

**PLANNING & ZONING MEETING AGENDA**  
**Thursday, April 18, 2024 | 6:00 p.m.**  
**Eldridge City Hall | 305 N 3<sup>rd</sup> Street**

1. Call to Order
  2. Approval of the Minutes from the February 15, 2024 Meeting
  3. Election of Chairman and Vice-Chairman
  4. Consideration to approve the Preliminary Plat of Grunwald Grove 3<sup>rd</sup> Addition
  5. Review of documents presented by Ashley Atkins, 880 S. 1<sup>st</sup> Street
  6. Adjournment
- Next Meeting: TBD

Karl Donaubaauer  
Tisha Boussetot  
Terry Harbour

Mike Martin  
Jennifer Vittorio

Brad Merrick  
Duane Miller



**Eldridge Planning and Zoning Commission  
February 15, 2024, 6:00 p.m., Eldridge City Hall**

**Minutes**

The Eldridge Plan and Zone Commission met in open session in Eldridge City Hall at 6:00 p.m. on February 15, 2023. The meeting was called to order at 6:00 p.m. by Chairman Karl Donaubauber. Present were Karl Donaubauber, Duane Miller, Brad Merrick and Mike Martin. Tisha Bousselot and Terry Haurbor were absent. Nancy Gruber has moved out of the area and resigned from the Commission. The Mayor is in process of appointing a new Commission member. Also present were Brian Dockery, Jeff Martens and Randy Rosenow.

The minutes from the December 21, 2023, meeting were presented for approval. Donaubauber had a small change and amended minutes will be posted. Motion by Miller to approve the minutes. Seconded by Martin. Motion carried 4-0 by voice vote.

Item 5 was moved to the top of the agenda. Martens presented the final plat and application for the Rosenow subdivision. He said staff is recommending approval. Ten foot utility easements had been added around the perimeter of both lots. Martens said this is more of a replat relocating the two lots currently on the parcels to make them more useful and marketable. The Commission asked a few questions of Rosenow. Rosenow said that now that he owns the property it is his intention to clean it up. Motion by Miller to approve the final plat. Seconded by Merrick. Motion carried 4-0 by voice vote.

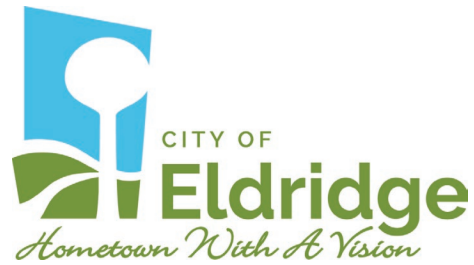
Consideration of the approval of a Tobacco Shop Ordinance Amendment. Martens presented information on the vaping epidemic in the community that included articles from The North Scott Press and a memo from School Resource Officer Jack Schwertman. Martens let the Commission know that a Councilmember and several citizens had expressed concern over this issue. The amendment would define Tobacco Shops and assign them as permitted use in I-2 Light Industrial Districts, which are not frequented by area youth. After a short discussion Martin motioned to approve the amendment as written. Merrick seconded. Motion carried 4-0 by voice vote.

Consideration of the approval of a Right-of-Way Management Ordinance. Martens presented information on the need for a Right-of-Way Management Ordinance and explained the difference between this and a Franchise Agreement. Dockery asked if excavating could be better defined. The Commission ultimately decided to add a definition for Excavating as any disturbance with a Right-Of-Way/Utility Easement on or below the surface. Miller motioned to approve the amendment as modified. Martin seconded. Motion carried 4-0 by voice vote.

Karl Donaubauber      Mike Martin      Brad Merrick  
Tisha Bousselot      Terry Harbour      Duane Miller

Merrick made a motion to adjourn the meeting at 6:46 p.m. Seconded by Miller.  
Motion carried 4-0 by voice vote.

Karl Donaubauer      Mike Martin      Brad Merrick  
Tisha Boussetot      Terry Harbour      Duane Miller



To: Plan and Zone Commission  
From: Jeff Martens, Assistant City Administrator  
Re: Grunwald Grove 3<sup>rd</sup> Addition Preliminary Plat  
Date: 4/18/24

Plan and Zone Commission:

The City has received the attached Preliminary Plat and Application from Grunwald Land Development, LC.

City Staff and City Engineer have reviewed the information and are recommending approval.

Karl Donaubaauer  
Tisha Boussetot  
Terry Harbour

Mike Martin  
Jennifer Vittorio

Brad Merrick  
Duane Miller



# PRELIMINARY PLAT APPLICATION

## Plan and Zone Commission

Subdivision Name Grunwald Grove 3rd Addition

Subdivision Location Off of Lincoln Road, East of S 1st Street

Current Zoning R-2, C-3 for Outlot C Proposed Zoning R-2, C-3 for Outlot C

Number of Lots 60 Residential, 3 Outlots, 2 ROW Lots 60 Residential, 3 Outlots, 2 ROW Lots

Developer Name Grunwald Land Development, LC  
 Address 409 South Shultz Drive  
 Phone Number 563-343-1006  
 Email Address dgrunwald@mail.com  
 Main Contact Person Dale Grunwald

