

AGENDA
CITY PLANNING COMMISSION MEETING
Thursday, June 2, 2016 @ 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: 118 2nd Avenue SE (Conditional Use)

Consideration of a Conditional Use Request for Roof Top Sign in a C-4, Central Business Zone District as requested by Nesper Sign Advertising, Inc. (Applicant) and United Fire & Casualty Co. (Titleholder)

Case No: COND-023044-2016; Case Manager: Dave Houg

2. Case Name: 430 16th Avenue SW (Rezoning)

Consideration of a change of zone from PUB, Public Zone District to O-S, Office/Service Zone District as requested by Succession LC (Applicant/Titleholder)

Case No. RZNE-022975-2016; Case Manager: Johnny Alcivar

3. Case Name: 6677 16th Avenue SW (Rezoning)

Consideration of a change of zone from PUD-1, Planned Unit Development Zone District to RMF-2, Multiple Family Residence Zone District as requested by Hart-Frederick Consultants (Applicant) and Sharp Investments LLC (Titleholder)

Case No. RZNE-023095-2015; Case Manager: Johnny Alcivar

4. Consideration regarding conformity of the proposed Grand Living Urban Renewal Area Plan with the City's Comprehensive Plan

CIP/DID #TIF-0006-2016; Caleb Mason

**MINUTES OF
CITY PLANNING COMMISSION MEETING,
Thursday, May 12, 2016 @ 3:00 p.m.**

Cedar Rapids City Hall Council Chambers, 101 First Street SE

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

Members Absent: Virginia Wilts
Bill Hunse

DSD Staff: Vern Zakostelecky, Zoning Administrator
Dave Houg, Plats & Zoning Conditions Coordinator
Johnny Alcivar, Development Services Specialist

CD Staff: Seth Gunnerson, Planner
Jennifer Pratt, Director
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 Halverson called for any additions or corrections to the minutes. Commissioner Halverson stated with no additions or corrections, the April 21, 2016. Minutes stand approved.

B. Adoption of the Agenda

Commissioner Halverson called for any additions or corrections to the amended agenda. Commissioner Halverson stated that the applicant had requested that item 6 be removed from the agenda and anyone that was present for this project could leave a name and address to be notified when it would return to the City Planning Commission for consideration. Commissioner Halverson then stated with no additions or corrections, the amended agenda stands approved.

C. Action Items

Mr. Houg presented the City Planning Commission Criteria for Recommendation and Action of a Conditional Use.

1. Case Name: 4201 42nd Street NE (Conditional Use)

Consideration of a Conditional Use Request for Outdoor Service Area in a C-2, Community Commercial Zone District as requested by WineStyles Tasting Station (Applicant) and 42nd & Edgewood LLC (Titleholder)

Case No: COND-022886-2016; Case Manager: Dave Houg

A public hearing was presented for a Conditional Use at 4201 42nd Street NE. The applicant is requesting approval for Outdoor Service Area in a C-2, Community Commercial Zone District. Mr. Houg presented a Zoning Map, General Information, Site Plan, Patio Details, Street View and Patio Location. Mr. Houg stated that this Conditional Use request would be considered by the Board of Adjustments on May 16, 2016 at a special meeting.

Following discussion, Commissioner Halverson called for a motion. Commissioner Brown made a motion to approve the Conditional Use Request for Outdoor Service Area in a C-2, Community Commercial Zone District. Commissioner King seconded the motion.

No further discussion was held; Commissioner Halverson called for a vote on the motion. The motion passed unanimously with none opposed.

2. Case Name: 5325 18th Avenue SW (Conditional Use)

Consideration of a Conditional Use Request for Contractor Shop in a C-3, Regional Commercial Zone District as requested by CRM Properties, L.L.C. (Applicant/Titleholder)

Case No: COND-022891-2016; Case Manager: Dave Houg

A public hearing was presented for a Conditional Use at 5325 18th Avenue SW. The applicant is requesting approval for a Contractor Shop in a C-3, Regional Commercial Zone District. Mr. Houg presented General Information, Zoning Map, Street View, Site Plan and Renderings. Mr. Houg stated that this Conditional Use request would be considered by the Board of Adjustments at the June 13, 2016 meeting.

Following discussion, Commissioner Halverson called for a motion. Commissioner Brown made a motion to approve the Conditional Use Request for a Contractor Shop in a C-3, Regional Commercial Zone District. Commissioner Knox-Seymour seconded the motion.

No further discussion was held; Commissioner Halverson called for a vote on the motion. The motion passed unanimously with none opposed.

3. Case Name: 951 Blairs Ferry Road NE (Conditional Use)

Consideration of a Conditional Use Request for Outdoor Service Area in a C-3, Regional Commercial Zone District as requested by Rock Top, Inc. (Applicant) and Culver Enterprises, LLC (Titleholder)

Case No: COND-022923-2016; Case Manager: Dave Houg

A public hearing was presented for a Conditional Use at 951 Blairs Ferry Road NE. The applicant is requesting approval for an Outdoor Service Area in a C-3, Regional Commercial Zone District. Mr. Houg presented General Information, Zoning Map, Site Plan and Rendering. Mr. Houg stated that this Conditional Use request would be considered by the Board of Adjustments at the June 13, 2016 meeting.

Following discussion, Commissioner Halverson called for a motion. Commissioner Knox-Seymour made a motion to approve the Conditional Use Request for an Outdoor Service Area in a C-3, Regional Commercial Zone District. Commissioner Blank seconded the motion.

No further discussion was held; Commissioner Halverson called for a vote on the motion. The motion passed unanimously with none opposed.

Mr. Alcivar presented the City Planning Commission Criteria for Recommendation and Action of a Rezoning.

4. Case Name: 1400 and 1412 6th Street SW (Rezoning with a Preliminary Site Development Plan)

Consideration of a change of zone from O-S, Office/Service Zone District to C-2, Community Commercial Zone District as requested by George Elossais (Applicant/Titleholder)

Case No. RZNE-022874-2016; Case Manager: Johnny Alcivar

A Public Hearing was presented for a Rezoning with a Preliminary Site Plan. The applicant is requesting rezoning from O-S, Office/Service Zone District to C-2, Community Commercial Zone District to allow for the development of a commercial/retail building. Mr. Alcivar presented General Information, Aerial, Zoning Map, Site Plan, Elevation and Street View. Mr. Alcivar further stated that the public hearing will be held on the May 24, 2016 City Council Meeting.

Following discussion, Commissioner Halverson called for a motion. Commissioner Knox-Seymour made a motion to approve the change of zone from O-S, Office/Service Zone District to C-2, Community Commercial Zone District with a Preliminary Site Plan. Commissioner Pankey seconded the motion.

No further discussion was held; Commissioner Halverson called for a vote on the motion. The motion passed unanimously with none opposed.

