

CITY PLANNING COMMISSION MEETING

Thursday, June 27, 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: 202 12th Street NW (Conditional Use)

Recommendation for approval of a Conditional Use for a Health Care Facility in a RMF-2, Multiple Family Residence Zone District as requested by Kingston Hill (Applicant) and Home of Aged Women (Titleholder).

Case No. COND-003000-2013 Case Manager: Dave Houg

REGULAR AGENDA

2. Case Name: 4035 Mt Vernon Road SE (Conditional Use)

Recommendation for approval of a Conditional Use for an Outdoor Service Area in a C-2, Community Commercial Zone District as requested by Hy-Vee Food Stores Inc. (Applicant/Titleholder).

Case No. COND-002985-2013 Case Manager: Dave Houg

3. **Case Name:** 4625 Tower Terrace Road NE (FLUMA and Rezoning)

- a) Request for an amendment to the Future Land Use Map in the City's Comprehensive Plan from Office and Medium Density Residential to Commercial as requested by Twisters Gymnastics (Applicant) and HJD Investments LLC (Titleholders).

Case No: *FLUMA-003506-2013 Case Manager: Vern Zakostecky*

- b) Recommendation for approval of a rezoning from A, Agriculture Zone District to C-MU, Commercial Mixed Use Zone District as requested by Twisters Gymnastics (Applicant) and HJD Investments LLC (Titleholders).

Case No: *RZNE-002991-2013 Case Manager: Vern Zakostecky*

4. **Case Name:** 210 & 215 B Avenue NW (Rezoning)

Recommendation for approval of a rezoning from and RMF-1, Multiple Family Residence Zone District, I-2, General Industrial Zone District to I-1, Light Industrial Zone District as requested by Kevin P. and Gail B. Kennedy (Applicant/Titleholders).

Case No: *RZNE-003001-2013 Case Manager: Vern Zakostecky*

5. **Case Name:** South of 33rd Avenue SW at 18th Street SW (FLUMA, Rezoning and Conditional Use)

- a) Request for an amendment to the Future Land Use Map in the City's Comprehensive Plan from Medium Density Residential to Office as requested by Signature Homes (Applicant) and Gary D. Wolverton (Titleholder).

Case No: *FLUMA-002993-2013 Case Manager: Vern Zakostecky*

- b) Recommendation for approval of a rezoning from A, Agriculture Zone District to O-S, Office/Service Zone District as requested by Signature Homes (Applicant) and Gary D. Wolverton (Titleholder).

Case No: *RZNE-002994-2013 Case Manager: Vern Zakostecky*

- c) Recommendation for approval of a Conditional Use for Self Service Storage Facility in a O-S, Office/Service Zone District as requested by Signature Homes (Applicant) and Gary D. Wolverton (Titleholder).

Case No. *COND-002995-2013 Case Manager: Vern Zakostecky*

- **New Business**
- **Training Opportunities**
- **Announcements**

MINUTES
CITY PLANNING COMMISSION REGULAR MEETING,
Thursday, May 16, 2013 @ 3:00 p.m.

Cedar Rapids City Hall Council Chambers, 101 First Street SE

Members Present: Scott Overland, Chair
Gloria Frost
Carletta Knox-Seymour
Mike Tertinger
Allan Thoms
Virginia Wilts

Members Absent: Jim Halverson, Vice – Chair
Scott Friauf
Laura Seaton

DSD Staff: Vern Zakostelecky, Planner
Joe Mailander, Engineer

CD Staff: Seth Gunnerson, Planner
Alex Sharpe, Planner
Alicia Abernathiey, Administrative Assistant

The meeting was called to order at 3:03 p.m.

Opening statements were presented stating the protocol of the meeting and the purpose of the City Planning Commission.

Roll call was answered with five (5) Commissioners present and four (4) absent.

Commissioner Overland stated Commissioners have received the minutes from May 16, 2013 and called for additions or corrections. Commissioner Overland stated with no additions or corrections, the minutes from May 16, 2013 stand approved.

Commissioner Overland called for a motion to approve the agenda. Commissioner Thoms made a motion to approve the agenda. Commissioner Wilts seconded the motion. The motion passed unanimously with none opposed.

CONSENT AGENDA

1. **Case Name: 3501 Ely Road SW (Rezoning) Case No. RZNE-002561-2013; Case Manager: Vern Zakostelecky**

Recommendation for approval of a rezoning from I-2, General Industrial Zone District and C-2, Community Commercial Zone District to R-2, Single Family Residence Zone District as requested by Duane E. and Carol S. Kalous (Applicants/Titleholders).

Commissioner Overland called for a motion to approve the consent agenda. Commissioner Thoms made a motion to approve the consent agenda. Commissioner Tertinger seconded the motion. The motion passed unanimously with none opposed.

REGULAR AGENDA

1. **Case Name: 521 3rd Avenue SW (Rezoning) Case No. RZNE-002522-2013; Case Manager: Vern Zakostelecky**

Recommendation for approval of a rezoning from C-2, Community Commercial Zone District to C-3, Regional Commercial Zone District as requested by Jody L. Keener (Applicant/Titleholder).

Vern Zakostelecky, Development Services, stated the property is at the corner of 3rd Avenue and 6th Street SW. The property is currently developed with a commercial building and is zoned C-2. The applicant would like to move the company Two Men and a Truck onto the site. Due to the company having moving trucks that would be parked outside, the property needs to be rezoned to C-3. Mr. Zakostelecky presented an aerial photo and a site plan pointing out the property, current features of the development and proposed changes to the development.

Commissioner Overland called for questions of Mr. Zakostelecky. No questions were presented. Commissioner Overland called for a representative of the applicant. The applicant did not wish to speak. Commissioner Overland called for members of the public who wished to speak. No member of the public wished to speak.

Commissioner Overland called for a motion to approve the rezoning. Commissioner Thoms made a motion to approve the rezoning from C-2, Community Commercial Zone District to C-3, Regional Commercial Zone District. Commissioner Knox-Seymour seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

Commissioner Frost joined the meeting at 3:07 p.m.

2. **Case Name: 1020 3rd Street SE (Preliminary Site Development Plan) Case No. PSDP-002518-2013; Case Manager: Vern Zakostelecky**

Recommendation for approval of a Preliminary Site Development Plan for property at 1020 3rd Street SE and zoned C-3, Regional Commercial Zone District as requested by Sky's Edge Development LLC (Applicant) and the City of Cedar Rapids (Titleholder).

Mr. Zakostelecky stated the property was formally developed as the Brosh Funeral Home that was damaged in the flood of 2008 and was demolished. The City purchased the property through the Voluntary Acquisition Program and solicited proposals for development. Sky's Edge Development was selected from the proposals received. Sky's Edge Development is proposing a mixed-use development for the site with four levels above ground and a basement containing a theater. The total site area is approximately 17,000 sq ft and the building area will go from lot line to lot line. Total parking provided will be 10 spaces although 143 spaces are required. The applicant is working with Park CR to negotiate parking in City owned lots near the Cedar River.

Mr. Zakostelecky presented a location map, aerial photo, site plan and renderings pointing out the property location, features of the proposed site plan and the proposed building appearance. Mr. Zakostelecky stated a letter was received from the Czech Village/New Bohemia Group in support of the development. Richard Luther, consultant for Sky's Edge Development, provided a letter with additional information pertaining to the development's parking.

Commissioner Overland called for questions of Mr. Zakostelecky. Commissioner Tertinger asked if the applicant met with the Czech Bohemia Overlay District Design Review Technical Advisory Committee for review of the proposed development. Mr. Zakostelecky stated the applicant did meet with the review committee and unofficially received an endorsement. The review committee asked the applicant to return later on in the process to ensure the building is similar in appearance to what is currently proposed.

Commissioner Overland called for a representative of the applicant. Brent Jackman, Hall & Hall Engineers, stated he is available to answer questions.

Commissioner Overland called for questions of the applicant. Commissioner Thoms asked what happens when more projects come along and more parking is needed. Mr. Zakostelecky stated parking is currently available in City-owned lots and some of the parking spots that are currently occupied will be vacated when the parking ramp for the new Federal Court House is complete. Also, the City buses are currently operating out of the City-owned lot but will be relocating soon.

Commissioner Overland called for members of the public who wished to speak. No member of the public wished to speak.

Commissioner Overland called for a motion to approve the preliminary site development plan. Commissioner Thoms made a motion to approve the preliminary site development plan for property at 1020 3rd Street SE. Commissioner Knox-Seymour seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

3. Case Name: 2925 Center Point Road NE (Rezoning) Case No. RZNE-002521-2013; Case Manager: Vern Zakostelecky

Recommendation for approval of a rezoning from R-3, Single Family Residence Zone District to C-2, Community Commercial Zone District as requested by Primus Construction (Applicant) and Gregory S. and Donna M. Scharf (Titleholders).

Mr. Zakostelecky stated the developer is currently interested in building a medical office on the property with the potential for two future buildings also on the site. There are currently houses

on the property that are in poor condition and will be demolished. The total building area is approximately 8,000 sq ft and 44 parking spaces would be provided. Mr. Zakostecky presented a location map, aerial photo, site plan and renderings pointing out the property location, surrounding zonings, details of the site plan and the potential appearance of the building.

Commissioner Overland called for questions of Mr. Zakostecky. Commissioner Overland asked if all the parking will be built now. Mr. Zakostecky stated the parking lot will be built to accommodate the current proposed building and if the other buildings are developed the parking will be extended.

Commissioner Overland called for a representative of the applicant. Jed Schnoor, Schnoor-Bonifazi Engineering & Surveying, stated bioswales and other water control devices will be put underground to cool water before it is released from the site.

Commissioner Overland called for questions of the applicant. Commissioner Frost asked if the system will be built from the start or in stages as the land develops. Mr. Schnoor stated it will be built out for the entire site from the beginning.

Commissioner Overland called for members of the public who wished to speak. No member of the public wished to speak.

Commissioner Overland called for a motion to approve the rezoning. Commissioner Frost made a motion to approve the rezoning from R-3, Single Family Residence Zone District to C-2, Community Commercial Zone District. Commissioner Knox-Seymour seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

4. Case Name: 2811 Wiley Boulevard SW (Conditional Use) Case No. COND-002523-2013; Case Manager: Dave Houg

Recommendation for approval of a Conditional Use for an outdoor patio area for a café in a C-2, Community Commercial Zone District for property at 2811 Wiley Boulevard SW as requested by Justin Dowie (Applicant) and FH Holdings LLC (Titleholder).

Mr. Zakostecky stated the property is an outlet of Westdale Mall at the corner of Wiley Boulevard and Williams Boulevard. The outlet was initially developed with commercial space and a movie theatre. The applicant is looking to add a 6,000 sq ft restaurant with a 380 sq ft patio area in front. The total area of the site is approximately 117,000 sq ft and parking is being negotiated with the owners of Westdale Mall. Mr. Zakostecky presented a location map, aerial photo and site plan pointing out the site location, zonings of neighboring properties, and the proposed patio area for the restaurant. The restaurant would seat approximately 26 people.

Commissioner Overland called for questions of Mr. Zakostecky. No questions were presented. Commissioner Overland called for a representative of the applicant. The applicant did not wish to speak. Commissioner Overland called for questions of the applicant. No questions were presented. Commissioner Overland called for members of the public who wished to speak. No member of the public wished to speak.

