

**City of Mount Vernon
Planning and Zoning Commission
City Hall 213 First St NW
September 13, 2023, 6:30 pm**



AGENDA

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of April 12, 2023; minutes.
5. Public Discussion - Items not on the agenda. Each citizen is limited to 5 minutes per discussion item.

Development Items

6. Discussion and review of the Final Plat for Stonebrook 7th – Phase II.
7. Adjournment.

PLANNING & ZONING COMMISSION
Meeting Minutes
April 12, 2023

Item #1

Call to Order: Truman Jordan, Commission Chair, was present via Zoom and suggested that a commission member present in the room assume chair for this meeting. Trude Elliot agreed to step into the role temporarily.

Item #2

Role Call: All commission members present. Truman Jordan via Zoom; Trude Elliott, Jake Buster, Matthew Nelson, Joan Burge, and Jay Willems.

Item #3

Approval of the Agenda: Motion to approve, Willems; seconded by Nelson. All in favor.

Item #4

Approval of November 9, 2022 Minutes: Motion to approve, Willems; seconded by Buster. All in favor.

Item #5

Public discussion - items not on the agenda: None

Item #6

Discussion and possible action approving the Vacation of Lot B in Stonebrook Fifth Addition.

Background Information:

Lot B was reserved as a street right-of-way, as was common practice at the time of this development. This was done due to uncertainty of Cornell and school district plans for the adjacent land, and to allow for the possibility of a street towards the north. With construction of the MVCSD's athletic complex, Nobsisch recommends the City now vacate this right-of-way, sell

it to the school and preserve the City's easement for utility work and development of a trail for pedestrian access.

Vacation Requirement:

Lot B is dedicated specifically as right-of-way, which requires vacating the lot prior to selling it to the school.

Intended Future Use of Lot B – Emergency Access:

Per Nosbisch, this will be the school's emergency access point. City-ownership would require a 30' street stub and installation of curb and gutter to the driveable portion for insurance purposes. The district does not have that obligation. There will be a gate placed close to the street-side of this lot to prevent non-emergency vehicle traffic from entering Lot B. A vehicle-width access drive will proceed from there into the complex to provide ambulance access to the field.

The route for emergency vehicles accessing Lot B has not yet been determined.

Future Maintenance of Lot B:

Questions from Elliot and Willems regarding MVCSD's legal responsibility to maintain the street stub and sidewalk. Per Nosbisch, there is language within the Resolution Directing Sale and the deed stating that they will assume that responsibility. *(Nosbisch provides clarification on process: the vacating of property is reviewed by P&Z, sale of property goes through Council. P&Z can make a formal recommendation that the issue be addressed as a deed restriction.)*

Per Nosbisch, in anticipation of transferring the property for one dollar, it's a reasonable expectation that the school will provide maintenance.

Trail pathway & public access:

Question from Elliot regarding public pedestrian access to the trail and area around the track. Nosbisch confirmed that a trail currently exists along the north lot line of Lot B. The pedestrian trail will travel from this access point, along a road-width section, before separating onto a grade-separated trail. The City is also allocating \$50,000 towards lighting of a pedestrian trail as approved on the site plan for MVCSD's Athletic Complex.

The road-width section provides vehicle access into the complex and extends 150-200' south, along the west side of the property. This would provide access for emergency vehicles and deliveries. There should not be any vehicle traffic other than that generated by the school.

For these reasons, the City expects to see 24/7 pedestrian access safely available to the public.

Other public access concerns:

Fencing will be around the outside of the track. The MVCSD has not yet indicated what access the public will have to the complex (track and field) after hours.

Future development:

Nelson inquired as to whether the district could pursue other options for development on this property in the distant future, which might result in a change to public access. Per Nosbisch, while such an attempt could be made, the City will maintain their easement for access of public utilities and the trail. If a redevelopment effort was made which was beneficial to all parties, then a change could occur, through the proper process.

Motion to approve Vacation of Lot B by Burge, seconded by Willems, all in favor.

Item #7

Discussion and possible action on the Preliminary Plat for Stonebrook 7th – Phase II, 10th and 11th Additions.

