City of Hiawatha
Community Development Department

Purpose: Final Plat Approval **Date: 11/26/2019**

To: Hiawatha City Council

Name of Plan: Final Plat-Next Level 22 Second Addition

Address: 999 Boyson Road **Zone**: C-3 / R-1

Number of Lots: Three lots (Lots 1, 2 and 3) and Lot A to be deeded to the city for Boyson Road ROW.

Reviewed by: Patrick Parsley, Community Development Director

Description:
This is the final plat for the property at the corner of Boyson Road and NCPR which was a group of residential and commercial properties. The owner recently purchased additional residential lots on Kainz Drive along with a public parcel known as Kainz Park. The lots with residential homes and a portion of the City owned basin lots have been rezoned to C-3. The remainder of the basin lots and the Kainz Park lot remain zoned as R-1.

In addition, easement locations have changed so the final plat includes the vacation of utility easements no longer in use. Utility company sign offs have been submitted with the final plat. They verify there are no longer utilities located in the vacated easements.

The property is now owned as one property and is located partially within zoning district C-3 and partially within zoning district R-1. The R-1 zoned areas are not to be used as display or sales areas for the Auto business. Therefore, the R-1 zoning areas are labeled for public use; Lot 2 or as stormwater easements; Lot 3 and shall be used as such unless rezoned. Outlots A, B and C were created for signage purposes only. Due to the sign code revisions these outlots are no longer required.

Report: The lots are in compliance with the UDC for size and frontage.

Recommendation: Community Development and the Planning and Zoning Commission recommend approval of this final plat for Next Level 22 Properties Second Addition including the associated utility easement vacations.

City of Hiawatha
Engineering Department

To: **Planning and Zoning Commission** **November 19, 2019**

From: **John Bender PE City Engineer**

RE: **Final Plat Next Level 22 2nd Addition**

Address: **999 Boyson Road** **Zone: C-3**

Report:

This is a new final plat of the property located at the southeast corner of Boyson Road and Center Point Road. This plat is owned by Dave Wright and includes and number of properties that were acquired from various owners as the new car dealership was constructed. This appears to be an effort to combine all the legal descriptions of the numerous properties into a single plat and legal description. This will allow the County to create one parcel number for the entire area.

During staff review, we required the parcel to be split into 3 lots as there are deed restrictions on certain areas for storm water detention and shared use parking. We also had the City Attorney review our approach as we did not feel one single large lot of the area was appropriate.

The requested modifications to the plat have been completed, therefore Engineering recommends approval. If any questions, please let me know.

RESOLUTION NO. 19-011
Planning & Zoning Commission

RESOLUTION FOR RECOMMENDATION TO CITY COUNCIL TO APPROVE THE FINAL PLAT SUBMITTED BY SHIVE-HATTERY KNOWN AS NEXT LEVEL 22 PROPERTIES SECOND ADDITION AT 999 BOYSON ROAD, HIAWATHA, IOWA

WHEREAS, a Final Plat of Next Level 22 Second Addition to the City of Hiawatha, Linn County, Iowa, has been filed with the City Clerk and after consideration of the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Hiawatha, Iowa, in relation to plats and additions to cities, and

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF HIAWATHA, IOWA, that said final plat and dedications of said Next Level 22 Second Addition to Hiawatha, Linn County, Iowa, is hereby acknowledged and approved on the part of the Planning and Zoning Commission of Hiawatha, Iowa, and that the Acting Chairperson and Secretary of the Hiawatha Planning and Zoning Commission are hereby directed to certify this resolution of approval and affix the same to said plat as by law provided, and recommend that the Hiawatha City Council approve same.

AYES: Darryl Cheney, Kenny Jones, Kevin Neef, Terry Trimpe
NAYS: None
ABSENT: Lisa Jepsen, Mark Powers, Mark Ross

PASSED AND APPROVED this 25th day of November, 2019.

Kenny Jones
Kenny Jones, Acting Chairperson

ATTEST:

Tiffany Stinson
Tiffany Stinson, Permit Clerk

STATE OF IOWA, COUNTY OF LINN

I, Tiffany Stinson, Permit Clerk of the City of Hiawatha, Iowa do certify that the above and foregoing Resolution is a true and correct copy of the Resolution as passed by the Planning and Zoning Commission of the City of Hiawatha, Iowa on the 25th day of November, 2019.

