



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, October 31, 2013 @ 3:00 p.m.**

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

Members Present: Scott Overland, Chair  
Jim Halverson, Vice – Chair  
Samantha Dahlby  
Carletta Knox-Seymour  
Richard Pankey  
Virginia Wilts

Members Absent: Mike Tertinger  
Allan Thoms

DSD Staff: Vern Zakostelecky, Planner  
Joe Mailander, Manager

CD Staff: Alicia Abernathey, 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 two (2) absent.

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the minutes stand approved. Commissioner Overland called for any additions or corrections to the agenda. Commissioner Overland stated with no additions or corrections, the agenda stands approved.

**REGULAR AGENDA**

***1. Case Name: 1410 Tower Lane NE (Rezoning) Case No. RZNE-005870-2013; Case Manager: Vern Zakostelecky***

Recommendation for approval of a rezoning from O-S, Office/Service Zone District to RMF-2, Multiple Family Residence Zone District as requested by Capital Commercial Division, LLC (Applicant/Titleholder).

Vern Zakostelecky, Development Services, stated the property is currently zoned O-S and has been since 1999. The previous property owner tried to market the property for office use and was unsuccessful. Mr. Zakostelecky pointed out the adjacent property was previously zoned O-S but

was rezoned to multi-family and condominiums were built. The applicant is proposing a 36 unit apartment building with access to the site from an existing drive currently serving the multi-family development to the southwest. There will be 80 parking spaces provided with two handicapped spaces. A neighborhood meeting was held on October 28<sup>th</sup> with several people in attendance and no major issues or concerns were expressed. Mr. Zakostecky presented an aerial photo, site plan and elevations pointing out adjacent zonings/uses, the layout of the proposed site, and the potential appearance of the apartment building.

Commissioner Overland called for questions of Mr. Zakostecky. Commissioner Overland asked if design guidelines had to be followed and if so, does the development follow them. Mr. Zakostecky stated the guidelines are followed as there are offsets in the building design. Commissioner Dahlby asked if there were any concerns with traffic flow on the access drive. Mr. Zakostecky stated the idea was for this property to share the access to minimize drives connecting to Tower Lane.

Commissioner Overland called for a representative of the applicant. Steve Stefani, Capital Commercial Division, stated the property has been vacant and Capital Commercial Division felt this was an opportunity to continue to convert the area from O-S to multi-family. The units will be higher end units. There will be secured doorways with security for the facility.

Commissioner Overland called for questions of the applicant. Commissioner Dahlby asked Mr. Stefani to elaborate on the height of the building as the surrounding buildings are one or two stories and the proposed development is three. Mr. Stefani stated the large complex that will be built to the east also has three stories. Due to the grade of the property, all three stories will not be seen from Boyson Road.

Commissioner Overland called for members of the public who wished to speak. The following members of the public spoke and expressed concerns with the project: Janet Schulze, 1407 Tower Lane NE; Joe & Kathy Clarion, 1321 Waldenwood Lane NE; Kate Kemmerer, 1475 Tower Lane NE; Klint Davis, 1468 Tower Lane NE; John Moore, 6901 West Park Road NE.

Comments and concerns heard are as follows:

- Notices were received on Saturday for a meeting on Monday night and it was hard to take off work with such short notice.
- As a member of the Summer Hill Home Owner Association, we have suffered substantially as one of our buildings turned to rental property. With this development being rental as well, property values in the area will go down.
- The private access drive that will be used for the development is the main entrance for the adjacent daycare center and there have been numerous accidents.
- The vacant parcel is used as a family area and provides a great view for home owners on Waldenwood Lane. The view will be lost with this development.
- Is there a way to ensure the apartments will be high end?
- Adding 80 more vehicles to Tower Lane will create a hazard.
- The density of the development is not appropriate for the area.
- The existing private access drive currently gets a lot of traffic that spills over into the condominiums private access drive. This development will add more traffic congestion.

Commissioner Overland called for a motion on the requested rezoning. Commissioner Halverson made a motion to deny the rezoning from O-S, Office/Service Zone District to RMF-2, Multiple Family Residence Zone District. Commissioner Dahlby seconded the motion.

Commissioner Overland called for discussion on the motion. Commissioner Halverson stated he is concerned with the density of the proposed development and feels it is out of scale with the rest of the neighborhood. Commissioner Dahlby stated she is concerned with the volume of traffic. A traffic study should be done to show what the access drive and Tower Lane can handle.

