

**AGENDA**  
**CITY PLANNING COMMISSION MEETING**  
Thursday, May 21, 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: 1609 3<sup>rd</sup> Street SE and 219 16<sup>th</sup> Avenue SE (Preliminary Site Development Plan)**

Consideration of a Preliminary Site Development Plan in a C-3, Regional Commercial Zone District as requested by Brett A. McCormick (Applicant/Titleholder)  
*Case No. PSDP-013126-2015; Case Manager: Vern Zakostelecky*

**2. Case Name: 1200 Continental Place NE (Conditional Use)**

Consideration of a Conditional Use for Warehousing, Wholesaling and Distribution Establishments in a C-3, Regional Commercial Zone District as requested by Greg's Lawn & Landscaping (Applicant) and Continental Place, LLC (Titleholder)  
*Case No: COND-016331-2015; Case Manager: Dave Houg*

**3. Case Name: 1103 and 1201 Blairs Ferry Road. NE (Preliminary Site Development Plan)**

Consideration of a Preliminary Site Development Plan in a PUD-1, Planned Unit Development One Zone District at 1103 and 1201 Blairs Ferry Road NE as requested by Hunter Companies, LLC (Applicant/Titleholder)  
*Case No: PSDP-016434-2015; Case Manager: Vern Zakostelecky*

**4. Case Name: 3730 Williams Boulevard SW (Preliminary Site Development Plan)**

Consideration of a Preliminary Site Development Plan in a C-2, Community Commercial Zone District at 3730 Williams Boulevard SW as requested by Kwik Trip, Inc. (Applicant) and Perpetual Savings & Loan Association (Titleholder)  
*Case No: PSDP-017977-2015; Case Manager: Chris Strecker*

#### **D. New Business**

- a.** Consideration of the proposed Center Point Urban Renewal Area and Plan located at 1427 Center Point Road NE and an Ordinance relating to collection of tax increment within the proposed area (Kirsty Sanchez)
- b.** Consideration of the proposed Creekside Urban Renewal Area and Plan located at 1415 Center Point Road NE and an Ordinance relating to collection of tax increment within the proposed area (Kirsty Sanchez).
- c.** Informational presentation and discussion on the Cedar Rapids Draft Historic Preservation Plan (Anne Russett).



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, April 30, 2015 @ 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  
Samantha Dahlby  
Richard Pankey  
Dominique Blank  
Bill Hunse

Members Absent: Virginia Wilts  
Kim King

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

CD Staff: Seth Gunnerson, Planner  
Bill Micheel, Assistant Director, Community Development  
Betty Sheets, Administrative Assistant

City Council Liaison: Justin Shields

**Call Meeting to Order**

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**

Roll call was answered with seven (7) Commissioners present.

**A. Approval of the Minutes**

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the April 9, 2015 Minutes stand approved.

## **B. Adoption of the Agenda**

Commissioner Overland called for any additions or corrections to the agenda. Commissioner Overland stated with no additions or corrections, the agenda stands approved.

## **C. Action Items**

### **I. Case Name: 2903 C Avenue NE and 316 29<sup>th</sup> Street NE (Rezoning)**

Consideration of a Rezoning from R-3, Single Family Residence Zone District to I-1, Light Industrial Zone District as requested by Hawkeye Land Co. (Applicants/Titleholders)  
*Case No: RZNE-016136-2015; Case Manager: Vern Zakostelecky*

Mr. Zakostelecky stated this is a request to rezone two (2) residential properties to the I-1, Light Industrial Zone District to allow for expansion of an existing outdoor storage and parking area for the property to the north and east. The property is currently zoned R-3, Single Family Residence Zone District. The structures that existed on the property have been removed in accordance with all applicable codes, regulations and permits. The property is identified as "Urban Medium-Intensity" on the City's Future Land Use Map in EnvisionCR, the City's Comprehensive Plan. By rezoning these properties the applicant controls the entire half block along the east side of C Avenue NE. Mr. Zakostelecky presented an Aerial Photo and Site Plan.

Commissioner Overland called for questions of Mr. Zakostelecky.

Commissioner Halverson asked if they were planning to have any exterior lighting on the property. Mr. Zakostelecky stated that he would have to defer that question to the applicant.

Commissioner Dahlby asked if the CeMar Trail is affected by this property. Mr. Zakostelecky stated that it does not impact this property.

Commissioner Hunse asked if the property was in conformance with ADA requirements. Mr. Zakostelecky stated that all ADA parking is near the main building.

Commissioner Overland called for a representative of the applicant.

Andrew Potter, 500 Stickle Drive NE stated that once the property is screened, it will prevent people from crossing over the property as well as a safety measure for the trucks going in. As far as outdoor lighting, there is a light existing by the warehouse driveway.

Commissioner Overland called for questions of the applicant.

Commissioner Hunse said that there are two way aisles to residential to the west. Mr. Potter said there is no access to the west onto C Ave. NE.

Commissioner Blank asked what the intended purpose of the piece of land. Mr. Potter said to keep it open and occasionally trailer parking.

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 change of zone from R-3, Single Family Residence Zone District to I-1, Light Industrial Zone District. Commissioner Hunse 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.

## **2. Case Name: 1017 Rockford Road SW (Rezoning)**

Consideration of a Rezoning from I-1, Light Industrial Zone District to R-3, Single Family Residence Zone District as requested by Mark G. Henderson Trust and Linda Nicholson (Applicants/Titleholders)

*Case No: RZNE-017041-2015; Case Manager: Vern Zakostelecky*

Mr. Zakostelecky stated this is a request to rezone a residential property from the I-1, Light Industrial Zone District to R-3, Single Family Residence Zone District. The property is currently developed with a historic single-family detached home. The Historic Preservation Commission endorses this property to retain its status. It should be noted that the property has always been use as a single-family residence since it was constructed in 1936. The house is currently in very good condition and is assessed at over \$183,000. The house has sat empty for just over one year and has lost its legal non-conforming status. The potential buyers would like to close on the property, but cannot use it as a residence due to the I-1 Zoning. Mr. Zakostelecky presented a Zoning Map, Aerial Photo and Street View of the project. Mr. Zakostelecky stated that one objection had been received, but because of its historic nature, City staff is in full support of rezoning this property.

Commissioner Overland called for questions of Mr. Zakostelecky.

Commissioner Hunse asked about the ownership of the property. Mr. Zakostelecky stated that he would have to defer that to the applicant.

Commissioner Overland called for a representative of the applicant.

Stacie Johnson, 1419 Wildwood Drive NE said she would be available to answer any questions. The seller and the buyer are related and both are familiar with the situation of the property. The property is in fantastic condition.

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

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

Mark Stoffer Hunter, 1616 3<sup>rd</sup> Avenue SE with the City's Historic Preservation Commission. Mr. Hunter stated that the Historic Preservation Commission unanimous support of preserving this building and encourages the Planning Commission to change the zoning.

Greg Epping, 3600 1<sup>st</sup> Avenue NE states he owns the Stadium Lounge to the north. Mr. Epping stated that the Henderson's operated this building as a business and does not agree that it should be zoned residential since it is not appropriate use in the area and is a classic case of spot zoning.

Rebecca Feierisen, 790 Prairie Ridge Road, North Liberty and stated she is the buyer of this property. There are several residential homes down the street from this property. Ms. Feierisen stated that she is not going into this property with her eyes open and that the out buildings are already gone. Mr. Feierisen stated that they just want to restore this property to its historic nature.

Commissioner Hunse asked if there are reasonable conditions that can be placed to discourage the property to be altered and for the property to continue being a historic structure due to challenges in the neighborhood.

Mr. Zakostelecky stated that if it was not rezoned and used for a commercial or office, they would have to submit a change of use permit and deal with changing electrical, plumbing and other building code issues.

Mr. Hunter concurred with Mr. Zakostelecky that preserving this as a residential zoned property is in the best interest of the Historic Preservation Commission and by keeping the property residential.

Commissioner Overland called for a motion. Commissioner Pankey made a motion to approve change of zone from I-1, Light Industrial Zone District to R-3, Single Family Residence Zone District. Commissioner Knox-Seymour seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Knox-Seymour stated that she has been on the Historic Preservation task force and is in full support and that this is an example of why we need to adopt a Historic Preservation Plan since it is already shown it to be on the old road to Fairfax and needs to be preserved. Commissioner Knox-Seymour further stated that many cities have historical buildings in place and we should not take away from that and we need to stand our ground and support it.

Commissioner Overland stated that he also supports this rezoning and preventing someone from living there to retain the I-1 zoning which would eventually have this property demolished. It represents an earlier time.

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

### **3. Case Name: 815 Mann Road SW (Preliminary Site Development Plan)**

Consideration of a Preliminary Site Development Plan in a I-1, Light Industrial Zone District as requested by Compass Commercial Services (Applicant) and Jack Houghton (Titleholder).  
***Case No: PSDP-016758; Case Manager: Dave Houg***

Mr. Houg stated the property is currently undeveloped and contains 2 parcels that will be combined. The applicant is applying for Preliminary Site Development Plan approval to construct a 49,800 s.f. warehouse along with a screened outdoor storage area. The development will also comply with all other applicable codes, regulations and approvals. Mr. Houg presented a Location Map, Site Plan, Zoning Map and Street View.

Commissioner Overland called for questions of Mr. Houg.

Commissioner Hunse asked if it was a dock high structure. Mr. Houg stated that no building plans have been presented. Mr. Zakostecky stated that it appears to be slab on grade type building.

Commissioner Hunse asked if we knew what commodities would be stored there. Mr. Zakostecky stated it is unknown but that it might be multi tenants.

Commissioner Hunse stated that all buildings be addressed on all sides of the street, contrasting color and visible to the street unimpeded by landscaping.

Mr. Zakostecky stated that there was may be a policy and agreed that fire would be in support of this policy.

Commissioner Pankey stated that Building Services Department has requirements on commercial structures that the address has to be clearly visible from the street before getting an occupancy permit.

Commissioner Overland called for a representative of the applicant.

Tred Schnoor, 431 5<sup>th</sup> Avenue SW was available for further information.

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

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

Margaret Probasco, 11300 6<sup>th</sup> Street SW stated her property is to the west of this building and is concerned about water runoff and has a driveway goes into her farm field off Walford Road along the east edge of their property and it is not a public driveway.