Background Information: Developer Bryce Ricklefs of Boomerang Corporation was present to explain this amended preliminary plat, as it pertains to the March 20, 2018 Development Agreement for Stonebrook Phases 6 thru 10.

7th and 10th Additions: Revision of 7th and 10th Additions include the following changes:

- 1) The cul-de-sac on Park View Court has been reconfigured (dashed outline on this preliminary plat shows the prior proposal).
- 2) Lot size adjustments in the 7th Addition along the northern section of 17th Avenue will accommodate a wider housing market.
- 3) Other changes facilitate utility installation for this addition, as Alliant and ITC have a goal of undergrounding all electrical utilities and being “off poles” by 2024.

11th Addition: Boomerang has purchased an additional ten acres in order to achieve the necessary stormwater calculations in this development.

Staff-recommended changes to this preliminary plat, as presented in the packet:

- 1) Conversion of Lots 42 and 74 to provide temporary turnaround:

Temporary turnarounds are required by code at the dead-ending of streets where future development is anticipated but not yet proposed. The ground south of Lot 42 on 17th Avenue and west of 8th Avenue has not been acquired for development. Lots 42 and 74 will provide a temporary turn-around until this parcel becomes available and can provide the necessary street connectivity.

2) Trail-width (8') sidewalks – The following sidewalks are recommended at the off-street trail width of 8':

- Sidewalk along 6th Place West, west of 16th Avenue South
- Outlot E between 18th and 17th Avenue South,
- Sidewalk connecting 17th Avenue South to Outlot C
- Sidewalk along Lot 117 on 16th Place South

Block face exceeding 600':

Willem expressed concerns regarding the length of block face on 17th and 18th Avenue. Design standards include a provision that any blockface exceeding 600' include a pedestrian easement of 12'. This requirement has been met with a 20' easement and the developer agreed to increase width on the sidewalk to 8' in width. The block face on the north side of 3rd Street West, between Stonebrook 7th I & II additions includes Outlot A and this consideration will be made as development occurs north of this plat.

Outlots D & C:

Stonebrook 6th-11th Addition is a 40-acre development, with 11 acres dedicated to stormwater management, which is a significant requirement. The 11th Addition was purchased to provide 1.3 acres of this, as seen in the designation of Outlot D.

Outlot C is a federally-protected waterway. Stormwater to the north, almost from Bryant Road, and everything from the west eventually finds its way to this waterway, flowing under Palisades Road. The objective has been to create as much green space / stormwater collection area as possible before water gets to Palisades.

Other Discussion:

Ricklef noted that he will be using three builders with these additions, which is anticipated to bring some variety to the housing styles.

Nelson expressed concerns regarding snout houses (garage face not to exceed 10' in front of a corresponding dwelling unit) and street connectivity. Per Nosbisch, Mount Vernon's code addresses snout houses. In regards to connectivity, condemnation is a possibility when there is a problem, but it is not preferable.

Burge inquired about tree planting in the ROW. Nosbisch explained that in the 70's to early 90's, cities moved away from ROW plantings, due to roots in the utilities, and encouraged developers to put 1-2 shadetrees on the lot. People were planting more ornamentals than actual shadetrees. Mount Vernon is a Tree City, so it encourages tree-planting. The City does not enforce the covenants of individual subdivisions, and since newer developments do not have alleyways with utilities, it's more challenging to plant within the right-of-way (ROW) because it has water, sewer, storm, electric, gas and cable utilities. New streets are also designed with perforated tile to facilitate drainage of the subgrade, which tree roots grow into, destroying the drainage path over time. The City has, however, offered a ROW tree-planting program each year since the Derecho.

Nosbisch stated that Parks & Recreation does have a recommended layout for the five (5) acres of parkland dedicated from Stonebrook I. There is not a timeline established to date.

Motion to approve the Preliminary Plat for Stonebrook 7th – Phase II, 10th and 11th Additions – moved by Willems. Seconded by Burge. All in favor.

Further Discussion - Future Development (Nosbisch):

Discussion on Accessory Dwelling Units (ADUs) will be forthcoming in the coming months – Laura began this process and there is quite a bit of discussion to be had as there are proponents for and against, but it will be on the agenda in the near future. There is a possibility of development at Kernoustie Golf Course and other developers / land owners have called with inquiries regarding development, annexation, etc.