Commissioner Overland called for a vote on the motion. The motion passed unanimously with none opposed.

**2. Case Name: 3725 Center Point Road NE (Rezoning) Case No. RZNE-005883-2013; Case Manager: Vern Zakostelecky**

Recommendation for approval of a rezoning from O-S, Office/Service Zone District to R-3, Single Family Residence Zone District as requested by Patrick Williams (Applicant/Titleholder).

Mr. Zakostelecky stated the house was originally built as a single family home and was rezoned to O-S. The owner would like to rezone back to single family to use as a rental property. Mr. Zakostelecky presented a location map, aerial photo and site plan pointing out the surrounding zonings, the site layout, and a portion of the parking that will be converted to greenspace.

Commissioner Overland called for questions of Mr. Zakostelecky. Commissioner Pankey asked if screening is required. Mr. Zakostelecky stated screening is not required as the property is being down-zoned from office/service to single family residential.

Commissioner Overland called for a representative of the applicant. Patrick Williams, 3909 Forest View Court NE, stated the property will be converted back to a family home. It has been a business for approximately 15 years but it has always been maintained as residential.

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 Pankey made a motion to approve the rezoning from O-S, Office/Service Zone District to R-3, Single Family Residence 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.

**3. Case Name: 1635 Linmar Drive NE (Preliminary Site Development Plan) Case No. PSDP-006241-2013; Case Manager: Joe Mailander**

Recommendation for approval of a preliminary site development plan for property at 1635 Linmar Drive NE and zoned R-2, Single Family Residence Zone District as requested by Primus Construction, Inc. (Applicant) and Linn Christian Association (Titleholder).

Joe Mailander, Development Services, stated the request is for a proposed addition to the Isaac Newton Christian Academy. The addition will include a gymnasium and approximately 8,000 sq. ft. for additional classroom and office space. The building area is currently ½ acres and will go to 1.16 acres. There are currently 40 parking spaces and an additional 40 spaces is proposed with

this project. Storm water management will be provided through an underground detention system in the new proposed parking area. Mr. Mailander presented elevation photos, and site plan pointing out the proposed appearance of the addition, the site layout and the access drive. Commissioner Overland called for questions of Mr. Mailander. No questions were presented.

Commissioner Overland called for a representative of the applicant. Brent Jackman, Hall & Hall Engineers, stated the additional parking lot should relief some of the on-site congestion. The school is currently undersized for the number of students they have and there is a need to expand. The plan is to minimize destruction of the typography; therefore, the 28 foot gymnasium will be embedded into the hill.

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

Commissioner Overland called for members of the public who wished to speak. Jan Brown, 2145 Coldstream Avenue NE, stated the water from the school runs into a creek nearby and floods. Ms. Brown also stated there is wildlife behind her house that she does not want affected by the noise of expanding. Ms. Brown also stated when the leaves are off the trees, the light from the school shines into her bedroom windows.

Roy Browning, 1722 Chestnut Lane NE, stated he was not opposed to the project but has some concerns he would like addressed. Mr. Browning stated the layout of the proposed addition will require removal of several older trees and asked if trees will be replaced as there will be an increase in noise with the loss of the trees. Mr. Browning stated a sidewalk runs between houses connecting to the school property and pointed the plans show the sidewalk will be removed. Mr. Browning asked what will happen with the sidewalk as it will lead to nowhere.

Bob Beer, 1700 Chestnut Lane NE, stated the lighting from the school currently shines in his backyard and would like the lights to be addressed.

Commissioner Overland asked the applicant to address comments made by the public. Mr. Jackman stated the sidewalk is private property and the plan is to cut the sidewalk off at the property line. The sidewalk is currently a liability issue. Jason Drewelow, Primus Construction, stated the current lighting in the parking area has been adjusted to address concerns with lighting spillover. Also, 14 trees will be replaced after the construction of the school addition. Also, the new addition will not have water run off due to the system that will be put in.

Commissioner Overland called for a motion to approve the preliminary site development plan. Commissioner Dahlby made a motion to approve the preliminary site development plan for property at 1635 Linmar Drive NE and zoned R-2, Single Family Residence Zone District. Commissioner Pankey seconded the motion.

Commissioner Overland called for a vote on the motion. The motion passed unanimously with none opposed.

The meeting was adjourned at 4:21 p.m.

Respectfully Submitted,

Alicia Abernathey, Administrative Assistant II  
Community Development