

AGENDA
CITY PLANNING COMMISSION MEETING
Thursday, October 2, 2014 @ 3:00 PM
City Hall Council Chambers
101 First Street SE, Cedar Rapids, IA 52401

- **Opening Statement**
- **Roll Call**
- **Approval of the Minutes**
- **Adoption of the Agenda**

1. Case Name: 3215 Johnson Avenue NW (Conditional Use)

Consideration of a Conditional Use for a Communications Tower in a R-2, Single Family Residence Zone District and C-2, Community Commercial Zone District as requested by SBA Towers V, LLC (Applicant) and TSS Holdings LLC (Titleholder)

Case No: COND-010689-2014; Case Manager: Dave Houg

(Tabled at July 10, 2014 CPC Meeting)

2. Case Name: Barrigar First Addition (Preliminary Plat)

Consideration of a Major Preliminary Plat in a PUD-2, Planned Unit Development Two Zone District as requested by 3rd Ward Development, LLC (Applicant) and Acme Electric Company (Titleholder) Northeastly of 2nd Street SE between 10th and 11th Avenue SE

Case No: PRPT-012674-2014; Case Manager: Vern Zakostelecky

3. Case Name: 5820 Dry Creek Lane NE (Conditional Use)

Consideration of a Conditional Use for a Health Club in a I-1, Light Industrial Zone District as requested by Alan Weber (Applicant) and Joseph J. and Rita A. Bertsch (Titleholders)

Case No: COND-013128-2014; Case Manager: Dave Houg

4. Case Name: 620 29th Avenue SW (Conditional Use)

Consideration of a Conditional Use for Warehousing in a C-3, Regional Commercial Zone District as requested by David K. and Mary B. Junge (Applicants/Titleholders)

Case No: COND-013340-2014; Case Manager: Dave Houg

5. Case Name: 1810 Blairs Ferry Road NE (Conditional Use)

Consideration of a Conditional Use for Motor Vehicle Sales in a C-2, Community Commercial Zone District as requested by Taylor Wilkin (Applicant) and Larry and Junetta Janda (Titleholders)

Case No: COND-013341-2014; Case Manager: Dave Houg

New Business

- a. Review of City Planning Commission 2014 Work Plan and Suggestion for Amending the Work Plan for 2015
- b. Consideration regarding conformity of Amendment No. 1 to the Council Street Urban Renewal Area Plan with the City's Comprehensive Plan
- c. Consideration regarding conformity of the proposed Northtowne Market Urban Renewal Area Plan with the City's Comprehensive Plan
- d. Consideration regarding conformity of the proposed New Pioneer Urban Renewal Area Plan with the City's Comprehensive Plan

**MINUTES OF
CITY PLANNING COMMISSION MEETING,
Thursday September 11, 2014 @ 3:00 p.m.**

Cedar Rapids City Hall Council Chambers, 101 First Street SE

Members Present: Scott Overland, Chair
Jim Halverson, Vice – Chair
Carletta Knox-Seymour
Richard Pankey
Virginia Wilts
Bill Hunse
Dominique Blank

Members Absent: Kim King
Samantha Dahlby

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

CD Staff: Jennifer Pratt, Interim Director
Jeff Hintz, Planner
Betty Sheets, Administrative Assistant

City Council Liaison: Justin Shields

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 seven (7) Commissioners present.

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the August 21, 2014 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.

I. Case Name: Northeast corner of the intersection of Zika Avenue NW and 16th Street NW (Rezoning)

Consideration of a Rezoning from R-1, Single Family Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Newbo Development Group, LLC (Applicant) and City of Cedar Rapids (Titleholder)

Case No: RZNE-010979-2014; Case Manager: Vern Zakostelecky

Mr. Zakostelecky stated this is a rezoning request to the PUD-2 Zone District which is open unprogrammed green space in Ellis Park known as the Chipping Greens. There are 4 single-family homes that front on Ellis that back up to this property as well as single-family homes along 16th Street NW. City Council feels this is underutilized City Park property that could be developed with in-fill housing. The developer is proposing a mix of single-family homes, duplexes and row houses on the site. The developer has held three neighborhood meetings. Mr. Zakostelecky showed a Location/Zoning Map, General Information, Aerial Photo as well as a Preliminary Site Development Plan and several renderings of the buildings. The developer has indicated that they plan to far exceed the storm water management minimum requirements for this site. Mr. Zakostelecky also showed a list of neighborhood concerns that were expressed at the various neighborhood meetings that were held. Mr. Zakostelecky pointed out that we had received one objection just before the meeting of a citizen who was unable to attend this meeting and a copy of that was delivered to the Commissioners at the meeting.

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

Commissioner Overland called for a representative of the applicant.

Chad Pelley, Ahmann Companies, Newbo Development Group, 1641 Boyson Square Drive, Hiawatha, IA was present representing the applicant. Mr. Pelley stated that they had held three neighborhood meetings over the last two months. A lot of questions and comments were expressed regarding the water run, traffic, existing street conditions and property values. Mr. Pelley stated that the homes would be sold for between \$150,000 and \$300,000. Mr. Pelley stated he would be happy to answer any questions.

Commissioner Overland called for questions of the applicant.

Commissioner Pankey asked if on the site plan upper right hand corner if that was a sanitary sewer that would extend from the development to Ellis Boulevard. Mr. Pelley stated that there was a concern with the existing sewer is old clay. Mr. Pankey asked if that piece of property would be retained by City. Mr. Pelley stated yes that will remain City property along with a substantial portion on the east side of the site. Mr. Pelley stated that very few trees will be impacted by replacing the sewer and many more trees will be added to the property.

Commissioner Hunse asked how the developer became aware that the property was available. Mr. Pelley stated that several developers have come forward proposing developments on this property, but none were ever approved. So many homes were impacted by the flood and there is a great need for homes. Commissioner Hunse asked if the disposition is a public process. Mr. Pelley stated yes.

Commissioner Halverson asked if Mr. Pelley would speak to the timing of the CIP improvements. Mr. Pelley stated that there is a paving project for FYI 2014 for Zika Avenue

from 20th Street to 26th Street and for 26th Street to Ellis in FYI 2016 and 2017. As part of this project, the Developer will participate for the improvement of 16th Street and Zika Avenue adjacent to this site. The 28 homes will generate a very insignificant number of traffic trips.

Commissioner Overland asked if any of the trees will be impacted by the homes to be built. Mr. Pelley stated that very few trees would be impacted by the development.

Commissioner Overland called for members of the public who wished to speak.

James Robertson, 2255 16th Street NW presented an article that appeared in the Gazette that showed Robert Ellis donated the property to the City for park and this was never intended for development. Mr. Robertson said his research was not completed and needed to know if he had another opportunity to appeal before final approval. Mr. Zakostelecky stated that this would be for a public hearing before the City Council on October 7, 2014.

Janelle Smith, 2249 16th Street NW, Jim Novak, 2233 16th Street NW, Charlotte L. Zeman, 1608 Zika Avenue NW, Jim Stratton, 2321 16th Street NW, Don Steichen, President of the Harbor Association and Iowa Water Volunteer, 1648 27th Street NW expressed their concerns and opposition to the development.

Joe Ahmann, Ahmann Companies, 1641 Boyson Square Drive, Hiawatha wanted to add a few points. He understood the concern of traffic in the area, but there are only 28 owner occupied properties proposed for this development. The difference between this project and a ROOTs project is the program has some financial assistance associated with it. The price point will be closer to \$200,000 to \$300,000 per home. Other uses such as community centers would add more traffic than 28 single-family homes. As to the concern of water runoff, there are a lot of difference between this and Sugar Creek, the housing development to the west. There are 5 different infiltration systems proposed.

Scott McMurrin, 2256 16th Street NW expressed his concerns and opposition to the development.

Commissioner Overland asked Mr. Pelley to return to the podium to answer some questions.

Commissioner Overland asked Mr. Pelley to clarify who pays for the infrastructure and also about the property lines.

Mr. Pelley stated that the Developer will pay for the infrastructure and the adjacent improvements on Zika and 16th will be paid for the Developer up front or assessed to the owners of adjoining properties, he did not know how that would play out. The price of the property was appraised at \$20,000 per acres. The license surveyors have completed their initial survey. He was unclear what the lot line disagreements are. Mr. Pelley has given his card to anyone who has questions and he would be happy to meet with them in his office where they can look at the plans. Mr. Pelley further stated that runoff is a concern. This development has been uniquely designed and broken down at less than one acre sub-drainage areas. Given each of those areas basins do not have any storm sewer to connect to 8 inch tiles will be used to release storm water run-off, which is not infiltrated. Curb cuts in streets will assist in directing run-off to the basins, which will have deeper vegetation to encouraging infiltration.

Commissioner Hunse asked if the land surveyors are using best available datum concerning the property line discrepancies. The can be discrepancies/busts in multiple data. Mr. Pelley stated

he was using a third party engineer have performed the survey. Mr. Pelley is not certain if there is any discrepancy.

Commissioner Hunse said there was concern about speed that water runoff comes off a site. Building detention basins, monitored flow and state of the art technology needs to be considered. Mr. Pelley stated that in 2001 development sites could release water un-detained. In the proposed discharge system, approximately 2 feet of pooling for large shallow flat basin is being designed. This is accepted practice that is not required, but the developer wants to work with the City to be creative and sensitive to water runoff since it is a major concern.

Commissioner Hunse heard that there's narrow right of way on 16th street that is not necessarily the developer's responsibility. For those that want new roadway, the narrow right-of-way would have to be modified. Mr. Pelley has encouraged the citizens at neighborhood meetings to contact the City or their Council members to extend the right-of-way. If it gets improved, who is paying for those improvements? 16th Street and Zika Avenue are both in bad shape.

Mr. Robertson returned to podium to say he has lived on that street for a long time and said that no two cars heading in opposite directions can pass on that street.

Commissioner Halverson asked Mr. Mason to elaborate on when the property was deeded to the City.

Caleb Mason, Community Development stated that when doing research when the request came to the City to dispose of the property the City did not find an abstract. In 1956 the City had purchased the property from a Golf Association for a fee of \$6,000. If City does not maintain it would be revert back, but did not find any issues in the research preformed.

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the rezoning from I-1, Light Industrial Zone District to C-2, Community Commercial Zone District. Commissioner Pankey seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Halverson stated that in large part any infill project will have issues. Through a Planned Unit Development, affords implementing a plan that is acceptable. There are some issues with transportation and there are limitations with the two principle streets that abut this development. The Council and various parties has serious vetted this property and there's a great deal of thought gone into the disposing of this property.

Commissioner Pankey stated that he has seen work done by the Developer and the plan for this area is compatible and the designs will handle the runoff. It is a change but another opportunity to bring housing back to the Northwest quadrant for people to live.

Commissioner Knox-Seymour wanted to make certain the applicant was giving strong consideration to the neighbors even though the development will provide housing that is necessary, but the developer also needs to put themselves in the neighbors place and what it looks like and what that is going to do to their homes, river etc.

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

2. Case Name: 4210 Edgewood Road NE (Conditional Use)

Consideration of a Conditional Use for an Electrical Substation in a R-3, Single Family Residence Zone District as requested by Alliant Energy (Applicant) and City of Cedar Rapids (Titleholder)

Case No: COND-012296-2014; Case Manager: Dave Houg

Mr. Houg stated this was to allow a substation in a Single Family Residence Zoning District. Mr. Houg said the original substation did not receive Conditional Use approval. Mr. Houg showed an aerial Photo, Location/Zoning Map, Street Views, Preliminary Site Development Plan, Proposed Elevation, and Mature Plants with view from 42nd Street and from Gulf Course as well as recommended conditions. The Board of Adjustments will review this Conditional Use application on October 13, 2014.

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

Commissioner Pankey asked if the substation was currently operating. Mr. Houg stated that it had suffered a fire.

Commissioner Hunse asked if plants would be deer friendly. Mr. Zakostelecky stated that the City Arborist would make his suggestions for plants in the final plans.

Commissioner Overland called for a representative of the applicant.

Teresa Davis, Alliant Energy, 1001 Shaver Road NE, Stacy Van Zante, Alliant Energy, 200 First Street SE, and Isaac Hodgins, Shive-Hattery, 316 2nd Street SE. Ms. Davis stated that the substation was completely burned and there is currently nothing at that location. Ms. Davis said that speaking to the trees species, those that are conducive to prevent weed control as well as deer-resistant would be planted. Ms. Van Zante stated that the site is being increased in size for growth in that area and also to retire another substation that seems to have flood issues. Alliant will accommodate long-range plans with this site.

Commissioner Hunse asked how secure the site would be. Ms. Davis stated that a 15 foot prefab concrete wall and anti-climb gate will make the site very secure.

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

Commissioner Overland called for members of the public who wished to speak.

Commissioner Overland called for a motion. Commissioner Pankey made a motion to approve the Conditional Use for an Outdoor Service Area in an R-3, Single Family Residence District. Commissioner Wilts seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Pankey stated that he appreciated that Alliant is taking the long term into consideration by making the site larger to accommodate growth.

Commissioner Wilts also stated that she was happy to hear it would be a larger substation.

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

- **New Business**

- Consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, adding a Northwest Flood Mitigation Overlay District with specific guidelines applicable to land use applications and permits.

Jeff Hintz, Community Development stated Community Development Staff has been working with Building Services and Development Services staff to create an overlay district which would allow for routine maintenance of property in the area that is currently subject to the moratorium.

The proposed ordinance would establish an overlay district with requirements which seek to limit new development or changes in development patterns. This overlay would not prevent a homeowner from doing routine upkeep of a property or meeting the building or mechanical codes. Zone changes and other land use items that typically come to the Planning Commission would be prohibited until the final flood protection system alignment is finalized. At that time the bounds of this overlay could potentially be adjusted.

Development Committee recommended approval of this ordinance at the August 20, 2014 meeting and City staff recommends approval and that it moves to City Council on September 23, 2014.

Commissioner Halverson asked is there an expectation when the moratorium would be retired.

Mr. Hintz said the current moratorium expires October 26, 2014 so if this Ordinance is not adopted building permits and other land use applications could be applied for in this area. There is potential to release properties from the overlay in the future, dependent upon final alignment of the flood protection system. The City has other Overlay Districts, but this district would function differently as it is preventative in nature.

Commissioner Knox-Seymour asked how routine. Mr. Hintz said a roof or furnace, windows and items along those lines, but if an addition or new construction was proposed for a property, this would be prohibited.

Commissioner Halverson said that he would need to be recused from voting.

Commissioner Overland called for members of the public who wished to speak.

Bryan Moeller, 122 35th Street NE stated he has a lot in this area. Mr. Moeller's first concern was that no sign notifications were posted for this ordinance or any proper notification of property owners' within the area. Mr. Moeller got a letter sent to him but he did not know what it was for. Mr. Moeller called three people in the area and none of the neighbors knew what was going on here and being restricted with what they can do. It is concerning that we are going forward with this without making sure that all the owners know what was going on. Mr. Moeller spoke with Ms. Pratt about it and she said letters were sent to everyone. Mr. Moeller further stated that if you get a letter from the city you don't know what it is, half the time he throws them away. So that was her notification. Mr. Moeller stated that his second area of concern is that of undue hardship that he feels is going on. Put under a non-conforming ordinance with no

way of getting into conformity. The lot he has he can never build on it and no recourse other than to sell it. I am not in the way of the levy being built or not in the way of flushing of chlorine through the water system. The second area under the undue hardship is the equity between property owners. On one side of the street is an ordinance and on the other side of the street there is not. So there are properties that have the same concerns as the city would have as far as flooding, building of the levies, being on the wet side of the levies, services that are not addressed or part of this ordinance. The 15 owners are being putting hardships that nobody else has the same concerns would have, such as flooding. There are a couple things I am asking of you. Have the city go through the same procedures that you would require of a private property owner, placement of signs, making sure that everybody that is affect is properly notified.

Commissioner Overland asked what Mr. Moeller would suggest is properly notified. We sent letters to everyone, would you like them to show up at your door? Mr. Moeller said call them. Mr. Moeller searched addresses and called three of the fifteen. He is not sure how many were notified. Mr. Moeller called the City after this moratorium was passed. They did not contact me. Make it a certified letter; make them sign for it, or more than a newsletter coming from the City. Ask the City why it is only this area that the moratorium is being pushed on. Please do not set precedence with this by changing an ordinance that greatly affects property owner's rights.

Don Steichen, 1648 27th Street NW said he did not receive a letter on this subject either. Mr. Steichen has great concerns about such a small section: 1) doesn't know why this section only has the moratorium; 2) 8th Street and Newbo have higher water; 3) don't have concrete plans on where the levy was going to go; 4) threatened with loss of City services; 5) destroying the value of the property.

Commissioner Overland called for a motion. Commissioner Pankey made a motion to approve the overlay district. Commissioner Knox-Seymour seconded the motion.

Mr. Zakostelecky stated that it is his understanding that letters were sent out to private property owners within in this area and there were attempts to get phone numbers. The Turners were contacted by Rita Rasmussen from the Public Works Department on August 8, 2014 and they declined to meet with her to discuss this proposed Overlay. The notification requirements have been met. This is not a rezoning of property; this is an Overlay District that is being established to preserve an area that is shown in the preliminary alignment for the construction area and the levy area. The city has done their best to reach out and let them know what this is about.

Commissioner Overland asked what about the boundaries determined.

Mr. Zakostelecky stated where the preliminary plans on where the flood protection will be constructed.

Commissioner Knox-Seymour asked to be clear that the 15 homes in this area, this is just an area the flood levy is to be constructed.

Mr. Zakostelecky stated that contemplated to be constructed and an attempt to protect this area..

Commissioner Knox-Seymour for example across the street would not need to be protected.

Commissioner Blank asked how that was determined.

Mr. Zakostecky stated we may be protecting an area more than we need to protect more than the City needs but it is not exact science right now as we are trying to protect an area that is adequate enough to do that.

Commissioner Halverson stated that he was recusing himself from the vote since his current employer is doing the design on this system.

Commissioner Blank asked if this couple's roof collapsed, what was the recourse if they needed to replace their roof. Mr. Zakostecky stated they would be able to get a permit to replace their roof, it is a maintenance issues and public safety issue.

Commissioner Knox-Seymour said the gentlemen had a lot there and that he would not build on that going forward.

Mr. Zakostecky said that was correct. The City has been in negotiations with all the property owners to purchase those properties for the very reason so that they do not build a brand new home on those lots until it is determined where the flood system was going to be built.

