

Planning & Zoning Commission

Regular Meeting

November 26, 2018

Hiawatha Council Chambers

(101 Emmons St. - Upper Floor 5:30pm)

1. Call to Order
2. Consider Approval of:
 - a. Agenda
 - b. Minutes
3. Business
 - A. Introduce Lisa Jepsen- new board member.
 - * B. Consider Resolution for recommendation to Board of Adjustment to approve the Conditional Use Request submitted by R&S Properties, LLC for the property located at 1415 Industrial Dr., Hiawatha, Iowa.
 - C. Consider Resolution to approve the 2019 Planning and Zoning Calendar.
4. Adjourn

Items that have to go on to City Council for final vote

• Items that Planning and Zoning Commission have final vote

** Items that have to go on to Board of Adjustment for final vote*

**HIAWATHA PLANNING AND ZONING COMMISSION
REGULAR MEETING
September 24, 2018**

The Hiawatha Planning and Zoning Commission met on September 24, 2018. Chairperson, Mark Powers called the meeting to order at 5:34 P.M. Members present: Darryl Cheney, Kenny Jones, Mark Ross, Eric Hoover. Members Absent: Terry Trimpe. Staff present: Building Official, Pat Parsley and Assistant Building Official, Jim Fisher, Mayor, Bill Bennett. Guests in Attendance: Troy Anderson, Dave Wright, Chris Backen, Kerry Kupka, Kathy Kupka, Nick Hatz, Elizabeth Schmelzer and Denny Norton.

Board Member, Kenny Jones moved to approve the Agenda. Second by Eric Hoover. Motion carried.

Board Member, Eric Hoover moved to approve the meeting minutes of August 27th, 2018. Second by Darryl Cheney. Motion carried.

Consider Resolution for recommendation to City Council to approve the Rezoning Request submitted by Dave Wright for the property located at 999 Boyson Rd., Hiawatha, Iowa.

Mark Powers asked if there was anyone wanting to speak for the rezoning.

There were questions about the address. Pat Parsley explained what lots were included in the rezoning.

There were also questions about the detention basin and its storage capacity. Pat Parsley confirmed it is part of the rezoning. Nick Hatz explained that the detention basin would be enlarged and it would have an increase in capacity to accommodate the excess water. He went on to explain the runoff would be treated with an underground system.

The design guidelines were also addressed. Trees and berms were discussed along with the proposed fencing.

Kathy Kupka at 705 Kainz Dr. addressed the Board. She wanted to see the whole proposed project and is concerned about what is happening with the park. Pat Parsley explained the project in more detail. He showed on the overhead the site plans and discussed what has been proposed. Kathy Kupka then asked about the trees and if they would be removed. Pat Parsley stated he didn't know.

Mark Powers then asked if there was anyone to speak against the rezoning.

Chris Backen at 707 Kainz Dr. addressed the Board. She stated that there are many concerns for her and the neighborhood. She stated they hear the intercoms all day and into the night, people are taking test drives at high speeds up and down the street, the lights are on (sometimes all night), employees are parking in front of her house and having lunch, they also park along the street all day and the car wash is heard all day as well. She stated she wants something done about all the traffic on Kainz Dr. and some way to stop people from cutting through.

Troy Andersen at 715 Kainz Dr. addressed the Board. He explained he is a lifetime resident of Hiawatha and also on the Water Board. He handed the Board a document outlining some issues he would like the board to consider. (See attachment A) After going through the document, he thanked the Board and returned to his seat. Mark Powers suggest Mr. Andersen work with Dave Wright concerning the fence and its location. Dave Wright said he would be willing to work with Mr. Andersen.

Elizabeth Schmelzer at 730 Kainz Dr addressed the Board. She told the Board Dave Wright is doing business in the cul-de-sac; employees are parking in front of her house, racing up and down the street and said it's just a nightmare. She explained that she has done many upgrades to try and sell the house, but no one will buy it because of the dealership. She stated that she wishes Dave Wright or the City would buy it. She says she blames the City for her turmoil because they are spot zoning and making it impossible for her to live in or sell her home.