Commissioner Dahlby asked if it was commercial vehicles going through there. Ms. Probasco stated that there should be no vehicles going through there except her farm implements.

Mr. Schnoor stated he had no idea of the traffic. Mr. Schnoor stated that there is a detention basin built in 2007 that discharges off into the juvenile detention center.

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the Preliminary Site Development Plan in an I-1, Light Industrial Zone District. Commissioner Hunse 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: 250 33<sup>rd</sup> Street Drive SE (Preliminary Site Development Plan)**

Consideration of a Preliminary Site Development Plan in a I-1, Light Industrial Zone District as requested by Triton Incorporated (Applicant) and Alan D. and Connie M. Benson (Titleholders)

***Case No: PSDP-016899; Case Manager: Dave Houg***

Mr. Houg stated the property is currently developed with a 4,500 s.f. office and 5,600 s.f. warehouse. The applicant is applying for Preliminary Site Development Plan approval to construct a 3,600 s.f. warehouse addition. A variance is also being requested for a reduced rear bufferyard along the northerly property line. Mr. Houg presented an Aerial Photo, Zoning Map, Street View and Site Plan

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

Commissioner Dahlby asked if any of the trees would be retained. Mr. Houg responded that most of the trees were not of good quality, however, based on the tree mitigation portion of the ordinance any valued species would have to be replaced.

Commissioner Overland called for a representative of the applicant.

Doug Brain, Brain Engineering, 1540 Midland Court is available for any questions the Commissioners may have.

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

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

Jason Blahnik, 267 34<sup>th</sup> Street Drive SE property north of the current building was curious about the type of fence that would be installed. Mr. Houg stated that the fence was not required by code however; the applicant could work out an agreement to provide a solid fence with the neighbors.

Commissioner Halverson referred to Condition #6 and asked if it remains as a condition. Mr. Houg replied that screening will be provided, but a request to not provide the buffer yard will be the variance request.

Commissioner Overland called for a motion. Commissioner Dahlby made a motion to approve the Preliminary Site Development Plan in an I-1, Light Industrial Zone District. Commissioner Blank seconded the motion.

Mr. Zakostelecky stated that Buffer yard screening is full planting screening, solid fence or the combination of the two. There are criteria that they have to meet.

Commissioner Hunse again suggested that all the buildings would be addressed.

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.

##### **5. Case Name: 5511 Tower Terrace Road NE (Preliminary Site Development Plan)**

Consideration of a Preliminary Site Development Plan in an A, Agriculture Zone District at 5511 Tower Terrace Road NE as requested by FC United (Applicant) and Ethel E Miller Trust (Titleholder)

*Case No. PSDP-16994-2015; Case Manager: Dave Houg*

Mr. Houg stated the property is currently undeveloped farmland. The applicant is applying for Preliminary Site Development Plan approval to construct a 20,000 sq.ft. non-profit indoor soccer facility along with outdoor soccer fields at the northern portion of the city. A preliminary plat accompanies this request. Mr. Houg stated the applicant, FC United, is requesting approval of a Preliminary Plat for F.C. Acres First Addition situated between Milburn Road NE and Terrace Road NE. The proposed plat provides 4 parcels for future development. Mr. Houg presented a Location Map, Aerial Map, Zoning Map, Street View and Site Development Plan. Mr. Houg also stated that one objection regarding existing water issues with the property had been received today and a copy of that objection has been given to all the Commissioners. Mr. Houg further stated that their department had added some conditions for their review and addition to the staff report.

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

Commissioner Overland called for a representative of the applicant.

Nate Kass, 375 Collins Road NE stated he was available to answer questions.

Commissioner Overland called for questions of the applicant.

Commissioner Knox-Seymour asked how the applicant would respond to the objection.

Mr. Kass stated the proposed grading would flatten the site and they would want to keep the water on the site to help the turf grow and slow the run off. Mr. Kass further stated they would meet the City ordinance requirements for drainage.

Commissioner Hunse stated they were not doing field layouts as part of their work and keeping it flat so you can have a variety of field sizes based on their ages. Can you suggest something more elaborate on how to move water around to keep it on site? Can you address creating drainage on a whole or is the building solving its own drainage issue. Mr. Kass stated the lots will address the water issue as they are being developed.

Bart Woods, Primus Construction, 401 8<sup>th</sup> Avenue SE agrees and has no issues with all the conditions except for Condition No. 2 and is asking it to be removed. Mr. Woods went on to say that the ownership was FC United and has been in existence for a long time, solid organization, using no public money; Agriculture Zoning is appropriate and best zoning for the residential neighbors and design standards are tied to zoning use and not building use.

Commissioner Hunse asked if there were going to be any issues regarding scheduled arrival and departure of attendees. Mr. Woods stated there would be no parking issues and that the parking requirements are sufficient as well as additional future parking was planned.

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

John Cain, 8470 Milburn Road stated that they were concerned about lights on the field and the fact there will a lot of kids kicking balls that might go into the ½ acre pond, how does it affect them from a property value perspective, how do the required sidewalks affect them and the area does flood, what are the hours they will have kids out there?.

Mr. Woods said there would be lighting supplied by Van Meter Industrial and there would be no flashing lights.

Mick Slinger, 5321 Michael Drive stated that training in the spring is done by 9:00 pm and most of the time lights would not be on. In the fall training would be done by 9:30 and perhaps 30 to 60 minutes of lights.

Commissioner Hunse asked if they were familiar with foot candle vectors. Mr. Zakostecky stated that they would have a requirement for a lighting plan and how that lighting is going to be contained to the site and away from residential properties.

Commissioner Overland asked how the pond issue would be handled. Mr. Slinger stated that based on the size of the entire green space they would minimize the activity near the pond area. Mr. Slinger also stated that landscaping would be installed and the players are supervised.

Commissioner Overland asked about the traffic and Mr. Slinger stated this is a training space that they planned to minimize the traffic issue.

Commissioner Overland addressed the sidewalk issue and Mr. Zakostecky stated that the sidewalks would only pertain to this property and the neighbors would not be assessed.

Commissioner Blank asked about security on the property such as fencing or gates on the property. Mr. Slinger stated that it is green space and the buildings would be locked and there would be nothing for anyone to steal.

Mr. Zakostecky wanted to address the issue of the commercial building design standard. This is a commercial type building, given the undeveloped nature of the area the building should have to meet the commercial building design standards. If this facility is not successful, the condition has been added to comply with the condition or get a variance from the Board of Adjustments.

Commissioner Overland called for a motion. Commissioner Dahlby made a motion to approve the Preliminary Site Development Plan in an A, Agriculture Zone District with Design guidelines and standards as specified in Subsection 32.05.030.C. to be met or a variance must be obtained. 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.

## **6. Case Name: F.C. Acres First Addition (Preliminary Plat)**

Consideration of a Preliminary Plat in an A, Agriculture Zone District at 5511 Tower Terrace Road NE as requested by FC United (Applicant) and Ethel E Miller Trust (Titleholder)  
***Case No. PRPT-016438-2015; Case Manager: Dave Houg***

Mr. Houg stated the applicant, FC United, is requesting approval of a Preliminary Plat for F.C. Acres First Addition situated between Milburn Road NE and Terrace Road NE. The proposed plat provides 4 parcels for future development.

Commissioner Overland called for questions of Mr. Houg. 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.

Commissioner Overland called for a motion. Commissioner Knox-Seymour made a motion to approve the Preliminary Plat in an A, Agriculture 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.

**7. Case Name: 4011 16<sup>th</sup> Avenue SE (Conditional Use)**

Consideration of a Conditional Use Ground Floor Dwelling Unit in a C-2, Community Commercial Zone District as requested by AVM Hospitality, Inc. (Applicant/Titleholder)  
**Case No: COND-017217-2015; Case Manager: Dave Houg**

Mr. Houg stated the petition of Vinesh Malde with AVM Hospitality, Inc. requesting Conditional Use approval for a “Ground-Floor Dwelling Unit” for property owned by AVM Hospitality, Inc. at 4011 16<sup>th</sup> Avenue SW and zoned C-3, Regional Commercial Zone District. Mr. Houg presented a Location Map.

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

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 member of the public was present

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the Conditional Use request for ground Floor Dwelling Unit in a C-2, Community Commercial Zone District. Commissioner Dahlby 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.

The meeting was adjourned at 4:40 pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant  
Community Development



Development Services Department  
City Services Center  
500 15<sup>th</sup> Avenue SW  
Cedar Rapids, IA 52404  
(319) 286-5043

**STAFF REPORT TO CITY PLANNING COMMISSION**  
Preliminary Site Development Plan

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CPC Date: May 21, 2015

To: City Planning Commission  
From: Development Services Department

Applicant: Brett McCormick  
Titleholder: Brett McCormick

Location: 1609 3<sup>rd</sup> Street SE and 219 16<sup>th</sup> Avenue SE  
Request: Approval of a Preliminary Site Development Plan

Case Manager: Vern Zakostelecky, Development Services Department  
Case Number: PSDP-013126-2015

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**BACKGROUND INFORMATION:**

The applicant is requesting Preliminary Site Development Plan approval for the property, which most recently was used as a contractor shop and warehouse and storage. The site plan also includes vacant property between the alley and 2<sup>nd</sup> Street SE that is proposed for parking. The property is currently zoned C-3, Regional Commercial Zone District and O-S, Office/Service Zone District. The proposal is to renovate the buildings into a mixed use development including a bar, restaurant, entertainment/amusement venue. The upper level of the building at 219 16<sup>th</sup> Avenue SE may end up being uses as residential provided building code issues can be adequately addressed.

**FINDINGS:**

Section 32.02.030.G.7 of the Zoning Ordinance requires the City Planning Commission to review the application based on the following criteria:

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

*Staff comments:* This Finding does not apply since there is no previously approved site plan for the properties.

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

*Staff comments:* The site development plan conforms to all applicable requirements of the City's Zoning Ordinance, provided the buildings are designed to meet the requirements of the Czech-Bohemia (CB-O) Overlay District Standards and Guidelines.

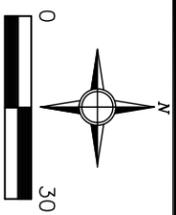
As part of this process the applicant has had the building elevations reviewed by the Czech-Bohemia Overlay District Development Review Technical Advisory Committee (DRTAC). The review was preliminary in nature and prior to issuance of any building permits, the applicant will need to resubmit for review to DRTAC.

