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

MINUTES
CITY PLANNING COMMISSION REGULAR MEETING,
Thursday, March 27, 2014 @ 3:00 p.m.

Cedar Rapids City Hall Council Chambers, 101 First Street SE

Members Present:	Scott Overland, Chair Jim Halverson, Vice – Chair Samantha Dahlby Carletta Knox-Seymour Richard Pankey Virginia Wilts Kim King
Members Absent:	Allan Thoms
DSD Staff:	Joe Mailander, Manager Vern Zakostelecky, Planner Dave Houg, Plats & Zoning Conditions Coordinator
CD Staff:	Seth Gunnerson, Planner Jeff Hintz, 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.

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 March 6, 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 Knox-Seymour made a motion to move the Conditional Use from the table. This case was tabled at the September 19, 2013 meeting. Commissioner Halverson seconded the motion.

The motion passed unanimously with none opposed.

1. **Case Name: 2123, 2133 and 2135 Mt. Vernon Road SE (Conditional Use)**

Consideration of a conditional use for construction of an electrical substation in a R-3, Single Family Residential Zone District; as requested by Alliant Energy (Applicant) and Interstate Power & Light Co (Titleholders)
Case No: COND-004948-2013 Case Manager: Dave Houg

Mr. Houg stated this conditional use had been before the Commission before and was returning for approval of a substation with additional information provided by Alliant. The property is approximately 13 acres for a substation. Mr. Houg showed views of the area, landscaping plan, location map and site plan. Alliant was previously approved for a Conditional Use; however since they purchased additional property this is being brought back to the Commission for approval. Mr. Houg stated that Alliant had provided extensive and enhanced landscaping, sound levels at various distances, as well as EMF information as requested.

This case was presented to the City Planning Commission on September 19, 2013 and was tabled pending additional information requested of the Applicant. The additional information included:

- Evidence of the effects on adjacent property values
- Noise level information
- Health effects information
- Additional information on the Historic Preservation Commission review
- Additional information on screening/plantings at time of installation

Commissioner Overland called for questions of Mr. Houg.

Commissioner Dahlby asked if the additional property purchased to the west was for a larger area for the substation. Mr. Houg stated it allowed Alliant to relocate the substation and deferred the answer to the applicant.

Commissioner Halverson asked if the approved conditional use from 2004 was not viable. Mr. Houg stated that the conditional use would still be valid but the site plan had expired plus an additional parcel has been added.

Commissioner Overland called for a representative of the applicant.

Representatives included Teresa Davis, Alliant Energy, 200 1st Street SE; Stacy Van Zante, Alliant Energy, 200 1st Street SE and Isaac Hodgins, Shive-Hattery, 316 2nd Street SE. Teresa Davis stated they had no further comment but would answer any questions the Commissioners had of them.

Commissioner Dahlby asked why they purchased the additional property. Ms. Davis stated they purchased the property to the west to have more level ground and to avoid the ravine area which allows regional water runoff.

Commissioner Pankey asked why when the conditional use was granted that Alliant did not move forward with building the substation.

Ms. Van Zante stated that Alliant purchased the properties at the time they became available. Alliant's plans are to build 27 substations, this being the 13th one to be built and will replace 3 other substations.

Commissioner Overland asked what a substation does and why they are located where they are located.

Ms. Van Zante stated Alliant has 37 4 KV substations in the Cedar Rapids area now and want to convert to 12 KV Substations operation which will give them the availability to carry more load and higher level of reliability. Smaller substations don't have the reliability that a larger one can have. They all work together to give us the level of reliability needed.

Commissioner Knox-Seymour asked if most of the substations in other communities are similar to this.

Ms. Van Zante stated that most of the substations being built in Cedar Rapids are in the higher density areas like Marshalltown where they have 2-transformer substations. It depends on what the requirements are in a community. This neighborhood is densely populated and requires a larger substation.

Ms. Van Zante stated the 27 substations will be 2-transformer substations and 12 of them are already in place. It will be 2020 before this substation will be built.

Commissioner Dahlby asked if these substations are in neighborhoods.

Ms. Van Zante stated that in the industrial areas the substations are built close to the industrial area. In the residential areas the substation is situated in a central area that the station will serve.

Commissioner Knox-Seymour asked if there was any danger associated with the substations.

Ms. Van Zante stated that Alliant felt very comfortable and confident with substations. In general the material is being purchased from reliable and reputable vendors and Alliant has faith and trust with the equipment that they purchase, but they also have a standards group that has done a great job of making certain that the equipment not only protects the safety of the residence and customers but the safety of the equipment.

Commissioner Knox-Seymour asked if they would want the substation in their neighborhood.

Ms. Davis stated that with the landscaping and buffering that Alliant is providing would feel more comfortable with that.

Ms. Van Zante stated that the landscaping and buffering are for the benefit of the neighborhood.

Commissioner Overland asked what kind of security is provided.

Ms. Van Zante stated that standard is chain link and barbed wire for security. She stated in Cedar Rapids Alliant has been using a higher security fencing that has a tighter mesh that is not easily climbable or cannot be penetrated.

