



**AGENDA  
CITY OF CEDAR FALLS, IOWA  
PLANNING AND ZONING COMMISSION MEETING  
WEDNESDAY, DECEMBER 13, 2023  
5:30 PM AT CITY HALL, 220 CLAY STREET**

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**Call to Order and Roll Call**

**Approval of Minutes**

- [1.](#) Planning and Zoning Commission Regular Meeting Minutes for November 21, 2023

**Public Comments**

**Old Business**

**None**

**New Business**

- [2.](#) **Final Plat – Ashworth North (FP23-001)**  
**Petitioner:** David A. Nicol; owner  
**Previous discussion:** None  
**Recommendation:** *Approval*  
**P&Z Action:** *Discuss and consider making a recommendation to City Council*

**Commission Updates**

**Adjournment**

Reminders:

- \* December 27 and January 10 - Planning & Zoning Commission Meetings
- \* December 18 and January 2 - City Council Meetings

**Cedar Falls Planning and Zoning Commission  
Regular Meeting  
November 21, 2023  
Cedar Falls, Iowa**

**MINUTES**

The Cedar Falls Planning and Zoning Commission met in regular session on November 21, 2023 at 5:30 p.m. at City Hall. The following Commission members were present: Alberhasky, Crisman, Hartley, Moser and Stalnaker. Grybovych, Leeper and Lynch were absent. Thomas Weintraut, Planner III, Jaydevsinh Atodaria, Planner I, and Chris Sevy, Planner I were also present.

- 1.) Acting Chair Hartley noted the Minutes from the November 8, 2023 regular meeting are presented. Ms. Crisman made a motion to approve the Minutes as presented. Ms. Alberhasky seconded the motion. The motion was approved unanimously with 5 ayes (Alberhasky, Crisman, Hartley, Moser and Stalnaker), and 0 nays.
  
- 2.) The first item of business was a Land Use Map Amendment (LUMA) and rezoning from R-1 & MU to RP for 54.79 acres of property located north of Aldrich Elementary School and south of W. Greenhill Road. The LUMA would change from “Low Density Residential”, “Greenways & Floodplain Use” and “Neighborhood Commercial & Mixed Use” to “Low Density Residential Use and (a reduced) Greenways/Floodplain.” Acting Chair Hartley introduced the item and Mr. Atodaria provided background information. He explained that the property is close to 55 acres and is currently being considered for rezoning. The parcel had an approved MU Master Plan and a preliminary plat for a 14-acre parcel, but no work was done, so the plat expired, and the land remains unplatted. And the remaining 40-acres parcel is unplatted as well. The proposal requests rezoning 54.79 acres of land from R-1 Residence District and MU Mixed Use Residential District to RP Planned Residence District. The request also includes an amendment to the Future Land Use Map in the City’s Comprehensive Plan from “Neighborhood Commercial & Mixed Use,” “Greenways and Floodplain Use” and “Low Density Residential Use” to “Low Density Residential Use.” The RP District requires the submittal of a Master Plan and development procedures agreement.

Mr. Atodaria discussed the Land Use Map Amendment, noting that a rezoning can only be approved if it is consistent with the Comprehensive Plan. He explained the significance of the land uses in the Comprehensive Plan. The analysis showed that the subject property may not be ideal for having commercial uses with presence of neighborhood serving commercial uses nearby. He noted the need for more residential development in the community. However, he also noted that removing the entire portion of “Greenways and Floodplain Use” from the Future Land Use Map may not be acceptable as per the Comprehensive Plan. Staff recommends changing the land use map as noted and adjustment of the “Greenways and Floodplain Use to align better with the stream corridor and leave enough space for a future public trail along the greenway/stream corridor. Maintaining the greenway designation along the northern edge of the development will ensure an adequate buffer from the floodplain area.

