



AGENDA
CITY OF CEDAR FALLS, IOWA
PLANNING AND ZONING COMMISSION MEETING
WEDNESDAY, SEPTEMBER 28, 2022
5:30 PM AT CEDAR FALLS COMMUNITY CENTER, 528 MAIN STREET

Call to Order and Roll Call

Approval of Minutes

1. Planning and Zoning Commission Regular Meeting Minutes of September 14, 2022

Public Comments

Old Business

2. **Rezoning (Amendment to Zoning Agreement) –Lots 5 & 6 Midway Business Park (RZ22-003)**
Location: Midway Business Park on Greenhill Circle
Petitioner: Lucas Moore, Oak District LLC
Previous discussion: September 14, 2022
Recommendation: *Approval*
P&Z Action: *Hold public hearing and make a recommendation to City Council*
3. **Zoning Text Amendment – Petition from City Council to Amend Parking Requirements in the Downtown Character District (TA22-004)**
Location: Downtown Character District
Petitioner: City Council
Previous discussion: January 26, 2022; February 9, 2022; September 14, 2022
Recommendation: *Make a recommendation to City Council*
P&Z Action: *Hold public hearing and make a recommendation to City Council*

New Business

4. **Partial Easement Vacation – 3718 Apollo Street (VAC22-001)**
Location: 3718 Apollo Street
Petitioner: Ryan N. Borgwart; Owner
Previous discussion: None
Recommendation: *Approval*
P&Z Action: *Discussion and consider making a recommendation to City Council*
5. **College Hill Neighborhood Overlay Design Review – New garage (DR22-002)**
Location: 1214 W. 20th Street
Petitioner: Aaron Carolan
Previous discussion: None
Recommendation: *Approval*
P&Z Action: *Discuss and consider making a recommendation to City Council*

Commission Updates

Adjournment

Reminders:

- * October 12 & 26 - Planning & Zoning Commission Meetings
- * October 3 & 17 - City Council Meetings

**Cedar Falls Planning and Zoning Commission
Regular Meeting
September 14, 2022
Cedar Falls, Iowa**

MINUTES

The Cedar Falls Planning and Zoning Commission met in regular session on September 14, 2022, at 5:30 p.m. at the Community Center. The following Commission members were present: Crisman, Grybovych, Holst, Larson, Leeper and Moser. Hartley, Lynch and Saul were absent. Karen Howard, Planning & Community Services Manager and Thomas Weintraut, Planner III were also present.

- 1.) Chair Leeper noted the Minutes from the August 24, 2022, regular meeting are presented. Ms. Crisman made a motion to approve the Minutes as presented. Mr. Larson seconded the motion. The motion was approved unanimously with 6 ayes (Crisman, Grybovych, Holst, Larson, Leeper and Moser), and 0 nays.

- 2.) The first item of business was a rezoning request for an Amendment to Zoning Agreement for Lots 5 & 6 Midway Business Park. Chair Leeper introduced the item and Mr. Weintraut provide background information. He explained that the item is a rezoning, not for a change in the underlying zoning, but a change to the zoning agreement that was adopted with the rezoning that occurred in 1995. At that time, neighbors were concerned about the intensity of uses and increased traffic, so the developer agreed to limit the development to office uses only even though the property is zoned R-4. In 2018, an amendment to the zoning agreement was approved to allow an assisted living facility on Lots 7 & 8. The same developer/owner, Oak District LLC, would like to build a similar assisted living facility on Lots 5 & 6, so have requested another amendment to the zoning agreement to allow this type of use on these lots. Staff recommends that a public hearing be set for the next P&Z meeting.

Ms. Crisman stated that it looks great. Mr. Holst agreed, noting it looks straightforward.

Mr. Larson made a motion to set a public hearing for the next Planning and Zoning Commission meeting. Ms. Grybovych seconded the motion. The motion was approved unanimously with 6 ayes (Crisman, Grybovych, Holst, Larson, Leeper and Moser), and 0 nays.

- 3.) The next item for consideration by the Commission was a zoning text amendment petition from City Council to amend parking requirements in the Downtown Character District. Chair Leeper introduced the item and Ms. Howard provided background information. She explained that Council has petitioned the Commission to amend requirements by deleting all requirements for shared parking in the Downtown Character District and to increase the minimum parking requirement for residential uses in multi-unit and mixed-use buildings from 0.75 spaces per bedroom to one space per bedroom. Ms. Howard discussed the timeline of discussions at previous meetings and decisions that were made.

Ms. Moser asked if there have been issues that have caused them to re-evaluate the parking situation. Ms. Howard stated that she is not aware of any issues. Mr. Leeper stated that this exact conversation happened in January and Mr. Holst agreed, noting that this had been decided earlier this year. Mr. Larson asked for clarification as to why this is being brought back after a decision has already been made. Mr. Holst also noted that he's not sure if this is as big of an issue as it is being made. The shared parking requirement is not that significant for this to be an issue. Ms. Moser stated that she feels that the idea behind this was to try it out and see how it worked and then make changes as needed. She would like to continue to do that.

Ms. Moser made a motion to set a public hearing for the next Planning and Zoning Commission meeting. Ms. Crisman seconded the motion. The motion was approved unanimously with 6 ayes (Crisman, Grybovych, Holst, Larson, Leeper and Moser), and 0 nays.

- 4.) As there were no further comments, Ms. Crisman made a motion to adjourn. Ms. Larson seconded the motion. The motion was approved unanimously with 6 ayes (Crisman, Grybovych, Holst, Larson, Leeper and Moser), and 0 nays.

The meeting adjourned at 5:48 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: 319-273-8600
 Fax: 319-273-8610
 www.cedarfalls.com

MEMORANDUM

Planning & Community Services Division

TO: Planning & Zoning Commission
FROM: Thom Weintraut, AICP, Planner III
DATE: September 21, 2022
SUBJECT: Rezoning Amendment – Midway Business Park

REQUEST: Rezoning Amendment on Lots 5 & 6 of Midway Business Park
PETITIONER: Lucas Moore, Oak District LLC
LOCATION: Lots 5 & 6 Midway Business Park: Greenhill Circle

PROPOSAL

The applicant submitted a request to amend the zoning restriction placed on Lots 5 and 6 of the Midway Business Park subdivision. This restriction only allows for the construction of professional service office buildings and the applicant wished to establish a nursing home/senior assisted living facility on said lots.