Tiffany Stinson
Tiffany Stinson, Permit Clerk

INDEX LEGEND:
LOCATION: NEXT LEVEL 22 PROPERTIES
FIRST ADDITION IN THE CITY OF
HIAWATHA, LINN COUNTY, IOWA
LOTS 9,10, & 16-18 & 23
AUDITOR'S PLAT #372
IN LINN COUNTY, IOWA
REQUESTOR: NEXT LEVEL 22 PROPERTIES, LLC
PROPRIETOR: NEXT LEVEL 22 PROPERTIES, LLC
SURVEYOR: WADE D. WAMRE, PLS
COMPANY: SHIVE-HATTERY, INC.
RETURN TO: 222 THIRD AVENUE SE, SUITE 300
CEDAR RAPIDS, IOWA 52406
wwamre@shive-hattery.com
319-364-0227

FINAL PLAT
NEXT LEVEL 22 PROPERTIES SECOND ADDITION
TO THE CITY OF HIAWATHA, LINN COUNTY, IOWA

NOTE:

1.) DISTANCES ARE IN FEET AND DECIMALS THEREOF.

2.) LOT 'A' TO BE DEDICATED TO THE CITY OF HIAWATHA, IOWA AS PUBLIC ROAD RIGHT OF WAY.

3.) THERE SHALL BE NO PLACEMENT OF ABOVE-GROUND UTILITY STRUCTURES WHERE UTILITY EASEMENTS CROSS SEWER, WATER, DRAINAGE, OR ACCESS EASEMENTS.

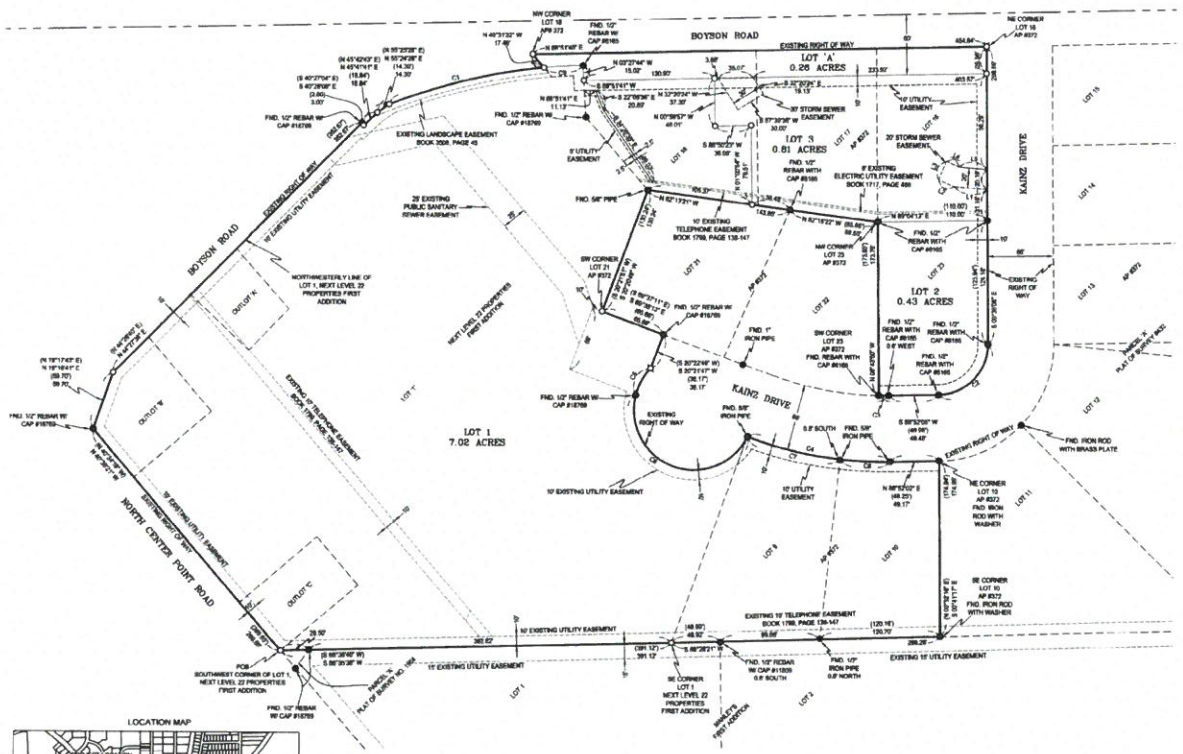
4.) LOT 2 IS SUBJECT TO A DEED RESTRICTION AS RECORDED WITH LINN COUNTY.

