

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

**HIAWATHA COUNCIL CHAMBERS
(101 Emmons Street-Upper Floor) – 5:30 P.M.**

1. Call to Order - Roll Call
2. Consider Approval of:
 - a. Agenda
 - b. Minutes of August 27, 2018
3. Business
 - # a. 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.
 - # b. 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.
 - * c. 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.

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
August 27, 2018**

The Hiawatha Planning and Zoning Commission met on August 27, 2018. Chairperson, Mark Powers called the meeting to order at 5:30 P.M. Members present: Mark Ross, Terry Trimpe, Kenny Jones, Darryl Cheney and Eric Hoover. Members Absent: None. Staff present: Building Official, Pat Parsley and Assistant Building Official, Jim Fisher, City engineer, John Bender. Guests in Attendance: City Administrator, Kim Downs, Loren Hartelt and Denny Norton.

Board Member, Darryl Cheney moved to approve the Agenda. Second by Kenny Jones. Motion carried.

Board Member, Kenny Jones moved to approve the meeting minutes of July 30th, 2018. Second by Eric Hoover. Motion carried.

Consider Resolution for recommendation to City Council to approve the Preliminary Plat submitted by Loren Hartelt for Todd Hills Addition, Hiawatha, IA.

Loren Hartelt addressed the Board. He stated that he was there to answer any questions the Board may have.

Kenny Jones asked if the lot sizes were 0.34 acre. Loren Hartelt confirmed they are. Pat Parsley also confirmed they are at least that size if not bigger.

Kenny Jones asked if the streets were going to be black-top or concrete. Pat Parsley said they would be concrete.

Mark Ross asked for an explanation to #4 on Pat Parsley's memo. Pat Parsley explained that they are not allowing any access to Todd Hills Rd. Mark Ross asked who owns the right of way. Pat Parsley explained that it is shared between the City and Linn County and maintained by both.

There were no further questions from the Board.

Mark Ross moved to recommend to City Council to approve the Preliminary Plat submitted by Loren Hartelt for Todd Hills Addition, Hiawatha, IA. Second by Kenny Jones.

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

NAYS: NONE

ABSENT: NONE

Motion Carried

Resolution #18-011 Approved

Consider Resolution for recommendation to City Council to approve the Preliminary Plat submitted by Brain Engineering for Sherman Square Addition, Hiawatha, IA.

Kenny Jones asked if this was to catch up with the final plat. Pat Parsley stated it is. He explained the final plat was approved contingent on the updated preliminary plat.

Mark Powers asked if the name would be the same. Pat Parsley explained that it would.

Kenny Jones asked if the preliminary plat included all 40 acres. Pat Parsley stated that it does and is inclusive.

Terry Trimpe asked if Anchor Dr. would be right turn only. Pat Parsley explained that it would depend on the development of Tower Terrace.

John Bender added that they are allowing 1000ft. between accesses and have made the developer aware of the potential island on Tower Terrace.

There were no further questions from the Board.

Mark Powers moved to recommend to City Council to approve the Preliminary Plat submitted by Brain Engineering for Sherman Square Addition, Hiawatha, IA. Second by Terry Trimpe.

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

NAYS: NONE

ABSENT: NONE

Motion Carried

Resolution #18-012 Approved

Consider a motion to elect Vice chair.

There was a short discussion and Mark Ross was nominated by Kenny Jones. Second by Mark Powers.

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

NAYS: NONE

ABSENT: NONE

Motion Carried

Consider motion to move the October 22nd, 2018 meeting to October 29th, 2018.

Pat Parsley explained the request is to accommodate staff schedules.

Mark Powers motioned to move the October 22nd, 2018 meeting to October 29th, 2018. Second by Kenny Jones.

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

NAYS: NONE

ABSENT: NONE

Motion Carried

Darryl Cheney moved to adjourn the meeting at 5:54 p.m. Second by Mark Ross.

Mark Powers, Chairperson

ATTEST:

Jennifer Goerg, Community Development Clerk

City of Hiawatha Community Development Department

Purpose: Consider a rezoning request as detailed in the attached public notice and make a recommendation to City Council.

Date: September 17, 2018 **Zone:** R-1 to C-3

To: Hiawatha Planning and Zoning Commission

Name of Plan: Next Level Properties; %David Wright

Plan Address: 725 & 735 Kainz Drive and Auditor's Plat 372 lot 18

Number of Lots: 3 lots

Reviewed by: Patrick Parsley, Community Development Director

Description: Rezoning R-1 lot to C-3. The new zoning designation will allow the applicant to expand a new-car dealership.