5. Case Name: North of Stone Creek Circle and East of Dean Road SW (Rezoning with a Preliminary Site Plan) and Stone Creek Commercial Addition (Major Preliminary Plat)

Consideration of a change of zone from C-1, Mixed Neighborhood Convenience Zone District to RMF-2, Multiple Family Residence Zone District as requested by Vintage Living, LLC (Applicant) and Legacy Commercial Group, LLC (Titleholder)

Case No. RZNE-022893-2016; Case Manager: Johnny Alcivar

Consideration of a Major Preliminary Plat in RMF-2, Multiple Family Residence Zone District and C-1, Mixed Neighborhood Convenience Zone District as requested by Legacy Commercial Group, LLC (Applicant/Titleholder)

Case No. PRPT-022894-2016; Case Manager: Johnny Alcivar

A Public Hearing was presented for a Rezoning with a Preliminary Site Plan. The applicant is requesting rezoning from C-1, Mixed Neighborhood Convenience Zone District to RMF-2, Multiple Family Residence Zone District to allow for the potential development of an 82 room Continuing Care Facility of Lot 1 of 5 Lots. Mr. Alcivar presented a Location Map, General Information, Rezoning, Site Plan and Street View. Mr. Alcivar stated that the public hearing will be held on June 14, 2016 City Council Meeting.

Following discussion, Commissioner Halverson called for a motion. Commissioner Knox-Seymour made a motion to approve the change of zone from C-1, Mixed Neighborhood Convenience Zone District to RMF-2, Multiple Family Residence Zone District with a Preliminary Site Plan. Commissioner Brown seconded the motion.

No further discussion was held; Commissioner Halverson called for a vote on the motion. The motion passed unanimously with none opposed.

A public hearing was presented for a Major Preliminary Plat for Stone Creek Commercial Addition. The applicant is requesting approval to subdivide the property into five (5) lots for future development. Lot 1 will be rezoned to RMF-2, Multiple Family Residence Zone District to allow for a Continuing Care Facility to be developed. The remaining lots will remain in the C-1, Mixed Neighborhood Convenience Zone District.

No further discussion was held; Commissioner Halverson called for a motion. Commissioner King made a motion to approve the Major Preliminary Plat in an RMF-2, Multiple Family Residence Zone District & C-1, Mixed Neighborhood Convenience Zone District. Commissioner Dahlby seconded the motion.

No further discussion was held; Commissioner Halverson called for a vote on the motion. The motion passed unanimously with none opposed.

6. Case Name: 1727 2nd Street SW (Rezoning)

Consideration of a change of zone from R-3, Single Family Residence Zone District to RTN, Traditional Neighborhood Residence Zone District as requested by Scallon Custom Homes, LLC (Applicant) and Joseph W. Zachar III (Titleholder)

Case No. RZNE-022098-2015; Case Manager: Dave Houg

A Public Hearing was presented for a Rezoning. The applicant is requesting rezoning from R-3, Single Family Residence Zone District to RTN, Traditional Neighborhood Residence Zone District. The property is currently undeveloped and in the Southwest Area Neighborhood. The applicant wishes to develop the property as 2 lots with single-family homes, which would provide for in-fill in an area that has seen increased interest in rehabbing of existing residential properties and new construction on lots that are vacant.

Following discussion, Commissioner Halverson called for a motion. Commissioner Brown made a motion to approve the change of zone from R-3, Single Family Residence Zone District to RTN, Traditional Neighborhood Residence Zone District. Commissioner Pankey seconded the motion.

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

7. Case Name: 1528 A Avenue NE (Rezoning with a Preliminary Site Development Plan)

Consideration of a change of zone from R-3D, Two Family Residence Zone District to RMF-1, Multiple Family Residence Zone District as requested by Lori Kintzle and Cameron West (Applicants/Titleholders)

Case No. RZNE-022883-2016; Case Manager: Dave Houg

A Public Hearing was presented for a Rezoning with a Preliminary Site Plan. The applicant is requesting rezoning from R-3, Single Family Residence Zone District to RTN, Traditional Neighborhood Residence Zone District to allow for the restoration of a duplex. The property has previously been used as a duplex, but was converted to a single-family dwelling in 2003. Flash flooding damaged the structure in 2014 and the appellant now wishes to reinstate the duplex use. Mr. Houg presented a Location Map, General Information, Zoning, Street View, Site Layout and Single vs. Multiple Family information.

Following discussion, Commissioner Halverson called for a motion. Commissioner King made a motion to approve the change of zone with a Preliminary Site Development Plan from R-3D, Two Family Residence Zone District to RMF-1, Multiple Residence Zone District. Commissioner Brown seconded the motion.

Following additional discussion, Commissioner Halverson called for a vote on the motion. The motion passed with two opposed.

Commissioner Halverson recused himself from the next agenda item and asked Vice Chair Pankey to chair the meeting.

8. Consideration for Adoption of the Highway 100 Corridor Management Plan

Seth Gunnerson

A Public Hearing was presented on the Highway 100 Corridor Management Plan. Mr. Gunnerson stated that the plan was commissioned through the Corridor Metropolitan Planning Organization (MPO) with work being completed with MPO and City staff. On March 17, 2016 the MPO's Policy Board reviewed and approved the plan and referred it to the City of Cedar

Rapids and Linn County for adoption. The Plan was reviewed by the City Council's Development Committee and unanimously recommended for review by the CPC on April 20, 2016.

The document looks at future land use and infrastructure requirements for future development which may occur around the Highway 100 corridor after the extended road opens over the coming years. The land use plan was developed in conjunction with EnvisionCR, which is the City of Cedar Rapids' comprehensive plan. Public input as a result of this process showed a preference for conservation-focused neighborhood development around walkable, more traditionally developed neighborhood commercial centers. Based on this land use scheme the plan projects population yields for future developable land and identifies major infrastructure needs for the transportation network along with public utilities such as water, sewer, and stormwater management.

Mr. Gunnerson stated that this is scheduled for the May 24, 2016 City Council Meeting and that City staff will also coordinate adoption of the plan with Linn County.

Following discussion, Commissioner Pankey called for a motion. Commissioner Brown made a motion to approve the Highway 100 Corridor Management Plan. Commissioner Knox-Seymour seconded the motion.

No further discussion was held; Commissioner Pankey called for a vote on the motion. The motion passed unanimously with none opposed.

The meeting was adjourned at 4:43 pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant
Community Development and Planning Department



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

STAFF REPORT TO CITY PLANNING COMMISSION
Conditional Use Request

CPC Date: June 2, 2016

To: City Planning Commission
From: Development Services Department

Applicant: Nesper Sign Advertising, Inc.
Titleholder: United Fire & Casualty Co.

