AGENDA
CITY PLANNING COMMISSION MEETING
Thursday, July 19, 2018 @ 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: 625 63rd Avenue SW (Rezoning)
   RZNE-027239-2018; Case Manager: Dave Houg
   Consideration of a Rezoning from I-1, Light Industrial Zone District to C-3, Regional Commercial Zone District as requested by A & B Development, LLC (Applicant).

2. Case Name: 625 63rd Avenue SW (Conditional Use)
   COND-027238-2018; Case Manager: Dave Houg
   Consideration of a Conditional Use for a contractor shop and vehicle sales as requested by A & B Development, LLC (Applicant).

3. Case Name: Vacant Land South of 16th Ave SW & Southwest of 18th St SW (Preliminary Plat)
   PRPT-027112-2018; Case Manager: Vern Zakostelecky
   Consideration of a Preliminary Plat for Whispering Pines 4th Addition as requested by Jerry’s Homes, Inc. (Applicant).
4. **Case Name:** 1606 Ellis Road NW  
(Preliminary Plat)  
*PRPT-027116-2018; Case Manager: Vern Zakostelecky*  

Consideration of a Preliminary Plat for Ellis Commons II as requested by The Depot Development, LLC (Applicant).

5. **Case Name:** 3302 – 3520 Sokol Lane SW  
(Preliminary Plat)  
*PRPT-027237-2018; Case Manager: Vern Zakostelecky*  

Consideration of a Preliminary Plat for the Kopecek Addition as requested by Vision Homes, Inc. (Applicant) and Charles & Dee Ann Nejdl (Titleholder).

6. **ReZoneCR**  
*Presenter: Seth Gunnerson*

7. **Hidden Creek Urban Renewal Area Plan**  
*Presenter: Caleb Mason*  

Consideration regarding conformity of the proposed Hidden Creek Urban Renewal Area Plan with the City’s Comprehensive Plan.
STAFF REPORT TO CITY PLANNING COMMISSION
Rezoning with a Preliminary Site Development Plan

CPC Date: July 19, 2018
To: City Planning Commission
From: Development Services Department
Applicant: Brian Houtakker
Titleholder: A & B Development, LLC
Location: 625 63rd Avenue SW
Request: Consideration of a change of zone from I-1, Light Industrial, to C-3, Regional Commercial Zone District
Case Number: RZNE-027239-2018
Case Manager: David Houg

GENERAL INFORMATION:
The applicant is requesting to rezone a 0.59 acre lot to allow an existing building to be used for vehicle sales, along with a contractor’s shop. The property is identified as Urban Medium Intensity on the City’s Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan.

The Preliminary Site Development Plan shows:

- Site area: 25,657 s.f.
- Building area: 5,580 s.f. (3,000 s.f. – vehicle sales / 2,880 s.f. contractor’s shop)
- Paved area: 12,672 s.f.
- Parking required / provided: 16 spaces

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. 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:* Surrounding properties are zoned for industrial use. A residential property is located across 6th Street SW. Future development is expected to be industrial or commercial in nature, therefore the requested amendment is consistent with the characteristics of the surrounding 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-3, Regional 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:* Not applicable - there are no plans for expansion, only change of use.

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:* There are no proposed changes to the property other than usage.

7. **The Site Development Plan is consistent with the previously approved Preliminary Plan for the property (if applicable).**
   *Staff Comments:* 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:* The site development plan conforms to all applicable requirements of the City’s Zoning Ordinance. Conditional Use approval is required to allow the contractors shop to remain in a C-3, Regional Commercial Zone District.

**RECOMMENDED CONDITION:**

If the City Planning Commission recommends approval of the proposed rezoning, adoption of the following condition 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. That approval of this site development plan is subject to the Conditional Use Permit process and that no Certificate of Occupancy shall be issued until such permit is approved by the BOA.
STAFF REPORT TO CITY PLANNING COMMISSION
Conditional Use

CPC Date: July 19, 2018

To: City Planning Commission
From: Development Services Department

Applicant: Brian Houtakker
Titleholder: A & B Development LLC

Location: 625 63rd Avenue SW
Request: Consider Conditional Use approval for a Contractor’s Shop in a C-3, Regional Commercial Zone District

Case Manager: David Houg
Case Number: COND-027238-2018

GENERAL INFORMATION:

The Applicant is requesting a Conditional Use to maintain a contractor’s shop following a rezoning to the C-3, Regional Commercial Zone District at 625 63rd Avenue SW.

