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110 N. Poplar Street • PO Box 218 • West Branch, Iowa 52358  
(319) 643-5888 • Fax (319) 643-2305 • [www.westbranchiowa.org](http://www.westbranchiowa.org) • [city@westbranchiowa.org](mailto:city@westbranchiowa.org)

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**PLANNING AND ZONING COMMISSION MEETING**

**Tuesday, September 22, 2020 • 7:00 p.m.**

**\*\*West Branch City Council Chambers, 110 N. Poplar St.**

*Council Quorum May Be Present*

1. Call to Order
2. Roll Call
3. Approve Agenda/Move to action.
  - a. Approve minutes from the July 28, 2020 Planning & Zoning Commission Meeting. / Move to action.
  - b. Approve minutes from the August 11, 2020 (Special) Planning & Zoning Commission Meeting. / Move to action
4. Public Hearing/Non-Consent Agenda. /Move to action.
  - a. Extra-territorial jurisdiction (development occurring within 2 miles of city limits)
    - i. Bruce Barnhart – Brookview Ridge
    - ii. Ben Hemingway – The Little Riata Two
  - b. Approve The Meadows Part 4B Final Plat. / Move to action.
  - c. Approve Loethen Ridge Estates Final Plat. / Move to action.
  - d. Public Hearing – Amending Chapter 165.12 – Corner Lots
  - e. Approve Ordinance 777 – Amend Chapter 165.12 – Corner Lots
5. Old Business
  - a. Review draft Ordinance 778 – Amend Chapter 165.34 – I-2 (Area Regulations)
  - b. Review draft Ordinance 779 – Amend Chapter 165.50 – (Swimming Pools & Hot Tubs)
  - c. Set date for Public Hearing on amending Chapter 165
6. City Staff Reports
7. Comments from Chair and Commission Members
8. Next regular Planning & Zoning Commission meeting Tuesday, November 24, 2020.
9. Adjourn

***\*\* Electronic Meeting (Pursuant to Iowa Code section 21.8) An electronic meeting is being held because a meeting in person is impossible or impractical due to concerns for the health and safety of commission members, staff and the public presented by COVID-19. You can watch and/or participate in the meeting at the following link <https://zoom.us/j/829677991> or dial in phone number 1-312-626-6799 with Meeting ID 829 677 991.***

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**Planning & Zoning Commission Members:** Chair John Fuller, Vice Chair Ryan Bowers, Sally Peck, Emilie Walsh, Brad Bower, Matt Van Scoyoc, Jim Hoffman • **Zoning Administrator:** Terry Goerdts • **Deputy City Clerk:** Leslie Brick  
**Mayor:** Roger Laughlin • **Council Members:** Colton Miller, Nick Goodweiler, Jodee Stoolman, Jerry Sexton, Tom Dean  
**City Administrator/Clerk:** Redmond Jones II • **Fire Chief:** Kevin Stoolman • **Police Chief:** Mike Horihan  
• **Public Works Director:** Matt Goodale • **Library Director:** Nick Shimmin

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

**City of West Branch Planning & Zoning Commission Meeting**  
**July 28, 2020**  
***West Branch City Council Chambers, 110 North Poplar Street***

*An Electronic Meeting (pursuant to Iowa Code Section 21.8) of the Planning & Zoning Commission of the City of West Branch, Cedar County, IA was held on Tuesday, July 28, 2020 at 7:00 p.m. because a meeting in person was impossible or impractical due to concerns for the health and safety of Commission Members, Staff and the Public presented by COVID-19.*

*Until further notice, all of our Planning & Zoning Meetings will be held electronically. Persons may still attend, observe and participate in the meeting at the Council Chambers, City Office, 110 N. Poplar St, West Branch, Iowa. Social distancing practices shall be observed for any persons attending the meeting in person at City Hall.*

Chairperson John Fuller called the Planning & Zoning Commission meeting to order at 7:00 p.m. Roll call (in person) Commission members: John Fuller, Ryan Bowers and Brad Bower was present. Commission members present (via Zoom): Matt Van Scoyoc, Sally Peck and Jim Hoffman. Emilie Walsh was absent. City Staff: Deputy Clerk Leslie Brick, Terry Goerdts and City Administrator Redmond Jones.

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

Approve the agenda for the July 28, 2020 Special Planning & Zoning Commission meeting. /Move to action.

**Motion by Fuller to approve the agenda. Absent: Walsh. Motion carried on a voice vote.**

Approve minutes from the May 26, 2020 Planning & Zoning Commission meeting. /Move to action.

**Motion by Fuller to approve the agenda. Absent: Walsh. Motion carried on a voice vote.**

**PUBLIC HEARING/NON-CONSENT AGENDA**

Discuss ordinance language for swimming pools/hot tubs and permit requirements.

Fuller opened the discussion regarding regulating swimming pools and hot tubs in West Branch and asked if the commission felt this was worth pursuing. The commission felt that some regulation was needed for safety reasons and decided to move forward. Goerdts added that several communities have some sort of regulations in place, but all were different. Goerdts said depth of pools and fencing were the main items that regulations were centered around. Bowers asked if enforcement was a consideration or if it would be an issue. Goerdts said enforcement could be an issue if a permit was not obtained by the resident. Jones noted that a resident raised the issue with a council person that lack of fencing was an issue that they had noticed in town. The commission decided to pursue the idea further and asked Goerdts and Brick to work together to come up with potential language to be added to the Code and determine the permitting process.

Set a date for a public hearing – Amending Chapter 165.12 – Corner Lots. / Move to action.

Goerdts reminded the commission that ordinance 734 passed in 2015 failed to identify the rear yard on corner lots. The proposed new ordinance would clarify how to determine the rear yard for corner lots.

**Motion by Fuller to set the date for September 22, 2020. Absent: Walsh. Motion carried.**

## **OLD BUSINESS:**

### Continue discussions regarding I-2 regulations.

Brick reminded the commission that I-2 area regulations still needed to be determined as they were omitted in the current Code and that during the March 24<sup>th</sup> meeting the group took up the discussion but hadn't finalized the requirements. Bowers suggested matching the same setbacks as for the I-1 District. The other members agreed with Bowers suggestion.

### Fringe Area Agreement update

Jones reported that this subject has gotten tied up with issues surrounding Cedar-Johnson Road. Jones said the road, which is on the county line is in the early stages of strategizing the restructure of the road and cost analysis. Jones said other things need to play out first such as annexation to the west before an agreement would make sense.

## **STAFF REPORTS:**

Brick advised the commission that the city did not get awarded the Volkswagen Grant that was applied for earlier this spring and that another opportunity would happen in early 2021. Brick also commented that the Loethen Ridge development was resuming activity and that many loads of dirt were being moved so a final plat approval could be coming in the future months. Brick said that Cedar's Edge Part 2, which consists of 10 residential lots was nearing the final plat stage and that a special meeting may be needed in August.

