

**Mason City Planning & Zoning Commission  
Staff Report**

---

Date: April 6, 2015

File No.: P12015-03

Applicant: Mike Momberg

Request: A request to modify a previously approved site plan for the Village at River Bend to allow construction of two duplex forms oriented to Birch Drive with driveway access on Birch Drive, in place of three 4-unit rowhouse forms oriented to and having driveway access from River Bend Drive.

---

**Request:** Staff has received a request from Mike Momberg to amend a previously approved Development Plan and Multiple Principal Building Development. If granted, the applicant would construct two duplex forms with driveway access on Birch Drive instead of the three 4-unit rowhouse forms with driveway access from River Bend Drive. A location map and the proposed amended site plan are attached.

**Background:** In August 2002, River View Ventures applied for and received approval of a Development Plan in the RG-L Low Density Residential Zoning District. At the time, the zoning required that a Development Plan “be submitted and approved prior to the issuance of a building permit in the RG-L district.” The Planning and Zoning Commission was charged with reviewing the plan to determine if it was in substantial compliance with the zoning ordinance. Final approval of the Development Plan rested with the Planning and Zoning Commission; no City Council approval was required.

The Development Plan covered the full 10.2 acre parcel and envisioned 19 duplex and four-plex buildings containing a total of 55 units. In the staff report, staff analyzed the traffic circulation for the development. At the time of application, Birch Drive was not paved. However, paving and a grade-separated multi-use trail was planned. (The paving and trail were subsequently completed.) The staff report notes that only one entrance to the development from Birch Drive is proposed. The Development Plan was approved at that meeting along with the Preliminary Plat. The staff reports for both the Development Plan and the Preliminary Plat are attached along with the minutes of the meeting. The Preliminary Plat was subsequently approved by the City Council.

In February 2003, the Final Plat for the Village at River Bend was reviewed and approved by the Commission along with a Multiple Principal Building (MBP) Development Plan showing Phase 1 of the development. Phase 1 anticipated 30 units in a mix of duplex and 4-unit rowhouse building forms. Access to the development from Birch Drive is limited to one point, River Bend Drive. The Commission, having final approval authority for the MBP Development Plan, approved the plan as submitted.

The Final Plat was recommended for approval and forwarded to the City Council. The Council subsequently approved the plat.

In July 2004, the developer requested approval for a minor modification of the site plan to replace three four-plex rowhouse forms, one on River Bend Ct. (noted as Village Drive on the plan), and two on the River Bend Drive cul-de-sac with five duplex forms (two on River Bend Ct. and three on the River Bend Drive cul-de-sac.) An annotated site plan was found in the file noting that the proposed change was consistent with the approved site plan and was approved by Senior Planner Charlie Kuester. Staff recalls that at the same time this modification was approved, the developer discussed constructing units with direct access from Birch Drive; we believe the developer was told that this would not be acceptable. However, we cannot find any notes from Mr. Kuester to this effect.

In November 2012, the developer again requested approval for a minor modification to the approved site plan. They proposed removing one of the duplex forms from the River Bend Drive cul-de-sac, leaving two duplex forms on the cul-de-sac. In addition, they requested approval to use geo-block instead of asphalt on the private streets. While the deletion of one of the duplex forms would still leave the development plan in compliance with the approved plan, the use of geo-block went beyond Planning and Zoning staff's authority so the amendment was reviewed by the Development Review Committee (DRC). The DRC approved the proposed changes subject to removal of the extra water and sewer service connections that had been placed in anticipation of the four-plex rowhouse forms.

### **Analysis:**

The subject property is located in eastern Mason City. It is bordered by the Evans Preserve on the west and north, and Grace Evangelical Free Church on the east. The Evans Preserve is a City-owned nature preserve with a perpetual deed restrict. It will never be develop. Grace Evangelical Free Church is embarking on a significant building addition this summer, with a third addition planned in the near future. According to Church representatives, the congregation continues to grow. With construction of the first phase of their expansion, their youth programs (currently held off-site) will be moved back to the main church campus. There is no development on the south side of Birch Drive across from the development. The north bank of the Winnebago River and a narrow greenbelt abut Birch Drive.

The proposed amendment was discussed at the Development Review Committee on March 31, 2015. The general consensus among the DRC members was that the proposed amendment should be denied. The following issues were identified:

- Adding four 20' driveways along Birch Drive will significantly increase the number of potential conflicts between backing vehicles and vehicles on Birch Drive. The proposed location of the two duplex forms on the curve in Birch Drive limits visibility and increases the likelihood of a crash in this location.

- The four proposed driveways will also conflict with the existing multi-use trail. The trail sees substantial traffic now. In the summer of 2015, this trail will be extended to N. Illinois Ave. where it will connect with a shared roadway trail extending to the John Adams Middle School/Mason City High School campus. The trail will become the primary connection between East Park and Aquatic Center and the Asbury neighborhood, Eastbrooke neighborhood and NIACC. It will also be the primary route between northeast Mason City and the school campus.
- The multi-use trail is not constructed to accommodate vehicles. Vehicles using the driveways will damage the trail unless the trail segments that cross the driveways are removed and replaced with reinforced Portland concrete cement. Should the Commission vote to approve the amendment, staff respectfully requests that the developer be required to replace the trails segments that cross the driveways with reinforced colored Portland concrete cement. This will limit wear and tear on the trail; the colored concrete will be a visual cue to trail users.
- Vehicles parked across the multi-use trail could divert trail users into the street. This increases the risk to the trail users from bike crashes, bike/vehicle crashes and pedestrian/vehicle crashes.
- Trail users assume they will not encounter vehicles on a trail; there is the assumption that they can proceed unimpeded. Driveway crossings should be rare and spaced in a way that they can be anticipated. Closely spaced driveway crossings place trail users in danger.
- Currently, there are no restrictions for parking on the street. However, there is no need to park on the street. The Village at River Bend provides guest parking within the development. In addition, no units front on Birch Drive. Staff anticipates that units fronting on Birch Drive will create demand for on-street parking. Because of the curve and elevation change on the street, on-street parking is not suitable in this location. The Assistant City Engineer noted that the City would likely eliminate on-street parking in this location if the amendment was approved. The Commission should note that the Developer has discussed prohibiting parking on Birch Drive through the rules for the condominium association. However, because Birch Drive is a public street not controlled by the association, parking enforcement will be difficult. In addition, the association can only impose penalties on residents of the development.
- Birch Drive is a major east-west connection between Kentucky Avenue and Illinois Avenue. During the school year, the street carries a significant amount of traffic. As is noted in the prior site plans, there is a blind curve and a hill making visibility a challenge. In addition, while the posted speed limit on the street is 25 mph, the road is designed to accommodate vehicles traveling at higher speeds. Consequently, traffic rarely complies with the posted speed limit.
- The design and aesthetics of the development would be impacted if the two duplex units were constructed to turn their back on the rest of the development.

The concept for the Village at River Bend was intended to convey a sense of seclusion and to establish a strong neighborhood bond.

We believe that there is a precedent for denying driveway accesses that cross trails. The multi-use trail along 19<sup>th</sup> St. SE is .95 miles long. Along its length there are six driveway crossings. The closest spacing of these driveways is 192 feet. All of these driveways were here before the trail was constructed. In Pine Hill Acres (on S. Virginia, Pine Hill Ct. and S. Rhode Island Ct.) the City has prohibited driveways that cross the trail. This prohibiting was put in place prior to construction of the trail extension.

*Utility/Department Comment:* Alliant Energy noted that there is an underground electrical service to the City's street light in the general area of the proposed duplex forms. If the utilities need to be relocated, the developer will need to cover the cost of the relocation.

