

Office Use Only	7-14-22	\$740-	PZC-22-28252
	Date Filed	Fee	Application Number



**JOHNSON COUNTY, IOWA**

**APPLICATION FOR: SUBDIVISION PLAT APPROVAL**

Application is hereby made for approval of a (circle): **PRELIMINARY** / FINAL / COMBINED  
subdivision plat on property located at (street address if available or layman's description):

2720 & 2722 120th St. NE

Parcel Number(s): 0304451003 0304453001 0304452002 0304452001

Proposed Subdivision Name: Belvedere Addition

The subdivision contains 13.98 total acres divided into 8 total lots as follows:

Buildable Lots: 4 Non-buildable outlots: 4

Total buildable acres: 10.03 Total non-buildable acres: 3.95

Current Zoning: C & A Proposed Use of the Subdivision: light industrial

Scott Ritter  
Name of Engineer/Surveyor

sritter@hart-frederick.com  
Contact Email and Phone

Dean Spina  
Name of Attorney

dspina@bradleyriley.com  
Contact Email and Phone

**PLEASE PRINT OR TYPE**

The undersigned affirms that the information provided herein is true and correct. If applicant is not the owner, applicant affirms that the owner(s) of the property described on this application consent to this application being submitted, and said owners hereby give their consent for the office of Johnson County Planning, Development, and Sustainability to conduct a site visit and photograph the subject property.

Belvedere, Inc.  
Name of Owner

Curt Eilers  
Name of Applicant (if different)

511 Wanatee Creek Circle Marion, IA. 52302  
Applicant Street Address (including City, State, Zip)

319-440-7050  
Applicant Phone

ceilers@ccim.com  
Applicant Email

Applicant Signature

**See back page for Application Submittal Requirements and Checklist**

The following items must be submitted for the application to be complete. Incomplete applications will be returned and will not be considered until the next submission deadline. Electronic submissions should be submitted prior to hard copy delivery. In all cases electronic submission is due by 12-noon the day after the posted submission deadline. **Initial each item below** to confirm that you are aware of the submittal requirements for an application to be considered complete.

- ✓ ✓ Application Fee (varies based on nature of application) is due at the time of submittal.
- ✓ ✓ A brief letter of intent explaining the application and describing road, well, septic, etc.
- ✓ ✓ Ten (10) copies of the plat (and any other sheets larger than 11x17).
- ✓ ✓ The names and addresses of owners of all property within five hundred (500) feet of the parent property or parcel.
- ✓ ✓ A signed certificate of the Auditor approving the subdivision name.
- ✓ ✓ Resolution Affirming the Stability of the Road System (signed and notarized).
- ✓ ✓ One (1) copy of the completed Sensitive Areas Analysis in compliance with the Sensitive Areas Ordinance, or an approved waiver.
- ✓ ✓ One (1) copy of the Stormwater Management Plan (including soil erosion and sediment control) in compliance with the Stormwater Management regulations, or an approved waiver.
- ✓ ✓ Proof of application to Johnson County Public Health for a Public Health Zoning Application.
- ✓ N/A For subdivisions that propose to create a new access or upgrade an existing access to a public county road: a copy of an approved ROW Permit (Access Permit) from Johnson County Secondary Roads.
- ✓ N/A FARMSTEAD SPLITS ONLY: include a list of parcel numbers of the parent farm and the book and page(s) recorded prior to December 1, 2000.
- ✓ N/A FINAL PLATS ONLY: As-Built drawings for installed infrastructure, including statement/certification from the engineer affirming that the as-built infrastructure conforms to the intent and design parameters of the preliminary plat.
- ✓ N/A FINAL & COMBINED PLATS: The following DRAFT (unsigned) legal documents in digital or hard copy.
  - Owner's Certificate
  - Title Opinion
  - Treasurer's Certificate
  - Subdivider's Agreement
  - Fence Agreement
  - Other as applicable (easements, ROW dedication, Consent of Mortgagee, etc.)