Commissioner Overland called for a motion to approve the conditional use. Commissioner Wilts made a motion to approve the conditional use for an outdoor patio area for a café in a C-2, Community Commercial Zone District. Commissioner Knox-Seymour seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

5. Case Name: 2600 Edgewood Road SW (Preliminary Site Development Plan and Major Preliminary Plat) Case No. PSDP-002509-2013 and PRPT-002027-2013; Case Manager: Joe Mailander

- a) Recommendation for approval of a Preliminary Site Development Plan for property at 2600 Edgewood Road SW and zoned C-2, Community Commercial Zone District as requested by Frew Development Group (Applicant) and A Shapiro LLC (Titleholder).
- b) Recommendation for approval of a Major Preliminary Plat for property at 2600 Edgewood Road SW as requested by Frew Development Group (Applicant) and A Shapiro LLC (Titleholder).

Joe Mailander, Development Services, stated Frew Development Group is proposing the redevelopment of Westdale Mall beginning the summer of 2013 with a proposed completion date of 2022. The redevelopment will include the demolition of the existing mall excluding the Younkers, JC Penny and Von Maur buildings. The proposed site will include 23 separate parcels with approximately 25 buildings of mixed used development. The current Westdale site is approximately 72 acres with approximately 65 acres of existing hard surface and approximately 7 acres of vegetation. The proposed Westdale site will have approximately 53 acres of hard surface and approximately 20 acres of vegetation. Mr. Mailander presented an aerial photo showing the existing site and a master plan showing the proposed redevelopment. The number of required parking spaces is 3,236 but the applicant is proposing 3,417.

Commissioner Overland called for questions of Mr. Mailander. Commissioner Frost asked if the JC Penny and Younkers buildings would be remodeled. Mr. Mailander stated there is a limit to how much can be done to the existing buildings but the applicant is working with them to get them in compliance with the adopted design standards.

Commissioner Overland called for a representative of the applicant. Todd Nelson, Frew Development Group, stated he is available for questions.

Commissioner Overland called for questions of the applicant. Commissioner Tertinger asked if parking garages could be incorporated into the plans to avoid the surface parking. Mr. Nelson stated there is a significant reduction in parking from the current parking. Parking ramps and underground parking were considered and are not completely off the table as options.

Commissioner Overland called for members of the public who wished to speak. No member of the public wished to speak.

Commissioner Overland called for a motion to approve the preliminary site development plan. Commissioner Frost made a motion to approve the preliminary site development plan for property at 2600 Edgewood Road SW. Commissioner Knox-Seymour seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

Commissioner Overland called for a motion to approve the major preliminary plat. Commissioner Thoms made a motion to approve the major preliminary plat for property at 2600 Edgewood Road SW. Commissioner Frost seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

6. Case Name: 2300 Bowling Street SW (Preliminary Site Development Plan) Case No. PSDP-002515-2013; Case Manager: Vern Zakostecky

Recommendation for approval of a Preliminary Site Development Plan for property at 2300 Bowling Street SW and zoned C-2, Community Commercial Zone District as requested by Hy-Vee Inc. (Applicant/Titleholder).

Mr. Zakostecky stated this property was recently rezoned for placement of a convenience store and the applicant has returned to add a car wash to the site. Mr. Zakostecky presented a site plan and elevations for the addition.

Commissioner Overland called for questions of Mr. Zakostecky. Commissioner Overland asked why the car wash was not included in the original plans. David Bailie, Hy-Vee Inc. representative, stated at the time the plans were created for the property it was undetermined if a car wash would be included but there is now a desire to include the car wash.

Commissioner Overland called for members of the public who wished to speak. No member of the public wished to speak.

Commissioner Overland called for a motion to approve the preliminary site development plan. Commissioner Wilts made a motion to approve the preliminary site development plan for property at 2300 Bowling Street SW. Commissioner Tertinger seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

NEW BUSINESS

1. Proposed Digital Sign Ordinance Update

Seth Gunnerson, Community Development, presented recommendations for digital billboards which included the following:

- 8 second hold time
- No flashing, animation, video or scrolling text
- Dimmer function required to reduce brightness at night
- Emergency access
- Non-conforming signs may not be upgraded to digital
- 500 foot separation from residential, and other uses such as parks, schools, and historic districts (measured in the direction the sign is facing)

Mr. Gunnerson presented recommendations for digital billboards replacement criteria including:

- NEW Digital Billboard – removal of one digital *or* two static signs
- Upgrade Existing to Digital – removal of one static sign.
- Non-conforming billboards cannot be upgraded to digital

Mr. Gunnerson presented recommendations for display attributes of digital signs including:

- **New signs** must comply with all sections of the ordinance
- **Existing signs** must comply with hold time, animation, and scrolling text standards by January 1, 2014.
- The criteria for digital signs do not apply to the following:
 - Signs which display only alphanumeric text and:
 - do not change more than once per hour (an example is gas price signs)
 - only display time and temperature.
 - Signs not meant to be visible from the public right of way (an example is digital menuboard signs for drive thru facilities)
- **Prohibit Animation and Video** – Message could not feature constantly moving animation or full motion video
- **Establish Hold Times for messages**
 - 4 second hold time for smaller signs (under 64 square feet), 8 second hold time for larger signs
 - 1 second transition (animation allowed)
- **Allow Scrolling Text** – Signs displaying only text would be exempt from restrictions on hold time

Mr. Gunnerson presented recommendations for digital sign types and size including:

- No pole signs except along I-380 and US-30 (monument or bracket)
- Signs attached to buildings, such as wall signs, allowed
- Height of digital display limited to 20'
- Area that can contain digital message board limited to 50% on bracket signs
- Would not require removal of any existing signs

Mr. Gunnerson stated staff is recommending the creation of a downtown overlay district to allow *on-premise* signs which incorporate animation, flashing lights and video. Mr. Gunnerson identified the boundaries for the recommended Entertainment Sign Overlay District.

Commissioner Overland called for questions of Mr. Gunnerson. Commissioner Thoms asked if static billboards could be converted to digital billboards. Mr. Gunnerson stated converting a static billboard to a digital billboard is allowed if the static billboard is in a conforming location but a static sign will have to be removed elsewhere in the community. Mr. Gunnerson stated if a new digital billboard was installed in the community then the total number of billboards in the community would be reduced by one. Commissioner Thoms stated he is in favor of limiting the number of billboards in the community but this method will drastically reduce the number.

Commissioner Overland called for members of the public that wished to speak. The following members of the public spoke and addressed concerns with the ordinance changes: Aaron Vosmick, CR Signs, 4701 1st Avenue SE; Steve Allsop, MediaQuest Outdoor, 5100 20th Avenue SW; Pat McCallister, Nesper Sign, 4620 J Street SW; and Tom Weber, Lamar Advertising, 5507 Mildred Lane NE.

Comments and concerns heard are as follows:

- A lot of customers have invested thousands of dollars for signs and now they will not be allowed to use animations.
- Depending on the size of the digital sign the hold time will be an issue as far as getting a message displayed.
- Due to how the ordinance is written, if you do not currently own a billboard in Cedar Rapids, you never will.
- This ordinance will have a significant detrimental impact on our business.
- Changes were made in the sign code several years ago that were hasty. The current changes should be slowed down to allow City Planning Commission, City Council and City staff to make proper and well thought out decisions.
- It is ironic that City involved properties such as Theatre Cedar Rapids, the Paramount and the new Convention Center have prominent signs that would not comply with the ordinance changes if they were outside the proposed entertainment district.
- The Nesper sign with the joke of the day has not caused an accident on a busy interstate.

Commissioner Overland called for a motion on the digital billboard recommendations. Commissioner Frost stated she cannot support the replacement portion of the staff recommendation. Commissioner Thoms stated he also has an issue with the replacement portion of the staff recommendation. Commissioner Thoms made a recommendation that construction of a new digital billboard require removal of another billboard whether digital or static and static billboards may be upgraded to digital with no reduction in signage. Commissioner Overland and Commissioner Wilts provided comments in support of digital billboards. Commissioner Tertinger stated he could be convinced to agree with the recommendation made by Commissioner Thoms but he is not in favor of billboards.

Commissioner Overland stated the commission seems in agreement with the staff recommendation for the display criteria and would like to make a recommendation for one-to-one replacement whether the billboard is digital or static. Commissioner Overland called for a vote on the recommendation. The recommendation passed unanimously with none opposed.

Commissioner Overland called for a motion on attributes for all digital signs. Comments were made in support of the staff recommendation. Commissioner Overland called for a vote on the staff recommendation. The staff recommendation passed unanimously with none opposed.

Commissioner Overland called for a motion on digital sign types and sizes. Comments were made in support of the staff recommendation. Commissioner Overland called for a vote on the staff recommendation. The staff recommendation passed unanimously with none opposed.

Commissioner Overland called for a motion on the Entertainment Sign Overlay Districts. Mr. Gunnerson stated other entertainment districts can be created other than downtown. The districts would be for areas that are pedestrian in nature, places where motorists expect to see pedestrians, contain more traffic lights and where speeds are slower. Comments were made in opposition of the staff recommendation. Commissioner Thoms stated if an overlay district is going to happen, restrictions should be set.

Commissioner Thoms recommended the immediate establishment for an overlay district be reconsidered. Commissioner Overland called for a vote on the recommendation. The recommendation passed unanimously with none opposed.

2. Recommendation regarding conformity to proposed Amendment No. 2 to the Second Amended and Restated Urban Renewal Plan for the Central Urban Renewal Area

Alex Sharpe, Community Development, stated due to recent state legislation, communities must add specific language to amend TIF districts in order to include new projects. The three activities that are taking place are a potential property tax reimbursement for Great Furniture Mart, the disposition of the former 1st Street Parkade and the disposition of a portion of a property bounded by 1st Street SW, 1st Street NW, Interstate 380, 3rd Street SW, and 2nd Avenue SW (including alley right-of-way, portion of 2nd Street from 2nd Avenue SW to Interstate 380, and A Avenue NW to 2nd Street NW)

Commissioner Thoms made a motion to recommend Amendment No. 2 to the Second Amended and Restated Urban Renewal Plan for the Central Urban Renewal Area. Commissioner Wilts seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

3. Recommendation regarding conformity to proposed Amendment No. 4 to the Amended and Restated Urban Renewal Plan for the Consolidated Central Urban Renewal Area

Commissioner Thoms made a motion to recommend Amendment No. 4 to the Amended and Restated Urban Renewal Plan for the Consolidated Central Urban Renewal Area. Commissioner Wilts seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

The meeting was adjourned at 4:54 p.m.

Respectfully Submitted,

Alicia Abernathy, Administrative Assistant II
Community Development



Development Services Department
Public Works Building
1211 Sixth Street SW
Cedar Rapids, IA 52404
Telephone: (319) 286-5822

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

CPC Date: June 27, 2013
To: City Planning Commission
From: Development Services Department

Applicant: Kingston Hill
Titleholder: Home of Aged Women
Case Number: COND-003000-2013
Location: 202 12th Street NW
Request: Conditional Use approval for a Health Care Facility
Case Manager: Dave Houg, Development Services Department

BACKGROUND INFORMATION:

The plan is to transition 15 existing beds into a residential care facility.

The site plan as submitted includes the following:

- Total area of 42,000 sq ft
- Existing building area of 23,002 sq ft
- Proposed health care facility area of 11,422 sq ft
- Vehicle Parking: 11 space (10 spaces required)

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: Health Care Facilities may be located in the RMF-2 Zoning District if approved as a conditional use.

- 2. That the proposed use and development will be consistent with the intent and purpose of this Ordinance and with the Future Land Use Policy Plan and other elements of the Comprehensive Plan.**

Staff Comments: The proposed site plan conforms to regulations established in Chapter 32 of the Municipal Code and the goals and objectives of the Future Land Use Map in the City's Comprehensive Plan.

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

Staff Comments: Staff does not feel this development will have a negative effect on adjacent properties and the character of the neighborhood.

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: A residential care facility has existed at this location since 1899.

