

AGENDA
CITY PLANNING COMMISSION MEETING
Thursday, February 26, 2015 @ 3:00 PM
City Hall Council Chambers
101 First Street SE, Cedar Rapids, IA 52401

Call Meeting to Order

Roll Call

A. Approval of the Minutes

B. Adoption of the Agenda

C. Action Items

1. Case Name: 42 7th Avenue SW (Rezoning)

Consideration of a Rezoning from I-1, Light Industrial Zone District to C-4, Central Business Zone District as requested by Hobart Historic Restoration (Applicant) and Linn County (Titleholder)
Case No: RZNE-015584-2014; Case Manager: Vern Zakostecky

2. Case Name: 42 7th Avenue SW (Conditional Use)

Consideration of a Conditional Use for ground floor for market rate housing or commercial (Office/Retail) Space in a C-4, Central Business Zone District as requested by Hobart Historic Restoration (Applicant) and Linn County (Titleholder)
Case No: COND-015585-2014; Case Manager: Vern Zakostecky

3. Case Name: 1027 9th Street SW (Rezoning)

Consideration of a Rezoning from R-3, Single Family Residence Zone District to O-S, Office/Service Zone District as requested by C.R. Ryders, LLC (Applicant/Titleholder)
Case No: RZNE-015964-2015; Case Manager: Vern Zakostecky

4. Case Name: 423 5th Street NW (Rezoning)

Consideration of a Rezoning from PUB, Public Zone District to C-3, Regional Commercial Zone District as requested by Ivan Luckett Clay (Applicant/Titleholder)
Case No: RZNE-016201-2015; Case Manager: Vern Zakostecky

D. New Business

**MINUTES OF
CITY PLANNING COMMISSION MEETING,
Thursday, February 5, 2015 @ 3:00 p.m.**

Cedar Rapids City Hall Training Room, 101 First Street SE

Members Present: Scott Overland, Chair
Carletta Knox-Seymour
Virginia Wilts
Samantha Dahlby
Richard Pankey
Dominique Blank
Bill Hunse

Members Absent: Jim Halverson, Vice Chair
Kim King

DSD Staff: Vern Zakostelecky, Planner

CD Staff: Seth Gunnerson, Planner
Jeff Hintz, Planner
Jennifer Pratt, Interim Director
Adam Lindenlaub, Planner
Anne Russett Planner
Betty Sheets, Administrative Assistant

City Council Liaison: Justin Shields

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

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 January 22, 2015 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.

A. Action Items

a. None Available

B. New Business

- a. Referral to City Planning Commission for a report and recommendation on the proposed Apache Hose and Belting Company, Inc. Urban Renewal Area. CIP/DID #OB1344382
Kirsty Sanchez

Commissioner Pankey recused himself from this item.

Ms. Sanchez stated that the City had received an Urban Renewal Area request from Apache Hose and Belting Company at its facility northeast of the intersection of Interstate 380 and U.S. Highway 30 in the City of Cedar Rapids. This district is intended to stimulate private investment through planning and providing sufficient land for new and expanding private development and to achieve a well-balanced diversified economy. Ms. Sanchez stated that it is City code that the City Planning Commission reviews all Urban Renewal Plans. Ms. Sanchez showed an aerial map of the property and explained that the Plan conforms with the InvestCR Element of EnvisionCR which aims to “make Cedar Rapids a desirable place for businesses to start, move, and grow by leveraging resources to invest in business districts and amenities that keep and attract a skilled workforce.”

Commissioner Overland called for questions of Ms. Sanchez.

Commissioner Hulse asked if the City was planning on purchasing the property. Ms. Sanchez stated that Apache Hose owns the property and is expanding their business. Apache Hose is asking for City financial assistance with the expansion of their facility. The expansion of the facility and the creation of new jobs qualify for the City’s Economic Development Program.

Commissioner Overland called for a motion. Commissioner Wilts made a motion to approve the proposed Apache Hose and Belting Company, Inc. Urban Renewal Area. Commissioner Blank 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 Pankey returned to the podium.

C. EnvisionCR Implementation

“EnvisionCR Implementation”

The remainder of the meeting was a review of the implementation of EnvisionCR as it pertains to decisions that will affect the City Planning Commissioners. Seth Gunnerson get an overview of the newly adopted Plan and Vern Zakostelecky presented two projects that had been approved reflecting the changes to staff reports that the Commissioners would see under EnvisionCR and the new Future Land Use Map.

The meeting was adjourned at 4:40 pm

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



Development Services Department
City Services Center
500 15th Avenue SW
Cedar Rapids, IA 52404
Telephone: (319) 286-5043

STAFF REPORT TO CITY PLANNING COMMISSION
Rezoning W/Preliminary Site Development Plan

CPC Date: February 26, 2015

To: City Planning Commission
From: Development Services Department

Applicant: Hobart Historic Restoration
Titleholder: Linn County

Location: 42 7th Avenue SW
Request: I-1, Light Industrial Zone District to C-4, Central Business Zone District

Case Number: RZNE-015584-2015
Case Manager: Vern Zakostecky

BACKGROUND INFORMATION:

This is a request to rezone 1.41 acres to the C-4 Zoning District to allow for rehabilitation of an existing historic structure. The property is currently zoned I-1, but the proposed redevelopment plan is to allow a mix of commercial, office/service and residential uses. The property is identified as “Downtown” (DT) on the City’s Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan. The land is currently developed with a vacant old three story warehouse building. The proposed uses will be commercial, office and residential on the first floor and residential apartment units on the 2nd and 3rd floors. The basement level will be used for storage. The proposed development also includes 58 on-site parking spaces.

FINDINGS:

Section 32.02.030.C.5.e of the Zoning Ordinance requires the City Planning Commission to review the application based on the following criteria:

- 1. Whether the amendment is required to correct a technical mistake in the existing zoning regulations.**

Staff Comments: Not applicable.

- 2. Whether the amendment is consistent with the Future Land Use Policy Plan and other elements of the Comprehensive Plan.**

Staff Comments: The subject property is shown as “Downtown” on the Future Land Use Map (FLUM) in EnvisionCR, the City’s Comprehensive Plan. The “Downtown” Land Use Typology Area (LUTA) should provide for:

a) FORM/USE/INTENSITY CHARACTERISTICS:

- i. Unique regional commercial, employment, cultural and governmental center. Land uses reflect the most mixed use district in the city.

Staff comments: *The proposed redevelopment of this site is commercial, office and residential uses.*

- ii. Multi-family residential with a minimum density of 20 units/acre.

Staff comments: *The residential density is 11.4 per acre.*

- iii. Building intensity is the greatest in the city, with a minimum FAR of 1.0 required.

Staff comments: *The floor area ratio is .41. It should be noted that this doesn’t include the lower level of the building.*

- iv. Variety of building types. Placement characterized by zero or minimal front yard setbacks.

Staff comments: *This does not apply since this is a rehab-reuse of an existing building.*

- v. Parking frequently provided off-site in public parking facilities.

Staff comments: *The proposed development has 58 on-site parking spaces.*

b) LOCATION/COMPATIBILITY CHARACTERISTICS:

- i. Historical location of downtown along the Cedar River. As the most intensively developed area, land use intensity drops off with distance from the center.

Staff comments: *The proposed redevelopment site is on the very edge of the Downtown LUTA, which supports a decrease in units per acre and floor area ratio especially since this is a unique opportunity to re-use a historic structure.*

- ii. Definition of limits of downtown difficult and subject to change over time. Downtown proper bordered by area with less intense downtown support services and public institutions.

