

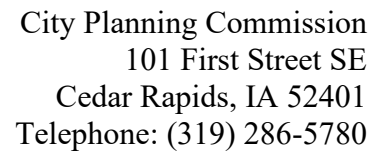
CPC Opening Statement

The meeting of the Cedar Rapids City Planning Commission will now come to order. The City Planning Commission serves as an approval and recommending body to the City Council on applications for rezoning, conditional uses, and major preliminary plats. The Commission is also responsible to review or make recommendations on other matters related to planning, zoning, platting, and associated matters referred to by the city council, identified by the Commission, or requested by a City department. As a Commission of the City, we welcome all testimony. We make our decisions based on the facts and the evidence allowed under City Code and presented at this open meeting. After the case is read, City staff will give a short presentation. After staff has concluded their presentation we will ask that the applicant come forward, state your name and address, and present any additional information pertaining to the case. We will then ask for any members of the public to come forward, state your name and address, and express your concerns. Each member of the public will be allowed to speak only once on each case, and we ask that you keep your comments to 3 minutes or less. If the proceedings become lengthy, I may ask that testimony be focused on any new facts or evidence not already presented. Once the public comment period is concluded, the Commission will discuss the case and vote. A case will be passed by a majority of the commission present.

<ROLL CALL>

We do have a quorum present so we will proceed with our agenda today. Each of you received a copy of the minutes from the previous meeting. Were there any suggested changes to those meeting minutes? Seeing none those minutes will stand approved as written. Have there been any requests to change the agenda for today? Seeing none, the agenda will stand as presented.

<First case announced>



AGENDA
CITY PLANNING COMMISSION MEETING
Thursday, May 4, 2023@ 3:00 PM
City Hall Council Chambers
101 First Street SE, Cedar Rapids, IA 52401

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a City program, service, or activity, should contact Dani Blin at 319 286-5780 or email da.blin@cedar-rapids.org as soon as possible but no later than 48 hours before the event.



EXECUTIVE SUMMARY
REZONING – T-RF to T-MC
CASE NO. RZNE-033687-2023
CASE MANAGER: Seth Gunnerson

OWNER/APPELLANT INFORMATION

OWNER/APPLICANT: Reif Oil Company

MAILING/PROPERTY ADDRESS: **124 19th Street NE and 1903, 1907, 1911, & 1917 A Ave NE**

REZONING REQUEST

Change of zone from T-RF (Traditional Residential Flex) district to T-MC (Traditional Mixed Use Center) zone district

OUTSTANDING ISSUES AND STANDARDS FOR APPROVAL

Criteria for approval of a rezoning

STAFF RECOMMENDATION

Staff recommends approval of the request

Development Services Department

City of Cedar Rapids, Iowa

City Services Center, 500 Fifteenth Avenue SW, Cedar Rapids, IA 52404

Phone: (319) 286-5836 | Email: developmentsservices@cedar-rapids.org

REZONING REQUEST

Address: 124 19th Street NE and 1903, 1907, 1911, & 1917 A Ave NE

Case No. RZNE-033687-2023

City Planning Commission Meeting: May 4, 2023

BACKGROUND:

Applicant is seeking to rezone five parcels on the corner of A Avenue NE and 19th Street NE as part of a larger redevelopment of an existing structure for retail commercial use.

The purpose of the rezoning is to match the zoning for the adjacent properties along 1st Avenue East and 19th Street NE. The applicant is proposing to repurpose the former Western Fraternal Life Insurance building into a retail coffee and ice cream shop, along with offices and a commercial bakery. The building and much of its parking lot is already zoned to permit this activity. At this time the parcels to rezoned will include a portion of the parking lot and a fire access turn around for the project. An existing structure, formerly a church, at 124 19th Street NE is also included in the rezoning, at this time no use for that building has been proposed.

Due to past neighborhood interest in the site, the City requested a neighborhood meeting be held by the applicant, which was held on April 18. Two residents, representing neighborhood groups, showed up and voiced support for the project. As of the date of this staff report the City has not received any objections to this application.

CRITERIA:

32.05.04.E.3, of the Cedar Rapids Municipal Code requires City Planning Commission to consider the following criteria in making a recommendation:

1. Correction of a technical mistake.
 - a. A rezoning may be approved if the action is necessary to correct a technical mistake or omission in the zoning map.

Staff Conclusion: Not applicable

2. Consistency with Comprehensive Plan and other studies.
 - a. Whether the rezoning is consistent with the Future Land Use Map, other elements of the Comprehensive Plan, and any other adopted plans or studies.
 - i. All rezonings shall be to a district permitted by the Future Land Use Map as shown in 32.02.01.B.
 - ii. The proposed zone district should be consistent with the general intent of the Comprehensive Plan, as well as any area plans or studies adopted by the City Council.

Staff Conclusion: The T-MC zone district is consistent with the Future Land Use Map, which calls for Urban High Intensity Development. This land use designation is also applied to the portions of the development not included in the rezoning request.

3. Public facilities, Services and Suitability.

- a. The property should be suitable for the development of structures and uses permitted in the proposed district.
- b. Adequate public 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.
- c. Development should ensure effective and adequate utilization of existing or planned public facilities and services.

Staff Conclusion: Staff has no concerns with the ability of the site to accommodate the proposed use. Staff is requesting that all nine parcels as part of the project be combined into a single zoning parcel, or an access easement be provided to the parcels off of 19th Street NE to ensure a means of access for future development, as 1920 1st Avenue does not meet the access spacing requirements for a new driveway to the public street.