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 conversion of a portion of the structure to a health care facility is not expected to have any impact or burden on City services or traffic.

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: The applicant will be responsible for compliance with the conditions and will take necessary steps as required by the City Zoning Ordinance to minimize any potential adverse impacts.

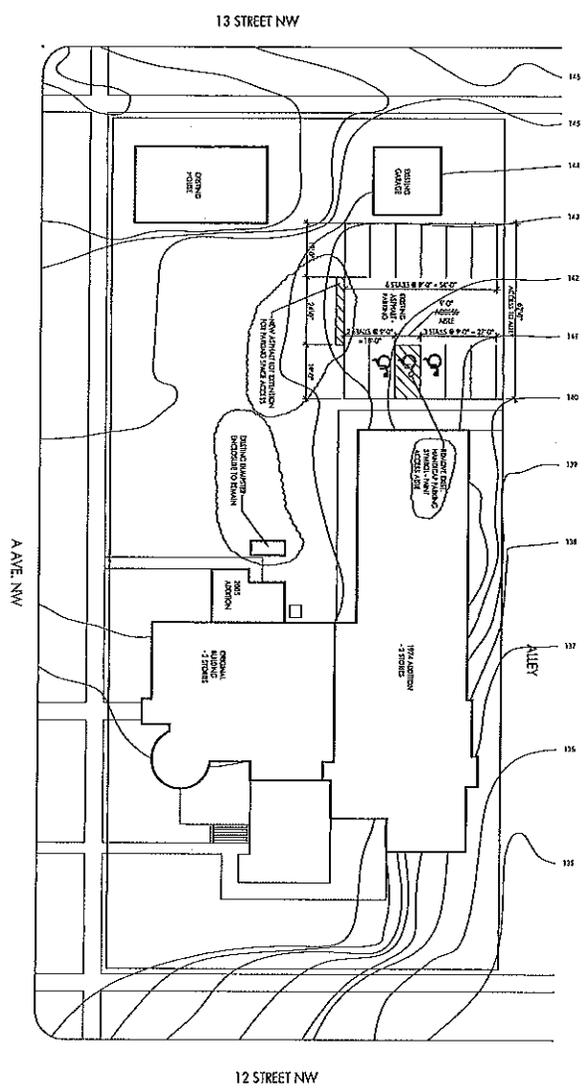
8. **The Site Development Plan is consistent with the previously approved Preliminary Plans for the property (if applicable)**

Staff comments: This item is not applicable.

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 this Ordinance.

RECOMMENDED CONDITIONS: None



MARTIN GARDNER ARCHITECTURE
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 Cedar Rapids, IA 52402
 Phone: 319.244.1111
 Fax: 319.244.1112
 Website: www.mgarch.com

PRELIMINARY
 NOT FOR
 CONSTRUCTION

Sheet No.
 6-4-2013

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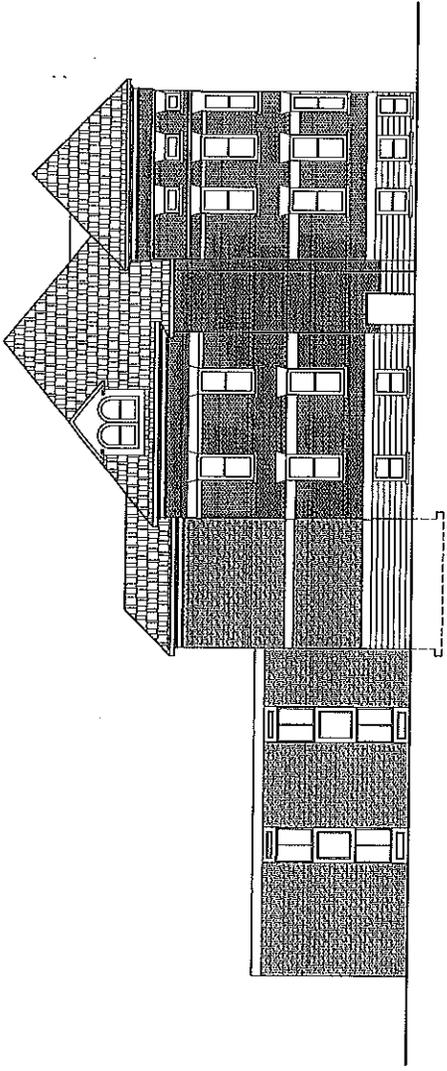
Abbe Inc.
 Kingston Hill 15 Bed Residential Care
 202 12th Street NW
 Cedar Rapids, Iowa

MGA
 MARTIN GARDNER
 ARCHITECTURE

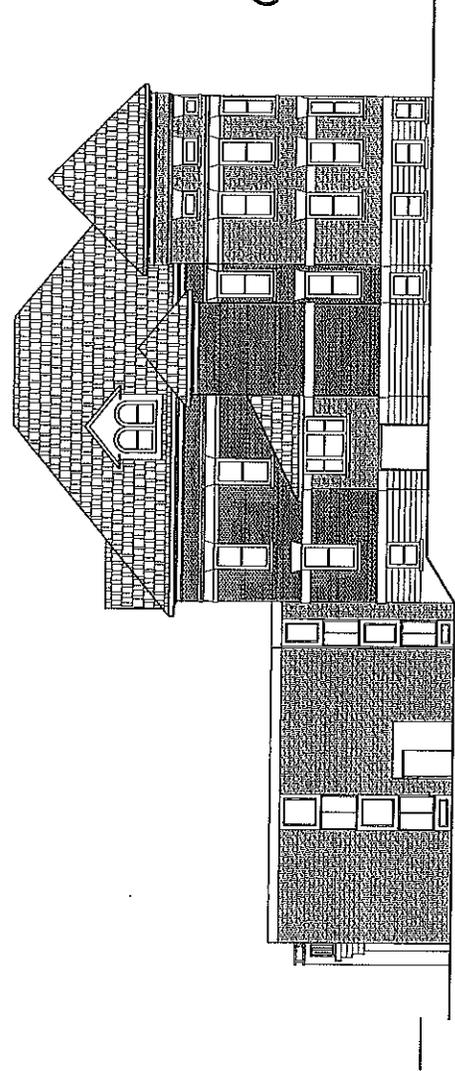
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PRELIMINARY
NOT FOR
CONSTRUCTION



South elevation



West elevation

Sheet #1

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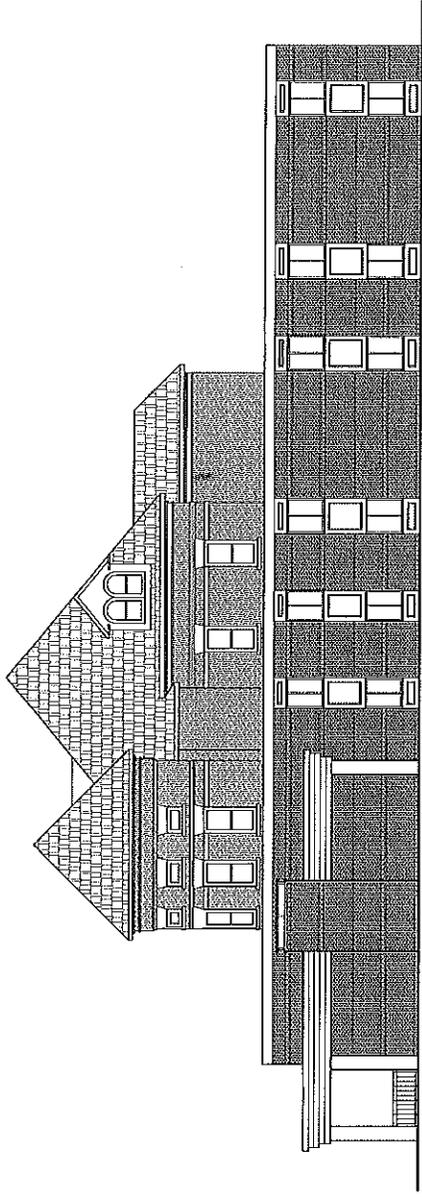
Abbe Inc.
Kingston Hill 15 Bed Residential Care
202 125 Street NW
Cedar Rapids, Iowa

MGA
MARTIN GARDNER
ARCHITECTURE

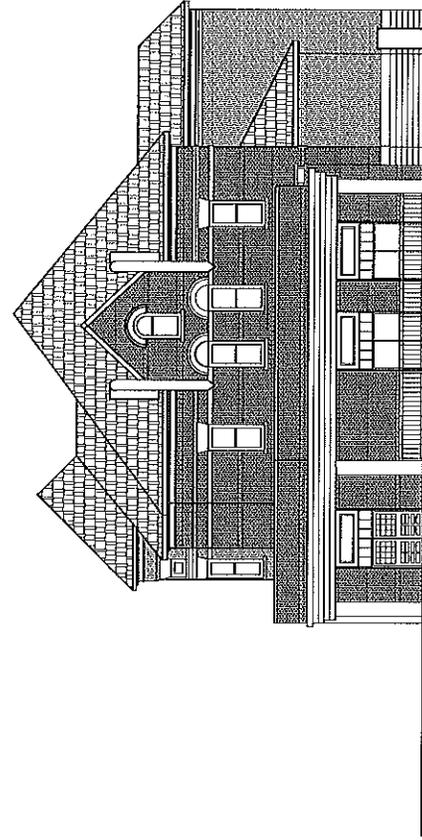
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PRELIMINARY
NOT FOR
CONSTRUCTION



South elevation



East elevation



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

CPC Date: June 27, 2013
To: City Planning Commission
From: Development Services Department

Applicant: Hy-Vee, Inc.
Titleholder: Hy-Vee, Inc.
Case Number: COND-002985-2013
Location: 4035 Mt. Vernon Road SE
Request: Conditional Use approval for an Outdoor Service Area
Case Manager: Dave Houg, Development Services Department

BACKGROUND INFORMATION:

The plan is to expand the existing grocery store with a building addition and also to add a fenced 24' by 32' patio with 14 tables to the front. The applicant is applying for a Conditional Use for an outdoor service area to allow patrons to have alcoholic beverages outside.

The site plan as submitted includes the following:

- Total area of 527,894 sq ft (12.12 acres)
- Existing & Proposed building area of 60,000 sq ft / 72500 sq ft
- Vehicle Parking: 400 (265 spaces required)
- Outdoor Service area is 768 sq ft with seating for up to 56 people

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: Outdoor Service areas where alcohol can be consumed can be located in the C-2 Zoning District if approved as a conditional use.

- 2. That the proposed use and development will be consistent with the intent and purpose of this Ordinance and with the Future Land Use Policy Plan and other elements of the Comprehensive Plan.**

Staff Comments: The proposed site plan conforms to regulations established in Chapter 32 of the Municipal Code and the goals and objectives of the Future Land Use Map in the City's Comprehensive Plan.

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

Staff Comments: Staff does not feel this development will have a negative effect on adjacent properties and the character of the neighborhood.

- 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 addition of an outdoor space to serve alcohol and food will not substantially change the character of the existing business or surrounding 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: The addition of the outdoor service area should not have any impact or burden on City services or traffic.

- 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: The applicant will be responsible for compliance with the conditions and will take necessary steps as required by the City Zoning Ordinance to minimize any potential adverse impacts.

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

Staff comments: The proposed site plan would not require any additional parking be constructed on the property or any other changes to the lot beyond installing the outdoor patio area.

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 this Ordinance.

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 outdoor service area 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**. Police Lieutenant Walter Deeds may be contacted at 286-5426 for further details and to arrange inspection.



