

**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**

**REGULAR AGENDA**

1. **Case Name:** 5610 4<sup>th</sup> 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 Todd Slezak (Titleholder).

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

2. **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 Zakostecky*

3. **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 Hy-Vee, Inc. Cedar Rapids Ventures, Bernard and Mary Cejka and John and Christine Robson. (Titleholders).

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

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

Recommendation for approval of a Conditional Use for a telecommunication tower in an R-2, Single Family Residence Zone District as requested by Capitol Telecom LLC and Southwest Wireless L.P. d/b/a Verizon Wireless (Applicants) and Cedar Memorial Park Cemetery (Titleholder).

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

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

**MINUTES  
CITY PLANNING COMMISSION REGULAR MEETING,  
Thursday, June 27, 2013 @ 3:00 p.m.**

**Cedar Rapids City Hall Council Chambers, 101 First Street SE**

Members Present: Scott Overland, Chair  
Jim Halverson, Vice – Chair  
Scott Friauf  
Gloria Frost  
Carletta Knox-Seymour  
Laura Seaton  
Allan Thoms  
Virginia Wilts

Members Absent: Mike Tertinger

DSD Staff: Vern Zakostelecky, Planner  
Joe Mailander, Manager  
Dave Houg, Zoning Specialist

CD Staff: Seth Gunnerson, Planner  
Alicia Abernathey, Administrative Assistant

The meeting was called to order at 3:01 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 seven (7) Commissioners present and two (2) absent.

Commissioner Overland stated Commissioners have received the minutes from June 6, 2013 and called for additions or corrections. Commissioner Thoms made a motion to approve the minutes from June 6, 2013. Commissioner Wilts seconded the motion. The motion passed unanimously with none opposed.

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

## **CONSENT AGENDA**

### **1. Case Name: 202 12<sup>th</sup> Street NW (Conditional Use) Case No. COND-003000-2013; Case Manager: Dave Houg**

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).

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

Commissioner Knox-Seymour joined the meeting at 3:03 p.m.

## **REGULAR AGENDA**

### **1. Case Name: 4035 Mt Vernon Road SE (Conditional Use) Case No. COND-002985-2013; Case Manager: Dave Houg**

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).

Dave Houg, Development Services, stated there is a request to add an outdoor service area to the Hy-Vee on Mt Vernon Road as part of overall upgrades to the building. The request is to add a fenced 24' by 32' patio to the front of the building for patrons to be served alcoholic beverages. Mr. Houg presented a location map and site plan pointing out the site location and outdoor patio location. Mr. Houg also presented an example of the proposed fencing for the patio.

Commissioner Overland called for questions of Mr. Houg. 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 conditional use. Commissioner Knox-Seymour made a motion to approve the conditional use for an outdoor service area in a C-2, Community Commercial Zone District. Commissioner Frost seconded the motion.

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

### **2. Case Name: 4625 Tower Terrace Road NE (FLUMA and Rezoning) Case No. FLUMA-003506-2013 and RZNE-002991; Case Manager: Vern Zakostelecky**

- 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 (Titleholder).

- 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 (Titleholder).

Vern Zakostecky, Development Services, stated the property is south of Tower Terrace Road and west of Interstate 380. The applicant is looking to develop a gymnastics training and event facility. The applicant is Twisters Gymnastics who currently own a facility in Hiawatha and are looking to develop a new facility. A site plan was not submitted with the rezoning so the site plan will return to City Planning Commission in the future. This is an amendment to the Pleasant Prairie Neighborhood Plan as the area was being contested for annexation by Hiawatha when the Comprehensive Plan was adopted. The Comprehensive Plan shows it as a future planning area. City staff met with the neighborhood residents and developed an area plan with a future land use map associated with the plan. Mr. Zakostecky presented a location map and aerial photo pointing out the property location and the potential Tower Terrace Road Interchange. A neighboring property owner contacted City staff and pointed out a well is located on the property and requested the well be capped to ensure no future contamination. Mr. Zakostecky presented the Pleasant Prairie Neighborhood Area Plan pointing out future road extensions in relation to the property.

Commissioner Overland called for questions of Mr. Zakostecky. Commissioner Thoms stated by making this change, the City is committing to making the entire area commercial. Mr. Zakostecky stated that is correct to a certain extent. This type of use is allowed in a commercial district but is more of a service related activity. The City does not currently have public sewer or water at this location and would have to provide a lift station to allow sewer and water.

Commissioner Thoms asked what was located west of the property. Mr. Zakostecky stated a large lot single-family home is located west of the property. An effort has been made to reach out to the neighborhood in regard to the land use and rezoning changes.

Commissioner Halverson stated for the record his daughter was employed by Twisters Gymnastics and was a gymnast there for several years but he does not feel it would require recusal from the discussion. Commissioner Halverson asked why the conditions do not list the capping of the well. Mr. Zakostecky stated it was not included in the staff report as the well was brought to staff attention a few days prior to the meeting but the capping of the well should be included in the motion as a condition.

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 Future Land Use Map Amendment. Commissioner Halverson made a motion to approve the Future Land Use Map Amendment from Office and Medium Density Residential to Commercial with the additional condition of capping the well. Commissioner Knox-Seymour seconded the motion.

Commissioner Overland called for discussion on the motion. Commissioner Thoms stated he does not support the motion as there has not been a complete effort of determining what the use of the land is going to be overall. Commissioner Friauf stated Hiawatha, Marion and Cedar Rapids are spending a lot of money to get Tower Terrace Road to be a recognizable roadway and growth will happen rapidly once the roadway is complete. Mr. Zakostecky stated Iowa DOT

was weighed in on the development to ensure it does not interfere with the Tower Terrace Road Interchange. Commissioner Halverson stated this use is more conducive for the area rather than residential. Commissioner Thoms stated he is objecting to changing the land use to commercial.

Commissioner Overland called for a vote on the motion. The motion passed with a vote of six (6) to two (2).

Commissioner Overland called for a motion to approve the rezoning. Commissioner Friauf made a motion to approve the rezoning from A, Agriculture Zone District to C-MU, Commercial Mixed Use Zone District with the additional condition of capping the well. Commissioner Halverson seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed with a vote of six (6) to two (2).

**3. Case Name: 210 & 215 8<sup>th</sup> Street NW (Rezoning) Case No. RZNE-003001-2013; Case Manager: Vern Zakostelecky**

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

Mr. Zakostelecky pointed out the agenda had an error in the address and the correct address is 210 8<sup>th</sup> Street NW. This is a rezoning with a site plan and is an existing developed site in an older core area of the City. The applicant is requesting rezoning to operate a boat repair and sales facility with a portion continuing to be used by a contractor shop. The site is approximately 51,000 sq. ft. with an existing building of approximately 22,000 sq. ft. The applicant currently has 19 parking spaces including 2 handicap spaces. Outdoor display of boats will be allowed. Mr. Zakostelecky presented a location map, aerial photo and site plan pointing out the property location, zonings surrounding the property and the proposed changes to the site.

Commissioner Overland called for questions of Mr. Zakostelecky. No questions were presented.

Commissioner Overland called for a representative of the applicant. Doug Brain, Brain Engineering, Inc., stated he is available to answer questions.

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 rezoning. Commissioner Knox-Seymour made a motion to approve the rezoning from RMF-2, Multiple Family Residence Zone District and I-2, General Industrial Zone District to I-1, Light Industrial Zone District. Commissioner Halverson 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: South of 33<sup>rd</sup> Avenue at 18<sup>th</sup> Street SW (FLUMA, Rezoning and Conditional Use) Case No. FLUMA-002993-2013, RZNE-002994-2013 and COND-002995-2013; Case Manager: Vern Zakostelecky**

- 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).
- 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).
- c) Recommendation for approval of a Conditional Use for self-service storage facility in an O-S, Office/Service Zone District for property south of 33<sup>rd</sup> Avenue at 18<sup>th</sup> Street SW as requested by Signature Homes (Applicant) and Gary D. Wolverton (Titleholder).

Mr. Zakostelecky stated this is a self-storage facility request in an O-S zoning. In previous years an application was received for a storage facility in O-S and the City worked to adopt an amendment to the zoning ordinance to allow storage facilities in the O-S district but they have to be designed to a higher standard. Railroad tracks are located to the east of the property with residential to the west and north. The applicant is requesting 11 storage garages. The parking required is 58 spaces but is excessive for this type of use so the applicant will be requesting a variance to bring the parking down. Mr. Zakostelecky presented a location map, aerial photo and site plan pointing out the property location, neighboring properties and buffering locations.

Commissioner Overland called for questions of Mr. Zakostelecky. Commissioner Halverson asked if the buffering would be a combination of fence and plantings. Mr. Zakostelecky stated the applicant will have plantings and a decorative fence as chain link fences would not be allowed in the O-S zoning district. Commissioner Halverson asked if any discussion has taken place is regard to the possibility of berming. Mr. Zakostelecky stated he is unaware if berming has been discussed but the applicant can probably answer the question.

Commissioner Overland called for a representative of the applicant. Mike Dryden, Ament Design, stated the plan is to have a decorative fence and plantings for screening. A public open house was held and some of the neighbors are present to speak in favor of the project. In terms of typography, the site sits lower than 33<sup>rd</sup> Avenue and has poor visibility from 33<sup>rd</sup> Avenue.

Commissioner Overland called for questions of the applicant. No questions were presented.

Commissioner Overland called for members of the public who wished to speak. John Huber, 3409 Royal Drive SW; Helen Anderson, 3325 Prairie Creek Rd SW; Daryl Sanborn, 3307 Prairie Creek Rd SW; and Marybeth Niel, 3505 Prairie Creek Rd SW; all provided comments in support of the proposed self-storage facility.

Commissioner Overland called for a motion to approve the Future Land Use Map Amendment. Commissioner Halverson made a motion to approve the Future Land Use Map Amendment from Medium Density Residential to Office. 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 rezoning. Commissioner Friauf made a motion to approve the rezoning from A, Agriculture Zone District to O-S, Office/Service Zone District. Commissioner Wilts 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 conditional use. Commissioner Frost made a motion to approve the conditional use for self-storage facility in an O-S, Office/Service Zone District. 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 3:45 p.m.

Respectfully Submitted,

Alicia Abernathey, Administrative Assistant II  
Community Development

DRAFT

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

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CPC Date: July 18, 2013  
To: City Planning Commission  
From: Development Services Department

Applicant: Point Builders  
Titleholder: Todd Slezak  
Case Number: RZNE-003157-2013  
Location: 5610 4<sup>th</sup> Street Court SW  
Request: Change of zoning from I-1, Light Industrial Zone District to C-3, Regional Commercial Zone District  
Case Manager: Vern Zakostecky, Development Services Department

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**BACKGROUND INFORMATION:**

The subject property is currently undeveloped and the applicant is requesting rezoning to allow for the development of a cheerleaders training school. The Preliminary Site Development Plan as submitted shows the following proposed improvements to the property:

- Total site area is 69,600 sq. ft. (1.60 acres).
- Total proposed hard surfaced area including building is 42,910 sq. ft.
- Total proposed building area is 14,000 sq. ft. including 11 storage garage buildings.
- Total parking required is 56 spaces, provided is 57 spaces.
- Access will be from the cul-de-sac at the end of 4<sup>th</sup> Street SW.
- Storm water detention has been development for the overall development and is not needed on this 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 (FLUM) in the City's Comprehensive Plan designates the property as Commercial/Industrial. The proposed rezoning to the C-3 Zoning District is in accord with the FLUM.

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

*Staff Comments:* The general area is currently largely developed with commercial, light industrial, and service related businesses and the proposed zoning and use is consistent with the characteristics of the surrounding area, including any changing conditions. 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.

**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 and development will be consistent with the development in the general area and will protect the existing area from nearby development at heights and densities that are out of scale with the existing 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:* This's an in-fill site in an area which is currently provided with all facilities and services and will not affect the services and facilities already being provide to the general area.

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

*Staff Comments:* This provision is 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. Required off-street parking shall be provided per provisions of the Zoning Ordinance or a variance be obtained.
2. Design guidelines and standards as specified in Subsection 32.05.030.C. shall be met or a variance must be obtained.
3. A loading berth is required for non-residential structures containing more than 10,000 sq. ft. of gross floor area or a variance must be obtained.





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

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CPC Date: July 18, 2013  
To: City Planning Commission  
From: Development Services Department

Applicant: The Commons at Boyson Park, LLC  
Titleholder: SB/CB Partnership  
Case Number: RZNE-003427-2013  
Location: 1010 Boyson Road NE  
Request: Change of zoning from O-S, Office/Service Zone District to RMF-1, Multiple Family Residence Zone District  
Case Manager: Vern Zakostecky, Development Services Department

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**BACKGROUND INFORMATION:**

The subject property is currently undeveloped and the applicant is requesting rezoning to allow for the development of multi-family owner occupied condominium complex. The Preliminary Site Development Plan as submitted shows the following proposed improvements to the property:

- Total site area is 139,392 sq. ft. (3.20 acres).
- Proposed structures include 4 with 10 condominiums unit in each for a total 40 units.
- Total proposed hard surfaced area including buildings is 79,547 sq. ft.
- Total open space proposed is 59,845 sq. ft. (42.9% of site area).
- Total parking required is 80 spaces, provided is 80 spaces in garages and additional spaces in front of garages.
- Access will be from Doubletree Road NE.
- Storm water detention has been development for the overall development and is not needed on this 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 (FLUM) in the City's Comprehensive Plan designates the property as Office. The proposed rezoning to the RMF-1 Zoning District is in accord with the FLUM, since at the time the Map and Comprehensive Plan was adopted multi-family residential was allowed in the O-S Zoning District.

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

*Staff Comments:* The areas to the east and west are developed as multi-family residential and to the north and south is single-family residential housing. Given the mix of housing types in the area the proposed zoning and use is consistent with the characteristics of the surrounding area. 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 RMF-1 Zoning District.

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

*Staff Comments:* The proposed use and development will be consistent with the development in the general area. Since this is an in-fill site, which is surrounded by existing residential development, the issue of protecting the existing area from nearby development at heights and densities that are out of scale, is not an issue.

**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 is an in-fill site in an area which is currently provided with all facilities and services and will not affect the services and facilities already being provided to the general area.

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

*Staff Comments:* This provision is 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. If the construction of this project is in phases, accommodations must be made to allow solid waste collection equipment the ability to turn around on dead ends.
2. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to construct 6' wide concrete sidewalk along Boyson Road NE and 4' wide sidewalk along Doubletree Road NE adjoining this site. The City will reimburse the property owner for a 2' wide portion of the 6' wide sidewalk in accordance with City policy. The property owner shall construct the sidewalk improvements in accordance with City Standards, ADA requirements, and improvement plans accepted by the City Public Works Director/City Engineer.
3. 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.
4. 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.
5. That landscaping and buffering/screening shall be provided per the Zoning Ordinance, Subsection 32.05.030.A. This includes a minimum 15' buffer yard along the north property where the development abuts single family residential. Screening for car headlights needs to be taken into consideration along the other 3 sides of the site.
6. That existing trees 5" dbh or larger removed to make way for the development will need to be replaced on a one-for-one basis. This requirement is over and above the typical landscaping requirements.





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

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CPC Date: July 18, 2013  
To: City Planning Commission  
From: Development Services Department

Applicant: Hy-Vee, Inc. Attn: Randy Downs  
Titleholder: Hy-Vee, Inc., Cedar Rapids Venture, Bernard & Mary Cejka and John & Christine Robson  
Case Number: RZNE-003483-2013  
Location: 4825 Johnson Avenue NW  
Request: Change of zoning 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  
Case Manager: Vern Zakostelecky, Development Services Department

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**BACKGROUND INFORMATION:**

The main portion of the subject property is currently developed with a 13,000 sq. ft. Hy-Vee Drug store. The applicant is requesting rezoning to allow for the expansion and renovation of the existing facility to what Hy-Vee is calling their “Main Street Store”. This new marketing approach allows more options for customers as there will be more grocery products available than there are today. The existing site will be combined with two small parcels to the east and one larger parcel of land to the south to provide for said expansion. The Preliminary Site Development Plan as submitted shows the following proposed improvements to the property:

- Total site area is 160,378 sq. ft. (3.68 acres).
- Proposed structure including the existing and proposed is 27,000 sq. ft.
- Total proposed hard surfaced area is 77,500 sq. ft.
- Total open space proposed is 60,308 sq. ft. (37.6% of site area).
- Total parking required is 90 spaces, provided is 148 spaces.
- Access will essentially remain as it is today with a customer access from Johnson Avenue NW and truck access from 1<sup>st</sup> Avenue
- Storm water management will be developed at the southeast corner 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 (FLUM) in the City's Comprehensive Plan designates the property as Commercial except for the southerly portion, but since the lines on the FLUM are considered to be flexible and not static a case could be made that the proposed rezoning request to the C-2 Zoning District is in accord with the FLUM. Also the request is in accord with the goals and objectives in the Comprehensive Plan, which encourages lands to be available for expansion of uses and reuse of existing structure where feasible, rather than abandoning facilities and building new on the fringes of the City.

