

**NOTICE OF PLANNING & ZONING COMMISSION MEETING**

**City of Cumming**

**Tuesday July 23, 2024 – 6:00 p.m.**

Cumming City Hall

649 N 44th Street

Cumming, Iowa 50061

- I. APPROVAL OF AGENDA** as presented and/or amended.
- II. CONSENT ITEMS**
  - a. Approve Minutes from May 14, 2024 Meeting
- III. PUBLIC COMMENT**
- IV. PUBLIC HEARING**-None
- V. BUSINESS ITEMS**
  - A. Review and Recommendation to Council on Final Plat for Middlebrook Plat 1
- VI. INFORMATIONAL ITEMS**
  - A. Development Concept-4301 Cumming Avenue
  - B. Iowa Living Roadways Community Visioning Program-Cumming Avenue
  - C. 2023 Comprehensive Plan Future Land Use Map
  - D. Draft Capital Improvement Plan
- VII. UPCOMING PLANNING & ZONING MEETING:**
  - A. Next regular meeting – August 27,2024
- VIII. ADJOURN**

The City of Cumming welcomes public participation in its board and commission meetings. If you are unable to attend in person, you may access the meeting using the link and information below.

Join Zoom Meeting

<https://us02web.zoom.us/j/2382663968?omn=88347159156>

Meeting ID: 238 266 3968

## **P & Z Communication: Planning & Zoning Commission Meeting Items for July 23, 2024**

### **SUBMITTED BY:**

Rita Conner, City Administrator

### **SYNOPSIS:**

The information below summarizes agenda items before the Commission for July 23, 2024.

**PUBLIC HEARING (S):** None

### **BUSINESS ITEMS:**

Middlebrook Agrihood Final Plat-Middlebrook Mainstreet

Summary: Diligent Development Group (Tim Portzen, Vice President, 12119 Stratford Drive Clive, Iowa 50325) is concluding the construction of public improvements for the development of approximately 5 acres of land in this preliminary plat located south of Cumming Avenue/G-14, directly south of the Old Town Cumming district.

The plat includes the re-alignment of the southern extension of 44<sup>th</sup> Street for the development of a new mixed-use block containing four lots, which were viewed in the preliminary plat in December 2023 and in site plan review in 2024. Public improvement construction will conclude with street paving and trail extension estimated to be by the end of July/early August. Building permit package for the first building is in our approval process to be issued.

#### Background and general information:

In August-September 2023, Planning & Zoning Commission and City Council approved the rezoning of approximately 617 acres of land known as the Middlebrook Agrihood to a Planned Unit Development (PUD). The development is intended to provide new neighborhoods and districts to the City of Cumming that will be woven into the community's agricultural history and its existing framework.

This first block of development is essential in the community's efforts to retain the scale and feel of Old Town Cumming on N. 44<sup>th</sup>, extending and expanding upon the remaining elements of the historic downtown. Connectivity for vehicles, bicycles and pedestrians, as well as scale and overall walkability are critically important to the design and to the community's identity.

#### Points considered by P & Z and City Council in the PUD rezoning and Preliminary Plat Review

- Compatibility with Comprehensive Plan, adopted 2023

- Consistency with goals and intentions of Middlebrook Agrihood Master Plan
- Access and circulation
- General Relationship to surrounding area

### Review comments

- The re-alignment and extension of 44<sup>th</sup> Street as a collector street to the south is an important connecting point for the community. In addition, its inclusion into the street grid system allows for the enhancement of the existing area where Cumming Avenue, N. 44<sup>th</sup> Street, a private driveway, a business driveway and the Great Western Trail/ trailhead access currently converge. Further study and planning of this area as well as Cumming Avenue as a whole is proposed to occur with the Community Visioning Program by Iowa Living Roadways, referenced as an informational item on this meeting agenda.
- The provision of public parking adds to the current parking in the existing Great Western Trail trailhead to the north, as well as the N. 44<sup>th</sup> Street business district (American Legion Post 562, Cumming Tap, US Post Office and Iowa Distillery). The parking will also be used by the new business and residential uses in the four lots of the plat. The City will also work with Warren County Conservation and the developer to implement pavement markings and any additional wayfinding signage needed.
- Recommend Planning & Zoning Commission approve final plat on the condition that remaining public improvement construction, final walk through and punch list are concluded and signed off before final Council approval and recording of the plat. The developer will post a bond at staff and City Engineer request for the remaining improvements based on the anticipated timing of the conclusion of work.