**Electronic Submission Requirements** – an electronic submission of all hard-copy materials required above should be submitted prior to hard copy delivery. In all cases, electronic submission is due by 12 noon the day after the submittal deadline for the application to be considered complete. Electronic submissions should include:

- \_\_\_\_\_ Electronic or digitized copy (CAD line work or GIS geodatabase) of proposed plat in .dwg format (.dxf is also acceptable if .dwg is not an option. No .zip files will be accepted).
  - Submission must be saved in AutoCAD 2017 or older format
  - Submissions must use Coordinate System: NAD\_1983\_StatePlane\_Iowa\_South\_FIPS\_1402\_Feet
  - Submission **MUST** include information for Sensitive Areas Analysis/Mapping and Stormwater/Soil Erosion Control infrastructure on the site. This includes any limits of disturbance or other impact areas.
  - Submission should NOT include legends, legal descriptions, location maps, signature blocks, etc.
- \_\_\_\_\_ A PDF of the entire application packet (a single PDF preferred; but a separate PDF for plat, application materials, sensitive areas, stormwater plan, and legal documents are acceptable).
- \_\_\_\_\_ If only submitted electronically, DRAFT legal documents must be provided by 12 noon the day after the submission deadline or the application will be returned as incomplete.



HART-FREDERICK CONSULTANTS P.C.

ENGINEERS & SURVEYORS

6 June 2022

Mr. Josh Busard  
Johnson County Zoning Director

Re: Preliminary Plat, Belvedere Addition for Belvedere, Inc.

Dear Josh:

Attached please find the application and accompanying documents for a Preliminary Plat application for Belvedere, Inc.

At this time Belvedere, Inc. would like to subdivide this portion of their property for the eventual sale or development of this parcel, rezoning applied for also. This proposal is 4 buildable lots 2 stormwater outlots & 1 road purposes area. This parcel has access to 120<sup>th</sup> St. NE. As of now this is bare ground.

If you have questions or if you require further information you may contact myself or Curt Eilers.

Respectfully Submitted,

J. Scott Ritter, LLS  
Hart-Frederick Consultants P.C.

C: Mr. Curt Eilers  
HFCfile

<u>MailingName</u>	<u>MailingAddress2</u>	<u>MailingAddress3</u>	<u>MailingZipCode</u>	<u>Parcel</u>
karen K. Boddicker	2726 120th St. NE	Cedar Rapids, IA.	52404	304276002 304151002 304426002 304451001 304451003
King of Glory Lutheran Church	2720 120th St. NE	Swisher, IA.	52338	304452001 304452002
John & Jane Frese	221 W. Marengo Rd.	Tiffin, IA.	52340	304453001
Exit 10 Development,LLC.	3268 120th St. NE	Solon, IA.	52333	309126001
Loren D. Ziskovsky & Janice M. Hofer	1467 Seneca Rd. NW	Swisher, IA.	52338	304376002 304301002
Hightower Development, Inc. Mak Boone, LLC	2101 Scales bend Rd. NE 7825 NE Morgan Dr.	North Liberty, IA. Bondurant, IA.	52317 50035	304302001 304327001



# PLANNING, DEVELOPMENT AND SUSTAINABILITY

## PLANNING DIVISION

JOSH BUSARD  
AICP, LEED-AP, CFM  
DIRECTOR

NATHAN MUELLER, AICP, CFM  
ASSISTANT DIRECTOR

Luke McClanahan  
ASSISTANT PLANNER

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### WAIVER RESPONSE

Date: April 22<sup>nd</sup>, 2021  
To: Hart-Frederick Consultants; Attn. Scott Ritter  
From: Kasey Hutchinson, Soil and Water Conservation Coordinator  
Re: Waiver Request for 120<sup>th</sup> Street NW/Interstate 380, PPN 0304301003

Recently, your firm submitted a request to waive the Sensitive Areas requirements for a Conditional Use Permit located near the intersection of 120<sup>th</sup> Street NW and Interstate 380 (PPN 0304301003). After a thorough review, the PDS Administrative Officer has issued the following decision on the request:

#### Request to waive Sensitive Areas: Partial Approval

- Waiver has been requested and approved for all sensitive areas with the exception of Historic Properties, Watercourses, and Wetlands.
  - There are several drainages identifiable on aerial imagery. Additionally, there is a partially hydric soil mapped within the property boundary that overlaps some of these drainages. The drainages should be assessed for the presence of wetlands as well as assessed for watercourse criteria.
  - This project is not exempt from the Historic Properties requirements. Either documentation should be provided from the OSA indicating archaeology survey is not warranted, or the results of an archaeology survey should be submitted.
- A Sensitive Areas report detailing the results from these assessments must be submitted, and reviewed and approved by this office, prior to any ground disturbance necessary to establish the use of the Conditional Use Permit.

