

AGENDA
CITY PLANNING COMMISSION MEETING
Thursday, August 25, 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: North of E Avenue NW and west of Blue Stone Street NW (Rezoning) and Stoney Point Meadows North 3rd Addition (Major Preliminary Plat)

- a. Consideration of a change of zone from A, Agriculture Zone District to R-2, Single Family Residence Zone District as requested by Midwest Development Co (Applicant) and William K. and Debra J. Robinson (Titleholder)

Case No: RZNE-023267-2016; Case Manager: Vern Zakostelecky

- b. Consideration of a Major Preliminary Plat in R-2, Single Family Residence Zone District as requested by Midwest Development Co (Applicant) and William K. and Debra J. Robinson (Titleholder)

Case No: PRPT-023266-2016; Case Manager: Vern Zakostelecky

2. Case Name: East of Edgewood Road SW and South of 60th Avenue SW (Preliminary Site Development Plan)

Consideration of a Preliminary Site Development Plan in an I-2, General Industrial Zone District as requested by Reconserve of Iowa, Inc. (Applicant) and Marilyn L. Cech Revocable Trust, Elmer F. Cech Testamentary Trust, Debra L. Volesky, Sharon K. Hahn, Ronnie E. Cech, Connie S. Wildfield and Staskel Farms, LLC (Titleholders)

Case No. PSDP-023536-2016; Case Manager: Dave Houg

3. Case Name: 2575 60th Avenue SW (Preliminary Site Development Plan)

Consideration of a Preliminary Site Development Plan in a I-2, General Industrial Zone District as requested by Diamond V Mills, Inc. (Applicant/Titleholder)

Case No. PSDP-023585-2016; Case Manager: Dave Houg

**4. Case Name: 4480 Blairs Ferry Road NE (Rezoning) and
The Commons at Blairs Ferry First Addition (Major Preliminary Plat)**

a. Consideration of a change of zone from A, Agriculture Zone District to RMF-1, Multi-Family Residence Zone District and R-2, Single Family Residence Zone District as requested by Genesis Equities, LLC (Applicant) and Calvary Chapel of Iowa (Titleholder)

Case No: RZNE-023589-2016; Case Manager: Joe Mailander

b. Consideration of a Major Preliminary Plat in R-2, Single Family Residence Zone District and RMF-1, Multi-Family Residence Zone District and R-2, Single Family Residence Zone District as requested by Genesis Equities, LLC (Applicant) and Calvary Chapel of Iowa (Titleholder)

Case No: PRPT-023588-2016; Case Manager: Joe Mailander

5. Amending Chapter 32

Consideration of amending Chapter 32 of the Municipal Code, the Zoning Ordinance to allow development which incorporates the Flood Control System in the Northwest Flood Mitigation Overlay District

Bill Micheel



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, August 4, 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
Virginia Wilts
Samantha Dahlby
Kim King
Dominique Blank
Anthony Brown
Karl Cassell
Lisa Peloquin

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

CD Staff: Seth Gunnerson, Planner
Caleb Mason, Economic Development Analyst
Betty Sheets, Administrative Assistant

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 nine (9) 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 14, 2016. Minutes stand approved.

B. 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.

C. Action Items

1. Case Name: 5400 16th Avenue SW (Preliminary Site Development Plan)

Consideration of a Preliminary Site Development Plan in a PUB, Public Zone District as requested by State of Iowa (Applicant/Titleholder)

Case No. PSDP-023259-2016; Case Manager: Vern Zakostelecky

A public hearing was presented for a Preliminary Site Development Plan at 5400 16th Avenue SW for property that is currently land that is developed as a public use facility. There is an existing communication tower on the parcel with associated equipment and an office building. The facility is the Iowa Department of Public Safety, District 11 Office. The proposed development plan is the installation of a new tower, antennas, ground shelter, generator and associated equipment as part of Federally mandated Statewide upgrade to the State's Emergency Management System (EMS) communications system. As such, this application is considered an "Essential Service", which is defined in the Chapter 32 of the City's Municipal Code, Zoning Ordinance. The existing communication tower will be taken down.

Mr. Zakostelecky presented a Location Map, General Information, Zoning Map, Aerial View, Site Plan, Layout / Landscape Plan, and elevations of the Tower and Equipment Shelter.

Following discussion, Commissioner Halverson called for a motion. Commissioner Pankey made a motion to approve the Preliminary Site Development Plan in a PUB, Public Zone District. Commissioner Wilts 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: 730 33rd Avenue SW (Conditional Use)

Consideration of a Conditional Use for Outdoor Service Area in a C-3, Regional Commercial Zone District as requested by Astha Hospitality (Applicant/Titleholder)

Case No: COND-023497; Case Manager: Dave Houg

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

A public hearing was presented for a Conditional Use at 730 33rd Avenue SW for Outdoor Service Area in a C-3, Regional Commercial Zone District. Mr. Houg presented General Information, Site Development Plan, Service Area views and stated that the Board of Adjustments would consider this request on August 8, 2016.

Following discussion, Commissioner Halverson called for a motion. Commissioner Brown made a motion to approve the Conditional Use for Outdoor Service Area in a C-3 Regional Commercial Zone District. . Commissioner Cassell 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: 5710 and 5830 Gibson Drive NE (Preliminary Site Development Plan)

Consideration of a Preliminary Site Development Plan in a O-S, Office/Service Zone District as requested by Agemark Senior Living Communities (Applicant) and Ronald M. Delaney, James A. Sattler and Ridgewood LLC (Titleholders)

Case No. PSDP-023499-2016; Case Manager: Johnny Alcivar

Commissioner King recused herself from this project.

Mr. Alcivar presented the City Planning Commission Criteria for Recommendation and Action of a Preliminary Site Development Plan.

A public hearing was presented for a Preliminary Site Development Plan for property at 5710 and 5830 Gibson Drive NE to construct a Health Care/Senior Living 3-story facility within an O-S, Office/Service Zone District. If approved, an Administrative Site Development plan will need to be submitted for review by Development Services Department. Mr. Alcivar presented a Location Map, General Information, Aerial, Zoning Map, Site Plan and four (4) renderings. The Board of Adjustment will consider this project for a parking variance on August 8, 2016.

Following discussion, Commissioner Halverson called for a motion. Commissioner Pankey made a motion to approve the Preliminary Site Development Plan in a O-S Office/Service Zone District. Commissioner Dahlby seconded the motion.

Further Discussion was held; Commissioner Halverson called for a vote on the motion. The motion passed unanimously with none opposed.

Commissioner King returned to the daises.

4. Case Name: 221 4th Avenue SW (Rezoning)

Consideration of a change of zone from C-3, Regional Commercial Zone District to R-3, Single Family Residence Zone District as requested by Scallon Custom Homes, LLC (Applicant/Titleholder)

Case No: RZNE-023551-2016; Case Manager: Johnny Alcivar

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

A Public Hearing was presented for a Rezoning. The applicant is requesting rezoning from C-3, Regional Commercial Zone District to R-3, Single Family Residence Zone District. The property is currently vacant and located in the Taylor Neighborhood. The applicant wishes to develop the property as a single-family home as part of the City's ROOTs Program. Since this is a rezoning for single-family residential there is no site plan requirement at this time. A detailed site plan will be required for issuance of a building permit. Mr. Alcivar presented a Location Map, General Information and Aerial view.

Following discussion, Commissioner Halverson called for a motion. Commissioner Wilts made a motion to approve the change of zone from C-3, Regional Commercial Zone District to R-3, Single Family Residence Zone District. 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.

5. Proposed Stone Creek Urban Renewal Area and Plan

Consideration regarding conformity of the proposed Stone Creek Urban Renewal Area Plan with the City’s Comprehensive Plan generally located north of Williams Boulevard/Highway 151 and East of Dean Road SW

CIP/DID #TIF-0007-2016; Caleb Mason

A public hearing was presented to consider the creation of the Stone Creek Urban Renewal Area and Plan which is generally located north of Williams Boulevard/Highway 151 and East of Dean Road SW which is being precipitated by an economic development project. The proposed Urban Renewal Area is approximately 29 acres.

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.” Mr. Mason presented a Location Map that showed the area

Following discussion, Commissioner Halverson called for a motion. Commissioner Wilts made a motion to approve the Proposed Stone Creek Urban Renewal Area and Plan. 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.

6. Amendment No. 2 to the Council Street Urban Renewal Area Plan

Consideration regarding conformity of the proposed Amendment No. 2 to the Council Street Urban Renewal Area Plan with EnvisionCR generally located along Council Street NE between Collins Road and Blairs Ferry Road NE and along former railroad right-of-way between Council Street and Rockwell Drive NE.

CIP/DID #OB14576; Caleb Mason

A public hearing was presented for Amendment No. 2 to the Council Street Urban Renewal Plan with EnvisionCR generally located along Council Street NE between Collins Road and Blairs Ferry Road NE and along former railroad right-of-way between Council Street and Rockwell Drive NE.

The purpose of this Amendment removes property from within the URA. In a separate action the land removed from the Council Street URA is being incorporated into the Northtowne Market URA as the property is being combined with other property for development in the Northtowne Market development.

Following discussion, Commissioner Halverson called for a motion. Commissioner Cassell made a motion to approve Amendment No. 2 to the Council Street Urban Renewal 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.

7. Amendment No. 1 to the Northtowne Market Urban Renewal Area Plan

Consideration regarding conformity of the proposed Amendment No. 1 to the Northtowne Market Urban Renewal Area Plan with EnvisionCR generally located along Blairs Ferry Road NE between Council Street and Rockwell Drive NE.

CIP/DID #OB1300915; Caleb Mason

A public hearing was presented for Amendment No. 1 to the Northtowne Market Urban Renewal Plan. The URA is generally located along Blairs Ferry Road NE between Council Street and Rockwell Drive NE.

The purpose of this Amendment No. 1 is to expand the boundary of the URA to include additional land acquired by the developer of the Northtowne Market project. The attachment provides a draft of Amendment No. 1 to the Northtowne Market Urban Renewal Plan. Mr. Mason presented a Location Map that showed the area being added.

Following discussion, Commissioner Halverson called for a motion. Commissioner King made a motion to approve Amendment No. 1 to the Northtowne Market Urban Renewal Plan. 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.

8. Amendment No. 1 to the Apache Hose and Belting Co., Inc. Urban Renewal Area Plan

Consideration regarding conformity of the proposed Amendment No. 1 to the Apache Hose and Belting Co, Inc. Urban Renewal Area Plan with EnvisionCR generally located along the northeastern corner of Bowling Street SW and 49th Avenue Drive SW

CIP/DID #OB1344382; Caleb Mason

Commissioner Pankey recused himself from this project.

A public hearing was presented for Amendment No. 1 to the Apache Hose and Belting co., Inc. Urban Renewal Area Plan. The URA is generally located along the northeastern corner of Bowling Street SW and 49th Avenue Drive SW. The purpose of this Amendment No. 1 is to expand the boundary of the URA to include additional land. The attachment provides a draft of Amendment No. 1 to the Apache Hose and Belting Co, Inc. Urban Renewal Plan. Mr. Mason presented a Location Map to show the area being added.

Following discussion, Commissioner Halverson called for a motion. Commissioner Blank made a motion to approve Amendment No. 1 to the Apache Hose and Belting co., Inc. Urban Renewal Area Plan. Commissioner Cassell seconded the motion.

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

Commissioner Pankey returned to the dais.

9. Amendment No. 1 to the 42nd Street and Edgewood Urban Renewal Area Plan

Consideration regarding conformity of the proposed Amendment No. 1 to the 42nd Street and Edgewood Urban Renewal Area Plan with EnvisionCR generally located at 42nd Street and Edgewood Road NE.

CIP/DID #OB1314912; Caleb Mason

A public hearing was presented for Amendment No. 1 to the 42nd Street and Edgewood Urban Renewal Plan.