BACKGROUND

The zoning designation on this property changed from R-1, Residential to R-4, Multifamily Residential in January of 1995. The R-1 district was part of the Midway subdivision that included the residential homes on Lovejoy Drive, Valley High Drive and Cardinal Court east of Cedar Heights Drive. Due to its location along the Greenhill Road, an arterial street, and the potential for commercial and professional office development, an upzoning from R-1 to R-4 on this portion of the property was recommended. At that time, due to concerns expressed by nearby residents, the petitioner agreed to limit the uses in this R-4 district to only professional office development through a zoning agreement. It should be noted that the R-4, Residential district permits a wide range of uses including one and two unit dwellings, multifamily dwellings, nursing homes and hospitals. In addition, commercial entities such as funeral homes, hotels/motels and professional service offices are permitted. Since the zoning agreement is part of the zoning of these properties, any proposal to vary from the agreement requires a rezoning action.

The zoning change in January 1995 was followed by the approval of the Midway Second Addition for the creation of four residential lots at the east end of Lovejoy Drive. This plat proposed a cul-de-sac which eliminated the through traffic into the R-1 zoning district. The

approval of the plat eased some concerns brought from nearby residential property owners that were opposed to a potential increase in traffic and parking from the R-4 district. Finally, in the summer of 2003, the Midway Business Park subdivision was approved for nine (9) new lots off of Greenhill Road with a short cul-de-sac (Greenhill Circle) to serve these lots. When the property was platted, included in the Deed of Dedication (DoD) was a restriction of professional office uses, echoing the zoning restrictions. In 2003, The First Security Bank developed Lot 1 located at the intersection of Greenhill Circle and Greenhill Road. In 2015, the Community Foundation of Northeast Iowa built their new office on Lots 2 and 3 west of the bank at the end of Greenhill Circle.

In 2018, at zoning change approved by Council for Lots 7 & 8 to amend the previous zoning agreement to allow an assisted living facility on these two lots. The new living facility, Oak District opened in 2020. In addition to the zoning agreement amendment, the DoD was amended to remove the office use restrictions on all the lots.

With the success of the initial facility, Oak District, the applicant would like to amend the zoning agreement to allow a second facility on Lots 5 & 6. If this request is approved, only two lots will remain undeveloped.

ANALYSIS

To the north, the property abuts a City-owned lot that is used as a stormwater detention basin, to the east is the Oak District assisted living facility, to the south is First Security State Bank and to the west is an undeveloped lot currently owned by First Security State Bank.

This request is unlike a typical rezoning request because the initial request restricted the usage of these two lots to professional office uses. The proposal is to amend the zoning agreement to allow a use that is generally permitted in the R-4 district. All basic utility accommodations serve the property including sanitary sewer and a water main to each lot. The developer would utilize one connection and the other service connections will need to be abandoned at the developers cost. Vehicular access to the property is from Greenhill Circle.

The two lots in question are 1.09 acres in area. The site plan submitted mirrors the previous development showing a 9,813 square foot building with 16 units and 11 parking spaces to serve the staff and visitors, as most residents are unable to drive.

Based on the proposed development of Lots 5 and 6 in the Midway Business Park addition, staff supports this request for an amendment to the zoning agreement. The proposed use, assisted living, is allowed in the R-4 zoning district. Reviewing the case history of this zoning agreement and subsequent platting of the property, staff finds that this change to the zoning agreement will be compatible with the surrounding neighborhood. The one-story building is similar in height to nearby homes and subject to similar building setbacks. Use of the property for supportive housing is consistent with the intended purpose of the zone. The traffic to the subject properties will not affect the surrounding residential properties because the only access to these lots is from Greenhill Circle via Greenhill Road.

The zoning agreement approved in 1994 and revised in 2018 will need to be revised to accommodate the proposed senior assisted living facility.

A notice was mailed to the adjoining property owners on September 6, 2022 regarding this zoning district amendment.

STAFF RECOMMENDATION

The Department of Planning and Community Services recommends approval of the proposed amendment to the Zoning Agreement for the Midway Business Park Addition by deleting paragraph 2 and substituting in its place:

2. That the development of the Midway Business Park Addition shall be restricted to professional office only on Lots 1-4 and Lot 9. Lots 5-8 may be used for professional offices, nursing homes and senior assisted facilities.

The zoning agreement will otherwise remain unchanged. (See attached the proposed amendment agreement and the original zoning agreement).

PLANNING & ZONING COMMISSION

Introduction
9/14/2022

The first item of business was a rezoning request for an Amendment to Zoning Agreement for Lots 5 & 6 Midway Business Park. Chair Leeper introduced the item and Mr. Weintraut provide background information. He explained that the item is a rezoning, not for a change in the underlying zoning, but a change to the zoning agreement that was adopted with the rezoning that occurred in 1995. At that time, neighbors were concerned about the intensity of uses and increased traffic, so the developer agreed to limit the development to office uses only even though the property is zoned R-4. In 2018, an amendment to the zoning agreement was approved to allow an assisted living facility on Lots 7 & 8. The same developer/owner, Oak District LLC, would like to build a similar assisted living facility on Lots 5 & 6, so have requested another amendment to the zoning agreement to allow this type of use on these lots. Staff recommends that a public hearing be set for the next P&Z meeting.

