Call Meeting to Order

Roll Call

A. Approval of the Minutes

B. Adoption of the Agenda

C. Action Items

1. **Case Name:** Vacant Land East of 80th Street SW & North of 16th Ave SW (Rezoning)  
   **RZNE-027364-2018; Case Manager: Vern Zakostelecky**
   Consideration of a Rezoning from A, Agriculture Zone District to PUD-1, Planned Unit Development One Zone District as requested by B.N.K.D, Inc. (Applicant) and Lawrence A Schulte Trust (Titleholder).

2. **Case Name:** 3550 Stone Creek Circle SW (Rezoning)  
   **RZNE-027369-2018; Case Manager: Dave Houg**
   Consideration of a Rezoning from C-1, Mixed Neighborhood Convenience Zone District to RMF-2, Residential Multi-Family Zone District as requested by Speyside Development, LLC (Applicant) and Legacy Commercial Group, LLC (Titleholder).

3. **Case Name:** 2218 1st Avenue NE (Preliminary Site Development Plan)  
   **PSDP-027362-2018; Case Manager: Dave Houg**
   Consideration of a Preliminary Site Development Plan for a Dental Office as requested by Primus Dental (Applicant) and Marketing Communications Strategies, Inc.
4. Case Name: 5050 Edgewood Road NE (Conditional Use)
COND-027428-2018; Case Manager: Dave Houg

Consideration of a Conditional Use for an outdoor service area in a C-2 Community Commercial Zone District as requested by Hy-Vee (Titleholder).
STAFF REPORT TO CITY PLANNING COMMISSION
Rezoning With Master Site Development Plan

CPC Date: August 9, 2018
To: City Planning Commission
From: Development Services Department
Applicant: B.N.K.D, Inc.
Titleholder: Lawrence A. Schulte Trust
Case Number: RZNE-027364-2018
Location: East of 8th Street SW and north of 16th Avenue SW
Request: Rezoning from A, Agriculture Zone District to PUD-1, Planned Unit Development One Zone District
Case Manager: Vern Zakostelecky, Development Services Department

BACKGROUND INFORMATION:
The property is currently undeveloped agriculture land. The applicant has an agreement to purchase property and proposes to develop the site potentially with a mix of commercial, multi-family and single family. Since this is a rezoning to the PUD-1 Zoning District a Master Site Plan is required and then Final Site Plans will be submitted for each phase of the development prior to construction of improvements. The Master Site Plan as submitted includes the following improvements:

- Total site area-72.3 acres.
- Proposed areas by use:
  - Single Family 15 acres
  - Multi-Family 25.5 acres
  - Commercial Mixed Use 9.5 acres
  - Storm Water Management 3.5 acres
  - Green Space 4.5 acres
- Contemplated Phases-7
- 2 access to 80th St. SW, 1 to 16th Ave SW and 3 future access to the east
- Requested Zoning Modifications:
  - Reduce size of single family dwelling from a minimum dimension of 22 feet to a minimum dimension of 20 feet for Row Houses.
  - Reduce width at setback line from 25 feet to 20 feet for Row Houses.
- Site Limitations:
  - Potential wetlands
  - Significant drainage ways
  - Shallow sanitary sewer along west side of site.

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:* The request rezoning is not required to correct a technical mistake in the existing zoning regulations.

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

   *Staff Comments:* The Future Land Use Map in the Comprehensive Plan shows the property as “Urban Medium Intensity”. As such, the requested rezoning and contemplated uses are in accord with EnvisionCR, 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 amendment is consistent with the surrounding neighborhood since the proposed development is to building single family homes on the north end of the site adjacent to the existing single homes to the north. The proposed development also provide a transition from less intense uses to the north to more intense uses going south.

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

   *Staff Comments:* The property has been identified as suitable for all uses being contemplated.

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 use of this property will be consistent with the existing development in the neighborhood and will protect existing neighborhoods from nearby development at heights and densities that are out of scale with the existing neighborhood.

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.