Steve Backen 707 Kainz Dr. addressed the Board. He explained there is a lot of light that shines in the back of his house and too much noise. He also stated that he is worried about possible flooding. He said that he has more water on his property than ever before. He asked what studies have been done to calculate the water. Pat Parsley explained that studies have been done and they estimate it to have the capacity to hold up to the 75 year flood. He continued by saying the City engineer said it should improve the water situation.

Mark Powers asked if there was anyone else that wanted to address the Board. There were none. He then stated that the Board was only a recommending body to Council and does not make the final decision.

Kenny Jones asked what was planned on the south lots. Nick Hatz sited the plans and stated it will be a 6' white vinyl fence.

Kenny Jones then asked how much more lighting would be going in. Nick Hatz sited the plans and said they would follow the code.

Kenny Jones then asked if the lights go dim at 10:00pm. Nick Hatz said they would follow whatever the code said. Kenny Jones asked if they could recommend to either dim the lights or turn off the lights at a certain time. Pat Parsley said that would not be appropriate to ask and the City would make sure they were in compliance.

Kenny Jones asked if the fence would be the same as what is currently there. Nick Hatz said it would. Pat Parsley restated that if Troy Anderson works with Dave Wright regarding the fence, the City would like it to be in writing.

Kenny Jones asked if they planned on leaving the trees to the north of the parking. Nick Hatz explained that they would be removing the trees to accommodate enlarging the detention basin.

There was some discussion about what to do with the entrance at the cul-de-sac. Kenny Jones said there shouldn't be parking there. Mark Ross said that they shouldn't be unloading vehicles there. Eric Hoover suggested the entrance be closed all together. Pat Parsley stated that the parking can be addressed.

There was some discussion about either closing Kainz Dr. off or putting up signs that say no parking. Pat Parsley said that the parking issue would be addressed if necessary by the police and public safety.

Kenny Jones asked about the paging system and if there was an alternative. Dave Wright said they are implementing a new soft ware system that would allow pages and calls to be transferred to phones instead of using that paging system. Mark Ross asked if they would be able to get rid of the paging system. Dave Wright said that would not happen, but they think it will decrease the amount of pages significantly.

There were no further questions from the Board.

Eric Hoover moved to recommend to City Council to approve the Rezoning submitted by Dave Wright for 999 Boyson Rd., Hiawatha, IA. Second by Mark Powers.

AYES: ERIC HOOVER, MARK POWERS, MARK ROSS, DARRYL CHENEY AND KENNY JONES

NAYS: NONE

ABSENT: TERRY TRIMPE

Motion Carried

Resolution #18-013 Approved

Consider Resolution for recommendation to City Council to approve the Design Guidelines submitted by Dave Wright for the property located at 999 Boyson Rd., Hiawatha, Iowa.

There were no questions or concerns.

Mark Ross moved to recommend to City Council to approve the Design Guidelines submitted by Dave Wright for 999 Boyson Rd., Hiawatha, IA. Second by Darryl Cheney

AYES: KENNY JONES, MARK ROSS, MARK POWERS, ERIC HOOVER AND DARRYL CHENEY

NAYS: NONE

ABSENT: TERRY TRIMPE

Motion Carried

Resolution #18-014 Approved

Consider Resolution for recommendation to Board of Adjustment to approve the Conditional Use Request submitted by Hawkeye Dr., LLC for the property located at 925 Metzger Dr., Hiawatha, Iowa.

Mark Powers asked how the City would control an open gym. Pat Parsley explained the interior is not built for an open gym and it would regulate itself. He went on to say the only possible issue would be parking and the hours of operation would control that.

Mark Ross asked if they were renting the space or buying. Pat Parsley said they would be renting.

Mark Powers asked if gyms were allowed in the current zone. Pat Parsley said they are not. Mark Powers then asked if it was one-on-one training. Pat Parsley said it would be.

Mark Ross moved to recommend to Board of Adjustment to approve the Conditional Use Request submitted by Hawkeye Dr., LLC for the property located at 925 Metzger Dr., Hiawatha, Iowa. Second by Kenny Jones.

AYES: ERIC HOOVER, DARRYL CHENEY, KENNY JONES, MARK POWERS AND MARK ROSS

NAYS: NONE

ABSENT: TERRY TRIMPE

Motion Carried

Resolution #18-015 Approved

Eric Hoover moved to adjourn the meeting at 6:49 p.m. Second by Kenny Jones.