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

*Staff Comments:* The areas to the west and south are developed as high density multi-family residential and the properties to the north and east are developed as commercial uses. The property to the southeast is owned by the City and could potentially develop as high density residential, office or commercial. Given the mix of uses in the area and the fact this is an expansion of an existing facility which provides neighborhood shopping, the proposed zoning and use is consistent with the characteristics of the surrounding area. 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-2 Zoning District.

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

*Staff Comments:* The proposed use and development will be consistent with the development in the general area. Since this is an expansion of an existing business into an in-fill site, which is surrounded by existing high density residential and commercial development, the issue of protecting the existing area from nearby development at heights and densities that are out of scale, is not a concern.

**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 is an existing development expanding into an in-fill site in an area which is currently provided with all facilities and services and will not affect the services and facilities already being provided to the general area.

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









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

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CPC Date: July 18, 2013  
To: City Planning Commission  
From: Development Services Department

Applicant: Capital Telecom, L.L.C. and Southwest Wireless L.P. d/b/a Verizon Wireless  
Titleholder: Cedar Memorial Park Cemetery  
Case Number: COND-001736-2013  
Location: 4200 First Avenue NE  
Request: Conditional Use approval for a Communications Tower  
Case Manager: Vern Zakostecky, Development Services Department

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**BACKGROUND INFORMATION:**

The applicant requested approval of a conditional use for a 125' tall communications tower in the Cedar Memorial Cemetery east of C Avenue and south of Collins Road NE, which is zoned R-2, Single Family Residence Zone District. The proposed tower would be located on the north side of the site southwesterly of the Kohl's Department Store. The proposed tower would be designed to accommodate four antenna arrays. The ground mount equipment area will be fully screened to meet the Zoning Ordinance requirements. Access will be from a driveway within the Cedar Memorial Park Cemetery.

**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:* Communication towers can be located in the R-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 City's Future Land Use Map identifies this site as Institutional/Public, which was based on the current use of the property. The communication tower would be considered a secondary use on the site and is subject to conditional use approval.

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

*Staff Comments:* The communication tower, which is a monopole tower is proposed along the northern edge of the cemetery and will meet the "fall-zone" setbacks as established in the Zoning Ordinance (50% of the height of the tower). The ground mounted equipment area will be enclosed with an 8' tall screen fence and landscape plantings on the north and east sides. Given the area is commercial and office uses to the north and cemetery use to the south, 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. The single family homes to the west on the east side of C Avenue NE will be removed in the near future to make way for the City street project that is part of the Collins Road NE improvement plan.

- 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:* As mentioned in findings #3 above, the proposed communication tower site will be designed to the extent possible to 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 properties. The proposed use should not have any major negative impacts on the surrounding area.

- 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:* Traffic congestion in this area is minimal, and all services are currently available to serve the lot. The addition of the communication tower will 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:* As previously mentioned, placement of the communications tower on the north ends of the site along with fencing and screen plantings create a good site design. Staff feels reasonable steps have been taken to minimize any potential adverse effects on the surrounding properties through site design, site location, landscaping, and screening.

- 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.**

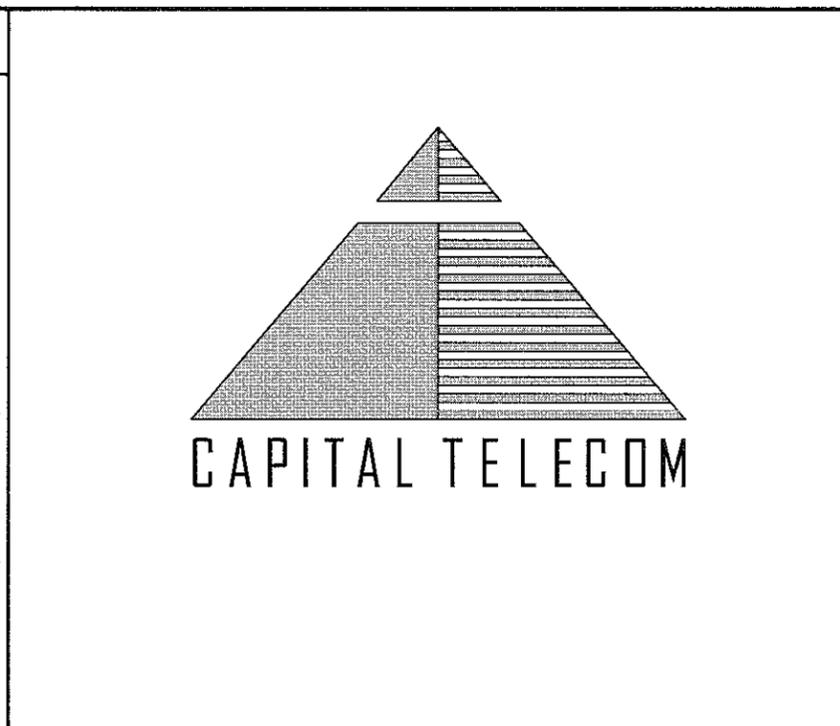
*Staff comments:* The site development plan conforms to all applicable requirements of this Ordinance.

#### **RECOMMENDED CONDITIONS:**

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 the siting of this proposed communication tower shall meet all applicable regulations in Subsection 32.04.030.A.8.
2. A tree inventory will be required and replacement trees will be required on a one for one basis per Subsection 32.05.030.A. of the City Zoning Ordinance or a variance will need to be obtained.

DRAWING INDEX (ZD's)	REV.
T-1 TITLE SHEET	10
LS-1, 2, 3 SURVEY (REFERENCE)	0
A-1 OVERALL SITE PLAN	10
A-2 ENLARGED SITE PLAN AND TOWER ELEVATION	10
C-11 PRELIMINARY GRADING AND EROSION CONTROL PLAN	10
C-12 COMPOUND GRADING PLAN	10
C-13 TREE REMEDIATION PLAN	10
C-14 CONCEPTUAL BACKAGE ROAD PLAN	10
C-15 SITE DETAILS	10
C-2 WOOD FENCE DETAIL	10
L-1 LANDSCAPING PLAN	10
SH-1 SHELTER ELEVATIONS	10

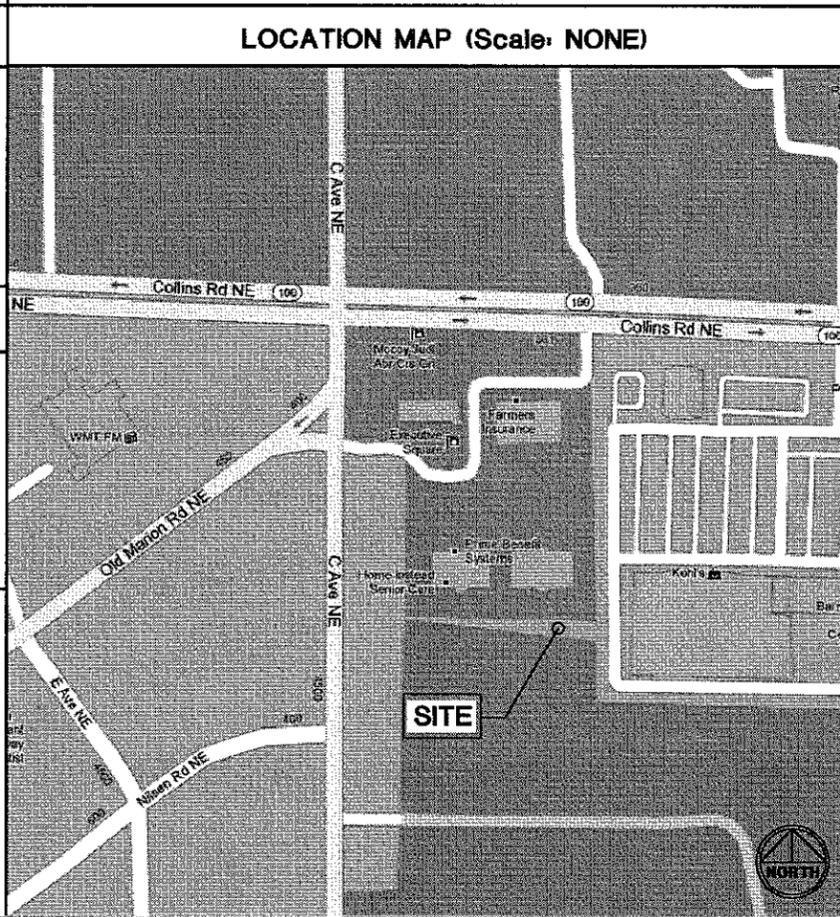


**DIRECTIONS**

I-380 NORTH, EXIT COLLINS ROAD NE, CONTINUE ON COLLINS ROAD EAST TO C AVENUE, TAKE C AVENUE SOUTH TO ACCESS ROAD BETWEEN HOUSES APPROX HALF MILE FROM COLLINS. TURN LEFT OR EAST THRU ACCESS DRIVE. THERE IS A GATE AT CEMETARY MAINTENANCE ENTRANCE, IT MAY BE OPEN OR CLOSED. PROCEED THRU GATE TO ACCESS DRIVE, SITE IS NORTH OF ACCESS DRIVE

**UTILITIES COORDINATION**

<b>TELEPHONE COMPANY:</b> CENTURYLINK CONTACT: VAUGHN DOUGHERTY PHONE: 319-399-1481	<b>POWER COMPANY:</b> ALLIANT ENERGY CONTACT: DUSTIN HOPKINS PHONE: 319-786-1908
--	---



**ZONING REVIEW NOTES**

- THIS SET IS FOR ZONING PURPOSES ONLY, FINAL DESIGN SHALL COME UNDER SEPARATE ENGINEERING REVIEW.
- THE PROPOSED COMMUNICATION SITE SHOWN IN THESE PLANS SHALL MEET ALL APPLICABLE REGULATIONS IN SUBSECTION 32.04.030.A.8 OF THE CEDAR RAPIDS MUNICIPAL CODE.

811  
Know what's below.  
Call before you dig.

LOWA ONE CALL  
PHONE: 800-292-8989

**CAPITAL TELECOM SITE ID:**  
**CT1146**  
**SITE NAME:**  
**CEDAR MEMORIAL PARK CEMETARY**  
**'CEDAR RAPIDS'**  
**SITE ADDRESS:**  
**4200 1st AVENUE NE**  
**CEDAR RAPIDS, IA 52402**

**CAPITAL TELECOM**

CAPITAL TELECOM ACQUISITION, LLC  
1500 MT. KEMBLE, SUITE 203  
MORRISTOWN, NJ 07960  
PH: (973) 425-0606  
FAX: (973) 425-1616

**W-T**  
**W-T COMMUNICATION**  
**DESIGN GROUP, LLC.**  
**WIRELESS INFRASTRUCTURE**

2675 Pratum Avenue  
Hoffman Estates, Illinois 60182  
PH: (224) 293-6333 FAX: (224) 293-6444  
www.wtengineering.com

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**PROJECT SUMMARY**

<b>SCOPE OF WORK:</b>	PROPOSED TELECOMMUNICATIONS FACILITY
<b>SITE NAME:</b>	CEDAR MEMORIAL PARK CEMETARY 'CEDAR RAPIDS'
<b>SITE ID:</b>	CT1146
<b>SITE ADDRESS:</b>	4200 1st AVENUE NE CEDAR RAPIDS, IA 52402
<b>PROPERTY OWNER:</b>	CEDAR MEMORIAL PARK CEMETARY ASSOCIATION, INC 4200 1st AVENUE NE CEDAR RAPIDS, IA 52402
<b>TITLE HOLDER:</b>	CEDAR MEMORIAL PARK CEMETARY ASSOCIATION, INC C John Linge (John) 4200 1st AVENUE NE CEDAR RAPIDS, IA 52402 PH: 319-393-8000
<b>APPLICANT:</b>	CAPITAL TELECOM ACQUISITION, LLC 1500 MT. KEMBLE AVENUE, SUITE 203 MORRISTOWN, NJ 07960 SCOTT VONREIN PH: 973-425-0606
<b>GEOGRAPHIC COORDINATES:</b>	LATITUDE: 42 01' 33.92" LONGITUDE: -91 38' 11.31"
<b>GROUND ELEVATION:</b>	818.5' AMSL
<b>JURISDICTION:</b>	CEDAR RAPIDS
<b>ZONING DISTRICT:</b>	R2 SINGLE FAMILY RESIDENCE
<b>TAX I.D. NUMBER:</b>	APN: 14-02-3-26-017-0-0000
<b>COUNTY:</b>	LINN COUNTY
<b>BUILDING CODES:</b>	2012 INTERNATIONAL BUILDING CODE 2011 NATIONAL ELECTRICAL CODE
<b>FLOOD ZONE CLASSIFICATION:</b>	SITE IS LOCATED IN ZONE 'X' PER FEMA PANEL #1913C0295D
<b>STORM WATER CODE:</b>	CEDAR RAPIDS STORM WATER MANAGEMENT CODE: DETENTION REQUIREMENT WAIVED BY CITY ENGINEER PER EMAIL DATED 3.8.13
<b>EROSION AND SEDIMENT CONTROL:</b>	PER CODE 11.04: TOTAL DISTURBED AREA HAS BEEN CALCULATED AT 0.23 ACRES, AN SWPPP IS NOT REQUIRED REFER TO SITE DATA CHART ON SHEET A-1

**SITE#: CT1146**  
**CEDAR MEMORIAL**  
**PARK CEMETARY**  
**'CEDAR RAPIDS'**

4200 1ST AVENUE NE  
CEDAR RAPIDS, IA  
52402

W-T PROJECT	T122132
DATE:	9.8.12
DRAWN BY:	CDG
REVIEW BY:	CMS
APPROVED BY:	KMM

NO:	DATE:	REVISION:
1	9.8.12	FOR LEASE REVIEW
2	9.25.12	REV. FOR LEASE REVIEW
3	9.28.12	REV. FOR LEASE REVIEW
4	10.01.12	REV. FOR LEASE REVIEW
5	10.01.12	REV. FOR LEASE REVIEW
6	12.14.12	REV. FOR LEASE REVIEW
7	01.16.13	REV. ELECTRICAL ROUTE
8	03.13.13	FOR ZONING REVIEW
9	5.6.13	REV. PER ZONING COMMENTS
10	6.24.13	REV. PER REVIEW

LICENSED PROFESSIONAL ENGINEER

JEFF S. GUTOWSKY  
17222

JEFF GUTOWSKY, PE  
PROFESSIONAL ENGINEER,  
STATE OF IOWA  
LICENSE # 17222  
EXPIRES: 12/31/13 SIGNED: / /

**CONSULTING TEAM**

<b>PROFESSIONAL ENGINEER:</b> W-T COMMUNICATION DESIGN GROUP, LLC 2675 PRATUM AVE. HOFFMAN ESTATES, IL 60182 TEL: (224) 293-6333 FAX: (224) 293-6444	<b>STRUCTURAL ENGINEER:</b> TOWER AND PLATFORM MANUFACTURER
---	--

**SHEET NAME**

**TITLE SHEET**

**SHEET NUMBER**

**T-1**

**PARENT PARCEL DESCRIPTION**

Lots A and B, Northland Square First Addition to Cedar Rapids, Iowa.

**LEASE AREA DESCRIPTION**

That part of Lot A, Northland Square First Addition to the City of Cedar Rapids, Iowa, located in the Southwest Quarter of Section 2, Township 83 North, Range 7 West of the 5th Principal Meridian, Linn County, Iowa and being more particularly described as follows:

Referring to the Northwest corner of Lot 2, Northland Square First Addition, a rebar with cap found for corner; thence southerly on an assumed bearing of South 01°16'05" E, on the westerly line of Lots 1 and 2, Northland Square First Addition, 610.60 feet; thence westerly South 88°42'04" West, 37.67 feet, to the Point of Beginning for the described Lease Area; thence following the perimeter of the Lease Area on the following bearings and distances: thence South 01°17'56" East, 50.00 feet; thence South 88°42'04" West 50.00 feet; thence North 01°17'56" East, 50.00 feet; thence North 88°42'04" E, 50.00 feet, to the Point of Beginning. Containing a total calculated area of 2,500 square feet, or 0.057 acres, more or less.