## **RECOMMENDED CONDITIONS:**

If the City Planning Commission recommends approval of the proposed preliminary site development plan, adoption of the following conditions as recommended by City Departments should be considered. The City Planning Commission may approve with additional conditions or remove any of the recommended conditions.

1. Prior to issuance of any building permits the applicant will need to submit for review to the Czech-Bohemia Overlay District Development Review Technical Advisory Committee of exterior building design and materials.
2. This site shall be developed in compliance with the provisions of the Flood Plain Management Ordinance.
3. Review of this proposal is required by the Czech Bohemia Overlay District Design Review Technical Advisory Committee.
4. The buildings shall meet the Commercial Development design standards as specified in Subsection 32.05.030.C. or a variance must be obtained.
5. Said lots are to be combined so as to constitute a single zoning lot and tax parcel.
6. Required off-street parking shall be provided per provisions of the Zoning Ordinance or a variance must be obtained.
7. 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.
8. 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.
9. That all parking, drives, and storage areas be surfaced per provisions of the Zoning Ordinance. Surfacing to include asphalt, concrete, brick or asphaltic macadam.
10. Landscaping and buffering/screening shall be provided per the Zoning Ordinance, Subsection 32.05.030.A. This includes street front landscaping for parking area adjoining public and private streets, continuous planting islands for every 4<sup>th</sup> bay of parking, street front landscaping, etc.
11. The existing structures must be removed under appropriate permit and inspections conducted and approved.
12. For principal structures 50-years old or older Historic Preservation Commission review is required.
13. That all parking, drives, and storage areas be surfaced per provisions of the Zoning Ordinance. Surfacing to include asphalt, concrete, brick or asphaltic macadam.

14. If outdoor seating is proposed where alcohol would be served this would require an application for conditional use approval. Parking for these areas is based on 1 parking space for every 2.5 seats.
15. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible for removal and replacement of City sidewalk adjoining this site, damaged as a result of construction activities on this site or not meeting ADA standards. Said removal and replacement areas shall be determined by the City Public Works Department, shall be completed by the property owner, and approved by the City.
16. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to submit to the City a signed Agreement for Private Storm Water Quality improvements on this site. The City Public Works Department shall provide a copy of the Agreement form upon request by the property owner.
17. Parking lot trees and the associated details will need to be submitted with the Administrative Site Plan submittal.



3rd St SE

14th Ave SE

- Legal Descriptions:**
1. J C MAY'S NW 30' LOT/ 16
  2. ALL LOTS 17 & STR/LB 18 33
  3. J C MAY'S SE 30' STR/LB 16 33
  3. J C MAY'S (LESS SE 14') SW 52.5' MEAS ON NW LN STR/LB 19 33

JEL Properties  
Existing Zoning: C-3

Existing Two  
Story Building  
219 14th Ave SE  
Brett McCormick  
Existing Zoning: C-3

Brett McCormick  
Existing Zoning: C-3  
1411 3rd St SE

Proposed 4" Water Service  
Water Service Shall Be Split Outside For  
Fire And Domestic Service With A Post-Indicator Valve  
On The Sprinkler Line

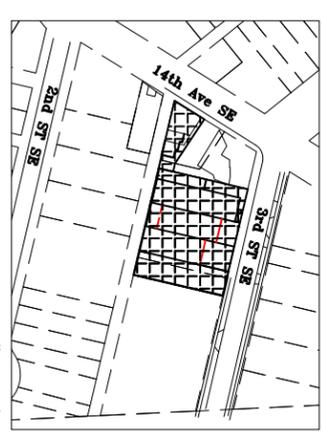
Proposed 3,216 SF Addition

Proposed Fire Hydrant  
Location

Proposed  
5,960 SF Patio

Alley

100 Year Flood Elevation Approx 721



**Applicant Info:**  
Brett McCormick  
3527 Field Stone PL SE  
Cedar Rapids IA 52403  
(319)389-6031  
newboplaza@gmail.com

**Contact Person:**  
Ghassan Halloush  
1930 St. Andrews CT NE  
Cedar Rapids, IA 52402  
(319) 393-8726  
ghalloush@alltransinc.com

**Developer:**  
3rd Street Development LLC  
Craig McCormick  
1415 3rd St SE  
Cedar Rapids, Iowa 52403  
(319)389-6031  
newboplaza@gmail.com

Existing 13,930 SF building,  
Proposed 9,910 SF Additions for  
Restaurant/Amusement Areas  
Proposed Use:  
Entertainment/Restaurant/Bar  
12' and 16' height  
Parking: Restaurant Building  
Total Sf Building Existing  
Restaurant:  
3970 \* 10 Parking Spots/1000 = 40  
Amusement: 6/1000  
9820 \* 6/1000 = 59  
Existing Building: 99 Parking Spots

Addition = 9,896 Sf Total  
5,960 Sf Patio \* 6/1000 = 26  
3,216 Sf Dining 10/1000 = 32  
720 Sf Dining \* 10/1000 = 7 Parking  
65 Spaces Required For New Construction

Existing Two Story Building:  
4812 Sf  
Business 4812\*4/1000=20  
New Addition  
Business 1520\*4/1000=6 New Spaces

14th Ave Se 3rd St Se  
60' Full Row 60' Full Row  
30' Half Row 30' Half Row  
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 Street

Sidewalks Shall Meet ADA Requirements  
And Any Damaged During Construction Shall  
Be Replaced

NO.	REVISION DESCRIPTION	APPROVED	DATE

Client: 3rd Street Development LLC  
1415 3rd St SE  
Cedar Rapids, Iowa 52403  
(319)389-6031

Water Quality Volume:  
510 SF From 219 4th Ave  
1" water quality = 43.33 CF  
9,896 SF from 1411 3rd St SE  
1" water quality = 888 CF  
Water Quality Volume Will be Addressed  
in the Engineering Phase of this Project

Proposed Two Story  
Building Addition  
1520 SF

Proposed 6" Sanitary  
Sewer Service

Proposed 720 SF Addition

Proposed 4" Water Service

Proposed 3,216 SF Addition

Proposed Fire Hydrant  
Location

Proposed 5,960 SF Patio

Alley

100 Year Flood Elevation Approx 721

Proposed 4" Water Service

Water Service Shall Be Split Outside For

Fire And Domestic Service With A Post-Indicator Valve

On The Sprinkler Line

Proposed 3,216 SF Addition

Proposed Fire Hydrant

Location

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Proposed 4" Water Service

Water Service Shall Be Split Outside For

NO.	REVISION DESCRIPTION	APPROVED	DATE

Client: 3rd Street Development LLC  
 1415 3rd St SE  
 Cedar Rapids, Iowa 52403  
 (319) 399-8031

**ALLTRANS, INC.**  
 1930 ST. ANDREWS CT. NE  
 Cedar Rapids, Iowa 52402  
 Phone: (319) 393-8726

Drawn By: BGA  
 Date: \_\_\_\_\_  
 Project No. \_\_\_\_\_

Approved By: GMH  
 Scale: See Bar

**NewBo Plaza**  
**Lion Mountain**  
**Entertainment Park**  
 219 14th Avenue

**Parking**

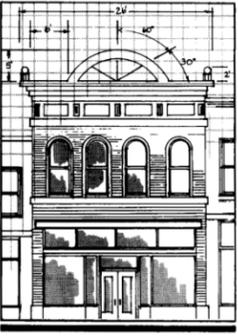
SHEET NO.  
 OF



0 30

9'x19' Parking Spots, 71 Total  
 1420 2ND ST SE -28 Parking Spots J C MAY'S STR/LB 3 33  
 1424 2ND ST SE -28 Parking Spots J C MAY'S STR/LB 4 33  
 1448 2ND ST SE -15 Parking Spots J C MAY'S NW 30' STR/LB 8 33

MAIN STREET  
I O W A



**Main Street Iowa**  
**Proposed Facade Renovation**  
**Smid Building**  
**Cedar Rapids, Iowa**  
**Project #05510**  
**June 17, 2010**

**IOWA**  
*life | changing®*



**Existing**

## Proposed



### NOTES:

>Even with the damage from the flooding, the historic character of the building is clearly evident. Original storefront elements are still intact and should be used to guide the restoration of the building.

>Repair the masonry veneer treatment. Areas have failed on the upper floor and should be repaired and secured to the original framing.

>Remove the existing inappropriate storefront materials. Some original elements will be uncovered. One element that has been slightly altered is the kickplate or bulkhead on the left storefront. The original bulkhead had glass that allowed natural light and ventilation into the basement area. Ideally this would be restored. This proposal shows a simplified alternative to the glass treatment that uses a simple wood treatment with a center recessed panel.

>The storefront and transom windows are wood framed with clear insulated glass.

>Repair the decorative metal cornices at the top of the building and across the upper storefront. Repair any damaged areas as needed. Replace severely deteriorated elements with duplicate pieces. The corner originally had a large semicircular pediment detail. Consider restoring this element. If restored, it should replicate the original design as seen on historic images.

>Paint storefront, upper windows and cornices as shown to create a unified color scheme. A variety of colors can be used and could be altered to meet the desires of any future tenants.

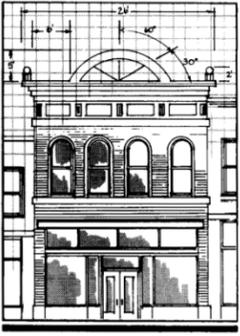
>Install new fabric awnings over each storefront. Traditionally these would be operable awnings similar to those shown in the historic photos. Operable awnings are an excellent way to control natural daylight and regulate solar gain. Fixed awnings are an option too, and they would help minimize sun glare from the setting sun. No awnings are also a choice. However, the glare from the afternoon sun may require the use of curtains or other shade control devices. The awning fabric shown here is Sunbrella brand, style #4923 "Black Forest Fancy". The awning fabric and paint colors should coordinate.

>Simple window signs are shown here for illustration purposes. Exact signs will depend largely on the occupants/tenants. A variety of sign solutions are possible including projecting signs on the upper façade, a sign in front of the corner entrance, etc.



