



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, July 23, 2015 @ 3:00 p.m.**

Cedar Rapids City Hall Council Chambers, 101 First Street SE

Members Present: Jim Halverson, Vice Chair
Carletta Knox-Seymour
Samantha Dahlby
Richard Pankey
Kim King
Dominique Blank

Members Absent: Scott Overland
Virginia Wilts
Bill Hunse

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

CD Staff: Seth Gunnerson, Planner
Jeff Hintz, Planner

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 six (6) Commissioners present.

A. Approval of the Minutes

Commissioner Halverson called for any additions or corrections to the minutes. Commissioner Halverson stated with no additions or corrections, the July 2, 2015 Minutes stand approved.

Adoption of the Agenda

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

B. 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

Mr. Zakostelecky stated 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. Mr. Zakostelecky presented a Location Map, General Information, Aerial Photo/Zoning, Site Plan and Street View.

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

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

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

Commissioner Halverson called for a motion. Commissioner King made a motion to approve the change of zone from A, Agriculture Zone District to C-3, Regional Commercial Zone District. Commissioner Dahlby seconded the motion.

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

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

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

Mr. Zakostelecky stated the property is currently developed with a single-family detached 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. Mr.

Zakostecky presented a Location Map, General Information, Aerial Photo/Zoning, Site Plan and Street View.

Commissioner Halverson called for questions of Mr. Zakostecky.

Commissioner Halverson asked if the lot next to this one was comparable. Mr. Zakostecky stated that it was comparable but that lot is legal none conforming.

Commissioner Halverson called for a representative of the applicant.

Frank Bellon, 3613 Caribou Court NE stated that he would be happy to answer any questions.

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

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

Kim Schmidt, 185 Dows Lane SE stated that he had no issues with the rezoning and thought it was a good move.

Commissioner Halverson called for a motion. Commissioner Pankey made a motion to approve the change of zone from R-1, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District. Commissioner Knox-Seymour seconded the motion.

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

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

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

Mr. Houg stated 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 proposed use will be self-service storage. Mr. Houg presented General Information, Zoning Map, Two Aerial Photos, Street View, Site Plan and Two Renderings.

Commissioner Halverson called for questions of Mr. Houg.

Commissioner Pankey asked if all structures will be removed. Mr. Houg stated that the house was built in 1912 and will be presented to the Historic Preservation Commission before demolition could begin.

Commissioner Blank asked if there was fencing proposed next to the R-3, Single Family Residence Zone District. Mr. Houg stated that they planned on a 15 foot landscape buffer.

Commissioner Halverson asked if landscaping would be intensified. Mr. Zakostelecky stated that there is no requirement to put more intense landscaping but the O-S requirements do require higher level of screen fencing.

Commissioner Halverson called for a representative of the applicant.

Dan Schmidt, Brain Engineering, Inc., 1540 Midland Court NE stated that they did hold a neighborhood meeting and that many of the neighbors were present. He further stated that there would be fencing next to the R-3 property because the neighbors had a dog.

Commissioner Halverson called for questions of the applicant. No further questions were asked.

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

Pat Hoge, 1627 Center Point Road NE and Ronald Sherwood, 824 Pawnee Drive NE who stated he lived at 1700 Center Point Road presented the following questions:

- Owner has no experience relative to the type of business being proposed
- Rodents, Insects
- Kind of Partition of the building
- What would be the hours
- What would be stored?
- Security to protect neighbors
- Can the storage units be inspected any time?
- Who do you call if something illegal is going on
- Will property have security
- Water run off

Virgil Henley, 448 Amberjack Drive, Hiawatha, IA stated that he has owned the property for 45 years and feels the property should be put to good use and would be happy to answer any questions.

Commissioner Halverson asked Mr. Zakostelecky if he would answer some of the questions raised. Mr. Zakostelecky stated that most questions would have to be answered by the applicant, however stated that the building would have to follow building code and the O-S design standards for self-storage facilities and that the property is being rezoned to Office/Service Zone District which would be the best type of rezoning for the neighborhood. As for water runoff issues, the applicant will have to provide storm water and erosion control during construction activities. The fence along the property line is depicted on the renderings.

