AGENDA
CITY PLANNING COMMISSION MEETING
Thursday, June 29, 2017 @ 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: 2545 Old River Road SW (Conditional Use)
   Consideration of a Conditional Use for an expansion of an outdoor service area in a C-2, Community Commercial Zone District as requested by Bobby Smith (Applicant).
   COND-024953-2017 Case Manager: Dave Houg

2. Case Name: 1002 5th Street SE (Conditional Use)
   Consideration of a Conditional Use for the Linn County Public Health parking lot in an R-R-TN, Traditional Neighborhood Residence Zone District as requested by Linn County, IA (Applicant).
   COND-024974-2017 Case Manager: Dave Houg

3. Case Name: 1134 9th Street SE (Conditional Use)
   Consideration of a Conditional Use for a ground floor dwelling unit in a C-1, Mixed Neighborhood Convenience Zone District as requested by Kim D Kacere (Applicant).
   COND-024978-2017 Case Manager: Dave Houg

4. Case Name: 317 2nd Street SW (Conditional Use)
   Consideration of a Conditional Use for ground floor dwelling units in a C-3, Regional Commercial Zone District as requested by GRR DTE, LLC (Applicant).
   COND-025031-2017 Case Manager: Dave Houg

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a City program, service, or activity, should contact Dani Blin at 319 286-5780 or email da.blin@cedar-rapids.org as soon as possible but no later than 48 hours before the event.
5. **Case Name:** 232 16th Avenue SW  (Conditional Use)  
Consideration of a Conditional Use for an outdoor service area in a C-2, Community Commercial Zone District as requested by Baccam Real Estate Holdings, LLC (Applicant).

**COND-025046-2017 Case Manager: Dave Houg**

6. **Case Name:** 450 1st Street SW  (Conditional Use)  
Consideration of a Conditional Use for an outdoor service area in a C-4, Central Business Zone District as requested by Lofts at Red Cedar, LLC (Applicant).

**COND-025048-2017 Case Manager: Dave Houg**

7. **Case Name:** 182 Jacolyn Drive NW  (Rezoning)  
Consideration of a change of zone from C-1, Mixed Neighborhood Convenience Zone District to R-3, Single Family Residence Zone District as requested by Marvelle Cook (Applicant).

**RZNE-024878 Case Manager: Dave Houg**

8. **Case Name:** 1605 & 1611 32nd Street NE  (Rezoning)  
Consideration of a change of zone from R-3, Single Family Residence Zone District to C-1, Mixed Neighborhood Convenience Zone District as requested by Sandy Wilkerson (Applicant).

**RZNE-024984-2017 Case Manager: Dave Houg**

9. **Case Name:** 1525 Hollywood Boulevard NE  (Preliminary Plat)  
Consideration of a Preliminary Plat for La Hacienda Stradt 1st Addition in an R-3, Single Family Residence Zone District as requested by Adam Stradt (Applicant).

**PRPT-024128-2016 Case Manager: Dave Houg**

10. **Consideration of Local Historic Landmark Applications**  
a. 42 7th Avenue SW – Iowa Windmill and Pump Company Office and Warehouse  
b. 525 Valor Way SW - Cedar Rapids Milk Condensing Company  

**Presenter: Jeff Hintz**
STAFF REPORT TO CITY PLANNING COMMISSION
Conditional Use with a Preliminary Site Development Plan

BOA Date: June 29, 2017
To: Board of Adjustment
From: Development Services Department
Applicant: Bobby Smith / New Shack Tavern
Titleholder: Buz Properties, LLC
Location: 2545 Old River Road SW
Request: Revised Site Development Plan for a Conditional Use
(Outdoor Service Area) in a C-2 Zone District

Case Manager: Dave Houg
Case Number: COND-024953-2017

BACKGROUND INFORMATION:
This is to certify that the Development Services staff has examined the petition of Bobby Smith
dba the New Shack Tavern requesting approval of a Revised Site Development Plan for a
Conditional Use for property at 2545 Old River Road SW and zoned C-2 Community
Commercial Zone District.

