

RESOLUTION NO. 1169

RESOLUTION APPROVING A ONE-YEAR EXTENSION OF LOT #1 PEDERSEN VALLEY, PART ONE SITE PLAN PER SECTION 173.09 OF THE CITY CODE.

WHEREAS, Michael L. Furman had originally submitted a proposed Site Plan to construct a proposed eight unit multi-family residential building on Lot #1 Pedersen Valley, Part One, West Branch, Iowa; and

WHEREAS, said proposed Site Plan had heretofore been reviewed by City Staff, including the City Engineer; and

WHEREAS, the proposed Site Plan was found to conform to West Branch Code of Ordinances; and

WHEREAS, the proposed Site Plan was approved by the West Branch Planning and Zoning Commission at their special meeting held on Tuesday June 26, 2012; and

WHEREAS, the proposed Site Plan was approved by the West Branch City Council at their meeting held on July 16, 2012; and

WHEREAS, Michael L. Furman was asked by a member of the West Branch City Council at their meeting held on July 16, 2012 to consider adding a commercial component to this development; and

WHEREAS, Michael L. Furman submitted a revised site plan for a mixed-use development on this site; and

WHEREAS, the revised Site Plan has heretofore been reviewed by City Staff, including the City Engineer; and

WHEREAS, the revised Site Plan has been found to conform to West Branch Code of Ordinances; and

WHEREAS, the revised Site Plan was approved by the West Branch Planning and Zoning Commission at their meeting held on Tuesday November 27, 2012 with the following four recommendations to amend the Conditional Zoning Agreement between the City of West Branch and Michael L. and Sherri P. Furman: 1) allow for nine residential units instead of eight, 2) allow for three stories instead of two, 3) clarify that a mixed-use development will be allowed, and 4) clarify that since it is a mixed-use development, a 25-foot RB-1 front setback will be allowed; and

WHEREAS, the West Branch City Council has discussed the Conditional Zoning Agreement between the City of West Branch and Michael L. and Sherri P. Furman dated February 8, 1999; and

WHEREAS, the West Branch City Council on December 17, 2012 approved Resolution 1054 amending the conditional zoning agreement with Michael L. and Sherri P. Furman; and

WHEREAS, the West Branch City Council on December 17, 2012 approved Resolution 1056 approving the Lot #1 Pedersen Valley, Part One Site Plan; and

WHEREAS, Michael L. Furman contacted the West Branch City Council and Planning & Zoning Commission on November 3, 2013 with a request for the extension of the Lot #1 Pedersen Valley, Part One Site Plan; and

WHEREAS, Section 173.09 of the City Code of Ordinances allows for a one year extension to a site plan with approval from the City Council upon recommendation of the Planning & Zoning Commission; and

WHEREAS, the Planning & Zoning Commission voted in favor of providing for an extension at their December 3, 2013 Commission Meeting; and

WHEREAS, it is now necessary for the City Council to approve an extension to said Site Plan.

NOW, THEREFORE, be it resolved by the City Council of the City of West Branch, Cedar County, Iowa, that the aforementioned Site Plan for the Project be and the same are hereby extended until December 16, 2014.

* * * * *

Passed and approved this 16th day of December, 2013.



Mark Worrell, Mayor

ATTEST:



Matt Muckler, City Administrator/Clerk

November 3, 2013

West Branch City Council
West Branch Planning and Zoning Commission

West Branch, IA 52358

RE: Lot 1, Part 1, Pedersen Valley aka 815 West Main St, West Branch



Dear Members:

I am writing today to ask you to extend the site plan approval for Lot 1, Part 1, Pedersen Valley. This lot was engineered to accept a 9 unit residential/2 unit commercial building last year.

The East Central Intergovernmental Association had solicited my participation in a Multi Family New Construction funding program. This program required a variety of changes including Davis Bacon wage reporting, fiber cement siding and other upgraded finishes and materials. I submitted this proposal as instructed February 1, 2013. I was notified by the state July 8th that this building would not be funded.

The building will have to be re bid with lesser features and finishes to work without the state grant. In order to make this work I will probably have to presell all the commercial space on the main floor and then sell the units as condominiums.

So in conclusion, I ask you to extend my existing site plan approval for another year.

Thank you,

A handwritten signature in black ink, appearing to read "Michael Furman", is written over a horizontal line.

Michael Furman

Owner

Lot1, Part 1, Pedersen Valley