

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

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

Members Present: Allan Thoms, Serving as Chair  
Scott Friauf  
Laura Seaton  
Carletta Knox-Seymour  
Mike Tertinger  
Virginia Wilts

Members Absent: Scott Overland, Chair  
Jim Halverson, Vice – Chair  
Gloria Frost

DSD Staff: Vern Zakostelecky, Planner  
Joe Mailander, Engineer

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

The meeting was called to order at 3:00 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 six (6) Commissioners present and three (3) absent.

Commissioner Thoms called for a motion to approve the minutes from April 25, 2013. Commissioner Friauf made a motion to approve the minutes from April 25, 2013. Commissioner Wilts seconded the motion. The motion passed unanimously with none opposed.

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

## **REGULAR AGENDA**

### **1. Case Name: Hawks Point Fifth Addition (Major Preliminary Plat) Case No. PRPT-001917-2013; Case Manager: Joe Mailander**

Approval of a Major Preliminary Plat for property north of Highway 151 and east of West Post Road as requested by Thomas Dostal Developers, Inc. (Applicant/Titleholder).

Joe Mailander, Development Services, stated the proposed plat has 82 parcels for future residential development and is next to a previously approved plat, Hawks Point Fourth Addition. This site came before the City Planning Commission (CPC) in June 2011 and was approved as part of the Hawks Point Fourth Addition but was not final platted. The developer has since redesigned the site and the site will now include 81 dwelling units with 59 single-family homes, 22 zero lot duplex units and 1 multi-family lot. Access to the site will be from West Post Road. Mr. Mailander presented a zoning map, aerial photo and a preliminary plat pointing out property zoning and detention basins. Mr. Mailander identified next steps for the process.

Commissioner Thoms called for questions of Mr. Mailander. No questions were presented. Commissioner Thoms called for a representative of the applicant. Randy Dostal, Thomas Dostal Developers, stated the Hawks Point Additions have been an overwhelming success as people were able to purchase homes when they never thought they could own a home.

Commissioner Thoms called for questions of the applicant. Commissioner Tertinger asked for explanation of how this project is exceeding the City storm water management requirements. Mr. Dostal stated there is a watershed in the area and they are giving the City and residents of the area what they need for water detention/retention area. There are around 120 acres in the watershed drainage area. Commissioner Thoms asked if the basins were retention or detention. Mr. Dostal stated it will be a detention basin and there will be no standing water. Commissioner Thoms asked how the smaller detention basin would be maintained. Mr. Dostal stated it would be given to the City and it will need to be mowed.

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

Commissioner Thoms called for a motion to approve the major preliminary plat. Commissioner Tertinger made a motion to approve the Major Preliminary Plat. Commissioner Knox-Seymour seconded the motion.

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

### **2. Case Name: 633 A Avenue NW (Rezoning and Conditional Use) Case No. RZNE-002025-2013 and COND-002026-2013; Case Manager: Vern Zakostelecky**

- a) Recommendation for approval of a rezoning from RMF-2, Multiple Family Residence Zone District to C-3, Regional Commercial Zone District as requested by Covenant Properties, LC (Applicant/Titleholder).

- b) Recommendation for approval of a Conditional Use for a warehouse building in a C-3, Regional Commercial Zone District for property at 633 A Avenue NW as requested by Covenant Properties, LC (Applicant/Titleholder).

Vern Zakostecky, Development Services, stated the owner is looking to construct a warehouse for servicing his existing business, Schumacher Carpets, located on 1<sup>st</sup> Avenue. The warehouse would be used to service the growing business by storing materials and possibly storing work vehicles. The City views this as a contractor workshop in a C-3 and requires a conditional use as well. The property is currently zoned RMF-2 as well as the neighboring property and the neighboring property is a legal non-conforming use as part of a light manufacturing facility. The total site area is 5,600 sq ft with the building area at 2, 376 sq ft. The lot will contain two parking spaces when it is only required to have one. Mr. Zakostecky presented a location map, aerial photo, site plan and renderings pointing out the site, the neighboring properties zonings, the Schumacher Carpets location, and a potential design of the building.

Commissioner Thoms called for questions of Mr. Zakostecky. Commissioner Thoms stated Lot 10 is zoned RMF-2 and it appears by rezoning 633 A Avenue the zonings would be split. Mr. Zakostecky stated the neighboring property is a storage area for a light manufacturing facility and is a legal non-conforming lot so it is not splitting the zoning.