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.

(Summary of Reclassification of Property: Unified Development Code Section 165.92)

This is three additional lots next to the re-zoned lots of 999 Boyson; Dave Wright Dealership. The rezone matches what was previously allowed in this area. The request matches the dealership zone and Comprehensive plan for the area.

Access to utilities and the physical characteristics of the area have been considered. The development in this area includes maintaining existing detention, adding detention as required, development of a public parking area and the development of a dog park on land not accessible for other development.

There is some concern with the C-3 abutting existing residential property. The applicant has agreed to properly screen their property.

Recommend: Community Development supports the Planning and Zoning Commission recommendation to Council to approve the request to rezone.

**PETITION FOR REZONING
CITY OF HIAWATHA, IOWA**

To: HONORABLE MAYOR AND CITY COUNCIL
81 Emmons Street
Hiawatha, Iowa 52233

Honorable Mayor and Council Members:

I, David J. Wright, as Managing Member of Next Level 22 Properties, LLC, which owns the following properties:

725 Kainze Drive, legally described as:

Lot 10, AUDITOR'S PLAT NO. 372, IN LINN COUNTY, IOWA

and

735 Kainz Drive, legally described as:

Lot 9, AUDITOR'S PLAT NO. 372, IN LINN COUNTY, IOWA

and

Lot 18, AUDITOR'S PLAT NO. 372, excepting Parcel A, Plat of Survey No. 1952, LINN COUNTY, IOWA

respectfully request a rezoning of these properties from residential to commercial classification.

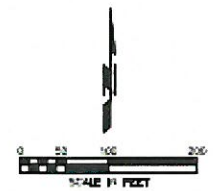
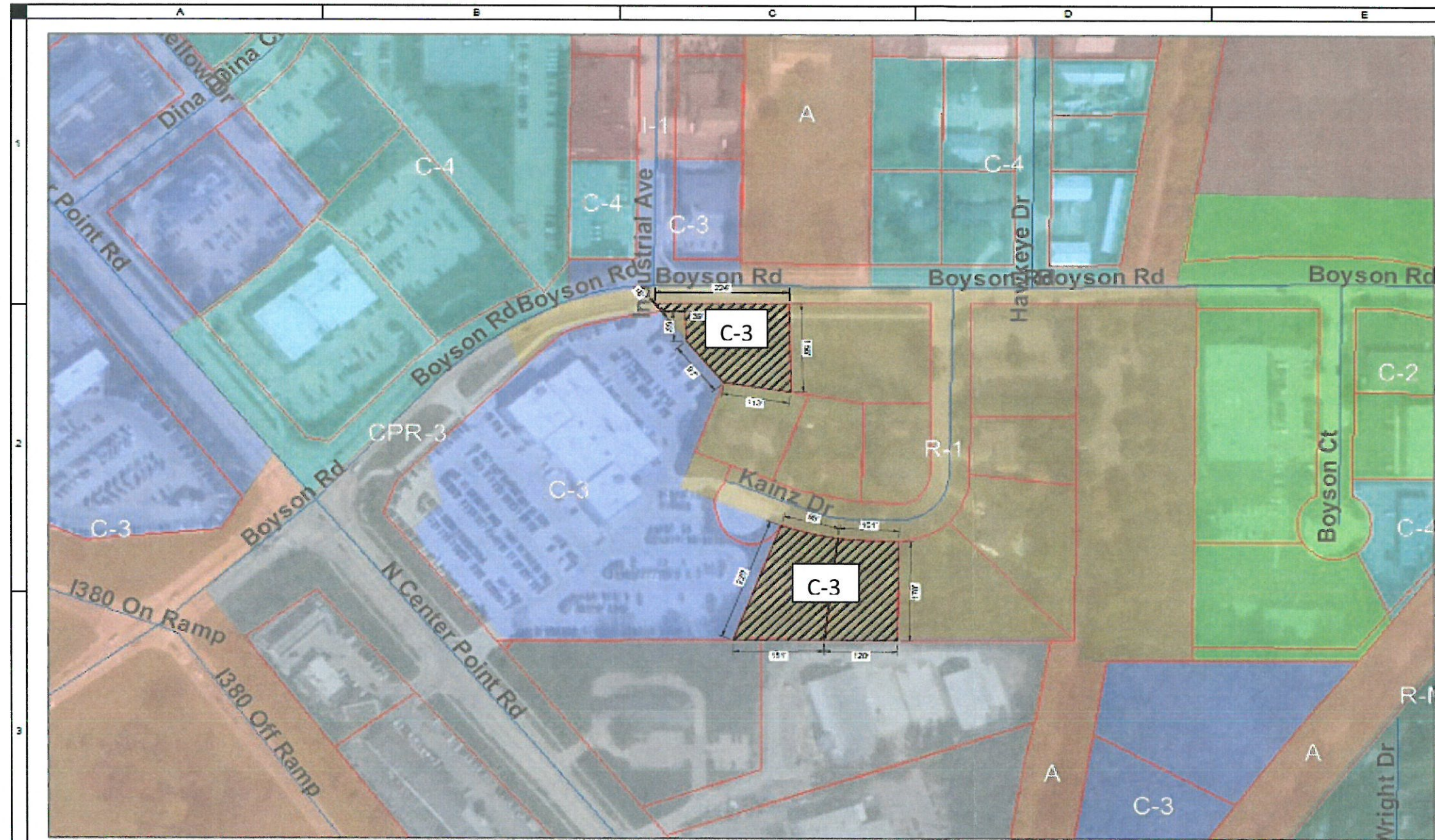
This zoning change should be made because the lots are adjacent to the property owned by Applicant that is currently used for an auto dealership businesses. Changing the zoning will facilitate a limited expansion of the dealership footprint.

