AGENDA
CITY PLANNING COMMISSION MEETING
Thursday, October 31, 2013 @ 3:00 PM
City Hall Council Chambers
101 First Street SE, Cedar Rapids, IA 52401

➢ Opening Statement

➢ Roll Call

➢ Approval of the Minutes

➢ Adoption of the Agenda

REGULAR AGENDA

1. Case Name: 141C Tower Lane NE (Rezoning)
   Recommendation for approval of a rezoning from O-S, Office/Service Zone District to RMF-2, Multiple Family Residence Zone District as requested by Capital Commercial Division, LLC (Applicant/Titleholder).
   Case No: RZNE-005870-2013 Case Manager: Vern Zakostelecky

2. Case Name: 3725 Center Point Road NE (Rezoning)
   Recommendation for approval of a rezoning from O-S, Office/Service Zone District to R-3, Single Family Residence Zone District as requested by Patrick Williams (Applicant/Titleholder)
   Case No: RZNE-005883-2013 Case Manager: Vern Zakostelecky

3. Case Name: 1635 Linmar Drive NE
   Recommendation for approval of a Preliminary Site Development Plan for property at 1635 Linmar Drive NE and zoned R-2, Single Family Residence Zone District as requested by Primus Construction, Inc. (Applicant) and Linn Christian Association (Titleholder).
   Case No: PSDP-006241-2013 Case Manager: Joe Mailander

➢ New Business

➢ Training Opportunities
   o A Watershed Approach to Community Growth Workshop, November 18, 2013; 8:30am to 4:00 pm, Marion, Iowa

➢ Announcements
Minutes of the
CITY PLANNING COMMISSION MEETING
Thursday, October 10, 2013
3:00 PM
City Hall Council Chambers
101 First Street SE, Cedar Rapids, IA 52401

Members Present: Scott Overland, Chair
Jim Halverson, Vice-Chair
Samantha Dahlby
Carletta Knox-Seymour
Richard Pankey
Allan Thoms
Mike Tertinger
Virginia Wilts

Development Services Staff: Vern Zakostelecky, Planner
Joseph Mailander, Manager
Dave Houg, Plats & Zoning Conditions Coordinator

Community Development Staff: Seth Gunnerson, Planner
Betty Sheets, Administrative Assistant

The meeting was called to order at 3:00 p.m.

Opening statements were presented stating the protocol of the meeting and the purpose of the City Planning Commission.

Roll call was answered with eight (8) Commissioners present.

Commissioner Overland stated Commissioners have received the minutes from September 19, 2013 and called for additions or corrections. Commissioner Overland stated with no additions or corrections, the minutes from September 19, 2013 stand approved.

Commissioner Overland called for any additions or corrections to the agenda. Commissioner Overland stated with no additions or corrections, the agenda stands approved.
REGULAR AGENDA

1. **Case Name:** 2665 Mt Vernon Road SE (Rezoning)

   Recommendation for approval of a rezoning request from O-S, Office/Service Zone District, C-2, Community Commercial Zone District and R-2, Single Family Residence Zone District to C-2, Community Commercial Zone District as requested by Sharp Investments LLC (Applicant) and Mount Vernon Bank and Trust Company (Titleholder)

   **Case No:** RZNE-905376-2013 **Case Manager:** Vern Zakostelecky

   Mr. Zakostelecky stated this is a rezoning at the southeast corner of Mount Vernon Road and Memorial Drive. The former Vernon Inn restaurant had been vacant for more than a year and will be demolished for a new building to be built. The applicant plans to place an auto parts store on the site. A meeting with the neighbors was held on September 26, 2013 at the Ambroz Center. There were no major objections. The applicant is requesting a variance for a portion of the 15 foot interior side buffer yard on the west side of the building. Mr. Zakostelecky showed an aerial photo and site plan, however no renderings were shown as the applicant does not want to reveal who the business will be. The applicant will be required to produce renderings when submitting an Administrative Site Development Plan.

   Commissioner Overland called for questions of Mr. Zakostelecky. No questions were presented.

   Commissioner Overland called for a representative of the applicant.

   Dave Ryan, President of Mount Vernon Bank and Trust Company stated that the bank is interested in selling the property they have owned since July 2012. Also the rezoning impacts another property that is owned by the bank next to and west of the subject property.

   Commissioner Overland called for questions of the applicant.

   Commissioner Dalbey asked if he had been present at the neighborhood meeting. Mr. Ryan stated he had not been present.

   Commissioner Overland called for members of the public who wished to speak.

   Tim Oberbroeckling, 925 26th Street SE stated he owns houses in the neighborhood and that he fears more commercial will be built after this. He stated CPC should follow the City Council's action on a previous request to rezone this property and recommend denial.

   Robin Kash, 1806 Grande Avenue SE stated that stormwater management was not indicated what kind it was. Developers should be required to install permeable paving and increase steps to manage our stormwater to the maximum extent.

   Susie Sovers, 924 Norwood Drive SE stated her concern was the water drainage. She lives behind the site and has had severe water drainage issues. The City has told her that action would be taken to alleviate the problem, but that had not been done yet.

