Cargill Railyard

Future Land Use Map Amendment and Rezoning – Stewart Road property

City Council - Public Hearings

November 19, 2019

Ken DeKeyser, Development Services Manager
Sandy Pumphrey, Asst. Development Services Manager
Background

- Cargill proposing a land use change to construct a rail yard at the City-owned “Stewart Road” property.
- August 14, 2018 – Resolution to negotiate property disposition for the Stewart Road property.
- Early 2019 – Cargill elects to change rail yard location to the “Farm” property.
- July 15, 2019 - CPC recommends approval of the rail yard with an Essential Service designation for the Farm property.
- August 27, 2019 – Resolution for Essential Service designation does not pass at Council meeting.
- September 16, 2019 – Cargill returns to the Stewart Road property with FLUMA and rezoning applications.
- October 16, 2019 – Cargill public meeting per Zoning Ordinance.
- November 7 – CPC recommendation for FLUMA and Rezoning
Background

Previous Wildlife Refuge?
Criteria for Recommendation

Future Land Use Map Amendment (FLUMA)
• Proposal to amend the map from Urban Low Intensity to Urban High Intensity
• Location and compatibility standards are required by Comprehensive Plan (Table 2 - Land Use Compatibility).
• Does proposed intensity meet the intent of the Comprehensive Plan?

Rezoning
• Proposal to rezone Suburban Residential Large Lot (S-RLL) to General Industrial (I-GI)
• Does proposed land use meet the intent of the Zoning Ordinance?
Future Land Use Map
Zoning Map

City of Cedar Rapids
Proposed Site Location

Buffer Area under Conservation Easement

FLUMA and Rezone 16.7 acres of A 27.74 acre parcel

Existing Railroad

Prairie Park Fishery
Future Land Use Map Amendment (FLUMA)

- Facilities, services and utilities necessary to serve proposed land uses are available

  *City water and sewer are available. Property is accessible by road and rail.*

- If a map amendment represents an increase in allowed or required density or intensity of use (i.e. concentration of activity) on the property, the property is suitable for such development.

  *Intensity will increase. According to the City’s Comprehensive Plan Envision CR, location and compatibility standards for Urban High Intensity include “buffering from or mitigation of adverse environmental effects, including noise, odors, air and light pollution, and heavy traffic. Compatibility may be achieved with density and land use transitions.”*

  *The proposed land use buffer and mitigation meet Zoning Code, industry standards and best practices. Furthermore, a conservation easement will overlay the buffer to prohibit any future development on that land.*
FLUMA Criteria (Continued)

• The resulting land use policy change of the map amendment is ... consistent with the Comprehensive Plan or any plans, studies or resolution by City Council which would support a change in the future land use ...

The economic development benefits are consistent with the Comprehensive Plan. Examples are supporting existing long-term employers, targeted businesses in the food industry, and utilizing railways as a transportation option.

Proposed use with mitigation provides for continued business growth at Cargill’s corn processing plant, which sustains benefits to the City economy.
Rezoning – Intent of Comprehensive Plan?

• The proposed zone district should be consistent with the general intent of the Comprehensive Plan, as well as any area plans or studies adopted by City Council.

  - Envision CR Guiding Principle - “Cedar Rapids continues to support and benefit from the long-term employers, many with agricultural, technological or other innovative roots.”
  - Envision CR Goal - “Grow a sustainable, diverse economy by supporting existing businesses, fostering entrepreneurship, and targeting industry-specific growth.”
  - City’s Economic Development Strategic Plan supports Food Sciences and Processing as a target industry for Cedar Rapids.
Rezoning – Site Adequate?

• The property should be suitable for the development of structures and uses permitted in the proposed district.

  According to Envision CR, “Industrial uses may be allowed with requirements that they mitigate any anticipated negative impacts on adjacent land uses and that they are located on arterial streets or rail lines.” Proposed mitigation and connection to the Union Pacific railroad meet this intent.

• Adequate public 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.

  City would continue to adequately serve existing development. There are no utility (water/sewer) capacity problems. Truck traffic not proposed.

• Development should ensure effective and adequate utilization of existing or planned public facilities and services.

  The proposed location utilizes the existing railway and is demonstrably the most viable site of several options considered.
Rezoning – Compatibility?

The proposed district should be compatible with the existing or planned character of the surrounding area. Compatibility can be achieved by a rezoning to:

• (A) Districts of the same character type (Urban, Traditional, Suburban, etc.). Changes between character areas should be carefully reviewed for compatibility.

  Proposed I-GI district will not be the same character type of the surrounding area. Compatibility will be achieved by mitigation.

• (B) Districts of a similar use type (Residential, Mixed-Use, etc.), particularly when transitioning between character areas.

  Proposed I-GI district is not a similar use to the surrounding land. Eleven acres of the subject property will remain residentially zoned and undeveloped with conservation easement for transitioning between existing residential and proposed industrial zones.

• (C) Other transitions may be appropriate depending on other review criteria and conditions which may be placed on approvals.

  Site plan approval conditions as recommended by the City Planning Commission would support the compatibility of this rezoning.
Rezoning – Compatibility?

• (C) (continued) Other transitions may be appropriate depending on other review criteria and conditions which may be placed on approvals.

There is reasonable basis to treat the subject property differently from surrounding land. The factor of primary importance is its peculiar adaptability to the proposed rezoning. Several sites in the vicinity were considered and ruled out for physical constraints such as topography and the Cedar River. The land’s proximity to Cargill’s plant (approximately 1.75 miles), railroad connection and physical constructability make this a viable site.
Rezoning – Character?

• The proposed rezoning should be consistent with the existing or planned character of the surrounding area.  
  