Location: 118 2nd Avenue SE
Request: Conditional Use approval for a roof sign in the C-4, Central Business Zone District

Case Manager: Dave Houg
Case Number: COND-023044-2016

GENERAL INFORMATION:

This is to certify that the Development Services staff has examined the petition of Nesper Sign Advertising, Inc. requesting Conditional Use approval for a roof sign for property at 118 2nd Avenue SE and zoned C-4, Central Business Zone District. The property houses a 5-story office building. The proposed sign will be oriented towards the northwest, visible from First Avenue and the interstate. The size of the sign will be 15' high by 26' wide or 390 square feet.

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 C-4, Central Business 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: This area is designated as “Downtown” on the City’s Future Land Use Map. The proposed conditional use is consistent with the intent and purpose of the Zoning Ordinance and Future Land Use Map.

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 conditional use should have few impacts upon adjacent properties or the character of the surrounding commercial area. Traffic conditions and parking will not be affected. Existing utilities can adequately serve the proposed signage.

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

Staff Comments: The proposed sign is expected to be compatible with the immediate commercial neighborhood.

5. **That adequate measure 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: Access is a non-issue and minimal services will be required and are readily available.

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 use will comply with all standards imposed by the Zoning 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: Adverse impacts on the surrounding property will not be an issue, and no landscaping or screening is required.

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

Staff Comments: not applicable

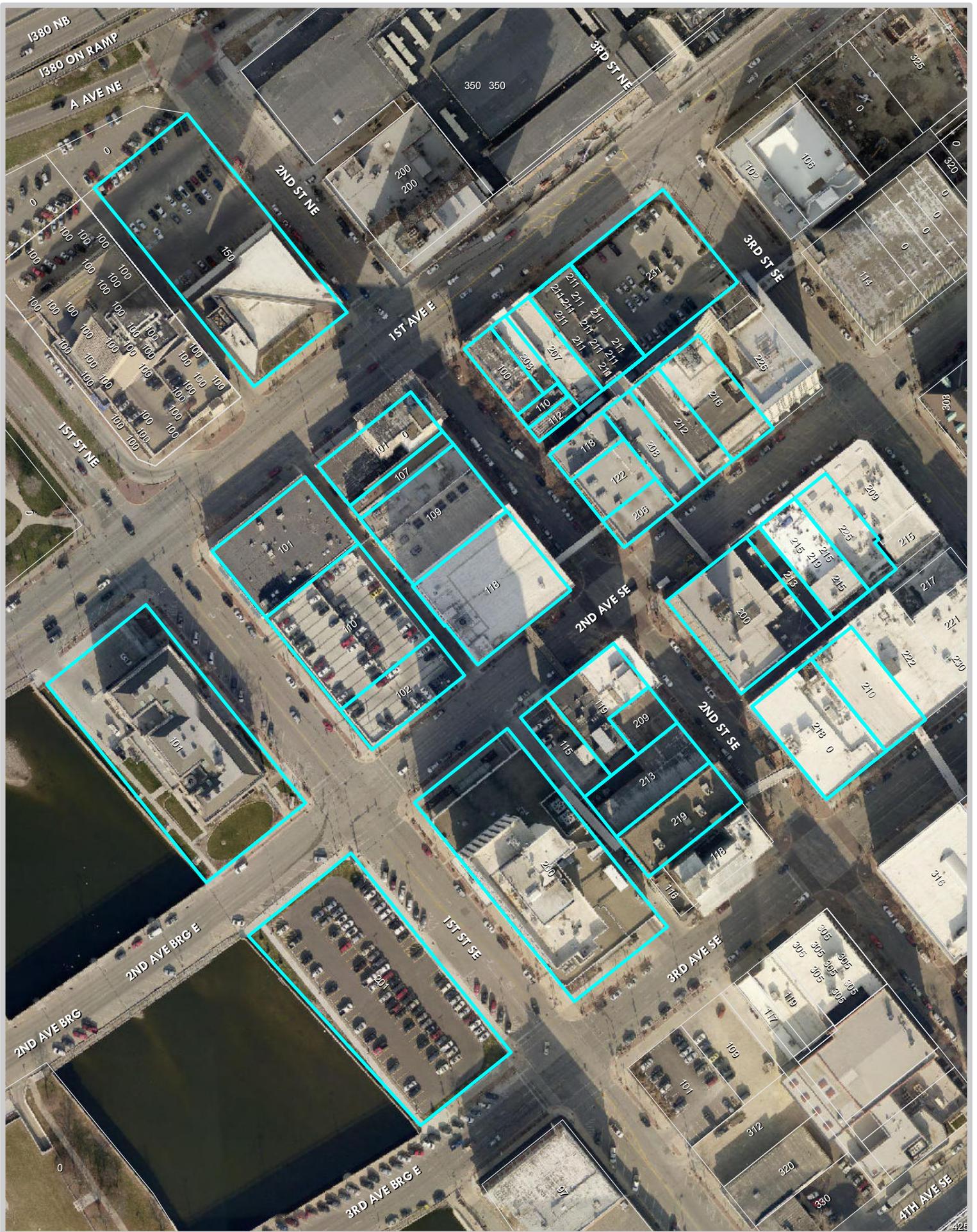
9. The Site Development Plan conforms to all applicable requirements of this Ordinance.

Staff Comments: The plan conforms to all applicable requirements.

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

RECOMMENDED CONDITION:

1. That appropriate sign permits be obtained prior to erection of any signage.



**118 2ND AVE SE
Parcels within 300'**

1:1,727

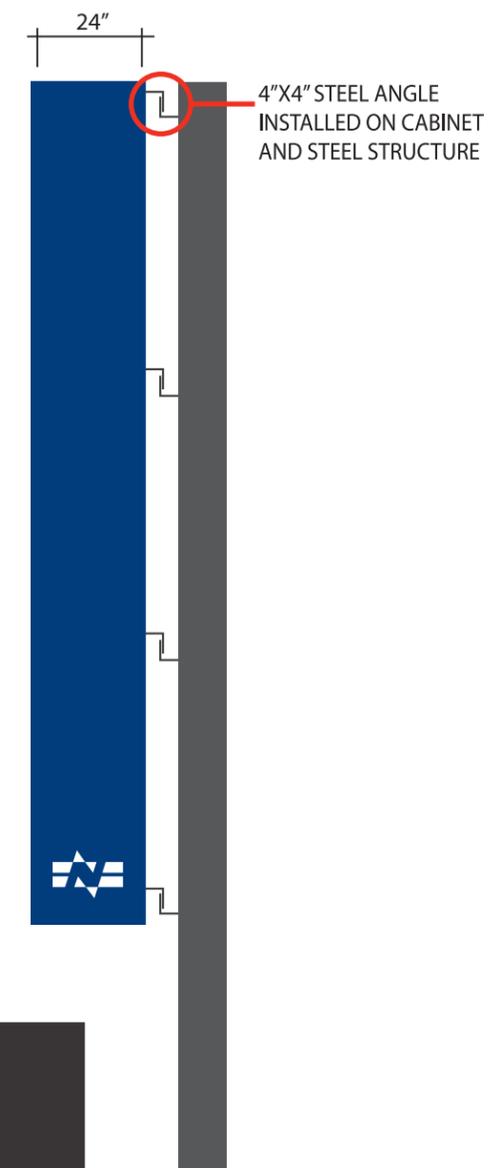
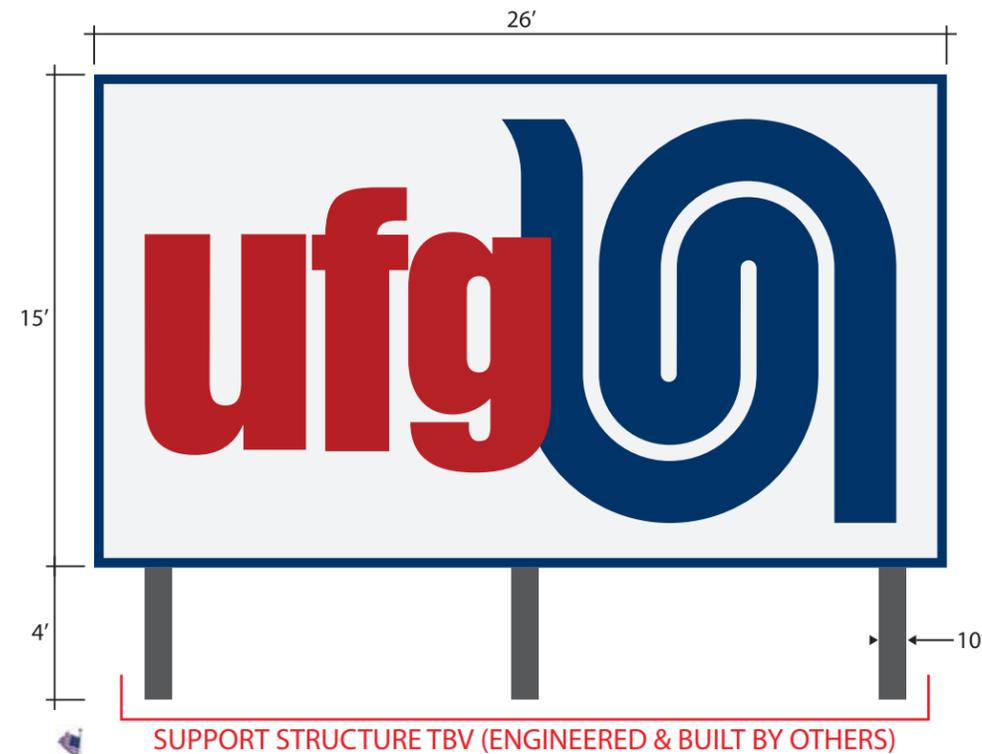
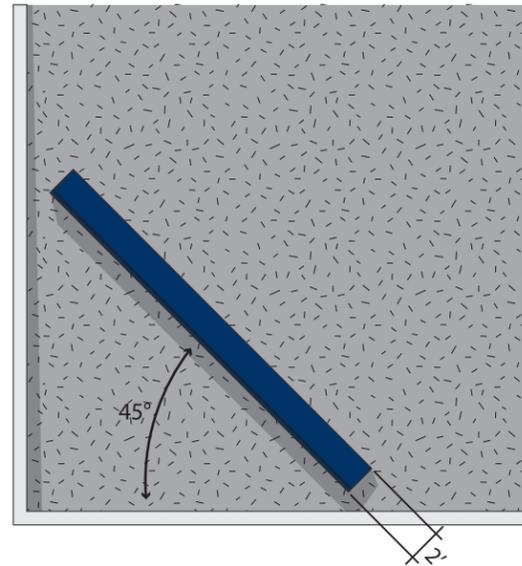


City of Cedar Rapids
IT Department GIS Division
500 15th Ave SW
Cedar Rapids, IA 52404
Date: 5/10/2016



DISCLAIMER: This is a product of the City of Cedar Rapids GIS Division. The data depicted here has been developed by the City for city purposes. Any use is at the sole risk and responsibility of the User. There are no warranties, expressed or implied, associated with the use of this map. ORTHOIMAGERY DATE: Fall 2014

TOP VIEW



TRANSLUCENT VINYL COLORS:
REGAL RED (3630-83)
EUROPEAN BLUE (3630-137)

JOB DESCRIPTION:

FABRICATE (1) S/F ANGLE IRON FRAME CABINET.
CABINET: PAINTED SATIN BASE COAT PMS 648C
FACE: DIGITALLY PRINTED FLEX GRAPHICS: TRANSLUCENT VINYL
ILLUMINATION: LED LIGHT SYSTEM

- POWER SUPPLY BY OTHERS
- SUPPORT STRUCTURE TO BE ENGINEERED & BUILT BY OTHERS
- CUSTOMER TO APPROVE VINYL COLORS BEFORE PRODUCTION (NOT EXACT PANTONE MATCHES)

EXISTING



DESIGN #: PM-1919E VER.#: 4

DATE: 5-11-16

JOB NAME: UNITED FIRE GROUP

LOCATION: CEDAR RAPIDS, IA

DRAWN BY: SEK

SALES: PAT McALLISTER

DESIGN APPROVED BY: _____

DATE: _____



Development Services Department
City Services Center
500 15th Avenue SW
Cedar Rapids, IA 52404
Telephone: (319) 286-5132

STAFF REPORT TO CITY PLANNING COMMISSION
Rezoning

CPC Date: June 2, 2016

To: City Planning Commission
From: Development Services Department

Applicant: Succession LC
Titleholder: Succession LC

Location: 430 16th Avenue SW
Request: Change of zone from PUB, Public Zone District to O-S, Office/Service Zone District

Case Manager: Johnny Alcivar, Development Services Department
Case Number: RZNE-022975-2016

BACKGROUND INFORMATION:

This is a request to rezone property currently in the PUB, Public Zone District, to the O-S, Office/Service Zone District. The request is to allow for the existing building to be used as a daycare. The building was formerly used by the Iowa Department of Transportation. The property is identified as “Urban Medium-Intensity” on the City’s Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan.

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 amendment is not to correct a technical mistake on the existing Zoning Map.

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

Staff Comments: The subject property is shown as “Urban Medium-Intensity” on the Future Land Use Map (FLUM) in EnvisionCR, the City’s Comprehensive Plan, the requested zone change is in accord with the FLUM and the Goals and Objectives of EnvisionCR.

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

Staff Comments: The property to the north is zoned PUB, Public Zone District. The properties to the west are zoned C-2, Community Commercial Zone District. The properties to the east and south are zoned R-3, Single Family Residence Zone District. The amendment will maintain a transition from the surrounding uses and will be consistent with the characteristics of the area since no exterior additions are proposed.