4. Character.

- a. The proposed district should be compatible with the existing or planned character of the surrounding area. Compatibility can be achieved by a rezoning to:
 - I. Districts of the same character type (Urban, Traditional, Suburban, etc). Changes between character areas should be carefully reviewed for compatibility.
 - II. Districts of a similar use type (Residential, Mixed-Use, etc), particularly when transitioning between character areas.
 - III. Other transitions may be appropriate depending on other review criteria and conditions which may be placed on approvals.
- b. The proposed rezoning should be consistent with the existing or planned character of the surrounding area.
- c. A variety of housing types and a mix of land uses should be provided in all neighborhoods. A change in intensity or type of use is most appropriate between rear yards, at corners, or along higher classified streets.
- d. Whether the rezoning is consistent with the characteristics of the surrounding area, including any changing conditions.
- e. Whether the proposed rezoning will protect existing neighborhoods from nearby development at heights and densities that are out of scale with the existing neighborhood.

Staff Conclusion: The parcels represent a transition between mixed use zoning along 1st Avenue and residential zoning within the Mound View neighborhood. The rezoning allows for cohesive development of the entire proposed site, and staff finds that it is generally in line with the character of the neighborhood. The parcels that are to be rezoned are small and shallow and are likely not feasible for residential development without exceptions from the zoning ordinance. The rezoning allows for a more rational use of the space without requiring landscaped bufferyards from otherwise marginal vacant parcels zoned residential.

A Avenue NE functions more as an alley for mixed use development along 1st Avenue, and staff is proposing a condition that a privacy fence be constructed along A Avenue to screen the commercial parking lot from homes in the neighborhood.

CONCLUSION:

STAFF RECOMMENDATION:

Staff recommends approval of the rezoning request with the following conditions:

1. A solid privacy fence, at least 6 feet in height, shall be maintained along A Avenue NE between any proposed parking lot and the public Right of Way.
2. The parcels shall be combined with 188 19th St NE, 1900 1st Ave NE, and 1920 1st Avenue NE to create a single zoning parcel, OR an access easement shall be provided to the rezoned parcels and 1920 1st Ave NE from 19th Street NE.

IT IS THE RESPONSIBILITY OF THE APPLICANT TO COMPLETE ALL CONDITIONS, AS OUTLINED IN THIS STAFF REPORT, PRIOR TO FINAL APPROVAL OF THE CASE. IF YOU HAVE QUESTIONS REGARDING A CONDITION, CONTACT THE DEPARTMENT UNDER WHICH THAT CONDITION IS LISTED. THE CONTACTS' NAMES AND PHONE NUMBERS ARE LISTED BELOW. ITEMS IN THE COMMENTS SECTION ARE NOT A REQUIREMENT TO BE MET PRIOR TO APPROVAL. THEY ARE INTENDED TO INCREASE YOUR KNOWLEDGE AND AWARENESS OF ISSUES THAT MAY POSSIBLY EXIST ON THE PROPERTY.

Rezoning Application

Application Under Sec. 32.05.04 of the Zoning Ordinance
City Services Center, 500 Fifteenth Avenue SW, Cedar Rapids, IA 52404
Phone: (319) 286 5836 | Email: development@cedar-rapids.org



Contact Information

Property Owner

Name	Reif Oil Company	Phone	(319) 752-9809	Email	creif@reifoil.com		
Address	801 N 3rd Street	City	Burlington	State	IA	Zip Code	52601

Applicant ☒ Same as Property Owner

Name		Phone		Email			
Address		City		State		Zip Code	

Relationship to Property Owner or Project

Contact Person (Optional, if different than Applicant or Property Owner)

Name	Hall & Hall Engineers, Brent Jackman, P.E.	Phone	(319) 362-9548	Email	brent@halleng.com		
Address	1860 Boyson Road	City	Hiawatha	State	IA	Zip Code	52233

Relationship to Property Owner or Project **Engineer**

Site Information

Address or General Location of Property:	124 19th St NE, 1903, 1907, 1911& 1917 A Ave NE		
GPN(s) ¹ :	191545501200000, 141545501100000, 141545501000000, 141545500900000, 141545500800000 and 141545500700000		
Legal Description ¹ :	See Attached Exhibit		
Existing Zoning District:	T-RF Traditional Residential Flex <small>To find existing zone district, see cityofcr.com/zoning</small>		
Current Land Use Typology Area (LUTA):	Urban-High Intensity <small>To find information on LUTA, see http://crgis.cedar-rapids.org/FLUM/index.html</small>	<input type="checkbox"/> Check if Future Land Use Map Amendment Required (see Table 32.02-1)	
Proposed Zoning District ² :	T-MC Traditional Mixed Use Center		

¹ For properties with lengthy Legal Descriptions or large number of GPNs, please attach on a separate document OR email to development@cedar-rapids.org.

² Multiple zone districts may be requested in a single application if land is contiguous. A legal description of each zone district proposed and a detailed site map identifying each proposed zone must be attached to this application.

Statement of Purpose – Briefly describe the purpose of the rezoning request.

This request is to rezone the north lots to T-MC to match the rest of the property in order to utilize portions of the north lots for parking and truck access. The proposed development is to re-purpose the existing building for use as a Dunkin Donuts, Baskin Robins and a bakery.

Rezoning Application

Application Under Sec. 32.05.04 of the Zoning Ordinance
City Services Center, 500 Fifteenth Avenue SW, Cedar Rapids, IA 52404
Phone: (319) 286 5836 | Email: development@cedar-rapids.org



Property Owner(s)³ or Authorized Representative(s)⁴ Signature(s)

The City of Cedar Rapids requires that all titleholders of a property be informed and acceptable to the application being made. Signing this form does not commit to any conditions which may be placed on an approval. Electronic signatures are accepted.