Please contact me at [khutchinson@johnsoncountyiowa.gov](mailto:khutchinson@johnsoncountyiowa.gov) if you have any questions.

Respectfully,

Kasey Hutchinson  
Soil and Water Conservation Coordinator



Office Use Only	4/16/2021 <i>Date Filed</i>	PDS-21-2866d <i>Application Number</i>
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**JOHNSON COUNTY, IOWA**

**REQUEST FOR WAIVER: Sensitive Areas Ordinance**

The undersigned hereby requests waiver from the Sensitive Areas Ordinance requirements of the Johnson County Unified Development Ordinance in connection with the following project:

Subdivision Name or type of request: Conditional Use permit Site Plan

Street address or layman's description: Lying North of 120th St. NW, West of the north bound ramp to Interstate 380

Parcel Number(s): 0304301003

Scott Ritter  
*Name of Engineer/Surveyor*

sritter@hart-frederick.com  
*Contact Email and Phone*

**Justification for granting this waiver request should be attached hereto. See back of this page.**

**PLEASE PRINT OR TYPE**

The undersigned affirms that the information provided herein is true and correct. If applicant is not the owner, applicant affirms that the owner(s) of the property described on this application consent to this waiver being submitted, and said owners hereby give their consent for the office of Johnson County Planning, Development, and Sustainability to conduct a site visit and photograph the subject property.

Curt Eilers  
*Name of Owner*

Name of Applicant (if different)