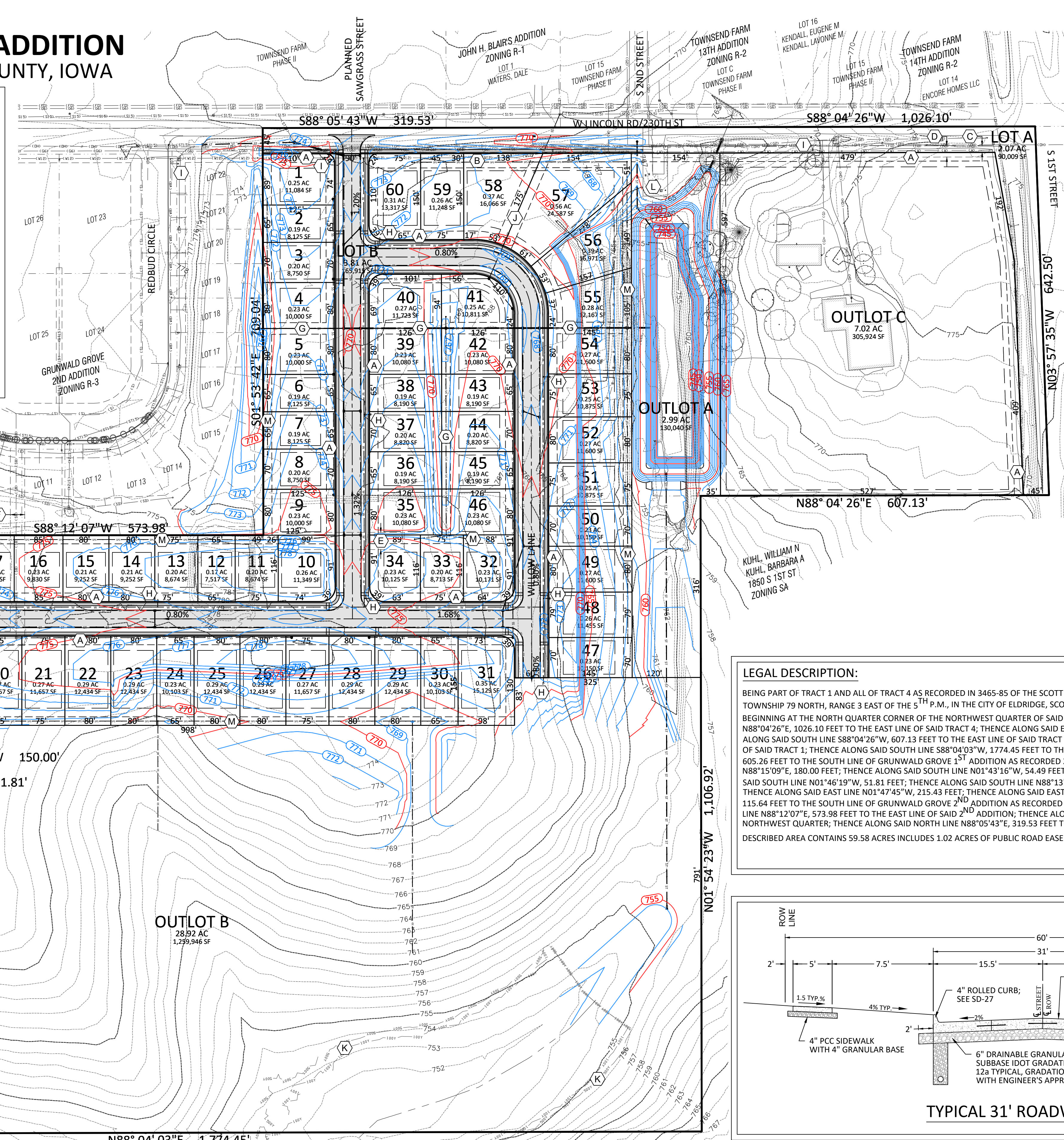
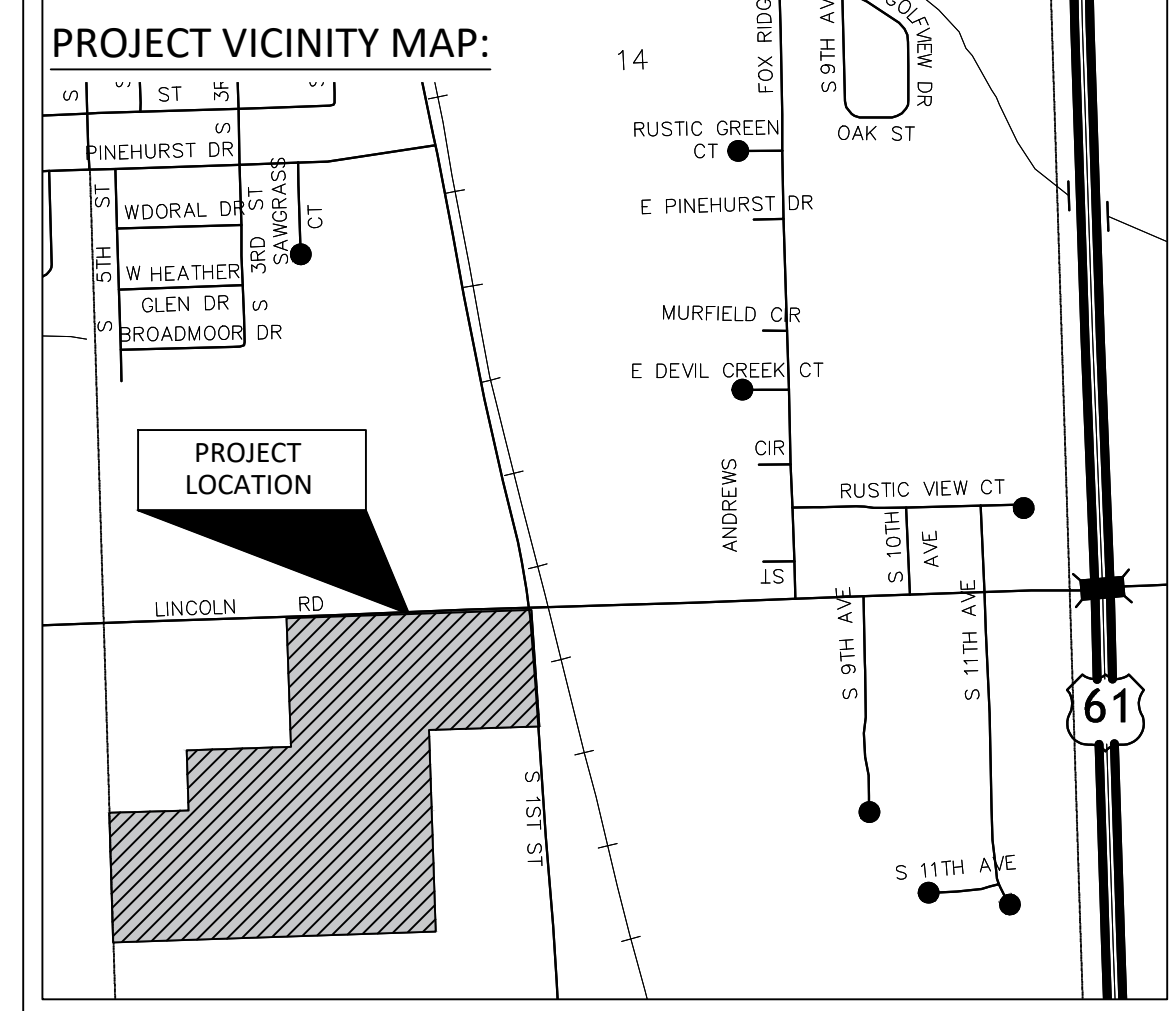
Engineer Firm Axiom Consultants, LLC  
 Contact Brian Boelk, PE  
 Address 300 S Clinton St #200, Iowa City, IA 52240  
 Phone Number 319-400-1056  
 Email bboelk@axiom-con.com

Name of person filing application Brian Boelk Date 04/04/2024

Application Fee is \$200.00 plus \$1.50 per lot

For office use only			
Filing Fee Paid	\$	<u>297.50</u>	Date Filed <u>4-04-2024</u>
Payment Method		<u>Check 4-9-24</u>	Meeting Date <u>4-18-2024</u>

# PRELIMINARY PLAT GRUNWALD GROVE 3RD ADDITION IN THE CITY OF ELDRIDGE, SCOTT COUNTY, IOWA



OWNER / APPLICANT:  
GRUNWALD LAND DEVELOPMENT, LC  
409 SOUTH SCHULTZ DRIVE  
LONG GROVE, IOWA 52756

ATTORNEY  
VOLLERSTEN, BRIT, AND GORSLINE, P.C.  
ATTN: MICHAEL GORSLINE  
5119 UTICA RIDGE ROAD  
DAVENPORT, IOWA 52807  
319-519-6220  
563-324-0441

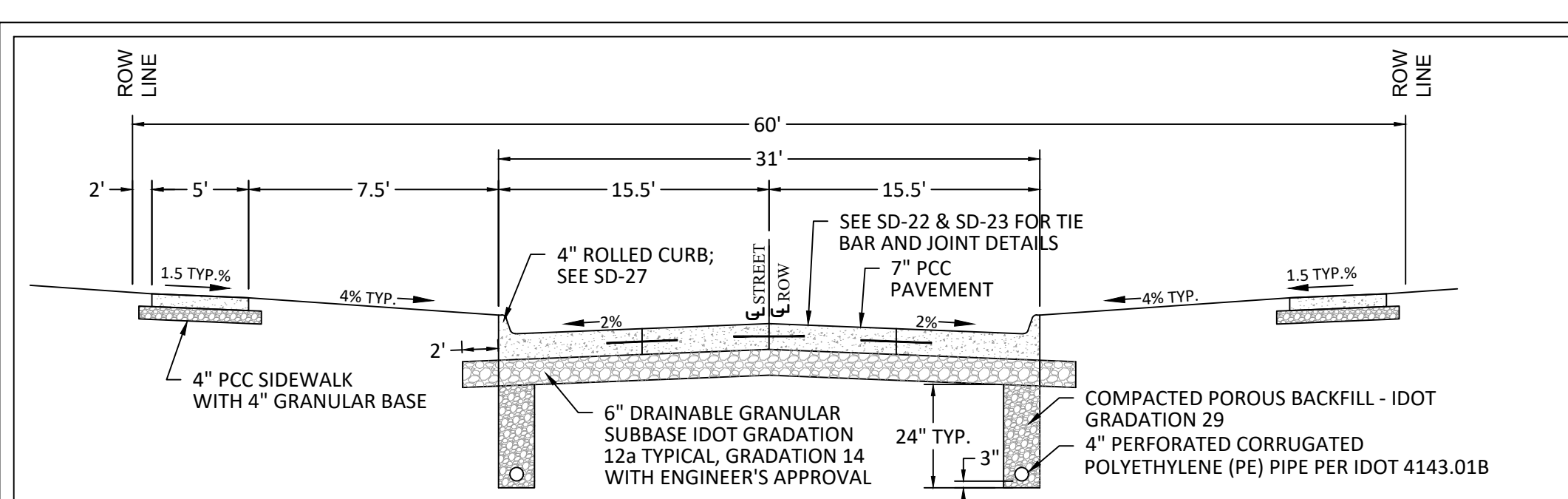
PREPARED BY:  
AXIOM CONSULTANTS, LLC  
C/O BRIAN BOELK  
300 SOUTH CLINTON ST, UNIT 200  
IOWA CITY, IOWA 52240  
319-519-6220  
BBOELK@AXIOM-CON.COM

