

JMS Property Management, LLC
4737 Southshore Drive

Figure 1

Looking at the existing dwelling



July 22, 2020, J. Robbins

Figure 2

Looking at the front half of the lot



July 22, 2020, J. Robbins

Figure 3
Looking at the back half of the lot



July 22, 2020, J. Robbins

Figure 4
Looking at the Clear Lake Boats storage facility to the east of the property



July 22, 2020, J. Robbins

Figure 5

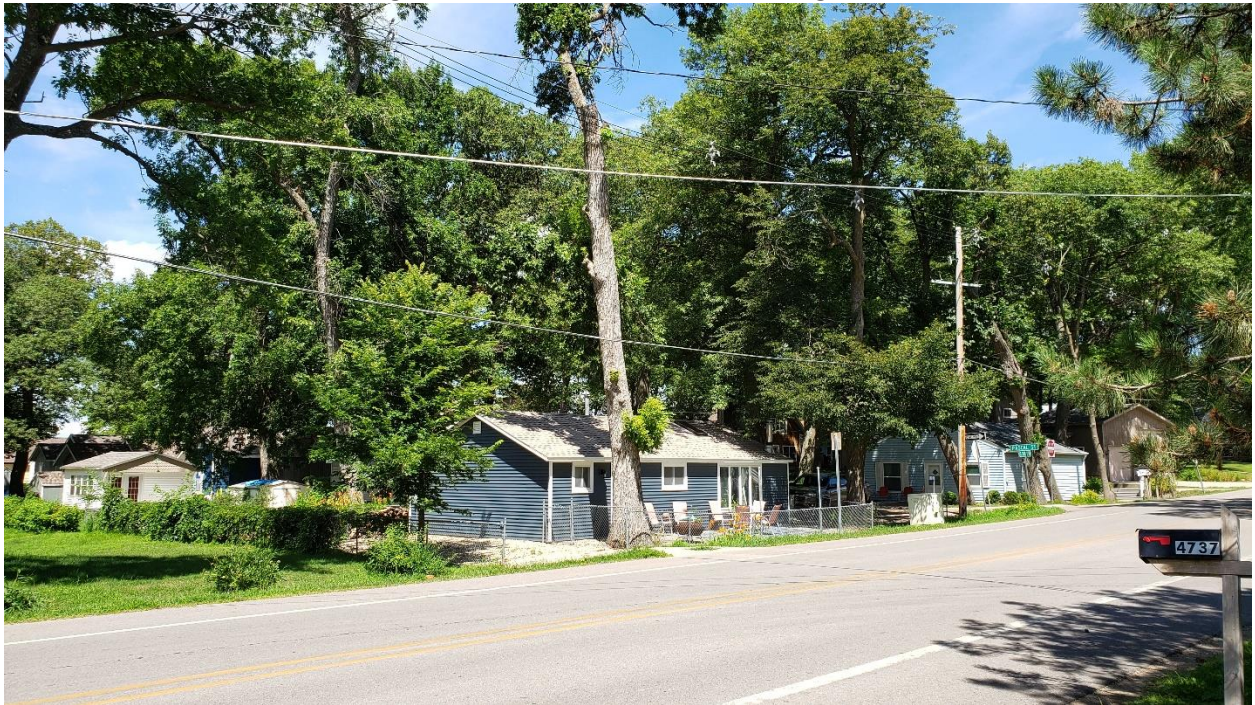
Looking northerly toward the Clear Lake Methodist Camp (Bell Harbor) neighborhood



July 22, 2020, J. Robbins

Figure 6

Looking northeast toward the PM Park neighborhood



July 22, 2020, J. Robbins

Figure 7
Looking west toward adjacent houses



July 22, 2020, J. Robbins

Figure 8
Looking southwest toward nearby houses



July 22, 2020, J. Robbins

Figure 9
Looking south toward the adjacent house



July 22, 2020, J. Robbins

Figure 10
Looking at the driveway entrance adjacent to the east of the property



July 22, 2020, J. Robbins

Figure 11

Looking at the general, existing private drainage tile route running behind the existing house



May 12, 2021, J. Robbins

Figure 12

Looking east along the proposed rerouted private drainage tile along the south property line



May 12, 2021, J. Robbins

Figure 13

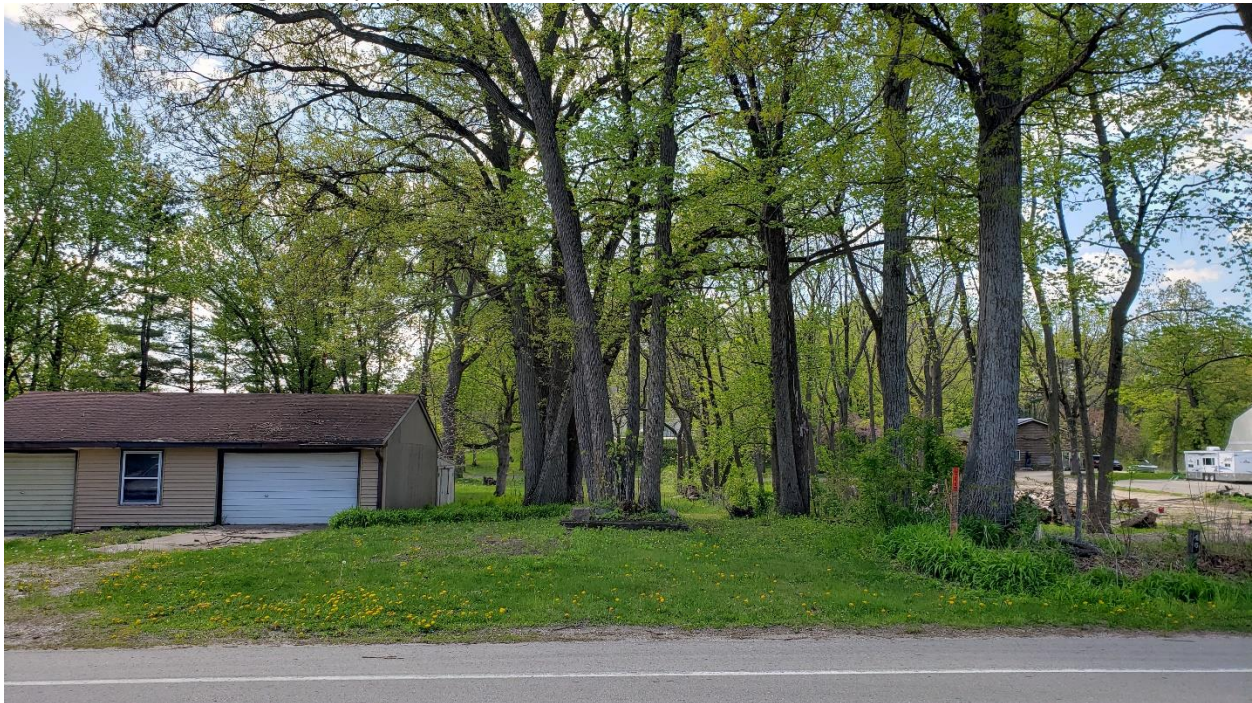
Looking north along the proposed rerouted private drainage tile along the south property line