With regard to the zoning, the proposal is to rezone from R-1 and MU to RP District. He explained the allowed uses in those Districts and noted that the RP District allows more flexibility in the types of dwellings, lot sizes, building heights and setbacks. However, the applicant is proposing to restrict the development to detached single-family dwellings. The number of lots will be determined when platted. He discussed the setbacks and explained the proposed extension of existing critical connections. Street extensions will provide alternative routes and distribute the traffic to much needed connections to Greenhill Road and Aldrich Elementary School. Mr. Atodaria discussed phasing of the project and other factors

considered for rezoning including reviewing if the proposed rezoning is in environmentally sensitive areas, the subject property has access to public services and adequate street network. Mr. Atodaria noted that a developmental procedures agreement must be finalized prior to public hearing at City Council. Staff recommend approval with any comments and directions specified by the Commission. He mentioned calls and communications regarding the project.

Kevin Fittro, Panther Builders, was present to answer any questions.

Ms. Crisman stated that this should help with any water issues as the land starts to be developed, and we have some strict rules on managing water run-off. Also, this development would allow connection to Greenhill Road for the neighborhood, thus benefitting them.

Ms. Crisman made a motion to approve the item. Ms. Moser seconded the motion. The motion was approved unanimously with 5 ayes (Alberhasky, Crisman, Hartley, Moser and Stalnaker), and 0 nays.

- 3.) The next item for consideration by the Commission was a College Hill Neighborhood Overlay District site plan for modification of a parking area at 2704 College Street. Acting Chair Hartley introduced the item and Mr. Sevy provided background information. He explained that the request involves a proposal to modify the parking area and increase parking spaces while reducing the amount of unnecessary impervious surface. He discussed the important points for the project and explained that staff recommends approval of the project, including an exception request to exceed the 50% rear-yard coverage limit. 53.3% is proposed which is less than the current existing impervious. Code allows an exception of up to 55% if approved by P&Z and Council.

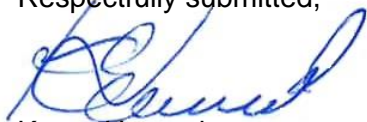
Mark lehl, 4201 Knoll Ridge, was available for questions as the petitioner. The Commission stated that they feel it would be a good improvement.

Ms. Crisman made a motion to approve the added 3.3%. Ms. Alberhasky seconded the motion. The motion was approved unanimously with 5 ayes (Alberhasky, Crisman, Hartley, Moser and Stalnaker), and 0 nays.

- 4.) As there were no further comments, Ms. Moser made a motion to adjourn. Ms. Crisman seconded the motion. The motion was approved unanimously with 5 ayes (Alberhasky, Crisman, Hartley, Moser and Stalnaker), and 0 nays.

The meeting adjourned at 5:55 p.m.

Respectfully submitted,

  
 Karen Howard  
 Community Services Manager

  
 Joanne Goodrich  
 Administrative Assistant



## DEPARTMENT OF COMMUNITY DEVELOPMENT

City of Cedar Falls  
 220 Clay Street  
 Cedar Falls, Iowa 50613  
 Phone: 319-273-8606  
 Fax: 319-273-8610  
 www.cedarfalls.com

### MEMORANDUM

#### *Planning & Community Services Division*

**TO:** Planning & Zoning Commission  
**FROM:** Thom Weintraut, AICP, Planner III  
 Brett Armstrong, EI, Engineer  
**DATE:** December 13, 2023  
**SUBJECT:** Ashworth North Final Plat

**REQUEST:** Request to approve the final plat for Ashworth North Subdivision, Case #FP23-001

**PETITIONER:** David Nicol, owner; CGA Engineering, Engineer

**LOCATION:** The property is located on the northwest corner of the intersection of Ashworth Drive and Hudson Road.

#### PROPOSAL

The petitioner has submitted an application to final plat 1.96 acres in to seven (7) lots. The property is located on the northwest corner of the intersection of Ashworth Drive and Hudson Road.

