AGENDA
CITY PLANNING COMMISSION MEETING
Thursday, September 24, 2015 @ 3:00 PM
City Hall Council Chambers
101 First Street SE, Cedar Rapids, IA 52401

Call Meeting to Order

Roll Call

A. Approval of the Minutes

B. Adoption of the Agenda

C. Action Items

1. Case Name: 4015 Mt Vernon Road SE (Preliminary Site Development Plan)

   Consideration of a Preliminary Site Development Plan in a C-2, Community Commercial Zone District as requested by Hy-Vee, Inc. (Applicant/Titleholders)
   Case No. PSDP-008537-2014; Case Manager: Chris Strecker

2. Case Name: 1005 3rd Avenue SW and 328 Rockford Road SW (Rezoning W/Preliminary Site Development Plan)

   Consideration of a change of zone from I-1, Light Industrial Zone District and RMF-1, Multiple Family Residence Zone District to C-2, Community Commercial Zone District and approval of a Preliminary Site Development Plan as requested by JABAM, LLC (Applicants/Titleholders)
   Case No: RZNE-020591-2015; Case Manager: Johnny Alcivar

3. Case Name: 2360 Edgewood Road SW (Conditional Use W/Preliminary Site Development Plan)

   Consideration of a Conditional Use with a Preliminary Site Development Plan for Outdoor Service Area in a C-2, Community Commercial Zone District as requested by Chipotle Mexican Grill, Inc. (Applicant) and Edgewood Partners, LLC (Titleholder)
   Case No: COND-021486-2015; Case Manager: Dave Houg
4. Case Name: 1010 3rd Street SE (Preliminary Site Development Plan)

   Consideration of a Preliminary Site Development Plan in a C-3, Regional Commercial Zone District as requested by T.U.S.K. LLC (Applicant/Titleholders)
   Case No. PSDP-021975-2015; Case Manager: Dave Houg

5. Case Name: 107 and 109 4th Avenue SW; 404, 406, 416, 418, 422, 424 and 426 1st Street SW and 108 5th Avenue SW (Rezoning W/Preliminary Site Development Plan)

   Consideration of a change of zone from C-3, Regional Commercial Zone District to C-4, Central Business Zone District and approval of a Preliminary Site Development Plan as requested by Hobart Restoration(Applicant) and City of Cedar Rapids (Titleholders)
   Case No: RZNE-021491-2015; Case Manager: Vern Zakostelecky

New Business

- Storm Water Commission update – Stacie Johnson
MINUTES OF
SPECIAL CITY PLANNING COMMISSION MEETING,
Thursday, September 10, 2015 @ 3:00 p.m.

Cedar Rapids City Hall Council Chambers, 101 First Street SE

Members Present: Scott Overland, Chair
Carletta Knox-Seymour
Virginia Wilts
Samantha Dahlby
Richard Pankey
Kim King

Members Absent: Jim Halverson, Vice Chair (Arrived at 3:06 p.m.)
Dominique Blank
Bill Hunse

DSD Staff: Vern Zakostelecky, Zoning Administrator
Johnny Alcivar, Development Services Specialist

CD Staff: Seth Gunnerson, Planner
Kirsty Sanchez, Planner
Adam Lindenlaub, Planner
Jennifer Pratt, Director
Betty Sheets, Administrative Assistant

City Council Liaison: Justin Shields

Call Meeting to Order

The meeting was called the Special City Planning Commission Meeting to order at 3:00 p.m.

Roll Call

Roll call was answered with six (6) Commissioners present.

A. Approval of the Minutes

Commissioner Overland called for any additions or corrections to the previous minutes. Commissioner Overland stated with no additions or corrections, the August 13, 2015 Minutes stand approved.
B. Adoption of the Agenda

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

C. Action Items

- **Czech Village-New Bohemia Self-Supporting Municipal Improvement District (SSMID)—Kirsty Sanchez**

Ms. Sanchez stated she was asked to review and make a recommendation on the proposed creation of the Czech Village-New Bohemia Self-Supporting Municipal Improvement District (SSMID).

Commissioner Halverson arrived for the meeting at 3:06 p.m.