Staff comments: *Diagonal Drive/8th Avenue SE is a defining boundary of the downtown in this general area since the Penford Industrial site is on the other side of the street. This proposed development provides a less intense transition on the edge of the Downtown LUTA.*

- iii. Transitions to area where off-street parking is a building requirement must be defined.

Staff comment: *There is no public parking in close proximity to this property, so off-street parking is a necessity for the prospective businesses and tenants.*

c) SERVICE AND INFRASTRUCTURE CONSIDERATIONS:

- i. Full urban services.

This is an older developed and redeveloping part of the City, which is already provided with all facilities and services, including sewage and waste disposal,

water, gas, electricity, police and fire protection, and sidewalks will be constructed and installed by the developer and the proposed change in use will not negatively impact the levels of service to existing development in the general area. The development is relative close to Diagonal Drive/8th Avenue, which is on a bus route and is just across the river from a hard surfaced trail and next to a future trail. The proposed development is within walking distance to the east side downtown area.

Based on the fact this property being designed “Downtown”, is on very edge of this LUTA and the analysis above of the “Land Use Criteria and Descriptions” in the Comprehensive Plan, the requested zone change is in accord with the FLUM and the Goals and Objectives of the City’s Comprehensive Plan.

3. Whether the amendment is consistent with the characteristics of the surrounding area, including any changing conditions.

Staff Comments: The surrounding land uses include the City Police Station to the southwest, public park/open space to the southeast and the Cedar River to the northeast. Northerly of the site is a City owned building that is proposed for redevelopment for a mix of uses similar to this proposed development. Further to the south is the Penford processing plant. The proposed development is consistent with goals and objective of the City Council and the Comprehensive Plan since it provides a mix of commercial and housing in close proximity to the downtown, is an in-fill site and rehabilitates a historic structure.

4. Whether the property is suitable for all of the uses permitted in the proposed district.

Staff Comments: The property is currently developed and is at the corner of two major streets. The proposed reuse of this structure rehabilitates a historic building and provides in-fill development in an area that is designated for downtown development in the Kingston Village Overlay District. The property and propose development is perfectly suitable for all uses permitted in the C-4 Zoning District.

5. Whether the proposed amendment will protect existing neighborhoods from nearby development at heights and densities that are out of scale with the existing neighborhood.

Staff Comment: The proposed rezoning request and redevelopment will not only protect the existing neighborhood from nearby development at heights and densities that are out of scale with the existing neighborhood, it will encourage similar development that meets the goals and objective of the City’s Comprehensive Plan.

6. Whether facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development.

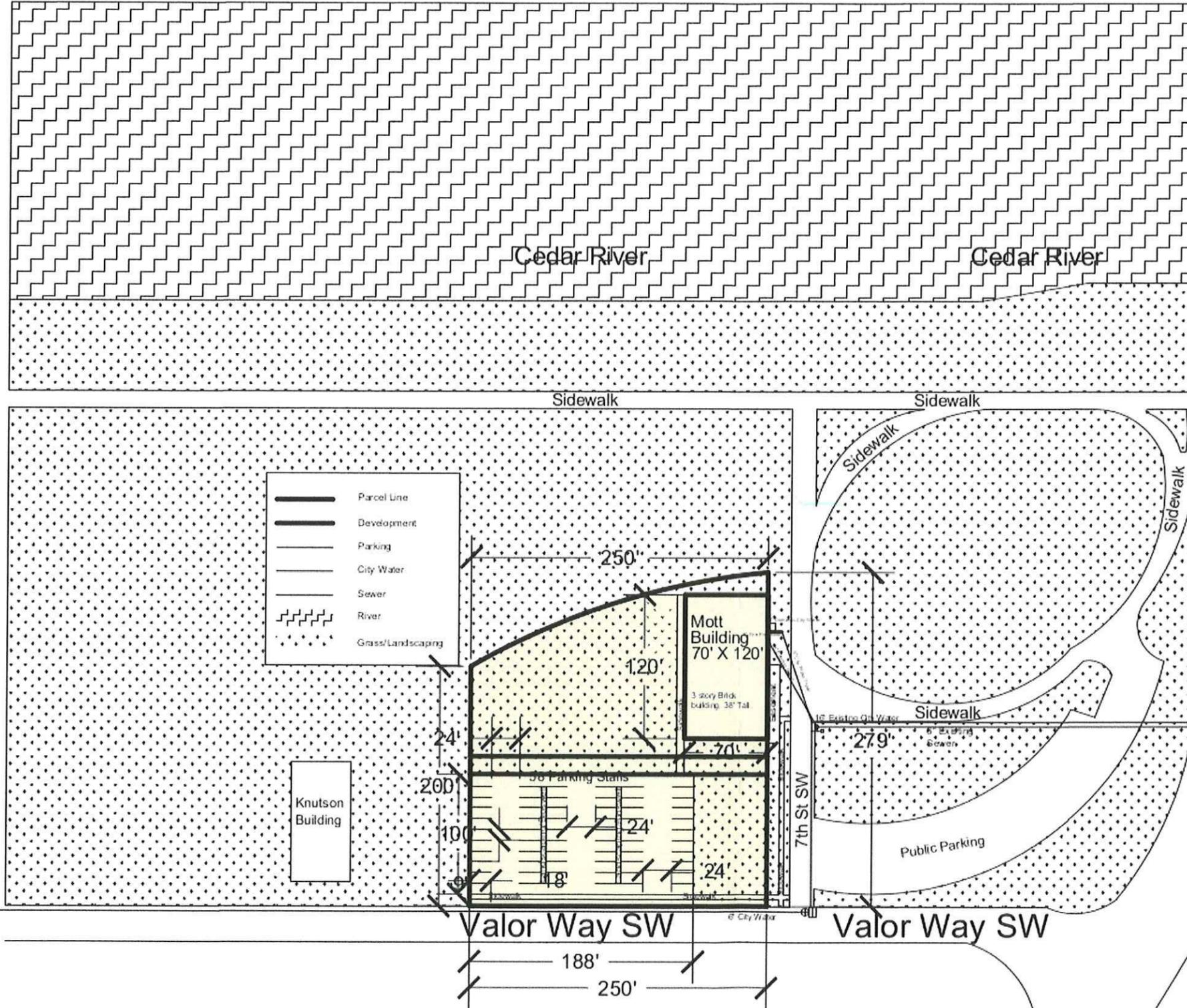
Staff Comments: The surrounding land is currently developed, so the property requested for rezoning is served by all City services. All facilities and services includes public and private utilities, City service such as police and fire protection, solid waste/recycling service, bus

service, and street maintenance are readily available. Adequate levels of service to the existing neighborhood will not be affected.

RECOMMENDED CONDITIONS:

If the City Planning Commission recommends approval of the proposed rezoning, adoption of the following conditions as recommended by City Departments should be considered. The City Planning Commission may approve with additional conditions.