The City Council has initiated proceedings to amend the 42nd Street and Edgewood Urban Renewal Area and Plan. The URA is generally located at 42nd Street and Edgewood Road NE. The purpose of this Amendment No. 1 is to expand the boundary of the URA to include additional land which has been acquired by the developer of the Berthel Fisher building. Mr. Mason presented

Following discussion, Commissioner Halverson called for a motion. Commissioner King made a motion to approve Amendment No. 1 to the 42nd Street and Edgewood Urban Renewal Plan. Commissioner Peloquin seconded the motion.

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

The meeting was adjourned at 4:28pm

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) 286-5043

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

CPC Date: August 25, 2016

To: City Planning Commission
From: Development Services Department

Applicant: Midwest Development Co.
Titleholder: William K. and Debra J. Robinson

Location: North of "E" Avenue NW and West of Blue Stone Street NW
Request: Consideration of a change of zone from A, Agriculture Zone District to R-2, Single Family Residence Zone District

Case Manager: Vern Zakostelecky
Case Number: RZNE-023267-2016

BACKGROUND INFORMATION:

This property was annexed into the City of Cedar Rapids in 2016 and this request is to allow for the platting and future construction of 15 single-family residential lots on 6.36 acres. If approved, this rezoning would be an extension of the Stoney Point Meadows North housing development to the south. Since this is a request for rezoning for single-family homes, no site plan is required at this time. Detailed site plans will be submitted on a lot by lot basis at the time of application for building permits. A preliminary plat has been submitted for City Planning Commission review and approval of the plat will be contingent on future City Council approval of the rezoning request.

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: The amendment is not required to correct a technical mistake in the existing zoning regulations or 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 property is shown as Urban-Low Intensity on the Future Land Use Map (FLUM) in the City’s Comprehensive Plan. This Typology Area (LUTA) should provide for:

a) FORM / Use/Intensity Characteristics:

- i. Residential densities typically range between 2 and 8 units/acre and densities up to 12 units/acre are allowed.**

Staff Comments: The maximum density of this build out will be 2.36 units/acre.

- ii. Non-residential or mixed-use floor area ratios (FARs) should be maxed at .50.**

Staff Comments: Not applicable.

- iii. Use a high connectivity grid pattern to expand viable locations for commercial land uses, resulting in greater integration of land uses.**

Staff Comments: Not applicable.

- iv. Residential neighborhoods include complementary uses like schools, small parks and religious institutions, and neighborhood retail or mixed use. These complementary uses are integrated into neighborhoods so that residents can access them easily by walking or biking.**

Staff Comments: Morgan Creek Park is adjacent to this development. A church is within close proximity.

b) 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 area proposed for rezoning is adjacent to like single-family development.

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

Staff Comments: Not applicable

- iii. Smaller, neighborhood scale commercial uses may be appropriate on collector streets.**

Staff Comments: Not applicable

- iv. Complementary uses like schools, small parks and religious institutions, or neighborhood retail or mixed-use, are sited within neighborhoods where they take advantage of excellent connectivity, which allows for multiple access points and routes to and from the complementary uses.**

Staff Comments: A park and church are situated within the vicinity of this development.

Based on 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 property is currently undeveloped and consists of approximately 6.36 acres. The applicant is the developer of the subdivision adjacent to and south of this property. The development would be an extension of that subdivision.

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

Staff Comments: The subject property is suitable for all uses permitted in the R-2 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 Comments: The proposed development will be designed to meet the City's required design standards with regard to storm water management, landscaping and other site design elements. Since this development is an extension of the applicant development to the south the proposed amendment will continue to protect the existing neighborhood from nearby development at heights and densities that are out of scale.

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: All facilities and services, including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation are currently in place or will be built to adequately serve the proposed development. The proposed development will not negatively impact levels of service to existing development in the general area.

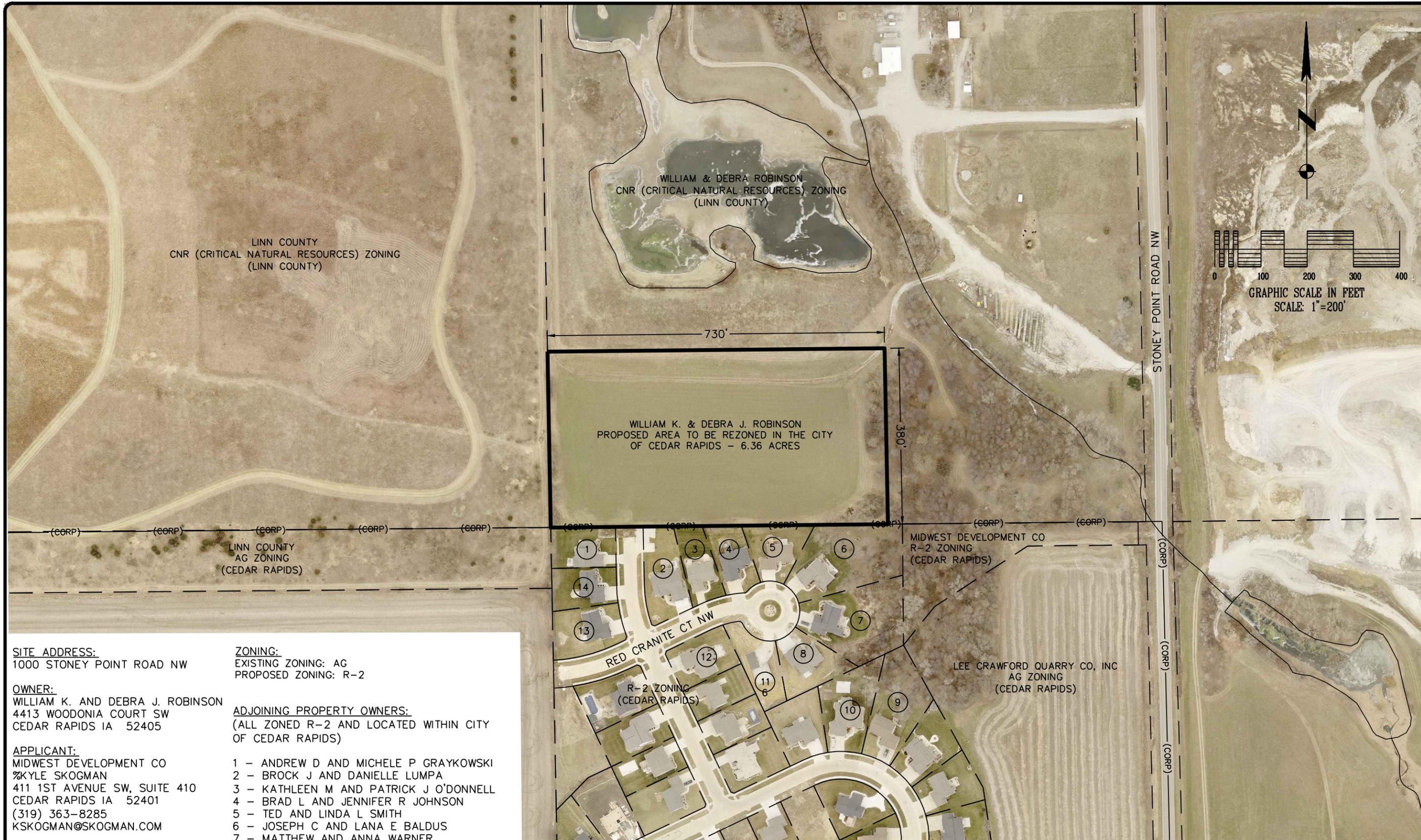
7. The Site Development Plan is consistent with the previously approved Preliminary Plan for the property (if applicable).

Staff Comments: This Finding is not applicable, since there has been no previously approved site plans for this property.

RECOMMENDED CONDITIONS:

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

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



SITE ADDRESS:
1000 STONEY POINT ROAD NW

OWNER:
WILLIAM K. AND DEBRA J. ROBINSON
4413 WOODONIA COURT SW
CEDAR RAPIDS IA 52405

APPLICANT:
MIDWEST DEVELOPMENT CO
%KYLE SKOGMAN
411 1ST AVENUE SW, SUITE 410
CEDAR RAPIDS IA 52401
(319) 363-8285
KSKOGMAN@SKOGMAN.COM

CONTACT:
HALL & HALL ENGINEERS, INC.
%LOREN HOFFMAN
1860 BOYSON ROAD
HIAWATHA IA 52233
(319) 362-9548
LOREN@HALLENG.COM

ZONING:
EXISTING ZONING: AG
PROPOSED ZONING: R-2

ADJOINING PROPERTY OWNERS:
(ALL ZONED R-2 AND LOCATED WITHIN CITY OF CEDAR RAPIDS)

- 1 - ANDREW D AND MICHELE P GRAYKOWSKI
- 2 - BROCK J AND DANIELLE LUMPA
- 3 - KATHLEEN M AND PATRICK J O'DONNELL
- 4 - BRAD L AND JENNIFER R JOHNSON
- 5 - TED AND LINDA L SMITH
- 6 - JOSEPH C AND LANA E BALDUS
- 7 - MATTHEW AND ANNA WARNER
- 8 - TONY C AND KATRINA M LORSON
- 9 - ELMER J HESSENIUS, III
- 10 - DAVID J AND RACHELLE M TIMMERMAN
- 11 - KARL E AND DIANE K LONG
- 12 - STEVEN C AND DANA M WISE
- 13 - GARY V AND TERRY L GERLEMAN
- 14 - TODD L AND KRISTEN L MEESE

REZONING LEGAL DESCRIPTION:
THE SOUTH 380 FEET OF THE WEST 730 FEET OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 83 NORTH, RANGE 8 WEST, LINN COUNTY, IOWA, SUBJECT TO THE PUBLIC HIGHWAY

HALL & HALL ENGINEERS, INC.
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LAND SURVEYING • LAND DEVELOPMENT PLANNING
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Designed by: _____ Drawn by: DLK Checked by: _____

REZONING EXHIBIT
STONEY POINT MEADOWS NORTH 3RD ADDITION
LINN COUNTY, IOWA

Sheet Title:

Date:	6/8/16
Field Book No:	FBK
Scale:	1"=200'
Sheet:	1 of 1
Project Number:	8171-16-3



Development Service Department
City Services Center
500 15th Avenue SW
Cedar Rapids, IA 52404
Telephone: (319) 286-5043

STAFF REPORT TO CITY PLANNING COMMISSION
Major Preliminary Plat

CPC Date: August 25, 2016

To: City Planning Commission
From: Development Services Department

Applicant: Midwest Development Co.
Titleholder: William K. and Debra J. Robinson

Plat Name: Stoney Point Meadows North 3rd Addition
Location: North of E Avenue NW and west of Blue Stone Street NW
Request: Consideration of a Major Preliminary Plat in an R-2, Single Family Residence Zone District

Case Manager: Vern Zakostecky
Case Number: PRPT-023266-2016

BACKGROUND INFORMATION:

The applicant is requesting approval of a Major Preliminary Plat for land located north of “E” Avenue NW and west of Blue Stone Street NW. The property is proposed to be zoned R-2, Single Family Residence Zone District. The proposal is to subdivide the property into 15 lots for future development of single family homes.

The Preliminary Plat as submitted includes the following:

- Total site area is 6.36 acres
- Total lots - 15

FINDINGS:

The City Planning Commission shall review the application based on the following criteria:

- 1. That the proposed use and development will be consistent with the intent and purposes of the Comprehensive Plan and other applicable codes and regulations.**

Staff Comments: The proposed use and development are consistent with the intent and purposes of the Comprehensive Plan. The development area is shown as “Urban Low Intensity” on the Future Land Use Map in the City’s Comprehensive Plan. The proposed development is consistent with the goals and objective of the “Urban Low Intensity” land use and will also comply with all other applicable codes, regulations and approvals.