Specifically, additional parking for the dealership's inventory will be constructed on Lots 9 and 10. An addition to parking will also be made on Lot 18, to be constructed in a way that is consistent with the lot's current public purpose use as a groundwater detention area.

Respectfully submitted,
NEXT LEVEL 22 PROPERTIES, LLC
OWNER - APPLICANT

BY _____
David J. Wright, Managing Member
999 Boyson Road
Hiawatha, Iowa 52233
(319) 393-0640

James W. Radig
ARENSEN LAW GROUP, PC
425 Second St SE, Ste 900
Cedar Rapids, IA 52401
319.363.8199
Attorney for Next Level 22 Properties, LLC



LEGEND



LEGAL DESCRIPTION
 LOT 9, 10, AND 15, AUDITOR'S PLAT NO. 372 IN LINN COUNTY, IOWA, EXCEPT PARCEL 'A', PLAT OF SURVEY NO. 1962 AS RECORDED IN BOOK 9114, PAGE 282 IN THE OFFICE OF THE LINN COUNTY, IOWA, RECORDER'S OFFICE.

PETITIONER'S AGENT
 NICK NIATZ
 SHIVE-HATTERY INC.
 P.O. BOX 1803, 52406-1803
 318 SECOND ST. SE, SUITE 500
 CEDAR RAPIDS, IA 52401
 PH (319) 364-0227
 FAX (319) 364-0251
 NIATZ@SHIVE-HATTERY.COM

OWNER REPRESENTATIVE
 DAVE WRIGHT
 DAVE WRIGHT NISSAN AND SUBARU
 889 BOYSON ROAD
 HAWATHA, IA 52233
 PH (564) 852-8414
 DAVIDWRIGHT@DWESTOFFICE.NET

● Hiawatha Addresses	Hiawatha Zoning	C-3	I-1
— Hiawatha Parcels	A	C-4	R-1
— Hiawatha_Roads	C-2	CPR-3	R-MH

SHIVE-HATTERY
 ARCHITECTURE + ENGINEERING
 318 Second Street SE Suite 500 | Cedar Rapids, Iowa 52401
 319.364.0227 | Fax 319.364.0251 | www.shive-hattery.com
 Ken | Mark | Brian

**DAVE WRIGHT NISSAN AND SUBARU
 PARKING ADDITION**
 DAVE WRIGHT NISSAN AND SUBARU
 BOYSON ROAD, HAWATHA, IA

**PRELIMINARY
 - NOT FOR
 CONSTRUCTION**

DATE	REVISED FOR	DATE	PROJECT NO.	FIELD BOOK	CLIENT NO.
	5/15/2018	5/15/2018	217281		

REZONING EXHIBIT

EX-1

A:\Projects\2018\217281\217281.dwg
 15:00 5/15/2018
 15:00 5/15/2018

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: September 21, 2018

From: John C Bender PE, City Engineer

Re: Dave Wright Site plan

Description: 999 Boyson Road

Report:

This property is located on the southeast corner of the intersection of NCPR and Boyson Road. The lot is being considered for rezoning to match the zoning district in which Dave Wright Auto is located. The lot will contain display space for new vehicles.

