



**THE CITY COUNCIL OF WATERLOO, IOWA
PLANNING SESSION TO BE HELD AT
Harold E. Getty Council Chambers
Monday, September 30, 2024
5:30 PM**

**CITY OF WATERLOO
COMMUNITY VISION PLAN**

1. Fly the W: To develop a sense of pride and relationship between residents and the City of Waterloo, and then leverage that pride to communicate the City's attributes to external audiences.
2. Elevate Housing: Redevelop, renovate, or improve 800 residences in Waterloo in eight years by providing access to capital.
3. Celebrate and Connect Neighborhoods: To leverage Waterloo's rich tradition of neighborhoods by celebrating and connecting them with the community and region at large.
4. Waterloo Works: Grow a diverse and skilled workforce in Waterloo that connects people and employers for mutual growth.
5. Crossroads Doubledown: Re-energize the Crossroads Mall area into a sports/recreation-themed gravitational center.
6. Power Up Downtown: Keep Waterloo's core downtown evolving to meet the needs of future generations, supporting and showcasing arts and cultural opportunities and creating an experience like no other.
7. Sportstown USA: To generate excitement, develop youth, and drive investment and economic impact from year-round visitors.
8. Community of Opportunity: Eliminate barriers that keep Waterloo residents, and the community as a whole, from reaching its true potential, creating an equitable, thriving, and sustainable community for future generations.
Waterloo is a Community of Opportunity, where everyone can prosper.

GENERAL RULES FOR PUBLIC PARTICIPATION PLANNING SESSION AGENDA

- A. Iowa Code Chapter 21 gives the public the right to attend council meetings, but it does not require cities to allow public participation except during public hearings. The public is required to follow the rules listed in this article when speaking during any meeting of the city council.

- B. At the presiding officer's discretion, individuals may address the presiding officer by stepping to the podium, and after recognition by the presiding officer, shall state their name, address, and group affiliation, if appropriate, and speak clearly into the microphone.
- C. Comments shall be germane and refrain from personal, impertinent, or slanderous remarks.
- D. Cell phones and electronic devices shall be set to silent prior to the start of the meeting.

RULES FOR PUBLIC COMMENT SECTION OF THE AGENDA

- A. Individuals shall speak one (1) time on only one (1) issue for a maximum of three (3) minutes During the public comment section of the agenda. The public shall not be required to pre-register to speak during public comment. Individuals shall only speak on matters not listed on the regular agenda for that date. Any matter presented shall be directed to the presiding officer and addressed, if necessary, after the meeting.
- B. Council members may speak during public comment portion of the agenda after the public has finished speaking
- C. City staff shall not be required to provide an immediate answer to a matter presented during a council meeting unless it specifically pertains to an item on the agenda

RULES FOR PUBLIC COMMENT DURING PUBLIC HEARINGS

Individuals may speak during the public comment portion of a scheduled public hearing for a maximum of three (3) minutes or may submit written comments to the city clerk by four o'clock (4:00) P.M. on the day of the public hearing. Groups of citizens with similar viewpoints are encouraged to select a representative to share the viewpoint of the group.

RULES FOR PUBLIC COMMENT DURING AGENDA ITEMS

At the discretion of the presiding officer, individuals may speak for a maximum of three (3) minutes when the council discusses agenda items. This section does not apply to businesses or parties directly involved in agenda items.

Roll Call.

Prayer or Moment of Silence.

Pledge of Allegiance, Steve Simon, At-Large Council Member.

Approval of Agenda as proposed or amended.

Approval of Minutes of the September 16, 2024, Regular Session, as proposed or amended.

CONSENT AGENDA

1. Bills Payment, Finance Committee Invoice Summary Report, a copy of which is on file in

the office of the City Clerk.

2. Liquor Licenses

- a. The Brown Bottle, 209 W. 5th St., Class C Alcohol w/Sunday Sales (Renewal) Exp: 10/21/2025.
 - b. Casey's 218 Pub, 4010-4018 University Ave., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 9/30/2025.
 - c. Damon's Sports Bar and Grill, 2122 Kimball Ave., Class C Alcohol w/Sunday Sales (Renewal) Exp: 10/4/2025.
 - d. Dollar General #7136, 66 E. Tower Park Dr., Class B Alcohol w/Sunday Sales (Renewal) Exp: 8/21/2025.
 - e. Dub's Pub, 1106 LaPorte Rd., Class C Alcohol w/Outdoor Service and Sunday Sales (New) Exp: 9/12/2025.
 - f. Starbuck's Smokehouse, 250 Westfield Ave., Class C Alcohol w/Outdoor Service, Catering and Sunday Sales (Renewal) Exp: 6/20/2025.
 - g. Dallas Fresh Waterloo, 814 La Porte Rd., Class C Alcohol w/Sunday Sales (New) Exp: 2/11/2025.
 - h. Eventos VIP, 32 Lafayette St., Class C Alcohol w/Sunday Sales (Renewal) Exp: 10/4/2025.
 - i. Hy-Vee Wine and Spirits #1, 2126 Kimball Ave., Class E Alcohol w/Sunday Sales (Renewal) Exp: 11/14/2025.
 - j. Hy-Vee Tast and Fresh #1, 3700 University Ave., Class B Alcohol w/Sunday Sales (Renewal) Exp: 10/31/2025.
 - k. Waterloo Fraternal Order of Eagles, 202 E. 1st St., Class F Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 7/14/2025.
 - l. Rudy's Taco-Beer Hall-Lava Lounge, 2401 Falls Ave., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 9/27/2025.
3. Motion approving an Exception to Burning Yard Waste Application by George Wyth State Park, to burn locations within the park located generally at 3659 Wyth Road, between October 2024 and February 2025, weather permitting.

PUBLIC HEARINGS

1. Request by the City of Waterloo to vacate Elm Street from Sycamore Street to Lafayette Street, located adjacent to 1515 Sycamore Street with the retention of a utility easement over, under, and upon the vacated area.

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close the hearing and receive and file oral and written comments, and recommendation of approval of the Planning, Programming and Zoning Commission.

Motion to receive, file, consider, and pass for the first time an ordinance approving a request by the City of Waterloo to vacate Elm Street from Sycamore Street to Lafayette Street, located adjacent to 1515 Sycamore Street with the retention of a utility easement over, under, and upon the vacated area.

Motion to suspend the rules.

Motion to consider and pass for the second and third times and adopt said ordinance.

Submitted by: Noel Anderson, Community Planning and Development Director

2. Request by the City of Waterloo to rezone approximately 0.21 acres from “M-2” Heavy Industrial District to “C-P” Planned Commercial District located adjacent to 1515 Sycamore Street.

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close the hearing and receive and file oral and written comments and recommendations of approval of the Planning, Programming, and Zoning Commission.

Motion to receive, file, consider, and pass for the first time an ordinance amending Ordinance No. 5079, as amended, City of Waterloo Zoning Ordinance, by amending the Official Zoning Map referred to in Section 10-4-4, approving a request by the City of Waterloo to rezone approximately 0.21 acres from “M-2” Heavy Industrial District to “C-P” Planned Commercial District located adjacent to 1515 Sycamore Street.

Motion to suspend the rules.

Motion to consider and pass for the second and third times and adopt the ordinance.

Submitted by: Noel Anderson, Community Planning and Development Director

3. Request by 1515 Sycamore, LLC, for a Site Plan Amendment for the redevelopment of the Rath Administration Building.

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close public hearing and receive and file oral and written comments and recommendation of approval of the Planning, Programming, and Zoning Commission.

Motion to receive, file, consider and pass for the first time an ordinance amendment to Ordinance No. 5079, as amended, City of Waterloo Zoning Ordinance, by amending the Official Zoning Map referred to in Section 10-4-4, approving a request by 1515 Sycamore, LLC, for a Site Plan Amendment to allow for redevelopment of the Rath Administration Building into 87 residential units, including the potential to add parking within vacated Elm Street and allowing for a total of 122-180 parking spaces, potentially up to 52 spaces less than the 174 parking spaces required in the “C-P” Planned Commercial District, located at 1515 Sycamore Street.

Motion to suspend the rules.

Motion to consider and pass for the second and third times and adopt the ordinance.

Submitted by: Noel Anderson, Community Planning and Development Director

RESOLUTIONS

1. Resolution approving a Project Funding Agreement with the Waterloo Development Corporation for the demolition of properties located at 100 Commercial Street, 118 Sycamore Street, and 128 Sycamore Street, and authorizing the Mayor and City Clerk to execute said document.

OTHER COUNCIL BUSINESS

1. Economic development site tour.

ADJOURNMENT

Motion to adjourn.

Kelley Felchle
City Clerk

September 16, 2024

The City Council of the City of Waterloo, Iowa, met in Regular Session at Harold E. Getty Council Chambers, Waterloo, Iowa, at 5:30 PM, on Monday, September 16, 2024.

Roll Call.

Mayor Quentin Hart in the Chair. Roll Call: Mr. Boesen, Mr. Nichols, Ms. Creighton-Smith, Mr. Chiles, Mr. Simon, Ms Wilder and Mr. Feuss.

Prayer or Moment of Silence.

Pledge of Allegiance, Ray Feuss, Ward 5 Council Member.

Approval of Agenda as proposed or amended.

Feuss/Simon

that the agenda as proposed be approved. Voice vote-Ayes: Seven. Motion carried.

Approval of Minutes of the September 3, 2024, Regular Council Session and the September 11, 2024, Special Session, as proposed or amended.

Feuss/Simon

that the minutes of September 3, 2024, Regular Council Session and the September 11, 2024, Special Session, as proposed be approved. Voice vote-Ayes: Seven. Motion carried.

PUBLIC COMMENTS

The following individuals commented on various subjects.

Aaron Stacey Roberts, 511 Almond
Margaret Moye, Director of the Grout Museum
Hector Salamanca Arroyo, Boys and Girls Club of the Cedar Valley
Mike Kruze, 3450 Independence Avenue
Larry Stumme, 1008 Lois Lane
Miranda Canfield, Waterloo Public Library
Jessica Young, 318 W. 3rd Street
Nick Hedrick, 207 Highland Blvd.
Forest Dillavou, 1725 Huntington Road
Todd Obadal, 124 Amity Drive
Denise Drahos, 2520 W. 8th Street
LaTonya Graves, 1607 E. Donald Street

Ms. Creighton-Smith shared an update on events coming up for Veterans Memorial Hall.

Mr. Chiles provided details for the next Ward 1 meeting at Side Car Coffee. He spoke of the economic impact the Arts has on Waterloo and the Cedar Valley and stated that it brings in one

hundred million dollars per year, second only to Des Moines, in the state of Iowa.

Mr. Nichols shared information on an upcoming Emergency Preparedness workshop and the Ward 4 meeting.

Mr. Simon requested additional information about the closing of All In Grocers.

Noel Anderson, Community Planning and Development Director, provided information on the history of the project as well as city investment and incentives.

Mr. Simon questioned if the developer had paid all of their taxes.

Noel Anderson confirmed.

Mayor Hart announced that tomorrow is the Mayor's Fun Run in Downtown Waterloo.

Feuss/Creighton-Smith
to close public comments. Voice vote-Ayes: Seven. Motion carried.

CONSENT AGENDA

Feuss/Chiles
that the following items on the consent agenda be received and placed on file, including the payment of bills for September 9, 2024, in the amount of \$4,483,150.90, and September 16, 2024, in the amount of \$5,883,549.05, be received and placed on file. Voice vote-Ayes: Seven. Motion carried.

Bills Payment, Finance Committee Invoice Summary Report, a copy of which is on file in the office of the City Clerk.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-535.

Resolution approving the request by Carrie and Alex Mass, for tax exemptions on the construction of a new single-family home valued at \$552,000.00, for property located at 125 Goldcrest Court and located in the City Limits Urban Revitalization Area (CLURA).