RECOMMENDED CONDITIONS:

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

1. All lots shall conform to the zoning district requirements in effect at the time of final platting.
2. The property owner is responsible to extend sanitary sewer to serve the development. If sewer extensions crossing private property are necessary to serve the subject property, as determined by the City, the property owner shall be responsible for the related costs including (but not limited to) planning and design of the sewer, acquisition of right-of-way and/or easements, construction, administration, inspection and other incidental costs.
3. **PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY**, the property owner shall be responsible to complete the following:
 - A. For the lot(s) through which overland conveyance of the 100-year storm event will occur, the property owner shall provide certification by a civil engineer licensed in the State of Iowa verifying the runoff from the 100-year storm event can be conveyed through the site without damage to building structures, or, the property owner shall provide a certification by a Civil Engineer or Land Surveyor licensed in the State of Iowa the drainage way has been constructed in accordance with drainage plans approved by the City.
 - B. Construction of concrete sidewalk along Black Granite Court NE. The property owner shall construct the sidewalk improvements in accordance with City Standards, City policy, ADA requirements, and improvement plans accepted by the City. The property owner shall construct concrete sidewalk along the Lot B frontage at the time Black Granite Court NW is paved and prior to acceptance of maintenance bonds for the street paving.
4. The Developer shall maintain the public detention basin following acceptance of all maintenance bonds for a minimum of one year or until erosion and sediment control is established and accepted by the City. Following City acceptance and maintenance of said detention basin(s), the Developer will use all reasonable measures to protect detention basin(s) from sediment runoff and damage. All construction activities are subject to the Municipal Code Chapter 71 "Erosion and Sediment Control for Construction Sites" until such time that all disturbed areas are completely stabilized and developed. The Developer agrees to remove sediment from, reseed, and otherwise repair said detention basin should development related damage occur after the basin has been accepted by the City.

STAFF REPORT TO CITY PLANNING COMMISSION
Preliminary Site Development Plan

CPC Date: August 25, 2016

To: City Planning Commission
From: Development Services Department

Applicant: Reconserv of Iowa, Inc.
Titleholder: Marilyn L. Cech Revocable Trust, Elmer F. Cech Testamentary Trust, Debra L. Volesky, Sharon K. Hahn, Ronnie E. Cech, Connie S. Wildfield and Staskel Farms, LLC

Location: East of Edgewood Road SW and south of 60th Avenue SW
Request: Consideration of a Preliminary Site Development Plan approval for property zoned I-2, General Industrial Zone District

Case Manager: David Houg, Development Services Department
Case Number: PSDP-023536-2016

BACKGROUND INFORMATION:

The property is currently undeveloped. The applicant is applying for Preliminary Site Development Plan approval to construct an approximately 72,000 s.f. food product recycling facility and associated improvements.

The proposed use and development are consistent with the intent and purposes of EnvisionCR, the Comprehensive Plan. The proposed development area is shown as “Employment Reserve” on the Future Land Use Map in the Comprehensive Plan. This LUTA is designed for large-scale industrial developments. The development will comply with all other applicable codes, regulations and approvals.

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

- Total site area – 10.5 acres
- Proposed building size – 72,000 s.f.
- Total parking required / provided – 48 spaces
- Storm water management to be provided by 2 proposed detention basins.

FINDINGS:

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

- 1. The proposed changes to this application are consistent with the previous approved site plan for this property.**

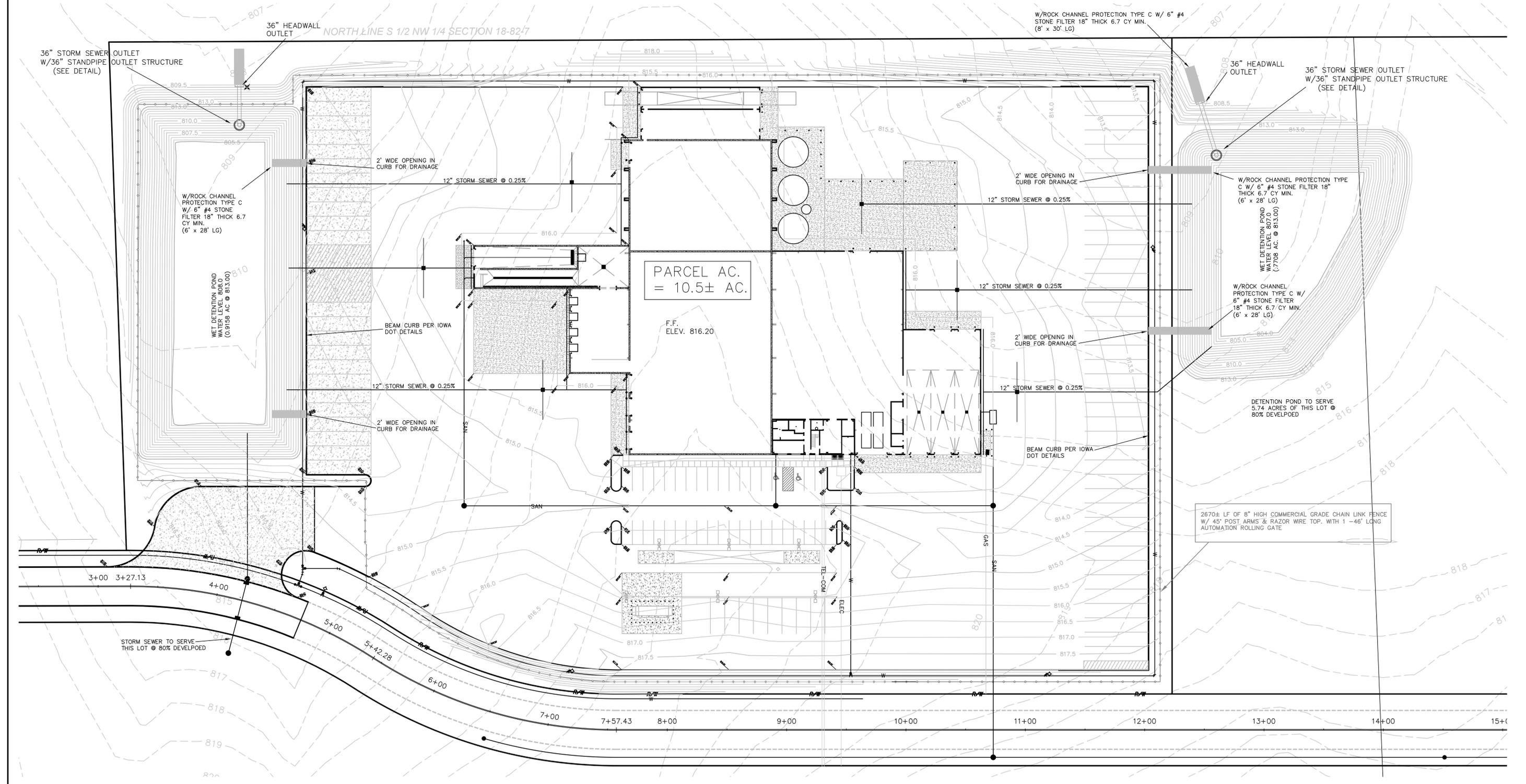
Staff comments: The property has not been previously platted nor had any preliminary plans approved.

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

Staff comments: The site development plan conforms to all applicable requirements of the City's Zoning Ordinance and other applicable codes and regulations.

RECOMMENDED CONDITIONS:

City staff has no recommended conditions.



File name: Z:\QDeng\16-270\16-270-MASTER



DATE	BY	DESCRIPTION	NO.
RECONSERVE OF IOWA BUILDING SITE CEDDAR RAPIDS, IOWA PRELIMINARY SITE PLAN			
			<div style="border: 1px solid black; border-radius: 50%; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;"> 2 XX </div>
SCALE: 1" = 80' HOR	DATE: JULY, 2016	DR. DEW	PROJECT NO. 16-270

SURVEYOR: BRAIN ENGINEERING, INC.
1540 MIDLAND COURT NE
CEDAR RAPIDS, IOWA 52402
319-294-9424

STAFF REPORT TO CITY PLANNING COMMISSION
Preliminary Site Development Plan

CPC Date: August 25, 2016

To: City Planning Commission
From: Development Services Department

Applicant: Diamond V Mills, Inc.
Titleholder: Diamond V Mills, Inc.

Location: 2575 60th Avenue SW
Request: Consideration of a Preliminary Site Development Plan in an I-2, General Industrial Zone District

Case Manager: David Houg, Development Services Department
Case Number: PSDP-023585-2016

BACKGROUND INFORMATION:

The property is currently developed as a fermentation product processing facility. The applicant is applying for Preliminary Site Development Plan approval to construct an additional 98,136 s.f. building intended for factory and warehouse use with associated paving improvements.

The proposed uses and development are consistent with the intent and purposes of EnvisionCR, the Comprehensive Plan. The proposed development area is shown as “Employment Reserve” on the Future Land Use Map in the Comprehensive Plan. This LUTA is designed for large-scale industrial developments. The development will comply with all other applicable codes, regulations and approvals.

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

- Total site area – 31.35 acres
- Existing building size – 134,380 s.f.
- Proposed building size – 98,136 s.f.
- Total parking required – 17 spaces
- Total parking provided – 22 spaces
- Access is from 26th Street SW.
- Storm water management is provided via 2 detention basins.

FINDINGS:

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

1. The proposed changes to this application are consistent with the previous approved site plan for this property.

Staff comments: The Site Development Plan is consistent with the previously approved Preliminary Plan for the property.

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

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

RECOMMENDED CONDITIONS:

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

1. Subject property must be platted per State and City platting regulations.
2. All outdoor storage located within 300 feet of a residential district shall be within completely enclosed buildings or effectively screened by a solid wall or fence, including solid entrance and exit gates.
3. FAA approval is required.



LOCATION MAP
SCALE: 1" = 400'

LEGAL DESCRIPTION

Lot 1 of Diamond V Mills Addition, a part of the NW 1/4 NE 1/4, and a part of the SW 1/4 NE 1/4, all in Section 18, Township 82 North, Range 7 West of the 5th Principal Meridian, Linn County, Iowa described as follows:

Beginning at the NE corner of said Lot 1;
 thence S00°07'12"E along the east line of said Lot 1, 959.59 feet to the SE corner of said Lot 1;
 thence S36°50'01"E, 590.79 feet;
 thence S35°12'42"W, 15.77 feet;
 thence S73°49'45"W, 475.00 feet;
 thence S56°24'43"W, 400.00 feet;
 thence S58°56'02"W, 291.29 feet to the east right of way line of 26th Street SW;
 thence N02°12'21"W along said east right of way line, 669.84 feet;
 thence N02°12'08"W along said east right of way line, 319.00 feet;
 thence N89°52'48"E, 7.00 feet to the SW corner of said Lot 1;
 thence N02°12'08"W along the east line of said Lot 1, 917.61 feet;
 thence N59°40'16"E, 84.59 feet;
 thence N89°52'42"E, 685.13 feet to the Point of Beginning, containing 31.51 acres which includes 0.16 acres of road right of way.