*Public comment:* We sent notices of this application to the property owners within 350 ft. of the subject site. We received a comment from Cerro Gordo County that they did not object to the proposed amendment. No other comments about the application have been received

*Information from Applicant:* The applicant has provided a cover letter and several aerial photographs of neighborhoods in Mason City with duplex building forms where there are driveways exiting on to streets or crossing trails. They are attached.

**Staff Recommendation:** Staff recommends that the Planning and Zoning Commission deny the request from Mike Momberg to amend the previously approved Development Plan and allow construction of two duplex forms with driveway access on to Birch Drive.

**Attachments:**

- Proposed amendment to the Development Plan
- Submittal from Developer
- Staff reports for Master Development Plan and Preliminary Plat, August 2002
- Commission minutes, August 2002
- Staff reports for Multiple Principle Building Development Plan and Final Plat, February 2003
- Commission minutes, February 2003

N. TENNESSEE AVE.

RIDGE RD.

ASBURY PL.

ASBURY CT.

RIVER BEND CT.

RIVER BEND DR.

BIRCH DR.

N. ILLINOIS AVE.

BIRCH DR.

2nd ST. NE

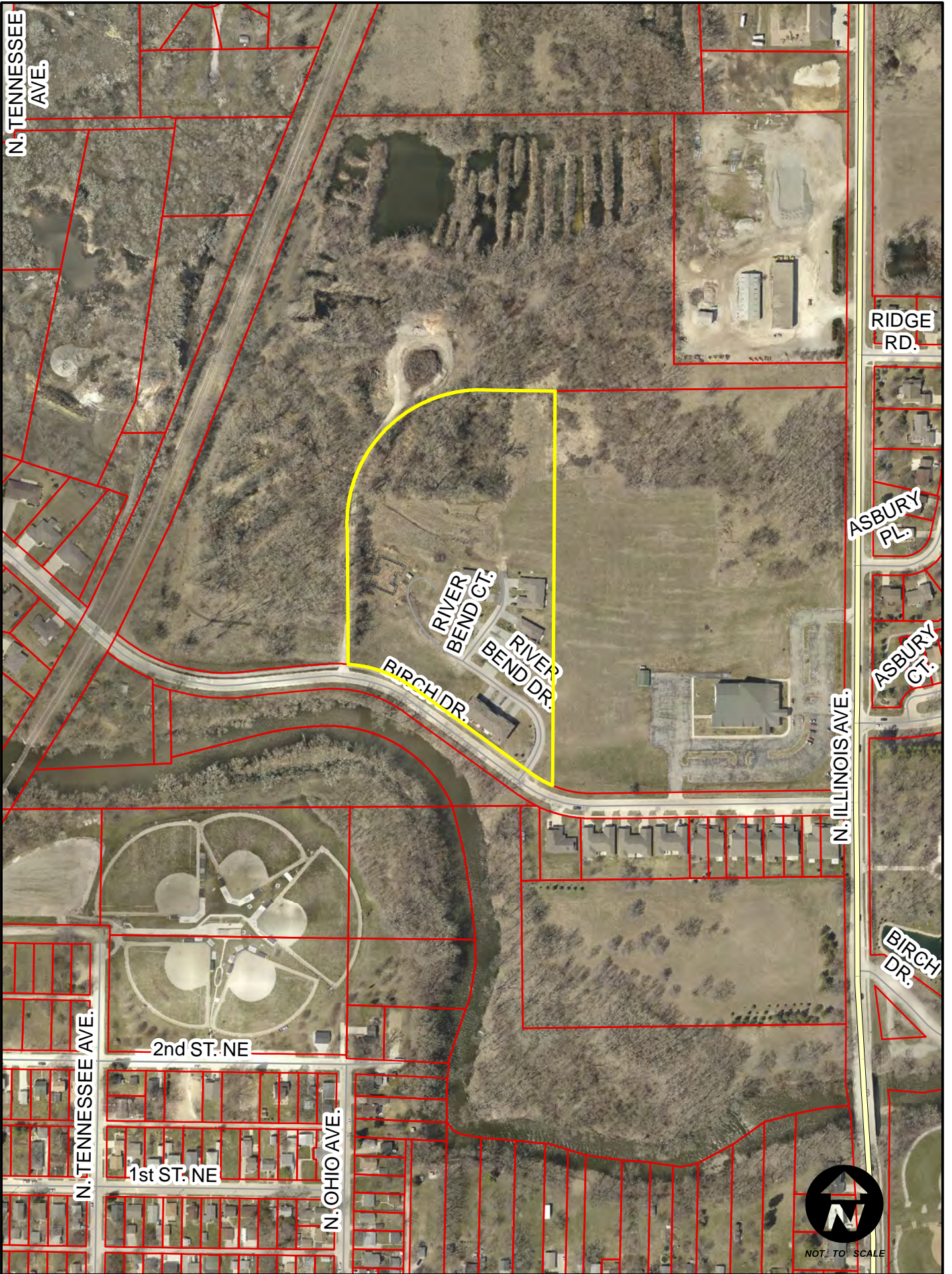
1st ST. NE

N. TENNESSEE AVE.

N. OHIO AVE.



NOT TO SCALE





RIVER BEND CT

RIVER BEND DR.

BIRCH DR.



NOT TO SCALE



**TO: DEVELOPMENT REVIEW COMMITTEE**

**3/31/15**

**FROM: M. MOMBERG BLDG. CONTRACTORS, INC.**

**RE: VILLIAGES AT RIVER BEND**

**We are requesting the DRC's approval to allow us to construct two twin homes (4 driveways) with a south entry (on Birch Drive) verses a north entry (on River Bend Drive). The purpose for the request is primarily due to the feedback from potential customers who are interested in residing in these particular locations of the development but also express a need for a zero entry (no steps), would prefer a walk-out basement design, and/or a possible view of the river in their desire to build here.**

**The property currently sits on a hill along Birch Drive and River Bend Drive which would require both twin home structures to be constructed with a bi-level design. If a south entry is approved, this would allow us to sell the remaining 4 lots in this location thus finalizing the Phase 1 of this development. The structure (s) would have a much more attractive curb appeal and also have a higher quality standpoint versus a north entry style home. A south entry would also allow the upper level to have a zero entry access and would have a potential view of the river. The lower level would have the desired walk out basement.**

**There are many busy streets in Mason City that presently have residents who back out onto the roadway (please see exhibits). Most of the streets in Briarstone development demonstrate this procedure, the homes along Cerro Gordo Way, and the requested Birch Drive near the entry by Grace church up to River Bend Drive to mention a few.**

**We feel that most drivers respect the slower speed limits in residential areas and that there would be no issue with allowing the south access requested. There could also be added signage and/or a slower speed limit ordinance put into effect to further assure the safety of those backing out onto the roadway.**

**We are hopeful that our request is approved so we can continue to promote growth in this rapidly growing development.**

**Thank you to the DRC and the Planning & Zoning for implementing a special meeting concerning this matter and we look forward to moving forward with our project**

**Mike Momberg**

**M. Momberg Building Contractors, Inc.**

A handwritten signature in black ink that reads "Mike Momberg". The signature is written in a cursive style with a large, looping flourish at the end of the name.

