

**MINUTES OF
CITY PLANNING COMMISSION MEETING,
Thursday, March 19, 2015 @ 3:00 p.m.**

Cedar Rapids City Hall Council Chambers, 101 First Street SE

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

Members Absent: Jim Halverson
Virginia Wilts
Kim King
Bill Hunse

DSD Staff: Vern Zakostelecky, Zoning Administrator
Chris Strecker, Civil Engineer

CD Staff: Kirsty Sanchez, Planner
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 five (5) Commissioners present.

Approval of the Minutes

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the February 26, 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 Overland stated that due to a conflicting meeting for Planner Sanchez, the New Business item would be presented first.

New Business

- a. Consideration of a proposed Amendment No. 3 to the Amended and Restated Urban Renewal Plan for the Consolidated Technology Park Urban Renewal Area (Kirsty Sanchez). CIP/DID #OB615106

Ms. Sanchez stated the City Council has initiated proceedings to consider the expansion of the Consolidated Technology Park Urban Renewal Area Plan. The proposed Urban Renewal Area is generally located southeast of the intersection of Interstate 380 and U.S. Highway 30 in the City of Cedar Rapids. This district is intended to stimulate private investment through planning and providing sufficient land for new and expanding private development and to achieve a well-balanced diversified economy. The proposed Amendment will allow the City to 1) grade, install sidewalk, and install sidewalk ramps along Kirkwood Boulevard in front of Kirkwood Community College; and 2) address current and future traffic congestion near Prairie Point Middle School by evaluating roadway needs as well as providing road reconstruction, sidewalks, culvert extensions, pedestrian signals, and possibly signalized intersections or roundabouts at the school entrances.

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 Amendment No. 3 to the Consolidated Technology Park Urban Renewal Plan with the Comprehensive Plan. In addition to City Planning Commission review, the City consulted with affected taxing agencies on March 18, 2015. All comments received will be presented to City Council for consideration during the public hearing scheduled for March 24, 2015.

Commissioner Overland called for questions of Ms. Sanchez. No questions were presented.

Commissioner Overland called for members of the public who wished to speak. No members of the public were present on this item.

Commissioner Overland called for a motion. Commissioner Blank made a motion to approve the rezoning from I-1, Light Industrial Zone District to 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.

A. Action Items

I. Case Name: 400 12th Avenue SE (Preliminary Site Development Plan)

Consideration of a Preliminary Site Development Plan in a C-3, Regional Commercial Zone District as requested by Depot Development Group, LLC (Applicant) and City of Cedar Rapids (Titleholder)

Case No: PSDP-016101-2015; Case Manager: Chris Strecker

Mr. Strecker stated the property is currently undeveloped and contains several vacant parcels. The applicant, Depot Development Group, LLC is applying for Preliminary Site Development Plan approval to allow development of a four building mixed use development including commercial, office and residential uses. The property, which was a brownfield clean-up site is owned by the City of Cedar Rapids. City Council solicited proposals for redevelopment of this in-fill site and Depot Development Group, LLC was chosen as the preferred developer. The property is in the Czech-Bohemia (CB-O) Overlay District and design elements have been reviewed by the Districts Design Review Technical Advisory Committee (DRTAC). The applicant has also submitted a Major Preliminary Plat. The proposed plat will provide for future development of commercial, office, and residential uses.

The proposed uses and development are consistent with the intent and purposes of EnvisionCR, the Comprehensive Plan and the Czech-Bohemia (CB-O) Overlay District. The proposed development area is shown as “Urban High Intensity” on the Future Land Use Map in the Comprehensive Plan. Based on the contemplated uses the request is in accord with the FLUM and the City’s Comprehensive Plan. The development will also comply with all other applicable codes, regulations and approvals. Mr. Strecker provided a Location Map, Aerial Photo, Preliminary Plat, Preliminary Site Development Plan as well as Renderings of the site.

Commissioner Overland called for questions of Mr. Strecker.

Commissioner Dahlby asked what criteria made this “Urban High Intensity”? Mr. Zakostelecky stated that since this is truly a mixed use development where people can live, work and play so to speak it is hard to meet the units per acre.

Commissioner Knox-Seymour asked who some of the retailer that would be there. Mr. Zakostelecky stated that question would have to be answered by the developer.

Commissioner Blank asked what the target demographics for the apartments and the price point would be. Mr. Zakostelecky again stated that would be a question best answered by the developer.

Commissioner Overland called for a representative of the applicant.

Chad Pelley, Ahmann Companies, 1641 Boyson Square Drive, Hiawatha

Commissioner Overland called for questions of the applicant.

Mr. Pelley stated that they were working with two large office users and a business that would own, operate and live in the five story building. The types of retail will be such uses as

restaurants and retail sales. The retail is not in high demand at this time and mostly office users are interested in the area. The condo demographics are higher end and the remaining will be market rate. The construction quality will drive that rate.