The applicant wishes to receive approval for an enlarged outdoor service area where alcohol can
be served. Property improvements are proposed in 3 phases. An outdoor service area was
originally approved for this property as CU #11-1996 on 7/08/96.

The revised plan shows the following characteristics:

- Building size: 1,608 sq ft / 3,600 sq ft future
- Existing outdoor service area: 880 sq ft
- Proposed outdoor service area: approx. 3500 sq ft / 6,500 sq ft future
- Provided on-site parking: 16 now / 37 future

The applicant has added a covered band stage and proposes to increase the outdoor service area
with fencing of a grass area (Phase 1). Phase 2 would add a new patio seating area and Phase 3
features the removal of the existing building and construction of a new 3600 sf structure. The
future phases will require administrative review of improvement plans prior to construction. The
Police Department will provide inspections and work with the applicant to ensure that fencing
meets their requirements for public safety.
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. Neighborhood scale commercial uses are appropriate within this 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: A residential property is adjacent to the west of this site. The City has not received complaints regarding the existing outdoor service to date.

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 expansion(s) are situated at the easterly end of the bar’s property, towards an industrially-zoned lot.

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 this 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.
7. Whether, and to what extent, all reasonable steps possible have been, or will be, taken to minimize any potential adverse effects on the surrounding property through building design, site design, landscaping, and screening.

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

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

Staff Comments: This request is consistent with the previously-approved site development plan.

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

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

RECOMMENDED CONDITIONS:
If the City Planning Commission recommends approval of the proposed conditional use, adoption of the following conditions as recommended by Development Services should be considered. The City Planning Commission may approve with additional conditions or remove any of the recommended conditions.

1. 100’ R.O.W. be provided for Old River Road and dedicated prior to issuance of permits.
2. A long-range plan be devised and approved by Traffic and the Building Dept. for future hard-surfacing of existing drives and parking area, not to exceed 5 years.
3. Outdoor music will be restricted to no later than 10 pm on weekdays (Sunday through Thursday) and 11 pm on weekends (Friday and Saturday).
4. Required off-street parking must be provided per provisions of the Zoning Ordinance or a variance must be obtained.
5. That the current project is not complete and fencing and a gate must still be installed. The gate must meet all Fire Department regulations related to entry/egress points. The gate shall be used only as an emergency entry/egress route unless the beer garden is staffed continually during normal business hours.
6. That the outdoor service area must have fencing. The fencing requirements, for an outdoor service area with limited staffing, must be of sufficient height to deter the passing of alcoholic beverages over the top of the fence. The fence must also be designed in such a manner as to prohibit the passing of alcoholic beverages through it. The fencing requirements, for an outdoor service area that is staffed full time during normal business hours, can vary some from the above requirements. For those outdoor service areas a specific fence design must be submitted and it will be evaluated on a case-by-case basis.
7. That the Police Department shall re-inspect the outdoor service area PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
STAFF REPORT TO CITY PLANNING COMMISSION
Conditional Use with a Preliminary Site Development Plan

BOA Date: June 29, 2017

To: Board of Adjustment
From: Development Services Department

Applicant: Linn County
Titleholder: Mardean A. Cook / City of Cedar Rapids

Location: 1002 5th Street SE, 513 10th Avenue SE
Request: Conditional Use (parking) in an R-TN Zone District

Case Manager: Dave Houg
Case Number: COND-024974-2017

BACKGROUND INFORMATION:
This is to certify that the Development Services staff has examined the petition of Linn County requesting approval of a Conditional Use for property at 1002 5th Street SE and zoned R-TN Traditional Neighborhood Residence Zone District.

The applicant wishes to receive approval for an off-street parking lot which will serve a new Public Health and Child/Youth Development Services Building. A proposed structure at the northeasterly corner of the site will function as a storage garage on the 1st level. An electrical transformer and generator will be enclosed within the 2nd level.