### **INFORMATIONAL ITEMS**

- A. Development Concept-4301 Cumming Avenue
- B. Iowa Living Roadways Community Visioning Program-Cumming Avenue
- C. 2023 Comprehensive Plan Future Land Use Map
- D. Draft Capital Improvement Plan

Materials for the above items will be on screen for the meeting.

## PNZ 5/14/2024

- Karen B- Y
- Shamus- Y
- Ethan- Y
- John- Y
  
- Approval of Agenda- Agenda Passes- John 1st, Karen B seconds Motion Passes
  
- Consent items
  1. Approve minutes- Karen M- 1st Karen B- 2nds
  2. Motion Passes

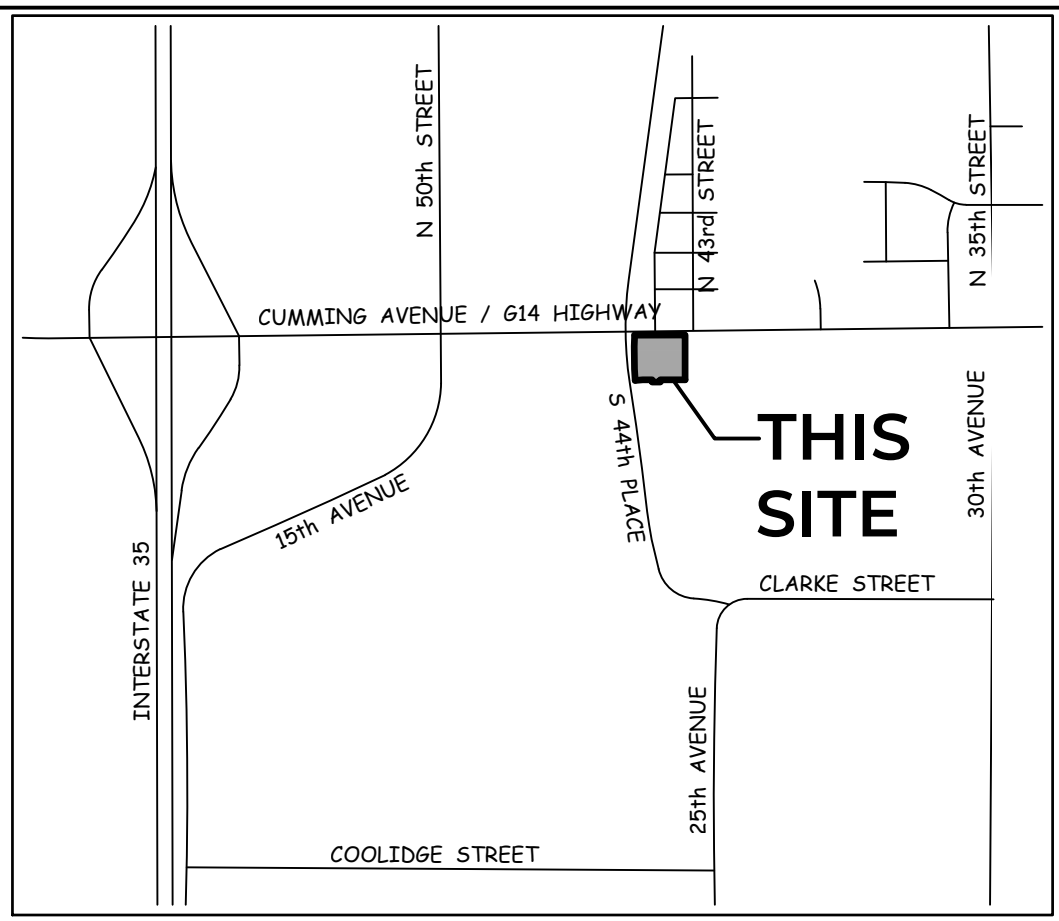
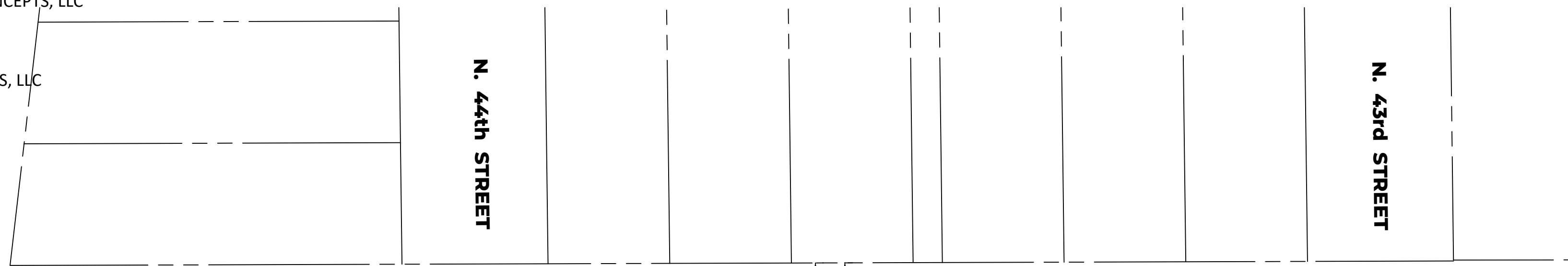
• Public Comment  
N/A