On August 24, 2015, a petition was submitted to the City Clerk’s Office for the creation of the Czech Village-New Bohemia Self-Supporting Municipal Improvement District (SSMID). The purpose of the proposed Czech Village-New Bohemia SSMID shall be the following:

- The undertaking of actions and the design and construction of any and all improvements authorized by the Act
- The performance of administration, redevelopment, and revitalization of the District, as authorized by the Act
- Any and all of which actions and improvements are intended to benefit the property within the District

The petition states that if approved, the District will be created for a period of 7 years, commencing with a levy of taxes for collection in Fiscal Year 2017. After the 7 year period, the District may be renewed following the same petitioning process. During the lifetime of the District, properties within the proposed District boundary area will be taxed with a rate assessment not to exceed $3.00 per thousand dollars of taxable valuation. The levy rate of $3.00 is the maximum combined rate which may be used for debt service, capital improvements, or operations. The petition states that money generated from the assessment can also be used for Economic Development Programs, Communications and Advocacy, Capital Improvements, Enhanced Maintenance and Parking Management.

Ms. Sanchez presented a Proposed District Boundary, Purpose of the SSMID, SSMID Petition Highlights and stated that 57% of the property owners signed the petition. Ms. Sanchez also stated the next steps would be a Motion Setting a Public Hearing for September 22, 2015 with the Public Hearing on October 20, 2015. There is a 30-Day Comment Period from October 20 to November 19, 2015. The First Reading of the Ordinance will be held on December 1, 2015 and the Second and possible Third Reading will be held on December 15, 2015.

Commissioner Overland called for questions of Ms. Sanchez.

Commissioner King asked how long the tax will stay in place. Ms. Sanchez stated that is seven (7) years and after that period they would have to do another petition.
Commissioner Pankey asked if the signatures on the petition have happened. Ms. Sanchez stated that the petition has already been signed.

Commissioner Dahlby asked if there were any objections. Ms. Sanchez stated that objections may be submitted during the Comment Period.

Commissioner Wilts asked if property owners sold their property, this is transferred to the new property owners. Ms. Sanchez stated that was correct.

Commissioner Knox-Seymour asked what would happen at the end of seven years. Ms. Sanchez they would have to apply again and that the petition was written for seven years.

Commissioner Overland called for a motion. Commissioner Pankey made a motion to approve the petition for a Czech Village-New Bohemia Self-Supporting Municipal Improvement District (SSMID). Commissioner Wilts seconded the motion.

Commissioner Overland called for discussion on the motion. No further discussion.

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

- EnvisionCR Amendment - Trail Network Update – Adam Lindenlaub

Mr. Lindenlaub stated that the City is committed to keeping EnvisionCR a living document and to that end there may be times during the course of the year, changes and small amendments will need to be made to the document. At the time that EnvisionCR was adopted, the City was close to completing revisions to the Comprehensive Trails Plan network. This network was included as “proposed” in both GreenCR and ConnectCR with the understanding that it would be updated later. The revisions to the Comprehensive Trails Plan were approved by City Council on May, 2015 and now need to be properly reflected in EnvisionCR. Updating the map does not impact the Elements, Goals, or Initiatives of the plan but helps keep the plan viable for City staff and the public. The updated pages are made a part of the minutes.

Mr. Lindenlaub asked the City Planning Commission to recommend City Council approve this amendment to EnvisionCR.

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

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the EnvisionCR Amendment - Trail Network Update. Commissioner Dahlby seconded the motion.

Commissioner Overland called for discussion on the motion. No further discussion.

Commissioner Overland called for a vote on the motion. The motion passed unanimously with none opposed.
CPC Work Plan – Seth Gunnerson

Mr. Gunnerson stated that the City of Cedar Rapids Board and Commissions adopt an annual work plan which lays out goals and objectives for the calendar year 2016. The work plan outlines the charter for the upcoming year. Mr. Gunnerson stated the vision is to improve the standard of planning and development activities in the City of Cedar Rapids while being user friendly in fulfilling City needs for housing, commercial and industrial development.

Mr. Gunnerson outlined the 2015 goals which were Sustainable Development Measurement Tool, Increase knowledge of the CPC, Participation in Comprehensive Planning, and Communication with Council.

Mr. Gunnerson further stated that in 2016 the CPC will continue to focus on EnvisionCR as well as Mt. Vernon Corridor Action Plan and Northwest Neighborhood Action Plan.

Commissioner Overland suggested that we open this up for comment of the Commissioners.

Commissioner Dahlby asked if Local Training for new Commissioners could be held.

Commissioner Halverson asked about attending the Iowa League of Cities 2015 Conference that is taking place here in Cedar Rapids September 23-25. Commissioner Halverson further asked if Commissioners have taken advantage of training. Mr. Gunnerson stated that three Commissioners did attend the Solar training as well as some had attended the ISU training. Commissioner Pankey stated that the ISU training is well attended and good training.

