



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, April 4, 2013 @ 3:00 p.m.**

Cedar Rapids City Hall Council Chambers, 101 First Street SE

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

Members Absent: Scott Friauf
Allan Thoms

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

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

The meeting was called to order at 3:13 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 March 14, 2013 and called for additions or corrections. Commissioner Overland stated with no additions or corrections, the minutes from March 14, 2013 stand approved.

Commissioner Overland called for a motion to approve the agenda. Commissioner Halverson 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: 1854 42nd Street NE & 4242 Center Point Road NE (Rezoning) Case No. RZNE-001400-2013; 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 requested by Parco, LTD (Applicant) and R W Rinderknecht (Titleholder).

Vern Zakostelecky, Development Services, stated this is a redevelopment of the Wendy's site at the northeast corner of the intersection of Center Point Road and 42nd Street NE. To the north of Wendy's there is a Riley's Restaurant that the Wendy's owner is purchasing, removing both buildings and rebuilding a new Wendy's. Mr. Zakostelecky explained the site plan.

Commissioner Overland called for questions of Mr. Zakostelecky. Commissioner Seaton asked if the proposed sign elevations were different from what is currently on the site. Mr. Zakostelecky stated at this point in the process, signage is not approved and will be included in a different application. Commissioner Overland asked Mr. Zakostelecky to comment on the new accesses. Mr. Zakostelecky stated a concerned citizen called regarding access to the site from 43rd Street but there will be no access from 43rd Street. Access to the site will be from 42nd Street and Center Point Road, with the current access to the Wendy's site from Center Point Road eliminated.

Commissioner Overland called for a representative of the applicant. Steve Ryan, Parco Limited, stated there is an access on 42nd Street that will remain. Also, there are two access points along Center Point Road and the access closest to the intersection will be eliminated at the request of the City.

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 R-3, Single Family Residence Zone District to C-2, Community Commercial 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.

2. Case Name: 112 31st Street NE (Rezoning) Case No. RZNE-001437-2013; Case Manager: Vern Zakostelecky

Recommendation for approval of a rezoning from C-3, Regional Commercial Zone District to R-3, Single Family Residence Zone District requested by Mark Bolton (Applicant/Titleholder).

Mr. Zakostelecky stated this is a rezoning of a single family home that is a legal nonconforming use in the C-3 zoning district. Staff feels the zoning of commercial was a technical error when the City adopted a new zoning map sometime in the past. Mr. Zakostelecky presented a location map and aerial photo of the site pointing out adjacent properties. The paving of the adjacent bar extends into the lot of this property and one of the conditions of the rezoning is that the paved area behind the housing proposed for rezoning cannot be used for bar customer parking.

Commissioner Overland called for questions of Mr. Zakostelecky. Commissioner Knox-Seymour asked what made the applicant come to the City for a rezoning. Mr. Zakostelecky stated this property was owned by HUD at one point and was used to temporarily house displaced families. Several commercial uses have been in the house since HUD owned it and Mr. Bolton bought the property knowing it was zoned commercial. Mr. Bolton would like the property zoned to residential so it does not impact property values.

Commissioner Overland called for a representative of the applicant. Mark Bolton, 4673 Lincoln Heights Drive SE, stated he would be happy to answer any questions.

Commissioner Overland called for questions of the applicant. Commissioner Seaton asked if there were any concerns regarding the paved area in the back of the property. Mr. Bolton stated he spoke with the bar owners and an agreement has been worked out.

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 C-3, Regional Commercial Zone District to R-3, Single Family Residence 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.

3. Case Name: 415 12th Avenue SE (Preliminary Site Development Plan) Case No. PSDP-001421-2013; Case Manager: Vern Zakostelecky

Recommendation for approval of a Preliminary Site Development Plan for property at 415 12th Avenue SE and zoned C-3, Regional Commercial Zone District as requested by Geonetric, Inc. (Applicant) and the City of Cedar Rapids (Titleholder).

Mr. Zakostelecky stated the property is a City-owned lot and was formally the Iowa Steel Manufacturing company several years ago. The City acquired the site and used Brownfield money to clean up the lot and now that the site is considered a clean site the City put it up for disposition. The property is currently zoned C-3 which is appropriate for the use being requested and the applicant wants to build a three story building with parking in the back and to the side. Through the NewBo Master Planning process the extension of 14th Avenue to St. Wenceslaus Church was identified and would run through this site. Mr. Zakostelecky pointed out the site plan details. Mr. Zakostelecky presented an aerial photo, location map, site plan and building renderings pointing out the property, adjacent properties and key details of the plan. The Design Review Technical Advisory Committee (DRTAC) reviewed and approved the building renderings.