1. Enclosures and/or screening shall be provided for all HVAC, trash, recycling, cardboard, mechanical equipment, and grease and similar service or support containers as per Subsection 32.05.030.A.7. of the Zoning Ordinance. The location and design of each enclosure shall be shown on the Administrative Site Plan and shall be approved prior to issuance of structural building permits. Preliminary building permits for site preparation, installation of utilities, and foundations may be issued prior to approval of the enclosure.
2. Lighting fixtures shall be shielded in a manner that shall not direct illumination on adjacent residential properties, or on any public right-of-way as per Subsection 32.05.030.B. of the Zoning Ordinance.
3. Signage is not being reviewed at this time. Sign permit applications must be submitted and approved and permits obtained prior to erection of signage (Subsection 32.06.020 & 32.06.030 is the sign regulation in the Zoning Ordinance).
4. Sites will need to comply with off-street parking requirement per Chapter 32, Subsection 32.05.020.A or a variance be obtained from the Board of Adjustment.
5. That all parking, drives, and storage areas be surfaced per provisions of the Zoning Ordinance. Surfacing to include asphalt, concrete, brick or asphaltic macadam.
6. This site shall be developed in compliance with the provisions of the Flood Plain Management Ordinance.
7. Review will be required by the Kingston Village Overlay District Design Review Technical Advisory Committee.
8. That approval of this site development plan is subject to the Conditional Use review process and that no Certificate of Occupancy shall be issued for a ground floor dwelling unit until such use is approved by the Board of Adjustment.
9. Said lots are to be combined so as to constitute a single zoning lot and tax parcel.
10. Handicapped parking shall be provided per applicable provisions of the State Code and the Americans with Disabilities Act.
11. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to construct concrete sidewalk along Valor Way SW and 7th Avenue SW adjoining this site. The property owner shall construct the sidewalk improvements in accordance with City Standards, ADA requirements, and improvement plans accepted by the City Public Works Director/City Engineer. The property owner may request deferral of the sidewalk installation requirement if in accordance with the sidewalk installation policy. If a deferral is requested, please submit a formal request with documentation verifying deferral eligibility (cross sections, drawings, etc.).



Scale
1" = 100'

8th Ave SW

Notes:
 Titleholder: Linn County
 Applicant: Hobart Historic Restoration
 Existing zoning: I-1
 Mixed use: 16 rental apartments: 2-3 commercial tenants.
 Building footprint 8400 SF.
 22840 SF Residential use
 7400 SF Commercial use
 Building height ~38'
 Building Dimensions 70' X 120'
 Parking stall dimensions 9'X18' with 3 Handicap stalls.
 Total lot area ~1.41 acres
 Parking lot dimensions 100' X 188' 58 total stalls.



HOBART HISTORIC RESTORATION

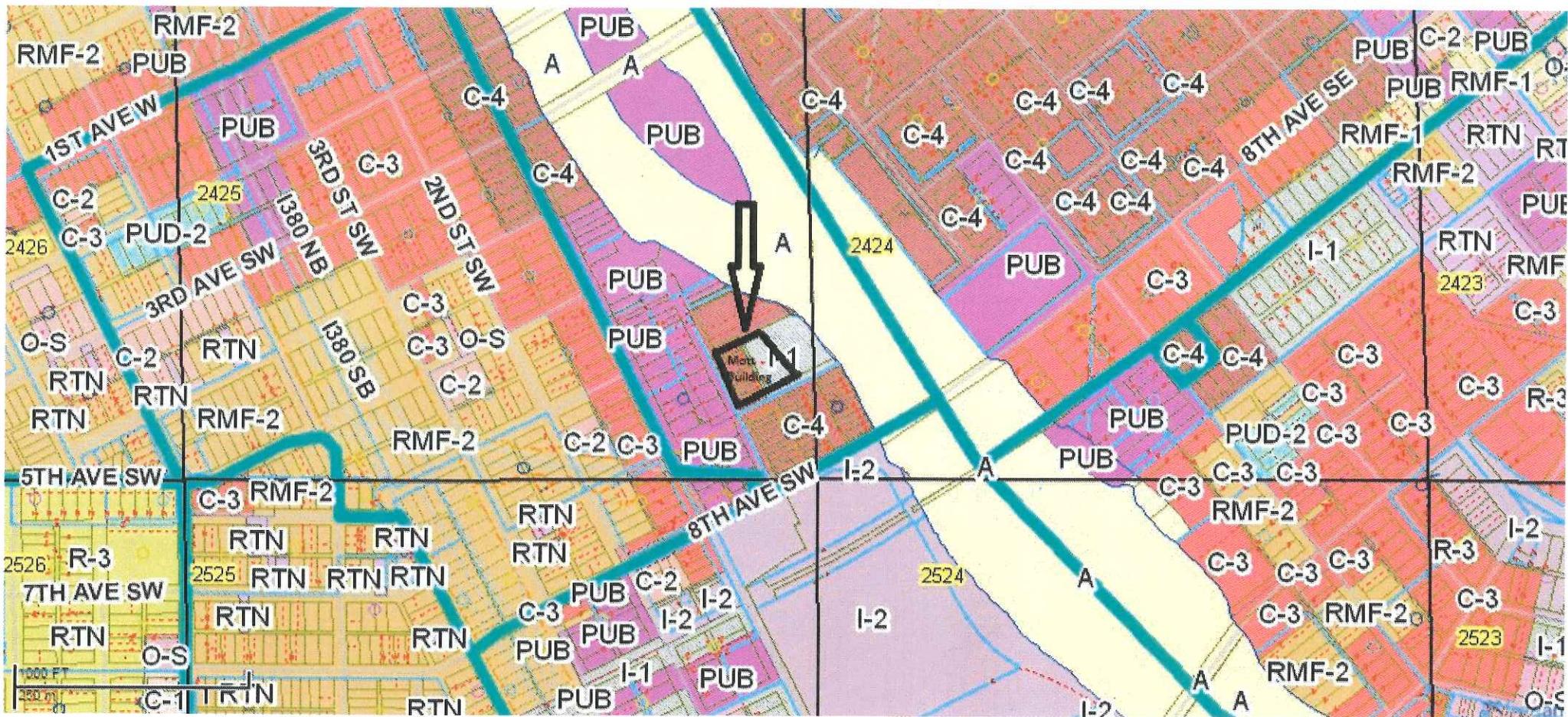
3330 SOUTH GATE CT SW, STE 250C
 CEDAR RAPIDS, IA
 (319) 826-6532