Owner/Authorized Representative 1

Name:	Clifford Reitz, Pres.	Date	March 30, 2023
Signature	<i>Clifford Reitz</i>		

Owner/Authorized Representative 2

Name		Date	
Signature			

³ If there is a recorded contract, the contract purchaser's name(s), address and signature must also be included.

⁴ If signed by a representative of the owner, the representative must attach evidence of titleholder's authorization.

Section 32.05.04.E.3 Criteria for Recommendation and Action on Rezoning

The City Planning Commission and City Council shall consider the following criteria in making a recommendation or determination about an application.

a. Correction of a Technical Mistake

A rezoning may be approved if the action is necessary to correct a technical mistake or omission in the zoning map.

b. Consistency with Comprehensive Plan and Other Studies

Whether the rezoning is consistent with the Future Land Use Map, other elements of the Comprehensive Plan, and any other adopted plans or studies.

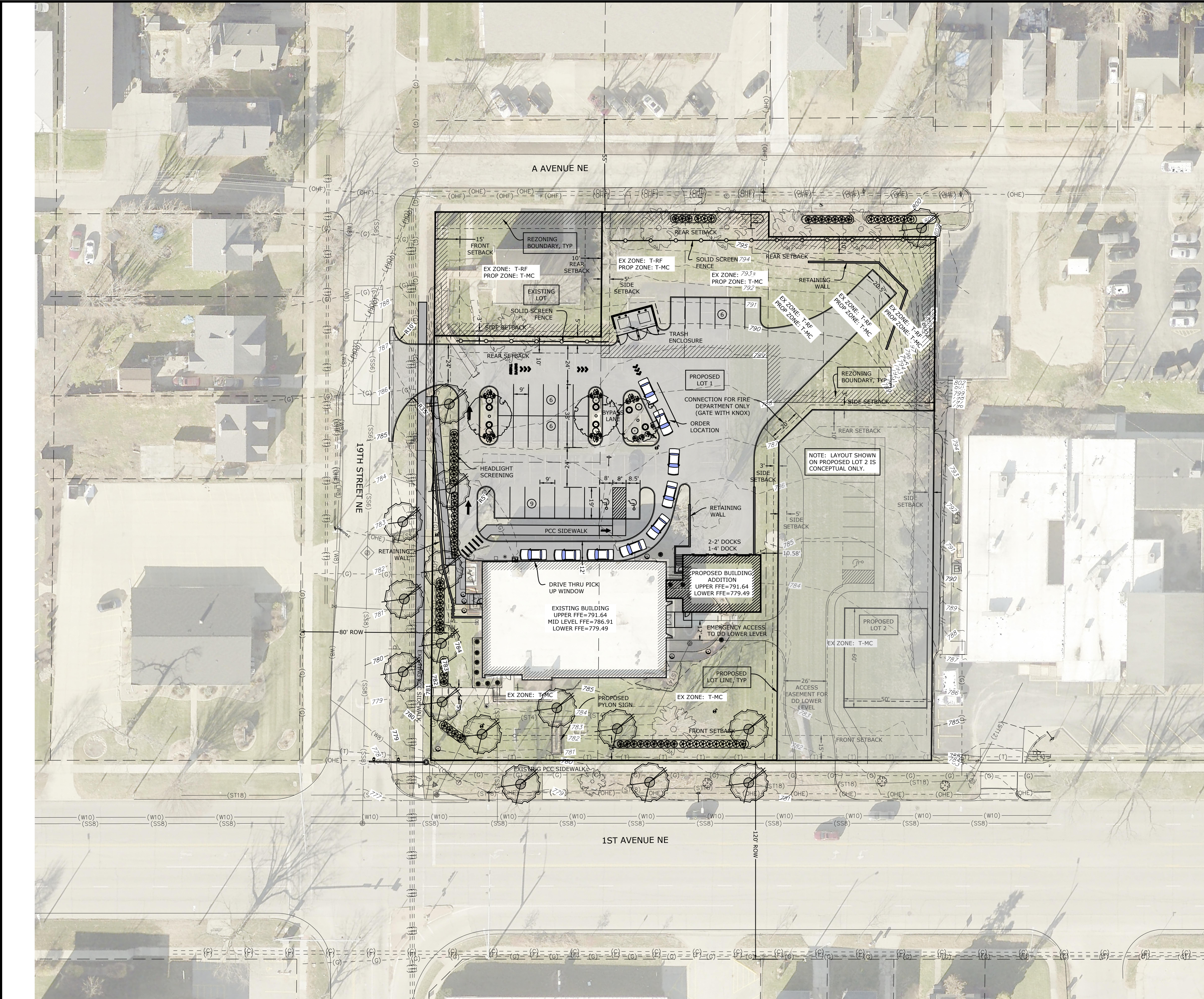
- All rezonings shall be to a district permitted by the Future Land Use Map as shown in Sec. 32.03.01.B.
- The proposed zone district should be consistent with the general intent of the Comprehensive Plan, as well as any area plans or studies adopted by City Council.

c. Public Facilities, Services, and Suitability

- The property should be suitable for the development of structures and uses permitted in the proposed district.
- Adequate public 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.
- Development should ensure effective and adequate utilization of existing or planned public facilities and services.

d. Character

- The proposed district should be compatible with the existing or planned character of the surrounding area. Compatibility can be achieved by a rezoning to:
 - Districts of the same character type (Urban, Traditional, Suburban, etc). Changes between character areas should be carefully reviewed for compatibility.
 - Districts of a similar use type (Residential, Mixed Use, etc), particularly when transitioning between character areas.
 - Other transitions may be appropriate depending on other review criteria and conditions which may be place on other approvals.
- The proposed rezoning should be consistent with the existing or planned character of the surrounding area.
- A variety of housing types and a mix of land uses should be provided in all neighborhoods. A change in intensity or type of use is most appropriate when between rear yards, at corners, or along higher classified streets.
- Whether rezoning is consistent with the characteristics of the surrounding area, including any changing conditions.
- Whether the proposed rezoning will protect existing neighborhoods from nearby development at heights and densities that are out of scale with the existing neighborhood.