## **COMMENTS FROM CHAIR AND COMMISSION MEMBERS:**

Fuller asked if the school had responded to any of the commission's comments regarding the high school softball parking lot for adding bicycle racks and plantings around the parking lot. Brick said she would follow up with Axiom Consultants.

### Adjourn

Motion by Bowers, second by Bower to adjourn the Planning & Zoning Commission meeting. Motion carried on a voice vote. The meeting adjourned at 8:05 p.m.

Submitted by:

Leslie Brick

Deputy City Clerk

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

**City of West Branch (Special) Planning & Zoning Commission Meeting**  
**August 11, 2020**  
***West Branch City Council Chambers, 110 North Poplar Street***

*An Electronic Meeting (pursuant to Iowa Code Section 21.8) of the Planning & Zoning Commission of the City of West Branch, Cedar County, IA was held on Tuesday, August 11, 2020 at 7:00 p.m. because a meeting in person was impossible or impractical due to concerns for the health and safety of Commission Members, Staff and the Public presented by COVID-19.*

*Until further notice, all of our Planning & Zoning Meetings will be held electronically. Persons may still attend, observe and participate in the meeting at the Council Chambers, City Office, 110 N. Poplar St, West Branch, Iowa. Social distancing practices shall be observed for any persons attending the meeting in person at City Hall.*

Chairperson John Fuller called the (Special) Planning & Zoning Commission meeting to order at 7:00 p.m.

Roll call (in person) Commission members: John Fuller, Ryan Bowers and Brad Bower was present. Commission members present (via Zoom): Emilie Walsh and Jim Hoffman. Absent: Sally Peck and Matt VanScoyoc. City Staff: Terry Goerdts and City Administrator Redmond Jones.

**PUBLIC HEARING/NON-CONSENT AGENDA**

Approve Cedar's Edge Part 2 Final Plat./ Move to action.

Chairperson Fuller asked the project developer, Jerry Sexton to summarize the project/development. Sexton provided a summary. The commission reviewed the final plat and was comfortable with the summary provided.

**Motion by Fuller, second by Bowers to approve the final plat. AYES: Fuller, Bowers, Bower, Walsh, Hoffman. NAYS: None. Absent: Van Scoyoc and Peck. Motion carried.**

Adjourn

Motion by Walsh, second by Bower to adjourn the Planning & Zoning Commission meeting. Motion carried on a voice vote. The meeting adjourned at 7:15 p.m.

Submitted by:

Leslie Brick

Deputy City Clerk



319-351-7150

July 31, 2020

Redmond Jones  
West Branch City Administrator  
110 N. Poplar St.  
West Branch, IA. 52358

Re: Brookview Ridge - Barnhart Properties

Cedar County Subdivision Application

Mr Jones,

On behalf of Bruce Barnhart, we are submitting this Cedar County subdivision application located south of 290<sup>th</sup> St (Co Rd F44) and east of Charles Ave.

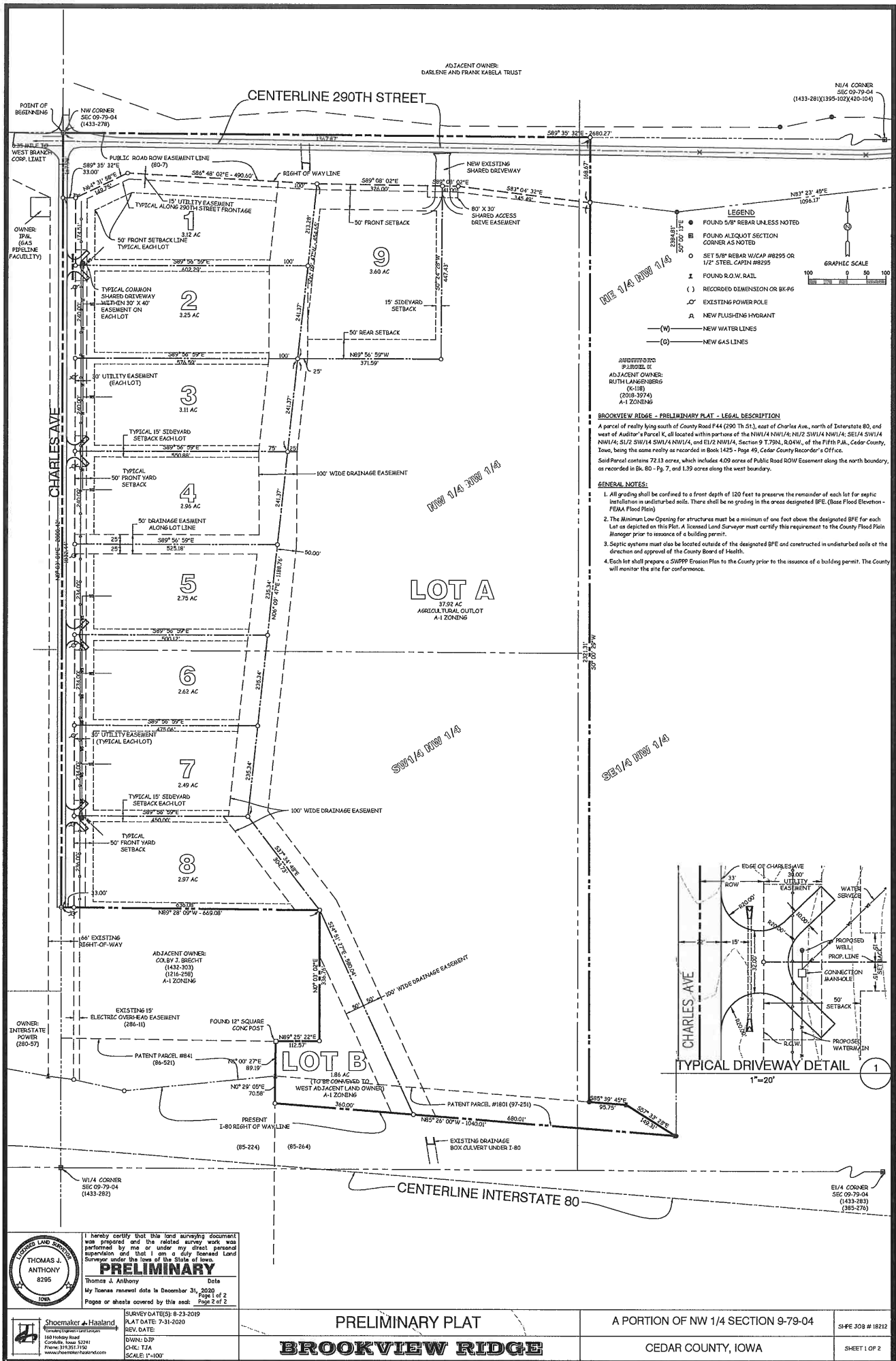
We propose to plat nine residential lots and two agricultural lots as shown on the attached exhibit. We anticipate having shared driveways for each two adjoining lots, except Lot 9, which will access directly to the County Rd. There will be shared wells, shared driveways and individual septic systems.

Please respond in writing, if the City will or will not be providing any input or approvals, on this subdivision platting.

