



Planning and Zoning Commission Meeting

Tuesday, August 4, 2026 at 8:30 AM
Council Chambers - 331 First Street East
Agenda

Meeting Opening

1. Roll Call

New Business

2. Approval of previous minutes - July 07, 2026
3. Rezoning of Parcels - Buchanan County, Senior Center
4. Buchanan County - Lot Combination Agreement
5. Plat of Survey - Downs
6. Lot Combination Agreement - Downs

Adjournment

This agenda is subject to change.



Planning and Zoning Commission

Memorandum

To: Planning & Zoning Commission

From: Matt Chesmore, Building Official

Date of Meeting: August 4, 2026

Item Title: Approval of previous minutes - July 07, 2026

Background:

Each month the Planning and Zoning Commission must approve the previous month's meetings minutes.

Recommendation:

Staff recommends the approval of the previous month's minute as amended.

Attachments:

1. PLANNING AND ZONING COMMISSION MINTUES 7.7.26

PLANNING AND ZONING COMMISSION MEETING MINUTES

July 7, 2026

The Independence Planning & Zoning Commission met in the Council Chambers on Tuesday, July 7, 2026. Matt Chesmore called the meeting to order at 8:30 AM with Stephanie Berns, Brian Keierleber, Bill Lake, Jane Leaven, Tyler Rasmussen and Rick Wulfekuhle in attendance. Dawn Vogel was also in attendance.

Minutes from the prior meeting of May 19, 2026 were reviewed. A motion was made by Rick Wulfekuhle, seconded by Tyler Rasmussen to approve the minutes. Motion carried with a 6-0 vote in favor of the request.

Motion was made by Rick Wulfekuhle, seconded by Jane Leaven to appoint Bill Lake as Chairperson of the Planning and Zoning Commission. Motion carried with a 6-0 vote in favor of the request.

A request from Gee Construction, Inc. for approval of the Preliminary Plat of Survey for The Pines Fourth Addition to the City of Independence was reviewed. A motion was made by Tyler Rasmussen, seconded by Rick Wulfekuhle to recommend the Independence City Council approve the Preliminary Plat of Survey as submitted. Discussion was held. Motion carried with a 6-0 vote in favor of the request.

A request from LARD LLC for approval of the Plat of Survey to create Parcel Y in the City of Independence was reviewed. A motion was made by Tyler Rasmussen, seconded by Brian Keierleber to recommend the Independence City Council approve the of the Plat of Survey as submitted. Discussion was held. Motion carried with a 6-0 vote in favor of the request.

The City of Independence requested rezoning of parcels as shown by "Exhibit A" of the Application for Rezoning Request dated 6/22/2026 owned by LARD LLC from R-2 Residential to M-2 Heavy Manufacturing to correct the zoning district as appropriate for current use. A motion was made by Jane Leaven, seconded by Rick Wulfekuhle to recommend the Independence City Council set a public hearing to consider the rezoning request as submitted. Discussion was held. Motion carried with a 6-0 vote in favor of the request.

The City of Independence requested rezoning of parcels as shown by the Application for Rezoning Request dated 6/22/2026 owned by Pries Enterprises, Inc. from R-2 Residential to M-2 Heavy Manufacturing to correct the zoning district as appropriate for current use. It was noted that the "Background" section provided on page 15 of the meeting packet should read Pries Enterprises, Inc. instead of LARD LLC. A motion was made by Tyler Rasmussen, seconded by Brian Keierleber to recommend the Independence City Council set a public hearing to consider the rezoning request as submitted. Discussion was held. Motion carried with a 6-0 vote in favor of the request.

A lot combination request from Pries Enterprises, Inc. for parcels 1010151008, 1010151020, 1010151030, 1010176005, 1010176009, 1010176011 and Parcel Y was reviewed. The Agreement Regarding Lot Combination was presented. It was noted on page 22 of the meeting packet within the "Background" section, an additional parcel number 101051016 was listed in error, which was not in the

Agreement presented. Also, parcel number 101015120 should have read 1010151020 to match the Agreement. A motion was made by Brian Keierleber, seconded by Jane Leaven to recommend approval of the lot combination of parcels identified in the Agreement Regarding Lot Combination as submitted, subject to Parcel Y being transferred to Pries Enterprises, Inc. prior to Independence City Council approval. Discussion was held. Motion carried with a 6-0 vote in favor of the request.

