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**AGENDA**  
**CITY PLANNING COMMISSION MEETING**  
Thursday, October 23, 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: 4225 Glass Road NE (Conditional Use)**

Consideration of a Conditional Use for a Veterinarian Clinic in a O-S, Office/Service Zone District as requested by Animal Eye Clinic (Applicant) and Norman D. Workman (Titleholder)

*Case No: COND-013867-2014; Case Manager: Dave Houg*

**2. Case Name: Northeast corner of the intersection of Zika Avenue NW and 16<sup>th</sup> Street NW (Major Preliminary Plat)**

Consideration of a Major Preliminary Plat for property at the northeast corner of the intersection of Zika Avenue NW and 16<sup>th</sup> Street NW requested by Newbo Development Group, LLC (Applicant) and City of Cedar Rapids (Titleholder)

*Case No: PRPT-010975-2014; Case Manager: Vern Zakostecky*

**New Business**

- **EnvisionCR** **Adam Lindenlaub**  
Review EnvisionCR (Comprehensive Plan) land use approach, goals, objectives, and measures. CPC will be asked to recommend City Council adopt EnvisionCR at its November 13 meeting.



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

**MINUTES OF  
CITY PLANNING COMMISSION MEETING,  
Thursday, October 2, 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  
Virginia Wilts  
Richard Pankey  
Kim King  
Dominique Blank  
Bill Hunse

Members Absent: Samantha Dahlby

DSD Staff: Joe Mailander, Manager  
Vern Zakostecky, Planner  
Dave Houg, Plats & Zoning Conditions Coordinator  
Jasmine Almoayed, Economic Development Liaison

CD Staff: Seth Gunnerson, Planner  
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 eight (8) Commissioners present.

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the September 11, 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.

Commissioner Overland stated that City staff had received a request from the applicant to table Item Number 4 requesting a Conditional Use for a Warehouse in a C-3, Regional Commercial Zone District.

Commissioner Overland called for a vote on the motion. Commissioner Halverson made a motion to table Item Number 4. Commissioner King seconded the motion.

Commissioner Overland called for a vote on the motion. The motion passed unanimously.

Commissioner Overland stated Item No. 1 had been tabled at the July 10, 2014 CPC Meeting and called for a motion. Commissioner Pankey made a motion to remove the Conditional Use at 3215 Johnson Avenue NW from the table. Commissioner Knox-Seymour seconded the motion.

Commissioner Overland called for a vote on the motion. The motion passed unanimously.

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

Consideration of a Conditional Use for a Communication 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)**

Mr. Houg stated this conditional use request was for a Communication Tower in a residential district. There is residential development to the south and east. The applicant planned to add a security fence but did not want to do any landscaping and would be asking for a variance. The tower would have room for two future carriers. Mr. Houg presented a Location/Zoning Map, General Information, Aerial Photo, Street View, Preliminary Site Development Plan, Elevation, Recommended Conditions and stated that the Board of Adjustment will consider this Conditional Use at their meeting on October 13, 2014.

Commissioner Overland stated this item had been tabled at the July 10, 2014 CPC Meeting and called for a motion. Commissioner Pankey made a motion to remove the Conditional Use at 3215 Johnson Avenue NW from the table. Commissioner Knox-Seymour seconded the motion.

Commissioner Overland called for a vote on the motion. The motion passed unanimously.

Commissioner Overland called for questions of Mr. Houg.

Commissioner Pankey asked if the current fall zone was 65 feet, should the tower be moved to 100 feet from residential. Mr. Houg stated it was an option and if moved north, the conditional use review will not be needed. Mr. Houg also stated he wanted it noted that he had received one verbal objection this morning.

Commissioner Dahlby asked why the applicant does not want to stealth the tower. Mr. Houg stated he did not know.

Commissioner Halverson said the reason that this request was tabled was because the applicant had not had a neighborhood meeting. Had this meeting been held? Mr. Houg stated that yes the applicant had a meeting with the neighbors and no objections were heard.

Commissioner Overland called for a representative of the applicant.

Mike Bieniek, LCC Law, 10700 Higgins Road, Suite 240, Rosemont, IL representing SBA Towers. Mr. Bieniek stated that the tower to be installed was a Monopole type Tower and that it would be a 100 foot tower with 5 foot lightening rod. Mr. Bieniek to address the issue of the setbacks and landscaping variances, he stated he provided a letter to staff how towers collapse. Mr. Bieniek stated that towers do not fall over. In order for a tower to fall over would require a complete failure of the foundation or simultaneous share of large bolts at the base of the tower. We did provide a fall zone letter from a certified licensed engineer that the 33 foot radius is where it would fall within. The tower is not designed to fail, but it is designed with a fail point. The location was selected so that the developer can develop the property at a future date. Landscaping is not wanted due to the developers' plans for future development on the site. Landscaping can be provided however would probably fall into disrepair and die. Could provide a wood fence or do the landscaping.

Commissioner Overland called for questions of the applicant.

Commissioner Knox-Seymour asked if you did not landscape, in his opinion would it be unsightly. Mr. Bieniek stated that landscaping does not last and that could be more unsightly. Mr. Bieniek said in his opinion the fence is the best solution.

Commissioner Knox-Seymour asked if the site would be safe from children. Mr. Bieniek stated it has no climbing pegs until you get so high. The equipment is monitored by a switch station in the general north east Iowa area where Verizon monitors all its sites. An intrusion will cause a notification to be sent back to the Police station via the switch station.

Commissioner Knox-Seymour asked when the developer would develop the site. Mr. Bieniek stated he did not know.

Commissioner Hunse asked if there is code enforcement to keep the landscaping from falling into disrepair. Mr. Zakosteelky stated that yes.