LOCATION MAP (NOT TO SCALE)

ZONING INFORMATION

APPLICANT / OWNER

REIF OIL COMPANY
801 N 3RD STREET
BURLINGTON, IA 52601
ATTN: CLIFF REIF
PH: 319-752-9809
fuel@reifoil.com

LEGAL DESCRIPTION

LOTS 3 AND 4, WFLA FIRST ADDITION TO CEDAR RAPIDS, IOWA
AND
SW-LY 33 1/3 FEET OF THE NE-LY 66 2/3 FEET OF THE NW-LY 110 FEET OF LOT 20, BLOCK 25, EXCEPT THE NW-LY 10 FEET THEREOF, GREENS ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA
AND
NE-LY 33 1/3 FEET OF THE NW-LY 110 FEET OF LOT 20, BLOCK 25, GREENS ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA EXCEPT NW-LY 10 FEET THEREOF
AND
ALL THAT PART OF THE SW-LY 33 1/3 FEET OF THE NW-LY 110 FEET, EXCEPTING THEREFROM THE REAR OR NW-LY 10 FEET, LOT 20, BLOCK 25, GREENS ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A POINT IN THE SW-LY LINE OF SAID LOT 20, 10 FEET SOUTHERLY OF THE WESTERLY OR NW-LY LINE OF SAID LOT 20; THENCE SE-LY ALONG SAID WESTERLY LINE OF SAID LOT 20, 100 FEET; THENCE NE-LY PARALLEL WITH THE ALLEY IN SAID BLOCK 25, 33 1/3 FEET; THENCE NW-LY PARALLEL WITH THE SIDE LINES OF SAID LOT 20, 100 FEET TO A POINT WITHIN 10 FEET OF THE NORTH LINE OF SAID LOT 20; THENCE SW-LY PARALLEL WITH THE NORTH LINE OF SAID LOT 20 AND 10 FEET THEREFROM TO THE POINT OF BEGINNING.
AND
NW-LY 75 FEET OF LOT 22, BLOCK 25, GREENS ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA

LANDSCAPING

A DETAILED LANDSCAPE PLAN WILL BE COMPLETED DURING THE ADMINISTRATIVE SITE PLAN AND WILL BE DEVELOPED PER THE REQUIREMENTS OF THE CITY OF CEDAR RAPIDS. THE CONCEPTUAL LANDSCAPE SHOWN IN IN GENERAL COMPLIANCE WITH THE REQUIREMENTS.

CONTACT PERSON	BRENT W. JACKMAN
TELEPHONE NUMBER	319-362-9548
FAX NUMBER	319-392-7595
MAILING ADDRESS	1860 BOYSON ROAD, HIAWATHA
E-MAIL ADDRESS	brent@halleng.com
DATE SUBMITTED	03/31/2023 REZONE
DATE SUBMITTED	

ZONING

EXISTING: TRADITIONAL - RESIDENTIAL FLEX
PROPOSED: TRADITIONAL - MIXED-USE CENTER

NOTE: THE PROPOSED RE-ZONING APPLIES TO THE NORTH LOTS ADJACENT TO A AVENUE NE ONLY

PROPOSED USE

- DUNKIN DONUTS
- BASKIN ROBINS
- DONUT BAKERY

DIMENSIONAL STANDARDS

LOT SIZE: NA
FRONTAGE: NA
COVERAGE: 80%

FRONT: 15 FEET
SIDE, INTERNAL: 3/8 FEET
SIDE, STREET: 10 FEET
REAR: 10 FEET

HEIGHT: 35 FEET MAX
FOOTPRINT SIZE: 10,000 SF MAX

PARKING REQUIREMENTS

URBAN FORM:
MIN. REQUIRED: 1 SPACE / 800 SF GFA
19,092/800 = 23.8 REQ'D

PROVIDED: 27 SPACES

STORMWATER

STORMWATER MANAGEMENT WILL BE PROVIDED PER THE REQUIREMENTS OF THE CITY OF CEDAR RAPIDS, IOWA

DRAWN BY: BWJ					
CHECKED BY: ---					
APPROVED BY: ---					
DATE: 02/30/2023					
FIELD BOOK:	NO.	REVISION DESCRIPTION	APPROVED	DATE	

HALL & HALL ENGINEERS, INC.
Leaders in Land Development Since 1953
1860 BOYSON ROAD, HIAWATHA, IOWA 52233
PHONE: (319) 362-9548 FAX: (319) 362-7595
CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE
LAND SURVEYING • LAND DEVELOPMENT PLANNING
www.halleng.com

DUNKIN DONUTS / BASKIN ROBINS
1900 FIRST AVENUE EAST
CEDAR RAPIDS, IOWA 52601

PRELIMINARY SITE DEVELOPMENT PLAN

PROJECT NO: 10188-3

SHEET

1



EXECUTIVE SUMMARY
REZONING – S-RMF to S-MC
CASE NO. RZNE-033672-2023
CASE MANAGER: Mathew Langley

OWNER/APPELLANT INFORMATION

OWNER/APPLICANT: Prairie Land Development
LLC

MAILING/LOCATION ADDRESS:
S/Wright Brothers Blvd & Kirkwood Blvd. SW

REZONING REQUEST

Rezone portions of parcels 192810100800000 and 192810100700000 from S-RMF, (Suburban Residential Medium Flex District) to S-MC, (Suburban Mixed-Use Center District)

OUTSTANDING ISSUES AND STANDARDS FOR APPROVAL

Interconnectivity of interior parking areas for mixed use and nonresidential development in the proposed boundaries of the rezoning.