- KEY NOTES:**
- (A) 15' PUBLIC UTILITY EASEMENT
  - (B) 25' PUBLIC UTILITY, STORM SEWER & DRAINAGE EASEMENT
  - (C) EXISTING 12" GAS EASEMENT
  - (D) EXISTING 20" UTILITY EASEMENT
  - (E) EXISTING 30" DRAINAGE EASEMENT-TO BE VACATED
  - (F) EXISTING 25" SANITARY SEWER EASEMENT
  - (G) 30' STORM SEWER AND DRAINAGE EASEMENT
  - (H) PROPOSED FIRE HYDRANT
  - (I) EXISTING FIRE HYDRANT
  - (J) 30' SANITARY SEWER EASEMENT
  - (K) FLOODPLAIN LIMITS PER FEMA
  - (L) UNRECORDED PARCEL WITH COMMUNICATIONS HUT
  - (M) 15' PUBLIC UTILITY, STORM SEWER & DRAINAGE EASEMENT

**LEGAL DESCRIPTION:**

BEING PART OF TRACT 1 AND ALL OF TRACT 4 AS RECORDED IN 3465-85 OF THE SCOTT COUNTY RECORDS IN THE NORTHWEST QUARTER (NW ¼) OF SECTION 23, TOWNSHIP 79 NORTH, RANGE 3 EAST OF THE 5<sup>TH</sup> P.M., IN THE CITY OF ELDRIDGE, SCOTT COUNTY, IOWA DESCRIBED AS BEGINNING AT THE NORTH QUARTER CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 23, THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER N88°04'26"E, 1026.10 FEET TO THE EAST LINE OF SAID TRACT 4; THENCE ALONG SAID EAST LINE S03°57'35"E, 642.50 FEET TO THE SOUTH LINE OF SAID TRACT 4; THENCE ALONG SAID SOUTH LINE S88°04'26"W, 607.13 FEET TO THE EAST LINE OF SAID TRACT 1; THENCE ALONG SAID EAST LINE S01°54'23"E, 1106.92 FEET TO THE SOUTH LINE OF SAID TRACT 1; THENCE ALONG SAID SOUTH LINE S88°04'03"W, 1774.45 FEET TO THE WEST LINE OF SAID TRACT 1; THENCE ALONG SAID WEST LINE N01°48'00"W, 605.26 FEET TO THE SOUTH LINE OF GRUNWALD GROVE 1<sup>ST</sup> ADDITION AS RECORDED 2021-30527 OF THE SCOTT COUNTY RECORDS, THENCE ALONG SAID SOUTH LINE N88°15'09"E, 180.00 FEET; THENCE ALONG SAID SOUTH LINE N01°43'16"W, 54.49 FEET; THENCE ALONG SAID SOUTH LINE N88°07'55"E, 120.00 FEET; THENCE ALONG SAID SOUTH LINE N01°46'19"W, 51.81 FEET; THENCE ALONG SAID SOUTH LINE N88°13'38"E, 150.00 FEET TO THE EAST LINE OF SAID GRUNWALD GROVE 1<sup>ST</sup> ADDITION; THENCE ALONG SAID EAST LINE N01°47'45"W, 215.43 FEET; THENCE ALONG SAID EAST LINE S88°15'19"W, 13.32 FEET; THENCE ALONG SAID EAST LINE N01°44'51"W, 115.64 FEET TO THE SOUTH LINE OF GRUNWALD GROVE 2<sup>ND</sup> ADDITION AS RECORDED IN 2023-12674 OF THE SCOTT COUNTY RECORDS; THENCE ALONG SAID SOUTH LINE N88°12'07"E, 573.98 FEET TO THE EAST LINE OF SAID 2<sup>ND</sup> ADDITION; THENCE ALONG SAID EAST LINE N01°43'42"W, 709.04 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE ALONG SAID NORTH LINE N88°05'43"E, 319.53 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS 59.58 ACRES INCLUDES 1.02 ACRES OF PUBLIC ROAD EASEMENT AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.



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0 50 100  
1" = 100'

**GRUNWALD GROVE  
3RD ADDITION**

GRUNWALD LAND DEVELOPMENT, L.C.

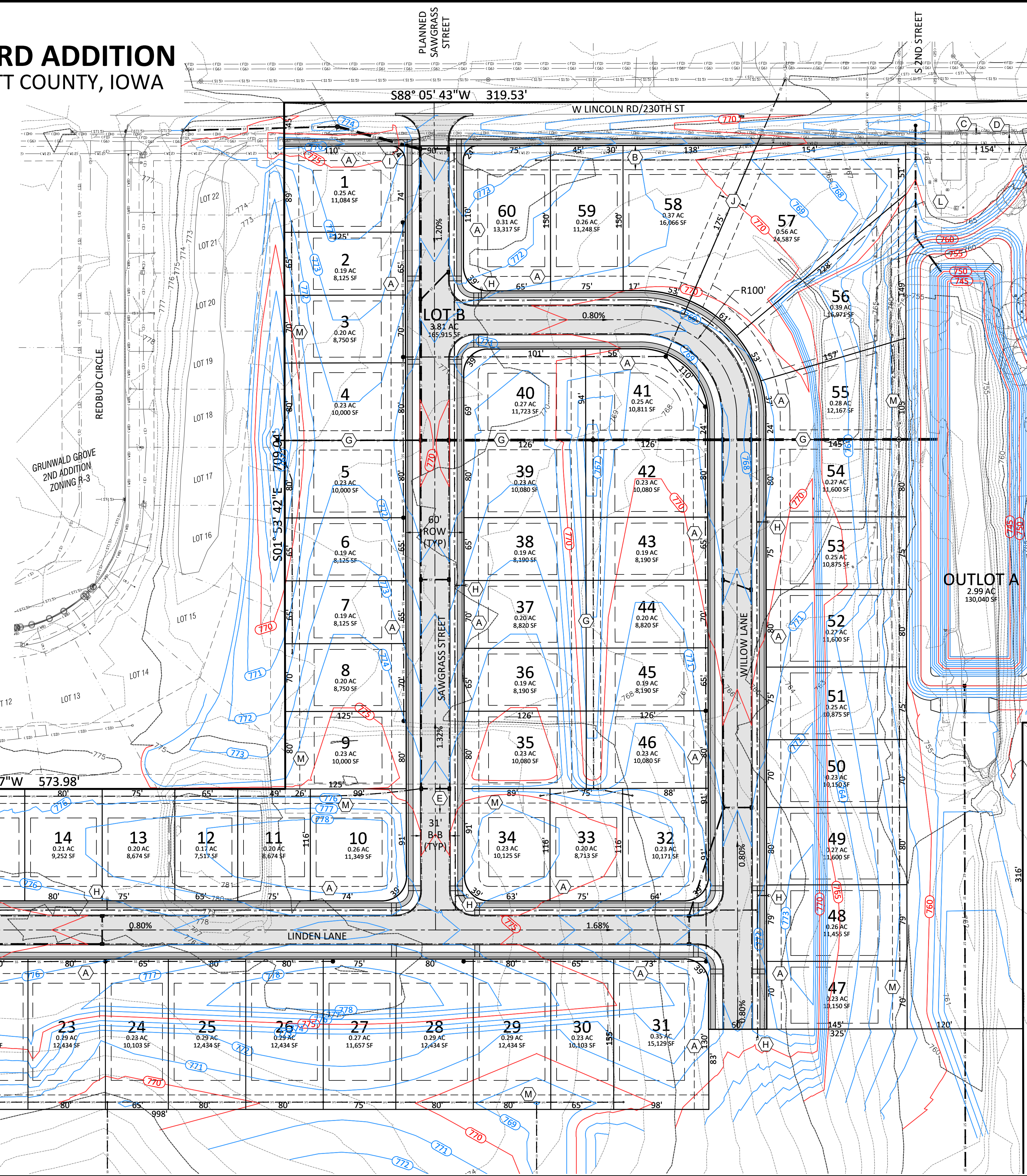
ISSUED FOR	
CITY SUBMITTAL	
DATE	04-04-2024
DESCRIPTION	DATE
DESIGNED BY	JP
DETAILED BY	JP
CHECKED BY	BB
PROJECT NO.	23-0100
SHEET NAME	
PRELIMINARY PLAT	