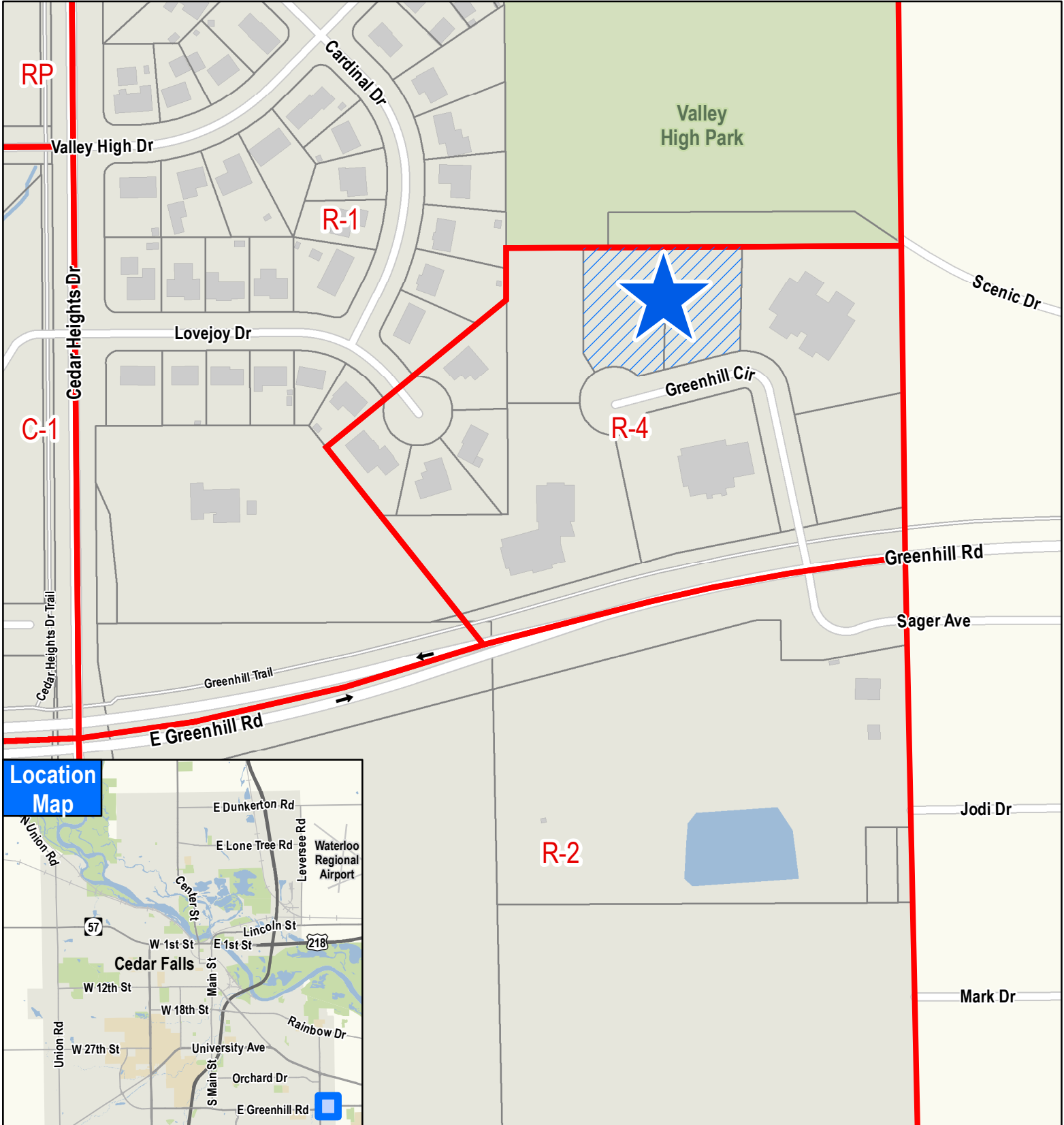
Ms. Crisman stated that it looks great. Mr. Holst agreed, noting it looks straightforward.

Mr. Larson made a motion to set a public hearing for the next Planning and Zoning Commission meeting. Ms. Grybovych seconded the motion. The motion was approved unanimously with 6 ayes (Crisman, Grybovych, Holst, Larson, Leeper and Moser), and 0 nays.

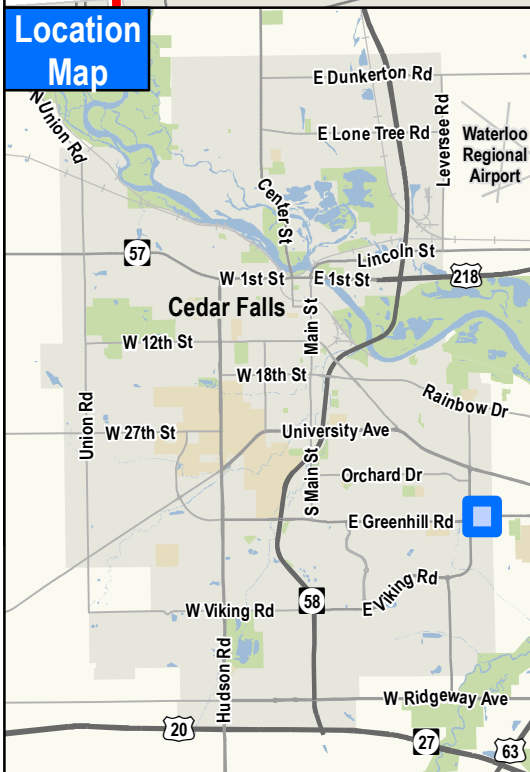
Attachments: Location map
Rezoning Plat
Request Letter
Site Plan
Proposed revision to the Zoning Agreement
2018 revision to the Zoning Agreement
Original Zoning Agreement

Cedar Falls Planning and Zoning Commission September 14, 2022

Item 2.



Location Map



Midway Business Park Lots 5 & 6 Zoning Amendment (RZ 22-003)

FINAL PLAT MIDWAY BUSINESS PARK CEDAR FALLS, IOWA

LEGAL DESCRIPTION

That part of the Southwest Quarter (SW ¼) of Section Twenty (20), Township Eighty-nine (89) North, Range Thirteen (13) West of the Fifth Principal Meridian, in the City of Cedar Falls, Black Hawk County, Iowa, described as follows:

Commencing at the Southeast corner of said Southwest Quarter (SW ¼); thence N 0°41'32" E 180.64 feet to the Point of Beginning at the intersection of the East line of said SW ¼ and the Northerly right of way of Greenhill Road; thence S 80°00'00" W along said right of way 372.63 feet; thence S 75°28'38" W along said right of way 356.43 feet; thence N 37°27'26" W 203.11 feet; thence S 88°59'23" E 201.66 feet; thence N 1°00'37" E 424.01 feet to a point on the East line of Midway Addition which point is 595.00 feet North of the South line of said SW ¼; thence S 88°51'17" E 631.69 feet to a point on the East line of said SW ¼ which point is 595.00 feet North of the South line of said SW ¼; thence S0°42'21" W along the East line of said SW ¼ 414.93 feet to the Point of Beginning, containing 7.492 acres more or less, and is subject to easements and restrictions of record.