The Preliminary Site Development Plan shows:

- Site area: 25,657 s.f.
- Building area: 5,580 s.f. (3,000 s.f. – vehicle sales / 2,880 s.f. contractor’s shop)
- Paved area: 12,672 s.f.
- Parking required / provided: 16 spaces

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: Contractor shops are permitted within the C-3, Regional Commercial Zone District as a Conditional Use.
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:_ The Future Land Use Map of the City’s Comprehensive Plan designates the property as Urban Medium-Intensity. The proposed uses are allowed within this Typology Area (LUTA).

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:_ This Conditional Use request is not expected to adversely affect adjacent properties.

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 continued operation of the contractor’s shop will not interfere with the use, development or improvement of surrounding properties.

5. That adequate measures 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:_ All services are currently available to serve the lot.

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 proposed development will comply with all additional standards from the Ordinance.

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:_ Adverse effects are not expected from the proposed usage.

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

_Staff comments:_ This item is not applicable.
RECOMMENDED CONDITIONS:

There are no recommended conditions for this request.
STAFF REPORT TO CITY PLANNING COMMISSION
Major Preliminary Plat

CPC Date: July 19, 2018
To: City Planning Commission
From: Development Services Department

Applicant: Jerry’s Homes, Inc.
Titleholder: Jerry’s Homes, Inc.

Plat Name: Whispering Pines Fourth Addition
Location: Between 23rd St. SW and 18th St. SW, south of 16th Ave. SW

Request: Consideration of a Major Preliminary Plat in a PUD-1, Planned Unit Development One Zone District

Case Manager: Vern Zakostelecky
Case Number: PRPT-027112-2018

BACKGROUND INFORMATION:
The applicant is requesting approval of a Major Preliminary Plat for land located south of 16th Avenue SW, between 23rd Street and 18th Street SW. The previously approved preliminary plat approved in 2010 has expired since no final plats were submitted to the City for approval. The property is currently undeveloped. The applicant wishes to subdivide the property for development of residential development.

The preliminary plat as submitted includes the following:
- The total site area - 11.43 acres:
- Total lots – 50.
- Access to 23rd St. and 18th St. SW
- Bio-retention basins on southerly lots.

FINDINGS:
The City Planning Commission shall review the application based on the following criteria:

1. That the proposed use and development will be consistent with the intent and purposes of the Comprehensive Plan and other applicable codes and regulations.

Staff Comments: The proposed use and development are consistent with the intent and purposes of the Comprehensive Plan. The property is shown as “Urban Medium-Intensity” on Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan. The
density range in the “Urban-Medium Intensity” land use typology area is 4 to 24 units per acre and the proposed development is 4.37 units per acre. This proposed subdivision is consistent with the goals and objectives of this land use typology and future development will comply with all other applicable codes, regulations and approvals.

RECOMMENDED CONDITIONS:

If the City Planning Commission approves the proposed major preliminary plat, adoption of the following conditions as recommended by Development Services should be considered. The City Planning Commission may approve with additional conditions.

1. That the development comply with all applicable conditions of the Rezoning Ordinance No. 035-06 and the Preliminary Site Development Plan Resolution No. 1604-12-11.

2. That, AS PART OF FINAL PLAT SUBMITTAL TO CITY COUNCIL, the property owner shall be responsible to complete the following:
   A. That access control shall be established such that direct access from the lots of this addition to 18th Street SW is prohibited.
   B. Dedication to the public at no cost to the City of additional street right-of-way along future 18th Street SW providing a minimum 40’’ half width right-of-way adjoining this site. The right-of-way shall be dedicated at the time the property owner’s land west of and adjoining the right-of-way area is final platted, or at such time as requested by the City, whichever occurs first.
   C. Approval of final public improvement design for street width, sidewalks, water main location, right of way width and storm sewer location with any necessary design exceptions.

