

**AGENDA**  
**CITY PLANNING COMMISSION MEETING**  
Thursday, July 23, 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: 2005 and 2013 West Post Road SW (Rezoning)**

Consideration of a change of zone from A, Agriculture Zone District to C-3, Regional Commercial Zone District as requested by Roger A. and Colleen A. Cassill (Applicants/Titleholders)

*Case No: RZNE-018870-2015; Case Manager: Vern Zakostelecky*

**2. Case Name: 167 Dows Lane NE (Rezoning)**

Consideration of a change of zone from R-1, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Richard B. Altorfer (Applicant/Titleholder)

*Case No: RZNE-019306-2015; Case Manager: Vern Zakostelecky*

**3. Case Name: 1718 Center Point Road NE (Rezoning and Conditional Use)**

a. Consideration of a change of zone from C-2, Community Commercial Zone District and R-3, Single Family Residence Zone District to O-S, Office/Service Zone District as requested by Jonathan Bond (Applicant) and Virgil A. and Janice E. Henley (Titleholders)

*Case No: RZNE-019307-2015; Case Manager: Dave Houg*

b. Consideration of a Conditional Use for Self Service Storage Facility in an O-S, Office/Service Zone District as requested by Jonathan Bond (Applicant) and Virgil A. and Janice E. Henley (Titleholders)

*Case No: COND-020223-2015; Case Manager: Dave Houg*

**D. New Business**

**MINUTES OF  
CITY PLANNING COMMISSION MEETING,  
Thursday, July 2, 2015 @ 3:00 p.m.**

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

Members Present: Scott Overland, Chair  
Jim Halverson, Vice Chair  
Virginia Wilts  
Samantha Dahlby  
Richard Pankey  
Dominique Blank  
Bill Hunse

Members Absent: Carletta Knox-Seymour  
Kim King, Arrived late

DSD Staff: Joe Mailander, Manager  
Vern Zakostelecky, Zoning Administrator  
David Houg, Plats & Zoning Conditions Coordinator  
Chris Strecker, Civil Engineer

CD Staff: 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 May 21, 2015 and June 11, 2015 minutes. Commissioner Overland stated with no additions or corrections, the May 21, 2015 and June 11, 2015 minutes stand approved.

## **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.

Commissioner King arrived for the meeting at 3:02pm

## **B. Action Items**

### **1. Case Name: Vacant Railroad ROW East of Council Street NE, West of Rockwell Drive NE and South of Blairs Ferry Road NE (Rezoning)**

Consideration of a change of zone from C-2, Community Commercial Zone District and I-1, Light Industrial Zone District to PUD-1, Planned Unit Development One Zone District as requested by Water Rock, LLC (Applicant/Titleholder)  
*Case No: RZNE-018355-2015; Case Manager: Vern Zakostelecky*

Mr. Zakostelecky stated the property is largely undeveloped and was formerly railroad right-of-way. The majority, if not all of this property will be parceled off and added to adjoining properties for future development. Greg's Lawn Service has a purchase agreement with the property owner to buy a portion of this site adjoining their property to the south for future expansion. The pieces of property on the west and east end of this property may end up being purchased by Hunter Companies, Inc. and added to the redevelopment of the former Nash Finch site to the north. Since it is not known exactly how the property will development no site plan has been submitted at this time. Mr. Zakostelecky also asked the Commission to recommend the property with the exception of the parcel Greg's Lawn Service is purchasing be zoned C-3, Regional Commercial Zone District if Hunter Company doesn't buy it. Mr. Zakostelecky presented General Information and an Aerial Photo.

Commissioner Overland called for questions of Mr. Zakostelecky.

Commissioner Dahlby asked if for the record the trail right-of-way could be added. Mr. Zakostelecky stated that condition is already in the rezoning.

Commissioner Hunse asked if there could be a condition requiring owners/developers of property to be present at the meeting. Mr. Zakostelecky stated that it could be at the Commissions discretion.

Commissioner Halverson stated that it is at their peril if the owners/developers were not in attendance. Commissioner Overland stated that it was a policy issue for another time.

Commissioner Overland called for a representative of the applicant.

Mr. Mailander wanted to clarify Commissioner Dahlby's question regarding the trail, that the trail is already a part of the conditions.

Susan Forinash, Hall & Hall Engineers, 1860 Boyson Road, Hiawatha and Greg Swartzendruber, Hunter Companies, 6300 Gibson Drive NE stated that they would be happy to answer any questions of the Commission.

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

Commissioner Overland asked what the developer had plans for the property off Council Street. Mr. Swartzendruber stated that they had no plans at this time.

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 Pankey made a motion to approve the change of zone from C-2, Community Commercial Zone District and I-1, Light Industrial Zone District to PUD-1, Planned Unit Development One Zone District subject to sale of some of the property to Hunter Companies, Inc. 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.

## **2. Case Name: Hawks Point Seventh Addition (Preliminary Plat)**

Consideration of a Preliminary Plat in RMF-1, Multiple Family Residence Zone District as requested by Thomas Dostal Developers, Inc. (Applicant/Titleholder)

***Case No. PRPT-018649-2015; Case Manager: Chris Strecker***

Mr. Strecker stated Thomas Dostal Developers, Inc. is requesting approval of a Major Preliminary Plat for land located east of West Post Road SW and north of Williams Boulevard SW. The property is currently zoned RMF-1, Multiple Family Residence Zone District. The proposal is to subdivide the property into 56 lots for future development of multi-family residential units. Since this project is still in the marketing phase there will most likely be minor changes to the proposed lot lines. These changes, if minor in nature would be dealt with at the time of final plat application. Mr. Strecker presented a Location Map, General Information, Aerial Photo and Preliminary Plat.

Commissioner Overland called for questions of Mr. Strecker.

Commissioner Dahlby asked how many existing homes accessed West Post Road. Mr. Strecker stated he did not know but that there were multiple exists to West Post Road and there is a future street plan to the north.

Mr. Mailander stated that they had looked at street connection to Williams Boulevard and 151 however; the DOT has restricted future access. The City is looking at future connections.

Commissioner Halverson asked where the duplex homes would be located. Mr. Strecker stated that the project was mainly duplex homes.