May 12, 2021, J. Robbins

Figure 14

Looking at the proposed driveway access location at the west side of the lot



May 12, 2021, J. Robbins

Figure 15

Looking westerly at the site distance along Southshore Drive from the proposed driveway location



May 12, 2021, J. Robbins

Figure 16

Looking easterly at the site distance along Southshore Drive from the proposed driveway location



May 12, 2021, J. Robbins

1412 6th Street SW, P.O. Box 1467
Mason City, IA 50402-1467
Phone: 641.423.8271
Fax: 641.423.8450
Email: masoncity@whks.com
Website: www.whks.com



April 19, 2021

John Robbins, Planning & Zoning Administrator
Cerro Gordo County
220 N. Washington Avenue
Mason City, Iowa 50401



RE: South Shore Townhomes
4737 South Shore Dr.; Clear Lake
Storm Water Runoff Associated with Development

Dear Mr Robbins:

At the request of JMS Property Management, WHKS & Co. performed an analysis of proposed site improvements to the property known as the South Shore Townhomes, located at 4737 South Shore Drive on the south side of Clear Lake.

As part of the analysis, a field investigation was performed of the subject property and immediate surrounding properties. The field investigation determined the limits of the overall watershed and the how the drainage within the watershed is affected by existing culverts and field tile. We found three sub-tributary areas; which include the west area consisting of 17.63 acres, the central area of 4.09 acres, and the east area.

The primary focus of this analysis was the west and central areas that are drained by an existing field tile, east area was not included as it is drained by a separate culvert. The analysis included performing drainage calculations to determine how much additional runoff would result from the proposed improvements. The following tabulation summarized runoff calculations for the watershed for pre and post development conditions given a 2-year event of 4.04-inches, a 10-year event of 5.98-inches, and a 100-year event of 9.45-inches.

	Q 2-Year (cfs)	Q 10-Year (cfs)	Q 100-Year (cfs)
Pre-Development Conditions	38.6	57.1	90.2
Post-Development Conditions	39.5	58.4	92.3
Net Increase	0.9 (2.3%)	1.3 (2.3%)	2.1 (2.3%)

As can be noted from the above table, runoff due to the proposed site improvements results in a relatively insignificant increase in runoff for the storm events analyzed. The increased runoff should result in no adverse effects to the adjacent properties in the watershed.

As part of the proposed development the existing field tile will be rerouted around the perimeter of the proposed development. This upgrade the pipe material providing some improvement in capacity and also provide for improved maintenance in the future.

If you should have any questions, please feel free to contact me at (641) 201-7906.

Sincerely,
WHKS & co.

Louis Wehrspann, P.E.
Project Manager

PROPERTY AREA

$$LOT = 0.77 AC$$

EXISTING CONDITIONS

$$IMPERVIOUS AREA = 4756 SF = 0.11 AC$$

$$C = \frac{0.11(0.95) + (0.77 - 0.11)(0.35)}{0.77} = 0.44$$

* DETERMINE RUNOFF FOR 2yr, 10yr, & 100yr EVENTS

$$C_p = C + A$$

$$Q_2 = 0.44(4.04)(0.77) = 1.4 CFS$$

$$Q_{10} = 0.44(5.98)(0.77) = 2.0 CFS$$

$$Q_{100} = 0.44(9.45)(0.77) = 3.2 CFS$$

PROPOSED CONDITIONS

$$\begin{aligned} \text{IMPERVIOUS AREA} &= 10,500 SF (\text{PAVEMENT}) + 6,648 SF (\text{BLOSS}) \\ &= 17,148 SF = 0.39 AC \end{aligned}$$

$$C = \frac{0.39(0.95) + (0.77 - 0.39)(0.35)}{0.77} = 0.65$$

* DETERMINE RUNOFF FOR 2yr, 10yr, & 100yr EVENTS

$$Q_2 = 0.65(4.04)(0.77) = 2.0 CFS$$

$$Q_{10} = 0.65(5.98)(0.77) = 3.0 CFS$$

$$Q_{100} = 0.65(9.45)(0.77) = 4.7 CFS$$

* NET INCREASE FROM 0.6 - 1.5 CFS

ASSUMPTIONS

$$T_c = 10 \text{ min}$$

$$\begin{aligned} C &= 0.95 (\text{IMPERVIOUS}) \\ &= 0.35 (\text{PAVED}) \end{aligned}$$

WATERSHED ANALYSIS

- * SEE ATTACHED EXHIBIT FOR OVERALL & SUB AREA
 - * DETERMINING RUNOFF FOR 2YR, 10YR, & 100YR EVENTS
- SUB-AREA (CENTRAL)

$$AREA = 4.09 AC$$

$$USE EXIST C = 0.44, \quad PROP C = 0.48$$

EXISTING CONDITIONS

$$Q = C \cdot I \cdot A \text{ (RUNOFF)}$$

$$Q_2 = 0.44 (4.04) (4.09) = 7.3 \text{ CFS}$$

$$Q_{10} = 0.44 (5.98) (4.09) = 10.8 \text{ CFS}$$

$$Q_{100} = 0.44 (9.45) (4.09) = 17.0 \text{ CFS}$$

PROPOSED CONDITIONS

$$Q_2 = 0.48 (4.04) (4.09) = 7.9 \text{ CFS}$$

$$Q_{10} = 0.48 (5.98) (4.09) = 12.7 \text{ CFS}$$

$$Q_{100} = 0.48 (9.45) (4.09) = 18.6 \text{ CFS}$$

* NET INCREASE FROM 0.6 - 1.6 CFS

WATERSHED ANALYSIS (CONTINUED)

SOB - AREAS (CENTRAL + WEST)

$$AREA = 4.09 + 17.63 = 21.7 \text{ AC}$$

$$USE EXIST C = 0.44, \text{ PROP} = 0.45$$

EXISTING CONDITIONS

$$Q = CIA (\text{RUNOFF})$$

$$Q_2 = 0.44 (4.04) (21.7) = 38.6 \text{ CFS}$$

$$Q_{10} = 0.44 (5.96) (21.7) = 57.1 \text{ CFS}$$

$$Q_{100} = 0.44 (9.45) (21.7) = 90.2 \text{ CFS}$$

PROPOSED CONDITIONS

$$Q_2 = 0.45 (4.04) (21.7) = 39.5 \text{ CFS}$$

$$Q_{10} = 0.45 (5.96) (21.7) = 58.4 \text{ CFS}$$

$$Q_{100} = 0.45 (9.45) (21.7) = 92.3 \text{ CFS}$$

$$* \text{ NET INCREASE} = 0.9 - 2.1 \text{ CFS}$$

WATER SHED

N
1" = 100'