The revised plan shows the following characteristics:

- Total site area: 26,342 sq ft
- Existing covered area (pre-flood): 2377 sq ft (9%)
- Proposed covered area: 18,229 sq ft (69%)
- Total parking spaces provided: 48
- Stormwater detention to be provided via permeable pavers

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.
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 property is designated as “Urban High Intensity” on the Future Land Use Map in the Comprehensive Plan. The proposed use conforms to the intent of this 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: The proposed development will provide landscape buffering along the north, east and west sides of the site to minimize negative impacts. A 6’ high solid screening fence will be provided along the southerly lot line to provide separation from an adjacent residence.

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 building will have a pitched shingle roof similar to a residential home, and with appropriate screening and shielding of exterior lighting the proposed use will be compatible with the immediate neighborhood and should not interfere with the orderly use, development and improvement of surrounding property.

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: The property is expected to continue to be served adequately by the facilities and services present.

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 use will comply with all relevant design and landscaping standards.

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 proposed development of this site will be required to comply with all codes and regulations to minimize any potential adverse effects on the surrounding property through building design, site design, landscaping, and screening.

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

   Staff Comments: N/A

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.

**RECOMMENDED CONDITIONS:**
If the City Planning Commission recommends approval of the proposed conditional use, adoption of the following conditions as recommended by Development Services should be considered. The City Planning Commission may approve with additional conditions or remove any of the recommended conditions.

1. 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.

2. 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.

3. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to submit a Concrete Pavement Petition and Assessment Agreement for the alley.
STAFF REPORT TO CITY PLANNING COMMISSION
Conditional Use

CPC Date:       June 29, 2017
To:             City Planning Commission
From:           Development Services Department
Applicant:      Kim D. Kacere
Titleholder:    Kim D. Kacere
Location:       1134 9th Street SE
Request:        Consider Conditional Use approval for a Ground-Floor Dwelling Unit in a C-1 Zone District
Case Manager:  David Houg
Case Number:   COND-024978-2017

BACKGROUND INFORMATION:
The applicant is requesting approval of a Conditional Use to allow a dwelling unit located on the ground floor in a C-1, Mixed Neighborhood Convenience Zone District at 1134 9th Street SE.

This project is a renovation of an existing multi-tenant retail and apartment building. An apartment and commercial space are proposed for the ground floor, along with additional apartments on the 2nd floor.

Project details:
- Site area: 5,324 acres
- Structure size: 3,754 s.f.
- Parking provided: 8 spaces (on-street)

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: Dwelling units on the ground floor are permitted in the C-1, Mixed Neighborhood Convenience Zone District by 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 use proposed is allowed within this Typology Area (LUTA), which encourages mixed use buildings.

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 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 dwelling unit is not expected to 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. Staff does not feel that the proposed renovation will create traffic issues, and no other infrastructure issues were raised.

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 anticipated from this use request.

8. The Site Development Plan is consistent with the previously approved Preliminary Plans for the property (if applicable)
Staff Comments: This request is consistent with the previously-approved site development plan.

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

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

RECOMMENDED CONDITIONS:
Staff has no additional proposed conditions.
STAFF REPORT TO CITY PLANNING COMMISSION
Conditional Use for Ground Floor Dwelling Units in C-3

CPC Date: June 29, 2017
To: City Planning Commission
From: Development Services Department
Applicant: Fred Timko / GRR-DTE, LLC
Titleholder: GRR-DTE, LLC
Location: 317 2nd Street SW
Request: Consideration of a Conditional Use for Ground-Floor Dwelling Units in a C-3, Regional Commercial Zone District.

Case Manager: David Houg
Case Number: COND-025031-2017

BACKGROUND INFORMATION:
The applicant is requesting approval of a conditional use for residential units on the ground floor for vacant property in the C-3, Regional Commercial Zone District. 15 townhouse-style apartment units are proposed on the former site of a Wells Fargo bank.