Commissioner Hunse asked how much water would be in the stormwater area. Commissioner Overland asked if there were enforcement of standards and maintenance of water detention sites. Mr. Strecker stated that there are standards and this will be City maintained and typically mowed once or twice a year and this will be a dry detention basin and fill up only on rain events. Commissioner Overland asked how deep it would get after a good size rain. Mr. Strecker stated it depended on the amount of rain.

Commissioner Overland called for a representative of the applicant.

Brian Vogel, Hall & Hall Engineers, 1860 Boyson Road, Hiawatha said this is a dry basin and water would drain out within 24 hour period.

Commissioner Hunse asked if there was any history with using this for recreational purposes. Mr. Vogel stated there is no planned use for recreational purposes.

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 Preliminary Plat in RMF-1, Multiple Family Residence Zone District. Commissioner Wilts seconded the motion.

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

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

**3. Case Name: and TH Development (Preliminary Plat) and South of 76th Avenue, West of 6<sup>th</sup> Street SW (Preliminary Site Development Plan**

a. Consideration of a Preliminary Plat in I-2, General Industrial Zone District and A, Agriculture Zone District as requested by TH Development, LLC (Applicant) and Louis L. and Margaret Ellen Barta (Titleholders)

*Case No. PRPT-018657-2015; Case Manager: Chris Strecker*

b. Consideration of a Preliminary Site Development Plan in a I-2, General Industrial Zone District and A, Agricultural Zone District as requested by TH Development, LLC (Applicant) and Louis L. and Margaret Ellen Barta (Titleholders)

*Case No. PSDP-018650-2015; Case Manager: Chris Strecker*

Mr. Strecker stated TH Development, LLC is requesting approval of a Major Preliminary Plat for the agricultural land located at 7708 6<sup>th</sup> Street SW. The property is currently used for agriculture with a farmstead and is currently zoned I-2, General Industrial and A, Agriculture. The proposal is to subdivide the property into 8 lots for future development of Industrial properties. Since this project is still in the marketing phase there will most

likely be changes to the proposed lot lines. These changes, if minor in nature would be dealt with at the time of final plat application.

Mr. Strecker stated the applicant has also applying for Preliminary Site Development Plan on Lot 1 to construct a facility for semi sales and service totaling 51,000 sq.ft. An Administrative Site Development plan will need to be submitted for review by the City. Mr. Strecker stated he had received one verbal objection and one written objection that is in front of the Commissioners.

Commissioner Overland called for questions of Mr. Strecker.

Commissioner Blank asked if he could speak about the water retention capacity and the concerns with the runoff. Mr. Strecker stated that each lot will be required to provide storm water detention for the 100 year storm event and release it at a slow rate which will reduce the amount of water running to the adjacent properties.

Commissioner Hulse asked about the tractor display pads. Mr. Strecker stated they are the parking spaces that are shown on the site plan and the longer ones would be for tractor/trailer display. Mr. Strecker stated it would be for both sales and service.

Commissioner Hulse asked if the City staff was comfortable with the amount of parking that was available for the amount of employees and customers. Mr. Zakostelecky stated that there was a condition written to cover the parking.

Commissioner Overland called for a representative of the applicant.

Brent Jackman, Hall & Hall Engineers, 1860 Boyson Road, Hiawatha, IA stated that Mr. Strecker had done a great job and would be happy to answer any questions.

Commissioner Overland asked Mr. Jackman to address storm water runoff. Mr. Jackman stated that current City code requires that you detain the difference between the 100 and 5 year storm. Commissioner Overland asked if there were any issues with surrounding properties. Mr. Jackman stated it hasn't been determined if it will be a wet basin or a dry basin.

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

Kathryn Carew, 6500 Hillcrest Road SW asked how 6th Street is going to handle the excess traffic. Mr. Zakostelecky stated that traffic will go north and south on 6<sup>th</sup> Street to get to the major thoroughfares. The 6<sup>th</sup> Street speed limit is 55 and no major traffic issues have been identified. Mr. Strecker stated that there is a traffic light at 76<sup>th</sup> Street and 6<sup>th</sup> Street and they would have to go to Wright Brothers to get on the interstate.

Commissioner Overland called for a motion. Commissioner Pankey made a motion to approve the Preliminary Plat in a I-2, General Industrial Zone District and A, Agriculture Zone District. Commissioner King seconded the motion.

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

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

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the Preliminary Site Development Plan in an I-2, General Industrial Zone District and A, Agricultural Zone District. 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.

**4. Case Name: 4444 1<sup>st</sup> Avenue NE, Suite #602 (Conditional Use)**

Consideration of a Conditional Use for an Outdoor Service Area in C-2, Community Commercial Zone District as requested by Barmuda Companies (Applicant) and SDG Macerich Properties (Titleholder)

**Case No. COND-014051-2014; Case Manager: Dave Houg**

Mr. Houg stated this is a petition of Barmuda Companies dba Hurricane Grill & Wings requesting Conditional Use approval for an “Outdoor Service Area” for property at Lindale Mall - 4444 First Avenue NE, Suite #602 and zoned C-2, Community Commercial Zone District. Mr. Houg presented a Site Plan and Street View.

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

Commissioner Hunse asked where the gate was. Mr. Houg stated that they did not require a gate.

Commissioner Wilts asked if the height of the fence was sufficient. Mr. Houg stated that the bartender would be nearby.

Commissioner Overland called for a representative of the applicant. No applicant was available to speak.

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

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the Conditional Use for an Outdoor Service Area in C-2, Community Commercial Zone District. Commissioner Pankey seconded the motion.