• Public Hearing  
N/A

- Business Items
  
- Review and Recommendation to council on final plat for Great Western Crossing Plat 5
  1. Shamus Motions
  2. Karen B 2nds
  3. Recommendation Passes
  
- Overview Wilson's Orchard- Middlebrook Agrihood PUD
  
- Upcoming Planning and Zoning Meeting
  1. Next Meeting June 2024
  
- Adjourn
  - Karen M- motions- Karen B- Seconds
  - Motion Passes

# INDEX LEGEND

LOCATION : NW 1/4 SEC. 17-77-25  
 REQUESTOR: MIDDLEBROOKHB, LLC / LAND CONCEPTS, LLC  
 PROPRIETOR: DHC 1, LLC  
 SURVEYOR: KEVEN J. CRAWFORD, P.L.S.  
 SURVEYOR COMPANY: COOPER CRAWFORD & ASSOCIATES, LLC  
 475 S. 50th STREET, SUITE 800  
 WEST DES MOINES, IOWA 50265  
 RETURN TO: KEVEN J. CRAWFORD, P.L.S.



VICINITY SKETCH NORTH SCALE: 1"=2,000'

# FINAL PLAT MIDDLEBROOK MAINSTREET Cumming, Iowa

**OWNER / DEVELOPER**  
 MIDDLEBROOKHB, LLC / LAND CONCEPTS, LLC  
 12119 STRATFORD DRIVE, SUITE B  
 CLIVE, IOWA 50325  
 515-309-0705

**ZONING**  
 EXISTING: A-1 AGRICULTURAL DISTRICT  
 PROPOSED: MIDDLEBROOK P.U.D.

## SETBACKS

FRONT -0'  
 15' (ALONG CUMMING AVENUE)  
 REAR -10'  
 SIDE -5'

## LEGAL DESCRIPTION

A part of the Northwest 1/4 of Section 17, Township 77 North, Range 25 West of the 5th P.M., city of Cumming, Warren County, Iowa, that is more particularly described as follows:

Commencing at the North 1/4 corner of Section 17, Township 77 North, Range 25 West of the 5th P.M., city of Cumming, Warren County, Iowa; thence S89°49'19"W 325.53 feet along the North line of said Section 17; thence S00°00'00"E 33.00 feet to the South right-of-way line of Cumming Avenue, as it is presently established, and to the Point of Beginning; thence continuing S00°00'00"E 441.88 feet; thence N90°00'00"W 245.12 feet; thence S00°00'00"E 22.08 feet; thence N90°00'00"W 80.00 feet; thence N00°00'00"E 22.08 feet; thence N90°00'00"W 93.24 feet; thence S84°45'15"W 73.77 feet to the West right-of-way line of 25th Avenue, as it is presently established, and to a non-tangent 3770.66 feet radius curve concave to the East; thence Northerly 447.37 feet along said curve, and along said West right-of-way, said curve having a chord length of 447.11 feet and a chord bearing of N00°40'35"W, to the South right-of-way line of Cumming Avenue; thence N89°49'19"E 497.10 feet along said South right-of-way line to the Point of Beginning.

