

*(These minutes are not approved until the next Commission meeting.)*

**City of West Branch Planning & Zoning Commission Meeting**  
**September 25, 2018**  
**West Branch City Council Chambers, 110 North Poplar Street**

Chairperson John Fuller opened the special meeting of the Planning & Zoning Commission at 7:00 p.m. welcoming the audience and following; Zoning Administrator Terry Goerdts, Mayor Roger Laughlin. Commission Members Emilie Walsh, Ryan Bowers and Tom Dean were present. Gary Slach and Sally Peck were absent.

**APPROVE AGENDA/CONSENT AGENDA/MOVE TO ACTION.**

Approve minutes from the July 24, 2018 Planning & Zoning Commission meeting. /Move to action.

Approve minutes from the August 14, 2018 Special Planning & Zoning Commission meeting. /Move to action.

Motion by Walsh, second by Bowers to approve the agenda. Absent: Slach and Peck. Motion carried on a voice vote.

**PUBLIC HEARING/NON-CONSENT AGENDA**

Discuss and consider a request for rezoning a portion of The Meadows, Part 4 from R-1 to R-2 (Lots 22-39). Legal Description: THE MEADOWS SUBDIVISION PART 4, BEING PART OF PARCEL G, AS RECORDED IN PLAT BOOK I, PAGE 103 OF THE CEDAR COUNTY RECORDER'S OFFICE, IN THE SOUTHWEST FRACTIONAL QUARTER (SW ¼) OF THE SOUTHWEST FRACTIONAL QUARTER (SW ¼) AND THE NORTHWEST FRACTIONAL QUARTER (NW ¼) OF THE SOUTHWEST FRACTIONAL QUARTER (SW ¼) OF SECTION 6, TOWNSHIP 89 NORTH, RANGE 4 WEST, IN THE CITY OF WEST BRANCH, CEDAR COUNTY, IOWA DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF LOT 32 OF THE MEADOWS SUBDIVISION PART II, AN OFFICIAL PLAT NOW IN THE CITY OF WEST BRANCH, THENCE N18°59'30"W, 119.27 FEET; THENCE N86°38'50"E, 14.10 FEET; THENCE N3°21'11"W, 138.68 FEET; THENCE N3°10'34"W, 60.00; THENCE S86°46'30"W, 19.31 FEET; THENCE N3°20'32"W, 135.00 FEET TO THE NORTH LINE OF SAID PARCEL G; THENCE ALONG SAID NORTH LINE S86°46'30"W, 758.80 FEET TO THE EAST RIGHT OF WAY LINE OF CEDAR JOHNSON ROAD; THENCE ALONG SAID EAST RIGHT OF WAY LINE S01°19'13"E, 165.54 FEET; THENCE N86°40'45"E, 347.57 FEET; THENCE S03°21'10"E, 57.06 FEET; THENCE 120.05 FEET ALONG A 182.99 FOOT RADIUS CURVE CONCAVE EAST (CHORD BEARING S22°08'48"E, 117.91 FEET); THENCE S40°55'59"E, 635.23 FEET; THENCE N49°03'28"W, 215.06 FEET TO THE WEST LINE OF SAID MEADOWS SUBDIVISION PART II, THENCE ALONG SAID WEST LINE OF SAID PLAT N32°16'00"W, 292.73 FEET TO THE POINT OF BEGINNING.

Chris Kofoed, KLM Investments presented the preliminary plat previously approved by the City Council for The Meadows, Part 4 indicating which lots are proposed to be rezoned from R-1 to R-2.

Set a date for a Public Hearing on the request for rezoning a portion of The Meadows, Part 4, Lots 22-39, described above./Move to action.

Fuller made a motion to set a date for a public hearing for the rezoning request. Absent: Slach and Peck. Motion carried on a voice vote.

Discuss and consider a request for rezoning from IWB, LLC for a tract of land named Loethen Ridge Estates, formerly known as Pedersen Valley from R-1 to R-2, twenty seven (27) lots.

Legal description: PARCEL "A" BEING DESCRIBED AS: BEING THAT PART OF LOT B IN THE SOUTHWEST QUARTER ¼ (SW ¼) OF SECTION 6, TOWNSHIP 79, RANGE 4 WEST LYING NORTH OF PEDERSEN VALLEY PART 4 AND SOUTH OF CEDARS EDGE GOLF COURSE, AND PART OF THE SOUTHEAST QUARTER (SE ¼), ALL IN THE CITY OF WEST BRANCH, CEDAR COUNTY, IOWA DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF LOT 82 OF PEDERSEN VALLEY PART 4, AN OFFICIAL PLAT IN THE CITY OF WEST BRANCH, THENCE N00° 51' 11"E, 331.84 FEET TO THE SOUTH LINE OF GREEN VIEW ESTATES , AN OFFICIAL PLAT IN THE CITY OF WEST BRANCH, THENCE ALONG SAID SOUTH LINE N86° 39' 40"E, 1083.46 FEET; THENCE S01° 19' 16"E, 319.75 FEET TO THE NORTHEAST CORNER OF SAID PEDERSEN VALLEY PART 4, THENCE ALONG SAID NORTH LINE S88° 40' 44"W, 180.00 FEET; THENCE ALONG SAID NORTH LINE

S01° 19' 16"E, 50.00 FEET; THENCE ALONG SAID NORTH LINE S88° 40' 44"W, 915.38 FEET TO THE POINT OF BEGINNING. DESCRIBED PARCEL CONTAINS 8.56 ACRES AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

Brian Boelk, Axiom Consultants presented the rezoning exhibit for the 8.56 acre parcel in the Pedersen Valley, Part 4 subdivision. Boelk said that although an R-2 zoning is being requested, it is not the intent of the developer to build zero lot lines. The smaller lot sizes shown on the exhibit are intended for smaller single family homes. Matt Adam, partner with IWB, LLC said market analysis shows that smaller, more affordable homes are needed so this development is trying to meet that need. Adam also said that they are working with the City to provide a second access to Cubby Park as well as to the Greenview Subdivision.