   Karl Ortmeier, 927 Memorial Drive SE stated he was in support of this development and also provided a letter of support of the project.
Mr. Zakostelecky stated he would respond to the stormwater issue as well of the sprawl down Mt Vernon Road. This property has been used as commercial and shown as such for a long time on the future land use map. The previous request took out three houses going west of this property and one house to the south. The only way the residential property would be changed is if a property owner came in with a two part application asking for the Comprehensive Plan Future Land Use Map and the zoning to be changed. The Future Land Use Map shows Low Density Residential down to the Hy-Vee Drug Store. There is no plan to do commercial and the Comprehensive Plan stresses only commercial at the intersection of two major streets.

As for the stormwater issue, there is nothing on site now that detains water and based on Engineering staff review, the pervious areas are not increasing. There will be lots of green space and a large bio-swale. There is no storm sewer to connect to unless the developer could go through the property to the southwest. The proposal would provide infiltration and natural drainage.

Commissioner Overland called for a motion to approve the rezoning. Commissioner Thoms made a motion to approve the rezoning from O-8, Office/Service Zone District and R-2, Single Family Residence Zone District to C-2, Community Commercial Zone District. Commissioner Halverson seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Pankey commented on the sprawl and stated the use that was being proposed was preferable than other uses that could be proposed. Commissioner Pankey also stated that the condition of the existing building is such that it definitely needed to be torn down.

Mr. Zakostelecky stated that these issues will be further addressed during review of an application for Administrative Site Development Plan approval.

Commissioner Knox-Seymour asked that the neighbor be contacted and address her concerns about the water situation in her property. The City needs to make sure her issues have been addressed.

Mr. Zakostelecky agreed that the City would work with the neighbor to determine what was promised and try and resolve the situation. He further felt strongly that the bio-swale would assist in resolving the drainage issues.

Commissioner Overland called for a vote on the motion. The motion passed unanimously with none opposed.

2. Case Name: 3200 Pioneer Avenue SE (FLUMA and Rezoning)

a) Request for an amendment to the Future Land Use Map in the City’s Comprehensive Plan from Institution and Public to Low Density Residential as requested by Affordable Housing Network, Inc. (Applicant) and Cedar Rapids Community School District (Titleholder).

Case No: FLUMA-005395-2013  Case Manager: Vern Zakostelecky

b) Recommendation for approval of a rezoning from R-3, Single Family Residence Zone District to PUD-2, Planned Unit Development Zone District as requested by Affordable
Housing Network, Inc. (Applicant) and Cedar Rapids Community School District (Titleholders).

**Case No: RZNE-005398-2013  Case Manager: Vern Zakostelecky**

Mr. Zakostelecky stated he would address both the Future Land Use Map Amendment as well as the Rezoning. It is the Monroe Elementary School that has been vacant and the Cedar Rapids Community School District is selling the property to Affordable Housing Network for affordable housing. The rezone request is to the PUD-2 Zoning District. The applicant is proposing converting the school into 19 apartment units with a community center and building 23 individual houses on the site. Mr. Zakostelecky provided a site plan, aerial photo, elevations and floor plans. There will be a hard surface play court and improved stormwater management and additional landscaping. The applicant held an open house at Monroe School for the neighbors. Some of the concerns were:

- Parking
- Stormwater run off
- Property values
- No yard for the children to play
- Tenant problems with existing apartment
- Rental and not owner occupied and won’t be taken care of
- More traffic in neighborhood
- Decreased ability to sell house or rentals
- Safety and crime in neighborhood
- Fence between project and neighborhood
- Crime going up
- View loosing and privacy
- How property will be maintained
- Suggestions of better uses
- Concern about density
- Loss of trees

Commissioner Overland called for questions of Mr. Zakostelecky.

Commissioner Knox-Seymour voiced her concern that there was not enough landscaping.

Mr. Zakostelecky stated that they were not providing full screening and there is a distance separation from existing housing in the area.

Commissioner Overland called for a representative of the applicant.

Joe Locke, 1101 Crestview Drive SE, Executive Director, Affordable Housing Network, Inc. Mr. Locke stated that AHNI is the largest non-profit organization for affordable housing and owns and manages over 800 single and multifamily housing units in Cedar Rapids. He stated there is the need for three and four bedroom homes and apartments for working class families. The Monroe Elementary School can easily support three and four bedroom apartments and houses and is adjacent to a City park. AHNI enlisted expert help from Hall & Hall Engineering, Novak Design Group, Olmstead Construction, OPN Architects and Skogman Homes. The development will be named “Monroe Villas” and have recordable security cameras, 24/7 staff, on site staff. Tenants will need to pass a criminal background check, landlord check and pass a
credit check. In turn the tenant will be asked to pay their rent, follow the rules and be a good neighbor or face the consequences.

Corey Houchin-Witt, Director of Real Estate Development, Affordable Housing Network Inc. 5400 Kirkwood Boulevard SW. Mr. Houchin-Witt stated he would touch on three topics, some of which resulted from concerns voiced by neighbors at the September 26, 2013 meeting. The three items are property management, impact of affordable housing on property values and amenities of the development.

- Property Management: AHNI has a rigorous applicant screening process with criminal background including drug offenders, violent or sex offenders screening process, drug screening, and previous landlord checks for three years, credit check and with this property ascertain the tenant’s ability to pay rent. Low Income Housing Tax Credit program: ascertain the applicant’s ability to pay rent. The rental rates: 3 bedroom, $625 and 4 bedroom, $700. No operating subsidies, steady income by employment. Focus is on working families

- What happens when there are problems with tenants? Tenants are required to abide by house rules. 6 month lease term and then a month to month lease term. Allows AHNI to issue 30 day notices. When tenants do cause problems AHNI can give a 3 day or 30 day notice and have an attorney on staff.

