



City Planning Commission
City of Cedar Rapids
101 First Street SE
Cedar Rapids, IA 52401
Telephone: (319) 286-5041

**MINUTES
CITY PLANNING COMMISSION REGULAR MEETING,
Thursday, March 14, 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
Allan Thoms (Via Phone)
Mike Tertinger
Carletta Knox-Seymour
Virginia Wilts
Laura Seaton

DSD Staff: Vern Zakostelecky, Planner
CD Staff: Jennifer Pratt, Planner
Seth Gunnerson, Planner
Alicia Abernathey, Administrative Assistant

The meeting was called to order at 3:02 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.

Commissioner Overland stated Commissioners have received the minutes from January 31, 2013 and called for additions or corrections. Commissioner Overland stated with no additions or corrections, the minutes from January 31, 2013 stand approved.

Commissioners Thoms and Halverson joined the meeting at 3:05 p.m.

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

REGULAR AGENDA

1. Case Name: 827 Shaver Road NE (Rezoning and Conditional Use) Case No. RZNE-001227-2013 and COND-001277-2013; Case Manager: Vern Zakostelecky

- a) Recommendation for approval of a rezoning from I-1, Light Industrial Zone District to C-2, Community Commercial Zone District requested by Noleshawk Investments, LLC (Applicant/Titleholder).
- a) Recommendation for approval of a conditional use for a restaurant with an outdoor eating area in a C-2, Community Commercial Zone District for property at 827 Shaver Road NE as requested by Noleshawk Investments, LLC (Applicant/Titleholder).

Vern Zakostelecky, Development Service Department, stated the property contains a building that would be renovated for a restaurant. The applicant has submitted for a variance on parking as one of the goals of the restaurant is to cater to bicyclists, particularly those using the Cedar Lake Trail. The overall site is a little over 11,000 sq ft with approximately 1,000 sq ft of building and approximately 1,200 sq ft of open space. There is a small garage behind the building that would be removed and the paved area would be fenced off and used as an outdoor service area where food and alcohol would be served. The parking requirement for this site is 30 spaces and staff supports the parking variance to have only 12 spaces due to on-street parking being available on the site. 90 bicycle racks will also be provided. Mr. Zakostelecky presented an aerial photo, zoning/location map and site plan pointing out the location of the property and the different elements of the proposed plan.

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

Commissioner Overland called for a representative of the applicant. Marty Hoeger, Noleshawk Investments, LLC, stated the two previous owners used the building for retail and office use.

Commissioner Overland called for questions of the applicant. Commissioner Thoms asked if the restaurant would be open year round. Mr. Hoeger stated the restaurant will be open year round for lunch and in the evenings.

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 Halverson made a motion to approve the rezoning from I-1, Light Industrial 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.

Commissioner Overland called for a motion to approve the conditional use. Commissioner Frost made a motion to approve the conditional use for a restaurant with an outdoor eating area in a C-2, Community Commercial 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.

2. Case Name: 902 17th Street NE (Rezoning) Case No. RZNE-001229-2013; Case Manager: Vern Zakostelecky

Recommendation for approval of a rezoning from I-1, Light Industrial Zone District to O-S, Office/Service Zone District requested by Mount Mercy University (Applicant) and Terex USA, LLC, ITC Midwest and Alliant Energy (Titleholders).

Mr. Zakostelecky stated this is a request from Mount Mercy University as they have a purchase agreement to buy the property. The site is the former Terex site owned by Terex USA, LLC, ITC Midwest and Alliant Energy. The application is for a rezoning without a preliminary site development plan; therefore, the applicant would have to return with a site plan for approval by City Planning Commission before building on the site. The existing buildings on the site would be demolished to create athletic fields for Mount Mercy University. Prior to demolition, the Historic Preservation Commission (HPC) will have to review the buildings that are 50 years old or older. The applicant was scheduled to go before the HPC for a preliminary review but the applicant decided they want to ensure the rezoning would be approved before spending time at the HPC level. Mr. Zakostelecky presented a location/zoning map and an aerial photo pointing out the site location, current zoning, the current Cedar Rapids School District athletic facilities and the CEMAR Trail.

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

Commissioner Overland called for a representative of the applicant. Vicki Smith, Vice President of Mount Mercy University, stated the project would expand the college campus and the neighborhood meeting was very positive.

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 Halverson made a motion to approve the rezoning from I-1, Light Industrial 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.