Commissioner Overland asked from your western boundary how far it is from the Substation to backyards of neighbors' homes on 21st Street.

Ms. Davis stated that there is actually a parcel in between the substation and the back property lines. The distance is about 100 feet and another 50-75 feet to the homes from the substation. Where the substation sits there is an open area along 21st Street so there are no houses directly to the west of this substation. Then it is about 350 feet to Mt Vernon Rd. Commissioner Overland confirmed that it was about 175 feet from the neighbor's back yard to the substation. Ms. Davis stated that was correct.

Commissioner Knox-Seymour asked to help understand where the ditch is relative to where the substation is going. Ms. Davis stated that it is actually further to the west and straight behind the house that they purchased.

Commissioner Knox-Seymour asked if Alliant was filling in the ditch. Ms. Davis stated that there would be some fill but not a lot to impact the water drainage.

Commissioner Knox-Seymour asked if there was anything they were doing about fencing around the property to keep children out of the area. Ms. Davis stated they had no plans to put fencing around the property entire.

Commissioner Wilts asked if this was the same size as the substation on Center Point Road and 29th Street.

Ms. Van Zante stated that substation is larger than the one that is being installed on this property. This substation will also have a switch gear in it to allow for more capacity.

Commissioner Halverson asked if he went back to the Conditional Use that was granted in 2004 would the footprint be comparable or smaller than what was proposed then.

Ms. Davis stated that this substation is smaller than the original plan as the original plan was not open air equipment so Alliant did go to the Switch Gear is much better for that particular area.

Commissioner Halverson also complimented Alliant on the substance of the information provided.

Ms. Van Zante also stated that in this community Alliant is very much aware of the large ham radio population and that there is a huge concern and they have had instances where they have applied power line signals that create issues. Alliant is not aware of any issues from these substations and wanted the public to know they are very sensitive to that.

Commissioner Overland called for members of the public who wished to speak. If there are any questions that Alliant has not addressed they will be noted to respond after the public session.

Concerned citizens that spoke included Gary Wallin, 1121 23rd Street SE, Andyce Wolrab, 2121 Mt Vernon Road SE; Jennifer Van Hyfte, 1032 21st Street SE; Vincent Wolrab, 2121 Mt Vernon Road SE; Doris Ackerman, 1955 5th Avenue SE; Cathy Munson, 2021 Wiley Street SE; Wendy Christian, 3866 Tomahawk Trail SE and Luke Van Hyfte, 2032 21st Street SE and posed the following concerns to the Commission:

1. Written assurance from the Power Company owners that this substation will not diminish reception or transmission on 28.1188 MHz.
2. Will not tolerate noise or hum from power transformers.

3. Area is a dumping ground for waste. The ravine below the construction point has old appliances, tires, trash cans, and other waste that should not be dumped in my neighborhood.
4. Alliant Energy already has a bad record of adding blight to my neighborhood. The utility poles in front of my house are not new nor do they stand up straight. In fact, the utility pole right in front of my house has been crudely repaired with an iron support that looks like it belongs in a commercial neighborhood, not a residential neighborhood.
5. Health concerns
6. Impact on property values
7. Amount of EMF that it gives off
8. Potential for terrorist attack on substation
9. Dangerous chemicals it will emit
10. Impact on the residential character of the neighborhood
11. Concern about the litter

Commissioner Overland asked the applicant to come forward to answer seven (7) questions that were posed by the public.

Commissioner Overland read the first

1. Noise realistically what will people hear?
   - Answer: The noise analysis was based off by the National Electric Code. About 50 feet from the transformer it is 50 decimals like a refrigerator hum, as you get further away from the substation those decimal levels drop. That doesn't take into account the traffic noise.
2. Trash in ravine?
   - Answer: Alliant does not know why it was there. It was not discarded by Alliant Energy. It is difficult to keep trash off 14 acres
3. How will Alliant handle illegal dumping?
   - Answer: Alliant does monthly maintenance inspections on the substations and clean the area; otherwise Alliant asks neighbors to call when trash is dumped on the property.
4. How frequently are substations visited?
   - Answer: once a month maintenance inspection
5. Electro Magnetic Field impacts?
   - Answer: Electric Fields and Magnetic Fields are two separate fields. The electric fields are very minimal at the fence of the substation because the equipment that we use for distribution of the electricity is enclosed in the building and that building enclosure as well as the fence emanates that electric field. The Magnetic field at the fence measured in test level. The magnetic field is similar to appliances in your home. That drops significantly from 4 to 6 feet. Probably what you receive from a vacuum cleaner.
6. Provisions for drainage or chemical issues?
   - Answer: The area around the substation is rocked and outside the fence will be grass. Alliant uses State-approved herbicides. The drainage issue will meet all city requirements for storm water management. This will be similar to Center Point and 29th and what is proposed at this substation will meet or exceed what was done at that location.
7. Impact to Property values?