**1 OF 2**

NOT FOR CONSTRUCTION OR RECORDING

# PRELIMINARY PLAT GRUNWALD GROVE 3RD ADDITION IN THE CITY OF ELDRIDGE, SCOTT COUNTY, IOWA

LEGEND:	EXISTING	PROPOSED
<b>UTILITIES</b>		
COMMUNICATIONS	---	---
OVERHEAD LINE	---	---
ELECTRIC	---	---
FIBER OPTIC	---	---
GAS	---	---
SANITARY SEWER	---	---
STORM	---	---
SUBDRAIN	---	---
WATER: DOMESTIC	---	---
COMMUNICATIONS PEDESTAL	⊠	⊠
COMMUNICATIONS MANHOLE	⊙	⊙
GUY WIRE ANCHOR	⊥	⊥
UTILITY POLE	⊙	⊙
UTILITY POLE WITH LIGHT	⊙	⊙
LIGHT POLE	⊙	⊙
ELECTRIC MANHOLE	⊙	⊙
ELECTRIC TRANSFORMER	⊙	⊙
SANITARY SEWER MANHOLE	⊙	⊙
SANITARY SEWER CLEANOUT	⊙	⊙
STORM SEWER MANHOLE	⊙	⊙
STORM SEWER INTAKE	⊙	⊙
HYDRANT	⊙	⊙
WATER VALVE	⊙	⊙
CURB STOP	⊙	⊙
<b>SITE</b>		
CONTOUR - INDEX	100	100
CONTOUR - INTERMEDIATE	101	101
FENCE: BARB WIRE	---	---
FENCE: WOOD	---	---
SHRUBBERY	⊙	⊙
TREE: DECIDUOUS	⊙	⊙
TREE: CONIFEROUS	⊙	⊙
SIGN	⊙	⊙



- GENERAL NOTES:**
- ALL IMPROVEMENTS ARE TO BE INSTALLED IN ACCORDANCE WITH THE LATEST CITY OF ELDRIDGE STANDARD SPECIFICATIONS AND DETAIL DRAWINGS.
  - THIS PRELIMINARY PLAT INCLUDES APPROXIMATELY 59.58 ACRES.
  - THE ZONING FOR THE 60 RESIDENTIAL LOTS SHOWN ON THE SITE IS R-2.
- | R-2         | SINGLE FAMILY | TWO FAMILY |            |
|-------------|---------------|------------|------------|
| LOT WIDTH:  | 60'           | 75'        |            |
| FRONT YARD: | 25'           | 25'        |            |
| SIDE YARD:  | 5' MIN.       | 5' MIN.    | SUM OF 12' |
| REAR YARD:  | 30'           | 30'        |            |
- ZONING FOR OUTLOT C IS C-3.
  - EASEMENTS FOR PLANNING PURPOSES. SUBJECT TO CHANGE WITH SITE DESIGN. TO BE INCORPORATED INTO FINAL PLAT OR EASEMENT EXHIBITS.
  - ALL PROPOSED WATERMAIN IS TO BE 8".
  - ALL PROPOSED SANITARY SEWER IS TO BE 8".
  - ALL SUMP PUMP SEWER MAIN (SPS) TO BE 8".
  - THE INTENDED USE OF THE OUTLOT AND LETTERED LOTS WITHIN THE PLAT ARE AS FOLLOWS:
- | OUTLOT   | INTENDED USE            | RESPONSIBLE PARTY  |
|----------|-------------------------|--------------------|
| LOT A    | RIGHT-OF-WAY DEDICATION | CITY OF ELDRIDGE   |
| LOT B    | RIGHT-OF-WAY DEDICATION | CITY OF ELDRIDGE   |
| OUTLOT A | STORMWATER DETENTION    | HOMEOWNER'S ASSOC. |
| OUTLOT B | FUTURE RESIDENTIAL      | OWNER              |
| OUTLOT C | FUTURE COMMERCIAL       | OWNER              |
- THIS PROPERTY LIES WITHIN FEMA PANEL 19163C0215G (03/23/2021). THERE ARE MAPPED FLOODPLAINS ON THIS PROPERTY.
  - 100 YEAR FLOODPLAIN WILL BE CONTAINED IN OUTLOT B AND FEMA FLOOD MAPS WILL BE REVISED AS PART OF THIS DEVELOPMENT, IF NECESSARY.
  - ALL OUTLOTS SHALL HAVE BLANKET UTILITY, STORM SEWER, DRAINAGE, SANITARY SEWER, AND WATER EASEMENTS.
  - ALL LOTS ADJACENT TO WEST LINCOLN ROAD WILL NOT HAVE STREET ACCESS TO WEST LINCOLN ROAD.
  - ALL LANDSCAPING WILL BE COMPLIANT WITH CITY OF ELDRIDGE LANDSCAPE ORDINANCE, AND SHALL BE INSTALLED PRIOR TO CITY COUNCIL ACCEPTANCE OF SUBDIVISION IMPROVEMENTS.
  - ALL EASEMENTS CONGRUENT WITH RIGHTS-OF-WAY ARE 15' BLANKET WATER, SANITARY, STORM, AND UTILITY EASEMENTS.
  - NO DRIVEWAY WILL BE ALLOWED CLOSER THAN 200' FROM THE INTERSECTION OF LINCOLN AND FIRST STREET. EACH C-3 LOT MAY HAVE ONE ACCESS TO LINCOLN AND ONE ACCESS TO FIRST.
  - ALL ROADS LONGER THAN 150' AND TEMPORARILY ENDING AT SUBDIVISION ADDITION / PHASE LINES SHALL HAVE A TEMPORARY HAMMERHEAD, UNTIL THE ROAD IS COMPLETED.
  - SUMP DRAINS SHALL BE INSTALLED IN ALL REAR YARDS OF SINGLE FAMILY LOTS.
  - FUTURE DEVELOPMENT ON OUTLOT B SHALL INCLUDE ACCESS FOR A FUTURE STREET CONNECTION TO THE SOUTH ON 5TH STREET.
  - ALL WORK DONE WITHIN OUTLOT A SHALL BE OVERSEEN BY THE CITY ENGINEER.
  - SUMP PUMP SEWERS ON LOTS 19-31 SHALL OUTLET TO THE SOUTH OVERLAND UNTIL DEVELOPMENT OF FUTURE PHASES OF GRUNWALD GROVE DEVELOP. OUTLET PIPES SHALL BE MODIFIED TO CONNECT TO FUTURE STORM SEWER AT THAT TIME.
  - MINIMUM LOW OPENINGS FOR LOTS 51-55 ARE 761.50. LOT 56 IS 762.50.

- KEY NOTES:**
- (A) 15' PUBLIC UTILITY EASEMENT
  - (B) 25' PUBLIC UTILITY, STORM SEWER & DRAINAGE EASEMENT
  - (C) EXISTING 12' GAS EASEMENT
  - (D) EXISTING 20' UTILITY EASEMENT
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0 30 60  
1" = 60'

**GRUNWALD GROVE  
3RD ADDITION**

GRUNWALD LAND DEVELOPMENT, L.C.

ISSUED FOR

**CITY SUBMITTAL**

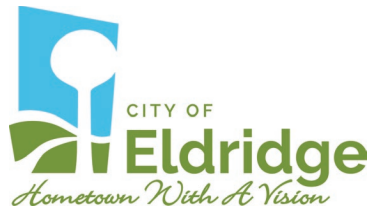
DATE	04-04-2024
DESCRIPTION	
DATE	

DESIGNED BY	JP
DETAILED BY	JP
CHECKED BY	BB
PROJECT NO.	23-0100
SHEET NAME	

**PRELIMINARY PLAT**

**2 OF 2**

NOT FOR CONSTRUCTION OR RECORDING



To: Plan and Zone Commission  
From: Jeff Martens, Assistant City Administrator  
Re: 880 S. 1<sup>st</sup> Street Access Easement  
Date: 4/18/24

Plan and Zone Commission:

The owner of 880 S. 1<sup>st</sup> Street, Ashley Atkins, is asking the Planning and Zoning Commission to:

1. Review the attached scanned documents along with Iowa State Code 354 that Ms. Atkins has provided and collectively provide a written opinion on what the Commission believes the City's intent for the Access Easement was at the time the property was subdivided in 2007.
2. Review the attached scanned documents along with Iowa State Code 354 that Ms. Atkins has provided and collectively provide a recommendation to the City Council on whether the Commission thinks her lot (Lot 1) should be able to use the Access Easement.

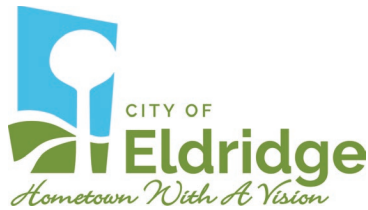
Please see the next page for a timeline summary of legal and staff opinions on this issue.

Karl Donaubaauer  
Tisha Boussetot  
Terry Harbour

Mike Martin  
Jennifer Vittorio

Brad Merrick  
Duane Miller





12/7/2023 – Kristine Stone, Attorney, Ahlers Cooney  
From a letter sent to Ms. Atkins:

The access easement noted on the plat is a private easement. It does not create a public easement for a public road. The City does not own the easement, the City did not construct the driveway included in the easement, and the City has never maintained that driveway or easement. The City therefore has no interest in the easement whatsoever. It is a private easement, located on private property, and any disputes related to this easement must be addressed privately, between the owners of Lot 1 and Lot 2. The City cannot resolve that dispute for you. You should consult with your own attorney about how best to resolve this matter.