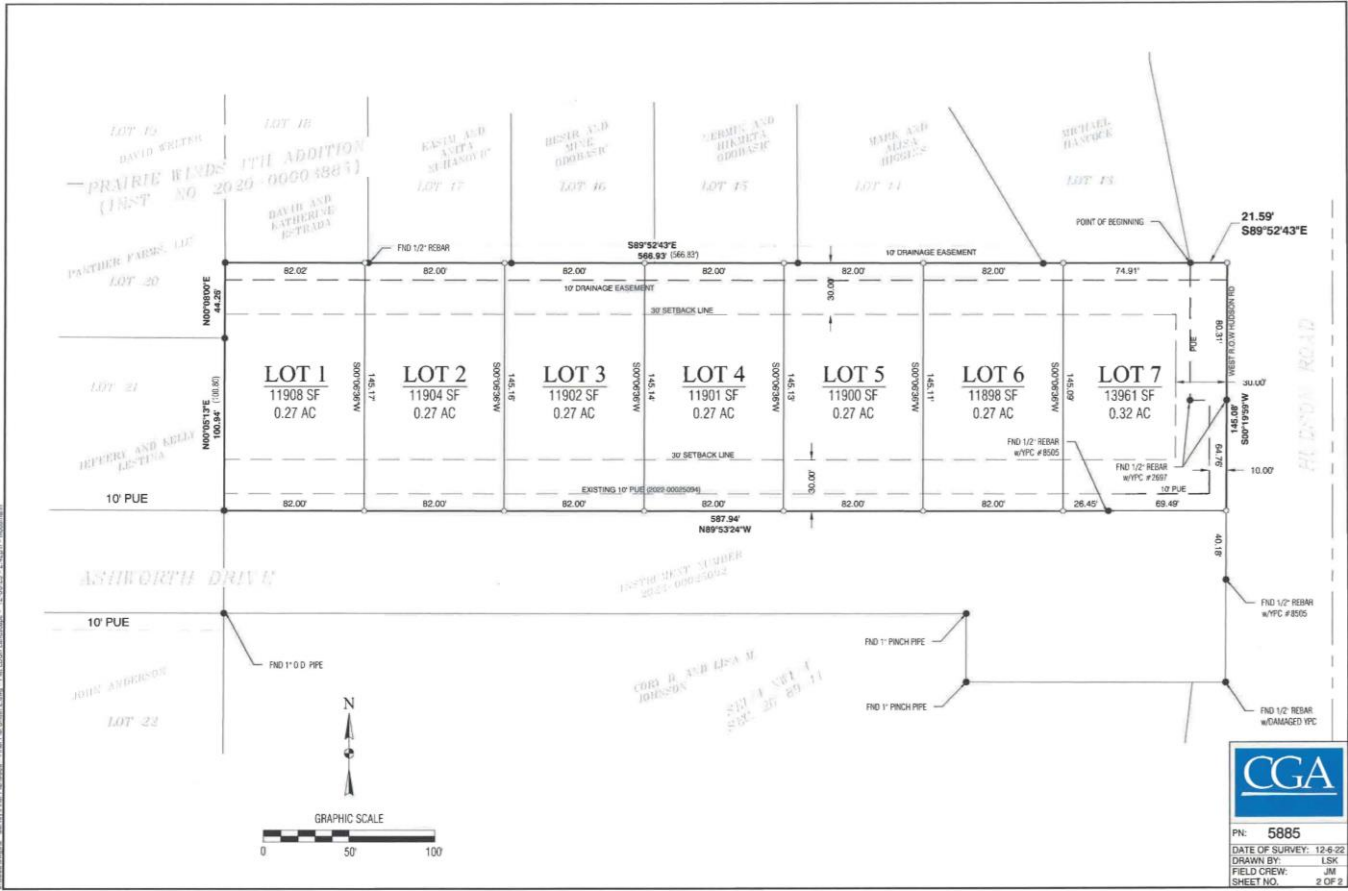
#### BACKGROUND

The property is the remaining portion of a 3.07-acre parcel from which the City purchased the south 0.89-acre portion to complete Ashworth Drive, a critical connection between Prairie Winds 4<sup>th</sup> Addition and Hudson Road. The City Council approved a request to rezone this property to R-1 Residence District on May 15, 2023. On June 20, 2023, the City Council approved a request to vacate 1,724 square feet of Hudson Road right-of-way abutting the property which will be incorporated into Lot 7 of the final plat. On August 21, 2023, the City Council approve the conveyance of the right-of-way to Mr. Nicol and a preliminary plat request to divide approximately 2 acres into seven (7) lots. The construction of the street and most of the infrastructure was undertaken by the City, so the approval of a final plat was dependent on timing of the completion of the road project.