The plan includes the construction of 3 new parking lots. Design Guideline screening will be required along Boyson Road, but only standard screening of the other lots next to the residential property will be required.

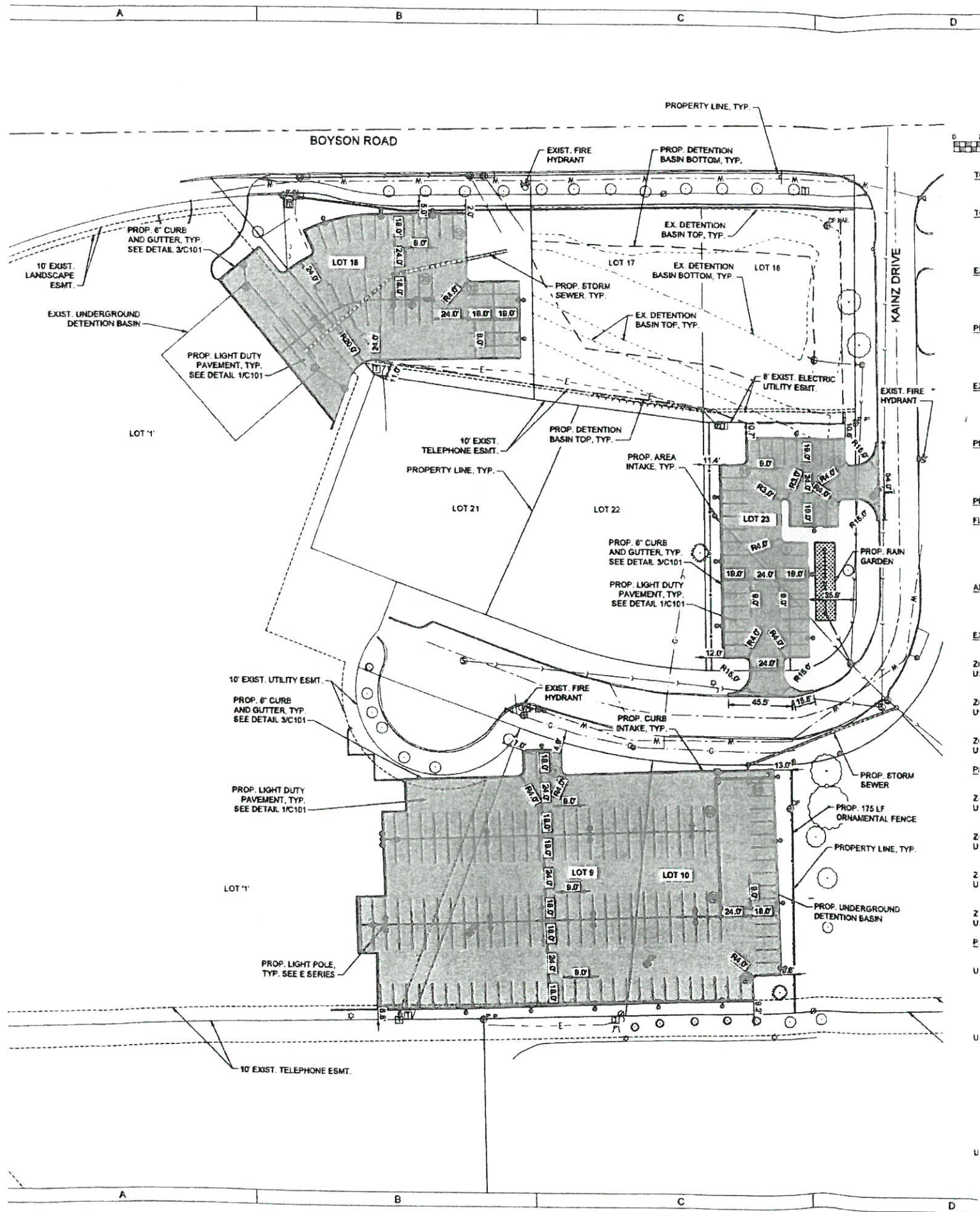
The Community Development has reviewed the plan for compliance with the Design Guideline for the vehicle display area and for screening requirements. The engineer's review includes the plans for utility improvements and storm water design.