Motion to adjourn by Willems, seconded by Buster, All in favor.

Staff present: City Administrator Chris Nosbisch, City Planner Leigh Bradbury.

Members of the public: Bryce Ricklefs, developer from Boomerang; Ron Amelon, MMS Consultants for Boomerang; and one member of Boomerang's staff.

PLANNING & ZONING COMMISSION
September 13, 2023

STAFF REPORT

Prepared by: Leigh Bradbury, City Planner

AGENDA ITEM #6: Final Plat – Stonebrook 7th Addition Phase II

Requested Action: Recommend Approval of Final Plat to City Council

Applicant / Owner: BBAJ Inc., 13225 Circle Drive Suite A, Anamosa, Iowa

Size: 7.73 Acres

Zoning: Traditional Residential (TR)

Location: (see map on the following page)

East of Stonebrook 9th Addition

West of 5th Addition & 7th Addition Phase One

North of dedicated parkland Parcel A

Background Information:

The amended Development Agreement for Stonebrook Additions 6th-10th split the 7th Addition into two (2) phases and provided for an extension of the Phase 2 completion date. Public improvements for this phase are to be accepted by Council resolution on September 18, 2023; and the Developer is seeking the Commission's recommendation for Council to approve the Final Plat.

Analysis:

Public improvements for this plat have been inspected and are recommended for acceptance by the City Engineer. Staff has received all required documentation for proceeding to Final Plat at this time.

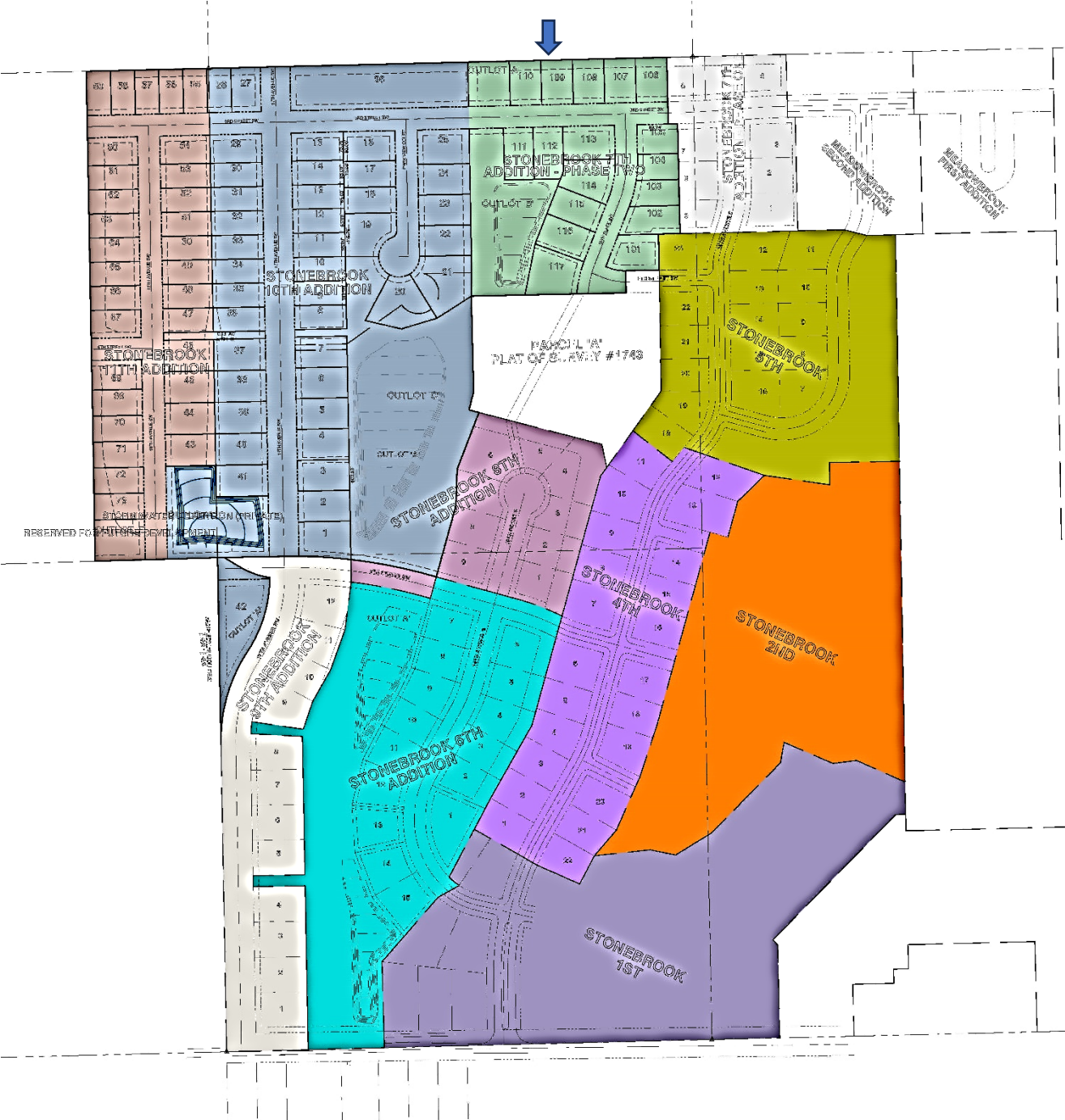
Staff Recommendation:

Staff recommends approval of Final Plat for Stonebrook 7th Addition – Phase Two and the written recommendation by Planning and Zoning Commission for City Council to do the same.

Next Step: Council approves the Resolution Accepting Public Improvements and the Resolution Approving the Final Plat.

Attachment:

- Final Plat Stonebrook 7th Addition – Phase Two



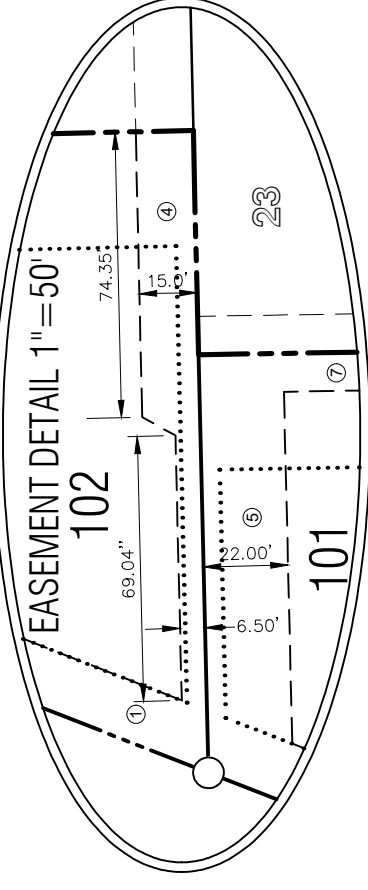
FINAL PLAT

STONEBROOK 7TH ADDITION - PHASE TWO

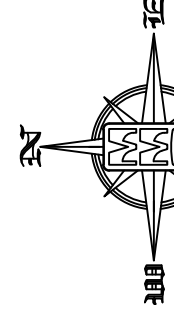
TO MOUNT VERNON, LINN COUNTY, IOWA

LOCATION: A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 82 NORTH, RANGE 5 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, MOUNT VERNON, LINN COUNTY, IOWA.	SUBDIVIDER: DARR, INC. 223.3RD AVENUE SE, CEDAR RAPIDS, IOWA 52401
LAND SURVEYOR: RICHARD R. NOWOTNY, P.L.S. MMS CONSULTANTS, INC. 1877 SOUTH GILBERT STREET IOWA CITY, IOWA 52240 PHONE: 319-351-6282	OWNER: DARR, INC. 223.3RD AVENUE SE, CEDAR RAPIDS, IOWA 52401
DATE OF SURVEY: 03-25-2022	DOCUMENT RETURN INFORMATION: ATTORNEY: SUBDIVIDER'S ATTORNEY: DENNIS McMINNEN 115 3RD STREET SE, SUITE 500 CEDAR RAPIDS, IOWA 52401