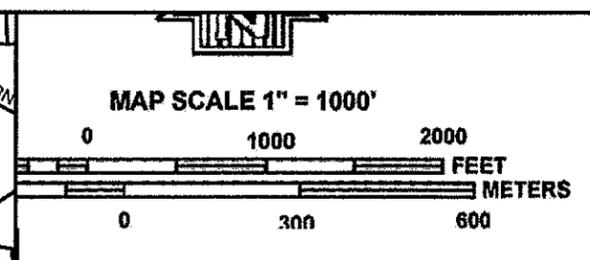
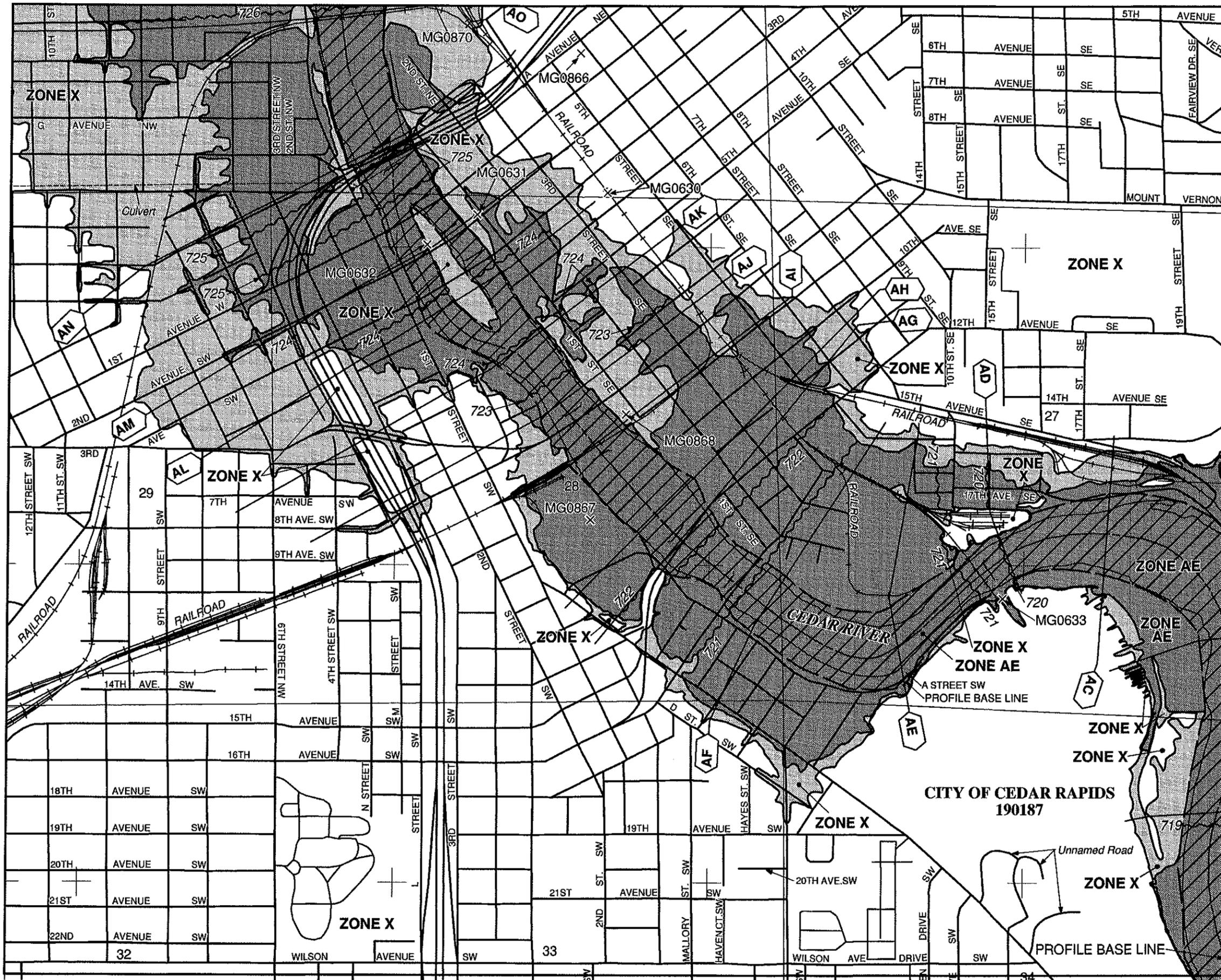
HOBART
 HISTORIC RESTORATION

PLAN SET IS FOR DIMENSIONAL PURPOSES ONLY. HHR IS NOT AN ARCHITECT OR ENGINEER. CONTRACTOR ASSUMES ALL RESPONSIBILITY FOR CONFORMING TO ALL BUILDING CODES / ORDINANCES. CONTRACTOR ALSO ASSUMES ALL RESPONSIBILITY REGARDING STRUCTURAL INTEGRITY, MECHANICAL AND ELECTRICAL DESIGN / CALCULATIONS AND CODES

THIS DOCUMENT IS PROPRIETARY TO HOBART HISTORIC RESTORATION.

PROJECT NAME:	MOTT
CITY, STATE:	CEDAR RAPIDS, IA
DATE:	12/04 / 2014





PANEL 0410D

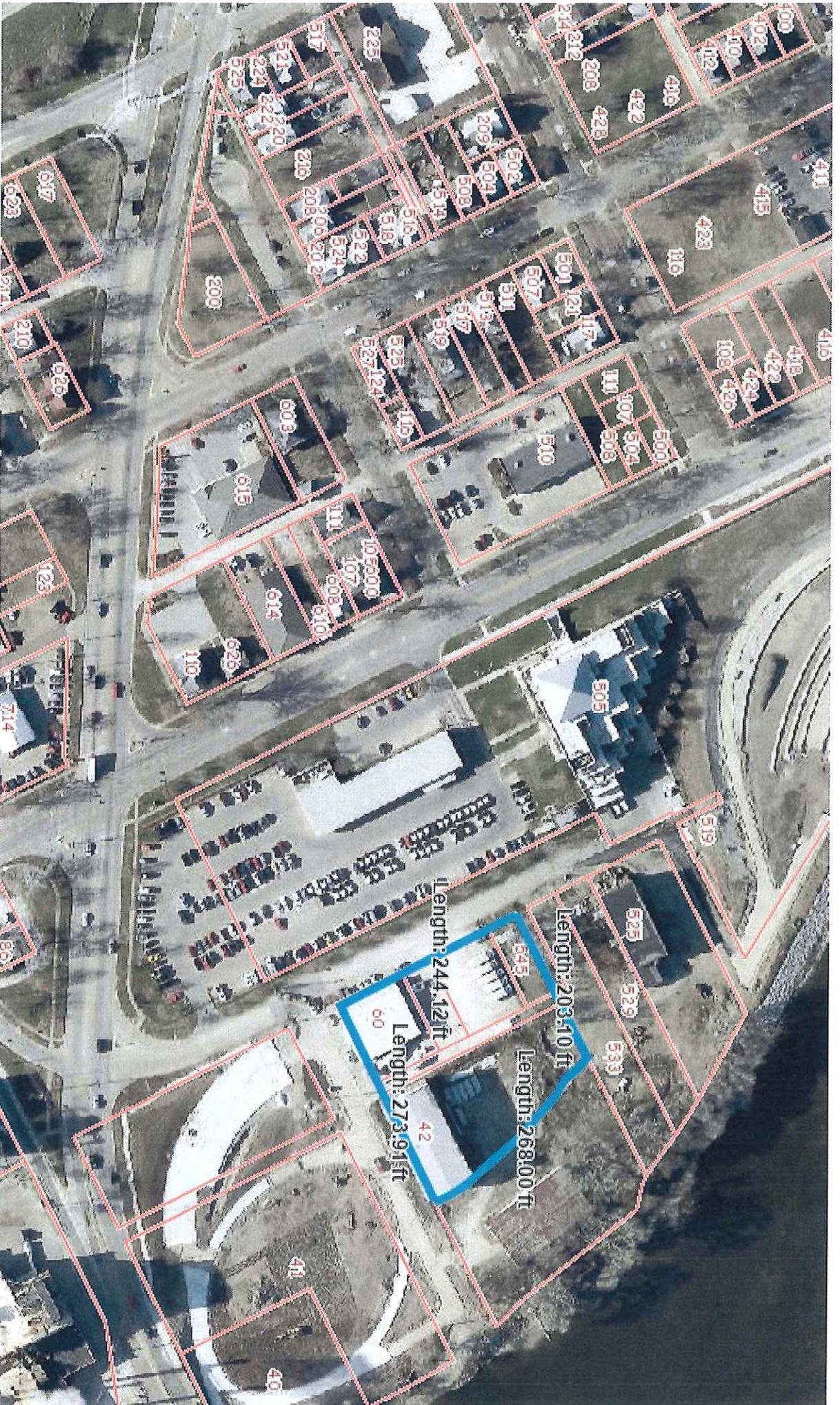
**FIRM
FLOOD INSURANCE RATE MAP
LINN COUNTY,
IOWA
AND INCORPORATED AREAS**

PANEL 410 OF 625
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)
CONTAINS:
COMMUNITY NUMBER PANEL SUFFIX
CEDAR RAPIDS, CITY OF 190187 0410 D