*Storefront with awnings removed to show transom windows.  
Even with awnings, the transoms should be restored.*

MAIN STREET  
I O W A



IOWA

economic development

Main Street Iowa

Proposed Facade Renovation

Cedar Rapids, Iowa

Project #01915

February 24, 2015



Existing

## Proposed



### NOTES:

- >This rendering shows the rear portion of the building after some simple renovations including the removal of the existing wood single story addition.
- >Create entrances for the commercial space (left side) as well as for the upper floor residential space (right side). The commercial entry should lead directly to an interior stair and could include a small entry lobby/foyer space.
- >The façade is clad with horizontal lap siding as a finish material. Since this is the rear façade the choice of materials is not as critical. Masonry should be used for all of the primary and highly visible facades.
- >Install a new deck across the rear as shown. This is an amenity for the residence as well as providing additional shelter for the main floor entries. The deck is accessed by a pair of patio/sliding doors.
- >The space below the deck is a paved patio area. Individual brick pavers could be used. A simple garbage/dumpster enclosure is also shown. This can be used by both the business and residence.
- >Additional site amenities can include a rain garden area in the green space immediately to the right of the building. This open area could be developed into a garden type area or traditional lawn.
- >Consider constructing a garage in the foreground area behind the building. The garage should be accessed from the alley.

DRAWN BY: T. Reinders  
K. Rutledge

SHEET NUMBER 2 of 3

REVISIONS

**CONCEPTUAL DRAWING ONLY**



Development Services Department  
City Services Center  
500 15<sup>th</sup> 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: May 21, 2015

To: City Planning Commission  
From: Development Services Department

Applicant: Greg's Lawn & Landscaping  
Titleholder: Continental Place, LLC

Location: 1200 Continental Place NE  
Request: Consideration of a Revised Site Development Plan for a Conditional Use for expansion of an existing contractor's shop with additional outdoor storage and fencing in a C-3, Regional Commercial Zone District

Case Manager: Dave Houg, Development Services Department  
Case Number: COND-016331-2015

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**GENERAL INFORMATION:**

This is to certify that Development Services staff has examined the Major Revised Site Development Plan for a Conditional Use submitted by Greg's Lawn & Landscaping for property located at 1200 Continental Place NE and zoned C-3, Regional Commercial Zone District.

The area shown for the proposed development consists of the original parcel (4.20 acres) and an additional leased parcel (1.79 acres). This request is for an expansion of an existing contractor's shop with additional outdoor storage and fencing which includes an adjacent parcel to the north. The original site development plan was approved as CU #14-2005.

After careful consideration, it is recommended that the Major Revised Site Development Plan be approved, subject to all applicable conditions stated in Ordinance #55-04, CU #14-2005 and also subject to the following:

**RECOMMENDED CONDITIONS:**

1. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, the applicant shall work with the City's Building Services Department to resolve the issue with construction of the chain link security fence beyond the northerly property line without the appropriate building permit(s).
2. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, the applicant shall

work with the City's Building Services Department to resolve the issues with construction of the easterly most hoop structure adjacent to the north property line without the appropriate building permit(s), inspections or a certificate of occupancy.

3. No buildings or building overhangs shall encroach upon any portion of an easement without obtaining appropriate approval.
4. All parking, drives, and storage areas are to be surfaced per provisions of the Zoning Ordinance. Surfacing to include asphalt, concrete, brick or asphaltic macadam.
5. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, the property owner shall dedicate permanent sanitary sewer easements over the existing sanitary sewer main. Easement width shall be based on the depth of the sewer.
6. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to submit an agreement to dedicate easements or right-of-way for recreational trail access through the site on an alignment and width acceptable to the City.

# CONDITIONAL USE SITE DEVELOPMENT PLAN GREG'S LAWN & LANDSCAPING

1200 CONTINENTAL PLACE NE  
CITY OF CEDAR RAPIDS, IOWA



LOCATION MAP  
SCALE: 1" = 300'

OWNER/APPLICANT: CONTINENTAL PLACE, LLC  
C/O GREG SCHARF  
1200 CONTINENTAL PLACE NE  
CEDAR RAPIDS, IOWA 52402  
PH: 319-393-0101

ENGINEER: BRAIN ENGINEERING, INC.  
1540 MIDLAND COURT NE  
CEDAR RAPIDS, IOWA 52402  
PH: 294-9424

PROPERTY ADDRESS: 1200 CONTINENTAL PLACE NE  
CEDAR RAPIDS, IA. 52402

LEGAL DESCRIPTION: LOT 2, MILWAUKEE INDUSTRIAL PARK 8TH ADDITION  
TO CEDAR RAPIDS, IOWA.

REQUEST: CONDITIONAL USE REVISION. ORIGINAL CONDITIONAL USE APPROVAL WAS FOR WAREHOUSING, WHOLESALE, & DISTRIBUTOR ESTABLISHMENTS WITHIN THE C-3A (NOW C-3) ZONING DISTRICT.

PROPERTY USE WILL NOT CHANGE HOWEVER ADDITIONAL LAND TO THE NORTH IS REQUESTED TO BE USED AS OUTDOOR STORAGE. THIS PROPERTY IS ZONED I-1 AND OWNED BY A DIFFERENT PARTY. THERE IS A CURRENT LEASE AND PENDING PURCHASE AGREEMENT INVOLVED WITH THAT PROPERTY.

USE: WAREHOUSING, WHOLESALE, AND DISTRIBUTOR ESTABLISHMENTS (LAWN CARE & LANDSCAPING SERVICE)

EXISTING ZONING: C-3 (OWNER'S PROPERTY) AND I-1 (LEASED PROPERTY)

TOTAL SITE AREA:  
OWNER'S PROPERTY = 182,818 SQ. FT. = 4.20 ACRES  
LEASE PROPERTY = 78,187 SQ. FT. = 1.79 ACRES  
TOTAL PROPERTY = 261,005 SQ. FT. = 5.99 ACRES

TOTAL SQ. FT. OF STRUCTURES (OVERALL):  
EXISTING: 35,733 SQ. FEET = 13.7%  
PROPOSED: NO CHANGE

HARD SURFACE AREA (OVERALL):  
EXISTING: 141,280 SQ. FEET = 54.1%  
PROPOSED: NO CHANGE

OPEN AREA (OVERALL):  
EXISTING: 119,725 SQ. FEET = 45.9%  
PROPOSED: NO CHANGE

SETBACKS: I-1  
FRONT YARD: 25 FEET MINIMUM  
INTERIOR SIDE YARD: 15 FEET MINIMUM  
CORNER SIDE: 25 FEET MINIMUM  
REAR YARD: 25 FEET MINIMUM

SETBACKS: C-3  
FRONT YARD: 25 FEET MINIMUM  
INTERIOR SIDE YARD: NONE  
CORNER SIDE: 15 FEET MINIMUM  
REAR YARD: NONE

PARK SPACES REQUIRED:

CONTRACTOR USE: 2/EMPLOYEE = 40 SPACES [20 EMPLOYEES]  
OFFICE AREA: 4/1,000 SQ. FEET = 15 SPACES [3,700 SQ. FEET]

TOTAL SPACES REQUIRED = 55 SPACES  
TOTAL SPACES PROVIDED = 65 SPACES

HANDICAP SPACES REQUIRED = 2 SPACES  
(1 VAN ACCESSIBLE).  
HANDICAP SPACES PROVIDED = 2 SPACE  
(2 VAN ACCESSIBLE).

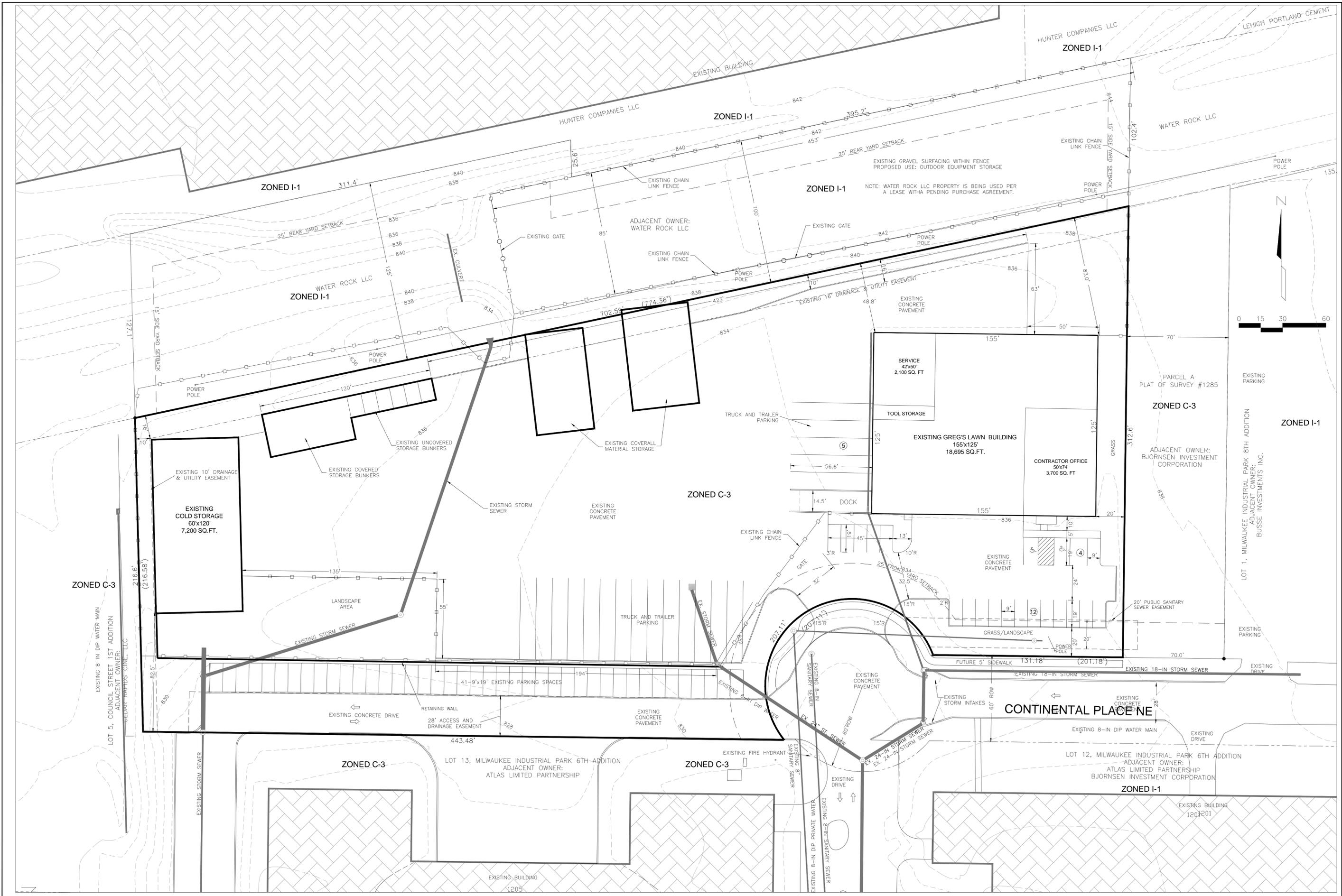
NOTE:

1) LEASED AREA IS PARTIALLY FENCED IN WITH GRAVEL SURFACING. CONCRETE.