05/04/2023 – Michael Bristley, Owner of 850 S. 1<sup>st</sup> Street  
From an email sent to be read at BOA meeting that evening:

Our driveway is approximately 40' X 524' adjacent to Lot 1 and was labeled "Access Easement" on the plot plan, with ownership recorded in Scott County by a Warranty Deed to Lot 2 ... This was an area of focus by our legal counsel upon purchasing this property, and we were further advised no driveway agreement or shared access was recorded in Scott County for access/use by any adjoining properties.

Her Deed of Record with Scott County does not indicate ownership or shared access to the property boundaries described in Lot 2.

03/03/2023 – Greg Schaapveld, Former City Engineer, Shive Hattery  
From staff review comments being compiled for preliminary subdivision plat review:

The allowable uses/users of the existing 40' wide access easement north of the proposed Atkin's 1<sup>st</sup> Addition was not defined in the platting documents of Sheedy's 1<sup>st</sup> Addition. Our understanding is the use of that easement has been a point of contention between the owner of the underlying land (Lot 1 of Sheedy's 1<sup>st</sup>) ... If that is correct, access for Lot 1 of the proposed Atkin's 1<sup>st</sup> Addition either needs to be solely via S 2<sup>nd</sup> St, or additional documentation needs to be provided to the City demonstrating that Lot 1 and preferably Lot 2 would have legal right to use that 40' access easement. Responsibility for maintaining that easement would need to be defined, and the City should consider whether Code would allow continued use of gravel for that shared drive.

Request City Council and BOA  
be ce'd on this filing.

PAID MAR 26 2024

PAID MAR 26 2024



# Vacation Application

## Plan and Zone Commission

Property Address 880 S. 1st St

Legal Description of Property Sheedy 1st Addition, Lot 2

Applicant Name Ashley Atkins  
Address 880 S. 1st St  
Phone Number 563 468-7210  
Email Address asatkins85@yahoo.  
Main Contact Person \_\_\_\_\_

Vacation Request Request Council to review land record documents and city Council meeting minutes to clarify easement access intent.

Reason for Request Building Permit denial using easement as access point.

Signature *Ashley Atkins*

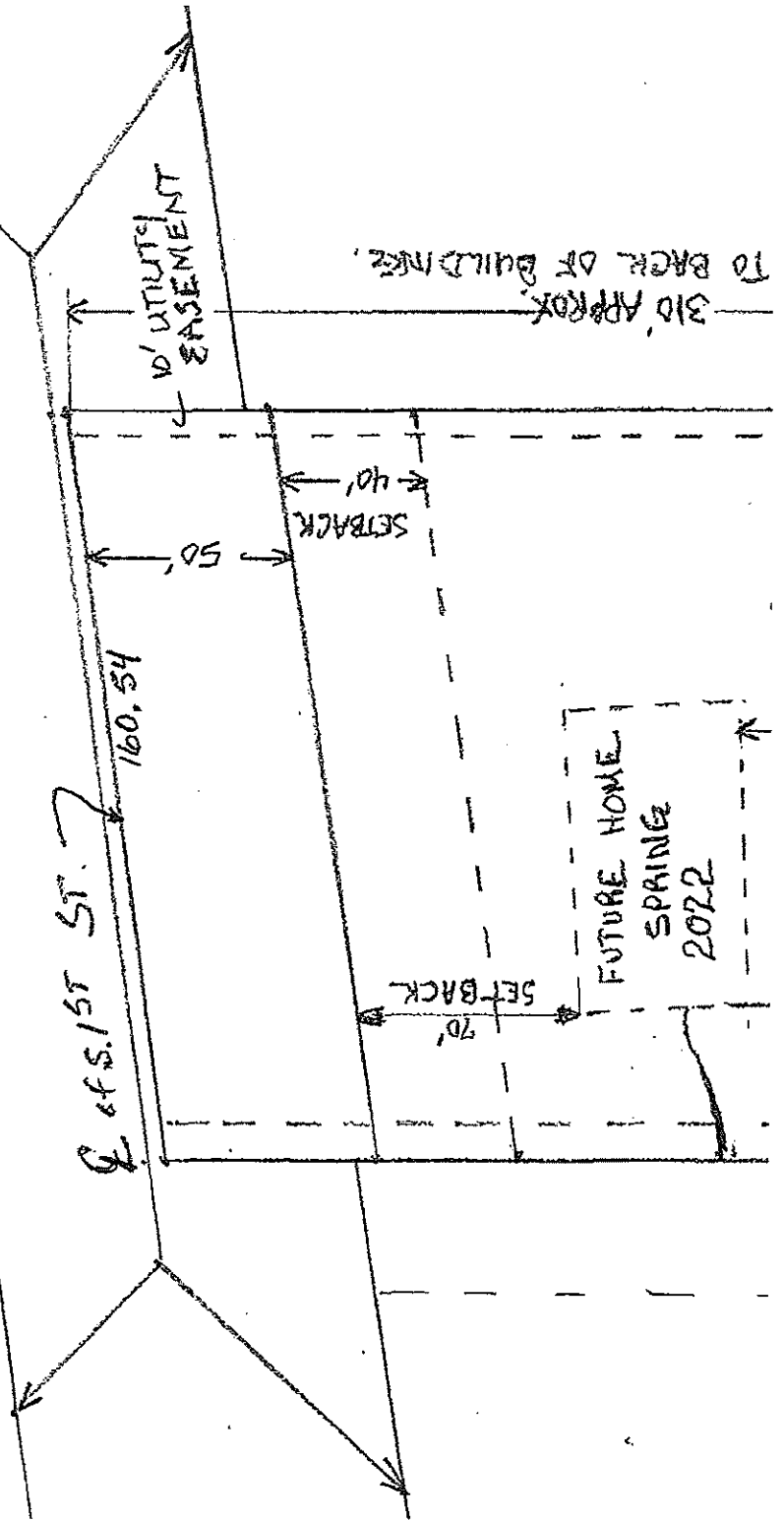
On 8 1/2" x 11" paper, please provide the following: (7) Enclosures

A map showing the property location and surrounding zoning

For office use only			
Fee	\$ 100	) Returning N/A	Date Filed
Filing Fee Paid	\$ <u>100.00</u>		<u>3/26/2024</u>
Payment Method	<u>V 1089</u>		Meeting Date
Courtesy Letters Sent	<u>4/9/2024</u>		<u>4/18/2024</u>

ASHLEY ATKINS 880 S 1ST ST.

