



**North Liberty Planning Commission
Tuesday, September 6, 2022, 6:30 PM
North Liberty City Council Chambers
1 Quail Creek Circle, North Liberty, Iowa 52317**

This meeting may be accessed live by the public in person or on the internet at northlibertyiowa.org/live, on Facebook at facebook.com/northliberty or on YouTube at youtube.com/northliberty. Meetings are rebroadcast on cable and available on-demand on northlibertyiowa.org.

Call to Order

- 1. Roll Call**
- 2. Approval of the Agenda**
- 3. North Ridge Parts 2 & 3 Preliminary Subdivision Plat:** Request of Scanlon Family, LLC. And The Trustees of Penn Township to approve a Preliminary Subdivision Plat for a 37 lot subdivision on approximately 36.32 acres. The property is located at the southeast corner of North Liberty Road and Oak Lane NE.
 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments
 - d. Questions and Comments
 - e. Recommendation to the City Council

This item was tabled from the August 2, 2022 Planning Commission meeting.

- 4. Approval of Previous Minutes**
- 5. Old Business**
- 6. New Business**
- 7. Adjournment**



To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **September 2, 2022**
Re **Request of Scanlon Family, LLC. And The Trustees of Penn Township to approve a Preliminary Subdivision Plat for a 37 lot subdivision on approximately 36.32 acres. The property is located at the southeast corner of North Liberty Road and Oak Lane NE.**

North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo. The staff review team includes the following personnel:

- Ryan Heiar, City Administrator
- Tracey Mulcahey, Assistant City Administrator
- Grant Lientz, City Attorney
- Tom Palmer, City Building Official
- Kevin Trom, City Engineer
- Ryan Rusnak, Planning Director

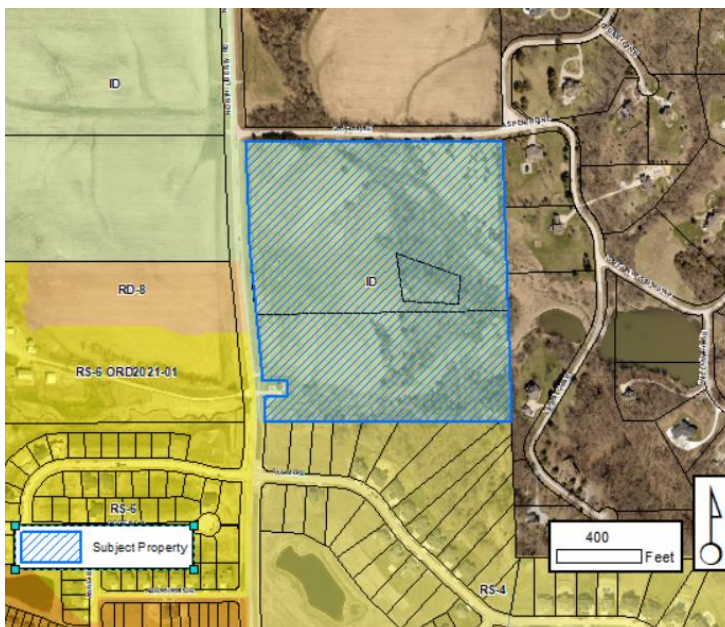
1. Request Summary:

This Preliminary Subdivision Plat proposes 37 single-unit residence lots, related infrastructure and would accommodate the existing Alt/Wein Cemetery.

2. Proposed Zoning:

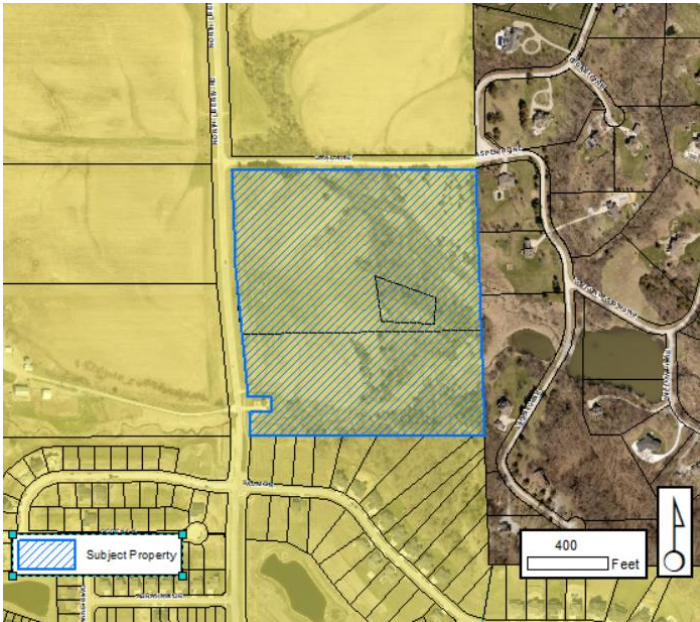
RS-4 Single-Unit Dwelling District.

RS-4 Single-Unit Residence District. The RS-4 District is intended to provide and maintain low-density single-unit residential neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RS-4 District.



3. Consistency with Comprehensive Plan:

Land Use Plan designation: Residential.



4. Public Input:

A good neighbor meeting was held on June 15, 2022. Approximately eleven people outside of City staff and the applicant attended the virtual meeting. There were some concerns expressed at the meeting. Concerns expressed pertained to the use of Oak Lane NE (which will remain private and in unincorporated Johnson County), stormwater runoff and erosion control and the removal of trees to accommodate the development. To date, staff has received four formal objections.

5. Approval Standards:

Section 180.11(3)(A) of the North Liberty Code of Ordinances sets forth the preliminary subdivision plat submittal requirements and review (Ordinance language in *italics* and staff analysis in **bold**).

- 3. Preliminary Subdivision Plat Submittal Requirements and Review. The preliminary plat, in general, contains more information than the final plat, so that the subdivider and the City can ensure conformance with codes, master facility plans, and good planning and engineering practices. Though the preliminary plat is not recorded, it is approved by resolution of the City Council, and conditions for approval of the plat shall be addressed on any final plats of the same area.*

A. *Preliminary Plat Contents. The application shall include a preliminary plat of the subdivision drawn to a scale of one inch to one hundred feet minimum, and shall show:*

(1) *A location map to provide spatial reference, showing the outline of the area to be subdivided, existing streets and corporate limits in the vicinity, a north arrow and scale or note stating "not to scale," and other information that might help clarify where the plat is located as well as its surroundings and size relative to other City features;*

This has been provided on the Preliminary Plat.

(2) *Name of proposed subdivision and date;*

This has been provided on the Preliminary Plat.

(3) *Legal description and acreage;*

This has been provided on the Preliminary Plat.

(4) *Name and address of owner;*

This has been provided on the Preliminary Plat.

(5) *Names of the persons preparing the plat, owner's attorney, representative or agent, if any;*

This has been provided on the Preliminary Plat.

(6) *Existing and proposed zoning district classification of all land within the proposed subdivision and within about 200 feet of the subdivision;*

Staff is not requiring this information on the Preliminary Plat.

(7) *North point and graphic scale;*

This has been provided on the Preliminary Plat.

(8) *Contours at two-foot intervals or less, both existing and as generally proposed (subject to more refinement in subsequent construction plans);*

This has been provided on the Preliminary Plat.

(9) *Building setback lines as required by the current or proposed zoning district classifications;*

This has been provided on the Preliminary Plat.

(10) *The approximate boundaries of areas of known flood levels or floodplains, areas covered by water, wooded areas, floodways, and all open channel drainage ways;*

This has been provided on the Preliminary Plat.

(11) *Locations, names, and dimensions of existing lot lines, streets, public utilities, water mains, sewers, drainpipes, culverts, watercourses, bridges, railroads and buildings within in the proposed subdivision and within about 200 feet of the subdivision;*

This has been provided on the Preliminary Plat.

(12) Layout of proposed blocks, if used, and lots, including the dimension of each lot, and the lot and block number in numerical order;

This has been provided on the Preliminary Plat.

(13) Layout and dimensions of proposed streets, sidewalks, trails, alleys, utility and other easements, parks and other open spaces or reserved areas;

This has been provided on the Preliminary Plat.

(14) Grades of proposed streets and alleys;

This has been provided on the Preliminary Plat.

(15) A cross-section of the proposed streets showing the roadway locations, the type of curb and gutter, the paving, and sidewalks to be installed;

This has been provided on the Preliminary Plat.

(16) The layout of proposed water mains and sanitary sewer systems;

This has been provided on the Preliminary Plat.

(17) The drainage of the land, including proposed storm sewers, ditches, culverts, bridges and other structures;

This has been provided on the Preliminary Plat.

(18) Stormwater management facilities when applicable;

This has been provided on the Preliminary Plat.

(19) A signed certificate of the Johnson County Auditor for the subdivision name;

This information has been provided.

(20) Other special details or features that may be proposed or required.

None required.

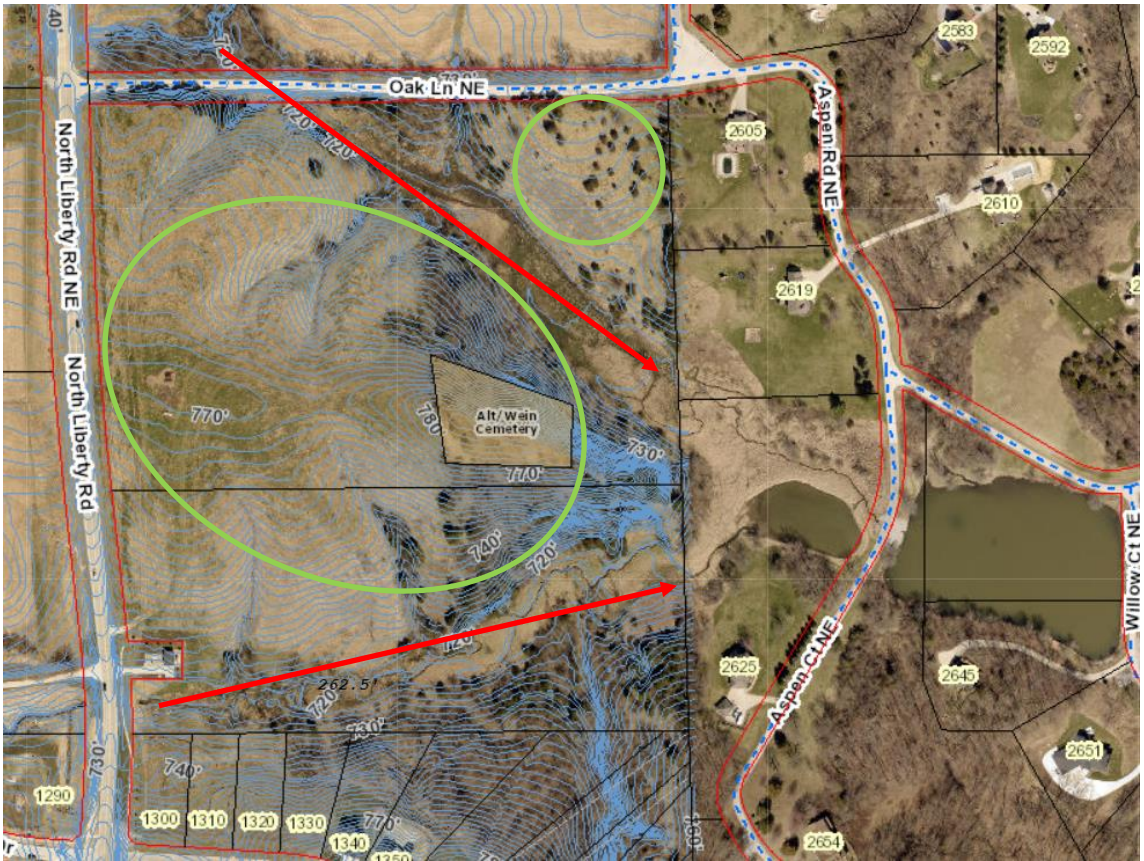
6. Additional Considerations:

The northern parcel and the Alt/Wein Cemetery property were recently annexed into the corporate limits of North Liberty. The following is from the Find a Grave website:

The first burial in the Alt/Wein Cemetery was on Nov 15 1842, Louisa, dau of Alonzo and Maria Denison. The people buried in this cemetery are pioneer settlers of Penn Twp. Based on the stones in the cemetery, thirty were buried before the end of the Civil War, fourteen before the end of the century and three at the beginning of the 20th Century. No more burials were allowed after 1920. Two Civil War Veterans are buried there. On Apr 3 1922, the trustees of Penn Twp accepted a quit claim deed from the Alts for the cemetery and agreed to maintain it. The cemetery is east of a gravel road. Currently one must access the cemetery through a cow pasture. Access can only be made with permission of the pasture owner who lives on a farm on the other side of the road.