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

**MAP NUMBER
19113C0410D**
**EFFECTIVE DATE
APRIL 5, 2010**
Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



Length: 244.12 ft

Length: 203.10 ft

Length: 268.00 ft

Length: 273.91 ft

60

42



Development Services Department
City Services Center
500 15th Avenue SW
Cedar Rapids, IA 52404
Telephone: (319) 286-5168

STAFF REPORT TO CITY PLANNING COMMISSION
Conditional Use with a Preliminary Site Development Plan

CPC Date: February 26, 2015

To: City Planning Commission
From: Development Services Department

Applicant: Hobart Historic Restoration
Titleholder: Linn County

Location: 42 7th Avenue SW
Request: Conditional Use approval for Ground Floor Dwelling Units in the C-4, Central Business Zone District

Case Number: COND-015585-2014
Case Manager: Vern Zakostelecky, Development Services Department

BACKGROUND INFORMATION:

The applicant is requesting approval of a Conditional Use for a dwelling unit on the ground floor of a property zoned C-4, Central Business Zone District. This project is a redevelopment of the Mott Building at 42 7th Avenue SW. Apartments and commercial space are proposed for the ground floor, along with additional apartments on the 2nd and 3rd floors.

Project details:

- Site area: 1.41 acres
- Structure size: 25,200 s.f. (3 stories)
- Proposed dwelling units: 16
- Proposed commercial spaces: 2 - 3 tenants
- Parking provided: 58 spaces

FINDINGS:

Section 32.02.030.D.9 of the Zoning Ordinance requires the City Planning Commission to review the application based on the following criteria:

- 1. That the conditional use applied for is permitted in the district within which the property is located.**

Staff Comments: Residential units on the ground floor of a structure in a Commercial zone districts are permitted with approval of a conditional use.

2. That the proposed use and development will be consistent with the intent and purpose of this Ordinance and with the Future Land Use Policy Plan and other elements of the Comprehensive Plan.

Staff Comments: The subject property is shown as “Downtown” on the Future Land Use Map (FLUM) in EnvisionCR, the City’s Comprehensive Plan. The “Downtown” Land Use Typology Area (LUTA) should provide for:

a) FORM/USE/INTENSITY CHARACTERISTICS:

- i. Unique regional commercial, employment, cultural and governmental center. Land uses reflect the most mixed use district in the city.

Staff comments: *The proposed redevelopment of this site is commercial, office and residential uses.*

- ii. Multi-family residential with a minimum density of 20 units/acre.

Staff comments: *The residential density is 11.4 per acre.*

- iii. Building intensity is the greatest in the city, with a minimum FAR of 1.0 required.

Staff comments: *The floor area ratio is .41. It should be noted that this doesn’t include the lower level of the building.*

- iv. Variety of building types. Placement characterized by zero or minimal front yard setbacks.

Staff comments: *This does not apply since this is a rehab-reuse of an existing building.*

- v. Parking frequently provided off-site in public parking facilities.

Staff comments: *The proposed development has 58 on-site parking spaces.*

b) LOCATION/COMPATIBILITY CHARACTERISTICS:

- i. Historical location of downtown along the Cedar River. As the most intensively developed area, land use intensity drops off with distance from the center.

Staff comments: *The proposed redevelopment site is on the very edge of the Downtown LUTA, which supports a decrease in units per acre and floor area ratio especially since this is a unique opportunity to re-use a historic structure.*

- ii. Definition of limits of downtown difficult and subject to change over time. Downtown proper bordered by area with less intense downtown support services and public institutions.

Staff comments: *Diagonal Drive/8th Avenue SE is a defining boundary of the downtown in this general area since the Penford Industrial site is on the other side of the street. This proposed development provides a less intense transition on the edge of the Downtown LUTA.*

- iii. Transitions to area where off-street parking is a building requirement must be defined.

Staff comment: There is no public parking in close proximity to this property, so off-street parking is a necessity for the prospective businesses and tenants.

c) SERVICE AND INFRASTRUCTURE CONSIDERATIONS:

i. Full urban services.

This is an older developed and redeveloping part of the City, which is already provided with all facilities and services, including sewage and waste disposal, water, gas, electricity, police and fire protection, and sidewalks will be constructed and installed by the developer and the proposed change in use will not negatively impact the levels of service to existing development in the general area. The development is relative close to Diagonal Drive/8th Avenue, which is on a bus route and just across the river from a hard surfaced trail and next to a future trail. The proposed development is within walking distance to the east side downtown area.

Based on the fact the property being designed “Downtown”, is on very edge of this LUTA and the analysis above of the “Land Use Criteria and Descriptions” in the Comprehensive Plan, the requested zone change is in accord with the FLUM and the Goals and Objectives of the City’s Comprehensive Plan.

- 3. That the proposed use and development will not have a substantial adverse effect upon adjacent property, and the character of the neighborhood, traffic conditions, parking, utility and service facilities, and other factors affecting the public health, safety, and welfare.**

Staff Comments: The proposed use is not expected to have an adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility and service facilities, and other factors affecting the public health, safety, and welfare. This parcel is located in an area that is already served by sanitary sewer, storm sewer, water, gas, electricity, police and fire protection, and roads and transportation facilities are in place.

- 4. That the proposed development or use will be located, designed, constructed and operated in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding property.**

Staff Comments: The proposed redevelopment is being designed and constructed in a manner that is compatible with the neighborhood and consistent with the commercial design standards recently approved by the City Council.

- 5. That adequate measures have been or will be taken to assure adequate access designed to minimize traffic congestion and to assure adequate service by essential public services and facilities including utilities, storm water drainage, and similar facilities.**

Staff Comments: All services are currently available to serve the lot. The redevelopment project should not have a significant impact or burden on City services or traffic.

- 6. That the proposed building, development, or use will comply with any additional standards imposed on it by provisions of this Ordinance for the district in which the property is located.**

Staff Comments: The proposed development will comply with all additional standards from the Ordinance.

- 7. Whether, and to what extent, all reasonable steps possible have been, or will be, taken to minimize any potential adverse effects on the surrounding property through building design, site design, landscaping, and screening.**

Staff Comments: N/A

- 8. The Site Development Plan is consistent with the previously approved Preliminary Plans for the property (if applicable)**

Staff comments: N/A

- 9. The Site Development Plan conforms to all applicable requirements of this Ordinance.**

Staff comments: The site development plan conforms to all applicable requirements of this Ordinance.

RECOMMENDED CONDITIONS:

Staff has no proposed conditions.