OVERFLOW

- COLLECT

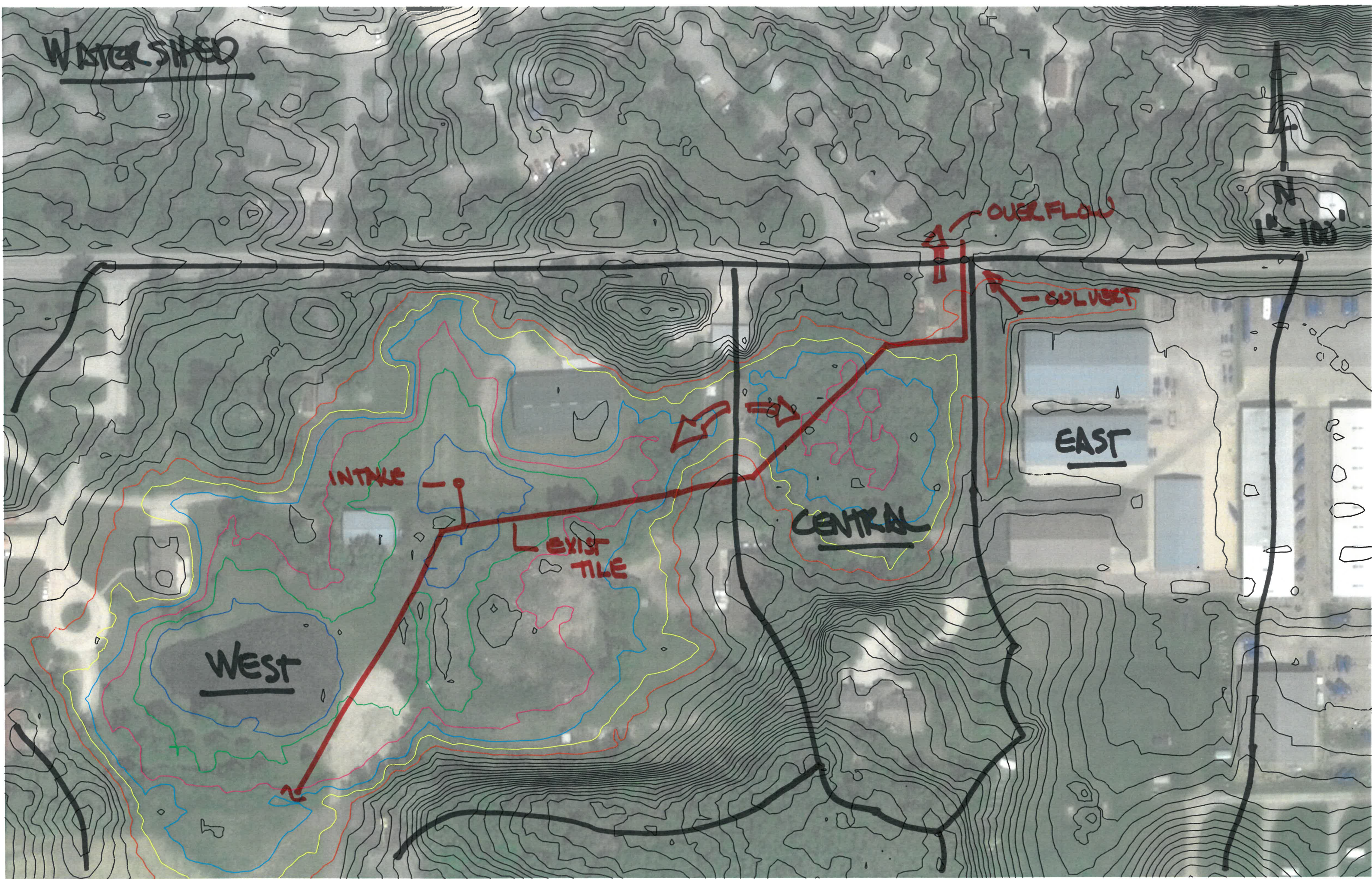
EAST

CENTRAL

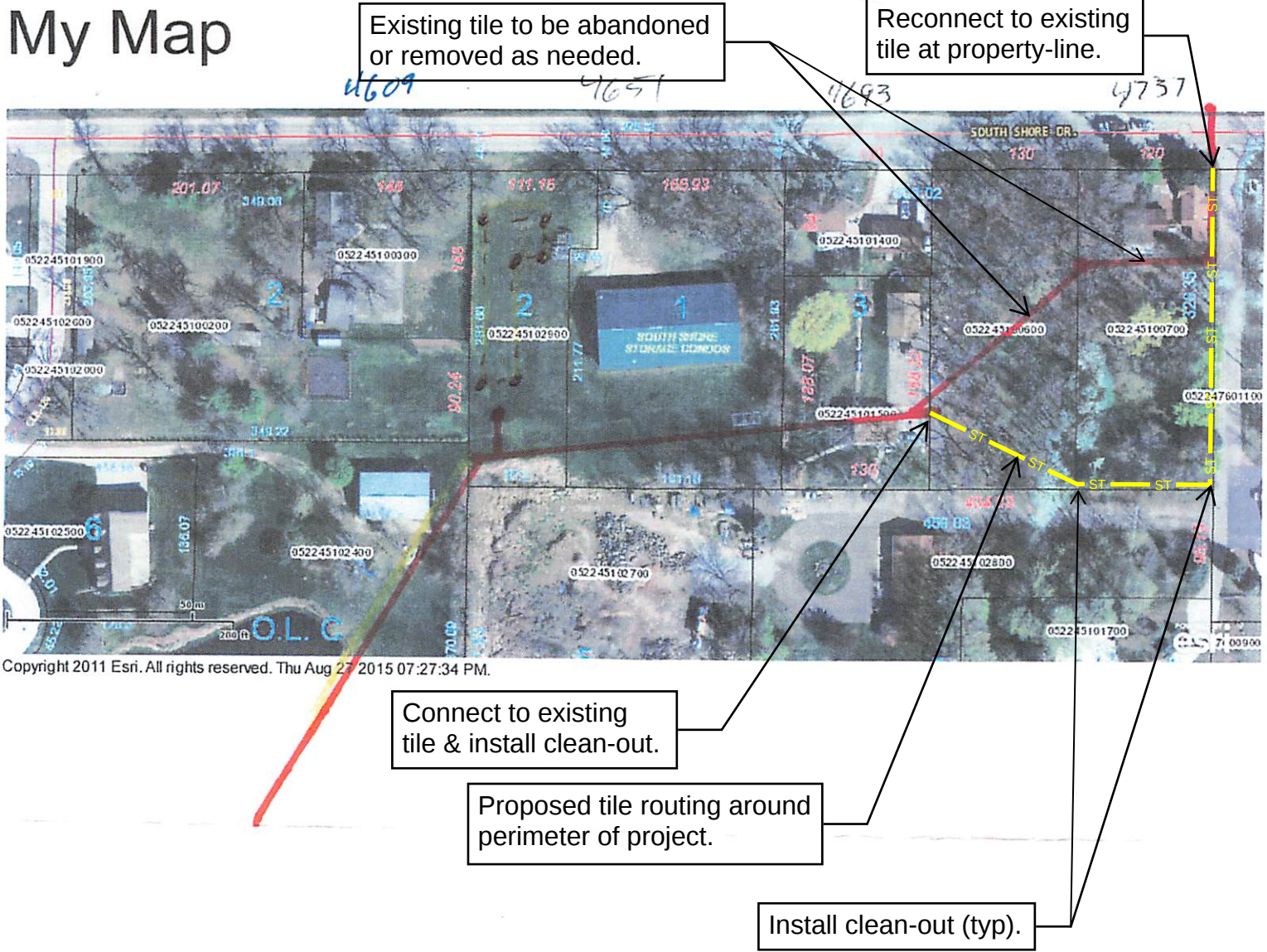
EXIST
TILE

INTAKE

West



My Map



Proposed Tile Routing Exhibit
South Shore Townhomes

South Shore Townhomes

Proposed Location at
4737 South Shore Drive, Clear Lake, IA



3D Rendering of Proposed
4-Unit Townhome Complex



Situation Plan



Site Plan



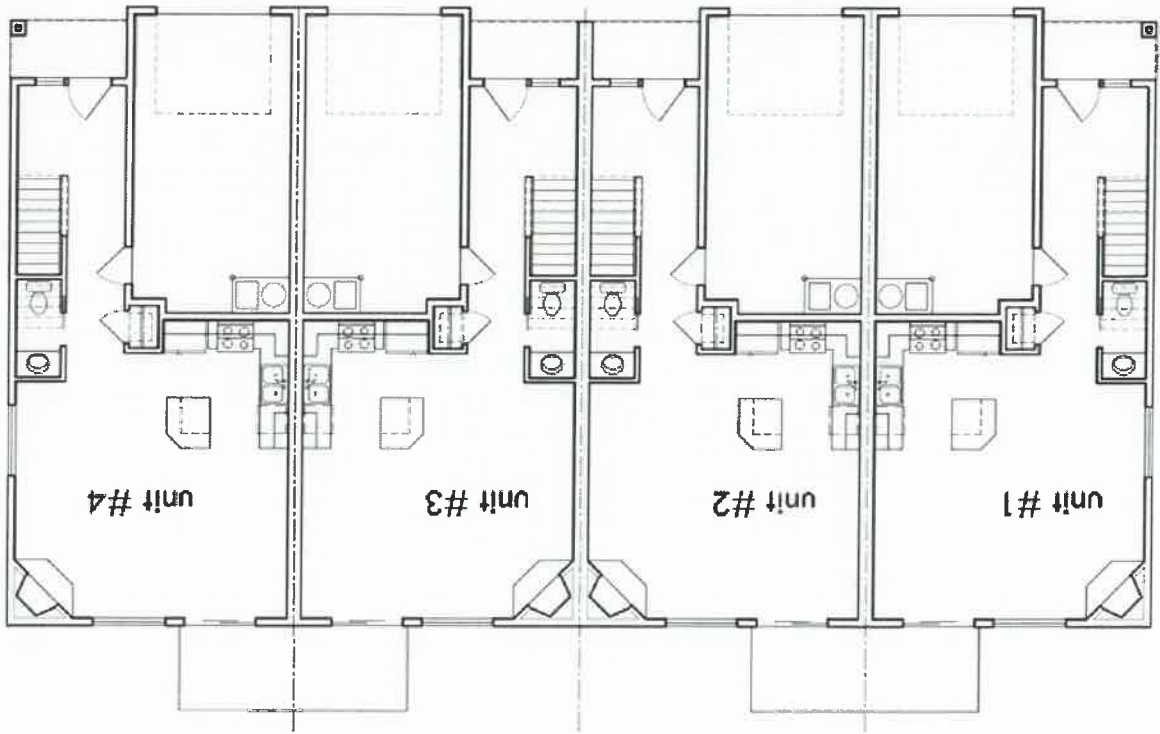
Unit A - 4 Units



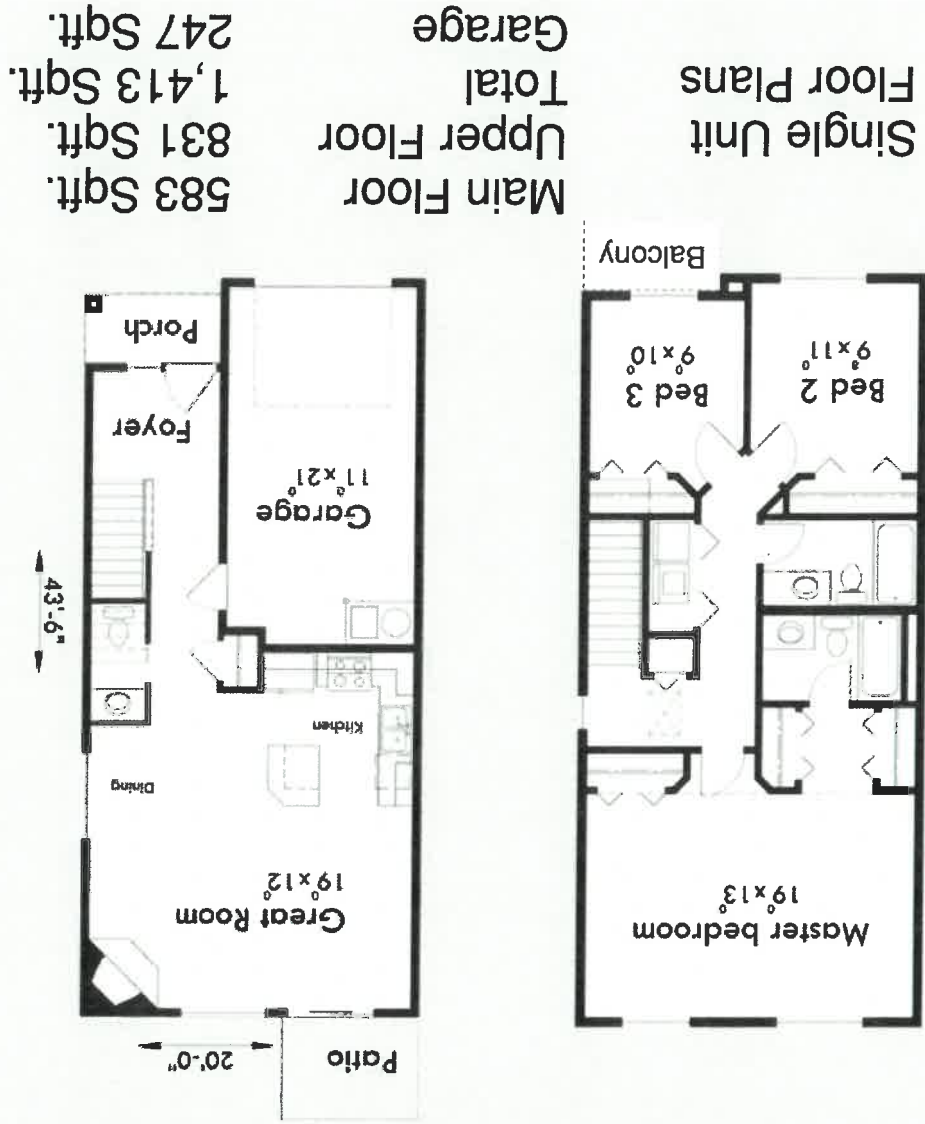
Unit B - 4 Units

South Shore Townhomes

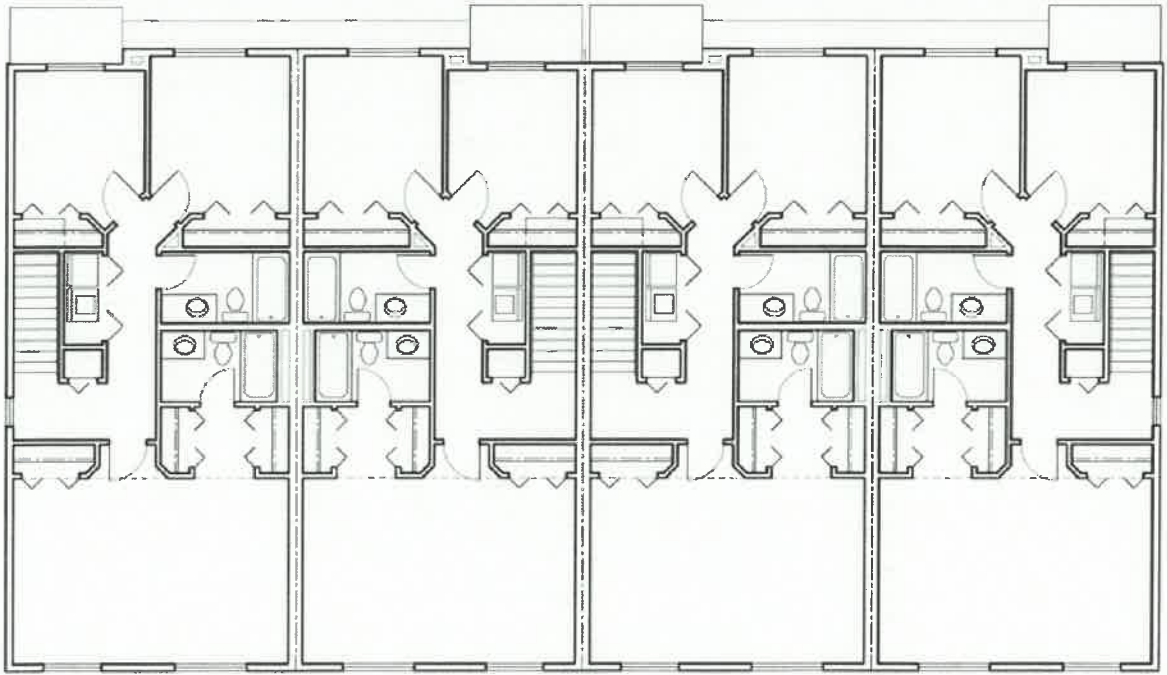
4737 South Shore Drive
Clear Lake, IA



4-Unit Complex Main Level Floor Plan



South Shore Townhomes



4-Unit Complex Upper Level Floor Plan

**HEINY, McMANIGAL, DUFFY,
STAMBAUGH & ANDERSON, P.L.C.**

JOHN L. DUFFY
GERALD M. STAMBAUGH
JACQUELINE R. CONWAY
MICHAEL S. VERVAECKE
COLLIN M. DAVISON
ANDREW C. JOHNSTON
MINDI M. VERVAECKE

J. MATHEW ANDERSON
JACQUELYN K. ARTHUR
OF COUNSEL

ATTORNEYS AT LAW
11 FOURTH STREET N.E.
P.O. BOX 1567
MASON CITY, IOWA 50402-1567
TELEPHONE (641) 423-5154
FAX (641) 423-5310
E-MAIL jarthur@heinylaw.com

RICHARD R. WINGA
GILBERT K. BOVARD
RETIRED

MORRIS E. LAIRD
1908-2002
DON W. BURINGTON
1909-1998
JAMES R. HEINY
1928-2016
CHARLES W. McMANIGAL
1939-2013

July 13, 2020

John Robbins
Zoning Administrator