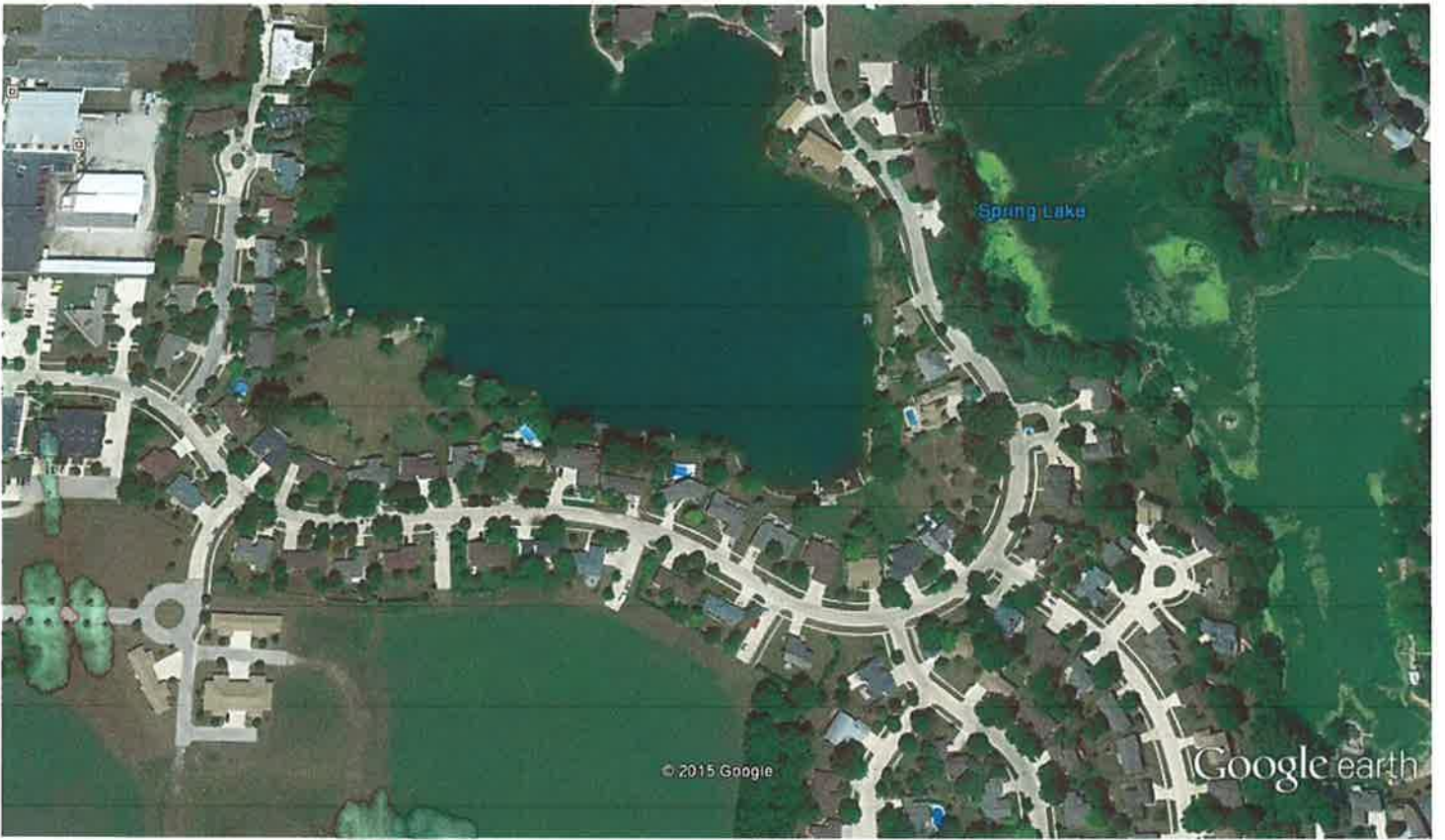


Google earth

feet  
meters



Briarstone



Google earth

feet  
meters





Google earth





Google earth

feet  
meters





**PLANNING & ZONING  
COMMISSION**  
**Tuesday, August 13, 2002**  
**STAFF REPORT**

**FILE No.:**     *02-S-11*

**REQUEST:**    *Development Plan Approval in the RG-L District*

**APPLICANT:** *Riverview Ventures, LLC*

**LOCATION:**    *1300 block of Birch Drive*

**APP. DATE:**    *7/15/02*

---

**Applicant's Request**

Riverview Ventures, LLC is requesting approval of a Development Plan to facilitate construction of a 55 unit condominium development in the RG-L Low Density General Residential District. The subject site is located in the 1300 block of Birch Drive in northeast Mason City. The Preliminary Plat of this development is being considered as a separate agenda item at the August 13, 2002 meeting.

Title 12-11-6 of the City Code states that a Development Plan must “*be submitted and approved prior to the issuance of a building permit in the RG-L district.*” The Planning Commission is required to review the plan and determine if it is in substantial compliance with the requirements set forth in the Ordinance. If so, the Commission can approve, conditionally approve or disapprove the plan. The Commission can also impose any conditions that are more restrictive than the general regulations for the zoning district in which the development plan is being proposed. The decision of the Planning

Commission can be appealed to the City Council where it can be similarly approved, approved with conditions or disapproved.

### **Background**

The applicants are seeking approval to build up to 55 condominium units on this 10.2 acre parcel. They anticipate including both duplex and four-plex buildings in the 19 buildings planned. Construction will be phased in order to match supply with demand. The development will be in the Prairie School style and make use of indigenous building and plant materials whenever possible.

The development will receive water via a connection to the existing water line under Birch Drive. Sanitary sewer service will also be achieved via a connection to an existing sewer system. Trash containers will be the responsibility of the individual unit owners with collection methods being determined by the condominium association.

Grading on the site is expected to be minimal. The developers have indicated a desire to preserve the view of the Winnebago River. In addition, in order to avoid redirecting storm runoff, grading will be avoided if possible.

In addition to this Development Plan, and the Preliminary Plat for the parcel, the Developers will be required to obtain a Multiple Principal Building permit for construction for any units beyond the initial unit. A Development Plan for each of these requests will be required as a part of the application. Planning, Inspections and Engineering staff will work together to verify that continued development meets both the conditions outlined in the initial Development Plan. Easements to accommodate public utilities will also be established at that time.

### **Analysis**

As outlined in City Code Title 12-4-7, the Planning and Zoning Commission must review and consider the following items prior to approval of a Development Plan:

#### ***A. Proper provisions of parking facilities.***

Approximately 25 guest parking spaces are distributed throughout the development. This is in addition to parking available in the driveway of

the individual units. Title 12-26-3 of the Code mandates 1 ½ parking spaces for each dwelling unit in multi-family developments. Planning Staff assumes that the driveway of each unit can accommodate at least one car as the Developer has indicated that each unit will have a 2-car garage. A total of 83 off-street parking spaces are needed. Planning Staff believes that this requirement is being met.

***B. Adequate placement of landscaping material to screen adjoining areas of a less intense use.***

Landscaping on the property will make use of the existing hardwood trees on the property. In addition, additional plantings will be used to enhance the landscape and create a strong entrance statement. As is indicated on the Development Plan, the developer is also making use of the topography of the parcel to screen the development from adjacent property owners to the south. Existing vegetation will create an additional buffer along the perimeter of the property.

***C. Adequate Land area to ensure an acceptable density.***

The development is 10.2 acres in size. Nineteen buildings are slated for construction in two phases. Additional phasing may be required depending on market conditions. A total of 55 units will be constructed. The buildings cover 18% of the lot; 82% of the lot is dedicated to open space. Of this, 44% is considered recreational (i.e. does not include right-of-way and individual areas set aside for a particular unit). The units are arranged with a minimum 25' setback from the property line. In addition, a 25' minimum front yard setback is being maintained.

Title 12-11-4 of the City Code requires a minimum of 3,000 sq. ft. of lot be provided per dwelling unit, for a total requirement of 165,000 sq. ft. This development provides 445,141 sq. ft. of lot space, or 8,093 sq. ft. per dwelling unit. Staff would like to note that based on the size of the parcel, the Developer could have proposed significantly more units on this parcel than are indicated.