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-536.

Resolution approving the request by Brett Robinson, for tax exemptions on the construction of a new single-family home valued at \$516,000.00, for property located at 1440 Partridge Lane and located in the City Limits Urban Revitalization Area (CLURA).

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-537.

Resolution approving the request by Linda Meggers, for tax exemptions on the construction of a new single-family home valued at \$384,500.00, for property located at 1427 Partridge Lane and located in the City Limits Urban Revitalization Area (CLURA).

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor

assigned No. 2024-538.

Resolution approving the request by Elvir Kurtovic, for tax exemptions on the construction of a new twin home unit valued at \$269,000.00, for property located at 4139 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-539.

Resolution approving the request by Saw Maung and Maria Than, for tax exemptions on the construction of a new single-family home valued at \$315,000.00, for property located at 1235 W. 7th Street and located in the Consolidated Urban Revitalization Area (CURA).

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-540.

Resolution approving the request of Jesse Tucker for a waiver for a concrete driveway, located at 1110 Minnesota Street, with the elimination of the sidewalk section due to inability to meet grade requirements.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-541.

Resolution approving the request of Tom Nagle, for a waiver for a concrete driveway, located at 1029 Thorndale Avenue, and authorizing the construction of a concrete driveway and placing a driveway or sidewalk on the city right-of-way on an unimproved street.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-542.

Resolution approving the request of Dan Noel, for a waiver for an asphalt driveway, located at 215 N. Hackett Road, and authorizing the construction of a concrete driveway and placing a driveway or sidewalk on the city right-of-way on an unimproved street.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-543.

Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as October 17, 2024, and date of public hearing as October 21, 2024, in conjunction with the FY 2025 prefabricated shelter at 1700 Idaho Street, for the Municipal Telecommunications Utility Project, Contract No. 1112, and direct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-544.

Resolution setting date of public hearing as September 30, 2024, for a request by the City of Waterloo to vacate Elm Street from Sycamore Street to Lafayette Street, located adjacent to 1515 Sycamore Street with the retention of a utility easement over, under, and upon the vacate area, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-545.

Resolution setting the date of public hearing as September 30, 2024, for a request by the City of Waterloo to rezone approximately 0.21 acres from "M-2" Heavy Industrial District to "C-P" Planned Commercial District located adjacent to 1515 Sycamore Street, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-546.

Resolution setting date of public hearing as September 30, 2024, for a request by 1515 Sycamore, LLC, for a Site Plan Amendment to allow for redevelopment of the Rath Administration Building into 87 residential units, including the potential to add parking within vacated Elm Street and allowing for a total of 122-180 parking spaces, potentially less than the 174 parking spaces required in the "C-P" Planned Commercial District, located at 1515 Sycamore Street, and instruct the City Clerk publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-547.

Resolution approving submission of ICAAP grant application in the amount of \$700,000.00, for construction of a roundabout at the Hammond Avenue and Ridgeway Avenue intersection, and authorizing the Mayor and City Clerk to execute said document.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-548.

Resolution authorizing an exception to the City of Waterloo Purchasing Policy for purchasing a 2024 Ford F350 4WD Regular Cab Longbox, in the amount of \$47,659.25, from Stivers Ford, for the Fire Department.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-549.

Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Restoration Services of Waterloo, Iowa, in the amount of \$37,015.00, in conjunction with the Hangar No. 4 Improvements - Tuckpointing and Painting, under the IDOT FY-23 CSMV Project, Contract No. 4606.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-550.

Motion approving Final Quantity Summary with Lodge Construction, Inc., of Clarksville, Iowa, for a net decrease of \$47,867.86, in conjunction with the FY 2021 Cedar River Marina and Recreational Enhancements, DOT Project No. TAP-U-8155(768)--8I-07, Contract No. 1011, and authorizing the Mayor and City Clerk to execute said document.

Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Lodge Construction, Inc., of Clarksville, Iowa, in the amount of \$1,368,581.94, in conjunction with the FY 2021 Cedar River Marina and Recreational Enhancements, DOT Project No. TAP-U-815(768)-8I-07, Contract No. 1011.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor

assigned No. 2024-551.

Motion approving Final Quantity Summary with Vieth Construction Corporation, of Cedar Falls, Iowa, for a net decrease of \$19,177.29, in conjunction with the FY 2021 Highway 63 Enhancements from Washington Street to Parker Street, DOT Project No. TAP-U-8155(774)--8I-07, Contract No. 1029, and authorizing the Mayor and City Clerk to execute said document.

Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Vieth Construction Corporation, of Cedar Falls, Iowa, in the amount of \$1,706,917.06, in conjunction with the FY 2021 Highway 63 Enhancements from Washington Street to Parker Street, DOT Project No. TAP-U-815(774)-8I-07, Contract No. 1029.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-552.

Motion to approve Final Quantity Summary with Brock Even Construction, LLC, of Jesup, Iowa, for a net decrease of \$5,327.99, in conjunction with the FY 2024 Sidewalk Repair Assessment Program - Zone 3, Contract No. 1082, and authorizing the Mayor to execute said document.

Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Brock Even Construction, LLC, of Jesup, Iowa, in the amount of \$165,913.26, in conjunction with the FY 2024 Sidewalk Repair Assessment Program - Zone 3, Contract No. 1082, and receive and file a two-year maintenance bond.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-553.

Motion approving Change Order No. 2 with WRH, of South Amana, Iowa, for a net addition of \$27,787.73, in conjunction with the Titus Lift Station and Force Main Project, Contract No. 975, and authorizing the Mayor to execute said document.

Motion to approve Change Order No. 1 with Advanced Environmental, Inc., of Waterloo, Iowa, for a net increase of \$1,188.00, in conjunction with additional asbestos abatement work (pipe wrap) for property located at 1202 Sycamore Street under Contract No. AB-2024-05-08P, and authorizing the Mayor to execute said document.

Communication from the Library Department on the notice of the conclusion of employment of **Kim Chapman**, Business Office Manager, effective August 30, 2024, with recommendation of approval of payout of \$10,513.14 for unused benefits.

Motion to approve the appointment of **Jason Sandoval** from the current Civil Service List to the position of Code Enforcement Officer in the Code Enforcement Department, effective September 17, 2023.

Tom Powers, Board/Commission: Board of Adjustment, Expiration Date: September 16, 2029, [New].

Airport Board minutes of July 24, 2024.

Motion approving Application for Fireworks Display: Hairball Concert, September 20, 2024, at the National Cattle Congress, from 9:00 p.m. to 11:00 p.m.

Liquor Licenses

a. Kwik Star #715, 135 E. Ridgeway Ave., Class E Alcohol w/Sunday Sales (Renewal) Exp: 10/3/25.

b. Kwik Star #1004, 111 E. Donald St., Class B Alcohol w/Sunday Sales (Renewal) Exp: 10/21/25.

c. Petersen & Tietz Florists & Greenhouses, 2275 Independence Ave., Special Class B Native Wine, w/Sunday Sales (Renewal) exp: 10/8/25.

d. Vinton's Pub and Eatery, 201 Rath St., Class C Alcohol w/Catering and Sunday Sales (Renewal) Exp: 9/5/25.

e. Locke at Tower Park, 4140 Kimball Ave., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 9/20/25.

f. Waterloo Black Hawks Hockey, 125 Commercial St., Class C Alcohol w/Sunday Sales (Renewal) Exp: 12/15/24.

g. Wal-Mart Supercenter #1496, 1334 Flammang Dr., Class E Alcohol w/Sunday Sales (Renewal) Exp: 9/30/25.

h. West Side Liquor, 919 W. 5th St., Class E Alcohol w/Sunday Sales (Renewal) Exp: 10/29/25.

Bonds.

PUBLIC HEARINGS

Reallocation of Unspent Proceeds of the General Obligation Bond Series 2022B in an amount not to exceed \$142,000.00.

Chiles/Nichols

to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Seven. Motion carried.

This being the time and place of the public hearing, the Mayor called for written and oral comments and there were none.

Chiles/Nichols

to close the hearing. Voice vote-Ayes: Seven. Motion carried.

Chiles/Nichols

Resolution instituting proceedings to take additional action and approving the reallocation of certain unspent proceeds of the General Obligation Bonds, Series 2022B, of the City of Waterloo, Iowa. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-554.

Reallocation of Unspent Proceeds of the General Obligation Bonds, Series 2023A in an amount not to exceed \$25,000.00.

Chiles/Nichols

to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Seven. Motion carried.

This being the time and place of the public hearing, the Mayor called for written and oral comments and there were none.

Chiles/Nichols

to close the hearing. Voice vote-Ayes: Seven. Motion carried.

Chiles/Nichols

Resolution instituting proceedings to take additional action and approving the reallocation of certain unspent proceeds of the General Obligation Bonds, Series 2023A, of the City of Waterloo, Iowa. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-555.

FY 2025 Sidewalk Repair Assessment Program - Zone 4, Contract No. 1111.

Nichols/Wilder

to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Seven. Motion carried.

This being the time and place of the public hearing, the Mayor called for written and oral comments and there were none.

Nichols/Wilder

to close hearing. Voice vote-Ayes: Seven. Motion carried.

Nichols/Wilder

Resolution confirming approval of plans, specifications, form of contract, etc., and authorizing to proceed. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-556.

Nichols/Wilder

to receive, file, and instruct the City Clerk to read bids. Voice vote-Ayes: Seven. Motion carried.

Engineer's Estimate: \$265,744.04

Brock Even Construction, LLC, Jesup, IA - 5% - \$208,547.56.

Nichols/Wilder

Resolution approving award of bid to Brock Even Construction, LLC, of Jesup, Iowa, in the amount of \$208,547.56, approving the contract, bond, and certificate of insurance, in conjunction with the FY 2025 Sidewalk Repair Assessment Program, Contract No. 1111, and authorizing the Mayor and City Clerk to execute said document. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-557.

FY 2025 Sidewalk Repair Assessment Program - Zone 4, Contract No. 1111 (Notice to property owners).

Nichols/Wilder

to receive and file proof of publication notice of public hearing. Voice vote-Ayes: Seven. Motion carried.

This being the time and place of the public hearing, the Mayor called for written and oral comments and there were none.

Nichols/Wilder

to close the hearing. Voice vote-Ayes: Seven. Motion carried.

Nichols/Wilder

Resolution adopting Proposed Resolution of Necessity, as proposed or amended. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-558.

Nichols/Wilder

Resolution approving proposed construction of sidewalk improvements. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-559.

Nichols/Wilder

Resolution to fix the value of lots. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-560.

Nichols/Wilder

Resolution to adopt proposed plat and schedule of assessments and estimate of costs. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-561.

Sale and conveyance of city-owned property, located northwest of 2765 Crossroads Boulevard to Grant Park, LLC, in the amount of \$1.00, including a Development and Minimum Assessment Agreement.

Feuss/Nichols

to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Seven. Motion carried.

This being the time and place of the public hearing, the Mayor called for written and oral comments and there were none.

Feuss/Nichols
to close hearing. Voice vote-Ayes: Seven. Motion carried.

Feuss/Creighton-Smtih
Resolution approving the sale and conveyance of city-owned property located northwest of 2765 Crossroads Boulevard to Grant Park, LLC, in the amount of \$1.00, and authorizing the Mayor and City Clerk to execute said documents. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-562.

Mr. Simon requested clarification on the site of the development.

Noel Anderson, Community Planning and Development Director, provided an overview of the location and the plans for the item.

Feuss/Creighton-Smith
Resolution approving an amendment to the Development and Minimum Assessment Agreement with Grant Park, LLC, and authorizing the Mayor and City Clerk to execute said document. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-563.

