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City of Hiawatha

Community Development Department

Building, Zoning, Code Enforcement & Development

101 Emmons St., Hiawatha Iowa, 52233-1697

Purpose:	Rezoning Request to C-3	**Date: 4/25/2017**
To:	Hiawatha City Council	
Name of Plan:	Peck's Landing	
Address:	3950, 3980 and 3990 Blairs Ferry Road	**Zone**: A and C-2
Number of Lots:	7	
Reviewed by:	Patrick Parsley, Community Development Director	

Description: This development encompasses two lots currently zoned for Agricultural use and one lot zoned C-2 for neighborhood businesses. The current uses include two single family dwellings and a nursery business all of which are scheduled for removal.
The development is adjacent to commercial development on three sides and an R-7 multi-family zone on the north. It is on a main arterial street and is buffered from one and two family residential zones. The Comprehensive Plan shows this area as a preferred commercial area.

Report: *In determining zoning uses for a particular property, the City will take into account both the property's physical characteristics and the location of the property relative to available services and facilities such as roads, water, sewer, utility services, fire protection, the degree and intensity of development in the vicinity, the surrounding neighborhood character, and Comprehensive Plan policies regarding land use applicable to the property. It is the City's intent to obtain the best possible harmony between the physical characteristics of a site and the type and intensity of development proposed for the site. Land having development constraints due to topography and location within a flood plain shall be avoided or used for lower intensity development unless constraints are mitigated to the satisfaction of the City.*

Site Considerations: The site development allows for access to necessary utilities, and has the adequate area for the required parking, landscaping, open space, and other accessory uses planned for the proper functioning of the development. The proposed C-3 zone is nearly surrounded by other commercial zones and it is located along Blairs Ferry Road; an arterial street making this a prime location for highway businesses permitted in C-3 zones.
C-3 zones are generally more intense commercial uses than C-2 and CORS but are not as industrial as C-4 uses. The request for C-3 zoning aligns with the Comprehensive Plan for highway businesses in this area. The general commercial businesses allowed in C-3 are the highest and best uses for this property.

Reasonable Restrictions on Rezoning: Restrictions are not required on the property to be rezoned at this time. Screening was discussed at the P&Z meeting however it was noted that none is required for this development.

Recommendations: Community Development and the Planning and Zoning Commission support approval of this rezoning request. However the timing of the rezoning is a critical element of the development process. We are requesting only the first hearing at this time so the 2nd and 3rd readings can coincide with the owner's and developer's contingencies.

3B-2

Peck's Landing, LLC
1641 Boyson Square Drive, Suite 1
Hiawatha IA 52233

March 23, 2017

City of Hiawatha
Honorable Mayor and City Council
101 Emmons Street
Hiawatha IA 52233

REZONING PETITION

We, Peck's Landing, LLC, the proposed developer are proposing to rezone 3950, 3980 and 3990 Blairs Ferry Road. 3950 Blairs Ferry Road, which is legally described as Lot 2, Peck's Green Thumb First Addition to Hiawatha, Linn County, Iowa, zoned A (Agriculture) and is currently the location of a single family residential home. The lot west of 3950 Blairs Ferry Road, zoned A (Agriculture) is part of Peck's Green Thumb Nursery and Garden Shop. 3980 and 3990 Blairs Ferry Road, zoned C-2 (Neighborhood Commercial District) is also part of the Peck's Green Thumb Nursery and Garden Shop.

We are proposing to construct a mixed use commercial/retail and office space development on these parcels of land. We are requesting all three lot be rezoned to C-3 (Highway Commercial District) to allow for the flexibility of uses within that zoning classification. The attached Exhibit A provides a legal description for the areas to be rezoned. Exhibit B provides a detailed location map depicting the proposed zoning area and adjoining properties. We have also attached a copy of the proposed Site Development Plan which show the design of the new site improvements.

We believe that the proposed zone change is a reasonable request because:

- There is adequate sanitary sewer and water main facilities adjacent to the site to serve the proposed development.
- There are adequate street facilities adjacent to the site to support the proposed development. As a part of this project, the Edgewood Road Extension will be extended to allow for access to this site and turn lane improvements will be made to Blairs Ferry Road.
- The proposed C-3 zoning is compatible with the surrounding properties:
    - The land to the North is zoned R-7 (Multiple Family Residence District)
    - The land to the South is Blairs Ferry Road right of way
    - The land to East is 18th Avenue and C-ORS (Office/Research/Service District) and C-3 (Highway Commercial District)
    - The land to the West will be the Edgewood Road Extension and C-3 (Highway Commercial District).
- The property is very suitable for commercial development. There are no steep grades, flood plains or less intense land uses adjacent to the property which would limit the use,

We trust you will find this request reasonable and acceptable. If you need any further information, please contact our Civil Engineer, Brian Vogel, P.E, at (319) 362-9548.