Planning & Zoning Department
Cerro Gordo County Courthouse
220 North Washington Avenue
Mason City, Iowa 50401
(HAND DELIVERED)

In re:	Applicant:	JMS Property Management, LLC
	Application:	Change of Zone
	Property:	4737 South Shore Drive Clear Lake, Iowa

John:

I have enclosed:

1. Application for Change of Zone.
2. Rough schematic showing the lot and proposed improvements.
3. Tentative elevations and floor plans for the proposed improvements.
4. Check payable to Cerro Gordo County in the amount of \$200.00 for the filing fee.

The property is currently zoned R-~~2~~ Residential. We are requesting a change to R-4 Residential to allow for the construction of two four-unit residential buildings for a total of eight units.

The property would be submitted to the condominium form of ownership.

November 26, 2019

Page 2

We believe this request is in keeping with the overall development of the area. We believe the development will provide a transition between single-family residential and the commercial property to the east. Additionally, there are other multi-unit residential condominium units in the area.

You will see the proposed site plan shows one access on South Shore Drive. We have orientated the development to separate the new access point from existing accesses to South Shore Drive.

The proposed site plan complies with the required setbacks.

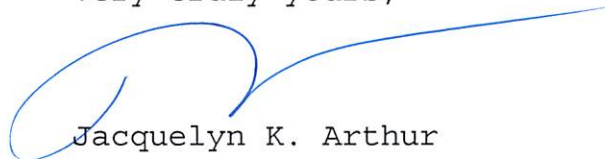
We are willing to agree to conditions that limit the permitted uses to those uses that are residential in nature.

The proposed zone change and development are in keeping with the County's Comprehensive Plan Goals. No land will be taken out of agricultural production. The proposed residential use is harmonious with the area's residential uses. The proposed development will enhance the existing residential area and create a buffer to the existing commercial use located to the east.

We would appreciate it if you would place our application on the next Agenda for the Planning and Zoning Commission. We would also appreciate receiving a copy of your Staff Report and Agenda for that meeting.

Please let us know if you need anything further to review our application.

Very truly yours,



Jacquelyn K. Arthur

Enclosures

Copy to:

Jon M. Snow

JMS Property Management, LLC

2500 S. 8th Street

Clear Lake, Iowa 50428

received
7-13-20

APPLICATION FOR CHANGE OF ZONE
CERRO GORDO COUNTY, IOWA

Name and Mailing Address of Applicant(s):

JMS Property Management, LLC

2500 S. 8th Street

Clear Lake, Iowa 50428

Applicant(s) are the: ☐ Owner(s) ☒ Contract Purchaser(s) of the property described.