OWNER & APPLICANT:
 DIAMOND V MILLS, INC.
 PO BOX 74570
 2575 60TH AVENUE SW
 CEDAR RAPIDS, IOWA 52404

ENGINEER:
 BRAIN ENGINEERING, INC.
 1540 MIDLAND COURT NE
 CEDAR RAPIDS, IOWA 52402
 PH: 294-9424
 FAX: 294-1056

PROPERTY 2575 60TH AVENUE SW
 ADDRESS: CEDAR RAPIDS, IA. 52404

REQUEST: PRELIMINARY SITE DEVELOPMENT PLAN – INDUSTRIAL PLANT EXPANSION

USE: INDUSTRIAL – GRAIN MILL/WAREHOUSING/OFFICE

EXISTING ZONING: I-2, GENERAL INDUSTRIAL (NO CHANGE REQUESTED)

ADDRESS: 2575 60TH AVENUE SW

TOTAL SITE AREA: 1,365,606 SQ. FT. (PROPOSED) = 31.35 ACRES

TOTAL SQ. FT. OF STRUCTURES:
 EXISTING: 134,380 FEET(APPROXIMATE) = 9.8%
 PROPOSED BUILDING: 98,136 SQ. FEET
 TOTAL BUILDING COVERAGE: 232,516 SQ. FEET(APPROXIMATE) = 17.0%

BUILDING HEIGHT = 130 FEET

SETBACKS: I-2, GENERAL INDUSTRIAL
 FRONT YARD: 35 FEET + 1/3' THAT BUILDING EXCEEDS 35' HEIGHT
 INTERIOR SIDE YARD: 15 FEET + 1/3' THAT BUILDING EXCEEDS 45' HEIGHT
 REAR YARD: 25 FEET + 1/3' THAT BUILDING EXCEEDS 45' HEIGHT
 CORNER SIDE YARD: 25 FEET

PARKING REQUIREMENTS:

WAREHOUSE & DISTRIBUTING: 1/EMPLOYEE DURING LARGEST SHIFT
 = 16 SPACES [16 EMPLOYEES]

OFFICE: 4/2,000 S.F. OF GFA = 1 SPACE [196 SQ. FEET]

TOTAL SPACES REQUIRED = 17 SPACES
 TOTAL SPACES PROVIDED = 22 SPACES

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

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

CONTACT PERSON

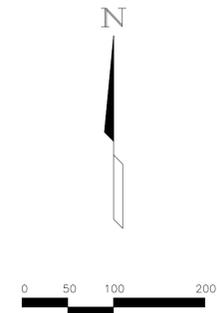
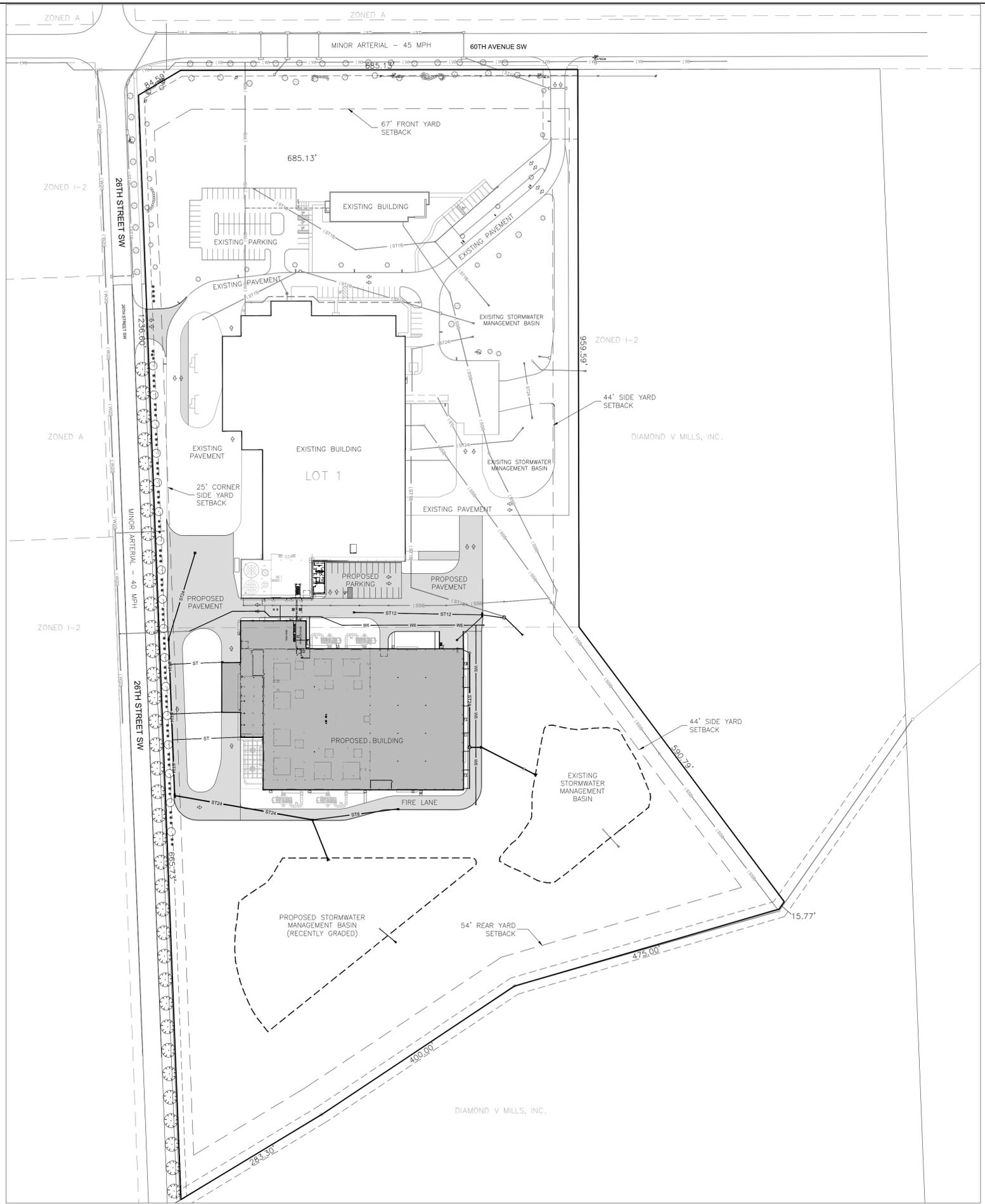
Contact Person	DANIEL SCHMIDT
Telephone Number	(319) 294-9424
Fax Number	(319) 294-1056
Mailing Address	1540 MIDLAND COURT NE
Email	dans@brain-eng.com
Date Submitted	7/27/2016
Date Revised	8/9/2016

Drawn:	DLS	Book:	6/28/16
Checked:		Scale:	NONE
Reviewed:		No.:	

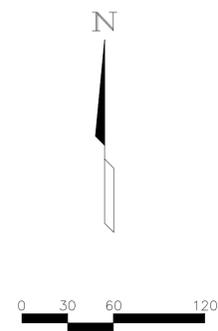
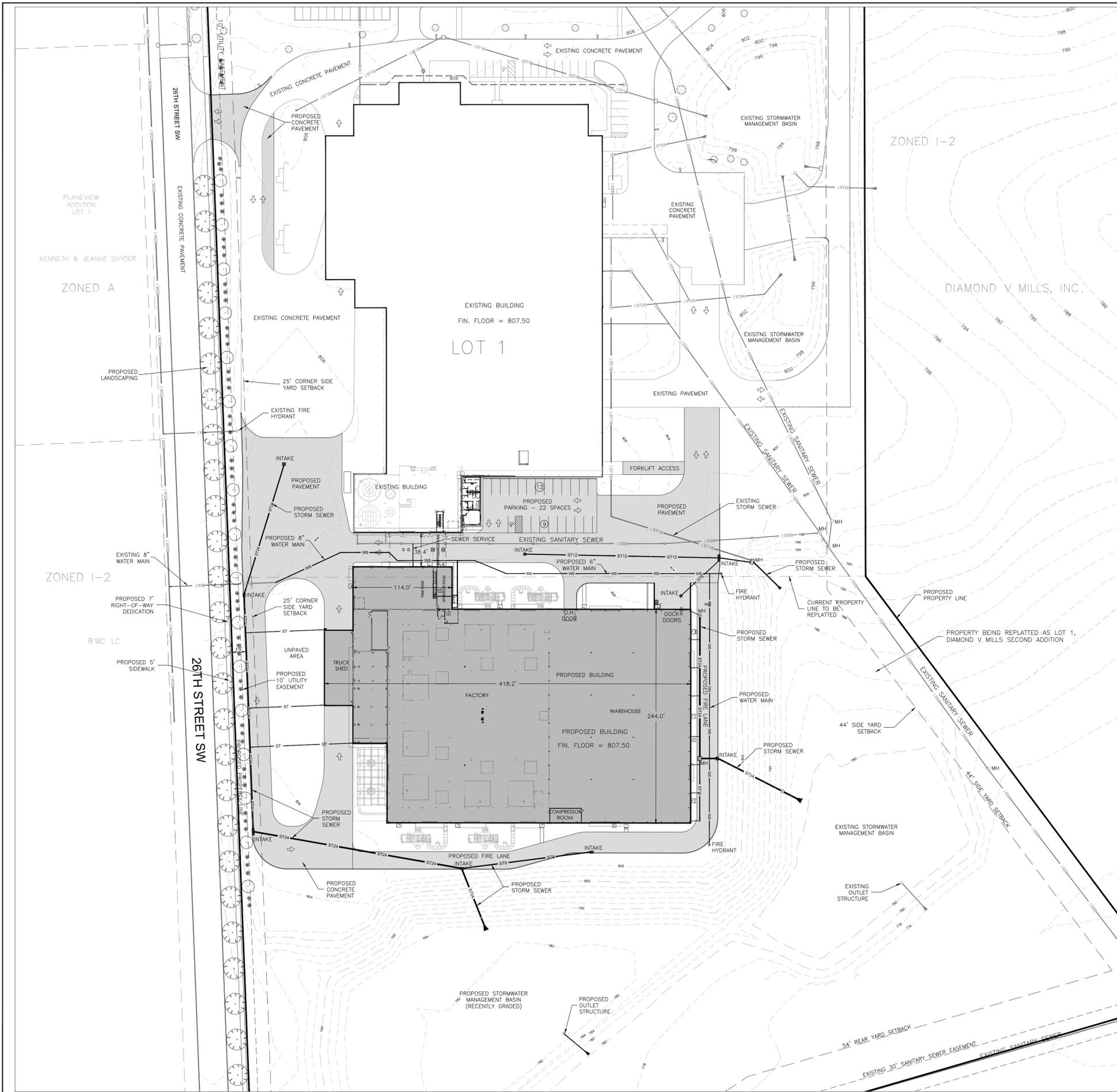


PRELIMINARY SITE DEVELOPMENT PLAN
 DIAMOND V MILLS PLANT EXPANSION – PHASE II

Title:	1
Page:	3
of	
Project No.	395015-10



3.	8/10/16	DLS	Drawn:	8/10/16	Book:	3.	Date
2.		Checked:				2.	Revision
1.		Reviewed:				1.	No.
				Scale:	1" = 100'		
				Title: PRELIMINARY SITE DEVELOPMENT PLAN			
				Project No. 395015-10			
				Page 2 of 3			
				Diamond V Mills Plant Expansion - Phase II			
				BRAIN ENGINEERING, INC.			



Drawn:	DLS	8/10/16	3.
Checked:			2.
Reviewed:			1.
Scale:	1" = 60'		No.
BRAIN ENGINEERING, INC. <small>CONSULTING ENGINEERS AND ARCHITECTS</small>			Revision
PRELIMINARY SITE DEVELOPMENT PLAN DIAMOND V MILLS PLANT EXPANSION - PHASE II			Date
Title:			
Page	3		
of	3		
Project No.	395015-10		

STAFF REPORT

Rezoning w/Preliminary Site Development Plan

CPC Date: August 25, 2016

To: City Planning Commission
From: Development Services Department

Applicant: Genesis Equities, LLC
Titleholder: Cavalry Chapel Iowa

Location: 4480 Blairs Ferry Road NE
Request: Consideration of a change of zone from A, Agriculture Zone District to RMF-1, Multiple Family Residence Zone District and R-2, Single Family Residence Zone District

Case Manager: Joe Mailander
Case Number: RZNE-023589-2016

BACKGROUND INFORMATION:

This project is a request to rezone property from A, Agriculture Zone District to RMF-1, Multi-Family Residence Zone District and R-2, Single Family Residence Zone District to allow for the development of an 8 building, 50 unit residential apartment complex and three single-family residential lots. The ground is currently undeveloped and is identified in the City's Comprehensive Plan as Urban Low Intensity (U-LI).

The Preliminary Site Development Plan consists of the following:

- Total site area: 7.81 acres
- Total number of units: 3 Single Family Lots, 50 Multi-Family Units, 1.88 ac outlet
- Density of Single Family = 1/3 acre lots
- Density of Multi-Family = 10.24 DU/Acre
- Access to Multi-Family by private drive off Blairs Ferry Road
- Storm water management on-site along north and south side of the proposed Multi-Family area
- Development will be served by City water and sewer system

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 Low Intensity (U-LI) on the Future Land Use Map. The typical residential density range within U-LI is two to eight units per acre, however densities up to 12 units per acre are allowed. As such, the proposal and request to rezone to the RMF-1 Zoning District are in accord with the Comprehensive Plan allowed densities. This area is identified as a future growth area in the Comprehensive Plan, which includes the goal of encouraging mixed-use and infill development.