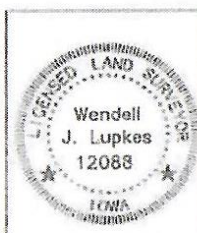
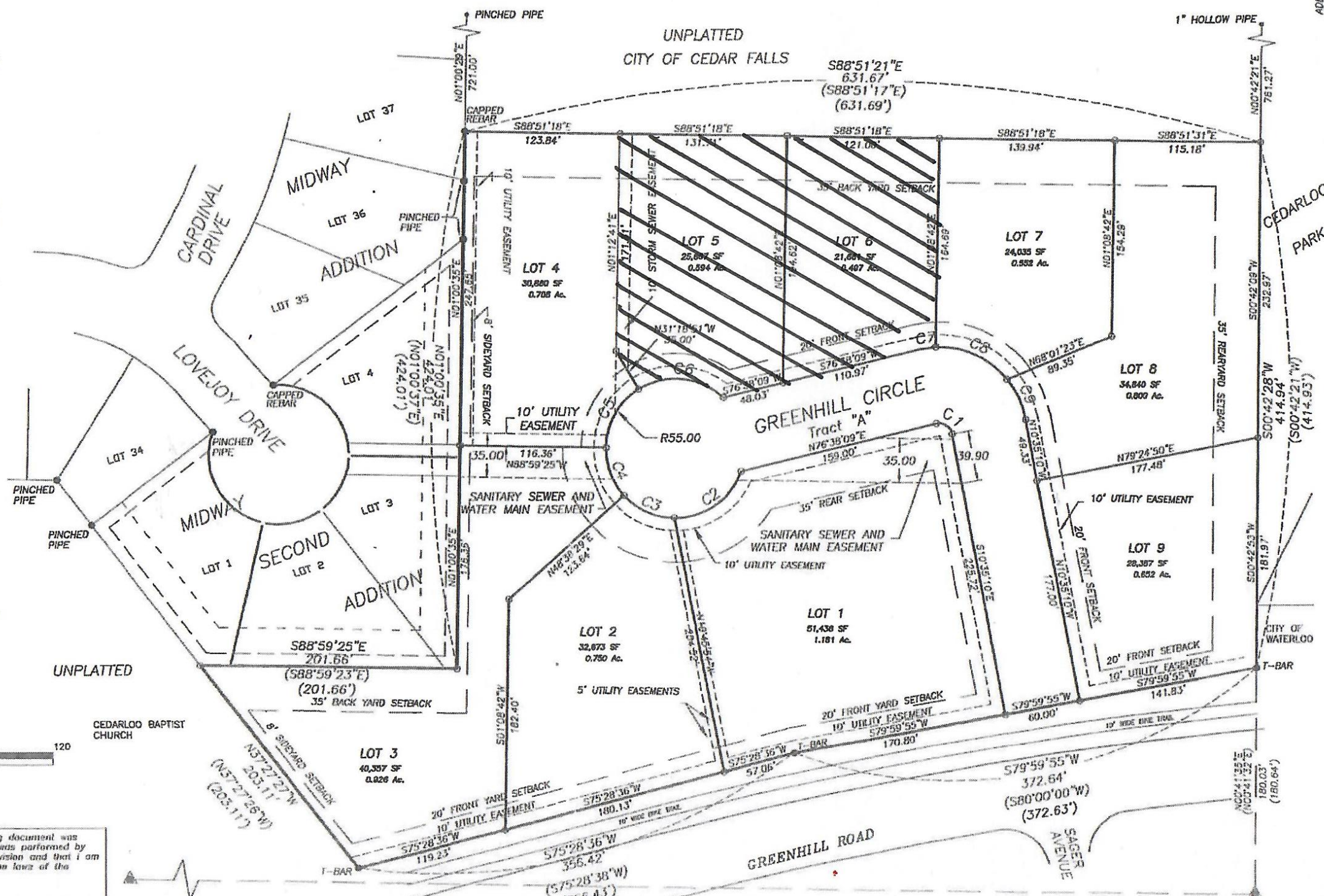
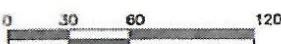
OWNER / DEVELOPER
FIRST SECURITY STATE BANK
3118 GREENHILL ROAD
CEDAR FALLS, IA 50613

- NOTES:
1) THE EAST LINE OF THE SOUTHWEST QUARTER IS ASSUMED TO BEAR N 0°42'21" E (A RECORD BEARING)
2) THE UNADJUSTED ERROR OF CLOSURE IS BETTER THAN 1:10,000
3) ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

CURVE	LENGTH	RADIUS	CHORD	CHORD BRG
C1	14.95	10.50	13.72	N51°23'02"W
C2	68.44	55.00	64.11	N55°20'25"E
C3	44.83	55.00	43.60	S69°39'36"E
C4	41.58	55.00	40.80	S29°38'59"E
C5	55.37	55.00	53.06	S29°50'52"W
C6	71.89	55.00	66.80	N83°52'01"W
C7	13.76	70.50	13.74	S82°13'37"W
C8	65.12	70.50	62.83	N65°43'15"W
C9	35.28	70.50	34.92	N24°55'23"W

FEATURE LEGEND

- 5/8" CAPPED REBAR SET
- PROPERTY CORNER FOUND
- ▲ SECTION CORNER FOUND
- 100.00 DIMENSION OF SURVEY
- (100.00) DIMENSION OF RECORD
- Gas- EXISTING GAS
- Stm- EXISTING STORM SEWER
- San- EXISTING SANITARY SEWER
- Tel- EXISTING TELEPHONE
- Wat- EXISTING WATER
- EXISTING LIGHT POLE
- EXISTING UTILITY POLE
- EXISTING MANHOLE
- EXISTING FIRE HYDRANT
- EXISTING TREE



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 Land Surveyor under the laws of the State of Iowa.

WENDELL J. LUPKES, L.S. DATE
License number 12088
My license renewal date is December 31, 2004
Pages or sheets covered by this seal:

SW COR SE1/4, SW1/4
SEC. 20-89-13
"X" CUT ON CONC.

SE COR SW1/4 COR
SEC. 20-89-13
"X" CUT ON CONC.