Development Services Department
City Services Center
500 15th Avenue SW
Cedar Rapids, IA 52404
Telephone: (319) 286-5043

STAFF REPORT TO CITY PLANNING COMMISSION
Rezoning W/Preliminary Site Development Plan

CPC Date: February 26, 2015

To: City Planning Commission
From: Development Services Department

Applicant: C.R. Riders, LLC
Titleholder: C.R. Riders, LLC

Location: 1027 9th Avenue SW
Request: R-3, Single Family Residential Zone District to O-S, Office/Service Zone District

Case Number: RZNE-015964-2015
Case Manager: Vern Zakostecky

BACKGROUND INFORMATION:

This is a request to rezone a non-residential building, which lost its legal non-conforming status. The last use for the property was an auto repair shop. The rezoning request is from R-3, Single Family Residential Zone District to O-S, Office/Service Zone District. The current property owners wish to use the property as a private club for a motorcycle organization. The Preliminary Site Development Plan as submitted includes the following:

- An existing 4,100 s. f. quonset hut building which was last used as an auto repair shop.
- Proposed 6' privacy fence along the north property line.
- Access from 9th St. SW and a public alley.
- Nine parking spaces are provided including one van accessible space.

FINDINGS:

Section 32.02.030.C.5.e of the Zoning Ordinance requires the City Planning Commission to review the application based on the following criteria:

- 1. Whether the amendment is required to correct a technical mistake in the existing zoning regulations.**

Staff Comments: Not applicable.

2. Whether the amendment is consistent with the Future Land Use Policy Plan and other elements of the Comprehensive Plan.

Staff Comments: The subject property is shown as “Urban Medium-Intensity” on the Future Land Use Map (FLUM) in EnvisionCR, the City’s Comprehensive Plan. The “Urban Medium-Intensity” Land Use Typology Area (LUTA) should provide for:

a) USE/FORM/INTENSITY CHARACTERISTICS:

- i. Commercial uses should be integrated wherever possible into mixed use development with residential uses.

Staff comments: Since this proposed is an existing non-residential building it doesn’t provide a residential element, the proposed office/private club will be low key with the exception of noise from motorcycle. It should be noted that the property has been used in the past as an auto repair garage.

- ii. Frontage along streets, with limited direct surface parking exposure along right of way lines.

Staff comments: There is very limited parking being provided, although there is additional area on the property to add parking if it becomes a problem for the neighborhood.

- iii. In areas with access to transit, direct pedestrian access from transit stop to business entrances is encouraged.

Staff comments: There are sidewalks in the neighborhood and the applicant will be required to construct sidewalk along 9th Street SW. The property is a few block from the bus routes on 6th Street SW and 16th Avenue SW

b) LOCATION/COMPATIBILITY CHARACTERISTICS:

- i. Reasonable access or location on collector or arterial streets.

Staff comments: The property has 2 accesses and is within a few blocks of 8th Avenue 16th Avenue and 6th Street SW, which are all considered collector or arterial streets.

- ii. Compatibility may be achieved with density and land use transitions.

Staff comments: The applicant is proposing a 6’ high privacy fence along the north property line next to the single-family home to the north. It should be noted that the O-S Zoning District uses are typically considered a transition in intensity of uses from residential and rail road and more intense non-residential uses to the south.

c) SERVICE AND INFRASTRUCTURE CONSIDERATIONS:

- i. Full urban services, interconnected streets, sidewalks, trails and internal auto and pedestrian circulation systems.

Staff comments: There are no significant changes proposed for the site, which is already provided with all facilities and services, including sewage and waste disposal, water, gas, electricity, police and fire protection, roads and sidewalks. The proposed change in use will not negatively impact the levels of service to existing development in the general area.

Based on this property being designed “Urban Medium-Intensity” and the analysis above of the pertinent “Land Use Criteria and Descriptions” in the Comprehensive Plan, the requested zone change is in accord with the FLUM and the Goals and Objectives of the City’s Comprehensive Plan.

3. Whether the amendment is consistent with the characteristics of the surrounding area, including any changing conditions.

Staff Comments: The surrounding land uses include residential to the north. To the south is a busy railroad and fairly intense light industrial and service related uses. The proposed development is consistent with goals and objective of the City Council and the Comprehensive Plan since it provides a transition in intensity and use between the more intense non-residential use to the south and the housing to the north.

4. Whether the property is suitable for all of the uses permitted in the proposed district.

Staff Comments: The property and propose use is suitable for all uses permitted in the O-S Zoning District.

5. Whether the proposed amendment will protect existing neighborhoods from nearby development at heights and densities that are out of scale with the existing neighborhood.

Staff Comment: The proposed rezoning request will protect the existing neighborhood from nearby development at heights and densities that are out of scale with the existing neighborhood.

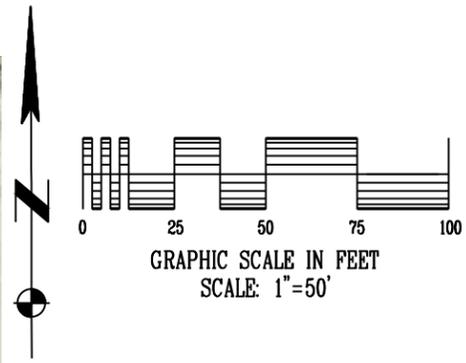
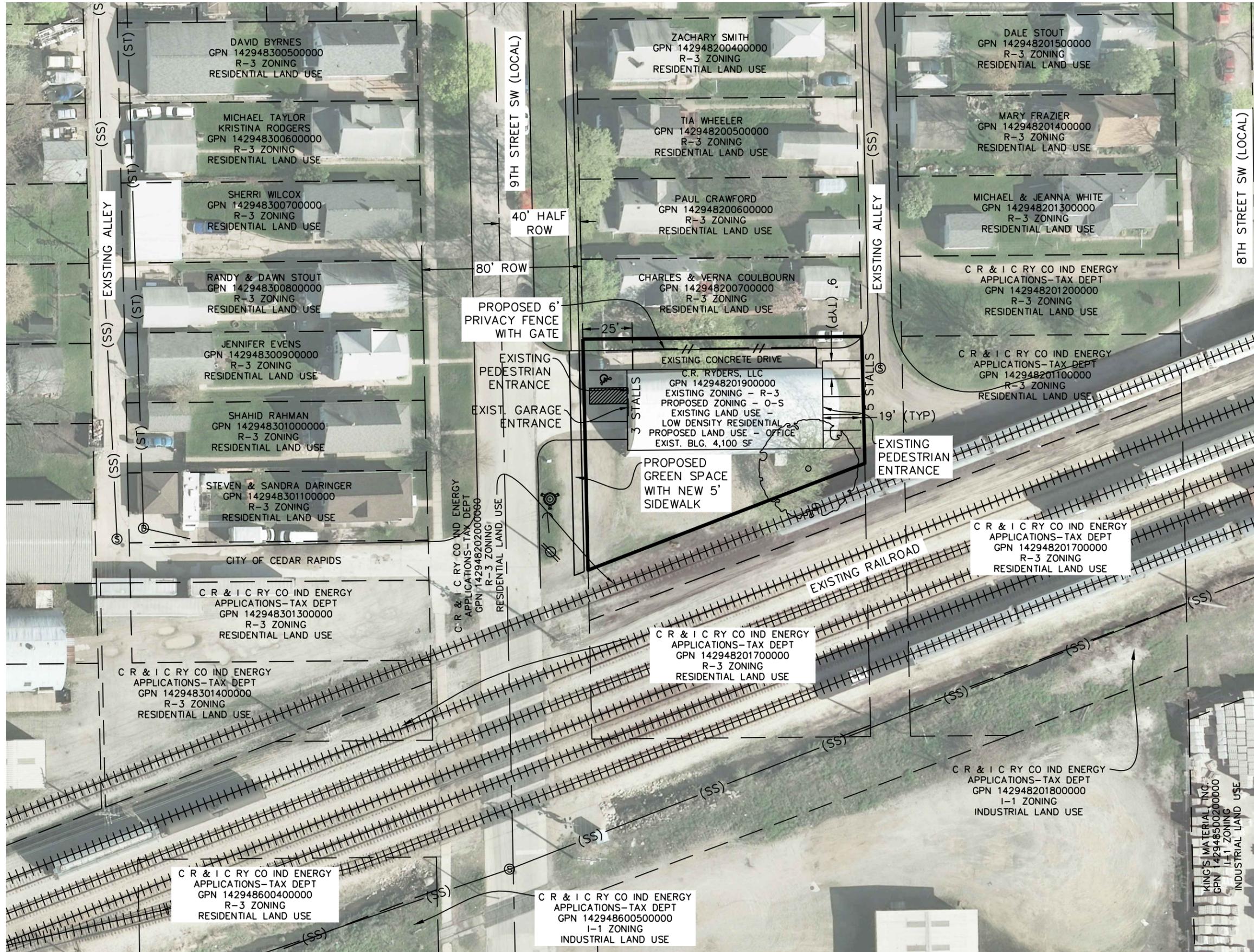
6. Whether facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development.

