SPECIAL CITY PLANNING COMMISSION MEETING
Thursday, August 15, 2013
3:00 PM
City Hall Council Chambers
101 First Street SE, Cedar Rapids, IA 52401

AGENDA

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

CONSENT AGENDA

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

1. Case Name: Roger L. French Addition (Preliminary Plat)

   Recommendation for approval of a major preliminary plat in a C-3, Regional Commercial Zone District at 6th Street and Tharp Road SW as requested by R. L. French Land Development (Applicant) R. L. French Land Development and Lehman Allsop & Evans LC (Titleholders).

   Case No: PRPT-004661-2013    Case Manager: Vern Zakostelecky

REGULAR AGENDA

1. Case Name: 1326, 1324, 1328, 1332, 1336 and 1338 Ellis Boulevard NW (Rezoning)

   Recommendation for approval of a rezoning from R-3, Single Family Residence Zone District to PUD-2, Planned Unit Development Zone District as requested by Ahmann Investments, LLC (Applicant) and City of Cedar Rapids (Titleholder).

   Case No: RZNE-904237-2013    Case Manager: Vern Zakostelecky
2. **Case Name:** 906, 908, 912, 916 and 918 10th Street SE and 1003 and 1017 9th Avenue SE (Rezoning)

Recommendation for approval of a rezoning from R-3D, Two Family Residence Zone District and C-2, Community Commercial Zone District to RMF-2, Multiple Family Residence Zone District as requested by Hatch Development Group (Applicant) and Mercy Medical Center (Titleholder).

**Case No:** RZNE-004264-2013  **Case Manager:** Vern Zakostelecky

3. **Case Name:** 605 G Avenue NW (Rezoning)

Recommendation for approval of a rezoning from I-2, General Industrial Zone District to RMF-2, Multiple Family Residence Zone District as requested by Neighborhood Development Corporation of Cedar Rapids Inc. (Applicant/Titleholder).

**Case No:** RZNE-004282-2013  **Case Manager:** Vern Zakostelecky

4. **Case Name:** 416, 422 and 428 2nd Street SW and 208 5th Avenue SW (Preliminary Site Development Plan)

Recommendation for approval of a preliminary site development plan in an RMF-2, Multi-Family Residence Zone District for a six (6) unit multi-family new construction as requested by Schissel LLC (Applicant) City of Cedar Rapids (Titleholder).

**Case No:** PSDP-004529-2013  **Case Manager:** Vern Zakostelecky

- New Business
- Training Opportunities
- Announcements
STAFF REPORT TO CITY PLANNING COMMISSION
Major Preliminary Plat

CPC Date: August 15, 2013
To: City Planning Commission
From: Development Services Department

Applicant: Brain Engineering, Inc.
Titleholder: R. L. French Land Development, Inc. and Lehman Allsop & Evans, LC
Plat Name: Roger L. French Addition
Case Number: PRPT-004661-2013
Location: South of Tharp Road SW between 6th Street SW and I-380
Request: Approval of a Major Preliminary Plat
Case Manager: Vern Zakostelecky, Development Services

BACKGROUND INFORMATION:

The property owners are requesting approval of a Major Preliminary Plat for the Roger L. French Addition to Cedar Rapids. The property is approximately 40 acres in size and is zoned C-3, Regional Commercial Zone District. The proposed plat consists of 9 parcels for future commercial/light industrial development.

The Major Preliminary Plat as submitted includes the following:

- Total site area is 40 acres.
- The proposed subdivision includes 9 commercial/light industrial lots.
- Access to the lots will be from an existing public cul-de-sac street, Kenworth Court SW.
- The plat as submitted proposes to change the name of the street to French Court SW.
- Storm water management basins have been developed at the northeast and southeast corners of the site to accommodate the overall development area.

FINDINGS:

The City Planning Commission may 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 and all City codes and regulations.
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 or remove any of the recommended conditions:

1. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, 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.

2. AS PART OF FINAL PLAT APPROVAL BY CITY COUNCIL, the property owner shall 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.