Commissioner Overland asked if there was any thought since the owner was considering adding on to this, berming or landscaping the outer perimeter of the lot, which might be a fair trade off to get the easterly side of the lot. Mr. Bieniek stated that the owner does not have his plans far enough along to know what he planned to do.

Commissioner Halverson asked about stealthing the tower -- had it been considered? Mr. Bieniek said stealthing was a big problem. When towers were built in late 1990's, the only thing cell phones were used for was just making cell calls so they were adequate at the time. Now in the mid 2000's with I-phones, I-Pads and Wi-Fi, that signal is competing with telephone signals and that is why you are seeing so many new cell sites. This is a capacity site; other towers in the area have been upgraded. The signal from FCC is very limited. With a stealth site you cannot upgrade those towers very much so you end up with more towers. Verizon is very hesitant to go with a stealth design.

Commissioner Knox-Seymour asked if you had shown a hardship. Mr. Bieniek stated that the ordinance is written such that a hardship is caused by compliance. Towers do not fall like many people think they do. A letter was provided on a fall zone from a licensed engineer.

Mr. Zakostelecky clarified, stated a fall zone is in part how a tower collapses a certain way. The fall zone is also in place for things falling off that tower such as icing or other man-made or natural occurrences.

Commissioner Overland called for members of the public who wished to speak. No members of the public were present.

Commissioner Overland called for a motion. Commissioner Pankey made a motion to approve the Conditional Use request for a Communications Tower in an R-2, Single Family Residential Zone District. Commissioner King seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Pankey stated that he supports this as it seems like a natural site for a communication tower.

Commissioner Knox-Seymour stated that she supports since the neighbors are all in agreement.

Commissioner Dalhby asked how many neighbors attended the meeting. Mr. Houg stated about 12-15 attended.

Commissioner Dalhby has concerns about approving variances for setbacks and would be voting against this.

Commissioner Halverson stated that he would be voting for this but that the 3 recommended conditions would be presented to the Board of Adjustments.

Commissioner Overland called for a vote on the motion. The motion passed by a vote of 7 to 1.

## **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 3<sup>rd</sup> Ward Development, LLC (Applicant) and Acme Electric Company (Titleholder) Northeasterly of 2<sup>nd</sup> Street SE between 10<sup>th</sup> and 11<sup>th</sup> Avenue SE  
*Case No: PRPT-012674-2014; Case Manager: Vern Zakostelecky*

Mr. Zakostelecky stated this was a request for a Major Preliminary Plat in a PUD-2 Zone District for 6 single-family townhomes. Mr. Zakostelecky presented a Location/Zoning Map, General Information and Elevations of the townhouses that were going to be constructed.

Commissioner Overland stated that Commissioner Pankey would recuse himself from this project.

Commissioner Overland called for questions of Mr. Zakostelecky.

Commissioner Knox-Seymour asked why was it before us before and why do we have to see this again. Mr. Zakostecky stated that it had been rezoned previously for commercial on ground floor and apartments on the second floor before but now it is coming in for a subdivision plat to split this so that the property line comes down a common wall so that each owner will actually own their unit and the lot it sits on and not be a condominium association.

Commissioner Hunse asked if the Commissioners would see a Preliminary Site Development Plan? Mr. Zakostecky stated that there had already been a Preliminary Site Development Plan.

Commissioner Overland called for a representative of the applicant.

Don Barrigar, 509 Vernon Drive SE stated he would be happy to answer any questions that the Commissioners had.

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

Commissioner Overland called for members of the public who wished to speak. No members of the public were present.

Commissioner Hunse asked if it was brick. Mr. Barrigar stated three sides were lapse sided and front was brick.

Commissioner Overland called for members of the public who wished to speak. No members of the public were present.

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the Major Preliminary Plat in a PUD-2, Planned Unit Development Two Zone District. Commissioner Knox-Seymour seconded the motion.

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

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

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

Consideration of a Conditional Use for a Health Club in an 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***

Mr. Houg stated this request is more properly described as a Fitness Training Facility in a I-1 zone district. Mr. Houg presented a Location Map, General Information, Aerial Photo, Street View, Site Development Plan and Interior layout. Mr. Houg further stated there were no conditions and that the Board of Adjustment would hear this request on October 13, 2014.

Commissioner Overland called for questions of Mr. Houg.

Commissioner Hunse asked if the entire building was addressed 5820 Dry Creek or this suite. Mr. Houg stated the entire building. Commissioner Hunse stated that the door to this building was identified as 5820 Dry Creek and was concerned how the Fire Department would find this.

Commissioner Overland called for a representative of the applicant.

Jason Larmore, 2448 Rushmore Drive, Iowa City, IA stated he would be happy to answer any questions the Commissioner might have on this request.

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

Commissioner Overland called for members of the public who wished to speak. No member of the public was present.

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the Conditional Use for a Health Club in an I-1, Light Industrial Zone District. Commissioner Blank seconded the motion.

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

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

**4. Case Name: 620 29<sup>th</sup> Avenue SW (Conditional Use) (Tabled)**

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 a 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***

Mr. Houg stated this was a request from Fast Forward Cycles for a Motorcycle Dealership in a C-2 zone district. Mr. Houg presented General Information, Aerial Photo, Street View, Site Development Plan and stated that the Board of Adjustments would consider this request at their meeting on October 13, 2014.

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

Commissioner Halverson asked if they would have outside display. Mr. Zakostecky stated this would be indoor sales only.

Commissioner Dahlby stated her concern was that with the animal clinic next door, that motorcycles would be making noise. Mr. Houg stated that staff had not heard any concerns from neighbors. Mr. Zakostecky stated that there was a noise ordinance.