Request by the City of Waterloo to vacate 8,708 square feet of East San Marnan Drive right-of-way, located northwest of 2765 Crossroads Boulevard.

Wilder/Chiles
to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Seven. Motion carried.

This being the time and place of the public hearing, the Mayor called for written and oral comments and there were none.

Wilder/Chiles
to close the hearing and receive and file recommendation of approval of the Planning, Programming and Zoning Commission. Voice vote-Ayes: Seven. Motion carried.

Wilder/Chiles
to receive, file, consider and pass for the first time an ordinance approving a request by the City of Waterloo to vacate approximately 8,708 square feet of city-owned right-of-way located northwest of 2765 Crossroads Boulevard, subject to the retention of a utility easement over, under and upon the northwesterly 10 feet of the vacate area. Roll Call vote-Ayes: Seven. Motion carried.

Wilder/Chiles
to suspend the rules. Roll Call vote-Ayes: Seven. Motion carried.

Wilder/Chiles
to receive, file, consider, and pass for the second and third times and adopt said ordinance. Roll Call vote-Ayes: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5773.

Sale and conveyance of City-owned property located near 919 Newell Street and 918 Newell

Street in the amount of \$5,000.00 for each property and to approve a phased Development Agreement with Dellatan Asset Acquisition, LLC.

Nichols/Creighton-Smith

to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Seven. Motion carried.

This being the time and place of the public hearing, the Mayor called for written and oral comments.

Beverly Cosby, 315 Wendell Court, questioned what was being built.

O'Dell Sallis, representing Dellatan Asset Acquisition LLC, explained that they are putting in affordable housing to help uplift the community.

Doris Diedrich, 2009 City View Street, questioned how it is determined which city property is sold for \$1.00.

Mayor Hart provided an explanation of how the process works to transfer real estate.

Nichols/Creighton-Smith

to close the hearing and receive and file oral comments. Voice vote-Ayes: Seven. Motion carried.

Nichols/Creighton-Smith

Resolution authorizing the sale and conveyance of city-owned property located near 919 and 918 Newell Street, in the amount of \$5,000.00 for each property to Dellatan Asset Acquisition, LLC, and authorizing the Mayor and City Clerk to execute said documents. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-564.

Mr. Chiles questioned if we have an approximate assessed value of the properties.

Mr. Sallis shared that the homes would sell for between \$170,000 to \$270,000.

Nichols/Creighton-Smith

Resolution approving a Development Agreement with Dellatan Asset Acquisition, LLC, for the construction of up to 12 new residential units and authorizing the Mayor and City Clerk to execute said document. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-565.

RESOLUTIONS

Resolution approving construction plans for grading, paving, and utilities serving the Prairie Meadow Estates First Addition, as submitted by Snyder & Associates, Inc., Sewage Treatment Agreement, DNR Form 29 (Nov 00) with the Department of Natural Resources, and final acceptance of construction plans subject to the review and acceptance by the Department of Natural Resources, and authorizing the Mayor to execute said documents.

Boesen/Chiles

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-566.

Resolution approving a Right-of-Way License Agreement with Waterloo Fiber for the placement of utilities within City right-of-way, and authorizing the Mayor and City Clerk to execute said document.

Boesen/Chiles

Mr. Boesen requested an overview of the item.

Randy Bennett, Public Works Division Manager, provided an overview.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-567.

Resolution approving a Permanent Easement Agreement with McDonald's USA, LLC, to allow roadway maintenance on private property located 2222 Logan Avenue, in conjunction with the North Crossing redevelopment, and authorizing Mayor and City Clerk to execute said document.

Boesen/Chiles

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-568.

Resolution approving a Development Agreement with Iowa Heartland Habitat for Humanity for the construction of a new home at 222 Randall Street, including a \$5,000.00 infill incentive and demolition of the existing structure, and authorizing the Mayor and City Clerk to execute said document.

Nichols/Feuss

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-569.

Resolution approving Amendment No. 4 to the Professional Service agreement originally executed December 8, 2022, with Strand Associates Inc., of Madison, Wisconsin for design bidding related services, in the amount of \$10,000.00, in conjunction with the Wastewater Treatment Plant Third Party Renewable Natural Gas Project, and authorizing the Mayor to execute said document.

Nichols/Feuss

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-570.

Resolution approving an As-Built Contract with Entrust Solutions Group of Warrenville, IL, in the amount of \$479,274.20, in conjunction with the Fiber Optic Network Project, and authorizing the Mayor and City Clerk to execute said document.

Nichols/Feuss

David Dryer, 3145 W. 4th Street, requested an overview of the item.

Randy Bennett, Public Works Division Manager, provided an overview of the item.

Roll Call vote-Ayes: Six. Nays: One (Simon). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-571.

Resolution approving a Design Agreement with Entrust Solutions Group of Warrenville, Illinois, in the amount of \$48,300.00, in conjunction with the Fiber Optic Network Project, and authorizing the Mayor and City Clerk to execute said document.

Feuss/Chiles

Roll Call vote-Ayes: Six. Nays: One (Simon). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-572.

Resolution approving a Sales Agreement with Daktronics of Brookings, South Dakota in the amount of \$294,500.00, in conjunction with the Convention Center Outside Signage Project, and authorizing the Mayor to execute said document.

Feuss/Chiles

Mr. Simon requested an overview of the item.

Bridgett Wood, Finance Director, provided an overview of the time.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-573.

Resolution approving the Program Member Agreement with U.S. Bank for the purpose of making available a Corporate Card, Purchase Card, and/or One Card Program, and authorizing the Mayor to execute said document.

Feuss/Chiles

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-574.

Resolution of the City of Waterloo, Iowa, authorizing official banking signatures.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-575.

CLOSED SESSION

Closed Session on the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).

Feuss/Creighton-Smith

Motion to adjourn to Executive Session at 6:51 p.m. Roll Call vote-Ayes: Seven. Motion carried.

Feuss/Boesen

Motion to adjourn Executive Session at 7:04 p.m. Roll Call vote-Ayes: Seven. Motion carried.

Closed Session on the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).

Feuss/Boesen

Motion to adjourn to Executive Session at 7:04 p.m. Roll Call vote-Ayes: Seven. Motion carried.

Feuss/Wilder

Motion to adjourn Executive Session at 7:09 p.m. Roll Call vote-Ayes: Seven. Motion carried.

Closed Session on the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).

Feuss/Wilder

Motion to adjourn to Executive Session at 7:09 p.m. Roll Call vote-Ayes: Seven. Motion carried.

Feuss/Wilder

Motion to adjourn Executive Session at 7:15 p.m. Roll Call vote-Ayes: Seven. Motion carried.

Closed Session on the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).

Feuss/Wilder

Motion to adjourn to Executive Session at 7:15 p.m. Roll Call vote-Ayes: Seven. Motion carried.

Feuss/Creighton-Smith

Motion to adjourn Executive Session at 7:33 p.m. Roll Call vote-Ayes: Seven. Motion carried.

Closed Session on the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).

Feuss/Creighton-Smith

Motion to adjourn to Executive Session at 7:33 p.m. Roll Call vote-Ayes: Seven. Motion carried.

Feuss/Creighton-Smith

Motion to adjourn Executive Session at 7:39 p.m. Roll Call vote-Ayes: Seven. Motion carried.

Closed Session on the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).

Feuss/Creighton-Smith

Motion to adjourn to Executive Session at 7:39 p.m. Roll Call vote-Ayes: Seven. Motion carried.

Feuss/Creighton-Smith

Motion to adjourn Executive Session at 7:48 p.m. Roll Call vote-Ayes: Seven. Motion carried.

Closed Session on the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).

Feuss/Creighton-Smith

Motion to adjourn to Executive Session at 7:48 p.m. Roll Call vote-Ayes: Seven. Motion carried.

Feuss/Creighton-Smith

Motion to adjourn Executive Session at 8:03 p.m. Roll Call vote-Ayes: Seven. Motion carried.

ADJOURNMENT

Feuss/Creighton-Smith

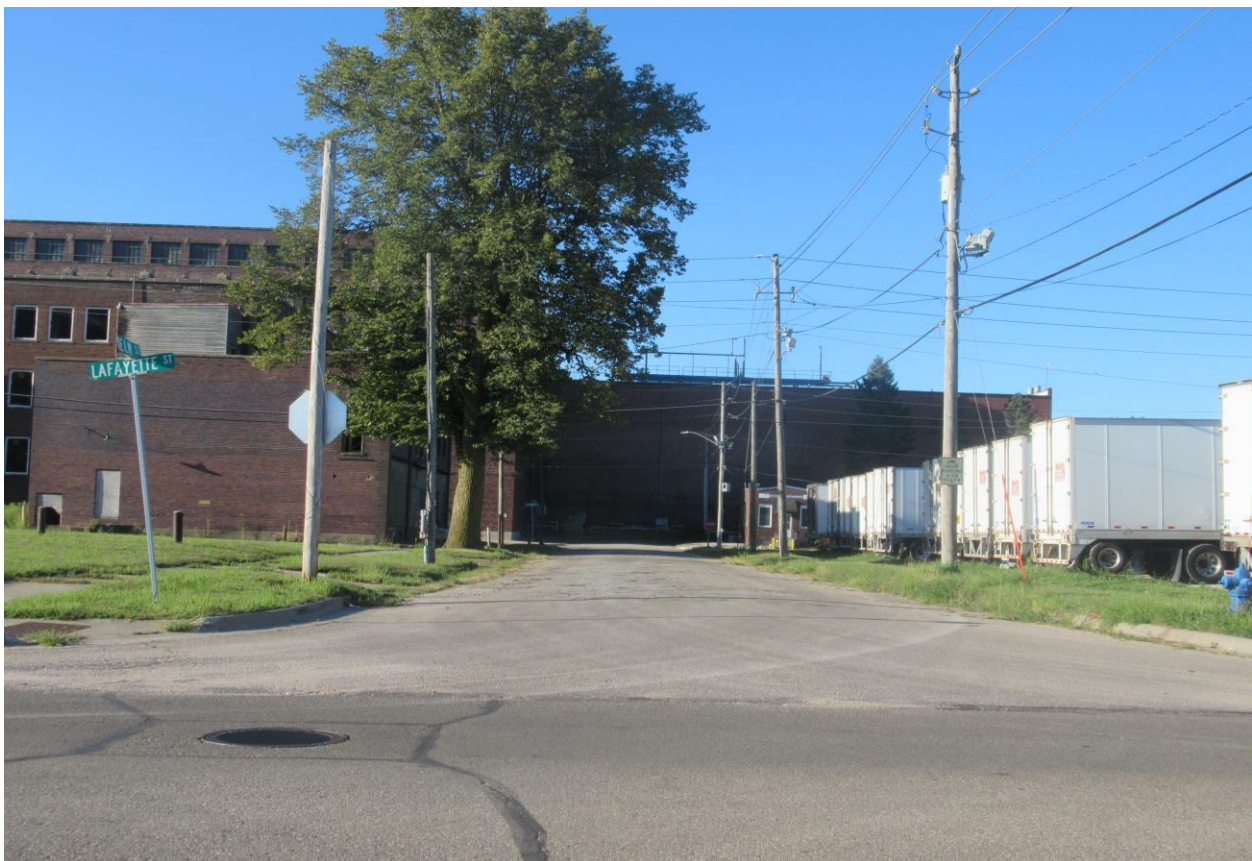
that the council adjourn at 8:03 p.m. Voice vote-Ayes:Seven. Motion carried.