**ACCESS EASEMENT DESCRIPTION**

That part of Lot A, Northland Square First Addition to the City of Cedar Rapids, Iowa, located in the Southwest Quarter of Section 2, Township 83 North, Range 7 West of the 5th Principal Meridian, Linn County, Iowa and being more particularly described as follows:

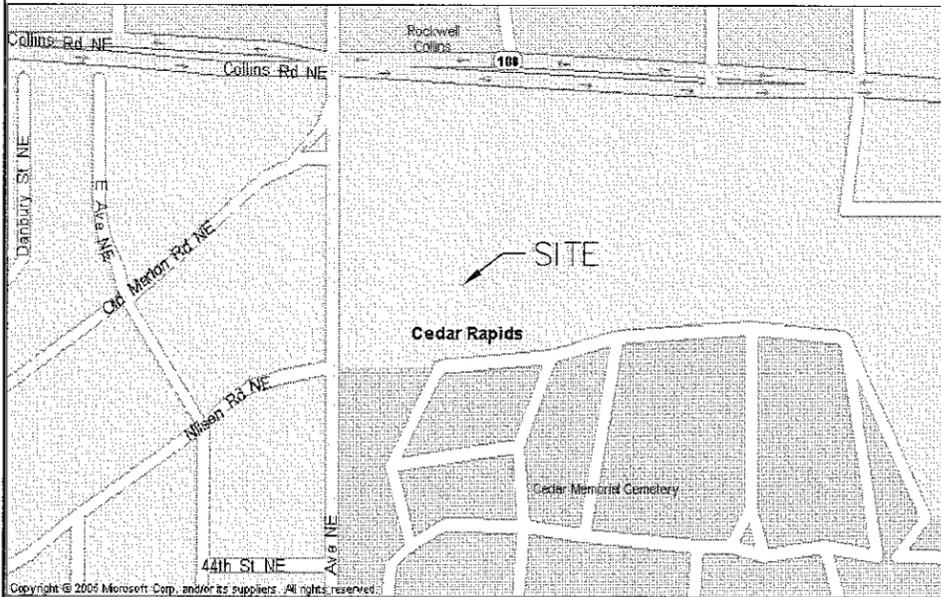
Referring to the Northwest corner of Lot 2, Northland Square First Addition, a rebar with cap found for corner; thence southerly on an assumed bearing of South 01°16'05" E, on the westerly line of Lots 1 and 2, Northland Square First Addition, 610.60 feet; thence westerly South 88°42'04" West, 37.67 feet, to the Northeast corner of the described Lease Area; thence following the perimeter of the Lease Area on the following bearings and distances: thence South 00°17'56" East, 50.00 feet; thence South 88°42'04" West, 50.00 feet to the Point of Beginning of the centerline of the described Access Easement, also being a point on a curve; thence on a curve to the right, having a radius of 62.70 feet, a central angle of 31°14'49" W, with a chord bearing of South 57°11'47" West, a chord distance of 33.77 feet, to a point of reverse curvature; thence on a curve to the left, having a radius of 179.08 feet, a central angle of 42°12'15", with a chord bearing of South 49°54'06" West, a chord distance of 128.95 feet; thence on a curve to the left having a radius of 398.86 feet, a central angle of 44°05'18", with a chord bearing of South 05°49'31" West, a chord distance of 299.40 feet; thence westerly South 89°25'37" West, 68.30 feet; thence westerly South 87°47'02" West, 63.50 feet; thence westerly South 82°24'08" West, 65.05 feet; thence westerly North 88°56'33" West, 114.24 feet to the point of termination. Containing a total calculated area of 15,787 square feet, or 0.362 acres, more or less.

**UTILITY EASEMENT DESCRIPTION**

That part of Lot A, Northland Square First Addition to the City of Cedar Rapids, Iowa, located in the Southwest Quarter of Section 2, Township 83 North, Range 7 West of the 5th Principal Meridian, Linn County, Iowa and being more particularly described as follows:

Referring to the Northwest corner of Lot 2, Northland Square First Addition, a rebar with cap found for corner; thence southerly on an assumed bearing of South 01°16'05" E, on the westerly line of Lots 1 and 2, Northland Square First Addition, 660.60 feet to the point of beginning; thence South 88°42'04" West, 88.00 feet; thence South 01°17'56" East, 20.00 feet; thence North 88°42'04" East, 88.00 feet; thence North 01°17'56" West, 20.00 feet to the point of beginning. Containing a total calculated area of 1,760 square feet, 0.040 acres, more or less.

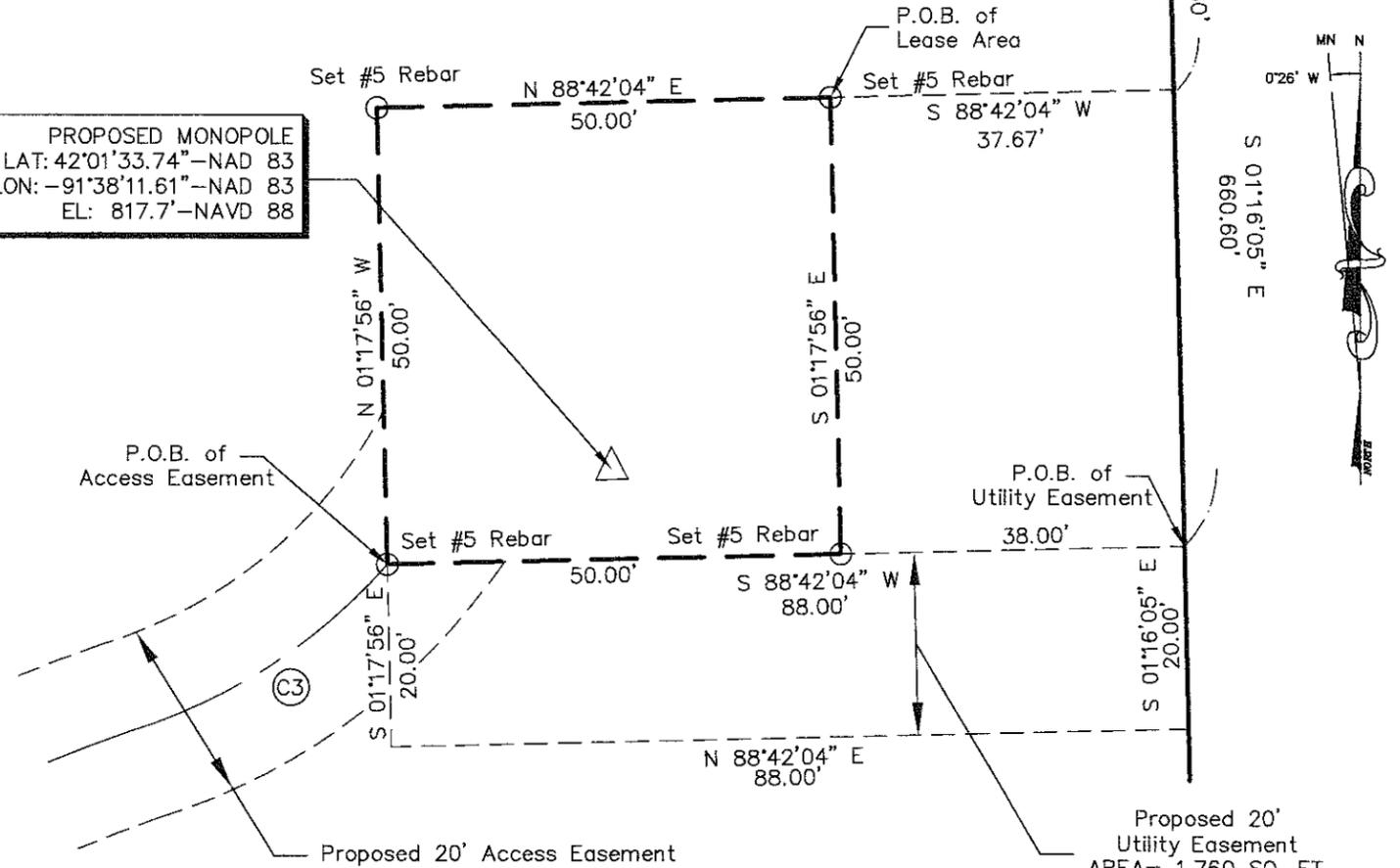
**VICINITY MAP**



**Flood Information:**  
Property falls within a Zone "X" as determined by FEMA Flood Rate Map No. 19113C 0295 D, effective 4/05/2010.

**Zoning Information:**  
Zone: R-2

**PROPOSED MONOPOLE**  
LAT: 42°01'33.74"-NAD 83  
LON: -91°38'11.61"-NAD 83  
EL: 817.7'-NAVD 88



Proposed 20' Access Easement  
AREA= 15,787 SQ. FT.  
0.362 ACRES

Proposed 20' Utility Easement  
AREA= 1,760 SQ. FT.  
0.040 ACRES

**LEASE AREA DETAIL**

SCALE: 1"=20'

**LEGEND**

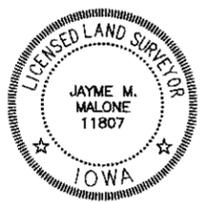
- = Cor. Fnd
- = Cor. Set #5 Rebar
- ◆ = Section Corner
- Ⓚ = Benchmark
- (M) = Meas. Dist.
- (P) = Plat Dist.
- (D) = Deed Dist.
- (R) = Record Dist.
- P.O.B. = Point of Beginning
- P.O.R. = Point of Reference
- Elec — = Underground Electric
- Tele — = Underground Telephone
- TV — = Underground Television
- FO — = Underground Fiber Optic
- OHP — = Overhead Utilities
- o — = Chain Link Fence
- x — = Barbed Wire Fence
- □ — = Wood Fence
- Ⓜ = Air Conditioning Unit
- Ⓢ = Electric Meter
- Ⓢ = Electric Manhole
- Ⓢ = Electric Pedestal
- Ⓢ = Fire Hydrant
- Ⓢ = Gas Manhole
- Ⓢ = Gas Meter
- Ⓢ = Guy Wire
- Ⓢ = Manhole
- Ⓢ = Light Pole
- Ⓢ = Post
- Ⓢ = Power Pole
- Ⓢ = Sanitary Manhole
- Ⓢ = Storm Manhole
- Ⓢ = Telephone Pedestal
- Ⓢ = Telephone Manhole
- Ⓢ = Telephone Sign
- Ⓢ = TV Manhole
- Ⓢ = Valve
- Ⓢ = Water Manhole
- Ⓢ = Well

**SURVEYORS NOTES**

- 1.) All Bearings Based on Iowa State Plane Coordinate System, North Zone. (NAD-83)
- 2.) Not intended to represent a survey of the entire Parent Parcel.

I hereby certify that this land surveying document and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed land surveyor under the laws of the State of Iowa.

Jayne M. Malone \_\_\_\_\_ Date \_\_\_\_\_  
My license renewal date is December 31, 2013  
Iowa license number 11807  
Pages or sheets covered: LS1, LS2 & LS3



**W-T COMMUNICATION DESIGN GROUP, LLC.**  
WIRELESS INFRASTRUCTURE  
2675 Pratum Avenue  
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PH: (224) 293-6333 FAX: (224) 293-6444  
www.wtengineering.com  
IL License No.: 194-006042 Exp: 04/30/13

Jayne M. Malone  
Professional Land Surveyor

Husker Surveying  
4535 Normal Blvd.  
Suite 101  
Lincoln, NE 68506

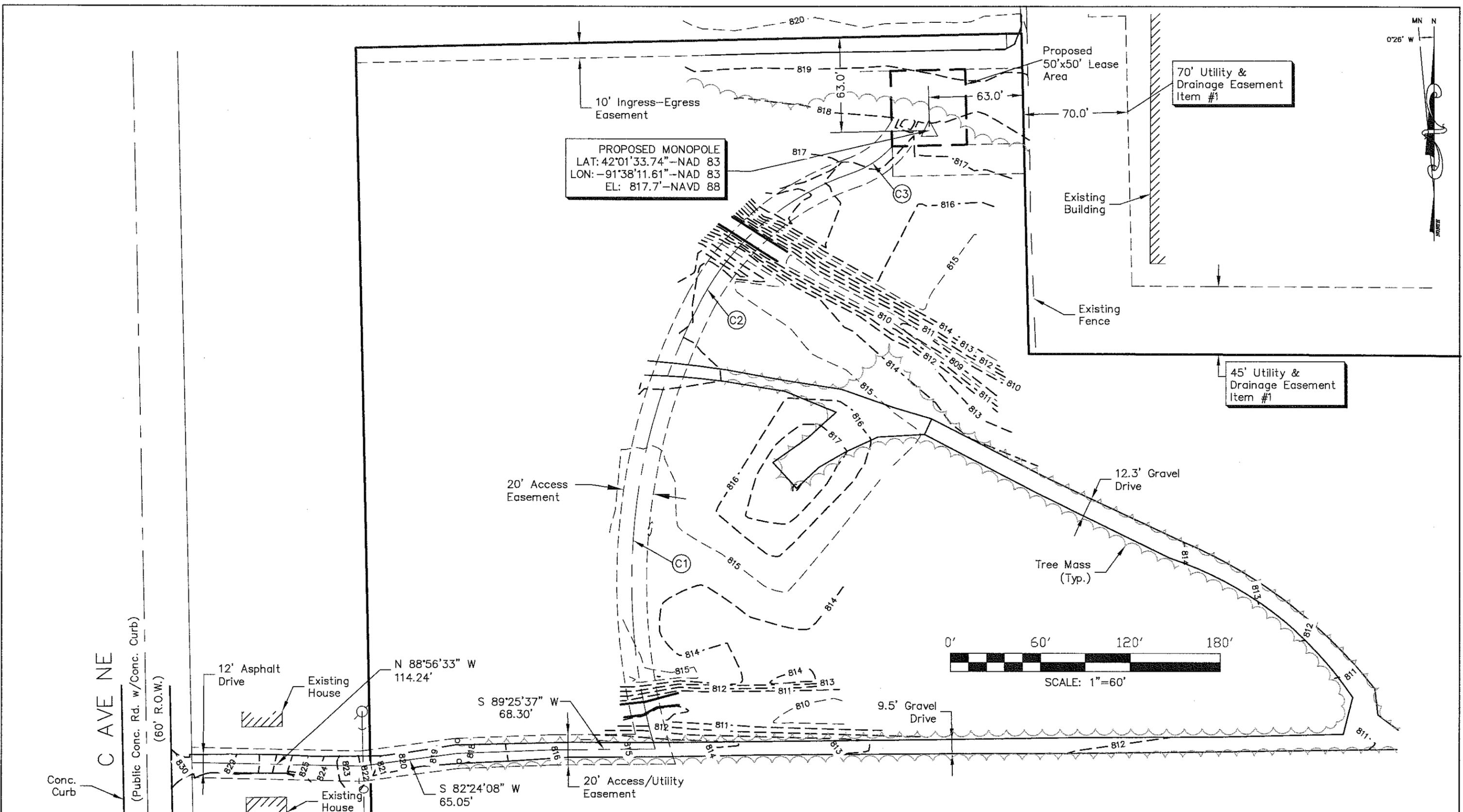
**SITE NAME: CEDAR MEMORIAL PARK CEMETARY**  
**SITE ID: CT1146**

4200 1ST AVENUE NE  
CEDAR RAPIDS IA 52402

NO.	DATE	REVISIONS	BY	CHK	APP'D
2	2/26/13	COMMENTS	BLH	JMM	JMM
1	1/9/13	90% REVIEW	TDH	JMM	JMM

SCALE: AS SHOWN    DESIGNED BY: \_\_\_\_\_    DRAWN BY: \_\_\_\_\_

PROJECT NUMBER	HS3731
DRAWING TITLE	LAND SURVEY
DRAWING NUMBER	LS-1



**W-T COMMUNICATION DESIGN GROUP, LLC.**  
 WIRELESS INFRASTRUCTURE

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 Hoffman Estates, Illinois 60192  
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 IL License No.: 184-006042 Exp: 04/30/13

**W-T**

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 Professional Land Surveyor

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 Lincoln, NE 68506

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NO.	DATE	REVISIONS	BY	CHK	APP'D
2	2/26/13	COMMENTS	BLH	JMM	JMM
1	1/9/13	90% REVIEW	TDH	JMM	JMM