**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. Subject property must be platted per State and City platting regulations.
2. At the Administrative Plan stage a lighting plan with photometrics to demonstrate minimal lighting impact at property lines will be required. 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 as per Subsection 32.05.030.B. of the Zoning Ordinance.
3. The site and building design will need to comply with the Zoning Ordinance Multi-Family Residential Design Standards, Subsection 32.05.030.D. (see attached).
4. ADA handicap parking needs to be provided per code.
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. 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.
7. Signage is not being reviewed at this time. Sign permit applications must be submitted and approved and permits obtained prior to erection of signage (Subsection 32.06.020 & 32.06.030 is the sign regulation in the Zoning Ordinance).
8. Landscaping and buffering/screening shall be provided per the Zoning Ordinance, Subsection 32.05.030.A. or a variance must be obtained.
9. The Commercial Design Standards and Guidelines as specified in Subsection 32.05.030.C. shall be met or a variance must be obtained.
10. Sites will need to comply with off-street parking requirement per Chapter 32, Subsection 32.05.020.A.
11. Sites will need to comply with off-street loading requirement per Chapter 32, Subsection 32.05.020.C.
12. That future development under this rezoning action shall be subject to the RSDP review process as set forth in Section 32.02.030.G. prior to issuance of building permit(s). Such Development shall meet all City development standards in effect at the time of plan submittal.
13. That all parking, drives, and storage areas be surfaced per provisions of the Zoning Ordinance. Surfacing to include asphalt, concrete, brick or asphaltic macadam.
14. 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.
The proposed Happel Crossroads development is 72.3 acres located at the northeast quadrant of 16th Avenue SW and 80th Street SW intersection. The site currently consists of vacant land. The proposed development plan is to construct mixed-use commercial, multi-family residential units, and single family residential units. The site will transition from low intensity near the existing neighborhood to the north to mixed-use commercial near the intersection of 16th Avenue and 80th Street. This aligns with the objective of EnvisionCR.

The proposed development will conform to the standards of the Cedar Rapids Zoning Code. The aesthetic appeal of the different types of buildings will complement each other. Emphasis on the exterior of the buildings will include wall plane projections and the use of varying construction materials and colors. In addition to the architectural appearance of the buildings, the site will include landscaping throughout that will meet or exceed City requirements as well as usable open space and sidewalk connectivity. Landscape screening will also be provided between the different uses and between existing residential property near the southwest corner of the site to aid in the view of the residents.

**Site specific information:**
The proposed development is within the Urban - Medium Intensity zone of the City’s Comprehensive Development Plan. According to EnvisionCR, Urban- Medium Intensity zone is classified as "Areas with urban services including medium density residential and neighborhood commercial and service uses". It will include different land uses such as mixed-use commercial, multi-family, and single family as shown on the preliminary site development plan. A description of the land uses planned for this development are listed below and are shown on the preliminary site development plan. Due to the conceptual nature of the site plan, comparative neighborhood developments of Wiley Center Subdivision and the Royal Heights Subdivision located on the southwest side of Cedar Rapids were used to provide approximate building, paved, and open area calculations. The calculations shown below exclude the street rights-of-way.

**Area 1:** The land use for this area will be mixed-use commercial as shown on sheet 2 of the preliminary site development plan.

- **Total Land Area:** 9.4 acres
- **Building Coverage:** 1.5 acres (16%)
  - Approximately 5 buildings at 13,000 sf
- **Paved Area Coverage:** 5.6 acres (60%)
- **Open Area:** 2.3 acres (24%)

**Area 2:** The land use for this area will be multi-family as shown on sheet 2 of the preliminary site development plan.

- **Total Land Area:** 9.8 acres
- **Building Coverage:** 2.0 acres (20%)
  - Approximately (4) 3 story, 30 unit, buildings at 15,246 sf and (3) 3 story, 24 units, buildings at 8,958 sf.
  - Approximately 19.6 units per acre (192 total units)
- **Paved Area Coverage:** 6.2 acres (63%)
- **Open Area:** 1.6 acres (17%)
Area 3: The land use for this area will be 5-6 plex homes / row houses as shown on sheet 2 of the preliminary site development plan.