Kelley Felchle
City Clerk

REQUEST:	Request by the City of Waterloo to vacate Elm Street from Sycamore Street to Lafayette Street, located adjacent to 1515 Sycamore Street.
APPLICANT(S):	City of Waterloo, 715 Mulberry Street, Waterloo, Iowa 50703
GENERAL DESCRIPTION:	The applicant is requesting to vacate Elm Street northwest of 1515 Sycamore Street to create additional parking for the redevelopment of the former Rath Administration Building into 87 affordable residential units.
IMPACT ON NEIGHBORHOOD & SURROUNDING LAND USE:	The request to vacate Elm Street between Lafayette Street and Sycamore Street would not appear to have a negative impact on the surrounding area.
VEHICULAR & PEDESTRIAN TRAFFIC CONDITIONS:	The vacate request would not appear to have a negative impact on vehicular or pedestrian conditions in the area as there are no driveways located along Elm Street for any uses other than 1515 Sycamore Street. The vacation of Elm Street will deter traffic from using Elm Street and will keep traffic on the minor arterial streets that surround the development.
RELATIONSHIP TO RECREATIONAL TRAIL PLAN and COMPLETE STREETS POLICY.	There are sidewalks along the northeast and northwest sides of Elm Street and along Sycamore Street and Lafayette Street. The sidewalks along Elm Street will be removed with the approval of the vacate in order to create space for the additional parking. The Cedar Valley Lakes Trail is located a quarter of a mile to the south along the north side of the Cedar River.
ZONING HISTORY FOR SITE AND IMMEDIATE VICINITY:	The proposed vacate area is currently zoned “M-2” Heavy Industrial District and “C-P” Planned Commercial District and has been zoned as such since the area zoned “C-P” was rezoned from “M-2” Heavy Industrial District on May 6, 2024. As part of a separate request the vacate area will be rezoned to “C-P” to be consistent with the property at 1515 Sycamore Street. Surrounding land uses and their zoning are as follows: North – Waterloo Women’s Center for Change, Northeast Iowa Food Bank, and Operation Threshold, zoned “M-2” Heavy Industrial District. South – Crystal Distribution and vacant building, zoned “M-1” Light Industrial District. East – former Rath Administration Building, zoned “C-P” Planned Commercial District. West – C&A Transport, zoned “M-1” Light Industrial District and “M-2” Heavy Industrial District.
BUFFERS REQUIRED/ NEEDED:	There are no buffers or screening required in relation to this request.



Picture 1: Looking along Elm Street from Sycamore Street to Lafayette Street.



Picture 2: Looking along Elm Street from Lafayette Street to Sycamore Street.

DRAINAGE:	The proposed vacate would require detention for the additional paved parking area. The applicant is showing two detention areas on the site plan.
DEVELOPMENT HISTORY:	The former Rath Administration Building was constructed in 1925. The Human Services Campus to the north was constructed between 2010 and 2012. The other commercial and industrial development in the area was built between 1926 and 1999.
FLOODPLAIN:	The area is located within Zone X (Protected by Levee) which is not a Special Flood Hazard Area as indicated by the 2024 Federal Insurance Administration's Flood Insurance Rate Map.
PUBLIC /OPEN SPACES/ SCHOOLS:	Highland Elementary School is located approximately 0.92 miles to the northeast and Expo Alternative High School is located approximately 0.93 miles to the northeast of the site in question. East High School is approximately 0.7 miles to the northwest of the site. The Cedar River is located a quarter of a mile to the south, and Lafayette Park is located 2 blocks to the southeast of the area in question.
UTILITIES: WATER, SANITARY SEWER, STORM SEWER, ETC.	A 30" sanitary sewer and a 12" water main is located within Elm Street. A 15" sanitary sewer line is located within Lafayette Street. A 4" drain tile for storm sewer and an 8" sanitary sewer line are located within Sycamore Street. Overhead utility lines are located along the east and west sides of Elm Street. A utility easement will need to be retained over, under, and upon the entire vacate area.
RELATIONSHIP TO COMPREHENSIVE LAND USE PLAN:	The Future Land Use Map designates this property as Industrial. The proposed land use is not in conformance with the Future Land Use Map for this area. However, the Future Land Use Map is to be used as a guide in making land use decisions. The site is in the Primary Growth Area as identified in the City's Comprehensive Plan adopted August 21, 2023.
STAFF ANALYSIS – ZONING ORDINANCE:	The City of Waterloo is requesting to vacate Elm Street between Lafayette Street and Sycamore Street for the purpose of creating additional parking for the redevelopment of 1515 Sycamore Street (former Rath Administration Building) into 87 affordable residential units. The site plan submitted by the developer shows 122 parking spaces for the redevelopment of 1515 Sycamore. The vacated right of way will provide 58 additional parking spaces for the development for a total of 180 parking spaces. Division Street and Sycamore Street provide on-street parking that can be used by the residents and visitors of the residential complex. There are approximately 43 on-street parking spaces available along Division Street and Sycamore

Street.

According to the Zoning Ordinance, the site will require 174 parking stalls (2 parking spaces per dwelling unit). The vacated street will help the applicant get approximately 2.06 parking spaces per unit rather than 1.40 parking spaces per unit on site.

Between the 122 on-site parking stalls, the 58 parking stalls created from the vacated street, and the approximately 43 on-street parking spaces, the site will exceed the requirement of 2 parking spaces per dwelling unit (174 parking spaces) by providing 2.56 parking spaces per dwelling unit (223 parking spaces).

Elm Street between Mulberry Street and Lafayette Street was vacated in 2009 for the development of the Human Services Campus. The vacated Elm Street to the northwest of Lafayette Street provides additional parking for the Waterloo Women's Center for Change.

TECHNICAL REVIEW
COMMITTEE:

Brian Johnson with Waterloo Water Works noted that an easement will be needed for the 12" water main located in Elm Street. Also, there are 7 inactive water stubs tapped into the Elm Street water main that will need to be killed and plugged at the main. There is an 8" fire line for 1515 Sycamore Street that is tapped into the Elm Street water main, as well.

Jamie Knutson, City Engineer, stated that the layout of the parking stalls may need to be adjusted to account for the location of the poles for the overhead utilities. Detention will be needed for the new parking areas.

Schroeder explained that the parking within the vacated Elm Street is shown as having no setback from the northwest property line and this could cause issues with the truck parking lot adjacent to the site in question. The site plan has been updated to show a 10' setback between the northwest property line and the parking within the vacate area.

STAFF ANALYSIS –
SUBDIVISION
ORDINANCE:

There would be no platting required in relation to the request.

STAFF
RECOMMENDATION:

Therefore, staff recommends that the request by the City of Waterloo to vacate Elm Street from Sycamore Street to Lafayette Street, located adjacent to 1515 Sycamore Street, be approved for the following reasons:

1. The request to vacate would not appear to have a negative impact on the surrounding area.
2. The vacate request would not appear to have a negative impact on vehicular or pedestrian conditions in the area

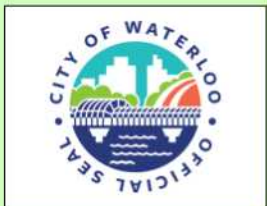
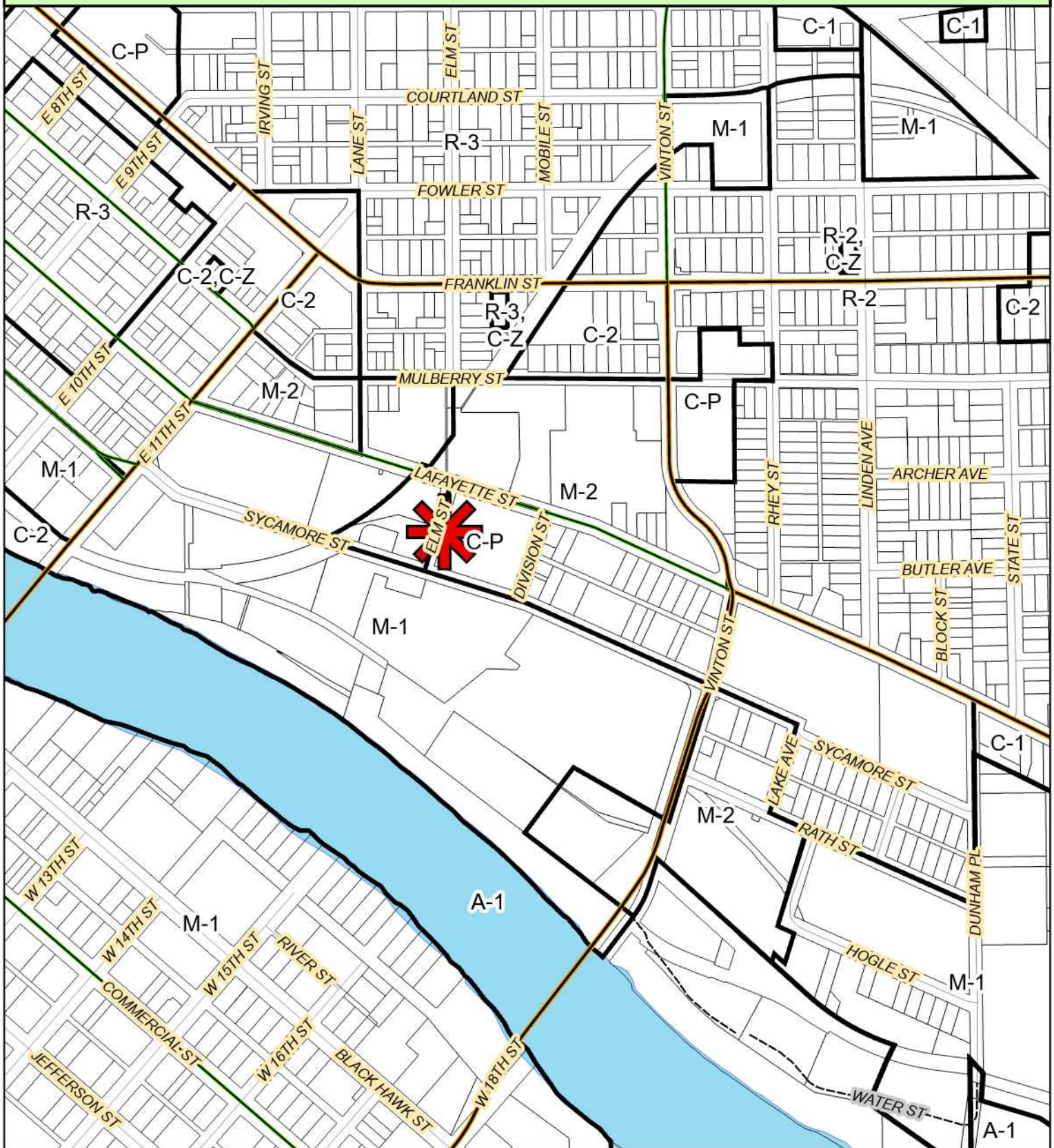
as there are no driveways located along Elm Street for any uses other than 1515 Sycamore Street and there are other streets in the area that can be used.

3. The vacate will provide additional parking for the redevelopment of a historic building in Waterloo into 87 affordable residential units.