Jennifer Pratt, Community Development said that the idea of the ordinance is to maintain the status quo until we do know where the alignment is going to be and when that designing has been done so this is best information we have and to protect them from putting money into their property that they may or may not be able to get back. Council has had a very strong track record of trying to make properties available for redevelopment. Once we know and can safely reinvest in this area, this overlay could be adjusted appropriately.

Commissioner Knox-Seymour has heard many times where citizens have not been notified. Was there anything more that could be done?

Mr. Zakostecky said that the City does do everything they can and to do a certified mailing would be extremely expensive. In some cases, there are absentee property owners that cannot be notified.

Commissioner Blank asked if the required meetings held.

Mr. Zakostecky stated there were no required meetings for this ordinance since it was not a zone change but an overlay district, which is an addition to the zoning ordinance. Citizen outreach had occurred though.

Commissioner Overland called for discussion on the motion.

Commissioner Pankey stated that it is always a challenge to identify absentee, Trust or LLC citizens to obtain addresses. The City is doing what they can. We are in a transition time and the overlay district can be dropped or reduced, but right now this is the best solution.

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

The meeting was adjourned at 4:30 pm

Respectfully Submitted,
Betty Sheets, Administrative Assistant, Community Development



Development Services Department
City Services Center
500 15th Avenue SW
Cedar Rapids, IA 52404
Telephone: (319) 286-5168

STAFF REPORT TO CITY PLANNING COMMISSION
Conditional Use with a Preliminary Site Development Plan

CPC Date: October 2, 2014
To: City Planning Commission
From: Development Services Department

Applicant: Verizon Wireless
Titleholder: TSS Holdings LLC.
Location: 3215 Johnson Avenue NW
Request: Conditional Use approval for a Communications Tower in an R-2, Single Family Residential Zone District and C-2, Community Commercial Zone District
Case Number: COND-010689-2014
Case Manager: Dave Houg, Development Services Department

BACKGROUND INFORMATION:

The applicant is requesting a Conditional Use for a 105 foot high Communications Tower on property zoned R-2 and C-2 at 3215 Johnson Avenue NW as requested by Verizon Wireless.

The site details are as follows:

- The site hosting the communications tower is 4.09 acres.
- The proposed tower height is 105 feet.
- A security fence will surround the tower and equipment.
- The communications tower is self-supporting, not requiring guy wires or anchors.
- Variances from the City's fall zone and landscaping requirements are being requested.

FINDINGS:

Section 32.02.030.D. of the Zoning Ordinance requires the City Planning Commission to review the application based on the following criteria:

- 1. That the conditional use applied for is permitted in the district within which the property is located.**

Staff Comments: Within an R-2 District, communication towers may be permitted as a conditional use for properties that are not developed with residential uses. A C-2 District allows communication towers less than 125 feet in height as permitted uses.

- 2. That the proposed use and development will be consistent with the intent and purpose of this Ordinance and with the Future Land Use Policy Plan and other elements of the Comprehensive Plan.**

Staff Comments: The property is shown as both commercial and low density residential on the Future Land Use Map (FLUM) in the City's Comprehensive Plan. As such, a communication tower is in accord with the FLUM and the Goals and Objectives of the Comprehensive Plan.

- 3. That the proposed use and development will not have a substantial adverse effect upon adjacent property, and the character of the neighborhood, traffic conditions, parking, utility and service facilities, and other factors affecting the public health, safety, and welfare.**

Staff Comments: The proposed use is not expected to have an adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility and service facilities, and other factors affecting the public health, safety, and welfare.

- 4. That the proposed development or use will be located, designed, constructed and operated in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding property.**

Staff Comments: The applicant is requesting variances from the required fall zone and setback requirements, as well as from required screening. A 66' diameter fall zone is proposed for the tower. An equipment shelter will be 5' from the property line. In the absence of evidence supporting a hardship that is not self-imposed, staff does not recommend approval of these variance requests.

- 5. That adequate measure have been or will be taken to assure adequate access designed to minimize traffic congestion and to assure adequate service by essential public services and facilities including utilities, storm water drainage, and similar facilities.**

Staff Comments: The proposed communication tower will not create any additional traffic and the only facilities required are electrical service.

- 6. That the proposed building, development, or use will comply with any additional standards imposed on it by provisions of this Ordinance for the district in which the property is located.**

Staff Comments: The applicant will be responsible for compliance with the conditions and will take necessary steps as required by the City Zoning Ordinance to minimize any potential adverse impacts.

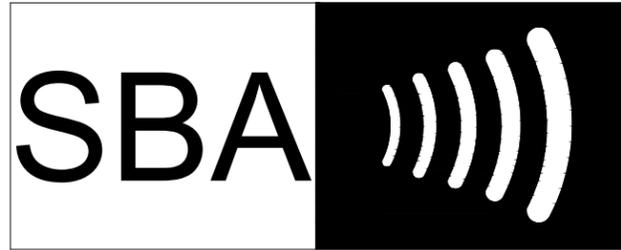
- 7. Whether, and to what extent, all reasonable steps possible have been, or will be, taken to minimize any potential adverse effects on the surrounding property through building design, site design, landscaping, and screening.**

Staff Comments: The Applicant is requesting a variance for reduced fall zone and equipment setbacks, as well as elimination of required screen plantings. Evidence of hardship has not been presented to date.

RECOMMENDED CONDITIONS:

If the City Planning Commission recommends approval of the proposed conditional use, adoption of the following conditions as recommended by staff should be considered:

1. The tower requires a fall zone distance of 100' from any residential zoned district or a variance must be obtained.
2. The setback for associated accessory improvements including, but not limited to equipment, buildings, guy wires, and anchors cannot be less than 25 feet from the nearest lot line or a variance must be obtained.
3. An evergreen screen shall be planted that consists of either a hedge, planted three feet on center maximum, or a row of evergreen trees planted 10' on center maximum or a variance must be obtained.



SBA TOWERS V, LLC
 5900 BROKEN SOUND PKWY NW
 BOCA RATON, FL 33487
 PHONE: 1-800-487-7483

**VERIZON
 WIRELESS**

LOCATION NUMBER: 274422
SITE NAME: CED APACHE PARK

SITE NUMBER: IA-15762-B
SITE NAME: CEDAR RAPIDS
E911 ADDRESS: T.B.D.

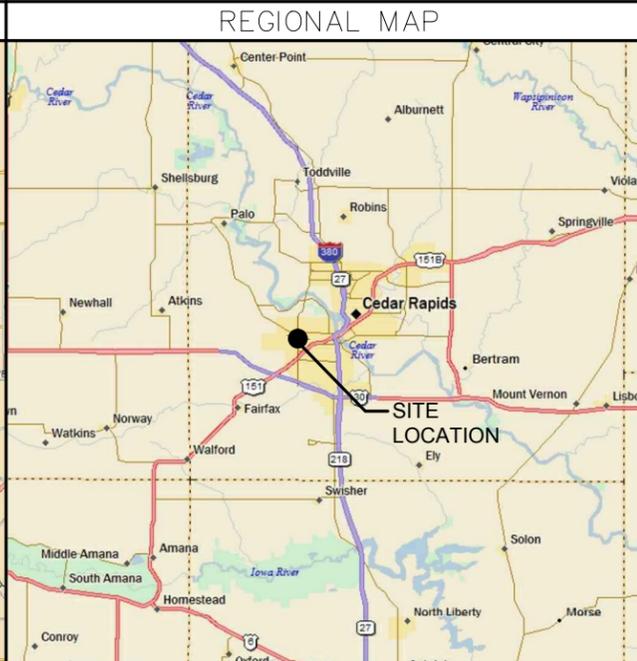
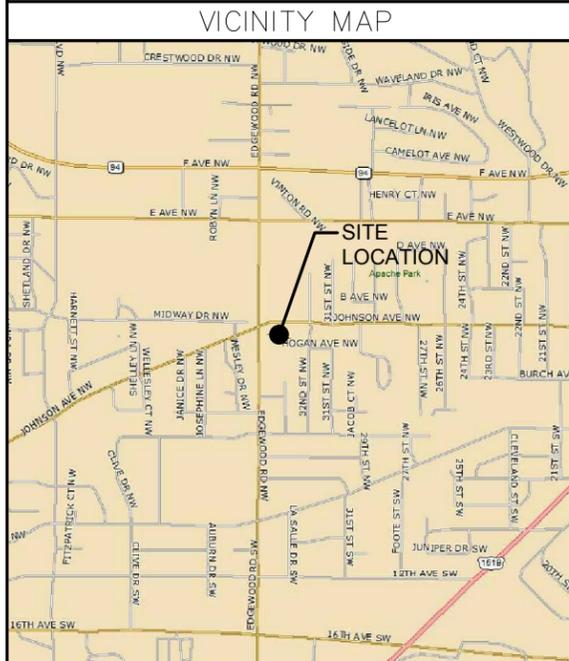
PROPOSED 100' MONOPOLE TOWER
 WITH COMMUNICATION EQUIPMENT



SBA TOWERS V, LLC
 5900 BROKEN SOUND PKWY NW
 BOCA RATON, FL 33487
 PHONE: 1-800-487-7483



600 Busse Highway
 Park Ridge, IL 60068
 Ph: 847/698-6400
 Fax: 847/698-6401



| PROJECT INFORMATION | |
|---------------------|--|
| SITE NUMBER: | IA-15762-B |
| SITE NAME: | CEDAR RAPIDS |
| SITE ADDRESS: | 3215 JOHNSON AVE NW CEDAR RAPIDS, IA 52405 |
| LAND OWNER: | BAKER GREENHOUSES, LLC ROGER BAKER 4615 BLARNEY DR. CEDAR RAPIDS, IA |
| APPLICANT: | SBA TOWERS V, LLC 5900 BROKEN SOUND PKWY NW BOCA RATON, FL 33487 |
| CONTACT PERSON: | LAURA HALPENNY (630) 802-2357 |
| LATITUDE: | 41° 58' 24.80" NORTH (FROM 1A) |
| LONGITUDE: | 91° 42' 53.75" WEST (FROM 1A) |
| LAT/LONG TYPE: | DEGREES MINUTES AND SECONDS |
| CURRENT ZONING: | C-2 COMMUNITY COMMERCIAL |
| PARCEL No.: | 14302-52003-00000 |

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|--------------------|--------------------------------------|----------|
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| C-2 | SITE GRADING PLAN | C |
| C-3 | SITE DETAILS & SPECIFICATIONS | C |
| C-4 | FENCE DETAILS | C |
| C-5 | FENCE DETAILS | C |
| C-6 | EQUIPMENT ENCLOSURE FOUNDATION PLAN | C |
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| G-5 | GROUNDING DETAILS | C |
| G-6 | ELECTRICAL AND GROUNDING DETAILS | C |
| G-7 | GROUNDING DETAILS | C |
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| SURVEY ATTACHMENTS | | |
| SS-1 | SITE SURVEY | - |

IOWA ONE CALL
 800/292-8989
 TOLL-FREE
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DRIVING DIRECTIONS

FROM DES MOINES, IA: DEPART ARMY POST RD TOWARD SE 16TH CT. TAKE RAMP RIGHT FOR US-65 NORTH TOWARD MASON CITY. TAKE RAMP RIGHT FOR US-65 NORTH / I-80 EAST TOWARD DAVENPORT. AT EXIT 225, TAKE RAMP RIGHT FOR US-151 NORTH / CR-W21 SOUTH TOWARD AMANA COLONIES / CEDAR RAPIDS. TURN LEFT ONTO US-151 / U AVE. TURN RIGHT ONTO US-6 / US-151. KEEP STRAIGHT ONTO US-151 / 42ND AVE. KEEP STRAIGHT ONTO US-151 N / WILLIAMS BLVD SW. KEEP STRAIGHT ONTO US-151 N / US-151 N BRANCH / IA-922 N / WILLIAMS BLVD SW. KEEP STRAIGHT ONTO US-151 N BRANCH / IA-922 N. BEAR LEFT ONTO EDGEWOOD RD SW. ROAD NAME CHANGES TO EDGEWOOD RD NW. TURN RIGHT ONTO JOHNSON AVE NW. ARRIVE AT SITE ON THE RIGHT.

SPECIAL NOTES

HANDICAPPED REQUIREMENTS:
 FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION
 HANDICAPPED ACCESS REQUIREMENTS NOT REQUIRED

PLUMBING REQUIREMENTS:
 FACILITY HAS NO PLUMBING

UTILITY CONTACT INFORMATION

POWER: T.B.D. TELCO: T.B.D.

NOTE: UTILITY COORDINATION IS NOT FINALIZED. DO NOT PROCEED WITH CONSTRUCTION UNTIL POWER / TELCO / FIBER HAVE BEEN CONFIRMED.

| REVISIONS | |
|-----------|----------------------|
| NO. | DESCRIPTION |
| 1 | ISSUED FOR REVIEW |
| 2 | REVISED PER COMMENTS |
| 3 | REVISED PER COMMENTS |
| 4 | REVISED PER COMMENTS |
| 5 | REVISED PER COMMENTS |

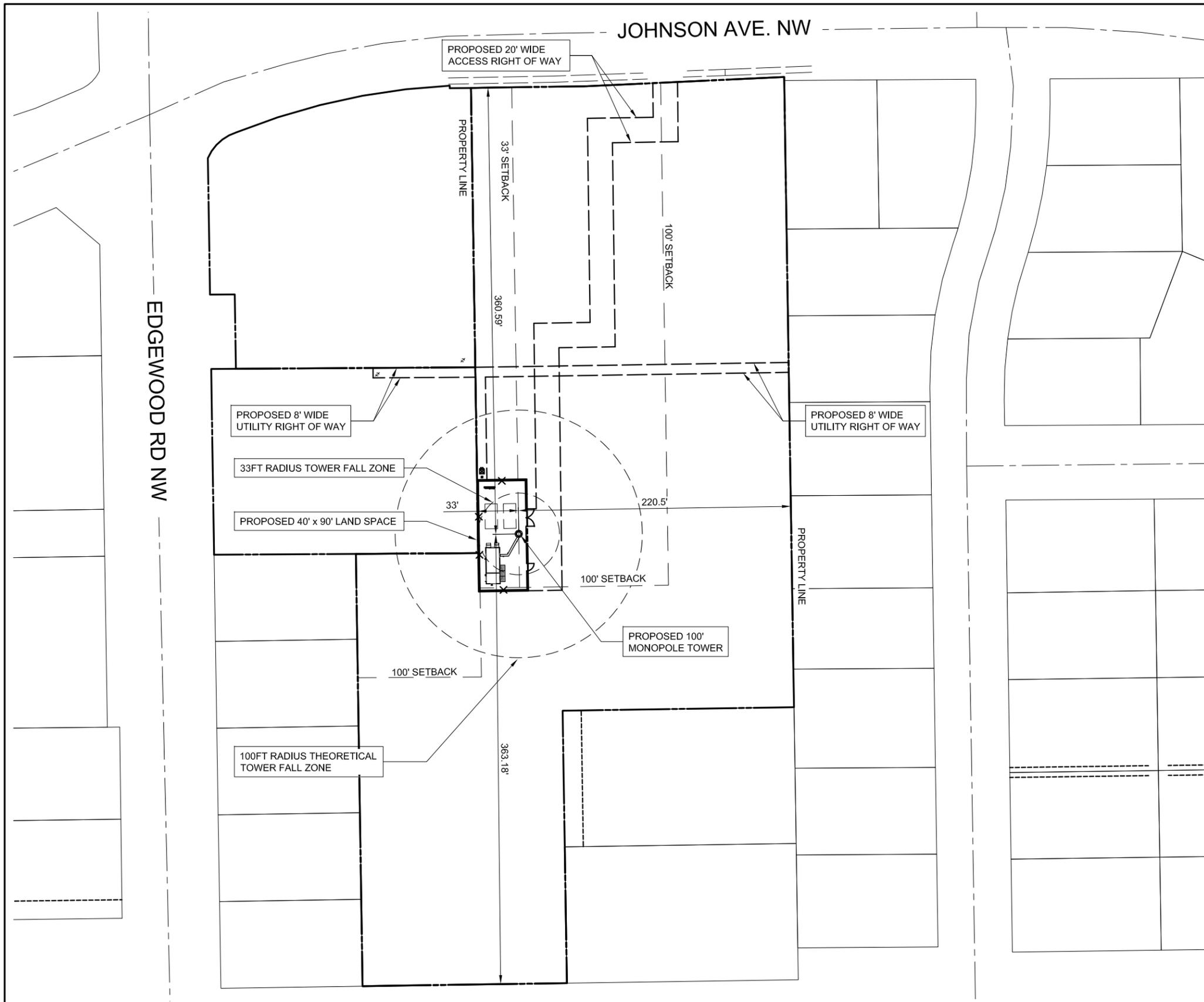
SITE IA-15762-B
CEDAR RAPIDS

3215 JOHNSON AVE. NW
 CEDAR RAPIDS, IA 52405

| | |
|-------------|---------|
| DRAWN BY: | JAS |
| CHECKED BY: | DM |
| DATE: | 3/20/14 |
| PROJECT #: | 7397 |

SHEET TITLE
TITLE SHEET

SHEET NUMBER
T-1



JOHNSON AVE. NW

EDGEWOOD RD NW

PROPOSED 20' WIDE ACCESS RIGHT OF WAY

PROPERTY LINE

33' SETBACK

100' SETBACK

360.59'

PROPOSED 8' WIDE UTILITY RIGHT OF WAY

33FT RADIUS TOWER FALL ZONE

PROPOSED 40' x 90' LAND SPACE

100' SETBACK

100' SETBACK

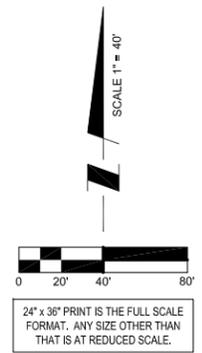
PROPOSED 100' MONOPOLE TOWER

100FT RADIUS THEORETICAL TOWER FALL ZONE

363.18'

PROPERTY LINE

PROPOSED 8' WIDE UTILITY RIGHT OF WAY



NOTE: IT IS RECOMMENDING NOTIFYING CONTRACTORS OF THE CONTAMINATION AND REQUIRING THE CONTRACTORS TO COMPLY WITH ALL APPLICABLE OSHA SAFETY PROCEDURES. IN THE EVENT THAT EXCESS SOIL REMAINS FROM EXCAVATION AND INSTALLATION ACTIVITIES AT THE PROPERTY WHICH CANNOT BE USED AS BACKFILL DURING CONSTRUCTION, THE SOIL SHOULD BE EITHER CONTAINERIZED OR STOCKPILED OVER POLYETHYLENE SHEETING AND COVERED UNTIL IT CAN BE PROFILED AND TRANSPORTED OFF-SITE TO A LICENSED LANDFILL FOR DISPOSAL. ADDITIONALLY, ANY GROUNDWATER REMOVED DURING CONSTRUCTION SHOULD BE CONTAINERIZED, AND PENDING APPROVAL, TRANSPORTED OFF-SITE TO A LICENSED FACILITY FOR DISPOSAL.