Staff Comments: The surrounding land is currently developed, so the property requested for rezoning is served by all City services. All facilities and services includes public and private utilities, City service such as police and fire protection, solid waste/recycling service, bus service, and street maintenance are readily available. Adequate levels of service to the existing neighborhood will not be affected.

RECOMMENDED CONDITIONS:

If the City Planning Commission recommends approval of the proposed rezoning, adoption of the following conditions as recommended by City Departments should be considered. The City Planning Commission may approve with additional conditions.

1. If an outdoor dumpster is proposed the enclosure for the dumpster will need be a full screen enclosure including the gates and preferably designed using the same building material as the principal building as per Subsection 32.05.030.A.7. of the Zoning Ordinance. Please note that chain link with privacy slats does not satisfy this requirement.
2. That all parking, drives, and storage areas be surfaced per provisions of the Zoning Ordinance. Surfacing to include asphalt, concrete, brick or asphaltic macadam.
3. Effective screening shall be provided and maintained per provisions of the Zoning Ordinance where adjacent to an "R" District or a variance be obtained.
4. All lighting shall be of a type, design and placement, and also be shielded in a manner to minimize impact on residential properties or uses adjacent to or immediately across the street.
5. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to construct concrete sidewalk along 9th Street SW adjoining this site. The property owner shall construct the sidewalk improvements in accordance with City Standards, ADA requirements, and improvement plans accepted by the City Public Works Director/City Engineer. The property owner may request deferral of the sidewalk installation requirement if in accordance with the sidewalk installation policy. If a deferral is requested, please submit a formal request with documentation verifying deferral eligibility (cross sections, drawings, etc.).



LEGAL DESCRIPTION:
 PARCEL 'A', PLAT OF SURVEY NO. 789 AS RECORDED ON BOOK 4192, PAGE 172 OF THE RECORDS OF THE LINN COUNTY, IOWA RECORDER ON NOVEMBER 9, 2000, BEING PART OF LOTS 13, 14, 15 AND 16, BLOCK 21, REED'S 3RD ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA

SITE LOCATION:
 1027 9TH STREET SW
 CEDAR RAPIDS, IA 52404

EXISTING ZONING:
 R-3

PROPOSED ZONING:
 O-S

EXISTING USE:
 CLUBHOUSE

PROPOSED USE:
 CLUBHOUSE

OWNER/APPLICANT:
 C.R. RYDERS, LLC
 1308 34TH STREET SE
 CEDAR RAPIDS, IA 52403

PARKING (CORE AREA):
 TOTAL PROVIDED: 4 SPACES, THIS INCLUDES 1 ADA VAN ACCESSIBLE PARKING SPACE

CHANGE OF USE:
 WHENEVER THE EXISTING USE OF A BUILDING OR STRUCTURE SHALL BE CONVERTED TO A NEW USE, PARKING AND LOADING FACILITIES SHALL BE PROVIDED AS REQUIRED FOR SUCH USE.

THIS REQUIREMENT DOES NOT APPLY TO PROPERTIES LOCATED IN THE CORE AREA.

DIMENSIONAL STANDARDS:
 O-S - PROPERTIES LOCATED WITHIN THE CORE AREA AS DEFINED IN THIS ORDINANCE SHALL BE EXEMPT FROM THE MINIMUM LOT SIZE AND SETBACK REQUIREMENTS

Contact Person	SUSAN FORINASH
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E-Mail Address	susan@halleng.com
Date Submitted	01/23/15
Date Revised	02/10/15
Date Revised	

HALL & HALL ENGINEERS, INC.
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 1860 BOYSON ROAD, HAWAITHA, IOWA 52233
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 LAND SURVEYING • LAND DEVELOPMENT PLANNING
 www.halleng.com

Designed by: SKF
 Drawn by: SKF
 Checked by: SKF

REZONING SITE DEVELOPMENT PLAN
 FOR
1027 9TH STREET SW
 IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA

Sheet Title:

Date: 01/23/15
 Field Book No: FBK
 Scale: 1"=50'H.
 Sheet: 1 of 1
 Project Number: 9712-2



Development Services Department
City Services Center
500 15th Avenue SW
Cedar Rapids, IA 52404
Telephone: (319) 286-5043

STAFF REPORT TO CITY PLANNING COMMISSION
Rezoning W/Preliminary Site Development Plan

CPC Date: February 26, 2015

To: City Planning Commission
From: Development Services Department

Applicant: Ivan Lockett Clay
Titleholder: Ivan Lockett Clay

Location: 423 5th Street NW
Request: PUB, Public Zone District to C-3, Regional Commercial Zone District

Case Number: RZNE-016201-2015
Case Manager: Vern Zakostelecky

BACKGROUND INFORMATION:

This is a request to rezone a former City-owned historic building, which is currently zoned PUB, Public Zoning District. The property was originally developed as a fire house, which consists of 2,896 s. f. The current property owner wishes to use the property as a barber shop/hair salon on the first floor and a residential dwelling unit on the 2nd floor. The property was last used by the City's CR Transit. The property has frontage on 5th Street, E Avenue and C Avenue NW with access from E and C Avenue NW. There is very limited on-site parking, but since the property is in the "Core Area" it is exempt from providing on-site parking. There is ample on-street parking to serve the proposed use.

FINDINGS:

Section 32.02.030.C.5.e of the Zoning Ordinance requires the City Planning Commission to review the application based on the following criteria:

- 1. Whether the amendment is required to correct a technical mistake in the existing zoning regulations.**

Staff Comments: Not applicable.

- 2. Whether the amendment is consistent with the Future Land Use Policy Plan and other elements of the Comprehensive Plan.**

Staff Comments: The subject property is shown as “Urban High-Intensity” on the Future Land Use Map (FLUM) in EnvisionCR, the City’s Comprehensive Plan. The “Urban Medium-Intensity” Land Use Typology Area (LUTA) should provide for:

a) USE/Form/INTENSITY CHARACTERISTICS:

- i. Single-family, two-family, and multi-family residential with typical densities between 6 and 12 units/acre and densities up to 24 units/acre allowed.