Commissioner Pankey further stated that he is impressed by what the staff does and how they work out the details of each project and how it helps the Commissioners immensely and makes our jobs a lot easier and keeps personal bias out of the projects.

Commissioner Knox-Seymour asked what we had done regarding the first goal of sustainable in the past. Mr. Gunnerson stated that we had the smart growth score card which became problematic but perhaps something could be created for a tool or metric that would work.

Commissioner Knox-Seymour stated that she felt the Smart Growth Score card was a good tool and she appreciated it as a new Commissioner because it gave her a gauge and she would encourage a tool such as that again.

Commissioner Knox-Seymour asked what has been done about increasing interaction with the Council. Mr. Gunnerson stated that when a controversial project comes before City Council, that some of the Commissioners would attend. This is used on an as needed basis however unfortunately we have not had a controversial issue in a long time.

Mr. Gunnerson stated that the 2016 Work Plan will be updated and presented at a future meeting.

The meeting was adjourned at 3:28 p.m.

Respectfully Submitted,

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

CPC Date: September 24, 2015
To: City Planning Commission
From: Development Services Department
Applicant: Hy-Vee, Inc.
Titleholder: Hy-Vee, Inc.
Location: 4015 Mt. Vernon Road SE
Request: Consideration of a Preliminary Site Development Plan in a C-2, Community Commercial Zone District
Case Manager: Chris Strecker, P.E., Civil Engineer
Case Number: PSDP-008537-2014

BACKGROUND INFORMATION:

The applicant is requesting Preliminary Site Development Plan approval for the property located at 4015 Mt. Vernon Road SE. The property is currently zoned C-2, Community Commercial Zone District. The proposal is to construct a convenience store and car wash; the existing dental office will be removed. The proposed development plan as submitted includes the following:

- Total site area is 12.03 acres
- Existing building area (including adjacent Hy-Vee store) is 75,000 s.f. (14.3%)
- Total proposed building area is 80,000 s.f. (15.3%)
- Total existing open space is 234,500 s.f. (45.6%)
- Total proposed open space is 209,740 s.f. (40.0%)
- Access to the development will be provided via 2 accesses from Mt. Vernon Rd. SE, reduced from 3 existing drives.
- Storm water management is provided via an on-site detention basin.

FINDINGS:

Section 32.02.030.G.7 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:** This Finding does not apply since the existing improvements will be removed.

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.

**RECOMMENDED CONDITIONS:**

If the City Planning Commission recommends approval of the proposed preliminary site development plan, adoption of the following conditions as recommended by Development Services should be considered. The City Planning Commission may approve with additional conditions or remove any of the recommended conditions.

1. The existing structure must be removed under appropriate permit and inspections conducted and approved.
2. Evidence of an acceptable recorded shared access easement agreement is required.
3. Said lot shall be combined with the adjacent lot to the east so as to constitute a single zoning lot and tax parcel.
4. Lighting fixtures shall be shielded in a manner that shall not direct illumination on adjacent residential properties, or on any public right-of-way as per Subsection 32.05.030.B. of the Zoning Ordinance.
5. Enclosures and/or screening shall be provided for all HVAC, trash, recycling, cardboard, mechanical equipment, and grease and similar service or support containers as per Subsection 32.05.030.A.7. of the Zoning Ordinance. The location and design of each enclosure shall be shown on the Administrative Site Plan and shall be approved prior to issuance of structural building permits. Preliminary building permits for site preparation, installation of utilities, and foundations may be issued prior to approval of the enclosure. Please note that chain link with privacy slats does not satisfy this requirement.
6. Roof top mechanicals shall be screened so as not to be visible from the street. Screening is not required for the top of the roof-top mechanicals. Acceptable exterior wall materials are brick, stone, and split face block masonry, cementitious siding, EIFS, glass, metal (flat, perforated, composite, or ribbed less than 8” OC), architectural paneling, or other similar high quality materials.
PRELIMINARY SITE DEVELOPMENT PLAN FOR HY-VEE GAS #6
4015 MOUNT VERNON ROAD SE
CEDAR RAPIDS, IOWA

OWNER INFORMATION

APPLICANT

HY-VEE, INC.

3615 NW 34th Street

KANSAS CITY, MO 64116

PHONE: (816) 755-5100

EMAIL: development@hyvee.com

OWNERS

HY-VEE, INC.