This project requires the exchange of land ownership which includes the privatization of a public detention basin and the development of a dog park on newly acquired public land. Dave Wright will now be responsible for maintaining the detention basin along Boyson Road. The basin will be expanded to accommodate the additional parking lot runoff along with additional capacity to handle the off-site run off.

Calculations for the additional capacity will be submitted to clarify the required maintenance for continued certification of the basin. Unfortunately there is no way to increase the capacity of the basin to detain the entire offsite demand to the 100 year flood; however, it is being expanded and the improvement will be maintained.

The new parking lot on the south will include its own additional underground detention basin. All of the basins will be subject to re-certifications every five years and it will be the responsibility of the owner to maintain the design capacities.

If you have any further questions, please let me know.



City of Hiawatha

Community Development Department

3B-2

Purpose: Site Plan: Design Guidelines **Date:** 09/14/2018

To: Planning and Zoning Commission

Name of Plan: Dave Wright

Address: 999 Boyson Road **Zone:** C-3

Number of Lots: 1 lot with new parking area.

Reviewed by: Patrick Parsley, Community Development Director

Description: This property is located on the southeast corner of the intersection of NCPR and Boyson Road. This lot is being considered for rezoning to match the zoning district in which Dave Wright Auto is located; C-3. The lot will contain display space for new vehicles.

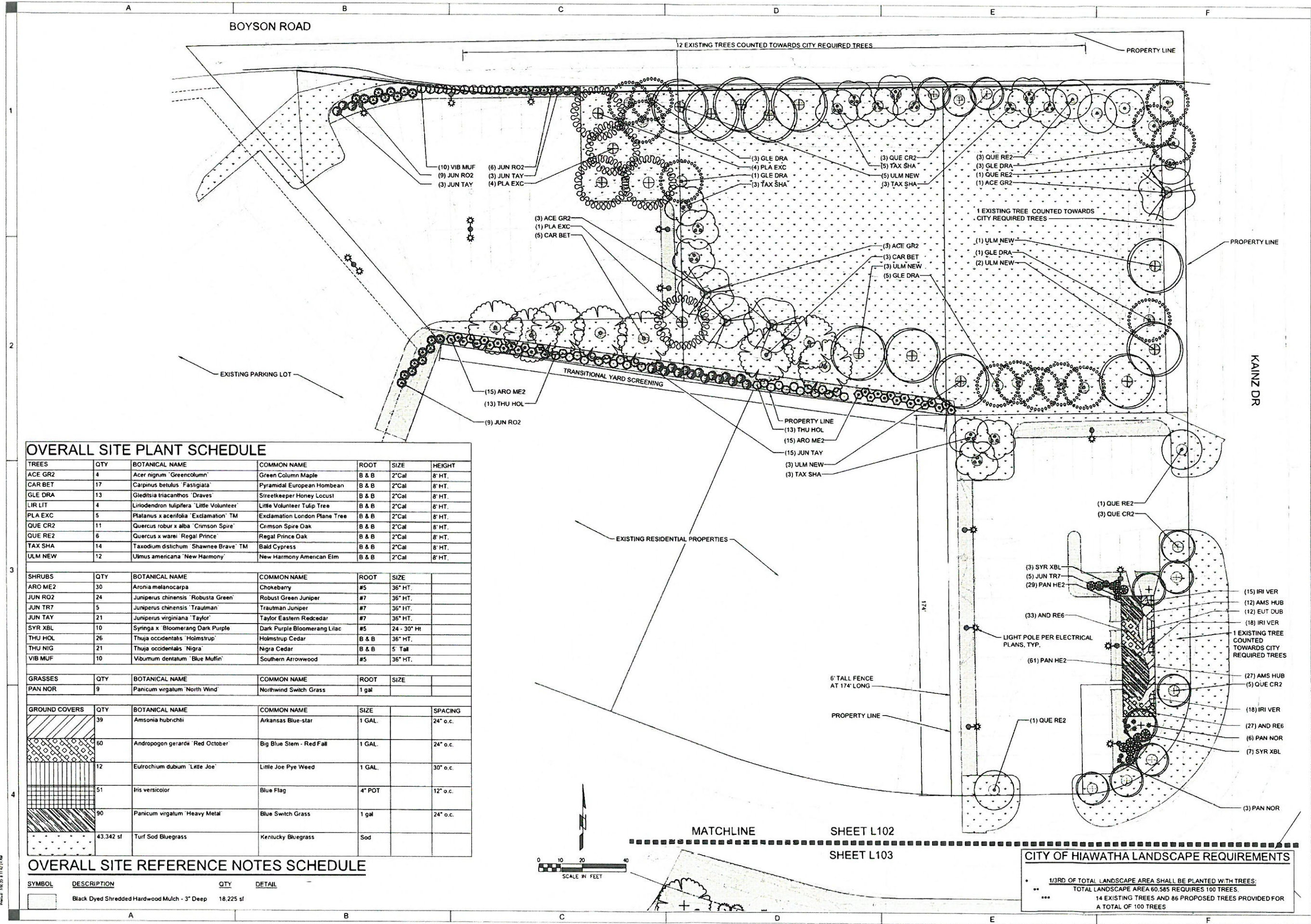
The plan includes the construction of the parking lot, exterior lighting plans, Design Guideline screening along Boyson Road, screening next to the residential lots and associated storm drainage.