3. That, WITH RESPECT TO STORM WATER MANAGEMENT FOR THIS SITE, the property owner shall be responsible to complete the following:
   A. Submittal of an overall storm water management plan for this site, certified by a civil engineer licensed in the State of Iowa, to the City Public Works Director/City Engineer for review and approval. If off-site storm water detention is approved, the property owner shall be responsible to pay a proportionate fee as approved by the City Public Works Director/City Engineer for the construction of any approved off-site regional storm water management facility. The property owner’s civil engineer shall provide a storm water management study and probable cost opinion for a regional storm water management facility, including that portion of the total cost to be paid by the owner of this site. The property owner shall be responsible for the dedication of any other on-site easements to accommodate the approved storm water management plan.
   B. The acquisition by the property owner of any off-site lands to accommodate off-site storm water detention shall be considered as a credit for the proportionate fee responsibilities outlined above.
   C. Storm water management plans, certified by a civil engineer licensed in the State of Iowa shall be approved by the City Public Works Director/City Engineer PRIOR TO FINAL PLAT CONSIDERATION BY CITY COUNCIL.

4. That, WITH RESPECT TO STORM WATER PERMITTING FOR THIS SITE, the following shall apply:
   A. The property owner shall submit to the City Public Works Director/City Engineer a copy of the Iowa DNR Storm Water permit for this site. This shall be completed prior to grading activities commencing or prior to issuance of a Building Permit, whichever occurs first.
B. The property owner shall comply with all provisions of the Iowa DNR storm water permit and Municipal Code Chapter 71 “Erosion and Sediment Control for Construction Sites”. This includes maintaining current inspection records weekly and after every one-half inch of rainfall, and installing and maintaining erosion and sediment control according to the approved Storm Water Pollution Prevention Plan (SWPPP).

5. That, PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to complete the following:
   A. For the lot(s) through which overland conveyance of the 100-year storm event will occur, the property owner shall provide certification by a civil engineer licensed in the State of Iowa verifying the runoff from the 100-year storm event can be conveyed through the site without damage to building structures,
      OR
   The property owner shall provide a certification by a Civil Engineer or Land Surveyor licensed in the State of Iowa the drainage way has been constructed in accordance with drainage plans approved by the City.
   B. Construction of concrete sidewalk along the public street frontages on 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.
LEGAL DESCRIPTION

Parcel B of Plat of Survey No. 1255 lying East of Whispering Pines 3rd Addition and North of the North line of Whispering Pines 8th Addition and Plat of Survey No. 1806. All lying north of the north line of Whispering Pines 8th Addition. And Lot 13 of Whispering Pines 3rd Addition except the public road.

DESIGN EXCEPTIONS

1. ROAD-WIDE-OF-WAY INSTEAD OF THE STANDARD 60'-ROAD-WIDE-OF-WAY, DUE TO TERRAIN ON THE SITE.

2. PROPOSED STREET WILL BE 26 FEET WIDE, WITH PAR. BING ON ONE-SIDE, INSTEAD OF NORMAL 28 FEET WIDE.

3. 50'-FOOT SIDEWALK, ON THE NORTH SIDE OF THE STREET WILL BE One FOOT FROM THE RIGHT-OF-WAY LINE. SIDEWALK SIDEWALK ON THE SOUTH SIDE OF THE STREET SHALL BE CONSTRUCTED NORMAL.

4. DESIGN SPEED FOR LEFT TURN FROM STOP (AT SIGHT DISTANCE OF 250 FEET) IS 22.7 MPH.

STORM WATER MANAGEMENT PLAN

The storm water management plan is constructed along the property lines of the lots on the South side of Holly Meadow Avenue SW. The detention cells are generally 113' large feet in size and have a 2' flooding - one 1' protection, retention, one and a 1' retention/recharge, one. A 6 inch diameter tile will discharge excess storm water to the storm sewer system.

NOTE:

1. DISTANCES ARE IN FEET AND DECIMALS THEREOF.

2. BEARINGS ARE BASED ON THE IOWA STATE PLANE COORDINATE SYSTEM (NORTH - ONE)

3. LOT A IS DESIGNED TO PROVIDE A PUBLIC AT 149 TWP AS A PUBLIC STREET RIGHT OF WAY ADDITIONAL RIGHT-OF-WAY ALONG THE WESTERY SIDE OF 16TH STREET.

4. IT IS PROHIBITED TO PLACE ANY ABOVE GROUND UTILITY STRUCTURES WHERE UTILITY EASEMENTS CROSS AREAS, WATER, DRAINAGE OR ACCESS EASEMENTS, OR IN CORNER VISUAL CLEARANCE AREAS.