- Answer: Local appraiser stated that while the construction is going on the property values are lessened. Based on the berming and landscaping that Alliant is proposing this will negate any loss of property values.

Commissioner Pankey asked how many people in Cedar Rapids can be served by a substation like this. Ms. Davis stated approximately 25,000 residences. Will this also serve the Mercy Hospital Area? Answer: there are additional substations that serve the hospital.

Commissioner Wilts asked what area this substation will serve. Ms. Davis stated all along the Mt Vernon Road Area south of 1st Avenue and ties up to our Saints Run and Squaw Creek Substations.

Commissioner Dahlby asked about the driveway. Answer: drive extends to the substation about 350 feet. There will be overhead transmission line to the substation, but the feeders going out of the substation will be underground. Will there be a fence around the perimeter of the entire area. Ms. Davis stated that is possible.

Commissioner Knox-Seymour stated that the families on Mt. Vernon will see the substation. Ms. Van Zante said the trees will have a 2 to 3 year growth. Substation is proposed to be built in 2017.

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the Conditional Use for construction of an electrical substation in an R-3, Single Family Residential Zone District. Commissioner Pankey seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Halverson stated that the justification for the motion was based on several points made by Alliant and substantiated with supporting evidence. For example, Alliant has almost created redundancy in the proposed landscaping plan where the substation will be screened and the surrounding forest also provides a visual buffer. Additional information addressed noise concerns and potential adverse health impacts. Commissioner Halverson said that a great deal of factual detail was provided supporting the issue, including a Conditional Use permit that was approved in 2004 and remains valid today.

Commissioner Pankey stated that what Alliant is doing is offering essential service to 25,000 people in Cedar Rapids.

Commissioner Dahlby understands the emotional side of this issue and has to go with the data side that has been provided. Her concern was access, if this was approved, work with Alliant to place a fence around the entire perimeter to keep this area cleaner and keep people from dumping and especially keeping children from entering this area.

Commissioner called for a vote on the motion. The motion passed by a vote of 6 to 0 with none opposed.

Commissioner Halverson asked that the record show that Commissioner King recused herself from the discussion of the Conditional Use.

2. Case Name: 1410 Tower Lane NE (Rezoning)

Recommendation for approval of a rezoning from O-S, Office/Service Zone District to RMF-2, Multiple Family Residence Zone District as requested by Capital Commercial Division, LLC. (Applicant/Titleholder)
Case No: RZNE-005870-2013; Case Manager: Joe Mailander

Mr. Zakostelecky stated the Commissioners reviewed this rezoning proposal on October 31, 2013 and the applicant has revised their proposal. The applicant has asked that the rezoning be changed to RMF-1 rather than RMF-2. The property is east of Council Street and south of Boyson Road. There were several concerns including lead time for the neighborhood meeting, the shared access and safety with the day care, the density of the site was too high and the proposed 3 story buildings were not in character with the surrounding neighborhood. The applicant has changed from RMF-2 to RMF-1, reduced the number of buildings from three to one, reduced building from 3 stories to 2, reduced the number of units, reduced parking by 10 spaces and moved the access to the southeast corner of the site and not shared with day care center. Mr. Zakostelecky showed an aerial photo of the site, site plan as well as a 3-D rendering of the building. An administrative site plan would still have to be submitted to assure that the applicant meets the City's design standard.

Commissioner Overland called for questions of Mr. Zakostelecky.

Commissioner Halverson asked for clarification that the applicant will be RMF-1 and will need to submit a new petition prior to this rezoning going to the City Council.

Commissioner Overland called for a representative of the applicant.

Ghassan Halloosh, 1930 St. Andrews Court stated he was involved when this property was rezoned to O-S, Office/Service Zone District. Mr. Halloosh stated that this site plan submitted is what will be built and there are no hidden agenda. The initial rezoning that was recommended for denial in October was RMF-2 and denser. This is being rezoning to be less dense and will create less traffic than an office building. The applicant has moved the access to the east and has included garages plus added more green space.

Steve Stefani, 4561 Fox Meadow Drive SE with Capital Commercial, the current owner and developer of this property wanted to respond to the concerns in October. Mr. Stefani stated that he listened to the concerns of the neighbors with two key issues being density and shared access. Mr. Stefani assured everyone that the redesign was based on RMF-1 rather than the RMF-2 that was requested the first time. Mr. Stefani wanted to answer some of Teri's concerns in her letter. Increased traffic on Tower Lane: increased traffic office vs. residential; issue how the property would be maintained. The property is not designed to have a higher price point with all the amenities that will be provided. The property as designed now is consistent with the neighborhood.

Commissioner Overland called for questions of the applicant.

Commissioner Wilts asked if the building will be higher or lower than the other buildings. Mr. Stefani stated that he feels this building will be same level as other buildings in the area.

Commissioner Knox-Seymour asked why apartment buildings are not proposed to be owner occupied. Mr. Stefani said this area is in need of apartments. Commissioner Knox-Seymour

asked about the neighbors concerned with the value of their homes. Mr. Stefani stated that this is not a lower price point project.