***D. Adequate provision for traffic circulation.***

Access to the property is achieved via Birch Drive. Only one entrance to the development is indicated. The streets within the development will be

private and are not intended for future dedication to the City. As a result, they do not need to meet City standards. The plan indicates that the roadway will be 24' in width and will consist of an asphalt surface with no curb or gutter intended. This is intended to reinforce the village concept of the development. Planning Staff feels that despite the narrower streets, the cul-de-sacs as proposed will adequately handle traffic within the development.

### **Conclusions**

1. Riverview Ventures, LLC is requesting approval of the Development Plan for Village at River Bend. The development will include 55 condominium units in duplex and four-plex units.
2. Each residential unit shall have their own off-street parking facilities, specifically two-car attached garages. The completion of these units will not result in a need for additional parking requirements due to each unit having their own facilities.
3. The traffic generated by the proposed use (both residents and visitors) is expected to be minimal and should not create any measures for corrections.
4. Adequate distance between each structure will be provided and both will comply with City Code provisions (building and fire).
5. No special trash or loading facilities will be necessary or required.
6. The proposed unit would be compatible with the surrounding neighborhood.

### **Recommendation**

Staff believes that the Development Plan is in substantial compliance with the requirements of Title 12-11-5 of the City Code and is recommending approval of this Development Plan as illustrated on the attached site plan.

### **Attachments**

*A -Development Plan*



**PLANNING & ZONING  
COMMISSION**  
**Tuesday, August 13, 2002**  
**STAFF REPORT**

**FILE No.:** *02-S-10*

**REQUEST:** *Preliminary Plat of Village at River Bend*

**APPLICANT:** *Riverview Ventures, LLC*

**LOCATION:** *1300 Birch Drive*

**APP. DATE:** *7/15/02*

---

**Applicant's Request**

Riverview Ventures, LLC is requesting approval of a Preliminary Plat to be titled "Village at River Bend" (Attachment A). The site is generally located in the 1300 Block of Birch Drive adjacent to the Evan's Preserve (refer to the location map inset on Attachment A).

**Background**

The subject property consists of 10.2 acres and will consist of one lot. The subject site is currently zoned "RG-L" Low Density Residential. The property will be developed as a 55-unit condominium development. The Development Plan for this parcel is being considered as a separate agenda item at the August 13, 2002 meeting.

No future subdivision is planned, however the Developer is anticipating that construction will be phased. As a result, the Final Plat for this subdivision will likely not include full utility easements and road locations. After

consulting with the City Engineer's office, Planning Staff determined that establishment of "creeping easements" to accommodate these services will be acceptable. As the Commission will recall, the Developer will be required to obtain a Multiple Principal Building permit before any additional buildings can be built. The site plan for each of these permit applications will include the extension of the utility easements and roads necessary to accommodate the new construction.

### **Staff Review**

Providing an informed analysis, the Staff examined several of the following aspects in consideration of this subdivision:

◆ *Surrounding Land Uses & Zoning*

The proposed subdivision is located in the RG-L Low Density General Residential district. The surrounding property is zoned RS-8 Single-Family Residential district. No change of zone is necessary to make this residential subdivision comply with bulk regulations for said district. Most of the surrounding property is used as a public preserve. Several residential units are located southeast of the property

◆ *Streets and Utilities*

Village at River Bend is accessed from the south via Birch Drive. At build out, the individual buildings will be situated along one of two private cul-de-sac drives. Because these drives are private, they do not need to meet City standards. The developer has indicated that the streets will be 24' in width. Curb and gutter will not be installed.

The applicant is requesting that the streets be named "River Road" and "Prairie Lane." Both the City Engineer and the Fire Marshall have stated that "Prairie Lane" is too close to "Prairie View Lane," a street in the Asbury Farm subdivision. The City Engineer has rejected the name and the developer will be required to designate a new name prior submitting the Final Plat. *This issue has been resolved. "River Bend Road."*

The developer will bring in all utilities necessary to serve this site. The water system will be extended from the existing line under Birch Drive by means of a 6" water main. Proposed easements to accommodate Phase I are included on the plat. Fire hydrants locations will be determined as construction extends north and west. All fire hydrant locations must meet

the requirements of the NFP Code and be approved by the ~~Public Works~~  
Director: *Fire Marshall.*

All proposed streets will be private; as such, they do not have to be built to City standards. Maintenance of the road will be the responsibility of the Developer and Condominium Association.

The Developer has not submitted a Drainage Plan for this development. Drainage will be addressed as a part of the Multiple Principal Building process.

A sanitary sewer main currently crosses the property. The plat preserves this easement. Mains necessary to serve Phase I have been identified on the plat. Sanitary sewer design will be evaluated with each Multiple Principal Building application.

An additional utility 10' wide utility easement will be placed around the perimeter of the property.

◆ *Impact on Transportation and Parking*

Planning Staff completed a simplified traffic analysis for this subdivision. Annual average daily traffic counts were unavailable for Birch Drive. However, using the Institute of Transportation Engineers Trip Generation (6<sup>th</sup> Edition) Staff was able to estimate the additional traffic that might be added to Birch Drive at the entrance to Village at River Bend. This analysis is intended to serve as an estimation of potential traffic generation from this neighborhood and does not serve a true traffic impact analysis/study.

The Master Plan for Village at River Bend indicates no more than 55 condominium units in the development. This analysis assumes that the project has reached full build out. The development can be expected to generate approximately 322 trips per weekday (5.86 trips per unit). These trips are split evenly between those entering and exiting the development. At the peak hour of adjacent street traffic in the morning (between 7 am and 9 am) the development is expected to generate 24.2 trips (0.44 per dwelling unit) with 81% leaving the development and 17% entering the development.

In the afternoon, during the peak hour of adjacent street traffic (between 4 pm and 6 pm) the development is expected to generate 29.7 trips (0.54 per dwelling unit) with 67% entering the development and 37% exiting the development. The average trip generation on the weekends is slightly less.

This traffic impact is significantly less than what would be anticipated with a comparably sized development of single family detached residential units. If 55 single-family residential units were built on this same tract, we would expect to see an additional 526 trips generated on an average week day. The City Engineering department has reviewed the subdivision and has expressed no concern with the increased traffic load from the development.

◆ **Comprehensive Plan**

The real estate described on the plat is located within the City of Mason City. After reviewing the Comprehensive Plan, Community Development Staff has analyzed this plat against the following goals and land use policies indicated in the City's current Comprehensive Plan:

- 1) **Land Use Goal 4.1** states: "*Encourage a land use balance within the City and its perimeter areas in order to promote the efficient provisions of City services, generation of revenues which cover the costs of those services, and a mix of employment and housing opportunities which is consistent with the neighborhood area concept.*" Staff does believe this plat will be consistent and provide a logical land use balance within this area. This platting would also be in harmony with the Evans Preserve located adjacent to the property. City services are readily available and can be easily extended to this proposed plat location by the developer.
- 2) **Land Development Goal 5.1** states, "*Assure that the City's land development regulations provide for efficiency, compatibility, compliance, variety, flexibility and innovation.*" It is Staff's belief this proposed subdivision would provide the compliance, variety and flexibility indicated in this goal statement.
- 3) **Neighborhood Goal 7.1 and 7.2** states: "*Protect and maintain the stability and diversity of the City's established neighborhoods*" and "*Plan and develop new neighborhoods which are integral elements of community planning areas,*" respectively. This proposed plat would be

very similar to the adjacent condominium units on Birch Drive, and should fit well in this existing neighborhood.

- 4) **Housing Goal 8.1** is to “*encourage a diversity of housing types, densities, and locations in order to provide a sufficient supply and choice of housing at varied prices...*” Subdivisions such as this one would serve to provide a mix of housing opportunities allowing a choice of locations for the individual. Phasing of this development would allow the flexibility to manage the growth and availability of lots for this region and provide for proper planning and choice of land use in the future as this area becomes more developed.
- 5) **Infill Goal 9.1** states: “*Encourage infill development to achieve an efficient utilization of City’s resources.*” This development is supported by this goal of the Comprehensive Plan.