Commissioner Thoms called for a representative of the applicant. Dan Schmidt, Brain Engineering, stated the property will be used as a warehouse for carpeting.

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

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

Commissioner Thoms called for a motion. Commissioner Friauf made a motion to approve the rezoning from RMF-2, Multiple Family Residence Zone District to C-3, Regional Commercial Zone District and approve the conditional use for a warehouse building in a C-3, Regional Commercial Zone District. Commissioner Knox-Seymour seconded the motion.

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

**3. Case Name: Between 16<sup>th</sup> & 18<sup>th</sup> Avenue, west of Jacolyn Drive SW (Preliminary Site Development Plan) Case No. PSDP-002064-2013; Case Manager: Vern Zakostecky**

Recommendation for approval of a Preliminary Site Development Plan for property south of 16<sup>th</sup> Avenue, west of Jacolyn Drive and north of 18<sup>th</sup> Avenue SW and zoned C-3, Regional Commercial Zone District as requested by CRST International (Applicant) and Jacob Wells, LLC (Titleholder).

Mr. Zakostecky stated the property is owned by Cedar Real Estate Properties, a branch of CRST and CRST is looking to receive preliminary site plan approval to develop a truck training facility. The site is approximately 13 acres and the building would be approximately 7,000 sq ft that will be used for training. Mr. Zakostecky presented a location map, aerial photo, site plan and renderings pointing out accesses, building location, storm water management location and potential design of the building.

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

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

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

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

Commissioner Thoms called for a motion to approve the Preliminary Site Development Plan. Commissioner Friauf made a motion to approve the Preliminary Site Development Plan for property south of 16<sup>th</sup> Avenue, west of Jacolyn Drive and north of 18<sup>th</sup> Avenue SW and zoned C-3, Regional Commercial Zone District. Commissioner Seaton seconded the motion.

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

## **NEW BUSINESS**

### **1. Sign Ordinance Update**

Seth Gunnerson, Community Development, stated staff is presenting an ordinance to amend Chapter 32 of the City code regarding off-premise signs. The changes were previewed and recommended by the City Council Development Committee on April 30, 2013. Mr. Gunnerson provided background on the current zoning ordinance and steps staff has taken in the past year regarding sign changes. Mr. Gunnerson defined off-premise signs and on-premise signs and stated staff is looking to split the definition of billboard signs and off-premise directional signs. A recommendation was provided including the use of a Sign Master Plan. Mr. Gunnerson provided an overview of billboard signs located in the community identifying current height and size standards and provided a recommendation of new height and size standards. Options for limiting the number of billboards located in the community were identified.

Commissioner Thoms called for questions of Mr. Gunnerson. Commissioner Friauf asked if the development community was in favor of all of the proposals. Mr. Gunnerson stated the development community was in favor of the off-premise directional signs but there was not a lot of specific feedback received regarding digital billboards.

Commissioner Tertinger asked how the cap option would work. Mr. Gunnerson stated the wording in the ordinance would be modeled largely off the Rockford, IL ordinance and the cap would be for the number of the signs existing in the community when it is adopted. It would be enforced by showing documentation that an existing sign has been taken down before a permit for a new sign would be issued.

Commissioner Seaton asked if the 288 sq ft identified as one of the size heights was a standard number. Mr. Gunnerson stated 288 sq ft was the smaller of standard sizes found for billboards. Commissioner Seaton asked for an example of where a 288 sq ft size would be located. Mr. Gunnerson stated there would be limited locations but it would be a small percentage of signs.

Commissioner Thoms asked why removal of a non-conforming sign was not included in the recommendation as it would seem to make the most sense. Mr. Gunnerson stated it could be an

option and City Council will have the opportunity to modify the language when it goes before them as a Public Hearing at a City Council meeting.

Commissioner Thoms called for a motion. Commissioner Seaton made a motion to recommend the ordinance as presented with a condition of removing a non-conforming sign. Commissioner Wilts seconded the motion.

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

## **2. Board of Ethics Advisory Opinion**

Judy Whetstine and Bill Vincent identified changes to Chapter 6 regarding recusal, conflicts of interest and financial disclosures.

The meeting was adjourned at 4:13 p.m.

Respectfully Submitted,

Alicia Abernathey, Administrative Assistant II  
Community Development

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