The Scanlon Family, LLC has been working with The Trustees of Penn Township about developing in a sensitive manner around the cemetery.

There are two drainage courses through the property. The direction of the drainage flow is show in red on the map below. The area in green are the two high points of the property.



Oak Lane NE is a private access to the Fjords North Subdivision and is planned to remain in unincorporated Johnson County. Scanlon Family, LLC owns the land in the location Oak Lane NE with an easement granted for access to the Fjords Subdivision. Scanlon Family, LLC retains the right to access their property. Three of the lots in the proposed subdivision would have access to Oak Lane NE only. This necessitates a variation of the Subdivision Ordinance.

In early discussions, City staff had indicated that perhaps these properties could remain in unincorporated Johnson County. However, County staff correctly noted that the adopted Fringe Area Agreement between the City and the County showed this property as being part of the City of North Liberty.

Section 180.12(3)(A)

A. Streets and Driveways. When a drive provides the frontage for one or more lots as required in the Zoning Ordinance, that drive shall be designated as a street and shall meet all design and construction regulations for streets contained in this ordinance and in the City's construction design standards.

Section 180(8)(A)

A. Private streets in single family residential areas are not allowed.

This is a rare circumstance where staff agrees that a variation from the design standards is warranted.

Section 180.08 of the North Liberty Code of Ordinances sets forth the criteria for approving variations (Ordinance language in *italics* and staff analysis in **bold**).

1. *Upon recommendation of the Planning Commission or on its own motion, the City Council may vary, modify or waive requirements of this ordinance; however, no such action shall be taken by the Council unless affirmative findings are made for each of the applicable following criteria:*
 - A. *Unique Circumstances. The subject property is unique or exceptional as compared to other properties subject to the same provisions by reason of irregularity, narrowness, shallowness, substandard or marginal size, exceptional topographical features, or other extraordinary conditions peculiar to and inherent in the subject property that relate to or arise out of the property rather than the personal situation of the current owner of the property, and that amount to more than a mere inconvenience to the owner.*

It is staff's opinion that the property is irregular with an existing private roadway on the north and drainage courses running through the property.

- B. *Not Exclusively for Financial Gain. The purpose of the variation is not based exclusively upon a desire to increase financial gain from the property. Proof that the property cannot be used for its highest or best use under the regulations applicable to it, or that it could be used more profitably if not subject to such regulations, should not in itself justify granting a variation.*

It is staff's opinion that the variation is not exclusively for financial gain. In theory, a bridge could be constructed, but that would be cost prohibitive. The other option is to completely reconstruct Oak Lane NE to City standards for the benefit of three properties in the City and several properties in unincorporated Johnson County. If a public street, the City would be responsible for maintenance and snow removal.



C. *Unique Circumstances Not Self-Created.* The unique or special condition referenced above either existed at the time of the enactment of the provisions of this ordinance that affect it, or was the result of government action, other than adoption of this ordinance, for which no compensation was paid, and which has not been created by any persons presently having an interest in the property.

This is a natural feature of the property was not self-created.

D. *Substantial Rights Denied.* Carrying out the strict letter of the provisions of this ordinance would deprive the property owner of substantial rights commonly enjoyed by other property owners subject to the same provisions.

It is staff's opinion that requiring these three lots to have access on a public street would render this portion of the property unbuildable.

E. *Not Special Privilege.* The hardship affecting the property is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other property subject to the same provisions.

It is staff's opinion that no special privilege would be granted by this variation.

F. *Not Detrimental.* Granting the variation will not be detrimental to the public welfare or materially injurious to the enjoyment, use, or development of property in the vicinity; nor will it materially impair an adequate supply of light and air to adjacent properties; substantially increase congestion in the public streets; increase the danger of flood or fire; endanger the public safety; or substantially diminish or impair property values in the vicinity.

It is staff's opinion that granting the variation would not be detrimental to the area.

G. No Other Remedy. There are no means other than the requested variation by which the hardship can be avoided or remedied to a degree sufficient to permit a reasonable use of the property.

It is staff's opinion that any alternative is cost prohibitive. Therefore, it is staff's opinion that there is no other remedy.

2. City Council Action. The City Council shall note approval of any variation as provided in this section in the resolution approving the final subdivision plat.

7. Other Considerations

City staff has advocated that Scanlon Family, LLC and the Fjords Homeowners' Association work together in good faith with respect to the issues raised by the Fjords HOA. From the City's perspective, this primarily is the manner in which the three lots would contribute to the maintenance of Oak Lan NE.

Staff has heard from both parties that progress has been made, but that they would not be ready by the September 6, 2022 meeting.

Staff expects this item to be tabled to the October 4, 2022 meeting.

8. Staff Recommendation:

Recommendation:

Staff recommends the Planning Commission table this item to the October 4, 2022 Planning Commission meeting.

Suggested motion:

I move that the Planning Commission table this item to the October 4, 2022 Planning Commission meeting.

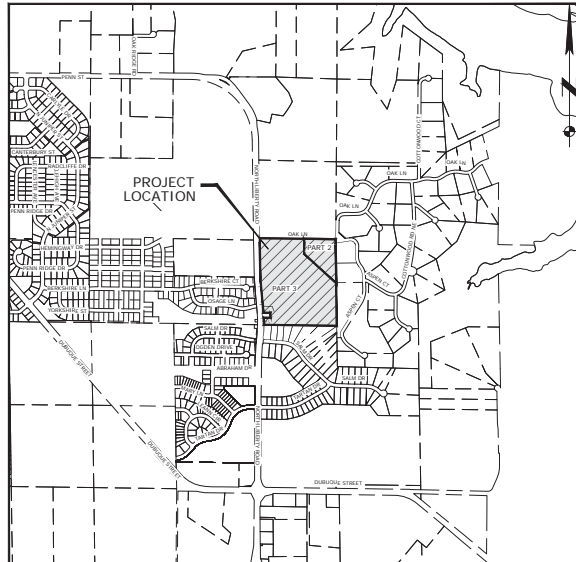
PRELIMINARY PLAT FOR NORTH RIDGE - PART 2 & 3

IN THE CITY OF NORTH LIBERTY, JOHNSON COUNTY, IOWA

UTILITY AND EMERGENCY TELEPHONE NUMBERS

| CITY OF NORTH LIBERTY, IOWA | |
|--|----------------|
| PLANNING DEPARTMENT | (319)-626-5747 |
| POLICE DEPARTMENT | (319)-356-6800 |
| EMERGENCY | 911 |
| FIRE DEPARTMENT | (319)-356-6800 |
| EMERGENCY | 911 |
| WATER DEPARTMENT | (319)-626-5719 |
| STREETS DEPARTMENT | (319)-626-5718 |
| PARKS AND RECREATION | (319)-626-5720 |
| IOWA ONE CALL (UTILITIES) | (800)-292-8989 |
| MID-AMERICAN ENERGY | (800)-329-6261 |
| ALLIANT ENERGY (ELECTRIC) | |
| INFORMATION | (800)-255-4268 |
| MEDIACOM (CABLE TV) | (800)-883-0145 |
| SOUTHSLOPE (TELEPHONE / CABLE TV) | (319)-626-2211 |
| LINN COUNTY REC | (800) 332-5420 |
| WINDSTREAM | (800) 289-1901 |
| CEDAR RAPIDS AND IOWA CITY RAILWAY COMPANY | (800)-283-1540 |
| IOWA DEPARTMENT OF TRANSPORTATION | |
| DISTRICT ENGINEER | (319)-364-0235 |
| MAINTENANCE GARAGES | (319)-364-8189 |
| JOHNSON COUNTY ENGINEER | (319)-356-6046 |

LOCATION MAP (1"=1000')



SHEET INDEX

| NO. | DESCRIPTION |
|-----|-------------------------------|
| 01 | COVER |
| 02 | PRELIMINARY PLAT GRADING PLAN |

LEGAL DESCRIPTION:

GREENBELT TRAIL, LLC
THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 80 NORTH, RANGE 6 WEST OF THE 5TH PRINCIPAL MERIDIAN AS RECORDED IN BOOK 64, PAGE 353 IN THE OFFICE OF THE JOHNSON COUNTY, IOWA RECORDER.
EXCEPT
THAT PART OF AUDITOR'S PARCEL NO. 2021024 LYING WITHIN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 80 NORTH, RANGE 6 WEST OF THE 5TH PRINCIPAL MERIDIAN AS RECORDED IN BOOK 64, PAGE 353 IN THE OFFICE OF THE JOHNSON COUNTY, IOWA RECORDER.
AND
THE SOUTH 500 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 80 NORTH, RANGE 6 WEST OF THE 5TH PRINCIPAL MERIDIAN, JOHNSON COUNTY, IOWA
THE TRUSTEES OF PRIN TOWNSHIP (ALT WIND CEMETERY)
COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 80 NORTH, RANGE 6 WEST, THENCE SOUTH 27 1/4 DEGREES WEST 48 RODS AND 16 LINKS TO A STONE, THENCE SOUTH 10 DEGREES EAST 14 RODS TO A STONE, THENCE EAST 16 RODS TO A STONE, THENCE NORTH 8 RODS TO A STONE, THENCE NORTHWESTERLY TO THE PLACE OF BEGINNING, COUNTING 176 RODS TOGETHER WITH THE RIGHT-OF-WAY FOR WAGONS AND CARRIAGES FROM THE BANE ROAD TO THE NORTHWEST CORNER OF SAID LOT, THE SAID LAND TO BE USED FOR CEMETERY PURPOSES AND TO BE MAINTAINED AS SUCH.

PLAT PREPARED BY:

HALL & HALL ENGINEERS, INC.
1860 BOYSON ROAD
HIAWATHA, IA 52233
(319) 362-9548
OWNER/APPLICANT:
GREENBELT TRAIL, L.L.C.
PO BOX 323
OKMORILL, IA 51355
(617) 734-0446
scanlonfarms@gmail.com

APPLICANT'S ATTORNEY:

ROBERT N. DOWNER
122 S LINN STREET
IOWA CITY, IA 52240

ZONING/LAND USE:

EXISTING ZONING: ID
PROPOSED ZONING: RS-4

PROPERTY AREA:

36.32 ACRES

PRELIMINARY PLAT NOTES:

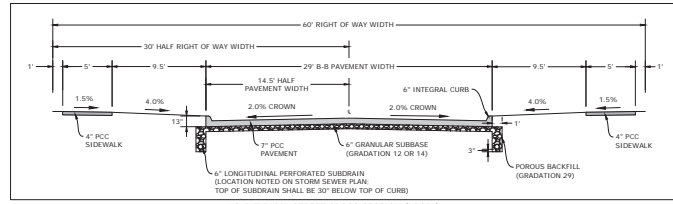
- LOT ACCESS OFF OF NORTH LIBERTY ROAD IS PROHIBITED.
- ALL EXISTING FIELD TILES SHALL BE EXPOSED, AND RE-ROUTED INTO PROPOSED STORM WATER MANAGEMENT SYSTEM.
- OAK LANE NE SIDEWALK AND STREET IMPROVEMENTS ARE NOT REQUIRED. OAK LANE TO REMAIN AS AN EASEMENT.