Mark Powers, Chairperson

ATTEST:

Jennifer Goerg, Community Development Clerk

City of Hiawatha

Engineering Department

To: Planning and Zoning Commission November 16, 2018

From: John Bender PE City Engineer

RE: R & S Properties LLC

Address: 1415 Industrial Avenue Zone: I-2

Report:

This is the conditional use applied for at the above address. The description of this use is storing and “crushing” recycled concrete. This process is similar to quarry processes which are classified as a conditional use for I-2 zoning districts. This use, allowed as conditional will be appropriate in this I-2 zone. This area is set aside for heavy industrial activity which can produce noise and significant truck traffic.

This use will not create substantial adverse effects on the area as the entire area is industrial zoning. Adjacent property not classified as I-2 must also be properly screened which is not an issue as the adjacent properties are classified as I-2.

The conditions are developed to control any adverse dust and storage which may be visible from the right-of-way and visible to off-site property. There is no building development at this time except for the site development other than a dust free surface, storm water management, screening and a public sidewalk. All have been reviewed for compliance on the proposed site plan.

The storm water management system was designed and constructed during development of the R&S Addition. This system will be maintained. We asked for the driveway and sidewalk on public property to be constructed according to specifications. We asked for a dust free surface which can be concrete, asphalt, a seal coat surface, or a crushed stone surface with dust reducer such as calcium chloride treatment.

Engineering recommends approval with the following conditions:

1. The proposal includes trees in place of a fence on Industrial.
2. Installation of a dust free driving surface.
3. The storm water management design will be maintained and certified.
4. The sidewalk along Industrial will be installed with the PCC approach.
5. Dust control during crushing process

If any questions, please let me know.

3B-1

City of Hiawatha

Community Development Department

Purpose: Conditional Use Request **Date:** 11/20/2018
To: Planning and Zoning Commission
Plan Name: R & S Properties LLC
Address: 1415 Industrial Avenue **Zone:** I-2
Lots: 3
Reviewer: Patrick Parsley, Community Development Director
Report: Each of the issues described in the UDC Section 165.83 #7 must be addressed in the consideration of a conditional use. Items A thru G are discussed herein.

7. *Description: Standards for Conditional Uses. Approval for any conditional use shall be granted only if evidence is presented which establishes:*

A. *That the conditional use applied for is permitted in the district within which the property is located. The description of this use is storing and “crushing” recycled concrete. This process is similar to quarry processes which are classified as a conditional use for I-2 zoning districts.*

B. *That the proposed use and development will be in accordance with the intent and purpose of this Code and with the goals and objectives of the Land Use portion of the Comprehensive Site Plan. This use, allowed as conditional will be appropriate in this I-2 zone. This area is set aside for heavy industrial activity which can produce noise and significant truck traffic.*

C. *That the proposed use and development will not have a substantial adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility and service facilities, and other factors affecting the public health, safety, and welfare. This use will not create substantial adverse effects on the area. The conditions are meant to control any adverse dust and storage which may be visible from the right-of-way and visible to off-site property. Adjacent property not classified as I-2 must also be properly screened. NOTE: all of the adjacent properties are classified as I-2.*

D. *That the proposed development or use will be located, designed, constructed and operated in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding property. A site plan has been submitted for review and it includes the necessary elements;*

1. Screening installed where required along Hawkeye and Industrial. The proposal includes trees in place of a fence on Industrial; however, two trees is insufficient.

2. Landscaping with green space and trees as specified in the UDC. This will include planting trees along both street fronts.
3. Installation of a dust free driving surface to be approved by the city engineer.
4. The storm water management design has been certified to compliance.
5. The sidewalk along Industrial will be installed with the PCC approach.

E. That adequate measures have been or will be taken to assure adequate access designed to minimize traffic congestion and to assure adequate service by essential public services and facilities including utilities, storm water drainage, and similar facilities. The traffic and parking needs are very similar to the allowable uses for this zone; consequently no issues of congestion are anticipated. The road, approaches and the driveway are constructed to support the anticipated truck weights and counts. There are no other utilities being installed at this time since no building is included in the project.