Department of Community Development
City Hall
3851 River Ridge Drive NE
Cedar Rapids, IA 52402
Telephone: (319) 286-5041
FAX: (319) 286-5130

STAFF REPORT
Future Land Use Map Amendments

CPC Date: June 27, 2013
To: City Planning Commission
From: Community Development Department

Applicant: Twisters Gymnastics
Titleholder: HJD Investments, LLC
Case Number: FLUMA-003506-2013
Location: 4625 Tower Terrace Road NE
Request: Future Land Use Map Amendment from Office and Medium Density Residential to Commercial
Case Manager: Vern Zakostelecky, Development Services Department

BACKGROUND INFORMATION:

The property consists of one undeveloped parcel, which is 10.33 acres in size. The applicant is requesting an amendment to the Pleasant Prairie Area Neighborhood Plan Map from Office and Medium Density Residential to Commercial. Currently the property is zoned A, Agriculture Zone District. The applicant has also submitted an application for rezoning the property to C-MU, Commercial Mix Use Zone District. If the FLUMA and rezoning are approved the applicant will develop the property with a new gymnastics training and event facility.

FINDINGS:

Chapter IV.E., Policy 1.6.4. of the Comprehensive Plan requires the City Planning Commission to review the application based on the following criteria:

1. Will be consistent with the Plan priorities

Staff Comments: The Pleasant Prairie Area Neighborhood Plan Map, which was an area plan adopted after the existing Comprehensive Plan was adopted shows the property as Office and Medium Density Residential. The general area is largely undeveloped with the exception of a few large lot single family homes. The property is situated at the southwest corner of I-380 and Tower Terrace Rd. NE, which the City of Cedar Rapids and Hiawatha are working with the Iowa Department of Transportation for development of an I-380/Tower Terrace interchange. Once the interchange is developed all four corner of the interchange will most likely develop as commercial type uses. As such the proposed commercial designation is in

accord with the City's Comprehensive Plan's goals and objectives. It should be noted that the property would need to utilize Hiawatha water and would need to get approval for a private sanitary waste treatment facility since the City does not have services to this area yet. As such, case could be made that this is premature development as it is not orderly growth from developed areas of the City outward.

2. Will be compatible with future land uses for surrounding areas of the community

Staff Comments: The general area is currently agriculture land and scattered low-density residential on very large parcels of land. A church owns the property directly to the east of this site and has future plans to development a religious facility on the property. Over time the proposed land use will most likely be compatible with future development in the area, particularly if the interchange is developed.

3. Will not create a shortage of any particular type of residential or non-residential land

Staff Comments: The proposed amendment for this property will not create a shortage of any particular type of residential or non-residential land.

4. Will enhance the overall quality of life in the community

Staff Comments: The proposed amendment and development of this property will provide a newer large facility for the Twisters Gymnastics Club.

If the City Planning Commission determines that the requested land use is not appropriate for this location, based on inconsistency with the Comprehensive Plan, the Commission should recommend denial of the proposed Future Land Use Map amendment to City Council.

Should the Commission determine that the proposed land use is appropriate; the Commission should make a recommendation to City Council to amend the Pleasant Prairie Area Neighborhood Plan Map designation from OFFICE & MEDIUM DENSITY RESIDENTIAL to the requested COMMERCIAL land use designation.



Development Services Department
Public Works Building
1211 Sixth Street SW
Cedar Rapids, IA 52404
Telephone: (319) 286-5043

STAFF REPORT TO CITY PLANNING COMMISSION
Rezoning without a Preliminary Site Development Plan

CPC Date: June 27, 2013
To: City Planning Commission
From: Development Services Department

Applicant: Twisters Gymnastics
Titleholder: HJD Investments, LLC
Case Number: RZNE-002991-2013
Location: 4625 Tower Terrace Road NE
Request: Rezoning from A, Agriculture Zone District to CMU, Commercial Mix Use Zone District
Case Manager: Vern Zakostecky, Development Services Department

BACKGROUND INFORMATION:

The applicant is requesting rezoning to allow for the development of a gymnastics training and event facility. The applicant has also submitted a request to amend the Pleasant Prairie Area Neighborhood Plan Map to a commercial designation. The request for rezoning was submitted without a Preliminary Site Development Plan. If the applications for the Plan Map amendment and rezoning are approved the applicant will need to submit for Preliminary Site Development Plan and Administrative Site Development Plan approval prior to commencing development 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 Future Land Use Map in the Pleasant Prairie Area Neighborhood Plan designates the property as Office and Medium Density Residential. The property is situated at the southwest corner of I-380 and Tower Terrace Rd. NE, which the City of Cedar Rapids and Hiawatha are working with the Iowa Department of Transportation for development of an I-

380/Tower Terrace interchange. Once the interchange is developed all four corner of the interchange will most likely develop as commercial type uses. If the interchange is developed the proposed commercial designation is in accord with the City's Comprehensive Plan's goals and objectives. It should be noted that the property would need to utilize Hiawatha water and would need to get approval for a private sanitary waste treatment facility since the City does not have services to this area yet. As such, case could be made that this is premature development as it is not orderly growth from developed areas of the City outward.

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

Staff Comments: The general area is currently agriculture land and scattered low-density residential on very large parcels of land. A church owns the property directly to the east of this site and has future plans to development a religious facility on the property. Over time the proposed land use will most likely be compatible with future development in the area, particularly if the interchange is developed. The proposed use will most likely generate significant traffic at busy times for the business. Staff has not received any 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 marginally suitable for all uses permitted in the CMU Zoning District since Cedar Rapids water and sanitary sewer are not available and the City of Hiawatha can only provide water at this time. The applicant would need to get approval from the Linn County Health Department for a private sanitary waste disposal system.

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

Staff Comments: The proposed use would most likely set the tone form future development in the area since the general area is largely undeveloped at this time. Based in the information provided by the applicant the proposed structure will not provide development at heights and densities that are out of scale with the existing or future development in the area.

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: As noted above in Finding 4., Cedar Rapids water and sanitary sewer are not available and the City of Hiawatha can only provide water at this time. The applicant would need to get approval from the Linn County Health Department for a private sanitary waste disposal system. All other City services can be adequately provided to the site.

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

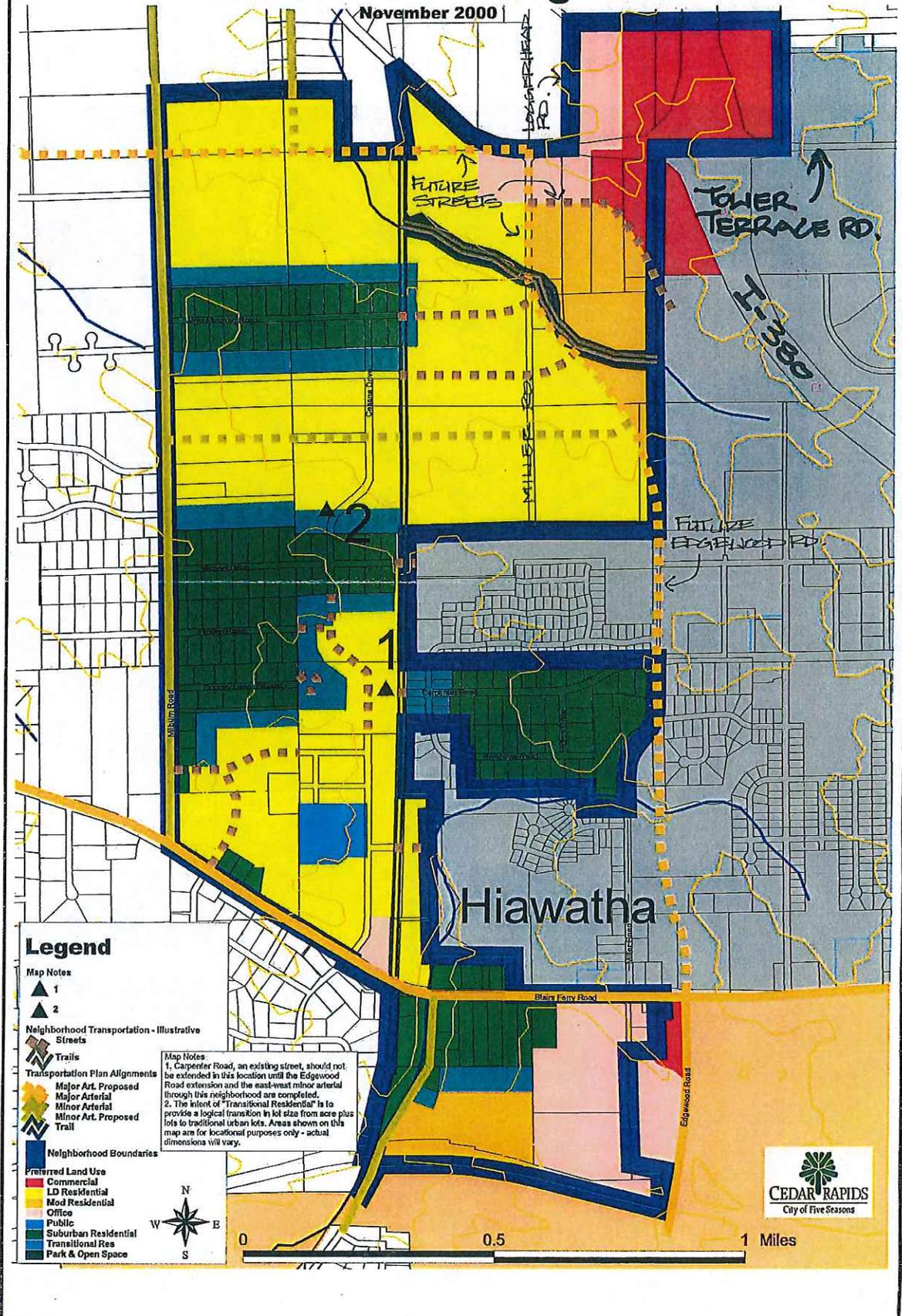
Staff Comments: This provision does not applicable.

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.