#### ANALYSIS

This subdivision is unusual as it does not include any public infrastructure within the boundaries of the plat. The City has already constructed the road and extended utilities to serve the seven lots within this plat. The owner/developer of the lots will be responsible for the installation of utility service lines to each residence and public sidewalks along that portion of Ashworth Drive abutting

each lot as development occurs.



The lots exceed the minimum lot size for the R-1 Residence District with an average lot size of approximately 11,950 square feet, similar in size to the adjacent lots in Prairie Winds 4<sup>th</sup> Addition. The front and rear setbacks are provided on the plat and are consistent with the R-1 Residence District requirement of 30 feet. The side yard setbacks will be determined by the lot width as per the R-1 District requirements.

This is an infill site and to ensure surface water flows to the 10-foot drainage easement at the rear of the lots, the entire site will have to be graded accordingly before the final plat can be approved.

The applicant has supplied the required documents for approval of the final plat except for a final draft of a Deed of Dedication. The staff has been working with the applicant to draft a Deed of Dedication which addresses all the necessary requirements pertinent to the request, such as sidewalk installation and common area maintenance.

The City Code states that the final plat must be in substantial conformance with the preliminary plat. Staff finds that the proposed final plat is conforming with the preliminary plat and associated conditions.

**PROCESS**

Again, the installation of all the public infrastructure has been completed by the City except for the sidewalk along Ashworth Drive. According to subdivision code requirements, the public

sidewalk installation will be required when the development of each lot is completed or within five (5) years after the date of approval of the final plat, whichever is earlier. As a condition of the preliminary plat approval, the applicant was required to grade the entire site to ensure proper drainage on the site prior to the approval of the final plat by City Council. The applicant is working with a contractor to complete the grading as required.

### NEIGHBOR NOTICE

A courtesy notice was mailed to nearby property owners on December 6, 2023.

### TECHNICAL COMMENTS

City technical staff, including Cedar Falls Utilities (CFU) personnel, has noted the following:

The applicant shall complete the final grading of the entire site before the Final Plat can be approved by City Council.

A final signed deed of dedication will be required to be submitted to the City Council for approval.

The owner of Lot 7 will be responsible for the clearing and maintenance of the Hudson Road sidewalk and adjacent area within the public right-of-way that abuts the lot.

Cedar Falls Utilities (CFU) has reviewed the final plat for the Ashworth Drive development. Water & gas utility services are available in accordance with the service policies of CFU. Electric and communications utility services will be installed on the north side of Ashworth Drive in the spring of 2024.

Additional grading of the property (north of the south property line in the utility easement area) will need to take place prior to the installation of electric and communication services.

### STAFF RECOMMENDATION

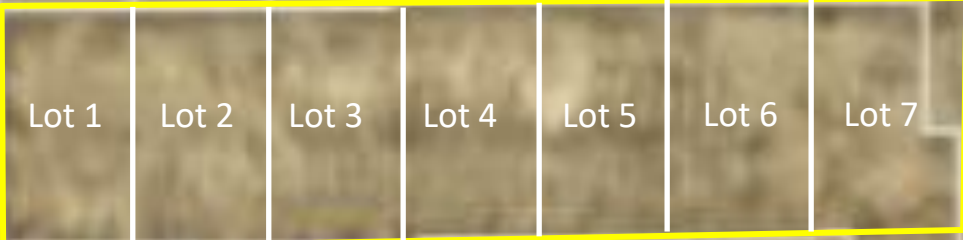
Staff recommends approval of FP23-001, a final plat of Ashworth North, subject to:

- 1) Any comments or direction specified by the Planning & Zoning Commission.
- 2) Conformance to all city staff recommendations and technical requirements.