Commissioner Hunse asked if the building had fire sprinklers. Mr. Zakostecky stated that the owner would have to address that when they go in for the certificate of occupancy.

Commissioner Hunse stated that there were very few parking spots and no area for large trucks to drop off the motorcycles.

Commissioner Overland called for a representative of the applicant.

Taylor Wilkin, 3516 Fitzroy Road, Hiawatha stated that he is the owner of Fast Forward Cycles being relocated here for larger space. Mr. Wilkin stated they do not allow for test drives. The way that they operate is that they stock up in the off season for better pricing so cycles are dropped off in the winter.

Commissioner Overland called for questions of the applicant.

Commissioner Hunse asked if the building was sprinkled. Mr. Wilkin stated the building is not sprinkled.

Commissioner Hunse asked how many motorcycles. Mr. Wilkin stated about 100 motorcycles were on hand at the beginning of the season and then it dwindles down.

Commissioner Hunse asked about the filled gas tanks. Mr. Zakostecky stated the Fire Department checks the MSDS log. Mr. Wilkin further stated that the Fire Department has come through their building and the only requirements the Fire Department has asked of them were that they purchase fire-safe cans.

Commissioner Overland called for members of the public who wished to speak. No member of the public was present.

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the Conditional Use for Motor Vehicle Sales in a C-2, Community Commercial Zone District. Commissioner Blank seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Pankey stated that he has gone by the current location and has never witnessed bikes being test driven or traffic issues and that they take care of their location very well and he wished them much success.

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

## **New Business**

- a. Review of City Planning Commission 2014 Work Plan and Suggestion for Amending the Work Plan for 2015

Mr. Zakostelecky stated that last year a sub committee was formed with Commissioner Halverson, Alan Thoms and Commissioner Wilts. This year we met with Commissioner Overland and discussed what needed to be changed. A marked up copy was distributed to all members to take a vote on this for City Council approval.

Commissioner Overland asked for discussion.

Commissioner Halverson suggests looking at projects such as Complete Streets that was produced would be good. Urban Renewal Districts, how they may or may not conform to Comprehensive Plan. Good for general background information for the Commissioners and how it relates to development.

Commissioner Overland called for a motion. Commissioner Knox-Seymour made a motion to approve the 2014-2015 Work Plan. Commissioner Wilts seconded the motion.

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

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

- b. 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

Jasmine Almoayed, Development Services stated that what we were looking at was consideration of three urban renewal plans. The first is removing the Nash Finch site from the Council Street Urban Renewal Area, second to create a new Northtowne Urban Renewal Area to include the Nash Finch site and the third, creation of a New Pioneer Urban Renewal Area along Center Point Road.

Commissioner Overland called for questions of Ms. Almoayed

Commissioner Pankey asked how the establishment of the new urban renewal areas will benefit the City and the developers.

Ms. Almoayed stated that Northtowne area will assist the developer (retail, housing, etc.)

Commissioner Hunse asked if there will there be a standards for these developments.

Ms. Almoayed stated that we are meeting with the developer and we do have design standards that must be met.

Commissioner Hunse asked if there were any names for the large buildings.

Ms. Almoayed stated that they have not revealed any of the names. Mr. Zakostelecky stated that this was a PUD rezoning so therefore they will be working to develop a master signing plan, materials, and theme. At this time he does not have title to the property.

Commissioner Halverson stated the issue before us is a compliance or conformity with the comprehensive plan. This is state statute compliance more of a simple question of is the zoning of that area in place.

Commissioner Overland called for a motion on item b. Commissioner Pankey made a motion to approve the Amendment No. 1 to the Council Street Urban Renewal Area Plan. Commissioner Knox-Seymour seconded the motion.

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

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

Commissioner Overland called for a motion on item c. Commissioner King made a motion to approve the proposed Northtowne Market Urban Renewal Area Plan. Commissioner Blank seconded the motion.

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

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

Commissioner Overland called for a motion on item d. Commissioner Wilts made a motion to approve the Amendment No. 1 to the Council Street Urban Renewal Area Plan, the proposed New Pioneer Urban Renewal Area Plan. Commissioner Hunse seconded the motion.

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

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

The meeting was adjourned at 4:00 pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant  
Community Development



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

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

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CPC Date: October 23, 2014  
To: City Planning Commission  
From: Development Services Department

Applicant: Dr. Sinisa Grozdanic  
Titleholder: Norman D. Workman  
Location: 4225 Glass Road NE  
Request: Conditional Use approval for a Veterinary Clinic in an O-S Zone District  
Case Number: COND-013867-2014  
Case Manager: Dave Houg, Development Services Department

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**BACKGROUND INFORMATION:**

The property consists of one parcel containing a 2-story office building. The applicant is requesting a conditional use to allow a portion of the building to be used as a Veterinary Clinic within an O-S Zone District. The developed site includes the following:

- Total Building Area: 2,928 s.f.
- Total Paved Area: 12,928 s.f.
- No proposed changes to the exterior of building or hard-surfaced areas
- Total Parking: 43 spaces
- Future Parking: 8 additional 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:* A Veterinary Clinic is permitted as a conditional use within the O-S, Office Service 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 and surrounding area as Office Use.

- 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 produce substantial adverse effects upon the health, safety or welfare of the neighborhood. Traffic generated from this type of use is generally low compared to other office uses.

- 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:* N/A - The site was developed in 1979 and no significant changes are proposed to the existing site layout.

- 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.

- 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 the additional conditions listed below.