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

Staff Comments: The location is suitable for all uses permitted in the O-S, Office/Service Zone 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 Comments: The amendment will allow for the existing building to be used as a daycare. No exterior additions are proposed with this request, therefore the existing size, height, and densities will not be changing.

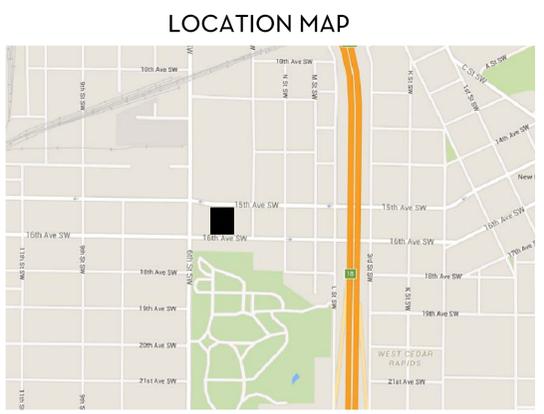
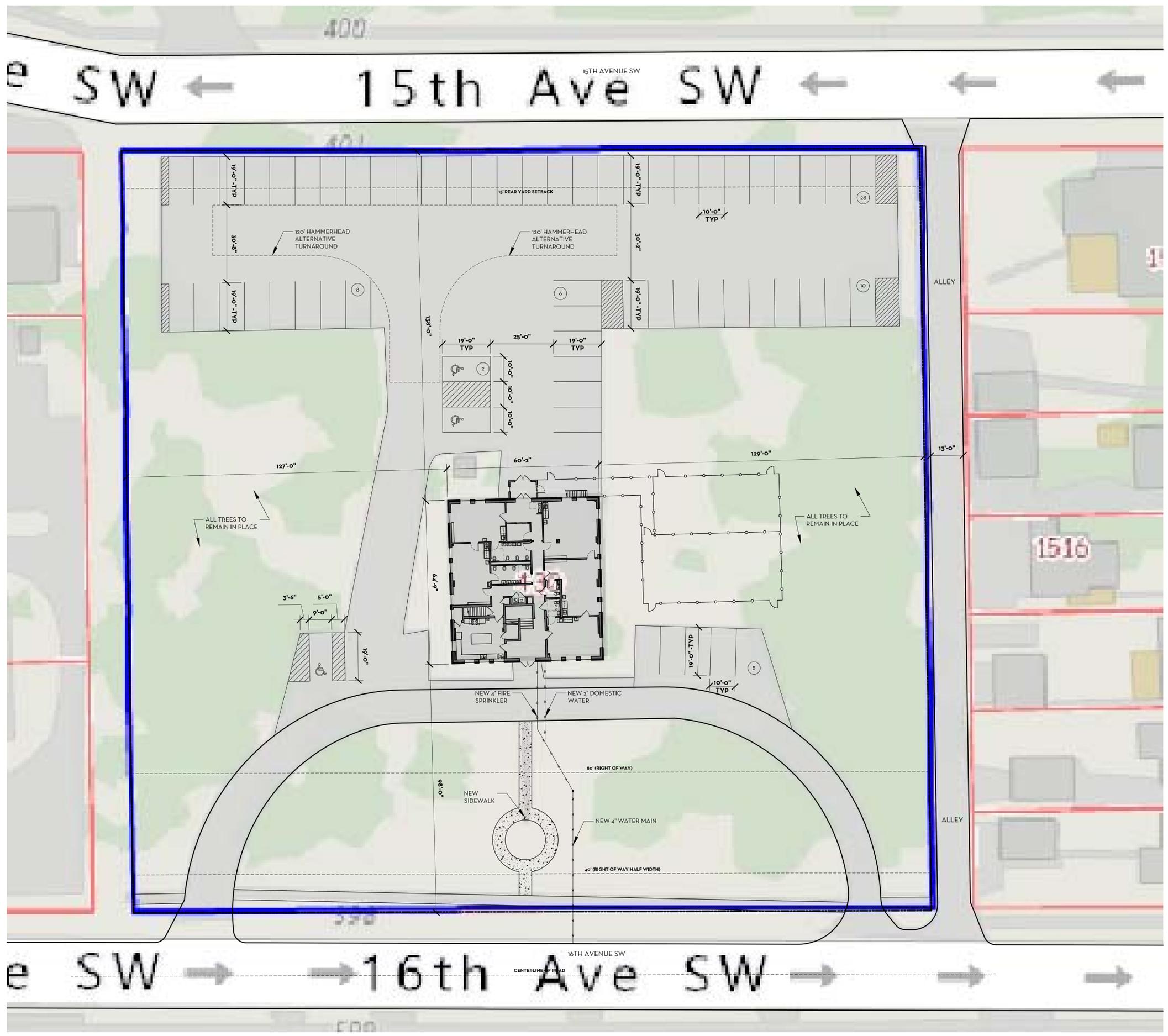
6. Whether facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development.

Staff Comments: The area is developed and served by all City services. Adequate levels of service to the existing development 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. 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 16th Avenue SW providing a minimum 40’ half width right-of-way adjoining this site.
2. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to provide a right of way reservation at no cost to the City to provide to the public additional street right-of-way along 15th Avenue SW providing a minimum 40’ half width right-of-way adjoining this site.



PROPOSED DAYCARE ON EXISTING VACANT BUILDING

EXISTING BUILDING USE: VACANT (PREVIOUSLY OFFICE)
 PROPOSED BUILDING USE: DAYCARE
 DAYCARE CAPACITY: 92 KIDS, AGES 0-5
 EXISTING ZONING: PUD
 PROPOSED ZONING: O/S
 BUILDING HEIGHT: 3 STORIES
 27'-0" TOP OF LOWER PARAPET
 30'-0" TO PF HIGHER PARAPET
 BUILDING AREA: BASEMENT - 996 SQ FT
 FIRST FLOOR - 3,971 SQ FT
 SECOND FLOOR - 3,891 SQ FT
 MEZZANINE - 524 SQ FT
 TOTAL - 9,382 SQ FT
 PROPOSED FRONT YARD SETBACK: 80'-0"
 PROPOSED SIDE YARD SETBACK: 0'-0"
 PROPOSED REAR YARD SETBACK: 15'-0"
 EXISTING PARKING STALLS PROVIDED: 60
 PROPOSED PARKING STALLS: 60
 TOTAL HANDICAP STALLS PROVIDED: 3
 TOTAL PARKING STALLS REQUIRED: 20
 EXISTING TREES TO BE REMOVED: 0
 TITLE HOLDER: SUCCESSION LC
 118 2ND STREET SE, STE
 CEDAR RAPIDS, IOWA 52401
 LEGAL DESCRIPTION: HURT'S LOT 7 THRU 18 & YOUNG'S 4TH LOTS 1 & 2 BLK 31 & LOTS 3 & 4 BLK 32 & VAC 5TH ST BET STR/LB