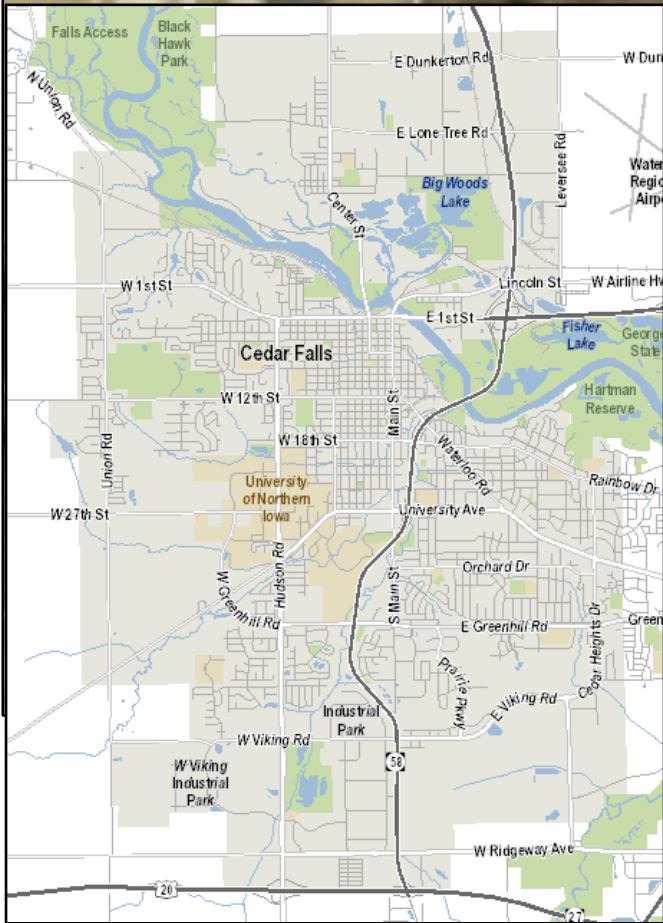
Attachments: Location map  
Final Plat



Ashworth North Final Plat



Ashworth Dr



Ashworth North Final Plat  
Hudson Road and Ashworth Dr

# FINAL PLAT

## ASHWORTH NORTH SUBDIVISION

### CEDAR FALLS, IOWA

**SURVEYOR**

TRAVIS R STEWART, P.L.S.  
 CLAPSADDLE-GARBER ASSOCIATES, INC.  
 5106 NORDIC DRIVE  
 CEDAR FALLS, IOWA 50613  
 PHONE 319-266-0258

**ZONING INFORMATION:**

CURRENT: R-1, SINGLE FAMILY RESIDENTIAL  
 FRONT YARD SET BACK 30 FEET  
 SIDE YARD SET BACK 10 FEET  
 REAR YARD SET BACK 30 FEET

**SURVEY REQUESTED BY:**

DAVID NICOL  
 3019 LOVEJOY DRIVE  
 CEDAR FALLS, IOWA 50613

**SHEET INDEX**

SHEET 1 COVER SHEET  
 SHEET 2 FINAL PLAT

**OWNERS OF RECORD**

DAVID & TAMARA NICOL  
 3019 LOVEJOY DRIVE  
 CEDAR FALLS, IOWA 50613

CITY OF CEDAR FALLS  
 220 CLAY STREET  
 CEDAR FALLS, IOWA 50613

**FLOODPLAIN:**

ZONE X  
 AREA OF MINIMAL FLOOD HAZARD  
 FIRM MAP NUMBER 19013C0277F  
 EFFECTIVE JULY 18, 2011.

**PREPARED DATE:**

MAY 2023

**NOTE:**

ALL BEARINGS ARE THE RESULT OF G.P.S.  
 OBSERVATIONS USING IaRCS: ZONE 5 WATERLOO

**CLOSURE:**

- ALL SUBDIVISION BOUNDARIES ARE WITHIN THE 1:10,000 ERROR OF CLOSURE REQUIREMENT  
 - ALL LOTS ARE WITHIN THE 1:5000 ERROR OF CLOSURE REQUIREMENT.