5. EXISTING ON-SITE MTD, NO CHANGE IN ON-SITE PAR. IS REQUIRED.

6. THERE SHALL BE NO DREDGE ACCESS TO 16TH STREET SW FROM LOTS 35 OR 36.
STAFF REPORT TO CITY PLANNING COMMISSION
Major Preliminary Plat

CPC Date:  July 19, 2018

To:       City Planning Commission
From:     Development Services Department

Applicant:  The Depot Development, LLC
Titleholder:  City of Cedar Rapids

Plat Name: The Commons Part II on Ellis Blvd First Addition
Location:  1606 - 1646 Ellis Boulevard NW

Request: Consideration of a Major Preliminary Plat in a PUD-2, Planned Unit Development One Zone District

Case Manager: Vern Zakostelecky
Case Number: PRPT-027116-2018

BACKGROUND INFORMATION:
The applicant is requesting approval of a Major Preliminary Plat for land on vacant City owned lots (1606 - 1646 Ellis Boulevard NW). The property is currently undeveloped and within the Ellis Overlay District. The applicant wishes to subdivide the property for development of six 2-story duplexes (12 dwelling units).

The preliminary plat as submitted includes the following:
➢ The total site area - 1.17 acres:
➢ Total lots – 13.
➢ Access to the public alley to the west of the parcels.
➢ Bio-retention cells and rain gardens are provided.

FINDINGS:
The City Planning Commission shall review the application based on the following criteria:

1. That the proposed use and development will be consistent with the intent and purposes of the Comprehensive Plan and other applicable codes and regulations.

Staff Comments:  The subject property is located in the “Flood Control Study Area” on the Future Land Use Map in the Comprehensive Plan. This Land Use Typology Area states that “Development or establishment of new uses should not be permitted unless it is determined that they will have no impact on the Future Flood Control System.” Staff
has determined that this project will not impact the flood control system, therefore the proposed use is in accord with the goals and objectives of Envision CR, the City’s Comprehensive Plan.

RECOMMENDED CONDITIONS:

If the City Planning Commission approves the proposed major preliminary plat, adoption of the following conditions as recommended by Development Services should be considered. The City Planning Commission may approve with additional conditions.

1. All lots shall conform to the zoning district requirements in effect at the time of final platting.
2. AS PART OF FINAL PLAT SUBMITTAL TO CITY COUNCIL, the property owner shall be responsible to complete the following:
   A. Dedication to the public of additional street right-of-way along Ellis Boulevard NW providing a minimum 40’ half width right-of-way for said street adjoining this site.
   B. Submit an agreement to provide temporary grading easements for Ellis Boulevard NW reconstruction as deemed necessary by the City.
3. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to complete the following:
   A. Construction of concrete sidewalk along Ellis Boulevard NW adjoining this site. The property owner shall construct the sidewalk improvements in accordance with City Standards, City policy, ADA requirements, and improvement plans accepted by the City. The property owner may request deferral of the sidewalk installation requirement if in accordance with the sidewalk installation policy.
STAFF REPORT TO CITY PLANNING COMMISSION
Major Preliminary Plat

CPC Date: July 19, 2018
To: City Planning Commission
From: Development Services Department
Applicant: Vision Homes, Inc.
Titleholder: Charles and Dee Ann Nejdi
Plat Name: Kopecek Addition
Location: 2133 33rd Avenue SW
Request: Consideration of a Major Preliminary Plat in an R-2, Single Family Residence Zone District
Case Manager: Vern Zakostelecky
Case Number: PRPT-027237-2018

BACKGROUND INFORMATION:
The applicant is requesting approval of a Major Preliminary Plat for vacant land located at 2133 33rd Avenue SW. The applicant wishes to subdivide the property for development of 26 single family detached houses.

The preliminary plat as submitted includes the following:
- The total site area - 7.11 acres:
- Total lots – 27 (26 building lot & 1 outlot).
- Access to 33rd Ave. SW.
- Bio-retention cells and rain gardens are provided.

FINDINGS:
The City Planning Commission shall review the application based on the following criteria:

1. That the proposed use and development will be consistent with the intent and purposes of the Comprehensive Plan and other applicable codes and regulations.