3. AS PART OF FINAL PLAT APPROVAL BY CITY COUNCIL, the property owner shall submit to the City a signed Concrete Pavement and Concrete Sidewalk Petition and Assessment Agreement obligating the owners of the lots of this addition for costs associated with improvements in the 60’ wide street right-of-way reservation centered on the common lot line between Lot 2 and Lot 3 and between Lot 7 and Lot 8 (shown on the preliminary plat). In the agreement the property owner shall agree that each lot of this addition may be assessed a proportionate share of the improvement costs. The City Public Works Department shall provide a copy of the Agreement form upon request by the property owner.

4. AS PART OF FINAL PLAT APPROVAL BY CITY COUNCIL, the property owner shall submit to the City a signed Concrete Pavement and Concrete Sidewalk Petition and Assessment Agreement for future improvements along 6th Street SW and Tharp Road SW. The future improvements in 6th Street SW include but are not limited to turn lanes at the French Court SW intersection and urbanization of 6th Street roadway section. The City Public Works Department shall provide a copy of the Agreement form upon request by the property owner.

5. That, AS PART OF FINAL PLAT APPROVAL BY CITY COUNCIL, the property owner shall submit to the City a signed Traffic Signal Petition and Assessment Agreement for the intersections of 6th Street SW and Tharp Road, 6th Street SW and French Court SW and/or any future shared access in accordance with the City traffic signal assessment policy at the time of installation. The City Public Works Department shall provide a copy of the Agreement form upon request by the property owner.

6. That, AS PART OF FINAL PLAT APPROVAL BY CITY COUNCIL, access control shall be established and shown on the final plat such that direct access to 6th Street SW is prohibited.

7. That, AS PART OF THE FIRST PLAT APPROVAL BY THE CITY FOR THIS SITE, the property owner shall be responsible to dedicate to the public for street right-of-way purposes: a minimum 100’ half width right-of-way for 6th Street SW adjoining this site; the entire French Court SW right-of-way; a minimum 33’ wide half width right-of-way for Tharp Road SW adjoining this site; at the easterly end of Tharp Road SW a half width cul-de-sac right-of-way suitable for commercial/industrial zoning. The property owner shall dedicate applicable sanitary sewer easements and utility easements including a sanitary sewer easement for facilities located north of Tharp Road SW and providing service to this site.
LEGAL DESCRIPTION

SOUTHA 1/2 SW 1/4 SECTION 33-82-7, Linn County, Iowa except north 241 feet of the west 348 feet and further excepting east 236 feet of the west 912 feet of the north 188 feet and also further excepting therefrom all that part lying easterly of Interstate No. 380, except the public highway containing 44.44 ac, more or less, as recorded in book 597, page 393 in the Linn County Iowa Recorder's Office.

OWNER: R. L. French Land Development Inc. 4117 Delaware Avenue Des Moines, IA 50313 (515) 285-8111

NOTES

1. ALL MEASUREMENTS IN FEET AND DECIMALS THEREOF.
2. EXISTING ZONING IS C-3, REGIONAL COMMERCIAL.
3. CONTOURS ARE AT A 2 FOOT INTERVAL.
4. ACCESS TO 6TH STREET SW FROM LOTS 1 AND 9 SHALL BE PROHIBITED.
5. PROPOSED DETENTION BASINS ON NORTH PORTION OF LOT 4 AND ON LOT 5 SHALL PROVIDE STORM WATER MANAGEMENT FOR ENTIRE SITE EXCEPT FOR THAT PORTION OF LOT 1 WHICH CANNOT BE ROUTED TO EITHER BASIN. ON-SITE DETENTION WILL BE REQUIRED ON LOT 1 TO MITIGATE PORTION OF RUNOFF THAT CANNOT BE ROUTED TO THE REGIONAL BASINS.

NOTE

THIS PLAN IS A CONCEPTUAL REPRESENTATION OF THE PROPOSED DEVELOPMENT. ANY FINAL PLAT AND RELATED IMPROVEMENTS REQUIRED BY THIS DEVELOPMENT SHALL MEET THE REQUIREMENTS OF THE DESIGN STANDARDS MANUAL.

CONTACT PERSON

DANIEL L. SCHMIDT, P.E.
BRAH COMMUNITY ENGINEERING, INC.
1540 MIDLAND COURT NE
CEDAR RAPIDS, IOWA 52402
239-4624
FAX: 239-1105
e-mail: dan@brah-eng.com

DATE SUBMITTED: 10/11/2010
DATE REVISED: 11/11/2010

CERTIFICATE OF APPROVAL

This preliminary plat has been approved by the City Council by Resolution _______ on __________.

