



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

**Minutes of
CITY PLANNING COMMISSION MEETING
Thursday, November 21, 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
Allan Thoms
Mike Tertinger
Virginia Wilts

DSD Staff: Joe Mailander, Manager
Vern Zakostecky, Planner
Dave Houg, Plats & Zoning Conditions Coordinator

CD Staff: Seth Gunnerson, Planner
Jennifer Pratt, Assistant Director
Betty Sheets, 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 eight (8) Commissioners present.

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the October 31, 2013 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: 4444 1st Avenue NE (Conditional Use)
Case No: COND-006321-2013; Case Manager: Dave Houg***

Recommendation for a conditional use for Alcohol Service in Outdoor Patio in a C-2, Community Commercial Zone District as requested by Chipotle Mexican Grill (Applicant) and SDG Macerich Properties (Titleholder)

Mr. Houg stated this request is for outdoor service with alcohol at Lindale Mall for Chipotle Mexican Grill on a site facing Collins Road. It will have a 3500 sq ft restaurant with seating for 24 outside. The Elevation, Site Plan, Floor Plan and Patio Elevation were presented. Mr. Houg indicated there were 5 standard conditions.

Commissioner Overland called for questions of Mr. Houg. Commissioner Dahlby asked if the patio would be staffed all the time. Mr. Houg indicated that it would be staffed all the time.

Commissioner Overland called for a representative of the applicant.

Danielle Rew, 8826 Santa Fe Drive, Overland Park, KS stated she is the Architect for this project. Ms. Rew stated that Chipotle's liquor sales are less than 1% of their business and did not feel there was any issue.

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 Conditional Use. Commissioner Halverson made a motion to approve the conditional use for Alcohol Service in an Outdoor Patio in a C-2, Community Commercial Zone District. Commissioner Tertinger seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion on the motion.

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

**2. Case Name: 77 16th Avenue SW (Conditional Use)
Case No: COND-006332-2013; Case Manager: Dave Houg**

Recommendation for a conditional use for Residential Unit on ground floor of Babi Buresh Center in a C-3, Regional Commercial Zone District as requested by Roger Gwinnup Construction (Applicant) and National Czech & Slovak Museum & Library (Titleholder)

Mr. Houg stated this request involves restoration of a building in Czech Village to provide a bathroom and kitchen on the ground floor for dwelling on the second floor. Mr. Houg provided a site plan, aerial photo and street view of the project.

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

Commissioner Overland called for a representative of the applicant.

Roger Gwinnup, 2430 Echo Avenue NW, Oxford, IA stated that they were also installing a second bathroom to accommodate ADA requirements. He further stated that a kitchen had been in the house when first built and that nothing was changing.

Commissioner Overland called for questions of the applicant. Commissioner Thoms was confused as to which building was being restored. Mr. Gwinnup pointed out the building that was being restored.

Commissioner Overland called for members of the public who wished to speak. No members from 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 Residential Unit on ground floor of the Babi Buresh Center in a C-3, Regional Commercial Zone District. Commissioner Wilts seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion on the motion.

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

- 3. Case Name: 606 J Avenue NW, 610 J Avenue NW, 1111 Ellis Boulevard NW, 1113 Ellis Boulevard NW, 1100 6th Street NW, 1106 6th Street NW, 1108 6th Street NW, 1110 6th Street NW and 1116 6th Street NW and Lot 1 & 2 of Block 24 located at the northwest corner of J Avenue NW and Ellis Boulevard NW**
Case No: RZNE-006864-2013 Case Manager: Joe Mailander

Recommendation for approval of a rezoning from C-1, Mixed Neighborhood Convenience Zone District and R-3D, Two Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by High Development (Applicant) and City of Cedar Rapids and Leslie E. Stokke (Titleholders).

Mr. Mailander stated the request is for City-owned property in the Ellis Overlay District for 48 unit Senior Living facility. The area is undeveloped; the City purchased the lots as part of the acquisition program. This project will be submitted to the Iowa Finance Authority for the Low Income Housing Tax Credit program which is due by December 9, 2013. Mr. Mailander provided an aerial photo, site plan and elevation and a photo taken from the Ellis Viable Business Plan which shows the area as high intensity use for commercial development. Because the area has no flood protection, the first level will be parking. It will be three residential floors.

Commissioner Overland called for questions of Mr. Mailander. Commissioner Tertinger asked why the project was going as a PUD. Mr. Mailander stated that it was a recommendation by staff in case the Low Income Housing Tax Credit program was not approved, the City has more flexibility in the future.