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

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

The meeting was adjourned at 3:45pm

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  
Telephone: (319) 286-5043

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

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CPC Date: July 23, 2015

To: City Planning Commission  
From: Development Services Department

Applicant: Roger A. and Colleen A. Cassill  
Titleholder: Roger A. and Colleen A. Cassill

Location: 2005 and 2013 West Post Road SW  
Request: A, Agriculture Zone District to C-3, Regional Commercial Zone District

Case Manager: Vern Zakostelecky  
Case Number: RZNE-018870-2015

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**BACKGROUND INFORMATION:**

This is a request to rezone 2.04 acres to the C-3 Zoning District to allow the property to be used for vehicle repair and sales. The property is currently zoned Agriculture, with the exception of the existing single-family home, but is used for commercial purposes. The property was developed in the County as residential and commercial and was annexed to the City in 1996. The City's Future Land Use Map in EnvisionCR, the City's Comprehensive Plan identifies the property as "Urban Medium Intensity". The Preliminary Site Development Plan as submitted includes the following:

- Four existing buildings including:
  - Two 1-story garages.
  - One 2-story office and garage.
  - One single family home.
- Total building area-7,352 s. f.
- Total hard surface including parking and drives-19,186 s. f.
- Total parking-25 spaces including 2 handicap spaces.
- Two accesses from West post Rd. SW and one from 20<sup>th</sup> Ave. SW.

**FINDINGS:**

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

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

*Staff Comments: Not applicable.*

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

*Staff Comments: The property was developed in the County and has always been used for non-residential uses with the exception of the existing house. If the property is rezoned to the C-3 Zoning District the house will need to be converted to a non-residential use that is allowed in the C-3 District or removed from the site. Based on the "Urban Medium Intensity" classification and existing non-residential uses in the general area the requested zone change is in accord with the FLUM and the Goals and Objectives of the City's Comprehensive Plan.*

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

*Staff Comments: The surrounding land uses include a mix of residential, commercial, service, light industrial uses and undeveloped land. Based on the FLUM and the Comprehensive Plan the undeveloped properties in the surrounding area will most likely be developed as non-residential uses. The proposed development is consistent with goals and objective of the City Council and the Comprehensive Plan.*

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

*Staff Comments: The property is currently developed for commercial uses and is at the corner of the intersection of two collector streets. The property is suitable for all uses permitted in the C-3 Zoning District.*

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

*Staff Comment: Since the property is already developed and has been uses for non-residential uses for a number of years the rezoning should not have any significant negative impacts on the surrounding neighborhood.*

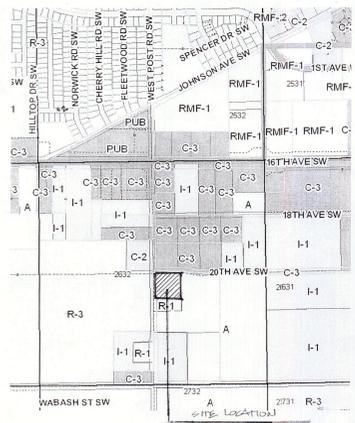
- 6. Whether facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development.**

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

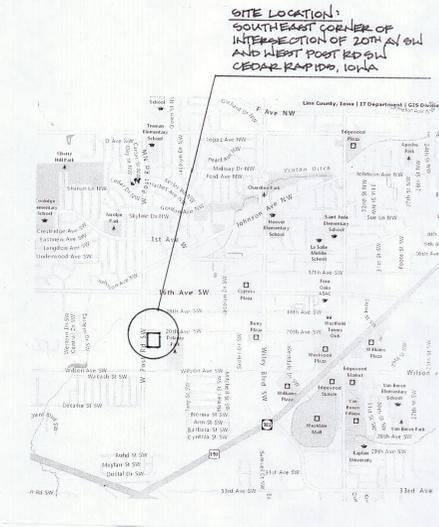
## RECOMMENDED CONDITIONS:

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

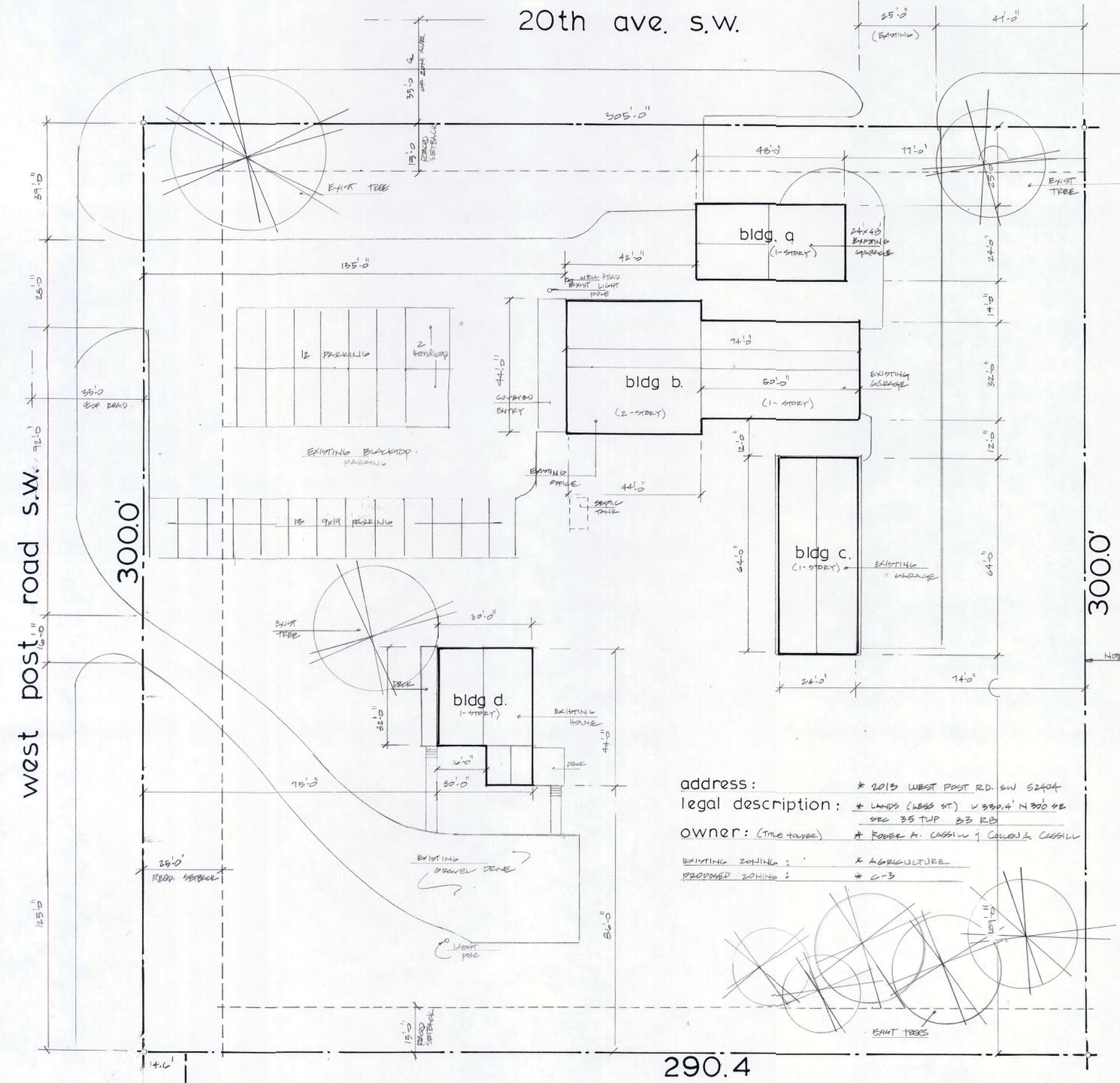
1. The enclosure for the dumpster will need to be a full screen enclosure including the gates and preferably designed using the same building material as the principal building as per Subsection 32.05.030.A.7. of the Zoning Ordinance. Please note that chain link with privacy slats does not satisfy this requirement.
2. Lighting fixtures shall be shielded in a manner that shall not direct illumination on adjacent residential properties, or on any public right-of-way as per Subsection 32.05.030.B. of the Zoning Ordinance.
3. Signage is not being reviewed at this time. Sign permit applications must be submitted and approved and permits obtained prior to erection of signage (Subsection 32.06.020 & 32.06.030 is the sign regulation in the Zoning Ordinance).
4. Sites will need to comply with off-street loading requirement per Chapter 32, Subsection 32.05.020.C.
5. Sites will need to comply with off-street parking requirement per Chapter 32, Subsection 32.05.020.A.
6. That all parking, drives, and storage areas be surfaced per provisions of the Zoning Ordinance. Surfacing to include asphalt, concrete, brick or asphaltic macadam.
7. That prior to final rezoning action by Council, the existing residential structures shall either be removed or be utilized only for permitted uses and shall comply with all applicable codes including, but not limited to: building, electrical, mechanical and plumbing.
8. Future development under this rezoning action shall be subject to the PSDP review process as set forth in Section 32.02.030.G. prior to issuance of building permit(s). Such Development shall meet all City development standards in effect at the time of plan submittal.
9. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to construct concrete sidewalk 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.).
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 submit to the City a signed Concrete Pavement Petition and Assessment Agreement for Street Improvements adjoining this site.
12. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to dedicate to the public additional street right of way along West Post Road SW providing a minimum 40' half width right-of-way adjoining this site.