Staff comments: This proposed use in an existing non-residential building does provide a residential element on the 2nd floor and commercial/service on the ground floor. It should be noted that the property has been used in the past as meeting space and a garage by CR Transit.

- ii. Commercial uses should be integrated wherever possible into mixed use development with residential uses.

Staff comments: The property is in an older core neighborhood and the mix of commercial and residential is a good re-use and match for the neighborhood. This is also an excellent opportunity to reuse an existing historic structure.

- iii. Frontage along streets, with limited direct surface parking exposure along right of way lines.

Staff comments: There is very limited parking being provided and most parking for the proposed uses will be afforded with on-street parking.

- iv. In areas with access to transit, direct pedestrian access from transit stop to business entrances is encouraged.

Staff comments: There are sidewalks in the neighborhood and the property is on a bus route.

b) LOCATION/COMPATIBILITY CHARACTERISTICS:

- i. Reasonable access or location on collector or arterial streets.

Staff comments: The property has access to E Ave. NW, which is considered an arterial street.

- ii. Compatibility may be achieved with density and land use transitions.

Staff comments: Since this is a reuse of an existing historic structure and the intensity of uses is similar to past uses for the building the proposed rezoning and uses will be compatible with the surrounding mixed use neighborhood.

c) SERVICE AND INFRASTRUCTURE CONSIDERATIONS:

- i. Full urban services, interconnected streets, sidewalks, trails and internal auto and pedestrian circulation systems.

Staff comments: There are no significant changes proposed for the site, which is already provided with all facilities and services, including sewage and waste disposal, water, gas, electricity, police and fire protection, roads and sidewalks. The proposed change in use will not negatively impact the levels of service to existing development in the general area.

Based on this property being designed “Urban High-Intensity” and the analysis above of the pertinent “Land Use Criteria and Descriptions” in the Comprehensive Plan, the requested zone change is in accord with the FLUM and the Goals and Objectives of the City’s Comprehensive Plan.

3. Whether the amendment is consistent with the characteristics of the surrounding area, including any changing conditions.

Staff Comments: The surrounding neighborhood includes a mix of residential and non-residential uses. The general area is just west of the future flood mitigation area and there are a number of vacant properties due to the Flood of 2008 that will provide for additional in-fill development in the future. The proposed development is consistent with goals and objective of the City Council and the Comprehensive Plan since it provides for reuse of an existing historic structure and is in an area encouraged for new development.

4. Whether the property is suitable for all of the uses permitted in the proposed district.

Staff Comments: The property and proposed uses are suitable for the C-3 Zoning District.

5. Whether the proposed amendment will protect existing neighborhoods from nearby development at heights and densities that are out of scale with the existing neighborhood.

Staff Comment: The proposed rezoning request will protect the existing neighborhood from nearby development at heights and densities that are out of scale with the existing neighborhood.

6. Whether facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development.

Staff Comments: The surrounding neighborhood is currently developed or will be redeveloped in the future, so the property requested for rezoning is served by all City services. All facilities and services includes public and private utilities, City services such as police and fire protection, solid waste/recycling service, bus service, and street maintenance are readily available. Adequate levels of service to the existing neighborhood will not be affected.

RECOMMENDED CONDITIONS:

If the City Planning Commission recommends approval of the proposed rezoning, adoption of the following conditions as recommended by City Departments should be considered. The City Planning Commission may approve with additional conditions.

1. That this site shall be developed in compliance with the provisions of the Flood Plain Management Ordinance.
2. Said lot and vacated parcels will need to be combined so as to constitute a single zoning lot and tax parcel.



LEGAL DESCRIPTION:
 PART OF LOT 1 AND PART OF LOT 2, BLOCK 6, COOPERS FIRST ADDITION CEDAR RAPIDS AS RECORDED IN VOLUME 121, PAGE 206 IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERLY CORNER OF LOT 1, BLOCK 6 OF SAID COOPER'S ADDITION; THENCE S62°50'59"W 98.58 FEET ALONG THE SOUTHERLY LINE OF SAID BLOCK 6 ALSO BEING THE NORTHERLY RIGHT OF WAY OF C AVENUE N.W.; THENCE N0°07'56"W 44.36 FEET TO THE NORTH LINEN OF SAID BLOCK 6 ALSO BEING THE SOUTH RIGHT OF WAY LINE OF E AVENUE N.W.; THENCE N89°35'25"E 87.82 FEET ALONG SAID NORTH LINE AND SAID SOUTH RIGHT OF WAY TO THE POINT OF BEGINNING
 AND
 PARCEL 'A', PLAT OF SURVEY NO. 1970 AS RECORDED IN BOOK 9149, PAGE 386 IN THE OFFICE OF THE LINN COUNTY RECORDER
 AND
 PARCEL 'A', PLAT OF SURVEY NO 1971 AS RECORDED IN BOOK 9149, PAGE 385 IN THE OFFICE OF THE LINN COUNTY RECORDER

OWNER/APPLICANT:
 IVAN LUCKETT CLAY
 441 9TH AVENUE SW
 CEDAR RAPIDS IA 52404

EXISTING USE:
 VACANT

PROPOSED USE:
 BARBER SHOP ON 1ST FLOOR
 DWELLING UNIT ON 2ND FLOOR

SITE LOCATION:
 423 5TH STREET NW

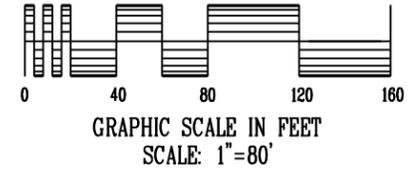
AREA TO BE REZONED:
 3,009 SQ.FT.

EXISTING ZONING:
 PUB

PROPOSED ZONING:
 C-3

ADJOINING PROPERTY OWNERS:

- 1 - STEVEN & RHONDA EXLEY-SCHUMAN
R-3 ZONING
- 2 & 3 - CHARLES HARVEY
R-3 ZONING
- 4, 5, 6 -CITY OF CEDAR RAPIDS
R-3 ZONING
- 7 - CHIEN NGUYEN & THANH PHAM
R-3 ZONING
- 8 - LARRY & RUTH VAN DEUSEN
R-3 ZONING
- 9 - CITY OF CEDAR RAPIDS
RMF-2 ZONING
- 10 - DAVID & ROBERT ZAHN
RMF-2 ZONING
- 11 -SYDNI, ALAN & JANET MAAS
RMF-2 ZONING
- 12 - STEVEN & PATTI ROMAN
RMF-2
- 13 - CITY OF CEDAR RAPIDS
RMF-2 ZONING
- 14 - PHIL COX, JR
RMF-2 ZONING
- 15 - DONALD & LISA PHILLIPS
RMF-2 ZONING
- 16 - LKJ ENTERPRISES, LLC
C-3 ZONING
- 17 - CITY OF CEDAR RAPIDS
C-3 ZONING



Contact Person	SUSAN FORINASH
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REZONING EXHIBIT
423 5TH STREET NW
 CEDAR RAPIDS, LINN COUNTY, IOWA

Sheet Title:

Date: 02/06/15

Field Book No: FBK

Scale: 1"=80'

Sheet: 1 of 1

Project Number: 10109-1

CAD File: I:\projects\10100\10109-1-Ivan-E Avenue Fire Station\DWG\10109-1-Resoning Site Plan.dwg Date Plotted: Feb 06, 2015 - 1:44pm Plotted By: SUSAN-FORINASH