Feel free to contact me with any questions or concerns.

Thank you in advance.

Thomas Anthony, LLS  
**SHOEMAKER – HAALAND ENGINEERS**  
Survey Department Manager  
Coralville Cedar Rapids Keokuk  
D: 319.383.7823, O: 319.351.7150, C: 319.430.6905





HART-FREDERICK CONSULTANTS P.C.

ENGINEERS & SURVEYORS

8 July 2020

Mr. Josh Busard  
Johnson County Zoning Director

Re: Preliminary & Final Plat, The Little Riata Two for Ben Hemingway a  
Residential Subdivision

Dear Josh:

Attached please find the application and accompanying documents for a  
Residential Subdivision application for Ben Hemingway.  
Ben and his sister Leanne own this property together, Leanne wishes to not  
deal with this existing house property, spawning this residential split.

If you have questions or if you require further information you may contact  
myself, Mr. Christopher Surls: Attorney or Mr. Ben Hemingway.

Respectfully Submitted,

J. Scott Ritter, LLS  
Hart-Frederick Consultants P.C.

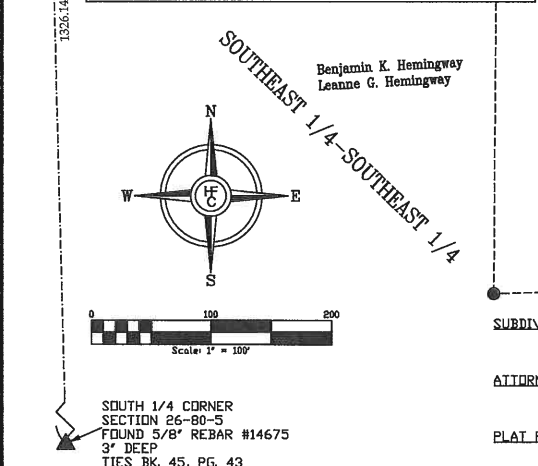
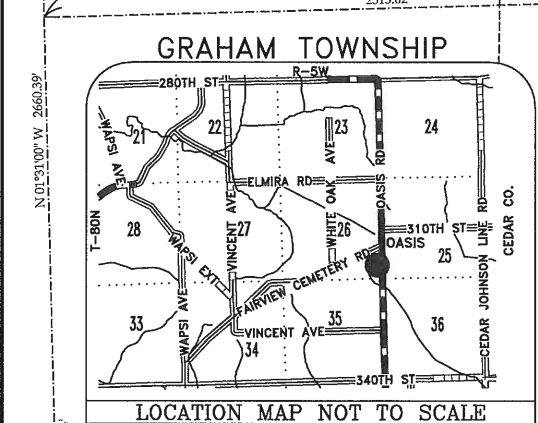
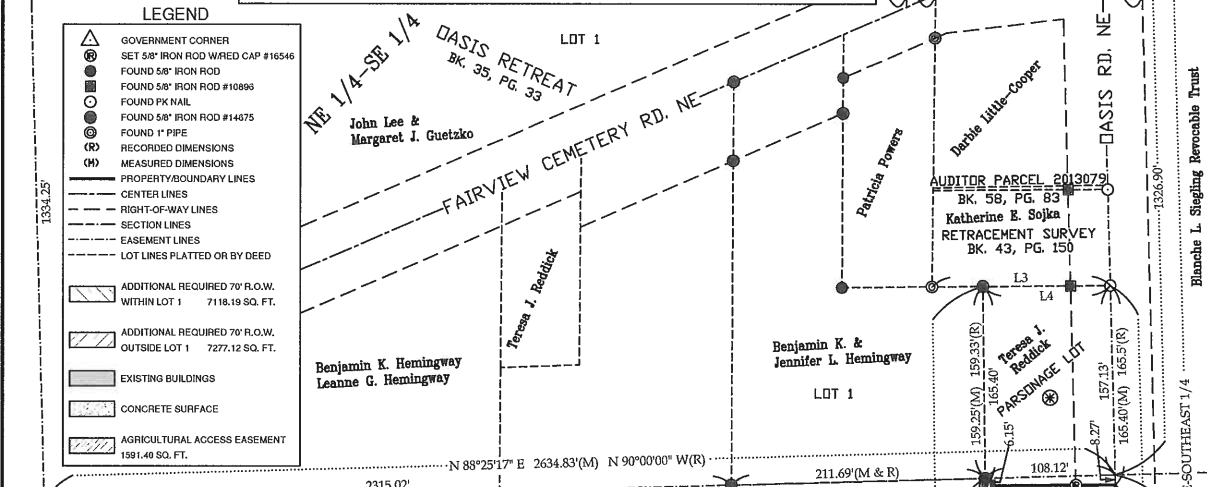
C: Mr. Ben Hemingway  
Mr. Christopher Surls  
HFCfile



INDEX LEGEND  
 LOCATION: SOUTHEAST 1/4-SOUTHEAST 1/4  
 SECTION 26, T-80-N, R-5-W  
 REQUESTOR: BEN HEMINGWAY  
 PROPRIETOR: BEN K. HEMINGWAY & LEANNE G. HEMINGWAY  
 SURVEYOR: J. SCOTT RITTER, PLS #16546  
 COMPANY: HART-FREDERICK CONSULTANTS P.C.  
 510 STATE ST. PO BOX 560 TIFFIN, IA 52340  
 RETURN TO: sritter@hart-frederick.com (319) 545-7215

HFC HART-FREDERICK CONSULTANTS P.C.  
 510 State Street P.O. Box 560 TIFFIN, IOWA 52340-0560 Phone: (319) 545-7215 www.hart-frederick.com

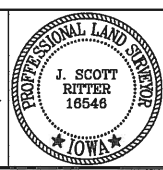
APPROVED BY THE JOHNSON COUNTY BOARD OF SUPERVISORS  
 CHAIRPERSON \_\_\_\_\_ DATE \_\_\_\_\_



NUMBER	DIRECTION	DISTANCE
L1	S 88°25'17" W	113.86'
L2	N 89°32'50" E	108.23' (M)
		102' (R)
SOUTH LINE-PARSONAGE LOT		
L3	N 89°33'48" E	148.34' (M)
L4	N 88°49'58" W	148.19' (R)
L5	N 89°33'48" E	105.91' (M)
L6	N 88°49'58" W	106.09' (R)
L7	N 88°25'17" E	37.00'
L8	S 86°28'45" W	21.43'
L9	S 63°58'45" W	23.67'
L10	S 48°31'15" E	28.64'
L11	N 86°28'45" E	31.22'
L12	S 01°34'43" E	30.02'

SUBDIVIDER: Ben Hemingway  
 2570 White Oak Ave. NE  
 Iowa City, IA. 52240  
 ATTORNEY: Christopher L. Surls  
 504-B Main St. P.O. Box 100  
 Lowden, IA. 52255  
 PLAT PREPARED BY: Hart-Frederick Consultants P.C.  
 510 State St. P.O. Box 560  
 Tiffin, IA. 52340

