



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, 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 (6) Commissioners present and two (3) 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 12th 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 8th 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 8th 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 33rd Avenue at 18th 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 33rd Avenue at 18th 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 33rd Avenue and has poor visibility from 33rd 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