The City of Independence requested rezoning of parcels as shown by the Application for Rezoning Request dated 6/29/2026 owned by Buchanan County from R-2 Residential to C-1 Central Commercial District to correct the zoning district as appropriate for current use. It was noted on page 33 the meeting packet the Application for Rezoning Request is to rezone to C-1 "Heavy Manufacturing", which should instead be C-1 "Central Commercial District". A motion was made by Brian Keierleber, seconded by Jane Leaven to recommend the Independence City Council set a public hearing to consider the rezoning request to C-1 Central Commercial District. Discussion was held. Motion carried with a 6-0 vote in favor of the request.

A motion to adjourn was made by Bill Lake, seconded by Brian Keierleber. Motion carried.

Respectfully Submitted,

Stephanie Berns

Secretary



Planning and Zoning Commission

Memorandum

To: Planning & Zoning Commission

From: Matt Chesmore, Building Official

Date of Meeting: August 4, 2026

Item Title: Rezoning of Parcels - Buchanan County, Senior Center

Background:

The City of Independence has requested to rezone a parcel that Buchanan County currently owns from R-2 residential to C-1 Commercial, to correct the current zoning district for which the use is a commercial building.

Recommendation:

Staff recommends the Planning and Zoning Commission make a recommendation to the City Council to set a public hearing to consider rezoning as submitted.

Attachments:

1. Application for Rezoning Request - Buchanan County Senior Center
2. Buchanan County Senior Center (1)



331 1st Street East
Independence, IA 50644

Application for Rezoning Request

Date 6/29/2026

Property Owner Name: Buchanan County.

Address: 210 5th Ave NE, Independence Iowa 50644 Phone Number: (319) 334-4109

Legal Description of Property requesting to be rezoned (please include lot and street number):

The North Half (N1/2) of the Following: Commencing Four (4) rods North of the Northeast corner of Lot One (1), Block Three (3) in Independence, Buchanan County Iowa, running thence West Ten (10) rods, thence North Six (6) rods to Monroe Street, thence East Ten (10) rods to Elizabeth Street, thence South Along Elizabeth Street to the place of the beginning, except Parcel E being a part of the Southeast ¼ of Section 34, Township 89 North, Range 9 West of the 5th P.M., Buchanan County, Iowa, as recorded in Plat of Survey in File No. 2005R01355.

And

Commencing 4 rods North of the Northwest corner of Block 3, in Original Plat Independence, Buchanan County, Iowa, thence North to the North line of the Southeast ¼ of the Southeast ¼ of Section 34, Township 89 North, Range 9 West of the 5th P.M.; thence East 10 rods, thence South to the North line of Rigland Street (now known as Fourth Street NE) in the City of Independence; thence West to point of beginning in the City of Independence, Buchanan County, Iowa.

Reason for rezoning (please be specific): The City of Independence is requesting to rezone Parcels 0634476001 and 0634476005 from Residential R-2 to C-1 Commercial district to correct an inconsistency of zoning districts and to allow for electronic signage to be placed at a zero (0) foot setback.

Original zoning classification of the property: R-2 Residential

Requested rezoning classification of the property: C-1 Central Commercial District





Planning and Zoning Commission

Memorandum

To: Planning & Zoning Commission

From: Matt Chesmore, Building Official

Date of Meeting: August 4, 2026

Item Title: Buchanan County - Lot Combination Agreement

Background:

Buchanan County has the desire to combine lots 0634476005 and 0634476001 into one tax parcel. This agreement remedies this situation by allowing the Planning & Zoning Commission and the City Council to officially recognize the joining of these properties – without requiring the owner to submit a full plat of survey or something similar to perform this action.

Recommendation:

Staff recommends the Planning and Zoning Commission makes a recommendation to the City Council to accept and approve the lot combination as submitted.

