



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

Minutes
CITY PLANNING COMMISSION MEETING
Thursday, January 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
Allan Thoms
Samantha Dahlby
Carletta Knox-Seymour
Richard Pankey
Kim King

Members Absent: Mike Tertinger
Virginia Wilts

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

CD Staff: Seth Gunnerson, Planner
Betty Sheets, Administrative Assistant

The meeting was called to order at 3:00 p.m.

Opening statements were presented stating the protocol of the meeting and the purpose of the City Planning Commission.

Commissioner Overland introduced the newest member of the City Planning Commission, Kim King stating the Commission was happy to welcome Kim.

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 December 12, 2013 Minutes stand approved.

Commissioner Overland called for any additions or corrections to the agenda. Commissioner Thoms stated the letter from Hall & Hall Engineers, Inc. requesting the March 1, 2013 date be extended for one year was an incorrect date and asked that a corrected letter be resent. The

corrected letter is attached to these minutes. Commissioner Overland stated with one correction, the agenda stands approved.

CONSENT AGENDA

1. Case Name: The Commons on Ellis Boulevard Addition (Preliminary Plat)

Recommendation for approval of a Major Preliminary Plat, for property at 1320 Ellis Boulevard NW, 1324 Ellis Boulevard NW and 1328 Ellis Boulevard NW as requested by Compass Commercial Services (Applicant) and New Bo Development Group LLC (Titleholder).

Case No: PRPT-007328-2013; Case Manager: Chris Strecker

2. Case Name: Whispering Pines 8th Addition (Major Preliminary Plat)

Recommendation for approval of a time extension for an approved Major Preliminary Plat, for property south of 16th Avenue SW & east of 23rd Street SW as requested by Jerry's Homes, Inc. (Titleholder).

Case No: PRPT-007580-2013; Case Manager: Joe Mailander

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the consent agenda. Commissioner Thoms seconded the motion. The motion passed unanimously with none opposed.

REGULAR AGENDA

1. Case Name: 418, 420, 424 and 428 9th Street NW (Rezoning)

Recommendation for approval of a rezoning from RMF-1, Multiple Family Residential Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Richard J. & Michelle L. Lindemann (Applicants/Titleholders).

Case No: RZNE-007160-2013; Case Manager: Vern Zakostelecky

Mr. Mailander stated the request was for a PUD rezoning. Currently there are 3 homes sitting on one lot, which were all built in 1905. The houses have three separate addresses and are all owned by the same owners. Mr. Mailander showed a site plan and aerial view of the site.

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

Commissioner Overland called for a representative of the applicant.

Daniel Schmidt, Brain Engineering, Inc., 1540 Midland Court NE stated the intent is to sell in the future but no immediate plan to sell the property.

Commissioner Overland called for questions of the applicant.

Commissioner Thoms asked what the access to the property was and if there were any garages and where was the parking.

Richard Lindeman, 1233 Greenville Avenue NW stated the access is from 9th Street with no garages and parking is on the street.

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

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the rezoning from RMF-1, Multiple Family Residential Zone District to PUD-2, Planned Unit Development Two Zone District. Commissioner Pankey seconded the motion.

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

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

2. Case Name: 3135 J Street SW (FLUMA and Rezoning)

- a) Recommendation for an amendment to the Future Land Use Map in the City's Comprehensive Plan from Office and Low Density Residential to Commercial as requested by JKLR LLC (Applicant) and James H. Hoke (Titleholder).

Case No: FLUMA-007527-2013; Case Manager: Vern Zakostelecky

- b) Recommendation for approval of a rezoning from R-3, Single Family Residential Zone District and O-S, Office/Service Zone District to C-3, Regional Commercial Zone District as requested by JKLR LLC (Applicant) and James H. Hoke (Titleholder).

Case No: RZNE-007161-2013; Case Manager: Vern Zakostelecky

Mr. Mailander stated this application is to rezone to the C-3 Regional Commercial Zone District. Currently the property is vacant and is proposing to construct temperature controlled self-storage on the site. Mr. Mailander provided a preliminary site plan, aerial map and building renderings and pointed out fencing along J Street. The FLUMA shows it is low density. A meeting of the neighborhood was held with no one in attendance.

Commissioner Overland called for questions of Mr. Mailander.

Commissioner Thoms stated there were a lot of trees on the property and the topography is very difficult and steep and how much of the property would be used. Mr. Mailander stated that the preliminary site plan would be getting into the tree area and taken to the north property. Commissioner Thoms stated that was a lot of grading and lot of change in topography. Commissioner Thoms also questioned why stacked buildings in a residential neighborhood.

Commissioner Overland called for a representative of the applicant.

Dan Schmidt, Brain Engineering, Inc., 1540 Midland Court NE stated regarding the topography: the two middle buildings would be a walk out at the top and at the bottom and designed to work with the topography as opposed to a slab on grade. The only entrance to the site is on J Street. The east side adjacent to the residential will be a fenced and landscaped per code. There is one home on at the northwest corner and this will also be screened with fencing and landscaping. The northern two proposed buildings are smaller.

