



PLANNING AND ZONING COMMISSION MEETING

Tuesday, May 05, 2026 at 8:30 AM

Council Chambers - 331 First Street East

AGENDA

MEETING OPENING

1. Roll Call

NEW BUSINESS

2. Approval of previous minutes - 4/7/2026
3. Lot combination - 810 3rd Ave SW - Mishler
4. Parcel Division - Juhl
5. Lot Combination - Stealgard Inc

ADJOURNMENT

This agenda is subject to change.

Brad Bleichner, *Mayor*
(319) 334-2780

Matthew R. Schmitz, *City Manager*
(319) 334-2780

Susi Lampe, *Asst. City Manager, City Clerk/Treasurer*
(319) 334-2780

Douglas Herman, *City Attorney*



www.independenceia.gov

Planning and Zoning Commission Item #2.
Tammi Fenner
Bill Lake
Tyler Rasmussen
Nathan Hansen, Chair
Stephanie Berns, Secretary
Brian Keierleber
Jane Leaven

PLANNING AND ZONING COMMISSION MEETING MINUTES
April 7, 2026

The Independence Planning & Zoning Commission met in the Council Chambers on Tuesday, April 7, 2026. Zoning Administrator, Matt Chesmore called the meeting to order at 8:30 AM with Tami Fenner, Tyler Rasmussen, Bill Lake and Jane Leaven in attendance.

A motion to approve the 2/23/26 minutes was made by Rasmussen and a second by Leaven. No discussion. Motion carried unanimously.

A motion to approve the 3/3/26 minutes was made by Rasmussen and a second by Fenner. No discussion. Motion carried unanimously.

A motion to recommend to the City Council to approve a rezoning request from Micheal McDonald to rezone his property from M-2 to C-1 was made by Rasmussen and seconded by Fenner.

During discussion it was noted that the rezoning request to rezone to C-1 was inappropriate for the area as this area was not in the "downtown commercial district" and the motion was retracted.

A motion was made to recommend to the City Council to approve a zoning request that would rezone parcel 1005400015 also described as The East 120.50 feet of Lot 1, Waskow & Nabholz 2nd Addition to the City of Independence, Buchanan County, Iowa from M-2 Heavy Manufacturing to C-2 Commercial district by Rasmussen and seconded by Fenner.

During further discussion it was asked if the approval could be contingent on the property, remaining a single-family residence with a commercial use on the first story. This was determined to not be possible as C-2 zoning allows for R-3 uses which could be a multi-family structure such as rental or apartment building use.

Hearing no other discussion a vote was conducted and the motion carried 4-0.

A motion to adjourn was made by Leaven, seconded by Fenner. Motion carried. Meeting was adjourned at 8:52am

Respectfully Submitted,

Matt Chesmore

Planning and Zoning Administrator



PLANNING AND ZONING MEMORANDUM

TO: Planning and Zoning Commission

FROM: Matt Chesmore, Building Official

DATE OF MEETING: May 5, 2026

ITEM TITLE: Lot Combination

BACKGROUND:

Kevin and Wendy Mishler would like to combine parcels 1004416006 and 1004416007, formally known as 810 3rd Ave SW. 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.

DISCUSSION:

Mr. and Mrs. Mishler have agreed to the terms set forth in the Agreement Regarding Lot Combination Exhibit A. The attached overview photo, exhibit B, shows the two parcels located in The Greif's Subdivision to the City of Independence, Buchanan County that are to be combined into one parcel.

RESULTS:

The City has established priorities during strategic planning sessions. This item supports the Vision from that session of Developing and Reviving Independence. This item helps achieve that vision by allowing areas within the corporate borders to be developed.

FINANCIAL CONSIDERATION:

There is no significant financial consideration for this matter other than the staff's time in preparing the resolution.

RECOMMENDATION:

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

EXHIBIT A

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, Kevin Mishler and Wendy Mishler, are the owners of the following described property located in Buchanan County, Iowa, legally described as:

Lots 2 and 3, Greif Subdivision of part of Block 19, A. and A.B. Clarke and Company's Addition to Independence, Buchanan County, Iowa (the "Property").