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

Concerned citizens that spoke including Kathleen Kimmerer, 1475 Tower Lane NE, Tim Wendt, 1315 Waldenwood Lane NE; Kathy Clarahan, 1321 Waldenwood Lane NE and Joe Clarahan, 1321 Waldenwood Lane NE expressed their concerns as follows:

- Appreciates that the applicant has scaled back the project however Tower Lane is a short, narrow and curved street and the amount of traffic will be increased.
- Feels building will look larger than others in the area and garages do not change the look
- Noisy now with traffic from Boyson Road and would prefer an office building than an apartment building
- Property value decreased
- Maintenance of the property

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the rezoning from O-S, Office/Service Zone District to RMF-1, Multiple Family Residence Zone District. Commissioner Pankey seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Halverson appreciated that the applicant returned with substantial changes. From a property maintenance standpoint, the owner will want to maintain the property to keep the property rented with so many other apartments in the area.

Commissioner Pankey stated he supports the motion and that there are many apartments on Boyson Road and is the nature of our city. The owners will have to maintain the property.

Commissioner Knox-Seymour asked what the initial zone was. Mr. Zakostelecky stated that at the time this property was developed to the south and east it was mixed development with single-family, multifamily and office.

Commissioner Wilts asked about the access area to the project. Mr. Zakostelecky stated that the original application was going to share access with the daycare and now they have moved the access to the east.

Commissioner Overland stated he is in favor since they have changed the rezoning to RMF-1

The motion passed unanimously with none opposed.

3. Case Name: 2773 East Robins Road NE (Conditional Use)

Consideration of a conditional use for communications tower in an A, Agriculture Zone District as requested by Verizon Wireless (Applicant) and New Life Pentecostal (Titleholder) ***Case No: COND-008266-2014; Case Manager: Dave Houg***

Mr. Houg stated the request was for a 138 foot communications tower in an Agriculture Zone District at the corner of East Robins Road and C Avenue on approximately 5 acres. No parking

will be required, however required landscaping is provided. There will be no guy wires and there is an existing farmstead house that will be removed. Mr. Houg provided an elevation plan, site plan and location map. A church will be built on the property and the applicant will be leased from the owner.

Commissioner Overland called for questions of Mr. Houg.

Commissioner Halverson asked if there was a site plan. Mr. Houg stated there was a site plan submitted.

Commissioner Overland called for a representative of the applicant.

Tom Cummings, SSC, Inc., 924 Woodsmill Road, St. Louis, MO 63017 spoke of the need for placing a communication tower on this location, the need for this tower, how the structure would be built as well as other sites Verizon considered to build this tower.

Commissioner Overland called for questions of the applicant.

Commissioner Halverson asked if Verizon had considered co-location at all? Mr. Cummings stated yes they had. Commissioner Halverson asked if the St. Marks location had been considered. Mr. Cummings stated no it was outside the search area.

Commissioner Overland asked what a bell tower would look like. Mr. Cummings showed a picture to the Commissioners from his computer.

Commissioner Overland asked if there was any consideration to positioning the tower closer to C Avenue rather than closer to the neighborhood. Mr. Cummings stated future expansion plans for the church would go westward and thus they chose this area. Also the access road will be a shared access road.

Commissioner Dahlby asked if there was any discussion about flipping the tower and the church. Mr. Cummings stated that moving had not been considered, however they would need to take into account impacts of the fall zone for this type of structure.

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

Renee Simon, 7811 Marquette Drive and Kenneth Keenan, 8000 C Avenue NE expressed their concerns as follows:

1. Would the FAA require a flashing red light to be installed?
2. Has all other locations been exhausted?
3. What alternative technologies were eliminated; used by other entities?
4. Fall zone and Shadows?
5. Neighbors do not want to see this in their back yard

Commissioner Overland asked Mr. Zakostelecky to clarify the zoning policy. Mr. Zakostelecky stated the property was annexed and all properties coming into the City are agriculture. The property is in the City.

Commissioner Overland asked about towers in general in the City. Are they not conditional use and have to be approved everywhere. Mr. Zakostelecky stated that there are certain areas

including commercial and industrial zoning districts if they do not exceed a maximum height limitation they are permitted uses. Pretty much in residential and agriculture they are all conditional use.

Commissioner Overland asked the applicant to return to the podium to answer the public's questions.

1. Search area, have you exhausted all the location?
    - Answer: yes, clearly infill and off sites, moving an eighth of a mile would have a dramatic impact. The smart phones of today have to be closer to towers than they use to.
2. Elaborate on shadows, lights and fall zones
    - Lighting and marking are not triggered until over 200 feet of elevation with exception if in flight path. All tower builders are required to run FAA and FCC studies to make certain they are not interfering with other federal broadcasters and other traffic in the sky. Is this specific tower in a flight pattern? Mr. Cummings stated he did not think so, but that would be studied before building.
    - The engineering standards that towers are built to comply with City's building code.
3. Will there be other uses for the Tower?
    - Designed the tower to be co-locatable and reduce the number of towers needed in the area.