Attachments:

1. Senior Citizen Center REQUEST AND AGREEMENT TO COMBINE LOTS Completed
2. Lot Combination

REQUEST AND AGREEMENT TO COMBINE LOTS

I, **Dawn Vogel** as **Board of Supervisor, Chairman of Buchanan County, Iowa**, am the owner/agent of the following described property located in Buchanan County, Iowa, legally described as:

The North Half (N1/2) of the Following: Commencing Four (4) rods North of the Northeast corner of Lot One (1), Block Three (3) in Independence, Buchanan County Iowa, running thence West Ten (10) rods, thence North Six (6) rods to Monroe Street, thence East Ten (10) rods to Elizabeth Street, thence South Along Elizabeth Street to the place of the beginning, except Parcel E being a part of the Southeast $\frac{1}{4}$ of Section 34, Township 89 North, Range 9 West of the 5th P.M., Buchanan County, Iowa, as recorded in Plat of Survey in File No. 2005R01355.

And

Commencing 4 rods North of the Northwest corner of Block 3, in Original Plat Independence, Buchanan County, Iowa, thence North to the North line of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 34, Township 89 North, Range 9 West of the 5th P.M.; thence East 10 rods, thence South to the North line of Rigland Street (now known as Fourth Street NE) in the City of Independence; thence West to point of beginning in the City of Independence, Buchanan County, Iowa.

and hereby request the Auditor combine the above described properties, also known as Parcel No. 0634476001 and 0634476005 into one tax parcel.

I understand and agree to bind the Property made up of more than one platted lot, together as one, and agree at no time to transfer one lot without the other, in recognition of the fact that to do so would be in violation of the Independence, **Iowa** Ordinance and Iowa Code. I further acknowledge this Agreement is irrevocable and shall run with the land, binding on my heirs, transferees, and successors in interest.

The City Council of the City of Independence approved this agreement by Resolution _____ on the ____ day of _____ 2026, in lieu of requiring **Buchanan County, Iowa** to obtain a survey officially combining said lots to one parcel, as a means of resolving setback concerns for proposed improvements to be constructed on the Property, over the shared lot line of the lots described above.

5TH AVE NE

5TH ST NE

4TH S

0634476001

0634476005

0634476006

0634476003

0634476004



Planning and Zoning Commission

Memorandum

To: Planning & Zoning Commission

From: Matt Chesmore, Building Official

Date of Meeting: August 4, 2026

Item Title: Plat of Survey - Downs

Background:

Mr. Downs engaged Crawford Engineering to survey a piece of land on the southern border of his land in order to purchase this parcel from his neighbor, Ms. McGraw. This plat clears a discrepancy in the lot line between the two neighbors. The parceling of this land may temporarily create a non-conforming lot. However, it is Mr. Downs' intention to combine this lot with another that abuts this lot. The new parcel is identified in the final plat as Parcel BB.

Recommendation:

Staff recommends that the Planning and Zoning Commission recommend to the City Council approval of the Plat of Survey as submitted.

Attachments:

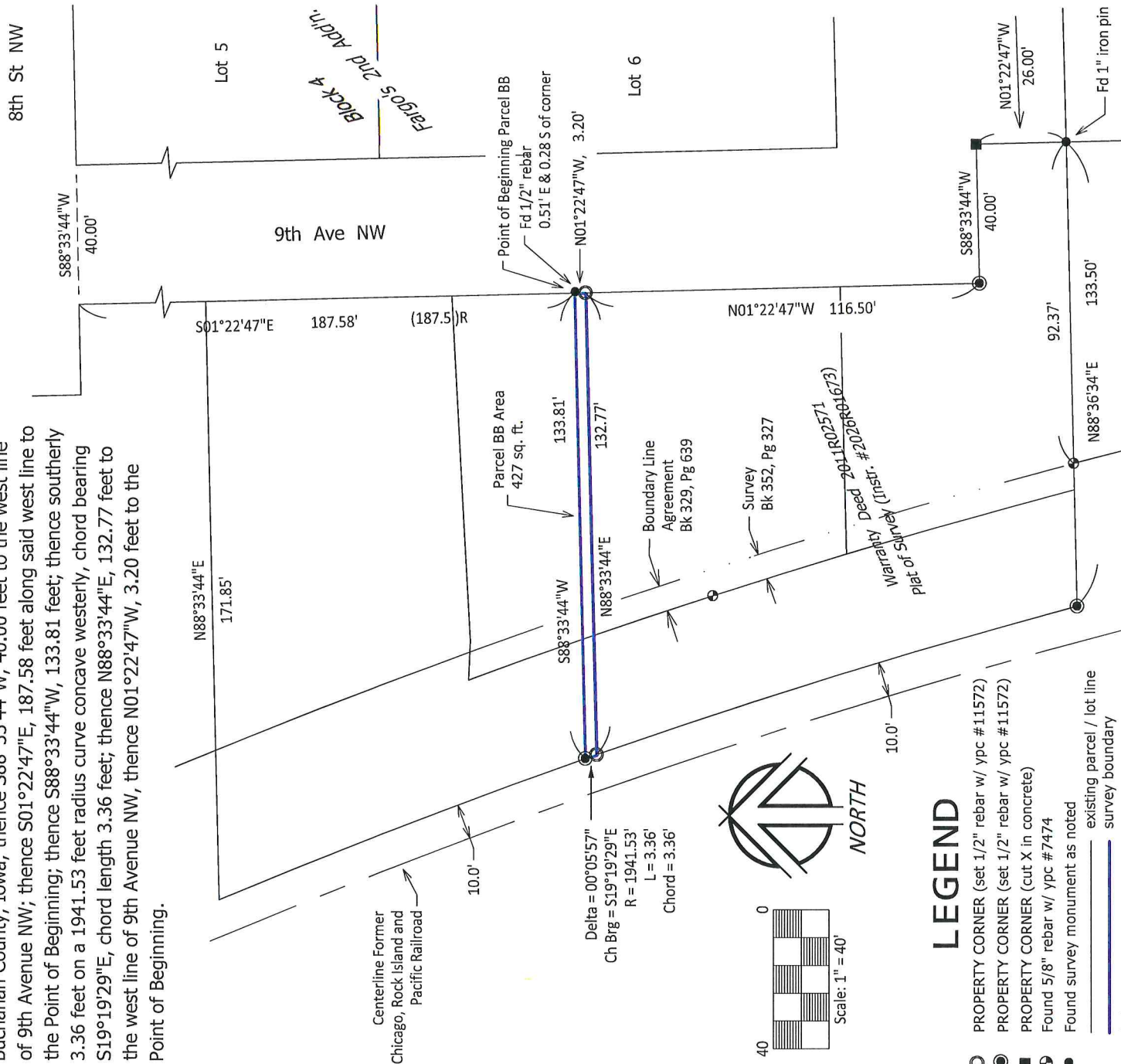
1. William Downs Parcel BB final

INDEX LEGEND	
COUNTY:	Buchanan
ALIQUOT PART :	
CITY:	Independence
SUBDIVISION:	unplatted
BLOCK:	
LOT:	
PROPRIETOR:	Constance K. McGraw
REQUESTED BY:	William E. & Deborah L. Downs

Lawrence G. Crawford PE & PLS CRAWFORD ENGINEERING & SURVEYING, INC., 118 3rd Ave NE, INDEPENDENCE, IOWA (319)334-7077

Plat of Survey for Boundary Line Adjustment

Plat of Survey of Parcel BB in the Northeast ¼ of the Southeast ¼ of Section 33, Township 89 North, Range 9 West of the 5th Principal Meridian, Buchanan County, Iowa, being the North 3.2 feet of Plat of Survey Instrument # 2026R01673 and further described as: Commencing at the Northwest Corner of Block 4, Fargo's Second Addition to Independence, Buchanan County, Iowa; thence S88°33'44"W, 40.00 feet to the west line of 9th Avenue NW; thence S01°22'47"E, 187.58 feet along said west line to the Point of Beginning; thence S88°33'44"W, 133.81 feet; thence southerly 3.36 feet on a 1941.53 feet radius curve concave westerly, chord bearing S19°19'29"E, chord length 3.36 feet; thence N88°33'44"E, 132.77 feet to the west line of 9th Avenue NW, thence N01°22'47"W, 3.20 feet to the Point of Beginning.