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

Staff Comments: The property is currently undeveloped, but surrounded by residential uses and lands that can be developed in the future. The north area of the proposal is single family homes that will generate traffic typical of the other residential uses in the area. The center area of the proposed development will contain the proposed multi-family area, which is considerably denser than the existing residential to the east. The southern area, Outlot A, is not planned for development at this time and any future development proposal will require City Planning Commission approval.

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

Staff Comments: The subject property is suitable for all uses permitted in the RMF-1 Zoning District, if determined by City Council to be appropriate.

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 development will be designed to meet multi-family design standards including storm water management, landscaping and building heights. The single-family residential lots will provide a buffer to the north. An elevation change between the homes to the east and the proposed multi-family will reduce the height difference. The change in density between the proposed and existing developments, while significant, will occur across the back of lots which is preferred.

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: This parcel is located in an area that is already served by sanitary sewer, water, gas, electricity, police and fire protection, and roads and transportation facilities are in place. Development of this property will not have a negative impact on the levels of service to the existing development in the general area.

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

Staff Comments: This provision is not applicable.

RECOMMENDED CONDITIONS:

1. Wetland determination will be required prior to any land improvement taking place on Lot 4 per Deed Restriction Regarding Wetland Determination of Blairs-Wind First Addition to Linn County, Iowa. (Book 4647 Page 120)
2. Subject property must be platted per State and City platting regulations.
3. The site and building design will need to comply with the Zoning Ordinance Multi-Family Residential Design Standards, Subsection 32.05.030.D.

PRELIMINARY SITE DEVELOPMENT PLAN FOR THE COMMONS AT BLAIRS FERRY FIRST ADDITION IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA

UTILITY LEGEND

EXISTING		PROPOSED
(SSB)	SANITARY SEWER W/SIZE	SS8
(ST15)	STORM SEWER W/SIZE	ST18
	SUBDRAIN	
(FM6)	FORCE MAIN W/SIZE	FM6
(WB)	WATER MAIN W/SIZE	W12
-(G)---	GAS	-(G)---
-(S)---	STEAM	-(S)---
-(OHE)---	ELECTRIC-OVERHEAD	-(OHE)---
-(E)---	ELECTRIC-UNDERGROUND	-(E)---
-(C)---	CABLE TV-UNDERGROUND	-(C)---
-(OHC)---	CABLE TV-OVERHEAD	-(OHC)---
-(OHT)---	TELEPHONE-OVERHEAD	-(OHT)---
-(F)---	FIBER OPTIC-UNDERGROUND	-(F)---
-(OHF)---	FIBER OPTIC-OVERHEAD	-(OHF)---
-(T)---	TELEPHONE-UNDERGROUND	-(T)---
---	FENCE LINE	---
(FP)	FLOODPLAIN LIMITS	FP
(FW)	FLOODWAY LIMITS	FW
(CORP)	CITY CORPORATION LIMITS	CORP
---	CONTOUR LINE	---
	LIGHT POLE W/O MAST	
	LIGHT POLE W/MAST	
	TELEPHONE POLE	
	POWER POLE	
	GUY ANCHOR	
	GUY POLE	
	TELEPHONE PEDESTAL	
	TELEPHONE MANHOLE	
	CABLE TV PEDESTAL	
	UTILITY/CONTROL CABINET	
	SANITARY MANHOLE	
	STORM MANHOLE	
	GRATE INTAKE	
	RA-3 INTAKE	
	RA-5 INTAKE	
	RA-6 INTAKE	
	RA-8 INTAKE	
	HORSESHOE CATCH BASIN W/O FLUME	
	HORSESHOE CATCH BASIN W/FLUME	
	GAS VALVE	
	FLARED END SECTION	
	CLEANOUT, STORM OR SANITARY	
	TRAFFIC SIGNAL W/MAST	

NOTE: THIS IS A STANDARD LEGEND. SOME ITEMS MAY NOT APPEAR ON DRAWINGS.

UTILITY LEGEND (CONTINUED)

EXISTING		PROPOSED
⊙	BOLLARD	⊙
⊙	BENCHMARK	⊙
⊙	STREET SIGN	⊙
⊙	WELL	⊙
⊙	SOIL BORING	⊙
⊙	FIRE HYDRANT	⊙
⊙	WATER VALVE	⊙
⊙	WATER SHUTOFF	⊙
⊙	WATER BLOWOFF	⊙
⊙	SURVEY CONTROL MONUMENT AS NOTED	⊙

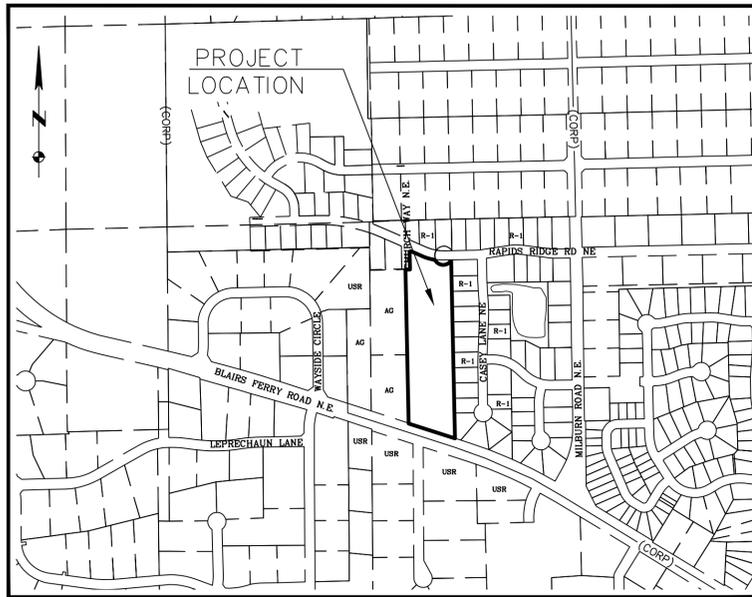
SURVEY LEGEND

○	SET REBAR W/CAP NO.
●	SET PK NAIL
⊙	FOUND SURVEY MONUMENT AS NOTED
⊙	FOUND RIGHT OF WAY RAIL
⊙	SECTION CORNER SET AS NOTED
⊙	SECTION CORNER FOUND AS NOTED
⊙	CUT "X" IN CONCRETE
⊙	RECORDED AS
⊙	EASEMENT LINE
⊙	PLAT OR SURVEY BOUNDARY
⊙	PLAT LOT LINE
⊙	CENTERLINE
⊙	SECTION LINE
⊙	1/4 SECTION LINE
⊙	1/4-1/4 SECTION LINE
⊙	EXISTING LOT LINE
⊙	BUILDING SETBACK LINE

PLANT LEGEND

EXISTING		PROPOSED
⊙	DECIDUOUS TREE	⊙
⊙	CONIFEROUS TREE	⊙
⊙	DECIDUOUS SHRUB	⊙
⊙	CONIFEROUS SHRUB	⊙
⊙	TREE STUMP	⊙
⊙	TREE LINE DRIP EDGE	⊙

LOCATION MAP (SCALE: 1"=600')



SHEET INDEX

- COVER
- SITE PLAN

APPLICANT:

GENESIS EQUITIES, LLC
%HANNAH KUSTES
3405 7TH STREET SUITE 102
MARION, IOWA 52302
(319) 363-0709
HKUSTES@ABODE CONSTRUCTION.COM

TITLEHOLDER:

CALVARY CHAPEL IOWA
327 35TH STREET N.E.
CEDAR RAPIDS, IOWA 52402

PROPERTY ADDRESS

4480 BLAIRS FERRY ROAD NE

LANDSCAPING CALCULATIONS

ZONING: EXISTING: RMF-1
PROPOSED: RMF-1

ADJACENT ZONING:

NORTH: R-2
SOUTH: R.O.W. of BLAIRS FERRY RD.
WEST: A
EAST: R-2

PARKING LOT LANDSCAPING

PARKING TREES
PARKING SPACES (1 TREE/12 STALLS): 0/12 = 0
0 TREES REQUIRED
0 or more TREES PROVIDED

PARKING LOT SHRUBS

CONTINUOUS SCREEN OF 5' OR HIGHER SHRUBS: 0 SHRUBS PROVIDED

BLAIRS FERRY RD. NE - FRONT YARD 15'

RIGHT-OF-WAY LANDSCAPING
1 TREE / 40 LF (LESS DRIVES & ACCESS SIGHT DISTANCE Δ)
TREES REQUIRED: 318-(43)/40 = 7
7 TREES REQUIRED
7 or more TREES PROVIDED

STREET FRONTAGE LANDSCAPE AREA (15' WIDTH)

1 TREE / 40 LF (LESS DRIVES & ACCESS SIGHT DISTANCE Δ)
TREES REQUIRED: 318-(26)/40 = 7
7 TREES REQUIRED
7 or more TREES PROVIDED

REAR BUFFER YARD REQUIREMENTS

R-1: NORTH REAR BUFFER YARD
TOTAL LENGTH: 301
BUFFER TO CONSIST OF AN EVERGREEN SCREEN OPTION.
SEE CALCULATIONS FOR REQUIRED LANDSCAPE BUFFERING BELOW:

EVERGREEN SCREEN OPTION (100 LF)

REQUIRED EVERGREENS: 4/100 LF. = 4(301/100) = 12
TREES REQUIRED: 12
TREES PROVIDED: 12 or more

REQUIRED FLOWERING TREES: 2/100 LF., 2(3.01) = 6
TREES REQUIRED: 6
TREES PROVIDED: 6 or more

REQUIRED SHRUBS: 10/100 LF., 10(3.01) = 30
SHRUBS REQUIRED: 30
SHRUBS PROVIDED: 30 or more

EAST SIDE YARD BUFFER YARD REQUIREMENTS

R-1: EAST SIDE BUFFER YARD
TOTAL LENGTH 997 LF
BUFFER TO CONSIST OF AN EVERGREEN SCREEN OPTION.
SEE CALCULATIONS FOR REQUIRED LANDSCAPE BUFFERING BELOW:

EVERGREEN SCREEN OPTION (100 LF)

REQUIRED EVERGREENS: 4/100 LF. = 4(997/100) = 40
TREES REQUIRED: 40
TREES PROVIDED: 40 or more

REQUIRED FLOWERING TREES: 2/100 LF., 2(9.97) = 20
TREES REQUIRED: 20
TREES PROVIDED: 20 or more

REQUIRED SHRUBS: 10/100 LF., 10(9.97) = 30
SHRUBS REQUIRED: 30
SHRUBS PROVIDED: 30 or more

WEST SIDE YARD BUFFER YARD REQUIREMENTS

R-1: EAST SIDE BUFFER YARD
TOTAL LENGTH 894 LF
BUFFER TO CONSIST OF AN EVERGREEN SCREEN OPTION.
SEE CALCULATIONS FOR REQUIRED LANDSCAPE BUFFERING BELOW:

EVERGREEN SCREEN OPTION (100 LF)

REQUIRED EVERGREENS: 4/100 LF. = 4(894/100) = 36
TREES REQUIRED: 36
TREES PROVIDED: 36 or more

REQUIRED FLOWERING TREES: 2/100 LF., 2(9.97) = 20
TREES REQUIRED: 20
TREES PROVIDED: 20 or more

REQUIRED SHRUBS: 10/100 LF., 10(9.97) = 30
SHRUBS REQUIRED: 30
SHRUBS PROVIDED: 30 or more

LEGAL DESCRIPTION

PROPOSED ZONE R-2 - LEGAL DESCRIPTION:

THE NORTH 413 FEET OF LOT 1, BLAIR-WINDS FIRST ADDITION TO LINN COUNTY, IOWA AS RECORDED IN BOOK 4647, PAGES 120-151 IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER AND PARCEL A, PLAT OF SURVEY NO. 1997 AS RECORDED IN BOOK 9264, PAGE 682 IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER EXCEPTING THEREFROM WEXFORD HEIGHTS FIRST ADDITION TO CEDAR RAPIDS, IOWA AS RECORDED IN BOOK 9337 PAGE 261 IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER AND FURTHER EXCEPTING THEREFROM ALL PUBLIC HIGHWAYS.