- 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:* Code requires all animals on the premises to be kept within the structure and general overnight boarding of animals is prohibited. Boarding of animals is limited to short-term care incidental to the hospital use. The structure is required to be soundproofed to prevent any associated animal noises exceeding 50 decibels from being transmitted across adjacent residential properties.

## **RECOMMENDED CONDITIONS:**

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

1. All animals on the premises for treatment, boarding, grooming or other related purpose shall be at all times kept within a structure. Any such structure shall be so located and/or soundproofed to prevent any associated animal noises exceeding 50 decibels from being transmitted across any adjacent properties zoned or being used for residential purposes. Such office/clinic and boarding facilities shall also satisfy all other applicable state and local agency provisions including inspection and licensing when so required. Accessory animal boarding facilities are limited to short-term care incidental to the hospital use.
2. The enclosure for the dumpster will need be a full screen enclosure including the gates and preferably designed using the same building material as the principal building as per Subsection 32.05.030.A.7. of the Zoning Ordinance. Please note that chain link with privacy slats does not satisfy this requirement.
3. **PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY**, the developers of this site shall submit a signed Frontage Road Reservation Easement Agreement. The City Engineering Department shall provide copies of the Agreement Forms upon request by the property owners.

CONDITIONAL USE FOR VETERINARIAN CLINIC  
PRELIMINARY SITE DEVELOPMENT PLAN



Property Owner: Norman D. Workman

Location: 4225 Glass Rd. NE

Total Site Area: 2.04 acres

Total Building area: 2,928 s. f.

Total paved area: 12,928 s. f.

Existing zoning: O-S, Office/Service Zone District

Proposed zoning: O-S, Office/Service Zone District-No proposed changes to exterior of building or hard surfaced areas.

Total Parking: 43 spaces

Future Parking: 8 additional spaces

Request: Conditional Use for a Veterinarian Clinic

Legal Description: Lot 1, Signal Ridge First Addition to Cedar Rapids, Iowa



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

**STAFF REPORT TO CITY PLANNING COMMISSION**  
Major Preliminary Plat

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CPC Date: October 23, 2014

To: City Planning Commission  
From: Development Services Department

Applicant: NewBo Development Group, LLC  
Titleholder: The City of Cedar Rapids

Plat Name: The Sanctuary at Ellis Park Addition  
Case Number: PRPT-010975-2014  
Location: Northeast Corner of the Intersection of Zika Avenue and 16<sup>th</sup> Street NW  
Request: Consideration of a Major Preliminary Plat  
Case Manager: Vern Zakostelecky

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**BACKGROUND INFORMATION:**

The applicant, NewBo Development Group, LLC is requesting approval of a Major Preliminary Plat for The Sanctuary at Ellis Park Addition for property at the northeast corner of the intersection of Zika Avenue and 16<sup>th</sup> Street NW. The applicant has also submitted a Preliminary Site Development Plan and rezoning request for this property to PUD-2, Planned Unit Development Two Zone District. The proposed plat will provide for future development of single-family homes and two-family residential duplexes.

The Major Preliminary Plat as submitted includes the following:

- Total site area-6.88 acres.
- 28 building lots & several lettered lots for dedication of right-of-way and play ground and open space.
- Total of 28 housing units (10-townhomes, 10 duplex units & 7 single-family homes).
- Total parking includes two stall garages for the single-family homes and duplexes and one stall garages for the townhomes.
- Total parking including tandem spaces-100.
- Access to single family and duplex homes is a public street off Zika Avenue NW.
- Access to townhomes is two private drives onto 16<sup>th</sup> Avenue NW.
- Several areas will be developed with bio-retention cells for storm water management.
- Lot B will be dedicated back to the City for park & open space use.