5.) LOT 3 IS A STORM WATER DETENTION EASEMENT.

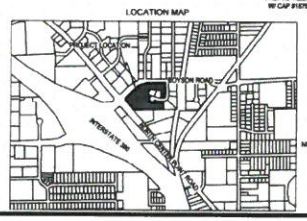
6.) OUTLOTS 'A', 'B', AND 'C' FROM THE FINAL PLAT OF NEXT LEVEL 22 PROPERTIES FIRST ADDITION TO THE CITY OF HIAWATHA, LINN COUNTY, IOWA WERE INTENDED FOR SIGNAGE ALLOWANCES. THE CITY HAS CHANGED THE SIGN CODE TO ELIMINATE THE NEED FOR THESE OUTLOTS.

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 84°53'08" W	32.89'
L2	N 66°58'52" W	17.29'
L3	N 23°03'08" E	20.00'
L4	S 66°58'52" E	14.12'
L5	S 84°53'08" E	27.84'

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD BRG	CHORD	DELTA
C1	159.54'	560.00'	N 76°23'45" E	159.01	016°19'25"
(C1)		560.00'			
C2	76.13'	55.00'	S 44°23'22" W	70.42	088°31'06"
(C2)		30.00'			090°27'12"
C3	10.36'	323.82'	S 66°47'12" W	10.36	001°50'16"
(C3)	10.04'	322.82'			
C4	146.04'	288.80'	S 82°32'11" E	145.19	029°31'19"
(C4)		288.80'			
C5	30.48'	60.00'	S 28°51'46" W	30.16	029°08'39"
(C5)	36.50'	60.00'	S 28°31'52" W	36.17	029°37'33"
C6	176.81'	60.00'	S 60°38'13" E	118.33	167°53'18"
(C6)	176.11'	60.00'	S 59°37'11" E	119.36	168°13'51"
C7	85.90'	288.80'	S 76°42'56" E	85.66	014°57'31"
(C7)	85.95'	288.80'			
C8	50.14'	288.80'	S 87°38'18" E	50.11	007°23'22"
(C8)	50.00'	288.80'			
C9	39.14'	560.00'	S 88°33'37" W	39.14	004°00'18"
(C9)		560.00'			



LOCATION MAP



SURVEY LEGEND

- ● FOUND SURVEY MONUMENT AS NOTED
- ○ SET 5/8" REBAR W/ ORANGE CAP #17565
- SET CUT 'X'
- ( ) RECORDED AS
- PLAT OR SURVEY BOUNDARY
- PLAT LOT LINE
- EXISTING LOT LINE
- SECTION LINE
- 10' UTILITY EASEMENT / INF
- EXISTING EASEMENT AS NOTED

OWNER:
NEXT LEVEL 22 PROPERTIES, LLC
3100 NORTH CENTER POINT ROAD
CEDAR RAPIDS, IOWA 52411

SURVEYOR / CONTACT:
WADE D. WAMRE, PLS
SHIVE-HATTERY, INC.
222 THIRD AVENUE SE, SUITE 300
CEDAR RAPIDS, IOWA 52406
PHONE: 319-364-0227
FAX: 319-364-4251
wwamre@shive-hattery.com

DATE OF SURVEY:
05/26/2018

BASE OF BEARINGS:
IOWA NORTH ZONE

AREA
TOTAL 8.52 ACRES

LAND DESCRIPTION:

Next Level 22 Properties Second Addition in the City of Hiawatha, Linn County, Iowa and Lots 9, 10, 16, 17, 18, and 23 of Auditors Plat #372 in Linn County, Iowa more particularly described as follows;