SAID PARCEL CONTAINING 1.06 ACRES, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

PROPOSED ZONE RMF-1 - LEGAL DESCRIPTION:

LOT 1, BLAIR-WINDS FIRST ADDITION TO LINN COUNTY, IOWA AS RECORDED IN BOOK 4647, PAGES 120-151 IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER EXCEPTING THEREFROM THE NORTH 413 FEET INCLUDING PARTS OF WEXFORD HEIGHTS FIRST ADDITION TO CEDAR RAPIDS, IOWA AS RECORDED IN BOOK 9337 PAGE 261 IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER AND EXCEPT PUBLIC HIGHWAY.

SAID PARCEL CONTAINING 6.70 ACRES, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

PARKING REQUIREMENTS

SINGLE-FAMILY DETACHED RESIDENTIAL (3 HOMES) 2 SPACES PER DU = 6 SPACES

TWO FAMILY DWELLING (4 DU) 2 SPACES PER DU = 8 SPACES

MULTIPLE FAMILY DWELLING (46 DU) 2 SPACES PER DU = 92 SPACES

TOTAL SITE PARKING REQUIRED = 106 STALLS
TOTAL PARKING PROVIDED = 106 STALLS

STREET CLASSIFICATIONS

DESIGN DATA - URBAN				
STREET	CLASSIFICATION	STREET WIDTH	ROW WIDTH	DESIGN SPEED
RAPIDS RIDGE ROAD NE	LOCAL	28'	60'	30 MPH
BLAIRS FERRY RD NE	MAJOR ARTERIAL II	28'	VARIES	50 MPH

EXISTING/PROPOSED USE

EXISTING USE: VACANT LAND
PROPOSED USE: MULTI FAMILY AND SINGLE FAMILY RESIDENTIAL

ZONING

EXISTING: AG
PROPOSED: RMF-1 AND R-2

DIMENSION STANDARDS:

ZONE RMF-1

FRONT YARD: 25'
INT. SIDE: 5'/14'
CORNER SIDE: 15'
REAR: 25'
MINIMUM LOT SIZE: GREATER OF 5,000 SQ.FT. OR 2,000 SQ.FT./DU
MIN. LOT WIDTH AT SETBACK: RH=24' OTH=30'
MAXIMUM BUILDING HEIGHT: GREATER OF 35' / 3 STORIES
FRONTAGE: NONE
MAXIMUM LOT COVERAGE: 40%
MINIMUM USABLE OPEN SPACE: 15%

ZONE R-2

FRONT YARD: 25'
INT. SIDE: 5'/14'
CORNER SIDE: 15'
REAR: 25'
MINIMUM LOT SIZE: 7,200 SQ.FT.
MIN. LOT WIDTH AT SETBACK: 60'
MAXIMUM BUILDING HEIGHT: GREATER OF 35' / 3 STORIES
FRONTAGE: 25'
MAXIMUM LOT COVERAGE: 50%
MINIMUM USABLE OPEN SPACE: NONE

NOTES

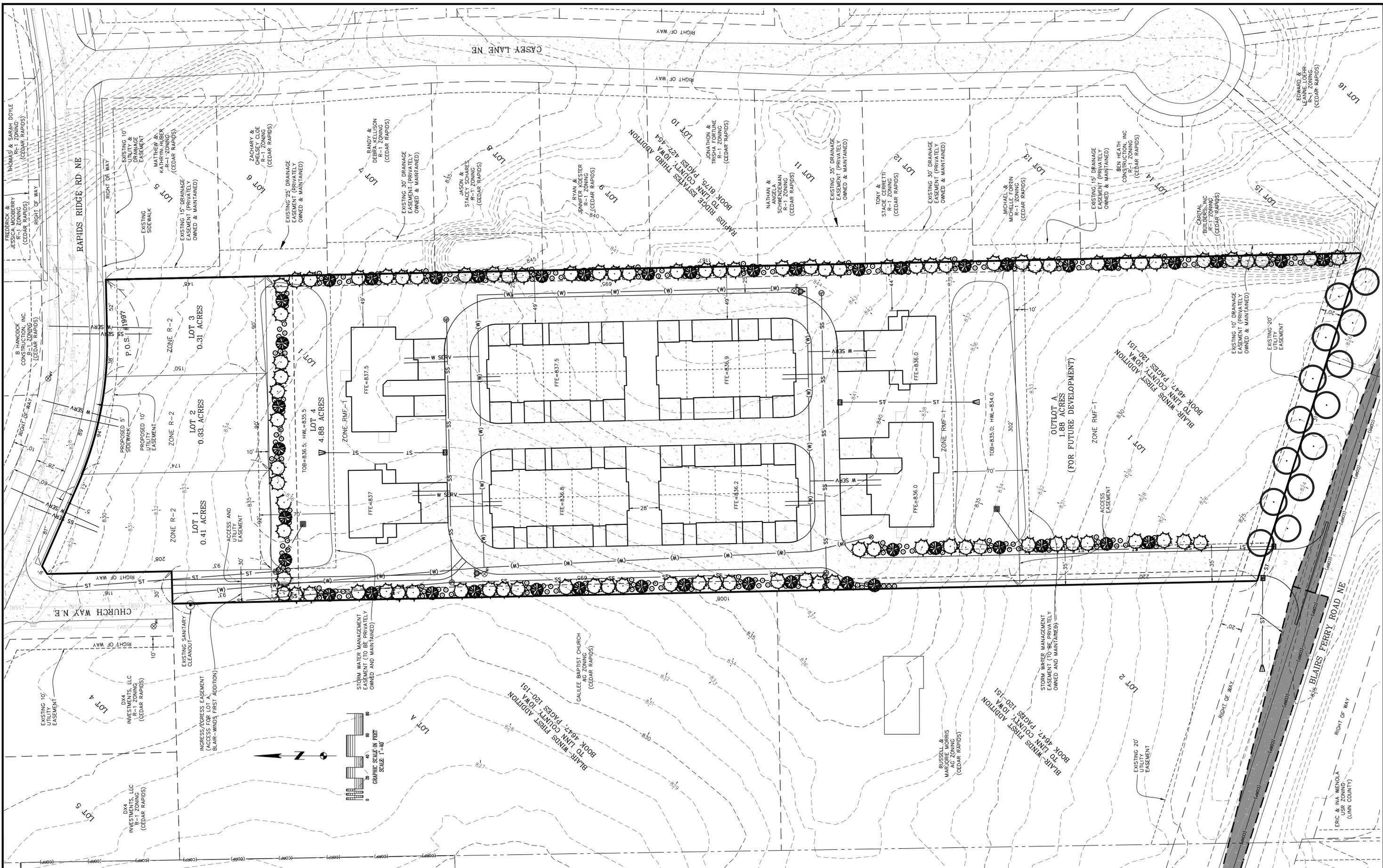
THE PROPOSED IMPROVEMENTS INCLUDED IN THESE DRAWINGS HAVE BEEN DESIGNED IN ACCORDANCE WITH THE CEDAR RAPIDS METROPOLITAN AREA DESIGN STANDARDS MANUAL.

AREA CALCULATIONS

LOT 4 AREA:			
EXISTING:	212,532 S.F.	/ 4.88 AC.	
BUILDING AREA:	0 S.F.	/ 0 AC.	(0%)
PAVED AREA:	0 S.F.	/ 00 AC.	(0%)
OPEN AREA:	212,532 S.F.	/ 4.88 AC.	(100%)
PROPOSED:			
BUILDING AREA:	43,134 S.F.	/ 0.99 AC.	(20.0%)
PAVED AREA:	59,093 S.F.	/ 1.36 AC.	(28.0%)
OPEN AREA:	110,305 S.F.	/ 2.47 AC.	(52.0%)

Contact Person	MATT JOHNSON, PE
Telephone Number	(319) 362-9548
Fax Number	(319) 362-7595
E-Mail Address	matt@halleng.com
Mailing Address	1860 Boyson Rd Hiawatha, IA 52233
Date Submitted	7/27/16
Date Revised	
Date Revised	





DRAWN BY: DLK				
CHECKED BY: BDV				
APPROVED BY: BDV				
DATE: 07/27/16				
FIELD BOOK: XXX	NO.	REVISION DESCRIPTION	APPROVED	DATE

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 City of Five Seasons

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PRELIMINARY SITE DEVELOPMENT PLAN
 FOR
THE COMMONS AT BLAIRS FERRY FIRST ADDITION
 IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA

PRELIMINARY SITE DEVELOPMENT PLAN

PROJECT NO: 10463-1

CAD File: I:\Projects\10463-1_4480_BFR_Residential\DWG\Site Plans\10463-1_S01_302014.dwg Date Plotted: Jul 27, 2016 - 11:14am Plotted By: SUSAN FORNASH

The Commons at Blairs Ferry
Cedar Rapids, Iowa- July 2016

PROPERTY LINE

PROPERTY LINE

DRIVE AISLE

MULTI-FAMILY VILLAGE

ADJACENT NEIGHBORHOOD

Rendered Section

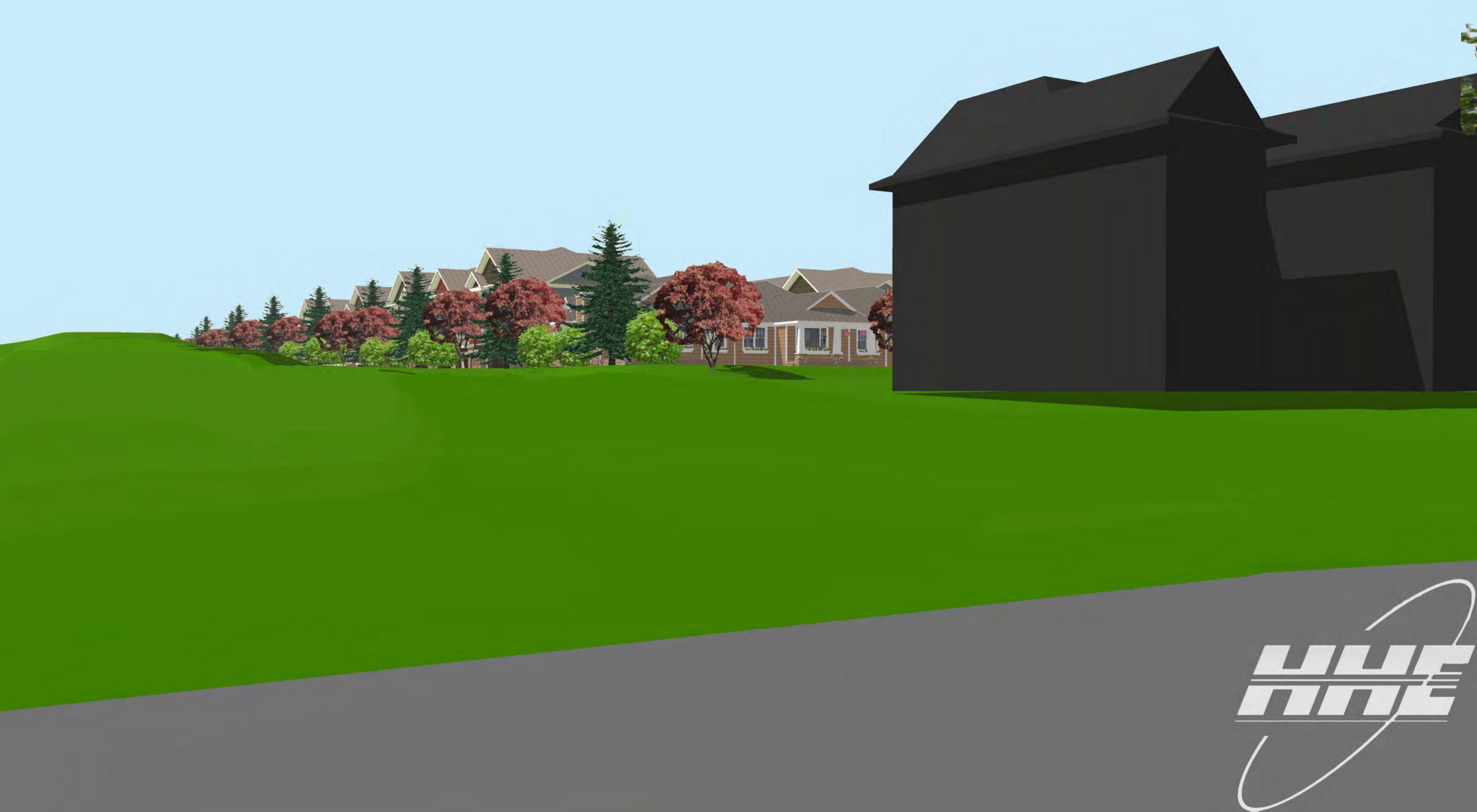




UHE
HOME



WHE
HME



UHC
HOME



UHE
HOME



HUE
HUE



HVE
HVE

ACKLEY, KOPECKY & KINGERY LLP

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James L. Sines
Daniel L. Seufferlein
Laura A. Kamienski