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.  
 J. Scott Ritter, P.L.S. Date  
 Iowa License Number: 16546  
 My license renewal date is December 31, 2020.  
 Pages covered by this seal: THIS SHEET ONLY



Plat of the Subdivision of part of the SE 1/4, 26-80-5 and SW 1/4, 27-80-5 Plat Book 2, page 55

PRELIMINARY & FINAL PLAT  
 THE LITTLE RIATA TWO  
 PART OF THE SE 1/4-SE 1/4 OF SECTION 26, T-80-N, R-5-W VILLAGE OF OASIS JOHNSON COUNTY, IOWA  
 DATE: 6/30/20 DRN: JSR APP:  
 FLD BK: GPS PROJ. NO: 207102





110 N POPLAR ST, PO BOX 218, WEST BRANCH, IA 52340

## FINAL PLAT APPLICATION

Applicant Name: Meadows Development, Inc

Address: PO Box 698 West Branch Iowa 52358

Street or PO Box

City

State

Zip Code

Phone: 319-936-2052

Email: ckofoedcpa@lcom.net

Signature: Chin Koford

### Additional Contact

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

### Property Owner (if other than applicant)

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
Street or PO Box # City State Zip Code

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

During the review process City staff, Planning & Zoning Commission or City Council Members may visit the property. If the property owner does not wish to allow visitors onto the property, please sign below:

### Property Information

Address (if none, list name of closest streets): Located east of Cedar-Johnson Rd @ Prairie View Drive

Assessor's Parcel # (Attach Legal Description): see final plat

Subdivision Name: Meadows Subdivision Part 4B

Number of Lots: 32 lots Property Size: 12.45 Acres Current Zoning: R-2  
Outlot A & Lot A to be  
dedicated to city

### Subdivider's Engineer

Name: Axiom Consultants, LLC; Brian A Boelk

Address: 60 E Court Street, Unit 3 Iowa City Iowa 52240  
Street or PO Box # City State Zip Code

Phone: 319-519-6220

Email: bboelk@axiom-con.com

**PRELIMINARY CHECKLIST**

Please attach following items. Additional materials may be required during the review process. Failure to submit the complete application materials may result in delays in processing, use the following checklist on page 3 & 4 to confirm that application is complete.

**Submittal Deadline:** 1<sup>st</sup> working day of the month at 12:00 p.m.

**Submittal Requirements:**

- ☒ 1 completed copy of this application form, including checklist.
- ☒ 2 scalable copies folded to 8.5"x11" & Acrobat "PDF" files emailed to [leslie@westbranchiowa.org](mailto:leslie@westbranchiowa.org)
- ☐ Other information requested by City Staff for review of the proposed project.

**For Staff Use:**

9/14/20 Date application and Final plat received

9/14/20 Information forwarded to City Engineer, City Attorney, Planning & Zoning Commission, Building Inspector, Public Works Director and Fire Chief

\_\_\_\_\_ Comments received from:

\_\_\_\_\_ City Engineer

\_\_\_\_\_ City Attorney

\_\_\_\_\_ Building Inspector

MG \_\_\_\_\_ Public Works Director

\_\_\_\_\_ Fire Chief

\_\_\_\_\_ Comments forwarded to Planning & Zoning Commission.

9/22/20 Date or 1<sup>st</sup> Planning & Zoning Commission meeting

\_\_\_\_\_ Date of Planning & Zoning Commission Approval

\_\_\_\_\_ Stamp Final Plat 'Approved' – email to Subdivider, their engineer & City Council

\_\_\_\_\_ Forward approved Final Plat to City Attorney for creation of Resolution

\_\_\_\_\_ Invoice Subdivider for Engineering fees

\_\_\_\_\_ Date of 1st City Council meeting, preceding P&Z approval

\_\_\_\_\_ Final Plat Resolution # \_\_\_\_\_, approved \_\_\_\_\_

**Signature of City Staff / Title** \_\_\_\_\_ **Date** \_\_\_\_\_

**City of West Branch - Final Plat Requirements: Chapter 170.11**

- ☒ Title under which the subdivision is to be recorded.
- ☒ The linear dimensions (as required by the Iowa Code) of the subdivision boundary, lot lines, streets and alleys. These should be exact and complete to include all distances, radii, arc, chords, points of tangency and central angles.
- ☒ Street names and clear designations of public alleys. Streets that are continuations of present streets should bear the same name. If new names are needed, they should be distinctive. Street names may be required to conform to the City plan (and approved by Cedar County EMA).
- ☒ Description and location of all permanent monuments set in the subdivision to be placed at all block corners, at all angles and points of curve of the street and alley property lines, and at all corners and angles on the exterior boundary. The plat shall show that the subdivision is tied to a physically monumented land line, which is identified by two U.S. public land survey systems corners, or by two physically monumented corners of a recorded subdivision.
- ☒ The plat should be signed and acknowledged by the subdivision land owner and his or her spouse.
- ☒ A sealed certification of the accuracy of the plat by a land surveyor who prepared the final plat.
- ☒ Signatures of utilities approving easements and locations of utilities.
- ☒ The legal description of the area being platted.
- ☒ Identification of all adjoining properties, and where such adjoining properties are part of recorded subdivisions, the names of those subdivisions.
- ☒ Any other pertinent information, which may include a site development plat, necessary for the proper evaluation of the plat.
- ☒ The locations, dimension and uses of all proposed easements.

**Final Plat Attachments: Chapter 170.12 – Subdivider shall cause all documents to be recorded and copies provided to the City before construction begins.**

- ☐ A correct description of the subdivision land.
- ☐ A statement by the proprietors and their spouses, if any, that the plat is prepared with their free consent and in accordance with their desire, signed and acknowledged before an officer authorized to take the acknowledgments of deeds. The statement by the proprietors may also include a dedication to the public of all lands within the plat that are designated for streets, alleys, parks, open areas, school property, or other public used, if the dedication is approved by the Council.
- ☐ An opinion by an attorney-at-law who has examined the abstract of title of the land being platted. The opinion shall state the names of the proprietors and holders of mortgages, liens or other encumbrances on the land being platted and shall note the encumbrances, along with any bonds securing the encumbrances. Utility easements shall not be construed to be encumbrances for the purpose of this section.
- ☐ A certificate of the County Treasurer that the land is free from certified taxes and certified special assessments or that the land is free from certified taxes and that the certified special assessments are secured by bond in compliance with Section 354.12 of the Code of Iowa.
- ☐ A statement from the mortgage holders of lienholders, if any that the plat is prepared with their free consent and in accordance with their desire, signed and acknowledged before an officer authorized to take the acknowledgement of deeds. An affidavit and bond as provided for in Section 354.12 of the Code of Iowa may be recorded in of the consent of the mortgage or lienholder. When a mortgage or lienholder consents to the subdivision, a release of mortgage or lien shall be recorded for any areas conveyed to the City or dedicated to the public.
- ☐ A certificate of dedication of streets and other public property.
- ☐ A statement of restriction of all types that run with the land and become covenants in the deeds of lots.
- ☐ A resolution and certificate of approval by the Council and for signatures of the Mayor and Clerk.