PAVEMENT MATERIALS AND QUANTITIES

LEASE SITE

334 S.Y.
 8" COMPACTED AGGREGATE BASE COURSE, WITH 3/4" CRUSHED AGGREGATE, NO FINES, OR APPROVED EQUAL. MIRAFI 500X SUBGRADE GEOTEXTILE FABRIC OR APPROVED EQUAL
 252 L.F. OF FENCING

THE CONTRACTOR ALSO SHALL INCLUDE A SEPARATE UNIT PRICE PER CUBIC YARD TO REMOVE UNSTABLE OR UNSUITABLE MATERIAL AND HAUL-IN GRANULAR BACKFILL UNDER THE ACCESS DRIVE AND/OR APRON.

- LEGEND**
- ⊕ STORM MANHOLE
 - ⊙ POWER POLE
 - ▣ ELEC TRANSFORMER BOX
 - CONIFEROUS TREE
 - E — E — OVERHEAD ELECTRIC
 - X — FENCE BARB WIRE
 - ▨ CONCRETE SURFACE
 - ▩ GRAVEL SURFACE



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HHE
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1 LOCATION PLAN
 SCALE: 1" = 40'

SBA

SBA TOWERS V, LLC
 5900 BROKEN SOUND PKWY NW
 BOCA RATON, FL 33487
 PHONE: 1-800-467-7483

TERRA CONSULTING GROUP, LTD.

600 Busse Highway
 Park Ridge, IL 60068
 Ph: 847/698-6400
 Fax: 847/698-6401

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| A-1 | REVISED PER COMMENTS | 04/17/14 |
| B | REVISED PER COMMENTS | 07/01/14 |
| C | REVISED PER COMMENTS | 08/07/14 |

SITE IA-15762-B

CEDAR RAPIDS

3215 JOHNSON AVE. NW
 CEDAR RAPIDS, IA 52405

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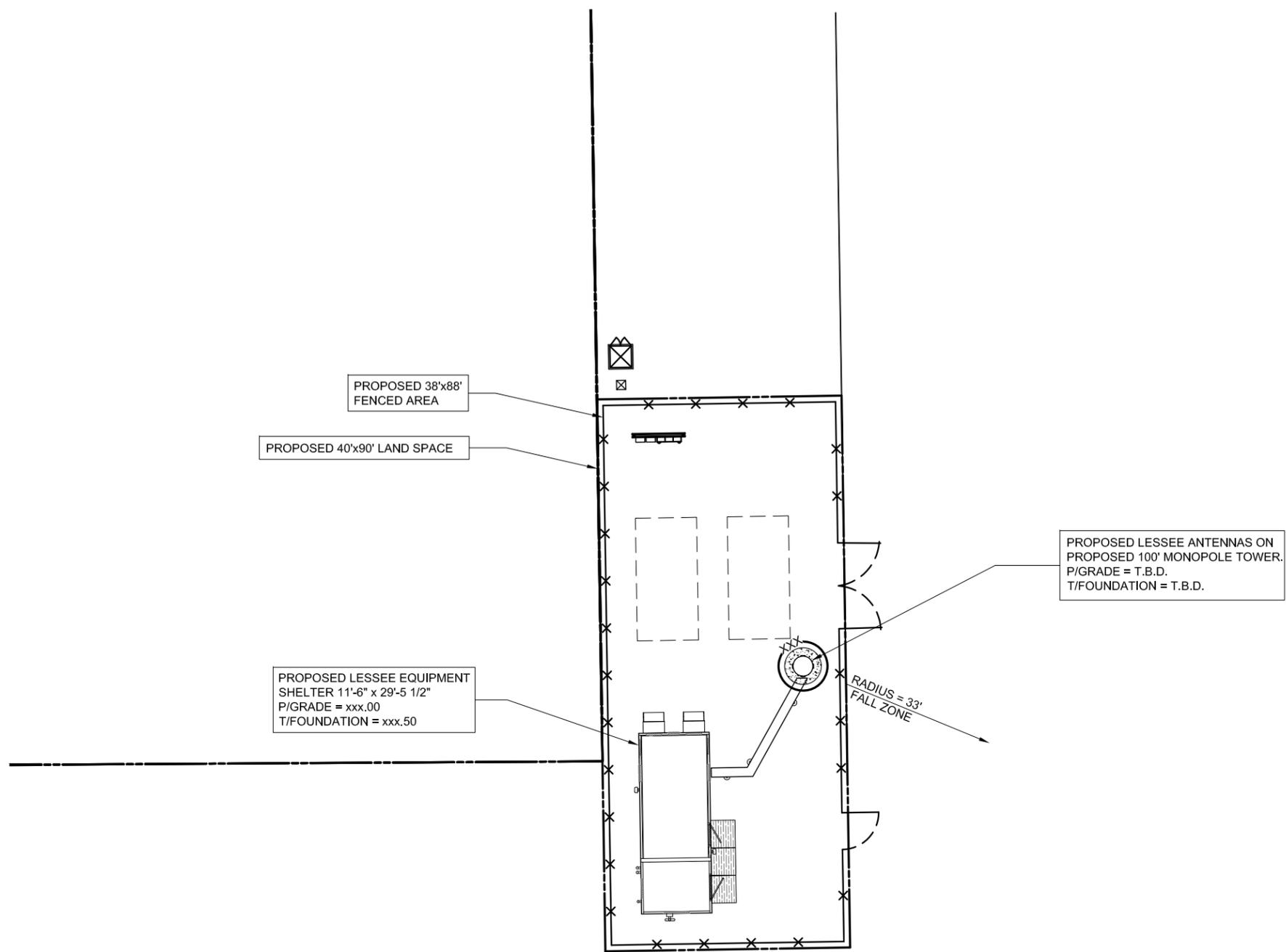
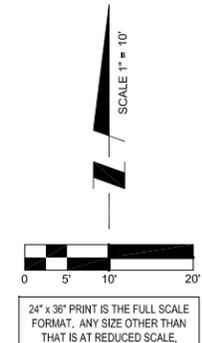
CHECKED BY: DM

DATE: 3/20/14

PROJECT #: 7397

SHEET TITLE
 LOCATION PLAN

SHEET NUMBER
LP



SBA

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 5900 BROKEN SOUND PKWY NW
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SITE IA-15762-B

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 CEDAR RAPIDS, IA 52405

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| PROJECT #: | 7397 |

SHEET TITLE
 SITE GRADING PLAN

SHEET NUMBER
C-2

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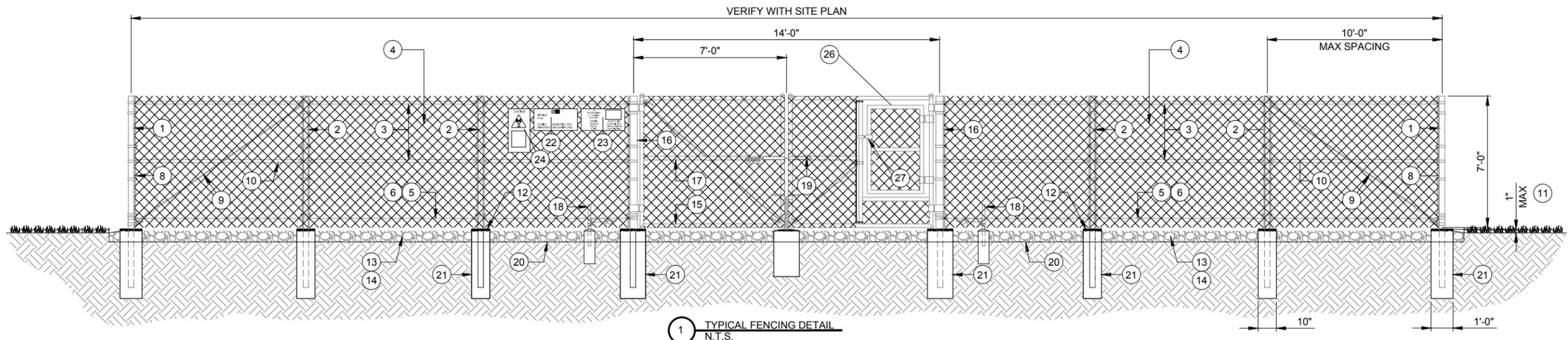
1860 BOYSON ROAD, HIAWATHA, IOWA 52233
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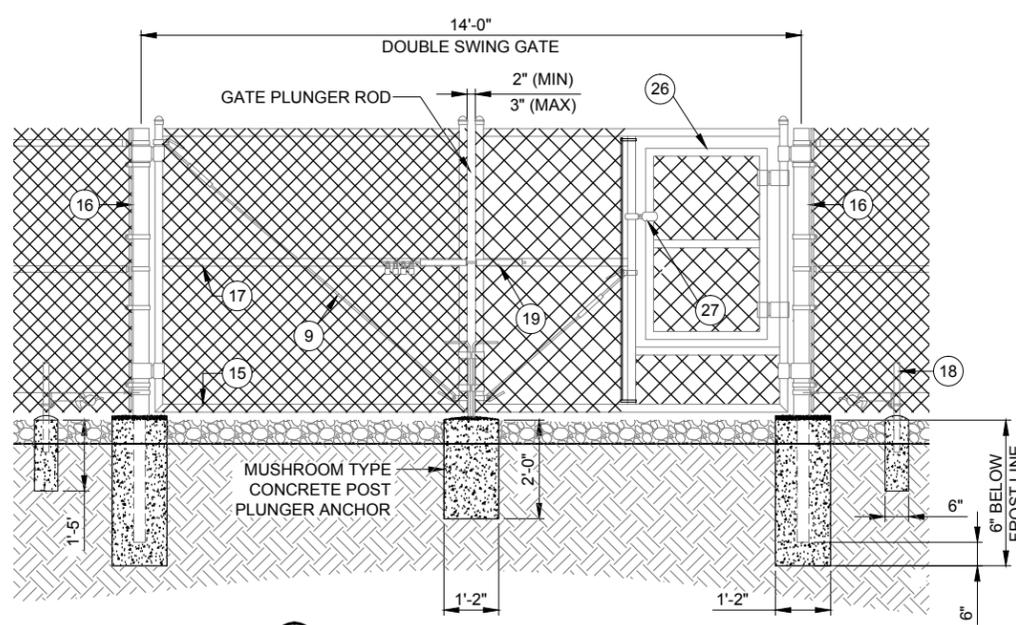
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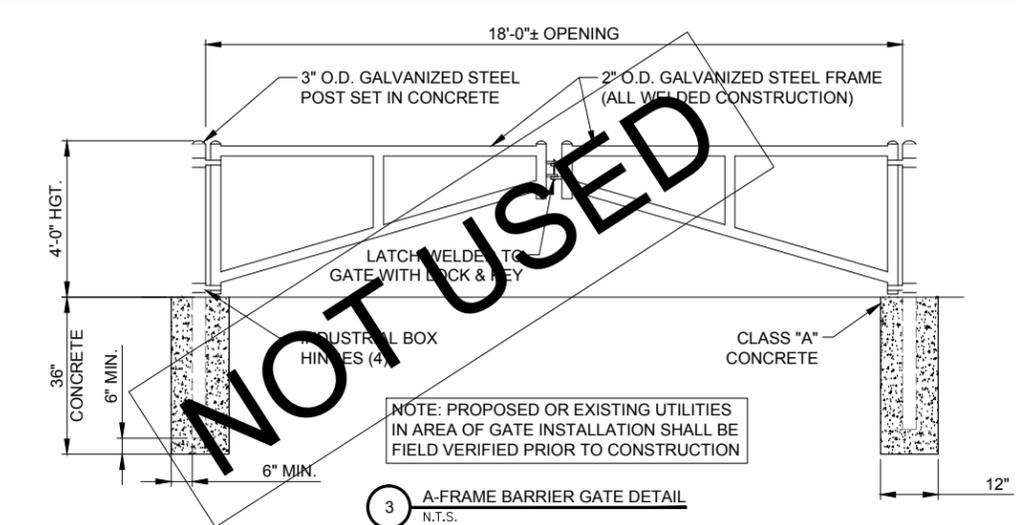
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1 TYPICAL FENCING DETAIL
N.T.S.



2 DOUBLE-SWING GATE DETAIL
N.T.S.



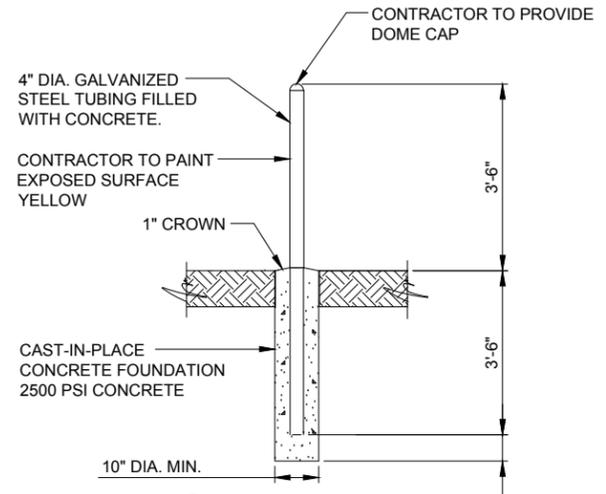
3 A-FRAME BARRIER GATE DETAIL
N.T.S.

GENERAL NOTES:

1. INSTALL FENCING PER ASTM F-567
2. INSTALL SWING GATES PER ASTM F- 900
3. LOCAL ORDINANCE OF BARBED WIRE PERMIT REQUIREMENT SHALL BE COMPLIED IF REQUIRED.
4. POST & GATE PIPE SIZES ARE INDUSTRY STANDARDS. ALL PIPE TO BE GALVANIZED (HOT DIP, ASTM A120 GRADE "A" STEEL). ALL GATE FRAMES SHALL BE WELDED. ALL WELDING SHALL BE COATED WITH (3) COATS OF COLD GALV. (OR EQUAL).
5. ALL OPEN POSTS SHALL HAVE END-CAPS.
6. USE GALVANIZED HOG-RING WIRE TO MOUNT ALL SIGNS.
7. ALL SIGNS MUST BE MOUNTED ON INSIDE OF FENCE FABRIC.
8. MUSHROOM ANCHOR & PLUNGER REQUIRED FOR GATE.
9. G.C. RESPONSIBLE FOR SBA GATE LOCK

BALLOON REFERENCE NOTES:

- 1 CORNER, END OR PULL POST: 3" O.D. SCHEDULE 40 PIPE.
- 2 LINE POST: 2 1/2" NOMINAL SCHEDULE 40 PIPE, PER ASTM-F1083. LINE POSTS SHALL BE EQUALLY SPACED AT MAXIMUM 10'-0" O.C.
- 3 TOP RAIL & BRACE RAIL: 1-5/8" O.D. STANDARD ROUND PIPE, PER ASTM-F1083.
- 4 FABRIC: 9 GA CORE WIRE SIZE 2" MESH, CONFORMING TO ASTM-A392.
- 5 TIE WIRE: 9 GA ALUMINUM. A SINGLE WRAP OF FABRIC TIE AND AT TENSION WIRE BY HOG RINGS SPACED 12" O.C. POSTS/GATES AND 24" RAILS/WIRE.
- 6 TENSION WIRE: 9 GA ALUMINUM.
- 7 NOT USED
- 8 3/16" x 3/4" (MIN) FULL HEIGHT STRETCHER BAR.
- 9 3/8" DIAGONAL ROD WITH GALVANIZED STEEL TURNBUCKLE OR DIAGONAL THREADED ROD.
- 10 FENCE CORNER POST BRACE: 1 5/8" NOMINAL PIPE.
- 11 1" MAXIMUM CLEARANCE FROM FINISH GRADE.
- 12 FENCE POST FOUNDATION TO BE 1" FINISH ABOVE FINISHED GRADE.
- 13 6" COMPACTED BASE MATERIAL.
- 14 FINISH GRADE SHALL BE UNIFORM AND LEVEL.
- 15 WELDED GATE FRAME: 2" O.D., SCHEDULE 40 PIPE, PER ASTM-F1083.
- 16 GATE POST 4" O.D., SCHEDULE 40 PIPE, PER ASTM-F1083.
- 17 GATE FRAME BRACE RAIL: 1 1/2" NOMINAL PIPE, PER ASTM-F1083.
- 18 DUCK BILL OPEN GATE HOLDER. VERIFY LOCATION IN FIELD PRIOR TO INSTALLATION.
- 19 STYMIE LOCK MULTI-TENANT LOCKING DEVICE.
- 20 GEO-TEXTILE FABRIC.
- 21 CONCRETE FOUNDATION (MIN 3000 PSI), MINIMUM DEPTH: 6" BELOW FROST LINE
- 22 12" x 24" SBA SITE INFORMATION SIGN.
- 23 12" x 24" NO TRESPASSING SIGN.
- 24 12" x 24" RF CAUTION SIGN.
- 25 18" x 12" KEEP GATE CLOSED SIGN.
- 26 4' WIDE SNOW GATE WITHIN DOUBLE SWING GATE FRAME
- 27 FORK LATCH WITH COMBINATION LOCK