Report: The Planning and Zoning concern is with the Design Guideline for the vehicle display area. The DG requires a 25 foot setback for the parking or the installation of a berm with plantings to a height of 3 feet above the curb. The plans comply with the screening requirement for parking lots.

The applicant has complied with this requirement. Staff has reviewed the remainder of the site plan for compliance and the applicant is aware sign plans must be submitted for approval.

Recommendation: Community Development supports the Planning and Zoning Commission recommendation for approval of this site plan regarding the Design Guideline specifications at 999 Boyson Road.

DRAWN:	STH
APPROVED:	STH
ISSUED FOR REVIEW:	
DATE:	07/20/2018
PROJECT NO.:	2172290
FIELD BOOK:	
CLIENT NO.:	



OVERALL SITE PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME	COMMON NAME	ROOT	SIZE	HEIGHT
ACE GR2	4	<i>Acer nigrum</i> 'Greencolumn'	Green Column Maple	B & B	2" Cal	8' HT.
CAR BET	17	<i>Carpinus betulus</i> 'Fastigiata'	Pyramidal European Hornbeam	B & B	2" Cal	8' HT.
GLE DRA	13	<i>Gleditsia triacanthos</i> 'Draves'	Streetkeeper Honey Locust	B & B	2" Cal	8' HT.
LIR LIT	4	<i>Liriodendron tulipifera</i> 'Little Volunteer'	Little Volunteer Tulip Tree	B & B	2" Cal	8' HT.
PLA EXC	5	<i>Platanus x acenifolia</i> 'Exclamation' TM	Exclamation London Plane Tree	B & B	2" Cal	8' HT.
QUE CR2	11	<i>Quercus robur</i> x <i>alba</i> 'Crimson Spire'	Crimson Spire Oak	B & B	2" Cal	8' HT.
QUE RE2	6	<i>Quercus x warei</i> 'Regal Prince'	Regal Prince Oak	B & B	2" Cal	8' HT.
TAX SHA	14	<i>Taxodium distichum</i> 'Shawnee Brave' TM	Bald Cypress	B & B	2" Cal	8' HT.
ULM NEW	12	<i>Ulmus americana</i> 'New Harmony'	New Harmony American Elm	B & B	2" Cal	8' HT.

SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	ROOT	SIZE
ARO ME2	30	<i>Aronia melanocarpa</i>	Chokeberry	#5	36" HT.
JUN RO2	24	<i>Juniperus chinensis</i> 'Robusta Green'	Robust Green Juniper	#7	36" HT.
JUN TR7	5	<i>Juniperus chinensis</i> 'Trautman'	Trautman Juniper	#7	36" HT.
JUN TAY	21	<i>Juniperus virginiana</i> 'Taylor'	Taylor Eastern Redcedar	#7	36" HT.
SYR XBL	10	<i>Syringa</i> x 'Blooming Dark Purple'	Dark Purple Blooming Lilac	#5	24 - 30" HI
THU HOL	26	<i>Thuja occidentalis</i> 'Holmstrup'	Holmstrup Cedar	B & B	36" HT.
THU NIG	21	<i>Thuja occidentalis</i> 'Nigra'	Nigra Cedar	B & B	5' Tall
VIB MUF	10	<i>Viburnum dentatum</i> 'Blue Muffin'	Southern Arrowwood	#5	36" HT.