Beginning at the Southwest Corner of Lot 1, Next Level 22 Properties First Addition in the City of Hiawatha, Linn County, Iowa; Thence N 40°38'21" W along a Westerly line of said Lot 1 and also the Easterly Right of Way of North Center Point Road to the Westerly corner of said Lot 1 a distance of 299.65 feet; Thence N 19°16'41" E along a Northwesterly line of said Lot 1 and the South Right of Way of Boyson Road a distance of 58.70 feet; Thence N 44°23'38" E along a Northwesterly line of said Lot 1 and said South Right of Way of Boyson Road a distance of 352.67 feet; Thence S 46°38'00" E along a Northerly line of said Lot 1 and said South Right of Way of Boyson Road a distance of 3.00 feet; Thence N 45°41'41" E along a Northerly line of said Lot 1 and said South Right of Way of Boyson Road a distance of 18.84 feet; Thence N 55°24'26" E along a Northerly line of said Lot 1 and said South Right of Way of Boyson Road a distance of 14.30 feet; Thence Easterly along a 560.00 foot radius curve concaved Southerly along a Northerly line of said Lot 1 and said South Right of Way of Boyson Road to the Westerly line of Lot 18, Auditor's Plat # 372, Linn County, Iowa a distance of 159.50 feet (Chord bears N 76°23'45" E a distance of 159.01 feet); Thence N 40°31'32" W along said Westerly line of Lot 18 and said South Right of Way of Boyson Road to the Northwest corner of said Lot 18 a distance of 17.49 feet; Thence N 89°51'40" E along the North line of Lots 16, 17, and 18 of Auditor's Plat #372 and said South Right of Way of Boyson Road to the Northeast corner of said Lot 16 and West Right of Way of Kainz Drive a distance of 454.84 feet; Thence S 00°36'08"E along the East line of said Lot 16 and the East Line of Lot 23, Auditor's Plat # 372 and said West Right of Way of Kainz Drive a distance of 298.69 feet; Thence Southeasterly along said West Right of Way of Kainz Drive to the Northerly Right of Way of Kainz Drive along a 50.00 foot radius curve concaved Northeasterly a distance of 78.13 feet (Chord bears S 44°22'22" W a distance of 70.42 feet); Thence S 88°52'08" W along the South line of said Lot 23 and said North Right of Way of Kainz Drive a distance of 49.49 feet; Thence Westerly along said North Right of Way of Kainz Drive and said South line of said Lot 23 to the Southeast corner of said Lot 23 along a 322.8 foot radius concaved Northerly a distance of 10.36 feet (Chord bears S 66°47'12" W a distance of 10.36 feet); Thence N 00°43'56" W along the West line of said Lot 23 to the Northeast corner of said Lot 23 a distance of 173.76 feet; Thence N 82°15'22" W along a South line of said Lot 17 a distance of 88.80 feet; Thence N 82°12'21" W along the South line of said Lot 17 and Lot 18 to the Southeast corner of said Lot 18 a distance of 143.66 feet; Thence S 20°20'48" W along the West line of Lot 21 of said Auditor's Plat and an East line of said Lot 1 to the Southeast corner of said Lot 21 a distance of 130.24 feet; Thence S 66°38'13" E along the South line of said Lot 21 and a Easterly line of said Lot 1 to the Westerly Right of Way of Kainz Drive a distance of 88.88 feet; Thence S 20°21'47" W along said Easterly line and said Westerly Right of Way of Kainz Drive a distance of 36.18 feet; Thence Southeasterly along the Right of Way of Kainz Drive along a 60.00 foot radius curve concaved Southwesterly a distance 30.50 feet (Chord bears S 28°51'46" W a distance of 30.17 feet); Thence Southeasterly along the Right of Way of Kainz Drive along a 60.00 foot radius curve concaved Northeasterly a distance 176.81 feet (Chord bears S 66°37'11" E a distance of 118.33 feet); Thence Southeasterly along the South Right of Way of Kainz Drive to a Northerly corner of Lot 10, Auditor's Plat #372 along a 388.8 foot radius curve concaved Northerly a distance of 146.04 feet (Chord bears S 80°22'17" E a distance of 145.19 feet); Thence N 88°52'02" E along the South Right of Way of Kainz Drive to the Northeast Corner of said Lot 10 a distance of 49.17 feet; Thence S 00°41'17" E along the East line of said Lot 10 to the Southeast corner of said Lot 10 a distance of 174.66 feet; Thence S 88°28'21" W along the South line of Lots 9 and 10, Auditor's Plat #372 to the Southeast corner of said Lot 1 a distance of 288.28 feet; Thence S 88°38'38" W along the South line of said Lot 1 to the East Right of Way of North Center Point Road and the Point of Beginning a distance of 391.12 feet.

Said Parcel contains 8.52 acres, subject to easements and restrictions of record.

STATE OF IOWA — PROFESSIONAL LAND SURVEYOR — WADE D. WAMRE, PLS — 17565

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.

