FS

Memorandum

To: Hiawatha City Council

CC: Kim Downs, City Administrator

From: Patrick Parsley, Community Development Director

John Bender, City Engineer

Date: 10/27/2016

Re: Extra Territorial Plat review for Ries Acres First Addition to Linn County

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Background: The City has received a request to review a plat proposed in Linn County and within the two-mile radius of the Hiawatha city limits. The plat request is to plat three one-acre lots along Feather Ridge Road. The property is approximately 1.8 miles from the Hiawatha border and due east of Toddville. No right-of-ways or public improvements are required. Attached is a

Location map

Proposed site plan

Legal description

The authority to review all plats in the two-mile area is in accordance with UDC Section 165.52 and is referenced in Iowa State Code Section 354.9. A resolution is required to approve extra territorial plats as for plats within the city limits. The same platting rules, policies and procedures apply. If Council chooses to exercise their review authority, the plat should be sent to the Planning and Zoning Commission for review and recommendation in the same way all plats are reviewed and approved.

Alternatively, this State Code section allows the Council to waive their review authority if deemed appropriate. By resolution the Council may waive their review authority and allow this plat to occur without review. This plat is a simple division of a lot. If it were to occur within the City limits, it could be accomplished through a "plat of survey". A "plat of survey" can be completed through the approval of the City Engineer without Council or Planning and Zoning review.

Recommendation: Given this plat is defined as a minor subdivision in Hiawatha's UDC Section 165.67 and that the lot sizes still comply with minimum lots for our Agricultural Zone, we would recommend a resolution waiving Hiawatha's review for this plat.

DRAFT

Prepared by and Return to: Kelly Kornegor, City of Hiawatha 101 Emmons Street Hiawatha, Iowa 52233, 319-393-1515

RESOLUTION NO. 16-
City Council

RESOLUTION WAIVING THE CITY OF HIAWATHA'S RIGHT TO REVIEW THE FINAL PLAT OF RIES ACRES FIRST ADDITION TO LINN COUNTY, IOWA

WHEREAS, the City Council of the City of Hiawatha, Iowa has received a request to waive the right to the review the final plat of Ries Acres First Addition to Linn County, Iowa, shown in the attached Exhibit "A," subject to review and recommendation from the Community Development Director and City Engineer, and

WHEREAS, the Community Development Director and City Engineer reviewed the final plat of Ries Acres First Addition to Linn County, Iowa, and determined the plat to reflect a minor request to plat three one-acre lots, complying with provisions of the Hiawatha Unified Development Code and therefore recommended City Council approval of waiving the City's right to review authority, and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA, hereby waiving the City of Hiawatha's right to review the Final Plat of Ries Acres First Addition to Linn County, Iowa.

AYES:
NAYS:
ABSENT:

PASSED AND APPROVED this 2nd day of November, 2016.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kelly Kornegor, City Clerk

DRAFT

I, Kelly Kornegor, City Clerk of the City of Hiawatha, Iowa, do hereby certify that the within and foregoing offer was duly approved and accepted by the City Council of the City of Hiawatha, by Resolution No. 16- and said resolution passed and approved on the 2nd day of November, 2016.