The site plan as submitted includes the following additional details:

- Site area: 25,760 sq ft (acres)
- Proposed units: 15
- Parking spaces required: 33
- Parking spaces provided: 24 (variance may be requested)
- Stormwater management will be either an underground chamber system or biocell system in the NE corner of the lot.

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: Dwelling units on the ground floor are permitted in the C-3, Regional Commercial Zone District by 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 “Downtown.” The development is providing 15 units on 0.6 acres, or 25 units per acre, which complies with the LUTA’s 20 units/acre minimum density intent.

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

Staff Comments: The proposed development will generate traffic typical of other recent residential developments in the general area and City staff has not identified any issues or concerns.

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 development places the 2-story building at the sidewalks with the parking area at the rear.

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. The development proposes a single access to 4th Avenue SW.

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 must comply with all standards for the C-3 District, as well as the Multi-Family Residential Design Standards and those of the Kingston Village Overly District.

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: Parking areas will not be visible from adjacent streets.
8. The Site Development Plan is consistent with the previously approved Preliminary Plans for the property (if applicable)

*Staff Comments:* N/A

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

*Staff Comments:* A parking variance will be required if a shared parking agreement cannot be provided.

**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 or remove any of the recommended conditions.

1. This site shall be developed in compliance with the provisions of the Flood Plain Management Ordinance.
2. The project requires review by the Kingston Village Overlay District Design Review Technical Advisory Committee.
3. Required off-street parking must be provided per provisions of the Zoning Ordinance or a variance must be obtained.
2. The first level of the apartments will be elevated about 4ft. Stairs from the front doors will connect to the sidewalk. Can the stairs encroach past property line to reach the sidewalk?

3. Installing a new 5ft width sidewalk. Can we move it closer to the street?
STAFF REPORT TO CITY PLANNING COMMISSION
Conditional Use with a Preliminary Site Development Plan

BOA Date: June 29, 2017
To: Board of Adjustment
From: Development Services Department
Applicant: Dam Baccam / Cross Roads Bistro
Titleholder: Baccam Real Estate Holdings, LLC
Location: 232 16th Avenue SW
Request: Conditional Use (Outdoor Service Area) in a C-2 Zone District
Case Manager: Dave Houg
Case Number: COND-025046-2017

BACKGROUND INFORMATION:
This is to certify that the Development Services staff has examined the petition of Dam Baccam dba Cross Roads Bistro requesting approval of a Conditional Use for property at 232 16th Avenue SW and zoned C-2 Community Commercial Zone District.

The applicant wishes to receive approval for an outdoor service area where alcohol can be served.

The submitted plan shows the following characteristics:

- Previous area of outdoor service: 880 sq ft
- Proposed area of outdoor service (Phase 1): approx. 3500 sq ft
- Proposed area of outdoor service (total buildout): approx. 6500 sq ft
- Provided on-site parking: 41 spaces

The Police Department will provide inspections and work with the applicant to ensure that fencing meets their requirements for public safety.

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
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. Neighborhood scale commercial uses are appropriate within this 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: The effects of the proposed conditional use are expected to be compatible with the existing conditions in the surrounding commercial 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’s design is expected to be compatible with the immediate commercial neighborhood.

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

Staff Comments: There are no anticipated changes to the traffic patterns or required public services and facilities necessary to serve this 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 and site are required to comply with all provisions of the Zoning Ordinance and the C-2 Zoning District, the staff recommended conditions and all other applicable codes and regulations.

7. Whether, and to what extent, all reasonable steps possible have been, or will be, taken to minimize any potential adverse effects on the surrounding property through building design, site design, landscaping, and screening.

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

8. The Site Development Plan is consistent with the previously approved Preliminary Plans for the property (if applicable)
Staff Comments: This request is consistent with the previously-approved site development plan.

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

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

RECOMMENDED CONDITIONS:
If the City Planning Commission recommends approval of the proposed conditional use, adoption of the following conditions as recommended by Development Services should be considered. The City Planning Commission may approve with additional conditions or remove any of the recommended conditions.

