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City of Hiawatha

Community Development Department

Building, Zoning, Code Enforcement & Development

101 Emmons St., Hiawatha Iowa, 52233-1697
PHONE (319) 294-2929 FAX (319) 393-1516

Purpose: Rezoning Request to C-4 **Date: 2/28/2017**

To: City Council

Name of Plan: Dancer's Edge Building Addition

Address: 1540-1550 Hawkeye Drive **Zone**: I-2

Number of Lots: 1

Reviewed by: Patrick Parsley, Community Development Director

Description: This development encompasses one lot currently zoned for I-2 use. This is a vacant lot next to the present Dancer's Edge. The present Dancer's Edge lot is zoned C-4. There is additional C-4 zoning north of this property. The remaining adjacent lots are I-2 zoning.

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 rezoning proposal allows for the required parking, landscaping, open space, and other accessory uses necessary for the proper functioning of the development to be accommodated on the property for which rezoning is requested. The proposed zone is C-4. Being nearly surrounded by I-2 zoning but adjacent to C-4 on the north, this change is a minor adjustment in the transition line between the I-2 zones and the C-4 zones which was previously established. C-4 zones generally allow more intense commercial uses which fits this location and the Comprehensive Plan.

Alternatively: I-2 zones and C-4 zones are fairly compatible; however the transition between these two zones is sometimes accomplished by the use of an I-1 zone. This provides a buffer and reserves lots for industrial uses. If this lot and the existing Dancer's Edge lot were to be zoned I-1, the dance school usage would then be allowed as a conditional use fully aware of the possible incompatibility. This route would require an extra development step; issuing a conditional use. Essentially this would only be necessary if the City needs to preserve industrial space or the owner would prefer this route. Neither is the case so this is not recommended.

Reasonable Restrictions on Rezoning. No restrictions are required on the property to be rezoned at this time since it is next to I-2 and C-4 zones.

Recommendation: Community Development and P&Z support approval of this rezoning request.