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

Commissioner Overland called for discussion on the motion.

Commissioner Dahlby stated the tower is an effect of everyone using cell phones and Verizon has done exhausted research from looking at locations, the visual aspect is much nicer than some towers that can be built.

Mr. Zakostelecky stated that if this tower is approved there would be required to be constructed where two other cell phone companies can attach to this tower to provide service to more users.

Commissioner Halverson stated that he would be voting against this cell tower because in that general area there are several towers and he suggests that they co-locate on another tower.

Commissioner Pankey stated that he would encourage cell phone providers to co-locate with other towers. This particular one is close to neighbors and perhaps the church would rethink where the tower is located since the church will benefit from the tower on their property.

Commissioner Knox-Seymour also stated that other locations should be researched.

Mr. Cummings stated hearing concerns he offered to table this conditional use and meet with residents to try and address the concerns.

Commissioner Dahlby retracted the motion and made a motion to table the motion and Commissioner Wilts seconded the motion.

Commissioner Overland said he had a motion and a second to table the motion.

The motion passed unanimously with none opposed.

Case Name: 1508 6th Avenue SE; 1542 Bever Avenue SE; 1707 Washington Avenue SE (Rezoning)

Consideration of three (3) Rezoning from R-3, Single Family Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Affordable Housing Network, Inc. (Applicant/Titleholder)
Case No: RZNE-008228-2014; Case No: RZNE-008229-2014 and Case No: RZNE-008230-2014 Case Manager: Joe Mailander

Commissioner Overland stated that the next three agenda items no. 4, 5 and 6 are all requesting the same thing and suggested that the applicant make the presentation on behalf of all three and then the Commissioners would vote all three individually.

Mr. Zakostelecky stated the three addresses are in the Wellington Heights Neighborhood area, lots that previous had homes on them and the applicant wants to rezone these to Traditional Neighborhood Zone District to allow for infill on these lots. Mr. Zakostelecky showed a location map as well as a rendering of the homes that would be built.

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

Commissioner Overland called for a representative of the applicant.

Kathie Pennetta, Affordable Housing Network Inc., 404 17th Street SE responded to the objections that were raised by a Steve Hanken for the property at 1508 6th Avenue SE:

Objection: AHNI is the only group in Wellington Heights conducting rehabilitation activity.
Response: False. In addition to AHNI, many contractors and groups are in the neighborhood rehabbing buildings, both for-profit and non-profit. AHNI has been outbid on several properties by for-profit contractors/individuals. The market has many players.

Objection: AHNI is destroying the character of the neighborhood.
Response: False. AHNI is working in collaboration with the Wellington Heights Neighborhood Association to preserve the character of the neighborhood by turning rentals into homeownership opportunities for working families in Cedar Rapids. We have already sold several homes and we have 20 working families currently occupying Homeownership Incubator Program homes, which they will purchase within three years. AHNI also preserves the historic character of the neighborhood by rehabbing homes in the area and preserving the unique architectural features of these homes.

Objection: AHNI's activity is destroying property values in the neighborhood.
Response: False. AHNI's rehab activity generally increases the value of properties it works on, which can only pull up the value of properties surrounding these improved buildings. One example is 1439 Bever Avenue SE, which saw an increase in assessed value of 47% after it was rehabbed by AHNI (about $44K to $65K). The

new construction house built at 1508 6th Avenue SE is expected to appraise at $150K.

Objection: AHNI's activities concentrate poverty in the neighborhood.

Response: False. AHNI's renters and homeowners are working families and individuals. AHNI's rental properties in the neighborhood are made available at market rates ($750 for a single family home). All renters are required to pay rent, and payment generally comes from families whose main source of income is from employment. The new houses being constructed by AHNI in Wellington Heights are accessible to households with incomes up to 100% of the area median (about $75K for a family of four in Cedar Rapids).

Objection: The Wellington Heights Neighborhood Association is not representative of the neighborhood.

Response: False. The Wellington Heights Neighborhood Association is one of the strongest associations in the City. Attendance at these meetings is among the highest of any neighborhood association in the City. The Wellington Heights Neighborhood Association strongly supports the new construction homes planned for the area.

Objection/
Concern: The author of the objection letter appears to complain at length about assessed values in the neighborhood, and in particular that they do not match market values.

Response: Assessed values do not generally match market value because of the different methods used to determine these values. In some neighborhoods, assessed values and market values are further apart than in other neighborhoods. AHNI's activities in the neighborhood do not impact the mismatch of assessed versus market value for any particular house. AHNI's investment in the neighborhood can only increase the value of properties it rehabilitates, and as a result, pull up values of properties surrounding each improved building.