- Property Maintenance: Detached single-family homes which are managed by AHNI include lawn care, snow removal and all maintenance. AHNI has a large property maintenance staff of 15 full time plus 7 full time tenant relations staff. AHNI has a reserve for maintenance of $17,000 plus $40,000 revenue will be reserved. Upfront $140,000 operating for maintenance.

- Affordable housing on property values: Affordable housing can have a positive impact on property values. Mr. Houchin-Witt stated several studies have been done on affordable housing. The development will be a revenue generating property. Property will not be allowed to take advantage of property tax relief.

- Amenities of the Development: playground on site, community garden, full size basketball court and community room with computer learning center. Amenities also available to the neighborhood. Each unit will have washer dryer, storage lockers and are 1100 to 1700 sq ft in size.

Loren Hoffman, Landscape Architect, Hall & Hall Engineers stated he wanted to elaborate on some comments from the neighborhood meeting. General land use, site plan and what PUD zoning does. PUD zoning is a development agreement/contract with the City and the development has to be followed. Parking includes two parking spaces for each tenant, but the applicant will revisit the plan and possibly add more parking to alleviate concerns. Screening concerns for the multi-units will include adding more trees. Buildings in close proximity to the perimeter of the site will get additional landscape. Site has infrastructure in place. Extensive sidewalk system, more walkability and connectivity to City park.

Commissioner Thoms asked if on the north side of the development will homes be developed into the tree line. Mr. Huffman stated that the units do not encroach into the tree line.
Commissioner Dalhby asked for more detail on how site is staffed and was concerned that the play yard seems to be too close to Pioneer Avenue.

Commissioner Knox-Seymour asked for more detail on the staff and if there was any potential criminal activity.

Mr. Locke stated that staffing ratios are in accordance with the number of units. Staffing would be up to 40 hour work week or slightly less. More staff will be added to the existing staff to accommodate the work load. AHNI manages over 800 units throughout the City. There currently is no plan to have resident manager on site but have staff on call 24/7. As far as the criminal activity, AHNI relies upon the City Police. On call staff handles maintenance.

Commissioner Tertinger asked if there was plan for dealing with criminal activity.

Mr. Locke stated for criminal activity the tenant would be asked to call 911 and then the on-call number.

Mr. Hoffman stated that the playground was best situated in the front so that other neighbors could also use the playground rather than tucked behind the school building. Perhaps fencing along Pioneer would be added. It would also be lighted.

Commissioner Pankey asked if the playground would be lighted and would it be disruptive to other neighbors.

Mr. Locke stated other properties have all night lighting and has not been an on-going issue.

Commissioner Wilts asked about the trees in the back, will the trees be secured when construction begins. Has the Fire Department reviewed the plan to assure adequate access to the development?

Mr. Huffman stated that fencing will be placed around the trees to protect the trees.

Mr. Zakostelecky stated that the Fire Department reviewed the plan and feels there are no concerns about getting in and out.

Commissioner Halverson asked the applicant to speak to selling the property. How will the property be managed?

Mr. Locke stated that at Wellington Heights, a different endeavor, 68 houses have been purchases, rehabbed 40 and sold 6. This multi-family housing development will not be sold, in fact the Tax credit program required the developer own the project for a minimum of 30 years.

Commissioner Overland called for questions of the applicant. No questions were presented.

Commissioner Overland called for members of the public who wished to speak.

Karen Humbert, 3014 14th Avenue SE; with the Monroe Neighborhood Group. The petition has 284 signatures which are in protest of the Monroe School project which is 49% of the neighbors who live within 300 feet of the property.
Jay Wurtele, 3201 Pioneer Avenue SE; Kerry Shaner, 1323 34th Street SE; Jeffrey Ginn, 1286 33rd Street SE; Gary Grommon, 2825 Seely Avenue SE; Michael Otter, 3210 Wood Avenue SE; Marlene Wilson, 2804 14th Avenue SE; Dennis Orr, 3019 Pioneer Avenue SE expressed their concerns as follows:

- Value of property
- Increased traffic including speeding
- 34th Street is curvy, speeders and accidents on this street already and will increase due to more traffic due to this project
- Parking problems
- Increase in vandalism presently
- Wildlife poaching
- Police do patrol area
- Opposed to low income property
- Revenue generated by another contractor that could generate greater tax dollars
- Notification by Courtesy Cards should be greater distance away on a project this size
- Won’t have a place to walk his dog anymore
- Looks like a trailer court and concerned that the plan will change to something different
- Streets lead to Mt Vernon Road and not very good access
- Concern about the amount of money for maintenance of project
- Apartments are already located in the area
- Suggest a shelter in the park
- What will the project look like in 5 years — tenants not take care of units and will lower the value of property
- Could not contact with anyone from the existing apartment complex, but believe these apartments are not full and there is no demand for apartments in this area
- Additional landscaping does not provide security or safety
- Nonprofit plan will cost residence a lot of money and a lot of time
- Increase in traffic, increase in crime and property values will decrease
- Concerned about no on-staff resident manager

Commissioner Overland asked Mr. Zakostelecky to address some of the concerns that the citizens had especially the traffic concerns. Mr. Zakostelecky stated Traffic Engineering reviewed the plan and had no traffic concerns. Based on the number of units this site could support is not a huge amount of traffic.

Commissioner Overland asked if the annual maintenance fund and plan for the units would be addressed.