Commissioner Dahlby asked if there was street access. Mr. Pelley stated that the buildings will be along 12th Avenue and there will be access on 12th Avenue, 11th Avenue SE and 10th Avenue SE. The triangular parcel will be for Horizons to do urban gardening and the produce will be sold at the market.

Commissioner Dahlby asked if the parking lot would be permeable. Mr. Pelley stated the ground water is high in this area, so permeable paving is not being considered.

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

Commissioner Overland called for a motion. Commissioner Blank made a motion to approve the Preliminary Site Development Plan in a C-3, Regional Commercial Zone District. Commissioner Knox-Seymour seconded the motion.

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

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

2. Case Name: The Depot at Newbo Village First Addition (Preliminary Plat)

Consideration of a Major Preliminary Plat for The Depot at Newbo Village First Addition at 400 12th Avenue SE in a C-3, Regional Commercial Zone District as requested by Depot Development Group, LLC (Applicant) and City of Cedar Rapids (Titleholder)
Case No: PRPT-016102-2015; Case Manager: Vern Strecker

Commissioner Overland called for a motion. Commissioner Dahlby made a motion to approve the Preliminary Plat in a C-3, Regional Commercial 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.

3. Case Name: 5945 Rockwell Drive NE (Rezoning)

Consideration of a Rezoning from O-S, Office/Service Zone District to C-2, Community Commercial Zone District as requested by Gerald R. Eganhouse and Gene E. Meger (Applicants/Titleholders)
Case No: RZNE-016103-2015; Case Manager: Vern Zakostecky

Mr. Zakostecky stated this is a request to rezone a vacant platted lot from office to commercial. Originally when the Target Super Store was built this lot was zoned O-S to provide a transition in zoning and use from the Target Store development to the west and the single-family residential development to the east. Recently the lot to the east of Rockwell Drive NE was

rezoned and developed with an office building. The property owners have been unable to market the parcel for office. With the new office building between this parcel and the existing residential development to the east there would be a buffer for the neighborhood should this lot be developed commercial. Mr. Zakostecky presented a Location Map, Aerial Photo, Zoning Map and Street View.

Commissioner Overland called for questions of Mr. Zakostecky.

Commissioner Dahlby asked if the direct access would be through the existing bank drive or a new access. Mr. Zakostecky stated that it would be a new drive and hopefully align with the one across from the property.

Commissioner Overland asked if the existing berm landscaping that was there would be left there. Mr. Zakostecky stated that they would encourage the landscaping to be left there.

Commissioner Overland called for a representative of the applicant.

Doug Laird, Skogman Real Estate

Commissioner Overland called for questions of the applicant.

Mr. Laird stated that the applicant planned to leave the berm there except where the driveway would have to go.

Commissioner Blank asked what kind of business would go there. Could there be a McDonald there. Mr. Zakostecky stated that it probably would not be a fast food restaurant but perhaps a set down restaurant. Mr. Laird stated that it would probably be a neighborhood retail strip.

Commissioner Knox-Seymour asked if there was any opposition from neighbors. Mr. Laird stated that he had not heard of any opposition.

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

Commissioner Overland called for a motion. Commissioner Knox-Seymour made a motion to approve the rezoning from O-S, Office/Service Zone District to 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.

4. Case Name: 818, 820 and 822 A Avenue NW (Rezoning)

Consideration of a Rezoning from RMF-1, Multiple Family Residence Zone District to I-1, Light Industrial Zone District as requested by James M and Joan E. Hale, Jakobsen Enterprises LLC and Edward E. and Barbara J. Holmes (Applicants/Titleholders)
Case No: RZNE-016138-2015; Case Manager: Dave Houg

Mr. Zakostecky reported on behalf of Dave Houg and stated this is a request to rezone 3 residential properties to the I-1 Light Industrial Zone District to allow for future redevelopment. The property is currently zoned RMF-1, Multiple Family Residence Zone District and the proposal is to remove the structures in anticipation of future light industrial use. The property is identified as “Urban Medium-Intensity” on the City’s Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan. Mr. Zakostecky presented a Location Map and suggested that the property when cleared could possibly end up being light industrial type building and use. A Preliminary Site Plan will have to be brought back to the Planning Commission when something is proposed for the site.

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

Commissioner Dahlby stated under Section C in the staff report where it says Commercial Uses should have direct access to Arterial Street which is two blocks is interpreted as direct. Mr. Zakostecky stated that 1st Avenue is two blocks away and whatever goes in there will not have a lot of traffic.

Commissioner Overland called for a representative of the applicant.

Kevin Kennedy, 4737 Mt Vernon Road SE said that the houses have been sitting empty for several years and vandalized, not the most eye appealing area and try to rezone to put something else there eventually.

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

Commissioner Knox-Seymour asked if the removal of the buildings would happen as soon as possible. Mr. Kennedy said that they would be removed as soon as all the contracts to purchase were finalized.