PLOT PLAN



S. 1ST ST.

160.54

10' UTILITY EASEMENT

TO BACK OF BUILDING

SETBACK

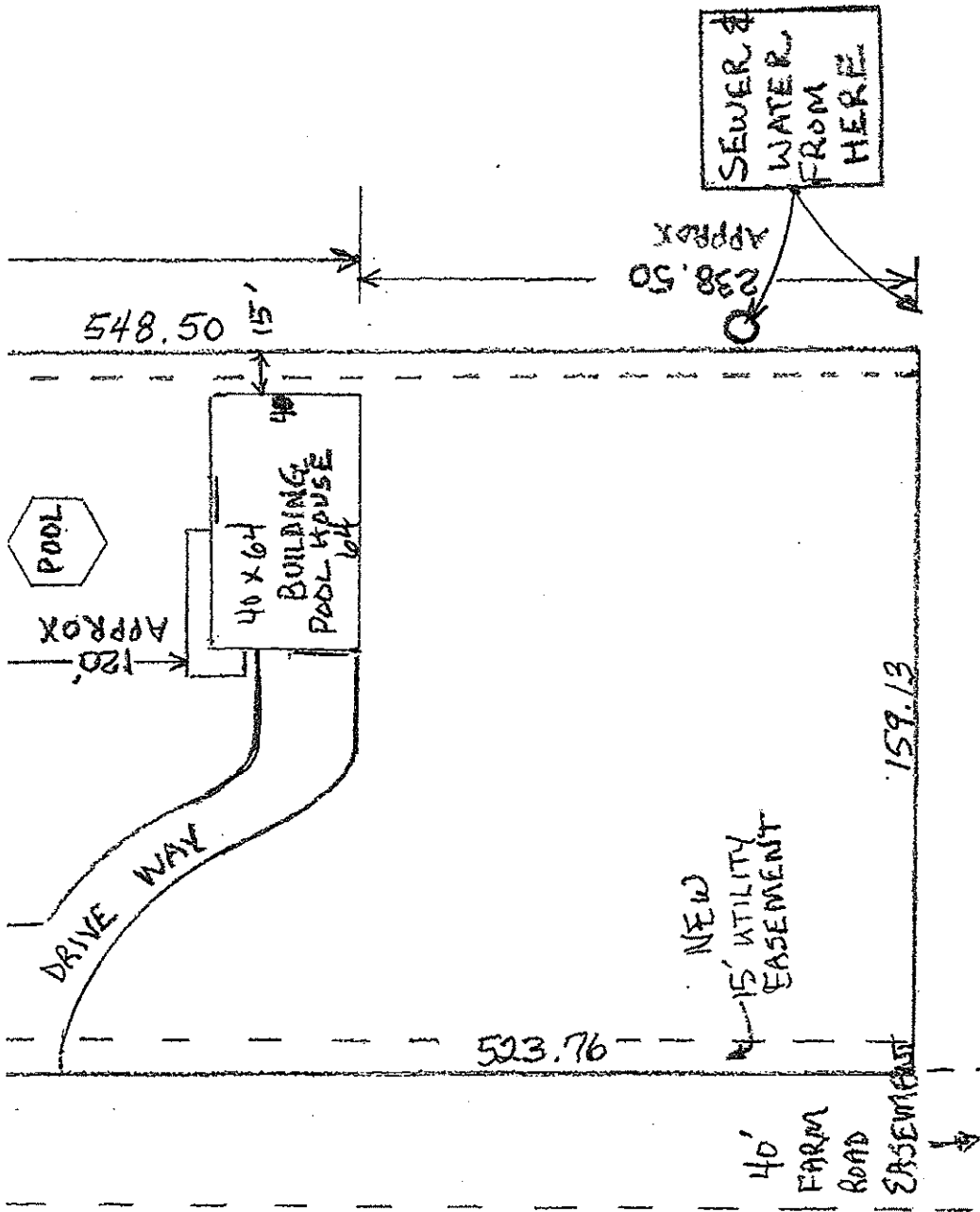
SETBACK

FUTURE HOME  
SPRING  
2022

50'

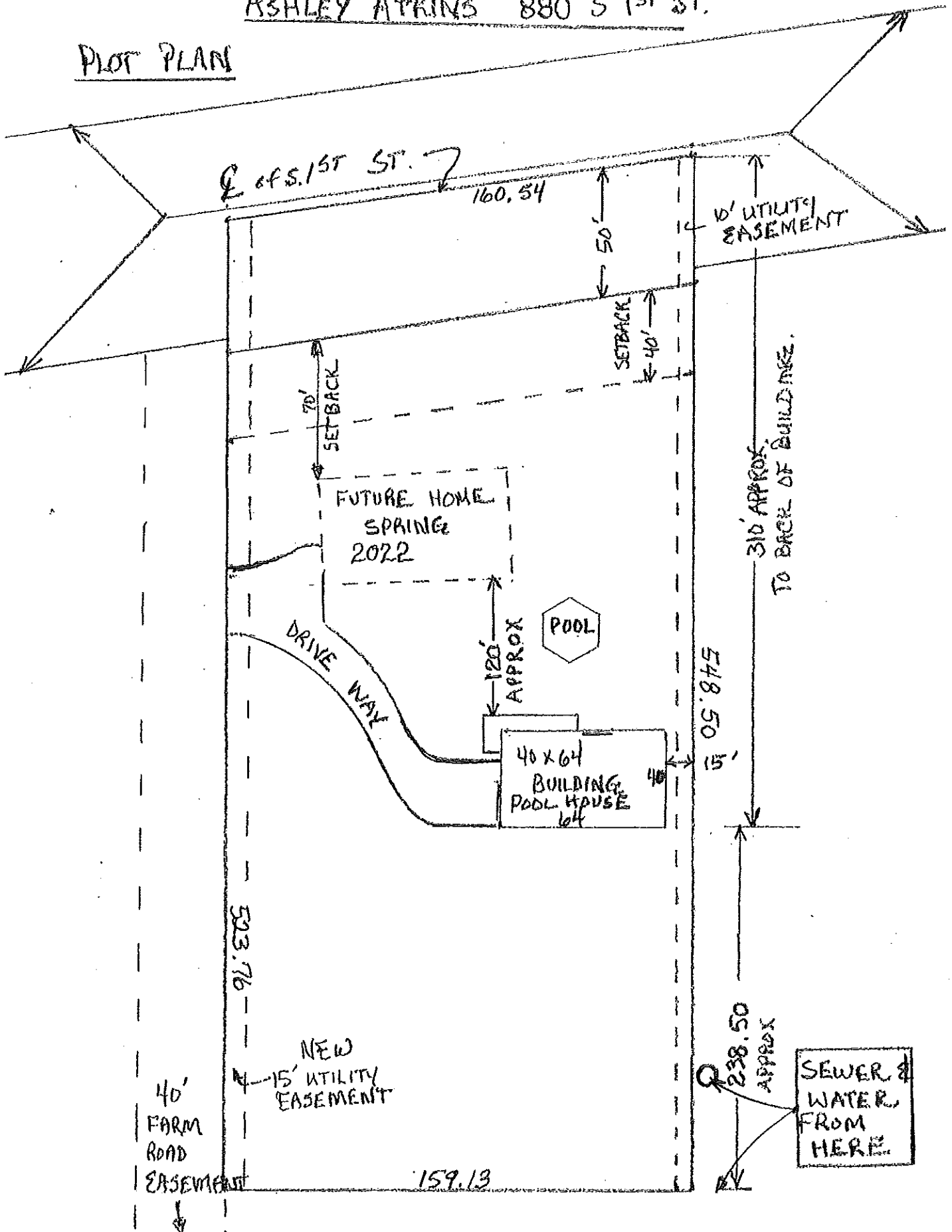
40'

70'



ASHLEY ATKINS 880 S 1ST ST.

PLOT PLAN



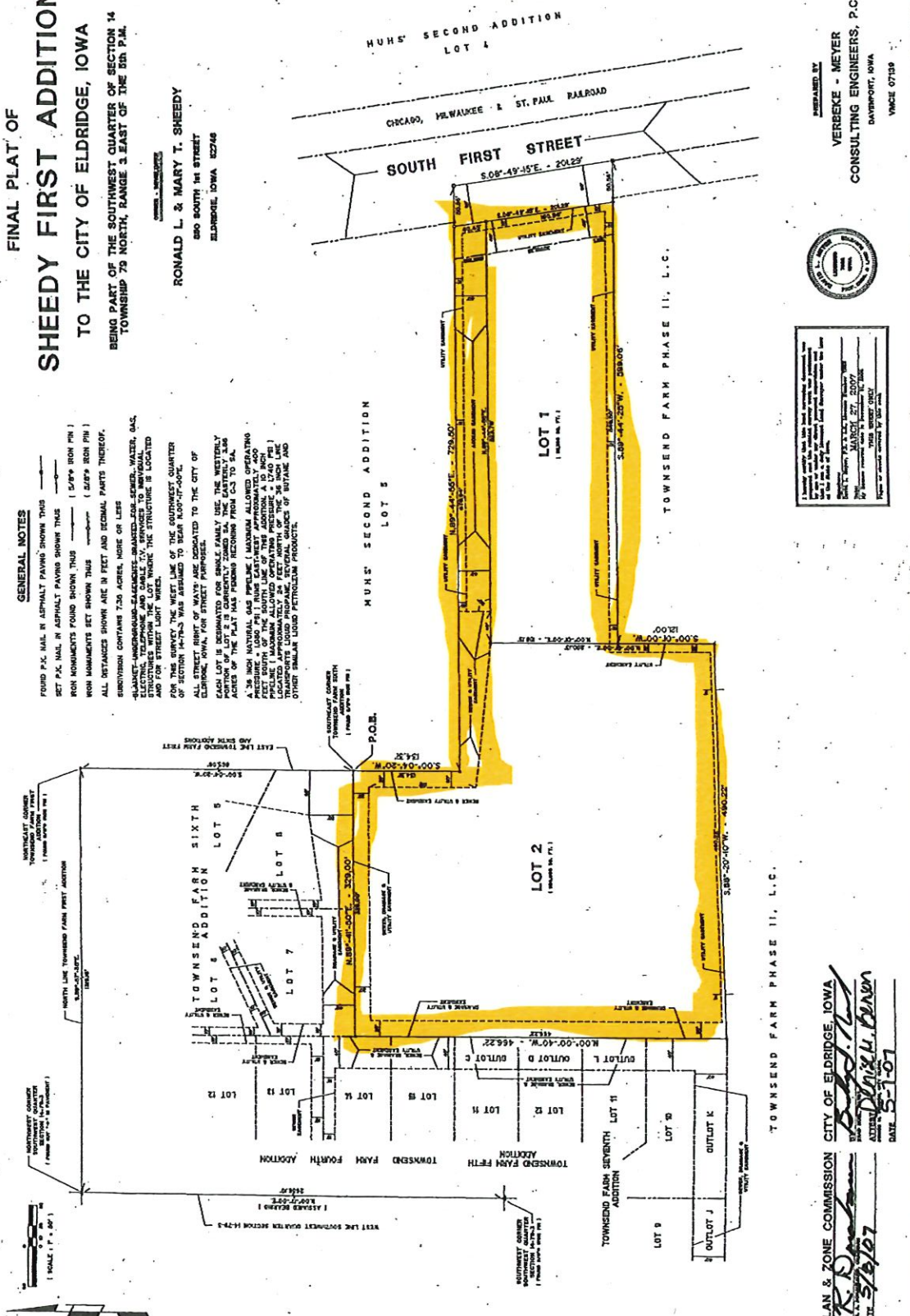
# FINAL PLAT OF SHEEDY FIRST ADDITION TO THE CITY OF ELDRIDGE, IOWA

BEING PART OF THE SOUTHWEST QUARTER OF SECTION 14  
TOWNSHIP 79 NORTH, RANGE 3 EAST OF THE 5TH P.M.