ADJOINING ZONING MAP  
(NO SCALE)



CONTACT INFO:  
POWER CASSILL  
110 ABBOTSFORD RD. SE  
52403  
EMAIL: ROBERT@CASSILLMOTORLS.COM  
CELL # 319-373-6300



address: \* 2013 WEST POST RD. SW 52404  
 legal description: \* LANDS (LESS ST.) W 300.4' N 300.0' E SEC 35 TWP 23 R23  
 owner: (TIME SHARED) \* ROBERT A. CASSILL & COLLEEN & CASSILL  
 EXISTING ZONING: \* AGRICULTURE  
 PROPOSED ZONING: \* C-3

bldg. a.	1152 SQ. FT.
bldg. b.	3536 SQ. FT.
bldg. c.	1536 SQ. FT.
bldg. d.	1128 SQ. FT.
(EXIST. TOTAL)	7352 SQ. FT.
LOT SQ. FT.	= 91500 SQ. FT.
PARKING/DRIVE	19,180 SQ. FT.
HARD SURFACE	
% OF BUILDING TO SITE COVERAGE	0.04 %
% OF HARD SURFACE TO SITE COVERAGE	20.97 %
SITE NOT LOADED IN 100 OR 500 YR. FLOOD PLAIN	
PARKING EXISTING	23 EXISTING 2 HANDICAP

NOTE: NO CHANGES PROPOSED FOR BLDG. TOPOGRAPHY, SITEWORKS, LANDSCAPING OR PAVERWORKS.

The portion of the technical submission below has been prepared under the direct supervision & responsible charge of the undersigned. My registration expires 6/30/2015

MICHAEL J. WARDEN  
 Print or type name  
  
 Signature  
 DISCIPLINE: ARCHITECTURE  
 IOWA REGISTRATION NO. 3374  
 PAGES OR SHEETS COVERED BY THIS SEAL: site plan  
 DATE OF ISSUANCE: 5/19/2015

site plan

SCALE 1" = 20'-0"

**STAFF REPORT TO CITY PLANNING COMMISSION**  
Rezoning Without Preliminary Site Development Plan

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CPC Date: July 23, 2015

To: City Planning Commission  
From: Development Services Department

Applicant: Richard B. Altorfer  
Titleholder: Richard B. Altorfer

Location: 167 Dows Lane SE  
Request: Rezoning from R-1, Single Family Residence Zone District to R-TN,  
Traditional Neighborhood Residence Zone District

Case Manager: Vern Zakostelecky  
Case Number: RZNE-019306-2015

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**BACKGROUND INFORMATION:**

The property is currently developed with a single-family detach home. The applicant wishes to split off a rear portion of the lot to add to the property the applicant owns to the south. In order to accomplish this, the rezoning is necessary since the remaining housing lot will not meet the minimum lot area (10,000 s. f.) for the R-1 Zoning District. Since this is a rezoning for single-family residential there is no site plan requirement at this time.

**FINDINGS:**

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

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

*Staff Comments:* This Finding is not applicable.

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

*Staff Comments:* This Finding is not applicable since the purpose of the rezoning is to simply allow for a property line adjustment. The R-TN Zoning classification was created as part of the 2006 Cedar Rapids Zoning Ordinance to allow for greater flexibility in infill development on smaller parcels within the core and older neighborhoods of Cedar Rapids.

The lot proposed for rezoning is developed with a single-family home.

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

*Staff Comments:* The proposed housing lot will be consistent with the type of housing and lot size of other properties currently located in this neighborhood.

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

*Staff Comments:* This Finding is not applicable since the lot is already developed.