- Total Land Area: 5.1 acres
- Building Coverage: 1.4 acres (27%)
  - Approximately 5 – 6 buildings
  - Approximately 5.9 units per acre (30 total units)
- Paved Area Coverage: 0.4 acres (8%)
- Open Area: 3.3 acres (65%)

Area 4: The land use for this area will be 3-4 plex homes / row houses as shown on sheet 2 of the preliminary site development plan.

- Total Land Area: 3.6 acres
- Building Coverage: 1.0 acres (28%)
  - Approximately 5 buildings
  - Approximately 5.6 units per acre (20 total units)
- Paved Area Coverage: 0.2 acres (6%)
- Open Area: 2.4 acres (66%)

Area 5: The land use for this area will be duplex homes as shown on sheet 2 of the preliminary site development plan.

- Total Land Area: 6.8 acres
- Building Coverage: 1.5 acres (22%)
  - Approximately 16 buildings
  - Approximately 4.7 units per acre (32 total units)
- Paved Area Coverage: 0.4 acres (6%)
- Open Area: 4.9 acres (72%)

Area 6: The land use for this area will be row house and single family studios as shown on sheet 2 of the preliminary site development plan.

- Total Land Area: 2.7 acres
- Building Coverage: 0.5 acres (19%)
  - Assumed 40 linear feet of frontage per unit
  - Approximately 8.2 units per acre (22 total units)
- Paved Area Coverage: 0.3 acres (11%)
- Open Area: 1.9 acres (70%)

Area 7: The land use for this area will be single family homes as shown on sheet 2 of the preliminary site development plan.

- Total Land Area: 15.1 acres
- Building Coverage: 4.1 acres (27%)
  - Assumed 0.25 acre lots
  - Approximately 3.6 units per acre (55 total lots)
- Paved Area Coverage: 0.7 acres (5%)
- Open Area: 10.3 acres (68%)

Area 8: The land use for this area will be used for stormwater management as shown on sheet 2 of the preliminary site development plan.

- Total Land Area: 3.5 acres

Area 9: The land use for this area will be reserved for green space and/or transition zone between uses as shown on sheet 2 of the preliminary site development plan. It may include slopes due to topography transitions, landscape buffers between varying intensities of use or green space for drainage features.

- Total Land Area: 4.3 acres

The existing adjoining land uses are as follows:

North: Single Family Residential (Stoney Point 23rd subdivision)
South: Single Family and Agricultural land within Clinton Township (south of 16th Avenue)
The proposed adjoining land uses are as follows per EnvisionCR:
- **North:** Single Family Residential (Stoney Point 23rd subdivision)
- **South:** Urban - Medium Intensity within Clinton Township (south of 16th Avenue)
- **East:** Urban – Low Intensity within Clinton Township
- **West:** Open Space within Clinton Township

**Phasing:**
The proposed development will include multiple phases as shown on the attached Exhibit 1. The limits of each phase are subject to change as dictated by future market conditions. An exhibit showing the planned limits of each phase has been included. Phase 1 will begin construction in the spring of 2019. Each phase will take approximately 2-3 years for full buildout with full buildout of the entire development in approximately 20 years.

**Transportation:**
The proposed development is located in close proximity to Highway 100 and Highway 30 and will allow for ease of access to these facilities. Improvements along 80th Street have recently been completed and intersection improvements to 16th Avenue and 80th Street are currently underway. Exhibit 2 shows the surrounding street networks as they relate to the proposed development has been included.

**Utilities:**
There is an existing 24 inch and 48 inch watermain located on the north side of 16th Avenue as well as on the east side of 80th Street. Based on the City’s initial review of the preliminary site development plan, it was determined that the 24 inch main will need to be used to serve the proposed development. Watermain will be installed throughout the site as development progresses in order to serve all of the proposed uses.

An existing 8” gravity sewer stub is located along the north property line that will be used to serve the development. Based on our preliminary analysis, the entire development can be served by gravity sewer. There are a few locations along the west side of the site where sanitary sewer will be in the 5’ depth range. As a result, the Owner will provide units in these locations without basements or install an occasional grinder pump to serve lower levels.