  Proposed rezoning is consistent with existing zoning of the nearby Cargill plant and Prairie Creek Generating Station across the river. Character is consistent with the existing railway adjoining the southerly property line. Rezoning is not consistent with residential uses on north and east sides of the land. However buffering and other mitigation measures fulfill the compatibility standards required by the Comprehensive Plan.

• Whether the rezoning is consistent with the characteristics of the surrounding area, including any changing conditions.
  
  The proposed area to be rezoned is adjacent to an existing functioning railroad between the Union Pacific mainline and downtown Cedar Rapids.

• Whether the proposed rezoning will protect existing neighborhoods from nearby development at heights and densities that are out of scale with the existing neighborhood.
  
  Intensity is the concern rather than height, density or scale. Mitigation considers the protection of the public’s health, safety and welfare.
Mitigation

• Stewart Road property less than ½ mile from the previous Farm Property. Substantially similar results for:
  
  Property Value Appraisal
  Noise Study – 10’-20’ berms proposed
  Air Quality Study
  Wetland Study
  Landscape cross-sections
  Desktop Review for Critical Habitats

• No trans-loading (truck traffic)
• Lighting per Zoning Code
• No creosote railroad ties
• Substantially same approval conditions as before, and adding a conservation easement to the list.
## Proposed Project Conditions Summary

<table>
<thead>
<tr>
<th>Rezoning Ordinance (Conditions of rezoning)</th>
<th>Development Agreement (Terms of property transfer)</th>
<th>Items Regulated by City Adopted Codes (through Engineering Plan Review)</th>
<th>Acceptance of Conditions (Signed prior to site plan approval)</th>
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<tbody>
<tr>
<td>Noise and visual mitigation in the form of a wall and/or berm and trees to be installed prior to railyard operations commencing.</td>
<td>A perpetual conservation easement will be established over the undeveloped area of Parcel A and filed with the Linn County Recorder.</td>
<td>Landscaping types, density and placement</td>
<td>The railyard shall operate within <strong>limited hours of operation</strong> (7am to 7pm Central Time, 7 days a week).</td>
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<td>Proposed trees shall exceed 2.5” Diameter at Breast Height (DBH) at time of planting, and be in accordance with approved landscape plan.</td>
<td>UPDATED SINCE CPC Recommendation: REAP Grant — either:&lt;br&gt;1) Pollinator be replanted, subject to available land, or 2) Be repaid to the State, for the acres being disturbed.</td>
<td>Lighting direction and spill into neighboring properties</td>
<td>Noise shall be limited to levels outlined in noise report submitted as part of the application. Train horns shall be prohibited within the railyard, other than in an emergency situation.</td>
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<td>ADDED SINCE CPC Recommendation: Rezoned area to remain a railyard in perpetuity. Other industrial uses prohibited.</td>
<td>Cargill to reimburse the City up to $400k to establish a “Quiet Zone” at Otis Road next to Prairie Park fishery entrance.</td>
<td>Noise – limited by ordinance</td>
<td>No DOT hazardous materials to be stored in railcars on site at any time.</td>
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<td>Cargill will organize up to four collaborative public meetings prior to and throughout the construction of the proposed railyard.</td>
<td>Site Office Construction and Small vehicle Parking</td>
<td>Build and maintain security fencing around the site</td>
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<td>Floodplain Management Ordinance</td>
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<td>Tree Preservation/Plantings along south side of railyard</td>
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11/20/2019

City of Cedar Rapids
Displacement of Prairie (REAP Grant)

“Farm Property” - Total 23 acres (not all suitable for pollinators)

Remaining acres replanted on local City owned land.
STAR Communities Scoring

Considerations:
1. Specific site vs. communitywide risk and planning efforts.
2. Pollinators being transplanted, railcars are being displaced from Cedar Lake railyard.
3. Travel distances of railcars reduced due to location of Stewart Road railyard.
Flood Risk

• Subject property not in a Special Hazard Flood Area. But still at-risk in historic flood events.
• Onsite berms could be part of the City’s flood response plan, but separately will not protect the neighborhood.
• Complete neighborhood flood protection would extend to streets and private property outside of Cargill’s control.
• Not a mitigating factor – the rail yard will not cause the Cedar River to flood.
Stormwater Management

• Required to follow City’s water quantity and quality design standards and stormwater permit, which is regulated by the Iowa DNR and US EPA.

• There are no specific design standards when located next to a fishery or other waterbody.

• Reviewed Iowa DNR records on Facility Explorer. Cannot find evidence of systemic damage to Cedar Rapids waterways as a result of nearby railways.

• City has long-established railways next to waterbodies:
  • Rail yards around and through Cedar Lake since 1880s
  • Main line next to McLoud Run since late 1800s
  • Industrial lead next to the fishery since 1960s
Recommendation

• Future Land Use Map Amendment to a higher land use intensity meets the compatibility standards and goals of the Comprehensive Plan.
• Industrial rezoning meets the intent* of the Zoning Ordinance with mitigation, development conditions and suitability for a specific use.
• Staff recommend approval of the FLUMA resolution and rezoning ordinance.

*Intent #11 of 32.01.05 (Zoning Ordinance):
“Foster a rational pattern of relationship between residential, business, commercial and manufacturing uses for the mutual benefit of all”
Schedule

November 19, 2019 City Council public hearing and 1\textsuperscript{st} reading
December 3, 2019 2\textsuperscript{nd} Ordinance reading
December 17, 2019 3\textsuperscript{rd} Ordinance reading

Presented by:

Sandy Pumphrey  
Asst Development Services Manager  
s.pumphrey@cedar-rapids.org  
(319) 286 5363

Ken DeKeyser  
Development Services Manager  
k.dekeyser@cedar-rapids.org  
(319) 286 5822