NEW BUSINESS

1. Recommendation regarding conformity of the proposed Westdale Urban Renewal Plan with the City's Comprehensive Plan.

Jennifer Pratt, Community Development, stated City Council has initiated proceedings to establish a new Urban Renewal Area, the Westdale Urban Renewal Area, and the purpose would be to promote redevelopment of the site. The redevelopment would be done through a master

plan development that would include a mixture of uses as well as other identified community benefits. The community benefits would include pedestrian connectivity within the site and to adjacent neighborhoods. Ms. Pratt presented a location map pointing out the site location is between Williams Boulevard, Wiley Boulevard and Edgewood Road SW. City Council passed a resolution of support in December 2012 to show interest in supporting redevelopment in this area and establishing an Urban Renewal Area provides the mechanism to use Tax Increment Financing (TIF) for future investment. The specific terms of the development agreement would go back to City Council including all expectations and purposed outcomes. Any comments from the City Planning Commission would be shared with City Council at their meeting on March 26.

Commissioner Overland called for questions of Ms. Pratt. Commissioner Seaton asked if there were plans for the actual mall building. Ms. Pratt stated the development group that submitted interest in the area is looking at partial demolition and turning it into more of a town square approach. Commissioner Frost asked if it would be similar to Jordan Creek in Des Moines. Ms. Pratt stated it would be different with more open gathering space and housing, commercial and office all in the same area. Commissioner Friauf asked what will happen to the outlining properties such as the old movie theatre and restaurant. Ms. Pratt stated there would be no changes or requirements of the outlining businesses. There is a small amount of property that would not be owned by the developer but if the other business owners wanted to make improvements they would be consistent with the mall.

Commissioner Thoms stated the 2nd paragraph of the memo, “...referred to the City Planning Commission for review and recommendation ‘as to its conformity with the general plan for the development of the municipality as a whole.’” says it all. Anytime there is an opportunity to make progress on 91 acres of property in the middle of Cedar Rapids is a great opportunity. Commissioner Tertinger agreed with Commissioner Thoms and stated this fits with the intent of the master plan for Cedar Rapids.

Commissioner Tertinger pointed out the memo mentions “sustainability features” and asked what this may entail. Ms. Pratt stated developers are encouraged to use techniques that help increase sustainability on the site. For this project, looking for an increase in the amount of green space would be a term in the development agreement. Commissioner Tertinger stated it would be nice to see more requirements when providing tax payer assistance. It would be good to focus on water management issues and it would be good to make a statement to Cedar Rapids to show the City is managing their water well and using this project as an example of going above the minimum that is typically seen. Commissioner Friauf agreed with Commissioner Tertinger and stated there is a creek running beneath the Westdale property. There is an opportunity to make a water feature and green space with this property. Ms. Pratt stated because this is a master plan that will be phased in it is sometimes hard to require certain techniques.

Commissioner Overland called for a motion to recommend the proposed Westdale Urban Renewal Plan to City Council. Commissioner Friauf made a motion to recommend the proposed Westdale Urban Renewal Plan to City Council. 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. Recommendation regarding conformity of Amendment No. 2 to the Amended and Restated Consolidated Technology Park Urban Renewal Plan with the City’s Comprehensive Plan.

Ms. Pratt stated this is an amendment to the existing Technology Park Urban Renewal Area, originally formed in 1994 to facilitate new economic development. There have also been a lot of public improvements in this area as well. Currently, there is a proposed amendment to extend the Urban Renewal Area for right of way only. Ms. Pratt provided a location map pointing out the right of way on 76th Avenue would be extended from Interstate 380 to Kirkwood Boulevard with the idea of using existing available funds for road improvements.

Commissioner Overland called for questions of Ms. Pratt. Commissioner Halverson stated when looking at the Urban Renewal Plan there is a reference on page four to the City's indebtedness and asked if the numbers should be switched. Ms. Pratt stated staff would double check the numbers to ensure something did not get transposed. Commissioner Halverson stated in the cover memo there was a reference to the district being created in 1994 and asked if the plan would lapse in 2014. Ms. Pratt stated there have been portions added to the plan and when things are added the clock is reset.

Commissioner Overland called for a motion to recommend the amendments. Commissioner Halverson made a motion to recommend conformity of Amendment No. 2 to the Amended and Restated Consolidated Technology Park Urban Renewal Plan with the City's Comprehensive Plan. 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.

The meeting was adjourned at 3:30 p.m.

Respectfully Submitted,

Alicia Abernathey, Administrative Assistant II
Community Development