SCALE: AS SHOWN    DESIGNED BY: TDH    DRAWN BY: TDH

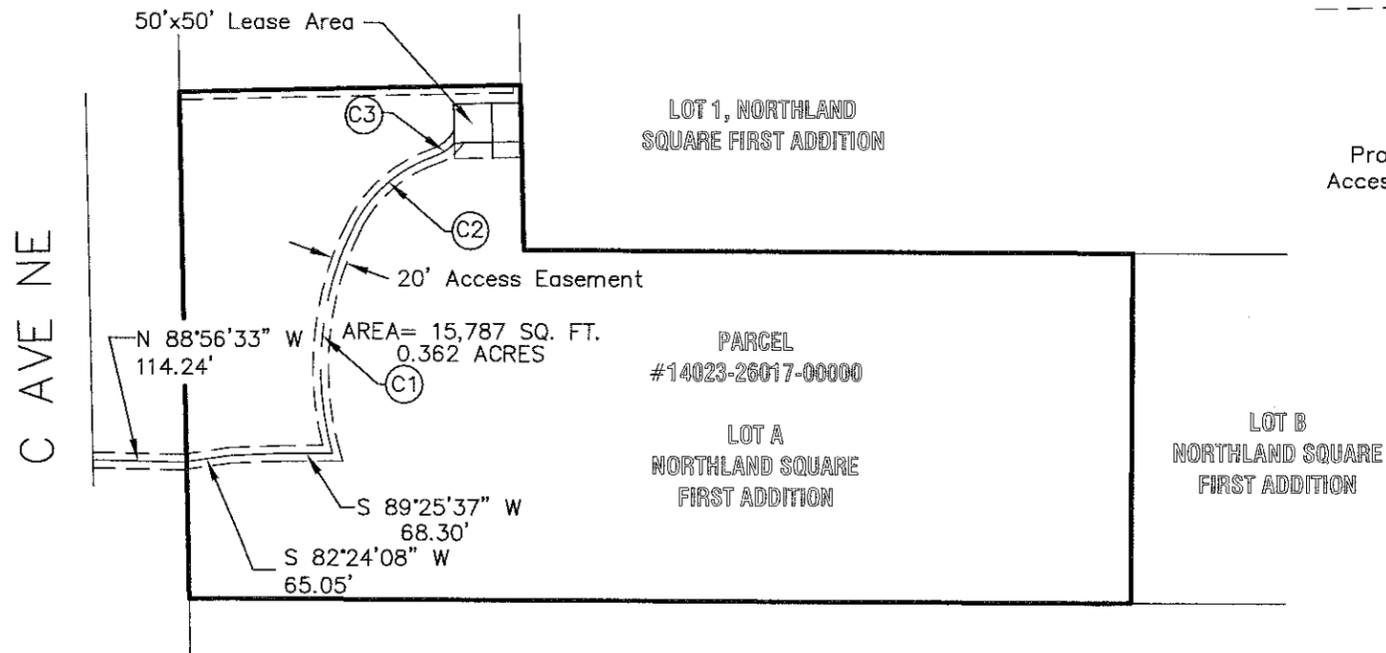
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DRAWING TITLE		LAND SURVEY
DRAWING NUMBER		LS-2

PROJECT NUMBER		HS3731
DRAWING TITLE		LAND SURVEY
DRAWING NUMBER		LS-2

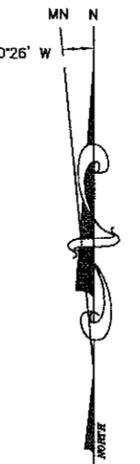
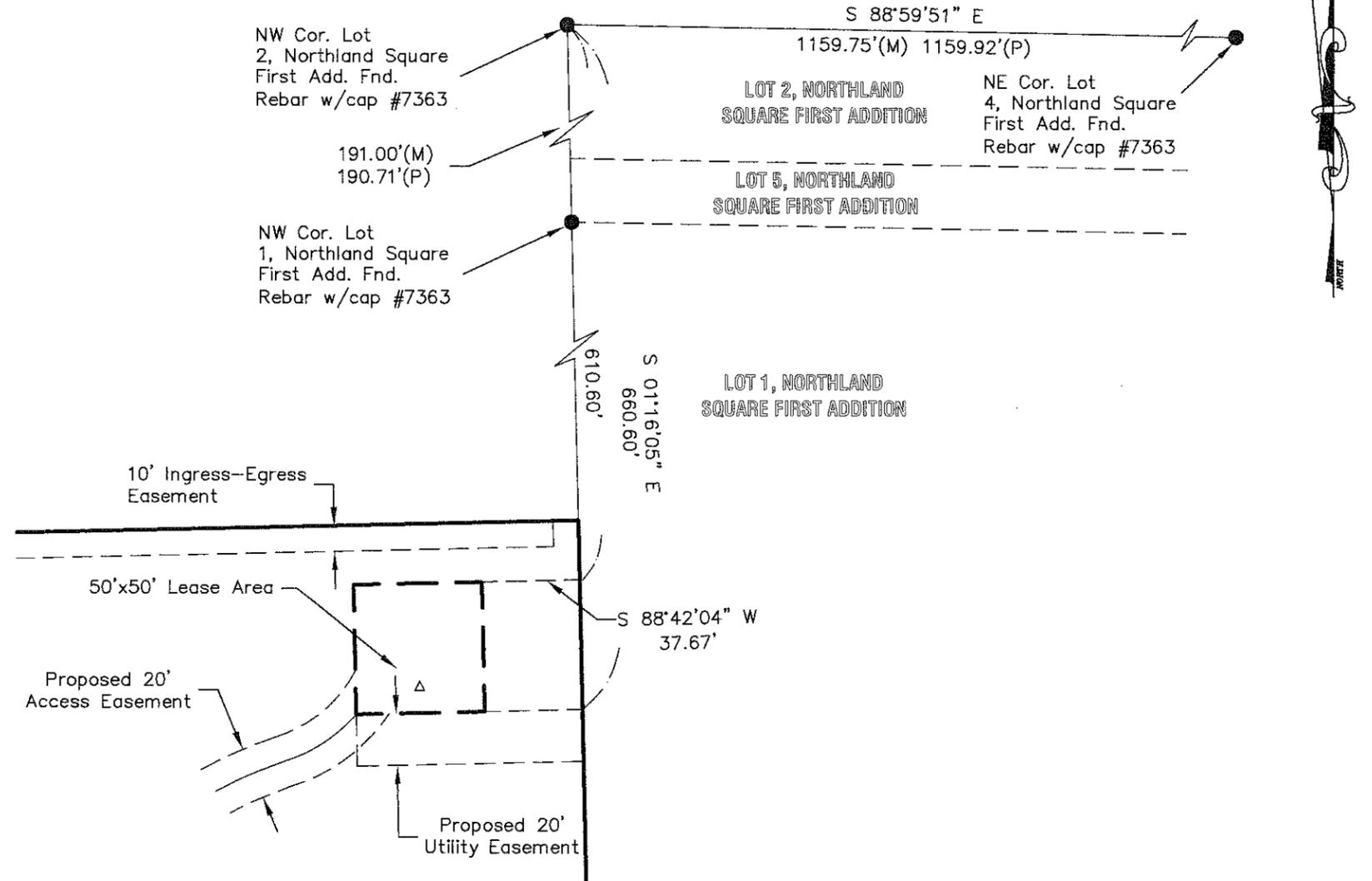
# SCHEDULE B EXCEPTIONS

Based on a title report provided by CW Solutions, with an effective date of 10-22-2012, the following are of survey matters:

- Storm Water Detention and Easement Agreement as described in Deed Book 3024 Page 378 dated February 28, 1994 and recorded February 28, 1994. Located adjacent to Parent Parcel and plotted to show location. Does not affect the proposed Lease Area, Access Easement or Utility Easement.
- Easement Agreement as set forth in Deed Book 3105 Page 140 dated August 25, 1994, and recorded September 8, 1994. Does not affect the proposed Lease Area, Access Easement or Utility Easement.
- Affidavit as set forth in Deed Book 4102 Page 371 dated May 26, 2000 and recorded June 1, 2000. Does not affect the proposed Lease Area, Access Easement or Utility Easement.
- Agreement as described in Deed Book 4246 Page 538 dated February 15, 2001 and recorded February 22, 2001. Does not affect the proposed Lease Area, Access Easement or Utility Easement.
- Resolution No. 1649-7-01 as set forth in Deed Book 4410 Page 616 dated July 25, 2001 and recorded August 9, 2001. Does not affect the proposed Lease Area, Access Easement or Utility Easement.
- Memorandum of Lease as contained in Deed Book 4513 Page 567 dated October 3, 2001 and recorded November 21, 2001. Does not affect the proposed Lease Area, Access Easement or Utility Easement.
- Underground Electric Line Easement as set forth in Deed Book 7435 Page 583 dated October 2, 2009 and recorded October 20, 2009. Does not affect the proposed Lease Area, Access Easement or Utility Easement.
- Resolution No. 0927-09-09 as contained in Deed Book 7439 Page 657 dated September 23, 2009 and recorded October 23, 2009. Does not affect the proposed Lease Area, Access Easement or Utility Easement.
- Order of Condemnation as set forth in Deed Book 7341 Page 103 dated June 3, 2009 and recorded July 7, 2009. Does not affect the proposed Lease Area, Access Easement or Utility Easement.



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	398.86'	306.92'	299.40'	S 05°49'31" W	44°05'18"
C2	179.08'	131.91'	128.95'	S 49°54'06" W	42°12'15"
C3	62.70'	34.20'	33.77'	S 57°11'47" W	31°14'49"



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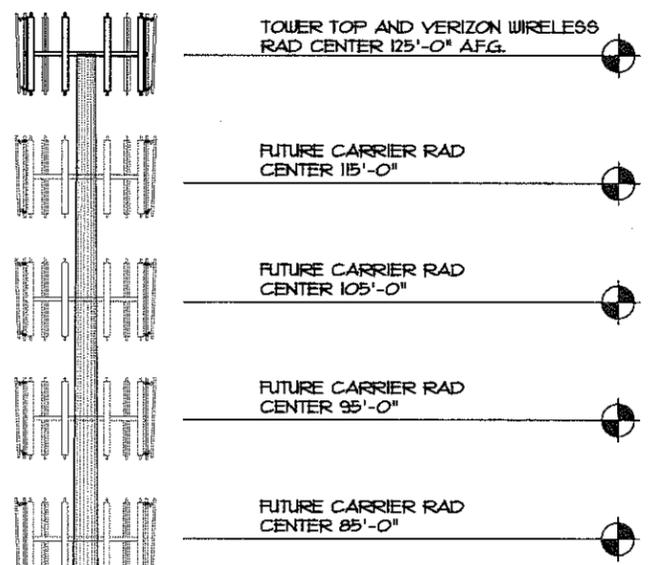
**SITE NAME: CEDAR MEMORIAL PARK CEMETARY**  
**SITE ID: CT1146**  
4200 1ST AVENUE NE  
CEDAR RAPIDS IA 52402

NO.	DATE	REVISIONS	BY	CHK	APP'D
2	2/26/13	COMMENTS	BLH	JMM	JMM
1	1/9/13	90% REVIEW	TDH	JMM	JMM

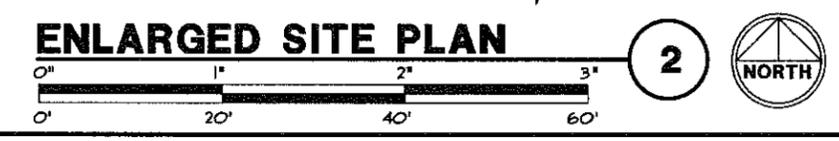
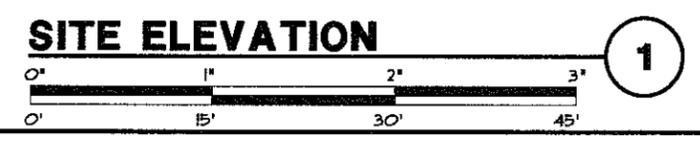
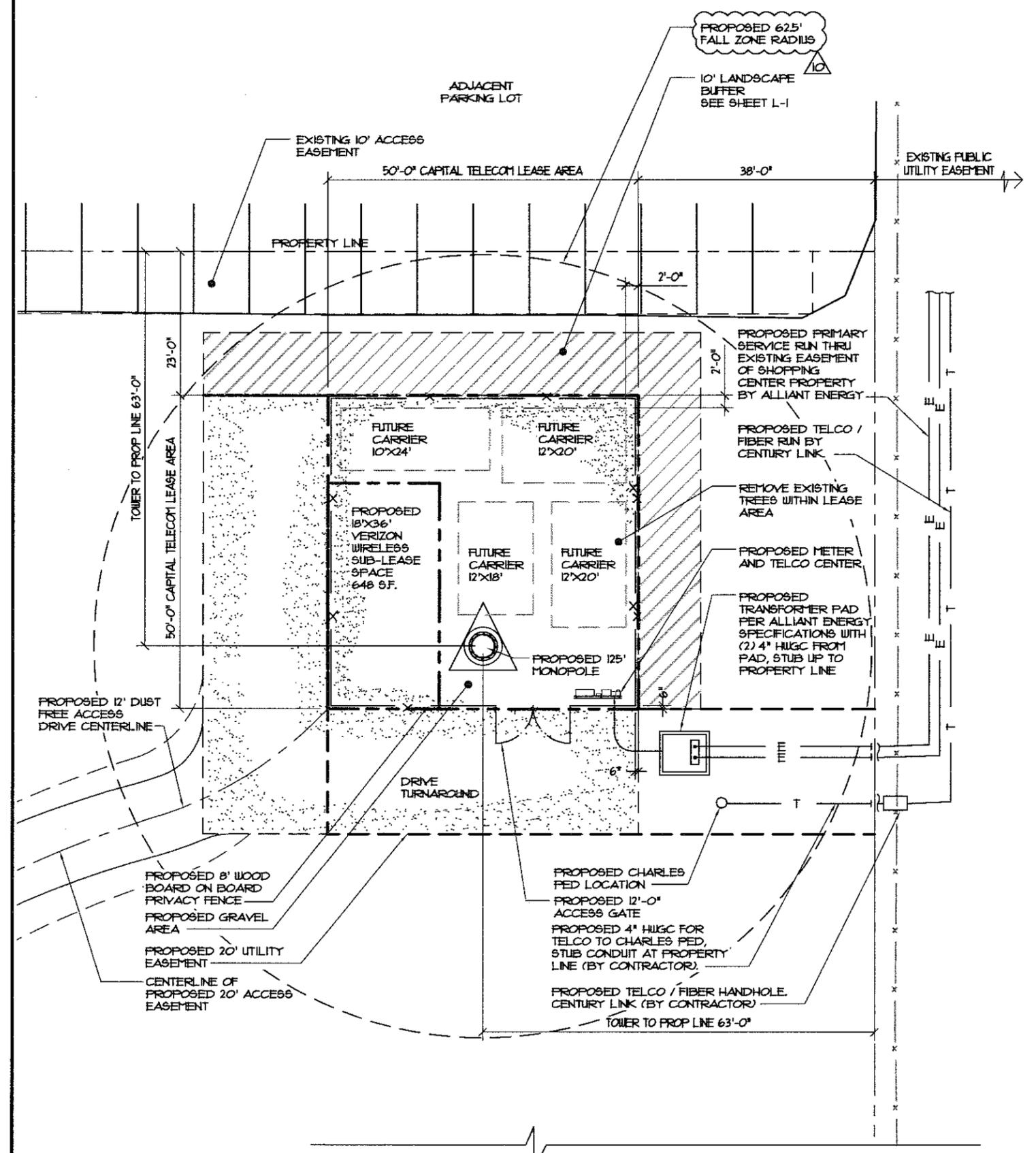
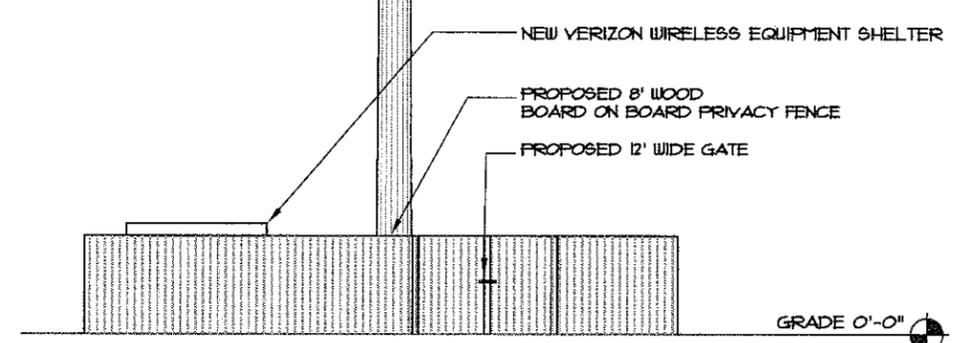
SCALE: AS SHOWN DESIGNED BY: DRAWN BY:

PROJECT NUMBER  
HS3731  
DRAWING TITLE  
**LAND SURVEY**  
DRAWING NUMBER  
**LS-3**





NOTE:  
 W-T'S SCOPE OF WORK DOES NOT INCLUDE A STRUCTURAL EVALUATION OF THIS TOWER. NEW ANTENNAS SHOWN ON THIS PLAN HAVE NOT BEEN EVALUATED TO VERIFY THE TOWER HAS THE CAPACITY TO ADEQUATELY SUPPORT THESE ANTENNAS. PRIOR TO ANY INSTALLATION, A STRUCTURAL EVALUATION OF THE TOWER SHOULD BE PERFORMED.