VICINITY MAP  
 NOT TO SCALE

**LEGAL DESCRIPTION**

A PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION NO. 26, TOWNSHIP 89 NORTH, RANGE 14 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CEDAR FALLS, BLACK HAWK COUNTY, IOWA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 13 PRAIRIE WINDS 4TH ADDITION, RECORDED AS INSTRUMENT NUMBER 2020-0003885, IN THE OFFICE OF THE RECORDER, BLACK HAWK COUNTY, IOWA; THENCE S89°52'43"E, 21.59 FEET TO THE WEST RIGHT-OF-WAY LINE OF HUDSON ROAD; THENCE S00°19'59"W, 145.08 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF SAID HUDSON ROAD; THENCE N89°53'24"W, 587.94 FEET; THENCE N00°05'13"E, 100.94 FEET; THENCE N00°08'00"E, 44.26 FEET; THENCE S89°52'43", 566.93 FEET TO THE POINT OF BEGINNING, CONTAINING 1.96 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

**LOT TABLE**

LOT	ACRES	SQ FT
1	0.27	11,908
2	0.27	11,904
3	0.27	11,902
4	0.27	11,901
5	0.27	11,900
6	0.27	11,898
7	0.32	13,961
<b>TOTAL</b>	<b>1.96</b>	<b>85,374</b>

( ) = RECORDED AS

LEGEND: (MONUMENT SYMBOLS ARE ORIENTED TO THE NORTH)

FOUND	▲	PLSS CORNER (as noted)
	●	FND 1/2" RBR W/ OPC #17162
SET	△	PLSS CORNER - 1/2" DIAMETER x 30" IRON REBAR w/ORANGE PLASTIC ID CAP (#17162)
	○	1/2" DIAMETER x 30" IRON REBAR w/ORANGE PLASTIC ID CAP (#17162)



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.

*Travis R. Stewart* 12/06/2023  
 Travis R. Stewart, PLS date  
 Iowa License Number 17162  
 My License Renewal Date is December 31, 2023

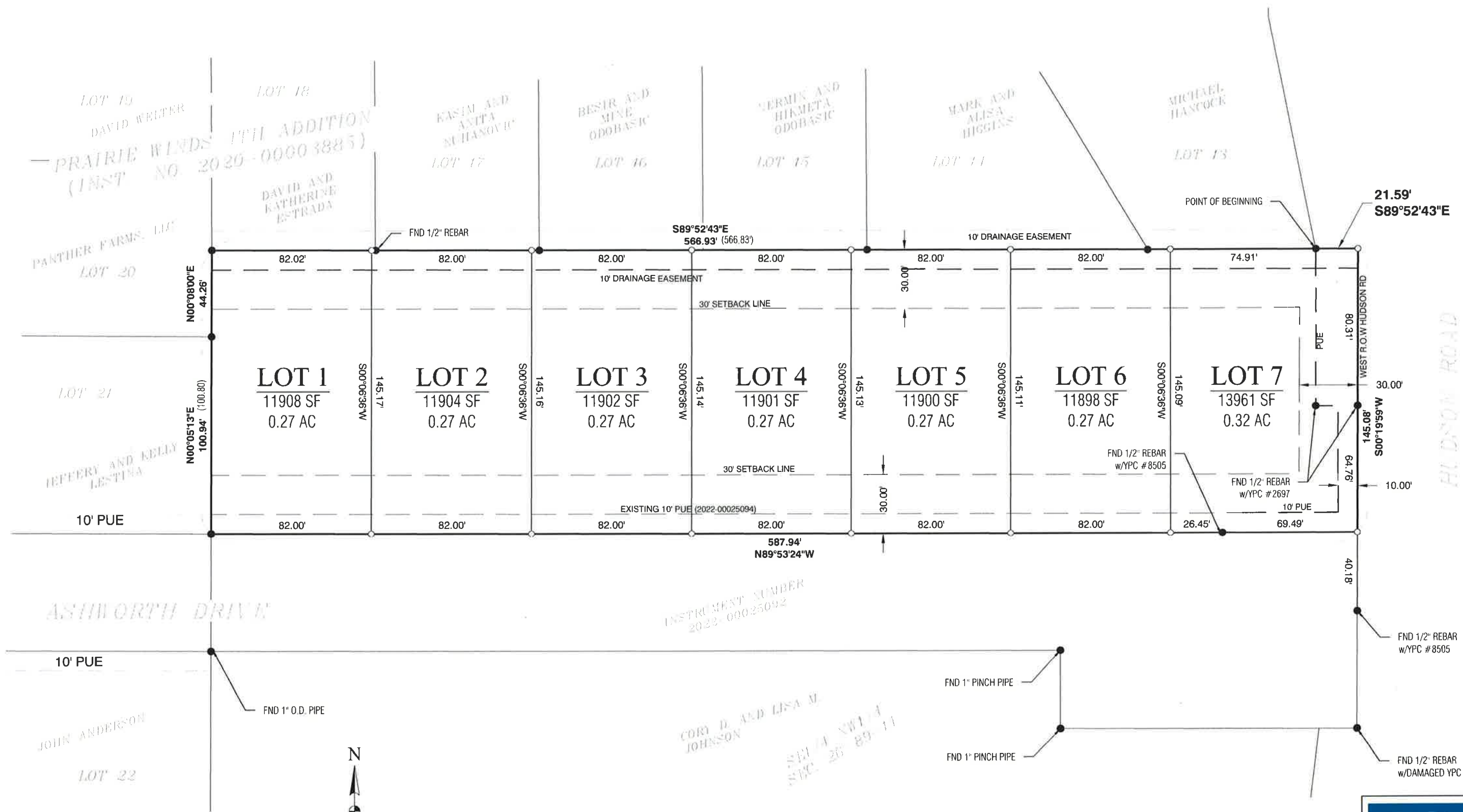
Pages or sheets covered by this seal: SHEETS 1 AND 2