1. That the current project is not complete and fencing and a gate must still be installed. The gate must meet all Fire Department regulations related to entry/egress points. The gate shall be used only as an emergency entry/egress route unless the beer garden is staffed continually during normal business hours.
2. That the outdoor service area must have fencing. The fencing requirements, for an outdoor service area with limited staffing, must be of sufficient height to deter the passing of alcoholic beverages over the top of the fence. The fence must also be designed in such a manner as to prohibit the passing of alcoholic beverages through it. The fencing requirements, for an outdoor service area that is staffed full time during normal business hours, can vary some from the above requirements. For those outdoor service areas a specific fence design must be submitted and it will be evaluated on a case-by-case basis.
3. That the Police Department shall re-inspect the outdoor service area PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
4. No amplified outdoor music such as bands, karaoke, and public address systems, etc. shall be allowed in the outdoor service area.
Willy Woodburn's Restaurant
Site Plan Layout
232 16th Avenue SW
Cedar Rapids, Iowa 52404
GPN: 14331-29009-00000

Scale: 1/16" = 1'

69' Long X 55' Wide

Handicap Parking Stalls = 1
Potential Additional Stalls = 3

New Addition – 15' X 34'

2 Parking Stalls
Each Stall - 9'X20'

5 Parking Stalls
Each Stall - 9'X20'

3 Parking Stalls
Each Stall - 9'X20'

3 Parking Stalls
Each Stall - 10'X20'

Shed – 8'X12'

Dumpster

Jeff Koffron, Owner
319-329-5626
koffroncr@mchsi.com

KOFFRON
CUSTOM RENOVATIONS

Total Parking Stalls = 33

Handicapped Parking Stall
– Van Accessible
16' X 20'

Potential Additional
Stalls = 3

8 Parking Stalls
Each Stall - 9'X20'

2 Parking Stalls
Each Stall - 9'X20'

3 Parking Stalls
Each Stall - 9'X20'

2 Parking Stalls
Each Stall - 9'X20'

3 Potential Parking Stalls
Each Stall - 9'X20'

25' 3"
32 x 18
396 square foot

Seating
20 ppe
STAFF REPORT TO CITY PLANNING COMMISSION
Conditional Use with a Preliminary Site Development Plan

BOA Date: June 29, 2017
To: Board of Adjustment
From: Development Services Department
Applicant: QCR, LLC dba Quinton’s Bar & Deli
Titleholder: Lofts at Red Cedar, LLC
Location: 450 First Street SW
Request: Conditional Use (Outdoor Service Area) in a C-4 Zone District
Case Manager: Dave Houg
Case Number: COND-025048-2017

BACKGROUND INFORMATION:
This is to certify that the Development Services staff has examined the petition of QCR, LLC dba Quinton’s Bar & Deli requesting approval of a Conditional Use for property at 450 First Street SW and zoned C-4 Central Business Zone District.

The applicant wishes to receive approval for an outdoor service area where alcohol can be served.

The submitted plan shows the following characteristics:
- Total restaurant size: 3200 sq ft
- Proposed outdoor service area: approx. 900 sq ft / 62 seats

The Police Department will provide inspections and work with the applicant to ensure that fencing meets their requirements for public safety.

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-4, Central Business 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 “Downtown” on the City’s Future Land Use Map. Entertainment venues fit within this 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: The effects of the proposed conditional use are expected to be compatible with the existing conditions in the surrounding area.

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

Staff Comments: The proposed service area’s design is expected to be compatible with the immediate commercial neighborhood.

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

Staff Comments: There are no anticipated changes to the traffic patterns or required public services and facilities necessary to serve this 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 and site are required to comply with all provisions of the Zoning Ordinance and the C-4 Zoning District, the staff recommended conditions and all other applicable codes and regulations.

7. Whether, and to what extent, all reasonable steps possible have been, or will be, taken to minimize any potential adverse effects on the surrounding property through building design, site design, landscaping, and screening.