Respectfully Submitted,

Peck's Landing, LLC

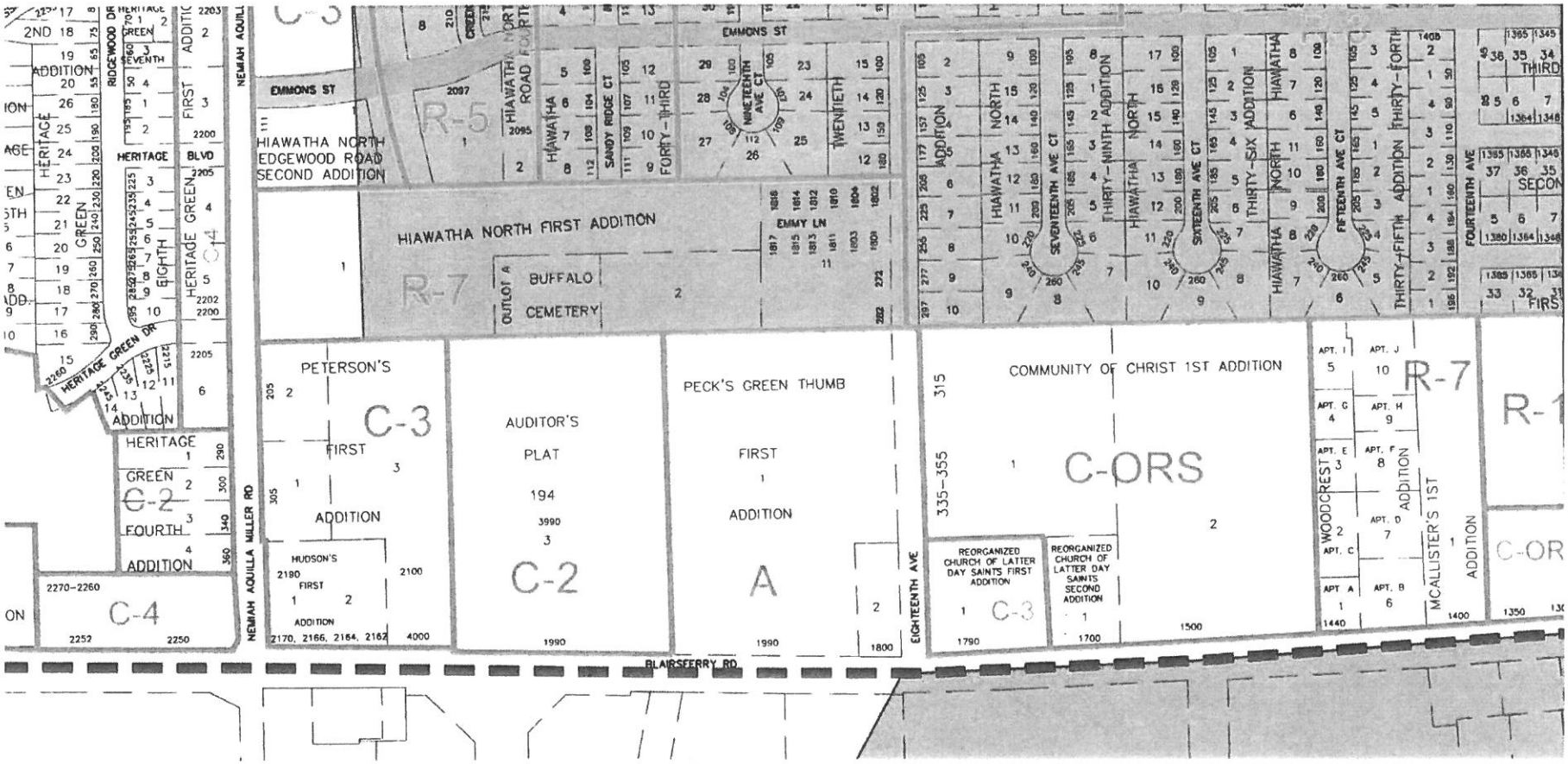
Joseph G. Ahmann

EXHIBIT A

A Zoning to C-3 Zoning
Lot 1 and Lot 2, Peck's Green Thumb First Addition to Hiawatha, Linn County, Iowa

C-2 Zoning to C-3 Zoning
Lot 3, Auditor's Plat No. 194, Linn County, Iowa, subject to covenants, conditions, restrictions and easements of record

Exhibit B


EMMONS ST
HIAWATHA NORTH EDGEWOOD ROAD SECOND ADDITION
R-5
HIAWATHA NORTH FIRST ADDITION
R-7
BUFFALO CEMETERY
PETERSON'S FIRST ADDITION
C-3
AUDITOR'S PLAT 194
C-2
PECK'S GREEN THUMB FIRST ADDITION
A
COMMUNITY OF CHRIST 1ST ADDITION
C-ORS
REORGANIZED CHURCH OF LATTER DAY SAINTS FIRST ADDITION
REORGANIZED CHURCH OF LATTER DAY SAINTS SECOND ADDITION
HERITAGE GREEN FOURTH ADDITION
C-4
NEMAH AQUILLA MILLER RD
EIGHTEENTH AVE
BLAIRSFERRY RD

DRAFT

Prepared/Return to the City of Hiawatha, Kelly Kornegor, 101 Emmons St. Hiawatha, Iowa 52233, 319-393-1515

ORDINANCE NO. 876

City Council

APPROVE REZONING OF PROPERTIES
LOCATED AT 3950, 3980 AND 3990 BLAIRS FERRY ROAD
HIAWATHA, IOWA

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA, to approve the rezoning request from Peck's Landing, LLC, requesting a change in zoning from A (Agriculture Zone District) and C-2 (Neighborhood Convenience District) to C-3 (Highway Commercial District) for the properties located at 3950, 3980 and 3990 Blairs Ferry Road and legally described as follows:

Lot 1 and 2, Pecks Green Thumb First Addition to Hiawatha, Linn County, Iowa

AND

Lot 3, Auditors Plat No, 194, Linn County, Iowa, subject to covenants, conditions, restrictions and easements.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Read First Time May 3, 2017

Read Second Time _____

Read Third Time _____

Adopted _____

PASSED AND APPROVED this _____day of _____, 2017.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kelly Kornegor, City Clerk

I, Kelly Kornegor, City Clerk of the City of Hiawatha, Iowa, do hereby certify that the foregoing ORDINANCE was PASSED and APPROVED by the City Council of the City of Hiawatha, Iowa, on the _____ day of _____, 2017, and was posted as Ordinance No._____ on the ____ day of _____, 2017.

_____
Kelly Kornegor, City Clerk