F. That the proposed building, development, or use will comply with any additional standards imposed on it by provisions of this Code for the district in which the property is located. There is no building development at this time except for the site development for a dust free surface, storm water management, screening and a public sidewalk. All have been reviewed for compliance on the proposed site plan.

G. Whether, and to what extent, all reasonable steps possible have been, or will be taken, to minimize any potential adverse effects on the surrounding property through building design, site design, landscaping, and screening. Issues specific to this use which will require special conditions and monitoring include:

1. Dust control in the crushing process.
2. The noise which may be produced in the crushing operation.
3. Access to restroom facilities on the site during all crushing activities.

Recommendation: Community development views this use as a qualifying conditional use in an I-2 zone. We would recommend adding these conditions:

1. Maintain dust control in the crushing and hauling processes.
2. Limit the hours of operation for crushing to match the UDC noise ordinance.
3. Provide portable restroom facilities on the site during all crushing activities lasting more than one hour.
4. Provide screening along Industrial with plants and trees to 50% opaque; to be planted and maintained in place of a fence.

If any of these conditions are violated, the conditional use may be terminated.

October 25, 2018

Pat Parsley, Community Development Director
City of Hiawatha
101 Emmons Street
Hiawatha IA 52233

RE: Conditional Expansion – 1415 Industrial Drive

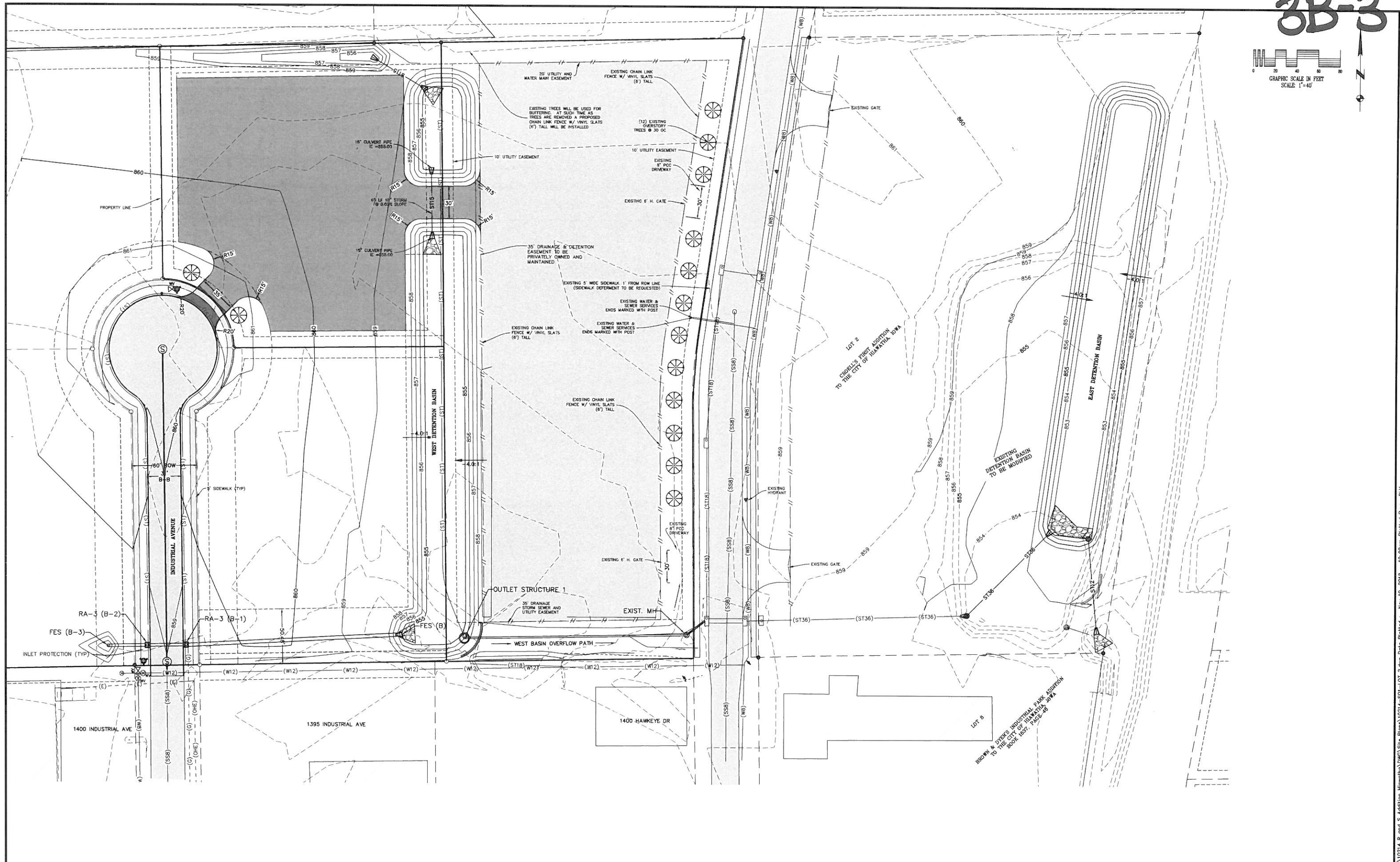
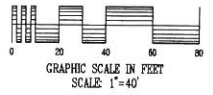
We, R & S Properties, LLC, owners of the above described property, respectfully request a conditional expansion for 1415 Industrial Drive. The conditional expansion would be for the storage of precast concrete products and intermittent crushing of concrete materials.