STAFF RECOMMENDATION

Staff recommend approval with conditions

Development Services Department

City of Cedar Rapids, Iowa

City Services Center, 500 Fifteenth Avenue SW, Cedar Rapids, IA 52404

Phone: (319) 286-5836 | Email: developmentsservices@cedar-rapids.org

REZONING REQUEST

Address: 192810100800000, 192810100700000

Case No. RZNE-033672-2023

City Planning Commission Meeting: April 21, 2023

BACKGROUND:

The site was previously rezoned

CRITERIA:

32.05.04.E.3, of the Cedar Rapids Municipal Code requires City Planning Commission to consider the following criteria in making a recommendation:

1. Correction of a technical mistake.
 - a. A rezoning may be approved if the action is necessary to correct a technical mistake or omission in the zoning map.

Staff Conclusion: Not applicable, no correction due to technical mistake.

2. Consistency with Comprehensive Plan and other studies.
 - a. Whether the rezoning is consistent with the Future Land Use Map, other elements of the Comprehensive Plan, and any other adopted plans or studies.
 - i. All rezonings shall be to a district permitted by the Future Land Use Map as shown in 32.02.01.B.
 - ii. The proposed zone district should be consistent with the general intent of the Comprehensive Plan, as well as any area plans or studies adopted by the City Council.

Staff Conclusion: The proposal to rezone to S-MC aligns both with the FLUM which designates the area as Urban Medium Intensity (U-MI). U-MI allows for rezonings to S-MC. Additionally this expands mixed use development under GROWCR section.

3. Public facilities, Services and Suitability.
 - a. The property should be suitable for the development of structures and uses permitted in the proposed district.
 - b. Adequate public 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.
 - c. Development should ensure effective and adequate utilization of existing or planned public facilities and services.

Staff Conclusion: The area is in the process of improved development as part of the American Prairie development. Services are currently being installed/developed to serve the site.

4. Character.

- a. The proposed district should be compatible with the existing or planned character of the surrounding area. Compatibility can be achieved by a rezoning to:
 - I. Districts of the same character type (Urban, Traditional, Suburban, etc). Changes between character areas should be carefully reviewed for compatibility.
 - II. Districts of a similar use type (Residential, Mixed-Use, etc), particularly when transitioning between character areas.
 - III. Other transitions may be appropriate depending on other review criteria and conditions which may be placed on approvals.
- b. The proposed rezoning should be consistent with the existing or planned character of the surrounding area.
- c. A variety of housing types and a mix of land uses should be provided in all neighborhoods. A change in intensity or type of use is most appropriate between rear yards, at corners, or along higher classified streets.
- d. Whether the rezoning is consistent with the characteristics of the surrounding area, including any changing conditions.
- e. Whether the proposed rezoning will protect existing neighborhoods from nearby development at heights and densities that are out of scale with the existing neighborhood.

Staff Conclusion: The character will connect to existing zoned S-MC zones to the north and east. Staff will require that internal parking lots for commercial and mixed-use developments within the S-MC zone must have internal connectivity to promote multi-modal connectivity while minimizing negative impacts to the future residential developments adjacent to the S-MC zone.

CONCLUSION:

ALTERNATIVES:

The City Planning Commission may consider the following alternatives:

1. Grant the requested rezoning.
2. Grant the requested rezoning subject to conditions.
3. Table the requested rezoning and ask for more information.
4. Deny the requested rezoning.

STAFF RECOMMENDATION:

Staff recommends Approval based on the above findings with the conditions listed below:

IT IS THE RESPONSIBILITY OF THE APPLICANT TO COMPLETE ALL CONDITIONS, AS OUTLINED IN THIS STAFF REPORT, PRIOR TO FINAL APPROVAL OF THE CASE. IF YOU HAVE QUESTIONS REGARDING A CONDITION, CONTACT THE DEPARTMENT UNDER WHICH THAT CONDITION IS LISTED. THE CONTACTS' NAMES AND PHONE NUMBERS ARE LISTED BELOW. ITEMS IN THE COMMENTS SECTION ARE NOT A REQUIREMENT TO BE MET PRIOR TO APPROVAL. THEY ARE INTENDED TO INCREASE YOUR KNOWLEDGE AND AWARENESS OF ISSUES THAT MAY POSSIBLY EXIST ON THE PROPERTY.

- Nonresidential or mixed-use development occurring within the S-MC zone must have interconnected parking lots to improve connectivity and flow among the mixed use and nonresidential developments.