**CAPITAL TELECOM**  
 CAPITAL TELECOM ACQUISITION, LLC  
 1500 MT. KEMBLE, SUITE 203  
 MORRISTOWN, NJ 07960  
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**SITE#: CT1146**  
**CEDAR MEMORIAL PARK CEMETARY 'CEDAR RAPIDS'**  
 4200 1ST AVENUE NE  
 CEDAR RAPIDS, IA 52402

W-T PROJECT	T122132
DATE:	9.8.12
DRAWN BY:	CDG
REVIEW BY:	CMS
APPROVED BY:	KMM

NO:	DATE:	REVISION:
1	9.8.12	FOR LEASE REVIEW
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9	5.6.13	REV. PER ZONING COMMENTS
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PROFESSIONAL ENGINEER  
 JEFF S. GUTOWSKY  
 17222  
 JEFF GUTOWSKY, P.E.  
 PROFESSIONAL ENGINEER  
 STATE OF IOWA  
 LICENSE # 17222  
 EXPIRES: 12/31/13 SIGNED: / /

SHEET NAME  
**ENLARGED SITE PLAN & TOWER ELEVATION**

SHEET NUMBER  
**A-2**

**SITE#: CT1146**  
**CEDAR MEMORIAL PARK CEMETARY**  
**'CEDAR RAPIDS'**

4200 1ST AVENUE NE  
 CEDAR RAPIDS, IA  
 52402

W-T PROJECT	T122132
DATE:	9.8.12
DRAWN BY:	CDG
REVIEW BY:	CMS
APPROVED BY:	KMM

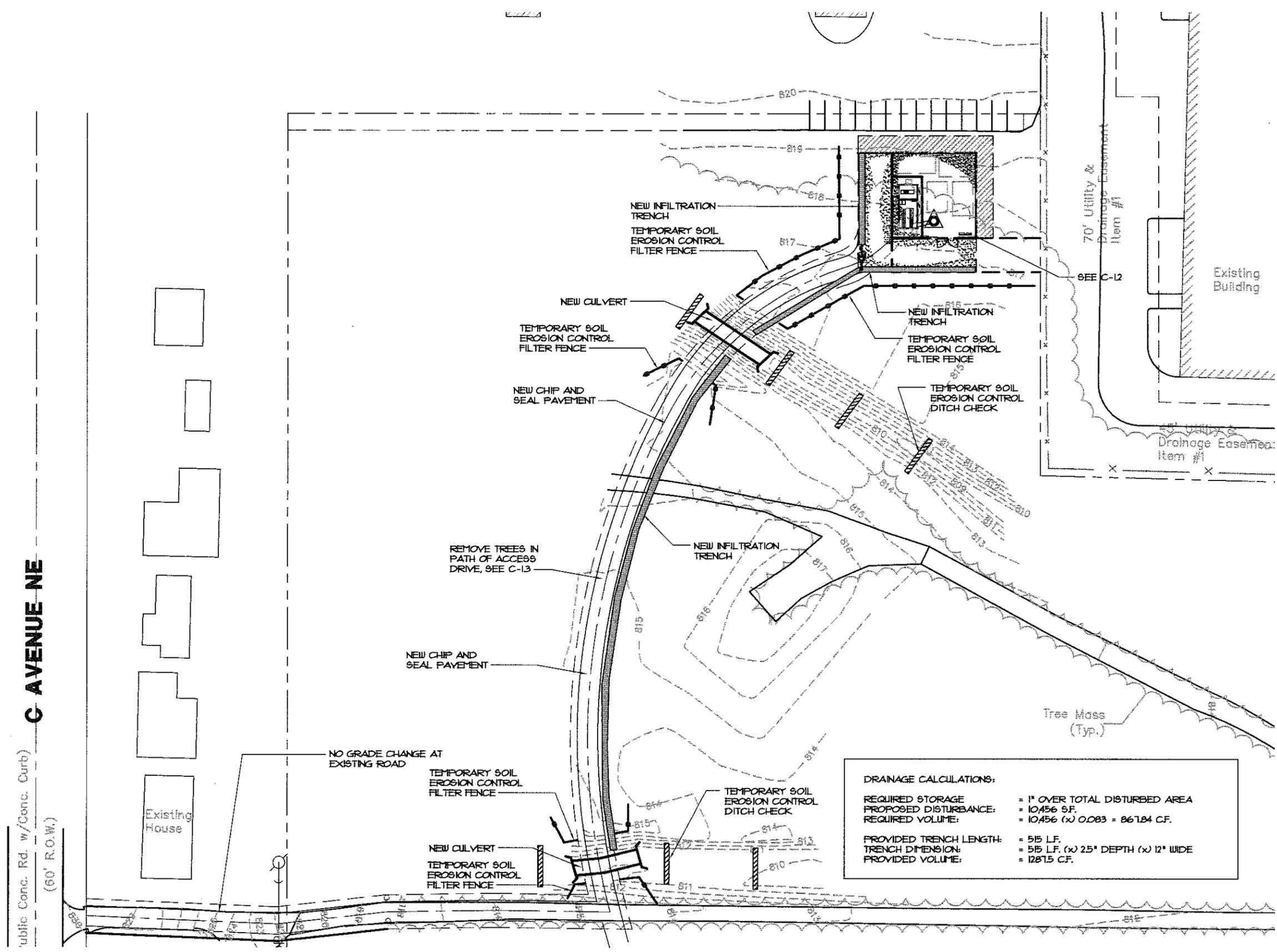
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1	9.8.12	FOR LEASE REVIEW
2	9.25.12	REV. FOR LEASE REVIEW
3	9.28.12	REV. FOR LEASE REVIEW
4	10.01.12	REV. FOR LEASE REVIEW
5	10.01.12	REV. FOR LEASE REVIEW
6	12.14.12	REV. FOR LEASE REVIEW
7	01.16.13	REV. ELECTRICAL ROUTE
8	03.13.13	FOR ZONING REVIEW
9	5.6.13	REV. PER ZONING COMMENTS
10	6.24.13	REV. PER REVIEW

JEFF S. GUTOWSKY  
 17222  
 LICENSED PROFESSIONAL ENGINEER  
 STATE OF IOWA  
 LICENSE # 17222  
 EXPIRES: 12/31/13 SIGNED: / /

SHEET NAME  
**PRELIMINARY GRADING & EROSION CONTROL PLAN**

SHEET NUMBER

**C-1.1**



**DRAINAGE CALCULATIONS:**  
 REQUIRED STORAGE = 1" OVER TOTAL DISTURBED AREA  
 PROPOSED DISTURBANCE: = 10,456 SF.  
 REQUIRED VOLUME: = 10,456 (x) 0.0083 = 86,184 CF.  
 PROVIDED TRENCH LENGTH: = 515 LF.  
 TRENCH DIMENSION: = 515 LF. (x) 2.5" DEPTH (x) 12" WIDE  
 PROVIDED VOLUME: = 12815 CF.

**C AVENUE NE**

Public Conc. Rd. w/Conc. Curb  
 (60' R.O.W.)



**ACCESS DRIVE GRADING AND EROSION CONTROL PLAN**

SCALE: 1" = 60'-0"

1





CAPITAL TELECOM ACQUISITION, LLC  
 1500 MT. KEMBLE, SUITE 203  
 MORRISTOWN, NJ 07960  
 PH: (973) 425-0606  
 FAX: (973) 425-1616



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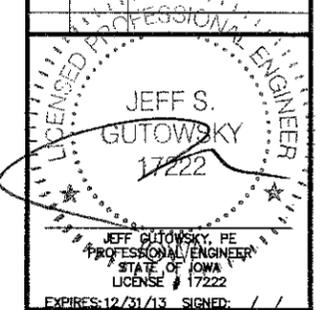
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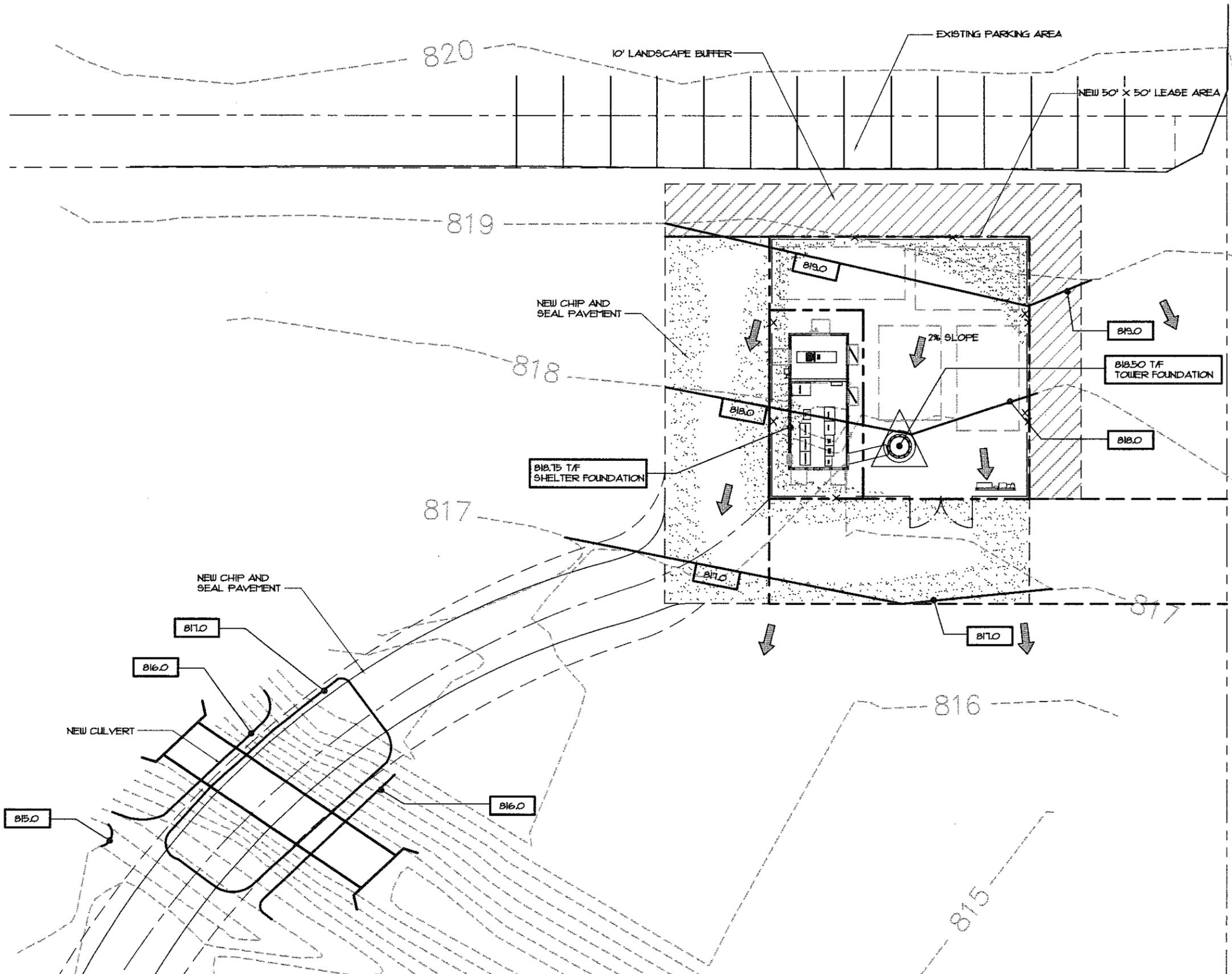
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9	5.6.13	REV. PER ZONING COMMENTS
10	6.24.13	REV. PER REVIEW



SHEET NAME  
**COMPOUND GRADING PLAN**

SHEET NUMBER  
**C-1.2**



**COMPOUND GRADING PLAN**

SCALE: 1" = 20'-0"

1

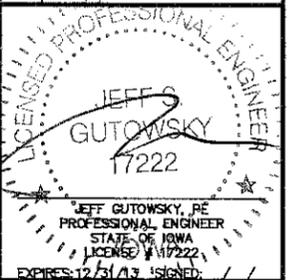


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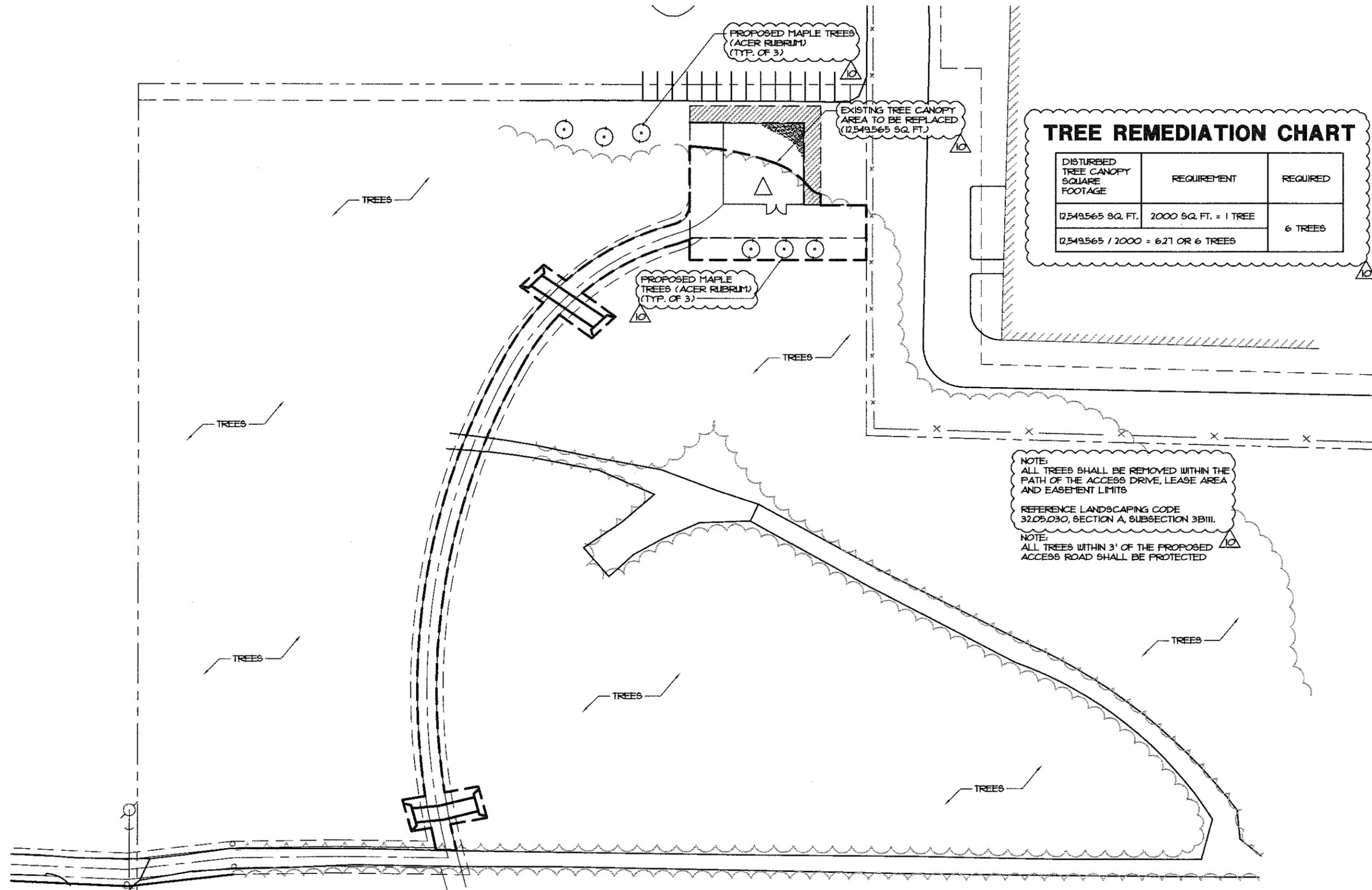
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SHEET NAME  
**TREE REMEDIATION PLAN**

SHEET NUMBER  
**C-1.3**



**TREE REMEDIATION CHART**

DISTURBED TREE CANOPY SQUARE FOOTAGE	REQUIREMENT	REQUIRED
12,549,565 SQ. FT.	2000 SQ. FT. = 1 TREE	6 TREES
12,549,565 / 2000 = 6.27 OR 6 TREES		

NOTE:  
 ALL TREES SHALL BE REMOVED WITHIN THE PATH OF THE ACCESS DRIVE, LEASE AREA AND EASEMENT LIMITS

REFERENCE LANDSCAPING CODE  
 32.05.030, SECTION A, SUBSECTION 3B111.