◆ *Drainage and/or Natural Resources*

No drainage report has been submitted with this preliminary plat. Planning Staff has expressed to the developer that one will need tobe submitted prior to approval of the Final Plat. The plan will be reviewed by the City Engineer’s office to assess it’s impact on the surrounding properties.

The Winnebago River, which lies to the south of this property, will not affect this plat nor is any portion of this plat located in a floodplain.

◆ *Sidewalks and Street Plantings*

Although not indicated on the plat, the Development Plan for this parcel indicates that hard-surface multi-use trails will be included in the subdivision. Because there is only one lot, and because there are no sidewalks along Birch Drive at this time, Planning Staff does not believe that a sidewalk along the right-of-way should be required. In the future, should the residents determine that sidewalks are needed, they can work with the Condominium Association to have them constructed. Planning Staff also sees no need for a Street Tree Planting Plan. There are trees adjacent to the property along Birch Drive. Additional plantings will likely not survive. Planning Staff is requesting that any motion to approve include a stipulation to waive the requirement for sidewalks and for a Street Tree Planting Plan.

*Groniga*

◆ **General Subdivision Requirements**

The proposed plat indicates one lot to facilitate the development of up to 55 condominium units. The plat is situated in an RG-L, Low Density General Residential district. The Development Plan submitted with the plat indicates that at buildout, 18% of the lot will be covered. This is well under the 35% maximum lot coverage normally found in a residential district. 44% of the open space will be available for recreational use.

◆ **Departmental Reviews**

The subdivision was submitted to the respective city departments and various utilities for their review and/or comments of this subdivision. Other than those included previously in this report, no comments, concerns or requirements for approval were received or requested in this application.

**Conclusions**

1. Riverview Ventures, LLC has applied for Preliminary Plat approval to subdivide an area of ground located at in the 1300 block of Birch Drive to be titled "Village at River Bend."
2. The subject property is 10.2 acres in size and consists of one new lot. This parcel is currently zoned RG-L. The surrounding property is currently zoned RS-8.
3. The developer is proposing to bring in all utilities to serve this plat. All connections or systems will either be to adjacent existing systems or by means of extending new services from Birch Drive.
4. City Staff believes this proposed plat meets the general Land Use Guidance goals and policies established by our current Comprehensive Plan.
5. No provision has been identified for walkways as identified by section 11-7-2-G. Because this will be a condominium unit, and because no sidewalks are currently found along Birch Drive, Planning Staff believes that sidewalks are not warranted. In addition, because the parcel is already wooded, Planning Staff does not believe that a Street Tree Planting Plan is necessary.

6. The lot meets the minimum size for the RG-L district and is adequately sized to support the proposed development.
7. Fire hydrants have not been identified on the preliminary plat map. The Fire Marshall will be asked to review placement at the time the Multiple Principal Building permit is requested.
8. The subdivision was submitted to the respective city departments and various utilities for their review of this subdivision. The City Engineer has indicated that the street name "Prairie Drive" is not acceptable. Planning Staff is asking that this name change be a condition of approval. No additional comments or conditions of approval were received. *Street name has been corrected.*
9. A Drainage Evaluation and Report of this subdivision has not been received. Drainage will be reviewed in conjunction with each Multiple Principal Building application by the City Engineer.

### **Recommendation**

Staff recommends the Planning and Zoning Commission approve the Preliminary Plat of the proposed "Village at River Bend" subject to these three conditions:

1. ~~The requirement for sidewalks is waived.~~
2. The requirement for a Street Tree Planting Plan is waived.
3. The name of "Prairie Lane" must be changed with said change approved by the City Engineer.

*This has been done - it is now "River Bend Road"*

### **Attachments**

*A - Preliminary Plat of "Village at River Bend"*



# MINUTES

## Mason City Planning and Zoning Commission Second Level Conference Room - City Hall

August 13, 2002

7:00 p.m.

**Item 1: Call to Order / Roll Call**

Meeting called to order by Chair Vikturek. On roll being called, there were present: Drew, Hofman, Morse, Reynolds, and Vikturek. Absent: Groninga. Also present: Planner Kuester, Planner Sandahl, and Secretary Sutcliffe.

**Item 2: Approve the Agenda**

Planner Sandahl suggesting combining related items for discussion purposes and moving the Schurtz issue to the beginning of the agenda. Being no further additions or amendments, Vikturek announced the agenda approved as amended.

Introduction of Planner Charles Kuester.

Groninga joined the meeting at this time.

**Item 3: Approval of Minutes from July 9, 2002, Meeting**

Being no comments, Vikturek announced the minutes approved as presented.

Aye: All

Nay: None

Motion Carried

**Item 4: Comprehensive Plan - None**

**Item 5: Change of Zone - None**

**Item 6: Subdivisions**

**6.2: Jon T. Schurtz**

**J. T. Schurtz First Subdivision – Final Plat**

A Staff report was presented by Planner Sandahl. Vikturek opened the meeting to public hearing. Being no comments, the public hearing was closed.

Groninga/Hofman moved to approve the Final Plat of J.T. Schurtz First Subdivision generally located at 17535 – 245<sup>th</sup> Street.

Aye: All

Nay: None

Motion Carried

**6.1: BD Development Co, LC**

**Cottonwood Village – Final Plat**

A Staff report was presented by Planner Sandahl. Discussion was held regarding the appropriateness of the property owner or the developer to be responsible for street tree plantings in new subdivisions. Vikturek advised that the Commission has, in the past, waived the tree plantings and sometimes sidewalks when subdivisions are reviewed by the Planning and Zoning Commission; however, trees and sidewalks must be addressed before issuance of a Certificate of Occupancy.



Further discussion was held regarding the specs and maintenance of the roads along and within the Village development. Since the street in the Village will not be dedicated back to the City, the Engineering Department has advised the City will not be responsible for maintenance and snow removal.

Groninga/Morse moved to approve the Development Plan for Village at River Bend generally located at 1300 Birch Drive.

Aye: All

Nay: None

Motion Carried

**Item 7: City Property / Street / Alley Requests - None**

**Item 8: Code Amendments - None**

**Item 9: Multiple Principal Buildings - None**

**Item 10: Public Works/Engineering Items - None**

**Item 11: Miscellaneous - None**

**Item 12: Old Business**

Planner Kuester asked the Commission for direction in the language accessory uses (e.g. attached garage vs. detached garage) and the need for a possible Text Change Amendment.

**Item 13: New Business**

Vikturak advised the Commission of the upcoming Downtown Summit to be held in Mason City on August 20-21.

**Item 14: Adjournment**

The meeting adjourned at 8:16 p.m.

\_\_\_\_\_  
David Vikturek, Chairman

ATTEST:

\_\_\_\_\_  
Colleen Sutcliffe, Secretary

**PLANNING & ZONING  
COMMISSION**  
**Tuesday, February 11, 2003**  
**STAFF REPORT**

**FILE No.:** *03-DP-01*

**REQUEST:** *Development Plan Approval to allow Multiple Principal Buildings*

**APPLICANT:** *Riverview Ventures, LLC*

**LOCATION:** *1300 block of Birch Drive*

**APP. DATE:** *1/15/03*

**STAFF CONTACT:** *Tricia Sandahl*

---

**Applicant's Request**

Riverview Ventures, LLC is requesting approval of a Development Plan that would allow the construction of multiple principal buildings on a single parcel. Specifically, the plan identifies thirty condominium units on a 10.2 acre lot. This condominium development is generally located in the 1300 block of Birch Drive and includes two private streets, River Bend Drive and River Bend. A Master Development Plan for this project was approved by the Planning and Zoning Commission on August 13, 2002. However, the plan approved was conceptual in nature. It was determined by Planning Staff that an additional development plan would be required if more than one principal building were to be constructed on the site. It is this plan that is before the Commission for approval.