**CONTACT PERSON**

Contact Person	Daniel L. Schmidt
Telephone Number	(319) 294-9424
Fax Number	(319) 294-1056
Mailing Address	1540 Midland Court NE
Date Submitted	2/18/2015
Date Revised	

	<b>CONDITIONAL USE SITE DEVELOPMENT PLAN</b> GREG'S LAWN & LANDSCAPING
Drawn: DLS Checked: Reviewed:	Book: 2/8/14 Scale: N/A No.
Title:	Revision:
Page: 1	Date:
of 2	Project No.
316815-10	Date



Drawn:	DLS	2/18/15	Block:	3
Checked:			Scale:	1" = 30'
Reviewed:			No.	2
Title:			Date:	
Page:			Revision:	
2				
of				
Project No.				
316815-10				



COND. USE DEVELOPMENT PLAN  
 GREG'S LAWN & LANDSCAPING



Development Services Department  
City Services Center  
500 15<sup>th</sup> Avenue SW  
Cedar Rapids, IA 52404  
(319) 286-5043

**STAFF REPORT TO CITY PLANNING COMMISSION**  
Preliminary Site Development Plan

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CPC Date: May 21, 2013

To: City Planning Commission  
From: Development Services Department

Applicant: Hunter Companies, LLC  
Titleholder: Hunter Companies, LLC

Location: 1103 and 1201 Blairs Ferry Road NE  
Request: Approval of a Preliminary Site Development Plan in a PUD-1, Planned Unit Development One Zone District

Case Manager: Vern Zakostelecky, Development Services Department  
Case Number: PSDP-016434-2015

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**BACKGROUND INFORMATION:**

The applicant is requesting Preliminary Site Development Plan approval for the property owned, which is the former Nash Finch distribution facility and property and a concrete distribution center. The improvements on the property are in the process of being demolished and recycled for re-use. The property is currently zoned PUD-1, Planned Unit Development One Zone District. The proposal is to subdivide the property into 13 lots for future development of mixed use commercial/office spaces.

Since this project is still in the marketing phase there will most likely be changes to parking, building footprints, etc. These changes, if minor in nature would be dealt with at the time of Administrative Site Plan application.

The Preliminary Site Development Plan as submitted includes the following:

- Total site area is 24.59 acres.
- Total buildings-13-most one-story.
- Existing green space-4.43 acres, proposed-5.11 acres.
- Total parking spaces provided required-615, provided-1099 spaces.
- Accesses:
  - Three from Blairs Ferry NE
  - One from Council St. NE
  - Future access to Rockwell Dr. NE
- Storm water management areas will be provided on a lot by lot basis.

## **FINDINGS:**

Section 32.02.030.G.7 of the Zoning Ordinance requires the City Planning Commission to review the application based on the following criteria:

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

*Staff comments:* As part of the process and approval of the PUD-1 Zoning District a PUD “Master Plan” was approved by City Council. This Preliminary Site Development Plan is consistent with the “Master Plan” approved at the time of rezoning.

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

*Staff comments:* The site development plan conforms to all applicable requirements of the City’s Zoning Ordinance, provided the buildings are designed to meet the requirements of the newly adopted Urban Design Standards and the Development Agreement between the City and the applicant for financial incentives provided by the City for the project.

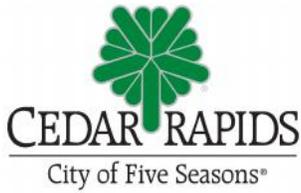
As part of this process City staff will work with the applicant to draft a development agreement as required by the City Zoning Ordinance for PUD rezoning that will provide more detailed guidelines for development of the individual lots.

## **RECOMMENDED CONDITIONS:**

If the City Planning Commission recommends approval of the proposed preliminary site development plan, adoption of the following conditions as recommended by City Departments should be considered. The City Planning Commission may approve with additional conditions or remove any of the recommended conditions.

1. Subject property shall be platted per State and City platting regulations.
2. All lots shall be provided frontage on an approved public or private street which is appropriately named.
3. Evidence of recorded shared access and parking easement agreements will be required.
4. That prior to issuance of building permits the applicant approval of any Administrative Site Plan for any of the lot in this development the developer enter into a development agreement with the City to satisfy the requirement of Subsection 32.03.010.C.4.k. of the Zoning Ordinance PUD, Planned Unit Development District regulations.
5. That the development of this property is subject to conditions of Ordinance No. 073-14 and development agreement between the City of Cedar Rapids and Hunter Companies, LLC.





Development Services Department  
City Services Center  
500 15<sup>th</sup> Avenue SW  
Cedar Rapids, IA 52404  
Telephone: (319) 286-5820

**STAFF REPORT TO CITY PLANNING COMMISSION**  
Preliminary Site Development Plan

---

CPC Date: May 21, 2015

To: City Planning Commission  
From: Development Services Department

Applicant: Kwik Trip, Inc.  
Titleholder: Perpetual Savings & Loan Association

Location: 3730 Williams Boulevard SW  
Request: Consider Preliminary Site Development Plan approval for property zoned C-2, Commercial Zone District

Case Manager: Chris Strecker, PE, Development Services Department  
Case Number: PSDP-017977-2015

---

**BACKGROUND INFORMATION:**

The property is currently developed as a bank. The applicant is applying for Preliminary Site Development Plan approval to construct a 9,022 s.f. convenience store including a car wash. An Administrative Site Development plan will be reviewed as part of City review.

The proposed uses and development are consistent with the intent and purposes of EnvisionCR, the Comprehensive Plan. The proposed development area is shown as “Urban Medium Intensity” on the Future Land Use Map in the Comprehensive Plan. The development will also comply with all other applicable codes, regulations and approvals.

The Preliminary Site Development Plan submitted includes the following proposed improvements:

- Total site area – 1.96 acres
- Proposed building size – 9,022 s.f. (6,600 sf store area)
- Total parking required - 1 space per 6,000 gfa = 40 total spaces
- Total parking provided - 28 spaces + 20 service points
- Existing open space - 60% of total area
- Proposed open space - 28 % of total area

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

*Staff comments:* The proposed changes to this application are consistent with the previous approved site plan for this property.

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

*Staff comments:* The site development plan conforms to all applicable requirements of the City's Zoning Ordinance and other applicable codes and regulations provided the conditions proposed by City staff are complied with.

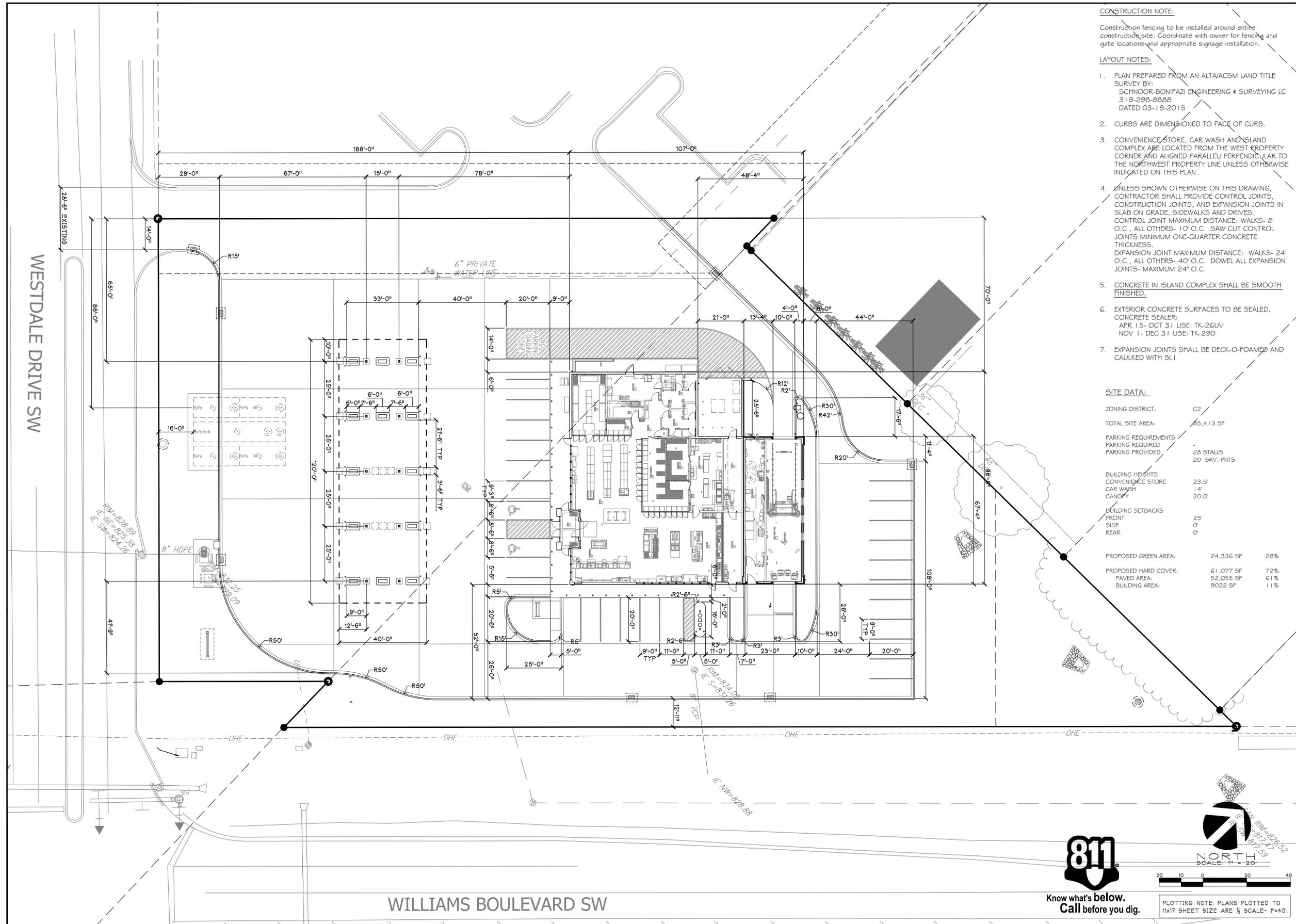
**RECOMMENDED CONDITIONS:**

If the City Planning Commission recommends approval of the proposed Preliminary Site Development Plan, adoption of the following conditions as recommended by Development Services should be considered. The City Planning Commission may approve with additional conditions.