1930 St. Andrews Ct NE, Ste F Cedar Rapids, IA. 52402  
*Applicant Street Address (including City, State, Zip)*

440-7050  
*Applicant Phone*

ceilers@ccim.net  
*Applicant Email*

*Applicant Signature*

ADMINISTRATIVE OFFICER'S DECISION:  APPROVE  Partial Approval\*\*  DENY

4/21/2021  
*ADMINISTRATIVE OFFICER* *DATE*

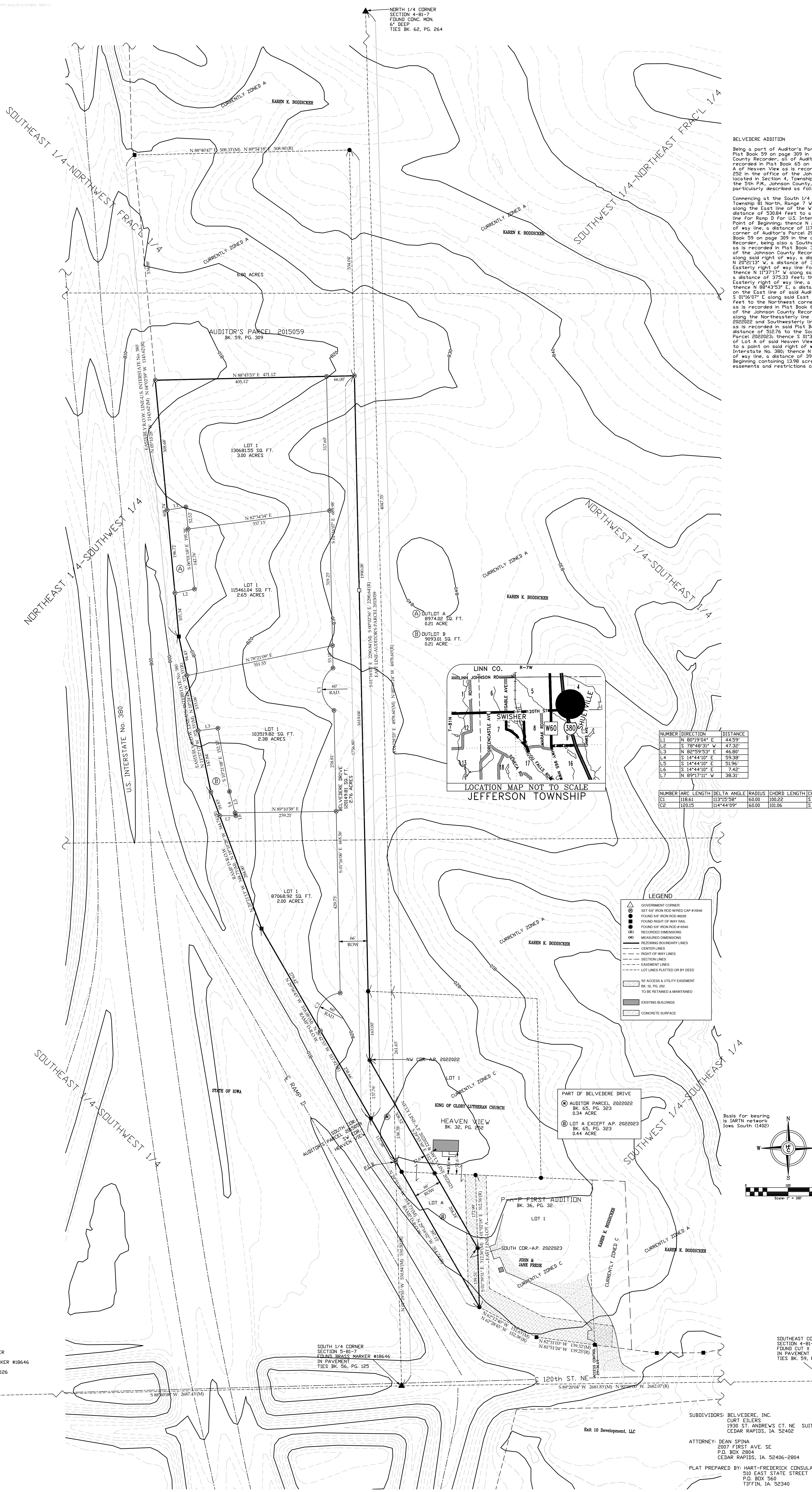
\*\*See accompanying letter for explanation for specific requirements.

**Please provide any evidence needed to justify this waiver request, and include a written narrative explaining the request and how the evidence provided supports it.**

Examples of supporting information for each of the sensitive areas is listed below. Information additional to this may be necessary to sufficiently illustrate the absence of sensitive areas. If provided information does not confirm the absence of the sensitive area(s), the waiver request will be denied. The list below is meant to illustrate *potential* supporting information, and should not be construed as a complete list, or that including the provided items will guarantee waiver approval.