The Planning Commission is required to review the plan and determine if it is in substantial compliance with the requirements set forth in the Ordinance. If so, the Commission can approve, conditionally approve or disapprove the plan. The Commission can also impose any conditions that are more restrictive than the general regulations for the zoning district in which the development plan is being proposed. The decision of the Planning Commission can be appealed to the City Council where it can be similarly approved, approved with conditions or disapproved.

### **Background**

With this application, River View Ventures, L.L.C. is seeking approval to build thirty condominium units as Phase I. The plan (See Attachment A) indicates that both duplex and four-plex units will be constructed, however the applicants are requesting the flexibility to change the unit type to react to market demand. The development will be in the Prairie School style and make use of indigenous building and plant materials whenever possible. Large format elevations will be available to the Commission at the February 11 meeting.

The development will receive water via a connection to the existing water line under Birch Drive. Sanitary sewer service will also be achieved via a connection to an existing sewer system. (Trash containers will be the responsibility of the individual unit owners with collection methods being determined by the condominium association) *Service provided by City*

Grading on the site will be minimal. The developers have indicated a desire to preserve the view of the Winnebago River. In addition, in order to avoid redirecting storm runoff, grading will be avoided if possible.

Planning staff distributed the development plan to the Inspections Division, Engineering Department, Operations and Maintenance Department, Police Department and Fire Department for comment. No comments were received regarding this development.

### **Analysis**

As outlined in City Code Title 12-4-7, the Planning and Zoning Commission must review and consider the following items prior to approval of a Development Plan:

***A. Proper provisions of parking facilities.***

Title 12-26-3 of the Code mandates one and one-half parking spaces for each dwelling unit in multi-family developments. Each unit includes a two-car garage with a similarly sized driveway. Additional guest parking (twenty-five stalls) will be provided throughout the development.

***B. Adequate placement of landscaping material to screen adjoining areas of a less intense use.***

Landscaping on the property will make use of the existing hardwood trees on the property. In addition, additional plantings will be used to enhance the landscape and create a strong entrance statement. As is indicated on the Development Plan, the developer is also making use of the topography of the parcel to screen the development from adjacent property owners to the south. Existing vegetation will create an additional buffer along the perimeter of the property.

***C. Adequate Land area to ensure an acceptable density.***

The entire parcel is 10.2 acres in size. Phase I will occupy 265,791 sq. ft., or 59.82% of the parcel, with the balance being used for subsequent phases. Thirty units are slated for construction in Phase I. Additional phasing will result in the construction of no more than 55 units on the parcel. Title 12-11-4 of the City Code requires a minimum of 3,000 sq. ft. of lot be provided per dwelling unit, for a total requirement of 90,000 sq. ft. for Phase I. This development provides 8,859 sq. ft. per dwelling unit.

***D. Adequate provision for traffic circulation.***

Access to the property is achieved via Birch Drive. Only one entrance to the development is indicated. The streets within the development will be private and are not intended for future dedication to the City. As a result, they do not need to meet City standards. The plan indicates that the roadway will be 24' in width and will consist of an asphalt surface with no curb or gutter. This is intended to reinforce the village concept of the development. Planning Staff feels that despite the narrower streets, the cul-de-sacs as proposed will adequately handle traffic within the development. Planning Staff is requesting that a temporary turn-around

area be constructed at the north end of River Bend Court to accommodate emergency vehicles until Phase II is constructed and the road completed.

### **Conclusions**

1. Riverview Ventures, LLC is requesting approval of a Development Plan for Phase I of the Village at River Bend. Approval will allow the construction of multiple principal structures on the lot.
2. Each residential unit shall have their own off-street parking facilities, specifically two-car attached garages. The completion of these units will not result in a need for additional parking requirements due to each unit having their own facilities.
3. The traffic generated by the proposed use (both residents and visitors) is expected to be minimal and should not create any measures for corrections.
4. No special trash or loading facilities will be necessary or required.
5. The proposed unit would be compatible with the surrounding neighborhood.

### **Recommendation**

Staff believes that the Development Plan is in substantial compliance with the requirements of Title 12-11-5 of the City Code and conforms to the Master Development Plan approved by the Commission on August 13, 2002. We are recommending conditional approval with the stipulation that a temporary turn-around area be constructed and maintained on River Bend Court until Phase II is constructed.