Subject to the following condition:

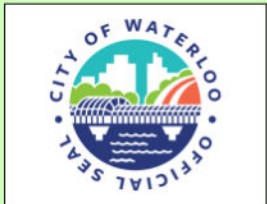
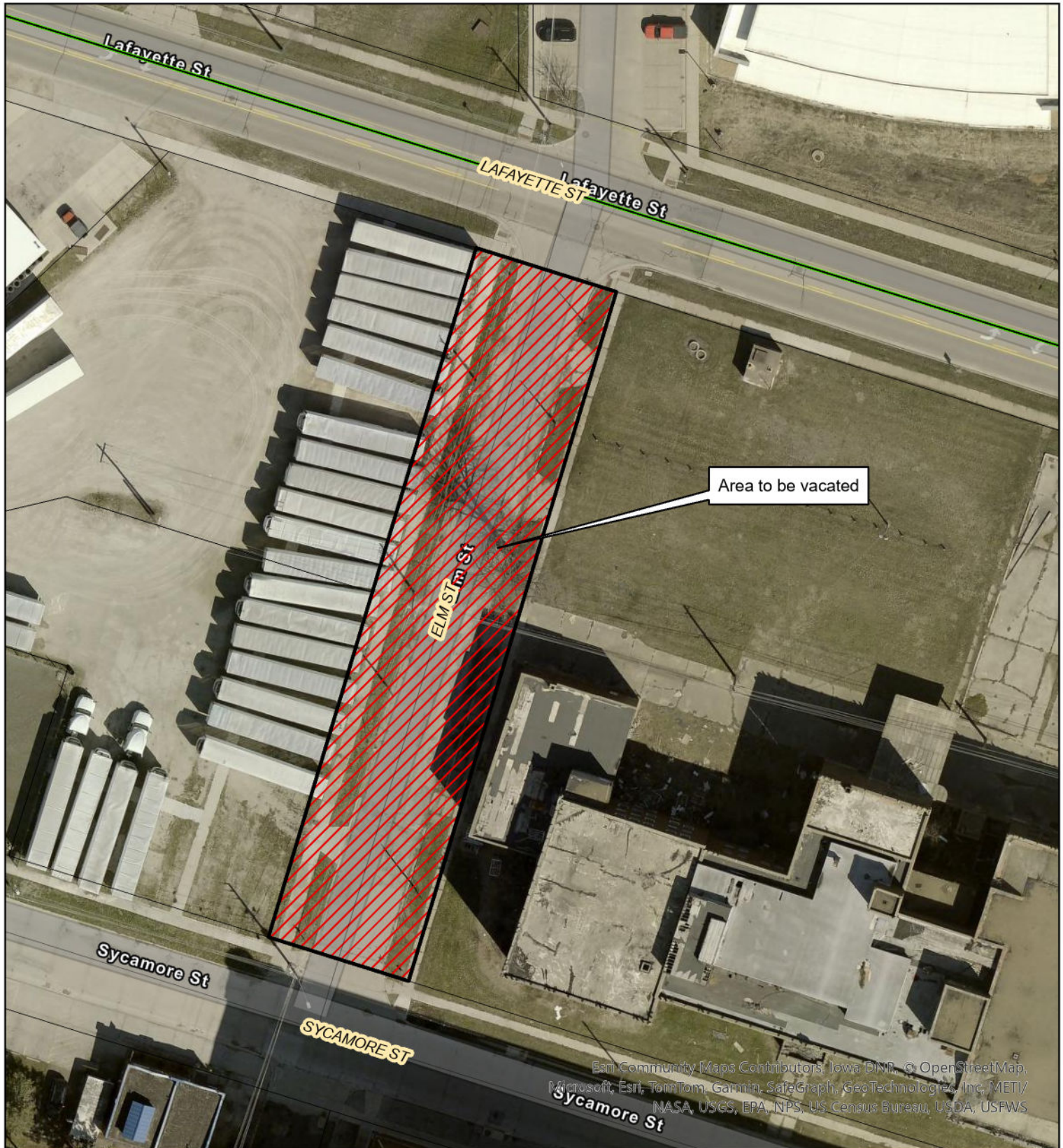
1. That a utility easement be retained over, under and upon the entire area that is vacated to allow access to the existing 30" sanitary sewer line, 12" water line, the overhead electrical, and any other utilities for any future maintenance.

City of Waterloo Planning, Programming and Zoning Commission
September 10, 2024



North of 1515 Sycamore Street
Vacate Elm ROW
City of Waterloo

City of Waterloo Planning, Programming and Zoning Commission
September 10, 2024



**Elm Street
ROW Vacate
City of Waterloo**

[illegible]

NOTE: 43 ADDITIONAL EXISTING PARKING SPACES
ARE LOCATED ON SYCAMORE AND DIVISION

City of Waterloo Planning & Zoning Department
715 Mulberry Street, Waterloo, Iowa 50703
(319) 291-4366

- ☒ Offer to Vacate and Purchase City Right-of-Way
☐ Request to Vacate Easement, Vacate Sidewalk, or Encroachment Agreement
☐ Sale of City-Owned Property

Applicant (Business Name if Applicable): City of Waterloo

Address: 715 Mulberry St, Waterloo IA 50703 Phone No.: (319) 291-4366

Email:

General Description of Property to Vacated (i.e.- alley between A St. & B St., South of C St.):

Elm St ROW between Sycamore St & Lafayette St.

Legal description of area to be conveyed, vacated, or encroached:

1. **A non-refundable filing fee(s)** shall be made as follows (checks payable to City of Waterloo):
- Right-of-way vacation – One Hundred Seventy Five Dollar (\$175.00) Filing Fee
 - Easement or sidewalk vacation – Seventy Five Dollar (\$75.00) Filing Fee
 - Encroachment – One Hundred Dollar (\$100.00) Filing Fee
 - Sale of city-owned property not required to be vacated – No Fee
 - Any request not meeting the Sale of Property Policy – One Hundred Dollar (\$100.00) Fee

2. **Offer Price***[Note: If the offer price meets the Sale of Property Policy (see attached) the request will not be required to be reviewed by the Building & Grounds Committee.]

- Asking price (see attached Sale of Property Policy for how calculated): _____
- Deductions
 - May decrease price by 50% for area located within an easement: _____
 - May decrease price for the City tax that will be collected on the land within 5 yrs (8 yrs inside of the CURA): _____
 - Costs (surveying & misc., demolition, remove of curbs, etc): _____

Asking price – Deductions = Value of Property: _____

Offer Price for Entire Area: _____

Note: The above information is a summary of the Sale of Property Policy (see attached). All requests to vacate and purchase City right-of-way must be accompanied by a signed "Intent to Vacate" form for each abutting property to the area to be vacated. Any request that fails to meet the Sale of Property Policy shall not be forwarded to the Building and Grounds Committee or City Council. Any such applicant shall need to request review to Building and Grounds through a City Council member.

3. **Publication and Recording Fees*:** At the time a buyer(s) has been selected, all publication costs and recording fees must be paid by the applicant. Applicant shall be responsible for collecting from other buyers.
4. **Easement*:** The following easement shall be retained:

5. **Other:** Please provide a site plan and/or aerial photo of the area to be vacated if the request involves additional construction as the reason for the request.

CITY OF WATERLOO
Applicant

KBE Anderson
Print Name

8.30.24
Date

*Not required for easement vacates sidewalk vacates or Encroachment Agreements

REQUEST:	Request by the City of Waterloo to rezone approximately 0.21 acres from "M-2" Heavy Industrial District to "C-P" Planned Commercial District located adjacent to 1515 Sycamore Street.
APPLICANT:	City of Waterloo, 715 Mulberry Street, Waterloo, IA, 50703.
GENERAL DESCRIPTION:	The applicant is requesting to rezone the area in question to allow for the installation of parking spaces to be used by the proposed affordable housing development at 1515 Sycamore Street (former Rath Administration Building).
IMPACT ON NEIGHBORHOOD & SURROUNDING LAND USE:	The request would not appear to have a negative impact on the surrounding neighborhood.
VEHICULAR & PEDESTRIAN TRAFFIC CONDITIONS:	The request to rezone the site in question would not appear to have a negative impact upon pedestrian and traffic conditions in the area. The area is accessed by Lafayette Street, which is classified as a collector street and Sycamore Street, which is classified as a local street.
RELATIONSHIP TO RECREATIONAL TRAIL PLAN AND COMPLETE STREETS POLICY:	There are sidewalks along the east and west sides of Elm Street and along Sycamore Street and Lafayette Street. The Cedar Valley Lakes Trail is located a quarter of a mile to the south along the north side of the Cedar River.
PUBLIC /OPEN SPACES/ SCHOOLS:	Highland Elementary School is located approximately 0.92 miles to the northeast and Expo Alternative High School is located approximately 0.93 miles to the northeast of the site in question. East High School is approximately 0.7 miles to the northwest of the site. The Cedar River is located a quarter of a mile to the south, and Lafayette Park is located 2 blocks to the southeast of the area in question.
DEVELOPMENT HISTORY:	The former Rath Administration Building was constructed in 1925. The Human Services Campus to the north was constructed between 2010 and 2012. The other commercial and industrial development in the area was built between 1926 and 1999.
BUFFERS/ SCREENING REQUIRED:	There is no screening required in relation to this request.
DRAINAGE:	There would be no drainage requirements needed for the rezone request.
FLOODPLAIN:	The area is located within Zone X (Protected by Levee) which is not a Special Flood Hazard Area as indicated by the 2024 Federal Insurance Administration's Flood Insurance Rate Map.
UTILITIES: WATER, SANITARY SEWER, STORM SEWER,	A 30" sanitary sewer and 12" water main is located within Elm Street. A 15" sanitary sewer line is located within Lafayette Street. A 4" drain tile for storm sewer and an 8" sanitary sewer line are located within