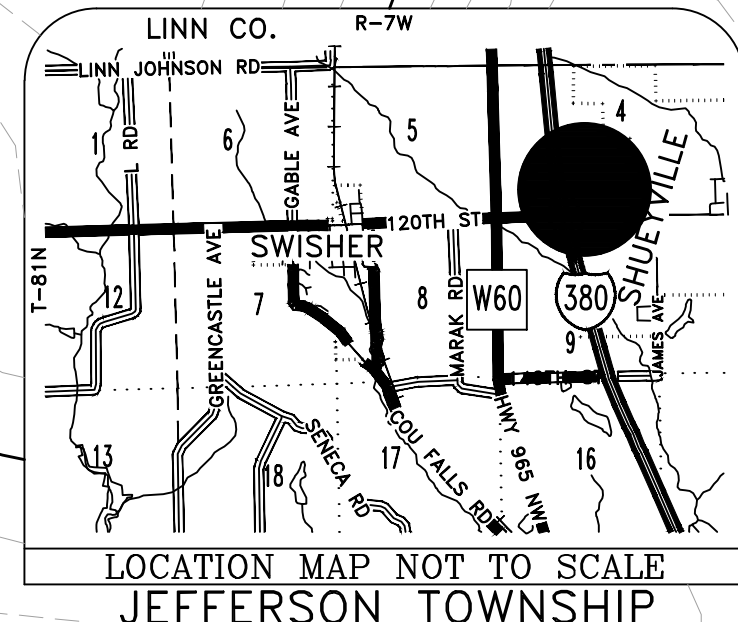
- ✓ Critical Wildlife Habitat: documentation, such as aerial photographs, showing absence of potential habitat for Threatened and Endangered species.
- ✓ Floodplain and Floodway: FEMA map showing absence of floodplain and floodway.
- ✓ Stream Corridors: U.S. Geological Survey Quadrangle Map showing absence of a blue line river, stream, or drainageway.
- ✓ Prairies and Prairie Remnants: aerial photographs showing history of row crops or CRP plantings.
- ✓ Savanna and Savanna Remnant: documentation, such as aerial photographs, showing absence of open-grown trees.
- ✓ Wetlands: National Wetlands Inventory (NWI) map showing absence of wetlands, soil survey map showing absence of hydric soils, and contour map showing absence of topographic features conducive to presence of wetlands (i.e. depressions, drainageways, water bodies, etc.).
- ✓ Woodlands: aerial photographs showing absence, or sparse distribution, of trees.
- ✓ Unstable landforms: soil survey map showing absence of soils with severe risk of cutbank caving and/or excessive slopes, as listed in the Sensitive Areas Ordinance.
- ✓ Historic Properties: letter from the Office of the State Archaeologist indicating the site has been previously surveyed, or documentation that the site has been previously fully developed or disturbed.





**BELVEDERE ADDITION**  
 Being a part of Auditor's Parcel 2015059 as is recorded in Plot Book 59 on page 309 in the office of the Johnson County Recorder, all of Auditor's Parcel 2022022 as is recorded in Plot Book 65 on page 323 and a part of Lot A of Heaven View as is recorded in Plot Book 32 on page 252 in the office of the Johnson County Recorder, all located in Section 4, Township 8 North, Range 7 West of the 5th PM, Johnson County, Iowa and is more particularly described as follows:

Commencing at the South 1/4 corner of Section 4, Township 8 North, Range 7 West; thence N 01°29'55" W along the East line of the West 1/2 of said Section 4, a distance of 530.84 feet to a point on the right of way line for Ramp D for US Interstate No. 380; thence N 29°53'39" W along said right of way line, a distance of 117.58 feet to the South corner of Auditor's Parcel 2015059 as is recorded in Plot Book 59 on page 309 in the office of the Johnson County Recorder; being also a Southwest corner of Heaven View as is recorded in Plot Book 32 on page 252 in the office of the Johnson County Recorder; thence N 29°56'43" W along said right of way line, a distance of 518.88 feet; thence N 20°21'13" W, a distance of 344.73 feet to a point on the Easterly right of way line for US Interstate No. 380; thence N 11°37'17" W along said Easterly right of way line, a distance of 375.33 feet; thence N 05°15'28" W along said Easterly right of way line, a distance of 608.74 feet; thence N 88°43'53" E, a distance of 471.12 feet to a point on the East line of said Auditor's Parcel 2015059; thence S 01°16'07" E along said East line, a distance of 1619.04 feet to the Northwest corner of Auditor's Parcel 2022022 as is recorded in Plot Book 65 on page 323 in the office of the Johnson County Recorder; thence S 23°53'39" E along the Northeasterly line of said Auditor's Parcel 2022022 and Southwesterly line of Auditor's Parcel 2022023 as is recorded in said Plot Book 65 on page 323, a distance of 512.76 feet to the South corner of said Auditor's Parcel 2022023; thence S 01°39'31" E along the East line of Lot A of said Heaven View, a distance of 139.51 feet to a point on said right of way line for Ramp D for US Interstate No. 380; thence N 29°53'39" W along said right of way line, a distance of 397.15 feet to the Point of Beginning containing 13.98 acres and being subject to all easements and restrictions of record.

