issue before them.

Older said the City Code is a not top secret, he assumed the developer was well aware of the zoning that was in place when he bought the property.

Delaney said the ideal situation is having business in every place downtown. He wasn't sure how to deal with the issue from the planning and zoning standpoint. Are there businesses that want to go in there and we have just lost a retail space if it does happen?

Boeding felt this was putting the cart before the horse. Nothing is in concrete, the contractors have pulled out and SCC hasn't even approved to come down here yet. There are people both for and against it. He did not feel the Commission was in position to support any change in the code unless they have a lot more information and a lot more study, including about parking. He has not heard anyone come forward and say here is the plan and here is how we are going to do this. He felt the issue needed to be tabled until it can be studied and some real information is brought forth.

Wright said the comp plan says that Partners and the City are to bring retail business. He is a business owner and he hasn't seen this. He asked is the City working with Partners, is Partners working with the City? He has spoken to numerous people about there being no assistance from Partners.

Welder said until there is much more information in front of the Commission, he did not believe they could support to change the zoning code.

**Boeding MOVED and Wright SECONDED to table the matter.
Motion Passed: 5 AYES 0 NAYS**

Change Code Regarding Signs

Varley said when a business has an offsite sign the business is only allowed to advertise on one side. A suggestion was made that maybe this sentence should be removed so the offsite sign could be double-faced. Varley suggested allowing only one offsite double-faced sign per lot. .

**Wright MOVED and Delaney SECONDED a motion to change the code regarding signs.
Motion Passed: 5 AYES 0 NAYS**

Wright MOVED and Brown SECONDED to adjourn and 6:49