NOTE:  
 ALL TREES WITHIN 3' OF THE PROPOSED ACCESS ROAD SHALL BE PROTECTED

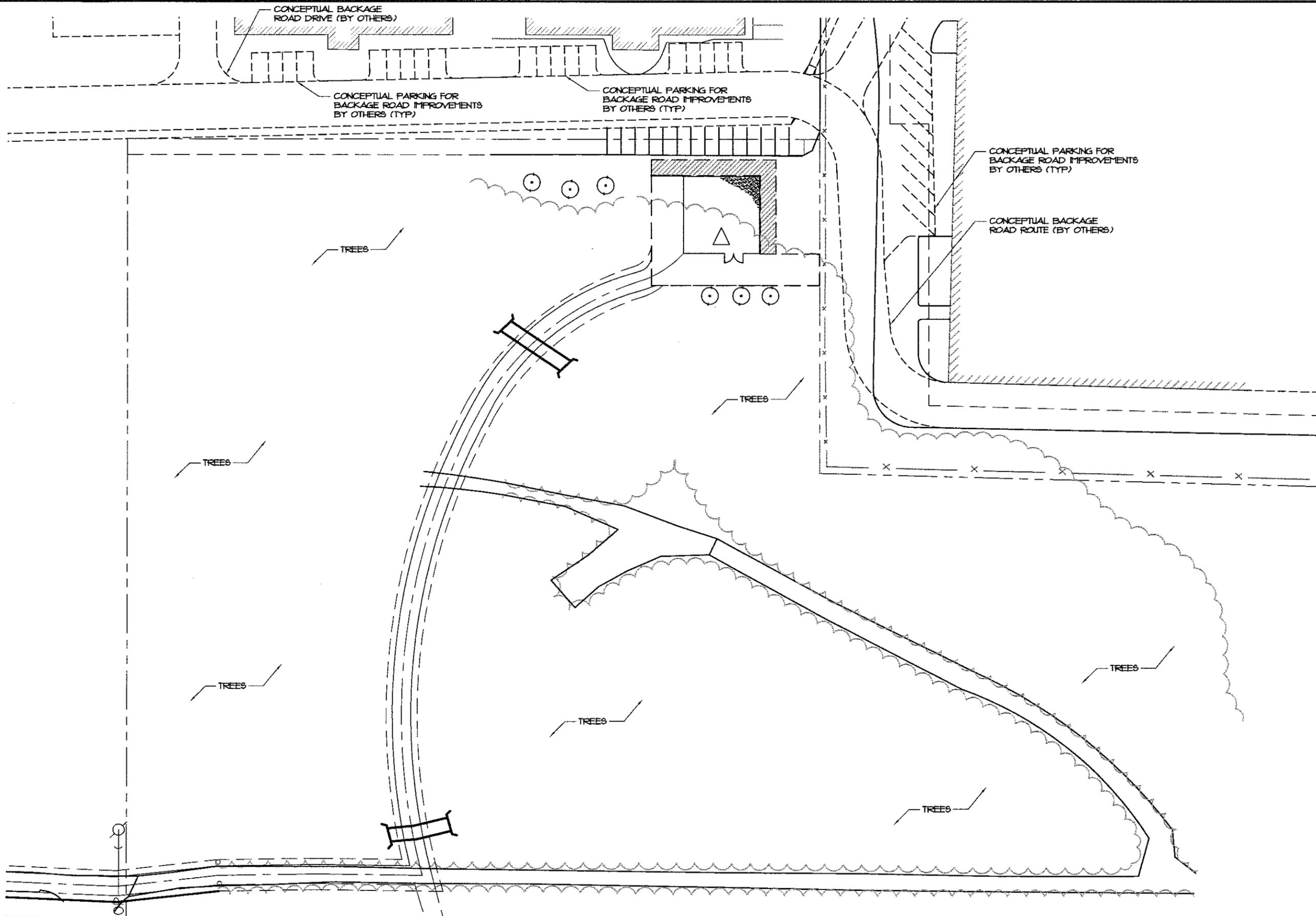


**TREE REMEDIATION PLAN**

SCALE: 1" = 60'-0"

1





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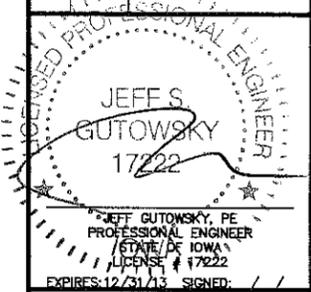
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SHEET NAME  
**CONCEPTUAL BACKAGE ROAD PLAN**

SHEET NUMBER  
**C-1.4**



**CONCEPTUAL BACKAGE ROAD PLAN**

SCALE: 1" = 60'-0"

1



**SITE#: CT1146**  
**CEDAR MEMORIAL PARK CEMETARY 'CEDAR RAPIDS'**  
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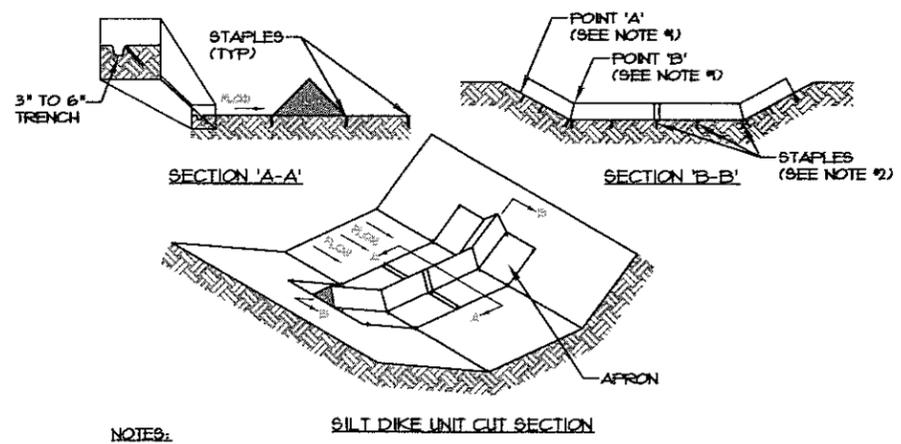
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JEFF S. GUTOWSKY  
 LICENSED PROFESSIONAL ENGINEER  
 STATE OF IOWA  
 LICENSE # 17222  
 EXPIRES 12/31/13 SIGNED: / /

SHEET NAME  
**SITE DETAILS**

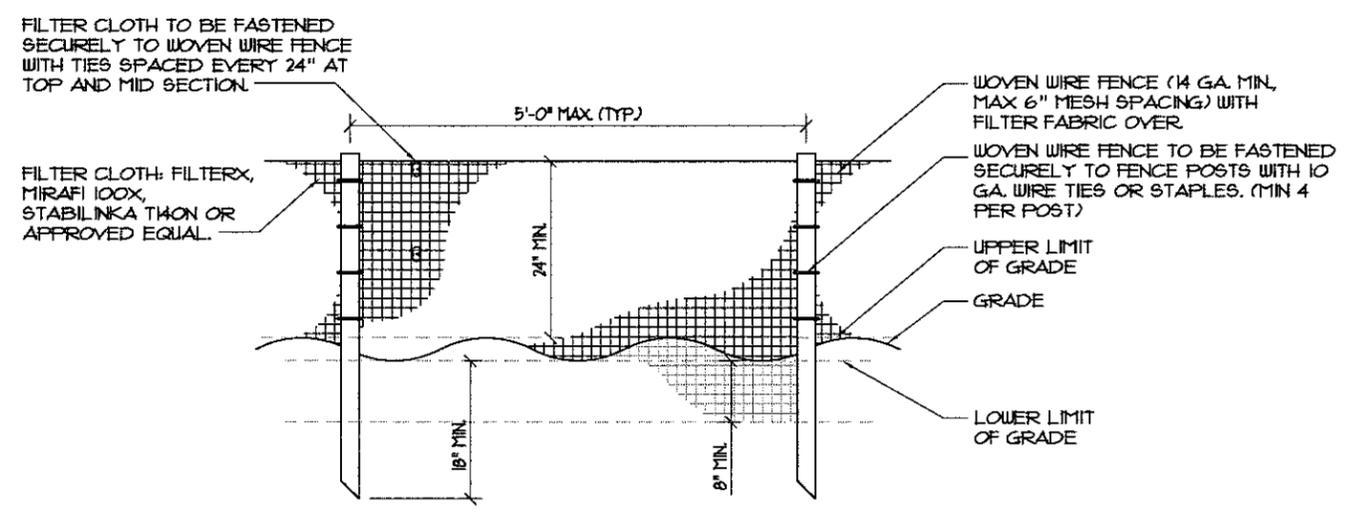
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**C-1.5**



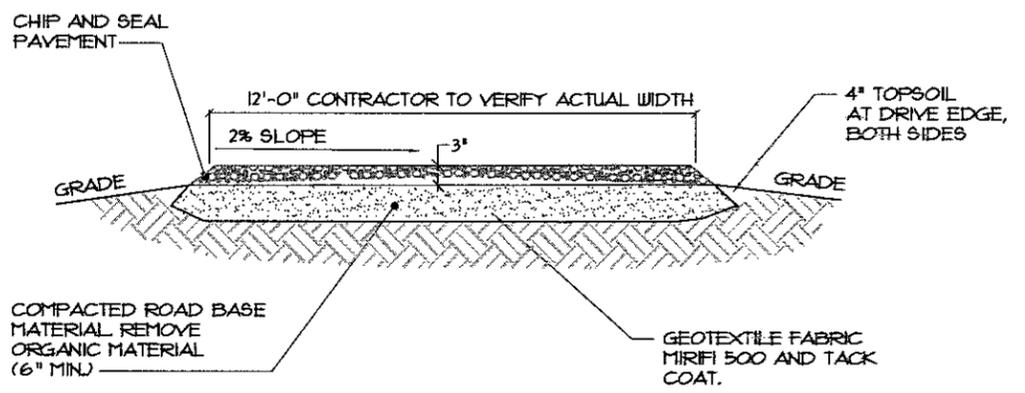
- NOTES:**
- POINT 'A' MUST BE HIGHER THAN POINT 'B' TO ENSURE THAT WATER FLOWS OVER THE DIKE AND NOT AROUND THE ENDS.
  - STAPLES SHALL BE PLACED WHERE THE UNITS OVERLAP AND IN THE CENTER OF THE 7' UNIT AS SHOWN.

**DETAIL - TRIANGULAR SILT DIKE**  
 NOT TO SCALE

- GENERAL NOTES**
- WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.
  - FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION.
  - POSTS: STEEL EITHER T OR U TYPE OR 2" HARDWOOD.
  - FENCE: WOVEN WIRE, 14 GA. 6" MAX. MESH OPENING.
  - FILTER CLOTH: FILTERX, MIRAFI 100X, STABILINKA T40N OR APPROVED EQUAL.

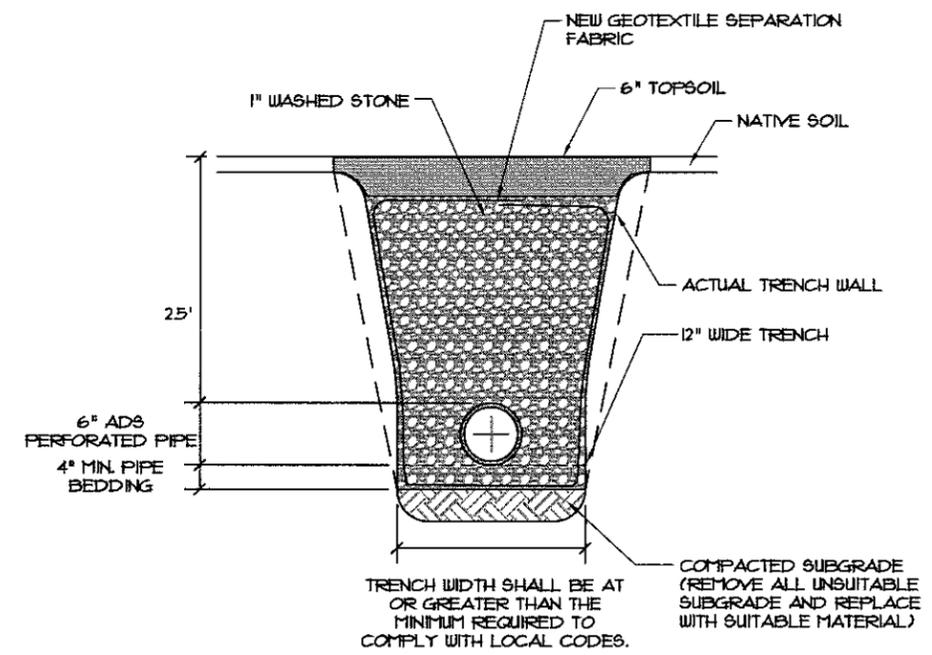


**DETAIL - EROSION CONTROL FENCE**  
 NOT TO SCALE



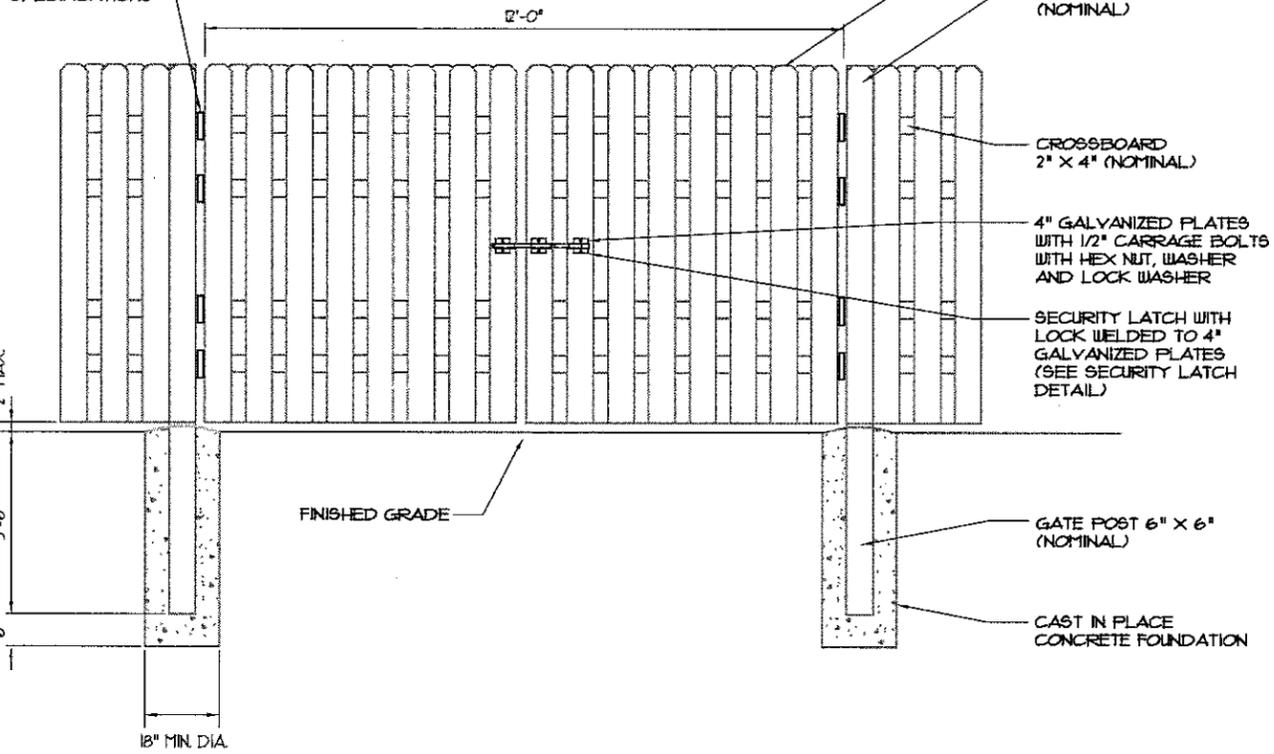
- EARTH WORK SUBGRADE COMPACTION & SELECT GRANULAR FILL**
- CONTRACTOR SHALL BE RESPONSIBLE FOR CLEARING & GRUBBING THE CONSTRUCTION SITE AND ROADWAY AREAS WHERE APPLICABLE
  - ALL SELECT GRANULAR FILL SHALL BE COMPACTION TO A 95% COMPACTION AT A MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D-1557 OR WITHIN PLUS OR MINUS 3% OF OPTIMUM MOISTURE CONTENT.