***The Auditor is hereby requested to combine Parcel No. 1004416006 and 1004416007 into one tax parcel.**

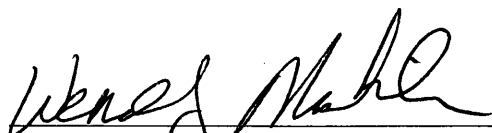
The purchase of this Agreement is to set for my understanding and agreement to bind the Property made up of more than one platted lot, together as one, to agree to at no time to transfer one lot without the other, in recognition of the fact that to do so would be violative of the Independence, Iowa Code 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 _____, 20_____, in lieu of requiring Kevin Mishler and Wendy Mishler to obtain a survey officially combining said lots to one parcel, as a mean of resolving side yard setback concerns where one house is proposed 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: April 2, 2026


Kevin Mishler


Wendy Mishler

STATE OF IOWA, COUNTY OF BUCHANAN:

This instrument was acknowledged before me on April 2, 2026, by Kevin Mishler and Wendy Mishler, husband and wife.

Charity Erdelt

Notary Public

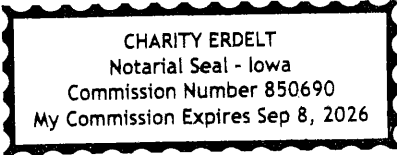


EXHIBIT B





PLANNING AND ZONING MEMORANDUM

TO: Planning and Zoning Commission

FROM: Matt Chesmore, Building Official

DATE OF MEETING: May 5th, 2026

ITEM TITLE: Parcel Division - Juhl

BACKGROUND:

Terry and Christine Juhl wishes to divide 1003426004, to create two parcels and to allow for the construction of possible two single-family dwellings, one on each lot. It is worth noting that this tract of land is not serviced by any public utilities and will be exempt from mandatory connection due to the proximity of the nearest utilities. Private wells and septic systems will need to be utilized for future housing development. The Juhl's have engaged MMS Consultants Inc. to create a Plat of Survey, Exhibit A.

DISCUSSION:

The attached overview photo, exhibit B, is a draft of the parcel once divided. The plat preliminary plat of survey, exhibit A also depicts the parcel as divided. Exhibit C is a wide angle of the parcel to help understand where this parcel is located within the City.

RESULTS:

The City has established priorities during strategic planning sessions. This item supports the Vision from that session of Developing and Reviving Independence. This item helps achieve that vision by allowing areas within the corporate borders to be developed.

FINANCIAL CONSIDERATION:

There is no significant financial consideration for this matter other than the staff's time in preparing the resolution.

RECOMMENDATION:

Staff recommends the Planning and Zoning Commission makes a recommendation to the City Council to accept and approve the Plat of Survey as submitted.

PLAT OF SURVEY PARCEL Y AND AMENDED PARCEL A

NE 1/4 SE 1/4 SEC. 3-T88N-R9W, BUCHANAN COUNTY, IOWA

DESCRIPTION: (AMENDED PARCEL A) AMENDING THE PLAT RECORDED AS INST. #1994R02480

THAT PORTION OF PARCEL A LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 88 NORTH, RANGE 9 WEST OF THE 5th P.M., RECORDED AS DOCUMENT 1994R02480, CITY OF INDEPENDENCE, BUCHANAN COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL A; THENCE S00°50'27"E ALONG THE EAST LINE OF SAID PARCEL A, 462.48 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL A; THENCE S88°49'41"W ALONG THE SOUTH LINE OF SAID PARCEL A, 450.42 FEET; THENCE N07°04'10"W, 454.56 FEET TO THE NORTH LINE OF SAID PARCEL A; THENCE N87°38'44"E ALONG SAID NORTH LINE, 499.90 FEET TO THE POINT OF BEGINNING, CONTAINING 4.99 ACRES, AT THE TIME OF SURVEY, AND IS SUBJECT TO ANY EASEMENTS AND RESTRICTIONS OF RECORD.