4 BOLLARD DETAIL
N.T.S.

SBA

SBA TOWERS V, LLC
5900 BROKEN SOUND PKWY NW
BOCA RATON, FL 33487
PHONE: 1-800-487-7483

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SITE IA-15762-B

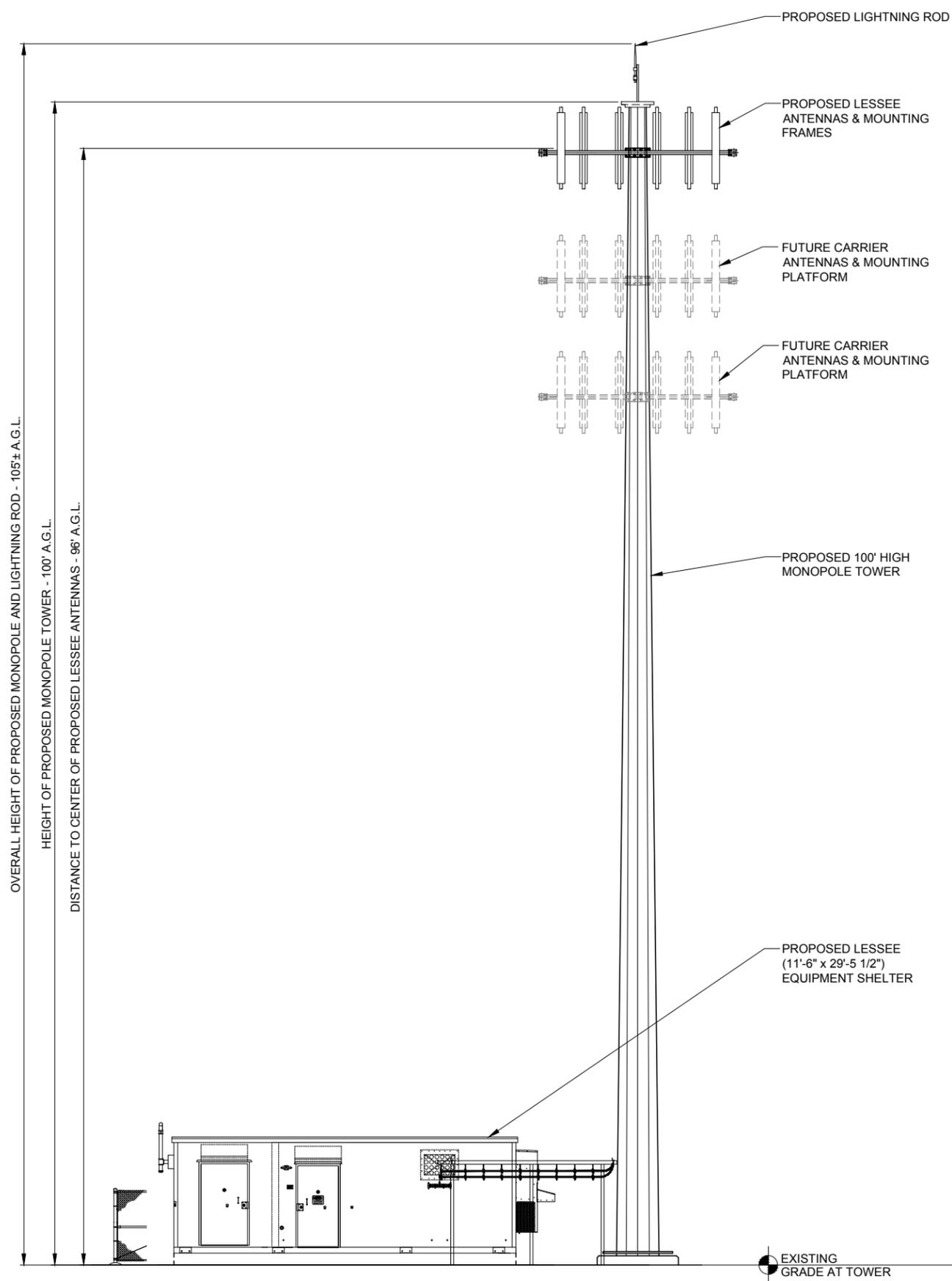
CEDAR RAPIDS

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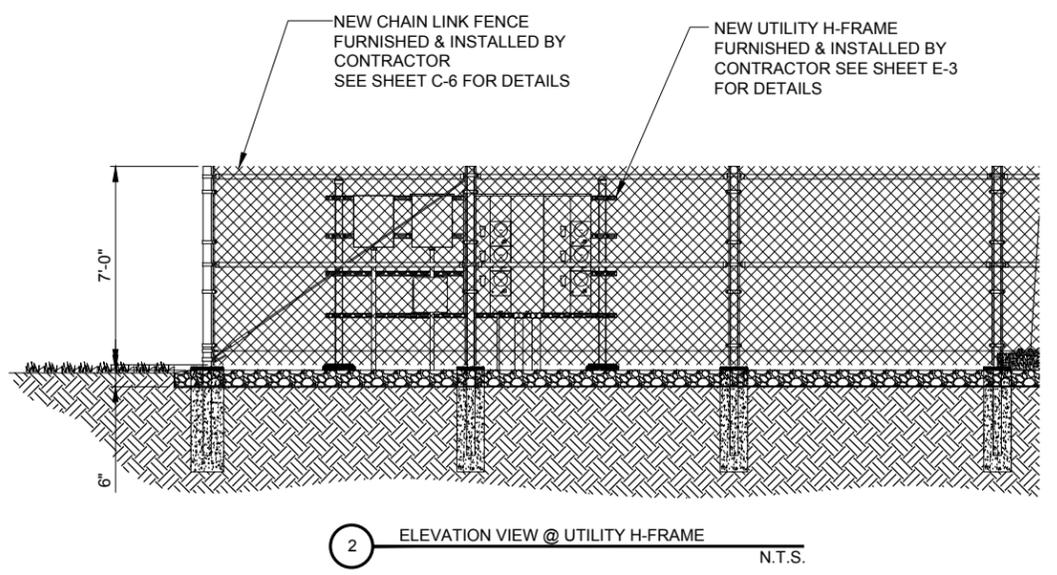
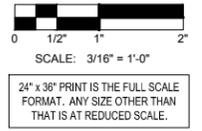
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| DRAWN BY: | JAS |
| CHECKED BY: | DM |
| DATE: | 3/20/14 |
| PROJECT #: | 7397 |

SHEET TITLE
FENCE DETAILS

SHEET NUMBER
C-4



1 EAST ELEVATION



SBA

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5900 BROKEN SOUND PKWY NW
BOCA RATON, FL 33487
PHONE: 1-800-487-7483

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CONSULTING ENGINEERS, LTD.

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SITE IA-15762-B

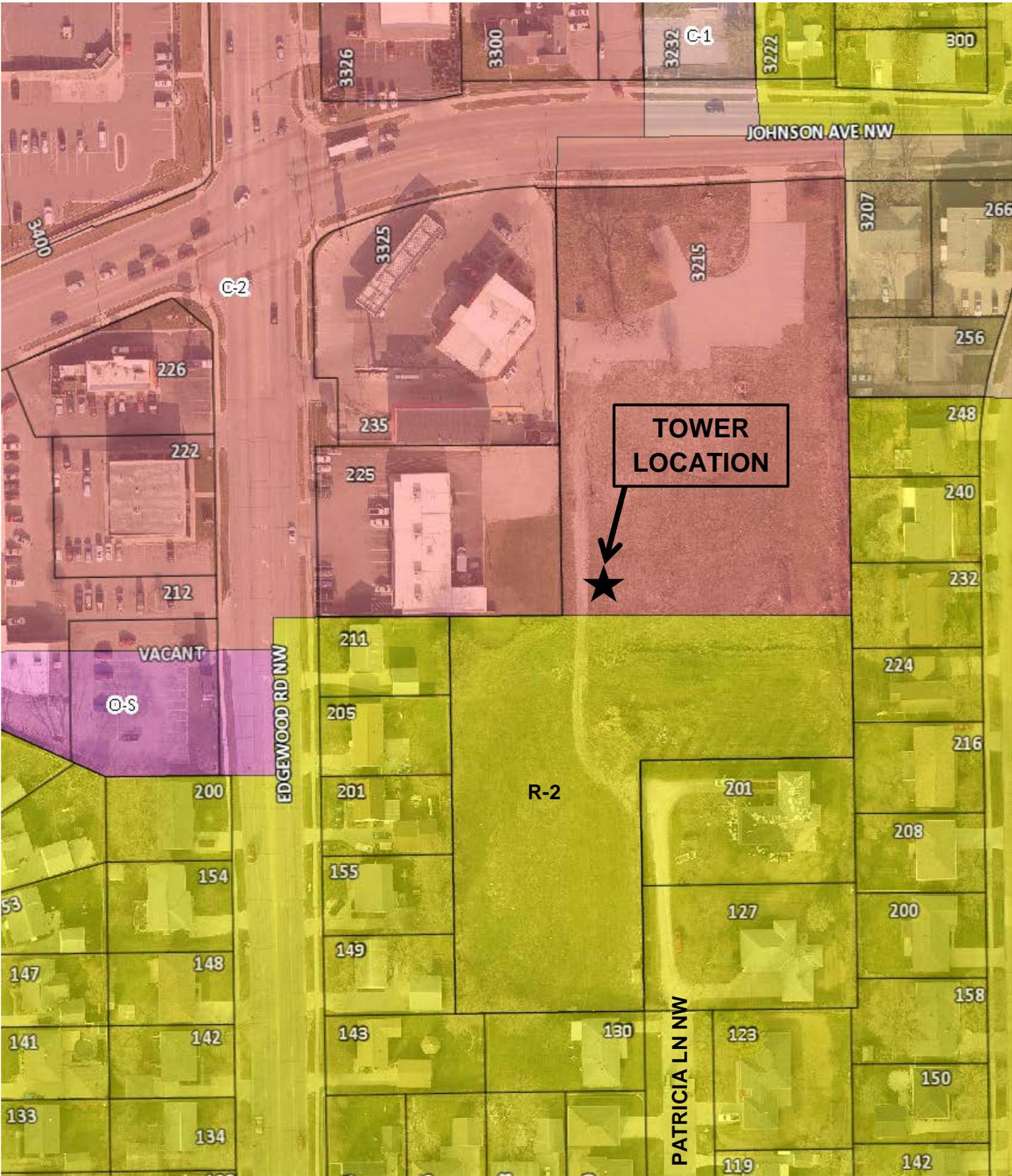
CEDAR RAPIDS

3215 JOHNSON AVE. NW
CEDAR RAPIDS, IA 52405

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| CHECKED BY: | DM |
| DATE: | 3/20/14 |
| PROJECT #: | 7397 |

SHEET TITLE
SITE ELEVATION

SHEET NUMBER
ANT-1



**TOWER
LOCATION**



JOHNSON AVE NW

C-2

3215

3325

3326

3300

3232

C-1

3272

300

3400

226

222

212

VACANT

O-S

200

154

53

147

141

133

148

142

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R-2

130

201

127

123

119

3207

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256

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208

200

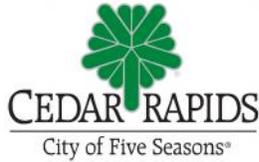
158

150

142

PATRICIA LN NW

EDGEWOOD RD NW



Development Service Department
City Services Center
500 15th Avenue SW
Cedar Rapids, IA 52404
Telephone: (319) 286-5043

STAFF REPORT TO CITY PLANNING COMMISSION
Major Preliminary Plat

CPC Date: October 2, 2014

To: City Planning Commission
From: Development Services Department

Applicant: 3rd Ward Development, LLC
Titleholder: Acme Electric Company, Inc.

Plat Name: Barrigar First Addition
Case Number: PRPT-012674-2014

Location: Northeasterly of 2nd Street SE between 10th and 11th Avenue SE
Request: Consideration of a Major Preliminary Plat
Case Manager: Vern Zakostecky

BACKGROUND INFORMATION:

The applicant, 3rd Ward Development, LLC., is requesting approval of a Preliminary Plat for the Barrigar First Addition for property northeasterly of 2nd Street SE between 10th and 11th Avenue SE. The proposed plat has 6 parcels for future development.

The Major Preliminary Plat as submitted includes the following:

- Total project area is .43 acres.
- The proposed subdivision includes 6 numbered lots for single-family attached residential units.
- The units proposed are zero lot line in a 6-unit townhome structure.
- Access to lots will be from an existing public alley between 2nd Street and 3rd Street SE.
- Storm water infiltration areas are being provided for storm water quality run-off measures.

FINDINGS:

The City Planning Commission shall review the application based on the following criteria:

That the proposed use and development will be consistent with the intent and purposes of the Comprehensive Plan and other applicable codes and regulations.

Staff Comments: The proposed use and development are consistent with the intent and purposes of the Comprehensive Plan, the Czech-Bohemia (CB-0) Overlay District regulations and all other applicable codes and regulations. The site is currently zoned PUD-2, Planned Unit Development Two Zone District. The Preliminary Site Development Plan was approved as part of the zone change for this property.

RECOMMENDED CONDITIONS:

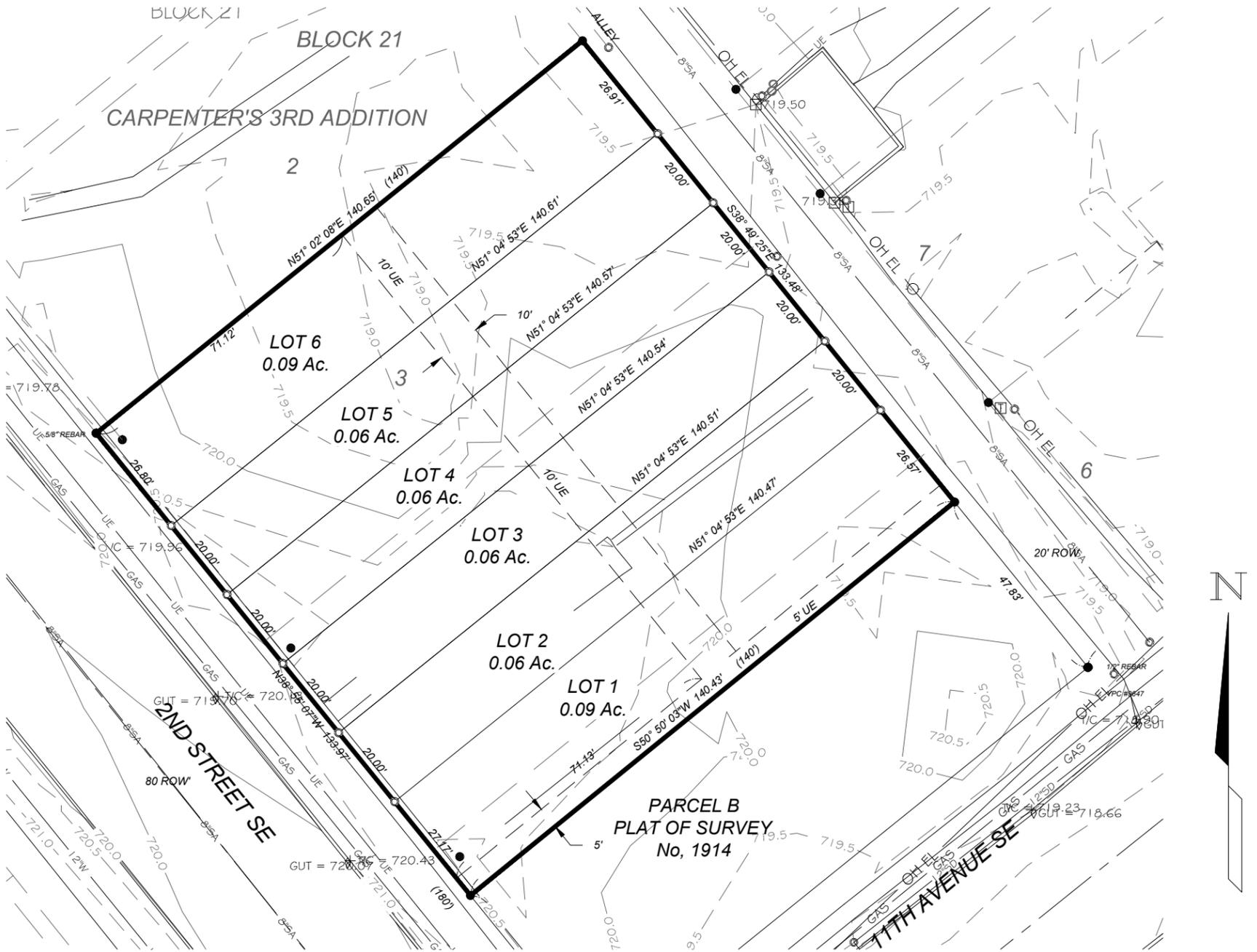
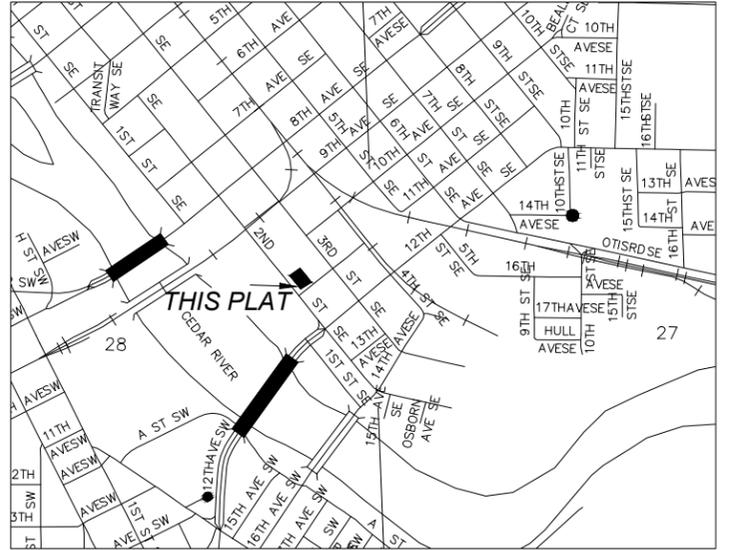
If the City Planning Commission recommends approval of the proposed revised preliminary plat, adoption of the following conditions as recommended by City Departments should be considered. The City Planning Commission may approve with additional conditions or remove any of the recommended conditions.

1. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible for removal and replacement of City sidewalk adjoining this site, damaged as a result of construction activities on this site or not meeting ADA requirements. The property owner shall also be responsible to replace any areas of existing street and alley paving damaged or removed as a result of new construction on the site. Said removal and replacement areas shall be determined by the City, shall be completed by the property owner, and shall be approved by the City.
2. This site shall be developed in compliance with the provisions of the Flood Plain Management Ordinance.

PRELIMINARY PLAT BARRIGAR FIRST ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA

Parcel A of Plat of Survey No. 1914 as recorded in Book 8982, Page 601 in the Office of the Recorder, Linn County, Iowa, containing 0.43 acres.

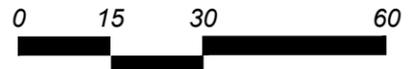
LOCATION MAP (NO SCALE)



OWNER: ACME ELECTRIC COMPANY
3353 SOUTHGATE COURT SW
CEDAR RAPIDS, IA 52404
319-365-8677

SURVEYOR: BRAIN ENGINEERING, INC.
1540 MIDLAND COURT NE
CEDAR RAPIDS, IOWA 52402
319-294-9424

DEVELOPER: 3RD WARD DEVELOPMENT, LLC
3353 SOUTHGATE COURT SW
CEDAR RAPIDS, IA 52404
319-365-8677



NOTE: ALL MEASUREMENTS IN FEET AND DECIMALS THEREOF.
THERE SHALL BE NO ABOVE-GROUND UTILITY STRUCTURES PLACED WHERE EASEMENTS
CROSS SEWER, WATER, DRAINAGE, OR ACCESS EASEMENTS.
CONTOUR INTERVAL IS 0.5 FEET.