**DETAIL - ROAD SECTION**  
 NOT TO SCALE

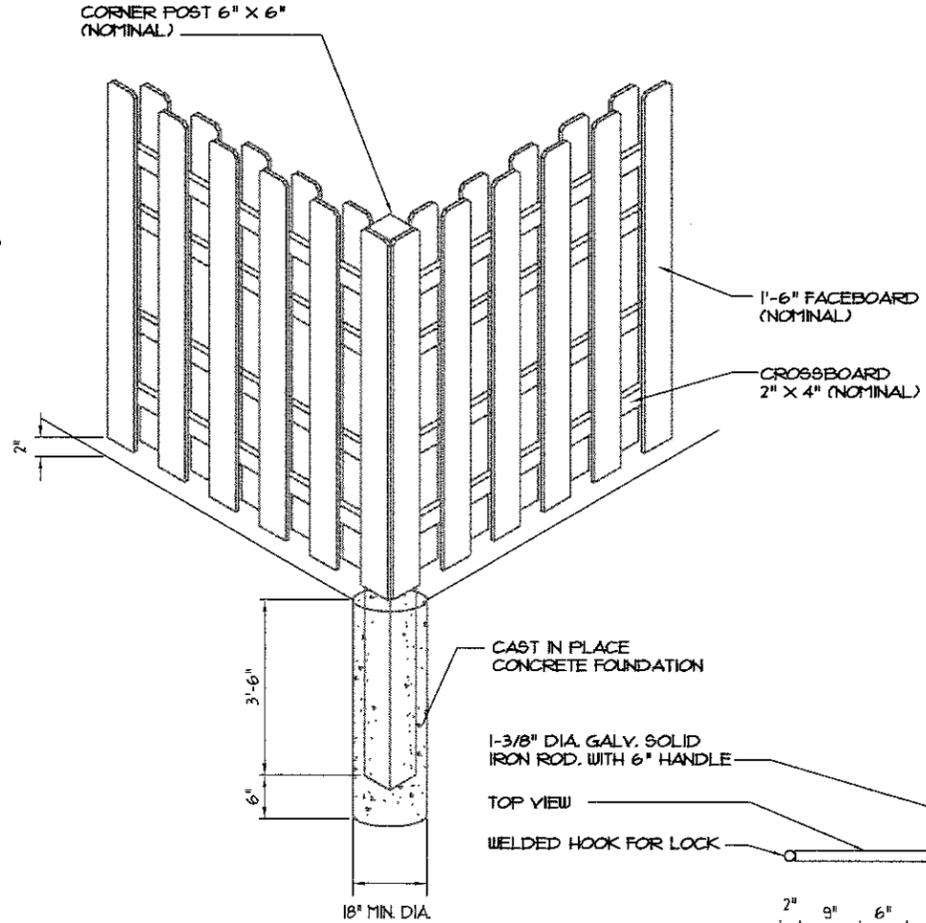


**DETAIL - INFILTRATION TRENCH**  
 NOT TO SCALE

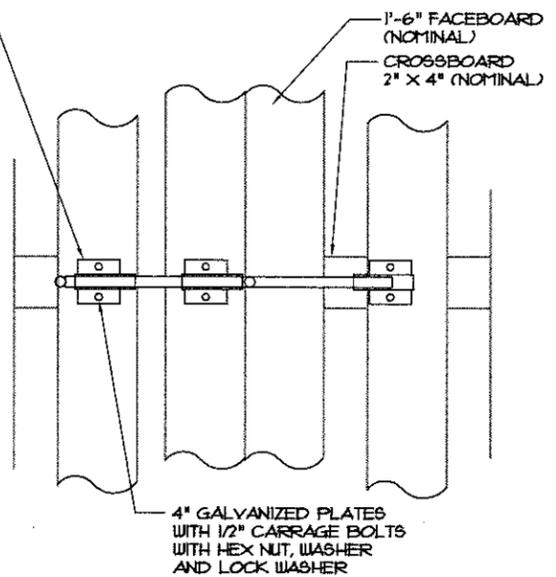
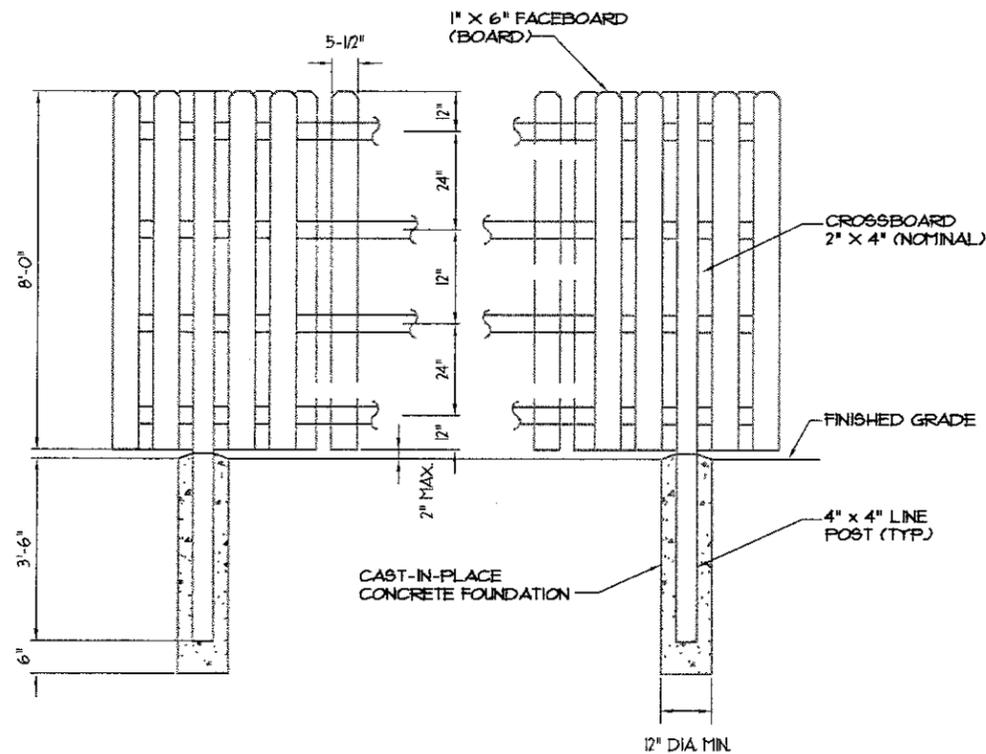
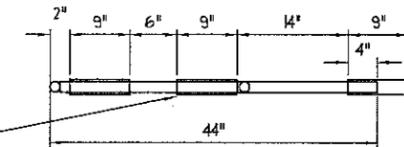
8" ZINC COATED 270 DEGREE HEAVY DUTY GATE HINGE ON THE INSIDE OF FENCE ATTACH PER MANUFACTURERS SPECIFICATIONS



ALL WOOD COMPONENTS TO BE PRESSURE TREATED UNLESS NOTED OTHERWISE AND ALL METAL COMPONENTS TO BE CORROSION RESISTANT AND COMPATIBLE WITH TREATED LUMBER.



9" LONG, 1-1/2" ID. STEEL PIPE WELDED TO 4" GALV. PLATE ON CENTER CROSSBOARD



CAPITAL TELECOM

CAPITAL TELECOM ACQUISITION, LLC  
1500 MT. KEMBLE, SUITE 203  
MORRISTOWN, NJ 07960  
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PROFESSIONAL ENGINEER  
JEFF S. GUTOWSKY  
17222  
JEFF GUTOWSKY, PE  
PROFESSIONAL ENGINEER  
STATE OF IOWA  
LICENSE # 17222  
EXPIRES 12/31/13 SIGNED: / /

SHEET NAME  
WOOD FENCE DETAIL

SHEET NUMBER  
C-2

**SITE WORK GENERAL NOTES:**

ALL PLACEMENT OF LANDSCAPING SHALL MEET THE FOLLOWING CONDITIONS:

1. ALL PLANT MATERIAL SHALL BE PLANTED IN A MANNER WHICH IS NOT TO INTERFERE WITH OVERHEAD WIRES OR BE INTRUSIVE TO UTILITIES OR PAVEMENT.
2. NO TREES OR OTHER LANDSCAPING SHALL BE LOCATED CLOSER THAN 10 FEET TO A FIRE HYDRANT OR OTHER ABOVE GROUND UTILITIES.
3. NO LANDSCAPING SHALL INTERFERE WITH SITE REQUIREMENTS FOR SAFE INGRESS AND EGRESS.

INSTALLATION STANDARDS:

1. PLANT MATERIAL SHALL CONFORM WITH THE CURRENT AMERICAN STANDARDS FOR NURSERY STOCK, PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN FOR THAT TYPE OF TREE OR SHRUB AT THE TIME OF INSTALLATION.
2. ALL TREES SHALL BE GROWN IN A NURSERY LOCATED IN THE STATE OF IOWA.
3. ALL PLANT MATERIAL SHALL BE INSTALLED FREE OF DISEASE AND IN A MANNER THAT ENSURES THE AVAILABILITY OF SUFFICIENT SOIL AND WATER TO SUBSTAIN HEALTHY GROWTH.
4. ALL TAGS, WIRES, PLASTIC TIES AND ROPE SHALL BE CUT FROM EACH TREE TO PREVENT GIRDLING OF THE TREE. THE BURLAP SHALL BE PULLED BACK FROM THE UPPER THIRD OF THE ROOTBALL. IF A PLASTIC 'BURLAP' IS USED, IT SHALL BE REMOVED IN ITS ENTIRETY FROM THE ROOTBALL.
5. ALL PLANT MATERIAL SHALL BE PLANTED WITH A MINIMUM OF DEPTH OF THREE (3) INCHES OF MULCHED MATERIAL AND A DIAMETER OF THREE (3) AROUND THE BASE OF THE TREE.
6. TREES SHALL BE STAKED WITH POSTS AND NOT STAKES IN AREAS OF HIGH WIND FOR ONE TO THREE YEARS TO ALLOW THE GROWTH OF PROPOSED ROOTS TO STABILIZE. ALL ROPES SHALL BE COVERED TO PREVENT CUTTING INTO THE BARK.
7. ANY EXCESS SOIL, CLAY, OR CONSTRUCTION DEBRIS SHALL BE REMOVED FROM THE PLANTING SITE, PRIOR TO PLANTING OF INDIVIDUAL TREES AT FINAL GRADE.
8. THE JURISDICTION, AT ITS DISCRETION, HAS THE RIGHT TO RETAIN A PROFESSIONAL LANDSCAPE ARCHITECT OR ARBORIST TO REVIEW SUBMITTED LANDSCAPE PLAN AND THE PROFESSIONAL LANDSCAPE ARCHITECT OR ARBORIST WILL SUBMIT A WRITTEN REPORT TO THE PLANNING AND ZONING COMMISSION. ALL EXPENSES INCURRED BY THE JURISDICTION FOR THE USE OF THE LANDSCAPE ARCHITECT OR ARBORIST SHALL BE REIMBURSED BY THE DEVELOPER.

PLANTING SEASONS:

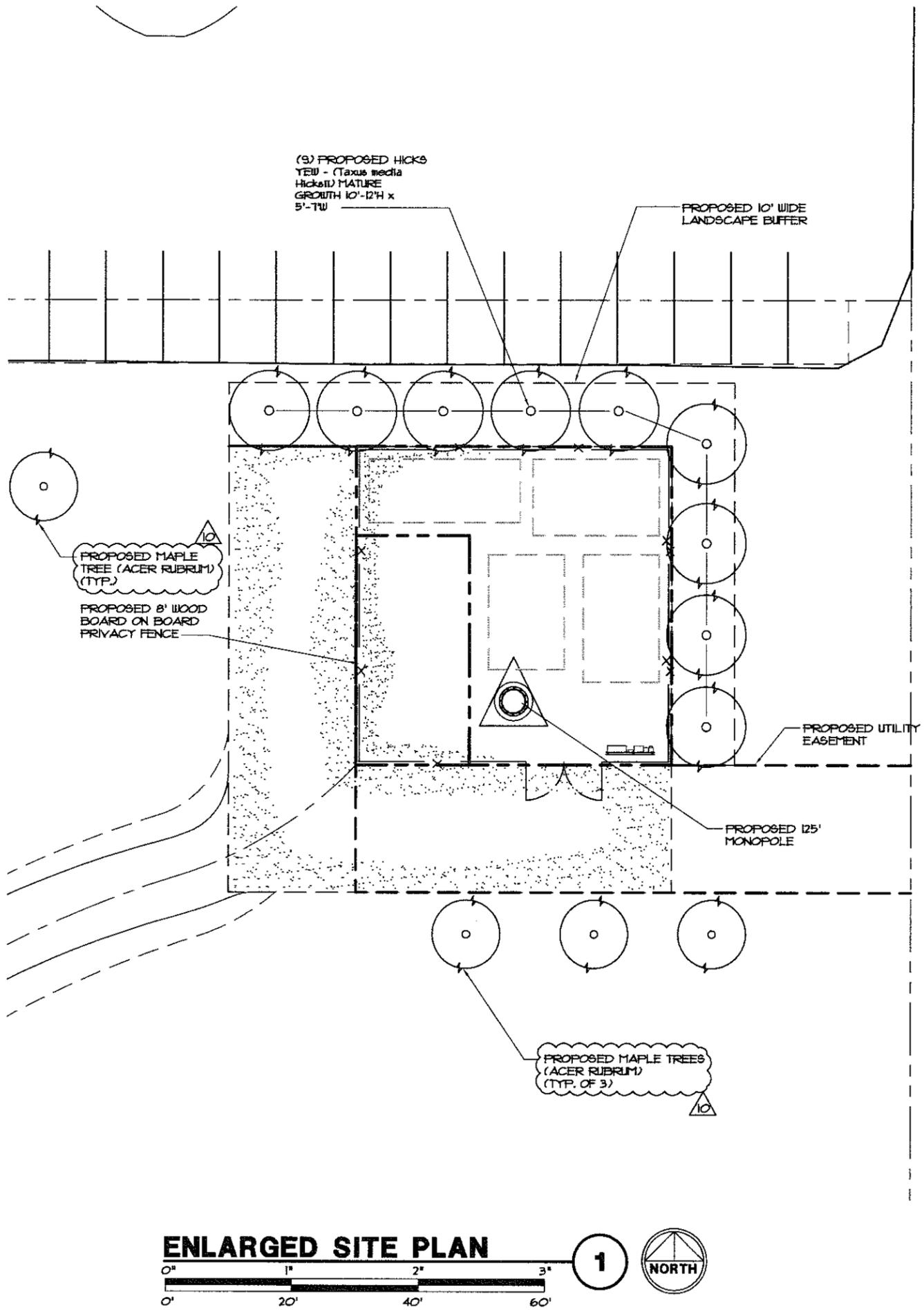
1. EVERGREEN PLANTS MUST BE PLANTED DURING THE FOLLOWING DATES: APRIL 1ST TO MAY 15TH AND SEPTEMBER 1ST TO OCTOBER 1ST
2. THE PLANTING PERIODS INDICATED MAY BE EXTENDED DUE TO WEATHER CONDITIONS OR OTHER FACTORS, WHICH MUST BE APPROVED BY THE LANDSCAPE ARCHITECT/ENGINEER.
3. THE CONTRACTOR WILL BE RELIEVED FOR HIS GUARANTEE RESPONSIBILITY SHOULD THE OWNER REQUIRE PLANT MATERIAL INSTALLATIONS TO BE COMPLETED DURING OTHER TIMES THAN THE PLANTING PERIODS INDICATED.

PLANTING:

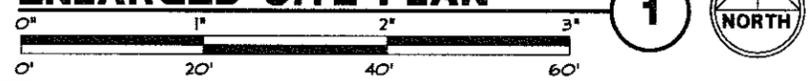
1. ALL SHADE TREES, ORNAMENTAL TREES, EVERGREEN TREES AND SHRUBS SHALL BE PLANTED IN HOLES EXCAVATED AT LEAST 3x THE WIDTH OF THE DIAMETER OF THE BALL OR CONTAINER AND DEEP ENOUGH SO THAT THE TOP OF THE BALL OR SOIL IN THE CONTAINER IS AT OR JUST ABOVE EXISTING GRADE.
2. ALL TWINE OR ROPE MUST BE CUT AND REMOVED AND THE BURLAP FOLDED AWAY FROM THE TOP OF THE BALL. THE EXCAVATION MUST BE BACKFILLED WITH THE PLANTING MIXTURE AND WATERED. ANY SETTLEMENT WILL BE FILLED WITH PLANTING MIXTURE.
3. A 4" DEEP SAUCER, SIMILAR TO THE DIAMETER OF THE PLANTING HOLE SHALL BE CREATED USING PLANTING MIX.

CLEAN UP:

1. ALL DEBRIS GENERATED DURING THE INSTALLATION OF PLANT MATERIALS MUST BE REMOVED FROM THE SITE.
2. ALL PAVEMENTS AND WALKS MUST BE SWEEPED AFTER EACH DAYS WORK. UPON COMPLETION OF THE WORK, ALL PAVEMENTS MUST BE WASHED TO REMOVAL MUD OR DIRT.