NO.	DATE	BY	REVISIONS
1	11-20-02		ADDITIONAL 5' UTILITY EASEMENT (LOTS 1 & 2)

NO.	DATE	BY	REVISIONS
1	11-20-02		ADDITIONAL 5' UTILITY EASEMENT (LOTS 1 & 2)

NO.	DATE	BY	REVISIONS
1	11-20-02		ADDITIONAL 5' UTILITY EASEMENT (LOTS 1 & 2)

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NO.	DATE	BY	REVISIONS
1	11-20-02		ADDITIONAL 5' UTILITY EASEMENT (LOTS 1 & 2)

van winkle-jacob engineering, inc.
1501 technology parkway
cedar falls, iowa - 319-266-5829

MIDWAY BUSINESS PARK, FINAL PLAT
CEDAR FALLS, IOWA

I would like to amend the zoning to lots 5 and 6 in the Midway Business park to allow for another assisted living building. We would be adding a much-needed service to Cedar Falls. Our current location has been a great success and a positive impact in the midway business park.

Luke Moore

**ASSISTED LIVING FACILITY
OAK DISTRICT ASSISTED LIVING
GREENHILL CIRCLE
CEDAR FALLS, IOWA**

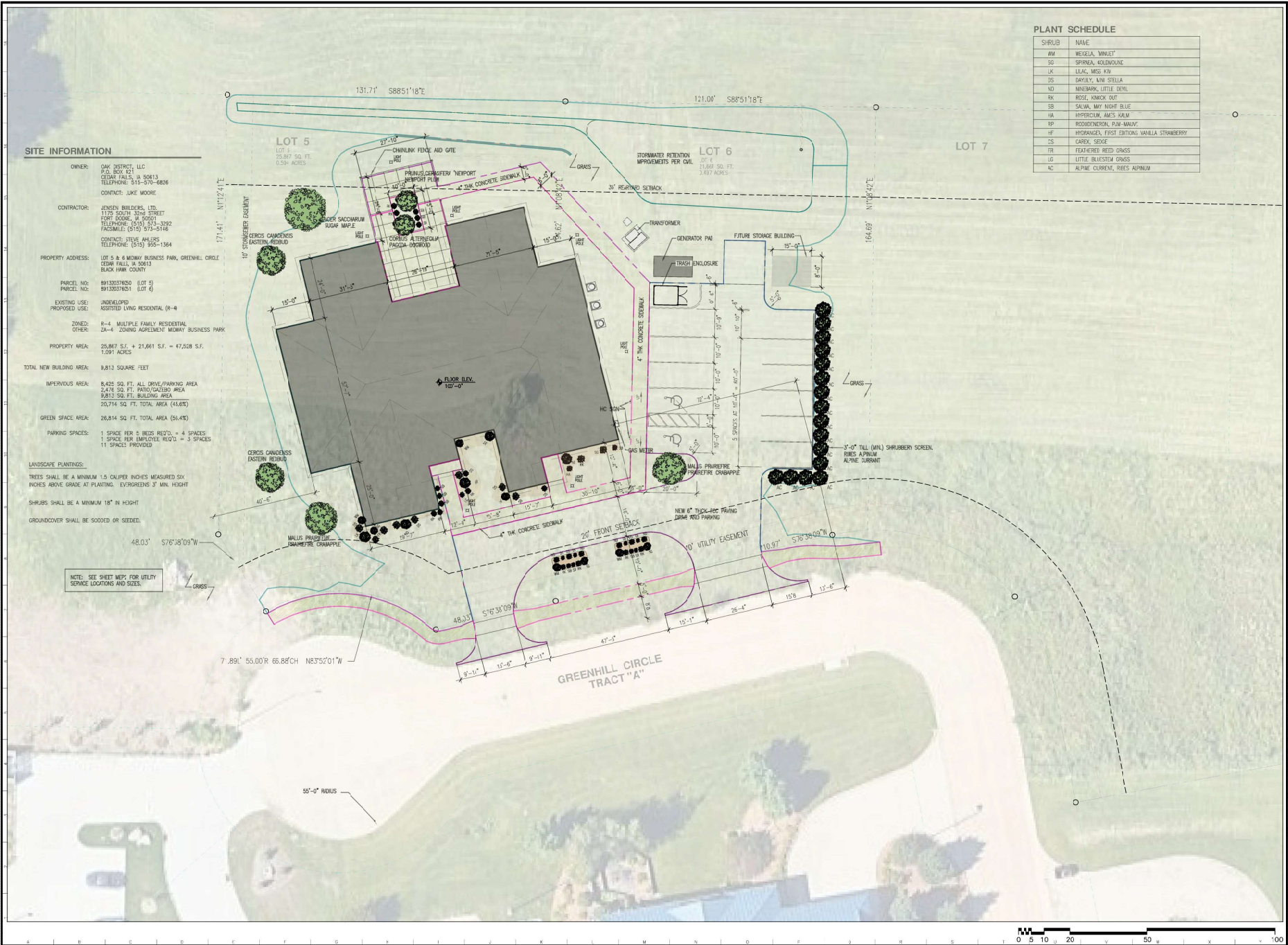
DATE	DESCRIPTION
12-3-2021	PRELIMINARY
3-3-2022	PERMIT SET

PROJECT NO:	21-008
DRAWN BY:	BOP
CHECKED BY:	
COPYRIGHT:	© JENSEN BUILDERS, LTD.
SHEET TITLE:	

SITE PLAN

A - 101.1

SHEET ? OF ?



Preparer Information: Thomas Weintraut, Planner III, 220 Clay Street. Cedar Falls. IA 50613. (319)273-8600

ZONING AGREEMENT AMENDMENT

This Amendment to the Zoning Agreement (hereinafter the "Agreement" is made and entered into effective on this _____ day of _____, 2022, by and between, First Security State Bank, the Community Foundation of Northeast Iowa, and Oak District Assisted Living, LLC (hereinafter the "Owners") and the City of Cedar Falls, Iowa (hereinafter the "City")

WHEREAS, the Zoning Agreement was approved by City Resolution No. 9798 on December 12, 1994, on property described as follows:

Part of the Southeast Quarter of the Southwest Quarter of Section 20, Township 89 North, Range 13 West of the 5th P.M. in Cedar Falls, Black Hawk County, Iowa, described as follows; Beginning 180 feet north of the Southeast corner of said Southwest Quarter; thence North 0°16'57" West 415 feet along the East line of said Southwest Quarter; thence North 89°50' West along a line parallel to the South line of said Southwest Quarter to the East line of Midway Addition, in the City of Cedar Falls, Black Hawk County, Iowa; thence South 0°0'20" West to the most Southeasterly corner of Lot 36 in said Midway Addition; thence South 51°36'20" West to the most Southerly corner of said Midway Addition; thence South 38°23'40" East 357.72 feet to the South Quarter; thence North 19°30' East a distance of 730 feet to the point of beginning.