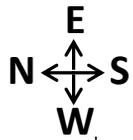
| | |
|------------------|--|
| Contact Person | S. Michael Brain, PE LS |
| Telephone Number | 319-294-9424 |
| Fax Number | 319-294-1056 |
| Email Address | mikeb@brain-eng.com |
| Mailing Address | 1540 Midland Ct NE Cedar rapids, IA 52402 |
| Date Submitted: | |
| Date Revised: | |

| | | |
|----------------------------------|-----------------------|------------|
| ● FOUND 1/2" REBAR OR AS LABELED | UNDERGROUND ELECTRIC | — UG EL — |
| ☒ FOUND CHISELLED X | SANITARY SEWER W/SIZE | — SA — |
| ○ SET 1/2" REBAR W/YPC #9647 | WATER MAIN | — WM — |
| × SET CHISELLED X | WATER MAIN W/SIZE | — W — |
| POB POINT OF BEGINNING | FENCE | — x — |
| () RECORDED AS | RIGHT-OF-WAY | — ROW — |
| YPC YELLOW PLASTIC CAP | OVERHEAD ELECTRICAL | — OH EL — |
| OPC ORANGE PLASTIC CAP | TELEPHONE | — UG TEL — |
| | GAS LINE | — GAS — |
| | CABLE TV LINE | — CATV — |

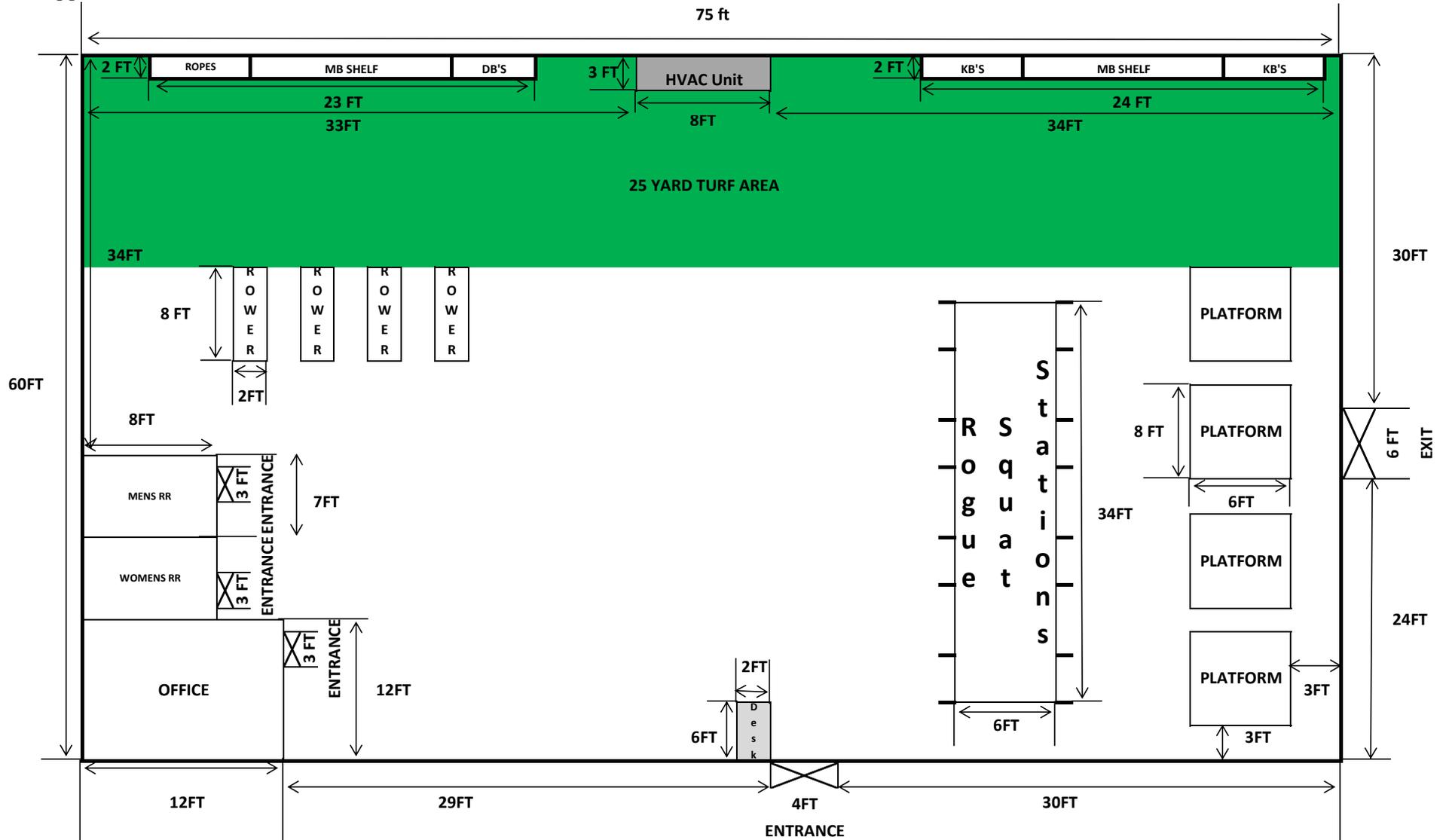
DATE OF SURVEY: 1/15/14

| | | | | |
|--------------------------|--------|---|------------|--------|
| Project No: 475114-10 | Title: | PRELIMINARY PLAT BARRIGAR FIRST ADDITION | Drawn: SMB | Book: |
| | | | 8/9/14 | 327 |
| | | | Checked: | Scale: |
| | | | | 1"=30' |





5820 Dry Creek Lane NE Cedar Rapids, IA 52402



TOTAL SPACE - 4,500 SQ FT



Development Services Department
City Services Center
500 15th Avenue SW
Cedar Rapids, IA 52404
Telephone: (319) 286-5168

STAFF REPORT TO CITY PLANNING COMMISSION
Conditional Use with a Preliminary Site Development Plan

CPC Date: October 2, 2014
To: City Planning Commission
From: Development Services Department

Applicant: Alan Weber
Titleholder: Joseph J. and Rita A. Bertsch
Location: 5820 Dry Creek Lane NE
Request: Conditional Use approval for a Health Club in an I-1, Light Industrial Zone District
Case Number: COND-013128-2014
Case Manager: Dave Houg, Development Services Department

BACKGROUND INFORMATION:

The applicant is requesting approval of a Conditional Use for a health club within an I-1 zoning district at 5820 Dry Creek Lane NE as requested by Alan Weber.

The site details are as follows:

- The use will occupy 4500 s.f. of an existing 10,500 s.f. building
- Parking required is 31 spaces
- Parking provided is 35 spaces

FINDINGS:

Section 32.02.030.D. of the Zoning Ordinance requires the City Planning Commission to review the application based on the following criteria:

- 1. That the conditional use applied for is permitted in the district within which the property is located.**

Staff Comments: Within an I-1 District, indoor amusement may be permitted as a conditional use.

- 2. That the proposed use and development will be consistent with the intent and purpose of this Ordinance and with the Future Land Use Policy Plan and other elements of the Comprehensive Plan.**

Staff Comments: The property is shown as “Office” use on the Future Land Use Map (FLUM) in the City’s Comprehensive Plan. As such, a health club is in accord with the FLUM and the Goals and Objectives of the Comprehensive Plan.

- 3. That the proposed use and development will not have a substantial adverse effect upon adjacent property, and the character of the neighborhood, traffic conditions, parking, utility and service facilities, and other factors affecting the public health, safety, and welfare.**

Staff Comments: The proposed use is not expected to have an adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility and service facilities, and other factors affecting the public health, safety, and welfare. This parcel is located in an area that is already served by sanitary sewer, storm sewer, water, gas, electricity, police and fire protection, and roads and transportation facilities are in place.

- 4. That the proposed development or use will be located, designed, constructed and operated in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding property.**

Staff Comments: The proposed use will not alter the design of the existing 34 year-old facility. Operations are not expected to interfere with the orderly use of the surrounding properties.

- 5. That adequate measure have been or will be taken to assure adequate access designed to minimize traffic congestion and to assure adequate service by essential public services and facilities including utilities, storm water drainage, and similar facilities.**

Staff Comments: A health club is expected to create approximately 3.6 times the traffic of a light industrial facility (in this case 16 peak trips/hour vs. 4.4). This site is located a block from Blairs Ferry Road NE, therefore traffic congestion is not anticipated. Adequate public services and facilities are in place.

- 6. That the proposed building, development, or use will comply with any additional standards imposed on it by provisions of this Ordinance for the district in which the property is located.**

Staff Comments: The building and site will comply with all provisions of the Ordinance and the I-1 Zoning District.

- 7. Whether, and to what extent, all reasonable steps possible have been, or will be, taken to minimize any potential adverse effects on the surrounding property through building design, site design, landscaping, and screening.**

Staff Comments: The site is developed and no changes are planned by this proposed use.

RECOMMENDED CONDITIONS:

Staff has no proposed additional conditions.

LEGEND



- Street Names**
- Cartographic Symbols**
 - Block Symbol, 0
 - Block Symbol, 1
 - Block Symbol, 4
 - Block Symbol, 5
 - Block Symbol, 6
 - Chord, 2
 - Dimension Arrow, 2
 - Land Hook, 3
 - Legal Arrow, 1
 - Legal Arrow, 4
 - Legal Arrow, 5
 - Legal Arrow, 6
 - Split Dimension Arrow, 3
- Parcel Boundary**
 - Corporate Boundary
 - Lot Line
 - Parcel
 - Parcel Split
 - Private Road
 - Quarter Quarter Line
 - Right of Way
 - Subdivision Boundary
 - Water
- Parcel Polygons**
- Street Centerlines**
 - <all other values>
 - Interstate
 - Ramp
 - Highway
 - Unkown
 - Surface
- Unrecorded_Final_Plats**
 - <all other values>
 - Corporate Boundary
 - Lot Line
 - Parcel
 - Parcel Split
 - Private Road
 - Quarter Quarter Line
 - Right of Way
 - Subdivision Boundary
 - Water
- Unrecorded_Final_Plats**
 - <all other values>
 - Dimension Arrow, 2
- Political**
 - Alburnett
 - Bertram
 - Cedar Rapids
 - Center Point
 - Central City
 - Coggon
 - Ely
 - Fairfax
 - Hiawatha
 - Lisbon
 - Marion
 - Mt Vernon
 - Palo
 - Prairieburg
 - Robins
 - Springville
 - Walford
 - Walker
- Access**
- Encroachment**
- guy wire**
- Landscape**
- Sanitary Sewer**
- Sidewalk**
- Sign**
- Storm Sewer**
- Telephone line**
- Utility**
- Drainage**
- Watermain**
- Cedar River**
- Creeks**
- Image**
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
- I:\ALINNO14002.sid**
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
- I:\ALINNO23002.sid**
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
- Ic_elevation.sid**
 - High: 1095.746526
 - Low: 670.812255
- Ic_hillshade.sid**
 - High: 195
 - Low: 162



DISCLAIMER : This is a product of the City of Cedar Rapids GIS Department. The data depicted here has been developed by the City of Cedar Rapids for city purposes. Any use is at the sole risk and responsibility of the User. There are no warranties, expressed or implied, associated with the use of this map.



PROPRIETARY INFORMATION: Any resale of this information is prohibited, except in accordance with a use agreement with the City of Cedar Rapids.



Development Services Department
City Services Center
500 15th Avenue SW
Cedar Rapids, IA 52404
Telephone: (319) 286-5168

STAFF REPORT TO CITY PLANNING COMMISSION
Conditional Use with a Preliminary Site Development Plan

CPC Date: October 2, 2014
To: City Planning Commission
From: Development Services Department

Applicant: David Junge
Titleholder: David K. and Mary B. Junge
Location: 620 29th Avenue SW
Request: Conditional Use approval for Warehousing in a C-3, Regional Commercial Zone District

Case Number: COND-013340-2014
Case Manager: Dave Houg, Development Services Department

BACKGROUND INFORMATION:

The property is currently developed with a warehouse utilized by Junge Control, Inc. on the adjacent lot. A Conditional Use request for Warehousing has been submitted for the addition of a second warehouse on this lot. The site development plan submitted includes the following proposed improvements:

- Total site area- 40,336 s.f. (0.93 acres)
- Total existing building area- 6,000 s.f.
- Total proposed building area- 13,700 s.f.
- Total parking required - 2 (@ 1 space per employee)
- Total parking provided - 11 spaces

FINDINGS:

Section 32.02.030.D. of the Zoning Ordinance requires the City Planning Commission to review the application based on the following criteria:

- 1. That the Conditional Use applied for is permitted in the district within which the property is located.**

Staff Comments: Operation of a warehousing, wholesaling and distribution facility is permitted as a conditional use within a C-3, Regional Commercial Zone District.

- 2. That the proposed use and development will be consistent with the intent and purpose of this Ordinance and with the Future Land Use Policy Plan and other elements of the Comprehensive Plan.**

Staff Comments: The Future Land Use Map of the City's Comprehensive Plan designates the property as Commercial and the requested use, if approved as a conditional use would be in accord with the Future Land Use Map designation and the Goals and Objective of the City's Comprehensive Plan.

- 3. That the proposed use and development will not have a substantial adverse effect upon adjacent property, and the character of the neighborhood, traffic conditions, parking, utility and service facilities, and other factors affecting the public health, safety, and welfare.**

Staff Comments: The property has been zoned and developed as a commercial use since 1967 without complaints. The proposed use will generate little traffic. This parcel is located in an area that is already served by sanitary sewer, storm sewer, water, gas, electricity, police and fire protection, and roads and transportation facilities are in place. The proposed use of this property will not have a negative impact on the levels of service to the existing development in the general area.

- 4. That the proposed development or use will be located, designed, constructed and operated in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding property.**

Staff Comments: The applicant proposes a second warehouse which will utilize the existing drive along with a newly-paved parking area. A storm water management area will be provided and the applicant will not have outdoor storage on the premises.

- 5. That adequate measures have been or will be taken to assure adequate access designed to minimize traffic congestion and to assure adequate service by essential public services and facilities including utilities, storm water drainage, and similar facilities.**

Staff Comments: Existing development on the property will continue to be served adequately by the facilities and services present. City staff did not identify any significant concerns.

- 6. That the proposed building, development, or use will comply with any additional standards imposed on it by provisions of this Ordinance for the district in which the property is located.**

Staff Comments: The applicant has agreed to all staff recommended conditions and will comply with all other applicable codes and regulations.

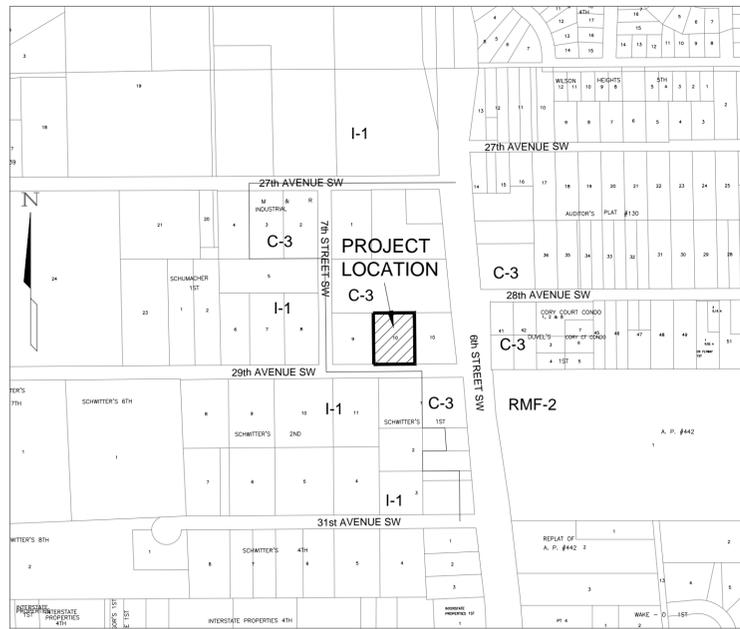
- 7. Whether, and to what extent, all reasonable steps possible have been, or will be, taken to minimize any potential adverse effects on the surrounding property through building design, site design, landscaping, and screening.**

Staff Comments: As stated above, the applicant will be providing new paving and storm water management which should minimize any potential adverse effects on the surrounding property.

RECOMMENDED CONDITIONS:

If the City Planning Commission recommends approval of the proposed conditional use, adoption of the following conditions as recommended by the Development Services Department staff should be considered. The City Planning Commission may approve with additional conditions.

1. Enclosures and/or screening shall be provided for all HVAC, trash, recycling, cardboard, mechanical equipment, and grease and similar service or support containers as per Subsection 32.05.030.A.7. of the Zoning Ordinance. The location and design of each enclosure shall be shown on the Administrative Site Plan and shall be approved prior to issuance of structural building permits. Preliminary building permits for site preparation, installation of utilities, and foundations may be issued prior to approval of the enclosure.
2. Lighting fixtures shall be shielded in a manner that shall not direct illumination on adjacent residential properties, or on any public right-of-way as per Subsection 32.05.030.B. of the Zoning Ordinance.
3. Signage is not being reviewed at this time. Sign permit applications must be submitted and approved and permits obtained prior to erection of signage (Subsection 32.06.020 & 32.06.030 is the sign regulation in the Zoning Ordinance).
4. Design guidelines and standards as specified in Subsection 32.05.030.C. shall be met or a variance must be obtained.
5. Outdoor storage is prohibited.
6. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to construct concrete sidewalk along 29th Avenue SW adjoining this site. The property owner shall construct the sidewalk improvements in accordance with City Standards, ADA requirements, and improvement plans accepted by the City Public Works Director/City Engineer. The property owner may request deferral of the sidewalk installation requirement if in accordance with the sidewalk installation policy. If a deferral is requested, please submit a formal request with documentation verifying deferral eligibility (cross sections, drawings, etc.).
7. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to submit to the City a signed Agreement for Private Storm Water Quality improvements on this site. The City Public Works Department shall provide a copy of the Agreement form upon request by the property owner.