FOR COUNTY RECORDER'S USE



CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BEARING
C1	22°28'26"	120.65'	47.33'	23.97'	47.02'	N79°55'19"W
C2	12°41'28"	330.00'	73.10'	36.70'	72.95'	N14°58'10"E
C3	6°59'45"	330.00'	57.57'	28.86'	57.80'	N03°37'33"E
C4	22°41'14"	270.00'	106.91'	54.17'	106.91'	S09°58'17"W
C5	15°31'45"	330.00'	72.03'	33.52'	72.03'	S29°42'16"W
C6	15°31'45"	330.00'	89.44'	45.00'	89.17'	S12°19'46"W
C7	22°41'14"	300.00'	118.79'	60.18'	118.02'	S09°58'17"W
C8	5°20'31"	300.00'	21.97'	14.00'	21.96'	S18°38'38"W
C9	10°43'58"	300.00'	56.72'	28.44'	56.64'	S10°33'24"W
C10	22°26'33"	150.65'	59.01'	29.89'	58.63'	S19°54'23"E



LEGEND AND NOTES

- CONGRESSIONAL CORNER, FOUND
- CONGRESSIONAL CORNER, ESTABLISHED
- CONGRESSIONAL CORNER, RECORDED LOCATION
- PROPERTY CORNER(S), FOUND (as noted)
- PROPERTY CORNERS SET (5/8" Iron Pin w/ yellow, plastic LS Cap embossed with "MMS")
- CUT "X"
- PROPERTY &/or BOUNDARY LINES
- CONGRESSIONAL SECTION LINES
- CONGRESSIONAL SECTION LINES
- LOT LINES
- LOT LINES, INTERNAL
- LOT LINES, PLATTED OR BY DEED
- EASEMENT LINES, WIDTH & PURPOSE NOTED
- EXISTING EASEMENT LINES, PURPOSE NOTED
- RECORDED SETBACK LINE
- BUILDING DIMENSIONS
- MEASURED DIMENSIONS
- MEASURED DIMENSIONS
- CURVE SEGMENT NUMBER

UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN FEET AND HUNDREDTHS

EASEMENT IDENTIFICATION TABLE

LABEL	DESCRIPTION
①	15.00 FOOT WIDE PUBLIC UTILITY EASEMENT
②	25.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT
③	20.00 FOOT WIDE STORM SEWER AND DRAINAGE EASEMENT (CENTERED)
④	15.00 FOOT WIDE STORM SEWER AND DRAINAGE EASEMENT
⑤	28.50 FOOT WIDE DRAINAGE EASEMENT
⑥	25.00 FOOT WIDE SANITARY SEWER EASEMENT
⑦	10.00 FOOT WIDE STORM SEWER AND DRAINAGE EASEMENT

REQUIRED SETBACK LINE IDENTIFICATION TABLE

LABEL	DESCRIPTION
A	15 FOOT MINIMUM FRONT YARD SETBACK LINE (TYPICAL)
B	15 FOOT STREET SIDE YARD SETBACK LINE (TYPICAL)
C	5 FOOT MINIMUM INTERIOR SIDE YARD SETBACK LINE (TYPICAL)
D	30 FOOT REAR YARD SETBACK LINE (TYPICAL)

LOT A CONTAINS 1.49 ACRES, AND IS TO BE DEDICATED TO THE CITY OF MOUNT VERNON FOR PUBLIC RIGHT-OF-WAY FOR 3RD STREET AND 16TH PLACE