DESCRIPTION: (PARCEL Y)

THAT PORTION OF PARCEL A LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 88 NORTH, RANGE 9 WEST OF THE 5th P.M., RECORDED AS DOCUMENT 1994R02480, CITY OF INDEPENDENCE, BUCHANAN COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL A; THENCE N87°38'44"E ALONG THE NORTH LINE OF SAID PARCEL A, 345.00 FEET; THENCE S07°04'10"E, 454.56 FEET TO THE SOUTH LINE OF SAID PARCEL A; THENCE S88°49'41"W ALONG SAID SOUTH LINE, 15.00 FEET; THENCE S89°50'54"W, 258.43 FEET; THENCE S87°17'25"W ALONG SAID SOUTH LINE, 61.02 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL A; THENCE N02°39'58"W ALONG THE WEST LINE OF SAID PARCEL A, 307.49 FEET; THENCE S89°02'35"W ALONG THE PERIMETER OF SAID PARCEL A, 49.82 FEET; THENCE N00°55'05"W ALONG SAID WEST LINE, 134.50 FEET TO THE POINT OF BEGINNING, CONTAINING 3.40 ACRES, AT THE TIME OF SURVEY, AND IS SUBJECT TO ANY EASEMENTS AND RESTRICTIONS OF RECORD.

DESCRIPTION: (20' WIDE INGRESS & EGRESS EASEMENT)

THAT PORTION OF PARCEL A LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 88 NORTH, RANGE 9 WEST OF THE 5th P.M., RECORDED AS DOCUMENT 1994R02480, CITY OF INDEPENDENCE, BUCHANAN COUNTY, IOWA, BEING 10.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE THE SIDELINES SHALL EXTEND OR TERMINATE AT THE PROPERTY LINES:

COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL A; THENCE S00°55'05"E ALONG THE WESTERN PERIMETER OF SAID PARCEL A, 134.50 FEET; THENCE N89°02'35"E ALONG SAID PERIMETER, 49.82 FEET; THENCE S02°39'58"E ALONG SAID PERIMETER TO THE POINT OF BEGINNING OF HEREIN DESCRIBED CENTERLINE; THENCE S86°26'06"E, 55.07 FEET; THENCE SOUTHEASTERLY 137.61 FEET ALONG A 756.00 FOOT RADIUS CURVE TO THE RIGHT, WHOSE 137.42 FOOT CHORD BEARS S81°13'13"E; THENCE SOUTHEASTERLY 40.11 FEET ALONG A 150.00 FOOT RADIUS CURVE TO THE RIGHT, WHOSE 40.00 FOOT CHORD BEARS S68°20'40"E; THENCE S60°40'59"E, 12.48 FEET; THENCE SOUTHEASTERLY 157.20 FEET ALONG AN ARC OF A 199.00 FOOT RADIUS CURVE TO THE RIGHT, WHOSE 153.15 FOOT CHORD BEARS S38°03'07"E; THENCE S15°25'15"E, 15.01 FEET; THENCE SOUTHEASTERLY 69.45 FEET ALONG AN ARC OF A 400.00 FOOT RADIUS CURVE TO THE RIGHT, WHOSE 69.37 FOOT CHORD BEARS S10°26'48"E; THENCE S05°28'21"E, 44.82 FEET TO THE SOUTH LINE OF SAID PARCEL A, AND THE TERMINUS OF HEREIN DESCRIBED CENTERLINE.