Commissioner Thoms asked if the elevation slide for the project could be on the screen and asked if staff had no concerns about the height of the building. Mr. Mailander stated that it will definitely be the highest structure in the area, however, in the future it is anticipated more

structures will be as high. Commissioner Thoms expressed his concern that the building was stark in comparison to other projects being built in the area. Mr. Mailander stated there are design standards for the area and this is a preliminary plan for the building and could discuss adding more brick to the building with the developer.

Commission Knox-Seymour asked when the project would be complete. Mr. Mailander stated the program deadline for submission was December 9 and once that was approved the developer would begin construction.

Commissioner Overland called for a representative of the applicant.

Darryl High, 1100 Old Marion Road NE, Cedar Rapids, IA stated the concept of the building is a white washed hardy plank and brick design and did not want to go real trendy and looking for an older look. The developer wants to do this with respect to the neighborhood adding blue lights on the face of this building. Mr. High further stated that they met with the neighborhood association this morning with Linda Seger, Don Karr, David Keys, Angie Doyle, Don Gallagher. If the staff feels that additions should be made to the elevation, they were ready to do that.

Commissioner Knox-Seymour stated that she appreciated more senior citizen projects were being built. Mr. High stated that there is a real need for the 55 and older projects and was excited to have the opportunity.

Commissioner Wilts asked if there was a plan if the Low Income Housing Tax Credit was not approved. Mr. High stated he did not have a plan for the property if they were not successful in this is not approved.

Commissioner Tertinger asked if Mr. High could speak about the stormwater management plan. Mr. High stated that they will meet all the City required standards. Water quality was the largest issue and they wanted to catch the rain water for a garden for the project as 55 and older like to garden. There will also be a fitness center and community room. Commissioner Tertinger stated that the Commissioners would like to see more projects like this and hope that you can make it happen.

Commissioner Thoms wanted to follow up on design and parking stating there were 40 more spaces than required. Mr. High stated that a seniors-only development requires less, but typical apartment projects require two spaces per unit plus 10% for guest parking. Mr. High stated he seldom has the space to provide for more parking due to the fact that most couples have two cars and space for grandchildren to visit.

Commissioner Pankey stated he was appreciative that this area was building up.

Commissioner Overland stated he was happy to see that parking was provided under the building to alleviate so many cars outside.

Commission Knox-Seymour asked if this was in the 100 or 500 year flood plain. Mr. High stated this was in the 100 year flood plain and mandated to raise the building to provide parking on the lower level.

Commissioner Thoms asked if they would give some consideration to soften the stark look of the building.

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 Tertinger made a motion to approve the rezoning from C-1, Mixed Neighborhood Convenience Zone District and R-3D, Two Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District. Commissioner Knox-Seymour seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Tertinger asked if no street parking could be utilized for this project. Mr. Mailander stated that street parking could be utilized and there would be no parking lots (but there is a parking lot (?)).

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

- **New Business**

- a. **Kingston Village Overlay District**

Mr. Gunnerson stated he is requesting a recommendation for an ordinance to update Section 32.03.010.C of the City Code to establish a new Design Review Overlay District and make two modifications that would apply to all Design Review Overlay Districts.

The recommendations were presented to the City Council's Development Committee on October 23, 2013 and now recommended for review by the City Planning Commission. Input on the recommendations has also been gathered from the Developer's Council and from representatives from sign companies in Cedar Rapids.

Mr. Gunnerson asked that the following were asked of the City Planning Commission:

1. Recommendations to establish a Kingston Village Overlay (KV-O) District to guide future development of the Kingston Village District.
2. Recommendation to establish a Design Review Technical Advisory Committee (DRTAC) to review requests within the KV-O District.
3. Recommendations to modify requirements for all overlay districts allowing Sign Permits to be reviewed by the DRTAC
4. Establishment of a timeline for review of cases by the DRTAC

The establishment of an overlay district is to guide future development as one of the goals of the 2013 Kingston Village Plan. Two similar overlay districts currently exist in Cedar Rapids, the Czech Bohemia Overlay (CB-O) District and the Ellis Area Overlay (EA-O) District. The purpose of the overlay district is to establish dimensional and design standards for development within the district. Overlay district standards apply to all development except one and two family residential developments.

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

Commissioner Pankey asked if the technical advisory committee did not like a sign design would this mean another layer of approval for the project. Mr. Gunnerson stated the intent was not to add time to the review process and more of a review body.