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

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

Staff Comments: This request is consistent with the previously-approved site development plan.
9. The Site Development Plan conforms to all applicable requirements of this Ordinance.

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

RECOMMENDED CONDITIONS:
If the City Planning Commission recommends approval of the proposed conditional use, adoption of the following conditions as recommended by Development Services should be considered. The City Planning Commission may approve with additional conditions or remove any of the recommended conditions.

1. That the current project is not complete and fencing and a gate must still be installed. The gate must meet all Fire Department regulations related to entry/egress points. The gate shall be used only as an emergency entry/egress route unless the beer garden is staffed continually during normal business hours.
2. That the outdoor service area must have fencing. The fencing requirements, for an outdoor service area with limited staffing, must be of sufficient height to deter the passing of alcoholic beverages over the top of the fence. The fence must also be designed in such a manner as to prohibit the passing of alcoholic beverages through it. The fencing requirements, for an outdoor service area that is staffed full time during normal business hours, can vary some from the above requirements. For those outdoor service areas a specific fence design must be submitted and it will be evaluated on a case-by-case basis.
3. That the Police Department shall re-inspect the outdoor service area PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
STAFF REPORT TO CITY PLANNING COMMISSION
Rezoning

CPC Date: June 29, 2017

To: City Planning Commission
From: Development Services Department

Applicant: Marvelle Cook
Titleholder: Marvelle Cook

Location: 182 Jacolyn Drive NW
Request: Consideration of a change of zone from C-1 to R-3

Case Manager: David Houg
Case Number: RZNE-024878-2017

BACKGROUND INFORMATION:
The is a request to rezone property from C-1, Mixed Neighborhood Convenience Zone District to R-3, Single Family Residence Zone District to appropriately reflect the property’s use.

The 1-story 1008 sq. ft. single family dwelling was constructed in 1956 and later converted to an optometrist’s office. Previously, the adjacent lot to the south was similarly rezoned from commercial to residential (1998).

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 (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: The adjacent lots are currently utilized as single-family homes. The block has transitioned away from previous commercial uses.

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

Staff Comments: The subject property is suitable for all uses permitted in the R-3 Zoning District, if determined by City Council to be appropriate.

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

Staff Comments: No development is proposed.

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.

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

Staff Comments: Not applicable

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. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to construct concrete sidewalk along Jacolyn Drive NW adjoining this site. The property owner shall construct the sidewalk improvements in accordance with City Standards, ADA requirements, and improvement plans accepted by the City Public Works Director/City Engineer. The property owner may request deferral if requirements are met according to the 2012 Sidewalk Installation Policy.
STAFF REPORT TO CITY PLANNING COMMISSION
Rezoning with a Preliminary Site Development Plan

CPC Date: June 29, 2017
To: City Planning Commission
From: Development Services Department
Applicant: Sandra K. Wilkerson
Titleholder: Sandra K. Wilkerson
Location: 1605 & 1611 32nd Street NE
Request: Consideration of a change of zone from R-3 to C-1
Case Manager: David Houg
Case Number: RZNE-024984-2017

BACKGROUND INFORMATION:
This a request to rezone property from R-3, Single Family Residence Zone District to C-1, Mixed Neighborhood Convenience Zone District for the development of a 556 s.f. restaurant. An Administrative Site Development plan will be reviewed as part of City review and approval process.

The subject property is shown as “Urban Low-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. Neighborhood commercial use will comply with all applicable codes, regulations and approvals.

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

- Total site area – 10,174 s.f.
- Existing building size – 396 sq ft
- Proposed building size – 556 sq ft
- Proposed hard surface area-3,858 s.f. (38%)
- Total parking required – 6 spaces
- Total parking provided – 7 spaces
- Storm water management will be provided via permeable pavers

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 (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: The neighborhood is developed commercially, with the exception of 2 single-family dwellings adjacent to the east. This area south of 32nd Street NE has been transitioning from single-family to commercial development over the last 15 years.

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-1 Zoning District, if determined by City Council to be appropriate.