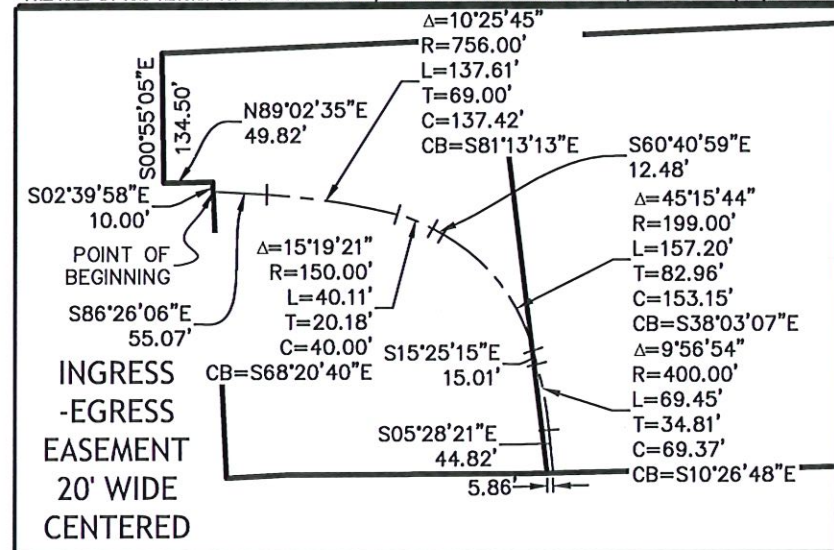
LOCATION:
PORTIONS OF PARCEL 'A' LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 88 NORTH, RANGE 9 WEST OF THE 5th P.M., INDEPENDENCE, BUCHANAN COUNTY, IOWA
LAND SURVEYOR, INCLUDING FIRM OR ORGANIZATION:
RICHARD R. NOWOTNY, P.L.S. MMS CONSULTANTS INC. 1917 SOUTH GILBERT STREET IOWA CITY, IOWA, 52240 PHONE: 319-351-8282
SURVEY REQUESTED BY:
TERRY AND CHRIS JUHL
PROPRIETOR(S) OR OWNER(S):
CHRISTINE R. JUHL & TERRY D. JUHL
DATE(S) OF SURVEY:
APRIL 10, 2026
DOCUMENT RETURN INFORMATION:
LAND SURVEYOR