3615 NW 34th Street

KANSAS CITY, MO 64116

PROPERTY ADDRESS

4015 MOUNT VERNON ROAD SE

ZONING AND LAND USE

EXISTING ZONING: COMMERCIAL C-2
PROPOSED ZONING: COMMERCIAL C-2

INDEX OF SHEETS

COVER

C1.0 PRELIMINARY SITE DEVELOPMENT PLAN

L1.0-2.0 LANDSCAPE PLAN

LEGAL DESCRIPTION

THE CART NO. 1 ALONG 42ND ST AND ALL OF 42ND ST BETWEEN 40TH ST AND 42ND ST ARE SCHEDULED TO BE DEVELOPED FOR COMMERCIAL USE. THE PROPERTY IS HEREBY AGRICULTURAL CLASS 1.0-2.0 "VALUE PROGRESSIVE DEVELOPMENT PLANNING ACT."

AREA CALCULATIONS

| AREA OF EXISTING STRUCTURES | UNITS OF EXISTING STRUCTURES | TOTAL
|-----------------------------|-----------------------------|------
| FIRE CHIEF                   | 43,500.00 SF (400.00)       | 43,500.00 SF
| AREA OF EXISTING STRUCTURES | 43,500.00 SF (400.00)       | 43,500.00 SF
| AREA OF EXISTING OPEN SPACE | 200.000.00 SF (400.00)      | 200.000.00 SF
| AREA OF STRUCTURES PROVIDING 10,000 SF OF OPEN SPACE | 200.000.00 SF (400.00) | 200.000.00 SF

NOTE

THE PROPOSED IMPROVEMENTS AS SHOWN IN THESE DRAWINGS HAVE BEEN DESIGNED IN ACCORDANCE WITH THE CEDAR RAPIDS WATERFRONT AREA DESIGN STANDARDS MANUAL.
PARKING REQUIREMENTS

GENERAL NOTES:

1. All Engineering Services Provided by Hall & Hall Engineers, Inc.
2. All Surveying Services Provided by Hall & Hall Engineers, Inc.
3. All Civil Engineering Services Provided by Hall & Hall Engineers, Inc.
4. All Landscape Architecture Services Provided by Hall & Hall Engineers, Inc.

HY-VEE, INC.
5820 WESTOWN PARKWAY
WEST DES MOINES, IOWA  50266
TELEPHONE:  (515) 267-2800
FAX:  (515) 267-2935

HALL & HALL ENGINEERS, INC.
1860 BOYSON ROAD, HIAWATHA, IOWA 52233
PHONE:  (319) 362-9548  FAX: (319) 362-7595
www.halleng.com

PRELIMINARY
SITE
DEVELOPMENT
PLAN

C1.0
STAFF REPORT TO CITY PLANNING COMMISSION
Rezoning with a Preliminary Site Development Plan

CPC Date: September 24, 2015
To: City Planning Commission
From: Development Services Department
Applicant: JABAM, LLC
Titleholder: JABAM, LLC
Location: 1005 3rd Avenue SW and 328 Rockford Road SW
Request: Consideration of a change of zone from I-1, Light Industrial Zone District and RMF-1, Multiple Family Residence Zone District to C-2, Community Commercial Zone District and a Preliminary Site Development Plan
Case Manager: Johnny Alcivar
Case Number: RZNE-020591-2015

BACKGROUND INFORMATION:

This is a request to rezone 1.06 acres to the C-2 Zone District to allow for the development of a two-story multi-use building and a one-story retail building. The properties are currently zoned I-1, Light Industrial Zone District and RMF-1, Multiple Family Residence Zone District but are currently used for commercial purposes. The existing building is currently used for general retail purposes housing a locksmith and has previously been used as a convenience store and consignment store. The property is identified as “Urban Medium-Intensity” on the City’s Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan. This rezoning request will be followed by a request for Conditional Use approval for ground floor residential in the C-2, Zoning District at the next City Planning Commission meeting. The applicant held a neighborhood meeting and no major issues were identified.