DIRECTOR, DEPT. OF DEVELOPMENT

File Name: 011711-10.PDF;011711-11.PDF
STAFF REPORT TO CITY PLANNING COMMISSION
Rezoning with a Preliminary Site Development Plan

CPC Date: August 15, 2013
To: City Planning Commission
From: Development Services Department

Applicant: Ahmann Investments, LLC
Titleholder: City of Cedar Rapids
Case Number: RZNE-004237-2013
Location: 1320, 1324, 1328, 1332, 1336 and 1338 Ellis Boulevard NW
Request: Rezoning from R-3, Single Family Residence Zone District to PUD-2, Planned Unit Development Zone District
Case Manager: Vern Zakostelecky, Development Services Department

BACKGROUND INFORMATION:

The applicant is requesting rezoning to allow for the development of 4-unit and 5-unit row house apartment buildings. The property is currently undeveloped and in the Ellis Overlay District. The lots proposed for development had homes on them that were damaged as a result of the Flood of 2008. The City purchased the properties through the Voluntary Acquisition Program and demolished the home, which were beyond repair. The project has been reviewed by City Council and was recommended to be forwarded to the State for possible fund through the fifth round of the Multi Family New Construction Program. The State reviewed the project and awarded funds for the 4-unit row house to assist in developing the project for affordable flood replacement housing. The 5-unit row house was not approved for State funding and the City is working with the applicant to provide ROOT’s fund to assist the applicant in developing affordable workforce housing.

The site consists of the following:

- Total site area is 28,740 sq. ft.
- Total building area is 8,316 sq. ft. including a 4-plex & 5-plex-all two stories.
- Total paved area, excluding building- proposed is 6,826 sq. ft.
- Total open space- proposed is 13,598 sq. ft. (43.7% of total site area).
- Total parking required are 18spaces-provided are 18 spaces including i-garage per unit and one in front of the garages.
- Accesses are from the public alley to the east.
- Storm water management includes a bio-retention area along the south property line.

A requirement of the PUD-2 Zoning District approval is to enter into a development agreement with the City that is approved by City Council resolution. In this case, the development agreement provisions will be included in the development agreement for the disposition of the property from the City to the applicant. The development agreement includes the following information:
Estimated phasing for the development, which will essentially develop in a single phase.

Level of design the property will be developed to including the State green building standards, creative storm water management techniques, landscaping that exceeds the City’s minimum requirements and parking in the rear with the buildings closer to the street.

The development agreement also includes modifications/variances the applicant is asking for in exchange for a higher level of building and site design including:

- Relaxing of the buffer yard requirement where adjacent to existing single-family housing.
- Zero lot line setbacks for the interior yard for the five-unit structure.
- Reduced front yard setbacks.

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 Framework Plan Map in the City of Cedar Rapids Framework Plan for Reinvestment and Revitalization designates the property for medium intensity uses so the requested zone change is in accord with the Frame Work Map and the goals and objective of said Plan. This proposed multi-family house development provides affordable work force housing in the flood inundated area, which was recently established as the Ellis Overlay District.

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

   *Staff Comments:* The property is currently undeveloped, but is property in an area the City desires to see developed with a mix of uses. The proposed use will generate moderate traffic. The surrounding area is primarily developed as single-family residential, but the proposed development will provide a density similar to the rest of the neighborhood and will be consistent with what was on the property pre-flood. Also the two-story structures will be designed to be compatible with the surrounding area with regard to architectural design and building height. Staff has not received objections for this application.

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

   *Staff Comments:* The subject property is suitable for all uses permitted in the PUD-2 Zoning District.
5. Whether the proposed amendment will protect existing neighborhoods from nearby development at heights and densities that are out of scale with the existing neighborhood.

Staff Comments: As noted in Finding 3, the proposed structures will be designed to fit in architecturally with the surrounding residential housing in the neighborhood. Also the Ellis Overlay Technical Review Committee has reviewed the design and has recommended approval.

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 older in-fill developed area and has access to all necessary facilities and services without any issues.