1. The existing structures must be removed under appropriate permit and inspections conducted and approved.
2. Roof top mechanicals shall be screened so as not to be visible from the street. Screening is not required for the top of the roof-top mechanicals. Acceptable exterior wall materials are brick, stone, and split face block masonry, cementitious siding, EIFS, glass, metal (flat, perforated, composite, or ribbed less than 8" OC), architectural paneling, or other similar high quality materials.
3. Design guidelines and standards as specified in Subsection 32.05.030.C. shall be met or a variance must be obtained.
4. Required off-street parking shall be provided per provisions of the Zoning Ordinance or a variance be obtained.
5. 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. Please note that chain link with privacy slats does not satisfy this requirement.
6. Effective screening, including a required bufferyard, shall be provided and maintained per provisions of the Zoning Ordinance where adjacent to a residential use or a variance must be obtained.
7. 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.
8. The enclosure for the dumpsters 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.
9. That proposed signage is not being reviewed nor approved at this time. Prior to erection of signage, appropriate approvals and permits must be obtained.
10. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the

property owner shall be responsible to submit to the City a signed Agreement for Private Storm Water Detention.

11. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to construct concrete sidewalk along Williams Boulevard SW and Westdale Drive 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.).



**CONSTRUCTION NOTE:**

Construction fencing to be installed around entire construction site. Coordinate with owner for fencing and gate locations and appropriate signage installation.

**LAYOUT NOTES:**

1. PLAN PREPARED FROM AN ALTA/ACSM LAND TITLE SURVEY BY: SCHNOOR-BONIFAZI ENGINEERING & SURVEYING LC 319-298-8888 DATED 03-19-2015
2. CURBS ARE DIMENSIONED TO FACE OF CURB.
3. CONVENIENCE STORE, CAR WASH AND ISLAND COMPLEX ARE LOCATED FROM THE WEST PROPERTY CORNER AND ALIGNED PARALLEL/ PERPENDICULAR TO THE NORTHWEST PROPERTY LINE UNLESS OTHERWISE INDICATED ON THIS PLAN.
4. UNLESS SHOWN OTHERWISE ON THIS DRAWING, CONTRACTOR SHALL PROVIDE CONTROL JOINTS, CONSTRUCTION JOINTS, AND EXPANSION JOINTS IN SLAB ON GRADE, SIDEWALKS AND DRIVES. CONTROL JOINT MAXIMUM DISTANCE: WALKS- 8' O.C., ALL OTHERS- 10' O.C. SAW CUT CONTROL JOINTS MINIMUM ONE-QUARTER CONCRETE THICKNESS. EXPANSION JOINT MAXIMUM DISTANCE: WALKS- 24' O.C., ALL OTHERS- 40' O.C. DOWEL ALL EXPANSION JOINTS- MAXIMUM 24" O.C.
5. CONCRETE IN ISLAND COMPLEX SHALL BE SMOOTH FINISHED.
6. EXTERIOR CONCRETE SURFACES TO BE SEALED. CONCRETE SEALER: APR 15- OCT 31 USE: TK-26UV NOV 1- DEC 31 USE: TK-290
7. EXPANSION JOINTS SHALL BE DECK-O-FOAMED AND CAULKED WITH SLI

**SITE DATA:**

ZONING DISTRICT:	C2
TOTAL SITE AREA:	65,413 SF
PARKING REQUIREMENTS	-
PARKING REQUIRED	28 STALLS
PARKING PROVIDED	20 SRV. PNTS
BUILDING HEIGHTS	
CONVENIENCE STORE	23.5'
CAR WASH	14'
CANOPY	20.0'
BUILDING SETBACKS	
FRONT	25'
SIDE	0'
REAR	0'
PROPOSED GREEN AREA:	24,336 SF 28%
PROPOSED HARD COVER:	61,077 SF 72%
PAVED AREA:	52,055 SF 61%
BUILDING AREA:	9022 SF 11%

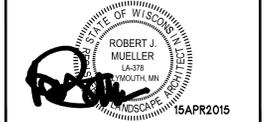


STORES



STORES

**KWIK TRIP, Inc.**  
P.O. BOX 2107  
1626 OAK STREET  
LACROSSE, WI 54602-2107  
PH. (608) 781-8988  
FAX (608) 781-8960



**SITE PLAN**  
**CONVENIENCE STORE 165**  
**WILLIAMS AND WESTDALE**  
**CEDAR RAPIDS, IOWA**

NO.	DATE	DESCRIPTION

DRAWN BY: GRAPHIC  
SCALE: 1/4" = 20'  
PROJ. NO.: 15165  
DATE: 15APR2015  
SHEET: **SP1**



Know what's below.  
Call before you dig.



PLOTTING NOTE: PLANS PLOTTED TO 11x17 SHEET SIZE ARE 1/2 SCALE- 1"=40'

INSITES 15-03







FRONT ELEVATION  
 3/16" = 1'-0"



SIDE ELEVATION  
 3/16" = 1'-0"



Flat Canopy

10 MPD



Community Development and Planning Department  
City Hall  
101 First Street SE  
Cedar Rapids, IA 52401  
Telephone: (319) 286-5041

To: City Planning Commission  
From: Kirsty Sanchez, Community Development and Planning  
Subject: Consideration regarding conformity of the proposed Center Point Urban Renewal Area Plan with the City's Comprehensive Plan  
Date: May 21, 2015

---

**BACKGROUND INFORMATION:**

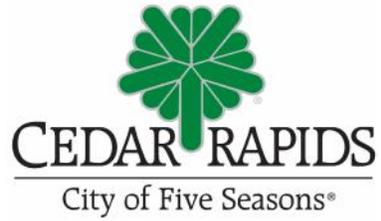
The City Council has initiated proceedings to consider the creation of the Center Point Urban Renewal Area Plan located at 1427 Center Point Road NE and described as follows:

College Park 2<sup>nd</sup> (Less N 30') & (Less E 10') Out Lot STR/LB 11

The proposed Urban Renewal Area is generally located southeast of the intersection of Interstate 380 and 29<sup>th</sup> Street NE in the City of Cedar Rapids. This district is intended to stimulate private investment through planning and providing land for new and expanding private development and to achieve a well-balanced diversified economy.

The State Code of Iowa requires that prior to City Council adoption of an Urban Renewal Area, the Urban Renewal Plan be referred to the City Planning Commission for review and recommendation "*as to its conformity with the general plan for the development of the municipality as a whole.*"

The action requested from Planning Commission at this time is to make a finding regarding the consistency of the proposed Center Point Urban Renewal Plan for the Center Point Urban Renewal Area with the EnvisionCR Comprehensive Plan. In addition to City Planning Commission review, the City consulted with affected taxing agencies on May 20, 2015. All comments received will be presented to City Council for consideration during the public hearing scheduled for May 26, 2015.



**URBAN RENEWAL PLAN**  
for the  
**CENTER POINT URBAN RENEWAL AREA**

**As Approved by City Council**

**Resolution No. \_\_\_\_\_**

Community Development Department  
City Hall  
101 First Street SE  
Cedar Rapids, Iowa 52401

## **INTRODUCTION**

This Urban Renewal Plan (the "Urban Renewal Plan") has been prepared by the City of Cedar Rapids, Iowa (the "City") to provide for the development of the Center Point Urban Renewal Area (the "Project Area") of the City, and to stimulate, through public actions, financings and commitments, private investment in the urban renewal Project Area. In order to achieve these objectives, the City shall undertake the urban renewal actions specified in this Urban Renewal Plan, pursuant to the powers granted to it under Chapters 403 and 15A of the Code of Iowa, 2011, as amended (the "Code").

### **I. URBAN RENEWAL PLAN OBJECTIVES**

The City has designated the Project Area as an "economic development area" as defined under Chapter 403. The primary objectives of this Urban Renewal Plan for the Project Area are as follows:

1. To stimulate through public action and commitment, private investment in new commercial and manufacturing development;
2. To plan and provide sufficient land for new and expanding private development;
3. To attract new businesses to the City and to encourage the expansion of existing City businesses;
4. To provide a more marketable and attractive investment climate through the use of various federal, state and local incentives;
5. To ensure that the Project Area is adequately served with public facilities, roadways, utilities and services; and
6. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities for City residents and strengthening the property tax base of the City.

### **II. DESCRIPTION OF PROJECT AREA**

The Project Area is an "urban renewal area" as defined in the Code and is located within the City of Cedar Rapids, Linn County, Iowa. The boundaries of the Project Area are illustrated on the Project Area Map attached hereto as Exhibit A.

The Project Area consists of an approximately 1.6 acres, in the City of Cedar Rapids, Iowa and being described as follows:

College Park 2<sup>nd</sup> (Less N 30') & (Less E 10') Out Lot STR/LB 11

### **III. PROJECT AREA ACTIVITIES**

As a means of assisting in the development of the Project Area and fulfilling the objectives of this Urban Renewal Plan, the City may determine:

1. To undertake and carry out urban renewal project activities through the execution of contracts and other instruments;
2. To arrange for or cause to be provided the construction or repair of public infrastructure improvements, including street, water, sanitary sewer and storm sewer systems, traffic signals, and public utilities or other facilities in connection with urban renewal projects;
3. To acquire property through a variety of means (purchase, lease, exchange, condemnation, donation or otherwise) and to hold, clear or prepare the property for redevelopment;
4. To dispose of property so acquired (by sale, lease, exchange or otherwise) for purposes of private redevelopment;
5. To provide financing to pay a portion of the cost of construction of new facilities and developments;
6. To undertake or cause to be undertaken the construction of specific site improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections and related activities, in connection with the disposition of property;
7. To make loans or grants to private persons or businesses for economic development purposes on such terms as may be determined by the City Council;
8. To borrow money and provide security therefor;
9. To establish and enforce controls, standards and restrictions on land use and buildings;

10. To make or have made surveys and plans necessary for the implementation of the urban renewal program and specific urban renewal project activities;
11. To use tax increment financing to provide for necessary physical improvements and infrastructure, and to fund other urban renewal project costs; or
12. To use any and all other powers, without limitation, granted by the Code to develop and provide for improved economic conditions in the City of Cedar Rapids, Iowa.