The Preliminary Site Development Plan as submitted includes the following:

- Two proposed buildings including:
  - One single story commercial building.
  - One 2-story commercial and residential building.
- Total building area – 19,900 sq.ft.
- Total hard surface including parking and drives – 30,943 sq.ft. (66.8%)
- Total parking – 64 spaces including 3 handicap-accessible spaces.
- One access from 3rd Avenue SW and one from Rockford Road SW.
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 “Urban-Medium Intensity” on the Future Land Use Map (FLUM) in EnvisionCR, the City’s Comprehensive Plan. This Typology Area (LUTA) should provide for:

   a) FORM/USE/INTENSITY CHARACTERISTICS:
      i. Residential densities should range from small to lot single-family to four story apartment buildings.
         Staff Comments: The proposed development includes a two-story building that will accommodate retail and residential uses on the ground floor and only residential uses on the top floor.

      ii. Non-residential or mixed use FAR is maxed at 1.0.
          Staff Comments: The proposed FAR will be 0.43.

      iii. A high-connectivity grid pattern should be used to expand the viable locations for commercial land uses, resulting in greater integration of land uses.
           Staff Comments: Not applicable, as this is a redevelopment in-fill project.

      iv. Encourage more transportation, housing, and shopping choices in close proximity to each other.
           Staff Comments: The proposed development will offer a mix of residential and commercial uses in close proximity to existing residential areas.

   b) COMPATABILITY CHARACTERISTICS:
      i. Land uses are sometimes mixed vertically resulting in complementary and alternating times of use and the ability to share parking areas.
         Staff Comments: The proposed development includes a vertical integration of commercial and residential uses. With the proposed mix of commercial and residential use, which typically require parking at different times of the day shared parking will work extremely well for this development.

      ii. Different intensities of land use are still positioned to create a smooth internal transition from lower to higher intensity uses; however, this transition happens over a shorter distance than within the ULI designation.
          Staff Comments: The proposed development provides a transition from a light industrial area, located to the north and east of the site, to a residential neighborhood, located to the south and west of the site.
iii. Larger commercial or office uses should cluster around arterial streets and rail lines.
   
   *Staff Comments:* Not applicable to this proposal.

iv. Medium density, light industrial uses may be allowed with requirements that they mitigate any anticipated negative impacts on adjacent land uses and that they are located on arterial streets or rail lines.
   
   *Staff Comments:* Not applicable to this proposal.

v. Smaller, neighborhood scale commercial uses are appropriate on any street provided a smooth transition in intensity of uses is maintained.
   
   *Staff Comments:* The proposed development provides a transition in intensity of uses.

vi. Complementary uses like schools, parks and religious institutions, or neighborhood retail or mixed use, are sited within neighborhoods where they take advantage of excellent connectivity. This allows for multiple access points and routes to and from the complementary uses.
   
   *Staff Comments:* The proposed development will provide neighborhood retail and mixed use at a location with good connectivity.

vii. Urban amenities (e.g., parks, plazas, higher quality streetscapes, etc.) should be somewhat more prevalent than in the ULI areas, in order to offset the area’s intensity level and enhance livability.
   
   *Staff Comments:* The proposed development includes front and side yard landscaping enhancing the areas livability.

Based on the analysis above of the “Land Use Criteria and Descriptions” in the Comprehensive Plan, the requested zone change is in accord with the FLUM and the Goals and Objectives of the City’s Comprehensive Plan.

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

   *Staff Comments:* The surrounding area includes residential and light industrial uses. Single-family residential uses lie to the west and to the south of the site. An industrial warehouse lies to the north of the property and the railroad tracks lie to the east along with another industrial warehouse facility. The proposed development is consistent with the goals and objectives of the City Council and the Comprehensive Plan as it would provide a transitional intensity of use between the light industrial area and the residential area.

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

   *Staff Comments:* The location is suitable for all uses permitted in the C-2, Community Commercial Zone 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 rezoning and accompanying site development plan includes a two-story building that falls within the scale of the existing neighborhood. With the proposed building location being close to the right-of-way there is a separation from the building and existing residential uses in 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: The land is currently developed, so the property requested for rezoning is served by all City services. Adequate levels of services to the existing area will not be affected.

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

Staff Comments: This provision is not applicable.

8. The Site Development Plan conforms with all applicable requirements of Chapter 32 with all applicable requirements as modified by a request for an Administrative Adjustment meeting.

Staff Comments: A Variance request for bufferyard requirements has been granted by the Board of Adjustment. A Conditional Use request will be presented at the next City Planning Commission meeting for approval which will be followed by review and final action by the Board of Adjustment.