LEGEND

- PROPERTY CORNER (set 1/2" rebar w/ ypc #11572)
- PROPERTY CORNER (set 1/2" rebar w/ ypc #11572)
- PROPERTY CORNER (cut X in concrete)
- Found 5/8" rebar w/ ypc #7474
- Found survey monument as noted
- existing parcel / lot line
- survey boundary
- (R) distance as recorded

Date of survey: 6-30-2026

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND 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.

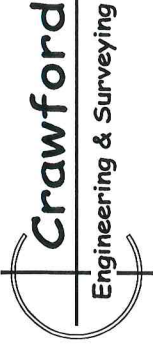


LICENSE RENEWAL DATE: 12-31-2026 LICENSE NO. 11572

Lawrence G. Crawford 7-21-26

Lawrence G. Crawford PE & PLS

DATE



118 3rd Ave NE Independence, Iowa 50644 ph: (319) 334-7077

PROJECT No. 26245 FLD.BK.No. PAGE



Planning and Zoning Commission

Memorandum

To: Planning & Zoning Commission

From: Matt Chesmore, Building Official

Date of Meeting: August 4, 2026

Item Title: Lot Combination Agreement - Downs

Background:

Mr. Downs is interested in combining lots that he currently owns to create one tax parcel.

Recommendation:

Staff recommends that the Planning and Zoning Commission recommend to the City Council approval of the Lot Combination Agreement as submitted. However, this recommendation is contingent on the Plat of Survey being approved and recorded.

Attachments:

1. Lot Combination Agreement

Preparer Information: Brian C. Eddy, 2349 Jamestown Ave., Suite 4, Independence, IA 50644, Phone: (319) 334-3704

Return Document To: Brian C. Eddy, 2349 Jamestown Ave., Suite 4, Independence, IA 50644, Phone: (319) 334-3704

AGREEMENT REGARDING LOT COMBINATION

We, Williams E. Downs and Deborah L. Downs, husband and wife, are the owners of the following described property located in Buchanan County, Iowa, legally described as:

Commencing at a point 40 feet West and 81 feet South of the Northwest corner of Block 4, Fargo's Second Addition to Independence, Buchanan County, Iowa, running thence South 106 ½ feet, thence West to the East line of the Chicago, Rock Island and Pacific right-of-way, thence Northwesterly along said right-of-way to a point 106 ½ feet North of the South lot line, thence East to the point of beginning, being a part of the Northeast ¼ of the Southeast ¼ of Section 33, Township 89 North, Range 9 West of the 5th P.M., Buchanan County, Iowa and that part of Parcel BB located East of the East line of the Chicago, Rock Island and Pacific right-of-way as described in Plat of Survey in File No. [REDACTED] as recorded in the office of the Buchanan County, Iowa Recorder.

***The Auditor is hereby requested to combine Parcel No. 0633427012, 0633427013 and future tax parcel for that portion of Parcel BB that is located in the city limits of Independence, Iowa into one tax parcel.**

The purpose of this Agreement is to set forth my understanding and agreement to bind the Property made up of more than one platted lot, together as one, to agree to at no time to transfer one lot without the other, in recognition of the fact that to do so would be violative of the Independence, Iowa Code of Ordinances, and to further acknowledge my understanding and Agreement is irrevocable and shall run with the land, binding on my heirs, transferees, and successors in interest.

The City Council of the City of Independence approved this agreement by Resolution _____ on the _____ day of _____, 2026, in lieu of requiring Williams E. Downs and Deborah L. Downs to obtain a survey officially combining said lots to one parcel, as a means of resolving setback concerns for proposed improvements to be constructed on the Property, over the shared lot line of the lots described above.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: _____, 2026

Williams E. Downs

Deborah L. Downs

STATE OF IOWA, COUNTY OF BUCHANAN:

This instrument was acknowledged before me on this ____ day of _____, 2026, by
Williams E. Downs and Deborah L. Downs, husband and wife.

Notary Public