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

*Staff Comments:* Staff believes the proposed lot zoning will be in line with the historical size and scale of housing in the neighborhood.

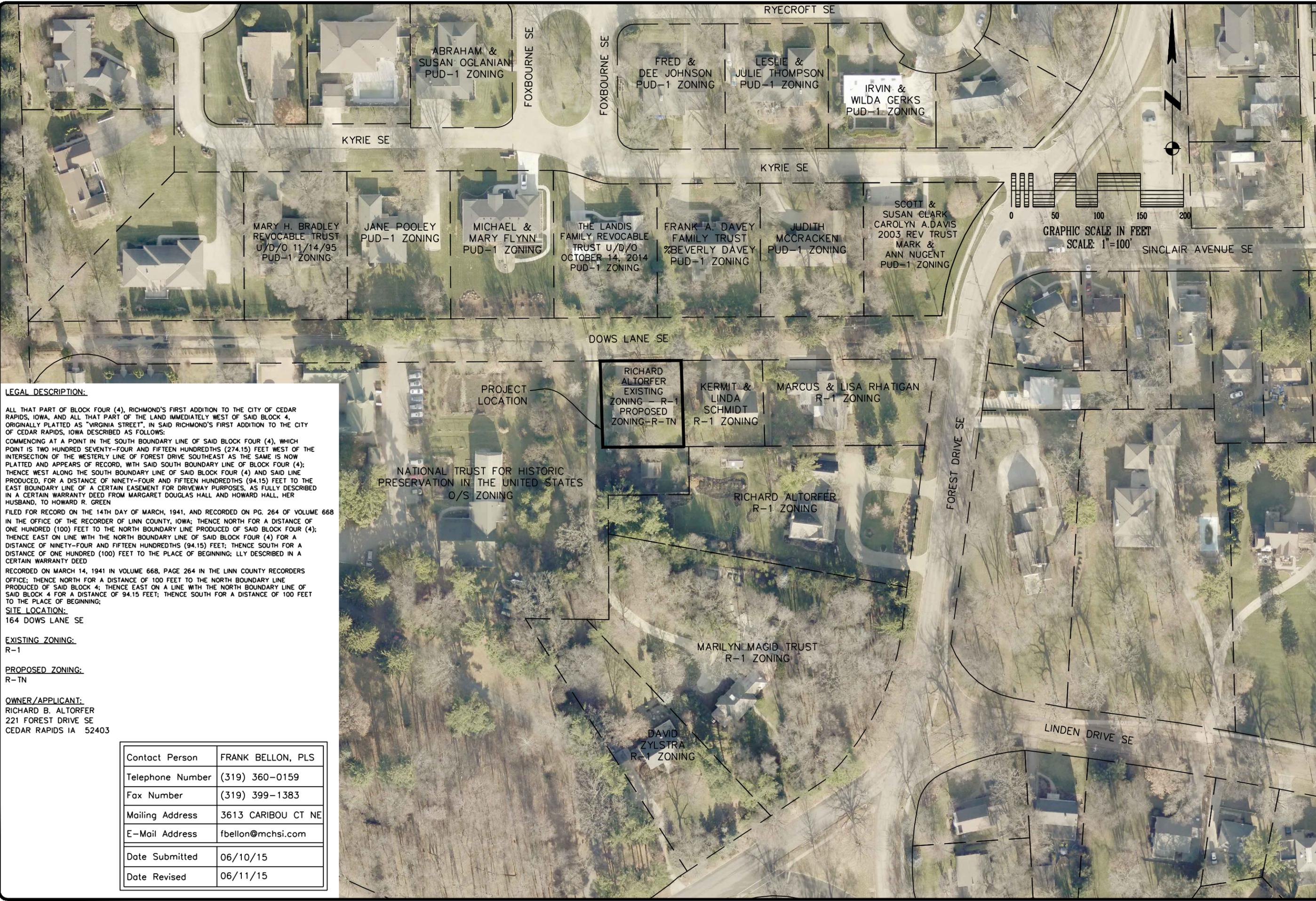
- 6. Whether facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development.**

*Staff Comments:* No issues have been raised by City Staff about providing services since the parcel is already developed and has all City utilities and service in place.

#### **RECOMMENDED CONDITIONS:**

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

- 1. PRIOR TO THE THIRD READING OF THE ORDINANCE, the property owner shall be responsible to construct concrete sidewalk adjoining this site. The property owner shall construct the sidewalk improvements in accordance with City Standards, ADA requirements, and improvement plans accepted by the City Public Works Director/City Engineer. The property owner may request deferral of the sidewalk installation requirement if in accordance with the sidewalk installation policy. If a deferral is requested, please submit a formal request with documentation verifying deferral eligibility (cross sections, drawings, etc.).**