CIVIL ENGINEERS
LAND PLANNERS
LAND SURVEYORS
LANDSCAPE ARCHITECTS
ENVIRONMENTAL SPECIALISTS

1917 S. GILBERT ST.
IOWA CITY, IOWA 52240
(319) 351-8282
www.mmsconsultants.net

—PREPARED BY AND RETURN TO: MMS CONSULTANTS, INC. 1917 S. GILBERT ST. IOWA CITY, IOWA 52240 (319)351-8282



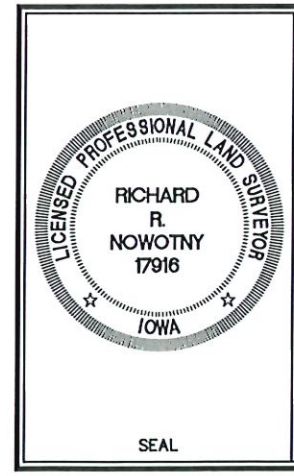
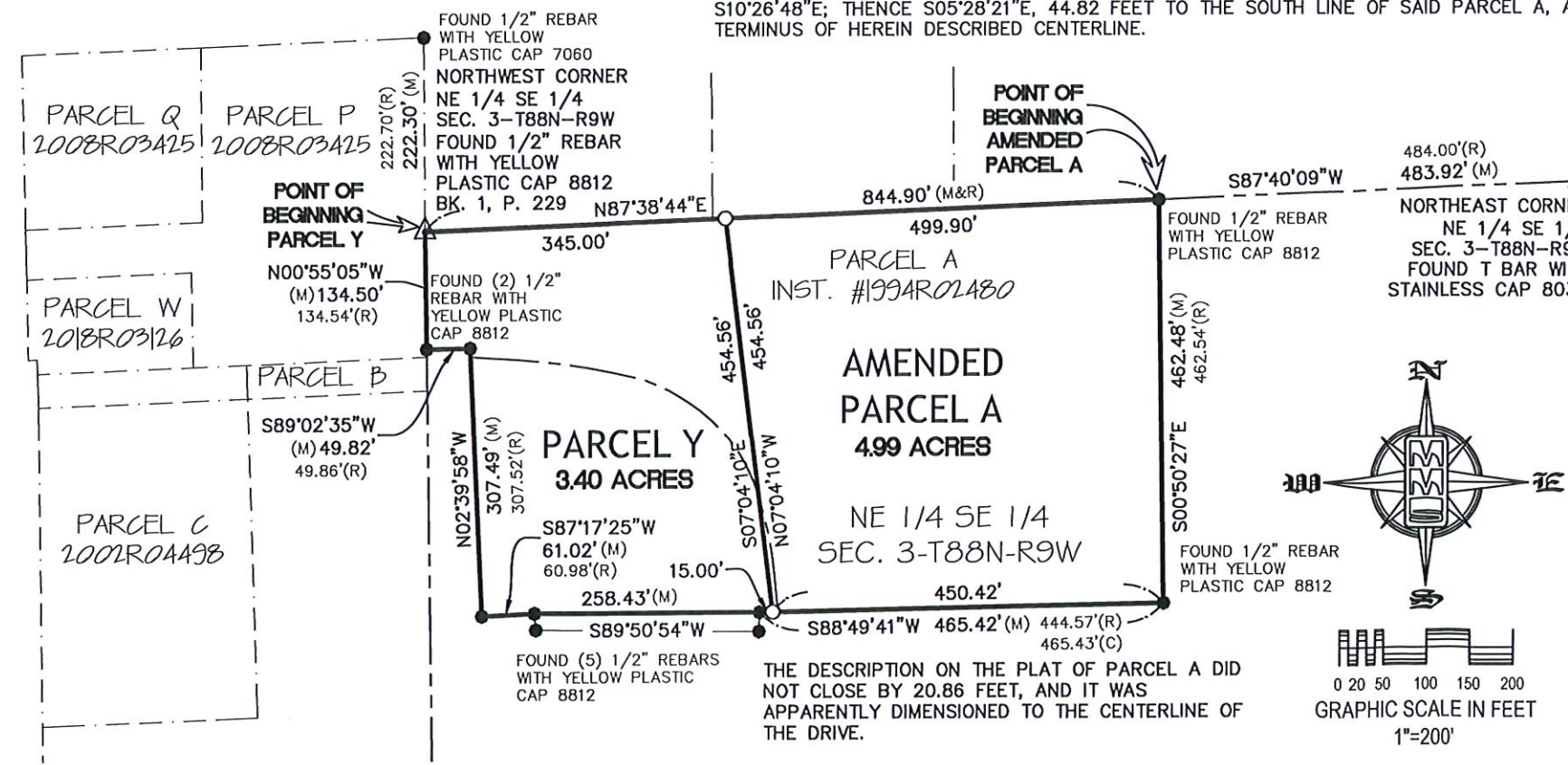
NOTES:
 1) BEARINGS ARE BASED ON THE IOWA STATE PLANE COORDINATE SYSTEM (NORTH ZONE) LIBRARY CALIBRATION USING THE IOWA REAL TIME NETWORK (RTN) WITH DATUM NAD83 (2011) EPOCH 2010.000 IN U.S. SURVEY FEET. THE DISTANCES SHOWN ON THE PLAT ARE HORIZONTAL GROUND DISTANCES AND NOT GRID DISTANCES.
 2) RECORDED BEARINGS ARE ON A DIFFERENT BASIS AND HAVE BEEN OMITTED FOR CLARITY.