RONALD L. & MARY T. SHEEDY  
880 SOUTH 141 STREET  
ELDRIDGE IOWA 52748

### GENERAL NOTES

- FOUND P.C. NAIL IN ASPHALT PAVING SHOWN THIS
- SET P.C. NAIL IN ASPHALT PAVING SHOWN THIS
- IRON MONUMENTS FOUND SHOWN THIS
- IRON MONUMENTS SET SHOWN THIS
- ALL DISTANCES SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.
- SECTION 14 CONTAINS 7.50 ACRES, MORE OR LESS
- SHADED AREAS INDICATE EXISTING OR PROPOSED UTILITIES, WATER, GAS, TELEPHONE, CABLE TELEVISION, AND OTHER UTILITIES LOCATED WITHIN THE LOT WORK. THE STRUCTURE IS LOCATED AND FOR STREET LIGHT WIRE.
- FOR THIS SURVEY THE WEST LINE OF THE QUARTERLY QUARTER OF SECTION 14-75-3 WAS ASSUMED TO BE AN UNDEVELOPED CLEARING CORNER FOR STREET PURPOSES.
- EACH LOT IS DESIGNATED FOR SINGLE FAMILY USE. THE WESTERLY PORTION OF LOT 2 IS CURRENTLY ZONED SA. THE EASTERLY SA PORTION OF LOT 2 WILL BE REZONED FROM SA TO SA-2.
- A 35' HIGH NEARBY SIGN IS LOCATED APPROXIMATELY 400 FEET SOUTH OF THE SOUTH LINE OF THIS ADDITION. A 10' HIGH SIGN IS LOCATED APPROXIMATELY 25 FEET NORTH OF THE 36' HIGH LINE LOCATED APPROXIMATELY 25 FEET NORTH OF THE 36' HIGH LINE. OTHER SIMILAR LIQUID PETROLEUM PRODUCTS.



DESIGNED BY  
VERBEKE - MEYER  
CONSULTING ENGINEERS, P.C.  
DAYTON, OHIO  
VINCE 0719



1. I, the undersigned, being duly sworn, depose and say that I am the author of the above and true and correct copy of the same as the same appears from the records of the State of Iowa.

2. I, the undersigned, being duly sworn, depose and say that I am the author of the above and true and correct copy of the same as the same appears from the records of the State of Iowa.

3. I, the undersigned, being duly sworn, depose and say that I am the author of the above and true and correct copy of the same as the same appears from the records of the State of Iowa.

4. I, the undersigned, being duly sworn, depose and say that I am the author of the above and true and correct copy of the same as the same appears from the records of the State of Iowa.

5. I, the undersigned, being duly sworn, depose and say that I am the author of the above and true and correct copy of the same as the same appears from the records of the State of Iowa.

6. I, the undersigned, being duly sworn, depose and say that I am the author of the above and true and correct copy of the same as the same appears from the records of the State of Iowa.

7. I, the undersigned, being duly sworn, depose and say that I am the author of the above and true and correct copy of the same as the same appears from the records of the State of Iowa.

8. I, the undersigned, being duly sworn, depose and say that I am the author of the above and true and correct copy of the same as the same appears from the records of the State of Iowa.

9. I, the undersigned, being duly sworn, depose and say that I am the author of the above and true and correct copy of the same as the same appears from the records of the State of Iowa.

10. I, the undersigned, being duly sworn, depose and say that I am the author of the above and true and correct copy of the same as the same appears from the records of the State of Iowa.

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19. I, the undersigned, being duly sworn, depose and say that I am the author of the above and true and correct copy of the same as the same appears from the records of the State of Iowa.

20. I, the undersigned, being duly sworn, depose and say that I am the author of the above and true and correct copy of the same as the same appears from the records of the State of Iowa.

PLAN & ZONE COMMISSION CITY OF ELDRIDGE, IOWA  
DATE 5/10/07  
ATTEST: DORIS H. BOND  
DATE 5-10-07

**Matt Van Waus**

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**From:** "Matt Van Waus" <mvanwaus@netins.net>  
**To:** "Dave Meyer" <dmeyervmce@netexpress.net>  
**Sent:** Wednesday, March 28, 2007 9:49 AM  
**Subject:** Sheedy 1st Addition

Dave,

We have received materials for the above and I have now had a chance to glance through these materials. I noticed that you are referring to the area to the south of Sheedy 1st as Townsend Farm Phase II, L.C. It is my understanding that this area is actually Townsend Farm Phase III, L.C. (at least that is what the preliminary plat shows for the area). I suppose it is not a huge deal for the final plat and zoning plat, however I would think that it is a big deal on the legal description. If you do decide to make these corrections and resubmit in the near future, I have noticed a few items on the final plat that you may want to change while you are at it.

1. It was my understanding that Ron wants to hook up to city sewer and water in the future. If this is the case, a sanitary sewer/utility easement needs to be provided through lot 2 so that he can hook on to existing sanitary sewer (to the northwest) from lot 1 in the future. If this is not the case, then by code a perc test will need to be completed and a copy of the results sent to the city before the final plat is approved.
2. The city has required 50' of ROW (100' total) for S. 1st Street in the past, as it is classified as a major thoroughfare. Please make this change. The front yard setback can stay at 90' from the CL of 1st (50' of ROW + the 40' setback requirement in a SA District—comes out to be the same distance in both cases).
3. The final plat will most likely be approved and possibly recorded before the rezoning is approved. As you know, the rezoning is an ordinance change and will need to be approved on three separate occasions by the city council. Therefore, you will want to list the zoning on the final plat as it exists presently (SA and C-3) or state something like there is a rezoning pending for 3.86 acres of the final plat from C-3 to SA etc...
4. As you are well aware, our engineer, several members of the commission and city council have always been in favor of minimizing the number of access points to major streets. Therefore, a small portion the 40' of frontage for lot 2 should probably be made into a SHARED access easement for both lot 1 and lot 2. I am fairly sure that Ron is in favor of doing this at this time as well.

If you do resubmit materials, I need only 1 copy of the zoning plat, 1 copy of the revised legal description for the rezoning, 1 copy of the 11 X 17 final plat, and 4 large copies of the final plat (not 10).

Thanks a lot Dave.

Matt Van Waus  
Assistant City Administrator  
Eldridge, IA  
563-285-4841  
[mvanwaus@netins.net](mailto:mvanwaus@netins.net)

3/28/2007

Plan and Zone Commission Minutes

Meeting Date: April 19, 2007—6:30 p.m.

The Eldridge Plan and Zone Commission met in open session at 6:30 p.m., April 19, 2007. Present were Bob Bainter, John Higgins, Karl Donaubauer, Terry Harbour, Craig Herman, Duane Miller and John Karnstedt. Also present was Matt Van Waus.

The minutes from August 17, 2006 were presented for approval. Miller made a motion to approve the minutes as presented, second by Higgins. Motion was approved unanimously by voice vote.

The first item on the agenda was consideration of approval of Steffe's Addition Final Plat. The proposed subdivision is located at 400 S. Scott Park Road. The area of platting contains 3.20 acres more or less. Van Waus reviewed the staff report and summarized some of the changes that had been made to the final plat. Van Waus recommended that the revised final plat be approved as presented to the commission. Karnstedt made a motion to approve the final plat, second by Bainter. Motion was approved by unanimous voice vote.