Rezoning Application

Application Under Sec. 32.05.04 of the Zoning Ordinance
City Services Center, 500 Fifteenth Avenue SW, Cedar Rapids, IA 52404
Phone: (319) 286 5836 | Email: development@cedar-rapids.org



Contact Information

Property Owner

Name	Prairie Land Development LLC	Phone	(319) 530-4628	Email	madam@smbmlaw.com		
Address	4185 Alyssa Court, Suite 1	City	Iowa City	State	IA	Zip Code	52240

Applicant ☒ Same as Property Owner

Name		Phone		Email			
Address		City		State		Zip Code	

Relationship to Property Owner or Project

Contact Person (Optional, if different than Applicant or Property Owner)

Name	Hall & Hall Engineers, Inc %Loren Hoffman	Phone	(319) 362-9548	Email	loren@halleng.com		
Address	1860 Boyson Road	City	Hiawatha	State	IA	Zip Code	52233

Relationship to Property Owner or Project **Engineer**

Site Information

Address or General Location of Property:	South of Wright Brother Blvd and Kirkwood Blvd SW		
GPN(s) ¹ :	192810100800000, 192810100700000 & 192722600400000		
Legal Description ¹ :	See Attached		
Existing Zoning District:	S-RM1 Suburban Residential Medium Single Unit <small>To find existing zone district, see cityofcr.com/zoning</small>		
Current Land Use Typology Area (LUTA):	Urban-Medium Intensity	<small>To find information on LUTA, see http://crgis.cedar-rapids.org/FLUM/index.html</small>	<input type="checkbox"/> Check if Future Land Use Map Amendment Required (see Table 32.02-1)
Proposed Zoning District ² :	S-MC Suburban Mixed Use Center		

¹ For properties with lengthy Legal Descriptions or large number of GPNs, please attach on a separate document OR email to development@cedar-rapids.org.

² Multiple zone districts may be requested in a single application if land is contiguous. A legal description of each zone district proposed and a detailed site map identifying each proposed zone must be attached to this application.

Statement of Purpose – Briefly describe the purpose of the rezoning request.

We are requesting this rezoning to allow for commercial development at this site

Rezoning Application

Application Under Sec. 32.05.04 of the Zoning Ordinance
City Services Center, 500 Fifteenth Avenue SW, Cedar Rapids, IA 52404
Phone: (319) 286 5836 | Email: development@cedar-rapids.org



Property Owner(s)³ or Authorized Representative(s)⁴ Signature(s)

The City of Cedar Rapids requires that all titleholders of a property be informed and acceptable to the application being made. Signing this form does not commit to any conditions which may be placed on an approval. Electronic signatures are accepted.

Owner/Authorized Representative 1

Name:		Date	
Signature			3/24/23

Owner/Authorized Representative 2

Name		Date	
Signature			

³ If there is a recorded contract, the contract purchaser's name(s), address and signature must also be included.

⁴ If signed by a representative of the owner, the representative must attach evidence of titleholder's authorization.

Section 32.05.04.E.3 Criteria for Recommendation and Action on Rezoning

The City Planning Commission and City Council shall consider the following criteria in making a recommendation or determination about an application.

a. Correction of a Technical Mistake

A rezoning may be approved if the action is necessary to correct a technical mistake or omission in the zoning map.

b. Consistency with Comprehensive Plan and Other Studies

Whether the rezoning is consistent with the Future Land Use Map, other elements of the Comprehensive Plan, and any other adopted plans or studies.

- i. All rezonings shall be to a district permitted by the Future Land Use Map as shown in Sec. 32.03.01.B.
- ii. The proposed zone district should be consistent with the general intent of the Comprehensive Plan, as well as any area plans or studies adopted by City Council.

c. Public Facilities, Services, and Suitability

- i. The property should be suitable for the development of structures and uses permitted in the proposed district.
- ii. Adequate public 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.
- iii. Development should ensure effective and adequate utilization of existing or planned public facilities and services.

d. Character

- i. The proposed district should be compatible with the existing or planned character of the surrounding area. Compatibility can be achieved by a rezoning to:
 - A. Districts of the same character type (Urban, Traditional, Suburban, etc). Changes between character areas should be carefully reviewed for compatibility.
 - B. Districts of a similar use type (Residential, Mixed Use, etc), particularly when transitioning between character areas.
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- iii. A variety of housing types and a mix of land uses should be provided in all neighborhoods. A change in intensity or type of use is most appropriate when between rear yards, at corners, or along higher classified streets.
- iv. Whether rezoning is consistent with the characteristics of the surrounding area, including any changing conditions.
- V. Whether the proposed rezoning will protect existing neighborhoods from nearby development at heights and densities that are out of scale with the existing neighborhood.

**REZONING
ACCEPTANCE OF CONDITIONS**

ORDINANCE NO. _____

I/we hereby agree to the terms and conditions set out in the Ordinance.

Dated this 17 day of April, 2023.

Prairie Land Development, LLC
Titleholder/Company Name

[Signature]
Authorized Signature

Mark Alan
Printed Name

Manager
Printed Title



DOCKET # ADMD-033698-2023
EXECUTIVE SUMMARY
MAJOR DESIGN EXCEPTION
CASE MANAGER: David Houg

OWNER/APPELLANT INFORMATION

OWNER/APPLICANT: Thirty One Wilson, LLC

MAILING/PROPERTY ADDRESS: N/o Wilson Avenue SW; E/o
Kenrich Drive SW

MAJOR DESIGN EXCEPTION REQUEST

Applicant is requesting a reduced minimum lot frontage per dwelling unit in an S-RMF, Suburban Residential Medium Flex District from the required 9 feet to 5.8 feet per dwelling unit.

OUTSTANDING ISSUES AND STANDARDS FOR APPROVAL

Compatibility with the surrounding area

STAFF RECOMMENDATION

Staff recommends approval.