**FINDINGS:**

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

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

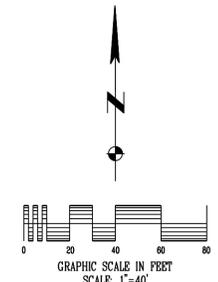
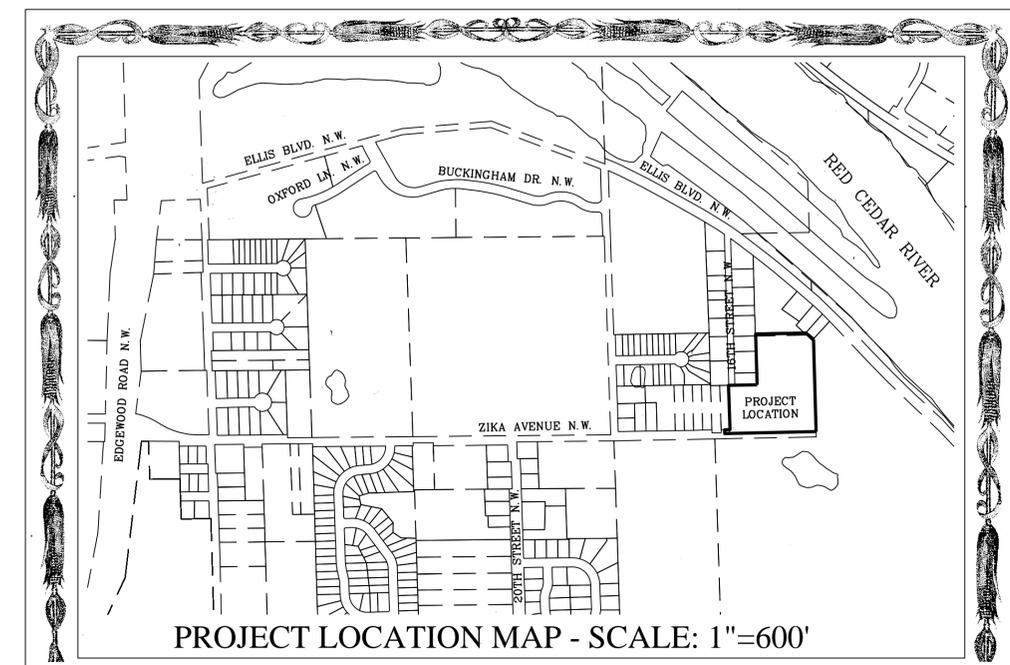
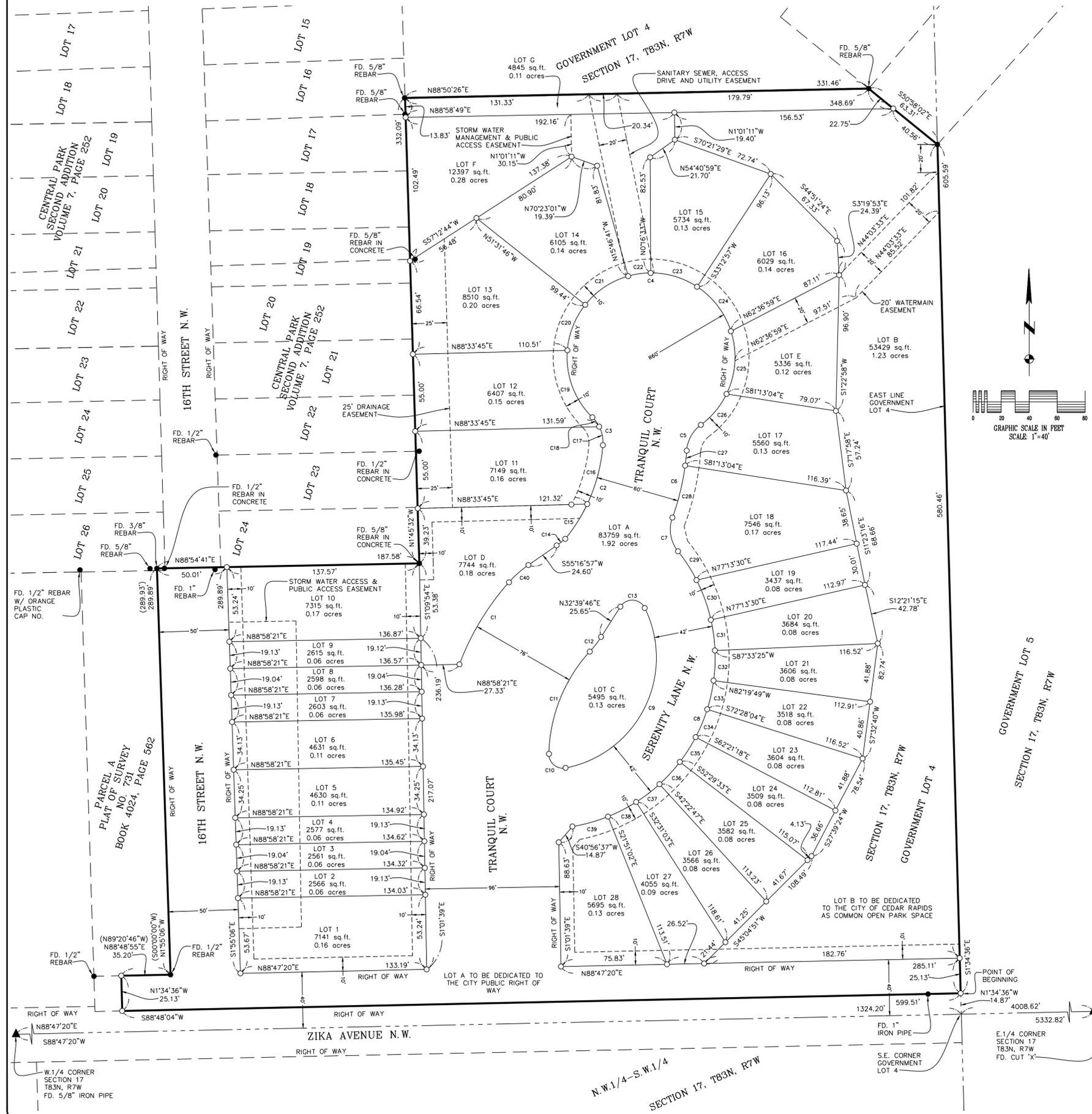
*Staff Comments:* The proposed use and development are consistent with the intent and purposes of the Comprehensive Plan. The proposed density of the development is considered Low Density based on the contemplated land uses in the Comprehensive Plan. The development will also comply with all other applicable codes, regulations and approvals.