DIMENSIONAL STANDARDS:

MINIMUM LOT SIZE REQUIREMENTS
FRONTAGE: 40 FT
WIDTH: 80 FT
AREA: 10,000 FT²
FRONT YARD DEPTH: 25 FT
SIDE YARD DEPTH: 10 FT
REAR YARD DEPTH: 30 FT
MAXIMUM BUILDING PARAMETERS
MAX HEIGHT: 35 FT
scanlonfarms@gmail.com

LANDSCAPING:

A DETAILED LANDSCAPING PLAN WILL BE PROVIDED WITH THE PLAN OF IMPROVEMENTS. LANDSCAPE BUFFER WILL BE PROVIDED ON WEST SIDE OF LOTS 15, 16, 24, 25, AND 36 TO PROVIDE BUFFER FROM NORTH LIBERTY ROAD.



| UTILITY LEGEND | | UTILITY LEGEND (CONTINUED) | |
|----------------|-------------------------|----------------------------|----------------------------------|
| EXISTING | PROPOSED | EXISTING | PROPOSED |
| (SSB) | SANITARY SEWER W/SIZE | (SSB) | HORSESHOE CATCH BASIN W/ FLUME |
| (STIS) | STORM SEWER W/SIZE | (STIS) | HORSESHOE CATCH BASIN W/ FLUME |
| (RMS) | FORCE MAIN W/SIZE | (FMS) | GAS VALVE |
| (WMS) | WATER MAIN W/SIZE | (WMS) | FLARED END SECTION |
| (G) | GAS | (G) | CLEANOUT, STORM OR SANITARY |
| (OHE) | ELECTRIC OVERHEAD | (B) | BENCHMARK |
| (EUG) | ELECTRIC UNDERGROUND | (S) | STREET SIGN |
| (C) | CABLE TV UNDERGROUND | (W) | WELL |
| (OHC) | CABLE TV OVERHEAD | (FHS) | FIRE HYDRANT |
| (OHT) | TELEPHONE OVERHEAD | (FV) | FIBER VALVE |
| (F) | FIBER OPTIC UNDERGROUND | (FS) | FIBER SHUTOFF |
| (OHF) | FIBER OPTIC OVERHEAD | (WB) | WATER BLOWOFF |
| (T) | TELEPHONE UNDERGROUND | (SCM) | SURVEY CONTROL MONUMENT AS NOTED |
| (FENCE) | FENCE LINE | | |
| (CORP) | CITY CORPORATION LIMITS | | |
| (CORP) | PROPERTY LINE | | |
| (CORP) | CITY CORPORATION LIMITS | | |
| (CORP) | CONTOUR LINE | | |
| (LPM) | LIGHT POLE W/ MAST | | |
| (LPM) | LIGHT POLE W/ MAST | | |
| (LPM) | TELEPHONE PEDESTAL | | |
| (LPM) | POWER POLE | | |
| (LPM) | GUY ANCHOR | | |
| (LPM) | GUY POLE | | |
| (LPM) | TELEPHONE PEDESTAL | | |
| (LPM) | TELEPHONE MANHOLE | | |
| (LPM) | CABLE TV PEDESTAL | | |
| (LPM) | UTILITY CONTROL CABINET | | |
| (LPM) | SANITARY MANHOLE | | |
| (LPM) | STORM MANHOLE | | |
| (LPM) | GRAVE INTAKE | | |
| (LPM) | RA-3 INTAKE | | |
| (LPM) | RA-5 INTAKE | | |
| (LPM) | RA-6 INTAKE | | |
| (LPM) | RA-8 INTAKE | | |

NOTE: THIS IS A STANDARD LEGEND. SOME ITEMS MAY NOT APPEAR ON DRAWINGS.



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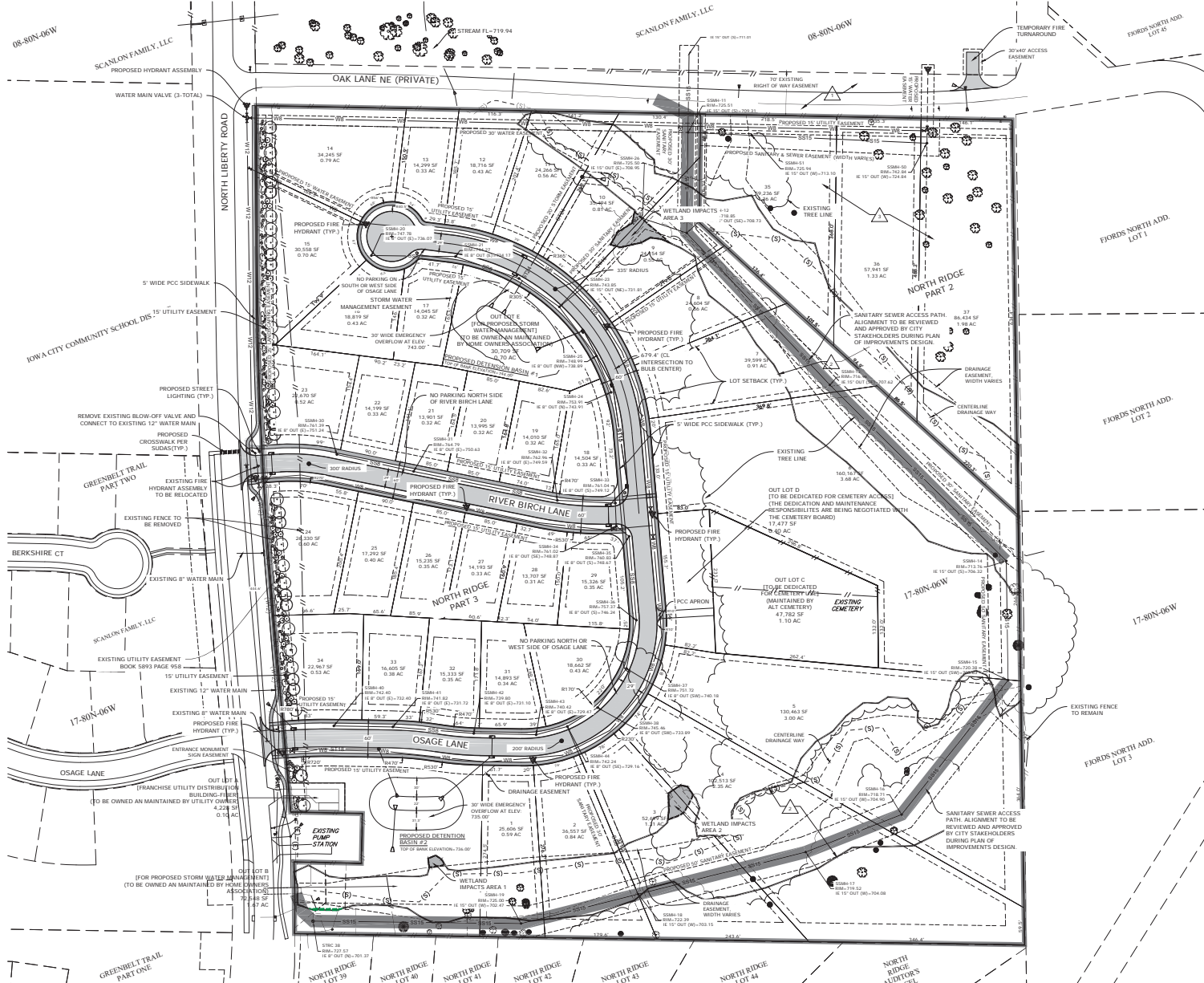
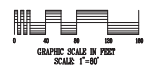
| STREET | CLASS | DESIGN SPEED | ROW WIDTH | PAVEMENT WIDTH | PAVEMENT THICKNESS |
|------------------|-------|--------------|-----------|----------------|--------------------|
| OSAGE LANE | LOCAL | 30 MPH | 60' | 29' | 7" |
| RIVER BIRCH LANE | LOCAL | 30 MPH | 60' | 29' | 7" |

PLAT APPROVED BY THE CITY OF NORTH LIBERTY

| | |
|--|------|
| CITY CLERK | DATE |
| UTILITY EASEMENTS, AS SHOWN HEREON, MAY OR MAY NOT INCLUDE SANITARY SEWER LINES, AND/OR STORM SEWER LINES, AND/OR WATER LINES. SEE CONSTRUCTION PLANS FOR DETAILS. | |
| CITY FILE NUMBER: HALL & HALL ENGINEERS PROJECT NUMBER: 9749-NR2 | |



| Contact Person | JASON SANTEE, P.E. |
|-------------------|----------------------|
| Telephone Number | (319) 362-9548 |
| Fax Number | (319) 362-7595 |
| Mailing Address | 1860 BOYSON ROAD |
| E-Mail Address | jhalleng@halleng.com |
| Date Submitted | 05-02-2022 |
| Date Re-submitted | 06-24-2022 |
| Date Re-submitted | --- |



- KEY NOTES:**
- ▲ OAK LANE NE SIDEWALK AND STREET IMPROVEMENTS ARE NOT REQUIRED BY THE CITY. OAK LANE TO REMAIN AS AN EASEMENT. DEVELOPERS SHALL BE RESPONSIBLE FOR NEGOTIATING AND PROVIDING FOR ACCESS TO OAK LANE WITH PRIVATE OWNER(S).
 - ▲ WETLAND AREA.
 - ▲ STORM WATER MANAGEMENT FOR LOTS 35-37 WILL COMPLY WITH THE POST CONSTRUCTION RUNOFF ORDINANCE. INDIVIDUAL LOT OWNERS SHALL BE RESPONSIBLE FOR DESIGN, PERMITTING, CONSTRUCTION, BMP MAINTENANCE AGREEMENTS AND MAINTENANCE.

| | | | | | |
|--------------|------------|----|----------------------|----------|------|
| DRAWN BY: | KLH | | | | |
| CHECKED BY: | JAS | | | | |
| APPROVED BY: | LMH | | | | |
| DATE: | 06/24/2022 | | | | |
| FIELD BOOK: | OT 109 | NO | REVISION DESCRIPTION | APPROVED | DATE |