Present zoning district of described property is

R12

Proposed zoning district for described property

R4

Reasons for re-zoning:

Applicant is proposing to build two four-unit residential structures. The existing structures would be demolished. Access would be by a single access to South Shore Drive. The units would be submitted to the condominium form of ownership to allow for separate ownership. Applicant anticipates the units will be a mix of owner-occupied and rentals. The proposed development is consistent with other multi-family residential development in the neighborhood. Additionally, the development will create a buffer to the commercial property to the east.

Name and Addresses of the owners of all properties lying within five hundred (500) feet of any part of the property proposed to be changed are as follows:

See attached list.

☐ An official survey by a Registered Land Surveyor is attached.

☐ This property is developed and a plat, developed by a Registered Land Surveyor, is attached which shows the location of all buildings on the site along with all dimensions and distances.

☒ This property is undeveloped and a rough draft or schematic drawing of the area is attached.

☒ Other information is also attached which may be pertinent to this request.

☒ Filing fee attached. (\$200.00 – check made payable to Cerro Gordo County)

I (We) understand that this application cannot be withdrawn from consideration by either the Planning & Zoning Commission or Board of Supervisors once notice has been given as required.

I (We) understand that if this application is denied by the Board of Supervisors, then no new petition covering the same property and additional property can be filed or considered until one year has elapsed from the date of this filing.

I (We) grant to the Planning & Zoning staff, members of the Planning & Zoning Commission and Board of Supervisors permission to enter onto the described property for review purposes.

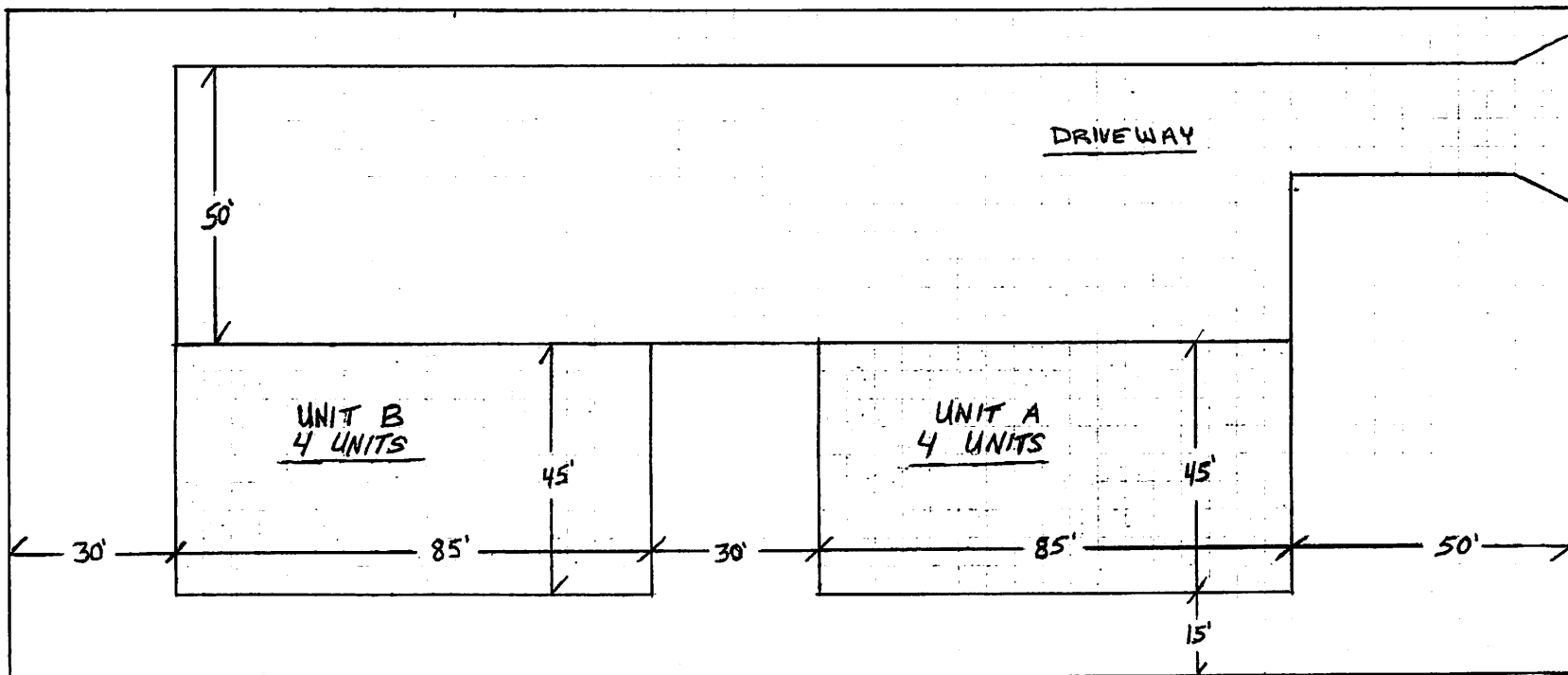
7/13/20
Dated

JMS Property Management, LLC

By: 

Owner's Signature

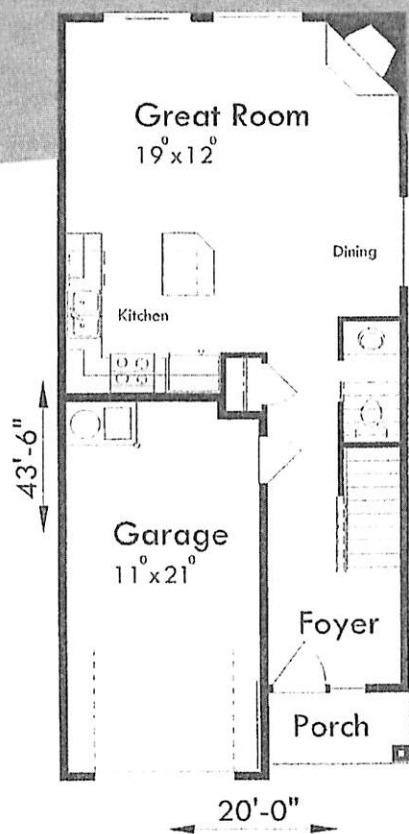
Owner's Signature



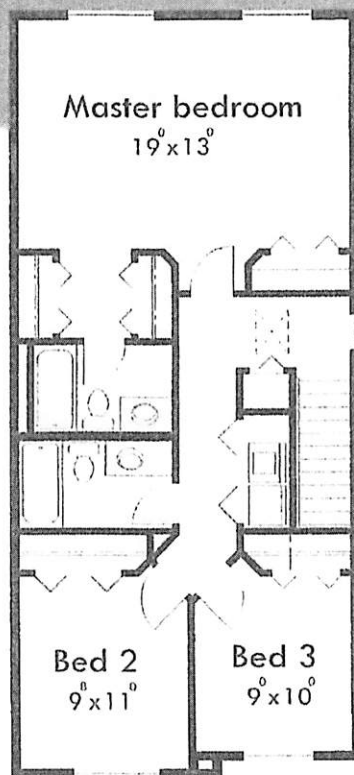
SOUTH SHORE DR.



