



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, August 21, 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 Zakostelecky, 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 31, 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.

I. Case Name: 2727 16th Avenue SW (Rezoning and Conditional Use)

- a. Consideration of a Rezoning from R-2, Single Family Residence Zone District to C-3, Community Commercial Zone District as requested by MidAmerican Aerospace (Applicant) and S & C Realty Associates (Titleholder)
Case No: RZNE-011721-2014; Case Manager: Vern Zakostelecky
- b. Consideration of a Conditional Use for Warehousing, Wholesaling and Distribution in a C-3, Community Commercial Zone District as requested by MidAmerican Aerospace (Applicant) and S & C Realty Associates (Titleholder)

Case No: COND-011719-2014; Case Manager: Dave Houg

Mr. Zakostelecky stated this was a rezoning and conditional use request for the old K-Mart property at 2727 16th Avenue by MidAmerican Aerospace. MidAmerican is currently located on Blairs Ferry Road and have outgrown their space. Mr. Zakostelecky presented a location/zoning map, general information, aerial photo and building renderings. Mr. Zakostelecky stated that MidAmerican was providing 58 parking spaces for their use, and northerly portion of the lot would be sold for commercial development. They are providing stormwater management, the entrance would be on the east end of the current building, providing tree buffering and landscaping as well as a building facelift.

Commissioner Overland called for questions of Mr. Zakostelecky.

Commissioner Dahlby recused herself from this project.

Commissioner Halverson stated in addition to the screening, there also seems to be natural screening. Mr. Zakostelecky stated the developer would be able to count that toward the trees. Commissioner Halverson also stated the dock space did not appear to be visible. Mr. Zakostelecky stated it would be along the east side of the building.

Commissioner Overland called for a representative of the applicant.

Brent Jackman, Hall & Hall Engineers, 1860 Boyson Road, Hiawatha, Iowa stated Mr. Zakostelecky had done a great job of explaining the project. Mr. Jackman stated that they had a neighborhood meeting that went well and that there were overhead doors on the east side and not a dock.

Commissioner Overland called for questions of the applicant.

Commissioner Knox-Seymour stated there is a huge parking lot on the property. Mr. Jackman stated that in the future the lot next to 16th Avenue would be for sale for future commercial development.

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

Mike Smejkel, 2608 Matthew Drive SW stated that he lives near this building and since seeing the plans feels this is a great opportunity to turn an old building into something new and approves of the rezoning.

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the rezoning from R-2, Single Family Residence Zone District to C-3, Community Commercial Zone District. Commissioner Pankey 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. Commissioner Halverson made a motion to approve the Conditional Use for Warehousing, Wholesaling and Distribution in a C-3, Community Commercial Zone District. 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.

Commissioner Dahlby returned to the dais.

2. Case Name: 1103 and 1201 Blairs Ferry Road NE (Rezoning)

Consideration of a Rezoning from I-1, Light Industrial Zone District to PUD-1, Planned Unit Development One Zone District as requested by Hunter Companies, LLC (Applicant) and Nash Finch Company and Northwestern States Portland Cement Co (Titleholders)

Case No: RZNE-011742-2014; Case Manager: Vern Zakostelecky

Mr. Zakostelecky stated this was a proposed zoning of the Nash Finch and Northwestern States Portland Cement Co. properties along Blairs Ferry Road NE between Council Street and Rockwell Drive in an I-1 Zone District and proposed zoning of C-3 to be more consistent with the property to the west, north and south. The applicant will demo the 23 acre site and build a mix of commercial and retail. There will be four accesses, one on Council and three on Blairs Ferry to the property. The applicant will present site plans to CPC as the area is developed. Mr. Zakostelecky presented a location/zoning map, general information and a Master Plan.

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

Commissioner Overland called for a representative of the applicant.

Shannon Thompson, Bradley and Riley, 2007 1st Avenue SE was present representing the applicant Hunter Companies. Ms. Thompson stated this area is somewhat blighted and will be converted into useful space. The project will provide 7 to 8 times more tax revenue as well as more green space.

Commissioner Overland called for questions of the applicant.

Commissioner Knox-Seymour commended the applicant and stated that this was a much needed redevelopment of the area and was happy to see it happening.

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

Derek Stepanek, 8720 Deercrest Lane stated that he owns the business to the north of this property and supports and welcome the upgrade and appreciates the quality of the site plan. Mr. Stepanek did want to bring to the commissioners his concern of the existing road way and traffic that is currently there due to the current retail that is there.

Commissioner Overland asked Mr. Zakostelecky if he can comment on the traffic study. Mr. Zakostelecky stated that a traffic impact study is required and the developer may be asked to do

some of the off-site improvements. The applicant will have to return to the Planning Commission with site plans as lots develop. More planning has to go into this project after this rezoning is approved.