Storm sewer will be provided throughout the street networks and storm water management areas have been reserved at appropriate locations within the development. All storm sewer and storm water management areas will be designed in accordance with the Cedar Rapids Design Standards.

**Limiting Conditions:**
There is a drainage way that traverses the site across the southwest corner. This drainage feature is currently being reviewed by an environmental consultant to determine if it is a regulated wetland. The intent of the site plan it to minimize impacts to the drainage way and possible wetland to prevent any disturbance to this natural feature. A buffer zone from the drainage way will be established for the uses that are directly adjacent. With the exception of one crossing location, all impacts to the drainage way will be minimized. The site is not located in a floodplain and is designated Zone X according to FEMA Map Number 19113C0385D.

Shallow sanitary sewer is anticipated for portions along the west property line and will require special attention. As a result, the Owner has planned units for these lots that will exclude basements. If this model type changes and is provided with a basement, grinder pumps will need to be provided.
Design Exception/Variances:
As part of the PUD-1 rezoning request, there are a few design exception/variances to the zoning ordinance and development standards that are being requested to offer diversity in product type and price point. The following are the design exceptions/variances being requested:

1. Reduce size of single family dwelling from a minimum dimension of 22 feet to a minimum dimension of 20 feet for Row Houses.
   - Section 32.05.010 specifies a minimum dimension of 22 feet for any single family dwelling. In order to provide a variety of different product types as well as diverse price points, the size of the building types will vary. This will attract a wide range of future residents of different income levels, while still providing a high quality product. Products with varying widths and depths will allow for visual breaks and a unique development in the area. (Excludes single-family detached dwellings)

2. Reduce width at setback line from 24 feet to 20 feet for Row Houses.
   - Section 32.05.010 specifies a minimum width of 24 feet at the setback line. A minimum width of 20 feet will allow for a product type conducive to future residents with different income levels, while still providing a high quality product that will complement other building types. (Excludes single-family detached dwellings)
ABERNATHEY FAMILY FARMS LLC
357 WOODLAND DR SE
132730100200000

KROEZE EVERETT A & KROEZE WELLYBORDIA M
6611 UNDERWOOD AVE SW
132847600200000

BLANCHARD MARY TRUST & KESLER DAVID H TRUST & KESLER EMILY & KESLER SARA; ET. AL.
PO BOX 500
133310100100000

EXHIBIT 2 - STREET OVERVIEW PLAN

HAPPEL CROSSROADS FIRST ADDITION
IN THE CITY OF CEDAR RAPIDS,
LINN COUNTY IOWA

PROPOSED DEVELOPMENT

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

LANDSCAPE ARCHITECTURE
LAND DEVELOPMENT PLANNING
LAND SURVEYING
CIVIL ENGINEERING
REZONING/PRELIMINARY SITE DEVELOPMENT PLAN
FOR
HAPPEL CROSSROADS FIRST ADDITION
IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA

LOCATION MAP
(1" = 400')

NOTES
THE PROPOSED IMPROVEMENTS INCLUDED IN THESE DRAWINGS HAVE BEEN DESIGNED IN ACCORDANCE WITH THE CEDAR RAPIDS METROPOLITAN AREA DESIGN STANDARDS MANUAL.

STREET CLASSIFICATIONS

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EXISTING/PROPOSED USE

ZONING

DIMENSION STANDARDS: PUD

TRIP GENERATION

STORMWATER NOTE
NO STORMWATER QUALITY OR DETENTION REQUIREMENTS WILL BE MET OR EXCEEDED WITH THE DETAILED DESIGN. A DETAILED DRAINAGE REPORT WILL BE SUBMITTED WITH THE PLAN OF IMPROVEMENTS SUBMITTAL.