LOCATION MAP
SCALE: 1" = 400'

OWNER/APPLICANT: DAVID K. AND MARY B. JUNGE
4931 ELLIS ROAD NW
CEDAR RAPIDS, IOWA 52404
319-396-4797

ENGINEER/CONTACT: DANIEL SCHMIDT
BRAIN ENGINEERING, INC.
1540 MIDLAND COURT NE
CEDAR RAPIDS, IOWA 52402
PH: 294-9424
FAX: 294-1056

REQUEST: CONDITIONAL USE OF WAREHOUSING, WHOLESALING,
AND DISTRIBUTION IN C-3 DISTRICT.

SITE ADDRESS: 620 29TH AVENUE SW

EXISTING ZONING: C-3 (REGIONAL COMMERCIAL)

PROPOSED USE: CONSTRUCTION OF BUILDING FOR STORAGE/WAREHOUSE

BUILDING INFORMATION:

EXISTING BUILDING AREA = 6,000 SQ. FEET (SINGLE-STORY STORAGE)

NEW BUILDING AREA = 7,700 SQ. FT. (SINGLE-STORY STORAGE)

PARKING REQUIREMENTS:

PARKING SPACES REQUIRED:
WAREHOUSE - 1/EMPLOYEE = 2 SPACES (2 EMPLOYEES)

TOTAL PARKING PROVIDED = 11 SPACES

HANDICAP SPACES REQUIRED = 1 SPACE
(1 VAN ACCESSIBLE)

HANDICAP SPACES PROVIDED = 1 SPACE
(1 VAN ACCESSIBLE)

YARD SETBACK REQUIREMENTS: C-3

FRONT YARD: 25 FEET

SIDE YARD: 0 FEET

REAR YARD: 0 FEET

CORNER SIDE YARD: 0 FEET

TOTAL SITE AREA: 40,337 SQ. FT. = 0.93 ACRES

TOTAL SQ. FT. OF STRUCTURES:

EXISTING: 6,000 SQ. FEET = 14.9%

PROPOSED: 13,700 SQ. FEET = 34.0%

TOTAL HARD SURFACE AREA:

EXISTING: 34,146 SQ. FEET = 84.7%

PROPOSED: 23,638 SQ. FEET = 58.6%

TOTAL OPEN SPACE:

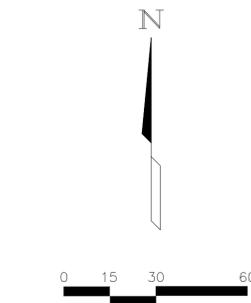
EXISTING: 6,191 SQ. FEET = 15.3%

PROPOSED: 16,699 SQ. FEET = 41.4%

NOTES:
1) APPLICANT OWNS BOTH 620 AND 640 29TH AVENUE SW PROPERTIES.
REQUEST IS FOR 620 29TH AVENUE SW ONLY. 640 29TH AVENUE SW
INFORMATION IS SHOWN FOR REFERENCE.

2) THERE ARE NO WATERCOURSES ON THIS PROPERTY.

3) THIS PROPERTY IS NOT WITHIN THE 100-YEAR OR 500-YEAR FLOODPLAIN.

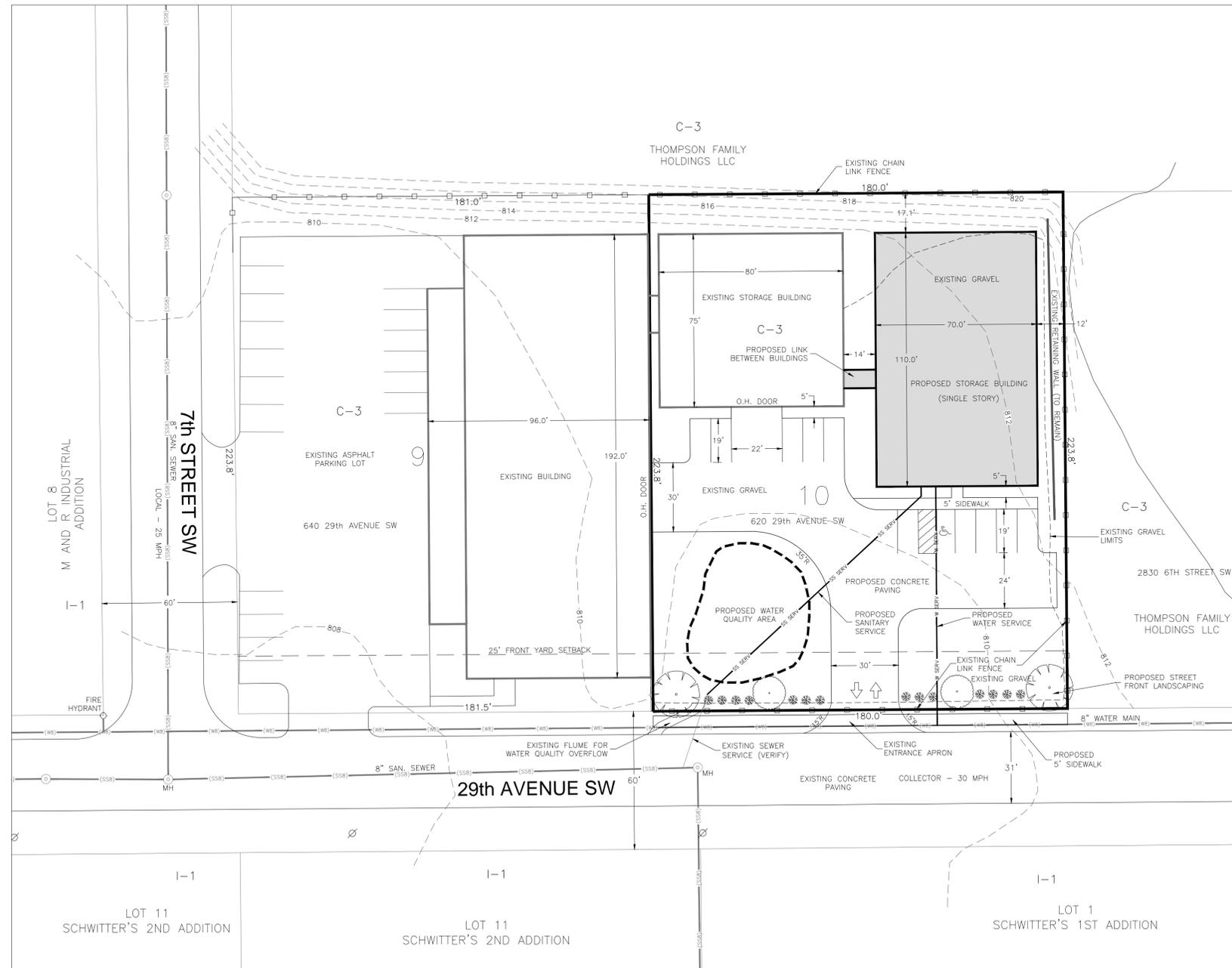


LEGAL DESCRIPTION
THE WEST 180 FEET OF LOT 10, M. AND R.
INDUSTRIAL ADDITION TO CEDAR RAPIDS, IOWA.

- PROPOSED 2" DBH SHADE TREE
- PROPOSED 1.5" DBH ORNAMENTAL TREE
- PROPOSED SHRUB

CONTACT PERSON

| | |
|------------------|-----------------------|
| Contact Person | Daniel L. Schmidt |
| Telephone Number | (319) 294-9424 |
| Fax Number | (319) 294-1056 |
| Mailing Address | 1540 Midland Court NE |
| Date Submitted | 9/9/2014 |
| Date Revised | |





Development Services Department
City Services Center
500 15th Avenue SW
Cedar Rapids, IA 52404
Telephone: (319) 286-5168

STAFF REPORT TO CITY PLANNING COMMISSION
Conditional Use with a Preliminary Site Development Plan

CPC Date: October 2, 2014
To: City Planning Commission
From: Development Services Department

Applicant: Taylor Wilkin, Fast Forward Cycles
Titleholder: Larry & Junetta Janda
Location: 1810 Blairs Ferry Road NE
Request: Conditional Use approval for Motor Vehicle Sales in a C-2, Community Commercial Zone District

Case Number: COND-013341-2014
Case Manager: Dave Houg, Development Services Department

BACKGROUND INFORMATION:

The applicant is requesting approval of a Conditional Use for motor vehicle sales within a C-2 zoning district at 1820 Blairs Ferry Road NE as requested by Taylor Wilkin.

The site details are as follows:

- Existing structure size - 5,640 s.f.
- Parking required - 23 spaces
- Parking provided - 23 spaces

FINDINGS:

Section 32.02.030.D. of the Zoning Ordinance requires the City Planning Commission to review the application based on the following criteria:

- 1. That the conditional use applied for is permitted in the district within which the property is located.**

Staff Comments: Within a C-2 District, motor vehicle sales may be permitted as a conditional use.

- 2. That the proposed use and development will be consistent with the intent and purpose of this Ordinance and with the Future Land Use Policy Plan and other elements of the Comprehensive Plan.**

Staff Comments: The property is shown as commercial on the Future Land Use Map (FLUM) in the City's Comprehensive Plan. As such, motor vehicle sales are in accord with the FLUM and the Goals and Objectives of the Comprehensive Plan.

- 3. That the proposed use and development will not have a substantial adverse effect upon adjacent property, and the character of the neighborhood, traffic conditions, parking, utility and service facilities, and other factors affecting the public health, safety, and welfare.**

Staff Comments: The proposed use is not expected to have an adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility and service facilities, and other factors affecting the public health, safety, and welfare. This parcel is located in an area that is already served by sanitary sewer, storm sewer, water, gas, electricity, police and fire protection, and roads and transportation facilities are in place.

- 4. That the proposed development or use will be located, designed, constructed and operated in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding property.**

Staff Comments: Any effects of the proposed conditional use should be negligible and compatible with the existing conditions and infrastructure in the area.

- 5. That adequate measure have been or will be taken to assure adequate access designed to minimize traffic congestion and to assure adequate service by essential public services and facilities including utilities, storm water drainage, and similar facilities.**

Staff Comments: Existing development on the property will continue to be served adequately by the facilities and services present. City staff did not identify any significant concerns.

- 6. That the proposed building, development, or use will comply with any additional standards imposed on it by provisions of this Ordinance for the district in which the property is located.**

Staff Comments: The building and site will comply with all provisions of the Ordinance and the C-2 Zoning District.

- 7. Whether, and to what extent, all reasonable steps possible have been, or will be, taken to minimize any potential adverse effects on the surrounding property through building design, site design, landscaping, and screening.**

Staff Comments: The site is developed and no changes are planned by this proposed use.

RECOMMENDED CONDITION:

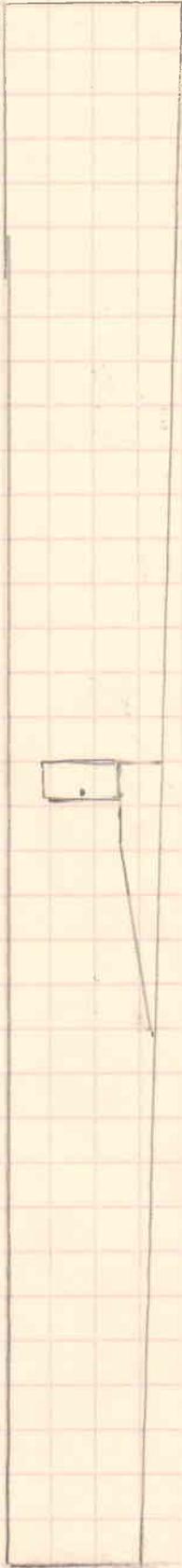
If the City Planning Commission recommends approval of the proposed conditional use, adoption of the following condition as recommended by staff should be considered:

1. That a certificate of occupancy must be obtained for the change of use prior to occupying the structure.

141' LONG

12' TALL

16' TALL

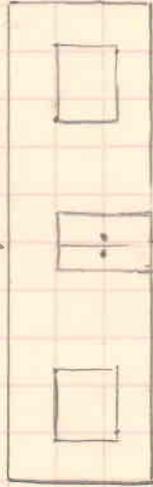


FRONT

SIDE ELEVATION

REAR

40' WIDE



12' TALL

FRONT ELEVATION

40' WIDE

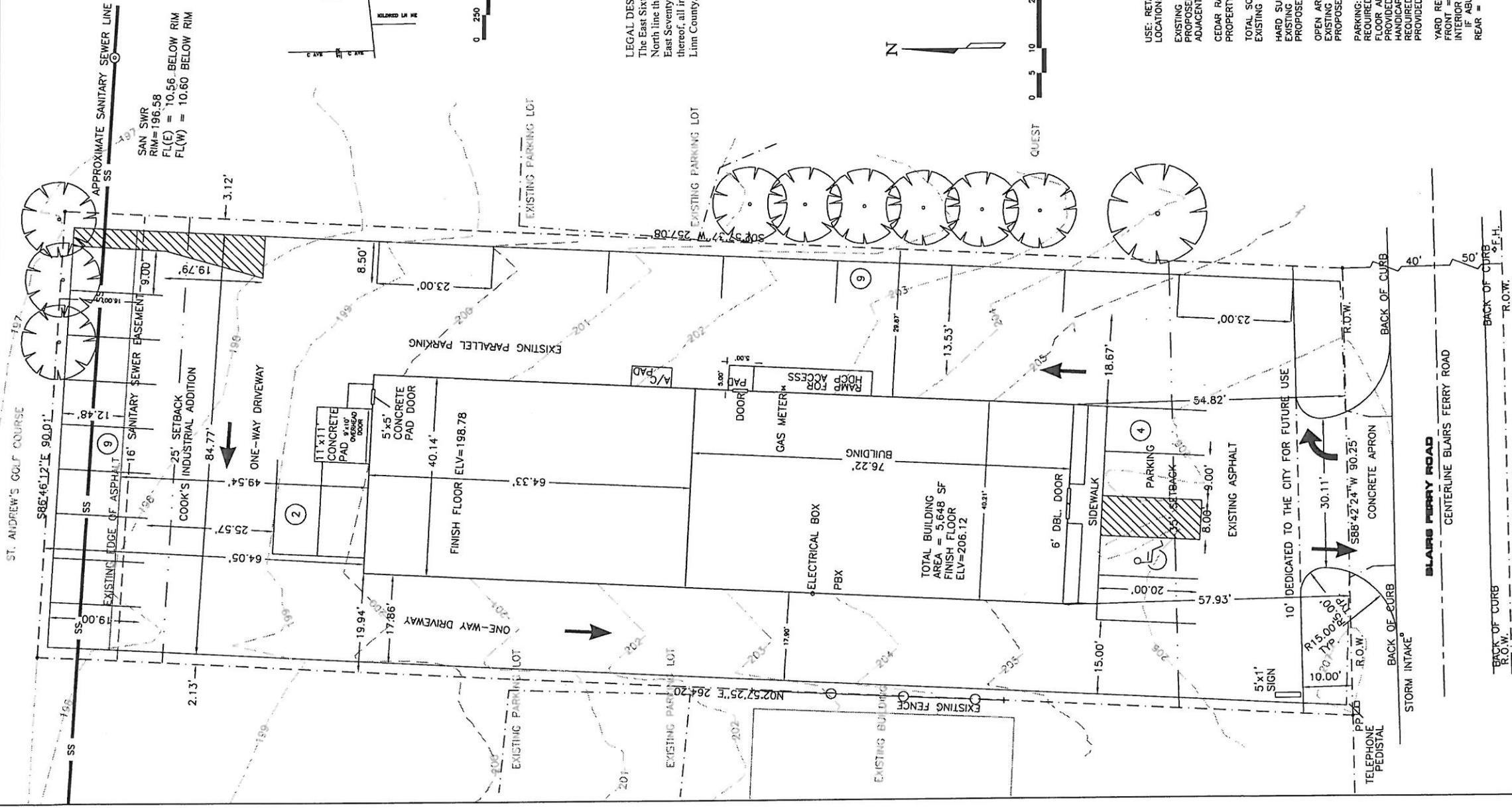


16' TALL

REAR ELEVATION

1810 BLAIRS FERRY RD NE
CEDAR RAPIDS, IOWA

SCALE 1 SQUARE = 4'



SAN SWR
RIM = 196.58
FL(E) = 10.56 BELOW RIM
FL(W) = 10.60 BELOW RIM

COOK'S INDUSTRIAL ADDITION
25' SETBACK

TOTAL BUILDING
AREA = 5,648 SF
FINISH FLOOR
ELV = 206.12



LOCATION MAP
SCALE 1" = 500'

LEGAL DESCRIPTION:
The East Sixty-five (65) Feet of Lot Six (6), measured on the North line thereof, and Lot Seven (7), except the East Seventy-five (75) Feet measured on the North Line thereof, all in Cook's Industrial Addition to Cedar Rapids, Linn County, Iowa.