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the Rezoning from I-1, Light Industrial Zone District to PUD-1, Planned Unit Development One 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: 1415 Bever Avenue SE (Rezoning)

Consideration of a Rezoning from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Affordable Housing Network, Inc. (Applicant/Titleholder)

Case No: RZNE-011780-2014; Case Manager: Vern Zakostecky

Mr. Zakostecky stated this was a rezoning of 1415 Bever Avenue SE for Affordable Housing Network who has developed many other properties in the Wellington Heights Neighborhood. Mr. Zakostecky presented a location/zoning map and aerial photo.

Commissioner Overland called for questions of Mr. Zakostecky.

Commissioner Dahlby asked if the property would be split north/south with an access through the alley. Mr. Zakostecky stated the lot line would be north/south but still have access from alley.

Commissioner Overland called for a representative of the applicant. No applicant was present

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 Dahlby made a motion to approve the Rezoning from R-3, Single 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

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

4. Case Name: 1415, 1419 and 1427 Center Point Road NE (Rezoning)

Consideration of a Rezoning from O-S, Office/Service Zone District to RMF-2, Multiple Family Residence Zone District as requested by TW Sather Company (Applicant) and Monica J. Brooks (Titleholder)

Case No: RZNE-012080-2014; Case Manager: Vern Zakostelecky

Mr. Zakostelecky stated this was a rezoning request for two 30 unit multi-family buildings at 1415, 1419 and 1427 Center Point Road NE. Mr. Zakostelecky stated the applicant is applying for round six of an Iowa Economic Development Authority program with final application due to the State on September 2, 2014. Mr. Zakostelecky presented a location map, general information, aerial photo, Preliminary Site Development Plan as well as several building elevations.

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

Commissioner Overland called for a representative of the applicant.

Tom Sather, 6527 Normandy Lane, Madison, Wisconsin along with Monica Brooks the owner of the property was present. This is the final round of CDBG funding. IEDA is looking for uniquely qualified urban infill, very green buildings, extremely green projects, recycled materials, density positive green attribute preventing urban sprawl. From a planning perspective this project makes sense. The Commercial use surrounded by residential currently could be considered spot zoning.

Commissioner Overland called for questions of the applicant.

Commissioner Dahlby stated that the current site has a lot of nice trees and would they be able to save any of the trees. Mr. Sather stated that they would have to do a tree inventory, one of the criteria prior to the final site plan. Mr. Zakostelecky stated that any tree that is taken out will have to be mitigated for over and above for landscaping. Mr. Zakostelecky provided a couple handouts explaining the additional funds available for the program such as stormwater management, permeable paving and bio retention which will provide more funding from the State.

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

Pam Evens, 1235 Center Point Road NE, Marilyn Winch, 1335 O Avenue NE, Sherri Bolton, 1434 Center Point Road NE, Gary Brown, 2034 Birchwood Drive NE, Sue Hays, 2825 Waveland Drive NW, Rose Maquire, 1301 O Avenue NE, Ryen Russell, 1322 O Avenue NE, Kathleen Ahart, 1400 Center Point Road NE, Kathy Payvandi, 349 Woodland Drive SE, John Cejka, 1327 L Avenue NE, Jerry Tichy, 1315 O Avenue NE, Mary Determann, 1620 Center Point Road NE, Laura Brooks Weigand, 2601 Fitchrona Road, Verona, Wisconsin, expressed their concerns as follows:

- ✓ Increased traffic
- ✓ Noise
- ✓ Density too high
- ✓ Displacement of wildlife
- ✓ Water run-off
- ✓ Subsidized housing
- ✓ Police presence at current apartments
- ✓ Drugs at current apartments
- ✓ Over saturation of apartments complexes– 12 in the area
- ✓ Suggestion of two way streets on Oakland and Center Point Road
- ✓ Management Company concerns and screening

- ✓ Institutional Design
- ✓ Suggest consistent design to blend architecturally with the neighborhood
- ✓ Rezoning of this property will not stop future growth in this neighborhood

Commissioner Overland asked for Mr. Zakostelecky and Mr. Mason to help answer some of the questions and concerns.

Mr. Zakostelecky said there has been discussion to convert both Oakland Road and Center Point Road back to two-way traffic. This property is currently zoned O-S and approved for two office buildings to be built on this property. With office development the traffic would be far worse.

Mr. Zakostelecky stated this development will not contribute to water run off issues.

Mr. Mason was asked to give information on the multi-family new construction program. Mr. Mason stated the program is not subsidized housing. The State announced a final round of funding. The form of assistance is for hard cost of construction when they set aside a number of their units for working class income. The developer is competing with several others in the area as well as 4 other large cities in the State. IEDA is looking at shovel readiness zoning. The City anticipates the State awarding funds in January next year.

Commissioner Overland asked if the developer has requirements to meet in exchange for funding from this program. Mr. Mason stated, yes, the developer has maintenance responsibility, affordability terms, 51% of the 60 units would be income restricted for a period of 10 years and the rest would be market rate. One of the things the State is doing is a storm water incentive for innovative stormwater management. This developer has asked for this funding also.