- ☐ Design plans for all public improvements prepared under the direction of a registered professional engineer licensed in the State, including plan and profiles, typical cross sections and specifications of street improvements and utility systems, to show the location, size and grade. These should be shown on a fifty (50) foot horizontal scale and a five (5) foot vertical scale with west or north at the left.
- ☐ A certificate by the City Engineer or similar official within two (2) weeks of submission that all required improvements and installations have been completed, or that a letter of credit or performance bond guaranteeing completion has been approved by the City Attorney and filed with the Clerk, or that the Council has agreed that the City will provide the necessary improvements and installations and assess the costs against the subdivider or future property owners in the subdivision, or by agreement between the City and subdivider as to installation and assessment of such improvements.
- ☐ The encumbrance bond, if any.
- ☐ Final plans, following completion of construction, identifying the as-built location and elevation of all public improvements installed.
- ☐ A statement by a registered land surveyor that the plat was prepared under the surveyor's direct personal supervision, signed and dated by the surveyor and bearing the surveyor's Iowa registration number or seal.

**Process:** Staff will review the first submittal and issue a preliminary report listing required and recommended changes, and will include a date by which a revised complete set of 7 copies is required to be submitted for final staff review and for Planning & Zoning Commission and Council consideration. Along with a revised set, Acrobat "PDF" files of all materials are required.



SEP 08, 2020 - 10:15am STYPOD1518802103.dwg (C:\Users\pbradley\OneDrive\Documents\Projects\18802103\Part 4B.dwg)

# FINAL PLAT

## THE MEADOWS SUBDIVISION PART 4B

### WEST BRANCH, IOWA

#### LEGAL DESCRIPTION

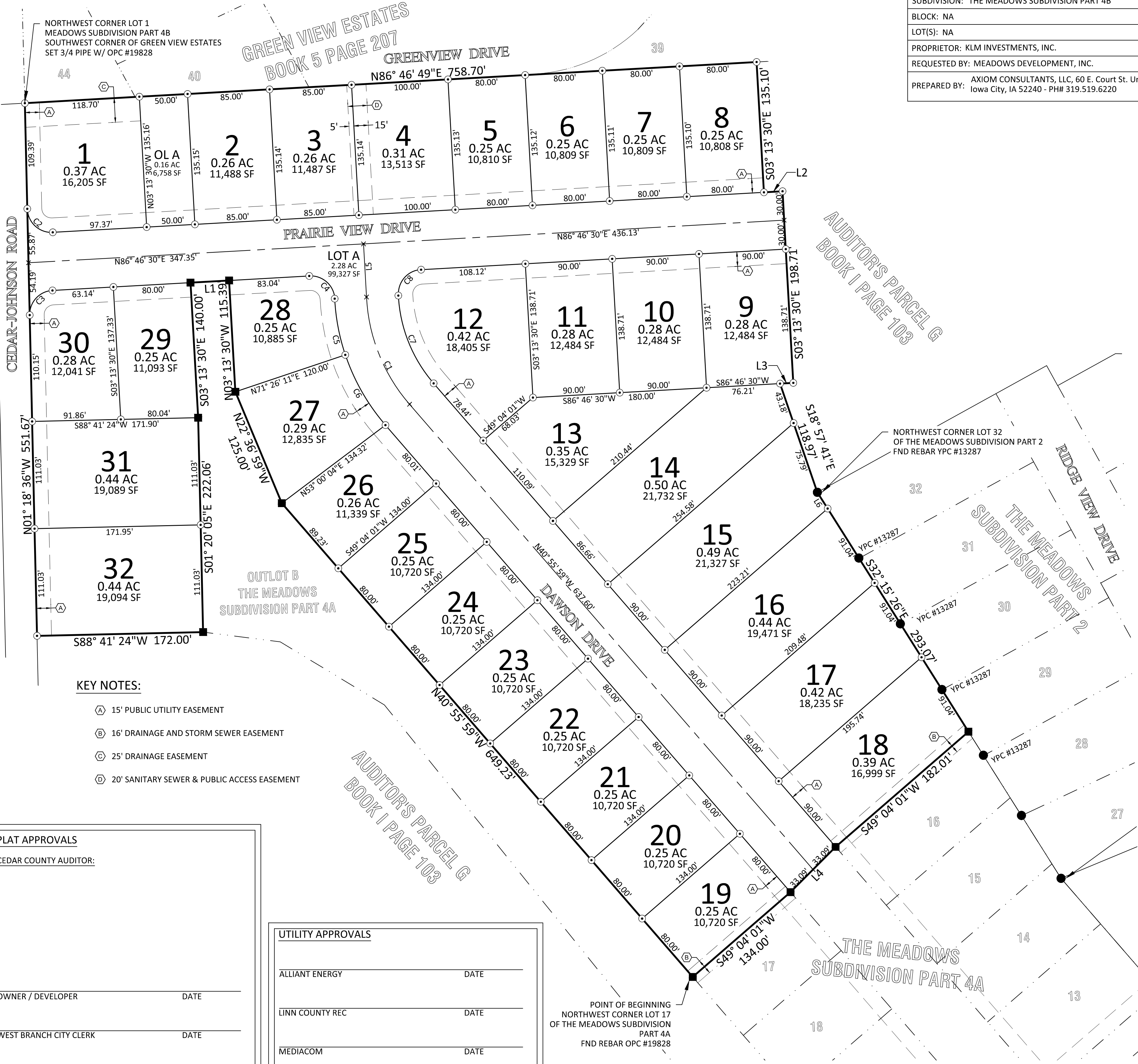
THE MEADOWS SUBDIVISION PART 4B BEING PART OF AUDITOR'S PARCEL G, AS RECORDED IN PLAT BOOK I, PAGE 103 OF THE CEDAR COUNTY RECORDER'S OFFICE, IN THE SOUTHWEST FRACTIONAL QUARTER (SW ¼) OF THE SOUTHWEST FRACTIONAL QUARTER (SW ¼) AND THE NORTHWEST FRACTIONAL QUARTER (NW ¼) OF THE SOUTHWEST FRACTIONAL QUARTER (SW ¼) OF SECTION 6, TOWNSHIP 79 NORTH, RANGE 4 WEST, IN THE CITY OF WEST BRANCH, CEDAR COUNTY, IOWA DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 17 OF THE MEADOWS SUBDIVISION PART 4A, AN OFFICIAL PLAT NOW IN THE CITY OF WEST BRANCH, THENCE ALONG THE EAST LINE OF OUTLOT B OF SAID PART 4A N40°55'59"W, 649.23 FEET; THENCE ALONG SAID EAST LINE N22°36'59"W, 125.00 FEET; THENCE ALONG SAID EAST LINE N03°13'30"W, 115.39 FEET TO THE NORTH LINE OF SAID OUTLOT B; THENCE ALONG SAID NORTH LINE S86°46'30"W, 40.00 FEET TO THE WEST LINE OF SAID OUTLOT B; THENCE ALONG SAID WEST LINE S03°13'30"E, 140.00 FEET; THENCE ALONG SAID WEST LINE S01°20'05"E, 222.06 FEET; THENCE S88°41'24"W, 172.00 FEET TO THE EAST RIGHT OF WAY LINE OF CEDAR-JOHNSON ROAD; THENCE ALONG SAID EAST RIGHT OF WAY LINE N01°18'36"W, 551.67 FEET TO THE NORTH LINE OF SAID PARCEL G; THENCE ALONG SAID NORTH LINE N86°46'49"E, 758.70 FEET; THENCE S03°13'30"E, 135.10 FEET; THENCE N86°46'30"E, 19.26 FEET; THENCE S03°13'30"E, 198.71 FEET; THENCE S86°46'30"W, 13.79 FEET; THENCE S18°57'41"E, 118.97 FEET TO THE WEST LINE OF THE MEADOWS SUBDIVISION PART 2 AND OFFICIAL PLAT NOW IN THE CITY OF WEST BRANCH; THENCE ALONG SAID WEST LINE S32°15'26"E, 293.07 FEET TO THE NORTH LINE OF SAID MEADOWS SUBDIVISION PART 4A; THENCE ALONG SAID NORTH LINE S49°04'01"W, 182.01 FEET; THENCE ALONG SAID NORTH LINE S44°53'11"W, 66.18 FEET; THENCE ALONG SAID NORTH LINE S49°04'01"W, 134.00 FEET TO THE POINT OF BEGINNING.