**RECOMMENDED CONDITIONS:**

If the City Planning Commission recommends approval of the proposed major 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. AS PART OF FINAL PLAT SUBMITTAL TO CITY COUNCIL, the property owner shall be responsible to submit to the City an acceptable signed agreement for ownership, maintenance, and payment of taxes for lettered lots on this site to be privately owned and maintained.
2. That when this property is final platted, must comply with lot area and width requirements prescribed for in the Zoning Ordinance or as modified by City Council through approval of the PUD-2, Planned Unit Development Two Zone District.
3. AS PART OF FINAL PLAT SUBMITTAL TO CITY COUNCIL the property owner shall be responsible to submit to the City a signed Agreement to maintain the boulevard areas and private storm water management facilities to be located within the Tranquil Court NW, Serenity Lane NW and 16th Street NW rights-of-way.
4. AS PART OF FINAL PLAT SUBMITTAL TO CITY COUNCIL the property owner shall be responsible to submit to the City a signed Concrete Pavement Petition and Assessment Agreement for future street improvements in 16th Street NW and Zika Avenue NW adjoining this site.
5. AS PART OF FINAL PLAT SUBMITTAL TO CITY COUNCIL, the property owner shall be responsible to submit to the City a signed Agreement for Private Storm Water Detention for the private storm water management improvements to be located on this site.
6. The property owner is responsible to extend sanitary sewer to serve the development. If sewer extensions crossing adjacent properties are necessary to serve the subject property, the property owner shall be responsible for the related costs including (but not limited to) planning and design of the sewer, acquisition of easements and/or right-of-way, construction, administration, inspection and other incidental costs. The property owner is responsible for acquisition of the proposed sanitary sewer easement(s) located between this site and Ellis Boulevard NW (shown on the preliminary plat).
7. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, for the lot(s) through which overland conveyance of the 100-year storm event will occur, the property owner shall provide certification by a civil engineer licensed in the State of Iowa verifying the runoff from the 100-year storm event can be conveyed through the site without damage to building structures.
8. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to construct 5' wide concrete sidewalk along 16th Street NW and Zika Avenue NW adjoining this site. The property owner shall construct 5' wide concrete sidewalk along Tranquil Court NW and Serenity Lane NW. The property owner shall construct the sidewalk improvements in accordance with City Standards, ADA requirements, and improvement plans accepted by the City.

FINAL PLAT  
**THE SANCTUARY AT ELLIS PARK**  
 IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA



| Curve | Delta        | Tangent | Length  | Radius  | Chord   | Chord Brg     |
|-------|--------------|---------|---------|---------|---------|---------------|
| C1    | 20° 57' 23"  | 34.77'  | 68.76'  | 188.00' | 68.38'  | N31° 09' 14"E |
| C2    | 34° 55' 33"  | 37.75'  | 73.15'  | 120.00' | 72.02'  | N21° 55' 40"E |
| C3    | 50° 10' 08"  | 11.70'  | 21.89'  | 25.00'  | 21.20'  | N20° 37' 11"W |
| C4    | 279° 21' 29" | 50.92'  | 292.54' | 60.00'  | 77.65'  | S86° 01' 30"E |
| C5    | 49° 27' 07"  | 11.51'  | 21.58'  | 25.00'  | 20.91'  | S28° 55' 40"W |
| C6    | 15° 35' 36"  | 24.65'  | 48.99'  | 180.00' | 48.84'  | S11° 59' 55"W |
| C7    | 58° 17' 36"  | 13.94'  | 25.44'  | 25.00'  | 24.35'  | S9° 21' 04"E  |
| C8    | 119° 03' 48" | 207.38' | 253.52' | 122.00' | 210.31' | S21° 02' 02"W |
| C9    | 105° 27' 43" | 105.13' | 147.25' | 80.00'  | 127.33' | S26° 23' 21"W |
| C10   | 102° 11' 27" | 12.39'  | 17.84'  | 10.00'  | 15.56'  | N49° 47' 04"W |
| C11   | 41° 03' 22"  | 41.94'  | 80.26'  | 112.00' | 78.55'  | N21° 50' 20"E |
| C12   | 9° 42' 15"   | 6.62'   | 13.21'  | 78.00'  | 13.20'  | N37° 30' 53"E |
| C13   | 120° 59' 44" | 17.67'  | 21.12'  | 10.00'  | 17.41'  | S86° 50' 22"E |
| C14   | 4° 54' 14"   | 3.85'   | 7.70'   | 90.00'  | 7.70'   | N52° 49' 50"E |
| C15   | 14° 02' 51"  | 14.78'  | 29.42'  | 120.00' | 29.35'  | N32° 22' 00"E |
| C16   | 20° 52' 41"  | 22.11'  | 43.73'  | 120.00' | 43.49'  | N14° 54' 14"E |
| C17   | 31° 14' 38"  | 6.99'   | 13.63'  | 25.00'  | 13.46'  | N11° 09' 26"W |
| C18   | 18° 55' 30"  | 4.17'   | 8.26'   | 25.00'  | 8.22'   | N36° 14' 30"W |
| C19   | 50° 21' 42"  | 28.21'  | 52.74'  | 60.00'  | 51.06'  | N20° 31' 24"W |
| C20   | 33° 48' 48"  | 18.24'  | 35.41'  | 60.00'  | 34.90'  | N21° 33' 51"E |
| C21   | 35° 45' 04"  | 19.35'  | 37.44'  | 60.00'  | 36.83'  | N56° 20' 47"E |
| C22   | 15° 30' 08"  | 8.17'   | 16.23'  | 60.00'  | 16.18'  | N81° 58' 23"E |
| C23   | 33° 29' 30"  | 18.05'  | 35.07'  | 60.00'  | 34.58'  | S73° 31' 48"E |
| C24   | 38° 50' 41"  | 21.16'  | 40.68'  | 60.00'  | 39.90'  | S37° 21' 43"E |
| C25   | 43° 53' 29"  | 24.18'  | 45.96'  | 60.00'  | 44.85'  | S4° 00' 22"W  |
| C26   | 27° 42' 07"  | 14.79'  | 29.01'  | 60.00'  | 28.73'  | S39° 48' 10"W |
| C27   | 3° 25' 32"   | 5.38'   | 10.76'  | 180.00' | 10.76'  | S5° 54' 53"W  |
| C28   | 12° 10' 05"  | 19.19'  | 38.23'  | 180.00' | 38.15'  | S13° 42' 41"W |
| C29   | 11° 29' 15"  | 12.27'  | 24.46'  | 122.00' | 24.42'  | S32° 45' 15"E |
| C30   | 14° 14' 06"  | 15.23'  | 30.31'  | 122.00' | 30.23'  | S19° 53' 34"E |
| C31   | 10° 19' 55"  | 11.03'  | 22.00'  | 122.00' | 21.97'  | S7° 36' 33"E  |
| C32   | 10° 06' 46"  | 10.79'  | 21.53'  | 122.00' | 21.51'  | S2° 36' 48"W  |
| C33   | 9° 51' 45"   | 10.53'  | 21.00'  | 122.00' | 20.97'  | S12° 36' 03"W |
| C34   | 10° 06' 46"  | 10.79'  | 21.53'  | 122.00' | 21.51'  | S22° 35' 19"W |
| C35   | 9° 51' 45"   | 10.53'  | 21.00'  | 122.00' | 20.97'  | S32° 34' 34"W |
| C36   | 10° 06' 46"  | 10.79'  | 21.53'  | 122.00' | 21.51'  | S42° 33' 50"W |
| C37   | 9° 51' 45"   | 10.53'  | 21.00'  | 122.00' | 20.97'  | S52° 33' 05"W |
| C38   | 10° 40' 01"  | 11.39'  | 22.71'  | 122.00' | 22.68'  | S62° 48' 58"W |
| C39   | 12° 24' 57"  | 13.27'  | 26.44'  | 122.00' | 26.39'  | S74° 21' 27"W |
| C40   | 13° 39' 02"  | 9.34'   | 18.58'  | 78.00'  | 18.54'  | N48° 27' 26"E |