Staff Comments: The proposed use and development are consistent with the intent and purposes of the Comprehensive Plan. The property is shown as “Urban Low-Intensity” on Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan. The density range in the “Urban-Low Intensity” land use typology area is 2 to 12 units per acre and the proposed development is 3.66 units per acre. This proposed subdivision is consistent
with the goals and objectives of this land use typology and future development will comply with all other applicable codes, regulations and approvals.

RECOMMENDED CONDITIONS:

If the City Planning Commission approves the proposed major preliminary plat, adoption of the following conditions as recommended by Development Services should be considered. The City Planning Commission may approve with additional conditions.

1. **AS PART OF FINAL PLAT SUBMITTAL TO CITY COUNCIL**, the property owner shall be responsible to complete the following:
   A. Dedication to the public of street right-of-way along Lot B (proposed Sokol Lane SW) providing a minimum 60' right-of-way and a code compliant cul-de-sac will need to be dedicated on the plat.

2. **The property owner is responsible to extend sanitary sewer to serve the development.** If sewer extensions crossing private property are necessary to serve the subject property, as determined by the City, the property owner shall be responsible for the related costs including (but not limited to) planning and design of the sewer, acquisition of right-of-way and/or easements, construction, administration, inspection and other incidental costs.

3. **PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY,** the property owner shall be responsible to complete the following:
   A. For the lot(s) through which overland conveyance of the 100-year storm event will occur, the property owner shall provide certification by a civil engineer licensed in the State of Iowa verifying the runoff from the 100-year storm event can be conveyed through the site without damage to building structures, or, the property owner shall provide a certification by a Civil Engineer or Land Surveyor licensed in the State of Iowa the drainage way has been constructed in accordance with drainage plans approved by the City.
   B. **Construction of concrete sidewalk along Lot B (Sokol Lane SW) adjoining this site.** The property owner shall construct the sidewalk improvements in accordance with City Standards, City policy, ADA requirements, and improvement plans accepted by the City. The property owner may request deferral of the sidewalk installation requirement if in accordance with the sidewalk installation policy. If a deferral is requested, the property owner’s engineer shall submit a formal request with documentation verifying deferral eligibility (cross sections, drawings, etc.).
   C. Removal and replacement of City sidewalk adjoining this site, damaged as a result of construction activities on this site or not meeting current City standards and ADA requirements. Said removal and replacement areas shall be determined by the City, shall be completed by the property owner, and approved by the City.

4. **The Developer shall maintain the public detention basin(s) following acceptance of all maintenance bonds for a minimum of one year or until erosion and sediment control is established and accepted by the City.** Following City acceptance and maintenance of said detention basin(s), the Developer will use all reasonable measures to protect detention basin(s) from sediment runoff and damage. All construction activities are subject to the Municipal Code Chapter 71 “Erosion and Sediment Control for Construction Sites” until such time that all disturbed areas are completely stabilized and developed. The Developer agrees to remove sediment
from, reseed, and otherwise repair said detention basin should development related
damage occur after the basin has been accepted by the City.

5. PRIOR TO THE APPROVAL OF THE FINAL PLAT, 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.
To: City Planning Commission  
From: Seth Gunnerson, Planner III through Jennifer Pratt, Director of Community Development & Planning  
Subject: ReZone Draft Release  
Date: July 19, 2018

Background:  
At the July 19 City Planning Commission Meeting, City staff will provide an update on ReZone Cedar Rapids. Specifically, staff will provide an update on the public review draft of the new zoning ordinance, which was released on July 3, and an overview of key recommendations and changes.  
A formal public review period for the draft ordinance will last from July 3 to August 3, at which point staff will incorporate comments received from the public into a revised ordinance for City Council consideration.  

Consideration of a new zoning code is anticipated in fall of 2018 with an effective date of January 1, 2018.
To: City Planning Commission

From: Caleb Mason, Community Development and Planning

Subject: Consideration regarding conformity of the proposed Hidden Creek Urban Renewal Area Plan with the City’s Comprehensive Plan

Date: June 19, 2018

BACKGROUND INFORMATION:

The City Council has initiated proceedings to consider the creation of the Hidden Creek Urban Renewal Area Plan generally located along and south of Boyson Road NE, between C Avenue NE and Council Street NE. The establishment of the Urban Renewal Area is based on a new economic development project which has received initial City Council approval.