Development Services Department

City of Cedar Rapids, Iowa

City Services Center, 500 Fifteenth Avenue SW, Cedar Rapids, IA 52404

Phone: (319) 286-5836 | Email: developmentservices@cedar-rapids.org



STAFF REPORT

MAJOR DESIGN EXCEPTION

City Planning Commission Meeting: May 4, 2023

BACKGROUND:

The Applicant proposes development of 4 multi-unit residential structures on a lot with 104 existing dwelling units. The lot has 717' of street frontage. The S-RMF district requires a minimum of 9 feet of frontage per unit, which would limit the site to 79 units. The design exception request is to reduce the requirement to 5.8 feet of frontage per dwelling unit to permit development of 19 new units, for a total of 123 dwelling units. The developed density would remain within the limits permitted in the S-RMF district.

LEGAL PRINCIPLES:

32.05.12.E, of the Cedar Rapids Municipal Code requires that ALL of the following criteria for the granting of a major design exception be met:

1. The requested exception is consistent with the Comprehensive Plan and any plans, studies or reports which are adopted by City Council and may provide guidance on the exception.

Staff Comments: The request is not inconsistent with the comprehensive plan or any other adopted plan or study.

2. The requested exception does not have the effect of permitting a pattern of development inconsistent with the intent of the base district and design areas that would be more consistent with another base district or design area. For example, permitting suburban development characteristics in an urban or traditional district.

Staff Comments: The proposed development will be consistent with the surrounding properties' suburban residential character.

3. The requested exception does not have the effect of perpetuating a pattern or style of development which is intended to be replaced by development consistent with this Code.

Staff Comments: The proposed multifamily project is not representative of a style/pattern intended to be replaced.

4. The requested exception can be demonstrated to meet one of the following:
 - a. The requested exception is reasonably necessary for this property as it can be found that unique site circumstances make it likely that this exception would be required for a broad range of uses, structures, or layouts that may be otherwise permitted on the property.
 - b. The requested exception alleviates a practical difficulty to accommodating a particular use, structure, or layout that is permitted on the property and where the intent of this Code is not to limit or prevent the establishment of the use, structure, or layout at a location with the characteristics of the subject property.
 - c. The requested exception allows for architectural design which is unique and of high quality that meets or exceeds the intent of the code.

Staff Comments: The project completes a previously-approved multifamily layout. At the time of the original layout, the Zoning Ordinance did not have a minimum lot frontage requirement. This proposal reduces the total dwelling count by 5 units.

5. The requested exception represents the minimum deviation from the applicable regulations necessary to accommodate the requested development and that any practical difficulties related to the subject property cannot be overcome by any feasible alternative means other than an exception.

Staff Comments: The requested exception to reduce the minimum frontage requirement is allowed by Major Design Exception per the Zoning Ordinance.

FINDINGS OF FACT:

The requested exception is allowed by the Zoning Ordinance.

STAFF RECOMMENDATION:

Staff recommends approval of the request.

It is the responsibility of the applicant to complete all conditions, as outlined in this staff report, prior to final approval of the case. If you have questions regarding a condition, contact the department under which that condition is listed. The contacts' names and phone numbers are listed below. ITEMS IN THE COMMENTS SECTION ARE NOT A REQUIREMENT TO BE MET PRIOR TO APPROVAL. THEY ARE INTENDED TO INCREASE YOUR KNOWLEDGE AND AWARENESS OF ISSUES THAT MAY POSSIBLY EXIST ON THE PROPERTY.

Form 32.05.12 A Application for Major Design Exception

Application Under Sec. 32.05.12 of the Zoning Ordinance
City Services Center, 500 Fifteenth Avenue SW, Cedar Rapids, IA 52404
Phone: (319) 286-5836 | Email: developmentservices@cedar-rapids.org



Date Submitted: March 31st, 2023

Case Number:

Contact Information

Applicant

Relationship to Project (Owner, Lessee, Etc.)

Name	Thirty One Wilson LLC	Phone		Email	gbishopsco@gmail.com		
Address	401 2nd Street	City	Coralville	State	IA	Zip Code	52241

Site Information

Address or General Location of Property: North of Wilson Avenue SW, east of Kenrich Drive SW

Zoning District: S-RMF | Suburban Residential Medium Flex

	Standard	Required by Code	Proposed
Proposed Major Design Exceptions: (Attach additional sheet if necessary)	Frontage (ft.min)	9'/dwelling unit	5'/dwelling unit

Applicant Signature

Gary L Bishop

Date

4-28-2023

Applicant hereby certifies under penalty of perjury that he/she is the owner, or that he/she is authorized and empowered to make this application on behalf of the owner. Applicant also certifies under penalty of perjury that the application and any related materials are true and contain a correct description of the proposed use. Applicant further acknowledges that all applications are subject to deed restrictions and any other codes, ordinances, laws or government regulations that apply.

Section 32.05.12.F Review and Approval Criteria

Major Design Exceptions may be approved only when the Board of Adjustment determines that all of the following general approval standards and criteria have been met:

1. The requested exception is consistent with the Comprehensive Plan and any plans, studies or reports what are adopted by City Council and may provide guidance on the exception.
2. The requested exception does not have the effect of permitting a pattern of development inconsistent with the intent of the base district and design areas that would be more consistent with another base district or design area. For example, permitting suburban development characteristics in an urban or traditional district.
3. The requested exception does not have the effect of perpetuating a pattern or style of development which is intended to be replaced by development consistent with this Code.
4. The requested exception can be demonstrated to meet one of the following:
 - a. The requested exception is reasonably necessary for this property as it can be found that unique site circumstances make it likely that this exception would be required for a broad range of uses, structures, or layouts that may be otherwise permitted on the property.
 - b. The requested exception alleviates a practical difficulty to accommodating a particular use, structure, or layout that is permitted on the property and where the intent of this Code is not to limit or prevent the establishment of the use, structure, or layout at a location with the characteristics of the subject property.
 - c. The requested exception allows for architectural design which is unique and of high quality that meets or exceeds the intent of the code.
5. The requested exception represents the minimum deviation from the applicable regulations necessary to accommodate the requested development and that any practical difficulties related to the subject property cannot be overcome by any feasible alternative means other than an exception.