#### **IV. SPECIAL FINANCING ACTIVITIES**

To meet the objectives of this Urban Renewal Plan and to encourage private investment in and the development of the Project Area, the City may determine to provide financial assistance to qualified private businesses through the making of loans or grants under Chapter 15A of the Code and through the use of tax increment financing under Chapter 403 of the Code.

A. Chapter 15A Loans or Grants. The making of loans or grants of public funds to private businesses within the Project Area may be deemed necessary or appropriate for economic development purposes (as defined in Chapter 15A of the Code) and to aid in the planning, undertaking and carrying out of urban renewal project activities authorized under this Urban Renewal Plan and the Code. Accordingly, in furtherance of the objectives of this Urban Renewal Plan, the City may determine to issue general obligation bonds, tax increment revenue bonds or other such obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Project Area. Alternatively, the City may determine to use available funds, including tax increment revenues from the Project Area, for making such loans or grants. In determining qualifications of recipients and whether to make any such individual loan or grant, the City shall consider, among other things, one or more of the factors set forth in Section 15A.1 of the Code on a case-by-case basis.

B. Tax Increment Financing. The City intends to utilize tax increment financing as a means to help pay for the costs associated with the development of the Project Area. General obligation bonds, tax increment revenue bonds or other such obligations or loan agreements may be issued by the City, and tax increment reimbursement may be sought for, among other things, the following costs (if and to the extent incurred by the City):

1. The construction of public improvements, such as streets, sanitary sewers, storm sewers, water mains or sidewalks;

2. The funding of the "local match" required under State programs providing financial assistance to private developers; and
3. The making of loans or grants to private businesses under Chapter 15A of the Code, including debt service payments on any bonds or notes issued to finance such loans or grants.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code in furtherance of the objectives of this Urban Renewal Plan.

#### **V. PROPERTY ACQUISITION**

All of the properties located within the Project Area are owned or expected to be acquired by TW Sather Company and the City does not presently intend to acquire any land in the Project Area for purposes of private development. Areas may be identified for acquisition in the future for the following purposes:

1. To provide sites for needed private and public improvements or facilities in proper relationship to the projected demand for such facilities and in accordance with accepted criteria for the development of such facilities;
2. To assemble land into parcels of adequate size and shape to meet contemporary development needs and standards and to allow new construction to meet the objectives of this Urban Renewal Plan; or
3. To acquire any and all interests in any property within the Project Area which in any way dominates or controls usage of other real property proposed to be acquired.

#### **VI. CLEARANCE AND DISPOSITION OF PROPERTY**

All of the properties located within the Project Area are owned or expected to be acquired by TW Sather Company and the City does not presently intend to clear or dispose of property in the Project Area. If the City makes improvements in preparation for redevelopment or transfer of land to private developers, all improvements will be accomplished in accordance with the goals and objectives of this Urban Renewal Plan and in concert with other actions to ensure timely improvement of the land.

The City may advertise and solicit development proposals, may negotiate directly with prospective developers, and may dispose of all or a portion of any property acquired by it for the purpose of redevelopment in accordance with the goals and objectives of this

Urban Renewal Plan. The property so disposed of may include vacated right-of-way and other lands under public ownership which are not needed for public purposes.

The City may subdivide, vacate or otherwise change the recorded arrangement of property under its control to accomplish the goals and objectives of this Urban Renewal Plan.

## **VII. LAND USE DEVELOPMENT**

The planning criteria to be used to guide the physical development of the Project Area are those standards and guidelines contained within the Cedar Rapids EnvisionCR Comprehensive Plan approved on January 27, 2015, as amended from time to time.

## **VIII. DEVELOPER REQUIREMENTS**

In consideration of the efforts to be made by the City in furthering the development of the Project Area, developers who purchase land in the Project Area may be required to observe the land use requirements of this Urban Renewal Plan and to enter into a contractual agreement with the City in order to assure that the objectives of this Urban Renewal Plan are furthered or achieved.

Developers will not be permitted to defer the start of construction for a period longer than that required to prepare architectural plans, obtain satisfactory financing, and the review and approval of such plans by the City in order to establish their conformance with the provisions of this Urban Renewal Plan. In addition, it is expected that the following provisions will be included in agreements with developers:

1. Developers will submit plans and schedules for the proposed development to the City and will keep the City informed regarding progress on implementing these plans;
2. Any land purchased from the City can only be used for the purpose of development, and not for speculation;
3. Any ownership parcel made up in part of land acquired from the City will be built upon and improved in conformity with the objectives and provisions of this Urban Renewal Plan;
4. Construction of improvements will be initiated and completed within a reasonable time; and

5. There will be no discrimination against any person or group of persons on account of race, creed, color, national origin or ancestry in the sale, lease, sublease, transfer, use of enjoyment of the premises therein conveyed, nor will the developers themselves, or any claiming under or through them, establish or permit such practices of discrimination or segregation with respect to the selection, location, number, use or occupancy of tenants, lessees, or sub lessees in the premises therein conveyed.

The contract and other disposition documents to be executed by the developer will set forth, in detail, the provisions, standards and criteria for achieving the objectives and land use requirements established in this Urban Renewal Plan.

### **IX. PROJECT AND CITY INDEBTEDNESS**

The City may agree to make economic development grants to the developer in consideration for certain employment commitments and other covenants expected to be made by the developer. As such, the eventual level of City participation in both private and public improvements for the economic development of the Project Area cannot be fully determined at this time. However, to the extent that new tax increment revenues are generated and other appropriate funding sources are identified, the City may undertake other project-related activities in the future.

At the present time, it is anticipated that future City tax increment collections for project-related activities within the Project Area will not exceed \$200,000 in aggregate amount during the term of this Urban Renewal Plan. Proceeds of such tax increment collections are currently expected to be used to make economic development grants to the developer and to reimburse the City for any other project-related costs incurred in connection with the development of the Project Area.

As of June 30, 2013, the City's outstanding general obligation indebtedness was \$337,485,000. Article XI, Section 3 of the Constitution of the State of Iowa limits the amount of City debt outstanding at any time to no more than five percent (5%) of the value, as shown by the last certified state and City tax list, of all taxable property within the City. Based upon the actual value for fiscal year 2012/2013 (total actual value, less agriculture value that is not taxed for debt service) on all taxable property within the City of Cedar Rapids, the City is limited to \$463,611,401.00 of general obligation indebtedness.

### **X. STATE AND LOCAL REQUIREMENTS**

All provisions necessary to conform with state and local law will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

## **XI. SEVERABILITY**

In the event one or more provisions contained in this Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized or unenforceable in any respect, such invalidity, illegality, or lack of authorization or enforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

## **XII. AMENDMENT OF URBAN RENEWAL PLAN**

This Urban Renewal Plan may be amended from time to time to respond to development opportunities. Any such amendment shall conform to the requirements of Chapter 403 of the Code. Any change affecting any property or contractual right will be effectuated only in accordance with applicable state and local law.

## **XIII. EFFECTIVE DATE**

This Urban Renewal Plan shall be effective upon adoption by the City Council of the City of Cedar Rapids, Iowa, and shall remain in full force and effect until amended or rescinded by the City Council. However, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the Code) by the City for activities carried out under this Urban Renewal Plan shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law, including Iowa Code Section 403.17(10).

Proposed Center Point Urban Renewal Area





Community Development and Planning Department  
City Hall  
101 First Street SE  
Cedar Rapids, IA 52401  
Telephone: (319) 286-5041

To: City Planning Commission  
From: Kirsty Sanchez, Community Development and Planning  
Subject: Consideration regarding conformity of the proposed Creekside Urban Renewal Area Plan with the City's Comprehensive Plan  
Date: May 21, 2015

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**BACKGROUND INFORMATION:**

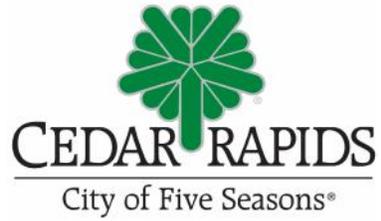
The City Council has initiated proceedings to consider the creation of the Creekside Urban Renewal Area Plan located at 1415 Center Point Road NE and described as follows:

College Park 2<sup>nd</sup> (Less E 10') S 60' Meas on E Ln Out Lot STR/LB 10

The proposed Urban Renewal Area is generally located southeast of the intersection of Interstate 380 and 29<sup>th</sup> Street NE in the City of Cedar Rapids. This district is intended to stimulate private investment through planning and providing land for new and expanding private development and to achieve a well-balanced diversified economy.

The State Code of Iowa requires that prior to City Council adoption of an Urban Renewal Area, the Urban Renewal Plan be referred to the City Planning Commission for review and recommendation *"as to its conformity with the general plan for the development of the municipality as a whole."*

The action requested from Planning Commission at this time is to make a finding regarding the consistency of the proposed Creekside Urban Renewal Plan for the Creekside Urban Renewal Area with the EnvisionCR Comprehensive Plan. In addition to City Planning Commission review, the City consulted with affected taxing agencies on May 20, 2015. All comments received will be presented to City Council for consideration during the public hearing scheduled for May 26, 2015.