WHEREAS, the Zoning Agreement was a part of the rezoning of property from the R-1, Residential Zoning District to the R-4, Residential Zoning District by Ordinance No. 2080 on January 9, 1995; and

WHEREAS, on September 4, 2018, the 1994 Zoning Agreement was amended to allow professional offices, nursing homes, and senior assisted living facilities only of Lots 7 and 8: and

WHEREAS, Iowa Code 414.5, as amended, provides that a City Council may impose reasonable conditions on granting an applicant's rezoning request, over and above existing regulations, in order to satisfy public needs directly caused by the requested change; and

WHEREAS, the Zoning Agreement contains certain additional restrictions to address concerns with potential traffic impacts to abutting lower density residential

properties caused by certain higher intensity uses allowed within the R-4 Residential Zoning District; and

WHEREAS, certain conditions imposed under the original agreement have been satisfied, including the Lovejoy Drive cul-de-sac as part of the Midway 2nd Addition and the Greenhill Drive cul-de-sac as part of the Midway Business Park Addition; and

WHEREAS, the Midway Business Park Addition is not connected with a public street into the adjoining residential neighborhoods; and

WHEREAS, the traffic generated by the proposed development of Lots 5 Thru 8 will not interfere with the adjoining residential neighborhoods; and

WHEREAS, Owner acknowledges that certain conditions and restrictions are reasonable to address remaining issues of compatibility with the surrounding lower density residential neighborhood; and

WHEREAS, Owner has voluntarily offered to use the subject property in accordance with the terms and conditions of this Zoning Agreement, as amended herein, to address the public needs referenced above; and

WHEREAS, the Midway Business Park Addition is subject to said Zoning Restrictions; and

WHEREAS, Oak District Assisted Living, LLC is owner of Lots 5 & 6 in the Midway Business Park Addition; and

WHEREAS, the Oak District Assisted Living, LLC proposes to amend Paragraph 2 of the Conditions contained in the Zoning Agreement for Lots 5 & 6 in the Midway Business Park Addition by amending the use of the property to professional offices nursing homes and senior assisted living facilities only.

NOW THEREFORE, BE IT AGREED AS FOLLOWS:

1. Paragraph 2 of the Conditions contained in the Zoning Agreement of the R-4 Residential Zoning District is hereby deleted, and the following new Paragraph 2 is substituted in its place:

“That the development of the Midway Business Park Addition shall be restricted to professional office only on Lots 1 – 4 and Lot 9. Lots 5 – 8 may be used for professional offices, nursing homes and senior assisted living facilities.”

2. Except for the amendments to Paragraph 2 of the Zoning Agreement as set forth in paragraph 1 of this Zoning Agreement Amendment, the parties hereby ratify and confirm all remaining terms, conditions, and provisions of the Zoning Agreement, as herein amended.

3. The parties acknowledge that this Zoning Agreement Amendment shall inure to the benefit of, and shall be binding upon each of the Lot Owners and their respective heirs, personal representatives, successors and assigns, and shall run with the land which comprises all of the lots and tracts in the Subdivision.

4. The Agreement shall become effective upon execution by all of the Lot Owners and upon approval of the Agreement by the City Council of the City.

The forgoing conditions shall apply to the above described real estate and shall run with the land.

IN WITNESS WHEREOF, the Owner and the City have executed this Agreement, to be effective as of the date stated at the beginning of this Agreement, Which Shall be the date the last party to this Agreement executes this Agreement.

FIRST SECURITY STATE BANK

By _____

Title _____

STATE OF IOWA, COUNTY OF BLACK HAWK, ss:

This record was acknowledged before me on the _____ day of _____, 2022 by _____,

Notary Public in and for the State of Iowa

My Commission Expires:

COMMUNITY FOUNDATION OF NORTHEAST IOWA

By _____

Title _____

STATE OF IOWA, COUNTY OF BLACK HAWK, ss:

This record was acknowledged before me on the _____ day of _____, 2022 by _____,

Notary Public in and for the State of Iowa

My Commission Expires:

OAK DISTRICT ASSISTED LIVING, LLC

By _____

Title _____

STATE OF IOWA, COUNTY OF BLACK HAWK, ss:

This record was acknowledged before me on the _____ day of _____, 2022 by _____,

Notary Public in and for the State of Iowa

My Commission Expires:

CITY OF CEDAR FALLS, IOWA

By _____
Robert M. Green, Mayor

ATTEST:

Jacqueline Danielsen, MMC, City Clerk

STATE OF IOWA, COUNTY OF BLACK HAWK, ss.

This record was acknowledged before me on the _____ day of _____, 2022, Robert M. Green, as Mayor, and Jacqueline Danielsen, as City Clerk of the City of Cedar Falls, Iowa.

Notary Public in and for the State of Iowa

My Commission Expires:

Doc ID: 009383270004 Type: GEN
Recorded: 09/17/2018 at 01:25:34 PM
Fee Amt: \$22.00 Page 1 of 4
Black Hawk County Iowa
SANDIE L. SMITH RECORDER
File 2019-00004528

EW
*

Preparer Information: David Sturch, Planner III, 220 Clay Street, Cedar Falls, IA 50613, (319) 273-8600

ZONING AGREEMENT AMENDMENT

This Amendment to the Zoning Agreement (hereinafter the "Agreement") is made and entered into effective on this 6th day of August, 2018 by and between First Security State Bank (hereinafter the "Owner"), and the City of Cedar Falls, Iowa (hereinafter the "City")

WHEREAS, the Zoning Agreement was approved by City Resolution No. 9798 on December 12, 1994 on property described as follows:

Part of the Southeast Quarter of the Southwest Quarter of Section 20, Township 89 North, Range 13 West of the 5th P.M. in Cedar Falls, Black Hawk County, Iowa, described as follows; Beginning 180 feet north of the Southeast corner of said Southwest Quarter; thence North 0°16'57" West 415 feet along the East line of said Southwest Quarter; thence North 89°50' West along a line parallel to the South line of said Southwest Quarter to the East line of Midway Addition, in the City of Cedar Falls, Black Hawk County, Iowa; thence South 0°0'20" West to the most Southeasterly corner of Lot 36 in said Midway Addition; thence South 51°36'20" West to the most Southerly corner of said Midway Addition; thence South 38°23'40" East 357.72 feet to the South Quarter; thence North 19°30' East a distance of 730 feet to the point of beginning.

