

BOARD OF ADJUSTMENT & APPEALS

Council Chambers

March 11, 2015

Present: Tim Wondra, Donna Amandus, Tiffany Siefken
Absent: Charles Block, Council Liaison Chris Greenwald
Staff: Doug Krogmeier, Emily Britton
Visitors: Mayor Brad Randolph, City Manager David Varley, Councilman Rusty Andrews, Larry Wright, Ty Clute, Lynn Dodd, Ric Roxlau, Michele Young, Jillian Mohrfeld, Darla Farrell, Tom Frantz, Charles Rump

The meeting was called to order at 5:30 by Donna Amandus. A quorum was declared with three members present.

Minutes from the December 10, 2014 meeting were approved as written on a motion by Wondra; seconded by Siefken. Approval was unanimous.

NON-AGENDA ITEMS: none

Case File 15-03: Variance request to reduce required off street parking for three rehabilitation project at 801 Ave G, 702 Ave G and 614 7th St. for Frantz Community Investors.

Staff reviewed case report.

Amandus opened public hearing at 5:35pm.

Ric Roxlau, of 804 Ave F, questioned the plans for the parking lot at ____ , which there are no plans for at this time, and explained there were two historic houses and a church torn down to build the lot and it is not utilized properly. He explained there are things parked there such as machinery that should be moved to free up spaces. Amandus mentioned that lot has other issues such as a dilapidated retaining wall that will need to be fixed. Roxlau also pointed out the 2 hour parking on 8th street is not being enforced.

Michele Young, of 805 Ave G, pointed out there are several places for parking that are not being used effectively, and people seem to ignore the 2 hour parking signs. She believes residents would theoretically be working during the day and could use the 2 hour parking spaces after hours so those spaces would be available during business hours. She also pointed out parking on Ave F near the courthouse. Lack of parking downtown would be a good problem to have because it means there are plenty of customers in the area. She continued by explaining her belief that Fort Madison is going strong with so much potential and she believes tourism will pick up.

Darla Farrell, a member of Main Street and owner of two businesses downtown, continued the discussion of enforcing the 2 hour parking. She brought a petition supporting the enforcement of the 2 hour parking signed by some downtown business owners. She suggested the 2 hour parking enforcement should be addressed before worrying about the variance for this developer. As a business owner she pointed out that her and her employees do not park on the street, and tenants should not park on the street during business hours. Business owners believe the city should enforce the ordinance so they don't have to. Just because a person owns or lives in a building does not give them a right to ignore the parking regulations. She then pointed out how the parking availability has an impact on retail sales.

Tom Frantz spoke on behalf of Frantz Community Investors, and assured the board they want to work with everyone including the downtown businesses to come to a resolution. He pointed out their intention of renting out commercial space on the first floor that will have the same problem as other downtown businesses if this is not addressed. They want to be part of the solution as well as help Fort Madison grow and succeed. Siefken asked about the apartments,

and Frantz explained there will be 28 apartments; 22 one bedroom, 5 studio, and 1 two bedroom. Amandus appreciated this information as it gives the board an idea of how many vehicles to consider even though many couples would have a one bedroom and two vehicles. Frantz continued to explain their demographic will be singles and young couples with no children. Siefken then questioned the cost of rent and Frantz said with a grant they have some will be \$600 while others will be closer to the market rate at about \$800. Amandus asked how they had dealt with parking issues such as this in the past. Frantz said they have leased spaces from nearby city lots, he believed the 1.5 spaces per unit to be pretty standard but in some cases they have had that changed to 1 space per unit and even implemented reserved parking signs for tenant use.

Bob Morowitz, 1405 Ave D, was in favor of downtown development and urged the board not to turn someone away who is willing to put money into it. He admitted parking is an issue and suggested utilizing the city parking lots and possibly putting a ramp on one of them. He was in favor of approving the variance to move forward with growth downtown.

Thomas Older requested clarification on the code requirements, what the variance would mean and if this has been done for other developers in the past. Krogmeier explained the code requires 1.5 off-street parking spaces per unit and the variance would eliminate that requirement, and there are others who have been granted the variance. Older believes the city should work with the developer, however they should be held accountable and the requirement should not be eliminated completely.

Ty Clute, representing Old Fort Players, did not think a variance should be granted until there is a plan in place to deal with the parking. He pointed out the 2 hour parking does not solve the parking issue for them because their shows are in the evenings and on weekends. He explained they have been attracting new people recently and they would like to continue doing so, but are afraid it will be difficult if there is not adequate parking for shows.

Mayor Randolph asked Frantz the total cost of the project, which will be about \$8.6 million. Randolph suggested that is an investment we should not pass up so it is important to look at all the options and work together to alleviate the parking issue and move forward. He agreed the 2 hour parking ordinance will help and said if business owners want to change it at all they need to let the city know what will work best for them. He did not believe the project should be held up over parking, and suggested putting some conditions on the variance that will force people to come together to figure something out that works for everyone. He continued by pointing out that so far everyone has spoken in favor of enforcing the 2 hour parking ordinance. Wondra then said it is important to keep in mind that responsibility will fall back on the police department and will have to be funded out of the budget. Randolph stated the city is always trying to stay within the budget and the enforcement would take manpower to mark tires and continually check the parking. He insisted the city will do its part to help alleviate the parking issue, but suggested businesses and property owners give their employees and tenants information about the regulations and where to park to help the situation. He also pointed out the possibility of fixing up the city parking lot and retaining wall to add spaces, continuing to say he believes there is a solution, it's doable, and it is important to proceed so the developer can continue working on the properties. Clute then asked from the audience if Randolph is suggesting granting the variance and just hope it works out, to which Randolph replied he believes there should be conditions on it so everyone is forced to come to an agreement before the variance is granted.