RECOMMENDED CONDITIONS:

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

1. That approval of this site development plan is subject to the Conditional Use Permit process and that no building permits shall be issued until such permit is approved by the Board of Adjustment (BOA).
2. The existing structures must be removed under appropriate permit and inspections conducted and approved. This includes review by the Historic Preservation Commission for structures 50-years old or older.
3. Said lots are to be combined with adjacent property so as to constitute a single zoning lot and tax parcel.
4. Commercial Design Standards and Guidelines as specified in Subsection 32.05.030.C. shall be met or a variance must be obtained.
5. Sites will need to comply with off-street parking requirement per Chapter 32; Subsection 32.05.020.B. or a variance must be obtained.
6. Enclosures and/or screening shall be provided for all HVAC, trash, recycling, cardboard, mechanical equipment, and grease and similar service or support containers as per Subsection 32.05.030.A.7. of the Zoning Ordinance. The location and design of each enclosure shall be shown on the Administrative Site Plan and shall be approved prior to issuance of structural building permits. Preliminary building permits for site preparation, installation of utilities, and foundations may be issued prior to approval of the enclosure. Please note that chain link with
privacy slats does not satisfy this requirement.

7. Roof top mechanicals shall be screened so as not to be visible from the street. Screening is not required for the top of the roof-top mechanicals. Acceptable exterior wall materials are brick, stone, and split face block masonry, cementitious siding, EIFS, glass, metal (flat, perforated, composite, or ribbed less than 8” OC), architectural paneling, or other similar high quality materials.

8. All lighting shall be of a type, design and placement, and also be shielded in a manner to minimize impact on residential properties.
PROPOSED BUILDING
8,750 S.F. x 2 = 17,500 S.F.
STAFF REPORT TO CITY PLANNING COMMISSION
Conditional Use with a Preliminary Site Development Plan

CPC Date: September 24, 2015
To: City Planning Commission
From: Development Services Department
Applicant: Chipotle Mexican Grill, Inc.
Titleholder: Edgewood Partners, L.L.C.
Location: 2360 Edgewood Road SW, Suite 110
Request: Conditional Use with a Preliminary Site Development Plan approval for an Outdoor Service Area in a C-2, Community Commercial Zone District
Case Manager: Dave Houg, Development Services Department
Case Number: COND-021486-2015

BACKGROUND INFORMATION:

This is to certify that the Development Services staff has examined the petition of Chipotle Mexican Grill, Inc. requesting Conditional Use with a Preliminary Site Development Plan approval for an “Outdoor Service Area” for property at 2360 Edgewood Road SW, Suite 110 and zoned C-2, Community Commercial Zone District.

GENERAL INFORMATION:

Chipotle Mexican Grill, Inc. wishes to receive approval for an outdoor service area where alcohol can be served.

The plan submitted shows the following characteristics:
- Total area of restaurant: 2,300 sq. ft.
- Total size of proposed outdoor service area: 496 sq. ft. / 26 seats
- Required parking: 11 additional or 84 total spaces
- Provided parking: 87 spaces

After careful review, the staff has prepared the following findings in accord with Section 32.02.030.D. of the Zoning Ordinance:
FINDINGS:

Section 32.02.030.D.9 of the Zoning Ordinance requires the City Planning Commission to review the application based on the following criteria:

1. **That the conditional use applied for is permitted in the district within which the property is located.**

   *Staff Comments:* The conditional use as requested is permitted within the C-2, Community Commercial District.

2. **That the proposed use and development will be consistent with the intent and purpose of this Ordinance and with the Future Land Use Policy Plan and other elements of the Comprehensive Plan.**

   *Staff Comments:* This area is designated as Urban High-Intensity on the City’s Future Land Use Map. As such, the Conditional Use request for an outdoor service area has little potential to be disruptive to the neighborhood due to hours of operation or noise generated from the outdoor activities at the site.

3. **That the proposed use and development will not have a substantial adverse effect upon adjacent property, and the character of the neighborhood, traffic conditions, parking, utility and service facilities, and other factors affecting the public health, safety, and welfare.**

   *Staff Comments:* The effects of the proposed conditional use are expected to be compatible with the existing commercial conditions in the surrounding area.

4. **That the proposed development or use will be located, designed, constructed and operated in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding property.**

   *Staff Comments:* The proposed service area should be compatible with the immediate commercial neighborhood.

5. **That adequate measure have been or will be taken to assure adequate access designed to minimize traffic congestion and to assure adequate service by essential public services and facilities including utilities, storm water drainage, and similar facilities.**

   *Staff Comments:* There are no anticipated changes to the traffic patterns or required public services and facilities necessary to serve the site.