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

Commissioner Overland called for a motion. Commissioner Knox-Seymour made a motion to approve the rezoning from RMF-1, Multiple Family Residence Zone District to I-1, Light Industrial Zone District to I-1, Light Industrial 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.

5. Case Name: 931 Blairs Ferry Road NE (Rezoning)

Consideration of a Rezoning from I-1, Light Industrial Zone District to C-3, Regional Commercial Zone District as requested by Water Rock LLC (Applicants/Titleholders)
Case No: RZNE-016174-2015; Case Manager: Dave Houg

Mr. Zakostecky reported on behalf of Dave Houg and stated this is a request to rezone 7.56 acres to the C-3 Zoning District to allow the property to be re-developed commercially. The property is currently zoned I-1 and the proposed re-development plan is to allow a mix of

commercial and office/service uses. The property is identified as “Commercial” on the City’s Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan. The land has been utilized as a warehouse/storage facility. The proposed uses will be a mix of retail and office space. The proposed development includes 281 on-site parking spaces. Mr. Zakostecky presented a Location Map, Zoning Map, Site Development Plan, Schematic Site Plan and Renderings.

Commissioner Overland called for questions of Mr. Zakostecky.

Commissioner Knox-Seymour asked for clarification regarding that transit was a high priority. Mr. Zakostecky stated that this is on a bus route and on a proposed trail route and conducive to this project.

Commissioner Blank asked about the trail route if this could be placed as a condition because it is a continuation of the trail. Mr. Zakostecky stated that they wanted to be a little flexible to achieve the goal of the trail and everyone is in agreement that the trail should be there.

Commissioner Dahlby asked what the width of the sidewalk on the Rockwell Drive side. Mr. Zakostecky stated it is 6 feet wide. Commissioner Dahlby asked if an access could be provided other than the sidewalk.

Commissioner Dahlby asked about 2a “the development should include public or assembly space” but it is not proposed for this development, is that a negative that we should be looking at. Mr. Zakostecky said from staff’s perspective the applicant should be providing a space for a patio area and bike racks.

Commissioner Overland called for a representative of the applicant.

Jacob Hahn, Anderson-Bogert Engineers, 790 11th Street Marion, Iowa stated that to address the public spaces his client would be able to provide patio area. At this time, retail will be on first floor and office on upper floors. Mr. Hahn also stated that they met with Rockwell and Linn County Trails earlier in the day and all parties seemed agreeable to the trail alignment.

Commissioner Overland called for questions of the applicant.

Commissioner Dahlby asked if they would be agreeable to access from the trail to the parking area. Mr. Hahn said yes.

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

Dennis and Mary Ream, 4217 Woods Mill Court, NE, have MD Ventures and are concerned that at the east end of the former railroad is a retention pond and a lot of water running in the pond and how the water will get from the parking to the retention pond. Who will maintain it? They had concerns regarding railroad tie wall to the west of them and worried about this wall deteriorating. Mr. Ream proposes to table this project until Water Rock has time to work out negotiations with Mr. Ream.

Commissioner Overland asked the applicant to return to answer the concerns.

Mr. Hahn stated that the storm run-off will be redirected to the detention basin on the east side of the property. The applicant will cut it down and put a swale in to direct stormwater runoff

temporarily. The swale will be size sufficient enough to carry the 100 year stormwater flow. The basin will be privately owned and maintained to include the dry water basin and there will be monthly mowing maintenance.

Commissioner Pankey asked if installation of this detention basin will improve the water run off? Mr. Hahn said it definitely would. Especially for the Rockwell property to the south, the water would be redirected to the detention basin.

Mr. Hahn stated that the retaining wall could go away.

Commissioner Overland asked to explain the leased parking. Mr. Hahn said that he could not comment on that. Commissioner Overland it was out of the scope of the project.

Commissioner Overland asked if there was relocation of the sanitary sewer. Mr. Zakostelecky said the applicant is asking for City incentives to help develop this project. Discussions have happened to fund the relocation of the sewer.

It was recommended to approve subject to the applicant working with the adjoining property owner to the east. It can then be delayed with City Council, but gets them further down the road so they can get started on the project.

Commissioner Overland called for a motion. Commissioner Pankey made a motion to approve the rezoning from I-1, Light Industrial Zone District to C-3, Regional Commercial Zone District with the stipulation that the owner of the property work with Mr. Ream to come up with a solution that is palatable for both so that the project is not held up. Commissioner Dahlby seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Blank is concerned with the retaining wall and the sewer line to be moved. Mr. Zakostelecky said if the sewer is moved it is not moved off Mr. Reams property so there may be a disruption until the work is done but the disruption would be minimal. The retaining wall would be cut down and the details will be done with the next step of the project on how it is redeveloped.

Commissioner Knox-Seymour stated that Mr. Ream is well considered in all of this. Mr. Zakostelecky stated that we like to see everyone be a good neighbor. Tabling only allows people to stall and drag their feet rather than move forward.

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

The meeting adjourned at 4:10pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant
Community Development