LEGEND

- PIPE SYMBOL
- WALK OR BLOWOFF
- STREET LIGHT
- UTILITY POLE
- DAY WIRE
- TRAFFIC SIGN
- PARKING METER
- MANHOLE
- EXISTING STORM SEWER INTAKE
- PROPOSED 18-3 OF 18-3 INTAKE
- PROPOSED TAPPED OFF 18-3 INTAKE
- TELEPHONE TERMINAL
- TELEPHONE
- CABLE TV TERMINAL
- UNDERGROUND ELECTRICAL
- UNDERGROUND TELEPHONE
- UNDERGROUND TELEPHONE
- GAS LINE
- CABLE TV LINE
- STORM SEWER W/SIZE
- SUBURBAN W/SIZE
- SANITARY SEWER W/SIZE
- WATER MAIN W/SIZE
- FENCE
- ROAD-OF-WAY
- BACK OF CURB TO BACK OF CURB
- CONCRETE TREE
- CONCRETE LANDS
- UTILITY EASEMENT
- SETBACK FOR DITCH CHECK
- UTILITY EASEMENT
- DRAINAGE EASEMENT
- BENCH MARK W/NUMBER
- CONTROL POINT
- FOUND SECTION CORNER
- FOUND 1/2" REBAR OR AS LABELED
- SET 1/2" REBAR W/YELLOW CAP #8x47



USE: RETAIL
 LOCATION: 1810 BLAIRS FERRY ROAD NE
 EXISTING ZONING: I-1A
 PROPOSED ZONING: C-2
 ADJACENT ZONING: I-1A
 CEDAR RAPIDS, IOWA TOTAL SQ FT OF PROPERTY (INCLUDING EASEMENTS) = 23,405.75 S.F.
 TOTAL SQ FT OF STRUCTURE:
 EXISTING = 5,648 SF
 PROPOSED = 5,648 SF
 HARD SURFACE:
 EXISTING = 15,157 SF
 PROPOSED = 16,213 SF
 OPEN AREA:
 EXISTING = 17,758 SF
 PROPOSED = 16,702 SF
 PARKING:
 REQUIRED = 4 PER 1000 S.F. OF GROSS FLOOR AREA (5.6 x 4) = 22.4
 PROVIDED = 24
 HANDICAP PARKING:
 REQUIRED = 1
 PROVIDED = 1
 YARD REQUIREMENTS:
 FRONT = 25 FEET
 INTERIOR SIDE YARD = 15 FEET
 REAR = 25 FEET

| | | | |
|-------------|---|-------|----------|
| Sheet No. | 1 | of | 1 |
| Project No. | 22082-10 | | |
| Client | LARRY JANDA | | |
| Request | REZONING REQUEST | | |
| Engineer | BRAIN ENGINEERING, INC. | | |
| Address | 777 10TH STREET MARION, IOWA 52602 (319) 373-6318 | | |
| Permitted | 10/6/02 | DPT | 45 |
| Checked | | Scale | 1" = 10' |
| Reviewed | | Book | |
| Revised | | No. | 0 |
| Revision | 1. REVISED PROPOSED SETBACK REQUIREMENTS | | |



City of Cedar Rapids City Planning Commission Work Plan for 2013-2014

General Information

CHARTER

The City Planning Commission is a nine member commission appointed by the Mayor of the City of Cedar Rapids. The Commission was established by City Code to review and make recommendations to the City Council on various land development issues including proposed City comprehensive plans, zoning regulations, requests for the rezoning of land, site development plans, conditional use requests, and subdivision of land.

MEETINGS

The City Planning Commission meets every three weeks on Thursday at 3:00 p.m. unless otherwise published. Meetings are held at City of Cedar Rapids City Hall Council Chambers.

COMMISSIONERS and CONTACTS

Commissioners

Scott Overland, *Chair*
Jim Halverson, *Vice-Chair*
Samantha Dahlby
Carletta Knox-Seymour
Richard Pankey
Mike Tertinger
Allan Thoms
Virginia Wilts
Vacant Position

Council Liaison

Chuck Swore
c.swore@cedar-rapids.org

Staff Liaisons

Vern Zakostelecky
(319) 286-5043
v.zakostelecky@cedar-rapids.org

Seth Gunnerson
(319) 286-5129
s.gunnerson@cedar-rapids.org

This work plan serves as a guide to action and may be adapted or revised as new events and opportunities arise.

Process

On August 19, 2013 a City Planning Commission sub-committee met to begin development of a work plan for the 2013-2014 year. The Commission engaged in an action planning process that involved the following steps:

- **Current Reality:** Assessment of the Commission's strengths, weaknesses, accomplishments and challenges.
- **Commitments and Vision:** Selection of goals that the Commission agreed upon and believed were achievable over the course of a year. Development of a vision statement to describe the intended outcome of achieving the work plan.
- **Key Actions:** Identification of action steps to accomplish Commitments and to address weaknesses and challenges listed in the Current Reality phase of the process. Similar Key Actions were grouped into key task groups.
- **Calendar Timeline:** Ranking of Key Actions from easiest to most difficult and arrangement of Key Actions throughout a year-long timeline.
- **Coordination:** Designation of a leader for each task group and determination of a tracking process to report updates.

This work plan contains the work performed by the Commission to date and will be updated to reflect the conclusion of the process and any changes that may arise during finalization of the plan.

Work Plan

VISION

To improve the standard of planning and development activities in the City of Cedar Rapids while being use and user friendly in fulfilling City needs for housing, commercial and industrial development.

GOAL 1

Develop a Sustainable Development Measurement Tool

| TASK | ASSIGNMENT | DUE |
|---|-------------------|------------|
| -Review best practices used by other communities for parking standards, storm water, and other key areas. | Full Commission | Ongoing |

GOAL 2

Increase knowledge of CPC by attending training opportunities

| TASK | ASSIGNMENT | DUE |
|---|-----------------------|------------|
| -Staff will continue to provide updates on training opportunities. | Ongoing | Ongoing |
| -CPC will proactively look for training opportunities they are interested in. | Full Commission/Staff | Ongoing |

GOAL 3

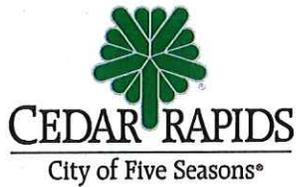
Participate and contribute to the development of the City's Comprehensive Plan

| TASK | ASSIGNMENT | DUE |
|--|-------------------|------------|
| -Review and provide input on draft and final plans | Full Commission | TBD |

GOAL 4

Increase interaction and communication with City Council as necessary

| TASKS | ASSIGNMENT | DUE |
|--|-------------------|------------|
| -Continue to ensure CPC attendance at City Council and Development Committee meetings as needed. | Chair | Ongoing |



Community Development and Planning Department
City Hall
101 First Street SE
Cedar Rapids, IA 52401
Telephone: (319) 286-5041

To: City Planning Commission
From: Kirsty Sanchez, Community Development and Planning
Subject: Consideration regarding conformity of Amendment No. 1 to the Council Street Urban Renewal Area Plan with the City's Comprehensive Plan
Date: October 2, 2014

BACKGROUND INFORMATION:

City Council has initiated proceedings to consider Amendment No. 1 to the Council Street Urban Renewal Area Plan to delete certain parcels in the Urban Renewal Area to allow for the creation of a new Urban Renewal Area, as described below:

1103 Blairs Ferry Road NE
IRR SUR NW 3-83-7 N OF RR 9LESS W 328' N 538.7') & (LESS ST) & (LESS
E 244' BNG N 376.7' MEAS ON W LN) & (LESS LEHIGH PORTLAND
CEMENT CO) STR/LB 2

AND

1201 Blairs Ferry Road NE
NASH FINCH 1ST STR/LB 1

The Council Street Urban Renewal Area was established in 2003 and is generally located east of the intersection of Interstate 380 and Blairs Ferry Road NE in the City of Cedar Rapids. This district was created to provide for redevelopment and revitalization activities occurring under the existing urban renewal areas, to provide funding necessary for public improvements and infrastructure, and to provide for the use of tax increment revenues for qualified activities.

The State Code of Iowa requires that prior to City Council adoption of an Urban Renewal Area, the Urban Renewal Plan be referred to the City Planning Commission for review and recommendation "*as to its conformity with the general plan for the development of the municipality as a whole.*"

The action requested from City Planning Commission at this time is to make a finding regarding the consistency of Amendment No. 1 to the Council Street Urban Renewal Plan for the Council Street Urban Renewal Area with the Comprehensive Plan. In addition to City Planning Commission review, the City consulted with affected taxing agencies on September 23, 2014. All comments received will be presented to City Council for consideration during the public hearing scheduled for October 7, 2014.



**AMENDMENT NO. 1 TO THE
COUNCIL STREET URBAN RENEWAL PLAN**

**As Approved by City Council
Resolution No.**

Community Development Department
City Hall
101 First Street SE
Cedar Rapids, Iowa 52401

TABLE OF CONTENTS

- 1.0 INTRODUCTION
 - 1.1 Purpose and Background
 - 1.2 Amendments
 - 1.3 Relationship to the Comprehensive Plan
- 2.0 ESTIMATED DIVERSION OF PROPERTY TAX INCREMENT REVENUES
- 3.0 AREA BEING DELETED
- 4.0 EFFECTIVE DATE

1.0 INTRODUCTION

1.1 Purpose and Background

The purpose and intent of this *Amendment No. 1 to the Council Street Urban Renewal Plan* (the "Amendment") is to reduce the size of the urban renewal area described in the Council Street Urban Renewal Plan as adopted by the City Council on June 4, 2003 (Resolution No. 1239-06-03) (the "Urban Renewal Plan").

All provisions of the existing Urban Renewal Plan not directly impacted by this Amendment as adopted by the City Council shall remain in full force and effect.

The separate identities of the Sub-Areas previously established as part of the Urban Renewal Plan will be maintained and observed for those purposes which are aided by or in need of the division, but the combined areas of the several Sub-Areas shall be treated together for planning and redevelopment purposes. This Amendment undertakes to continue each Project Sub-Area within the overall Urban Renewal Area as a combined Urban Renewal Area, reserving the separate elements of each such Sub-Area, but permitting the advantages of combined planning and redevelopment activities.

1.2 Amendments

Section 10.0 of the Urban Renewal Plan provides that Urban Renewal Plan may be amended from time to time to include changes in the Urban Renewal Area, to add or change land use controls and regulations, to modify goals or types of renewal activities, or to amend property acquisition and disposition guidelines. The City Council may amend the Urban Renewal Plan by resolution after holding a public hearing on the proposed change in accordance with applicable Iowa law.

Amendment No. 1 to the Urban Renewal Plan is consistent with this provision.

1.3 Relationship to the Comprehensive Plan

Cedar Rapids has adopted the *Comprehensive Plan for Cedar Rapids* which qualifies as the "general plan for the development of the municipality as a whole" as provided under Chapter 403.5, Code of Iowa. The Cedar Rapids Planning Commission reviewed the draft Amendment No. 1 to the Urban Renewal Plan, and adopted a finding that it is in conformity with the Comprehensive Plan and recommended its approval by the City Council.

2.0 ESTIMATED DIVERSION OF PROPERTY TAX INCREMENT REVENUES

The use of tax increment funds is authorized in Section 2.2 of the Urban Renewal Plan. This Amendment does not change provisions regarding the diversion of tax increment revenue within the Urban Renewal Area.

Article XI, Section 3 of the Constitution of the State of Iowa limits the amount of debt outstanding at any time of any county, municipality or other political subdivision to no more than 5% of the value, as shown by the last certified state and county tax lists, of all taxable property within such county, municipality or other political subdivision. Based upon the actual value for fiscal year 2012/2013 (total actual value, less agriculture value that is not taxed for debt service) on all taxable property within the City of Cedar Rapids, the City is limited to \$463,611,401 of general obligation indebtedness. Total City bonded indebtedness as of June 30, 2013 was \$337,485,000.

3.0 AREA BEING DELETED

Redevelopment and revitalization activities contemplated under the Urban Renewal Plan are being conducted on a sub-area basis with appropriate allocation of resources. The intent of the sub-area designations is identified in Section 5.0 of the Urban Renewal Plan.

In accordance with this intent, the Urban Renewal Plan is amended to delete the following area from the Southwest Urban Renewal Area described therein:

1103 Blairs Ferry Road NE
GPN: 14032-04003-00000 IRR SUR NW 3-83-7 N OF RR 9LESS W 328' N
538.7') & (LESS ST) & (LESS E 244' BNG N 376.7' MEAS ON W LN) &
(LESS LEHIGH PORTLAND CEMENT CO) STR/LB 2

AND

1201 Blairs Ferry Road NE
GPN: 14032-28005-00000 NASH FINCH 1ST STR/LB 1

4.0 EFFECTIVE DATE

This Amendment No. 1 to the Urban Renewal Plan shall be deemed to be effective upon the adoption of a City Council Resolution approving the said Amendment No. 1 to the Urban Renewal Plan. The Urban Renewal Plan, as so amended, shall remain in full force until amended or rescinded by the City Council.

ATTACHMENT A
Parcels to be Removed from the Council Street Urban Renewal Area





Community Development and Planning Department
City Hall
101 First Street SE
Cedar Rapids, IA 52401
Telephone: (319) 286-5041

To: City Planning Commission
From: Kirsty Sanchez, Community Development and Planning
Subject: Consideration regarding conformity of the proposed Northtowne Market Urban
Renewal Area Plan with the City's Comprehensive Plan
Date: October 2, 2014

BACKGROUND INFORMATION:

City Council has initiated proceedings to consider the creation of the Northtowne Market Urban Renewal Area Plan, as described below:

1103 Blairs Ferry Road NE
IRR SUR NW 3-83-7 N OF RR 9(LESS W 328' N 538.7') & (LESS ST) & (LESS
E 244' BNG N 376.7' MEAS ON W LN) & (LESS LEHIGH PORTLAND
CEMENT CO) STR/LB 2

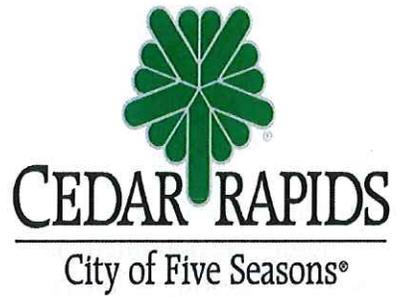
AND

1201 Blairs Ferry Road NE
NASH FINCH 1ST STR/LB 1

The proposed Urban Renewal Area is generally located east of the intersection of Interstate 380 and Blairs Ferry Road NE in the City of Cedar Rapids. This district is intended to stimulate private investment through public action and commitment, to achieve a diversified economy, and to attract new businesses to the City.

The State Code of Iowa requires that prior to City Council adoption of an Urban Renewal Area, the Urban Renewal Plan be referred to the City Planning Commission for review and recommendation "*as to its conformity with the general plan for the development of the municipality as a whole.*"

The action requested from Planning Commission at this time is to make a finding regarding the consistency of the proposed Northtowne Market Urban Renewal Plan for the Northtowne Market Urban Renewal Area with the Comprehensive Plan. In addition to City Planning Commission review, the City consulted with affected taxing agencies on September 23, 2014. All comments received will be presented to City Council for consideration during the public hearing scheduled for October 7, 2014.



URBAN RENEWAL PLAN

for the

NORTHTOWNE MARKET URBAN RENEWAL AREA

As Approved by City Council

Resolution No.

Community Development Department
City Hall
101 First Street SE
Cedar Rapids, Iowa 52401

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ATTACHMENT A - Proposed Northtowne Market Urban Renewal Area

1.0 INTRODUCTION

This Urban Renewal Plan (the "Urban Renewal Plan") has been prepared by the City of Cedar Rapids, Iowa (the "City") to provide for the development of the Northtowne Market Urban Renewal Area (the "Project Area") of the City, and to stimulate, through public actions, financings and commitments, private investment in the urban renewal Project Area. In order to achieve these objectives, the City shall undertake the urban renewal actions specified in this Urban Renewal Plan, pursuant to the powers granted to it under Chapters 403 and 15A of the Code of Iowa, 2011, as amended (the "Code").

2.0 URBAN RENEWAL PLAN OBJECTIVES

The City has designated the Project Area as an "economic development area" as defined under Chapter 403. The primary objectives of this Urban Renewal Plan for the Project Area are as follows:

1. To stimulate through public action and commitment, private investment in new commercial and manufacturing development;
2. To plan and provide sufficient land for new and expanding private development;
3. To attract new businesses to the City and to encourage the expansion of existing City businesses;
4. To provide a more marketable and attractive investment climate through the use of various federal, state and local incentives;
5. To ensure that the Project Area is adequately served with public facilities, roadways, utilities and services; and
6. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities for City residents and strengthening the property tax base of the City.

3.0 DESCRIPTION OF PROJECT AREA

The Project Area is an "urban renewal area" as defined in the Code and is located within the City of Cedar Rapids, Linn County, Iowa. The boundaries of the Project Area are illustrated on the Project Area Map attached hereto as Exhibit A.

The Project Area consists of an approximately twenty-four and one-half (24 ½) acres, in the City of Cedar Rapids, Iowa and being described as follows:

1103 Blairs Ferry Road NE
IRR SUR NW 3-83-7 N OF RR 9(LESS W 328' N 538.7') & (LESS ST) & (LESS
E 244' BNG N 376.7' MEAS ON W LN) & (LESS LEHIGH PORTLAND
CEMENT CO) STR/LB 2
AND
1201 Blairs Ferry Road NE
NASH FINCH 1ST STR/LB 1

4.0 PROJECT AREA ACTIVITIES

As a means of assisting in the development of the Project Area and fulfilling the objectives of this Urban Renewal Plan, the City may determine:

1. To undertake and carry out urban renewal project activities through the execution of contracts and other instruments;
2. To arrange for or cause to be provided the construction or repair of public infrastructure improvements, including street, water, sanitary sewer and storm sewer systems, traffic signals, and public utilities or other facilities in connection with urban renewal projects;
3. To acquire property through a variety of means (purchase, lease, exchange, condemnation, donation or otherwise) and to hold, clear or prepare the property for redevelopment;
4. To dispose of property so acquired (by sale, lease, exchange or otherwise) for purposes of private redevelopment;
5. To provide financing to pay a portion of the cost of construction of new facilities and developments;
6. To undertake or cause to be undertaken the construction of specific site improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections and related activities, in connection with the disposition of property;
7. To make loans or grants to private persons or businesses for economic development purposes on such terms as may be determined by the City Council;
8. To borrow money and provide security therefor;
9. To establish and enforce controls, standards and restrictions on land use and buildings;
10. To make or have made surveys and plans necessary for the implementation of the urban renewal program and specific urban renewal project activities;
11. To use tax increment financing to provide for necessary physical improvements and infrastructure, and to fund other urban renewal project costs; or
12. To use any and all other powers, without limitation, granted by the Code to develop and provide for improved economic conditions in the City of Cedar Rapids, Iowa.

5.0 SPECIAL FINANCING ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage private investment in and the development of the Project Area, the City may determine to provide financial assistance to qualified private businesses through the making of loans or grants under Chapter 15A of the Code and through the use of tax increment financing under Chapter 403 of the Code.

A. Chapter 15A Loans or Grants. The making of loans or grants of public funds to private businesses within the Project Area may be deemed necessary or

appropriate for economic development purposes (as defined in Chapter 15A of the Code) and to aid in the planning, undertaking and carrying out of urban renewal project activities authorized under this Urban Renewal Plan and the Code. Accordingly, in furtherance of the objectives of this Urban Renewal Plan, the City may determine to issue general obligation bonds, tax increment revenue bonds or other such obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Project Area. Alternatively, the City may determine to use available funds, including tax increment revenues from the Project Area, for making such loans or grants. In determining qualifications of recipients and whether to make any such individual loan or grant, the City shall consider, among other things, one or more of the factors set forth in Section 15A.1 of the Code on a case-by-case basis.