BAR IS ONE INCH ON OFFICIAL DRAWINGS
 IF NOT ONE INCH, ADJUST SCALE ACCORDINGLY



DRAWN BY: JAS
 APPROVED: SLE
 JOB DATE: MAY 24, 2016
 JOB NO.: 16006

LITTLE GEMS
 430 16TH AVENUE SW
 CEDAR RAPIDS, IOWA
 ARCHITECTURAL
 SITE PLAN

1 SITE PLAN
 SCALE: 1" = 20'



DRAWING
 A050



Development Services Department
City Services Center
500 15th Avenue SW
Cedar Rapids, IA 52404
Telephone: (319) 286-5132

STAFF REPORT TO CITY PLANNING COMMISSION
Rezoning

CPC Date: June 2, 2016

To: City Planning Commission
From: Development Services Department

Applicant: Hart-Frederick Consultants
Titleholder: Sharp Investments, LLC

Location: 6677 16th Avenue SW
Request: Change of zone from PUD-1, Planned Unit Development District One to RMF-2, Multiple Family Residence Zone District.

Case Manager: Johnny Alcivar
Case Number: RZNE-023095-2016

BACKGROUND INFORMATION:

This is a request to rezone 6 acres to the RMF-2, Multiple Family Residence Zone District to allow for the potential development of a continuing care/senior living facility. The property is currently zoned PUD-1 and was used as a golf course prior to 2014. The property is identified as “Urban Medium-Intensity” on the City’s Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan. Prior to development of the site, a Preliminary Site Development Plan will be required showing additional site and building design details.

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 amendment is not to correct a technical mistake on the existing Zoning Map.

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

Staff Comments: The subject property is shown as “Urban Medium-Intensity” on the Future Land Use Map (FLUM) in EnvisionCR, the City’s Comprehensive Plan. The 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 area is characterized by a mixed of uses. Industrial use lies to the north of the property. A church is located to the east of the site. A different church has plans to develop the lot to the west of this site. Agricultural land lies to the south of the site. Once subdivided, the site will be surrounded by undeveloped land and farmland except to the east where the Stonebridge Church is located across Stoney Point Road SW.

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

Staff Comments: The location is suitable for all uses permitted in the RMF-2, Multiple Family Residence Zone 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 Comments: The proposed amendment will be in line with the size and scale in the existing neighborhood. Future development should result in an enhancement to the neighborhood in contrast to the existing vacant lot.

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 developer will be responsible for the extension of sanitary sewer to the northwest corner of the proposed 6-acre lot in order to make connections readily available to the adjacent properties. All other services are adequately served in this area.

RECOMMENDED CONDITIONS:

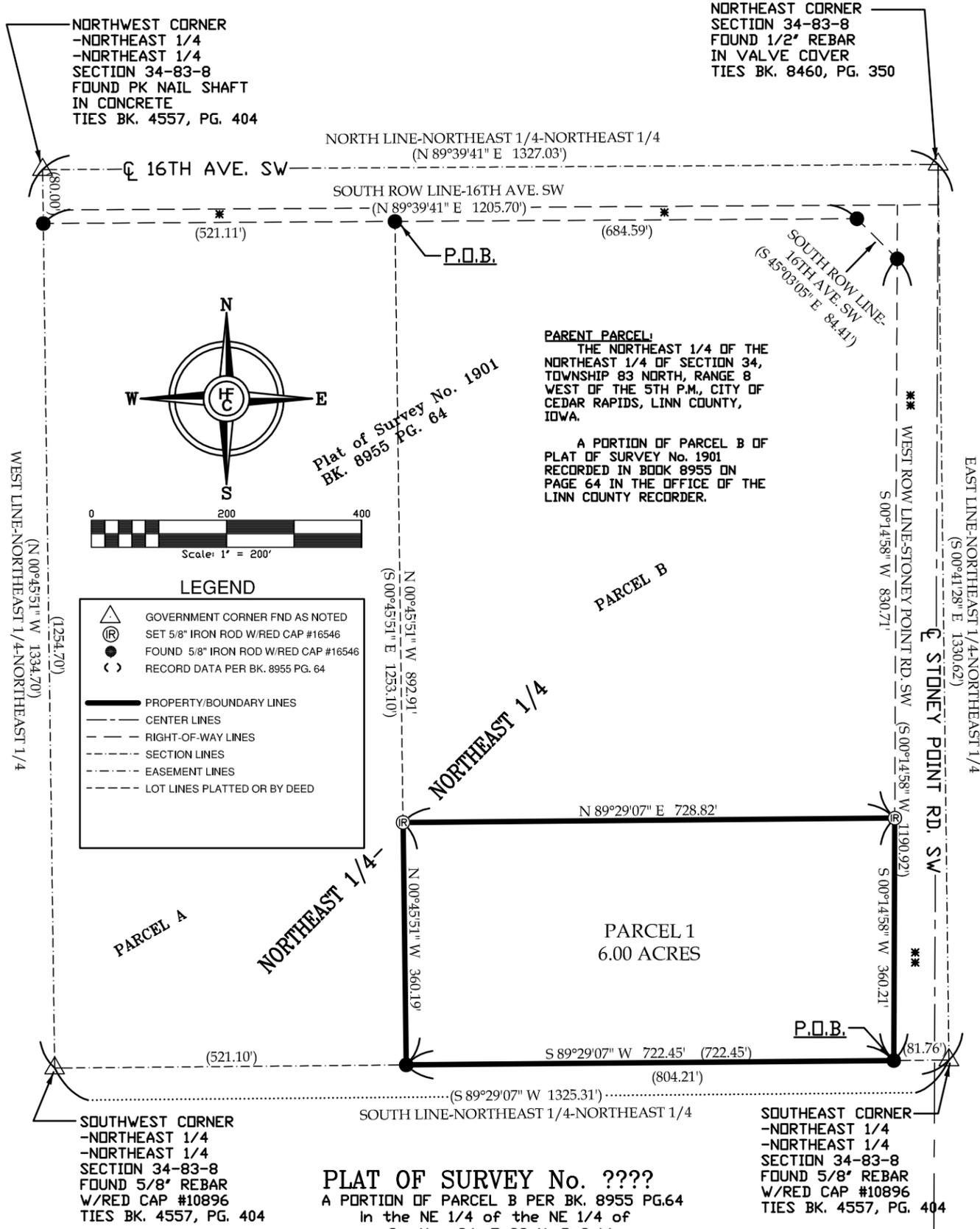
If the City Planning Commission recommends approval of the proposed rezoning, adoption of the following conditions as recommended by Staff should be considered. The City Planning Commission may decide to include conditions prior to a recommendation of approval.