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

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

4. Case Name: 1508 6th Avenue SE; (Rezoning)

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the rezoning at 1508 6th Avenue SE from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District. Commissioner Pankey seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

5. 1542 Bever Avenue SE (Rezoning)

Commissioner Overland called for a motion to approve the rezoning. Commissioner King made a motion to approve the rezoning at 1542 Bever Avenue SE from R-3, Single Family Residence

Zone District to R-TN, Traditional Neighborhood Residence Zone District. Commissioner Dahlby seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

6. Case Name: 1707 Washington Avenue SE (Rezoning)

Commissioner Overland called for a motion to. Commissioner Knox-Seymour made a motion to approve the rezoning from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District. Commissioner Dahlby seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

7. Case Name: 5015 Center Point Road NE, 2025 Sylvia Avenue NE and 5020 Louisa Street NE (Rezoning)

Consideration of a rezoning from C-3, Regional Commercial Zone District, O-S, Office/Service Zone District and R-3, Single Family Residence Zone District to C-3, Regional Commercial Zone District as requested by D&S Building Co, Inc. (Applicant/Titleholder)
Case No: RZNE-008136-2014; Case Manager: Joe Mailander
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Mr. Zakostelecky showed the location map and pointed out that the area on the north side of the property is active railroad line and I-380 to the west and ramp to Hwy 100, with Hwy 100 to the south and Center Point Road to the east. Most of the area is zoned commercial and because of the railroad and high traffic roadways that surrounds this property that this area would be more conducive for commercial. This is a rezoning without a site plan, and the applicant just wants to position themselves to market the property as commercial. Therefore any development on this site will come back with a Development Site Plan.

Commissioner Overland called for questions of Mr. Zakostelecky.

Commission Dahlby asked about the recommending condition about sidewalks connecting to existing trail system. Mr. Zakostelecky said that when the development plan was submitted it would be required.

Commissioner Halverson asked about uses shown on the future land use map
Mr. Zakostelecky said the map shows the existing zoning and not proposed future land uses

Commissioner Overland called for a representative of the applicant.

Tred Schnoor, Schnoor Bonifazi, 431 5th Avenue SW stated that he was asked of the applicant to clean up the zoning of this parcel to clean up zoning issues.

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

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

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

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

8. Case Name: 4420 Bowling Street SW (Rezoning)

Recommendation for approval of a rezoning from I-2, General Industrial Zone District to I-1, Light Industrial Zone District and RMH-O, Residential Manufactured/Mobile Home Park Overlay District as requested by Prairie Oaks Homes LLC (Applicant/Titleholder)
Case No: RZNE-008252-2014; Case Manager: Joe Mailander

Mr. Zakostelecky showed a location map and said that it is a manufactured home park developed in 1942 that shows up on the map as heavy industrial. The request to rezone to R-3/RMH-O

The other part of the request is the applicant wants to have storage garages built for the general public as well as the tenants in the park. The rezoning needs to go from I-2 to I-1. A 41 unit storage garage is being requested to market to the general public. Mr. Zakostelecky showed a rendering of the storage units.

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

Commissioner Overland called for a representative of the applicant.

Dan Schmidt, Brain Engineering stated that seven mobile home units would be relocated within the park itself to make way for the storage garages.

Commissioner Overland called for questions of the applicant.

Commissioner Dahlby asked if the tenants had been asked if there were any concerns and would there be additional traffic. Mr. Schmidt stated that the tenants had asked for additional storage on site. The tenants would have first chance on renting the storage units with the possibility of renting to outsiders.

Commissioner Dahlby asked if this would be 24 hours for everyone renting units. Mr. Schmidt stated it would be.

Commissioner Knox-Seymour asked if there were only 3 parking spaces. Mr. Zakostelecky stated that there would be no office and parking would be in front of the units.

Commissioner Halverson asked if a PUD had been discussed for this project.

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

Commissioner Overland called for a motion. Commissioner Pankey made a motion to approve the rezoning in an I-2, General Industrial Zone District to R-3, Single Family Zone District with

RMH-O, Residential Manufactured/Mobile Home Park Overlay District. Commissioner Halverson seconded the motion.

Commissioner Overland called for a motion. Commissioner Knox-Seymour made a motion to approve the rezoning in an I-2, General Industrial Zone District to I-1, Light Industrial Zone District. Commissioner Pankey seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

9. Case Name: 3338 Center Point Road NE (Preliminary Site Development Plan)

Consideration of a preliminary site development plan zoned C-2, Community Commercial Zone District, as requested by New Pioneer's Cooperative Society (Applicant/Titleholder) and Orkin Exterminating Co., Inc. (Titleholder)
Case No: PSDP-008253-2014; Case Manager: Joe Mailander

Mr. Zakostelecky stated this is the former Fin and Feather site on Center Point Road that has set vacant for a number of years. The site is zoned C-2. The New Pioneer's Cooperative wants to open a New Pioneer grocery store. The interior will be reworked as well as the parking lot on the east side of the building and a loading ramp on the Center Point Road side of the building. The site plan was displayed. The Orkin building will be removed. A bio swale will be in the parking lot.

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

Commissioner Overland called for a representative of the applicant.

Tred Schnoor, Schnoor Bonifazi Engineering, 421 5th Avenue SW and Matt Hartz, 22 S Linn Unit 2A, Iowa City, IA. The major change to the site is the loading dock to the site. There was not a good option and obviously a grocery store needs a loading dock.