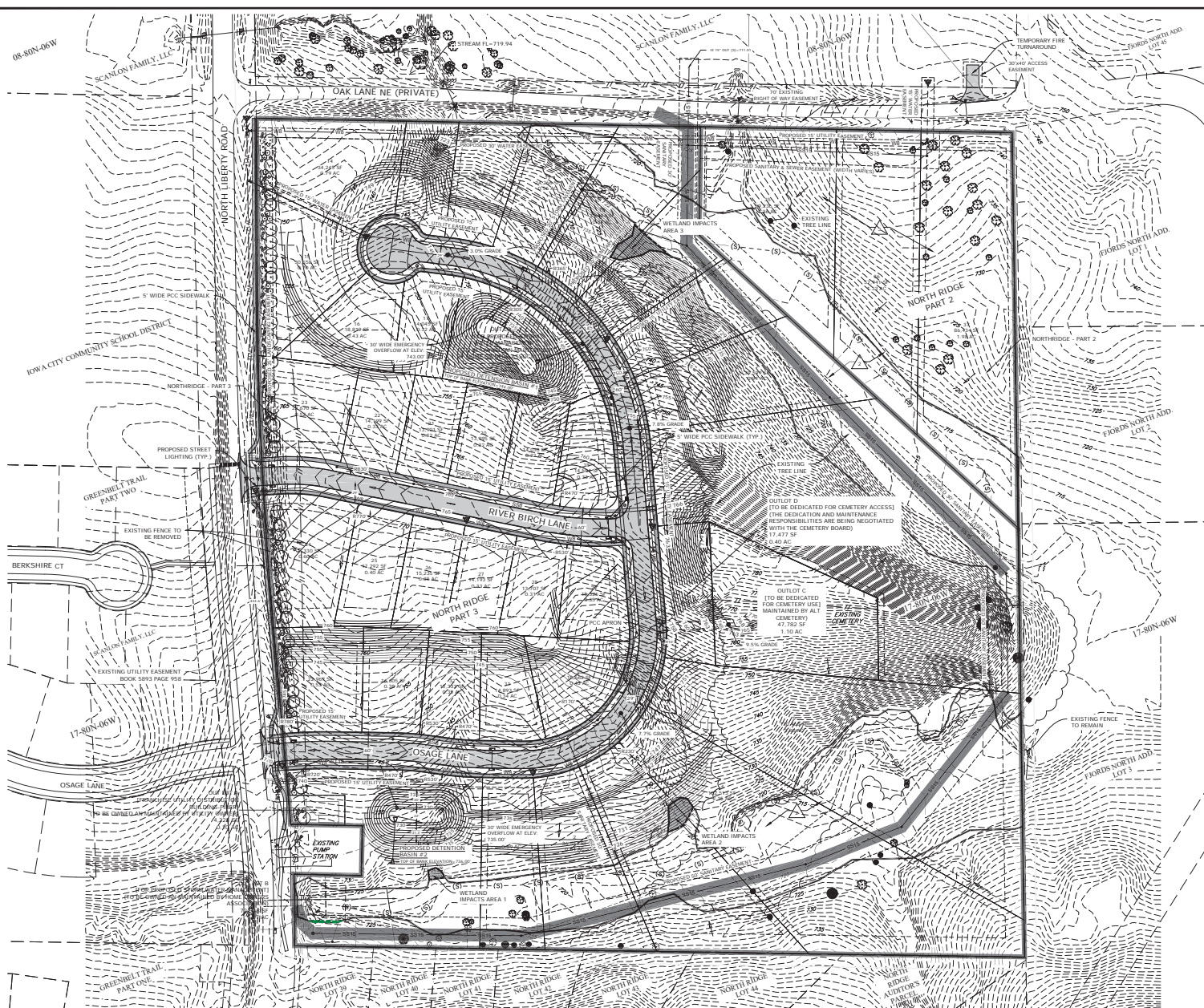
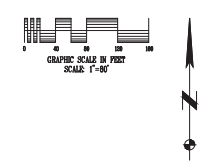


HALL & HALL ENGINEERS, INC.
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 1840 BOYSON ROAD, IOWA FALLS, IOWA 50501
 PHONE: (515) 836-0808 FAX: (515) 836-0700
 E-MAIL: ENGINEERS@HALL-AND-HALL.COM
 LAND SURVEYING AND DEVELOPMENT PLANNING

NORTH RIDGE - PART 2 & 3
 IN THE CITY OF NORTH LIBERTY, JOHNSON COUNTY, IOWA

PRELIMINARY PLAT
 SCALE: 1"=80'
 PROJECT NO: 9749-NR2
 SHEET
01

CAD File: I:\Projects\9749-NR\NorthRidge-GenPlan\Design Services\9749-NR2.dwg (17-Aug-2022 09:25 AM) Plotted By: Jason Surine



- KEY NOTES:**
- ▲ OAK LANE NE SIDEWALK AND STREET IMPROVEMENTS ARE NOT REQUIRED BY THE CITY. OAK LANE TO REMAIN AS AN EASEMENT. DEVELOPER SHALL BE RESPONSIBLE FOR NEGOTIATING AND PROVIDING FOR ACCESS TO OAK LANE WITH PRIVATE OWNER(S).
 - ▲ WETLAND AREA.
 - ▲ STORM WATER MANAGEMENT FOR LOTS 35-37 WILL COMPLY WITH THE POST CONSTRUCTION RUNOFF ORDINANCE. INDIVIDUAL LOT OWNERS SHALL BE RESPONSIBLE FOR DESIGN, PERMITTING, CONSTRUCTION, BMP MAINTENANCE AGREEMENTS AND MAINTENANCE.

| | | | | | |
|--------------|------------|----|----------------------|----------|------|
| DRAWN BY: | KLH | | | | |
| CHECKED BY: | JAS | | | | |
| APPROVED BY: | LMH | | | | |
| DATE: | 06/24/2022 | | | | |
| FIELD BOOK: | OT 109 | NO | REVISION DESCRIPTION | APPROVED | DATE |



HALL & HALL ENGINEERS, INC.
Division of Land Development since 1952
 1840 BOYSON ROAD, IOWA FALLS, IOWA 50501
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 AND SURVEYING • AND DEVELOPMENT PLANNING

NORTH RIDGE - PART 2 & 3
 IN THE CITY OF NORTH LIBERTY, JOHNSON COUNTY, IOWA

SCALE: 1"=80'
 PROJECT NO: 9749-NR2

SHEET
 02

CAD File: I:\Projects\9749-NR2\NorthRidge_Cement\Design_Services\9749-NR2_17.dwg Date: 06/24/2022 11:42 AM Plotted By: Jason S. Starnes

MEARDON, SUEPPEL & DOWNER P.L.C.
LAWYERS

ROBERT N. DOWNER
DOUGLAS D. RUPPERT
TIMOTHY J. KRUMM
WILLIAM J. SUEPPEL
CHARLES A. MEARDON
PETER J. GARDNER
SEAN W. WANDRO
STEPHANIE A. WORRELL
DANICA L. BIRD

122 SOUTH LINN STREET
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TELEPHONE: (319) 338-9222
FAX: (319) 338-7250
WWW.MEARDONLAW.COM

WILLIAM L. MEARDON
(1919-1997)

WILLIAM F. SUEPPEL
(1929-2020)

MARGARET T. LAINSON
(1939-2019)

OF COUNSEL:
JAMES D. MCCARRAGHER
CRAIG N. WILLIS

RETIRED:
THOMAS D. HOBART
NANCY B. WILLIS

January 14, 2022

Mr. Ryan Rusnak, AICP
Planning Director
City of North Liberty
3 Quail Creek Circle
North Liberty, IA 52317

Re: Scanlon Family, L.L.C. - Oak Lane

Dear Mr. Rusnak:

The following is my review of the Easement Agreement dated October 9, 1979 (the "Easement"), wherein the then-owners of various Scanlon family interests granted a right-of-way easement in favor of Alan K. Fedge and Sally J. Fedge and Fjords North, Inc. for access to the Fedges' property which was all subdivided as a part of the Fjords North Subdivision. A copy of that recorded Easement is enclosed. By way of background, the roadway in question was, at that time, a county road, although there appear to have been questions about the status of that road which existed when the Easement was executed. Subsequently, on February 28, 2002, the Johnson County Board of Supervisors adopted Resolution No. 02-28-02-02 relinquishing any interest which the county had in this road. This resolution is recorded in the Johnson County Recorder's office in Book 3245, Page 251. This vacation by the county, however, would have no effect on the Easement.

In your email to Loren Hoffman of January 13, 2022, you raised the question of access by the City of North Liberty for purposes of maintenance. It is my opinion that, under the Easement, Scanlon Family, L.L.C., as successor to the various Scanlon interests who were grantors of the Easement, would have the authority to grant access rights for purposes of maintenance and for other purposes. Nothing in the Easement, in my opinion, limits the rights of the Scanlons to further use the area covered by the Easement

Mr. Ryan Rusnak, AICP
City of North Liberty
January 14, 2022
Page 2

except for the provisions of paragraph 3, which prohibits any party from obstructing or blocking the driveway or from causing or permitting to exist thereon any nuisance or other offensive or extra hazardous activity. The other portion of paragraph 3 would appear to be for the benefit of the Scanlon interests in that interference with the natural flow of the drainage from Scanlons' property abutting the roadway is prohibited.

Paragraph 2 provides that the Scanlon interests would not be required to contribute in any manner to the maintenance, operation or repair of said roadway unless and until the real estate owned by any or all of the Scanlons is subdivided or otherwise developed for other than agricultural purpose. This paragraph contemplates that the real estate would, at some point, be subdivided or otherwise developed and, at that point, each party benefited would bear a just and proportionate share of such maintenance expense.

Because of the reservations in the Easement, and the fact that, with the exception of the provisions in paragraph 3, Scanlons were relinquishing no rights which they had in the property, it is my opinion that Scanlon Family, L.L.C. could execute agreements placing this roadway in the street system of the City of North Liberty upon such terms and conditions as might be mutually agreed, provided, however, that any such transfer or agreement would not negate, or otherwise modify, the provisions of the Easement. Any modifications in the Easement would require the agreement of the parties. *See Halsrud v. Brodale*, 72 N.W.2d 94 (Iowa 1955).

It is my understanding that the question has also been raised as to whether garbage trucks of the City of North Liberty could use this roadway if lots were developed on the Scanlon property south of Oak Lane and adjacent to Fjords North Subdivision. It is my opinion that, because the Easement clearly contemplates that the Scanlons might further develop the property adjacent to Oak Lane, use by garbage trucks would be anticipated as a part of use of the property once it was developed.

I have also done a limited amount of research into the questions raised in this letter as to how the courts might interpret the Easement if called upon to do so. The Iowa Court of Appeals, in *Riverton Farms, Inc. v. Castle*, 441 N.W.2d 405 (Iowa App. 1989) stated that "[I]n construing an express grant or reservation of an easement, as in the construction of written contracts, the cardinal principle is that the intention of the parties must control." Citing *Wiegmann v. Baier*, 203 N.W.2d 204, 208 (Iowa 1972). In *Wiegmann*, at page 208, the Iowa Supreme Court had stated that "[A]nd it is the general rule that where a right-of-way is granted it may be used for any purpose to which the land accommodated thereby may

Mr. Ryan Rusnak, AICP
City of North Liberty
January 14, 2022
Page 3

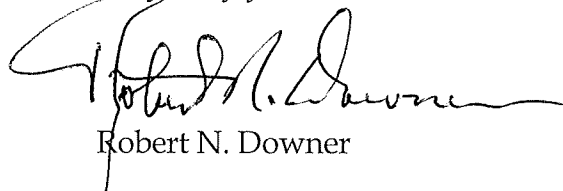
reasonably be devoted, unless the grant contains specific limitations and the grantee can avail himself of modern inventions, if by doing so he can more fully exercise and enjoy or carry out the object for which the easement was granted."

As cited above, the Iowa Supreme Court, in *Halsrud v. Brodale*, 72 N.W.2d 94 (Iowa 1955) the court stated, at page 97, that "[N]or can an easement, whether created by written grant, implication, or prescription, be increased or extended without the consent of the owner of the servient tenement."

My interpretation of the above-cited authorities is that, if an easement agreement provides that an expansion of the use of the easement area beyond what was existing when the easement was granted was contemplated by the parties, such an expansion could occur within the scope of the easement. I believe that that was clearly the case here, as to all parties. The Easement was granted in connection with the platting of Fjords North Subdivision, which might not have been approved by Johnson County in light of the questions regarding the status of the roadway covered by the Easement as a county road. It was also clearly contemplated by the Easement that the Scanlon property on both sides of the roadway would be developed at some point, and that this roadway could be used as a part of any development or subdivision process by the benefitted property owners paying their proportionate share of the cost of maintaining the roadway.

If you have any questions after having reviewed this letter, please feel free to contact me. I am forwarding a copy of this letter to Grant Lientz as City Attorney of the City of North Liberty.

Very truly yours,



Robert N. Downer

RND:snw
Enclosure
cc: Grant Lientz
Pat Scanlon

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OF COUNSEL:
JAMES D. MCCARRAGHER
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July 1, 2022

Mr. William H. Roemerma
Read & Roemerma PLC
P.O. Box 1968
Cedar Rapids, IA 52406-1968
wroemerma@readroemerma.com

Re: Scanlon Family, L.L.C. – Fjords North Homeowners Association

Dear Bill:

I am in receipt of your letter of June 29, 2022, addressed to the North Liberty Planning and Zoning Commission. Without in any sense trying to focus on minutiae, I believe that there are some significant factual errors in your letter, including the following:

1. The annexation of the property in the proposed North Ridge Part Two and Three Subdivision is not “proposed.” It has been approved by both the city council and the City Development Board and, accordingly, is now a part of the City of North Liberty.