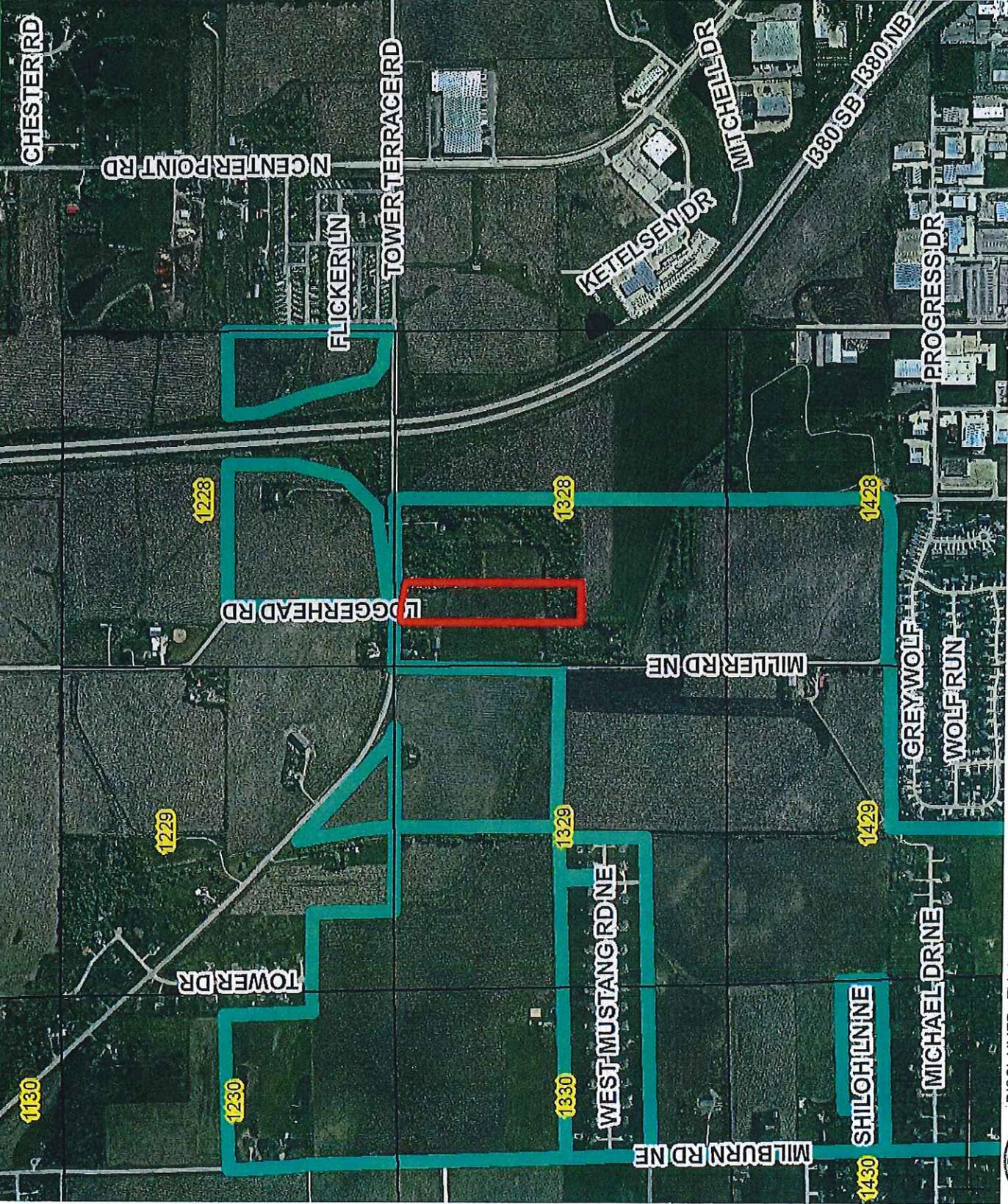
1. That a 50' half street ROW on Tower Terrace Rd. shall be dedicated with future site plan submittal in accordance with ROW requirement for future Tower Terrace Road NE.
2. That future development under this rezoning action shall be subject to the RSDP review process as set forth in Section 32.02.030.G. prior to issuance of building permit(s). Such Development shall meet all City development standards in effect at the time of plan submittal.
3. That this site shall be developed in compliance with the provisions of the Flood Plain Management Ordinance.
4. Required buffer-yards and effective screening will be required where adjacent to an R district or a variance be obtained.
5. That prior to or at the time of application for Preliminary Site Development Plan approval the property owner shall provide evidence that the Iowa Department of Transportation has review and signed off on the development plans for this site.
6. That prior to or at the time of application for Preliminary Site Development Plan approval the property owner shall work with the City Public Works Engineering Department to determine what if any right-of-way needs to be dedicated to provide for the extension of future Edgewood Road through this general area north to Tower Terrace Road NE.
7. That prior to or at the time of application for Preliminary Site Development Plan the property owner shall provide the City with a recorded agreement between the property owner and the City of Hiawatha for provision of Hiawatha water for the property.
8. That at the time of application for Preliminary Site Development approval the property owner shall provide evidence of Linn County Health Department approval for private waste water disposal system to serve the property.

Preferred Land Use - 30 Year Plan Horizon Pleasant Prairie Neighborhood



LEGEND

- Parcel Polygons
- Quarter Sections
- Assessment Neighborhood
- Cartographic Symbols
 - Block Symbol, 0
 - Block Symbol, 1
 - Block Symbol, 4
 - Block Symbol, 5
 - Block Symbol, 6
 - Chord, 2
 - Dimension Arrow, 2
 - Land Hook, 3
 - Legal Arrow, 1
 - Legal Arrow, 4
 - Legal Arrow, 5
 - Legal Arrow, 6
 - Split Dimension Arrow, 3
- Parcel Boundary
 - Corporate Boundary
 - Lot Line
 - Parcel
 - Parcel Split
 - Private Road
 - Quarter Quarter Line
 - Right of Way
 - Subdivision Boundary
 - Water
- Streets
 - call other values
 - Interstate
 - Ramp
 - Highway
 - Unknown
 - Surface
- Corporate Limits
 - Alburnett
 - Bertram
 - Cedar Rapids
 - Center Point
 - Central City
 - Coggon
 - Ely
 - Fairfax
 - Hiawatha
 - Lisbon
 - Marion
 - Mt Vernon
 - Palo
 - Prairieburg
 - Robins
 - Springville
 - Walford
 - Walker
- Image
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

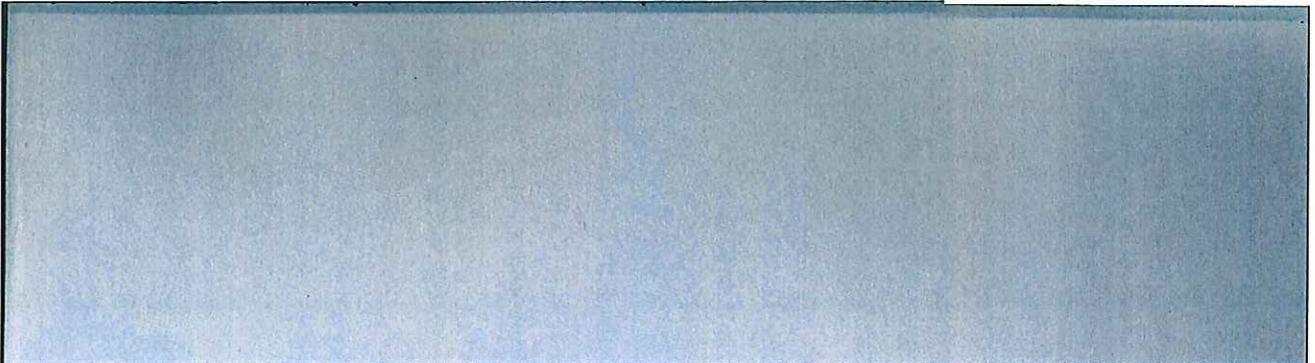
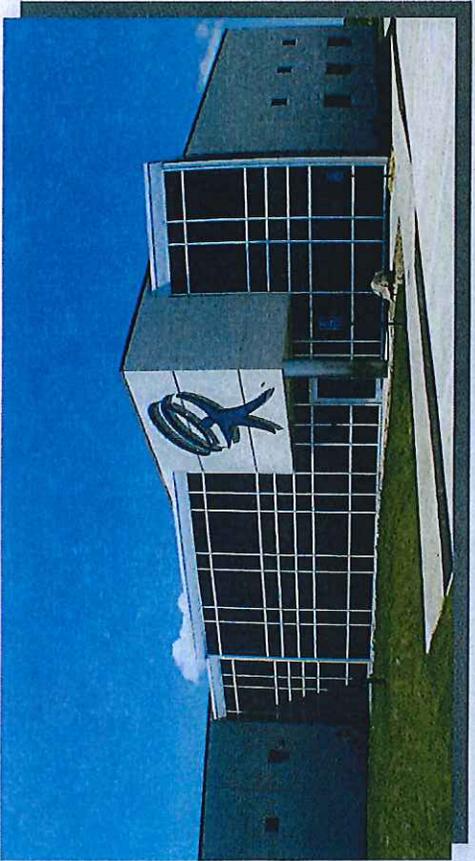
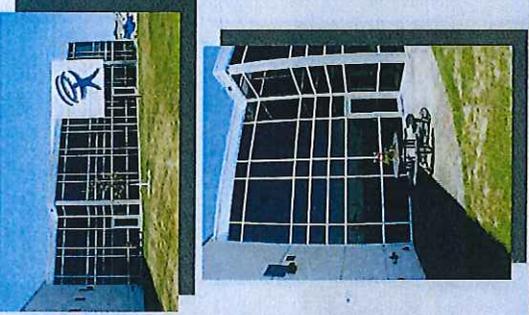
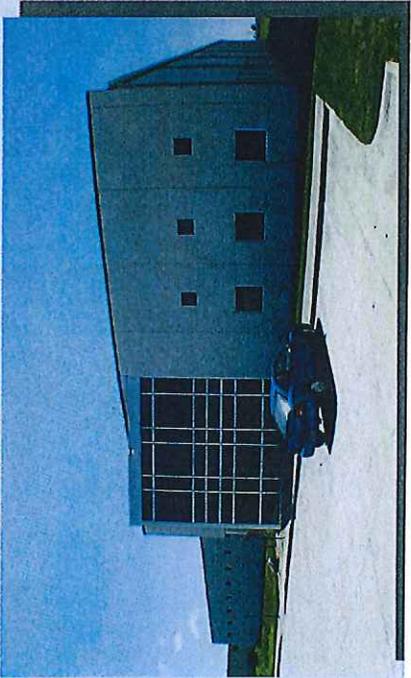


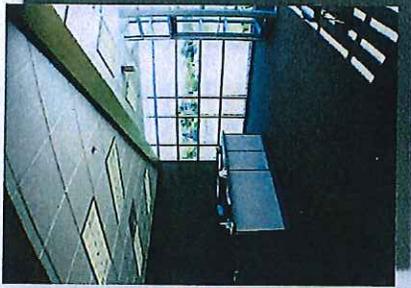
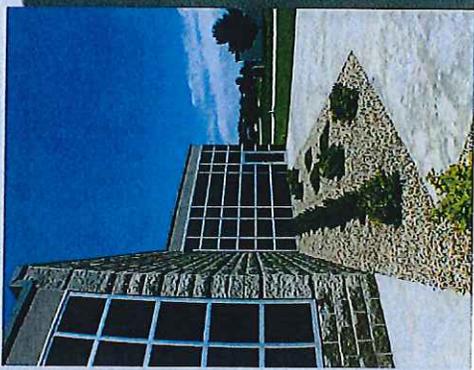
PROPRIETARY INFORMATION: Any resale of this information is prohibited, except in accordance with a use agreement with the City of Cedar Rapids.



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STAFF REPORT TO CITY PLANNING COMMISSION
Rezoning with a Preliminary Site Development Plan

CPC Date: June 27, 2013
To: City Planning Commission
From: Development Services Department

Applicant: Kevin Kennedy
Titleholder: Kevin P. & Gail B. Kennedy
Case Number: RZNE-003001-2013
Location: 210 & 215 B Avenue NW
Request: Rezoning from RMF-1, Multiple Family Residence Zone District and I-2, General Industrial Zone District to I-1, Light Industrial Zone District
Case Manager: Vern Zakostelecky, Development Services Department

BACKGROUND INFORMATION:

The applicant is requesting rezoning to allow for the operation of boat repair and associated sales and contractors shop businesses. The applicant is not proposing any new buildings, but in order to establish the proposed uses rezoning to the I-1 Zoning District is required.

The site consists of the following:

- Total site area is 51,060 sq ft
- Total building area is 22,950 sq ft
- Total hard surface-existing is 41,200 sq ft
- Total hard surface –proposed is 46,960 sq ft
- Total parking required is what’s existing since the property is in the “Core Area”-19 spaces including 2 handicap spaces.
- Outdoor display of boat provided.
- Accesses are existing and will be from 8th & 9th Streets and B Avenue NW.

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 Future Land Use Map in the City's Comprehensive Plan designates the property as Industrial. The request is consistent with the Future Land Map and the goals and objective of the City' Comprehensive Plan.

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

Staff Comments: The currently zoning of the property does not allow for the combination of the proposed uses, boat repair and sales and a contractor's shop. The proposed uses are not high traffic generators and will be a low key use that will provide a transition in use from the residential and industrial commercial-services uses in the general area. The use of the property will not change significantly from how the property has been used in the past. Staff has not received any 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 I-1 Zoning District and the only change to the site will be the addition of a small area of hard surfacing for storage and display of boats.