### **Attachments**

*A -Development Plan*

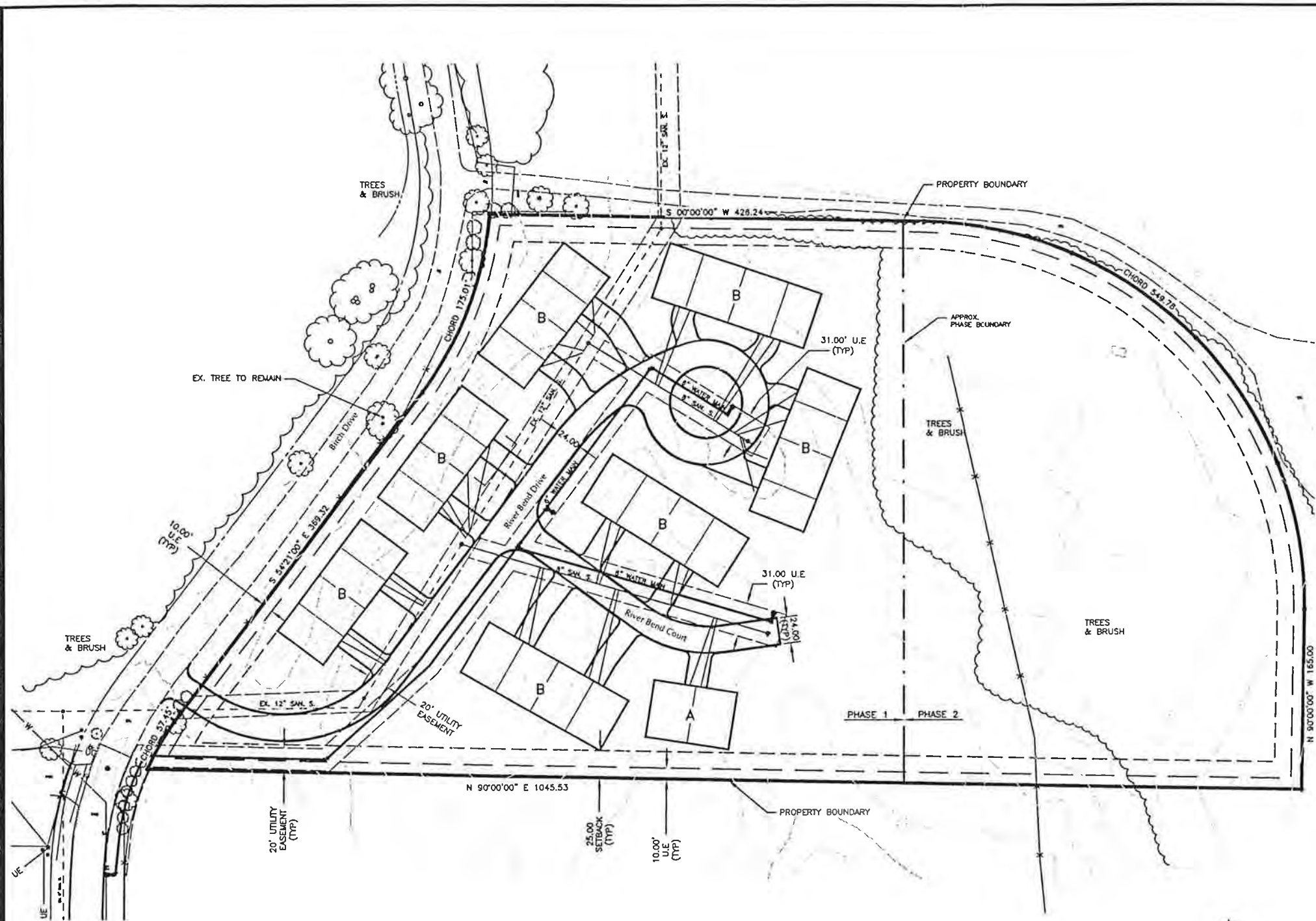


ENGINEERS • ARCHITECTS  
SURVEYORS • PLANNERS  
LANDSCAPE ARCHITECTS

215 NORTH ADAMS  
MASON CITY, IOWA 50401  
641-424-6344  
FAX 641-424-0151  
EMAIL INFO@YAGGY.COM

VILLAGE AT RIVER BEND  
1300 BIRCH DRIVE  
MASON CITY, IOWA

PHASE 1 DEVELOPMENT PLAN

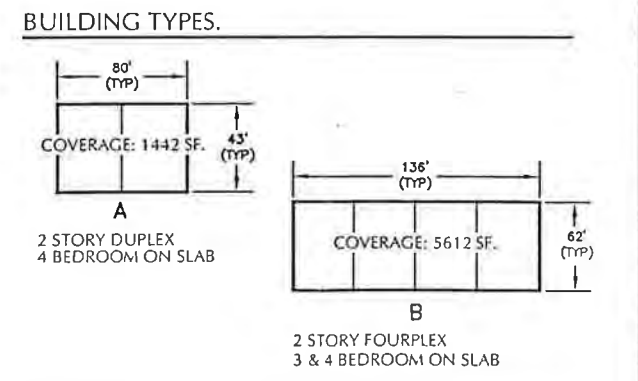


**LEGEND**

	UTILITY POLE AND GUY WIRE
	EXISTING UTILITY / LIGHT POLE
	EXISTING LOT LINE
	EXISTING EDGE OF PAVED ROADWAY
	RIGHT-OF-WAY LINE, PROPERTY LINE
	EXISTING WATER MAIN, MANHOLE, GATE VALVE AND HYDRANT
	EXISTING SANITARY MANHOLE AND LINE
	EXISTING STORM SEWER MANHOLE, LINE AND INTAKE
	EXISTING UNDERGROUND GAS LINE, VALVE AND METER
	EXISTING UNDERGROUND TELEPHONE MANHOLE, LINE AND PEDESTAL
	EXISTING CHAINLINK FENCE
	PROPOSED SANITARY SEWER, MANHOLE
	PROPOSED WATERMAIN, HYDRANT AND WATER VALVE
	PROPOSED STORM SEWER, MANHOLE, CATCH BASIN OR INTAKE
	PROPOSED LIGHT POLE
	EXISTING INDEX CONTOURS
	EXISTING INTERMEDIATE CONTOURS

**STANDARD ABBREVIATIONS**

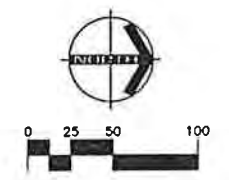
ACC	ASPHALTIC CEMENT CONCRETE
PCC	PORTLAND CEMENT CONCRETE
GR.	GRAVEL
BLDG.	BUILDING
FFE	FINISH FLOOR ELEVATION
SAN. S.	SANITARY SEWER



**DEVELOPMENT DATA**

TOTAL LAND AREA	10.20 ACRES
TOTAL NUMBER OF BUILDINGS	8
TOTAL NUMBER OF UNITS	30
TOTAL BUILDING AREA	40,726 SF.
BUILDING COVERAGE (PHASE 1)	15.32%
OPEN SPACE (PHASE 1)	68.68%
PAVED AREA	16.00%
PHASE 1 AREA	265,791 SF.
PHASE 2 AREA	178,521 SF.

**PROPRIETER**  
RIVERVIEW VENTURES, L.L.C.  
25 1ST STREET N.E.  
MASON CITY, IOWA



PROJECT NUMBER	7961
COMPUTER FILE	7961dsgn.dwg
DATE	12-23-02
DRAWN BY	jaw
CHECKED BY	MA
REVISIONS	01-17-03

**PLANNING & ZONING  
COMMISSION**  
**Tuesday, February 11, 2003**  
**STAFF REPORT**

**FILE NO.:** 03-S-02

**REQUEST:** *Final Plat, Village at River Bend*

**APPLICANT:** *River View Ventures, L.L.C.*

**LOCATION:** *1300 block of Birch Drive*

**APP. DATE:** 1/15/03

**STAFF CONTACT:** *Tricia Sandahl*

---

**Applicant's Request**

River View Ventures is requesting approval of the Final Plat of Village at River Bend (Attachment A). The site is generally located at the 1300 block of Birch Drive

**Background**

The preliminary plat of this subdivision was approved by the Planning and Zoning Commission on August 13, 2002. The City Council subsequently approved the Preliminary Plat on September 3, 2002. The subdivision consists of one new 10.2-acre lot that is currently being developed as condominiums. Full development of the parcel will be phased. The easements shown on the final plat are designed to serve Phase I of the project.

As the project expands into Phase II, City Staff will require that easements be placed to accommodate utilities prior to issuing any building permit or certificate of occupancy in Phase II.

The Commission will recall that there was significant discussion when the preliminary plat was approved about the timing of sidewalk improvements and street trees for this subdivision. Birch Drive will be paved in 2003 and the developer asked that sidewalks and street trees not be required until the paving improvements were complete. This would ensure that the elevation and location of the sidewalk would match the street. This was included as a condition of approval for the preliminary plat by both the Commission and the City Council. Staff is again asking that this condition be stipulated when the Final Plat is approved.

### **Staff Review**

Planning Staff distributed copies of the Final Plat to the Inspections Division, City Engineer, Operations and Maintenance Department, Fire Department, Police Department, Alliant Energy, Qwest Communications and Mediacom. No comments were received about this plat. Planning Staff has reviewed the final plat and determined that it is in substantial compliance with the preliminary plat that was previously approved by the Commission.