6. **That the proposed building, development, or use will comply with any additional standards imposed on it by provisions of this Ordinance for the district in which the property is located.**

   *Staff Comments:* The building and site are required to comply with all provisions of the Zoning Ordinance and the C-2 Zoning District, the staff recommended conditions and all other applicable codes and regulations.
7. Whether, and to what extent, all reasonable steps possible have been, or will be, taken to minimize any potential adverse effects on the surrounding property through building design, site design, landscaping, and screening.

Staff Comments: The service area must comply with all applicable requirements of the Police Department for staffing and fencing.

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

Staff Comments: This request is consistent with the shopping center’s overall site development plan.

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

Staff Comments: The site development plan conforms to all applicable requirements of Chapter 32, The City’s Zoning Ordinance.

If the Commission determines to recommend approval of the proposed conditional use, adoption of the following conditions as recommended by City Departments should be considered:

RECOMMENDED CONDITIONS:

1. That the current project is not complete and fencing and a gate must still be installed. The gate must meet all Fire Department regulations related to entry/egress points. The gate shall be used only as an emergency entry/egress route unless the beer garden is staffed continually during normal business hours.

2. That the outdoor service area must have fencing. The fencing requirements, for an outdoor service area with limited staffing, must be of sufficient height to deter the passing of alcoholic beverages over the top of the fence. The fence must also be designed in such a manner as to prohibit the passing of alcoholic beverages through it. The fencing requirements, for an outdoor service area that is staffed full time during normal business hours, can vary some from the above requirements. For those outdoor service areas a specific fence design must be submitted and it will be evaluated on a case-by-case basis.

3. That the Police Department shall re-inspect the outdoor service area PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
"WESTDALE MALL"
2360 EDGEWOOD ROAD SW - SUITE 110
CEDAR RAPIDS, IOWA 52404
STORE NO.: 2694
17 AUGUST, 2015

PATIO PLAN: 1" = 10'-0"
PATIO AREA: 496 S.F.
PATIO SEATING: 26 SEATS
STAFF REPORT TO CITY PLANNING COMMISSION  
Preliminary Site Development Plan

CPC Date: September 24, 2015
To: City Planning Commission
From: Development Services Department
Applicant: Jamey Stroschine
Titleholder: T.U.S.K., L.L.C.
Location: 1010 3rd Street SE
Request: Approval of a Preliminary Site Development Plan in a C-3, Regional Commercial Zone District
Case Manager: David Houg
Case Number: PSDP-021975-2015

BACKGROUND INFORMATION:

The applicant is requesting Preliminary Site Development Plan approval for the property located at 1010 3rd Street SE. This site currently contains a historic commercial building commonly referred to as the “White Elephant”. The property is currently zoned C-3, Regional Commercial Zone District. The proposal is to construct an addition to the existing structure for commercial and office space. The proposed development plan as submitted includes the following:

- Total site area is 6,341 sq ft (0.15 Acres)
- Existing building area is 1808 s.f.
- Total proposed building floor area is 4,184 sq ft
- Total building stories - 2
- A reduced parking variance request to allow the provision of 6 spaces in lieu of 19 required was granted on 8/10/15.

FINDINGS:

Section 32.02.030.G.7 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: This Finding does not apply since there were not previously approved site plans for this site.
2. The Site Development Plan conforms to all applicable requirements of this Ordinance.

Staff comments: Approval of a reduced parking request has been granted by the Board of Adjustment for this project. The site development plan conforms to all other applicable requirements of the City’s Zoning Ordinance, provided the building is designed to meet the Design Standards of the Czech-Bohemia Overlay District.

The Design Review Technical Advisory Committee for the Czech-Bohemia Overlay District has reviewed the development plans for this project and recommended minor revisions.

RECOMMENDED CONDITIONS:

If the City Planning Commission recommends approval of the proposed preliminary site development plan, adoption of the following conditions as recommended by Development Services should be considered. The City Planning Commission may approve with additional conditions or remove any of the recommended conditions.