DESCRIBED PARCEL CONTAINS 12.45 ACRES AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

FOR RECORDER'S USE ONLY

RECORDER'S INDEX	
COUNTY:	CEDAR
SECTION:	6-T79N-R4W
QUARTER SECTION:	SW1/4
CITY:	WEST BRANCH
SUBDIVISION:	THE MEADOWS SUBDIVISION PART 4B
BLOCK:	NA
LOT(S):	NA
PROPRIETOR:	KLM INVESTMENTS, INC.
REQUESTED BY:	MEADOWS DEVELOPMENT, INC.
PREPARED BY:	AXIOM CONSULTANTS, LLC, 60 E. Court St. Unit 3 Iowa City, IA 52240 - PH# 319.519.6220



#### KEY NOTES:

- (A) 15' PUBLIC UTILITY EASEMENT
- (B) 16' DRAINAGE AND STORM SEWER EASEMENT
- (C) 25' DRAINAGE EASEMENT
- (D) 20' SANITARY SEWER & PUBLIC ACCESS EASEMENT

#### PLAT APPROVALS

CEDAR COUNTY AUDITOR:

OWNER / DEVELOPER \_\_\_\_\_ DATE \_\_\_\_\_

WEST BRANCH CITY CLERK \_\_\_\_\_ DATE \_\_\_\_\_

WEST BRANCH PLANNING & ZONING \_\_\_\_\_ DATE \_\_\_\_\_

WEST BRANCH MAYOR \_\_\_\_\_ DATE \_\_\_\_\_

#### UTILITY APPROVALS

ALLIANT ENERGY \_\_\_\_\_ DATE \_\_\_\_\_

LINN COUNTY REC \_\_\_\_\_ DATE \_\_\_\_\_

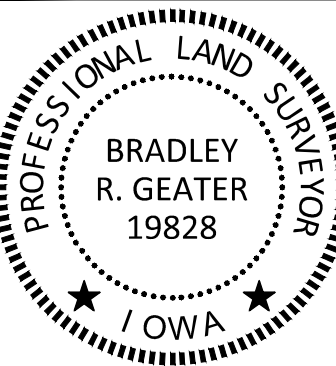
MEDIACOM \_\_\_\_\_ DATE \_\_\_\_\_

CENTURYLINK \_\_\_\_\_ DATE \_\_\_\_\_

LIBERTY COMMUNICATIONS \_\_\_\_\_ DATE \_\_\_\_\_

SIGNED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC, IN AND FOR THE STATE OF IOWA.



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

BRADLEY R. GEATER, P.L.S., P.E.  
LICENSE NUMBER 19828.

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2021.

PAGES OR SHEETS COVERED BY THIS SEAL: ALL

SHEET NAME:

FINAL PLAT

PROJECT NAME:

THE MEADOWS  
PART 4B

ISSUED FOR:

SHEET NUMBER:

1 OF 1

PROJECT NO.:

180024

PROJECT MANAGER:

BOELK

CLIENT NAME:

KLM, LLC

DATE ISSUED:

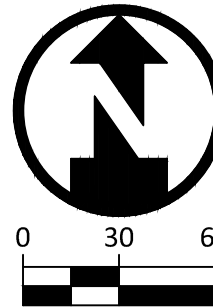
SEPTEMBER 8, 2020

CURRENT REV:

#### DRAWING LOG

REV	DESCRIPTION OF CHANGES	DATE
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ENGINEER:



#### NOTES:

- BASIS OF BEARING IS GPS MEASUREMENTS IN THE IOWA PLANE COORDINATE SYSTEM SOUTH ZONE NAD 83.
- UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN FEET AND HUNDREDTHS.
- ERROR OF CLOSURE IS LESS THAN 1 IN 10,000.
- OUTLOT A TO BE DEDICATED TO THE CITY OF WEST BRANCH.
- LOT A TO BE DEDICATED TO THE CITY OF WEST BRANCH AS STREET ROW.

POINT OF BEGINNING  
NORTHWEST CORNER LOT 17  
OF THE MEADOWS SUBDIVISION  
PART 4A  
FND REBAR OPC #19828

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIR.	CHORD LEN.
C1	121.84	183.03	38°08'31"	N21° 51' 44"W	119.60
C2	40.11	25.00	91°54'53"	N47° 16' 04"W	35.94
C3	38.43	25.00	88°05'06"	S42° 43' 57"W	34.76
C4	39.27	25.00	89°59'20"	S48° 13' 10"E	35.35
C5	59.34	216.00	15°44'25"	S10° 41' 37"E	59.15
C6	84.34	216.00	22°22'18"	S29° 44' 58"E	83.80
C7	99.78	150.00	38°06'43"	S21° 52' 46"E	97.95
C8	39.75	25.00	91°05'42"	S41° 15' 44"W	35.69

LINE TABLE		
LINE #	LENGTH	BEARING
L1	40.00	S86° 46' 30"W
L2	19.26	N86° 46' 30"E
L3	13.79	S86° 46' 30"W
L4	66.18	S44° 53' 11"W
L5	55.12	N03° 13' 30"W
L6	19.94	S32° 15' 26"E