PROJECT NO. 5885  
 DATE OF SURVEY: 12-6-22  
 DRAWN BY: TMM  
 FIELD CREW: JM  
 SHEET NO. 1 OF 2

J:\BIB\dwg\22\_Survey\Final Plat\5885 - Final Plat Sheet 1.dwg - Landscape - 12-06-22 - 2:38pm - hoesman.m



J:\885\dwg2 - Survey\Final Plat\5885 - Final Plat Sheet 2.dwg - Plat LDGR Landscape - 12-06-23 - 2:42pm - kkoosmann



LOT 19  
DAVID WELTER  
PRAIRIE WINDS 1TH ADDITION  
(INST NO 2020-00003885)  
PANTHER FARMS, LLC  
LOT 20

KASIM AND ANITA MUHAMMAD  
LOT 17

BESIR AND MINE ODOBASIC  
LOT 16

VERMIL AND HIKMATA ODOBASIC  
LOT 15

MARK AND ALISA HIGGINS  
LOT 14

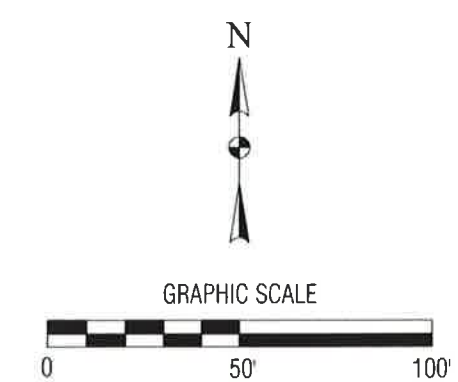
MICHAEL HANCOCK  
LOT 13

HEPHERY AND KELLY LESTINA  
LOT 21

JOHN ANDERSON  
LOT 22

INSTRUMENT NUMBER  
2022-00025092

CORY D. AND LISA M. JOHNSON  
SPT 14 NW 1/4  
SEC. 20 T89-11



**CGA**

PN: 5885  
 DATE OF SURVEY: 12-6-22  
 DRAWN BY: LSK  
 FIELD CREW: JM  
 SHEET NO. 2 OF 2