**MAJOR DESIGN EXCEPTION
AUTHORIZATION / CONSENT FORM
& ACCEPTANCE OF CONDITIONS**

I/We Thirty One Wilson LLC am Titleholder(s)/Owner(s) of
(Name)

property located at : N/O Wilson Avenue SW, E/O Kenrich Drive SW



Cedar Rapids Linn County Iowa.

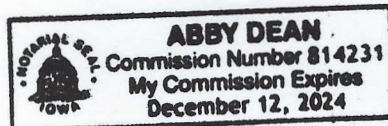
I hereby give my consent to petition the City of Cedar Rapids Board of Adjustment for a Major Design Exception for the following use:

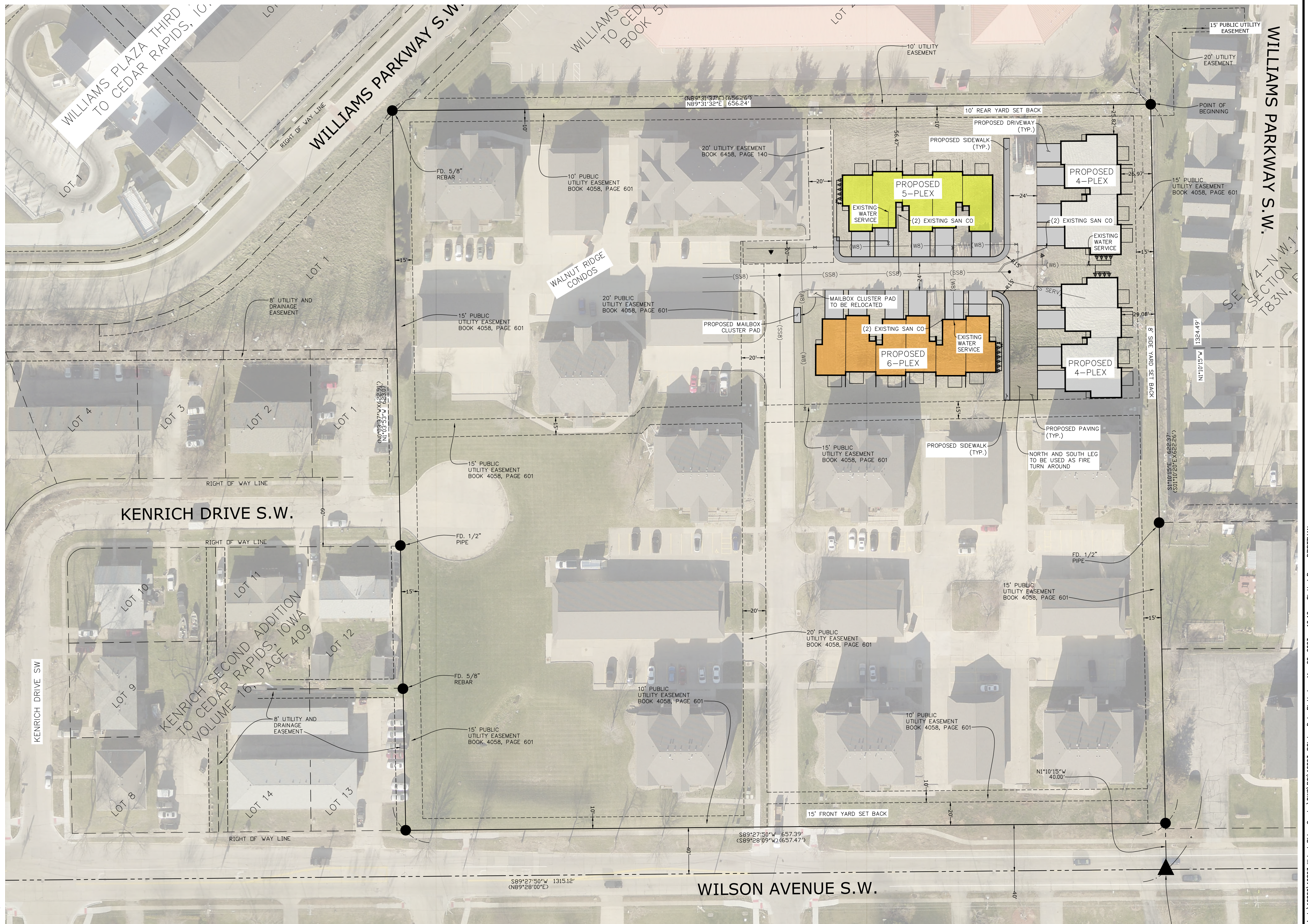
Reduce the frontage requirement to 5' per dwelling unit.

I further agree to any terms and conditions set forth by the City of Cedar Rapids in its approval of said petition. I specifically agree to protect, defend and hold the City of Cedar Rapids and its employees harmless from any and all damages or claims for damages that might arise or accrue by reason of the granting of said use. I also agree that this agreement shall be binding upon the current Titleholder(s)/Owner(s), as well as future owners, heirs, legal representatives, successors and assigns.

Dated this 27th day of March, 2023.


Signature

Notary Public





PROJECT NO: 10893