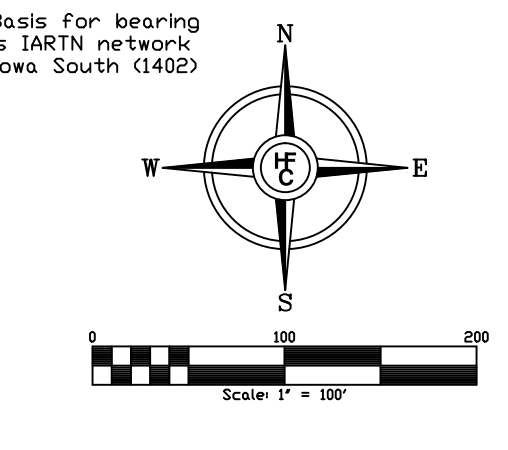


NUMBER	DIRECTION	DISTANCE
L1	N 80°19'04" E	44.59'
L2	S 78°48'21" W	47.32'
L3	N 82°59'53" E	46.80'
L4	S 14°44'10" E	59.38'
L5	S 14°44'10" E	51.96'
L6	S 14°44'10" E	7.42'
L7	N 89°17'11" W	38.31'

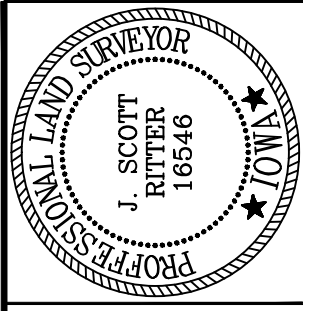
NUMBER	ARC LENGTH	DELTA ANGLE	RADIUS	CHORD LENGTH	CHORD DIRECTION
C1	118.61	113°15'58"	60.00	100.22	S 01°16'06" E
C2	120.15	114°44'09"	60.00	101.06	S 27°25'21" W

**LEGEND**

- ▲ GOVERNMENT CORNER
- SET 5/8" IRON ROD W/RED CAP #16546
- FOUND 5/8" IRON ROD #8285
- FOUND RIGHT OF WAY (RW)
- FOUND 5/8" IRON ROD #16546
- RECORDED DIMENSIONS
- MEASURED DIMENSIONS
- REZONING BOUNDARY LINES
- CENTER LINES
- RIGHT OF WAY LINES
- SECTION LINES
- EASEMENT LINES
- LOT LINES PLATTED OR BY DEED
- 50' ACCESS & UTILITY EASEMENT
- TO BE RETAINED & MAINTAINED
- EXISTING BUILDINGS
- CONCRETE SURFACE



- PART OF BELVEDERE DRIVE
- AUDITOR'S PARCEL 2022022 BK. 65, PG. 323
- LOT A EXCEPT A.P. 2022023 BK. 65, PG. 323 0.44 ACRE



I hereby certify that this final surveying document was prepared and the plat was filed under my supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.  
 Date: \_\_\_\_\_  
 J. Scott Ritter, P.L.S.  
 Iowa License Number: 16546  
 My license renewal date is December 31, 2022.  
 Pages covered by this seal: THIS SHEET ONLY

SUBDIVIDORS: BELVEDERE, INC.  
 CURT ELLERS  
 1930 ST. ANDREWS CT. NE SUITE F  
 CEDAR RAPIDS, IA. 52402

ATTORNEY: DEAN SPINA  
 2007 FIRST AVE. SE  
 P.O. BOX 2804  
 CEDAR RAPIDS, IA. 52406-2804

PLAT PREPARED BY: HART-FREDERICK CONSULTANTS P.C.  
 510 EAST STATE STREET  
 P.O. BOX 560  
 TIFFIN, IA. 52340

SOUTHWEST CORNER SECTION 4-81-7 FOUND BRASS MARKER #18646 IN PAVEMENT TIES BK. 56, PG. 126

SOUTH 1/4 CORNER SECTION 5-81-7 FOUND BRASS MARKER #18646 IN PAVEMENT TIES BK. 56, PG. 125

SOUTHEAST CORNER SECTION 4-81-7 FOUND CUT X IN PAVEMENT TIES BK. 59, PG. 273

Exit 10 Development, LLC



## BELVEDERE ADDITION

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