Mr. Houchin-Witt stated that $17,000 plus is a reserve and do not expect it to be capped, the annual maintenance budget will be $40,000 a year for ongoing maintenance and especially when starting out the school building will be gutted and rebuilt with new construction techniques, energy efficiency, and the low income tax credit program requires durable materials that allow for better maintenance that can stand up to wear and tear. Low Income Tax Credit program administered by IRS and has more stringent rules with annual inspections, to assure the buildings are maintained and kept up to code or the own could jeopardize tax credits.

Commissioner Overland called for a motion to recommend approval of an amendment to the Future Land Use Amendment first. Commissioner Thoms made a motion to recommend
approval of the request for an amendment to the Future Land Use Map in the City’s Comprehensive Plan from Institution/Public to Low Density Residential. Commission Halverson seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented

Commissioner Overland called for a vote on the motion. The motion passed unanimously with none opposed.

Commissioner Overland called for a motion to recommend approval of the rezoning request. Commissioner Thoms made a motion to recommend approval of the request to rezone from R-3, Single Family Residence Zone District to PUD-2, Planned Unit Development Zone District. Commissioner Halverson seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented.

Commissioner Overland called for a vote on the motion. The motion passed unanimously with none opposed.

3. **Case Name:** 600 and 616 1st Street SE (Rezoning)

   Recommendation for approval of a rezoning from PUB, Public Zone District to C-4, Central Business Zone District as requested by The Fountains, LLC (Applicant/Titleholder).

   **Case No:** RZNE-905512-2013  **Case Manager:** Vern Zakostelecky

   Mr. Zakostelecky state the applicant is requesting rezoning to allow for redevelopment of the property. The building on the site is 4-stories and was most recently used as a furniture store, but has been vacant prior to the Flood of 2008. The building was damaged as a result of the flood and the applicant is proposing to renovate the building with a mix of commercial/office uses on the first 2-floors and 5-condominium housing units on the 3rd and 4th floor. The building site is zoned C-4, Central Business Zone District and the parking lot southerly of the building is zoned PUB, Public Zone District.

   The Preliminary Site Development Plan consists of the following improvements: Total site area of 42,000 s. ft; existing building foot print is 10,635 s. ft; total area of proposed building expansion is 1,154 s. ft; total proposed parking is 77 spaces including: 3-handicap spaces-2 being van accessible, 14 spaces under the existing building, 63 surfacing parking spaces; access from will be in the same location of 7th Ave. SE and storm water management is not required. Site plans, aerial photo and building renderings were provided.

   Commissioner Overland called for questions of Mr. Zakostelecky. No questions were presented.

   Commissioner Overland called for a representative of the applicant. No applicant was available.

   Commissioner Overland called for members of the public who wished to speak.

   Commissioner Overland called for a motion to recommend approval of the rezoning. Commissioner Tertinger made a motion to recommend approval of the rezoning from PUB, Public Zone District to C-4, Central Business Zone District. Commissioner Knox-Seymour seconded the motion.
Commissioner Overland called for discussion on the motion.

Commissioner Thoms was disappointed the applicant was not in attendance as he was able to review this project at the Enterprise Zone Commission meeting and saw this as a real opportunity for downtown. Commissioner Overland also reflected that this was a great downtown project.

Commissioner Overland called for a vote on the motion. The motion passed unanimously with none opposed.

4. **Case Name: 612 18th Avenue SW (Conditional Use)**

Recommendation for a conditional use for outdoor dining with alcohol service in R-3, Single Family Residence Zone District and C-2, Community Commercial Zone District as requested by Children on First, Inc.

*Case No: COND-005229-2013 Case Manager: Dave Houg*

Mr. Houg stated this was a request for Conditional Use approvals for an “outdoor service area” and parking in a residential district for property located at 1616 6th Street SW and zoned C-2, Community Commercial Zone District and R-3, Single Family Residence Zone District.

The site plan submitted shows the following characteristics: Total site area: 18,780 sq ft; total area of existing structure: 2,550 sq ft; total size of proposed outdoor service area: approximately 600 sq ft and total parking required and provided: 24 spaces. Several site plans were provided.

Commissioner Overland called for questions of Mr. Houg.

Commissioner Thoms asked what was to the north of the property. Mr. Houg indicated it was Big Jim’s Auto. There is residential to the west.

Commissioner Wilts asked if there was ample parking for the house on the corner. Mr. Houg stated that there was ample parking.

Commissioner Overland called for a representative of the applicant.

Greg Bulicek, 1616 6th Street SW stated that many improvements have been done to the property as well as a patio and privacy fence to provide an outdoor service area for the patrons.

Commissioner Thoms said that Condition Number 7 made reference to reasonable steps taken that the outdoor service area must have fencing; however this statement does not state anything about noise. Commissioner Thoms went on to state that since there is commercial next to the property and the residential was away from the service area, he felt certain there would be no issue with noise.

Commissioner Wilts asked if the neighbors were concerned about the fencing. Mr. Bulicek stated that the neighbors had no concern and were happy to have the restaurant available to them. Mr. Bulicek also pointed out the many other improvements to the property that have been done.

Commissioner Pankey asked if smoking was allowed in this area. Mr. Bulicek stated that no smoking is allowed in the outdoor service area.
Commissioner Knox-Seymour asked what the name Children on First was. Mr. Bulicek stated that it was the owner of the property from a daycare that he had on First Avenue and the property was incorporated with that name.