The attached Exhibit A provides the legal description for this area and the attached Site Plan provides detail depicting the area as well as the adjoining properties.

We believe that the request for the conditional expansion is a reasonable because this would allow for the expansion of our storage yard and crushing operations located at 1450 Hawkeye Drive.

Standards for Conditional Expansion:

- A. That the proposed expansion or enlargement will not have substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, parking utility and services facilities, and other factors affecting the public health, safety and welfare - ***This request is the expansion of an existing use and will have no adverse effect on traffic. At this time no buildings are being proposed for this site so additional utilities will not be required and no additional parking will be needed. R & S Properties, LLC owns the properties to the west and south of this site. The property to the north is also zoned I-2 and will be screened by existing mature trees.***
- B. That the proposed expansion or enlargement, will be located, designed, constructed and operated in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding properties – ***The use is compatible with the neighborhood and will be an expansion of an existing use on the adjoining property. R & S Properties, LLC owns the properties to the west and south of this site. The property to the north is also zoned I-2 and will be screened by existing mature trees.***
- C. That adequate measures have been or will be taken to assure adequate access designed to minimize traffic congestion and to assure adequate service by essential public services and facilities including utilities, stormwater drainage and similar facilities – ***We are proposing an access from this lot onto Industrial Avenue as well as an access between this site and 1450***



DRAWN BY: DAS				
CHECKED BY:				
APPROVED BY:				
DATE: 10/24/18				
FIELD BOOK: XXX	NO.	REVISION DESCRIPTION	APPROVED	DATE

Hiawatha!

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R & S FIRST ADDITION
IN THE CITY OF HIAWATHA, LINN COUNTY, IOWA

SITE PLAN FOR CONDITIONAL EXPANSION 1415 INDUSTRIAL DRIVE, HIAWATHA, IOWA	SHEET C1.0
PROJECT: 10214-04	

CAD File: N:\0200\10214 R and S Addition Hiawatha\DWG\Site Plans\10214-301-LOT 2.dwg Date Plotted: Nov 19, 2018 - 10:05am Plotted By: DLK



Planning and Zoning Meeting Schedule 2019

All Meetings are 5:30PM

Submittal deadline 12:00PM four weeks before meeting	MEETING DATE Planning & Zoning
Monday, December 31, 2018	Monday, January 28, 2019
Monday, January 28, 2019	Monday, February 25, 2019
Monday, February 25, 2019	Monday, March 25, 2019
Monday, March 25, 2019	Monday, April 22, 2019
Monday, April 22, 2019	*Monday, May 20, 2019
Monday, May 27, 2019	Monday, June 24, 2019
Monday, June 24, 2019	Monday, July 22, 2019
Monday, July 29, 2019	Monday, August 26, 2019
Monday, August 26, 2019	Monday, September 23, 2019
Monday, September 30, 2019	Monday, October 28, 2019
Monday, October 28, 2019	Monday, November 25, 2019
Monday, November 18, 2019	*Monday, December 16, 2019

*** Moved to the third Monday for Memorial Day and Christmas respectively**