(signature) (date)

WADE D. WAMRE, PLS
License number: 17565
My license renewal date is December 31, _____
Pages or sheets covered by this seal: _____

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FINAL PLAT
NEXT LEVEL 22 PROPERTIES SECOND ADDITION
TO THE CITY OF HIAWATHA, LINN COUNTY, IOWA

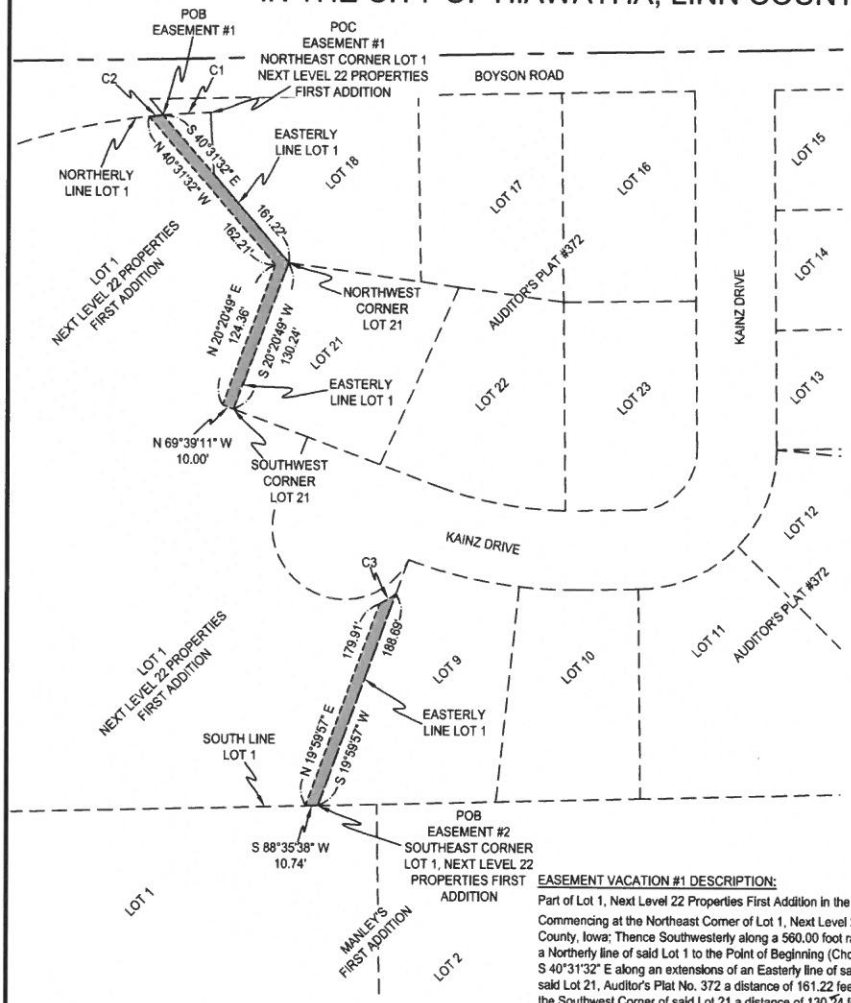
DATE	11-14-2019	SCALE	1"=60'
DRAWN	cen	FIELD BOOK	1283
REFERENCE DRAWING		REVISION	

PROJECT NO.
2173290

ISSUED FOR

INDEX LEGEND:
LOCATION: NEXT LEVEL 22 PROPERTIES FIRST ADDITION IN THE CITY OF HIAWATHA, LINN COUNTY, IOWA LOT 1 IN LINN COUNTY, IOWA
REQUESTOR: NEXT LEVEL 22 PROPERTIES, LLC
PROPRIETOR: NEXT LEVEL 22 PROPERTIES, LLC
SURVEYOR: WADE D. WAMRE, PLS
COMPANY: SHIVE-HATTERY, INC.
RETURN TO: 222 3RD AVENUE SE, SUITE 300
CEDAR RAPIDS, IOWA 52406
wwamre@shive-hattery.com
319-364-0227

EXHIBIT
10' UTILITY EASEMENT VACATION
NEXT LEVEL 22 PROPERTIES FIRST ADDITION
IN THE CITY OF HIAWATHA, LINN COUNTY, IOWA



DATE OF SURVEY:
05/26/2018

BASE OF BEARINGS:
IOWA NORTH ZONE

AREA:
EASEMENT #1 TOTAL : 0.07 ACRES

EASEMENT #2 TOTAL : 0.04 ACRES

OWNER:
NEXT LEVEL 22 PROPERTIES, LLC
3100 NORTH CENTER POINT ROAD
CEDAR RAPIDS, IOWA 52411

SURVEYOR / CONTACT:
WADE D. WAMRE, PLS
SHIVE-HATTERY, INC.
222 3RD STREET SE, SUITE 300
CEDAR RAPIDS, IOWA 52406
PHONE: 319-364-0227
FAX: 319-364-4251
wwamre@shive-hattery.com