Amandus closed the public hearing at 6:06pm.

Amandus stated the board is in favor of the development and believe it is a good thing; however it is their job to ensure for the future that Fort Madison grows and grows correctly. The city code is in place for a reason to help avoid issues in the future and the board is to make sure the code is followed as close as possible. She did not believe the variance should be granted for 0 spaces per unit, but hoped to come to an agreement with the developer to possibly build a parking ramp or in some other way accommodate some of those required spaces. Wondra agreed that there is no point to the code if variances are just granted all the time. He also agreed that the 2 hour parking

needs to be enforced but fears it will be dealt with temporarily before that enforcement is forgotten again as it has been in the past, but he does not want to stop progress and growth downtown.

Siefken requested Krogmeier's opinion, and he agreed that development of those properties would be good for the city but believes the parking will become an issue if not dealt with now. He suggested spending some time coming up with alternatives and making a decision in a couple weeks but to keep in mind that Frantz is on a schedule and will be ready for a building permit soon and something must be decided before then to keep from holding up the development.

Amandus asked Frantz how his tenants have handled this kind of situation in other cities; do they walk a couple blocks or park in front regardless? Frantz said there is usually parking within a block with city lots or reserved parking, but they know where they are supposed to park before signing a lease. Amandus then asked if there is any available space behind any of these buildings, and there is not. She also asked if this was a foreseen problem when purchasing the properties, to which Frantz answered it is something they discussed and believed they would be able to come up with a solution. Michelle Young pointed out again there is parking available in the area that people are ignoring and it's not too far to walk.

City Manager David Varley explained his experience being involved with other cities in similar situations with downtown parking issues. Some solutions included meters, and even building a parking garage that provided 90 spaces per floor and cost about \$1 million per floor. However, he said even with a parking garage, people do not like to walk. He suggested putting conditions on the variance, including one stating the developer will work with the city and downtown group to come to a solution or not take away all of the required spaces. Such conditions may give more time for everyone to come together to come up with a solution that works for everyone. He added that we need to start thinking about the future and plan for future growth. One idea is to have downtown developers pay into a parking fund to help develop parking lots so the cost does not fall entirely on the city. He did not believe the issue could be resolved in one meeting but said it is important to get started on coming up with a solution. There are not a lot of grants available for parking lots but the possibility of pooling funds is something to consider now and in the future.

Wondra expressed his concern that if the board approved with conditions now they may not have all the information they need to come up with the best conditions. He showed concern for holding up the developer but does not want to make a quick decision that will cause responsibility to fall on the city later. Wondra asked Frantz if tabling the issue for 3 weeks would hold up progress too much, and Frantz asked if the city would work with them on the demolition process in that time. Krogmeier said the demolition can be worked with so progress can continue, however it is a gamble for the developer to put money into the demo when they don't know if the variance will be passed for sure.

Siefken pointed out that tenants will likely be working during the day and won't be parked there during business hours anyway, and Clute refuted saying people in that demographic are likely to have low seniority therefore more likely to work second or third shift. Young added that the people living on her block are not parking on the street.

Amandus asked if denial of the variance would stop the project completely or if the developer could come up with the spaces somehow. Frantz said denial would affect the grant money being used on the project because funds would have to be used differently making the grant no longer valid. Amandus asked if parking was addressed at all when applying for the grant, and added the developer should have known the code and the requirements prior so it should not be the city's responsibility to accommodate this lack of planning. It was then pointed out that many of the existing downtown apartments do not comply with this code, and Wondra said it is not something that can be ignored and at some point it must be dealt with. Several members of the audience expressed their concern that the board would put off development by tabling the issue, and Amandus assured them the board wants the development but it is their job to make sure mistakes are not made. She continued to explain she is not comfortable waiving the requirement completely and the board will need more time to come up with appropriate conditions before approving. Wondra asked if tabling it for 3 weeks would be reasonable and Krogmeier asked Frantz about their time frame. Frantz agreed that 3 weeks would be reasonable with 4 weeks being the maximum amount of time without setting them back too much. Clute asked about how many options there will be and Krogmeier said it can be a collection of ideas with many different pieces and suggestions.

Tim Wondra motioned, seconded by Tiffany Siefken, to table the variance request to reduce required off street parking for three rehabilitation project at 801 Ave G, 702 Ave G and 614 7th St. for Frantz Community Investors.

Vote: 3-yes, 0-no. Motion passed.

Old Business: none

Other/New Business: None

Tim Wondra made a motion, seconded by Siefken, to adjourn the meeting.

Vote: 3-yes, 0-no.

Meeting adjourned at 6:40pm.

Donna Amandus