DESCRIPTION - STONEBROOK 7TH ADDITION - PHASE TWO

Commencing at the Center of Section 9, Township 82 North, Range 5 West, of the Fifth Principal Meridian, Mount Vernon, Linn County, Iowa; Thence S88°37'11"W, along the North Line of the Southwest Quarter of said Section 9, a distance of 70.03 feet, to the Northwest Corner of Stonebrook 7th Addition - Phase One, in accordance with the Plat thereof Recorded in Book 10507 at Pages 619-639 of the Records of the Linn County Recorder's Office, and the POINT OF BEGINNING; Thence S01°22'20"E, along the West Line of said Stonebrook 7th Addition - Phase One, a distance of 180.00 feet; Thence N88°37'40"E, along said West Line, 14.52 feet; Thence Northeasterly, 10.26 feet, along said West Line, on a 2452.42 foot radius curve, concave Northwesterly, whose 10.26 foot chord bears N88°30'28"E; Thence S01°22'20"E, along said West Line, 295.58 feet, to the Southwest Corner thereof, and a Point on the North Line of Stonebrook 5th Addition, in accordance with the Plat thereof Recorded in Book 7492 at Pages 561-577 of the Records of the Linn County Recorder's Office; Thence S88°41'41"W, along said North Line, 58.46 feet, to the Northwest Corner thereof; Thence S00°56'47"E, along the West Line of said Stonebrook 5th Addition, 97.16 feet, to the Northeast Corner of Parcel "A" of Plat Survey #1743, in accordance with the Plat thereof Recorded in Book 8149 at Page 588 of the Record of the Linn County Recorder's Office; Thence S88°50'28"W, along the North Line of said Parcel "A", 90.00 feet; Thence S01°00'08"E, along said North Line, 60.00 feet; Thence S88°49'51"W, along said North Line, 417.36 feet, to the Northwest Corner thereof, and a Point on the East Line of Outlot "A" of Stonebrook 8th Addition, in accordance with the Plat thereof Recorded in Book 10782 at Pages 227-248 of the Records of the Linn County Recorder's Office; Thence N00°50'46"E, along said East Line, 63.27 feet, to the Northeast Corner thereof; Thence N01°03'33"W, 567.53 feet, to a Point on the North Line of the Northeast Quarter of the Southwest Quarter of said Section 9; Thence N88°37'11"E, along said North Line, 536.66 feet, to the POINT OF BEGINNING. Said Stonebrook 7th Addition - Phase Two, contains 7.73 Acres, and is subject to easements and restrictions of record.

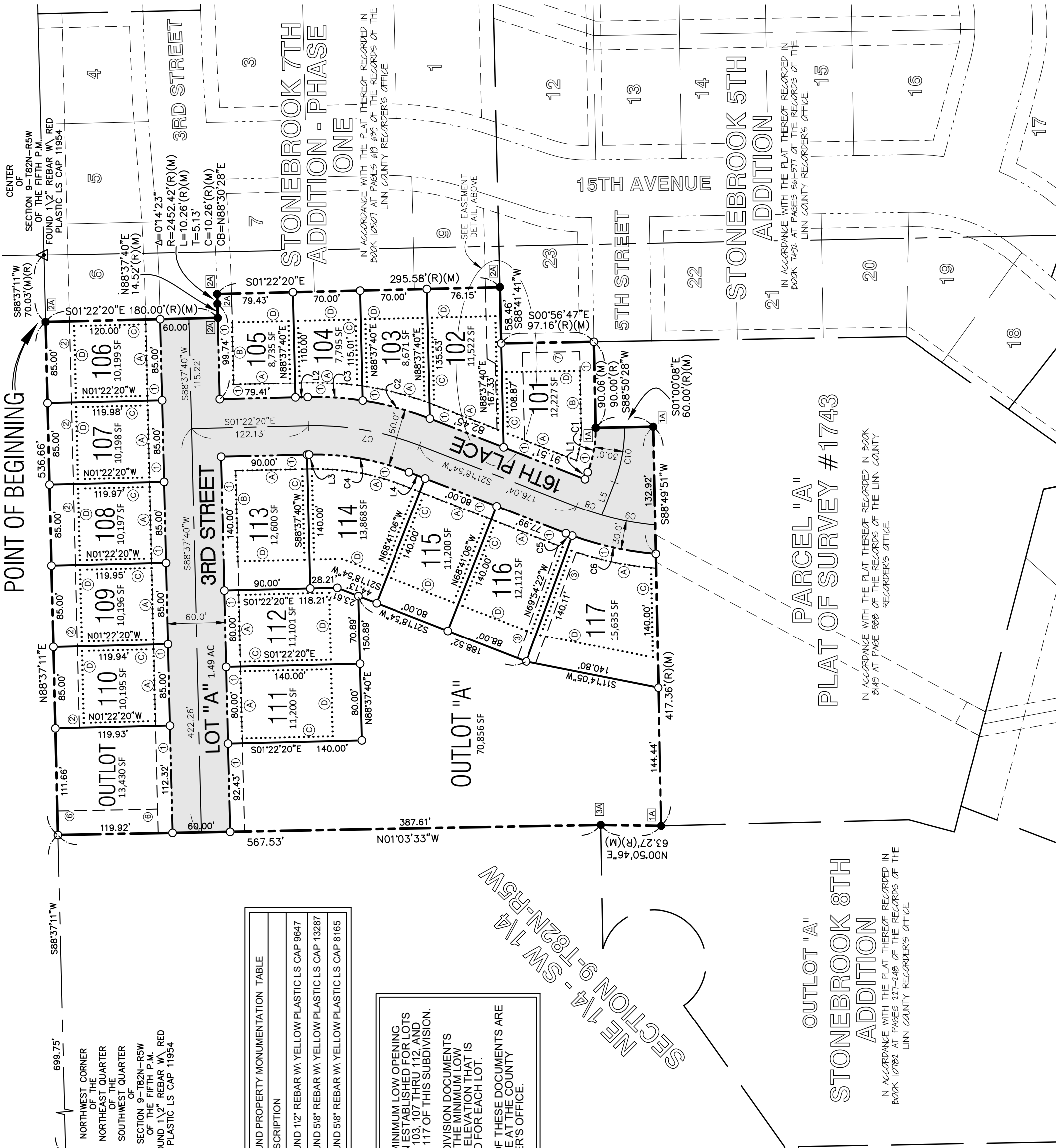
I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