**ENLARGED SITE PLAN**



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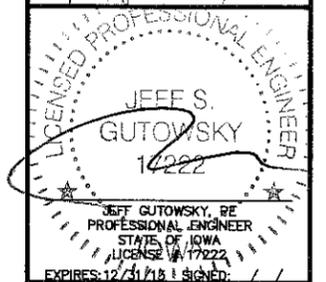
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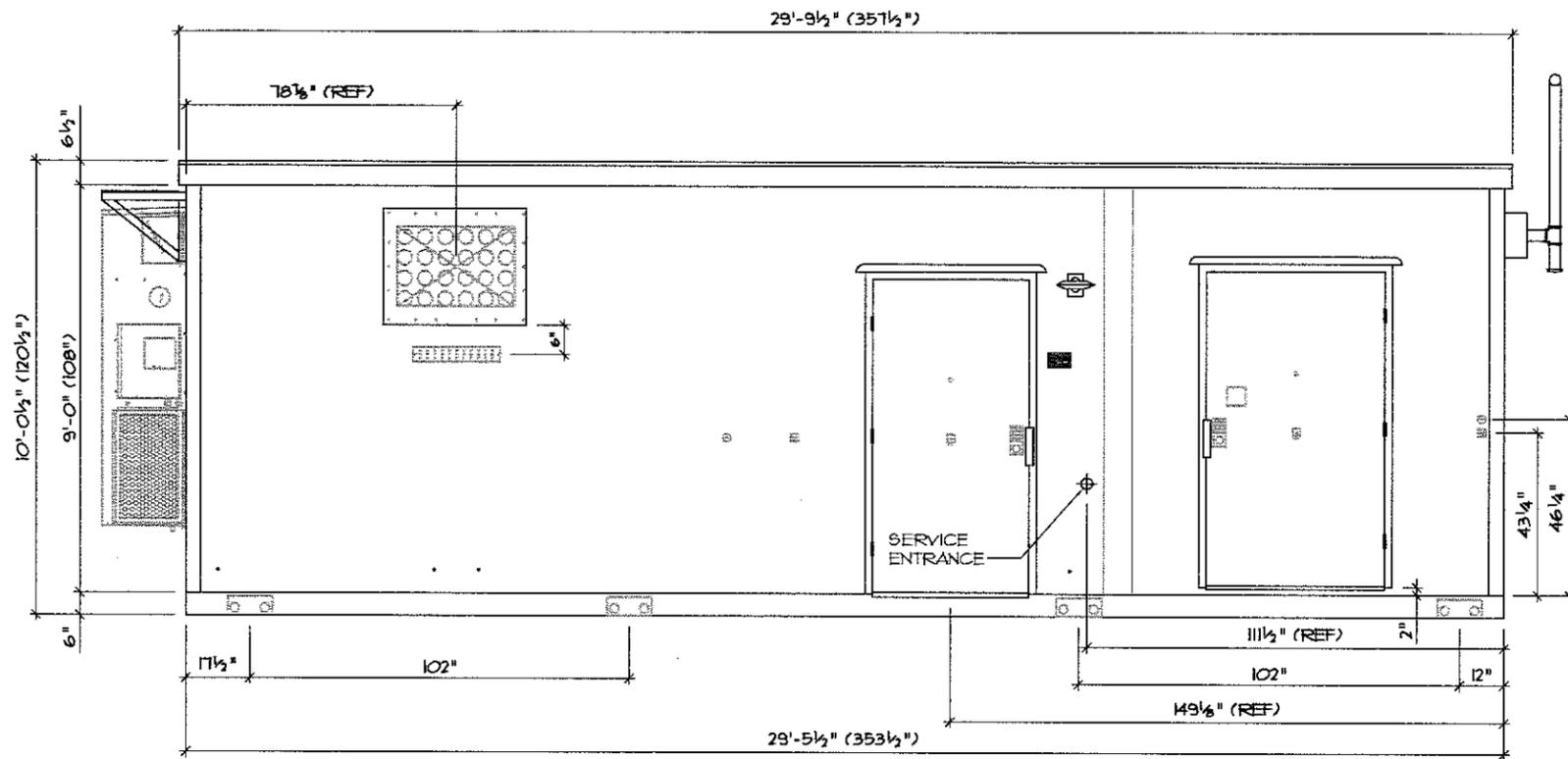
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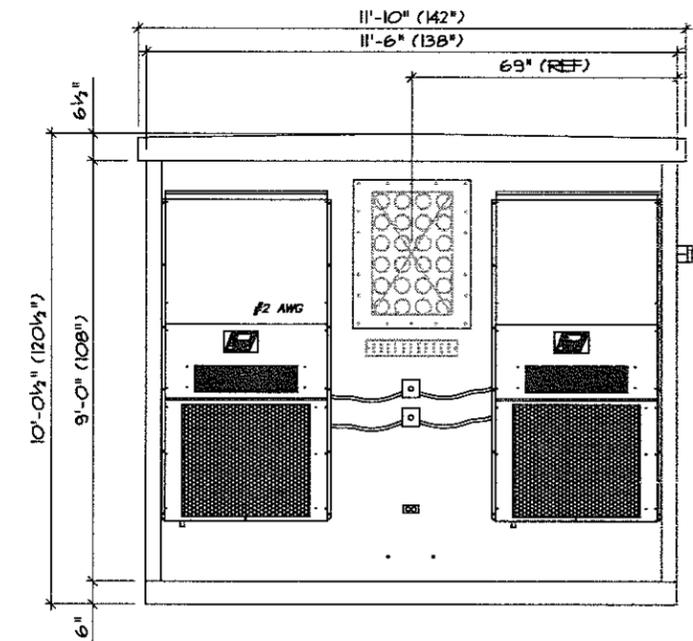


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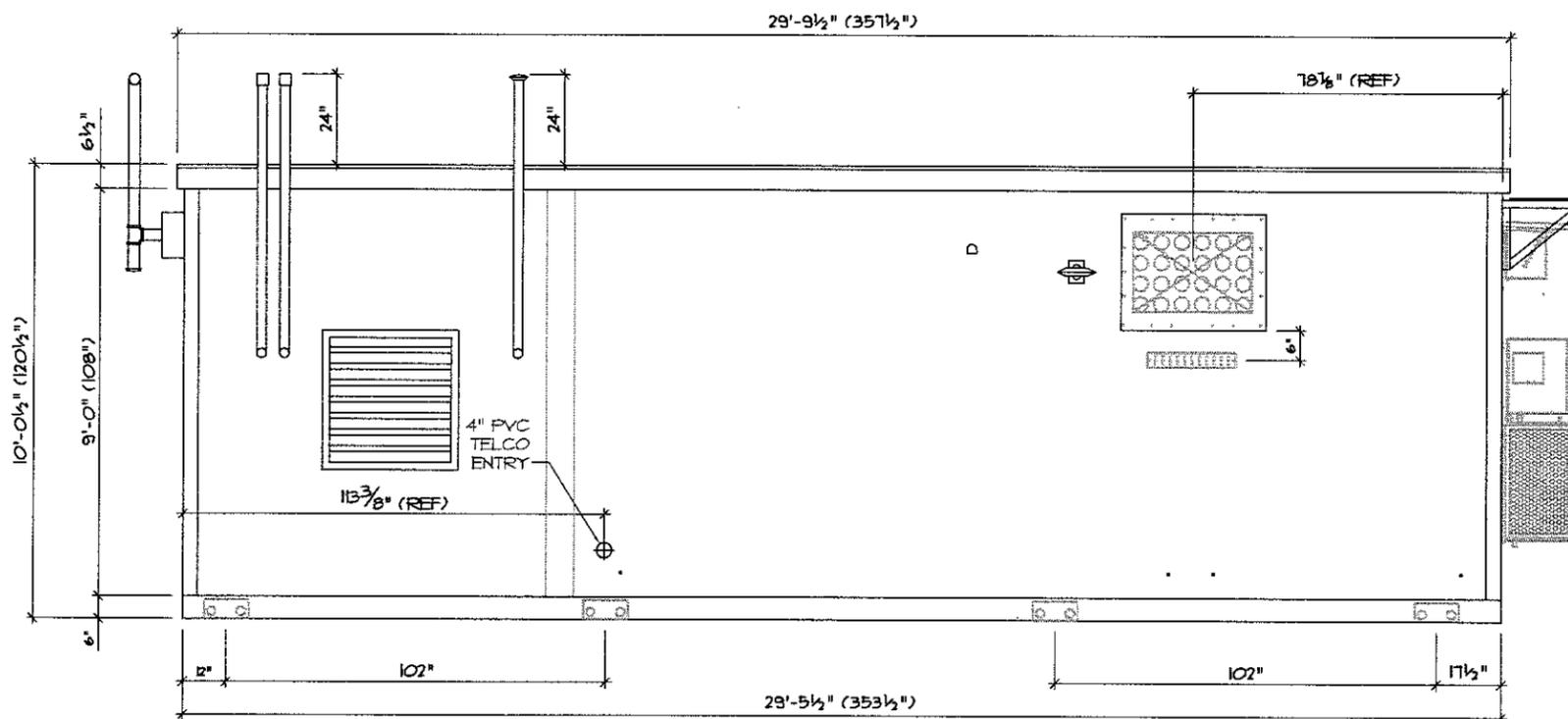
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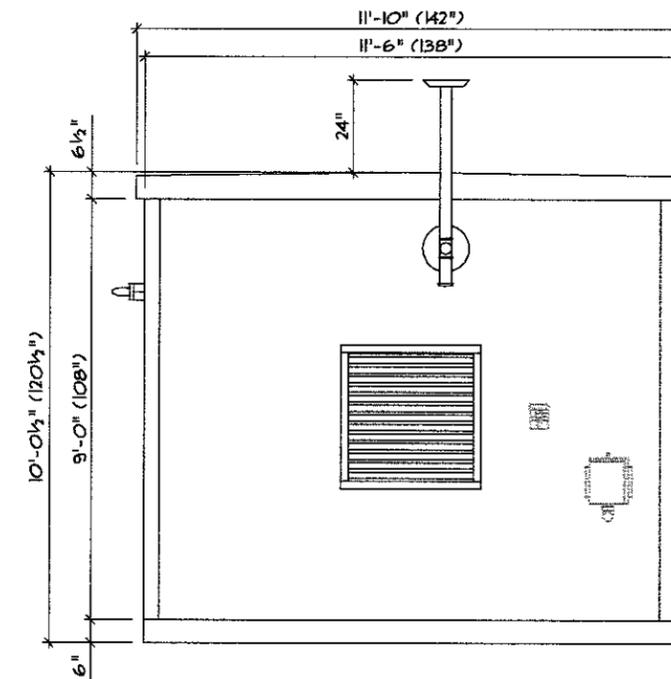
ELEVATION A



ELEVATION B



ELEVATION C



ELEVATION D

**SHELTER ELEVATIONS**

SCALE: 1/4"=1'-0"



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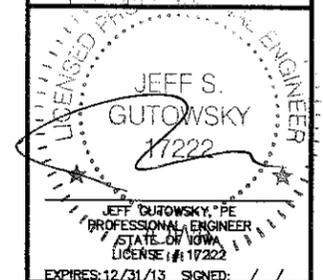
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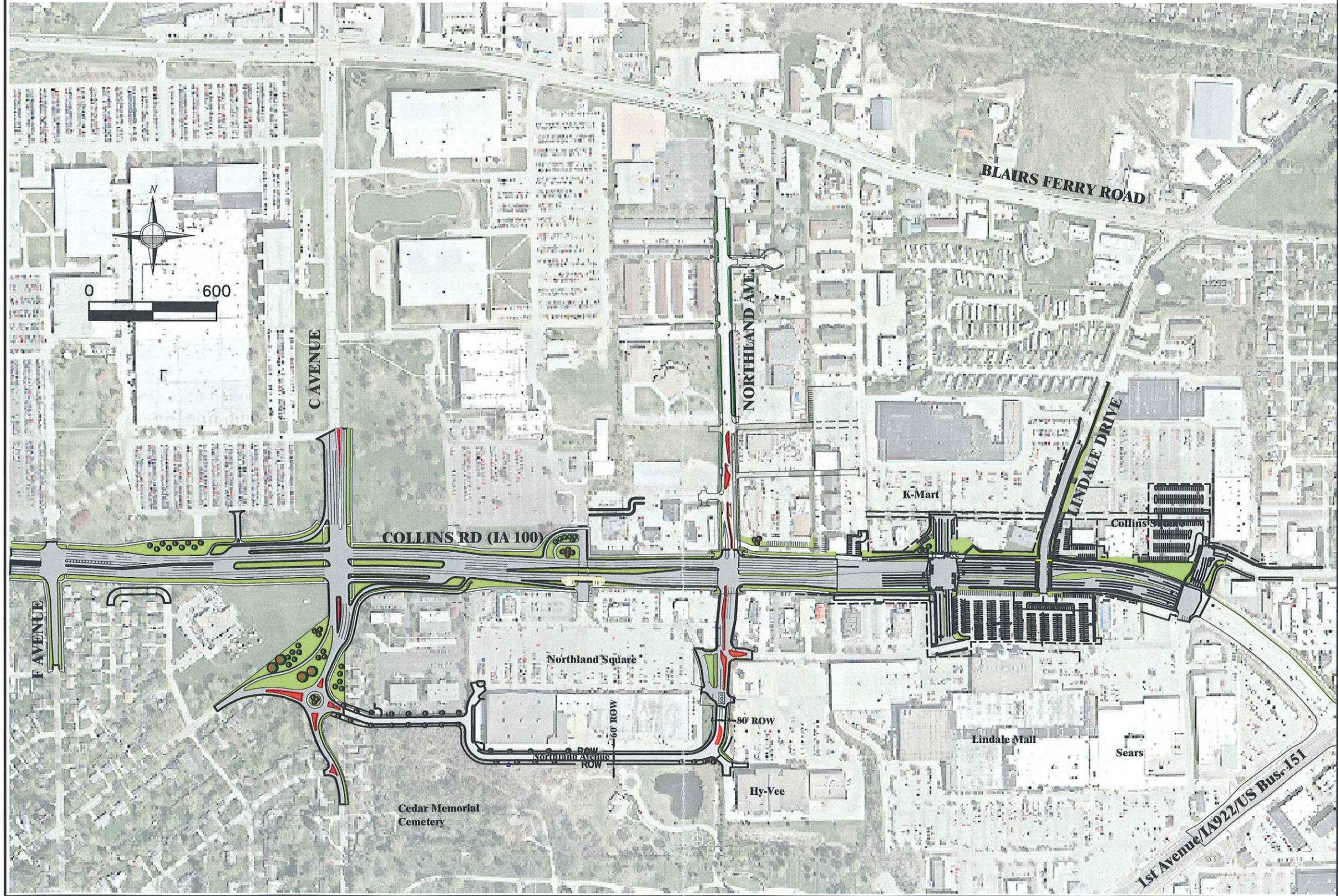


SHEET NAME

**SHELTER  
ELEVATIONS**

SHEET NUMBER

**SH-1**



**CITY PLANNING COMMISSION MEETING**

Thursday, August 8, 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**

**1. Case Name: 113 34<sup>th</sup> Street Drive SE (Preliminary Site Development Plan)**

Recommendation for approval of a Preliminary Site Development Plan in a C-3, Regional Commercial Zone District as requested by Ross Co Auto Sales and Donna R. and Ross R. Neal . **Case No: PSDP-002433-2013 Case Manager: Vern Zakostecky**

**2. Case Name: 5120 Shadowood Lane SW (Rezoning)**

Recommendation for approval of a rezoning from R-T, Single Family Transitional Residence Zone District to R-3D, Two Family Residence Zone District as requested by Melody Vance. **Case No: RZNE-003218-2013 Case Manager: Vern Zakostecky**

**3. 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 and Nash Finch Companies. **Case No: RZNE-003536-2013 Case Manager: Vern Zakostecky**

**4. Case Name: 1620 E Avenue NE (Rezoning)**

Recommendation for approval of a rezoning from I-1, Light Industrial Zone District to C-2, Community Commercial Zone District as requested by Knapp Warden LLC and D & S Building Co Inc. **Case No: RZNE-003573-2013 Case Manager: Vern Zakostecky**

**5. Case Name: 1734 B Avenue NW (Rezoning)**

Recommendation for approval of a rezoning from R-3, Single Family Residence Zone District to C-1, Mixed Neighborhood Convenience Zone District as requested by Dennis Valenta. **Case No: RZNE-003697-2013 Case Manager: Vern Zakostecky**