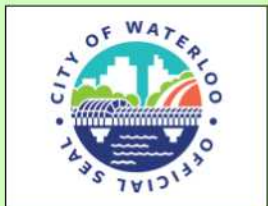
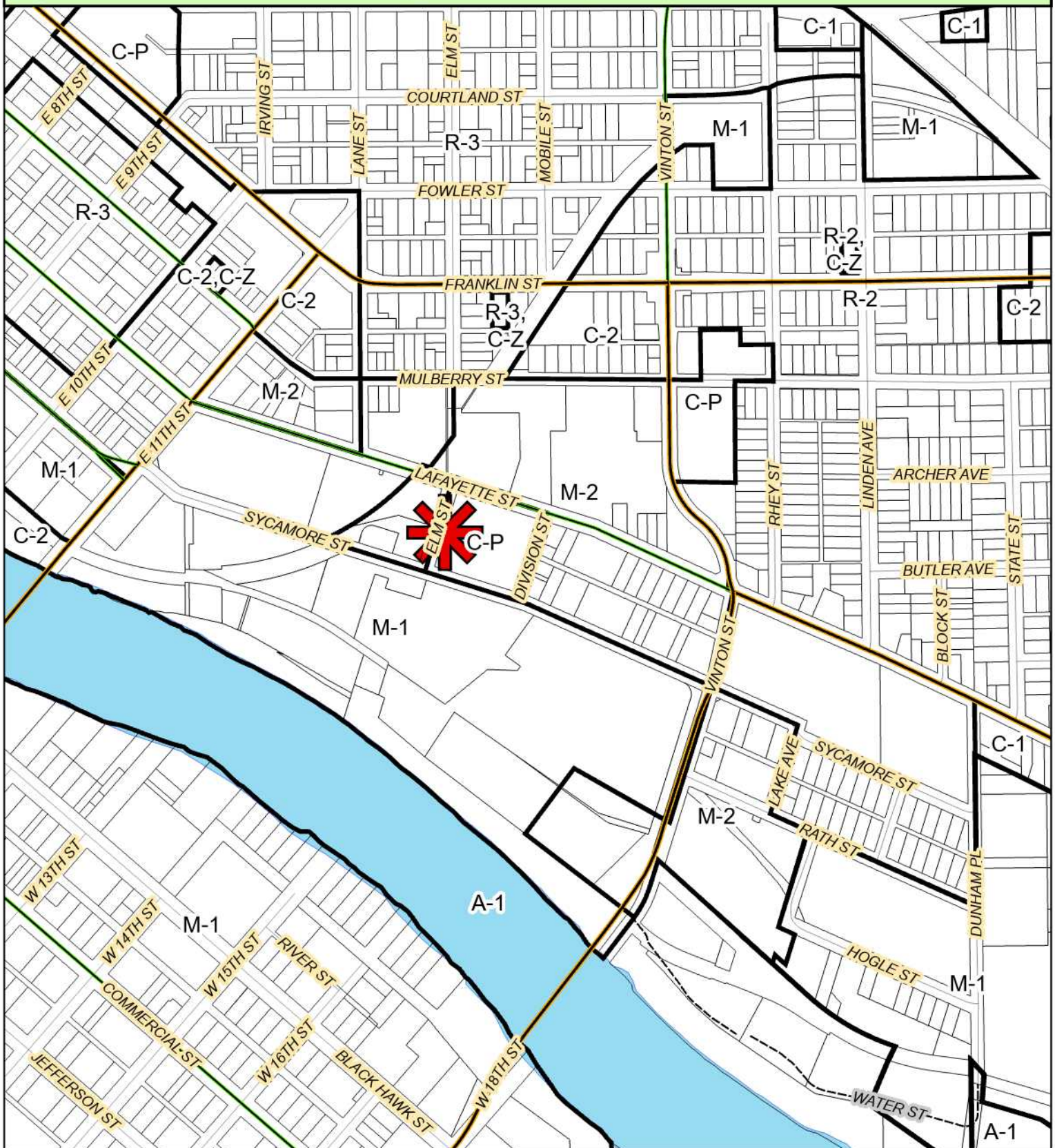
ETC:	Sycamore Street. Overhead lines are located along the east and west sides of Elm Street.
ZONING HISTORY FOR SITE AND IMMEDIATE VICINITY:	The proposed rezone area is currently zoned “M-2” Heavy Industrial District and “C-P” Planned Commercial District and has been zoned as such since the area zoned “C-P” was rezoned from “M-2” Heavy Industrial District on May 6, 2024. Surrounding land uses and their zoning are as follows: North – Waterloo Women’s Center for Change, Northeast Iowa Food Bank, and Operation Threshold, zoned “M-2” Heavy Industrial District. South – Crystal Distribution and vacant building, zoned “M-1” Light Industrial District. East – former Rath Administration Building, zoned “C-P” Planned Commercial District. West – C&A Transport, zoned “M-1” Light Industrial District and “M-2” Heavy Industrial District.
RELATIONSHIP TO COMPREHENSIVE LAND USE PLAN:	The Future Land Use Map designates this property as Industrial. The proposed land use is not in conformance with the Future Land Use Map for this area. However, the Future Land Use Map is to be used as a guide in making land use decisions. The site is located in the Primary Growth Area as identified in the City’s Comprehensive Plan adopted August 21, 2023.
STAFF ANALYSIS ZONING ORDINANCE:	The applicant is requesting to rezone an approximately 0.21 acre area to “C-P” Planned Commercial District to allow for additional parking for up to 87 new affordable housing units in the former Rath Administration Building. The “C-P” zoning will provide a consistent zoning district for the site at 1515 Sycamore Street and the additional parking area. The Rath Administration Building is listed on the National Register of Historic Places. Redevelopment of the site will be beneficial for the City of Waterloo, as the old, dilapidated structure will be used to help individuals have affordable housing and would save the historic structure from demolition. The additional parking from vacated Elm Street will benefit the project and the future residents and visitors of the site. The Zoning Ordinance automatically rezones half of a vacated street, but we are requesting the rezone separately for uniformity of the site.
TECHNICAL REVIEW COMMITTEE:	There were no comments on this request by the Technical Review Committee.
STAFF ANALYSIS SUBDIVISION ORDINANCE:	There is no platting in relation to this request.

STAFF
RECOMMENDATION

Therefore, staff recommends that the request by the City of Waterloo to rezone approximately 0.21 acres from “M-2” Heavy Industrial District to “C-P” Planned Commercial District located adjacent to 1515 Sycamore Street, be approved for the following reasons:

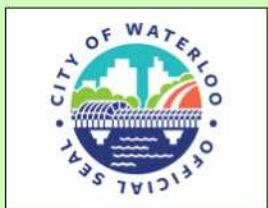
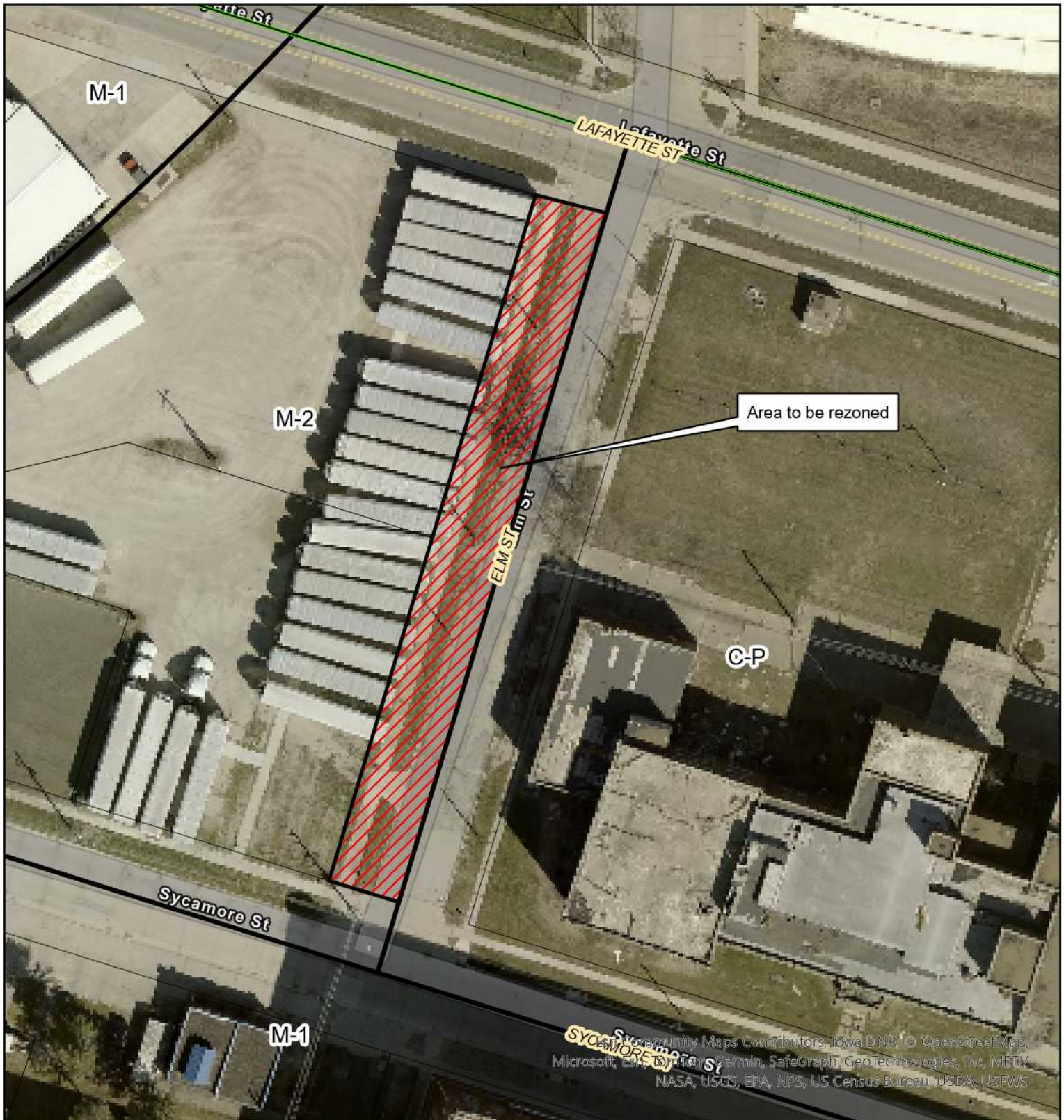
1. The request would not appear to have a negative impact on the surrounding area.
2. The request would not appear to have a negative impact upon pedestrian and traffic conditions within the surrounding area.
3. The request would bring 87 new affordable multi-family residential units to Waterloo.

City of Waterloo Planning, Programming and Zoning Commission
September 10, 2024



Adjacent to 1515 Sycamore Street
Rezone from "M-2" to "C-P"
City of Waterloo

City of Waterloo Planning, Programming and Zoning Commission
September 10, 2024



Adjacent to 1515 Sycamore Street
Rezone from "M-2" to "C-P"
City of Waterloo

[illegible]

NOTE: 43 ADDITIONAL EXISTING PARKING SPACES
ARE LOCATED ON SYCAMORE AND DIVISION

APPLICATION FOR REZONING
CITY OF WATERLOO PLANNING, PROGRAMMING,
AND ZONING COMMISSION
WATERLOO, IOWA
319.291.4366

1. APPLICATION INFORMATION:

- a. Applicant's name – Business Name if Applicable (please print):
City of Waterloo
Address: 715 Mulberry St Phone: (319) 291-4366 Fax: _____
City: Waterloo State: IA Zip: 50703
Email: _____
- b. Status of applicant: (a) Owner X (b) Other _____ (CHECK ONE): If other explain: _____
- c. Property owner's name if different than above (please print): _____
Address: _____ Phone: _____ Fax: _____
City: _____ State: _____ Zip: _____
Email: _____

2. PROPERTY INFORMATION:

- a. General location of property to be rezoned: Right-of-way northwest of 1515
Sycamore St
- b. Legal description of property to be rezoned: _____

- c. Dimensions of Proposed Zoning Boundary (Excluding Right of Way): ~ 60' x 745'
- d. Area of Proposed Zoning Boundary (Excluding Right of Way): ~ 0.21 acres
- e. Current zoning: M-2 & C-P Requested zoning: C-P
- f. Reason(s) for rezoning and proposed use(s) of property: to be consistent w/ 1515
Sycamore zoning as the ROW will be vacated for parking
- g. Conditions (if any) agreed to: _____

- h. Other pertinent information (use reverse side if necessary): _____

Please Note: If applicant is not the owner of the property, the signature of the owner must be secured. If it is the intent to subdivide (split) any land, vacant or improved in conjunction with this request it **must** go through a platting process (separate from rezone request).

The filing fee of \$300 + \$10 per acre (\$750 max) (payable to the City of Waterloo) is required (round amount down to nearest \$10 increment). **This fee is non-refundable.** Under no condition shall said sum or any part thereof be refunded for failure of said amendment to be enacted into law. Any major change in any of the information given will require that the request go back through the process, with a new filing fee. If the request is denied no new petition covering the same or portion of the same property shall be filed with or considered by the Planning, Programming, and Zoning Commission until four (4) months have elapsed from the date of denial by the Waterloo City Council. The undersigned certify under oath and under the penalties of perjury that all information on this request and submitted along with it is true and correct. All information submitted will be used by the Waterloo Planning, Programming, and Zoning Commission and the Waterloo City Council in making their decision. The undersigned authorize City Zoning Officials to enter the property in question in regards to the request.

