



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, July 10, 2014 @ 3:00 p.m.**

**Cedar Rapids City Hall Council Chambers, 101 First Street SE**

Members Present: Scott Overland, Chair  
Jim Halverson, Vice – Chair  
Carletta Knox-Seymour  
Richard Pankey  
Kim King

Members Absent: Virginia Wilts  
Samantha Dahlby

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

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 five (5) Commissioners present.

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the June 19, 2014 Minutes stand approved.

Commissioner Overland called for any additions or corrections to the agenda.

Commissioner Overland stated that for the record the applicants request for a communication tower was postponed to a future meeting until they had a chance to meet with the neighborhood. The City of Cedar Rapids through City staff is reviewing the communication tower regulations as it relates to FCC law and a review of that ordinance will be brought before the City Planning Commission in the future. Commissioner Overland stated with that correction, the agenda stands approved.

**1. Case Name: 3215 Johnson Avenue NW (Conditional Use) – Postponed to future meeting**

Consideration of a Conditional Use for a Communications Tower in a R-2, Single Family Residential Zone District and C-2, Community Commercial Zone District 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***

**2. Case Name: 3300 1<sup>st</sup> Avenue NE (Conditional Use)**

Consideration of a Conditional Use for an Outdoor Service Area in a C-3, Regional Commercial Zone District as requested by Gary Rozek (Applicant) and James and Alya Aossey (Titleholders)

***Case No: COND-010919-2014; Case Manager: Dave Houg***

Mr. Houg stated this was a request for an Outdoor Service Area in a C-3 zone district for the Starlite Room Tavern at 3300 1<sup>st</sup> Avenue NE. Mr. Houg presented general information about the site, an aerial photo, location/zoning map, Preliminary Development Site Plan, Patio layout, street view as well as recommended conditions. Mr. Houg stated that if approved by the City Planning Commission, the Board of Adjustments will consider the request at its meeting on July 14, 2014.

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

Commissioner Overland called for a representative of the applicant.

Sam Aossey, 3833 Riverside Drive NE and Gary Rozek, 3460 Cottage Grove Avenue SE stated that Lt. Deeds had visited the site for police department inspection and had expressed no concerns. The patio has 4 surveillance cameras and will be fully staffed.

Commissioner Overland called for questions of the applicant.

Commissioner Knox-Seymour asked what some of the other conditions were. Mr. Aossey stated that there was a condition for a higher fence, however with a fully staffed patio area; this was not required by the Police Department. Mr. Houg stated that higher staffing levels equals less fencing requirements.

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 an Outdoor Service area in a C-3, Regional Commercial Zone District. Commissioner Pankey seconded the motion.

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

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

**3. Case Name: 3325 Center Point Road NE (Conditional Use)**

Consideration of a Conditional Use for an Outdoor Service Area in a C-2, Community Commercial Zone District as requested by Richard Baxter (Applicant) and Robert E. Himes (Titleholder)

*Case No: COND-010943-2014; Case Manager: Dave Houg*

Mr. Houg stated this was a request for an Outdoor Service Area in a C-2 zone district at 3325 Center Point Road NE for the site of the former Londoner Restaurant. Mr. Houg presented general information, an aerial photo, location/zoning map, street view, site development plan as well as conditions. Mr. Houg stated that if approved by the City Planning Commission, the Board of Adjustments will consider the request at its meeting on July 14, 2014.

Commissioner Overland called for questions of Mr. Houg.

Commissioner Pankey asked if there would be access to the patio from the parking lot. Mr. Houg stated that the applicant will provide an emergency egress, but wasn't sure if entrance could be made from outside. Commissioner Pankey asked if the only ingress would be from the inside of the restaurant. Mr. Zakostelecky stated the requirement is that the applicant provides full time staff. If full time staff is not available, the only ingress/egress would be from the inside of the restaurant.

Commissioner Overland called for a representative of the applicant.

Ryan Evans, 2452 Deborah Drive SW said he was adding two emergency exits to the outside service area. He has contacted Lt. Deeds for an inspection.

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

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

Dave Nunemaker, 7806 Council Street NE asked when the Outdoor Service Area was expected to open. Commissioner Overland stated that if the Board of Adjustments approved the request on July 14, 2014 it would move forward shortly after that.

Commissioner Overland called for a motion. Commissioner King made a motion to approve the Conditional Use for an Outdoor Service Area in a C-3, Regional Commercial Zone District. Commissioner Knox-Seymour seconded the motion.

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

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

The meeting was adjourned at 3:10 PM

Respectfully Submitted, Betty Sheets  
Administrative Assistant  
Community Development and Planning