Date	Revision

LEGEND AND NOTES

▲	— CONGRESSIONAL CORNER
— —	— FOUND IRON RAIL
—□—	— FENCE CORNER / FENCE POST
●	— MONUMENT(S), FOUND (as noted)
○	— FOUND PIPE(S), (as noted)
⊙	— PROPERTY CORNERS SET (5/8" x 24" REBAR WITH YELLOW PLASTIC CAP EMBOSSED WITH "MMS 17916")
⊗	— SET 'X', MAG NAIL, OR GIN SPINDLE
— — — — —	— PROPERTY &/or BOUNDARY LINES
- - - - -	— CONGRESSIONAL SECTION LINES
- - - - -	— RIGHT-OF-WAY LINES
— — — — —	— CENTER LINES
- x - x - x -	— FENCE LINES
— — — — —	— LOT LINES, PLATTED OR BY DEED
— — — — —	— EASEMENT LINES, WIDTH & PURPOSE NOTED
— — — — —	— EXISTING EASEMENT LINES, PURPOSE NOTED
— — — — —	— EXISTING PLATTED BOUNDARY
(R)	— RECORDED DIMENSIONS
(M)	— MEASURED DIMENSIONS
(C)	— COMPUTED DIMENSIONS
C22-1	— CURVE SEGMENT NUMBER

UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN FEET AND HUNDREDTHS



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.

Richard R. Nowotny 4-23-2026

RICHARD R. NOWOTNY
P.L.S. Iowa Lic. No. 17916
My license renewal date is December 31, 2027.

Pages or sheets covered by this seal: _____

PLAT OF SURVEY PARCEL Y & AMD. PARCEL A

500 14th AVENUE SE

INDEPENDENCE,
BUCHANAN COUNTY,
IOWA

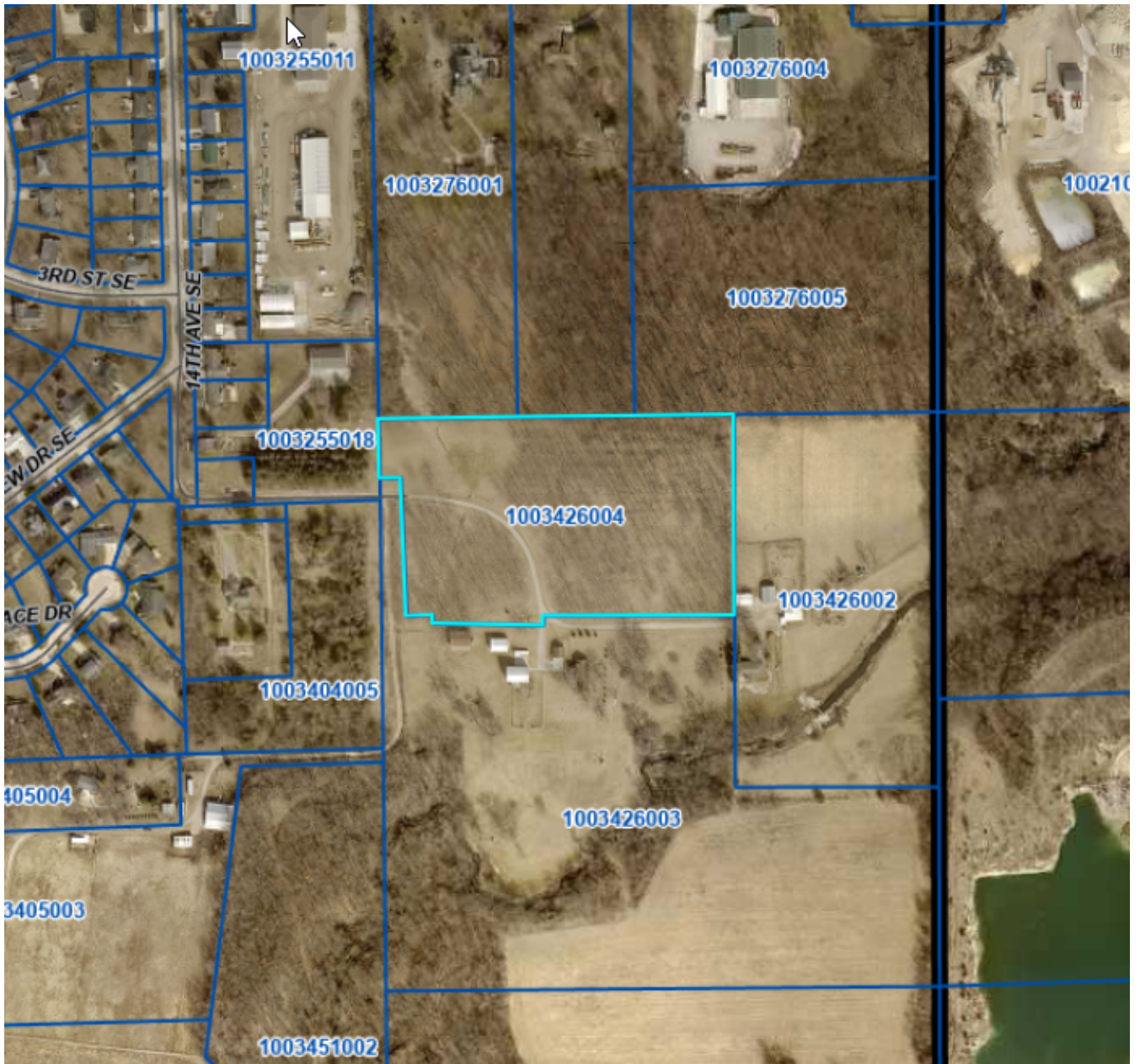
MMS CONSULTANTS, INC.