Commissioner Overland called for questions of Mr. Zakostelecky. Commissioner Seaton asked, in reference to the DRTAC report, if everything in the overlay district is required and has been accommodated in the plan. Mr. Zakostelecky stated that was correct. Commissioner Frost asked, in reference to the site plan, if the trees were for graphic purposes or if it was an actual layout of where the applicant would plant trees. Mr. Zakostelecky stated the site is located in the core areas so it is exempt from landscaping but the applicant is asked to show conceptually where

trees might be planted. Any trees that will be on the site will be identified in the Administrative Site Development Plan and details of the trees will be required.

Commissioner Tertinger stated based on the current parking standards, the site would need to have 210 parking spaces and asked if it was correct that the site will now only have 139 spaces. Mr. Zakostelecky stated when the applicant initially submitted the application, the parking changes had not been adopted so the number of parking spaces was 210. Once the parking changes were adopted there was a deduction down to 168 parking spaces. Currently the applicant is working on a shared parking agreement which is why the parking provided is now 139 spaces.

Commissioner Overland called for a representative of the applicant. Brent Jackman, Hall & Hall Engineers, stated he would be happy to answer any 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 Preliminary Site Development Plan. Commissioner Halverson made a motion to approve the Preliminary Site Development Plan for property at 415 12th Avenue SE and zoned 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.

4. Case Name: 1000 3rd Street SE (Preliminary Site Development Plan) Case No. PSDP-001405-2013; Case Manager: Joe Mailander

Recommendation for approval of a Preliminary Site Development Plan for property at 1000 3rd Street SE and zoned C-3, Regional Commercial Zone District as requested by Ryan Companies US, Inc. (Applicant) and US First Holdings, LLC (Titleholder).

Joe Mailander, Development Services, stated this is a request for approval of a retail store at the location commonly referred to as the Dostal House. The property is zoned C-3 and is eligible for the National Register of Historic Places and is a contributing structure to the area. This property has not been reviewed by the City's Historic Preservation Commission (HPC) because it is not within a local historic district. However, the plan has been reviewed by the State HPC and they have indicated even with the proposed addition, the property will still be a contributing structure to the area. Mr. Mailander presented an aerial photo, location map, site plan and building renderings pointing out the adjacent properties, parking, and green space.

Commissioner Overland called for questions of Mr. Mailander. Commissioner Halverson asked if the home would be incorporated into the use of the retail store. Mr. Mailander stated it would be incorporated.

Commissioner Overland called for a representative of the applicant. Tred Schnoor, Schnoor-Bonifazi Engineering, stated he would be happy to answer any 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 Preliminary Site Development Plan. Commissioner Frost made a motion to approve the Preliminary Site Development Plan for property at 1000 3rd Street SE and zoned C-3, Regional Commercial 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.

5. Case Name: 1238 Lake Avenue NE (Conditional Use) Case No. COND-001413-2013; Case Manager: Dave Houg

Recommendation for approval of a Conditional Use for a contractor shop in a C-3, Regional Commercial Zone District for property at 1238 Lake Avenue NE as requested by Brad Robison (Applicant) and Scott and Cindy Turkal (Titleholders).

Dave Houg, Development Services, stated this is a request to locate a contractor shop in an existing warehouse, zoned C-3. Mr. Houg presented an aerial photo, location map, site plan and building renderings pointing out adjacent properties, the portion of the property that will be paved and current zonings of the area.

Commissioner Overland called for questions of Mr. Houg. Commissioner Seaton asked what the contractor shop would be used for. Mr. Houg stated Mr. Robison is a local home builder but he does not have details about what the shop will be used for in regards to the business.

Commissioner Overland called for a representative of the applicant. Dan Schmidt, Brain Engineering, stated a small contracting business will be located in the building.

Commissioner Overland called for questions of the applicant. Commissioner Halverson asked if this was a newly constructed building. Mr. Schmidt stated the building is not new. Commissioner Halverson stated the building looks as though it has always been used for this type of business and asked if there was a current conditional use on the property. Mr. Houg stated there are no current conditional uses on the property.

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 Halverson made a motion to approve the Conditional Use for a contractor shop in a C-3, Regional Commercial Zone District. Commissioner Tertinger 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 3:43 p.m.

Respectfully Submitted,

Alicia Abernathey, Administrative Assistant II
Community Development