1. Subject property must be platted per State and City platting regulations.



HART-FREDERICK CONSULTANTS P.C.

www.hart-frederick.com
510 State Street P.O. Box 560 TIFFIN, IOWA 52340-0560 Phone: (319) 545-7215



* = RIGHT OF WAY ACQUISITION
BK. 4607, PG. 400
** = RIGHT OF WAY ACQUISITION
BK. 1745, PG. 253

Basis for bearing is
IARTN network
Iowa North coordinates

LEGAL DESCRIPTION

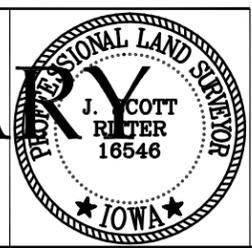
Being a part of Parcel B of Plat of Survey No. 1901 as is recorded in Book 8955 on page 64 in the office of the Linn County Recorder located in the Northeast 1/4 of the Northeast 1/4 of Section 34, Township 83 North, Range 8 West of the 5th P.M., City of Cedar Rapids, Linn County, Iowa, and is more particularly described as follows.

Commencing at the Northeast corner of said Section 34, Township 83 North, Range 8 West; thence S 00°41'28" E along the East line of the Northeast 1/4 of said Section 34, a distance of 1330.62 feet; thence S 89°29'07" W along the South line of the Northeast 1/4 if the Northeast 1/4 of said Section 34, a distance of 81.76 feet to the Southeast corner of Parcel B of Plat of Survey No. 1901 recorded in Book 8955 on page 64 in the office of the Linn County Recorder being the Point of Beginning; thence continuing S 89°29'07" W along said South line, a distance of 722.45 feet to the Southwest corner of said Parcel B; thence N 00°45'51" W along the West line of said Parcel B, a distance of 360.19 feet; thence N 89°29'07" E, a distance of 728.82 feet to a point on the East line of said Parcel B, also being a point on the West Right-of-Way line of Stoney Point Road SW; thence S 00°14'58" W along said East line and West Right-of-Way, a distance of 360.21 feet to the Point of Beginning, containing 6.00 acres and being subject to all easements and restrictions of record.

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

PRELIMINARY

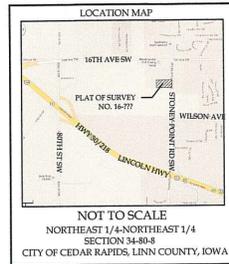
J. Scott Ritter, P.L.S.
Iowa License Number: 16546
My license renewal date is December 31, 2016.
Pages covered by this seal: THIS SHEET ONLY



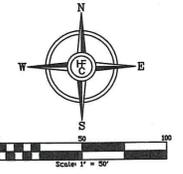
PROPOSED ZONING:
RMF-2

PROPRIETOR:
SHARP INVESTMENTS LLC.

PLAT OF SURVEY NO. ????		
THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 SECTION 34-83-8 CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA		
DATE: 5/13/16	DRN: TDG	APP: JSR
FLD BK:	PROJ. NO: 167071	



NORTHEAST CORNER
SECTION 34-83-8
FOUND 1/2" REBAR
IN VALVE COVER
TIES BK. 8460, PG. 350



- 1.) TITLE HOLDER: SHARP INVESTMENTS LLC.
ATTN: LARRY SHARP
6677 16TH AVE. SW
CEDAR RAPIDS, IA 52404
PHONE: (319)310-2689
EMAIL: larry@larrysharp.com
- 2.) EXISTING LAND USE: AGRICULTURE ROW CROP (CORN)
- 3.) PROPOSED LAND USE: 60 UNIT - 3 STORY ASSISTED LIVING
24 UNIT - 1 STORY MEMORY CARE
- 4.) EXISTING ZONING: PUD-1
- 5.) PROPOSED ZONING: RMF-2

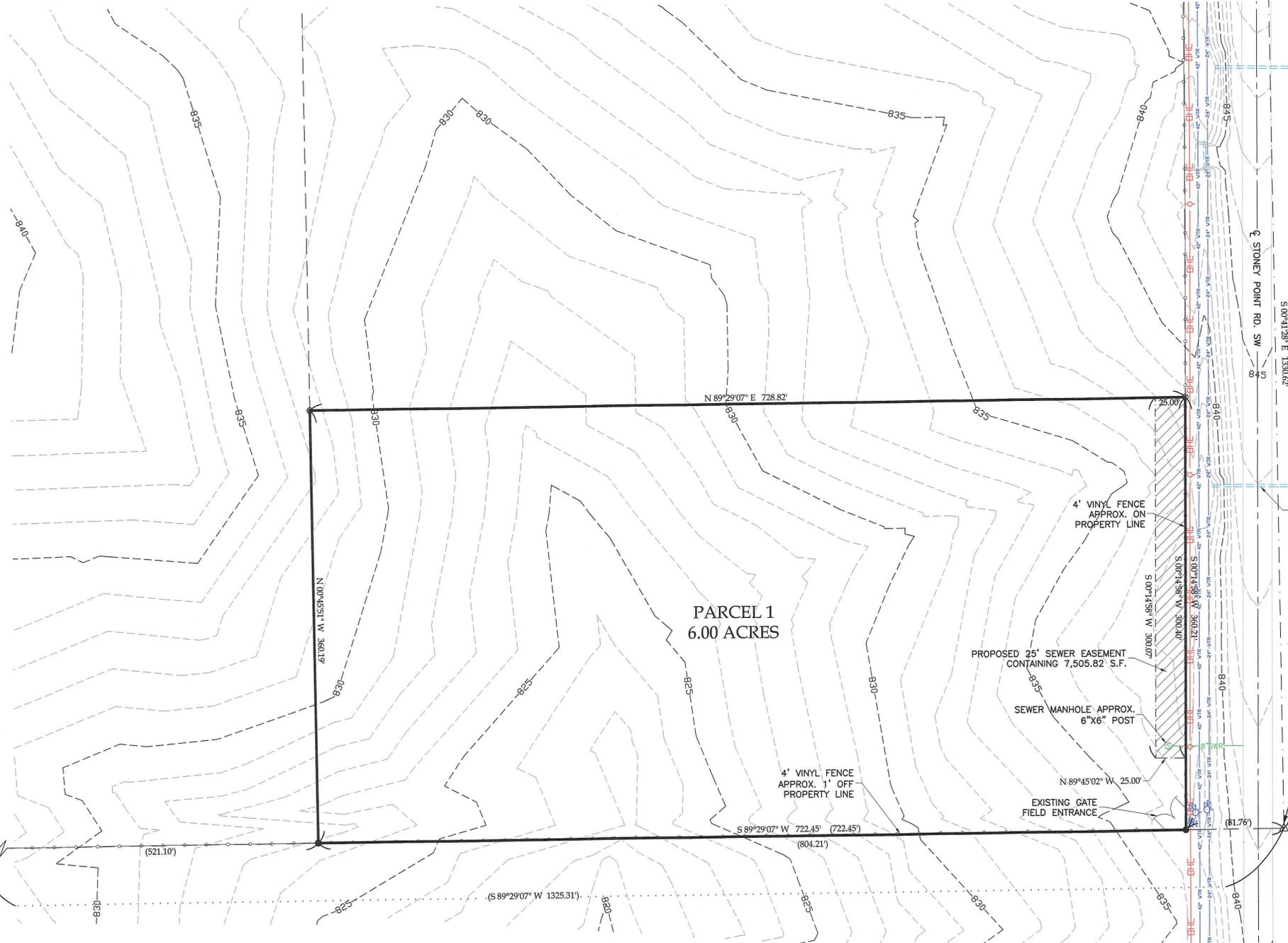
6.) LEGAL DESCRIPTION
Being a part of Parcel B of Plat of Survey No. 1901 as is recorded in Book 8955 on page 64 in the office of the Linn County Recorder located in the Northeast 1/4 of the Northeast 1/4 of Section 34, Township 83 North, Range 8 West of the 5th P.M., City of Cedar Rapids, Linn County, Iowa, and is more particularly described as follows.