Commissioner Overland called for questions of the applicant.

Commissioner Dahlby asked what the delivery frequency can be expect that would impact traffic and customers going into the store. Mr. Hartz said with all the pedestrian traffic they did not want the semi's crossing the path. Three to five semi-trucks come in per day with not a lot of traffic.

Commissioner Knox-Seymour asked why this site was selected. Mr. Hartz stated that they looked at a dozen sites in the Cedar Rapids and Marion area and for existing structures that could be developed fairly quickly and come to the market quickly. Their market studies showed only a few areas that worked for them and this site was high on their priority list.

Commissioner Wilts was concerned with Center Point Road being heavily trafficked. Was there a traffic study done? At what time would they be coming in? Mr. Hartz said the majority would come in early in the morning approximately 5 to 6 am and sometimes in the late afternoon.

Commissioner Pankey expressed his concern that all landscaping be maintained because it is a transitional area.

Commissioner Dahlby stated that Cedar Rapids is encouraging more walking and pedestrian activity and asked if there would be access in the back of the building. Mr. Hartz said the one entrance will be in the front and the feasibility of it does not allow for another entrance. It is near public transit and close to the bike trail that were main points for selecting this site.

Commissioner Dahlby asked in developing the site will they make it easy to access by foot. Mr. Schnoor said they would do the best they can because the site is a challenge.

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

Selim Carew, 3326 Center Point Road NE supports the project coming to the area and was a little concerned about the loading dock on the front.

Matthew Lewis, 3311 Carlisle Street NW and stated his property backs up to this property and is concerned that theft has been a problem in the past and is concerned what security precautions they are taking. Mr. Lewis was also concerned about removal of the Orkin building that he will look at cars because of the elevation. In addition, regarding elevation, once the Orkin building is going to be how the drainage issue will be resolved. Mr. Schnoor stated the final design of the site construction plan and there is room to add a screening berm on the east side, grading wise they are cutting that down and the water will continue to drain toward the south or west into the parking lot. Mr. Hartz addressed the security and lighting, the main concern is not to disrupt the neighbors with lights as they are not a 24 hour operation. Operations are 7am to 9pm. The lights would be dimmed or off at 10pm. They will install security cameras for safety.

Commissioner Overland called for a motion. Commissioner Wilts made a motion to approve the preliminary site development plan in a C-2, Community Commercial Zone District. Commissioner Knox-Seymour seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

10. Case Name: Wexford Heights First Addition (Major Preliminary Plat and Rezoning)

a) Consideration of a Major Preliminary Plat, for property north of Blairs Ferry Road NW and east of Michael Drive and Sanden Road as requested by Wexford, Inc. (Applicant) Galilee Baptist Church of Cedar Rapids, Russell and Marjorie Morris, Salem United Methodist Church of Cedar Rapids and LaVonne Hudson (Titleholders).
Case No: PRPT-008261-2014; Case Manager: Chris Strecker

b) Consideration of a rezoning for property north of Blairs Ferry Road NW and east of Michael Drive and Sanden Road from A, Agriculture Zone District to R-1, Single Family Zone District as requested by Wexford, Inc. (Applicant) Galilee Baptist Church of Cedar Rapids, Russell and Marjorie Morris, Salem United Methodist Church of Cedar Rapids and LaVonne Hudson (Titleholders).
Case No: RZNE-008263-2014; Case Manager: Joe Mailander

Mr. Zakostelecky stated this is property that was recently annexed into Cedar Rapids. The development consists of 83 single-family lots with 1/3 acre lots adjacent to existing residential. Mr. Zakostelecky showed a photo of the site and the Preliminary Plat.

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

Commissioner Overland called for a representative of the applicant.

Representatives included Dustin Kerns, 1077 7th Street, Marion, one of the managing developers for the project along with Jon Dusek and Tred Schnoor, Schnoor Bonifazi Engineering, 421 5th Avenue SW

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

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

Verl Day, 5851 Sanden Road stated that adjacent lots be 1/3 acre and asked if they would consider the lots to be larger.

Andrew Barden, 6075 Wells Lane stated he has a horse pasture is on the north side of this property and is concerned about the drainage and he is concerned about the electricity fence for safety of young children.

Mr. Schnoor said that drainage is always a huge concern and would recommend working with the neighbor to resolve the issue. Mr. Schnoor further stated that most of the lots are larger than a third acre. Mr. Kerns said they would be comfortable with making the lots larger than designed.

Commissioner Overland called for a motion. Commissioner King made a motion to approve the Major Preliminary Plat. Commissioner Pankey seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

Commissioner Overland called for a motion. Commissioner Knox-Seymour made a motion to approve the rezoning from A, Agriculture Zone District to R-1, Single Family Zone District. Commissioner Halverson seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

11. Case Name: Tech Place Addition (Major Preliminary Plat)

Recommendation for approval of a Major Preliminary Plat, for property on Scarlett Sage Drive east of C Street SW, south of Prairie Rose Drive SW and west of Hoover Trail as requested by Jerry's Homes, Inc. (Applicant/Titleholder).
Case No: PRPT-008256-2014; Case Manager: Chris Strecker

Mr. Zakostelecky stated this area has already been preliminary platted with the zoning as R-3. This is a 35 acre area; storm water management will need to be provided. Mr. Zakostelecky showed an aerial photo and a revised plat showing continuation of a current development.