B. Tax Increment Financing. The City intends to utilize tax increment financing as a means to help pay for the costs associated with the development of the Project Area. General obligation bonds, tax increment revenue bonds or other such obligations or loan agreements may be issued by the City, and tax increment reimbursement may be sought for, among other things, the following costs (if and to the extent incurred by the City):

1. The construction of public improvements, such as streets, sanitary sewers, storm sewers, water mains or sidewalks;
2. The funding of the "local match" required under State programs providing financial assistance to private developers; and
3. The making of loans or grants to private businesses under Chapter 15A of the Code, including debt service payments on any bonds or notes issued to finance such loans or grants.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code in furtherance of the objectives of this Urban Renewal Plan.

6.0 PROPERTY ACQUISITION

All of the properties located within the Project Area are owned or expected to be acquired by Hunter Companies, LLC, and the City does not presently intend to acquire any land in the Project Area for purposes of private development. Areas may be identified for acquisition in the future for the following purposes:

1. To provide sites for needed private and public improvements or facilities in proper relationship to the projected demand for such facilities and in accordance with accepted criteria for the development of such facilities;
2. To assemble land into parcels of adequate size and shape to meet contemporary development needs and standards and to allow new construction to meet the objectives of this Urban Renewal Plan; or

3. To acquire any and all interests in any property within the Project Area which in any way dominates or controls usage of other real property proposed to be acquired.

7.0 CLEARANCE AND DISPOSITION OF PROPERTY

All of the properties located within the Project Area are owned or expected to be acquired by Hunter Companies, LLC, and the City does not presently intend to clear or dispose of property in the Project Area. If the City makes improvements in preparation for redevelopment or transfer of land to private developers, all improvements will be accomplished in accordance with the goals and objectives of this Urban Renewal Plan and in concert with other actions to ensure timely improvement of the land.

The City may advertise and solicit development proposals, may negotiate directly with prospective developers, and may dispose of all or a portion of any property acquired by it for the purpose of redevelopment in accordance with the goals and objectives of this Urban Renewal Plan. The property so disposed of may include vacated right-of-way and other lands under public ownership which are not needed for public purposes.

The City may subdivide, vacate or otherwise change the recorded arrangement of property under its control to accomplish the goals and objectives of this Urban Renewal Plan.

8.0 LAND USE DEVELOPMENT

The planning criteria to be used to guide the physical development of the Project Area are those standards and guidelines contained within the Cedar Rapids Comprehensive Plan approved on May 19, 1999, as amended from time to time.

9.0 DEVELOPER REQUIREMENTS

In consideration of the efforts to be made by the City in furthering the development of the Project Area, developers who purchase land in the Project Area may be required to observe the land use requirements of this Urban Renewal Plan and to enter into a contractual agreement with the City in order to assure that the objectives of this Urban Renewal Plan are furthered or achieved.

Developers will not be permitted to defer the start of construction for a period longer than that required to prepare architectural plans, obtain satisfactory financing, and the review and approval of such plans by the City in order to establish their conformance with the provisions of this Urban Renewal Plan. In addition, it is expected that the following provisions will be included in agreements with developers:

1. Developers will submit plans and schedules for the proposed development to the City and will keep the City informed regarding progress on implementing these plans;

2. Any land purchased from the City can only be used for the purpose of development, and not for speculation;
3. Any ownership parcel made up in part of land acquired from the City will be built upon and improved in conformity with the objectives and provisions of this Urban Renewal Plan;
4. Construction of improvements will be initiated and completed within a reasonable time; and
5. There will be no discrimination against any person or group of persons on account of race, creed, color, national origin or ancestry in the sale, lease, sublease, transfer, use of enjoyment of the premises therein conveyed, nor will the developers themselves, or any claiming under or through them, establish or permit such practices of discrimination or segregation with respect to the selection, location, number, use or occupancy of tenants, lessees, or sub lessees in the premises therein conveyed.

The contract and other disposition documents to be executed by the developer will set forth, in detail, the provisions, standards and criteria for achieving the objectives and land use requirements established in this Urban Renewal Plan.

10.0 PROJECT AND CITY INDEBTEDNESS

The City may agree to make economic development grants to the developer in consideration for certain employment commitments and other covenants expected to be made by the developer. As such, the eventual level of City participation in both private and public improvements for the economic development of the Project Area cannot be fully determined at this time. However, to the extent that new tax increment revenues are generated and other appropriate funding sources are identified, the City may undertake other project-related activities in the future.

At the present time, it is anticipated that future City tax increment collections for project-related activities within the Project Area will not exceed \$2,500,000.00 in aggregate amount during the term of this Urban Renewal Plan. Proceeds of such tax increment collections are currently expected to be used to make economic development grants to the developer and to reimburse the City for any other project-related costs incurred in connection with the development of the Project Area.

As of June 30, 2013, the City's outstanding general obligation indebtedness was \$337,485,000. Article XI, Section 3 of the Constitution of the State of Iowa limits the amount of City debt outstanding at any time to no more than five percent (5%) of the value, as shown by the last certified state and City tax list, of all taxable property within the City. Based upon the actual value for fiscal year 2012/2013 (total actual value, less agriculture value that is not taxed for debt service) on all taxable property within the City of Cedar Rapids, the City is limited to \$463,611,401.00 of general obligation indebtedness.

11.0 STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform to state and local law will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

12.0 SEVERABILITY

In the event one or more provisions contained in this Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized or unenforceable in any respect, such invalidity, illegality, or lack of authorization or enforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

13.0 AMENDMENT OF URBAN RENEWAL PLAN

This Urban Renewal Plan may be amended from time to time to respond to development opportunities. Any such amendment shall conform to the requirements of Chapter 403 of the Code. Any change affecting any property or contractual right will be effectuated only in accordance with applicable state and local law.

14.0 EFFECTIVE DATE

This Urban Renewal Plan shall be effective upon adoption by the City Council of the City of Cedar Rapids, Iowa, and shall remain in full force and effect until amended or rescinded by the City Council. However, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the Code) by the City for activities carried out under this Urban Renewal Plan shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law, including Iowa Code Section 403.17(10).

ATTACHMENT A
Proposed Northtowne Market Urban Renewal Area





Community Development and Planning Department
City Hall
101 First Street SE
Cedar Rapids, IA 52401
Telephone: (319) 286-5041

To: City Planning Commission
From: Kirsty Sanchez, Community Development and Planning
Subject: Consideration regarding conformity of the proposed New Pioneer Urban
Renewal Area Plan with the City's Comprehensive Plan
Date: October 2, 2014

BACKGROUND INFORMATION:

City Council has initiated proceedings to consider the creation of the New Pioneer Urban Renewal Area Plan, as described below:

- Lot 2, Luense's First Addition to Cedar Rapids, IA
- AND
- Lots 1 and 2, Dale's Market Place Second Addition to the City of Cedar Rapids, Linn County, Iowa
- AND
- Lots 3 & 4, Dale's Market Place Addition to Cedar Rapids, Iowa
- AND
- The West 20 feet of Lot 54, Irregular Survey NE ¼ SE ¼ Section 9-83-7, Linn County, Iowa and All of Lot 5, Dale's Market Place Addition to Cedar Rapids, Iowa

The proposed Urban Renewal Area is generally located east of the intersection of Interstate 380 and 32nd Street NE in the City of Cedar Rapids. This district is intended to stimulate private investment through public action and commitment, to achieve a diversified economy, and to attract new businesses to the City.

The State Code of Iowa requires that prior to City Council adoption of an Urban Renewal Area, the Urban Renewal Plan be referred to the City Planning Commission for review and recommendation "*as to its conformity with the general plan for the development of the municipality as a whole.*"

The action requested from Planning Commission at this time is to make a finding regarding the consistency of the proposed New Pioneer Urban Renewal Plan for the New Pioneer Urban Renewal Area with the Comprehensive Plan. In addition to City Planning Commission review, the City consulted with affected taxing agencies on September 23, 2014. All comments received will be presented to City Council for consideration during the public hearing scheduled for October 7, 2014.



URBAN RENEWAL PLAN

for the

NEW PIONEER URBAN RENEWAL AREA

As Approved by City Council

Resolution No.

Community Development Department
City Hall
101 First Street SE
Cedar Rapids, Iowa 52401

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- 14.0 EFFECTIVE DATE

ATTACHMENT A - Proposed New Pioneer Urban Renewal Area

1.0 INTRODUCTION

This Urban Renewal Plan (the "Urban Renewal Plan") has been prepared by the City of Cedar Rapids, Iowa (the "City") to provide for the development of the New Pioneer Urban Renewal Area (the "Project Area") of the City, and to stimulate, through public actions, financings and commitments, private investment in the urban renewal Project Area. In order to achieve these objectives, the City shall undertake the urban renewal actions specified in this Urban Renewal Plan, pursuant to the powers granted to it under Chapters 403 and 15A of the Code of Iowa, 2011, as amended (the "Code").

2.0 URBAN RENEWAL PLAN OBJECTIVES

The City has designated the Project Area as an "economic development area" as defined under Chapter 403. The primary objectives of this Urban Renewal Plan for the Project Area are as follows:

1. To stimulate through public action and commitment, private investment in new commercial and manufacturing development;
2. To plan and provide sufficient land for new and expanding private development;
3. To attract new businesses to the City and to encourage the expansion of existing City businesses;
4. To provide a more marketable and attractive investment climate through the use of various federal, state and local incentives;
5. To ensure that the Project Area is adequately served with public facilities, roadways, utilities and services; and
6. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities for City residents and strengthening the property tax base of the City.

3.0 DESCRIPTION OF PROJECT AREA

The Project Area is an "urban renewal area" as defined in the Code and is located within the City of Cedar Rapids, Linn County, Iowa. The boundaries of the Project Area are illustrated on the Project Area Map attached hereto as Exhibit A.

The Project Area consists of an approximately two and one-fifth (2.2) acre, in the City of Cedar Rapids, Iowa and being described as follows:

Lot 2, Luense's First Addition to Cedar Rapids, IA

AND

Lots 1 and 2, Dale's Market Place Second Addition to the City of Cedar Rapids, Linn County, Iowa

AND

Lots 3 & 4, Dale's Market Place Addition to Cedar Rapids, Iowa

AND

The West 20 feet of Lot 54, Irregular Survey NE ¼ SE ¼ Section 9-83-7,
Linn County, Iowa and All of Lot 5, Dale's Market Place Addition to Cedar
Rapids, Iowa

4.0 PROJECT AREA ACTIVITIES

As a means of assisting in the development of the Project Area and fulfilling the objectives of this Urban Renewal Plan, the City may determine:

1. To undertake and carry out urban renewal project activities through the execution of contracts and other instruments;
2. To arrange for or cause to be provided the construction or repair of public infrastructure improvements, including street, water, sanitary sewer and storm sewer systems, traffic signals, and public utilities or other facilities in connection with urban renewal projects;
3. To acquire property through a variety of means (purchase, lease, exchange, condemnation, donation or otherwise) and to hold, clear or prepare the property for redevelopment;
4. To dispose of property so acquired (by sale, lease, exchange or otherwise) for purposes of private redevelopment;
5. To provide financing to pay a portion of the cost of construction of new facilities and developments;
6. To undertake or cause to be undertaken the construction of specific site improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections and related activities, in connection with the disposition of property;
7. To make loans or grants to private persons or businesses for economic development purposes on such terms as may be determined by the City Council;
8. To borrow money and provide security therefor;
9. To establish and enforce controls, standards and restrictions on land use and buildings;
10. To make or have made surveys and plans necessary for the implementation of the urban renewal program and specific urban renewal project activities;
11. To use tax increment financing to provide for necessary physical improvements and infrastructure, and to fund other urban renewal project costs; or
12. To use any and all other powers, without limitation, granted by the Code to develop and provide for improved economic conditions in the City of Cedar Rapids, Iowa.

5.0 SPECIAL FINANCING ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage private investment in and the development of the Project Area, the City may determine to provide financial assistance to qualified private businesses through the making of loans or grants under Chapter 15A of the Code and through the use of tax increment financing under Chapter 403 of the Code.

A. Chapter 15A Loans or Grants. The making of loans or grants of public funds to private businesses within the Project Area may be deemed necessary or appropriate for economic development purposes (as defined in Chapter 15A of the Code) and to aid in the planning, undertaking and carrying out of urban renewal project activities authorized under this Urban Renewal Plan and the Code. Accordingly, in furtherance of the objectives of this Urban Renewal Plan, the City may determine to issue general obligation bonds, tax increment revenue bonds or other such obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Project Area. Alternatively, the City may determine to use available funds, including tax increment revenues from the Project Area, for making such loans or grants. In determining qualifications of recipients and whether to make any such individual loan or grant, the City shall consider, among other things, one or more of the factors set forth in Section 15A.1 of the Code on a case-by-case basis.

B. Tax Increment Financing. The City intends to utilize tax increment financing as a means to help pay for the costs associated with the development of the Project Area. General obligation bonds, tax increment revenue bonds or other such obligations or loan agreements may be issued by the City, and tax increment reimbursement may be sought for, among other things, the following costs (if and to the extent incurred by the City):

1. The construction of public improvements, such as streets, sanitary sewers, storm sewers, water mains or sidewalks;
2. The funding of the "local match" required under State programs providing financial assistance to private developers; and
3. The making of loans or grants to private businesses under Chapter 15A of the Code, including debt service payments on any bonds or notes issued to finance such loans or grants.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code in furtherance of the objectives of this Urban Renewal Plan.

6.0 PROPERTY ACQUISITION

All of the properties located within the Project Area are owned or expected to be

acquired by New Pioneer's Cooperative Society, and the City does not presently intend to acquire any land in the Project Area for purposes of private development. Areas may be identified for acquisition in the future for the following purposes:

1. To provide sites for needed private and public improvements or facilities in proper relationship to the projected demand for such facilities and in accordance with accepted criteria for the development of such facilities;
2. To assemble land into parcels of adequate size and shape to meet contemporary development needs and standards and to allow new construction to meet the objectives of this Urban Renewal Plan; or
3. To acquire any and all interests in any property within the Project Area which in any way dominates or controls usage of other real property proposed to be acquired.

7.0 CLEARANCE AND DISPOSITION OF PROPERTY

All of the properties located within the Project Area are owned or expected to be acquired by New Pioneer's Cooperative Society, and the City does not presently intend to clear or dispose of property in the Project Area. If the City makes improvements in preparation for redevelopment or transfer of land to private developers, all improvements will be accomplished in accordance with the goals and objectives of this Urban Renewal Plan and in concert with other actions to ensure timely improvement of the land.

The City may advertise and solicit development proposals, may negotiate directly with prospective developers, and may dispose of all or a portion of any property acquired by it for the purpose of redevelopment in accordance with the goals and objectives of this Urban Renewal Plan. The property so disposed of may include vacated right-of-way and other lands under public ownership which are not needed for public purposes.

The City may subdivide, vacate or otherwise change the recorded arrangement of property under its control to accomplish the goals and objectives of this Urban Renewal Plan.

8.0 LAND USE DEVELOPMENT

The planning criteria to be used to guide the physical development of the Project Area are those standards and guidelines contained within the Cedar Rapids Comprehensive Plan approved on May 19, 1999, as amended from time to time.

9.0 DEVELOPER REQUIREMENTS

In consideration of the efforts to be made by the City in furthering the development of the Project Area, developers who purchase land in the Project Area may be required to observe the land use requirements of this Urban Renewal Plan and to enter into a contractual agreement with the City in order to assure that the objectives of this Urban Renewal Plan are furthered or achieved.

Developers will not be permitted to defer the start of construction for a period longer than that required to prepare architectural plans, obtain satisfactory financing, and the review and approval of such plans by the City in order to establish their conformance with the provisions of this Urban Renewal Plan. In addition, it is expected that the following provisions will be included in agreements with developers:

1. Developers will submit plans and schedules for the proposed development to the City and will keep the City informed regarding progress on implementing these plans;
2. Any land purchased from the City can only be used for the purpose of development, and not for speculation;
3. Any ownership parcel made up in part of land acquired from the City will be built upon and improved in conformity with the objectives and provisions of this Urban Renewal Plan;
4. Construction of improvements will be initiated and completed within a reasonable time; and
5. There will be no discrimination against any person or group of persons on account of race, creed, color, national origin or ancestry in the sale, lease, sublease, transfer, use or enjoyment of the premises therein conveyed, nor will the developers themselves, or any claiming under or through them, establish or permit such practices of discrimination or segregation with respect to the selection, location, number, use or occupancy of tenants, lessees, or sub lessees in the premises therein conveyed.

The contract and other disposition documents to be executed by the developer will set forth, in detail, the provisions, standards and criteria for achieving the objectives and land use requirements established in this Urban Renewal Plan.

10.0 PROJECT AND CITY INDEBTEDNESS

The City may agree to make economic development grants to the developer in consideration for certain employment commitments and other covenants expected to be made by the developer. As such, the eventual level of City participation in both private and public improvements for the economic development of the Project Area cannot be fully determined at this time. However, to the extent that new tax increment revenues are generated and other appropriate funding sources are identified, the City may undertake other project-related activities in the future.

At the present time, it is anticipated that future City tax increment collections for project-related activities within the Project Area will not exceed \$1,000,000.00 in aggregate amount during the term of this Urban Renewal Plan. Proceeds of such tax increment collections are currently expected to be used to make economic development grants to the developer and to reimburse the City for any other project-related costs incurred in connection with the development of the Project Area.

As of June 30, 2013, the City's outstanding general obligation indebtedness was \$337,485,000. Article XI, Section 3 of the Constitution of the State of Iowa limits the amount of City debt outstanding at any time to no more than five percent (5%) of the value, as shown by the last certified state and City tax list, of all taxable property within the City. Based upon the actual value for fiscal year 2012/2013 (total actual value, less agriculture value that is not taxed for debt service) on all taxable property within the City of Cedar Rapids, the City is limited to \$463,611,401.00 of general obligation indebtedness.

11.0 STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform with state and local law will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

12.0 SEVERABILITY

In the event one or more provisions contained in this Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized or unenforceable in any respect, such invalidity, illegality, or lack of authorization or enforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

13.0 AMENDMENT OF URBAN RENEWAL PLAN

This Urban Renewal Plan may be amended from time to time to respond to development opportunities. Any such amendment shall conform to the requirements of Chapter 403 of the Code. Any change affecting any property or contractual right will be effectuated only in accordance with applicable state and local law.

14.0 EFFECTIVE DATE

This Urban Renewal Plan shall be effective upon adoption by the City Council of the City of Cedar Rapids, Iowa, and shall remain in full force and effect until amended or rescinded by the City Council. However, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the Code) by the City for activities carried out under this Urban Renewal Plan shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law, including Iowa Code Section 403.17(10).

ATTACHMENT A
Proposed New Pioneer Urban Renewal Area