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

Staff Comments: This provision does not applicable.

RECOMMENDED CONDITIONS:

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

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

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

3. That, PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to submit to the City a signed Concrete Pavement Petition and Assessment Agreement for Alley Improvements adjoining this site. The City Public Works Department shall furnish the Agreement form upon request by the property owner. In lieu of this agreement, the property owner may enter into a development agreement to pre-pay assessments, or perform alley improvements.

4. That the subject property shall be platted per State and City platting regulations.

5. That lots 14 & 16 of Block 2, Larimer’s 2nd Addition are to be combined so as to constitute a single zoning lot and tax parcel.

6. That evidence of acceptable shared access easement agreements for the proposed 5 unit row house is required.

7. That review of the proposal will be required by the Ellis Overlay District Design Review Technical Advisory Committee.

8. That landscaping and buffering/screening shall be provided per the Zoning Ordinance,
Subsection 32.05.030.A. or the applicant shall request City Council waive this requirement.
STAFF REPORT TO CITY PLANNING COMMISSION
Rezoning with a Preliminary Site Development Plan

CPC Date: August 15, 2013
To: City Planning Commission
From: Development Services Department

Applicant: Hatch Development Group
Titleholder: Mercy Medical Group
Case Number: RZNE-004264-2013
Location: 906, 908, 912, 916 and 918 10th Street SE and 1003 and 1017 9th Avenue SE
Request: Rezoning from R-3D, Two Family Residence Zone District and C-2, Community Commercial Zone District to RMF-2, Multiple Family Residence Zone District
Case Manager: Vern Zakostelecky, Development Services Department

BACKGROUND INFORMATION:

The applicant is requesting rezoning to allow for the development of a 3-story, 30-unit apartment complex. The property is currently undeveloped. The project has been reviewed by City Council and was recommended to be forwarded to the State for possible fund through the fifth round of the Multi Family New Construction Program. The State reviewed the project and awarded funds to assist in developing the project for affordable flood replacement housing.

The site consists of the following:

- Total site area is 36,974 sq. ft.
- Total building area is 12,800 sq. ft.
- Total hard surface, excluding building- proposed is 11,500 sq. ft.
- Total open space- proposed is 12,674 sq. ft. (34.3% of total site area).
- Total parking required is 44 spaces-provided are 46 spaces including 2 handicap spaces.
- Accesses are from 9th Avenue SE and to the public alley to the east.
- Storm water management includes a bio-retention area along the south property line.

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

Staff Comments: The Framework Plan Map in the City of Cedar Rapids Framework Plan for Reinvestment and Revitalization designates the property as medium intensity uses so the requested zone change is in accord with the Framework Plan and the goals and objective of said Plan. The proposed use would provide for affordable workforce housing in close proximity to Mercy Hospital and the Medical District.

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

Staff Comments: The property is currently undeveloped, but was previously used for temporary trailers for Mercy Hospital while they repaired flood damage to the Hospital. The proposed use will generate moderate traffic. The property is surrounded by single-family homes on the west, east and south side. The north side of 9th Avenue SE is developed with medical and service related uses. There is also commercial and service related use along the Mt. Vernon Road SE corridor to the northeast. Staff has not received any objections for this application. The applicant held a neighborhood meeting and no one in the neighborhood voiced issues or concerns.

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

Staff Comments: The subject property is suitable for all uses permitted in the RMF-2 Zoning District.

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: Although the proposed building is 3-stories, it should not be out of context with the surrounding housing units, which are typically 2-1/2 stories. It should also be noted the Oakhill-Jackson Neighborhood Association has voiced concerns in the past objecting to multi-tenant apartment buildings proposed in the Neighborhood. The applicant met with members of the Association and they had no issues or concerns since this project is on the edge of the Neighborhood boundary and close to Mercy Hospital and the Medical District.

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 older in-fill developed area and has access to all necessary facilities and services without any issues.

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

Staff Comments: This provision does not applicable.
RECOMMENDED CONDITIONS:

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

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

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

3. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to submit to the City a signed Concrete Pavement Petition and Assessment Agreement for Alley Improvements adjoining this site. The City Public Works Department shall furnish the Agreement form upon request by the property owner.