**URBAN RENEWAL PLAN**  
for the  
**CREEKSIDE URBAN RENEWAL AREA**

**As Approved by City Council**

**Resolution No. \_\_\_\_\_**

Community Development Department  
City Hall  
101 First Street SE  
Cedar Rapids, Iowa 52401

## **INTRODUCTION**

This Urban Renewal Plan (the "Urban Renewal Plan") has been prepared by the City of Cedar Rapids, Iowa (the "City") to provide for the development of the Creekside Urban Renewal Area (the "Project Area") of the City, and to stimulate, through public actions, financings and commitments, private investment in the urban renewal Project Area. In order to achieve these objectives, the City shall undertake the urban renewal actions specified in this Urban Renewal Plan, pursuant to the powers granted to it under Chapters 403 and 15A of the Code of Iowa, 2011, as amended (the "Code").

### **I. URBAN RENEWAL PLAN OBJECTIVES**

The City has designated the Project Area as an "economic development area" as defined under Chapter 403. The primary objectives of this Urban Renewal Plan for the Project Area are as follows:

1. To stimulate through public action and commitment, private investment in new commercial and manufacturing development;
2. To plan and provide sufficient land for new and expanding private development;
3. To attract new businesses to the City and to encourage the expansion of existing City businesses;
4. To provide a more marketable and attractive investment climate through the use of various federal, state and local incentives;
5. To ensure that the Project Area is adequately served with public facilities, roadways, utilities and services; and
6. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities for City residents and strengthening the property tax base of the City.

### **II. DESCRIPTION OF PROJECT AREA**

The Project Area is an "urban renewal area" as defined in the Code and is located within the City of Cedar Rapids, Linn County, Iowa. The boundaries of the Project Area are illustrated on the Project Area Map attached hereto as Exhibit A.

The Project Area consists of an approximately 0.6 acres, in the City of Cedar

Rapids, Iowa and being described as follows:

College Park 2<sup>nd</sup> (Less E 10') S 60' Meas on E Ln Out Lot STR/LB 10

### **III. PROJECT AREA ACTIVITIES**

As a means of assisting in the development of the Project Area and fulfilling the objectives of this Urban Renewal Plan, the City may determine:

1. To undertake and carry out urban renewal project activities through the execution of contracts and other instruments;
2. To arrange for or cause to be provided the construction or repair of public infrastructure improvements, including street, water, sanitary sewer and storm sewer systems, traffic signals, and public utilities or other facilities in connection with urban renewal projects;
3. To acquire property through a variety of means (purchase, lease, exchange, condemnation, donation or otherwise) and to hold, clear or prepare the property for redevelopment;
4. To dispose of property so acquired (by sale, lease, exchange or otherwise) for purposes of private redevelopment;
5. To provide financing to pay a portion of the cost of construction of new facilities and developments;
6. To undertake or cause to be undertaken the construction of specific site improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections and related activities, in connection with the disposition of property;
7. To make loans or grants to private persons or businesses for economic development purposes on such terms as may be determined by the City Council;
8. To borrow money and provide security therefor;
9. To establish and enforce controls, standards and restrictions on land use and buildings;

10. To make or have made surveys and plans necessary for the implementation of the urban renewal program and specific urban renewal project activities;

11. To use tax increment financing to provide for necessary physical improvements and infrastructure, and to fund other urban renewal project costs; or

12. To use any and all other powers, without limitation, granted by the Code to develop and provide for improved economic conditions in the City of Cedar Rapids, Iowa.

#### **IV. SPECIAL FINANCING ACTIVITIES**

To meet the objectives of this Urban Renewal Plan and to encourage private investment in and the development of the Project Area, the City may determine to provide financial assistance to qualified private businesses through the making of loans or grants under Chapter 15A of the Code and through the use of tax increment financing under Chapter 403 of the Code.

A. Chapter 15A Loans or Grants. The making of loans or grants of public funds to private businesses within the Project Area may be deemed necessary or appropriate for economic development purposes (as defined in Chapter 15A of the Code) and to aid in the planning, undertaking and carrying out of urban renewal project activities authorized under this Urban Renewal Plan and the Code. Accordingly, in furtherance of the objectives of this Urban Renewal Plan, the City may determine to issue general obligation bonds, tax increment revenue bonds or other such obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Project Area. Alternatively, the City may determine to use available funds, including tax increment revenues from the Project Area, for making such loans or grants. In determining qualifications of recipients and whether to make any such individual loan or grant, the City shall consider, among other things, one or more of the factors set forth in Section 15A.1 of the Code on a case-by-case basis.

B. Tax Increment Financing. The City intends to utilize tax increment financing as a means to help pay for the costs associated with the development of the Project Area. General obligation bonds, tax increment revenue bonds or other such obligations or loan agreements may be issued by the City, and tax increment reimbursement may be sought for, among other things, the following costs (if and to the extent incurred by the City):

1. The construction of public improvements, such as streets, sanitary sewers, storm sewers, water mains or sidewalks;

2. The funding of the "local match" required under State programs providing financial assistance to private developers; and

3. The making of loans or grants to private businesses under Chapter 15A of the Code, including debt service payments on any bonds or notes issued to finance such loans or grants.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code in furtherance of the objectives of this Urban Renewal Plan.

## **V. PROPERTY ACQUISITION**

All of the properties located within the Project Area are owned or expected to be acquired by TW Sather Company and the City does not presently intend to acquire any land in the Project Area for purposes of private development. Areas may be identified for acquisition in the future for the following purposes:

1. To provide sites for needed private and public improvements or facilities in proper relationship to the projected demand for such facilities and in accordance with accepted criteria for the development of such facilities;

2. To assemble land into parcels of adequate size and shape to meet contemporary development needs and standards and to allow new construction to meet the objectives of this Urban Renewal Plan; or

3. To acquire any and all interests in any property within the Project Area which in any way dominates or controls usage of other real property proposed to be acquired.

## **VI. CLEARANCE AND DISPOSITION OF PROPERTY**

All of the properties located within the Project Area are owned or expected to be acquired by TW Sather Company and the City does not presently intend to clear or dispose of property in the Project Area. If the City makes improvements in preparation for redevelopment or transfer of land to private developers, all improvements will be accomplished in accordance with the goals and objectives of this Urban Renewal Plan and in concert with other actions to ensure timely improvement of the land.

The City may advertise and solicit development proposals, may negotiate directly with prospective developers, and may dispose of all or a portion of any property acquired

by it for the purpose of redevelopment in accordance with the goals and objectives of this Urban Renewal Plan. The property so disposed of may include vacated right-of-way and other lands under public ownership which are not needed for public purposes.

The City may subdivide, vacate or otherwise change the recorded arrangement of property under its control to accomplish the goals and objectives of this Urban Renewal Plan.

## **VII. LAND USE DEVELOPMENT**

The planning criteria to be used to guide the physical development of the Project Area are those standards and guidelines contained within the Cedar Rapids EnvisionCR Comprehensive Plan approved on January 27, 2015, as amended from time to time.

## **VIII. DEVELOPER REQUIREMENTS**

In consideration of the efforts to be made by the City in furthering the development of the Project Area, developers who purchase land in the Project Area may be required to observe the land use requirements of this Urban Renewal Plan and to enter into a contractual agreement with the City in order to assure that the objectives of this Urban Renewal Plan are furthered or achieved.

Developers will not be permitted to defer the start of construction for a period longer than that required to prepare architectural plans, obtain satisfactory financing, and the review and approval of such plans by the City in order to establish their conformance with the provisions of this Urban Renewal Plan. In addition, it is expected that the following provisions will be included in agreements with developers:

1. Developers will submit plans and schedules for the proposed development to the City and will keep the City informed regarding progress on implementing these plans;
2. Any land purchased from the City can only be used for the purpose of development, and not for speculation;
3. Any ownership parcel made up in part of land acquired from the City will be built upon and improved in conformity with the objectives and provisions of this Urban Renewal Plan;
4. Construction of improvements will be initiated and completed within a reasonable time; and
5. There will be no discrimination against any person or group of

persons on account of race, creed, color, national origin or ancestry in the sale, lease, sublease, transfer, use of enjoyment of the premises therein conveyed, nor will the developers themselves, or any claiming under or through them, establish or permit such practices of discrimination or segregation with respect to the selection, location, number, use or occupancy of tenants, lessees, or sub lessees in the premises therein conveyed.

The contract and other disposition documents to be executed by the developer will set forth, in detail, the provisions, standards and criteria for achieving the objectives and land use requirements established in this Urban Renewal Plan.

## **IX. PROJECT AND CITY INDEBTEDNESS**

The City may agree to make economic development grants to the developer in consideration for certain employment commitments and other covenants expected to be made by the developer. As such, the eventual level of City participation in both private and public improvements for the economic development of the Project Area cannot be fully determined at this time. However, to the extent that new tax increment revenues are generated and other appropriate funding sources are identified, the City may undertake other project-related activities in the future.

At the present time, it is anticipated that future City tax increment collections for project-related activities within the Project Area will not exceed \$200,000 in aggregate amount during the term of this Urban Renewal Plan. Proceeds of such tax increment collections are currently expected to be used to make economic development grants to the developer and to reimburse the City for any other project-related costs incurred in connection with the development of the Project Area.

As of June 30, 2013, the City's outstanding general obligation indebtedness was \$337,485,000. Article XI, Section 3 of the Constitution of the State of Iowa limits the amount of City debt outstanding at any time to no more than five percent (5%) of the value, as shown by the last certified state and City tax list, of all taxable property within the City. Based upon the actual value for fiscal year 2012/2013 (total actual value, less agriculture value that is not taxed for debt service) on all taxable property within the City of Cedar Rapids, the City is limited to \$463,611,401.00 of general obligation indebtedness.

## **X. STATE AND LOCAL REQUIREMENTS**

All provisions necessary to conform with state and local law will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

## **XI. SEVERABILITY**

In the event one or more provisions contained in this Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized or unenforceable in any respect, such invalidity, illegality, or lack of authorization or enforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

## **XII. AMENDMENT OF URBAN RENEWAL PLAN**

This Urban Renewal Plan may be amended from time to time to respond to development opportunities. Any such amendment shall conform to the requirements of Chapter 403 of the Code. Any change affecting any property or contractual right will be effectuated only in accordance with applicable state and local law.

## **XIII. EFFECTIVE DATE**

This Urban Renewal Plan shall be effective upon adoption by the City Council of the City of Cedar Rapids, Iowa, and shall remain in full force and effect until amended or rescinded by the City Council. However, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the Code) by the City for activities carried out under this Urban Renewal Plan shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law, including Iowa Code Section 403.17(10).

# Proposed Creekside Urban Renewal Area