Commissioner Thoms stated that lots 8, 9, 10, 11, 12 and 16 would be affected. Mr. Schmidt stated that not lot 8 but lots 9, 10, 11, 12 and 16 would be part of the development site. Commissioner Thoms stated he was parked on Redwood and was looking straight up and asked if there was going to be retaining walls. Mr. Schmidt stated yes, there would be retaining walls to work with grade.

Commissioner Pankey asked what the fencing along the north side would be, such as vegetation fence or vinyl type fence. Mr. Schmidt stated there were a couple options, there will be a fence regardless either privacy or chain link, but this hasn't been determined.

Commissioner King asked what the plans for lighting are. Mr. Schmidt referred to the developer.

Jim Schmitt, 185 Morgan Court stated that the lighting will be outdoor lighting for self-storage, some sort of LED lighting with some lights on all the time and some motion censored when customers arrive on the property. Commissioner Halverson asked if the lighting would be straight down and Mr. Schmitt stated it would be. Commissioner Pankey asked if it would be controlled access. Mr. Schmitt stated that yes it would be controlled access.

Mr. Schmitt stated that they own the property west of this property, the Republic building and to the south of that on 33rd is Hupp Electric and across the street to the south is the convenience store and south of that are industrial uses. The titleholder James Hoke lives out of the area and is interested in selling the property and this would never be developed as residential.

Commissioner Knox-Seymour stated she lives and walks in that area and it has been an undesirable area for some time but why a storage facility. Mr. Schmitt stated that on the property acquired earlier there is warehouse space adjoins the Republic warehouse space and the plan is to convert that 15,000 sq ft to climate controlled storage and adding this property.

Commissioner Dahlby asked if sidewalks would be added. Mr. Schmitt stated that has been discussed.

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

Commissioner Knox-Seymour asked why no neighbors attended the meeting. Mr. Mailander stated that staff had sent out the notice and no one responded.

Commissioner Overland called for a motion. Commissioner Pankey made a motion to approve the Future Land Use Map in the City's Comprehensive Plan from Office and Low Density Residential to Commercial. Commissioner King seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Thoms stated he feels this is way over doing that particular embankment is startling and tearing out many trees for storage buildings and it is surrounded by residential, a lot of dirt that needed to be removed and would not support this motion.

Commissioner Overland called for a vote on the motion. The motion passed with five approving and two opposing.

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the rezoning from R-3, Single Family Residential Zone District and O-S, Office/Service Zone District to C-3, Regional Commercial Zone District. Commissioner Pankey seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Thoms stated for the very same reason he would not support this motion.

Commissioner Overland called for a vote on the motion. The motion passed with five approving and two opposing.

3. Case Name: 3510 Seminole Valley Road NE (Conditional Use)

Recommendation for approval of a conditional use for Campground in an A, Agriculture Zone District as requested by Pathfinder Outdoor Education Center, LLC (Applicant) and Paul D. and Jane A. Pate (Titleholders)

Case No: COND-007159-2013 **Case Manager:** Dave Houg

Mr. Houg stated this request is for a campground for educational facility for youth. Mr. Houg presented an aerial photo, street view, site plan, renderings of the buildings and stated that the first phase would be development of an educational center, the second phase would be a lodge and the third phase would be five cabins.

Commissioner Overland called for questions of Mr. Houg.

Commissioner Overland called for a representative of the applicant.

Commissioner Thoms asked that the campground definition from the code be read. Mr. Houg read the zoning definition “a plot of ground on which two or more campsites are located established and maintained for occupancy that can be used as temporary living quarters for recreation, education and vacation purposes”.

Commissioner Thoms stated that we know this is an educational facility and that approval as a “campground” could potentially open the land up for commercial campground occupancy such as tents and all kind of things.

Commissioner Overland called for questions of the applicant.

David Blankenship, 4405 Oak Leaf Court NE stated that he personally mailed the letter for the neighborhood meeting for this project. Mr. Blankenship stated the south side is treated as a forest preserve and would continue to be that way. As to the classes use, this will be similar to those offered at Wickiup Hill Learning Center or the Nature Center. The type of educational classes to be conducted will be for high school and junior high children. Classes would be a couple times a week on nights or weekends. Typical class size is 20 children. The curriculum will include training of first responders for ambulances with medical equipment and fire rescue

trucks. Radio programs with ham radio operation will also be taught where kids are licensed. The reason why it would be a campground, the usage does not describe this in total but the most honest disclosure to the neighborhood with a possibility of camping overnight. Some of the classes are taught overnight such as first responders training is important to teach what happens at night because most accidents happen at night and it is important to train in the dark.