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

Staff Comments: The proposed change will not greatly change the way the property is used to date and will not provide development at heights and densities that are out of scale with the existing neighborhood.

6. Whether facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development.

Staff Comments: The property is located in an in-fill older developed area and will have 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 vehicle sale shall only be permitted as being accessory to the principal use, and outdoor storage and display of motor vehicles shall be limited to an area no greater than the gross square footage of the principal structure.
2. That said lots are to be combined so as to constitute a single zoning lot and tax parcel.
3. That effective screening shall be provided and maintained where adjacent to an R district or a variance be obtained.
4. 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 current ADA requirements.

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.

5. That the enclosure for dumpsters 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.
6. 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 as per Subsection 32.05.030.B. of the Zoning Ordinance.
7. That sign permit applications must be submitted and approved and permits obtained prior to erection of signage (Subsection 32.06.020 & 32.06.030 are the Sign Regulations in the Zoning Ordinance).



SITE LOCATION MAP

SCALE: 1" = 300'



Project No.
289413-10



Drawing Title:

LOCATION MAP
210 & 215 B AVENUE NW

NO.	DATE	REVISIONS

CONTRACT MSTR. # 100

SEPTAGON DESIGN GROUP
 3500 J Street SW
 Cedar Rapids, IA 52404
 Office (319) 365-6948
 Fax (319) 365-9362

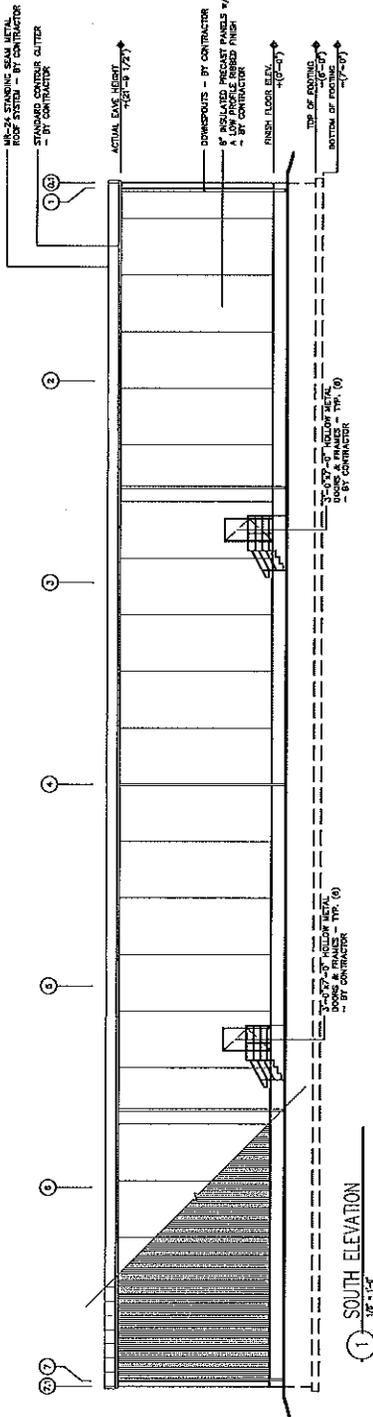
SEPTAGON CONSTRUCTION CO., INC.
 3500 J Street SW
 Cedar Rapids, IA 52404
 Office (319) 365-6948
 Fax (319) 365-9362

JUNPER LAND, L.L.C.
 817 B AVENUE NW
 CEDAR RAPIDS, IOWA

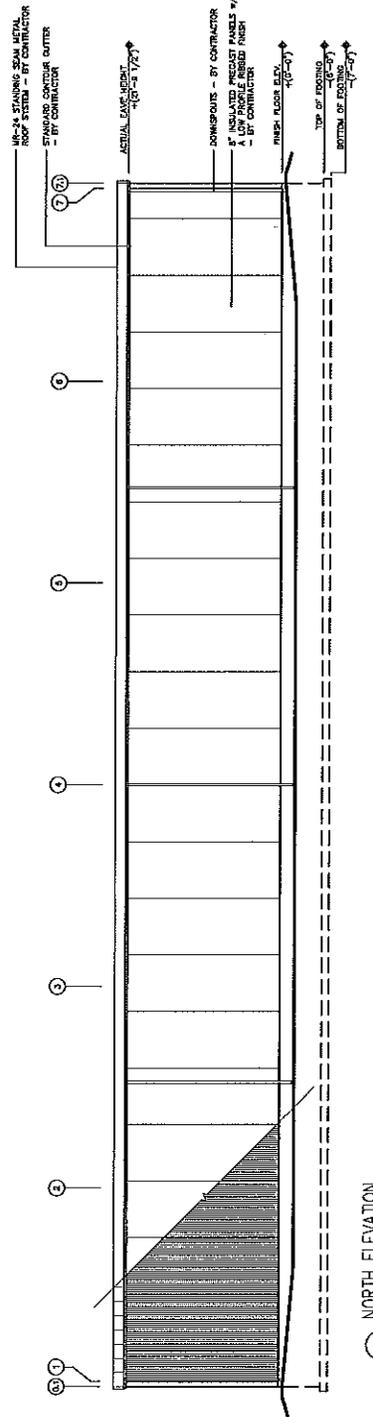
DATE: 08/20/20
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 CHECKED BY: JLS/MS
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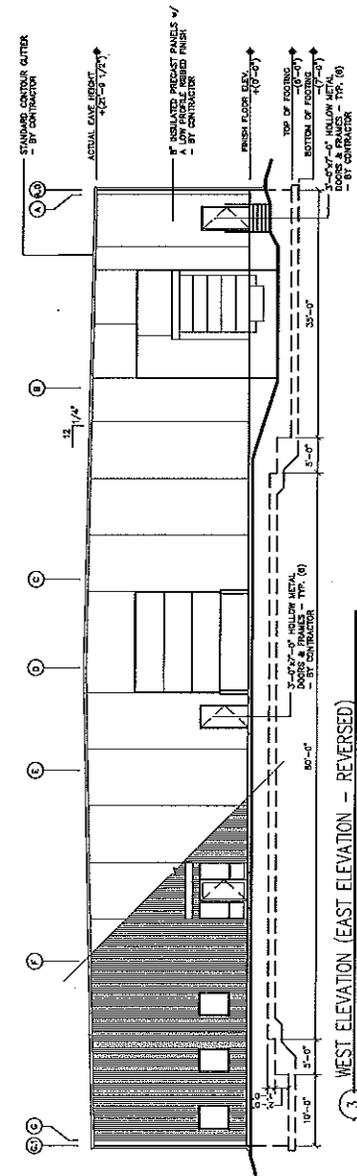
GENERAL NOTES:
 1. UNLESS NOTED OTHERWISE, ALL ITEMS SHOWN ON THE CONSTRUCTION DOCUMENTS ARE BY OTHER.



1 SOUTH ELEVATION
 1/8" = 1'-0"



2 NORTH ELEVATION
 1/8" = 1'-0"



3 WEST ELEVATION (EAST ELEVATION - REVERSED)
 1/8" = 1'-0"



Department Development Services
Public Works Building
1211 6th Street SW
Cedar Rapids, IA 52404
Telephone: (319) 286-5043

STAFF REPORT
Future Land Use Map Amendments

CPC Date: June 27, 2013
To: City Planning Commission
From: Development Services Department

Applicant: Signature Homes
Titleholder: Gary D. Wolverton
Case Number: FLUMA-002993-2013
Location: South of 33rd Avenue SW at 18th Street SW
Request: Future Land Use Map Amendment from Medium Density Residential to Office
Case Manager: Vern Zakostelecky, Development Services Department

BACKGROUND INFORMATION:

The property consists of several parcels (3.86 acres), which will be combined into one zoning lot and tax parcel for the proposed development of a self-storage facility. The applicant is requesting an amendment to the Future Land Use Map from Medium Density Residential to Office. Currently the property is zoned A, Agriculture Zone District. The applicant has also submitted an application for rezoning the property to O-S, Office/Service Zone District and Conditional Use approval to allow for the development to proceed. If the FLUMA, Rezoning and Conditional Use are approved the applicant will develop the property with 11 buildings for storage garages. The applicant hosted a meeting for the neighborhood to share the proposed development plan for the site and there were no major issues or concerns voiced at that time.

FINDINGS:

Chapter IV.E., Policy 1.6.4. of the Comprehensive Plan requires the City Planning Commission to review the application based on the following criteria:

1. Will be consistent with the Plan priorities

Staff Comments: The Future Land Use Map in the Comprehensive Plan shows the property as Medium Density Residential. The proposed use will provide off-site storage for the neighborhood and will also provide a transition in zoning and a buffer between the existing residential neighborhoods to the north and west from the railroad tracks and the contemplated non-residential uses to the east and southeast. The City's Comprehensive Plan includes goals and objectives that provide for transition zoning and buffering from

more intensive existing and planned uses. A case can be made that the requested amendment is consistent with the Plan's goals and objectives.

2. Will be compatible with future land uses for surrounding areas of the community

Staff Comments: The general area has a mix of uses including low-density residential, multi-family residential and railroad and plan non-residential uses. To the north are single-family and multi-family residential. To the west is single-family residential, which was developed by the applicant. To the east and southeast is an active railroad and to the east, northeast and southeast are undeveloped properties shown on the Future Land Use Map as commercial/industrial uses. The proposed land use would allow the continuation of a mix of uses for the general area and provide a transition in use intensity and buffer for the residential uses in the area.

3. Will not create a shortage of any particular type of residential or non-residential land

Staff Comments: The proposed Future Land Use Map amendment for this property will not create a shortage of any particular type of residential or non-residential land.

4. Will enhance the overall quality of life in the community

Staff Comments: The proposed Future Land Use Map amendment and development of this property will provide a transition zoning/use and buffering and screening for the residential in the area.

If the City Planning Commission determines that the requested land use is not appropriate for this location, based on inconsistency with the Comprehensive Plan, the Commission should recommend denial of the proposed Future Land Use Map amendment to City Council.

Should the Commission determine that the proposed land use is appropriate; the Commission should make a recommendation to City Council to amend the Future Land Use Map designation from MEDIUM DENSITY RESIDENTIAL to the requested OFFICE use designation.

STAFF REPORT TO CITY PLANNING COMMISSION
Rezoning with a Preliminary Site Development Plan

CPC Date: June 27, 2013
To: City Planning Commission
From: Development Services Department

Applicant: Signature Homes
Titleholder: Gary D. Wolverton
Case Number: RZNE-002994-2013
Location: South of 33rd Avenue SW at 18th Street SW
Request: Rezoning from A, Agriculture Zone District to O-S, Office/Service Zone District
Case Manager: Vern Zakostelecky, Development Services Department

BACKGROUND INFORMATION:

The applicant is requesting rezoning to allow for development of a Self Service Storage Facility in the O-S, Zoning District. These types of facilities are allowed in the O-S Zoning District if approved as a conditional use and the development plan complies with the development standards for said facilities in the Zoning Ordinance. This rezoning request is accompanied by requests for Conditional Use and Future Land Use Map approvals.

The site consists of the following:

- Total site area is 168,142 sq ft (3.86 acres).
- Total proposed hard surfaced area including buildings is 119,245 sq ft
- Total proposed building area is 62,500 sq ft including 11 storage garage buildings.
- Total parking required is 58 spaces, provided is 4 spaces.
- Access will be from 33rd Avenue SW.

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 Future Land Use Map in the City's Comprehensive Plan designates the property as Medium Density Residential. The request is not consistent with the Future Land Map, but is with the

goals and objective of the City' Comprehensive Plan since the O-S Zoning District provides a buffering zoning between the existing single-family to the north and west from the railroad tracks to the east and southeast. The proposed use will also provide for off-site storage for the existing residential in the neighborhood. The applicant has submitted requests to amend the Future Land Use Map and for conditional use approval.

