



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 31, 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

DSD Staff: Joe Mailander, Manager
Vern Zakostecky, Planner

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 seven (7) Commissioners present.

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the July 10, 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.

1. Case Name: 6340 Muirfield Drive SW (Rezoning)

Consideration of a Rezoning from C-MU, Commercial Mixed Use Zone District to O-S, Office/Service Zone District as requested by Kids Inc. (Applicant) and Abode Construction Inc. (Titleholder)

Case No: RZNE-011223-2014; Case Manager: Vern Zakostecky

Mr. Zakostecky stated the property is currently undeveloped and zoned C-MU. Daycares are allowed in the C-MU Zoning District however the applicant has no plan for developing housing so the O-S Zoning is the most appropriate zoning for this use. Kids Inc. has an existing facility at 5821 C Street SW which it has out grown. Mr. Zakostecky presented a location/zoning map, general information, aerial photo, previously approved site plan, Preliminary Site Development Plan and photos of similar building.

Commissioner Overland called for questions of Mr. Zakostecky.

Commissioner Overland called for a representative of the applicant.

Chad Pelley, Compass Commercial Services, LLC, 1641 Boyson Square Drive, Hiawatha was there on behalf of the applicant and stated he could answer question regarding the project.

Commission King asked if the outdoor area would be fenced. Mr. Pelley stated that their location in Iowa City had a fence and this site would also have fencing.

Commissioner Overland stated that going to an Office-Service Zone District was down zoning the property.

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

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

Darryl Allison, 1324 Scarlet Sage Drive SW stated that the traffic in the area was bad and wondered if there were going to be any traffic signals installed. Mr. Zakostecky stated he would ask traffic engineers if one would be installed.

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the rezoning from C-MU, Commercial Mixed Use Zone District to O-S, Office/Service Zone District. Commissioner Wilts 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.

2. Case Name: 201 1st Street SE (Preliminary Site Development Plan)

Consideration of a Preliminary Site Development Plan in a C-4, Central Business Zone District, as requested by Cedar Real Estate Group III, LLC (Applicant) and City of Cedar Rapids (Titleholder)

Case No: PSDP-011467-2014; Case Manager: Joe Mailander

Commissioner Halverson asked to be excused from the meeting for this requested site plan consideration.

Mr. Mailander stated the applicant is proposing the development of a new multi-story office building at 201 1st Street SE. The site is currently owned by the city and was the former site of

the 1st Street Parade. The proposed building will be 12 stories and include a 4 level parking garage, 8 stories of office space and commercial on the ground floor as well as construction of a flood wall element and trail along the Cedar River side. Mr. Mailander presented a location/zoning map, general information, Preliminary Site Plan and Renderings of the building.

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

Commissioner Overland called for a representative of the applicant.

Tred Schnoor, 431 Fifth Avenue SW stated he would be happy to answer any questions.

Commissioner Overland called for questions of the applicant.

Commission King asked how the solar windows worked. Franklin Rainbolt, 118 2nd Avenue SE responded that the solar windows will keep the offices cool in the summer and warm in the winter.

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 Pankey made a motion to approve the Preliminary Site Development Plan in a C-4, Central Business Zone District. Commissioner King 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.

Commissioner Halverson returned to the meeting.

3. Case Name: 2015 J Street SW (Rezoning)

Consideration of a Rezoning from R-3, Single Family Residence Zone District to R-3D, Two Family Residence Zone District as requested by Robert J. Burrell (Applicant/Titleholder)
Case No: RZNE-011471-2014; Case Manager: Vern Zakostelecky

Mr. Zakostelecky stated the property is developed with a residential structure that was in the past used as a two-family dwelling unit. The property lost its legal non-conforming status and the applicant purchased the property under the assumption it could be used as a duplex however, working on permits to remodel, found the property could not be used as a duplex unless rezoned. Mr. Zakostelecky presented a site plan, general information, an aerial photo as well as a photo of the house.

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

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.