Signature of Applicant

Date

Signature of Owner

Date

REQUEST:	Request by 1515 Sycamore, LLC for a Site Plan Amendment to allow for redevelopment of the Rath Administration Building into 87 residential units, including the potential to add parking within vacated Elm Street and allowing for a total of 122 - 180 parking spaces, less than the 174 parking spaces required in the "C-P" Planned Commercial District located at 1515 Sycamore Street.
APPLICANT:	1515 Sycamore LLC, 314 E 4 th St, Waterloo, IA 50703
GENERAL DESCRIPTION:	The applicant is requesting a Site Plan Amendment to allow for on-site parking spaces within the vacated Elm Street for the redevelopment of the former Rath Administration Building at 1515 Sycamore Street into 87 affordable residential units. The applicant is proposing 122 - 151 parking stalls on the existing site at 1515 Sycamore Street and the potential to add 58 parking stalls in the vacated Elm Street area.
SURROUNDING LAND USES AND IMPACT ON NEIGHBORHOOD:	There would not appear to be a negative impact on the area as the area is composed of many industrial businesses with on-site parking and the site will have up to 180 on-site parking stalls with the vacation of Elm Street. There is approximately 43 on street parking spaces available along Division Street and Sycamore Street if overflow parking is needed.
VEHICULAR & PEDESTRIAN TRAFFIC CONDITIONS:	The request would not appear to have a negative impact on vehicular or pedestrian conditions in the area as there are no driveways located along Elm Street for any uses other than 1515 Sycamore Street. The use of vacated Elm Street for parking will provide additional on-site parking and lessen the use of the on-street parking surrounding the development.
RELATIONSHIP TO RECREATIONAL TRAIL PLAN AND COMPLETE STREETS POLICY:	There are sidewalks along the east and west sides of Elm Street and along Sycamore Street and Lafayette Street. The sidewalks along Elm Street will be removed with the development of additional parking in the vacated area. The Cedar Valley Lakes Trail is located a quarter of a mile to the south along the north side of the Cedar River.
ZONING HISTORY FOR SITE AND IMMEDIATE VICINITY:	The proposed Site Plan Amendment area is currently zoned "M-2" Heavy Industrial District and "C-P" Planned Commercial District. As part of a separate request the area zoned "M-2" Heavy Industrial District will be rezoned to "C-P" Planned Commercial District to create a consistent zoning district throughout the development. The area zoned "C-P" Planned Commercial District was rezoned from "M-2" Heavy Industrial District on May 6, 2024. Surrounding land uses and their zoning are as follows: North – Waterloo Women's Center for Change, Northeast Iowa Food Bank, and Operation Threshold, zoned "M-2" Heavy Industrial District.

	South – Crystal Distribution and vacant building, zoned “M-1” Light Industrial District. East – Cedar Valley Fish Market and other commercial uses, zoned “M-2” Heavy Industrial District. West –C&A Transport, zoned “M-1” Light Industrial District and “M-2” Heavy Industrial District.
BUFFERS/ SCREENING/ LANDSCAPING REQUIRED:	No screening is required for this request.
DRAINAGE:	Stormwater detention, a drainage report, and civil plans will need to be submitted to the Engineering Department as part of the redevelopment of the site. Two detention areas are shown on site plan options “A” and “B”.
DEVELOPMENT HISTORY:	The Human Services Campus to the north was constructed between 2010 and 2012. The other commercial and industrial development in the area was built between 1926 and 1999.
FLOODPLAIN:	The property is located within Zone X (Protected by Levee) which is not a Special Flood Hazard Area as indicated by the Federal Insurance Administration's Flood Insurance Rate Map, Community Number 190025 and Panel Number 0308F, dated July 18, 2011.
PUBLIC /OPEN SPACES/ SCHOOLS:	Highland Elementary School is located approximately 0.92 miles to the northeast and Expo Alternative High School is located approximately 0.93 miles to the northeast of the site in question. East High School is approximately 0.7 miles to the northwest of the site. The Cedar River is located a quarter of a mile to the south, and Lafayette Park is located 2 blocks to the southeast of the area in question.
UTILITIES: WATER, SANITARY SEWER, STORM SEWER, ETC.	A 30” sanitary sewer and 12” water main is located within Elm Street. A 15” sanitary sewer line is located within Lafayette Street. A 4” drain tile for storm sewer and an 8” sanitary sewer line are located within Sycamore Street. A 15’ electrical easement is located on the subject property for an overhead power line.
RELATIONSHIP TO COMPREHENSIVE LAND USE PLAN:	The Future Land Use Map designates this property as Industrial. The proposed land use is not in conformance with the Future Land Use Map for this area. However, the Future Land Use Map is to be used as a guide in making land use decisions. The site is located in the Primary Growth Area as identified in the City’s Comprehensive Plan adopted August 21, 2023.



Picture 1: Front of Rath building.



Picture 2: Rear of Rath Building.



Picture 3: Proposed parking area.



Picture 4: Existing Parking Area.

STAFF ANALYSIS –
ZONING
ORDINANCE:

The applicant is requesting a site plan amendment in order to allow 122 to 180 parking stalls for the redevelopment of the former Rath Administration Building into 87 affordable housing units. The Site Plan Amendment is being requested, rather than a variance because the site is located within a Planned Commercial District which allows for greater flexibility in parking requirements.

The developer submitted three different site plans for approval, as some options may be more cost effective. According to the Zoning Ordinance, the site will require 174 parking stalls (2 parking spaces per dwelling unit).

Division Street and Sycamore Street provide on-street parking that can be used by the residents and visitors of the residential complex. There are approximately 43 on-street parking spaces available along Division Street and Sycamore Street. For the two site plan options that do not show the vacation of Elm Street, Elm Street is shown to provide an additional 29 on street parking spaces.

Site Plan “A” shows 122 parking spaces for the redevelopment of 1515 Sycamore without the vacation of Elm Street. This option provides more greenspace for the development and approximately 1.40 parking stalls per unit. The 72 on-street parking stalls and 122 on site parking stalls creates a total of 194 parking stalls available for the residential development.

Site Plan “B” shows the vacated street will provide 58 additional parking spaces for the development with 122 parking spaces shown on the existing site, for a total of 180 parking spaces. The vacated street will allow the applicant to exceed the parking requirement by 6 parking stalls. Between the 122 on-site parking stalls, the 58 parking stalls created from the vacated street, and the approximately 43 on-street parking spaces, the site will exceed the requirement of 2 parking spaces per dwelling unit (174 parking spaces) by providing 2.56 parking spaces per dwelling unit (223 parking spaces). The parking is within the vacated Elm Street is shown to be set back 10’ from the property line, creating a buffer between the parking lot and the truck parking site to the northwest.

Site Plan “C” shows 151 parking spaces within the existing site at 1515 Sycamore Street. This option allows for more parking with slightly less greenspace than the other options and approximately 1.73 parking spaces per unit. The 72 on street parking spaces and the 151 on site parking spaces creates a total of 223 parking spaces available for this development. This amount exceeds the requirement of 174 parking spaces by 49 spaces.

The Cedar Valley Fish Market uses some on street parking along Division Street for their customers. They also have an agreement with a nearby property owner to use their parking lot for the Cedar Valley Fish Market. This agreement does lessen the use of the on-street parking along Division Street.

The area is composed of industrial and commercial uses that each have on-site parking for their employees and visitors. There is on street parking available along Division Street and Elm Street and the site will still provide up to 180 parking stalls for residents and visitors.

The applicant is proposing a site plan that uses all the space possible for parking without demolishing a portion of the historic building and with vacating Elm Street. The historic building is being redeveloped which restricts the developer to use the small amount of space available for parking.

**“STAFF ANALYSIS –
SUBDIVISION
ORDINANCE:**

The area is not being subdivided.

**STAFF
RECOMMENDATION:**

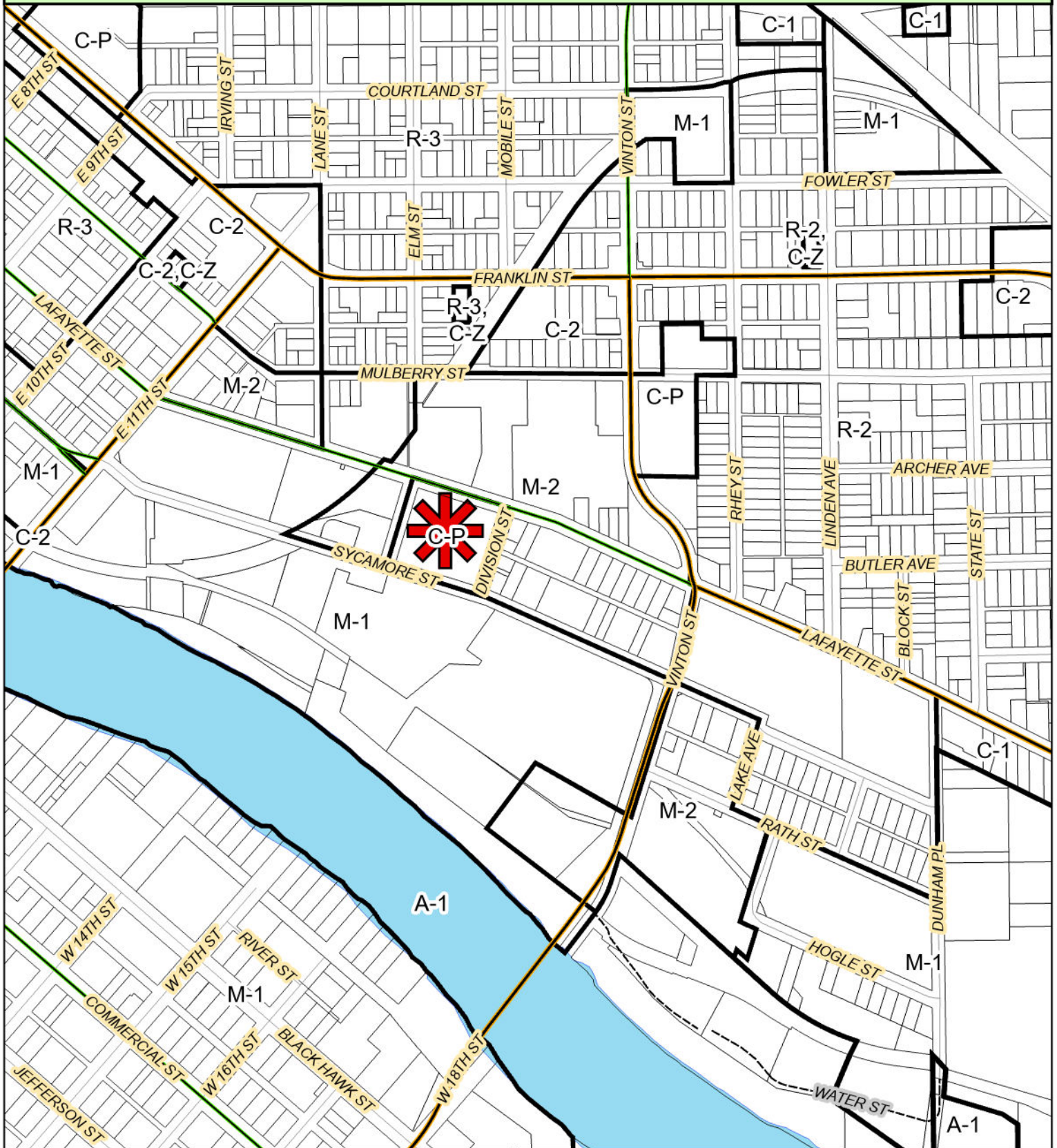
Therefore, staff recommends that the request by 1515 Sycamore, LLC for a Site Plan Amendment to allow for redevelopment of the Rath Administration Building into 87 residential units, including the potential to add parking within vacated Elm Street and allowing for a total of 122 - 180 parking spaces, less than the 174 parking spaces required in the “C-P” Planned Commercial District located at 1515 Sycamore Street, be approved for the following reasons:

1. The request would not appear to have a negative impact on traffic conditions in the area.
2. The request would not appear to have a negative impact on the surrounding area.
3. The Site Plan Amendment will provide additional parking for the redevelopment of a historic building in Waterloo into 87 affordable residential units.