4056 Glass Road N.E.
Cedar Rapids, Iowa 52402
Phone: 319-393-9090
Fax: 319-393-9012
www.akklaw.com

August 18, 2016

delivery via email only

Cedar Rapids City Council
Cedar Rapids City Planning Commission (CPC)
101 1st Street SE
Cedar Rapids, IA 52401

RE: PROPOSED REZONING OF 4480 BLAIRSFERRY RD NE

Members of the Cedar Rapids City Council and City Planning Commission (CPC):

On behalf of the neighbors that surround the 4480 Blairsferry Road NE property, we are writing to provide you with a petition showing our unified opposition and concern regarding the recently submitted rezoning request to allow Abode Construction to build a complex of approximately fifty (50) multi-family rental properties on the aforementioned 7.8 acre parcel.

Some specific concerns include:

- Substantial adverse effect on adjacent properties due to proposed height, density and close proximity to said properties.
- The proposed 3-story rental units are out of scale and not compatible with immediate neighborhood properties and properties in the 52411 zip code.
- Significant increase in traffic flow onto Blairsferry Road from proposed sight with a single point of entry/exit affecting traffic congestion in the

area assuming 50 rental units will bring at least 100 additional vehicles to the area daily. This concern also relates to emergency vehicle access.

- We believe the proposed rental development provides no protective barrier and will adversely affect surrounding residential properties due to the extreme vertical height along with the lack of green space between the proposed property and adjacent properties.
- Recently completed Cedar Rapids Land Use Map shows projection for low-density single family housing in the 52411 zip code.
- We have concerns about increase in noise pollution and light pollution as a result of proposed rental development.
- We have concerns about drainage issues from proposed rental development affecting neighboring properties.

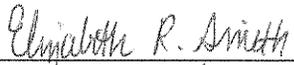
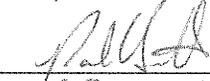
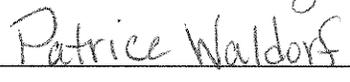
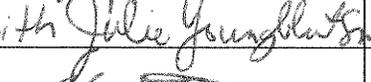
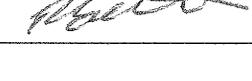
The residents who have signed the attached petition understand that a rezoning decision will be made after much research and consideration for all issues on this topic. Please note, however, the overwhelming numbers of signatures from residents of the surrounding neighborhoods in opposition to the proposal for rental properties. With almost complete opposition to the proposed rezoning for multi-family rental properties (only 1 neighbor did not sign the petition), we ask the City leadership to deny the petition for rezoning.

Sincerely,

Daniel Seufferlein, for Ryan Koester, Stacie Cerretti, Jason Schares and Jon Fortune
(representing the concerned neighbors)

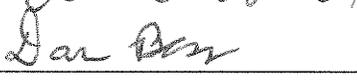
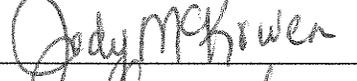
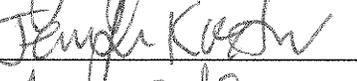
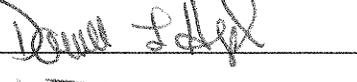
Petition to Deny Rezoning of 4480 Blairsferry Road NE Cedar Rapids, IA 52411

Petition summary and background	We, the concerned neighbors of the proposed multi-family rental property development at 4480 Blairsferry Road NE, are submitting this petition to make the city council and city zoning commission aware of our strong concern and disagreement with the request for rezoning of 7.8 acres of agricultural ground for the purpose of constructing and managing multi-family rental properties. The proposal does not fit with the other properties directly surrounding the ground in question and will have an adverse impact on the neighboring communities. Neighborhood property values will likely be negatively impacted, sound and light pollution will increase along with the traffic moving into/out of the rental property. We believe the proximity of rental properties next to newly developed neighborhoods along with church and school does not fit the urban development of the area and will negatively impact those neighboring residential communities.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to deny the rezoning request that would allow development of multi-family rental properties at 4480 Blairsferry Road NE in Cedar Rapids.

Printed Name	Signature	Address	Comment	Date
Elizabeth Smith		6413 Milburn Rd. Cedar Rapids		7/25/16
Paul C. Smith		6413 Milburn Rd.		7/25/16
David P. Miller		6202 P. & E		7/25/16
Patrice Waldorf		6107 Tia Ct NE		7/25/16
Tony Cerrone		6301 Casey Ct NE		7/26/16
Lea Locher		6203 Casey Ct NE		7/27
Nate Schwendeman		6707 Casey Ln NE	I don't like condos	7/27
Dave Smith		5900 PRAIRIE GRASS LN		7/30
Julie Youngblut Smith		5900 prairie Grass Ln NE		7/30/16
Tom Brebach		6214 Tia Ct NE		7/30/16

Petition to Deny Rezoning of 4480 Blairsferry Road NE Cedar Rapids, IA 52411

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Action petitioned for	<p>We, the undersigned, are concerned citizens who urge our leaders to deny the rezoning request that would allow development of multi-family rental properties at 4480 Blairsferry Road NE in Cedar Rapids.</p>

Printed Name	Signature	Address	Comment	Date
RYAN SIMSON		6221 TIA COURT NE		7/22/16
Ed Locher		6703 Casey Ct		7/22/16
Darren Bass		6315 Milburn		7/22/16
MATT BEHMERZ		6407 MILBURN		7/22/16
Jody McHowen		6318 Casey Lane NE		7/22/16
Jennifer Koester		6319 Casey Ln NE		7/22/16
Tim O'Shea		5814 Prairie Grass Ln NE		7/24/16
DARRELL HESKER		6009 TIA CT. NE. CE.		7/24/16
DANIEL SEUFFERLEIN		5901 Rapids Ridge Rd NE		7/25/16
Tamara Sufferlein		" "		7-25-16

Petition to Deny Rezoning of 4480 Blairsferry Road NE Cedar Rapids, IA 52411

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Printed Name	Signature	Address	Comment	Date
STACIE CERRETTI		6301 CASEY CT NE		7/21/16
Angie Schwendeman		6357 Casey Ln NE		7/22/16
Brine Staffer		6206 Casey Ct NE		7/22/16
Dusti Dondra		6217 Casey Ct NE		7/22/16
Debbie White		6218 Casey Ct NE		7/22/16
Shannon Ousey		5808 Prairie Grass Ln		7/22/16
Jen Gomez		5802 Prairie Grass Ln		7/22/16
Wren Frank		6208 Tia Ct. NE		7/22/16
Bill McCullough		6108 TIA CT NE CR		7/22/16
JEFF EVEN		6203 TIA CT NE CR		7/22/16

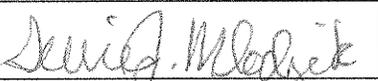
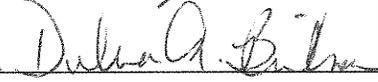
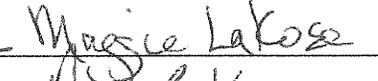
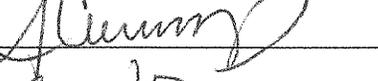
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Printed Name	Signature	Address	Comment	Date
DAVID O. MOSAER	David O. Mosher	6180 WAYSIDE CIR		7/24/16
Diane Talyat	Diane M. Talyat	6395 Wayside Circle		7/24/16
✓ Sue Ellen Selling	Sue Ellen Selling	6390 Wayside Circle		7/24/16
Todd Selling	Todd Selling	6390 Wayside Circle		7/24/16
Earl Greene	Earl Greene	6380 Wayside Cir		7/24/16
Andy Folkmann	Andy Folkmann	6300 Wayside Cir		7/24/16
Joyce Folkmann	Joyce Folkmann	6300 Wayside Circle		7/24/16
GARY TAKMAN	Gary Takman	6215 WAYSIDE CIR		7/24/16
Rosemary Berckio	Rosemary Berckio	6125 Wayside Cir		7/24/16
Susan Clayton	Susan Clayton	6000 Wayside Cir	319-557-1421	7/24/16

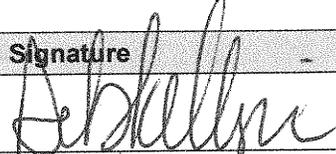
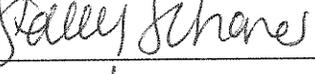
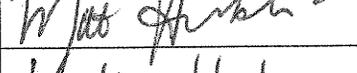
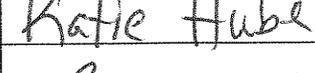
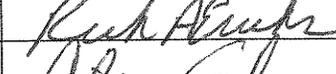
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Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to deny the rezoning request that would allow development of multi-family rental properties at 4480 Blairsferry Road NE in Cedar Rapids.

Printed Name	Signature	Address	Comment	Date
Tara Mlodzik		6375 Wayside Cir	319-378-4003	7/24/16
Ivan C Brinkman		6215 Casey Court NE	(319) 573-8058	7/26/16
Debra A Brinkman		6215 Casey Court NE	(319) 432-5340	7/26/16
Judith Stone	PATRICIA STONE	6150 Wayside Cir	810-289-1466	7/27/16
JAMES STONE		6275 WAYSIDE	319-310-3061	7/27/16
Chuck Nabre		6370 Wayside Cir	563-990-4136	7/27/16
Maggie Lakose		6330 Wayside Cir	319-393-9647	7/27/16
Don Lakose		6330 Wayside Cir	319-393-9647	7/27/16
Angie Lummis		6240 Wayside Cir	319-294-1852	7/27/16
RYAN Koester		6319 Casey Ln ne	319-360-8826	7/27/16

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Printed Name	Signature	Address	Comment	Date
Deborahellison		6409 Casey Lane NE		7/22/16
Bryant		6409 Casey Lane NE		7/22/16
Jason Schares		6403 Casey Ln NE		7/23/16
Tacey Schares		6403 Casey Ln NE		7/23/16
Jessica Mooberry		6006 Rapids Ridge Rd		7/23/16
Frederick Mooberry		6006 Rapids Ridge		7/23/16
Matt Hube		4421 Casey Ln NE		7/23/16
Katie Hube		6421 Casey Ln NE		7/23/16
Rick Erickson		5914 Rapids Ridge NE		7/23/16
Cindy Erickson		5914 Rapids Ridge NE		7/23/16