Date: 04/20/2026	
Surveyed by: JRD	Field Book No: 1437
Drawn by: DMW	Scale: 1" = 200'
Checked by: RRN	Sheet No: 8
Project No: 12425-001	of: 1

Exhibit B

Item #4.

1003426004



It



PLANNING AND ZONING MEMORANDUM

TO: Planning and Zoning Commission

FROM: Matt Chesmore, Building Official

DATE OF MEETING: May 5, 2026

ITEM TITLE: Lot Combination – StealGard Inc

BACKGROUND:

StealGard Inc would like to combine parcels 0635151001 and 0635151004, formally known as 901 12th St NE for the purpose of future expansion. 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.

DISCUSSION:

StealGard Inc have agreed to the terms set forth in the Agreement Regarding Lot Combination Exhibit A. The attached overview photo, exhibit B, shows the two parcels. StealGard has further agreed to provide a signed copy of the agreement for the Councils consideration and approval will be contingent it.

RESULTS:

The City has established priorities during strategic planning sessions. This item supports the Vision from that session of Developing and Reviving Independence. This item helps achieve that vision by allowing areas within the corporate borders to be developed.

FINANCIAL CONSIDERATION:

There is no significant financial consideration for this matter other than the staff's time in preparing the resolution.

RECOMMENDATION:

Staff recommends the Planning and Zoning Commission makes a recommendation to the City Council to accept and approve the lot combination as submitted, contingent upon the Council reviewing a signed copy of the 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

I, _____ as _____ of Stealgard, Inc., an Iowa Corporation, am the owner of the following described property located in Buchanan County, Iowa, legally described as:

Lots 13 and 22 of Replat of Railroad Addition to Independence, Buchanan County, Iowa AND all that part of 11th Avenue NE adjacent to Lot 13 of Railroad Replat, from the North line of existing railroad right-of-way to the South line of 12th Street, NE, Independence, Buchanan County, Iowa. (the “Property”).

***The Auditor is hereby requested to combine Parcel No. 0635151001, 0635151004 and 0635151005 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 Stealgard, Inc. 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

Stealgard, Inc.

By: _____
Its: _____

STATE OF IOWA, COUNTY OF BUCHANAN:

This instrument was acknowledged before me on this ___ day of _____, 2026, by _____ as _____ of Stealgard, Inc., an Iowa Corporation.

Notary Public

Exhibit B

0634229023

0635101007

0635101008

063510

0634229023

12TH ST NE

8TH AVE NE

0635151001

0635151004

063515100

0634277008

0635154002

10TH ST NE

11TH AVE NE