And subject to the following conditions(s):

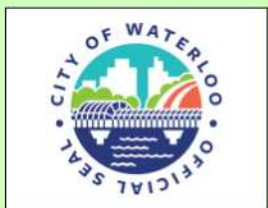
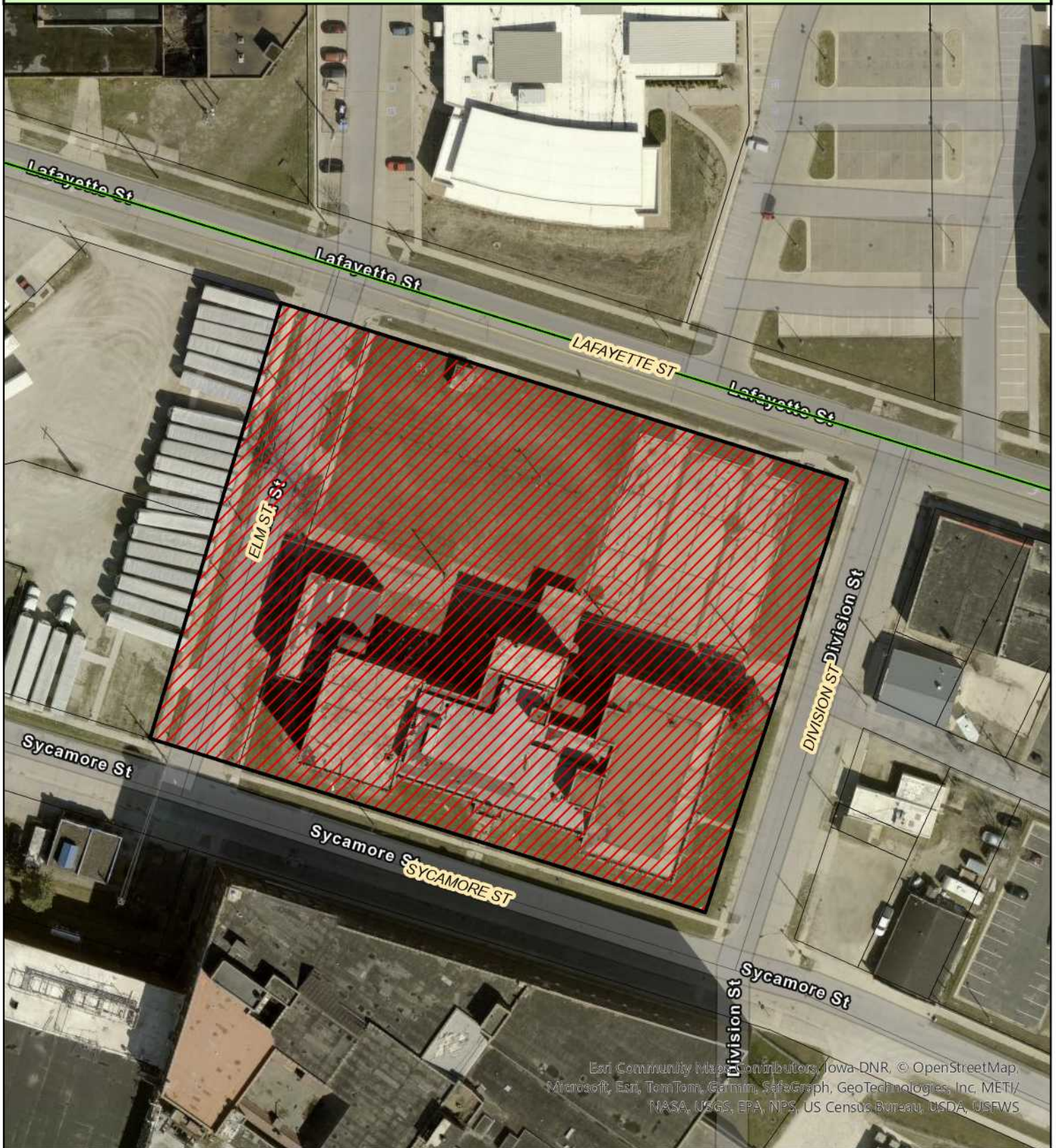
4. That the final site plan meets all applicable city codes, regulations, etc. including, but not limited to, parking, landscaping, screening, drainage, etc.

City of Waterloo Planning, Programming and Zoning Commission
September 10, 2024



1515 Sycamore Street
Site Plan Amendment
1515Sycamore, LLC

City of Waterloo Planning, Programming and Zoning Commission
September 10, 2024



1515 Sycamore
Site Plan Amendment
1515 Sycamore, LLC

[illegible]

SITE:	122 PARKING SPACES
STREET (EXIST.):	72 PARKING SPACES
TOTAL:	194 PARKING SPACES

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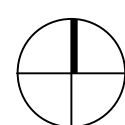
NOTE: 43 ADDITIONAL EXISTING PARKING SPACES
ARE LOCATED ON SYCAMORE AND DIVISION

1515 SYCAMORE STREET,
WATERLOO, IA 50703

[illegible]

CONCEPTUAL SITE
PLAN - MAX SITE
PARKING & STREET
PARKING - OPTION C

A0-3



SITE:	151 PARKING SPACES
<u>STREET (EXIST.):</u>	<u>72 PARKING SPACES</u>
TOTAL:	223 PARKING SPACES

**APPLICATION SITE PLAN AMENDMENT TO A "R-P",
"M-P", "C-P", "B-P", "S-1" OR "C-Z" DISTRICT
CITY OF WATERLOO PLANNING, PROGRAMMING, AND
ZONING COMMISSION, WATERLOO, IOWA
319.291.4366**

New or Overall Amendment _____

Individual Building _____

Minor change ☒ (check one) (Minor Change must be approved by staff)

1. APPLICATION INFORMATION:

- a. Applicant's name – Business Name if Applicable (please print): 1515 Sycamore, LLC
Address: 314 E 4th St Phone: 312-774-8208 Fax: _____
City: Waterloo State: IA Zip: 50703
Email: sedelson@foretmgmt.com
- b. Status of applicant: (a) Owner _____ (b) Other ☒ (CHECK ONE): If other explain: Development Agreement Signed w/ City of Waterloo
- c. Property owner's name if different than above (please print): City of Waterloo
Address: _____ Phone: _____ Fax: _____
City: _____ State: _____ Zip: _____
Email: _____

2. PROPERTY INFORMATION:

- a. General location of site plan to be amended: 1515 Sycamore St.
- b. Legal description of property or portion to be amended: Lots 1-12, Block 4 Riverside Add., City of Waterloo, Black Hawk County IA
- c. Dimensions of proposed site plan amendment: 384 x 295
- d. Area of proposed site plan amendment: ~2.31 acres
- e. Current zoning: C-P Planned Commercial District
- f. Reason(s) for site plan amendment and proposed use(s) of property: Vacation of Elm Street to allow for additional parking
- g. Conditions (if any) agreed to (does not affect existing conditions unless specified): _____
- h. Other pertinent information (use reverse side if necessary): _____

Please Note: If applicant is not the owner of the property, the signature of the owner must be secured. If it is the intent to subdivide (split) any land, vacant or improved in conjunction with this request it must go through a platting process (separate from site plan amendment request).

The filing fee of \$200 (for new or overall amendment), \$100 (for individual Building), or \$0 (for minor change) (payable to the City of Waterloo) is required. **This fee is non-refundable.** Under no condition shall said sum or any part thereof be refunded for failure of said amendment to be enacted into law. Any major change in any of the information given will require that the request go back through the process, with a new filing fee. If the request is denied no new petition covering the same or portion of the same property shall be filed with or considered by the Planning, Programming, and Zoning Commission until four (4) months have elapsed from the date of denial by the Waterloo City Council. The undersigned certify under oath and under the penalties of perjury that all information on this request and submitted along with it is true and correct. All information submitted will be used by the Waterloo Planning, Programming, and Zoning Commission and the Waterloo City Council in making their decision. The undersigned authorize City Zoning Officials to enter the property in question in regards to the request.

Signature of Applicant

Date

Signature of Owner

Date

PROJECT FUNDING AGREEMENT

This Project Funding Agreement (the “Agreement”) is entered into effective as of _____, 2024, by and between Waterloo Development Corporation (“WDC”) and the City of Waterloo, Iowa (“City”).

RECITALS

- A. WDC and City have worked together, and intend to continue working together, on a project to undertake asbestos removal from WDC-owned properties, including 100 Commercial St, 118 Sycamore St, and 128 Sycamore St (the “Project”). In connection with undertaking the Project, the City will enter into certain contracts for asbestos abatement, demolition, and related matters.
- B. The parties desire to enter this Agreement to express their continued desire to work together for advancement of the Project on the terms set forth herein.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises exchanged herein, and for other consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **City Responsibility.** City will let one or more contracts (the “Asbestos Removal Contracts”) for professional services needed for the Project. City will utilize competitive bidding procedures as prescribed by Iowa law; will comply with all other laws or regulations which may apply to its activities in carrying out the Project; and will comply with all terms, covenants, and conditions of the Asbestos Removal Contracts. City agrees to cooperate with WDC in good faith on all future decisions regarding Project specifications and to consult with WDC from time to time regarding Project status. City will oversee all Project activities, will review and approve all requests for payment from Project contractors, and will issue payment to the requestor in timely fashion (subject to any contractual or other rights to audit, protest, or deny payment).

2. **WDC Responsibility.** WDC has reviewed and approved the Asbestos Removal Contracts for funding. WDC agrees to allow the City of Waterloo, its officials, officers, employees, contractors and agents, to enter the Project properties to complete the Project, and agrees to indemnify and hold harmless the City, its officials, officers, employees, contractors and agents (the “indemnified parties”), with respect to any and all claims for injuries, death, property damage, property loss or otherwise arising from or in connection with the acts or omissions of the indemnified parties in carrying out the Project, except those claims arising out of the negligent acts or omissions or willful misconduct of the indemnified parties. WDC agrees to dedicate to payment of the Asbestos Removal Contracts the sum equal to the costs associated to the Project as detailed in the Response (Proposal) from the Contractor that the City of Waterloo awards the Asbestos Removal Contracts to (the “Dedicated Sum”) from the funds that it receives or is awarded from the Black Hawk County Gaming Association. Within thirty (30) days of receipt of any payment request that it receives from the City, certifying that the City has made disbursements for payment of the Asbestos Removal Contracts in an amount at least equal to the

request, WDC will remit payment to the City in the amount requested, provided that cumulative payments made to the City in connection with the Asbestos Removal Contracts shall not, in the aggregate, exceed the Dedicated Sum. WDC agrees to cooperate with City in good faith on all future decisions regarding Project specifications.

3. **Notices.** Any notice under this Agreement shall be in writing and shall be delivered in person or by United States registered or certified mail, postage prepaid and addressed:

WDC

CITY

Waterloo Development Corp.
360 Westfield Avenue, Suite 300
Waterloo, Iowa 50701
Attn: Jim Miller

City of Waterloo, Iowa
715 Mulberry Street
Waterloo, Iowa 50703
Attn: Aric Schroeder

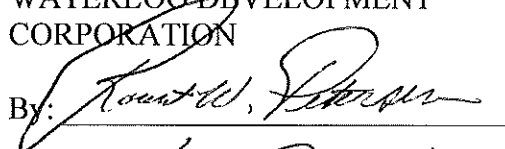
Delivery of notice shall be deemed to occur (i) on the date of delivery when delivered in person, or (ii) three (3) business days following the date of deposit if mailed by United States registered or certified mail, postage prepaid.

4. **Miscellaneous Provisions.** This Agreement is binding upon and shall inure to the benefit of the parties and their respective successors and assigns. This Agreement is the entire agreement between the parties pertaining to the subject matter hereof and supersedes all prior understandings or agreements relating to the subject matter hereof, whether oral or written, and this Agreement may not be modified except by the mutual written agreement of both parties. Time is of the essence of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Project Funding Agreement by their duly authorized representatives as of the date first set forth above.

WATERLOO DEVELOPMENT
CORPORATION

CITY OF WATERLOO, IOWA

By: 

By: _____

Quentin Hart, Mayor

Title: Vice President

Attest: _____

Kelly Felchle, City Clerk