Patio



MAIN FLOOR



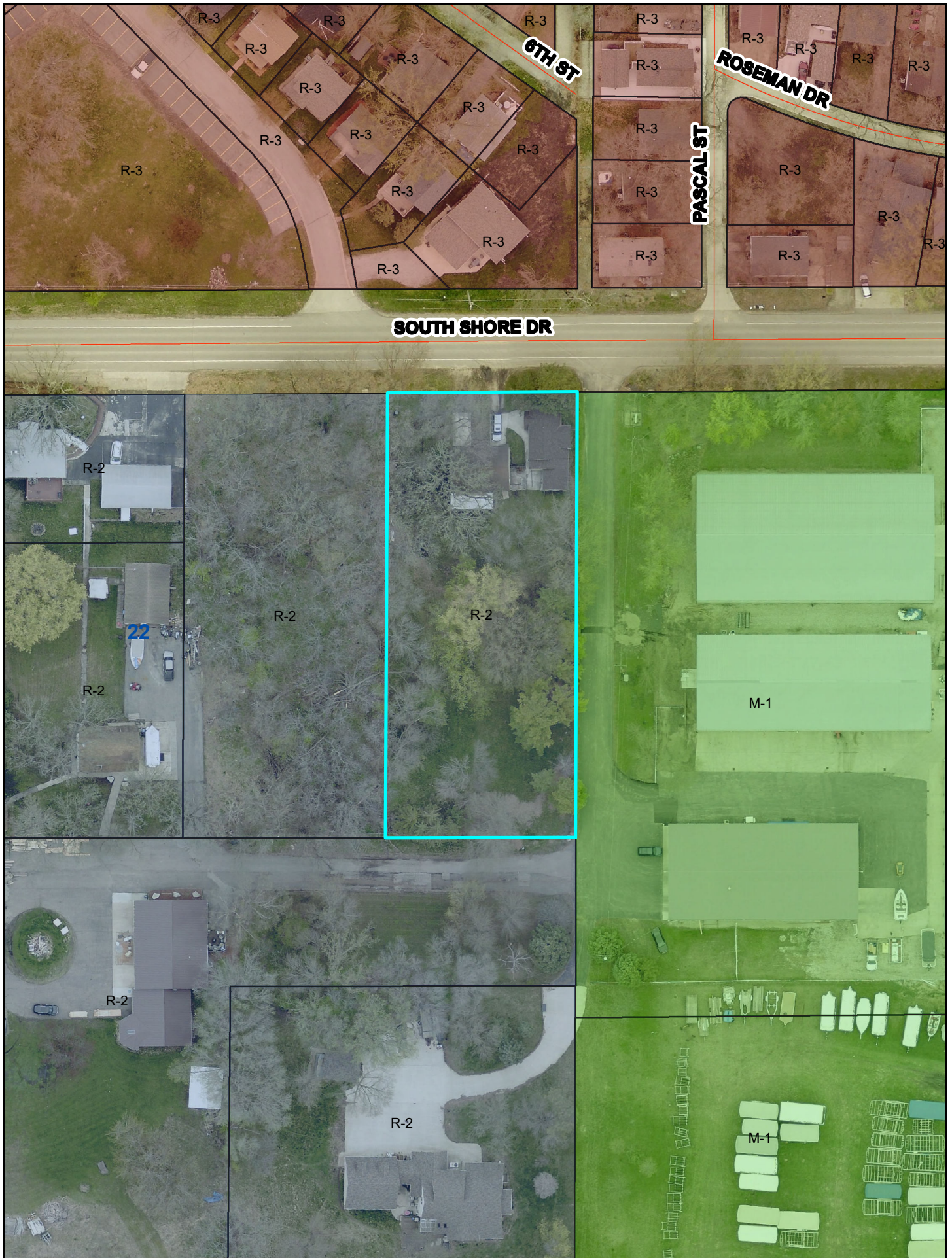
UPPER FLOOR

PLAN #F-547

MAIN FLR.	583 SQ. FT.
UPPER FLR.	831 SQ. FT.
TOTAL	1414 SQ. FT.
GARAGE	247 SQ. FT.