GRASSES	QTY	BOTANICAL NAME	COMMON NAME	ROOT	SIZE
PAN NOR	9	<i>Panicum virgatum</i> 'North Wind'	Northwind Switch Grass	1 gal	

GROUND COVERS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING
	39	<i>Amsonia hubrichtii</i>	Arkansas Blue-star	1 GAL.	24" o.c.
	60	<i>Andropogon gerardii</i> 'Red October'	Big Blue Stem - Red Fall	1 GAL.	24" o.c.
	12	<i>Eutrochium dubium</i> 'Little Joe'	Little Joe Pye Weed	1 GAL.	30" o.c.
	51	<i>Iris versicolor</i>	Blue Flag	4" POT	12" o.c.
	90	<i>Panicum virgatum</i> 'Heavy Metal'	Blue Switch Grass	1 gal	24" o.c.
	43,342 sf	Turf Sod Bluegrass	Kentucky Bluegrass	Sod	

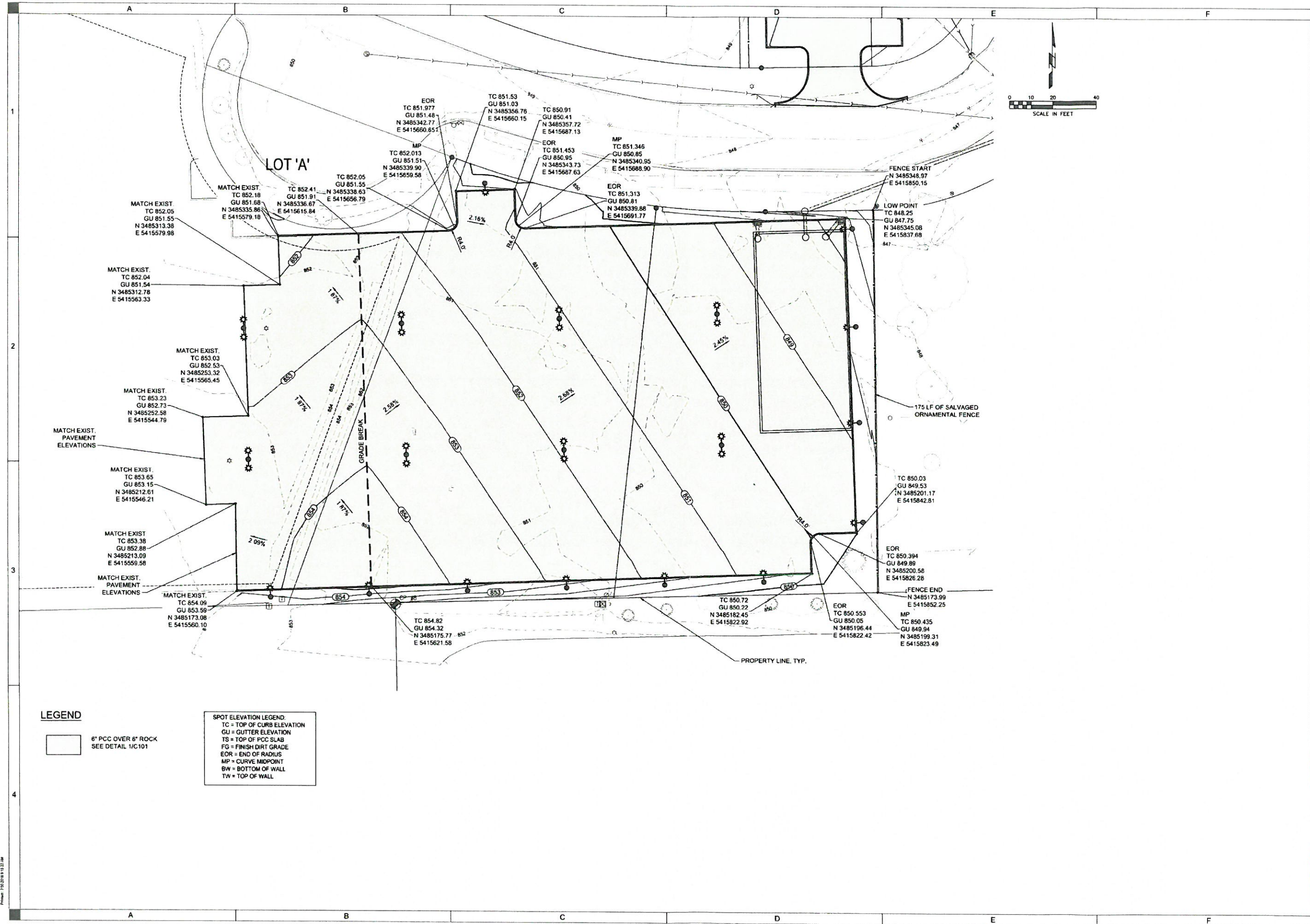
OVERALL SITE REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY	DETAIL
[Symbol]	Black Dyed Shredded Hardwood Mulch - 3" Deep	18,225 sf	