Set a date for a Public Hearing on the request for rezoning Loethen Ridge Estates from R-1 to R-2. /Move to action.

Fuller made a motion to set a date for a public hearing for the rezoning request. Absent: Slach and Peck. Motion carried on a voice vote.

Discuss and consider a request for rezoning a portion of Cedar's Edge Golf Course from A-1 to R-1 & R-2. Legal description R-1: BEING PART OF THE SOUTHWEST QUARTER (SW ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 6, TOWNSHIP 79 NORTH, RANGE 4 WEST OF THE 5TH P.M, CITY OF WEST BRANCH, CEDAR COUNTY, IOWA DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER (NW ¼) THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER N01°02'17"W, 644.68 FEET; THENCE N88°57'43"E, 158.00 FEET; THENCE S01°02'17"E, 445.44 FEET; THENCE N88°57'43"E, 24.74 FEET; THENCE N43°02'35"E, 277.14 FEET; THENCE N88°57'43"E, 141.44 FEET; THENCE S55°39'59"E, 149.13 FEET; THENCE S20°07'32"E, 153.79 FEET; THENCE S69°52'29"W, 348.32 FEET; THENCE S03°13'20"E, 79.95 FEET; THENCE S86°43'55"W, 193.71 FEET; THENCE S03°09'26"E, 40.96 FEET; THENCE S86°42'09"W, 439.64 FEET TO THE POINT OF BEGINNING. DESCRIBED PARCEL CONTAINS 5.76 ACRES AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

AND

Legal description R-2: BEING PART OF THE SOUTHWEST QUARTER (SW ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 6, TOWNSHIP 79 NORTH, RANGE 4 WEST OF THE 5TH P.M, CITY OF WEST BRANCH, CEDAR COUNTY IOWA DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER (NW ¼) THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER N01°02'17"W, 644.68 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N01°02'17"W, 495.00 FEET; THENCE N88°57'43"W, 343.00 FEET; THENCE S01°02'17"E, 495.00 FEET; THENCE S88°57'43"W, 343.00 FEET TO THE POINT OF BEGINNING. DESCRIBED PARCEL CONTAINS 3.90 ACRES AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

Brian Boelk, Axiom Consultants presented a rezoning exhibit for the proposed rezoning a portion of the Cedar's Edge Golf Course from A-1 to R-1 and R-2 along with a site plan concept which shows the golf course being split into 3 separate parcels. Boelk explained the reason for the split is the intent of the current owner, Jerry Sexton to sell a lot to an individual for the purpose of building an event center. Boelk reminded the commission that previous plans were to have on combined building (event center and club house), but now plans have changed to have two separate buildings instead. Sexton addressed the commission and explained that estimates for the original concept came in much higher than expected and therefore the owner(s) were forced to scale back on the design and make plan revisions to cut costs. Boelk noted other changes from previous site plan presented include extending the public street to the club house / event center, shifting of some of the single family lots and addressed the access points for lot 11 & 16. Goerdts said he would need to research what zoning would be appropriate for the event center and suggested that spot zoning could be an issue.

Set a date for a Public Hearing on the request for rezoning a portion of Cedar's Edge Golf Course from A-1 to R-1 and R-2. /Move to action.

Fuller set October 9, 2018 for the public hearing for all three rezoning requests.\*\*

Fuller made a motion to set a date for a public hearing for the rezoning request. Absent: Slach and Peck. Motion carried on a voice vote.

Discuss and create area regulation for Chapter 165.34, I-2 and CI-2

Deputy Clerk Brick introduced this item for discussion. Brick said in a recent conversation with a property owner on East College Street, a question was raised about rebuilding on a particular property. It was then noted by the City Engineer that the I-2 and CI-2 zoning codes lacked area regulations. Brick asked the commission to review those Code sections and bring this item back to the next meeting for further discussion.

Discussion on Outlot B, Lynch Heights

Brick introduced this item for discussion and stated Wayne Lynch, co-owner of Lynch Heights asked what he was able to do with the outlot platted. Brick said that Lynch previously had a buyer for the property, but now that transaction has fallen through. Goerdts said that this could be another issue of spot zoning, but did feel that if Lynch had the proper lot frontage for the lot, there was a possibility of rezoning. Goerdts said this would affect the current driveway used by Steve Lynch. Brick said she would relay the information to Mr. Lynch.

Comprehensive Plan Update

Fuller presented Chapter 13, Intergovernmental Cooperation to the commission and asked for them to review and provide their comments before the next meeting.

**STAFF REPORTS:**

Goerdts advised the commission that an error to Ordinance 747 was brought to his attention that would need to be retracted. Goerdts said he would work with Deputy Clerk Brick to have it corrected and determine next steps.

Brian Boelk, Axiom Consultants requested staff to have the City Engineer look into the elevations of Cedar-Johnson Road. Boelk said the connection of The Meadows, Part 4 to the Cedar-Johnson would be impacted.

**COMMENTS FROM CHAIR AND COMMISSION MEMBERS:**

Next regular meeting of the Planning & Zoning Commission will be Tuesday, November 27, 2018.

Adjourn

Fuller adjourned the Planning & Zoning Commission meeting at 8:03 p.m. Motion carried on a voice vote.

\*\*After further discussion, it was determined that in order to meet publishing requirements, the special Planning & Zoning Commission meeting would be scheduled for Tuesday, October 16, 2018 to allow adequate notification timelines to be met.

Submitted by:

Leslie Brick

Deputy City Clerk