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

Staff Comments: The structure will be relatively unchanged from what exists (a 160 s.f. addition is proposed). A landscaped bufferyard will be provided along the easterly lot line.

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.

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

Staff Comments: Not applicable

RECOMMENDED CONDITIONS:
If the City Planning Commission recommends approval of the proposed rezoning, adoption of the following conditions as recommended by Staff should be considered. The City Planning Commission may decide to include conditions prior to a recommendation of approval.

1. Prior to final rezoning action by Council, the existing residential structure shall either be removed or be utilized only for permitted uses and shall comply with all applicable codes
including, but not limited to: building, electrical, mechanical and plumbing.

2. Said lots must be combined as a single zoning lot and tax parcel.
STAFF REPORT TO CITY PLANNING COMMISSION
Major Preliminary Plat

CPC Date: June 29, 2017
To: City Planning Commission
From: Development Services Department
Applicant: Adam Stradt Property LLC
Titleholder: Apple Kids CR LLC
Plat Name: La Hacienda Stradt Addition
Location: 1525 Hollywood Boulevard NE
Request: Consideration of a Major Preliminary Plat in an R-3 Zone District

BACKGROUND INFORMATION:
The applicant is requesting approval of a Major Preliminary Plat for land located at 1525 Hollywood Boulevard NE. The property is currently zoned R-3, Single Family Residence Zone District. The proposal is to subdivide the property into 7 lots for the development of 6 single-family homes fronting Lawrence Street NE. An existing day care center occupies the 7th lot.

The Preliminary Plat as submitted includes the following:

- Total site area is approximately 2.6 acres
- Total lots:
  - 6 single-family lots
  - 1 lot for commercial day care use

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 development area is shown as “Urban Medium Intensity” on the Future Land Use Map in the City’s Comprehensive Plan. The
designation allows a range of 4 to 24 dwelling units per acre. The proposed single-family
development would have a density of 6.7 units per acre, which is in accordance with the
goals and objectives of the “Urban Medium Intensity” land use.

RECOMMENDED CONDITIONS:

If the City Planning Commission recommends approval of 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. Prior to final plat approval by City Council, the property owner shall submit to the City
for review and approval improvement plans for design and installation of proposed
concrete sidewalk improvements along Lawrence Street NE and Arizona Court NE
adjoining this site. The plans shall include grading plans and other information pertinent
to the design for sidewalks.

2. 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 Lawrence Street NE and Arizona Court
      NE 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.).

      Section 31.06 (h) of the City Subdivision Ordinance requires that if sidewalks are
      not constructed within the final platted area within five years of the final plat
      recordation, the City may include construction of the remaining sidewalks in a
      public contract prior to construction of structures on the platted lots. The cost of
      the construction shall be assessed to the adjoining property owners.

   B. Removal and replacement of City sidewalk along Hollywood Boulevard NE
      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.
To: City Planning Commission Members  
From: Historic Preservation Commission Members through Jeff Hintz, Planner II and Staff Liaison to Historic Preservation Commission  
Subject: Local Landmark Application for 42 7th Avenue SW  
Date: June 29, 2017

**Background:** Chapter 18 of the City of Cedar Rapids Municipal Code, section 18.05 outlines the process for which a property can be designated a local landmark or district. The owners of the property have requested this local landmark designation. The property is currently listed on the National Register of Historic Places (NRHP) with the name “Iowa Wind Mill and Pump Company Office and Warehouse.” The building is referred to locally as the Mott Building.

The Cedar Rapids Historic Preservation Commission (HPC) held a public hearing on April 13, 2017 during their regularly scheduled meeting to discuss the application for local landmark status. As the buildings is already listed nationally, and well known to the HPC, the discussion about the local importance of this property was brief, but revolved around the following points:

- The building was recently listed on the NRHP and renovated using historically appropriate treatments which received tax credits.
- The Commission agreed with staff’s findings that the building is “Associated with events that made significant contributions to patterns of local, state or national history,” and that the building “Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction.” Both of which are criteria for eligibility of buildings which are historically significant as defined by 18.02(T) of the Cedar Rapids Municipal Code.