SHEET INDEX
1. REZONING/PRELIMINARY SITE DEVELOPMENT PLAN
2. VARIANCES REQUESTED
3. APPLICANT:
4. TITLEHOLDER:
5. PROPERTY ADDRESS
6. LEGAL DESCRIPTION
7. STORMWATER NOTE
8. TRIP GENERATION
9. DIMENSION STANDARDS: PUD
10. TRIP GENERATION
11. SHEET INDEX
STAFF REPORT TO CITY PLANNING COMMISSION
Rezoning with a Preliminary Site Development Plan

CPC Date: August 9, 2018

To: City Planning Commission
From: Development Services Department

Applicant: Speyside Development, LLC
Titleholder: Legacy Commercial Group, LLC

Location: 3550 Stone Creek Circle SW
Request: Change of zone from C-1, Mixed Neighborhood Convenience Zone District to RMF-2, Multiple Family Residence Zone District

Case Manager: David Houg
Case Number: RZNE-027369-2018

BACKGROUND INFORMATION:
This is a request to rezone 3.8 acres to the RMF-2 Zone District to allow for development of a senior housing cooperative. The property is currently zoned C-1 and has not been previously developed. The property is identified as “Urban Low-Intensity” on the City’s Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan.

The Preliminary Site Development Plan as submitted includes the following:

- 3-story building, 48 units
- Building area – 25,982 sf
- Parking required – 53 spaces
- Parking provided – 78 spaces (57 underground)
- A variance request for exceeding maximum allowed parking has been submitted
- Storm water management provided via an onsite detention basin

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 Low Intensity on the Future Land Use Map. Within this LUTA different intensities of land use should be positioned to create a smooth internal transition from lower to higher intensity uses. 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 proposed development will provide continuity of intensity from the multifamily developments located to the north and to the west of the site. A newly-built retirement home (“The Gardens of Cedar Rapids”) is adjacent to the site. The south side of Stone Creek Circle SW is commercially zoned.

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 RMF-2 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: Surrounding development consists of 1 and 2-story multifamily and congregate living, which is consistent with the proposed 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: This parcel is located in an area that is currently served by sanitary sewer, 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: 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 exceeding the maximum allowed parking accompanies this request. The site development plan conforms to all other applicable requirements of the City’s Zoning Ordinance.

RECOMMENDED CONDITION:

If the City Planning Commission recommends approval of the proposed rezoning, adoption of the following condition as recommended by Staff should be considered. The City Planning Commission may decide to include conditions prior to a recommendation of approval.
1. A maximum of 120% percent of the required minimum parking may be provided or a variance must be obtained.
2. All additional parking stalls exceeding the minimum number required herein shall be constructed as pervious parking, using pavers, porous asphalt or porous concrete, or any other technique approved by the City Engineer.
STAFF REPORT TO CITY PLANNING COMMISSION
Preliminary Site Development Plan

CPC Date: August 9, 2018
To: City Planning Commission
From: Development Services Department
Applicant: Primus Dental
Titleholder: Marketing & Communications Strategies, Inc.
Location: 2218 First Avenue NE
Request: Consideration of Preliminary Site Development Plan in an O-S, Office Service Zone District
Case Manager: David Houg
Case Number: PSDP-027362-2018

BACKGROUND INFORMATION:

The applicant has submitted a Preliminary Site Development Plan for development of a pediatric dental facility. The property is zoned O-S, Office-Service Zone District, which allows this type of development as a permitted use. An accompanying variance request to exceed the maximum number of allowed parking spaces has also been submitted.

The proposed use and development are consistent with the intent and purposes of EnvisionCR, the Comprehensive Plan. The proposed development area is shown as “Urban Medium Intensity” on the Future Land Use Map in the Comprehensive Plan.

The Preliminary Site Development Plan submitted includes the following proposed improvements:

- Total site area – 44,083 s.f. / 1.01 acre
- Proposed building size – 3,102 s.f.
- Total parking required – 14 spaces
- Total parking provided – 22 spaces
- Storm water management provided via on-site detention basin
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: This Finding does not apply since existing improvements are to be removed and the site completely redeveloped.

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

   Staff comments: A variance request accompanies this Preliminary Site Development Plan to exceed the maximum number of allowed parking spaces.

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.