1. This site shall be developed in compliance with the provisions of the Flood Plain Management Ordinance.
2. Approval of this proposal will be required by the Czech-Bohemia Overlay District Design Review Technical Advisory Committee.
3. Enclosures and/or screening shall be provided for all HVAC, trash, recycling, cardboard, mechanical equipment, and grease and similar service or support containers as per Subsection 32.05.030.A.7. of the Zoning Ordinance. The location and design of each enclosure shall be shown on the Administrative Site Plan and shall be approved prior to issuance of structural building permits. Preliminary building permits for site preparation, installation of utilities, and foundations may be issued prior to approval of the enclosure.
4. Commercial Design Standards and Guidelines as specified in Subsection 32.05.030.C. shall be met or a variance must be obtained.
5. Roof top mechanicals shall be screened so as not to be visible from the street. Screening is not required for the top of the roof top mechanicals. Acceptable exterior wall materials are brick, stone, and split face block masonry, cementitious siding, EIFS, glass, metal (flat, perforated, composite, or ribbed less than 8" OC), architectural paneling, or other similar high quality materials.
6. Subject to City Council approval of the proposed site development plan, due to the City’s financial participation.
STAFF REPORT TO CITY PLANNING COMMISSION
Rezoning with a Preliminary Site Development Plan

CPC Date: September 24, 2015
To: City Planning Commission
From: Development Services Department
Applicant: Hobart Historic Restoration
Titleholder: City of Cedar Rapids
Location: 107 and 109 4th Avenue SW, 404, 406, 416, 418, 422, 424 and 426 1st Street SW and 108 5th Avenue SW
Request: Consideration of a change of zone from C-3, Regional Commercial Zone District to C-4, Central Business Zone District and a Preliminary Site Development Plan

Case Manager: Vern Zakostelecky, Zoning Administrator
Case Number: RZNE-021491-2015

BACKGROUND INFORMATION:

The applicant is requesting rezoning to allow for development of a mixed use six story building. The development would include commercial uses on the ground floor and residential dwellings on the other five floors. The Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan shows the property as “Downtown” Land Use Typology Area.

The Preliminary Site Development Plan consists of the following:

- Total site is 963 acres.
- Total 11,480 s. f. of Commercial space on 1st floor.
- 37 residential dwelling units.
- Total parking provided is 95 spaces including 3 handi-capped spaces.
- Access is from the public alley.
- New 6’ sidewalks provided along all three public streets.
- Underground storm water management.

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 “Downtown” on the Future Land Use Map (FLUM) in the City’s Comprehensive Plan. As such, the request to rezone to the C-4 Zoning District is in accord with the FLUM and the goals and objectives of the Comprehensive Plan.

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

*Staff Comments:* The property is currently undeveloped the City purchased through the Voluntary Acquisition Program after the Flood of 2008. The proposed development will generate traffic typical of the other mixed use development in the general area and City staff has not identified any issues or concerns. The property to the north is developed as multi-family residential. To the west is a parking lot and to the south is vacate property. Across 1st Street SW is the McGrath Amphitheater and the Cedar River.

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 C-4 Zoning District, if determined by City Council to be appropriate.

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:* Not only will the proposed development be designed to meet minimum design standards it will exceed standards with regarding to building design, storm water management, landscaping and other site design elements. The proposed building is 6 stories and is typical of the type of construction/development in the downtown 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:* This parcel is located in an area that is already served by sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation facilities are in place. Development of this property will not have a negative impact on the levels of service to the 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. Design Standards and Guidelines as specified in Subsection 32.05.030.C. shall be met or a variance must be obtained.
2. Landscaping and buffering/screening shall be provided per the Zoning Ordinance, Subsection 32.05.030.A.
3. Enclosures and/or screening shall be provided for all HVAC, trash, recycling, cardboard, mechanical equipment, and grease and similar service or support containers as per Subsection 32.05.030.A.7. of the Zoning Ordinance. The location and design of each enclosure shall be shown on the Administrative Site Plan and shall be approved prior to issuance of structural building permits. Preliminary building permits for site preparation, installation of utilities, and foundations may be issued prior to approval of the enclosure. Please note that chain link with privacy slats does not satisfy this requirement.
4. Roof top mechanicals shall be screened so as not to be visible from the street. Screening is not required for the top of the roof-top mechanicals. Acceptable exterior wall materials are brick, stone, and split face block masonry, cementitious siding, EIFS, glass, metal (flat, perforated, composite, or ribbed less than 8” OC), architectural paneling, or other similar high quality materials.
5. That all parking, drives, and storage areas be surfaced per provisions of the Zoning Ordinance. Surfacing to include asphalt, concrete, brick or asphaltic macadam.
6. This site shall be developed in compliance with the provisions of the Flood Plain Management Ordinance.
7. The project requires review by the Kingston Village Overlay District Design Review Technical Advisory Committee.
8. Said lots are to be combined so as to constitute a single zoning lot and tax parcel.
9. Parking areas shall be screened on each side adjoining a public street.
10. 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.