On April 13, 2017 city staff did recommend advancement to the State Historic Preservation Office (SHPO) for review and comment, which was the action taken by the Cedar Rapids Historic Preservation Commission.

**Comments from State Historic Preservation Office:** “Thank you for forwarding this local landmark nomination to our office. As you know the Iowa Windmill and Pump Company Building was listed on the National Register of Historic Places in October 2012. We heartily agree that this property is worthy of local landmark designation.”

**Other Applicable Information:** Section 18.05.C.3 of the Cedar Rapids Municipal Code requires review by the City Planning Commission and a recommendation regarding landmark status of the property to the City Council within 60 days of receiving comments from SHPO. The City Council will review all the comments and make the final determination on whether the building receives local historic landmark status.

If the local historic landmark status is granted, the City Planning Commission still will review ALL land use applications on the property as with any other property within the Cedar Rapids
corporate limits. The Historic Preservation Commission will review proposals for modification to the exterior of the structure or additions of other structures to the property through the Certificate of Appropriateness (COA) process, just like in the local historic districts. The only difference being this property is a landmark by itself, not within a local historic district.
To: City Planning Commission Members  
From: Historic Preservation Commission Members through Jeff Hintz, Planner II and Staff Liaison to Historic Preservation Commission  
Subject: Local Landmark Application for 525 Valor Way SW  
Date: June 29, 2017

Background: Chapter 18 of the City of Cedar Rapids Municipal Code, section 18.05 outlines the process for which a property can be designated a local landmark or district. The owners of the property have requested this local landmark designation. The property is under review for listing on the National Register of Historic Places (NRHP) with the name “Cedar Rapids Milk Condensing Company.” The building is referred to locally as the Knutson Building.

The Cedar Rapids Historic Preservation Commission (HPC) held a public hearing on April 13, 2017 during their regularly scheduled meeting to discuss the application for local landmark status. As the building is pending national listing and was recommended for this listing by the HPC and City Council, and well known to the HPC, the discussion about the local importance of this property was brief, but revolved around the following points:

- The building is under review for listing on the NRHP and seeks to utilize historic tax credits for the renovation; a part one historic tax credit application has been submitted for the scope of work necessary to renovate the building.
- The building was recently listed as an endangered building by Preservation Iowa and has a viable plan to be restored.
- The Commission agreed with staff’s findings that the building is “Associated with events that made significant contributions to patterns of local, state or national history,” which is also one criteria for eligibility of buildings which are historically significant as defined by 18.02(T) of the Cedar Rapids Municipal Code. The draft NRHP nomination also lists this criterion as the rationale for listing on the NRHP.

On April 13, 2017 city staff did recommend advancement to the State Historic Preservation Office (SHPO) for review and comment, which was the action taken by the Cedar Rapids Historic Preservation Commission.

Comments from State Historic Preservation Office: “Thank you for forwarding this local landmark nomination to our office. As you know the Cedar Rapids Milk Condensing Company Building was reviewed by the State Nominations Review Committee at their February 2017 meeting and forwarded to the National Park Service with a recommendation for listing.

We anticipate hearing from the National Park Service very soon on the nomination. We believe it is a good candidate for both National Register and local landmark designation.”

Other Applicable Information: Section 18.05.C.3 of the Cedar Rapids Municipal Code requires review by the City Planning Commission and a recommendation regarding landmark
status of the property to the City Council within 60 days of receiving comments from SHPO. The City Council will review all the comments and make the final determination on whether the building receives local historic landmark status.

If the local historic landmark status is granted, the City Planning Commission still will review ALL land use applications on the property as with any other property within the Cedar Rapids corporate limits. The Historic Preservation Commission will review proposals for modification to the exterior of the structure or additions of other structures to the property through the Certificate of Appropriateness (COA) process, just like in the local historic districts. The only difference being this property is a landmark by itself, not within a local historic district.