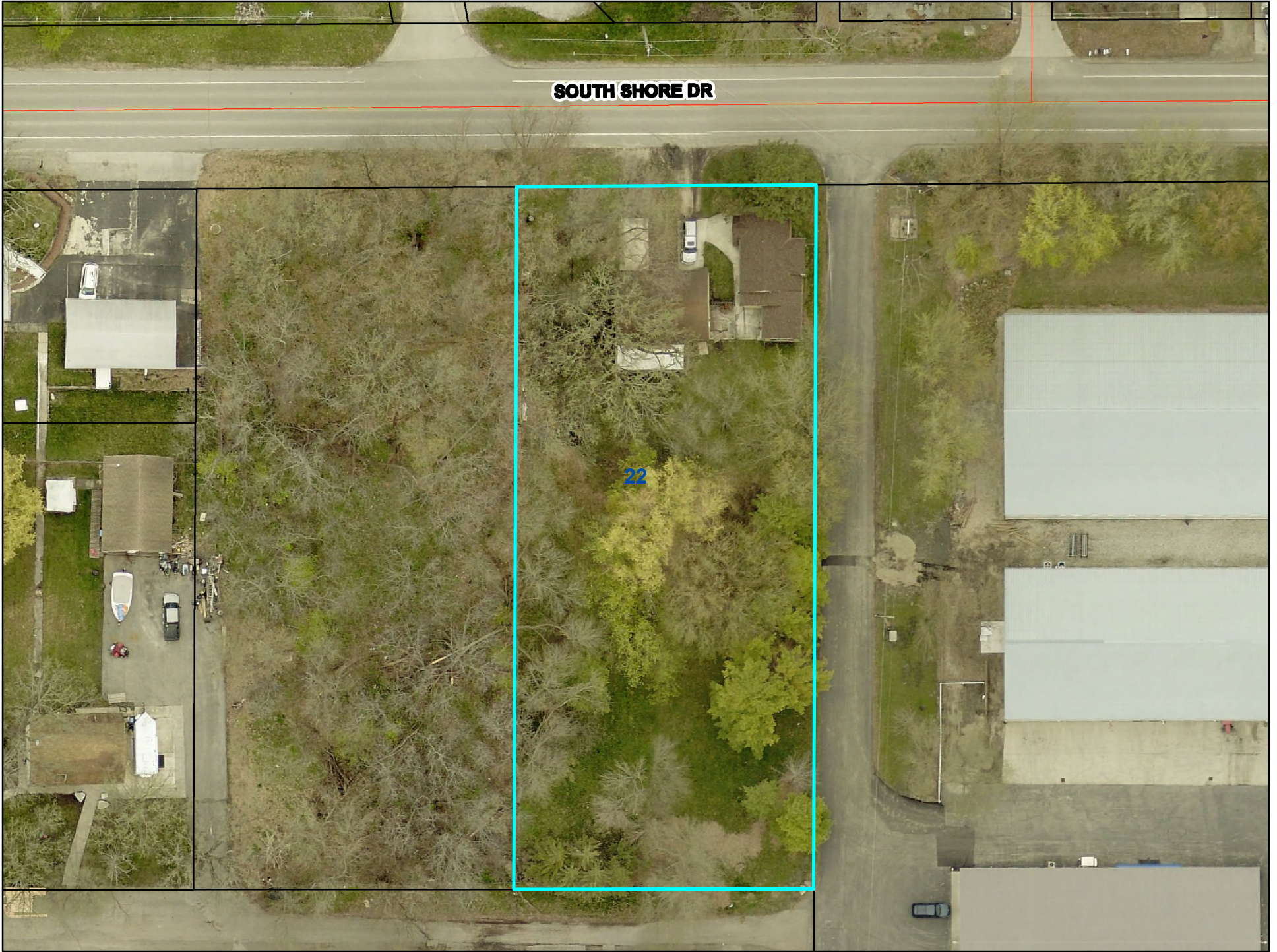
www.houseplans.pro

Bruinier & associates, inc. building designers ©
1304 SW Bertha Blvd. Portland, Oregon 97219 (503-246-3022)



SOUTH SHORE DR

22



Prepared by: John Robbins, Planning and Zoning Administrator, 220 N. Washington Avenue, Mason City, IA 50401
(641) 421-3075

Return to: John Robbins, 220 N. Washington Avenue, Mason City, IA 50401

CONDITIONAL ZONING AGREEMENT

WHEREAS, JMS Property Management, LLC (hereafter “JMS”) are the sole record titleholders of certain real estate as described below, within the boundaries of Cerro Gordo County, Iowa:

The East 120 Feet of Lot Three (3) in the subdivision of Government Lot Two (2) in Section Twenty-two (22) in Township Ninety-six (96) North, Range Twenty-two (22) West of the 5th P.M., except that part conveyed to the State of Iowa by deed recorded in Book 85 Page 189 of the records of Cerro Gordo County, and except Public Highway.

WHEREAS, JMS intends to develop a new multi-family residential property consisting of two, four-unit condominium buildings; and,

WHEREAS, the property is currently zoned R-2 Single Family Residential, and JMS is requesting to change the zoning district to R-4 Multi-Family Residential to bring to an appropriate district for the desired use; and,

WHEREAS, certain conditions and safeguards would mitigate the impact of the proposed project; and,

WHEREAS, as part of the rezoning request, JMS has agreed to conditions restricting the use in regard to the entirety of the real estate described above.

NOW, THEREFORE, in consideration of the mutual agreement set forth herein, JMS and the Board of Supervisors of Cerro Gordo County agree as follows:

1. This agreement is entered into in accordance with and pursuant to Section 335.7, Code of Iowa and conditions agreed to herein are deemed reasonable to satisfy the public needs of public health, safety, and welfare, and to limit possible conflicts between nearby properties in the general vicinity, which are directly caused by rezoning of the real estate described above from R-2 Single Family Residential to R-4 Multi-Family Residential.
2. The real estate described above, upon being rezoned to R-2, shall be used in a manner consistent with all applicable regulations and with the application and site plan provided by JMS.
3. In addition to the existing regulations applicable to land within the R-2 Zoning District, the following additional conditions shall apply and are expressly agreed to by JMS:
 - A. The real estate described above shall only be used for the following principle permitted uses
 - a. All principle permitted uses in the R-1 Single Family Residential District
 - b. Two-family dwellings, with a minimum lot area of five thousand (5,000) square feet per dwelling unit

- c. Multiple-family dwellings, with a minimum lot area of three thousand five hundred (3,500) square feet per dwelling unit
 - B. The real-estate described above shall be developed with no more than eight (8) dwelling units.
 - C. Any rental agreement for the dwelling units located on the real estate described above shall be for a period in excess of thirty (30) days. Nightly and weekly rentals shall be prohibited.
 - D. JMS, at its expense, shall reroute and install improvements to the existing private drainage tile as proposed and illustrated on the attached "Proposed Tile Routing Exhibit, South Shore Townhomes." Said improvements to the private drainage tile shall be a minimum of 12 inches in diameter.
 - E. Prior to the issuance of a Zoning Permit for any structure, a drainage report prepared by a drainage engineer licensed in the State of Iowa shall be submitted to the Cerro Gordo County Planning and Zoning Office. Said drainage report shall comply with all local and state regulations. A Zoning Permit shall only be issued if said drainage report demonstrates that any proposed structure will not adversely impact nearby properties along the route of said private drainage tile. All construction shall be in compliance with the drainage report.
- 4. This agreement shall be effective contemporaneous with the effective date of the rezoning of the real estate described above to R-4 Multi-Family Residential.
 - 5. This agreement shall be recorded in the office of the Recorder of Cerro Gordo County, Iowa, and shall be binding upon the parties hereto and upon all of their successors in interest and upon all subsequent owners, record titleholders, or other holders of interest in said real estate, as long as said real estate continues to be zoned R-4 Multi-Family Residential under the Cerro Gordo County Zoning Ordinance, or until such restrictions are specifically removed or modified through the actions of the Cerro Gordo County Board of Supervisors, with the consent of the then record titleholders and after notice and hearing as required by section 335.7 of the Code of Iowa (2019), as amended.
 - 6. Nothing in this agreement shall be construed as binding the Cerro Gordo County Board of Supervisors to any future zoning classification or other regulatory or governmental action.

It was moved by Supervisor _____ and seconded by Supervisor _____ to adopt the foregoing agreement.
Vote thereon was as follows:

Ayes:

Nays:

Absent/Not voting:

Passed and approved this _____ day of _____, 2021 by the Cerro Gordo County Board of Supervisors.

JMS Property Management, LLC

Jon Snow, President/Manager

Dated: _____

6 Bills, LLC

William A. Nicholas, President/Manager

Dated: _____

STATE OF IOWA }
 } ss:
CERRO GORDO COUNTY }

On the ____ day of _____, 2021, before me, the undersigned Notary Public in and for the State of Iowa, personally appeared _____, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Notary Public in and for the State of Iowa

CERRO GORDO COUNTY, IOWA:

Casey Callanan, Chair
Board of Supervisors

Attest:

Adam V. Wedmore, Auditor
Cerro Gordo County, Iowa

Dated: _____

STATE OF IOWA }
 } ss:
CERRO GORDO COUNTY }

On the ____ day of _____, 2021, before me, the undersigned Notary Public in and for the State of Iowa, personally appeared Tim Latham and Adam V. Wedmore, to me known to be the identical persons named in and who are the Chairperson on the Board of Supervisors of Cerro Gordo County and the Auditor of Cerro Gordo County, respectively; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its Board of Supervisors, as contained in the Motion by the Board of Supervisors on the ____ day of _____, 2021, and that Tim Latham and Adam V. Wedmore acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

Notary Public in and for the State of Iowa