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LEGEND

- △ GOVERNMENT CORNER FND AS NOTED
- SET 5/8" IRON ROD W/RED CAP #16546
- FOUND 5/8" IRON ROD W/RED CAP #16546
- () RECORD DATA PER BK. 8955 PG. 64
- FIRE HYDRANT
- POWER POLE
- SEWER MANHOLE
- WATER VALVE
- CENTER LINES
- - - CONTOUR LINES (1' CONTOURS)
- - - EASEMENT LINES
- - - FENCE LINE
- - - LOT LINES PLATTED OR BY DEED
- - - OVERHEAD ELECTRIC LINES
- - - PROPERTY/BOUNDARY LINES
- - - RIGHT-OF-WAY LINES
- - - SECTION LINES

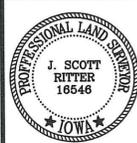
SOUTHWEST CORNER
-NORTHEAST 1/4
-NORTHEAST 1/4
SECTION 34-83-8
FOUND 5/8" REBAR
W/RED CAP #10896
TIES BK. 4557, PG. 404



EAST LINE-NORTHEAST 1/4-NORTHEAST 1/4
S 00°14'28" E 1330.62'

24" CMP

SOUTHEAST CORNER
-NORTHEAST 1/4
-NORTHEAST 1/4
SECTION 34-83-8
FOUND 5/8" REBAR
W/RED CAP #10896
TIES BK. 4557, PG. 404



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.
J. Scott Ritter, P.L.S.
Iowa License Number: 16546
My license renewal date is December 31, 2014.
Pages or sheets covered by this seal: 1 OF 1

REVISIONS		
REVISION NO.	DATE	DESCRIPTION

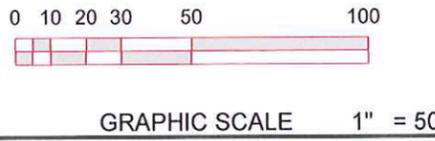
FLD. BK.:	SCALE: AS SHOWN
DATE: 5/13/16	DRN.: TDG
APP.: JSR	

HART-FREDERICK CONSULTANTS P.C.
510 State Street P.O. Box 560 TIFFIN, IOWA 52340-0560
Phone: (319) 545-7215 Fax: (319) 545-7220
www.hart-frederick.com

ZONE CHANGE

OWNER: SHARP INVESTMENTS LLC.
ATTN: LARRY SHARP
6677 16TH AVE. SW
CEDAR RAPIDS, IA 52404

PROJECT NO.:	167071
DRAWING NO.:	
SHEET	1 OF 1



60 UNIT - 3 STORY ASSISTED LIVING
24 UNIT - 1 STORY MEMORY CARE

- 84 TOTAL UNITS**
- 24 MEMORY CARE UNITS
 - 60 ASSISTED LIVING
 - 8 - 2 Bedroom Units
 - 20 - Regular 1 Bedroom Units
 - 20 - Deluxe 1 Bedroom Units
 - 12 - Studio Units

Nelson•Tremain Partnership
 ARCHITECTURE AND DESIGN FOR AGING
 125 Southeast Main Street, Suite 245
 Minneapolis, Minnesota 55414
 Ph: 612-331-7178 Fax: 612-331-8255
 Web: www.ntp.cc
 © 2016 Nelson-Tremain Partnership, P.A.

STONEY POINT MEADOWS

xxxx Stoney Point Road SW
 Cedar Rapids , IA 52404

Sheet Title: **SITE PROPOSAL**

Sheet Number: **1**

Date: April 6, 2016



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

To: City Planning Commission
From: Caleb Mason, Economic Development Analyst
Subject: Consideration regarding conformity of the proposed Grand Living Urban Renewal Area Plan with the City's Comprehensive Plan
Date: June 2, 2016

BACKGROUND INFORMATION:

The City Council has initiated proceedings to consider the creation of the Grand Living Urban Renewal Area Plan generally located south of 1st Avenue East and West of Collins Rd SE which is being precipitated by an economic development project. The proposed Urban Renewal Area is approximately 42 acres.

This district is being established as an economic development area provided under Iowa Code to, among other things, stimulate private investment, expand economic development through planning, creation of new jobs, and provision of public infrastructure and trails all of which achieve a well-balanced diversified economy. The attachment provides a draft of the Grand Living Urban Renewal Plan.

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 Grand Living Urban Renewal Plan for the Grand Living Urban Renewal Area with the City's Comprehensive Plan, EnvisionCR. In addition to City Planning Commission review, the City will consult with the affected taxing agencies on June 10, 2016 regarding the proposed Urban Renewal Area. All comments received by CPC will be presented to City Council for consideration during the public hearing scheduled for June 28, 2016.



URBAN RENEWAL PLAN
for the
GRAND LIVING 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 Grand Living 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, 2016, 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 mixed-use commercial and residential 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, trails, 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 42 acres, in the City of Cedar Rapids, Iowa and being described as follows:

LANDS (LESS COUNTY) & (LESS E 880') NE NE & W 330' N 957' SE NE
STR/LB 11 83 7

And

P.O.S. #958 PARCEL STR/LB B

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, trails 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 privately owned 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 privately owned 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 City's Comprehensive Plan – EnvisionCR 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 \$3,000,000.00 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, reimburse the City for any other project-related costs incurred in connection with the development of the Project Area, and City's cost-share of a proposed recreation trail.

As of June 30, 2015, the City's outstanding general obligation indebtedness was \$315,200,000. 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 2014/2015 (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 \$490,817,852.00 of general obligation indebtedness.

X. STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform to 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).

ATTACHMENT A
Proposed Grand Living Urban Renewal Area