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

Staff Comments: The property is currently zoned A, Agriculture Zone District, but in order to accommodate the Self Service Storage garage use needs, the property needs to be rezoned to the O-S, Zone District and be approved for a Conditional Use. In the O-S District with a Conditional Use, the developer will need to meet specific design standards, so the development provides buffering and screening and a higher level of design to be more compatible with the residential development in the area. The proposed storage garage use will generate very little traffic and will be a low key use that will provide a transition in use from the railroad and other uses designated for non-residential in the area to the south and east. Staff has not received any 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 C-3 Zoning District and the only change to the site will be the addition of the screened enclosure for the moving vehicles.

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

Staff Comments: The proposed use will provide a buffer from the railroad to the east and southeast and will protect existing neighborhoods from nearby development at heights and densities that are out of scale with the existing neighborhood.

6. Whether facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development.

Staff Comments: This parcel is located in an in-fill area and will have access to all necessary facilities and services without any issues. The only services not available will be sanitary sewer, which is not needed since there is no office proposed on-site.

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. 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 Detention. The City Public Works Department shall provide a copy of the Agreement form upon request by the property owner.
3. That approval of this site development plan is subject to the Conditional Use Permit process and that no building permits shall be issued until such permit is approved by the BOA.
4. That prior to final rezoning action by Council, the existing residential structures 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.
5. That the development of this property be in accordance with the Zoning Ordinance Subsection 32.04.030.A.39., Development Standards for "Self-service storage facilities".
6. That the development of this site as proposed needs to include buffering and screening from all adjoining residential uses per the Zoning Ordinance Subsection 32.05.030.A.
7. The enclosure for dumpsters 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.
8. 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 as per Subsection 32.05.030.B. of the Zoning Ordinance.
9. That sign permit applications must be submitted and approved and permits obtained prior to erection of signage (Subsection 32.06.020 & 32.06.030 are the Sign Regulations in the Zoning Ordinance).
10. That design guidelines and standards as specified in Subsection 32.05.030.C. shall be met or a variance must be obtained.
11. Off-street parking is required at a rate of 1 space per 3000 sq ft GLA plus 1 space for each 2 employees or a variance shall be obtained.

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

CPC Date: June 27, 2013
To: City Planning Commission
From: Development Services Department
Applicant: Signature Homes
Titleholder: Gary D. Wolverson
Case Number: COND-002994-2013
Location: South of 33rd Avenue SW at 18th Street SW
Request: Conditional Use approval for a Self Service Storage Facility
Case Manager: Vern Zakostecky, Development Services Department

BACKGROUND INFORMATION:

The applicant is requesting a rezoning to allow for development of a Self Service Storage Facility in an O-S, Office/Service Zone District. These type of facilities are allowed in the O-S Zoning District if approved as a conditional use and the development plan complies with the development standards for said facilities in the Zoning Ordinance. This rezoning request is accompanied by requests for Conditional Use and Future Land Use Map approvals.

The site consists of the following:

- Total site area is 168,142 sq ft (3.86 acres).
- Total proposed hard surfaced area including buildings is 119,245 sq ft
- Total proposed building area is 62,500 sq ft including 11 storage garage buildings.
- Total parking required is 58 spaces, provided is 4 spaces.
- Access will be from 33rd Avenue SW.

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: Self-storage facilities located in the O-S Zoning District are allowed if approved as a conditional use and meet the design standards established in the Zoning Ordinance.

- 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 proposed site plan conforms to regulations established in Chapter 32 of the Municipal Code and the goals and objectives of the Future Land Use Map in the City's Comprehensive Plan.

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

Staff Comments: Staff does not feel this development will have a negative effect on adjacent properties and the character of the neighborhood. The proposed use will be low traffic generator and will provide a buffer between the railroad and other contemplated non-residential uses to the east and southeast and the residential developments to the north and west.

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: With the O-S Zoning designation and conditional use requirements the site will be designed with required buffering and screening along the west property line between the proposed development and the residential to the west. The development will also have to comply with the design standards in the Zoning Ordinance for this type of facility in the O-S Zoning District. These design standards require a level of site and building design...

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 proposed self-storage facility is a low traffic generator service user and should not have any impact or burden on City services or traffic.

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: The applicant will be responsible for compliance with the conditions adopted with as part of the land development approval processes and will take necessary steps as required by the City Zoning Ordinance to minimize any potential adverse impacts.

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

Staff comments: This item is not applicable.

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 this Ordinance.

RECOMMENDED 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. 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 Detention. The City Public Works Department shall provide a copy of the Agreement form upon request by the property owner.
3. That required buffer yards and effective screening shall be provided and maintained where adjacent to an R district or a variance be obtained.
4. That all storage of goods and materials shall be within a completely enclosed structure. Outdoor storage is expressly prohibited.
5. That required off-street parking shall be provided per provisions of the Zoning Ordinance or a variance be obtained.
6. That approval of this site development plan is subject to the Conditional Use Permit process and that no building permits shall be issued until such permit is approved by the BOA.
7. That prior to final rezoning action by Council, the existing residential structures 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.
8. That the existing structures must be removed under appropriate permit and inspections conducted and approved.
9. That for principal structure 50-years old or older Historic Preservation Commission review is required.
10. That the enclosure for dumpsters 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.
11. 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 as per Subsection 32.05.030.B. of the Zoning Ordinance.
12. That sign permit applications must be submitted and approved and permits obtained prior to erection of signage (Subsection 32.06.020 & 32.06.030 are the Sign Regulations in the Zoning Ordinance).
13. That design guidelines and standards as specified in Subsection 32.05.030.C. shall be met or a variance must be obtained.

EXISTING ZONING A
PROPOSED ZONING: O-S

DATE SUBMITTED: MAY 15, 2013
DATE REVISED: JUNE 5, 2013
DATE REVISED:

LEGAL DESCRIPTION:

Lot 2 of Auditors Plat No 135 except the east 95 feet of the North 175 feet and Lot 3 of Auditors Plat No 135 excepting the public roadway.

OWNER:

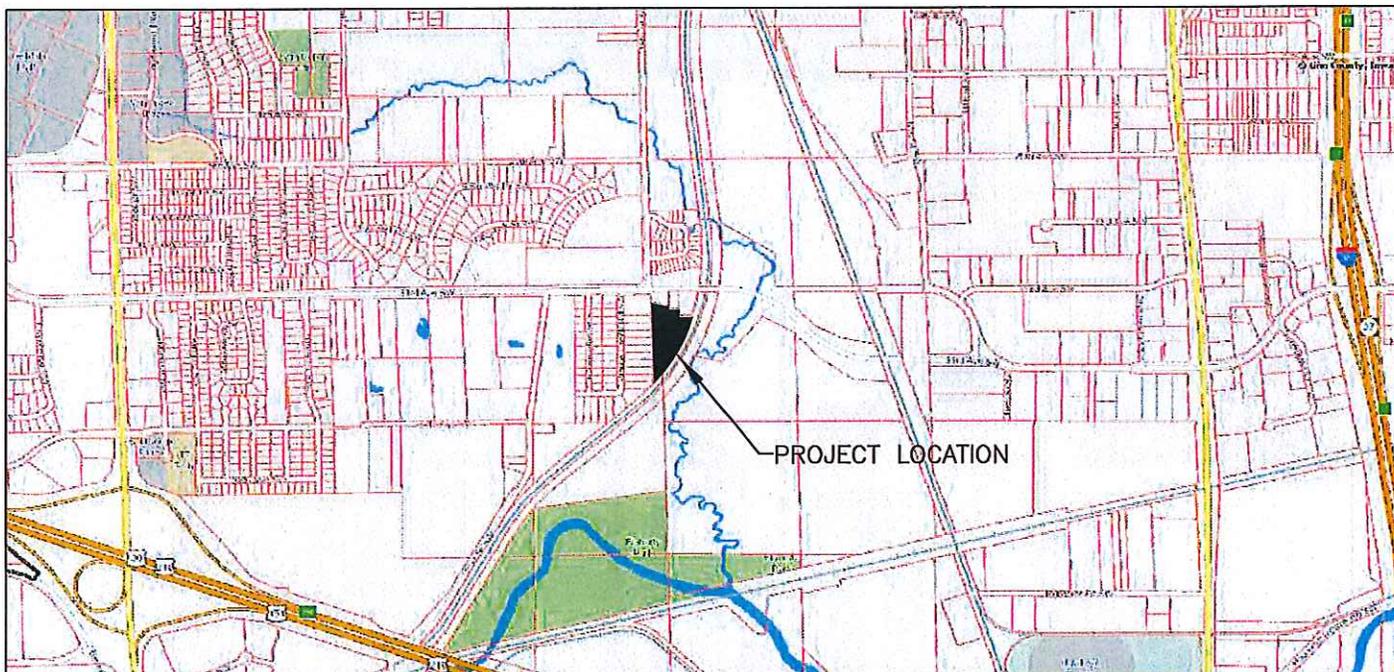
Gary D. Wolverton
6808 Michael Road
Palo, Iowa 52324

PETITIONER:

Mr. John Huber
2818 Chippewa Trail NE
Cedar Rapids, Iowa 52402
Phone: (319) 533-0151
E-Mail: signaturehms@mchsi.com

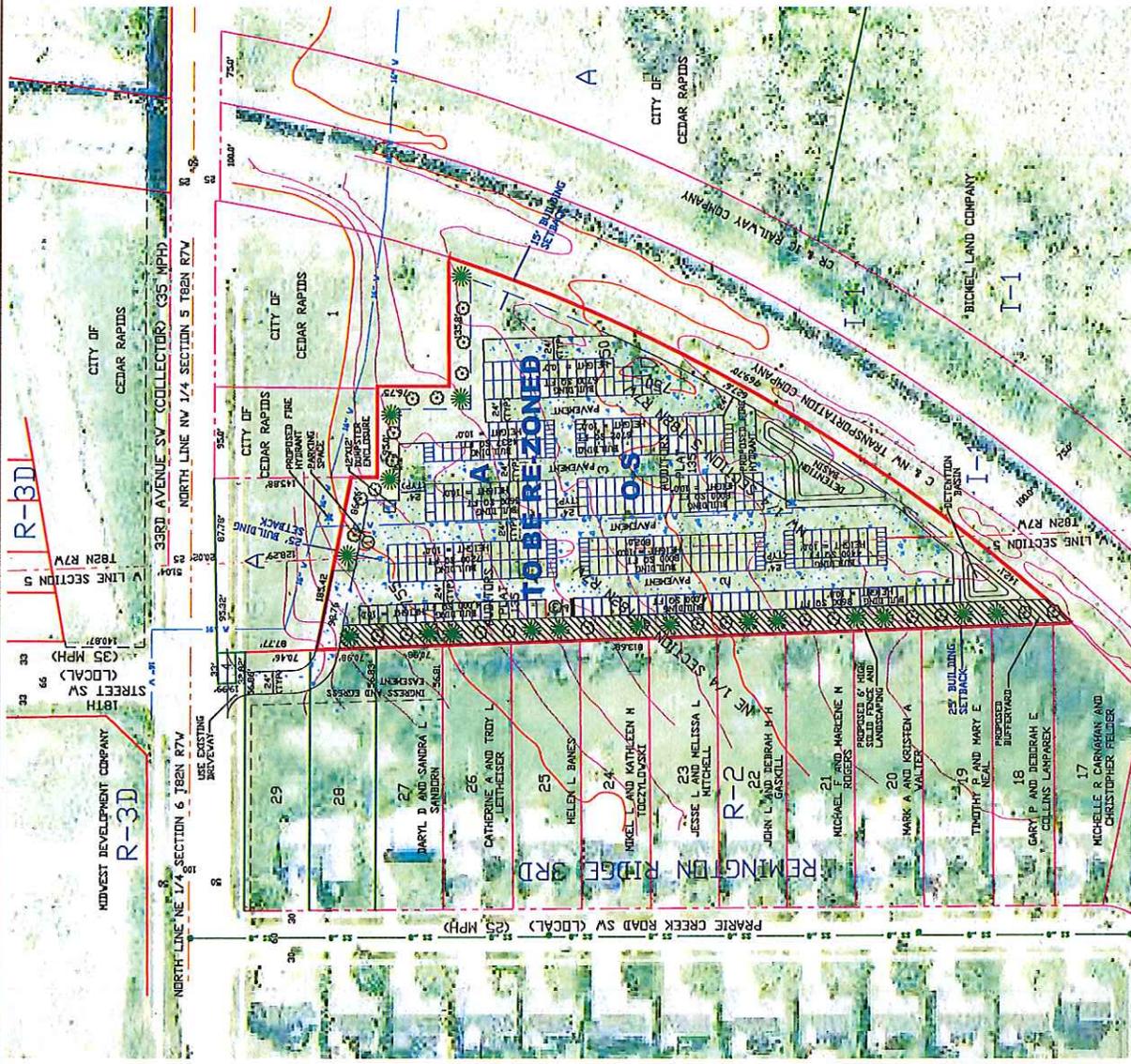
ENGINEER:

Ament Design
C/O Mike Dryden
625 32nd Avenue SW
Cedar Rapids, Iowa 52404
Phone: (319)-378-1401
Fax: (319)-378-1975
E-Mail: Mdryden@ament.com



LOCATION MAP
REMINGTON EAST ADDITION
CITY OF CEDAR RAPIDS, IOWA

Ament
DESIGN



EXISTING ZONING: A
 PROPOSED ZONING: O-S

NOTES:
 1. EXISTING CONTOUR INTERVAL IS 1 FOOT
 2. ALL PARKING SPACES ARE 9' X 19'
 3. EXTERIOR LIGHTING SHALL COMPLY WITH CITY ZONING ORDINANCE, SUBSECTION 32.05.030.B.
 4. DUMPSTER ENCLOSURES SHALL COMPLY WITH CITY ZONING ORDINANCE, SUBSECTION 32.05.030.A.7
 5. STORM WATER MANAGEMENT SHALL BE IN ACCORDANCE WITH MUNICIPAL CODE CHAPTER 72.
 6. SITE LIGHTING TO COMPLY WITH CITY LIGHTING STANDARDS. SITE LIGHTING SHALL BE SHIELDED IN A MANNER THAT SHALL NOT DIRECT ILLUMINATION ON ADJACENT RESIDENTIAL PROPERTIES OR PUBLIC RIGHT-OF-WAY.

OWNER:
 D Nicholson
 8808 Wilcrest Road
 Polk, Iowa 52324

PLATTING ENGINEER:
 Mr. John Huber
 1818 Chippewa Trail NE
 Cedar Rapids, Iowa 52402
 Phone: (319) 535-0151
 E-Mail: signature@metis.com

UNIT SIZE	BLANKETS	%	UNIT MIX	SQ. FEET
10 X 10	250	4.0000%	2500	2500
10 X 15	4	0.0500%	50	50
10 X 20	250	4.0000%	2500	2500
10 X 30	11	0.1750%	110	110
TOTAL	505	8.2250%	5050	5050

PROVIDED:
 40 FEET
 25 FEET
 25 FEET
 40 FEET

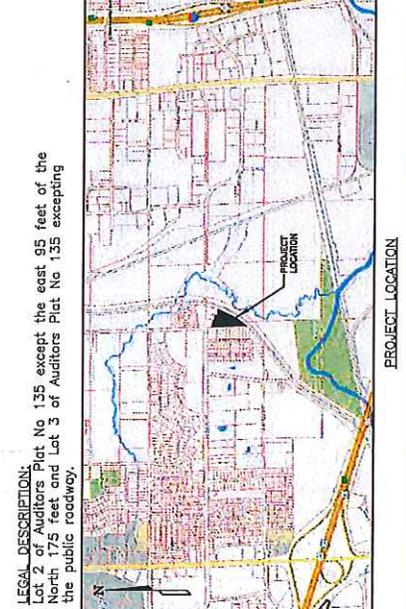
REQUIRED:
 25 FEET
 5 FEET
 25 FEET
 15 FEET

ENGINEER:
 Amert Design
 C/O Mike Dryden
 625 32nd Avenue SW
 Cedar Rapids, Iowa 52404
 Phone: (319)-378-1401
 Fax: (319)-378-1975
 E-Mail: Mdryden@amert.com

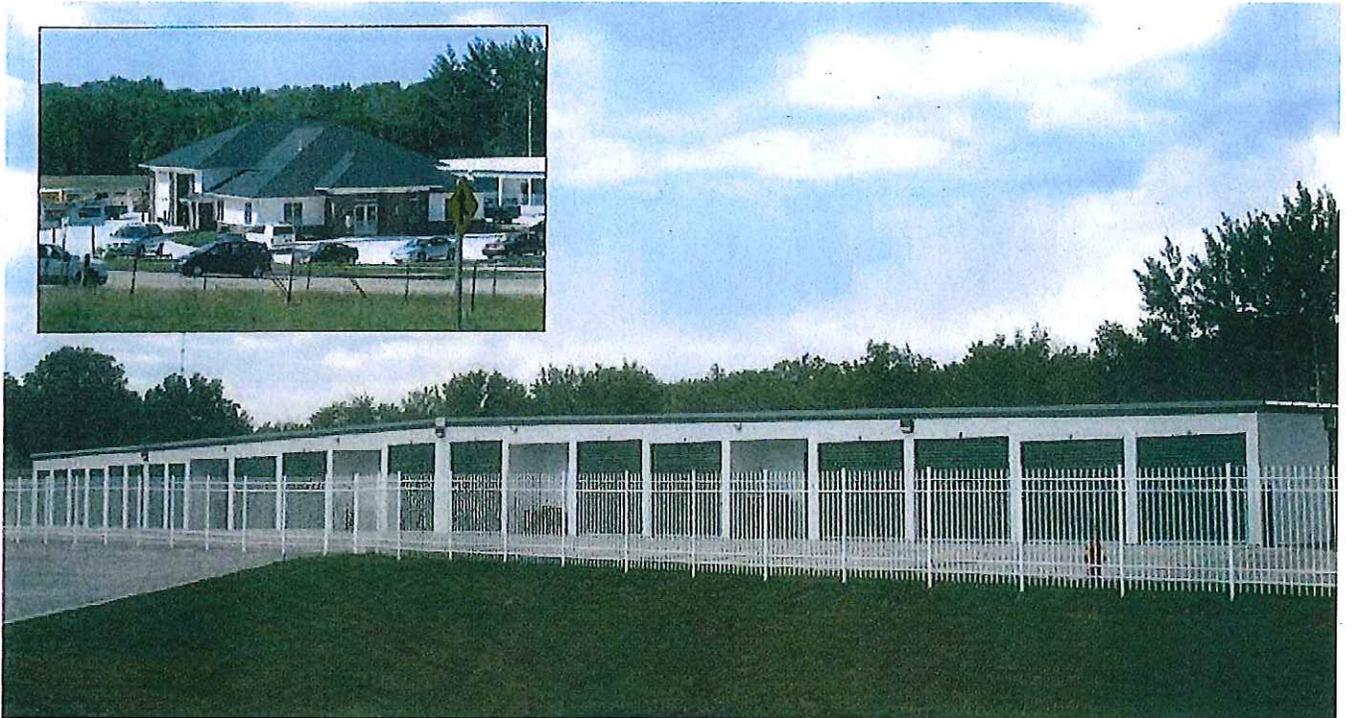
PARKING REQUIRED:
 1. Per 3000 sq ft of Gross Land Area + 1/Each two employees of the building.
 2. Per 1000 sq ft of Gross Land Area + 1/Each two employees of the building.
 3. Spaces provided, including handicap.
 4. Spaces provided, including handicap.

LOT AREA: 169,142 SQUARE FEET OR 3.86 ACRES
 PROPOSED BUILDING AREA = 0.0 SQUARE FEET OR 0.0%
 PROPOSED BUILDING AREA = 6350 SQUARE FEET OR 37.2%
 EXISTING HARD SURFACE AREA = 0.0 SQUARE FEET OR 0.0%
 PROPOSED HARD SURFACE AREA = 119245 SQUARE FEET OR 70.9%

NOTES:
 1. THERE ARE NO FLOOD HAZARD BOUNDARIES LOCATED ON THE SITE.



LEGAL DESCRIPTION:
 Lot 2 of Auditors Plat No 135 except the east 95 feet of the North 175 feet and Lot 3 of Auditors Plat No 135 excepting the public roadway.



Typical Building Elevation
33rd Avenue SW Self-Storage Units
Remington East Addition

CITY PLANNING COMMISSION MEETING

Thursday, July 18, 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.

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 (Applicant) and Donna R. and Ross R. Neal (Titleholder).

Case No: PSDP-002433-2013 Case Manager: Vern Zakostecky

2. Case Name: 5610 4th Street Court SW (Rezoning)

Recommendation for approval of a rezoning from I-1, Light Industrial Zone District to C-3, Regional Commercial Zone District as requested by Point Builders (Applicant) and Armstrong-Race Realty Co. (Titleholder).

Case No: RZNE-003157-2013 Case Manager: Vern Zakostecky

3. **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-003218-2013 **Case Manager:** Vern Zakostelecky

4. **Case Name:** 1010 Boyson Road NE (Rezoning)

Recommendation for approval of a rezoning from O-S, Office/Service Zone District to RMF-1, Multiple Family Residence Zone District as requested by The Commons at Boyson Park LLC (Applicant) and SB/CB Partnership (Titleholder).

Case No: RZNE-003427-2013 **Case Manager:** Vern Zakostelecky

5. **Case Name:** 1015 3rd Street SE (Rezoning)

Recommendation for approval of a rezoning from RMF-2, Multiple Family Residence Zone District to C-3, Regional Commercial Zone District as requested by Joseph Harnish (Applicant) and WM Harnish (Titleholder).

Case No: RZNE-003450-2013 **Case Manager:** Vern Zakostelecky

6. **Case Name:** 4825 Johnson Avenue NW (Rezoning)

Recommendation for approval of a rezoning from O-S, Office/Service Zone District; RMF-1, Multiple Family Residence Zone District, and C-3, Regional Commercial Zone District to C-2, Community Commercial Zone District as requested by Hy-Vee Inc. (Applicant) and Cedar Rapids Ventures, Bernard and Mary Cejka, John and Christine Robson and Hy-Vee Inc. (Titleholders).

Case No: RZNE-003483-2013 **Case Manager:** Vern Zakostelecky

7. **Case Name:** 1201 Blairs Ferry Road NE and 1103 Blairs Ferry Road NE (Rezoning)

Recommendation for approval of a rezoning from I-I, 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 (Titleholder).

Case No: RZNE-003536-2013 **Case Manager:** Vern Zakostelecky

8. **Case Name:** 4200 1st Avenue NE (Conditional Use)

Recommendation for approval of a Conditional Use for a telecommunication tower in a R-2, Single Family Residence Zone District as requested by Capitol Telecom LLC (Applicant) and Cedar Memorial Park Cemetery (Titleholder).

Case No. COND-001736-2013 **Case Manager:** Vern Zakostelecky

- **New Business**
- **Training Opportunities**
- **Announcements**