2. Only three lots are proposed which would use Oak Lane NE as access to those lots. The other lots in the proposed subdivision which back up to Oak Lane will, as a part of restrictive covenants and agreements with the City of North Liberty, not have access to Oak Lane.

3. All proposed utility locations are under Oak Lane, and no above ground utilities are proposed.

4. The land on which Oak Lane is located is owned by Scanlon Family, L.L.C. whose predecessors in title more than 40 years ago granted access by an easement which enabled Fjords North to be platted. To be sure, the easement specifically provides that in the event that the Scanlon property is used for other than agricultural purposes, the owners of that property must pay a "just and proportionate share of such maintenance expense," but the ownership of this roadway has been in members of the Scanlon family or entities owned by them for some 75 years.

5. I would take issue with your statement that the additional lots would "significantly burden" the roadway. According to my understanding, there are 56 lots presently in Fjords North, all of which utilize Oak Lane for access. This would increase the number of potential residences by three, or 5.36%.

6. Since the planning of this subdivision was commenced, it has always been planned that the sewer and water lines would be bored under Oak Lane so as not to disturb the surface or the utilization of Oak Lane by the Fjords North owners. Our engineers have advised us that they have provided for the use of "restrained joints" in the sewer and water lines which would allow any pipe requiring replacement to be pulled out rather than having the surface excavated to replace the pipe.

7. It is my understanding that the same fire department, in North Liberty, provides fire protection for North Liberty and all of Penn and Madison Townships. There would not be additional fire departments utilizing Oak Lane unless a major fire caused the involvement of other departments.

8. The subdivision and the Oak Lane right-of-way have been planned in such a way that a minimal amount of tree cover and other vegetation would be disturbed. Reconstructing Oak Lane to city street standards would involve the removal of much of this vegetation, which also provides screening to Fjords North, and would likely invite additional vehicular traffic into Fjords North.

The owners of Scanlon Family, L.L.C. have never had an intention of burdening the Fjords North Owners Association or its residents with additional costs. The only three lots which would utilize Oak Lane for access are being planned in such a way as the lot sizes would be generally comparable to and compatible with lots in Fjords North. Because of the size of these lots, we would not anticipate that homes would be constructed on these

Mr. William H. Roemer
Read & Roemer PLC
wroemer@readroemer.com
July 1, 2022
Page 3

lots which would be substantially different from those in Fjords North, and we would be happy to work with Fjords North Owners Association in designing protective covenants for those lots.

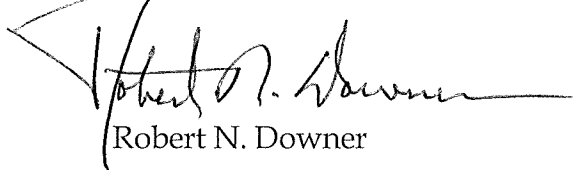
Insofar as meeting the "just and proportionate share" language in the easement agreement, our client would propose the following:

1. Each of the three lots would pay the same amount for snow removal cost for Oak Lane and the entire road system within Fjords North as is paid by the present Fjords North owners. Because the owners of the three lots proposed would for the most part only utilize the roadway between those lots and North Liberty Road, these owners would be paying a portion of the cost of snow removal on roads which they seldom, if ever, use.

2. In exchange for this proposal, Scanlons would request the right to use the turnaround on the west side of Fjords North for that purpose by emergency and public service vehicles and also to place the three mail boxes for three lots with the mail box cluster presently serving the residences in Fjords North.

I would be happy to discuss this with you if you wish to do so, Bill. We will look forward to hearing from you as soon as possible.

Very truly yours,



Robert N. Downer

RND:snw

cc: Pat Scanlon
Grant Lientz
Tracey Mulcahey
Ryan Rusnak
Tim Conklin

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Mr. William H. Roemer
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wroemer@readroemer.com
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Page 3

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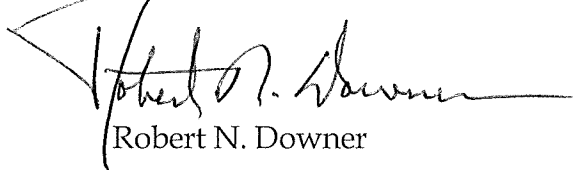
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Very truly yours,



Robert N. Downer

RND:snw

cc: Pat Scanlon
Grant Lientz
Tracey Mulcahey
Ryan Rusnak
Tim Conklin



Tim Conklin <timconk@gmail.com>

Fwd: [Non-DoD Source] Scanlon Family, LLC proposed Subdivision in North Liberty

Tim Conklin <tim@allstarmgmt.com>
To: Tim Conklin <timconk@gmail.com>

Fri, Jun 17, 2022 at 10:22 AM

----- Forwarded message -----

From: **Julie Conklin** <julieconklin95@gmail.com>
Date: Fri, Jun 17, 2022 at 10:11 AM
Subject: Fwd: [Non-DoD Source] Scanlon Family, LLC proposed Subdivision in North Liberty
To: Tim Conklin <tim@allstarmgmt.com>

Fyi

----- Forwarded message -----

From: **Wuebker, Jonathan D CIV USARMY CEMVR (USA)** <Jonathan.D.Wuebker@usace.army.mil>
Date: Fri, Jun 17, 2022, 7:52 AM
Subject: RE: [Non-DoD Source] Scanlon Family, LLC proposed Subdivision in North Liberty
To: julieconklin95@gmail.com <julieconklin95@gmail.com>

Julie,

Thank you for your inquiry and information on the proposed work site. As of date I am not aware of USACE Coralville Lake Project being contacted of the construction. Any construction project however is regulated by the state of Iowa and County which the project is being worked in. The project is responsible to mitigate and control construction run-off. At quick glance, USACE does have flowage easements throughout your HOA and including one of your ponds so there is most certainly interest in anything that could fill in these areas as it can impact ability to fill with water during flood events.

Any concerns can be addressed with the county first accordingly to ensure silt control measures are planned and in place for any construction projects. All projects must first receive the county approvals prior to start including mitigation planning. Should silt runoff the site and affect USACE lands, our office would most certainly be interested in any information and photographs regarding the projects progression to ensure lands are returned to pre-construction condition and any silt/runoff removed for use accordingly. The burden of proof however can be difficult to quantify material specific to a site if no pre-construction information is available for what it worth.

If you have any other questions or I may be of further assistance please let me know.

Jonathan D. Wuebker

Assistant Operations Manager

CISM Peer Supporter

Coralville Lake Reservoir

[2850 Prairie du Chien Road NE](#)[Iowa City, IA 52240-7820](#)

(319) 338-3543 ext. 6302

Coralville Lake

<http://www.mvr.usace.army.mil/Missions/Recreation/Coralville-Lake/>

CISM KM Portal

<https://usace.dps.mil/sites/KMP/SitePages/CISM.aspx>

Free Confidential Employee Assistance Program help: [800-638-3327](tel:800-638-3327)

<https://myassistanceprogram.com/fei/>

From: Julie Conklin <julieconklin95@gmail.com>
Sent: Thursday, June 16, 2022 1:16 PM
To: Coralville.Lake <Coralville.Lake@usace.army.mil>
Subject: [Non-DoD Source] Scanlon Family, LLC proposed Subdivision in North Liberty

Hello,

I have some questions regarding a new subdivision being proposed by Scanlon Family, LLC of roughly 36 acres next to our neighborhood on Oak Lane NE in North Liberty. Our subdivision, Fjords North, has a majority of its homeowners who own land connecting to Army Corps of Engineering land around Coralville Lake.

The proposed subdivision's infrastructure is causing some concerns for our neighborhood. We are currently experiencing silt issues with a HOA owned pond, as well as a neighbor who is experiencing the same issues with his privately owned pond as well as property flooding from current runoff/drainage issues from other neighborhoods. Our Good Neighborhood Meeting was held last night, where these questions were asked of the builder/developer/owner of the land being developed with little to no solutions given. When asked what type of impact we should expect from the development, no one could answer this question. The developer discussed mitigation techniques that they might try but they didn't have a full understanding of their impact on our neighborhood. This is obviously a concern for us because of the 2 ponds affected and potential wash out of 2 roads.

The Corps land will also be impacted by the development and infrastructure needed. Is Scanlon Family, LLC working with the Corps to help mitigate the runoff/drainage issues? Does the Army Corps of Engineering have general guidelines that developers have to follow to mitigate runoff/drainage issues that will affect their land?

I greatly appreciate any information that you can give.

Thank you!

--

Julie Conklin

Ryan Rusnak

From: Erin Payne-Christiansen <payneerin@yahoo.com>
Sent: Sunday, June 26, 2022 3:31 PM
To: Ryan Rusnak; Ryan Heiar; Tracey Mulcahey
Cc: Tim Conklin
Subject: [EXTERNAL] letter to P&Z committee re North Ridge Development
Attachments: Water shed map.pdf; Fjords06182015 (1).pdf; Gmail - Fwd_ [Non-DoD Source] Scanlon Family, LLC proposed Subdivision in North Liberty.pdf

WARNING: This email originated from outside of this organization. Do not click links or open attachments unless you know the contents are safe. Never provide your user ID or password to anyone.

Dear Members of the North Liberty Planning and Zoning Committee;
Ryan Heiar, City Administrator;
Tracey Mulcahey, Assistant City Administrator & City Clerk; and
Ryan Rusnak, Planning Director

I am writing on behalf of the board of the Fjords North Homeowners Association. Fjords North is located to the east of North Liberty Road and is accessed from Oak Lane. We would like to express concern over the impact of local development, most recently that of the North Ridge development, parts 2 & 3.

Our concerns are many, but the two major issues are that of (1) the use of Oak Lane to access lots not in our homeowner association and (2) the watershed management of said area, specifically its impact on both the environment and our roads.

(1) Oak Lane:

Oak Lane has a confusing history of ownership. While our homeowners association does not own it, we have paid to maintain the road since Fjords North was developed. This includes mowing, snow removal, surface maintenance and repair, tree and brush removal, and erosion control. We do not understand why lots in the city would be accessed via a private road that is not in the city. The city has no guarantee that the road will continued to be maintained to a standard that would allow the city to provide city services to those three lots. Here is a list of concerns related to our connector road.

- The sewer is supposed to cross under our connector road and connect to the land to the north of it. If there is ever a sewer problem there and they have to dig it up, it may block our access. Is the area wide enough to support a temporary access path?
- Where will the mailboxes for the three lots be?
- The parking on these lots is likely to be limited due to the wetland area that these lots will be built on. If one of the owners of one of these lots were to have a party, their guests are likely to park along Oak Lane where there is no space to pull over. That leaves only one narrow lane for access in and out of Fjords. In addition to the inconvenience to our residents, this creates a public safety issue, as the remaining lane would not be wide enough to accommodate a fire truck or ambulance. In addition, if we were to call the police for assistance in such a matter, we would not get it because the road is not a city road.

2) Watershed Management:

Flooding events have increased with development; this impacts everyone downstream of the developments. In 2015, board members of our association reached out to a number of individuals regarding watershed management in this area, including a water conservation specialist, HBK engineer, the local developer, North Liberty's city engineer, North Liberty's planning director, and North Liberty's roads department. The result was that, because development was done to code, no action was taken. We continue to have concerns and on-going issues.