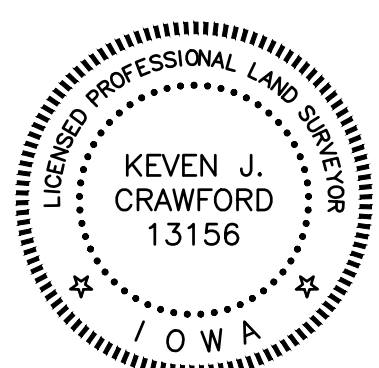
Said tract of land contains 5.099 acres more or less.

Said tract of land being subject to any and all easements of record.

## LEGEND

- PLAT BOUNDARY
- ▲ SECTION CORNER
- FOUND CORNER, AS NOTED
- SET CORNER 5/8" I.R. W/ YELLOW CAP #13156
- I.R. IRON ROD
- G.P. GAS PIPE
- D. DEEDED DISTANCE
- M. MEASURED DISTANCE
- R. PREVIOUSLY RECORDED DISTANCE
- P.U.E. PUBLIC UTILITY EASEMENT
- 3333 ADDRESS
- B.S.L. BUILDING SETBACK LINE
- M.P.E. MINIMUM PROTECTION ELEVATION
- N.R. NOT RADIAL

## CERTIFICATION



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION, AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

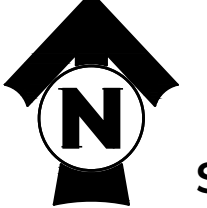
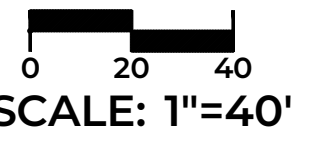
KEVEN J. CRAWFORD, PLS IOWA LICENSE NO. 13156  
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2024

