City of Hiawatha
Community Development Department

Purpose: Conditional Use Request **Date:** 02/26/2020

To: Hiawatha Board of Adjustment

Plan Name: Public Safety Garage Annex

Address: 101 4th Avenue **Zone**: R-3

 # Lots: 5 Lots

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 "Essential Services" as defined in UDC 665.20 Item #1. The use of the building is for classroom, office and storage garage for the City of Hiawatha. The UDC allows any essential service use in any zone as a permitted use or as a Conditional Use. Since the office and garage use is not a permitted use in R-3, this essential service must proceed through a Conditional Use process.

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 an essential service does not fit directly within the future land use map within this residential zone. However, this area is part of the "Village Center" envisioned for the area which includes mixed uses in close proximity to the residential zone. The location is next to the CPR-1 zone and thus in a transition area amenable to mixed uses. The City could rezone the lots but prefers to keep the residential nature of the development to be more compatible with existing homes. The City will use residential setback and screening requirements.

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. For the major use this will not create traffic or parking issues as the police station and City of Hiawatha already use this street and location for parking purposes.

The conditional use will permit the construction of a garage and additional space for police training. If the space is used for regional training it could generate more parking requirements. The parking is being addressed though the construction of a parking lot on site and adjacent parking in the existing City Hall parking lots.

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 a building. The site plan will include the necessary green space, screening and setbacks needed to retain the character of the neighborhood.

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 being managed as noted in "C". The site design has taken into account the need for storm water management as required for a commercial facility. The additional storm sewer, sanitary sewer, electrical and water needs will be very minor. The accessible utilities have more than enough capacity to accommodate this use.

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 restrictions for the building and site based on the more restrictive zoning requirements for setbacks and for screening. This is a commercial use in a residential zone therefor the zoning restrictions for both may apply. The City will apply the most restrictive applicable requirements when comparing the rules for setback, screening and site design.

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 effect on the surrounding property since the entire occupancy will be contained within a building. The use will not generate additional noise or orders. The site will be developed to be compatible with the neighborhood as noted in "D & F".

Planning and Zoning Commission: The Commission considered this item at its February 24, 2020 meeting. There was no written public input and no one spoke against the proposed conditional use. The questions surrounded achieving proper screening through the use of landscaping and maintaining proper setbacks including the proposed future addition. Since all agreed the City use is an essential service, they agreed to recommend the conditional use with conditions.

Recommendation: Community development and the Planning and Zoning Commission agree this use qualifies as a conditional use in this residential zone as an "Essential Services". The Commission further recommended the conditions as part of the recommendation to approve the Conditional Use. Given the discussion and the details of D above, staff is recommending a change to the conditions:

1. The site plan is designed to the most restrictive applicable zoning requirements for the residential zone and the commercial use for allowable setbacks.
2. The site plan includes appropriate screening between this use and the adjacent residential uses through the use of complying landscaping.