- In this link (<https://www.youtube.com/watch?>) you can view video footage of flooding examples in the association, specifically showing the water flow coming through the creek that flows into our association from the area to be developed. This area has flooded 1-4 times per year over the past ten years. If you are interested in seeing more videos, photographs, or drone footage, we would happily provide it.
- The private pond to the west of Aspen has decreased in depth from approximately 4 foot to 1 foot or less due to silting, which has then decreased pond capacity and increased flooding since 2010. The larger, association-owned pond to the east of Aspen has also been silting in over time; this has increased with recent developments. You can view these changes in the attached images taken from Google Earth; the first was taken in 2012, while the second was taken in 2022.
- While North Ridge Parts 2 & 3 may meet code, what additional measures can be put in place to insure our ponds do not silt in further and cause additional flooding?
- If the sewer line going under the wetlands were to flood, how would the city prevent sewage from contaminating our pond and flooding into the reservoir? There are approximately 600 acres that drain into these ponds; please see the attached watershed map. Johnson County Soil and Water Conservation District has expressed its concerns in the attached 2015 letter from Kate Giannini, Soil and Water Conservation Specialist. The Army Corps of Engineers is also interested in the impact of this development; please see the attached email exchange between a homeowner and Jonathan Wuebeker.

We ask you to please consider these issues, as the impacts will be long-term.

Sincerely,

Current FNHA Board Members & Concerned Neighbors

Erin Payne-Christiansen
2592 Cedar Court NE

Tim Conklin
3767 Oak Lane NE

Joanna Hall
2665 Aspen Court NE

Rob Maher
2663 Willow Court NE

Brad Snell
2583 Cedar Court NE

Rebecca Davis
3705 Oak Lane NE

1st image: 2012 aerial photo, Google Earth



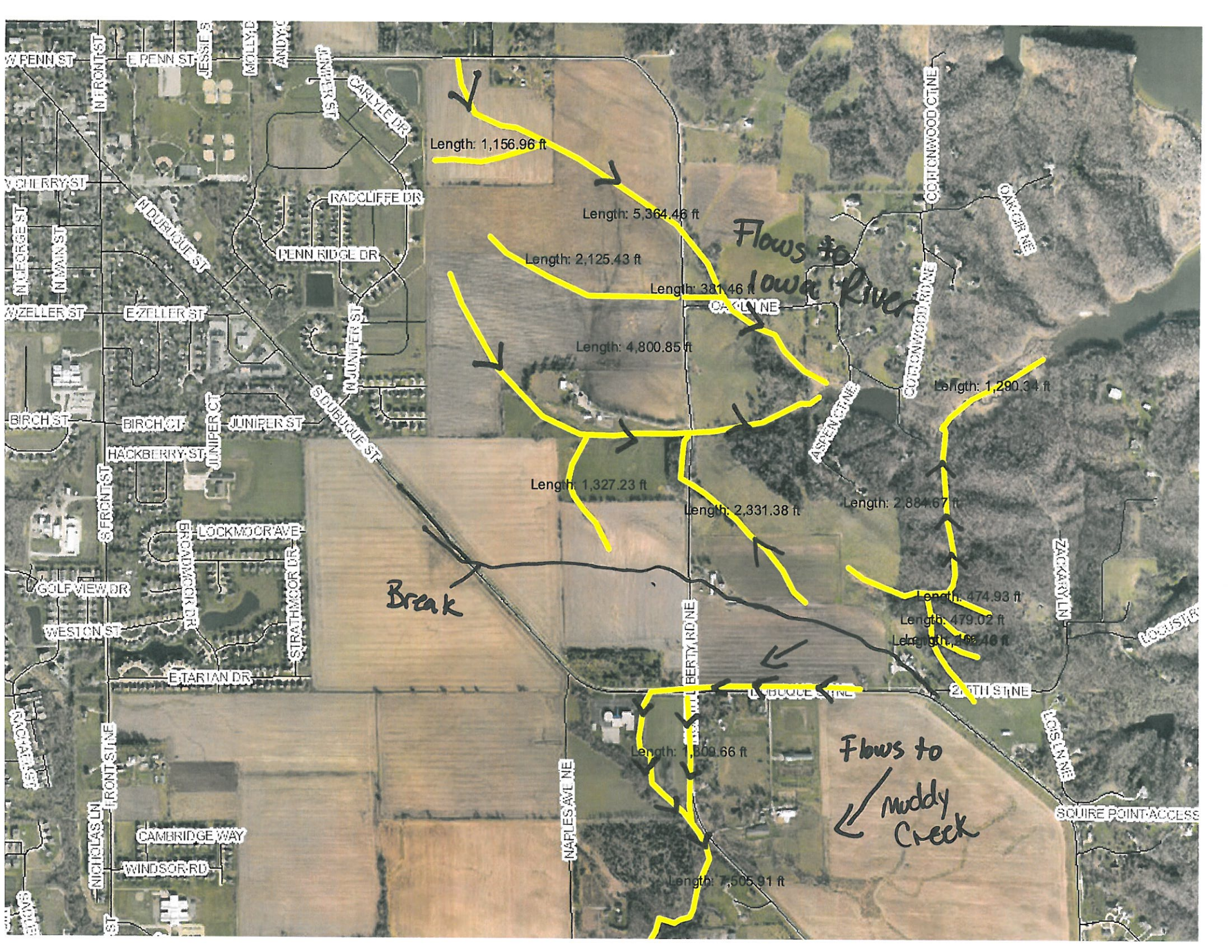
2nd image: 2022 aerial photo, Google Earth



watershed map

letter from Soil & Water Conservation Specialist

email exchange with Army Corps of Engineers





Johnson County Soil & Water Conservation District

51 Escort Lane
Iowa City, IA 52240-8612

Telephone (319) 337-2322
Fax 855-233-1294
Website www.jcswcd.org
Email jcswcd@yahoo.com

6/18/2015

Per the request of a few homeowners of the Fjords Subdivision, Johnson County Soil and Water Conservation District has provided technical assistance in regards to flooding concerns within their subdivision watershed. An in office watershed assessment was completed in the fall of 2014, and that assessment is available upon request. Note, a field assessment has not been completed.

The residents are concerned about future development that may occur within their watershed as they already are experiencing frequent flood damage during rain events. I have been further asked to provide information and technical assistance on how a future development to the south of the Fjords (which is owned by Scanlon Family Farm LC) may impact and further heightened their flooding issues. Below is how I would review the project for Sensitive Areas, Sediment and Erosion Control, Stormwater, although since this project is not zoned within the County not all of the items are enforceable. Please consult your local, State and Federal agencies on their specific guidelines on the below topics. Some agencies may not be able to provide assistance unless the landowner is requesting the consultation.

Sensitive Areas:

1. Critical Wildlife Habitat

- a. **There is possibility of critical wildlife habitat for threatened and endangered species. Determined after looking at Johnson County PIV (Property Information Viewer)**
- b. Request and review documents provided by Iowa DNR and/or USFWS or a local contractor to determine if any critical habitat exists in the area planned for development.
- c. If critical wildlife habitat is found either preserve the area or develop a mitigation plan in consultation with DNR and/or USFWS prior to any disturbance.

2. Floodplain and Floodway

- a. The proposed development is not within a floodplain or floodway. Determined after looking at Johnson County PIV.

3. Prairies and Prairie Remnants

MISSION: To clear our water by treating every acre with respect

All USDA programs and services are offered on a non-discriminatory basis, without regard to race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status.



Johnson County Soil & Water Conservation District

51 Escort Lane
Iowa City, IA 52240-8612

Telephone (319) 337-2322
Fax 855-233-1294
Website www.jcswcd.org
Email jcswcd@yahoo.com

- a. **I have examined historic air photos, and a large portion of the area looks like it has never been cropped. The existence of a prairie or prairie remnant cannot be ruled out. Determined after looking at Johnson County PIV.**
 - b. A consultant (either private or DNR) is requested to evaluate the presence, quality and diversity of native species.
 - c. If area is identified as a sensitive area it should be left undisturbed except for management activities for restoration and maintenance. A buffer zone of at least 50' should be established.
 - d. If site cannot be left undisturbed a mitigation plan shall be developed prior to any disturbance
- 4. Savanna and Savanna Remnant**
- a. **I have examined historic air photos and there is a possibility of possible savanna on site. Determined after looking at Johnson County PIV.**
 - b. Request a consultation by DNR District Forester
- 5. Wetlands**
- a. Consult a Wetland Specialist for consultation
- 6. Woodlands**
- a. **Potential to effect. Determined after looking at Johnson County PIV.**
 - b. Request a consultation by DNR District Forester
- 7. Stream Corridors**
- a. **No blue-line streams identified but assessment of existing drainage ways and their health and potential erodibility should be examined. Determined after looking at Johnson County PIV and USGS maps**
- 8. Unstable Landforms**
- a. **Potential to effect, unstable landforms are found on site. Determined after looking at web soil survey and topographic maps.**
 - b. **Avoid and protect areas that are unstable when possible.**
- 9. Historic Properties/ Cultural Resources**

MISSION: To clear our water by treating every acre with respect

All USDA programs and services are offered on a non-discriminatory basis, without regard to race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status.



Johnson County Soil & Water Conservation District

51 Escort Lane
Iowa City, IA 52240-8612

Telephone (319) 337-2322
Fax 855-233-1294
Website www.jcswcd.org
Email jcswcd@yahoo.com

- a. **Potential to effect, after quick iSites public search on web**
- b. Consult a contractor (private and/or State Historic Preservation Office) to conduct a archaeology survey prior to disturbance

Stormwater:

Continued development within the watershed will likely cause further flooding and more damaging effects if stormwater runoff is not treated and controlled. It is recommended that stormwater be addressed to meet the Unified Sizing Criteria of the Iowa Stormwater Management Manual. A suite of best management practices (BMPs) and their specifications can also be found in that manual. It is recommended that a treatment train of BMPs are installed to infiltrate the water quality volume and also control larger rainfall events.

Sediment and Erosion Control:

A Sediment and Erosion Control Plan or also known as a Stormwater Pollution Prevention Plan (SWPPP) shall be developed before any land disturbance on 1 acre or more per [DNR regulations](#). Individual lot SWPPP's may or may not be required depending on local regulations.

My contact information is listed below for further questions or follow-up.

Sincerely,

Kate Giannini
Soil and Water Conservation Specialist
Johnson County Soil and Water Conservation District
51 Escort Lane
Iowa City, IA 52240
Kate.giannini@ia.nacdnet.net
319-337-2322 x.305
www.jcswcd.org

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Tim Conklin <timconk@gmail.com>

Fwd: [Non-DoD Source] Scanlon Family, LLC proposed Subdivision in North Liberty

Tim Conklin <tim@allstarmgmt.com>
To: Tim Conklin <timconk@gmail.com>

Fri, Jun 17, 2022 at 10:22 AM

----- Forwarded message -----

From: **Julie Conklin** <julieconklin95@gmail.com>
Date: Fri, Jun 17, 2022 at 10:11 AM
Subject: Fwd: [Non-DoD Source] Scanlon Family, LLC proposed Subdivision in North Liberty
To: Tim Conklin <tim@allstarmgmt.com>

Fyi

----- Forwarded message -----

From: **Wuebker, Jonathan D CIV USARMY CEMVR (USA)** <Jonathan.D.Wuebker@usace.army.mil>
Date: Fri, Jun 17, 2022, 7:52 AM
Subject: RE: [Non-DoD Source] Scanlon Family, LLC proposed Subdivision in North Liberty
To: julieconklin95@gmail.com <julieconklin95@gmail.com>

Julie,

Thank you for your inquiry and information on the proposed work site. As of date I am not aware of USACE Coralville Lake Project being contacted of the construction. Any construction project however is regulated by the state of Iowa and County which the project is being worked in. The project is responsible to mitigate and control construction run-off. At quick glance, USACE does have flowage easements throughout your HOA and including one of your ponds so there is most certainly interest in anything that could fill in these areas as it can impact ability to fill with water during flood events.