This district is being established as an economic development area as provided under Iowa Code to, among other things, stimulate private investment, expand economic development through the creation of new jobs, and provide for the planning and possible construction public infrastructure and trails all of which achieve a well-balanced diversified economy. The attachment provides a draft of the Hidden Creek Urban Renewal Plan.

The State Code of Iowa requires that prior to City Council adoption of an Urban Renewal Area, the Urban Renewal Plan be referred to the City Planning Commission for review and recommendation “as to its conformity with the general plan for the development of the municipality as a whole.”

The action requested from Planning Commission at this time is to make a finding regarding the consistency of the proposed Hidden Creek Urban Renewal Plan for the Hidden Creek Urban Renewal Area with the City’s Comprehensive Plan, EnvisionCR. In addition to the Commission’s review, the City held a consultation with affected taxing agencies on July 13, 2018 regarding the proposed Urban Renewal Area and the collection of tax increment with the district. All comments received by CPC will be presented to City Council for consideration during the public hearing scheduled for July 24, 2018.
URBAN RENEWAL PLAN
for the
Hidden Creek URBAN RENEWAL AREA

As Approved by City Council
Resolution No. ________

Community Development Department
City Hall
101 First Street SE
Cedar Rapids, Iowa 52401
INTRODUCTION
This Urban Renewal Plan (the "Urban Renewal Plan") has been prepared by the City of Cedar Rapids, Iowa (the "City") to provide for the development of the Hidden Creek Urban Renewal Area (the "Project Area") of the City, and to stimulate, through public actions, financings and commitments, private investment in the urban renewal Project Area. In order to achieve these objectives, the City shall undertake the urban renewal actions specified in this Urban Renewal Plan, pursuant to the powers granted to it under Chapters 403 and 15A of the Code of Iowa, 2018, as amended (the "Code").

I. URBAN RENEWAL PLAN OBJECTIVES
The City has designated the Project Area as an "economic development area" as defined under Chapter 403. The primary objectives of this Urban Renewal Plan for the Project Area are as follows:

1. To stimulate through public action and commitment, private investment in new commercial, mixed-use, residential & multi-residential development;
2. To plan and provide sufficient land for new and expanding private development;
3. To attract new businesses to the City and to encourage the expansion of existing City businesses;
4. To provide a more marketable and attractive investment climate through the use of various federal, state and local incentives;
5. To ensure that the Project Area is adequately served with public facilities, roadways, trails, utilities and services; and
6. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities for City residents and strengthening the property tax base of the City.

II. DESCRIPTION OF PROJECT AREA
The Project Area is an "economic development area" as defined in the Code and is located within the City of Cedar Rapids, Linn County, Iowa. The boundaries of the Project Area are illustrated on the Project Area Map attached hereto as Exhibit A. The Project Area consists of an approximately 38 acres, in the City of Cedar Rapids, Iowa and being described as follows:

III. PROJECT AREA ACTIVITIES
As a means of assisting in the development of the Project Area and fulfilling the objectives of this Urban Renewal Plan, the City may determine:

1. To undertake and carry out urban renewal project activities through the execution of contracts and other instruments;
2. To arrange for or cause to be provided the construction or repair of public infrastructure improvements, including street, water, sanitary sewer and storm sewer systems, traffic signals, and public utilities or other facilities in connection with urban renewal projects;
3. To acquire property through a variety of means (purchase, lease, exchange, condemnation, donation or otherwise) and to hold, clear or prepare the property for redevelopment;

4. To dispose of property so acquired (by sale, lease, exchange or otherwise) for purposes of private redevelopment;

5. To provide financing to pay a portion of the cost of construction of new facilities and developments;

6. To undertake or cause to be undertaken the construction of specific site improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections and related activities, in connection with the disposition of property;

7. To make loans or grants to private persons or businesses for economic development purposes and for the creation of affordable housing on such terms as may be determined by the City Council;

8. To borrow money and provide security therefor;

9. To establish and enforce controls, standards and restrictions on land use and buildings;

10. To make or have made surveys and plans necessary for the implementation of the urban renewal program and specific urban renewal project activities;

11. To use tax increment financing to provide for necessary physical improvements and infrastructure, and to fund other urban renewal project costs; or

12. To use any and all other powers, without limitation, granted by the Code to develop and provide for improved economic conditions in the City of Cedar Rapids, Iowa.