EASEMENT VACATION #1 DESCRIPTION:

Part of Lot 1, Next Level 22 Properties First Addition in the City of Hiawatha, Linn County, Iowa described as follows:

Commencing at the Northeast Corner of Lot 1, Next Level 22 Properties First Addition in the City of Hiawatha, Linn County, Iowa; Thence Southwesterly along a 560.00 foot radius curve concaved Southerly a distance of 39.14 feet along a Northerly line of said Lot 1 to the Point of Beginning (Chord bears S 86°33'37" W a distance of 39.14 feet); Thence S 40°31'32" E along an extensions of an Easterly line of said Lot 1 and along said Easterly line to a Northwest corner of said Lot 21, Auditor's Plat No. 372 a distance of 161.22 feet; Thence S 20°20'49" W along an Easterly line of said Lot 1 to the Southwest Corner of said Lot 21 a distance of 130.24 feet; Thence N 69°39'11" W a distance of 10.00 feet; Thence N 20°20'49" E and parallel to a said Easterly line of Lot 1 a distance of 124.36 feet; Thence N 40°31'32" W and parallel to a said Easterly line of Lot 1 to the Northerly line of said Lot 1 a distance of 162.21 feet; Thence Northeasterly along a 560.00 foot radius curve concaved Southerly along said Northerly line of said Lot 1 to the Point of Beginning a distance of 12.13 feet (Chord bears N 83°56'15" E a distance of 12.13 feet).

Said easement contains 0.07 acres, subject to easements and restrictions of record.

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD BRG	CHORD	DELTA
C1	39.14'	560.00'	S 86°33'37" W	39.14	004°00'18"
C2	12.13'	560.00'	N 83°56'15" E	12.13	001°14'27"
C3	16.20'	70.00'	N 58°13'25" E	16.16	013°15'30"

SURVEY LEGEND

- EXISTING LOT LINE
- SECTION LINE
- VACATION EASEMENT BOUNDARY
- VACATION EASEMENT AREA

EASEMENT VACATION #2 DESCRIPTION:

Part of Lot 1, Next Level 22 Properties First Addition in the City of Hiawatha, Linn County, Iowa, described as follows:

Beginning at the Southeast Corner of Lot 1, Next Level 22 Properties First Addition in the City of Hiawatha, Linn County, Iowa; Thence S 88°35'38" W along the South line of said Lot 1 a distance of 10.74 feet; Thence N 19°59'57" E and parallel to a Easterly line of said Lot 1 a distance of 179.91 feet; Thence Northeasterly along a 70.00 foot radius curve concaved Northerly to said Easterly line a distance of 16.20 feet (Chord bears N 58°13'25" E a distance of 16.16 feet); Thence S 19°59'57" W along said East line to the Point of Beginning a distance of 188.69 feet.

Said easement contains .04 acres, subject to easements and restrictions of record.

1 OF 1 | ISSUED FOR | PROJECT NO. 2173290

EASEMENT VACATION EXHIBIT
NEXT LEVEL 22 PROPERTIES FIRST ADDITION
IN THE CITY OF HIAWATHA, LINN COUNTY, IOWA

DATE 10-5-2019		SCALE	1"=100'
DRAWN cen	APPROVED	FIELD BOOK	1283 & 1266
REFERENCE DRAWING		REVISION	

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DRAFT

RESOLUTION NO. 19-
City Council

RESOLUTION APPROVING FINAL PLAT
NEXT LEVEL 22 SECOND ADDITION, HIAWATHA, IOWA

WHEREAS, a Final Plat of Next Level 22 Second Addition to the City of Hiawatha, Linn County, Iowa, has been received and reviewed by the City Engineer, Hiawatha Water Superintendent and Planning and Zoning Commission and found to be in conformance with regulations of the City of Hiawatha, and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HIAWATHA, IOWA, to approve the final plat of Next Level 22 Second Addition to the City of Hiawatha, Linn County, Iowa.

AYES:
NAYS:
ABSENT:

PASSED AND APPROVED this 4th day of December, 2019.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kari Graber, City Clerk