4. That said lots are to be combined so as to constitute a single zoning lot and tax parcel.

5. That required off-street parking shall be provided per provisions of the Zoning Ordinance or a variance be obtained.

6. That an open deck including steps may extend no more than 10 feet into the required front yard or a variance must be obtained.

7. That the parking spaces shall be screened where adjoining the public street or a variance must be obtained.

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

9. That lighting fixtures shall be shielded in a manner that shall not direct illumination on adjacent residential properties, or on any public right-of-way.

10. The enclosure for the dumpster will need be a full screen enclosure including the gates and preferably designed using the same building material as the principal building as per Subsection 32.05.030.A.7. of the Zoning Ordinance.
STAFF REPORT TO CITY PLANNING COMMISSION
Rezoning with a Preliminary Site Development Plan

CPC Date: August 15, 2013
To: City Planning Commission
From: Development Services Department

Applicant: Neighborhood Development
Titleholder: Neighborhood Development
Case Number: RZNE-004529-2013
Location: 615 G Avenue NW
Request: Rezoning from I-2, General Industrial District to RMF-2, Multiple Family Residence Zone District
Case Manager: Vern Zakostelecky, Development Services Department

BACKGROUND INFORMATION:

The property was development in 1915 as a warehouse site. Prior to the Flood of 2008 the property was owned and occupied by the Cedar Rapids Community School District. The buildings have been vacant since the flood. The applicant is requesting rezoning to allow for the two larger buildings on the site to be converted to apartments. The third building on the site, a metal storage building would be demolished to make room for surface parking. The project has been reviewed by City Council and was recommended to be forwarded to the State for possible fund through the fifth round of the Multi Family New Construction Program. The State reviewed the project and awarded funds to assist in developing the project for affordable flood replacement housing.

The site consists of the following:

- Total site area-53,905 sq. ft.
- Total building area-20,327 sq. ft.
- Total hard surface proposed-28,243 sq. ft.
- Total open space proposed-5,335 sq. ft. (9.9% of total site area).
- Total parking required is 64 spaces-provided are 64 spaces including 2 handicap spaces.
- The existing access off G Ave. NW will provide access to the development.
- Storm water management-rain garden and bio-swale at the southwest corner & south boundary of the 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: 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 Framework Plan Map in the City of Cedar Rapids Framework Plan for Reinvestment and Revitalization designates the property as high to medium intensity uses so the requested zone change is in accord with the Frame Work Map and the goals and objective of said Plan.

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

Staff Comments: The property is currently zoned and development with warehouse buildings that have been vacant since the Flood of 2008. Prior to the flood the property was owned and occupied by the Cedar Rapids Community School District. The proposed renovation of these buildings for residential housing will provide affordable housing in an area that lost a large number of affordable housing units due to the flood. The reuse and restoration of these buildings will not change the site considerably and will be an improvement to the neighborhood. The proposed use will generate moderate traffic. To the west and north is residential housing, although a number of lots in the general area are vacant. To the south and northeast is a mix of commercial, light industrial and service related uses. To the east is an active railroad. Staff has not received objections to this application.

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

Staff Comments: The subject property is suitable for all uses permitted in the C-2 Zoning District.

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

Staff Comments: The Finding does not apply since these are existing buildings and no changes are proposed other than the use and restoration of the exterior of the buildings.

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 parcel is located in an older in-fill developed area and has access to all necessary facilities and services without any issues.

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

Staff Comments: This provision does not applicable.
RECOMMENDED CONDITIONS:

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

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

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

3. That said parcels are to be combined so as to constitute a single zoning lot and tax parcel.

4. That review of the proposal will be required by the Ellis Overlay District Design Review Technical Advisory Committee.

5. That lighting fixtures shall be shielded in a manner that shall not direct illumination on adjacent residential properties, or on any public right-of-way.