IV. SPECIAL FINANCING ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage private investment in and the development of the Project Area, the City may determine to provide financial assistance to qualified private businesses through the making of loans or grants under Chapter 15A of the Code and through the use of tax increment financing under Chapter 403 of the Code.

1. Chapter 15A Loans or Grants. The making of loans or grants of public funds to private businesses within the Project Area may be deemed necessary or appropriate for economic development purposes (as defined in Chapter 15A of the Code) and to aid in the planning, undertaking and carrying out of urban renewal project activities authorized under this Urban Renewal Plan and the Code. Accordingly, in furtherance of the objectives of this Urban Renewal Plan, the City may determine to issue general obligation bonds, tax increment revenue bonds or other such obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Project Area. Alternatively, the City may determine to use available funds, including tax increment revenues from the Project Area, for making such loans or grants. In determining qualifications of recipients and whether to make any such individual loan or grant, the City shall consider, among other things, one or more of the factors set forth in Section 15A.1 of the Code on a case-by-case basis and provisions of the City’s Economic
Development Policy.

2. **Tax Increment Financing.** The City intends to utilize tax increment financing as a means to help pay for the costs associated with the development of the Project Area. General obligation bonds, tax increment revenue bonds or other such obligations or loan agreements may be issued by the City, and tax increment reimbursement may be sought for, among other things, the following costs (if and to the extent incurred by the City):

   a. The construction of public improvements, such as streets, sanitary sewers, storm sewers, water mains, trails or sidewalks;
   b. The funding of the "local match" required under State programs providing financial assistance to private developers; and
   c. Provide loans or grants for the development of commercial and residential improvements; and
   d. The making of loans or grants to private businesses under Chapter 15A and 403 of the Code, including debt service payments on any bonds or notes issued to finance such loans or grants.

   Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code in furtherance of the objectives of this Urban Renewal Plan.

V. PROPERTY ACQUISITION

All of the properties, besides existing public right-of-way or planned right-of-way, located within the Project Area are privately owned and the City does not presently intend to acquire any land in the Project Area for purposes of private development, other than property that will be dedicated and platted to the City for right-of-way. Areas may be identified for acquisition in the future for the following purposes:

1. To provide sites for needed private and public improvements or facilities in proper relationship to the projected demand for such facilities and in accordance with accepted criteria for the development of such facilities;

2. To assemble land into parcels of adequate size and shape to meet contemporary development needs and standards and to allow new construction to meet the objectives of this Urban Renewal Plan; or

3. To acquire any and all interests in any property within the Project Area which in any way dominates or controls usage of other real property proposed to be acquired.

VI. CLEARANCE AND DISPOSITION OF PROPERTY

All of the properties located within the Project Area are privately owned and the City does not presently intend to clear or dispose of property in the Project Area. If the City makes improvements in preparation for redevelopment or transfer of land to private developers, all improvements will be accomplished in accordance with the goals and objectives of this Urban Renewal Plan and in concert with other actions to ensure timely improvement of the land.
The City may advertise and solicit development proposals, may negotiate directly with prospective developers, and may dispose of all or a portion of any property acquired by it for the purpose of redevelopment in accordance with the goals and objectives of this Urban Renewal Plan. The property so disposed of may include vacated right-of-way and other lands under public ownership which are not needed for public purposes. The City may subdivide, vacate or otherwise change the recorded arrangement of property under its control to accomplish the goals and objectives of this Urban Renewal Plan.

VII. LAND USE DEVELOPMENT

The planning criteria to be used to guide the physical development of the Project Area are those standards and guidelines contained within the City’s Comprehensive Plan – EnvisionCR approved on January 27, 2015, as amended from time to time.

VIII. DEVELOPER REQUIREMENTS

In consideration of the efforts to be made by the City in furthering the development of the Project Area, developers who purchase land in the Project Area may be required to observe the land use requirements of this Urban Renewal Plan and to enter into a contractual agreement with the City in order to assure that the objectives of this Urban Renewal Plan are furthered or achieved.

1. Developers will not be permitted to defer the start of construction for a period longer than that required to prepare architectural plans, obtain satisfactory financing, and the review and approval of such plans by the City in order to establish their conformance with the provisions of this Urban Renewal Plan.