Commissioner Dahlby asked what the age range of the children would be. Mr. Blankenship stated they were 14-20 and come from all over the community, but most came from Kennedy and Xavier High School and wanted to be here rather than out in the county. This property was intended for residential but lays out really well for what we are trying to do keeping the forest preserve to the south and the other side for the larger buildings and set everything back from the road and to protect the property from homes being built.

Commissioner Dahlby stated that since it was a heavily wooded area do you plan to remove a lot of trees. Mr. Blankenship stated that the trees to the south would be undisturbed. This was a farm in the old days and the original road bed would go to the lodge. The trees that have been removed are dead but none others would be removed and they planned to add many more trees than are being removed.

Commissioner Knox-Seymour asked if the programs would be extended to Jefferson and Washington students. Mr. Blankenship stated that they have children from Jefferson, Washington, Linn-Mar, Prairie and Center Point Urbana also attending the classes. Groups include Boy Scouting, Venturing and Community Classes as well as leaders (Girl Scouts) who train with basic medical training and navigational skills.

Commissioner Pankey asked where the current base of operation exists. Mr. Blankenship stated they meet all over such as Wickiup Hill, some in churches, Hiawatha Library, Hiawatha Community Center and Boy Scout Camp are some of the places.

Commissioner Pankey also asked if the ham radio signals would disrupt the neighbors. Mr. Blankenship stated that the primary antenna is currently on top of the Transamerica building, and is made available to the community, and operates on UHF which does not impact neighboring properties. If there is a problem it is with the machinery and not with the radio frequency.

Commissioner Thoms asked how far the south road will be from the property line. Mr. Blankenship stated the road from the cabins during the summer would not be visible. They will be able to see part of the road but not much of the back as it is quite a ways back.

Commissioner Thoms also asked about the paint ball activity. Mr. Blankenship stated the paint ball activity would be restricted to the north part of the property only and they may or may not do it there. They mostly do this activity out on farms. Commissioner Thoms also noted that the project would be using 14% of the 12 acres.

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

Mike Yakos, 6511 Cottage Hill Lane NE and John Schuchmann, 3512 Forest Valley Court NE expressed their concerns:

- Lot of traffic on Seminole Valley Road
- People speed on this road

- Hazards and dangers of the additional traffic
- No improvements are proposed along Seminole Valley Road to accommodate this project
- Additional traffic in the area
- Youth would be less cautious than mature drivers
- Distance of access road and cabins to property line
- Road is hazardous especially in winter time
- Number of cabins and how close to road
- Noise around the cabins
- Night training noise affecting the neighbors
- Drainage and run off being addressed

Mr. Houg stated that the applicant plans to improve the site lines by clear cutting some of the area. Mr. Mailander stated that there will be improvements to this road and one of the conditions on this project is that the applicant will be responsible for a portion of these costs. There is a project in the City's CIP Program, which is currently unfunded and there is no date set for when this will happen. There is also a secondary access to the area that is not funded and the time line is further out than improvements to Seminole Valley Road. Mr. Mailander stated that the south access is for fire access only.

Mr. Blankenship stated that the plan is to construct only five (5) cabins. There are tax advantages to keeping the forest preserve and not building cabins all over the preserve. Mr. Blankenship further stated that he did not want to have the access road in the south, however, that was not his decision. Regarding lighting, the development will meet "dark sky practices". Night exercises will not be held in the cabins but in the ravine and the cabins will be for sleeping only if they are used at all. Night exercises are done between 6 to 8 or 9pm. A not for profit status will be obtained in the future.

Commissioner Thoms asked where the parking area was located. Mr. Blankenship stated the umbrella looking items on the site plan are trees and not lighting. The parking lot will be an organic shape and drops off into a ravine. The ravine captures the drainage. The parking is not square with a natural look to it. The children that attend these classes are often dropped off and about a quarter of them drive cars.

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the Conditional Use for Campground in an A, Agriculture Zone District. Commissioner Dahlby seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Knox-Seymour wanted to confirm that the question of access to this project with respect to Condition No. 5 to minimize traffic congestion and to assure access design to minimize traffic congestion has been answered.

Commissioner Overland confirmed that it had been answered.

Commissioner King stated that she heard more of an enforcement issue with speeding rather than a congestion issue.

Commissioner Thoms stated that the neighbors have festivities that go on with Ushers Ferry, summer time volley ball or soccer tournaments and this does not create more traffic or problems than if it was developed into residential properties.

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

➤ **New Business**

1. Election of Officers for 2014 Chair and Vice Chair Selection

Commissioner Overland stated that with the by-law revisions the election of the chair and vice chair be held on the first meeting of the calendar year, Commissioner Overland called for a motion. Commission Thoms made a motion that we retain the current slate of officers Scott Overland as Chair and Jim Halverson as Vice Chair for the calendar year 2014. Commissioner Dahlby seconded the motion.

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

The meeting was adjourned at 4:10 P.M.

Respectfully Submitted,

Betty Sheets, Administrative Assistant
Community Development and Planning