6. That the enclosure for the dumpster will need be a full screen enclosure including the gates and preferably designed using the same building material as the principal building as per Subsection 32.05.030.A.7. of the Zoning Ordinance.
STAFF REPORT TO CITY PLANNING COMMISSION
Preliminary Site Development Plan

CPC Date: August 15, 2013
To: City Planning Commission
From: Development Services Department

Applicant: Schissel, LLC
Titleholder: City of Cedar Rapids
Case Number: PSDP-004529-2013
Location: The northwest corner of the intersection of 2nd Street and 5th Avenue SW
Request: Preliminary Site Development Plan approval for property zoned RMF-2, Multiple Family Residence Zone District for 6-unit row-house apartments
Case Manager: Vern Zakostelecky, Development Services Department

BACKGROUND INFORMATION:

The applicant is requesting rezoning to allow for the development of a 6-unit row house apartment building. The property is currently undeveloped and is in the future Kingston Village Overlay District. The lots proposed for development had homes on them that were damaged as a result of the Flood of 2008. The City purchased the properties through the Voluntary Acquisition Program and demolished the homes, which were beyond repair. The project has been reviewed by City Council and was recommended to be forwarded to the State for possible funding through fifth round of the Multi Family New Construction Program. The State reviewed the project and awarded funds for the 6-unit row house to assist in developing the project for affordable flood replacement housing.

The site consists of the following:
  - Total site area is 16,796 sq. ft.
  - Total building area is 6,930 sq. ft.
  - Total hard surface, excluding building- proposed is 3,895 sq. ft.
  - Total open space- proposed is 5,435 sq. ft. (33.4% of total site area).
  - Total parking required is 12 spaces-provided are 12 spaces.
  - Accesses are from 5th Avenue SW and to the public alley to the north.
  - Storm water management includes a bio-retention and infiltration areas.

FINDINGS:

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

1. The Site Development Plan is consistent with the previously approved Preliminary Plans for the property (if applicable)
Staff comments: The finding does not apply since there was no previous approved site plan for this property.

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

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

RECOMMENDED CONDITIONS:

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

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

3. Said lots are to be combined so as to constitute a single zoning lot and tax parcel.

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

5. The parking spaces shall be screened where adjoining the public street or a variance must be obtained.
AREA SEPARATION DETAILS
TYPICAL - ALL PARTY WALLS BETWEEN UNITS
AGENDA
CITY PLANNING COMMISSION MEETING
Thursday, August 29, 2013 @ 3:00 PM
City Hall Council Chambers
101 First Street SE, Cedar Rapids, IA 52401

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

REGULAR AGENDA

1. **Case Name:** 113 34th Street Drive SE (Preliminary Site Development Plan)
   Recommendation for approval of a Preliminary Site Development Plan in a C-3, Regional Commercial Zone District as requested by Ross Co Auto Sales and Donna R. and Ross R. Neal (Titleholders)
   **Case No:** PSDP-002433-2013  **Case Manager:** Vern Zachocelecky

2. **Case Name:** 5120 Shadowood Lane SW (Rezoning)
   Recommendation for approval of a rezoning from R-T, Single Family Transitional Residence Zone District to R-3D, Two Family Residence Zone District as requested by Melody Vance (Applicant/Titleholder).
   **Case No:** RZNE-00-218-2013  **Case Manager:** Vern Zachocelecky

3. **Case Name:** 1103 and 1201 Blairs Ferry Road NE (Rezoning)
   Recommendation for approval of a rezoning from I-1, Light Industrial Zone District and C-2, Community Commercial Zone District to PUD-1, Planned Unit Development Zone District as requested by Hunter Companies LLC (Applicant) and Nash Finch Companies, Chicago Central & Pacific Railroad Co and Northwestern States Titleholders.
   **Case No:** RZNE-00-556-2013  **Case Manager:** Vern Zachocelecky

4. **Case Name:** 6677 16th Avenue SW (Rezoning)
   Recommendation for approval of a rezoning from C-2, Community Commercial Zone District and A, Agriculture Zone District to PUD-1, Planned Unit Development Zone District as requested by Sharp Investments LLC (Applicant/Titleholder).
   **Case No:** RZNE-004447-2013  **Case Manager:** Vern Zachocelecky

5. **Case Name:** 3015 and 3233 Blairs Ferry Road NE (Rezoning)
   Recommendation for approval of a rezoning from A, Agriculture Zone District to C-2, Community Commercial Zone District as requested by Linn Area Credit Union (Applicant/Titleholder) and Assembly of God Church (Titleholder).
   **Case No:** RZNE-004536-2013  **Case Manager:** Vern Zachocelecky