Lyle Vance, 240 20th Avenue SW stated that he had lived there for many years and witnessed renters who did not take care of the properties and landlords who did not live in the area and did not know what their renters were doing. Mr. Zakostecky stated that under a new ordinance, landlords had to be registered and take a class and if there was disturbance in house, the landlord is notified of any issues.

Commissioner Overland called for a motion. Commissioner Pankey made a motion to approve the rezoning from R-3, Single Family Residence Zone District to R-3D, Two Family Residence 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.

4. Case Name: 435 8th Avenue SW, 1238 10th Street NW, 1116 K Street SW and 809 E Avenue NW (Rezoning)

Consideration of a Rezoning from R-3, Single Family Residence Zone District, RMF-1, Multiple Family Residence Zone District and RMF-2, Multiple Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by City of Cedar Rapids (Applicant) and City of Cedar Rapids and Michael and Lindsey Meier (Titleholders)

Case No: RZNE-011893-2014; Case Manager: Vern Zakostecky

Mr. Zakostecky stated this is another round of City owned properties to be rezoned to the R-TN. The property at 809 E Avenue NW is privately owned but needs to be rezoned for the owner to close on the house. The house is developed as part of the ROOTs Program. The other 3 City-owned properties will be developed with single-family homes. Mr. Zakostecky showed a location map of the properties.

Commissioner Overland called for questions of Mr. Zakostecky. 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 Wilts made a motion to approve the rezoning from R-3, Single Family Residence Zone District, RMF-1, Multiple Family Residence Zone District and RMF-2, Multiple Family Residence Zone District to R-TN, Traditional Neighborhood Residence 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.

5. Case Name: 1016 2nd Street SW, 1100 K Street SW, 1104 K Street and 1108 K Street SW (Rezoning)

Consideration of a Rezoning from R-3, Single Family Residence Zone District to RMF-2, Multiple Family Residence Zone District as requested by City of Cedar Rapids (Applicant/Titleholder)

Case No: RZNE-011919-2014; Case Manager: Vern Zakostecky

Mr. Zakostecky stated this was another round of City-owned properties for rezoning. These properties are being requested for rezoning to RMF-2 in order to develop the parcels with a 5-unit townhouse structure. Mr. Zakostecky showed a location map.

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

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

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the rezoning from R-3, Single Family Residence Zone District to RMF-2, Multiple Family Residence 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.

New Business

- Chapter 32 Update: Sandwich Board Signs – Seth Gunnerson

Mr. Gunnerson stated the Sign Code within the Zoning Ordinance permits small portable A-frame signs, commonly called sandwich board signs, within the Downtown SSMID district. Staff has been made aware that several businesses in other core area neighborhoods, such as New Bohemia and Czech Village, have been placing these signs in front of their businesses.

Staff believes that these signs are appropriate in other core neighborhoods which are pedestrian in nature. When researching current permitting practices, staff has discovered that many signs located within the Downtown SSMID have not been issued a permit. Businesses are generally not aware of the requirements and place the signs outside their businesses believing it is permitted.

The following ordinance was recommended by the Development Committee on June 30th:

- **Eliminate permit requirement for Sandwich Board signs.** The City would no longer require an application and encroachment permit process for the placement of sandwich board signage.
- **Develop Placement Criteria.** The ordinance would be amended to establish criteria for the placement of sandwich board signs. Criteria would include maintaining a six foot clear space in the public sidewalk and not creating a traffic hazard. The City will work to

educate businesses about where permissible locations are and notify the business if a violation is found.

- **Expand area where allowed.** Staff recommends expanding the area where sandwich boards are allowed to the identified “core” of the community. Sandwich board signs would be within 10 feet of the entrance to the business.

Staff anticipates a Public Hearing on the proposed ordinance at City Council on August 26.

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

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 permitting of sandwich boards. Commissioner Wilts seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion

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

- Report on Communication Towers – Jeff Hintz

Mr. Hintz reported that staff had met with City Council members in small group meetings and will schedule a meeting with stakeholders and communication entities in the next week or two. This will come before the City Planning Commissioners in the near future before going to City Council.

The meeting was adjourned at 3:55pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant
Community Development and Planning