Mr. Schmidt stated that the operating hours would be 6:00 am to 10:00 pm, access control with pass card to front gate, did not think it would be staffed even though there will be an office; security lighting will be provided but no security; storm water management will be a water quality basin, no storm sewer in street now; roofs will have gutters and directed to the interior of the property; no limitations on stored items but from a liability standpoint he would probably

avoid hazardous items; building construction will have fire walls and fully vented; possible late September or October before construction will begin.

Commissioner Pankey asked about the current use of the paving near the easterly property line. Mr. Schmidt stated that there was a slab of concrete with cars parked upon it. Current use is approximately 35 cars, and the current building office building for used car sales.

Commissioner Blank asked what type of fencing was currently on the property. Mr. Schmidt stated that probably was not a privacy fence and perhaps chain link. Commissioner Blank stated that from the rendering it looked like this project would be an improvement. Mr. Schmidt stated that feedback from the neighborhood meeting; many felt that it would be an improvement to the neighborhood.

Commissioner Pankey stated that he also agreed it seemed like that the project would be an improvement. Mr. Schmidt stated that there would be an office with some employee oversight.

Commissioner Halverson called for a motion. Commissioner Knox-Seymour made a motion to approve the 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. Commissioner King seconded the motion.

Commissioner Halverson called for discussion on the motion.

Commissioner Dahlby stated it does show well on the zoning where there is the R-3 tucked back in there to have it all one cohesive zoning.

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

- 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

Mr. Houg stated 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.

Commissioner Halverson called for a motion. Commissioner Knox-Seymour made a motion to approve the Conditional Use request for Self Service Storage Facility in an O-S, Office/Service Zone District. Commissioner Pankey seconded the motion.

Commissioner Halverson called for discussion on the motion.

Commissioner Dahlby stated that she would be voting against the Conditional Use because she did not feel it was a good fit for the neighborhood, having it all one cohesive zoning is appropriate but did not feel that a storage facility fits in the neighborhood.

Commissioner Knox-Seymour stated she moved for this to go forward, however in respect to what Commissioner Dahlby said. She said that the neighbors said it would be a good fit and that everything that would be done would be an improvement and felt a little confused.

Mr. Zakostelecky stated that notices were sent to 300 feet from the property so they invited everyone surrounding the property and beyond that area. Mr. Zakostelecky stated that the majority of the neighbors approved this conditional use; however, one property owner to the east has voiced objections.

Commissioner Blank wanted to add that we have seen this type of thing before and if it is not going to be a storage unit facility, the property owner has a right to sell the property and there is a lot of green space that neighbors have gotten use to, so if it is not going to be this development it could be a large apartment complex or a gas station, that people are not going to like. From the renderings they are trying to make it aesthetic for everybody. Commissioner Blank would not vote against this but was not comfortable with the variance to reduce the set back because it is abutting a residential area.

Commissioner Knox-Seymour withdrew her motion.

Commissioner Halverson stated that the motion was withdrawn and called for a motion. Commissioner Blank made a motion to approve the Conditional Use request for Storage Facility in an O-S, Office/Service Zone District not recommending that the Board grant a variance for the reduced 25 foot setback. Commissioner Pankey seconded the motion.

Commissioner Knox-Seymour asked for clarification of the variance for the reduced 25 foot setback. Mr. Zakostelecky stated that the properties front onto 29th Street. Rear and side yards adjacent to residential properties are required to provide a 25 foot setback

Commissioner Dahlby asked what other examples of buildings could be appropriate in O-S.

Mr. Zakostelecky stated that an office building could be built, but no retail would be allowed, however, there have been challenges with this property due to the limited frontage.

Commissioner Pankey stated that this operation is a good neighbor but also appears to be non-conforming use and time for a change and continues to support this project.

Commissioner Halverson called for a vote on the motion. The motion passed with one opposed.

The meeting was adjourned at 3:57 pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant
Community Development