Any concerns can be addressed with the county first accordingly to ensure silt control measures are planned and in place for any construction projects. All projects must first receive the county approvals prior to start including mitigation planning. Should silt runoff the site and affect USACE lands, our office would most certainly be interested in any information and photographs regarding the projects progression to ensure lands are returned to pre-construction condition and any silt/runoff removed for use accordingly. The burden of proof however can be difficult to quantify material specific to a site if no pre-construction information is available for what it worth.

If you have any other questions or I may be of further assistance please let me know.

Jonathan D. Wuebker

Assistant Operations Manager

CISM Peer Supporter

Coralville Lake Reservoir

[2850 Prairie du Chien Road NE](#)[Iowa City, IA 52240-7820](#)

(319) 338-3543 ext. 6302

Coralville Lake

<http://www.mvr.usace.army.mil/Missions/Recreation/Coralville-Lake/>

CISM KM Portal

<https://usace.dps.mil/sites/KMP/SitePages/CISM.aspx>

Free Confidential Employee Assistance Program help: [800-638-3327](tel:800-638-3327)

<https://myassistanceprogram.com/fei/>

From: Julie Conklin <julieconklin95@gmail.com>
Sent: Thursday, June 16, 2022 1:16 PM
To: Coralville.Lake <Coralville.Lake@usace.army.mil>
Subject: [Non-DoD Source] Scanlon Family, LLC proposed Subdivision in North Liberty

Hello,

I have some questions regarding a new subdivision being proposed by Scanlon Family, LLC of roughly 36 acres next to our neighborhood on Oak Lane NE in North Liberty. Our subdivision, Fjords North, has a majority of its homeowners who own land connecting to Army Corps of Engineering land around Coralville Lake.

The proposed subdivision's infrastructure is causing some concerns for our neighborhood. We are currently experiencing silt issues with a HOA owned pond, as well as a neighbor who is experiencing the same issues with his privately owned pond as well as property flooding from current runoff/drainage issues from other neighborhoods. Our Good Neighborhood Meeting was held last night, where these questions were asked of the builder/developer/owner of the land being developed with little to no solutions given. When asked what type of impact we should expect from the development, no one could answer this question. The developer discussed mitigation techniques that they might try but they didn't have a full understanding of their impact on our neighborhood. This is obviously a concern for us because of the 2 ponds affected and potential wash out of 2 roads.

The Corps land will also be impacted by the development and infrastructure needed. Is Scanlon Family, LLC working with the Corps to help mitigate the runoff/drainage issues? Does the Army Corps of Engineering have general guidelines that developers have to follow to mitigate runoff/drainage issues that will affect their land?

I greatly appreciate any information that you can give.

Thank you!

--

Julie Conklin

Ryan Rusnak

From: Brian Dennis <brianddennis92@gmail.com>
Sent: Wednesday, June 29, 2022 3:08 PM
To: Ryan Rusnak; Ryan Heiar; Tracey Mulcahey
Cc: Erin & Cory Payne-Christiansen
Subject: [EXTERNAL] Planned City Annex and Development - North Ridge development

WARNING: This email originated from outside of this organization. Do not click links or open attachments unless you know the contents are safe. Never provide your user ID or password to anyone.

Dear Members of the North Liberty Planning and Zoning Committee;
Ryan Heiar, City Administrator;
Tracey Mulcahey, Assistant City Administrator & City Clerk; and
Ryan Rusnak, Planning Director

This letter is in support of the letter you received from Erin Payne-Christiansen on behalf of the Fjords FNHA Board Members and concerned neighbors expressing concerns over the impact of the proposed annex and local development, most recently that of the North Ridge development, parts 2 & 3.

Attached are public links to pictures and video footage which supports many of the concerns we have for item (2) which is Watershed Management and silt/sediment containment. These pictures and videos were taken by me personally after a rain event in 2012 and 2016 which commonly happens 1-4 times a year. Some of the pictures show failure of watershed and silt containment measures in the development and the result being large amounts of silt/sediment and other debris flowing down the main waterway by the pumphouse which is adjacent to the current development being proposed and one of the main waterways that travel through the proposed development. This debris ultimately ends up in my private pond, the community pond, and also runs into the Coralville Reservoir. We hope that you will take time to review this information when taking our concerns into consideration on watershed and sediment containment measures with the new development and future development to come.

Video footage of 2014 rain events.

<https://youtu.be/eZEGxv4-d9c>

<https://youtu.be/GYTv8-a-HpA>

Drone Footage of a 2016 flooding and silting from the new development West and South of Fjords.

<https://www.dropbox.com/sh/jj837gwz6ghes4l/AAAtcLty0ouWFXyktskflmrSa?dl=0>

Pics from walking the drainage and waterways from same flooding in 2016

<https://www.dropbox.com/sh/1r3iky5nonbfc7/AABhTfGwTtgixRSIfMevaJfBa?dl=0>

We look forward to discussing further in the future and please do not hesitate to ask any questions about the information provided. If for some reason the links are not viewable on your end, please let me know.

If you could kindly reply confirming receipt of this information, that would be greatly appreciated.

Thank you for your time and consideration.

Best,

Brian Dennis
2625 Aspen CT NE
North Liberty, IA 52317

Ryan Rusnak

From: Tim Conklin <timconk@gmail.com>
Sent: Friday, July 01, 2022 10:29 AM
To: Ryan Rusnak; Ryan Heiar; Tracey Mulcahey
Cc: Joanna Hall; William Roemerma
Subject: [EXTERNAL] Attn: P&Z for July 5 meeting - Oak Ln NE current width
Attachments: IMG_7802.jpg; IMG_7803.jpg; IMG_7804.jpg; IMG_7805.jpg; IMG_7806.jpg

WARNING: This email originated from outside of this organization. Do not click links or open attachments unless you know the contents are safe. Never provide your user ID or password to anyone.

Please confirm receipt and forward to P&Z as public correspondence for the July 5 meeting related to Northridge parts 2 & 3:

North Liberty P&Z:

Attached please find pictures of two cars on Oak LN, the connector road for the Fjords North subdivision. As you can see this road is extremely narrow with barely enough width for two cars. It is important to also note that there is no space to pull off as the shoulders are sloping steep uneven surfaces with vegetation. The three house lots proposed along Oak Ln (in the city but on our private road) will have limited parking because they are mostly wetlands. In the event one of these properties has a party there will not be enough parking on the lots and if they were to park along Oak LN that would restrict our in/out egress to one lane. Even at that, it is a public safety issue as a fire truck would not fit down the remaining width.

Our neighborhood is also seeking a proposal for a gated entrance into our development at the end of Oak LN. My guess is without the gate and with or without an easement from us, most commercial vehicles will try to turn around in our development by our mailboxes. I actually have a class B commercial driver's license. As I see it, the road is not wide enough for a fire truck, school bus, garbage truck, etc.. to turn around with the proposed turnaround. If we move forward with the gate illegally, using our road to turn around will not be an option. Again this creates another public safety issue as commercial vehicles will mostly likely need to back all the way down Oak and into North Liberty Rd NE.

I request that you please take these points into consideration and force the developer to make reasonable accommodations.

I would be more than happy to meet any of you out here to walk around and show you what I'm talking about.

Sincerely,
Tim Conklin
3767 Oak Ln NE
North Liberty, IA 52317
319-329-7745











Ryan Rusnak

From: Tim Conklin <timconk@gmail.com>
Sent: Friday, July 01, 2022 12:40 PM
To: Bob Downer
Cc: wroemerman@readroemerman.com; jpatscanlon@gmail.com; Grant Lientz; Tracey Mulcahey; Ryan Rusnak; Ryan Heiar
Subject: [EXTERNAL] Re: Scanlon Family, L.L.C. – Fjords North Homeowners Association
Attachments: image001.jpg

WARNING: This email originated from outside of this organization. Do not click links or open attachments unless you know the contents are safe. Never provide your user ID or password to anyone.

Mr. Downer,

We take umbrage at the tone of your correspondence and are not comprehending why your client is unable to address the concerns of the Fjords owners. It is absurd for the party standing to profit to declare that the road will not be an issue. It appears your clients intent is to sell the lots and high tail it out, leaving us with the mess.

We reject your offer. It is premature and quite frankly pompous to assume our association would accept an offer that has little to no value to us. (Your offer saves each home owner a laughable \$26 per year). Furthermore, our association is currently seeking proposals for a gate at the end of Oak LN. Granting an easement will undermine our goal of keeping non Fjord owners off our our property, including the eventual homeowners of those three lots.

We need you to actually listen to our concerns (instead of arguing them) and make changes and concessions accordingly.

Tim Conklin
3767 Oak Ln NE,
North Liberty, IA 52317
319-329-7745

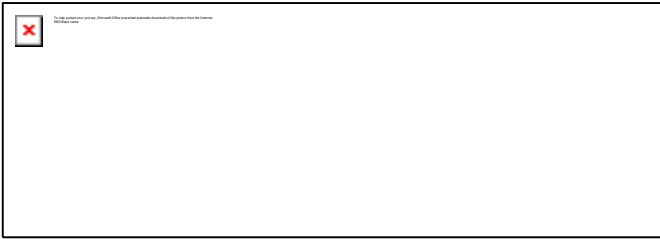
On Fri, Jul 1, 2022 at 9:05 AM Bob Downer <bobd@meardonlaw.com> wrote:

Attached please find copy of correspondence from Mr. Downer, with hard copy to follow by ordinary U.S. mail. Please contact Mr. Downer with any questions.

Thank you,

Sacha Wyckoff

Legal Assistant to Robert N. Downer



122 SOUTH LINN STREET

IOWA CITY, IA 52240

Telephone: (319) 338-9222

Facsimile: (319) 338-7250

[MeardonLaw.com](#) • [Bio](#)

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Thank you.

Ryan Rusnak

From: Craig Reischauer <craig@reischauerlandservices.com>
Sent: Saturday, July 02, 2022 4:49 PM
To: Ryan Rusnak
Cc: Erin Payne-Christiansen; Tim Conklin; Joanna.c.hall@gmail.com; Brad Snell; Rebecca Davis; Rob Maher
Subject: [EXTERNAL] Scanlon Family, LLC. North Ridge Parts 2 & 3

WARNING: This email originated from outside of this organization. Do not click links or open attachments unless you know the contents are safe. Never provide your user ID or password to anyone.

Ryan,

I am writing to share my opposition to the above proposed development as currently designed. My family and I reside in the Fjords North neighborhood of which the sole access will be impacted by this development. I share the many concerns outlined in previous correspondences by our FNHA Board Members and neighbors but as those are already of record, I will try to limit this email to my most specific concerns.

The City staff makes a recommendation that the City provide a variance to Section 180(8)(A) which provides that "private streets in single family residential areas are not allowed." The City states that it is "the staff's opinion that granting the variation would not be detrimental to the area." I respectfully disagree with that opinion based on the very narrow nature of the road. There is no place to put mailboxes on Oak Lane NE in a manner that the residents of the three lots proposed in "Part 2" can safely pull over and get their mail without blocking a lane of traffic and there is no place for large vehicles to turn around without encroaching onto the private property of Fjords North. If these two concerns are not addressed, I feel there is a negative impact on the residents of our neighborhood. To me, the issue is not that the road is "private", it is that the road is not safe if something is not included in the development to accommodate these concerns.

The preliminary plat for the development shows a "temporary fire turnaround" on the north side of Oak Lane NE that might help with some of the above concerns during construction, but what is the permanent solution? If neither the City nor the developer are willing to improve the road to accommodate the additional lots and driveways, it would seem reasonable that at a minimum the developer should provide a safe area for their mailboxes and an area for large vehicles to turn around without encroaching on our private development.

I propose that this is not merely a concern for the developer and the future residents of the three lots in "Part 2" but also a concern for the City. Assuming that the three new City lots on the south side of Oak Lane NE are served by City garbage and recycling, how will these City vehicles turn around when they get to the end of the easement area? How will other City maintenance vehicles turn around?