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

Commissioner Overland called for a representative of the applicant.

Marv Houg, Hall & Hall Engineers, 1860 Boyson Road, Hiawatha, IA stated that the project was reduced by 6 lots and also reduced to two cul-de-sacs.

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

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

Commissioner Overland called for a motion. Commissioner Knox-Seymour made a motion to approve the Major Preliminary Plat for property on Scarlett Sage Drive east of C Street SW, south of Prairie Rose Drive SW and west of Hoover Trail. Commissioner King seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

12. Case Name: 568 Boyson Road NE (Conditional Use)

Recommendation for approval of a conditional use for outdoor service in an C-2, Community Commercial Zone District as requested by Yeknap 1, Inc. (Applicant) and Culver's Bowman Square Properties, LLC (Titleholder)
Case No: COND-008349-2014; Case Manager: Dave Houg

Commissioner Pankey recused himself.

Mr. Houg stated this request is for outdoor service with new constructed commercial steakhouse in the middle of a large retail center. Mr. Houg showed a site plan of the area and seating area layout.

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

Commissioner Overland called for a representative of the applicant.

The Representative is Richard Pankey, Point Builders, 270 50th Avenue SW

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

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

Commissioner Overland called for a motion. Commissioner Wilts made a motion to approve the conditional use for outdoor service in a C-2, Community Commercial Zone District. Commissioner Halverson seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

13. Case Name: 101 1st Avenue SW and 200 1st Avenue NW (Rezoning)

Recommendation for approval of a rezoning from C-3, Regional Commercial Zone District and C-4, Central Business Zone District to PUD-2, Planned Unit Development Two Zone

District as requested by Ryan Companies US Inc. (Applicant) and City of Cedar Rapids, Cedar Rapids Development Group, LLC and Steven W. and Jean M. Novak (Titleholders) ***Case No: RZNE-008542-2014; Case Manager: Joe Mailander***

Mr. Zakostelecky stated this property is for the proposed Casino as well as the parking ramp. Mr. Zakostelecky showed the proposed site plans for the Casino and the parking ramp as well as an aerial photo and rendering of the Casino and parking ramp.

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

Steve Gray, 625 First Street SE, Suite 420, stated that this is now a three year project. Commissioner Overland called for a representative of the applicant.

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

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

Commissioner Overland called for a motion. Commissioner Pankey made a motion to approve the rezoning from C-3, Regional Commercial Zone District and C-4, Central Business Zone District to PUD-2, Planned Unit Development Two Zone District. Commissioner Halverson seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

Other Business

- Consideration to amend Chapter 32 of the Municipal Code, the Zoning Ordinance, to modify standards for accessory structures, urban agriculture, on-site navigational signage, gymnasiums in industrial areas and to correct other errors and omissions and to clarify the roles and responsibilities of the Development Services Department in the review and approval process. ***Case No: OB72241; Case Manager: Seth Gunnerson***

Mr. Gunnerson said that there were several items that required an update in Chapter 32 of the Municipal Code, the Zoning Ordinance.

- On-site navigation signage under 6 feet would be exempted from sign permitting due to the amount of variance requests and general acceptance that the smaller size was negligible in determining signage for a lot.

- Garage sizes have been an issue in the past few years when the sizing requirement was changed to be smaller. Staff recommends leaving the sizing the same, but introducing criteria which staff would be allowed to approve garages being larger without having to go to BOA. These would include height restriction, location on the lot, and doors facing the street as some examples.

- Urban Agriculture would be allowed in all zoning districts. There have been a few requests for this type of use as a primary and secondary use on parcels. This language would clarify this as well as allow for smaller personal tractors to be used on plots of

land. The sizing of the parcel would also determine when permitting would be required for erosion control.

- Gymnasiums in industrial areas were also briefly discussed; they would be a conditional use so zone changes would not be required to accommodate a project in an industrial area.

Brief discussion on the reorganization of city departments will also take place in this ordinance update to account for the roles of Development Services in the development process. The last two items discussed were a typing error regarding small group living definition and a parking definition for retail general that was mistakenly omitted in a previous update.

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

Commissioner Overland called for a motion. Commissioner Halverson made a motion to amend Chapter 32 of the Municipal Code, the Zoning Ordinance, to modify standards for accessory structures, urban agriculture, on-site navigational signage, gymnasiums in industrial areas and to correct other errors and omissions and to clarify the roles and responsibilities of the Development Services Department in the review and approval process. Commissioner Wilts seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

The meeting was adjourned at 6:50 pm

Respectfully Submitted,
Betty Sheets, Administrative Assistant
Community Development and Planning