1. Said lots shall be combined as a single tax parcel and zoning lot.
2. A maximum of 120% percent of the required minimum parking may be provided or a variance must be obtained.
3. All additional parking stalls exceeding the minimum number required herein shall be constructed as pervious parking, using pavers, porous asphalt or porous concrete, or any other technique approved by the City Engineer.
Neighbor’s input re PSDP-027362-2018:

From: Leeann Moore <lsmoore0406@gmail.com>
Sent: Thursday, August 2, 2018 11:21 AM
To: Houg, David D. <DaveH@cedar-rapids.org>
Subject: Re: 2218 1st ave ne

Dave,
Thank you for your prompt email with the site plan. Per our conversation on the phone, you said I could respond to you with my concern for this zoning at 2218 1st Ave NE.

My concern with the development is the water run off to my yard that, in the past, caused excessive water in my yard and into my basement. The current property owner had a drainage bern/swale installed to prevent the rain water from run off from the current parking lot. I want to assure this rain/snow drainage area isn't disturbed. This current berm/swale drainage is working to keep the run off from entering my yard. Also, the property owner also had to push the snow to another area so the snow melt wouldn't run off into my yard/house. If this property is approved as drawn, I would also need the snow to be move to another area away from my back yard.

I also know that my garage is very close to the lot line and would be concerned with the runoff entering my garage with the excavating of this area. I would also like to know what type of shrubs would be installed for the buffer between the properties.

If you have any questions, please feel free to contact me at 319-360-0470.

Thank you,
Leeann Moore
112 22nd St NE

On Thu, Aug 2, 2018 at 10:10 AM Houg, David D. <DaveH@cedar-rapids.org> wrote:

I’ve attached the proposed site plan. The more detailed construction documents typically aren’t submitted until after the initial approvals are received.

David Houg
Development Services
500 15th Avenue SW
Cedar Rapids, IA 52404
319-286-5168
STAFF REPORT TO CITY PLANNING COMMISSION
Conditional Use

CPC Date: August 9, 2018
To: City Planning Commission
From: Development Services Department
Applicant: Hy-Vee, Inc.
Titleholder: Hurd Edgewood, LLC
Location: 5050 Edgewood Road NE
Request: Consideration of a Conditional Use approval for an Outdoor Service Area in a C-2, Community Commercial Zone District
Case Manager: David Houg
Case Number: COND-027428-2018

BACKGROUND INFORMATION:
This is to certify that the Development Services staff has examined the petition of Hurd Edgewood, LLC submitted by Hy-Vee, Inc. requesting Conditional Use approval for an “Outdoor Service Area” for property at 5050 Edgewood Road NE and zoned C-2, Community Commercial Zone District.

GENERAL INFORMATION:
Appellant requests approval to serve alcohol in a proposed outdoor service area.

The plan submitted shows the following characteristics:
- Lot area: 11.3 acres
- Area of existing structure: 82,160 sq. ft.
- Size of outdoor service area: approx. 400 sq. ft. / 16 seats
- Additional parking required: 7 spaces
- Parking provided: 426 spaces (254 required)

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 Medium Intensity on the City’s Future Land Use Map. As such, an outdoor service area conforms to the intent of the Comprehensive Plan.

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:* Due to the nature of the business and proposed location of the patio, adverse effects are not expected for 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 is expected to be compatible with the immediate neighborhood. The nearest residential properties are to the east, with buffering provided by a landscaped bufferyard and the building itself.

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 service area will be 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, including the Noise 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: The service area must comply with all applicable requirements of the Police Department for staffing and fencing as well as municipal requirements regarding lighting and sound.

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

   *Staff Comments:* The proposal is consistent with the previously-approved Preliminary 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 Development Services should be considered:

**RECOMMENDED CONDITIONS:**

1. 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 outdoor service area is staffed continually during normal business hours.

2. The outdoor service area must have fencing. The fencing requirements, for an 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. The Police Department shall re-inspect the outdoor service area prior to issuance of a certificate of occupancy.

4. No amplified outdoor music such as bands, karaoke, and public address systems, etc. shall be allowed in the outdoor service area.