WHEREAS, the Zoning Agreement was a part of the rezoning of property from the R-1, Residential Zoning District to the R-4, Residential Zoning District by Ordinance No. 2080 on January 9, 1995; and

WHEREAS, Iowa Code 414.5, as amended, provides that a City Council may impose reasonable conditions on granting an applicant's rezoning request, over and above existing regulations, in order to satisfy public needs directly caused by the requested change; and

WHEREAS, the Zoning Agreement contains certain additional restrictions to address concerns with potential traffic impacts to abutting lower density residential properties caused by certain higher intensity uses allowed within the R-4 Residential Zoning District; and

WHEREAS, certain conditions imposed under the original agreement have been satisfied, including the Lovejoy Drive cul-de-sac as part of the Midway 2nd Addition and the Greenhill Drive cul-de-sac as part of the Midway Business Park Addition; and

WHEREAS, the Midway Business Park Addition is not connected with a public street into the adjoining residential neighborhoods; and

WHEREAS, the traffic generated by the proposed development of Lots 7 and 8 will not interfere with the adjoining residential neighborhoods; and

WHEREAS, Owner acknowledges that certain conditions and restrictions are reasonable to address remaining issues of compatibility with the surrounding lower density residential neighborhood; and

WHEREAS, Owner has voluntarily offered to use the subject property in accordance with the terms and conditions of this Zoning Agreement, as amended herein, to address the public needs referenced above; and

WHEREAS, the Midway Business Park Addition is subject to said zoning restrictions; and

WHEREAS, First Security State Bank, is owner of Lots 7 and 8 in the Midway Business Park Addition; and

WHEREAS, the First Security State Bank proposes to amend Paragraph 2 of the Conditions contained in the Zoning Agreement for the subject property as described herein by amending the use of property to professional offices, nursing homes and senior assisted living facilities only.

NOW, THEREFORE, BE IT AGREED AS FOLLOWS:

1. Paragraph 2 of the Conditions contained in the Zoning Agreement of the R-4, Residential Zoning District is hereby deleted, and the following new Paragraph 2 is substituted in its place:

“That the development of the Midway Business Park Addition shall be restricted to professional offices only on Lot 1 – 6 and Lot 9. Lots 7 and 8 may be used for professional offices, nursing homes and senior assisted living facilities”.

2. Except for the amendments to Paragraph 2 of the Zoning Agreement as set forth in paragraph 1 of this Zoning Agreement Amendment, the parties hereby ratify and confirm all remaining terms, conditions and provisions of the Zoning Agreement, as herein amended.

3. The parties acknowledge that this Zoning Agreement Amendment shall inure to the benefit of, and shall be binding upon each of the Lot Owners and their respective heirs, personal representatives, successors and assigns, and shall run with the land which comprises all of the lots and tracts in the Subdivision.

4. This Agreement shall become effective upon execution by all of the Lot Owners and upon approval of this Agreement by the City Council of the City.

The foregoing conditions shall apply to the above described real estate and shall run with the land.

IN WITNESS WHEREOF, the Owner and the City have executed this Agreement, to be effective as of the date stated at the beginning of this Agreement, which shall be the date the last party to this Agreement executes this Agreement.

FIRST SECURITY STATE BANK

By *Dennis M. Hansen*
Dennis Hansen, President

STATE OF IOWA, COUNTY OF BLACK HAWK, ss.

This record was acknowledged before me on the 2nd day of August, 2018, by Dennis Hansen, President of First Security State Bank.

Laura Saul
Notary Public in and for the State of Iowa

My Commission Expires:

11-3-2018



CITY OF CEDAR FALLS, IOWA

By *James P. Brown*
James P. Brown, Mayor



Jacqueline Danielsen
Jacqueline Danielsen, MMC, City Clerk

STATE OF IOWA, COUNTY OF BLACK HAWK, ss.

This record was acknowledged before me on the 8th day of August, 2018, by James P. Brown, as Mayor, and Jacqueline Danielsen, as City Clerk, of the City of Cedar Falls, Iowa.

Marcie Breitbach
Notary Public in and for the State of Iowa

My Commission Expires:

April 28, 2019



COPY

ZONING AGREEMENT

This Agreement is made and entered into this 3th day of December, 1994, by and between R & N Investments, an Iowa Partnership, hereinafter called R & N Investments and the City of Cedar Falls, Iowa, hereinafter called City.

WHEREAS, R & N Investments is requesting a change in zoning for real estate described as follows:

Part of the Southeast Quarter of the Southwest Quarter of Section 20, Township 89 North, Range 13 West of the 5th P.M. in Cedar Falls, Black Hawk County, Iowa, described as follows: Beginning 180 feet north of the Southeast corner of said Southwest Quarter; thence North $0^{\circ}16'57''$ West 415 feet along the East line of said Southwest Quarter; thence North $89^{\circ}50'$ West along a line parallel to the South line of said Southwest Quarter to the East line of Midway Addition, in the City of Cedar Falls, Black Hawk County, Iowa; thence South $0^{\circ}0'20''$ West to the most Southeasterly corner of Lot 36 in of said Midway Addition; thence South $51^{\circ}36'20''$ West to the most Southerly corner of said Midway Addition; thence South $38^{\circ}23'40''$ East 357.72 feet to the South Quarter; thence North $19^{\circ}30'$ East a distance of 730 feet to the point of beginning.

from the R-1, Residential Zoning District to the R-4, Residential Zoning District, and

WHEREAS, Iowa Code Section 414.5 provides that a City Council may impose conditions on a property owner which are in addition to existing regulations if the additional conditions have been agreed to in writing by the property owner before the public hearing required under this Section or any adjournment of the hearing, and

WHEREAS, the City Council has determined that the additional conditions hereinafter provided are necessary to warrant a rezoning of the above described real estate.

NOW, THEREFORE, it is hereby agreed by and between the above named parties that the following conditions are hereby imposed on R & N Investments and the real estate described as follows in addition to the existing regulations governing all real estate included in the R-4, Residential Zoning District. Said conditions are as follows:

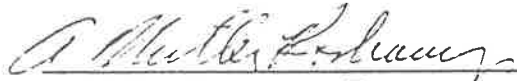
1. That a cul-de-sac street will be installed at the east end of Lovejoy Drive where single family residential lots will be established.