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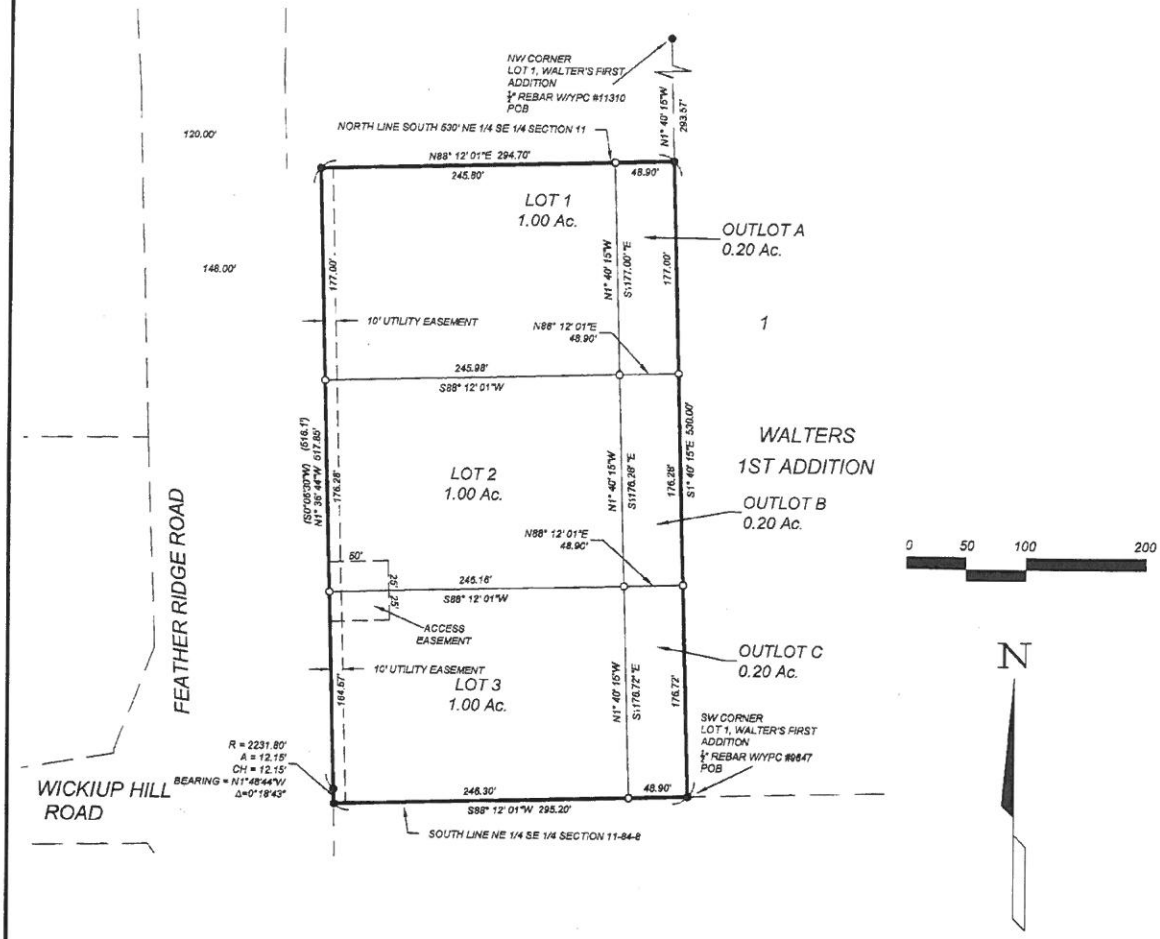
Kelly Kornegor, City Clerk

FINAL PLAT
RIES ACRES FIRST ADDITION TO LINN COUNTY, IOWA



OWNERS: MARK A. AND LAURA J. RIES
3926 WICKIUP HILL ROAD
TODDVILLE, IOWA 52341
319-393-1267

SURVEYOR: BRAIN ENGINEERING, INC.
1540 MIDLAND COURT NE
CEDAR RAPIDS, IOWA 52402
319-294-9424

PROPERTY LOCATION:
3269 FEATHER RIDGE ROAD
NE SE
11-84-8
MONROE

●	FOUND 1/2" REBAR W/YPC #9647 OR AS LABELED
O	SET 1/2" REBAR
POB	POINT OF BEGINNING
()	RECORDED AS
UE	UTILITY EASEMENT
YPC	YELLOW PLASTIC CAP

LEGAL DESCRIPTION

A part of the NE ¼ SE ¼ of Section 11, Township 84 North, Range 8 West of the 5th Principal Meridian, Linn County, Iowa described as follows:
Beginning at the SW corner of Lot 1 of Walter's First Addition to said County;
thence S88° 12' 01"W along the south line of said NE ¼ SE ¼, 295.20 feet to the east right of way line of Feather Ridge Road;
thence N-ly along said east right of way line on an arc of 12.15 feet of a 2231.80-foot radius curve to the right, having a chord length of 12.15 feet bearing N01° 48' 44"W;
thence N01° 36' 44"W along east right of way line, 517.85 feet to the north line of the South 530 feet of said NE ¼ SE ¼;
thence N88° 12' 01"E along said north line, 294.70 feet to the west line of said Lot 1;
thence S01° 40' 15"E along said west line, 530.00 feet, to the Point of Beginning, containing 3.59 acres.

NOTE: ALL MEASUREMENTS IN FEET AND DECIMALS THEREOF.
OUTLOTS A, B, AND C MAY ONLY BE DEVELOPED IN ACCORDANCE WITH ALL DEVELOPMENT REGULATIONS IN EFFECT AT THE TIME DEVELOPMENT IS PROPOSED.

LICENSED LAND SURVEYOR
STEPHEN MICHAEL BRAIN
9647
IOWA

I hereby certify that this land surveying document 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.
Signed Date

Stephen Michael Brain, L.S.
My License Renewal Date Is December 31, 2016
License Number 9647
Pages or sheets covered by this seal: THIS PAGE

LOCATION MAP

DATE OF SURVEY: 7/27/16

Project No: 470616-10

Title: FINAL PLAT

RIES ACRES FIRST ADDITION

BRAIN ENGINEERING, INC.
CIVIL - LAND DEVELOPMENT - SURVEYING - TRANSPORTATION

Drawn:	Book:
SMB 8/14/16	323
Checked: SMB 9/8/16	Scale: 1"=100'

K:\Shared Company\Proj\470616-10 Ries\470616-10 Ries Final Plat.dwg, 9/8/2016 11:17:28 AM