#### LEGEND

- ⊙ SET 3/4" Ø PIPE OPC 19828
- × SET CUT X
- FOUND 5/8" Ø REBAR OPC 19828
- FOUND PROPERTY CORNER-AS LABELED
- YPC YELLOW PLASTIC CAP
- RPC RED PLASTIC CAP
- PROPOSED BOUNDARY/PROPERTY LINE
- - - EXISTING BOUNDARY LINE
- - - PROPOSED EASEMENT
- (R) PREVIOUSLY RECORDED AS



## FINAL PLAT APPLICATION

Applicant Name: IWB, LLC

Address: 2916 Hwy 1 North Iowa City Iowa 52240  
Street or PO Box City State Zip Code

Phone: 319-248-6316

Email: madam@smbmlaw.com

Signature: 

### Additional Contact

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

### Property Owner (if other than applicant)

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
Street or PO Box # City State Zip Code

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

During the review process City staff, Planning & Zoning Commission or City Council Members may visit the property. If the property owner does not wish to allow visitors onto the property, please sign below:

### Property Information

Address (if none, list name of closest streets): Prairie View Drive & Green View Drive

Assessor's Parcel # (Attach Legal Description): see final plat

Subdivision Name: Loethen Ridge Estates

Number of Lots: 25 Lots Property Size: 9.59 acres Current Zoning: R-2

Outlot A & Lot A to  
be dedicated to City

### Subdivider's Engineer

Name: Axiom Consultants, LLC; Mike Welch

Address: 60 E Court Street, Unit 3 Iowa City Iowa 52240  
Street or PO Box # City State Zip Code

Phone: 319-519-6220

Email: mwelch@axiom-con.com



## PRELIMINARY CHECKLIST

Please attach following items. Additional materials may be required during the review process. Failure to submit the complete application materials may result in delays in processing, use the following checklist on page 3 & 4 to confirm that application is complete.

**Submittal Deadline:** 1<sup>st</sup> working day of the month at 12:00 p.m.

### **Submittal Requirements:**

- ☒ 1 completed copy of this application form, including checklist.
- ☒ 2 scalable copies folded to 8.5"x11" & Acrobat "PDF" files emailed to [leslie@westbranchiowa.org](mailto:leslie@westbranchiowa.org)
- ☐ Other information requested by City Staff for review of the proposed project.

### **For Staff Use:**

9/14/20 Date application and Final plat received

9/14/20 Information forwarded to City Engineer, City Attorney, Planning & Zoning Commission, Building Inspector, Public Works Director and Fire Chief

Comments received from:

\_\_\_\_\_ City Engineer

\_\_\_\_\_ City Attorney

\_\_\_\_\_ Building Inspector

MG \_\_\_\_\_ Public Works Director

\_\_\_\_\_ Fire Chief

Comments forwarded to Planning & Zoning Commission.

9/22/20 Date or 1<sup>st</sup> Planning & Zoning Commission meeting

\_\_\_\_\_ Date of Planning & Zoning Commission Approval

\_\_\_\_\_ Stamp Final Plat 'Approved' – email to Subdivider, their engineer & City Council

\_\_\_\_\_ Forward approved Final Plat to City Attorney for creation of Resolution

\_\_\_\_\_ Invoice Subdivider for Engineering fees

\_\_\_\_\_ Date of 1st City Council meeting, preceding P&Z approval

\_\_\_\_\_ Final Plat Resolution # \_\_\_\_\_, approved \_\_\_\_\_

Signature of City Staff / Title \_\_\_\_\_ Date \_\_\_\_\_

**City of West Branch - Final Plat Requirements: Chapter 170.11**

- ☒ Title under which the subdivision is to be recorded.
- ☒ The linear dimensions (as required by the Iowa Code) of the subdivision boundary, lot lines, streets and alleys. These should be exact and complete to include all distances, radii, arc, chords, points of tangency and central angles.
- ☒ Street names and clear designations of public alleys. Streets that are continuations of present streets should bear the same name. If new names are needed, they should be distinctive. Street names may be required to conform to the City plan (and approved by Cedar County EMA).
- ☒ Description and location of all permanent monuments set in the subdivision to be placed at all block corners, at all angles and points of curve of the street and alley property lines, and at all corners and angles on the exterior boundary. The plat shall show that the subdivision is tied to a physically monumented land line, which is identified by two U.S. public land survey systems corners, or by two physically monumented corners of a recorded subdivision.
- ☒ The plat should be signed and acknowledged by the subdivision land owner and his or her spouse.
- ☒ A sealed certification of the accuracy of the plat by a land surveyor who prepared the final plat.
- ☒ Signatures of utilities approving easements and locations of utilities.
- ☒ The legal description of the area being platted.
- ☒ Identification of all adjoining properties, and where such adjoining properties are part of recorded subdivisions, the names of those subdivisions.
- ☒ Any other pertinent information, which may include a site development plat, necessary for the proper evaluation of the plat.
- ☒ The locations, dimension and uses of all proposed easements.

**Final Plat Attachments: Chapter 170.12 – Subdivider shall cause all documents to be recorded and copies provided to the City before construction begins.**

- ☐ A correct description of the subdivision land.
- ☐ A statement by the proprietors and their spouses, if any, that the plat is prepared with their free consent and in accordance with their desire, signed and acknowledged before an officer authorized to take the acknowledgments of deeds. The statement by the proprietors may also include a dedication to the public of all lands within the plat that are designated for streets, alleys, parks, open areas, school property, or other public used, if the dedication is approved by the Council.
- ☐ An opinion by an attorney-at-law who has examined the abstract of title of the land being platted. The opinion shall state the names of the proprietors and holders of mortgages, liens or other encumbrances on the land being platted and shall note the encumbrances, along with any bonds securing the encumbrances. Utility easements shall not be construed to be encumbrances for the purpose of this section.
- ☐ A certificate of the County Treasurer that the land is free from certified taxes and certified special assessments or that the land is free from certified taxes and that the certified special assessments are secured by bond in compliance with Section 354.12 of the Code of Iowa.
- ☐ A statement from the mortgage holders of lienholders, if any that the plat is prepared with their free consent and in accordance with their desire, signed and acknowledged before an officer authorized to take the acknowledgement of deeds. An affidavit and bond as provided for in Section 354.12 of the Code of Iowa may be recorded in of the consent of the mortgage or lienholder. When a mortgage or lienholder consents to the subdivision, a release of mortgage or lien shall be recorded for any areas conveyed to the City or dedicated to the public.
- ☐ A certificate of dedication of streets and other public property.
- ☐ A statement of restriction of all types that run with the land and become covenants in the deeds of lots.
- ☐ A resolution and certificate of approval by the Council and for signatures of the Mayor and Clerk.

- ☐ Design plans for all public improvements prepared under the direction of a registered professional engineer licensed in the State, including plan and profiles, typical cross sections and specifications of street improvements and utility systems, to show the location, size and grade. These should be shown on a fifty (50) foot horizontal scale and a five (5) foot vertical scale with west or north at the left.
- ☐ A certificate by the City Engineer or similar official within two (2) weeks of submission that all required improvements and installations have been completed, or that a letter of credit or performance bond guaranteeing completion has been approved by the City Attorney and filed with the Clerk, or that the Council has agreed that the City will provide the necessary improvements and installations and assess the costs against the subdivider or future property owners in the subdivision, or by agreement between the City and subdivider as to installation and assessment of such improvements.
- ☐ The encumbrance bond, if any.
- ☐ Final plans, following completion of construction, identifying the as-built location and elevation of all public improvements installed.
- ☐ A statement by a registered land surveyor that the plat was prepared under the surveyor's direct personal supervision, signed and dated by the surveyor and bearing the surveyor's Iowa registration number or seal.