**SURVEY LEGEND**

- SET 1/2" REBAR W/YELLOW PLASTIC CAP NO. 18769
- FOUND 1/2" REBAR W/YELLOW PLASTIC CAP NO. 18769
- ▲ SECTION CORNER FOUND AS NOTED
- ( ) RECORDED AS
- 10' UTILITY EASEMENT UNLESS OTHERWISE NOTED
- PLAT BOUNDARY
- PLAT LOT LINE
- 1/4 SECTION LINE
- 1/4-1/4 SECTION LINE
- EXISTING LOT LINE

**OWNER/APPLICANT:**  
 NEWBOW DEVELOPMENT GROUP  
 c/o CHAD PELLEY  
 1541 BOYSON ROAD  
 SQUARE DRIVE  
 SUITE 100  
 HIWATHA, IOWA 52233  
 319-395-7900  
 319-395-7933

**SURVEYOR:**  
 RYAN R. REMLING L.S.  
 HALL & HALL ENGINEERS, INC.  
 1860 BOYSON ROAD  
 HIWATHA, IOWA 52233  
 PH. 319-362-9548  
 FAX 319-362-7595

**LETTERED LOT NOTES:**

LOT A TO BE DEDICATED TO THE CITY PUBLIC RIGHT OF WAY.

LOT B TO BE DEDICATED TO THE CITY OF CEDAR RAPIDS AS COMMON OPEN PARK SPACE.

LOTS C THRU F TO BE PRIVATELY OWNED AND MAINTAINED AS STORM WATER MANAGEMENT AREAS BY HOME OWNERS ASSOCIATION.

**NOTE:**  
 PLACEMENT OF ABOVE-GROUND UTILITY STRUCTURE ARE PROHIBITED WHERE UTILITY EASEMENTS CROSS SEWER, WATER, DRAINAGE OR ACCESS EASEMENTS, OR IN CORNER VISUAL CLEARANCE AREAS.

**LEGAL DESCRIPTION:**  
 PART OF GOVERNMENT LOT 4 IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 83 NORTH, RANGE 7 WEST OF THE 5TH PRINCIPAL MERIDIAN, CEDAR RAPIDS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE SOUTHEAST CORNER OF GOVERNMENT LOT 4; THENCE N1°34'36"W 14.87 FEET ALONG THE EAST LINE OF SAID GOVERNMENT LOT 4 TO THE POINT OF BEGINNING; THENCE S88°48'04"W 599.51 FEET ALONG THE NORTH RIGHT OF WAY OF ZIKA AVENUE N.W.; THENCE N1°34'36"W 25.13 FEET TO THE NORTHEAST CORNER OF SAID PARCEL A; THENCE N1°34'36"W 25.13 FEET TO THE NORTHEAST CORNER OF SAID PARCEL A AND THE SOUTH LINE OF CENTRAL PARK SECOND ADDITION AS RECORDED IN VOLUME 7, PAGE 252 IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER; THENCE N88°48'55"E 35.20 FEET ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER OF SAID PARCEL A; THENCE N1°55'06"W 289.89 FEET ALONG THE EAST LINE OF SAID PARCEL A TO THE NORTHEAST CORNER OF SAID PARCEL A AND THE SOUTH LINE OF CENTRAL PARK SECOND ADDITION AS RECORDED IN VOLUME 7, PAGE 252 IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER; THENCE N88°54'41"E 187.58 FEET ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER OF SAID CENTRAL PARK SECOND ADDITION; THENCE N1°45'32"W 332.09 FEET ALONG THE EAST LINE OF SAID CENTRAL PARK SECOND ADDITION; THENCE N88°50'26"E 331.46 FEET; THENCE S50°58'02"E 63.31 FEET TO THE EAST LINE OF GOVERNMENT LOT 4; THENCE S1°34'36"W 605.59 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 303,539 SQ.FT., 6.97 ACRES, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

Revision Description

Revision Number & Date

HALL & HALL ENGINEERS, INC.  
 1860 BOYSON ROAD, HIWATHA, IOWA 52233  
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 www.halling.com

FINAL PLAT  
**THE SANCTUARY AT ELLIS PARK**  
 IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA

Designed by: DLK  
 Drawn by: DLK  
 Checked by: DLK

Date: 10/9/14  
 Field Book No: 213  
 Scale: 1"=40'  
 Sheet: 1 of 1  
 Project Number: 10227

CAD File: I:\Projects\10220\10227 Sanctuary at Ellis Park (DWG\Plat) 10227.FOI\_302014.dwg Date Plotted: Oct 14, 2014 - 1:09pm Plotted By: DLK



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

**To:** City Planning Commission  
**From:** Adam Lindenlaub, Planner  
**Subject:** EnvisionCR  
**Date:** October 23, 2014

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## **EnvisionCR**

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### **Background**

EnvisionCR is the update to the City's 1999 Comprehensive Plan. EnvisionCR will provide the vision for the future of Cedar Rapids with a focus on priorities for city policies and public investments over the next 20 years. EnvisionCR has four Themes (Sustainability, Health, Placemaking, and Efficiency) woven through it and includes the following seven Guiding Principles that establish the City's desirable future.

- Achieve a Unified Vision
- Live Healthy
- Strengthen Neighborhoods
- Keep Business Vibrant
- Connect the City
- Embrace the Outdoors
- Streamline Services

EnvisionCR is organized into the following six Elements that address Iowa's Smart Planning Act and its planning principles and plan elements:

- StrengthenCR
- GrowCR
- ConnectCR
- GreenCR
- ProtectCR
- InvestCR

EnvisionCR includes a Future Land Use Map that is based on a different philosophy than the current one. The current one is based on specific uses whereas EnvisionCR's is based on the intensity, compatibility, and integration of uses. The proposed Future Land Use Map will have Land Use Area Typologies (LUTAs) that are based on intensity of use. At the end of this memorandum is an explanation of this philosophy. The use of LUTAs will provide flexibility to property owners/developers, city staff, and City Council with the outcome being a more desirable development.

The purpose of this meeting is to introduce the LUTA concept and allow for the City Planning Commission to ask questions and provide feedback to staff.

**Timeline and next steps**

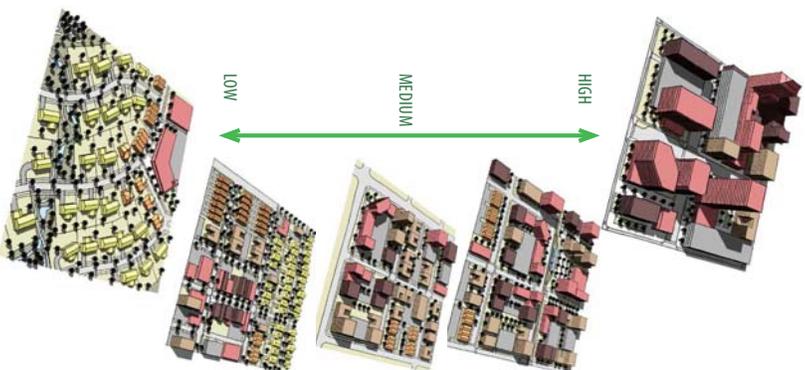
Staff anticipates asking the City Planning Commission to recommend adoption of EnvisionCR by City Council at its November 13<sup>th</sup> meeting. A third open house is planned for early November and City Council adoption in late January.

## Introduction

Land Use Typology Areas (“LUTAs”) are the framework that allows differentiation between areas of the city and the types, forms, and intensities of development allowed in each area.

LUTAs are described in terms of their purpose, form, uses, intensity, and compatibility requirements. The descriptions of LUTAs are intended to provide a sequential framework of land use designations with increasing levels of intensity. It is appropriate to compare them one to another when reading descriptions. If, for example, Urban Medium Intensity is described as being more intense, it is understood that it is more intense than the previously described LUTA, which is Urban Low Intensity.

### INTENSITIES



### POSSIBLE DISTRICTS

- Park/Open Space
- Civic/Institutional
- Rural Residential
- Urban - Low Intensity
- Urban - Medium Intensity
- Urban - High Intensity
- Commercial
- Mixed Use - Commercial/Residential
- Industrial
- Office
- Neighborhood Commercial
- Business Park/Light Industrial
- Village Center
- Urban Reserve

## Intensity

The term “intensity” as used in LUTA descriptions refers to both density of development and levels of activity evidenced by pedestrian and automobile traffic.

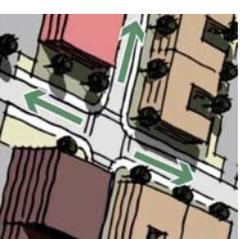
## Compatibility

The relationship between different uses and their relative compatibility with each other is important.

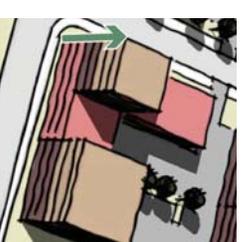
Compatibility can be attained focusing more on the **performance of various uses and designing regulations** that allow for more integration of uses. The integration of uses can be achieved so that commute times become shorter, and neighborhoods become more walkable and interesting, all while preserving privacy, security and aesthetics. LUTAs lead to a continuum of compatibility methods. That is to say, as LUTAs become more intense and uses become more integrated, compatibility methods focus less on spacing and congregating of similar uses, and more on performance-based methods that directly address issues such as noise, traffic, air quality, privacy, and aesthetics.

## Integration and mixing of uses

The integration, or mixing of uses is important for a city that seems to be on the verge of increasing intensity and urbanization.



“**Integration of uses**” is used when describing the mixing of uses horizontally (meaning different land uses located next to each other).



“**Mixed-use**” describes the mixing of uses vertically (meaning differing uses located within the same building or buildings).