2. Developers will submit plans and schedules for the proposed development to the City and will keep the City informed regarding progress on implementing these plans;

3. Any land purchased from the City can only be used for the purpose of development, and not for speculation/land banking;

4. Any ownership parcel made up in part of land acquired from the City will be built upon and improved in conformity with the objectives and provisions of this Urban Renewal Plan;

5. Construction of improvements will be initiated and completed within a reasonable time; and

6. There will be no discrimination against any person or group of persons on account of race, creed, color, national origin or ancestry in the sale, lease, sublease, transfer, use of enjoyment of the premises therein conveyed, nor will the developers themselves, or any claiming under or through them, establish or permit such practices of discrimination or segregation with respect to the selection, location, number, use or occupancy of tenants, lessees, or sub lessees in the premises therein conveyed.

The contract and other disposition documents to be executed by the developer will set forth, in detail, the provisions, standards and criteria for achieving the objectives and land use requirements established in this Urban Renewal Plan.
IX. PROJECT AND CITY INDEBTEDNESS

The City may agree to make economic development grants to the developer in consideration for certain employment commitments and other covenants expected to be made by the developer. As such, the eventual level of City participation in both private and public improvements for the economic development of the Project Area cannot be fully determined at this time. However, to the extent that new tax increment revenues are generated and other appropriate funding sources are identified, the City may undertake other project-related activities in the future.

At the present time, it is anticipated that future City tax increment collections for project-related activities within the Project Area, as identified herein, will not exceed $5,200,000.00 in aggregate amount during the term of this Urban Renewal Plan. Proceeds of such tax increment collections are currently expected to be used to make economic development grants to the developer, infrastructure extensions, and to reimburse the City for any other project-related costs incurred in connection with the development of the Project Area.

As of June 30, 2018, the City's outstanding general obligation indebtedness is $315,200,000. Article XI, Section 3 of the Constitution of the State of Iowa limits the amount of City debt outstanding at any time to no more than five percent (5%) of the value, as shown by the last certified state and City tax list, of all taxable property within the City. Based upon the actual value for fiscal year 2018/2019 (total actual value, less agriculture value that is not taxed for debt service) on all taxable property within the City of Cedar Rapids, the City is limited to $497,987,607.00 of general obligation indebtedness.

X. STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform to state and local law will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

XI. SEVERABILITY

In the event one or more provisions contained in this Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized or unenforceable in any respect, such invalidity, illegality, or lack of authorization or enforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

XII. AMENDMENT OF URBAN RENEWAL PLAN

This Urban Renewal Plan may be amended from time to time to respond to development opportunities. Any such amendment shall conform to the requirements of Chapter 403 of the Code. Any change affecting any property or contractual right will be effectuated only in accordance with applicable state and local law.

XIII. EFFECTIVE DATE & TERMINATION DATE

This Urban Renewal Plan shall be effective upon adoption by the City Council of the City of Cedar Rapids, Iowa, and shall remain in full force and effect until amended or rescinded by the City Council. However, the collection and use of tax increment financing revenues
(including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the Code) by the City for activities carried out under this Urban Renewal Plan shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law, including Iowa Code Section 403.17(10).

In accordance with Iowa Code Section 403.17(10) and 403.19, the collection of tax increments shall be limited to twenty (20) years from the calendar year following the calendar year in which the City certifies to the Linn County Auditor any indebtedness associated with a proposed Plan activity. The City anticipates certifying indebtedness in calendar year 2018, therefore this Urban Renewal Plan shall be effective until the end of calendar year 2039.

XIV. PROPOSED URBAN RENEWAL PROJECT ACTIVITIES

The following are urban renewal project activities that are expected to be undertaken, subject to a Development Agreement and final approval by City Council:

1. Hidden Creek Development - Financial incentives for the Hidden Creek master planned mixed-use development project at 605 and 765 Boyson Rd NE. The reimbursement of increased taxes of 10-years, 100% of the collected tax increment for residential use and 10-years, 50% for commercial use.
ATTACHMENT B
FUTURE LAND USE MAP
ATTACHMENT C
BASE VALUES FOR TAX PARCELS

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Total $1,832,600 $1,649,340

*Base year 2017