Commissioner Tertinger asked if the design committee said no the sign is not approved what is the next step. Mr. Gunnerson stated that the sign would be approved by staff and perhaps if it was a pole sign. Commissioner Tertinger stated the point of the design committee is design so we are not talking about function. Mr. Gunnerson stated the function of the design committee is to be a recommended body. Commissioner Tertinger asked how the other design committees are working. Mr. Gunnerson said the Czech Bohemia Overlay Committee has been in existing longer and is working well.

Commissioner Pankey asked what the need for the Technical Design Committee was. Mr. Gunnerson said that the stakeholders in the neighborhoods that were interested in having their input on projects. Mr. Pankey stated that as a developer his concern was more and more layers to have a project approved and thanked Mr. Gunnerson for his efforts.

Commissioner Thoms asked about the signage section, and the design committee must work with those standards that have been created. Mr. Gunnerson stated that Building Services approves the signs and standards and the role of the Technical Advisory Committee is the forum for them to make recommendations.

Commissioner Overland called for a motion to approve the Kingston Village Overlay District recommendations. Commissioner Halverson made a motion to approve the recommendations to establish a Kingston Village Overlay (KV-O) District to guide future development of the Kingston Village District; recommendation to establish a Design Review Technical Advisory Committee (DRTAC) to review requests within the KV-O District; recommendations to modify requirements for all overlay districts allowing Sign Permits to be reviewed by the DRTAC and establishment of a timeline for review of cases by the DRTAC. Commissioner Thoms seconded the motion.

Commissioner Overland called for discussion on the motion. No further discussion.

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

- b. Proposed Amendment No. 5 to the Amended and Restated Urban Renewal Plan for the Consolidated Central Urban Renewal Area. CIP/DID #283396

Jennifer Pratt stated the next two items are similar in nature looking for CPC confirmation the amendments are consistent with the Comprehensive Plan, per state code.

The first is for the Consolidated Central Urban Renewal Area that circles the downtown. The requested amendment is to add one block that was inadvertently missed. The proposal is to include this block in the Consolidated Central Urban Renewal Area.

Second, the removal of a number of properties located in the area identified for the construction of a proposed casino, as these currently lie in both the Consolidated Central Urban Renewal Area as well as the Central Urban Renewal Area. It is proposed to remove from Consolidated Central Urban Renewal Area and at a future date be included in the Central Urban Renewal Area.

The third item on this amendment is a proposed activity which is funding for the development of historic preservation curriculum by Kirkwood Community College. Due to the flood, many structures were demolished, so this is an activity to mitigate the impact to historic preservation which was identified by the City's Historic Preservation Commission. It is being proposed to be funded through the tax increment generated from this TIF District, since the City's historic buildings are located in this core area of the city.

Commissioner Overland called for questions of Ms. Pratt.

Commissioner Thoms wanted clarification and asked if this was compatible to include the area across the river. Ms. Pratt stated that it is to clarify that the Central Urban Area is existing and includes property on both sides of the river.

Commissioner Halverson added that ultimately the proposed casino site is more compatible with the Central Urban Renewal Area than the Consolidated Central Urban Renewal Area.

Commissioner Tertinger stated that the Casino will be in boundary of the Kingston Overlay District and will be subject to that Design Review Technical Committee. Ms. Pratt said yes that was correct.

Commissioner Overland called for a motion to approve the rezoning. Commissioner Thoms made a motion to approve the action being requested from Planning Commission to make a finding regarding the consistency of Amendment No. 5 to the Amended and Restated Urban Renewal Plan for the Consolidated Central Urban Renewal Area with the Comprehensive Plan. Commissioner Halverson seconded the motion.

Commissioner Overland called for discussion on the motion.

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

- c. Proposed Amendment No. 2 to the Amended and Restated Urban Renewal Plan for the Southwest Urban Renewal Area. CIP/DID #669673

Ms. Pratt stated the expansion of the Southwest Urban Renewal Area is adding right of way property along Edgewood Road to cross over Highway 30 and is part of a shared use path that is being constructed by Public Works. The majority of this is in the existing Southwest Urban Renewal Area making it a simpler project.

Commissioner Overland called for questions of Ms. Pratt. No questions were presented.

Commissioner Overland called for a motion to approve the rezoning. Commissioner Dahlby made a motion to approve Amendment No. 2 to the Amended and Restated Urban Renewal Plan

for the Southwest Urban Renewal Area with the Comprehensive Plan. Commissioner Knox-Seymour seconded the motion.

Commissioner Overland called for discussion on the motion.

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

The meeting was adjourned at 3:55 p.m.

Respectfully Submitted,

Betty Sheets, Administrative Assistant
Community Development