RICHARD R. NOWOTNY
L.S. Iowa Lic. No. 17916
My license renewal date is December 31, _____ 20____

Pages or sheets covered by this seal: _____

Signed before me this _____ day of _____, 20____.

Notary Public, in and for the State of Iowa.



FOUND PROPERTY MONUMENTATION TABLE

LABEL	DESCRIPTION
1A	FOUND 12" REBAR W/ YELLOW PLASTIC LS CAP 9647
2A	FOUND 5/8" REBAR W/ YELLOW PLASTIC LS CAP 13287
3A	FOUND 5/8" REBAR W/ YELLOW PLASTIC LS CAP 8185

NOTE: A MINIMUM LOW OPENING HAS BEEN ESTABLISHED FOR LOTS 101 THRU 103, 107 THRU 102, AND 114 THRU 117 OF THIS SUBDIVISION. THE SUBDIVISION DOCUMENTS CONTAIN THE MINIMUM LOW OPENING ELEVATION THAT IS REQUIRED FOR EACH LOT. A COPY OF THESE DOCUMENTS ARE AVAILABLE AT THE COUNTY RECORDER'S OFFICE.

OUTLOT "A"
STONEBROOK 8TH
ADDITION

IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN BOOK 10782 AT PAGES 227-248 OF THE RECORDS OF THE LINN COUNTY RECORDER'S OFFICE

PARCEL "A"
PLAT OF SURVEY #1743

IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN BOOK 8149 AT PAGE 588 OF THE RECORDS OF THE LINN COUNTY RECORDER'S OFFICE

STONEBROOK 5TH
ADDITION

IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN BOOK 7492 AT PAGES 561-577 OF THE RECORDS OF THE LINN COUNTY RECORDER'S OFFICE

STONEBROOK 7TH
ADDITION - PHASE
ONE

IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN BOOK 10507 AT PAGES 619-639 OF THE RECORDS OF THE LINN COUNTY RECORDER'S OFFICE

SECTION 9-T82N-R5W
NE 14 - SW 14

FINAL PLAT

STONEBROOK 7TH ADDITION PHASE TWO

MOUNT VERNON
LINN COUNTY
IOWA

MMS CONSULTANTS, INC.

Date:	03-07-2023
Designed by:	JDM
Field Book No.:	1333
Drawn by:	RLW
Scale:	1"=100'
Checked by:	RRN & MAS
Project No.:	IOWA CITY
	8284-031
of:	1