**LEGAL DESCRIPTION:**

ALL THAT PART OF BLOCK FOUR (4), RICHMOND'S FIRST ADDITION TO THE CITY OF CEDAR RAPIDS, IOWA, AND ALL THAT PART OF THE LAND IMMEDIATELY WEST OF SAID BLOCK 4, ORIGINALLY PLATTED AS "VIRGINIA STREET", IN SAID RICHMOND'S FIRST ADDITION TO THE CITY OF CEDAR RAPIDS, IOWA DESCRIBED AS FOLLOWS:  
 COMMENCING AT A POINT IN THE SOUTH BOUNDARY LINE OF SAID BLOCK FOUR (4), WHICH POINT IS TWO HUNDRED SEVENTY-FOUR AND FIFTEEN HUNDREDTHS (274.15) FEET WEST OF THE INTERSECTION OF THE WESTERLY LINE OF FOREST DRIVE SOUTHEAST AS THE SAME IS NOW PLATTED AND APPEARS OF RECORD, WITH SAID SOUTH BOUNDARY LINE OF BLOCK FOUR (4); THENCE WEST ALONG THE SOUTH BOUNDARY LINE OF SAID BLOCK FOUR (4) AND SAID LINE PRODUCED, FOR A DISTANCE OF NINETY-FOUR AND FIFTEEN HUNDREDTHS (94.15) FEET TO THE EAST BOUNDARY LINE OF A CERTAIN EASEMENT FOR DRIVEWAY PURPOSES, AS FULLY DESCRIBED IN A CERTAIN WARRANTY DEED FROM MARGARET DOUGLAS HALL AND HOWARD HALL, HER HUSBAND, TO HOWARD R. GREEN  
 FILED FOR RECORD ON THE 14TH DAY OF MARCH, 1941, AND RECORDED ON PG. 264 OF VOLUME 668 IN THE OFFICE OF THE RECORDER OF LINN COUNTY, IOWA; THENCE NORTH FOR A DISTANCE OF ONE HUNDRED (100) FEET TO THE NORTH BOUNDARY LINE PRODUCED OF SAID BLOCK FOUR (4); THENCE EAST ON LINE WITH THE NORTH BOUNDARY LINE OF SAID BLOCK FOUR (4) FOR A DISTANCE OF NINETY-FOUR AND FIFTEEN HUNDREDTHS (94.15) FEET; THENCE SOUTH FOR A DISTANCE OF ONE HUNDRED (100) FEET TO THE PLACE OF BEGINNING; LLY DESCRIBED IN A CERTAIN WARRANTY DEED  
 RECORDED ON MARCH 14, 1941 IN VOLUME 668, PAGE 264 IN THE LINN COUNTY RECORDERS OFFICE; THENCE NORTH FOR A DISTANCE OF 100 FEET TO THE NORTH BOUNDARY LINE PRODUCED OF SAID BLOCK 4; THENCE EAST ON A LINE WITH THE NORTH BOUNDARY LINE OF SAID BLOCK 4 FOR A DISTANCE OF 94.15 FEET; THENCE SOUTH FOR A DISTANCE OF 100 FEET TO THE PLACE OF BEGINNING;  
**SITE LOCATION:**  
 164 DOWS LANE SE  
**EXISTING ZONING:**  
 R-1  
**PROPOSED ZONING:**  
 R-TN  
**OWNER/APPLICANT:**  
 RICHARD B. ALTORFER  
 221 FOREST DRIVE SE  
 CEDAR RAPIDS IA 52403

Contact Person	FRANK BELLON, PLS
Telephone Number	(319) 360-0159
Fax Number	(319) 399-1383
Mailing Address	3613 CARIBOU CT NE
E-Mail Address	fbellon@mchsi.com
Date Submitted	06/10/15
Date Revised	06/11/15

**HALL & HALL ENGINEERS, INC.**  
*Leaders in Land Development Since 1953*  
 1860 BOYSSON ROAD, HIAWATHA, IOWA 52233  
 PHONE: (319) 362-9948 FAX: (319) 362-7596  
 CIVIL ENGINEERING & LANDSCAPE ARCHITECTURE  
 LAND SURVEYING & LAND DEVELOPMENT PLANNING  
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Designed by: \_\_\_\_\_  
 Drawn by: \_\_\_\_\_  
 Checked by: \_\_\_\_\_

Sheet Title:  
**REZONING EXHIBIT**  
**167 DOWS LANE**  
 CEDAR RAPIDS, LINN COUNTY, IOWA

Date: 06/10/15  
 Field Book No: FBK  
 Scale: 1"=100'  
 Sheet: 1 of 1  
 Project Number: 10391

CAD File: I:\projects\10300\10391-Dows Rezoning\DWG\Rezoning Exhibit-060915.dwg Date Plotted: Jun 11, 2015 - 10:50am Plotted By: SUSAN-FORINASH



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**  
Rezoning

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CPC Date: July 23, 2015

To: City Planning Commission  
From: Development Services Department

Applicant: Jonathan Bond  
Titleholder: Virgil A. and Janice E. Henley

Location: 1718 Center Point Road NE  
Request: Consideration of a change of zone from C-2, Community Commercial Zone District and R-3, Single Family Residence Zone District to O-S, Office Service Zone District

Case Manager: David Houg, Plats & Zoning Conditions Coordinator  
Case Number: RZNE-019307-2015

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**BACKGROUND INFORMATION:**

This is a request to rezone 1.39 acres to the O-S Zoning District to allow for the development of a self-service storage facility. The property is currently operated as a combination of rental home and used car sales lot. The property is identified as “Urban - Low Intensity” on the City’s Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan. The land is currently developed with a single-family dwelling and a commercial structure. The proposed use will be self-service storage.

**FINDINGS:**

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

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

*Staff Comments:* Not applicable.

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

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

a) FORM/USE/INTENSITY CHARACTERISTICS:

- i. Non-residential floor area ratios should range between 0.15 and 0.50.

*Staff comments:* The proposed floor area ratio is 0.29.

- ii. Residential neighborhoods include complementary uses like schools, small parks and churches, and neighborhood retail or mixed use. These complementary uses are integrated into neighborhoods so the residents can access them easily by walking or biking.

*Staff comments:* The proposed development will adhere to the design standards and buffering requirements specifically created for self-service storage within an Office-Service District.

b) LOCATION/COMPATIBILITY CHARACTERISTICS:

- i. Different intensities of land use are positioned to create a smooth internal transition from lower to higher intensity uses.

*Staff comments:* The Office-Service District restricts potential future uses and serves as an ideal buffer between the commercial zoning at the corner of Center Point Road NE & 29<sup>th</sup> Street NE and the residential zoning to the south and east.

- ii. Larger commercial or office uses should cluster around arterial streets.

*Staff comments:* Center Point Road is classified as a minor arterial street.

Based on the fact this property has historically operated in a commercial fashion and the analysis above of the “Land Use Criteria and Descriptions” in the Comprehensive Plan, the requested zone change is in accord with the FLUM and the Goals and Objectives of the City’s Comprehensive Plan.

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

*Staff Comments:* The surrounding land uses include mixed-use commercial/residential structures and single-family residential dwellings. The proposed development is consistent with goals and objective of the City Council and the Comprehensive Plan since it provides enhanced building design, screening, buffering and landscaping. The site is also under-developed and is a prime in-fill development site.

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

*Staff Comments:* The property accesses an arterial street and serves as a buffer between a commercially-zoned corner and surrounding residential neighborhood. The property is suitable for all uses permitted in the O-S Zoning District.

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

*Staff Comment:* The proposed rezoning request and redevelopment will adhere to enhanced self-service storage buffering and design standards that were created specifically for the O-S District.