PAGES OR SHEETS COVERED BY THIS SEAL:  
 This sheet only



**COOPER CRAWFORD & Associates**  
 Civil Engineers & Land Surveyors

475 S. 50th STREET, SUITE 800, WEST DES MOINES, IOWA 50265  
 PHONE: (515) 224-1344 FAX: (515) 224-1345

DATE: 6-27-2024  
 REVISIONS: X-X-XXXX

**JOB NUMBER**  
**CC 2802**

FINAL PLAT  
MIDDLEBROOK MAINSTREET

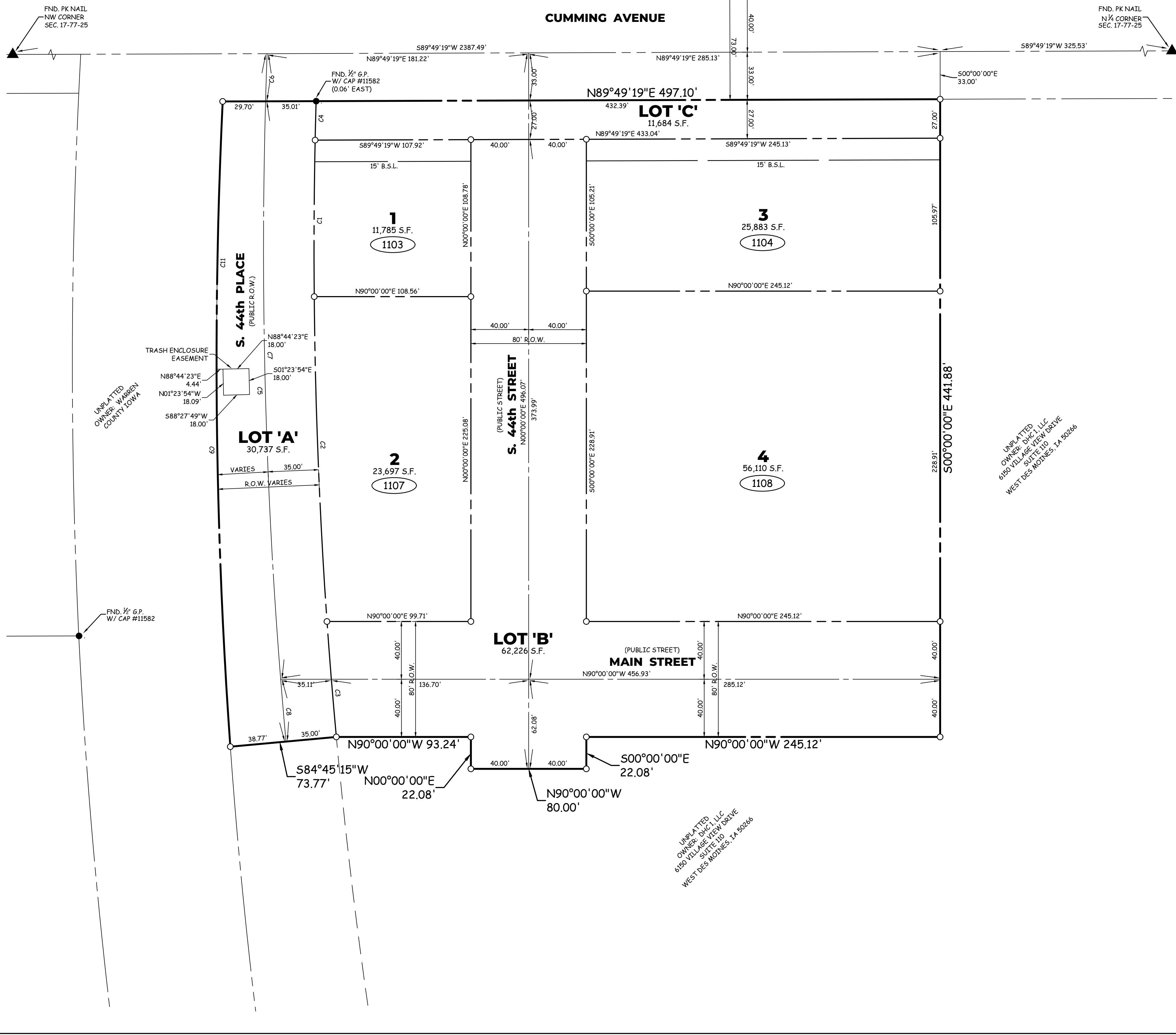
AS-BUILT: ---  
**SHEET 1 OF 1**

## NOTES

1. THIS PLAT HAS AN ERROR OF CLOSURE OF LESS THAN 1 IN 10,000.
2. LOT CORNERS SHALL BE SET WITHIN ONE YEAR OF RECORDING.
3. BEARINGS ARE BASED ON AN ASSUMED BEARING.
4. ANY P.U.E. IS SUBORDINATE TO THE CITY'S USE OF ITS DESIGNATED EASEMENTS AND ANY USER OF THE P.U.E. MUST RELOCATE ITS FACILITIES AT NO COST TO THE CITY WHEN THE USE OF THE P.U.E. IS IN CONFLICT WITH THE CITY'S USE OF ITS DESIGNATED EASEMENTS.
5. SIDEWALKS WILL BE THE RESPONSIBILITY OF EACH LOT OWNER AT THE TIME OF DEVELOPMENT.
6. LOT 'A' R.O.W. TO BE VACATED AND WILL BE PRIVATE PARKING.
7. LOTS 'B' AND 'C' TO BE DEEDED TO THE CITY OF CUMMING FOR PUBLIC STREET.

## CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CH. BEARING
C1	001°41'01"	3690.66	108.45	54.23	108.45	S00°20'22"W
C2	003°29'51"	3690.66	225.29	112.68	225.26	S02°15'04"E
C3	001°14'46"	3690.66	80.26	40.13	80.26	S04°37'22"E
C4	000°25'10"	3690.66	27.01	13.51	27.01	S01°23'28"W
C5	006°09'47"	3725.66	400.75	200.57	400.56	S01°29'51"E
C6	000°30'28"	3725.66	33.02	16.51	33.02	S01°50'16"W
C7	006°09'47"	3725.66	400.75	200.57	400.56	S01°29'51"E
C8	000°40'01"	3725.66	43.36	21.68	43.36	S04°54'48"E
C9	006°47'52"	3770.66	447.37	223.95	447.11	S00°40'35"E
C11	002°49'15"	3770.66	185.64	92.84	185.62	S01°18'44"W









Middlebrook





THE MIDDLEBROOK MAIN



THE MIDDLEBROOK MAIN

















THE MIDDLEBROOK MAIN

TENANT