Commissioner Overland called for questions of the applicant. No questions were presented.

Commissioner Overland called for members of the public who wished to speak.

Commissioner Overland called for a motion to recommend approval of the conditional use request. Commissioner Wilts made a motion to recommend approval of the conditional use request for outdoor service area and parking in R-3, Single Family Residence Zone District and C-2, Community Commercial Zone District. Commissioner Pankey seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented

Commissioner Overland called for a vote on the motion. The motion passed unanimously with none opposed.

- New Business

1. **Case Name:** 1302, Ellis Boulevard NW, 1310 Ellis Boulevard NW, 948 N Street NW and 1791 Mallory Street SW (Rezoning)

   Recommendation for approval of a rezoning from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District for four (4) City-owned properties for the Rebuilding Ownership Opportunities Together Program (ROOTS).

   **Case No:** RZNE-006088-2013 **Case Manager:** Vern Zakostelecky

   Mr. Zakostelecky stated these were four lots that were missed when staff asked for approval of rezoning for 32 lots for the ROOTS program. This is the seventh round of City owned properties brought before the City Planning Commission for rezoning in connection with the City’s third round of the Single Family New Construction (SFNC) program locally known as the ROOTS program. These properties are being requested to be rezoned to R-TN, Residential Traditional Neighborhood Zone District, in order to remove technical barriers for redevelopment.

   These properties have been identified with a preferred builder as part of the ROOTS Program. The builders were identified through a competitive proposal process based on the Administrative Plan adopted by the City Council. The program utilizes City owned properties in the Neighborhood Revitalization Area for areas outside the Construction/Study Area and Greenway as well as the 100-year floodplain. The lots are being provided to the developers in exchange for their commitment to build new housing as part of the program.

   Commissioner Overland called for questions of Mr. Zakostelecky.

   Commissioner Knox-Seymour asked when the construction would begin and if they would be similar to the other homes being built in these areas. Mr. Zakostelecky stated that once the zoning is changed, the developer might start this year but certainly next spring and that the houses would be built to fit in with the neighborhood.

   Commissioner Wilts stated that the property at 1791 Mallory Street SW had not been demolished. Mr. Zakostelecky responded that was correct.
Commissioner Overland called for a motion to recommend approval of the requested rezoning. Commissioner Halverson made a motion to recommend approval of the rezoning request from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District. Commissioner Knox-Seymour seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented

Commissioner Overland called for a vote on the motion. The motion passed unanimously with none opposed.

- **Training Opportunities**

  - 2013 American Planning Association (APA) Iowa Annual Conference, October 16-18, US Cellular Center
  
  Commissioner Thoms and Commissioner Knox-Seymour indicated they had signed up for the Wednesday sessions and Commissioner Overland stated he had signed up for the full conference.

The meeting was adjourned at 5:00 p.m.

Respectfully Submitted,

Betty Sheets, Administrative Assistant
Community Development
STAFF REPORT TO CITY PLANNING COMMISSION
Rezoning with a Preliminary Site Development Plan

CPC Date: October 31, 2013
To: City Planning Commission
From: Development Services Department

Applicant: Capital Commercial Division, LLC
Titleholder: Capital Commercial Division, LLC
Case Number: RZNE-00-2013
Location: 1410 Tower Lane NE
Request: Rezoning from O-S, Office/Service Zone District to RMF-2, Multiple Family Residence Zone District
Case Manager: Vern Zakostelecky, Development Services Department

BACKGROUND INFORMATION:

The applicant is requesting rezoning to allow for development of an apartment complex. The property is currently undeveloped and was initially rezoned to the O-S Zoning District in 1999. The previous property owner has been unable to market the site for office uses.

The Preliminary Site Development Plan consists of the following:

- Total site area is 1.85 acres (80,586 s.f.).
- Total building area footprint is 14,562 s. f. including 3-3 story apartment buildings and 4,695 s. f. for a 20-stall garage.
- Total hard surface are proposed including buildings is 40,689 s. f.
- Total open space- proposed is 39,897 s. f. (49.5% of total site area).
- Total parking required is 83 spaces-provided are 62 spaces including 2-handicap spaces.
- Access will be from an existing private access drive that currently serves the multi-family development to the southwest.
- Storm water management for the new improvements will be provided on the south side of the site.

At the time of this report, the applicant has been working on scheduling a neighborhood meeting to share the development plans for the property. Staff will provide an update on the meeting at the City Planning Commission meeting.

FINDINGS:

Section 32.02.030.C.5.e of the Zoning Ordinance requires the City Planning Commission to review the application based on the following criteria:
1. Whether the amendment is required to correct a technical mistake in the existing zoning regulations.

Staff Comments: This amendment is not to correct a technical mistake on the existing Zoning Map.

2. Whether the amendment is consistent with the Future Land Use Policy Plan and other elements of the Comprehensive Plan.

Staff Comments: The subject property is shown as Office on the Future Land Use Map (FLUM) in the City’s Comprehensive Plan. At the time the FLUM was adopted high density residential was allowed in the O-S Zoning District. As such, the requested amendment is in accord with the FLUM designation for this property

3. Whether the amendment is consistent with the characteristics of the surrounding area, including any changing conditions.