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

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

**RECOMMENDED CONDITIONS:**

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

1. That approval of this site development plan is subject to the Conditional Use Permit process and that no building permits shall be issued until such permit is approved by the Board of Adjustment (BOA).
2. The development shall be in compliance with the design standards in Chapter 32, the City's Zoning Ordinance, Subsection 32.04.030.A.39. for this proposed "Self-Service Storage Facility".
3. The existing structures must be removed under appropriate permit and inspections conducted and approved.
4. Historic Preservation Commission review for structures 50-years old or older proposed for demolition is required subject to Chapter 18 of the City's Municipal Code, Subsection 18.10.

LEGAL DESCRIPTION  
 LOT 33 OF THE IRREGULAR SURVEY OF THE NE1/4 OF THE NE1/4 OF SECTION 16, TOWNSHIP 83, NORTH, RANGE 7, WEST OF THE 5TH P.M., LINN COUNTY, IOWA, EXCEPTING THEREFROM THE SOUTH 70 FEET OF THE WEST 140 FEET.

OWNER/APPLICANT: JONATHAN BOND  
 448 AMBERJACK DRIVE  
 HIAWATHA, IOWA 52233

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

PROPERTY ADDRESS: 1718 CENTER POINT ROAD NE  
 CEDAR RAPIDS, IA. 52402

REQUEST: 1) REZONING FROM C-2 AND R-3 TO O-S ZONING DISTRICT  
 2) CONDITIONAL USE APPROVAL FOR SELF-SERVICE STORAGE FACILITY IN THE O/S ZONING DISTRICT.  
 3) VARIANCE REQUEST TO REDUCE SIDEYARD SETBACKS FROM 25 FEET TO 15 FEET.

USE:  
 CURRENT - RESIDENTIAL RENTAL HOME AND USED CAR SALES  
 PROPOSED - SELF-SERVICE STORAGE FACILITY

EXISTING ZONING: C-2, O-S, AND R-3

PROPOSED ZONING: O-S

TOTAL SITE AREA = 60,392 SQ. FT. - 1.39 ACRES

TOTAL SQ. FT. OF STRUCTURES:  
 EXISTING: 1,940 SQ. FEET = 3.2%  
 PROPOSED: 17,800 SQ. FEET = 29.5%

HARD SURFACE AREA:  
 EXISTING: 19,760 SQ. FEET = 32.7%  
 PROPOSED: 39,815 SQ. FEET = 65.9%

OPEN AREA:  
 EXISTING: 40,632 SQ. FEET = 67.3%  
 PROPOSED: 20,577 SQ. FT = 34.1%

SETBACKS: O-S  
 FRONT YARD: NONE  
 INTERIOR SIDE YARD: NONE  
 CORNER SIDE: N/A  
 REAR YARD: 15 FEET

PARKING REQUIRED:  
 1/3,000 s.f. GFA + 1/2 EMPLOYEES OF LARGEST SHIFT

PARKING PROVIDED = 7 SPACES (1 HANDICAP)  
 PARKING PROVIDED = 7 SPACES (1 HANDICAP)



LOCATION MAP  
 SCALE: 1" = 400'

- NOTES:
- 1) ADDITIONAL PROPOSED PAVING FOR ACCESS AND PARKING SHALL BE CONCRETE.
  - 2) PROPOSED STORAGE FACILITY WILL REQUIRE SEWER AND WATER SERVICE TO THE PROPOSED OFFICE AREA ONLY.
  - 3) ALL PROPOSED BUILDINGS SHALL BE SINGLE STORY.
  - 4) ALL PROPOSED PARKING SPACES SHALL BE 9'x19'.

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	6/10/2015
Date Revised	6/30/15

Book:	6/30/15	Scale:	NONE
Drawn:	DLS	Checked:	
Reviewed:		Reviewed:	
<b>BRAIN ENGINEERING, INC.</b>			
REZONING & CONDITIONAL USE SITE DEVELOPMENT PLAN			
1718 CENTER POINT ROAD NE			
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Project No.	434315-20		



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500 15<sup>th</sup> Avenue SW  
Cedar Rapids, IA 52404  
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**STAFF REPORT TO CITY PLANNING COMMISSION**  
Conditional Use

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CPC Date: July 23, 2015

To: City Planning Commission  
From: Development Services Department

Applicant: Jonathan Bond  
Titleholder: Virgil A. and Janice E. Henley

Location: 1718 Center Point Road NE  
Request: Consider Conditional Use approval for a Self-Service Storage Facility in an O-S, Office/Service Zone District

Case Manager: David Houg, Plats & Zoning Conditions Coordinator  
Case Number: COND-020223-2015

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**BACKGROUND INFORMATION:**

This is to certify that Development Services staff has examined the petition of Jonathan Bond requesting Conditional Use approval of a self-service storage facility for property owned by Virgil A. and Janice E. Henley at 1718 Center Point Road NE and proposed to be zoned O-S, Office/Service Zone District.

**GENERAL INFORMATION:**

The applicant proposes construction of 4 storage buildings. The development has the following characteristics:

- Total site area: 1.39 acres
- Proposed area of buildings: 17,800 s.f.
- Parking required and provided: 7 spaces
- Proposed total open area: 20,577 (34.1%)

After careful review, the staff has prepared the following findings in accord with Section 32.02.030.D. of the Zoning Ordinance:

## **FINDINGS:**

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

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

*Staff Comments:* The conditional use as requested is permitted within the O-S, Office/Service District.

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

*Staff Comments:* The proposed site plan conforms to regulations established in Chapter 32 of the Municipal Code, which requires enhanced exterior building and site design and the goals and objectives of the Future Land Use Map in City's Comprehensive Plan.

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

*Staff Comments:* The proposed development is designed to contain activity within a space defined by the structures. The site will provide enhanced screening and bufferyards. This development is not expected to adversely affect adjacent properties.

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

*Staff Comments:* The City has adopted enhanced buffering and design standards specific to self-service storage within an O-S District. This development will comply with these standards and is not expected to interfere with the use, development and improvement of surrounding properties.