**Process:** Staff will review the first submittal and issue a preliminary report listing required and recommended changes, and will include a date by which a revised complete set of 7 copies is required to be submitted for final staff review and for Planning & Zoning Commission and Council consideration. Along with a revised set, Acrobat "PDF" files of all materials are required.





ORDINANCE NO. 777

AN ORDINANCE AMENDING CHAPTER 165 “ZONING REGULATIONS.”

WHEREAS, the Planning & Zoning Commission of the City of West Branch, Iowa, believes that the clarification of certain sections in the Zoning Code will lead to a clearer understanding of the Code’s requirements; and

WHEREAS, the Planning & Zoning Commission of the City of West Branch, Iowa, believes that a more uniform and consistent wording in the language contained within certain sections in the Zoning Code will aide in making the Zoning Code more navigable and lead to more consistent interpretation of the requirements; and

WHEREAS, the Planning & Zoning Commission recommends to the City Council of the City of West Branch, adoption of these amendment recommendations in the Zoning code; and

WHEREAS, the City Council of the City of West Branch, Iowa has reviewed these recommendations and concurs with the Planning & Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED:

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 165 “ZONING REGULATIONS” of the Code of West Branch, Iowa is hereby amended by revising the following subsections to Chapter 165.

**165.12 CORNER LOTS.**

165.12 – Amend by adding number 4:

4. Corner lots with a frontage ratio of not more than 2;3, the narrowest frontage shall be considered the front yard to determine the required rear yard set-back. Corner lots with a lot frontage ratio of greater than 2:3, either frontage can be considered the front yard to determine the required rear yard set-back.

Passed and approved this \_\_\_\_ day of \_\_\_\_\_, 2020.

First Reading:  
Second Reading:  
Third Reading:

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Roger Laughlin, Mayor

Attest:

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Leslie Brick, Deputy Clerk

## ORDINANCE NO. 778

### AN ORDINANCE AMENDING CHAPTER 165 “ZONING REGULATIONS.”

WHEREAS, the Planning & Zoning Commission of the City of West Branch, Iowa, believes that the clarification of certain sections in the Zoning Code will lead to a clearer understanding of the Code’s requirements; and

WHEREAS, the Planning & Zoning Commission of the City of West Branch, Iowa, believes that a more uniform and consistent wording in the language contained within certain sections in the Zoning Code will aide in making the Zoning Code more navigable and lead to more consistent interpretation of the requirements; and

WHEREAS, the Planning & Zoning Commission recommends to the City Council of the City of West Branch, adoption of these amendment recommendations in the Zoning code; and

WHEREAS, the City Council of the City of West Branch, Iowa has reviewed these recommendations and concurs with the Planning & Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED:

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 165 “ZONING REGULATIONS” of the Code of West Branch, Iowa is hereby amended by revising the following subsections to Chapter 165.

#### **165.34 I-2 DISTRICT REQUIREMENTS**

165.34 – Amend by adding number 5:

##### **5. Area Regulations.**

A. Lot Requirements: None.

B. Yard Requirements:

(1) Front Yard. No Building shall be constructed within forty (40) feet of the front lot line.

(2) Side Yards. On lots adjacent to a residential district, all buildings and incidental areas shall be located so as to provide a minimum side yard of twenty (20) feet on the side adjacent to the residential district. All other side yards shall be a minimum of eight (8) feet.

(3) Rear Yards. No building shall be constructed within twenty (20) feet of the rear lot line.

Passed and approved this \_\_\_\_ day of \_\_\_\_\_, 2020.

First Reading:

Second Reading:

Third Reading:



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Roger Laughlin, Mayor

Attest:

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Leslie Brick, Deputy Clerk

DRAFT

## ORDINANCE NO. 779

### AN ORDINANCE AMENDING CHAPTER 165 “ZONING REGULATIONS.”

WHEREAS, the Planning & Zoning Commission of the City of West Branch, Iowa, believes that the clarification of certain sections in the Zoning Code will lead to a clearer understanding of the Code’s requirements; and

WHEREAS, the Planning & Zoning Commission of the City of West Branch, Iowa, believes that a more uniform and consistent wording in the language contained within certain sections in the Zoning Code will aide in making the Zoning Code more navigable and lead to more consistent interpretation of the requirements; and

WHEREAS, the Planning & Zoning Commission recommends to the City Council of the City of West Branch, adoption of these amendment recommendations in the Zoning code; and

WHEREAS, the City Council of the City of West Branch, Iowa has reviewed these recommendations and concurs with the Planning & Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED:

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 165 “ZONING REGULATIONS” of the Code of West Branch, Iowa is hereby amended by revising the following subsections to Chapter 165.

**165.50 – Amend Chapter 165 by adding section 50: SWIMMING POOLS AND HOT TUBS**

**165.50 SWIMMING POOLS AND HOT TUBS**

Swimming pools and hot tubs intended for private use by persons that reside on the property or their guests are permitted, provided the following conditions are met:

1. Setbacks:
  - a. Residential zones
    - i. The use must be set back a minimum of ten (10) feet from any side or rear lot line.
    - ii. The use may not be located in the front yard unless the use is set back at least forty (40) feet from the front property line.
  - b. Non-residential zones
    - i. In non-residential zones, the use must be set back a minimum of ten (10) feet from any side, rear, or front property line, unless the property on which the use is located is directly abutting or across the street from a property zoned residential. In the case of such an adjacency, the use must comply with the setback requirements for residential zones

2. Permit Required

- a. Pools greater than twenty four (24) inches deep require a permit.

3. Fence Requirement. Swimming pools or hot tubs with a depth of twenty four (24) inches or more and the edge of which is less than four (4) feet above grade, must be completely enclosed by a fence according to the following specifications:

- a. The fence must be at least four (4) feet in height and must be constructed so that a sphere, five (5) inches in diameter, cannot pass through the fence.
- b. A principal or accessory building may be used as part of the enclosure.
- c. All gates and doors opening through the enclosure must be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in use, except the door of any building which forms a part of the enclosure need not be so equipped.
- d. The building official may permit other protective devices or structures to be used so long as the degree of protection afforded by the substitute device or structure is not less than the protection afforded by an enclosure built to the specifications of this paragraph.

Passed and approved this \_\_\_\_ day of \_\_\_\_\_, 2020.

First Reading:  
Second Reading:  
Third Reading:

\_\_\_\_\_  
Roger Laughlin, Mayor

Attest:

\_\_\_\_\_  
Leslie Brick, Deputy Clerk