Until there is some assurance that there will be a safe area for mailboxes and a safe area to accommodate turning large trucks around, the assumption would be that the road will be periodically blocked and/or there will be encroachment on private property to accommodate this development. I would suggest that the developer has plenty of property on both the north and south side of the road. They should be required to provide a sufficient area for their mailboxes and a sufficient area for their residents and for City maintenance and garbage trucks to turn around on this narrow road. To do so would not be a hardship on the developer, but to not do so creates a hardship for residents of our neighborhood.

In closing, I would like to be clear that I am not in any way opposed to development, I am only concerned that it be done with safety in mind and with respect for private property. I would greatly appreciate it if you would confirm receipt of this email and also share my concerns with the Planning and Zoning Committee prior to or at the July 5th meeting.

Please do not hesitate to reach out to me with any questions or to further discuss.

Thank you for your consideration of my concerns.

Craig Reischuaer
2518 Cottonwood Court, NE
North Liberty, Iowa 52317
319-350-9922

Ryan Rusnak

From: Joanna Hall <joanna.c.hall@gmail.com>
Sent: Sunday, July 03, 2022 9:26 AM
To: Ryan Rusnak
Cc: Hall M
Subject: [EXTERNAL] Re oak Lane and North liberty Scanlan development

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Mr Rusnak

My husband may follow up with a more detailed email later, but I would like you to please add Joanna and Mederic Hall of 2665 Aspen Court NE. in North liberty Iowa to the list of individuals formally rejecting the plat as it is currently designed for the Scanlon farms development.

We reject this for many of the reasons already mentioned by multiple Fjords North and surrounding homeowners.

Thank you so much for your time. Hope you have a great Fourth of July

Joanna Hall
Sent from my iPhone

Ryan Rusnak

From: Sarah Jorgensen <skjorgensen@yahoo.com>
Sent: Monday, July 04, 2022 9:24 AM
To: Ryan Rusnak
Subject: [EXTERNAL] Opposition to Scanlon Farms LLC request

WARNING: This email originated from outside of this organization. Do not click links or open attachments unless you know the contents are safe. Never provide your user ID or password to anyone.

Good morning,

As a homeowner in Fjords North, I am writing in opposition of the request of Scanlon Farms LLC. As it currently stands, the proposal utilizes Oak Lane NE for access of three lots. As you are aware, Oak Lane NE is a private road in which the homeowners of Fjords North currently are responsible for the maintenance. Additionally, it is the only access in and out of the neighborhood. If Oak Lane NE is used for development of homes on the three lots, it will incur significant wear and tear from construction vehicles. There is also the potential for the road to be obstructed, making access for the homeowners of Fjords North, and any emergency vehicles, impaired and/or impossible. Furthermore, the construction process will lead to runoff into the waterways of the neighborhood. These waterways ultimately lead to Coralville Lake. Thus, having long term consequences on the lake.

Please consider these issues when making your final decision.

Sincerely,
Sarah Jorgensen
2542 Cottonwood Court NE

Ryan Rusnak

From: Sherri Bergstrom <sherrib2490@gmail.com>
Sent: Monday, July 04, 2022 6:53 PM
To: Ryan Rusnak
Subject: [EXTERNAL] North Ridge Development

WARNING: This email originated from outside of this organization. Do not click links or open attachments unless you know the contents are safe. Never provide your user ID or password to anyone.

Dear Mr. Rusnak and members of the North Liberty Planning and Zoning Commission:

I am a 20 year resident at 2490 Cottonwood Ct. in the Fjords North subdivision. I am writing to express my concern over the impact the North Ridge development has had and will have on our beautiful, established neighborhood. At issue is the assumption of the Scanlon development group that they are able to use our private county road to access three lots they would like to sell across a small waterway from their larger development. The development of these three lots (a drop in the bucket for the Scanlon group), will have a serious impact on life in our neighborhood for the residents.

Granting access on Oak Lane is contrary to our understanding of a long standing agreement since the development of Fjords North over 30 years ago. We as residents have invested our own money and time to maintain and resurface the road over the years. We reject the idea of adding access to new lots that would add another roadway connecting into Oak Lane and the resulting issues of more traffic, mailboxes, emergency vehicle access, erosion into our waterways and aesthetics. We, as residents, have protected and value our country lane and desire it to remain as is. It is very disturbing to all the long time residents to have our entrance be impacted at the whim of a large developer wanting an extra three lots that they do not need.

Our hope is that you will appreciate and value the fact that we have been here a long time and put our efforts and money into preserving Oak Lane as it is. Please consider not granting a developer access from our private road that will change everything.

Thank you for your thoughtful consideration of this important issue.

Sincerely,

Sherri Bergstrom
2490 Cottonwood Ct. NE
North Liberty, Iowa. 52317

Sent from my iPhone

Ryan Rusnak

From: Noel Carver <noelcarver@hotmail.com>
Sent: Tuesday, July 05, 2022 11:08 AM
To: Ryan Rusnak; Ryan Heiar; Tracey Mulcahey
Subject: [EXTERNAL] about development around fjords, re P&Z meeting

WARNING: This email originated from outside of this organization. Do not click links or open attachments unless you know the contents are safe. Never provide your user ID or password to anyone.

Hi all,

Could you please ensure this email is shared with the entirety of the P&Z committee?

I'm Noel Carver, a resident of the fjords neighborhood for the last 5 years. My family is concerned about the new development, specifically with safety and water issues as well as potential liability issues for us and the city.

With cars parked on Oak, we fear that an accident may be likely. It is not terribly wide as it is, and families and large Amazon/ FedEx/ UPS trucks make use of that road throughout the day.

We are also worried about drainage and water issues impacting our own neighborhood, our homes and properties, and our neighborhood's water catchment areas.

We also have worries regarding environmental impact and falling afoul of federal stipulations regarding the watershed and environs here as it feeds into federal territory managed by the Army Corps of Engineers (who, as you know, also have certain rights regarding the water runs and catchment areas within our HOA).

Whether legal and financial liability for safety issues, environmental damage, falling afoul of accepted conservation practices and/or federal rules governing the usages of water in the area would fall upon us or the city, either way we are very concerned about negative outcomes here. In weighing the costs and benefits to the community and to the city, we believe this development is not a good idea.

We hope you had a great holiday weekend, and thank you so much for your time!

all best,

Noel Carver



Planning Commission

August 2, 2022

City Council Chambers, 1 Quail Creek Circle, North Liberty, Iowa

Call to Order

Vice Chair Jason Heisler called the August 2, 2022, Planning Commission meeting to order at 6:30 p.m. in the Council Chambers at 1 Quail Creek Circle. Commission members present: Barry A'Hearn, Sheila Geneser, Jason Heisler, Dave Willer; Absent—Josey Bathke, Patrick Staber, Brian Vincent.

Others present: Ryan Rusnak, Grant Lientz, Kevin Trom, Mike Bails, Carter Kurdire, Troy Culver and other interested parties.

Approval of the Agenda

A'Hearn moved, seconded by Willer, to approve the agenda. The vote was all ayes. Agenda approved.

North Ridge Parts 2 & 3 Preliminary Subdivision Plat:

Request of Scanlon Family, LLC. And The Trustees of Penn Township to approve a Preliminary Subdivision Plat for a 37-lot subdivision on approximately 36.32 acres. The property is located at the southeast corner of North Liberty Road and Oak Lane NE.

Geneser moved, seconded by A'Hearn, to table this item per the request of the applicant until the September 6, 2022, Planning Commission meeting. The vote was all ayes. Motion carried.

North Central Junior High School Preliminary Site Plan:

Staff Presentation

Rusnak presented the request of Iowa City Community School District to approve a Site Plan for a building addition and related site improvements on approximately 39.8 acres. The property is located at 180 East Forevergreen Road. Staff recommends that the Planning Commission accept the two findings:

1. The Educational use of the property would be consistent with the current P District and the Comprehensive Plan Future Use Map designation of Public; and
2. The site plan would achieve consistency with North Liberty Code of Ordinances Section 165.05(2) entitled, "Preliminary Site Plan Review" and Section 169.10 entitled "Design Standards" and other Code of Ordinance requirements.

Applicant Presentation

Luke Newton of MMS Consultants was present on behalf of the application to answer questions.

Public Comments

No public comments were offered.

Questions and Comments

Commission feels the request is consistent with the area and like the proposed Fire Lane.

Recommendation to the City Council approved with

Willer moved, seconded by A'Hearn, that the Planning Commission accept the two listed findings and forward the site plan to the City Council with a recommendation for approval. The vote was: ayes—A'Hearn, Geneser, Heisler, Willer; nays—none; absent—Bathke, Staber, Vincent. Motion carried.

Lot 25 of Forevergreen Estates Preliminary Site Plan:

Staff Presentation

Rusnak presented the request of Dahnovan Holdings to approve a Site Plan for 62 townhouses and related site improvements on approximately 7.03 acres. The property is located on the south side of future Harlen Street approximately .17 miles east of South Kansas Avenue. Staff recommends that the Planning Commission accept the two findings:

1. The residential use of the property would be consistent with the current RM-12 District and the Comprehensive Plan Future Land Use Map designation of Residential: and
2. The site plan would achieve consistency with North Liberty Code of Ordinances Section 165.05(2) entitled, "Preliminary Site Plan Review", Section 168.07 entitled "Uses Defined and Use Standards", and Section 169.10 entitled "Design Standards" and other Code of Ordinance requirements.

Staff recommends the Planning Commission accept the two listed findings and forward the request to approve the site plan for eight, two-story 4-unit townhouse buildings and related infrastructure to the City Council with a recommendation for approval.

Applicant Presentation

Mike Bails was present on behalf of the applicant to answer any questions.

Public Comments

No public comments were given.

Questions and Comments

Commission feels request is consistent with the area.

Recommendation to the City Council

A'Hearn moved, seconded by Willer, that the Planning Commission accept the two listed findings and forward the site plan to the City Council with a recommendation for approval. The vote was: ayes—A'Hearn, Willer, Heisler, Geneser; nays—none; absent—Vincent, Bathke, Staber. Motion carried.

Public Hearing on Zoning Map Amendment:

Staff Presentation

Rusnak presented the request of Insight Construction for a zoning map amendment (rezoning) from RM-21 Multi-Unit Residence District to RM-21 PAD Multi-Unit Residence District Planned Area Development on approximately 5.93 acres. The property is located on the west side of Future North Jones Boulevard approximately .18 miles north of West Penn Street. Staff recommends the Planning Commission accept the listed finding:

1. The proposed zoning would achieve consistency with North Liberty Code of Ordinances Section 165.05(2) entitled, "Preliminary Site Plan Review" and 165.09(D) (1) entitled, "Zoning Map Amendment Approval Standards" and

and forward the request of Insight Construction for a zoning map amendment (rezoning) from RM-21 Multi-unit Residence District to RM-21 PAD Multi-Unit Residence District Planned Area Development on approximately 5.93 acres to the City Council with a recommendation for approval.

Public hearing was opened at 6:42 pm and there were no oral or written comments. The public hearing was closed.

Applicant Presentation

Troy Culver was present for any questions the Commission might have.

Questions and Comments

Discussion with staff that these would all be rentals with one owner and the development would have a limitation of 30 units until the second access to the south is completed.

A'Hearn moved, seconded by Geneser, that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council for approval. The vote was: ayes—A'Hearn, Willer, Heisler, Geneser; nays—none; absent—Vincent, Bathke, Staber. Motion carried.

Approval of Previous Minutes

A'Hearn moved, seconded by Willer, to approve the minutes of July 5, 2022, meeting. The vote was all ayes. Minutes approved.

Old Business

No old business was presented.

New Business

Rusnak updated the Commission on the September meeting.

Adjournment

At 6:50 p.m. A'Hearn moved, Willer seconded to adjourn the meeting. The vote was all ayes. Meeting adjourned.

Signed:

Mary Byers, Deputy City Clerk