Staff Comments: The property proposed for rezoning is currently undeveloped and previous property owner has been trying, with no success, to market the property since 1999 for office uses. The property to the north of Boyson Road NE is developed as single-family. To the south and west are multi-family residential and a large daycare center. To the east is property owned by the previous owner of this property, which is undeveloped and zoned O-S. The proposed rezoning will be consistent with the surrounding area. City staff has received no objections to this application.

4. Whether the property is suitable for all of the uses permitted in the proposed district.

Staff Comments: The subject property is suitable for all uses permitted in the RMF-2 Zoning District. It should be noted that City staff is working with the applicant to provide additional parking on the site or to reduce the number of units to meet the minimum parking spaces needed. The minimum spaces needed are two spaces per unit and 15% additional for guest parking.

5. Whether the proposed amendment will protect existing neighborhoods from nearby development at heights and densities that are out of scale with the existing neighborhood.

Staff Comments: The proposed amendment will protect existing neighborhoods from nearby development at heights and densities that are out of scale with the existing neighborhood. The expansion will not have a negative impact on the area.

6. Whether facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development.

Staff Comments: All facilities and services, including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation are currently in place and serving the existing neighborhood and are readily available to adequately serve the applicant’s property. The proposed development will not negatively impact levels of service to existing development in the general area.
7. The Site Development Plan is consistent with the previously approved Preliminary Plan for the property (if applicable).

Staff Comments: This provision does not applicable.

RECOMMENDED CONDITIONS:

If the City Planning Commission recommends approval of the proposed conditional use, adoption of the following conditions as recommended by City Departments should be considered. The City Planning Commission may approve with additional conditions.

1. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to submit to the City a signed Agreement for Private Storm Water Quality improvements on this site. The City Public Works Department shall provide a copy of the Agreement form upon request by the property owner.

2. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to submit to the City a signed Agreement for Ownership and Maintenance of Private Water Main to be located on this site. The City Public Works Department shall furnish said Agreement form upon request by the property owner.

3. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible for removal and replacement of City sidewalk adjoining this site, damaged as a result of construction activities on this site or not meeting ADA standards. Said removal and replacement areas shall be determined by the City Public Works Department, shall be completed by the property owner, and approved by the City.

4. Design guidelines and standards as specified in Subsection 32.05.030.D. shall be met or a variance must be obtained.

5. The parking spaces shall be screened from the public street and adjacent residential properties or a variance must be obtained.

6. That all lighting shall be of a type, design and placement, and also be shielded in a manner to minimize impact on adjacent residential properties.

7. The enclosure for the dumpster will need be a full screen enclosure including the gates and preferably designed using the same building material as the principal building as per Subsection 32.05.030.A.7. of the Zoning Ordinance.

8. Landscaping and buffering/screening shall be provided per the Zoning Ordinance, Subsection 32.05.030.A. This includes parking lot trees at one per every 12 parking spaces, street front landscaping for parking area adjoining public streets, street front landscaping including 15' on one public street frontage and 5' on the other, etc.
STAFF REPORT TO CITY PLANNING COMMISSION
Rezoning with a Preliminary Site Development Plan

CPC Date: October 31, 2013
To: City Planning Commission
From: Development Services Department

Applicant: Patrick O. Williams, Jr.
Titleholder: Patrick O. Williams, Jr.
Case Number: EZNE-005883-2013
Location: 3727 Center Point Road NE
Request: Rezoning from O-S, Office/Service Zone District to R-3, Single Family Residence Zone District
Case Manager: Vern Zakostelecky, Development Services Department

BACKGROUND INFORMATION:

The applicant is requesting rezoning to allow the existing structure to be converted back to a single-family home. If rezoned, the home would be rented to 4 or fewer individuals at any given time.

The Preliminary Site Development Plan consists of the following:

- Total site area is .90 acres (39,230 s. f).
- Total building area is 2,730 s. f. including the existing house and garage.
- Total hard surface area proposed including building is 10,412 s. f.
- Total open space proposed is 28,818 s. f. (73.5% of total site area).
- Total parking required is 2 spaces-provided are 7 spaces including 1 handicap spaces and existing garage.
- Access will remain the same from Center Point Rd.NE.
- Storm water management is not required since there are no significant changes proposed for the property.

FINDINGS:

Section 32.02.030.C.5.e of the Zoning Ordinance requires the City Planning Commission to review the application based on the following criteria:

1. Whether the amendment is required to correct a technical mistake in the existing zoning regulations.

Staff Comments: This amendment is not to correct a technical mistake on the existing Zoning Map.
2. Whether the amendment is consistent with the Future Land Use Policy Plan and other elements of the Comprehensive Plan.

_Staff Comments:_ The subject property is shown as Office on the Future Land Use Map (FLUM) in the City’s Comprehensive Plan. Since the O-S Zoning District is often used as a transition zoning between residential and non-residential uses there are no concerns from staff with this request. It should also be noted that in the future there may very well be redevelopment of this property to a non-residential use. As such, the requested amendment is in accord with the FLUM designation for this property.

3. Whether the amendment is consistent with the characteristics of the surrounding area, including any changing conditions.

_Staff Comments:_ The property proposed for rezoning is currently developed with a house and garage that was at some point rezoned and converted to an office use. The properties to the north and south are developed as office uses. Across Center Point Road to the east is single-family residential and to the west are a railroad, City trail and I-380. The proposed rezoning will not have a negative impact on the surrounding neighborhood and City staff has received no objections to this application.