Commissioner Knox-Seymour asked to be clear that there would be local management to manage the property as well as the amount of the income. Mr. Mason stated that yes it would be a local management company along with stringent screening and background checks. Minimum income for 51% of the units with income levels of approximately \$56,000 or below. The others are market rate. Tenant selection plan has to be provided to the City prior to renting.

Commissioner Overland asked the applicant to return to the podium.

Mr. Sather stated he would address the concerns. With respect to traffic generally speaking, going from commercial to residential is considered a down zoning as it has less potential adverse effect. Anyone concerned about traffic should be in support of a residential zoning as it has less potential adverse impact.

With respect to storm management, we are not allowed to release water from a site at rate over what is coming off the site today nor allowed to make water run off worse. IEDA is offering funds for very high tech stormwater management.

The biggest misconception is that this program is not a rental assistance program. No rental assistance is attached to this program. This program is a grant program that allows projects to be built that otherwise would not be financial feasible for providing flood relief from disasters. This provides a unique opportunity for the buyer and the seller. The allowed rents are \$889 a month for a one bedroom or \$1069 for a two bedroom apartment. The project has heated underground parking, washers and dryers in each unit and using Preferred Property Management with criminal background, credit checks and screening. The project should have tenants that the neighbors

would like to have. A higher value project brings up the value of the lower value properties in the neighborhood. This project is at a cost of \$170,000 per unit. Time is of the essence for rezoning due to State requirements. A lot of people across 73 counties in Iowa are submitting applications for these monies from Washington DC. The need here in Cedar Rapids is great. Vacancy rate is 2.3%. The 60 units will put a small dent in the need here in Cedar Rapids.

Commissioner Overland asked for questions of the applicant.

Commissioner King asked about outreach to the neighborhood. Mr. Sather stated that he did not anticipate any neighborhood resistance since this was down zoning. He has sent an invitation to the neighbors for next Tuesday, August 26, 2014 at noon for a meeting at the Double Tree Hotel for one-on-one meetings with the neighbors.

Commissioner King asked why 60 units was needed. Mr. Sather said he was trying to maximize what will bring the most housing to this community. From a financial feasibility standpoint, \$3,000,000 is the maximum amount credits allowed per project. The site of 2.7 acres can accommodate this amount of units.

Commissioner Wilts asked about parking, 26 parking under the building and regular parking in the lot between the two units. Mr. Sather stated that proposed parking is at Cedar Rapids standards. Mr. Zakostecky stated that they were providing two parking spots per unit plus 10% over and above that is for guest parking.

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the Rezoning from O-S, Office/Service Zone District to RMF-2, Multiple Family Residence Zone District. Commissioner Pankey seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Halverson stated that the traffic is an issue but in general downzoning is less intrusive than a commercial development. There are a number of conditions that they have to satisfy making this application. Rents do not weigh in on City Planning Commission decision. It is a very sound infill project, very appropriate for that area.

Commissioner Knox-Seymour stated that she supports this project with the supporting material that was provided and overall it is a good project because our community is growing whether we like it or not, it is growing and we have to accommodate each other.

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

5. Case Name: 353 2nd Avenue SW, 210 5th Street SW and vacant land southerly of 2nd Avenue SW (Rezoning)

Consideration of a Rezoning from C-3, Regional Commercial Zone District and RMF-2, Multiple Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Progression LC (Applicant/Titleholder)
Case No: RZNE-012265-2014; Case Manager: Vern Zakostecky

Mr. Zakostecky stated this was another project that is being presented for rezoning due to their application submitting to the State for the same program as the previous project. The buildings were removed due to the damage from the flood in 2008 and property was owned by the School District. Mr. Zakostecky presented general information, Preliminary Site Plan as well as several building elevations.

Commissioner Overland called for questions of Mr. Zakostecky.

Commissioner Halverson asked if the larger of the two buildings is more like a townhouse. Mr. Zakostecky stated that was correct.

Commissioner Overland called for a representative of the applicant.

Steve Emerson, 221 2nd Avenue SE, Shellsburg, Iowa said he would be happy to answer any questions.

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 Overland called for a motion. Commissioner Halverson made a motion to approve the Rezoning from C-3, Regional Commercial Zone District and RMF-2, Multiple Family Residence Zone District to 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.

New Business

Commissioner Overland asked Jeff Hintz to give an updated report on the Communications Tower ordinance.

Mr. Hintz stated the stakeholder group met last Wednesday, August 13, 2014 and heard a lot of concerns about towers. Staff drafting amendment to the current communication tower regulations based on concerns the stakeholders had with the current regulations and will present that to the Development Committee on September 20, 2014 and then the changes will be presented to the City Planning Commission.

Commission Pankey stated that is a need for educating the Commissioners on the process and the criteria and to be able to validate the process.

The meeting was adjourned at 4:30 pm

Respectfully Submitted,
Betty Sheets, Administrative Assistant, Community Development