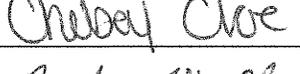
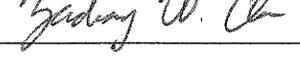
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Printed Name	Signature	Address	Comment	Date
Trisha Fortune		11313 Casey Lane NE		7/23/16
Jon Fortune		6313 Casey Ln NE		7/23/16
Scott Appleget		5902 Rapids Ridge Rd		7/24/16
Cathy Appleget	Cathy Appleget	5902 Rapids Ridge Rd		7-24-16
Sara Coas		5912 Rapids Ridge Rd		7-24-16
Kathy Daly		6406 Casey Lane NE		7/24/16
Jay Rollinger	Jay Rollinger	5913 Rapids Ridge		7/24/16
Jeff Daly		6406 Casey Lane NE		7/24/16
Kristine Schares	Kristine Schares	5807 Rapids Ridge		7/24/16
Gregory P. Schares	Gregory P. Schares	5807 Rapids Ridge Rd NE		7/24-16

Petition to Deny Rezoning of 4480 Blairsferry Road NE Cedar Rapids, IA 52411

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Printed Name	Signature	Address	Comment	Date
TRICIA FIELDS		5813 RAPIDS RIDGE RD NE		7/24/16
DANIEL DIETRICH		5800 RAPIDS RIDGE RD NE		7/24/16
April Dietrich		5800 Rapids Ridge Rd NE		7/24/16
Crystal Berry		5806 RAPIDS RIDGE RD NE		7/24/16
JOHN BERRY		5806 RAPIDS RIDGE RD NE		7/24/16
SCOTT PRESLEY		5908 RAPIDS RIDGE RD NE		7/24/16
CHERI PRESLEY		5908 RAPIDS RIDGE RD NE		7/24/16
Chelsea Cloe		6415 CASEY LN NE		7/24/16
Zach Cloe		6415 Casey Ln NE		7/24/16

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Printed Name	Signature	Address	Comment	Date
Melanie Fortin	Melanie Fortin	6319 Casey Ct. NE		7/24/16
Mike Fortin	Mike Fortin	6319 Casey Ct. NE		7/24/16
Annette Kelling	Annette Kelling	5913 Rapids Ridge Rd		7/24/16
Sarah Doyle	Sarah Doyle	6000 Rapids Ridge Rd. NE		7-24-16
Tom Doyle		6000 Rapids Ridge Rd		7-24-16
Doug Firfield		5813 Rapids Ridge Rd		7-30-16
Tom McKown	Tom McKown	6318 Casey Ln NE		7-30-16
Brod Hance		6412 Casey Ln NE		7-30-16
Brian Hance		6412 Casey Ln NE		7-30-16

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Printed Name	Signature	Address	Comment	Date
Eric Wiernola	Eric Wiernola	5591 Hickorywood Ct	No Bldg	8/5/16
Eric Wiernola	Eric Wiernola	5591 Hickorywood Ct	NE No To 4-pk	8/5/16
Linda Wolfe	Linda Wolfe	5590 Hickorywood Ct.	Traffic - ^{Single family} dwellings	8-5-16
Susan Dumbauld	Susan Dumbauld	5561 Hickorywood Ct		8.5/16
Rosemary Backman	Rosemary Backman	5560 Hickorywood Ct	TRAFFIC Single family dwelling	8-5-16
Mark & Lea Hepworth	Mark & Lea Hepworth	5530 Hickorywood Ct	Traffic / ^{Single family}	8.5/16
Drew Duerling	Drew Duerling	5510 Hickorywood Ct	traffic	8/5/16
Marjorie L. Morris	Marjorie L. Morris	4490 Blairs Ferry Rd.		8/5/16

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Petition to Deny Rezoning of 4480 Blairsferry Road NE Cedar Rapids, IA 52411

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Printed Name	Signature	Address	Comment	Date
Undsay France		6412 Casey Ln		7/26/16
Melinda Olson		6312 Casey Ln		7/26/16
Kans Olson		6312 Casey Ln		7/26/16
Sara Reaktenwatt		5801 Rapids Ridge Rd		7/26/16
Josh Reaktenwatt		5811 Rapids Ridge Rd		7/26/16



Development Service Department
City Services Center
500 15th Avenue SW
Cedar Rapids, IA 52404
Telephone: (319) 286-5822

STAFF REPORT TO CITY PLANNING COMMISSION
Major Preliminary Plat

CPC Date: August 25, 2016

To: City Planning Commission
From: Development Services Department

Applicant: Genesis Equities, LLC
Titleholder: Cavalry Chapel Iowa

Plat Name: The Commons at Blairs Ferry First Addition
Location: 4480 Blairs Ferry Road NE
Request: Consideration of a Major Preliminary Plat in an RMF-1, Multiple Family Residence Zone District and R-2, Single Family Residence Zone District

Case Manager: Joe Mailander
Case Number: PRPT-023588-2016

BACKGROUND INFORMATION:

The applicant is requesting approval of a Major Preliminary Plat for land located north of Blairs Ferry Road NE and west of Casey Lane NE. The property is proposed to be zoned RMF-1, Multiple Family Residence Zone District and R-2, Single Family Residence Zone District. The proposal is to subdivide the property into 4 numbered lots and 1 lettered lot for possible future development.

The Preliminary Plat as submitted includes the following:

- Total site area is 7.81 acres
- Total lots – 4 numbered and 1 lettered

FINDINGS:

The City Planning Commission shall review the application based on the following criteria:

- 1. That the proposed use and development will be consistent with the intent and purposes of the Comprehensive Plan and other applicable codes and regulations.**

Staff Comments: The proposed use and development are consistent with the intent and purposes of the Comprehensive Plan. The development area is shown as “Urban Low Intensity” on the Future Land Use Map in the City’s Comprehensive Plan. The proposed development is consistent with the goals and objective of the “Urban Low Intensity” land use and will also comply with all other applicable codes, regulations and approvals.

RECOMMENDED CONDITIONS:

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

1. Wetland determination will be required prior to any land improvement taking place on Lot 4 per Deed Restriction Regarding Wetland Determination of Blairs-Wind First Addition to Linn County, Iowa. (Book 4647 Page 120)
2. 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 Water Main Facilities.
3. AS PART OF FINAL PLAT SUBMITTAL TO CITY COUNCIL, the property owner shall be responsible to complete the following:
 - A. A concrete pavement petition and assessment agreement for future improvements in the unimproved roadway adjoining the site (in this case converting Blairs Ferry Road NE from a rural typical section to an urban section)
4. AS PART OF FINAL PLAT SUBMITTAL TO CITY COUNCIL, the property owner shall be responsible to complete the following:
 - A. If proposed sanitary sewer facilities on this site will be privately owned and maintained, submittal to the City of a signed Agreement for Ownership and Maintenance of Private Sanitary Sewer.
 - B. Submittal to the City of a signed Agreement for Private Storm Water Detention and Storm Water Quality.
5. The property owner is responsible to extend sanitary sewer to serve the development. If sewer extensions crossing private property are necessary to serve the subject property, as determined by the City, the property owner shall be responsible for the related costs including (but not limited to) planning and design of the sewer, acquisition of right-of-way and/or easements, construction, administration, inspection and other incidental costs.
6. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to complete the following:
 - A. For the lot(s) through which overland conveyance of the 100-year storm event will occur, the property owner shall provide certification by a civil engineer licensed in the State of Iowa verifying the runoff from the 100-year storm event can be conveyed through the site without damage to building structures, or, the property owner shall provide a certification by a Civil Engineer or Land Surveyor licensed in the State of Iowa the drainage way has been constructed in accordance with drainage plans approved by the City.
 - B. Construction of concrete sidewalk along Rapids Ridge Road NE, Church Way NE, and Blairs Ferry Road NE adjoining this site. The Blairs Ferry Road NE sidewalk shall be designed and built at the time of the access drive connection to Blairs Ferry Road NE, unless deferred by the City as noted herein. The property owner shall construct the sidewalk improvements in accordance with City Standards, City policy, ADA requirements, and improvement plans accepted by the City. The property owner may request deferral of the sidewalk installation requirement if in accordance with the sidewalk installation policy. If a deferral is requested, the property owner's engineer shall submit a formal request with documentation verifying deferral eligibility (cross sections, drawings, etc.).



Community Development and Planning Department
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Telephone: (319) 286-5041

To: City Planning Commission

From: Bill Micheel, Community Development and Planning

Subject: Consideration of amending Chapter 32 of the Municipal Code, the Zoning Ordinance to allow development which incorporates the Flood Control System in the Northwest Flood Mitigation Overlay District

Date: August 25, 2016

BACKGROUND INFORMATION:

City Council adopted an ordinance amendment on March 8, 2016 to expand the Northwest Flood Mitigation Overlay District. The purpose of this action was to expand the Overlay District to include all property within the mandatory buyout area adopted by the City Council as a part of the final alignment of the flood control system. The intent was also to allow development that incorporates the flood control system into the design and construction of the project when authorized by the City and within the northern most area of the Ellis Boulevard Corridor Viable Business District. This area is labeled on the Ellis Boulevard Corridor Viable Business District map as, "Identified for Future Redevelopment" when the flood control system is incorporated into the development. The purpose of this amendment codifies and authorizes this intent.

The Overlay District contains requirements which limit new development or changes in development patterns within the district. This overlay does not prevent a property owner from doing the following:

- Routine maintenance and upkeep, such as roof replacement
- Meeting requirements of building and other mechanical codes

The intent and spirit of this overlay is to keep properties in this area habitable, safe and enjoyable. At the same time, the overlay would prohibit changes in land use and significant investment unless the project is located within the area of the Ellis Blvd Corridor Viable Business District Identified for Future Redevelopment and incorporates the flood control system into the design and construction of the project when authorized by the City.

Recommendation: City Staff recommends approval of the Ordinance Amendment

Attachments: Proposed ordinance.

Section 1. Cedar Rapids Municipal Code Chapter 32, the Zoning Ordinance is hereby amended by deleting Section 32.03.010.C.8– Northwest Flood Mitigation Overlay District.

Section 2. Cedar Rapids Municipal Code Chapter 32, the Zoning Ordinance is hereby amended adding a new Section 32.03.010.C.8 as follows:

“Section 32.03.010.C.8

8. Northwest Flood Mitigation Overlay District

- a. The Northwest Flood Mitigation Overlay District is hereby created. The area of the Northwest Flood Mitigation Overlay District is as set forth in Figure 32.03.010.C.8-1 attached hereto.



Figure 32.03.010.C.8-1

- b. After the adoption date of this ordinance, the Northwest Flood Mitigation Overlay District shall constitute a district of “nonconformities established by this Ordinance for purposes of Section 32.07 “Nonconformities.”

- c. Except for property owned by the City of Cedar Rapids, on and after the effective date of this section, buildings, structures and uses within the Northwest Flood Mitigation District shall be deemed to be nonconforming and subject to the provision of Section 32.07.
- d. Within the bounds of this district, all of the following shall also apply:
 - 1. No new construction, addition to, or relocation of any structure to this area;
 - 2. No permits for new fencing shall be issued;
 - 3. No alteration of surfaces including, but not limited to patios, sidewalks, driveways, or parking areas;
 - 4. No Rezoning, Home Occupation, Conditional Use Permit, Revised Site Development Plan, Site Development Plan, Land Use Change, Major/Minor Preliminary Plat or Subdivision shall be applied for, nor be considered by city staff or other Board/Commission;
 - 5. No new rental registrations shall be issued.
- e. Exceptions
 - 1. Typical maintenance to structures or buildings to meet existing building and mechanical codes shall be allowed so long as the repairs do not exceed 50% of the current market value of the building or structure.
 - 2. Development which will incorporate and construct any element(s) of the approved Flood Control System authorized by the City of Cedar Rapids and located within the area of the Ellis Blvd Corridor Viable Business District Identified for Future Redevelopment are exempt from the standards within this Overlay District.
- f. Any permit applied for within the bounds of this overlay shall be subject to review by the Building Services Department for up to three business days.

Section 3. Separability of Provisions. It is the intention of the Council that each section, paragraph, sentence, clause, and provision of the Ordinance is separable, and, if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof than that affected by such decision.

Section 4. That all ordinances or parts of ordinances in conflict herewith are repealed.

Section 5. That the afore described Amended Chapter 32 shall be included as part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

Section 6. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.