4. Whether the property is suitable for all of the uses permitted in the proposed district.

_Staff Comments:_ The subject property is suitable for all uses permitted in the R-3 Zoning District.

5. Whether the proposed amendment will protect existing neighborhoods from nearby development at heights and densities that are out of scale with the existing neighborhood.

_Staff Comments:_ The proposed amendment will protect existing neighborhoods from nearby development at heights and densities that are out of scale with the existing neighborhood. The proposed use will not have a negative impact on the area.

6. Whether facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development.

_Staff Comments:_ All facilities and services, including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation are currently in place and serving the applicant’s property and the proposed change in use will not negatively impact the levels of service to existing development in the general area.

7. The Site Development Plan is consistent with the previously approved Preliminary Plan for the property (if applicable).

_Staff Comments:_ This provision does not applicable.
RECOMMENDED CONDITIONS:

If the City Planning Commission recommends approval of the proposed conditional use, adoption of the following conditions as recommended by City Departments should be considered. The City Planning Commission may approve with additional conditions.

1. That prior to occupancy of the structure, inspections must be conducted and approved so as to comply with all applicable codes, including, but not limited to, building, electrical, mechanical and plumbing.
2. That this site shall be developed in compliance with the provisions of the Flood Plain Management Ordinance.
3. That all parking, drives, and storage areas be surfaced per provisions of the Zoning Ordinance. Surfacing to include asphalt, concrete, brick or asphaltic macadam.
4. If there is a outdoor dumpster, the enclosure for the dumpster will need be a full screen enclosure including the gates and preferably designed using the same building material as the principal building as per Subsection 32.05.030.A.7. of the Zoning Ordinance.
LEGAL DESCRIPTION
LOT 2, AUDITOR'S PLAT NO. 121
TO LINN COUNTY, IOWA.

REQUEST: O-S TO R-3

OWNER/APPLICANT:
PATRICk WILLIAMS
3725 CENTER POINT ROAD NE
CEDAR RAPIDS, IOWA 52402
319-550-1890

ENGINEER:
BRAIN ENGINEERING, INC.
1540 MIDLAND COURT NE
CEDAR RAPIDS, IOWA 52402
PH: 294-9424
FAX: 294-1056

Drawing Title:
REZONING LOCATION MAP
3725 CENTER POINT ROAD NE
STAFF REPORT TO CITY PLANNING COMMISSION
Preliminary Site Development Plan

CPC Date: October 31, 2013
To: City Planning Commission
From: Development Services Department
Applicant: Isaac Newton Christian Academy
Titleholder: City of Cedar Rapids
Case Number: PSDP-006241-2013
Location: 1635 Linmar Drive NE
Request: Preliminary Site Development Plan approval for elementary school property in an R-2, Single Family Residence Zone District
Case Manager: Joe Mailander, Development Services Department

BACKGROUND INFORMATION:

The applicant is requesting approval of a Preliminary Site Development Plan for a 26,233 square foot expansion to the existing Isaac Newton Christian Academy building. The expansion will add a gymnasium and building addition for extra classroom area. In addition to the building expansion, the school is also proposing an outdoor basketball court and soccer field. The Preliminary Site Development Plan as submitted includes the following:

- Total site area is 9.12 acres
- Total proposed building area is 26,233 sq. ft. (1.16 acres)
- Total proposed hard surface area is 61,793 sq. ft. (1.42 acres)
- Total parking provided is 80 spaces and required parking is 10 spaces. The additional parking is to alleviate on street parking and neighbor concerns during sporting events and school functions.
- Access to the on-site parking is from Linmar Drive NE.
- Storm water quality measures are proposed in City right-of-way.

FINDINGS:

Section 32.02.030.C.5.e of the Zoning Ordinance requires the City Planning Commission to review the application based on the following criteria:

1. The Site Development Plan is consistent with the previously approved Preliminary Plans for the property (if applicable)
Staff comments: The finding does not apply since there was no previously approved site plan for this property. The original building was constructed in 1962. A large addition was added in 2001 through the building permit process.

2. The Site Development Plan conforms to all applicable requirements of this Ordinance.

Staff comments: The site development plan conforms to all applicable requirements of the City’s Zoning Ordinance and other applicable codes and regulations provided the conditions proposed by City staff are complied with.

RECOMMENDED CONDITIONS:

1. Effective screening shall be provided and maintained so as to screen more than 4 open parking spaces and the drive thereto where adjacent to a residential use per provisions of the Zoning Ordinance or a variance be obtained.

2. All lighting shall be of a type, design and placement, and also be shielded in a manner to minimize impact on residential properties or uses adjacent to or immediately across the street.

3. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to submit to the City a signed Agreement for Private Storm Water Detention. The City Public Works Department shall provide a copy of the Agreement form upon request by the property owner.

4. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to submit to the City a signed Agreement for Ownership and Maintenance of Private Water Main to be located on this site. The City Public Works Department shall furnish said Agreement form upon request by the property owner.

5. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to construct 5' wide concrete sidewalk along Northgate Drive NE adjoining this site. The property owner shall construct the sidewalk improvements in accordance with City Standards, ADA requirements, and improvement plans accepted by the City Public Works Director/City Engineer. The property owner may request deferral of the sidewalk installation requirement if in accordance with the sidewalk installation policy. If a deferral is requested, please submit a formal request with documentation verifying deferral eligibility (cross sections, drawings, etc.).
A Watershed Approach To Community Growth Workshop

Plan for growth & development Minimize the effects of flooding Protect drinking water resources

Comprehensive land use planning and watershed management have a lot in common, but they don't always get done at the same time for the same reasons. Come for the day and learn how to streamline your efforts into a powerful tool for community growth:

- An overview of watershed issues and their effect on the “triple bottom line”
- Proven plans, policies and practices that enhance watershed planning / management
- Remarkable mapping tools and resources at your fingertips
- The key to building partnerships and leveraging resources
- Finding opportunities for cooperation between communities and agricultural neighbors
- Tapping into financial resources dedicated to water resource projects and planning

Save time, money and possibly a lot of stress with a one-day, $30 (or less) investment!

Plus, network with like-minded folks:

- City and County elected officials and staff
- Appointed Officials—Boards and Commissions (P & Z, Stormwater, Parks)
- Agricultural producers / landowners
- Community Planners, Consulting Engineers and Landscape Architects*

- Watershed Management Authority partners and board members
- Soil and Water Conservation District Commissioners & Staff
- Environmental education / working groups and interested individuals

*Certificate of Attendance for PDH requirements provided upon request.

Registration information can be found at IowaStormwater.Org - Calendar of Events

CHOOSE FROM 2 DATES AND LOCATIONS:

- October 28, 2013 Ankeny, IA  
  8:30 am — 4:00 pm, Registration begins at 8  
  Early Bird registration ends: October 20

- November 18, 2013 Marion, IA  
  8:30 am — 4:00 pm, Registration begins at 8  
  Early Bird registration ends: November 10

EARLY BIRD WORKSHOP REGISTRATION FEE: $30 / $25
INCLUDES REFRESHMENTS, LUNCH & ALL MATERIALS
($25 each for two or more from same organization,
Watershed Management Authority Board Members and
Soil & Water Conservation District Commissioners)

Registration fee after early bird deadline: $35 / $30

Building Local Capacity Workshops and publication of this document has been funded in part by the Iowa Department of Natural Resources through a grant from the U.S. EPA under the Federal Nonpoint Source Management Program (Section 319 of the Clean Water Act).
A Watershed Approach To Community Growth Itinerary

Timely information for growing Iowa communities and counties

8:00 – 8:30  Registration, Refreshments, Networking

8:30 – 8:45  Welcome, Introductions & Watershed Ice Breaker,
             Pat Sauer / Stacie Johnson, Iowa Stormwater Education Program,
             Mary Beth Stevenson, Iowa Department of Natural Resources

8:45 – 9:15  Watersheds 101, Urban and Rural Challenges & Opportunities
             Amy Bouska, Urban Conservationist, Iowa Department of Agriculture
             and Land Stewardship

             Eric Thompson, P.E. MSA Professional Services

9:45 – 10:00  Break

10:00 – 10:30  An Integrated Approach to Growth, Past, Present & Future
                Ryar Peterson, RDG Planning & Design

10:30 – 11:30 “Finding NEMO” An Interactive, Watershed Planning Exercise

11:30 – 12:30  Lunch & Panel Discussion

12:30 – 1:00  We’re All In This Together, Partnerships In Action
                Eric Thompson, P.E. / Jim Holz, P.E. MSA & Pat Boddy, P.E. RDG

1:00 – 3:15  Ankeny, Waverly, Dubuque (Watershed) Planning in Action, includes afternoon break
            Gary L. Lozano, RDG Planning & Design
            Brian Schoon, Iowa Northland Council of Governments
            Eric Thompson, P.E., MSA Professional Services

3:15 – 3:45  Financial Benefits & Funding (re)Sources,
             Jim Holz, P.E., MSA Professionals
             Pat Boddy, P.E., RDG Planning & Design

3:45 – 4:00 Wrap-Up
             Pat Sauer / Stacie Johnson, Iowa Stormwater Education Program

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Agenda

CITY PLANNING COMMISSION MEETING

Thursday, November 21, 2013
3:00 PM
City Hall Council Chambers
101 First Street SE, Cedar Rapids, IA 52401

- Opening Statement
- Roll Call
- Approval of the Minutes
- Adoption of the Agenda

CONSENT AGENDA

Note: The following items will be approved by one motion without separate discussion unless City Planning Commission requests an item be removed to be considered separately. Any interested party may also request such individual consideration for an item by indicating that request to the Commission Chair prior to the motion and vote on the Consent Agenda.

REGULAR AGENDA

1. **Case Name:** 2123, 2133, 2135 Mt. Vernon Road SE (Conditional Use)

   Recommendation for a conditional use for construction of a 69 KV Electrical Substation in a R-3, Single-Family Residential Zone District; also retaining walls/landscaping/earth berms to screen substation view from adjacent properties as requested by Alliant Energy (Applicant), Garret Karns, Paul Vittetoe and Interstate Power & Light Co (Titleholders)

   **Case No:** COND-004918-2013  **Case Manager:** Dave Houg

1. **Case Name:** 1103 and 1201 Blairs Ferry Road NE (Rezoning)

   Recommendation for approval of a rezoning from I-1, Light Industrial Zone District and C-2, Community Commercial Zone District to PUD-1, Planned Unit Development Zone District as requested by Hunter Companies LLC (Applicant), Nash Finch Companies, Chicago Central & Pacific Railroad Co and Northwestern States (Titleholders).

   **Case No:** RZNE-003536-2013  **Case Manager:** Vern Zakostelecky

- New Business
- Training Opportunities
- Announcements