3a.1.2

City of Hiawatha

Engineering Department

101 Emmons St., Hiawatha Iowa, 52233-1697
PHONE (319) 393-1515 ext. 511 FAX (319) 393-1516

To: **Planning and Zoning Commission** **Date:** **February 16, 2017**

From: **John C Bender PE, City Engineer**

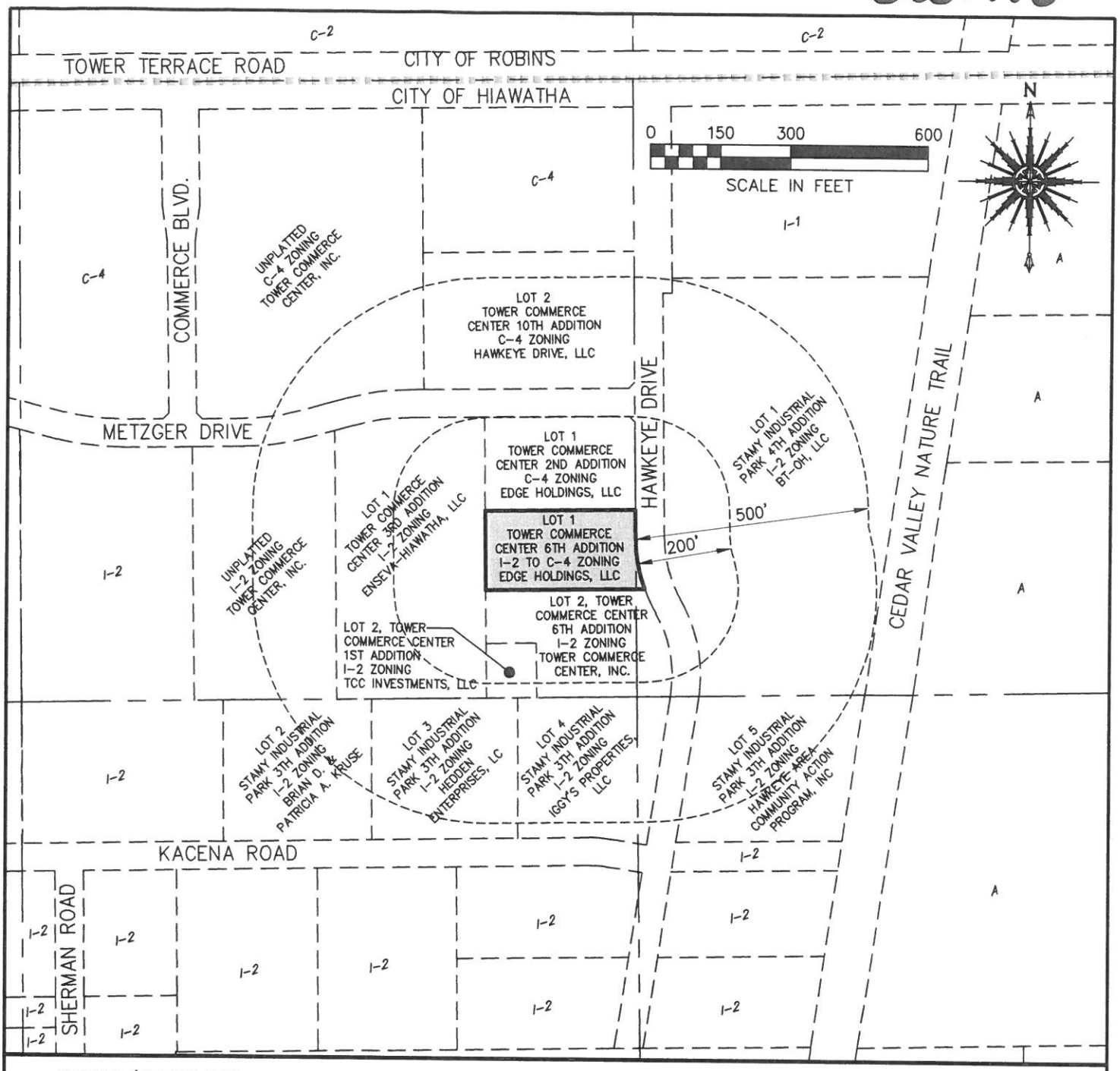
Re: **Rezoning of 1550 Hawkeye Drive**

Description: **Rezoning from I-2 to C-4**

Report: Engineering has reviewed the request for the rezoning of the property located at 1550 Hawkeye Drive from I-2 to C-4. This lot is adjacent to the existing Dancers Edge building currently zoned C-4 and will allow for the expansion of the building onto property with identical zoning classifications. We have previously approved POS 2128 combining the two lots into one parcel allowing for single ownership of both lots. This is an appropriate to provide a single zoning classification for the property. We are currently reviewing the site plan for the expansion of the building and parking lot.

Engineering recommends approval of this rezoning request.

3a.1.3



OWNER/APPLICANT

EDGE HOLDINGS, LLC
1550 HAWKEYE DRIVE
HIAWATHA, IA 52233
CONTACT: MR. CHARLIE VOGL
PHONE: 319-892-4340
E-MAIL: charlie@dancersedgeonline.com

EXISTING ZONING

ZONING: I-2

PROPOSED ZONING

ZONING: C-4

LEGAL DESCRIPTION FOR I-2 TO C-4 REZONING AREA

LOT 1, TOWER COMMERCE CENTER SIXTH ADDITION TO HIAWATHA, IOWA.

1 OF 1	**EXHIBIT B** **REZONING** **LOCATION MAP** **LOT 1, TOWER COMMERCE CENTER SIXTH ADDITION**	DRAWN: TLS APPROVED: TLS ISSUED FOR: REVIEW DATE: 01/17/2017 PROJECT NO.: 16164	SCHNOOR-BONIFAZI ENGINEERING & SURVEYING, LC 431 FIFTH AVENUE SW CEDAR RAPIDS, IA 52404 (319) 298-8888 (PHONE) Schnoor Bonifazi Engineering & Surveying

3a.1.4

Edge Holdings, LLC
1550 Hawkeye Drive
Hiawatha, IA 5233

January 17, 2017

City of Hiawatha
101 Emmons Street
Hiawatha IA 52233

REZONING PETITION

Honorable Mayor and City Council
Hiawatha, Iowa

We, Edge Holdings, LLC, are Owners of the two platted lots located immediately south of Metzger Drive and west of Hawkeye Drive. The north lot, which is legally described as Lot 1, Tower Commerce Center Second Addition to Hiawatha, Iowa, is currently completely developed as the Dancer's Edge building and parking. The north lot was rezoned to C-4 (Central Service District) in 2011 to accommodate this development.

The south lot, which is legally described as Lot 1, Tower Commerce Center Sixth Addition to Hiawatha, Iowa, is currently vacant ground. The south lot is currently zoned I-2 (General Industrial District).

We desire to construct an addition to the Dancer's Edge building and extend the parking lot onto the south lot to accommodate the continued growth of our business. Because the dance school is not a permitted use within the I-2 zoning district, we hereby petition the City of Hiawatha, Linn County, Iowa to rezone the site to C-4. The attached Exhibit A provides a legal description for the area being rezoned. Exhibit B provides a detailed location map depicting the proposed rezoning area and adjoining properties. We have also attached a copy of the proposed Site Plan showing the design of the new site improvements.

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

1. There are adequate sanitary sewer and water main facilities immediately adjacent to the site to serve the proposed development.

2. There are adequate street facilities immediately adjacent to the site to support the proposed development. Tower Terrace Road is a major arterial, Metzger Drive is a local street and Hawkeye Drive is a local street.

3. The proposed C-4 zoning is compatible with the surrounding properties:

   a. The land to the south, east and west is zoned I-2.
   b. The land to the north is currently zoned C-4.

4. The property is very suitable for commercial development. There are no steep grades, flood plains or adjacent less intense land uses limiting use of the property.

We trust you will find this request reasonable and acceptable. If you need any further information please contact our civil engineer, Tred Schnoor, at 319-298-888. Thank you for your consideration.

Respectfully Submitted,

EDGE HOLDINGS, LLC

Charlie Vogl

Charlie Vogl, Manager

Attachments: Exhibit A – Legal Description for 'I-2' to 'C-4' Rezoning Area
Exhibit B – Rezoning Location Map
Mailing Labels for Adjacent Property Owners within 500' of Rezoning Area
Site Development Plan

DRAFT

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

ORDINANCE NO. _____

City Council

APPROVE REZONING OF PROPERTY
LOCATED AT 1540-1550 HAWKEYE DRIVE
HIAWATHA, IOWA

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA, to approve the rezoning request from Edge Holdings, LLC, requesting a change from I-2 (General Industrial District) to C-4 (Central Service District) for the property located at 1540-1550 Hawkeye Drive and legally described as follows:

LOT 1, TOWER COMMERCE CENTER SIXTH ADDITION TO HIAWATHA, LINN COUNTY, IOWA

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.

PASSED AND APPROVED this 15th day of March, 2017.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kari Graber, Deputy Clerk

I, Kari Graber, Deputy 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 15th day of March, 2017, and was posted as Ordinance No._____ on the ____ day of March, 2017.

_____
Kari Graber, Deputy Clerk