At 6:44 p.m., Chairman Donaubauer opened a public hearing to discuss a rezoning request submitted by Ron and Mary Sheedy. The area to be rezoned contains 3.86 acres more or less. The property is located at 850 S. 1<sup>st</sup> Street. The Sheedy's have requested that the land be rezoned from C-3 General Commercial District to SA Suburban Agricultural District. Van Waus summarized the staff report. There were a few general questions asked regarding the specifics of the rezoning and some brief discussion among commission members. Bainter and Miller had some concern and sought clarification regarding potential agricultural use. Van Waus referred to the staff report and to the individual circumstances of the rezoning request. Van Waus also made reference to the current zoning of the western 2/3 of the Sheedy property and to other adjacent and non-adjacent areas.

Donaubauer closed the public hearing at 6:52 p.m. Commission members continued to discuss the rezoning request for a few minutes. Karnstedt made a motion to approve the rezoning request, second by Miller. Motion was approved by unanimous voice vote.

The last item on the agenda was consideration of approval of Sheedy 1<sup>st</sup> Addition Final Plat. The proposed subdivision is located at 850 S. 1<sup>st</sup> Street. The proposed subdivision contains 2 lots and area of platting is 7.36 acres more or less. Single-family residential use is planned for both lots. Van Waus reviewed the staff report and informed the commission of some of the circumstances surrounding the reason for the rezoning and platting of the property. Miller made a motion to approved the final plat as presented to the commission, second by Karnstedt. Motion was approved by unanimous voice vote.

Being no further business, Miller made a motion to adjourn, second by Karnstedt. Meeting adjourned at 7:07 p.m.

Respectfully submitted,

  
Matt Van Waus  
Assistant City Administrator



Eldridge City Council  
May 7, 2007  
7:00 P.M.

**STAFF REPORT**

**II. Final Plat Approval-** Sheedy's Addition  
**Petitioner:** Ron and Mary Sheedy

**Background:** Ron and Mary Sheedy are requesting **final plat approval** for Sheedy's 1<sup>st</sup> Addition. The property is located at 850 S. 1<sup>st</sup> Street and the area of platting contains 7.36 acres.

**Notes/Conditions of approval:**

1. The Sheedy's plan on building a new home on lot 1 in the future when they return to Eldridge. Utility easements have been provided that will allow a future connection to city sewer. Ron and Mary also desire to hook up to city water in the future (located along S. 1<sup>st</sup> Street).
2. Access to both lots will be allowed within the common/shared access easement shown on the plat.

**Planning and Zoning Commission Recommendation:** The engineering firm preparing the final plat has addressed our concerns and made revisions to the plat as requested. The Plan and Zone Commission voted unanimously to approve the final plat on April 19, 2007.

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The City Council of Eldridge, Iowa met in open session at 7:00 p.m., May 7, 2007. Roll call showed Mayor Brad Noel: Council members Steve Mohr, Marty O'Boyle, Jim Curtis, Steve Puls and Brian Wood. Also present were: Kelley Rose, Angel Adams, Kaitlyn Potter, Ashley Oerman, Elly Daley, Karen Bernick, Cory Hankemeier, Craig Curtis, Harri Hyrsky, Jorgen Baumgarter, Andrew Briggs, Aaron Lecander, Eric Holland, Heather Link, Shilow Guywacheski, Barb Geerts, John Dowd and Denise Benson.

Agenda – Motion by Curtis to approve the agenda, second by Mohr. Motion approved unanimously by voice vote.

Public Comment – none

Mayor's Agenda

- A. Consideration of approval of the minutes from April 16, 2007. Motion by Mohr to approve the minutes as written, second by Puls. Motion approved unanimously by voice vote.
- B. Consideration of approval of bills payable in the amount of \$220,065.00. Motion by Puls to approve the bills, second by Wood. Motion approved unanimously by voice vote.
- C. Consideration of approval of the renewal of Class B beer license and Sunday sales permit for Rudy's Tacos. Motion by Curtis to approve the renewal under new ownership, second by Wood. Motion approved unanimously by voice vote.

Old Business –

- A. The council discussed a revised capital improvement plan. The revised capital improvement plan will be voted on at the next meeting.

New Business –

- A. Consideration of authorizing proceeding with possible purchase of NS Fitness Center. Karen Bernick was present to give the council a list of 334 names of people who use the fitness center and she hopes the city will consider the purchase. After much discussion it was unanimously by the council to proceed with the possible purchase of the fitness center. Motion by Mohr to proceed, second by O'Boyle. Motion approved with 5 ayes, no nays. Motion carried.
- B. A public hearing was opened at 7:39 on the rezoning of a portion of the SW ¼ of Section 14, T79N, R3E of the 5<sup>th</sup> PM containing 3.86 acres MOL from C-3 General Commercial to SA Suburban Agricultural. No written or oral comments were received. Motion by Mohr to close the public hearing at 7:40, second by Wood. Motion approved unanimously by voice vote.
- C. Consideration of approval of first reading of Ordinance 07-01 rezoning a portion of the SW ¼ of Section 14, T79N, R3E of the 5<sup>th</sup> PM containing 3.86 acres MOL from C-3 General Commercial to SA Suburban Agricultural. Motion by Curtis to approve the first reading, second by Puls. Roll call vote showed Mohr, Wood, Curtis, Puls and O'Boyle voting aye, no nays. Motion carried.
- D. Consideration of approval of Resolution 07-06 approving the final plat of Sheedy's 1<sup>st</sup> Addition. Motion by Puls to approve the resolution, second by Curtis. Roll call vote showed Mohr, Wood, Curtis, Puls and O'Boyle voting aye, no nays. Motion carried.
- E. Consideration of approval of Resolution 07-07 approving the final plat of Steffe's Addition. Motion by O'Boyle to approve the resolution, second by Puls. Roll call vote showed Mohr, Wood, Curtis, Puls and O'Boyle voting aye, no nays. Motion carried.
- F. Consideration of approval of Resolution 07-08 accepting an offer to remove rails and ties from N. 1<sup>st</sup> Street to Iowa Street. Motion by Mohr to approve the resolution, second by Curtis. Roll call vote showed Mohr, Wood, Curtis, Puls and O'Boyle voting aye, no nays. Motion carried.
- G. Consideration of approval of convening in closed session to discuss the purchase of real estate per Chapter 21.5j of the code of Iowa. Motion by Mohr to go into closed session at 8:17 P.M., second by O'Boyle. Roll call vote showed Mohr, Wood, Curtis, Puls and O'Boyle voting aye, no nays. Motion carried.
- H. Reconvene in open session at 8:46 p.m.; the council did not act on anything discussed in closed session.

Activity Reports –

City Administrator – working on budget amendment and public hearing.

City Clerk – routine business, did receive nomination papers for council members if anyone is interested.

Committee Reports – Puls reported on the park board. Someone approached the park board about a flag football program; the park board approved the program. The sod was put down at Elmegreen Park today. Tile should be at Crandall Park this week. The two ASA tournaments at Sheridan Meadows went well.

Motion by Wood, second by Curtis, to adjourn the meeting. Motion approved unanimously by voice vote. Meeting adjourned at 8:46 p.m.

Bradley J. Noel  
Mayor

Denise M. Benson  
City Clerk

RESOLUTION # 07- 06


CERTIFICATE OF MAYOR AND CITY CLERK

We, Bradley J. Noel, Mayor and Denise M. Benson, City Clerk, of the City of Eldridge, Iowa, do hereby certify that the following Resolution was adopted by the City Council of the City of Eldridge, Iowa, at a meeting held on the 7 day of May, 2007.

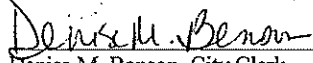
RESOLVED, by the City Council of the City of Eldridge, Iowa, that the Final Plat of SHEEDY 1<sup>st</sup> ADDITION to the City of Eldridge, Iowa, being a part of the Southwest Quarter of Section 14, Township 79 North, Range 3 East of the Fifth Principal Meridian, Scott County, Iowa, as filed with the Clerk by Ronald L. Sheedy and Mary T. Sheedy, husband and wife, owners of said real estate, be and the same is hereby approved and accepted; and further, that the City Council of the City of Eldridge, Iowa, does hereby accept the dedication of those portions shown on said Plat as being dedicated to the City of Eldridge for street or other purposes, if any; and the Mayor and City Clerk of said City be, and they are hereby authorized and directed to certify the adoption of this Resolution of the said Plat as required by law.

WITNESS our hands at Eldridge, Iowa, and the Seal of City of Eldridge, Iowa, on this 7 day of May, 2007.

By:

  
\_\_\_\_\_  
Bradley J. Noel, Mayor

ATTEST:

  
\_\_\_\_\_  
Denise M. Benson, City Clerk

(City Seal)