CITY OF HIAWATHA LANDSCAPE REQUIREMENTS

- 1/3RD OF TOTAL LANDSCAPE AREA SHALL BE PLANTED WITH TREES;
- ** TOTAL LANDSCAPE AREA 60,585 REQUIRES 100 TREES.
- *** 14 EXISTING TREES AND 86 PROPOSED TREES PROVIDED FOR A TOTAL OF 100 TREES

P:\Projects\2172290\2172290.dwg (18/07/2018) 11:17 AM
Plotter: HP DesignJet 2450 (18/07/2018) 11:17 AM



LEGEND

6" PCC OVER 6" ROCK
SEE DETAIL 1/C101

SPOT ELEVATION LEGEND:
 TC = TOP OF CURB ELEVATION
 GU = GUTTER ELEVATION
 TS = TOP OF PCC SLAB
 FG = FINISH DIRT GRADE
 EOR = END OF RADIUS
 MP = CURVE MIDPOINT
 BW = BOTTOM OF WALL
 TW = TOP OF WALL

SHIVEHATTERY
 ARCHITECTURE + ENGINEERING
 316 Second Street, SE Suite 500 | Cedar Rapids, Iowa 52401
 319.384.0227 | fax: 319.384.4251 | www.shivehattery.com
 Iowa | Illinois | Indiana

**DAVE WRIGHT NISSAN AND SUBARU
 SITE IMPROVEMENTS**
 DAVE WRIGHT NISSAN AND SUBARU
 999 BOYSON ROAD, HIAWATHA, IA

**PRELIMINARY
 - NOT FOR
 CONSTRUCTION**

DRAWN: EAV
 APPROVED: CNH
 ISSUED FOR: REVIEW
 DATE: 07/30/2015
 PROJECT NO: 217339
 FIELD BOOK: -
 CLIENT NO: -

PAVING PLAN
C112

City of Hiawatha

Community Development Department

Purpose: Conditional Use Request **Date:** 08/24/2018

To: Planning and Zoning Commission

Plan Name: TOWER COMMERCE PARK INDUSTRIAL: UNIT 4
Anvil Strength Systems

Address: 925 Metzger Drive **Zone:** I-2

Lots: 1

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 “business professional use with limited on site client occupancy. It is an athletic trainer business which is an allowed conditional use in an I-2 zone as long as there is no open gym usage. Open gym usage would entail gathering space and additional parking not allowed in this limited usage description.

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. Allowing this conditional use as a business professional occupancy is in accordance with the land use purpose. This use will not affect the existing approved site plan or the available parking. The I-2 uses may not provide the best atmosphere for the gym; however the tenant is aware of the potential noise and 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. It will not create traffic, noise or parking issues.

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.

The entirety of this occupancy will occur within the building. The facility will require upgrades which include additional ventilation and sanitation amenities. The owner is proposing to make the necessary changes.

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.

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. Generally this use will have minor restrictions within the building limited to sanitation and ventilation. The only other restriction is noting "no open gym". This use is for the professional services of a trainer and as such will have limited client numbers.

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. This will have no adverse affect on the surrounding property since the entire occupancy will be contained within a building, generates no noise and does not increase traffic or parking above accepted standards for an I-2 use.

Recommendation: Community development agrees this use qualifies as a conditional use in an I-2 zone as long as the main use is adult specialized training. We would recommend adding these conditions:

1. There be no "open gym use" which will create a gathering space or additional parking requirements.
2. The building will be remodeled to accommodate the change of use as required by the building and fire codes.

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