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

*Staff Comments:* All services are currently available to serve the lot. The site will be accessed exclusively from an arterial street (Center Point Road NE) and is not expected to have any impact or burden on City services or traffic.

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

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

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

*Staff Comments:* The applicant will be responsible for compliance with the conditions and will take necessary steps as required by the City Zoning Ordinance to minimize any potential adverse impacts.

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

*Staff comments:* This item is not applicable.

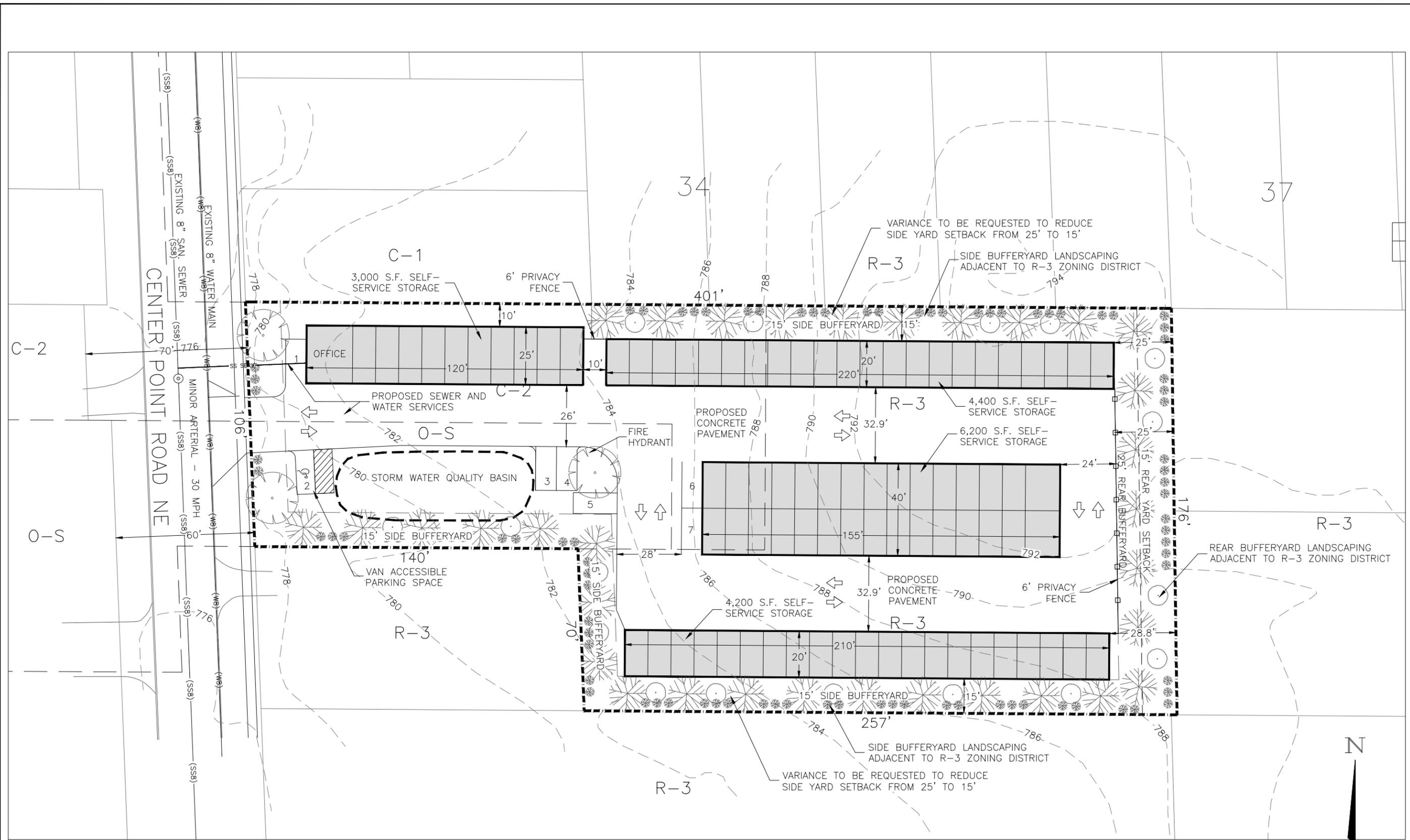
- 9. The Site Development Plan conforms to all applicable requirements of this Ordinance.**

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

If the Commission determines to recommend approval of the proposed conditional use, adoption of the following conditions as recommended by staff should be considered:

#### **RECOMMENDED CONDITIONS:**

1. Design guidelines and standards as specified in Subsection 32.04.030.A.39. shall be met or a variance must be obtained.
2. All storage of goods and materials shall be within a completely enclosed structure. Outdoor storage is expressly prohibited.
3. All parking, drives, and storage areas be surfaced per provisions of the Zoning Ordinance. Surfacing to include asphalt, concrete, brick or asphaltic macadam.
4. 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.
5. Prior to the issuance of a Certificate of Occupancy, effective screening shall be provided and maintained where the property is adjacent to an "R" District per applicable provisions of the Zoning Ordinance or a variance be obtained.
6. 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.



NOTES:

- 1) AN OUTDOOR DUMPSTER IS NOT PROPOSED FOR THIS SITE.
- 2) LIGHTING FIXTURES SHALL BE SHIELDED IN A MANNER THAT SHALL NOT DIRECT ILLUMINATION ON ADJACENT PROPERTIES OR RIGHT-OF-WAY.
- 3) EXTERIOR OF PROPOSED BUILDINGS FACING ADJACENT PROPERTIES SHALL INCLUDE BUILDING FACADE OFFSETS, NOT LESS THAN 24 INCHES IN DEPTH, AT A MINIMUM OF 50 FOOT INTERVALS. BUILDING FACADES AT CORNERS AND AT THE POINT OF OFFSET SHALL INCLUDE A VERTICAL ELEMENT WITH COORDINATED MATERIALS TO PROVIDE VISUAL BREAKS IN THE BUILDING FACADE.



Drawn:	DLS	Date:	6/28/15
Checked:		Scale:	1" = 40'
Reviewed:		Revision:	No.
		Book:	3.
PROPOSED CONDITIONS 1718 CENTER POINT ROAD NE		Page:	3
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		Project No.	434315-20
		Date:	