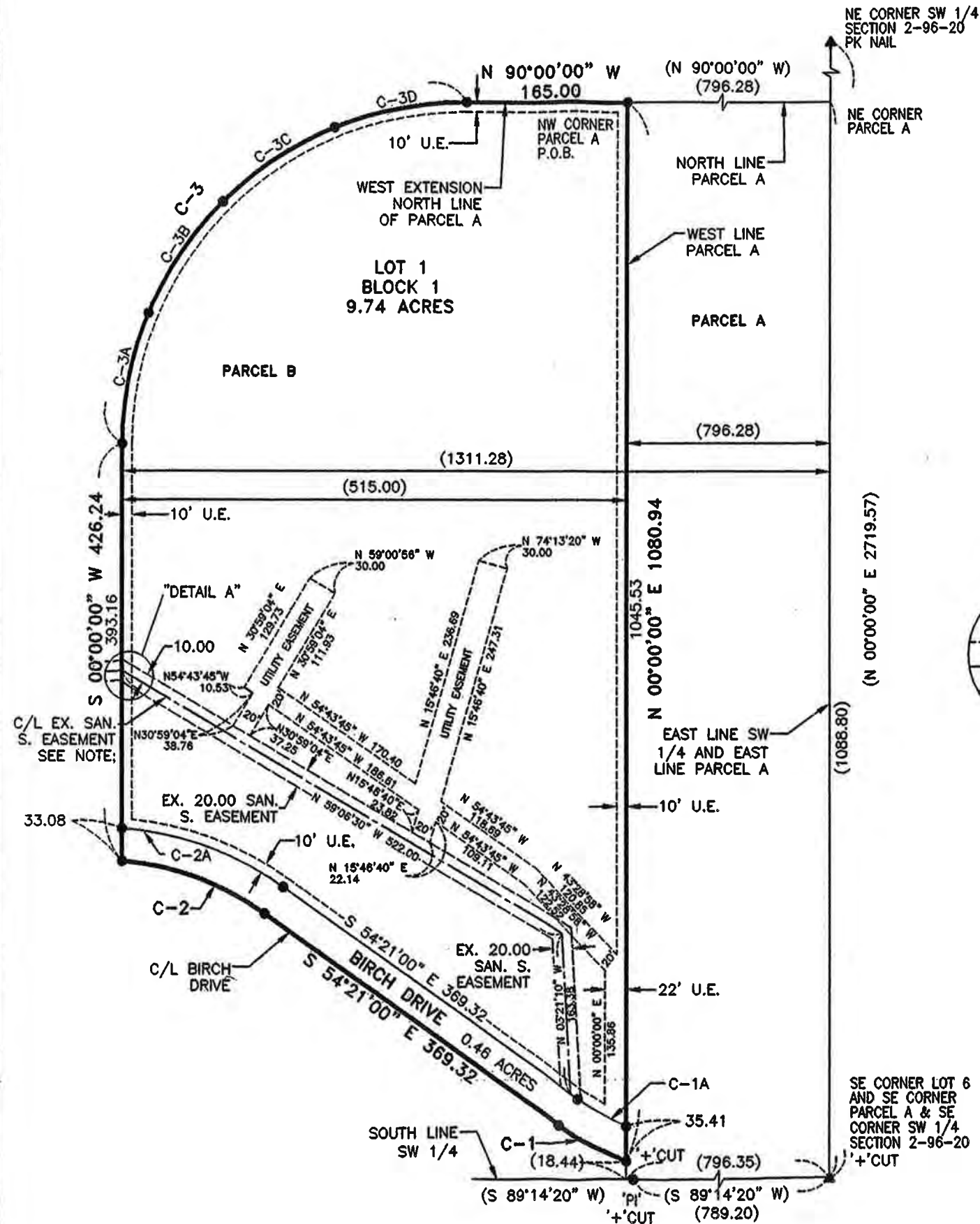
### **Recommendation**

Planning Staff recommends approval of the Final Plat.

### **Attachments**

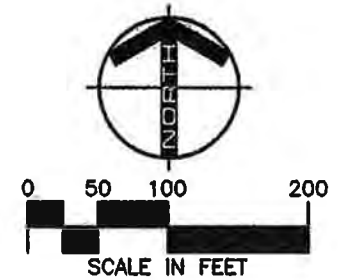
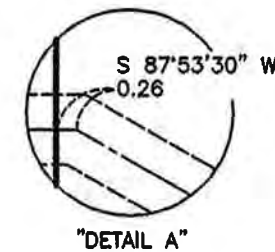
*A – Final Plat of “Village at River Bend”*

FINAL PLAT  
VILLAGE AT RIVER BEND  
MASON CITY, IOWA



NOTE:  
EX. 20.00 SANITARY SEWER  
EASEMENT RECORDED IN BOOK  
114 PAGE 93 AT THE CERRO  
GORDO COUNTY RECORDER'S  
OFFICE.

BEARINGS AND DISTANCES MATCH  
PLAT OF SURVEY RECORDED AS  
DOCUMENT NO. 02-2555, AT THE  
CERRO GORDO COUNTY  
RECORDERS OFFICE.



PRIVATE RESTRICTIONS FILED IN  
OFFICE OF COUNTY RECORDER

BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

APPROVED:  
PLANNING & ZONING COMMISSION  
CITY OF MASON CITY, IOWA

BY \_\_\_\_\_  
Chairman

BY \_\_\_\_\_  
Secretary

APPROVED BY CITY COUNCIL

DATE \_\_\_\_\_

BY \_\_\_\_\_  
Mayor



**YAGGY  
COLBY  
ASSOCIATES**

ENGINEERS • ARCHITECTS  
SURVEYORS • PLANNERS  
LANDSCAPE ARCHITECTS

215 NORTH ADAMS  
MASON CITY, IOWA 50401  
641-424-6344  
FAX 641-424-0331  
EMAIL INFO@YAGGY.COM

FINAL PLAT  
VILLAGE AT RIVER BEND  
MASON CITY, IOWA

PROJECT NUMBER 7961

COMPUTER FILE 7961fnpl.DWG

DATE 12/23/02

DRAWN BY jaw

CHECKED BY DE

REVISIONS

SHEET NUMBER

1  
2

OF SHEETS

# MINUTES

Mason City Planning and Zoning Commission  
Second Level Conference Room - City Hall  
August 13, 2002  
7:00 p.m.

**Item 1: Call to Order / Roll Call**

Meeting called to order by Chair Vikturek. On roll being called, there were present: Drew, Hofman, Morse, Reynolds, and Vikturek. Absent: Groninga. Also present: Planner Kuester, Planner Sandahl, and Secretary Sutcliffe.

**Item 2: Approve the Agenda**

Planner Sandahl suggesting combining related items for discussion purposes and moving the Schurtz issue to the beginning of the agenda. Being no further additions or amendments, Vikturek announced the agenda approved as amended.

Introduction of Planner Charles Kuester.

Groninga joined the meeting at this time.

**Item 3: Approval of Minutes from July 9, 2002, Meeting**

Being no comments, Vikturek announced the minutes approved as presented.

Aye: All

Nay: None

Motion Carried

**Item 4: Comprehensive Plan - None**

**Item 5: Change of Zone - None**

**Item 6: Subdivisions**

**6.2: Jon T. Schurtz**

**J. T. Schurtz First Subdivision – Final Plat**

A Staff report was presented by Planner Sandahl. Vikturek opened the meeting to public hearing. Being no comments, the public hearing was closed.

Groninga/Hofman moved to approve the Final Plat of J.T. Schurtz First Subdivision generally located at 17535 – 245<sup>th</sup> Street.

Aye: All

Nay: None

Motion Carried

**6.1: BD Development Co, LC  
Cottonwood Village – Final Plat**

A Staff report was presented by Planner Sandahl. Discussion was held regarding the appropriateness of the property owner or the developer to be responsible for street tree plantings in new subdivisions. Vikturek advised that the Commission has, in the past, waived the tree plantings and sometimes sidewalks when subdivisions are reviewed by the Planning and Zoning Commission; however, trees and sidewalks must be addressed before issuance of a Certificate of Occupancy.



Further discussion was held regarding the specs and maintenance of the roads along and within the Village development. Since the street in the Village will not be dedicated back to the City, the Engineering Department has advised the City will not be responsible for maintenance and snow removal.

Groninga/Morse moved to approve the Development Plan for Village at River Bend generally located at 1300 Birch Drive.

Aye: All

Nay: None

Motion Carried

**Item 7: City Property / Street / Alley Requests - None**

**Item 8: Code Amendments - None**

**Item 9: Multiple Principal Buildings - None**

**Item 10: Public Works/Engineering Items - None**

**Item 11: Miscellaneous - None**

**Item 12: Old Business**

Planner Kuester asked the Commission for direction in the language accessory uses (e.g. attached garage vs. detached garage) and the need for a possible Text Change Amendment.

**Item 13: New Business**

Vikturak advised the Commission of the upcoming Downtown Summit to be held in Mason City on August 20-21.

**Item 14: Adjournment**

The meeting adjourned at 8:16 p.m.

  
\_\_\_\_\_  
David Vikturek, Chairman

ATTEST:

  
\_\_\_\_\_  
Colleen Sutcliffe, Secretary