- 2. That the remaining property subject to rezoning east of the Lovejoy Drive cul-de-sac area will be developed solely with professional service office buildings.


- 3. That prior to the establishment of any uses on the property other than single family residences or professional service office buildings a separate rezoning request shall be submitted to the City for consideration in the normal fashion.

The foregoing conditions shall apply to the above described real estate and shall run with the land.

CITY OF CEDAR FALLS, IOWA

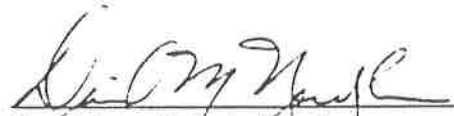


A. Miller Roskamp, Property Owner

By: 

Ed Stachovic, Mayor

ATTEST:



David M. Nordyke, Property Owner



Gary L. Hesse, City Clerk

OWNER'S STATEMENT AND DEED OF DEDICATION
FOR

**MIDWAY BUSINESS PARK
CEDAR FALLS, IOWA**

KNOW ALL MEN BY THESE PRESENTS:

That **Dennis Hansen, President of First Security State Bank**, being desirous of setting and platting into lots the land described in the attached Certificate of Survey by Wendell J. Lupkes, a Registered Land Surveyor, dated the 19th day of May, 2003, does by these presents designate and set apart the aforesaid premises as a subdivision of the City of Cedar Falls, Iowa, the same to be known as:

**Midway Business Park
Cedar Falls, Iowa**

in Cedar Falls, Black Hawk County, Iowa, all of which is with the free consent and desire of the undersigned, and the undersigned does hereby designate and set apart for public use the streets and avenues as shown upon the attached plat.

EASEMENTS

The owners do hereby grant and convey to the City of Cedar Falls, Iowa, its successors and assigns, and to any private corporation, firm or person furnishing utilities for the transmission and/or distribution of water, sanitary sewer, storm sewer, natural gas, electricity, communication service or cable television, perpetual easements for the erection, laying, building and maintenance of said services over, across, on and/or under the property as shown on the attached plat.

RESTRICTIONS

Be it also known that the undersigned does hereby covenant and agree for itself and its successors and assigns that each and all of the lots in said subdivision be and the same are hereby, made subject to the following restrictions upon their use and occupancy as fully and effectively to all intents and purposes as if the same were contained and set forth in each deed of conveyance or mortgage that the undersigned or its successors in interest may hereinafter make for any of said lots and that such restrictions shall run with the land and with each individual lot thereof for the length of time and in all particulars hereinafter stated, to-wit:

1. The owner of each Lot, vacant or improved, shall keep his Lot or Lots free of weeds and debris.
2. All plans and specifications of structures to be built on any lot in said subdivision are to be submitted to and approved by the developer or his authorized agent or agents. No old or used building shall be moved upon any of the Lot or Lots in said subdivision for any purpose and all buildings on any lot in said subdivision shall be kept in a reasonable state of repair and upkeep.
3. The undersigned shall provide hard surface pavement, 31-foot back of curb to back of curb, in accordance with the City of Cedar Falls standard specifications
4. The undersigned shall provide sanitary sewers for each Lot, together with all necessary manholes and sewer service line, to all Lots in the plat.
5. The undersigned will install underground utilities as required by the City of Cedar Falls Subdivision Ordinance, or as agreed upon with the City of Cedar Falls.
6. The undersigned shall provide city water for each Lot as required by the Cedar Falls Municipal utilities.
7. The undersigned shall provide municipal fire hydrants as required by the Cedar Falls Fire Department.
8. The undersigned shall provide storm sewer along with sub-drain tile along street paving as specified by the Cedar Falls City Engineer.
9. The undersigned will provide sidewalks and hard surface driveways as follows:
 - (a) That the owner or its successors will install handicap ramps as provided by state law.
 - (b) That the owner or its successors will install a 4-foot wide concrete sidewalk four inches thick along Sager Avenue, and a concrete surface driveway entrance during or immediately after the construction of a building, and that the sidewalk be across the full width of the Lot at the time of construction of a building. On lots where no construction occurs, the owner or owners of any unimproved lot five (5) years after the filing of this document shall be required to install previously mentioned sidewalk. Owner or owners of the unimproved lot or lots shall authorize and direct said City to construct the said sidewalk without any of the formalities or legal proceedings required of cities by the statutes of Iowa in construction of like improvements.

- (c) In the event the City is required to construct the sidewalk, a lien or liens may only be imposed against the Lot or Lots which require City construction, and no others in the subdivision
10. That the development of the property shall be in accordance with the current Zoning District classification set forth in the City of Cedar Falls, Iowa, Zoning Ordinance. In addition, development of the property shall be restricted to professional offices only, according to previously adopted developmental agreement.
11. The undersigned and all persons and corporations hereafter acquiring any right, title, or interest in any of the Lots in said subdivision shall be taken and held to have agreed and covenanted with the owners of all other Lots in this subdivision and with the respective successors and assigns of all of the rest of such other Lots to conform to and observe all of the foregoing covenants, restrictions and stipulations as to the construction of building thereon, for a period of 21 years from the date of filing of said plat, and this deed of dedication for record. Within the period of 21 years and in according with Iowa Code §614.24 and §614.25 (1997 Code of Iowa) or their successor provisions, these covenants, restrictions and stipulations may be extended for an additional period of 21 years upon compliance with §614.24 and §614.25 of the 1997 Code of Iowa. In the event an extension of the covenants, restrictions and stipulations contained herein shall terminate at the end of the existing period of 21 years.
12. Invalidation of any of these covenants by judgment, decree or court order, shall in no way affect any of the other provisions of this dedication and such other provisions shall remain in full force and effect
13. .All buildings erected on any lot in said subdivision shall be constructed in accordance with the Building, Plumbing and Electrical Codes of the City of Cedar Falls, Iowa.
14. If the parties hereto, or any of them, or their heirs or assigns shall violate or attempt to violate any of the covenants or restrictions herein, it shall be lawful for any other person owning property in said addition to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenants or restrictions, and for the purpose of preventing such acts or recovering damages for such violations or both, and for costs and reasonable attorney fees as determined by the court

**Midway Business Park
Cedar Falls, Iowa**

IN WITNESS WHEREOF, this instrument has been signed at Cedar Falls, Black Hawk County, Iowa, this 21st day of May, 2003.

First Security State Bank

BY: *Dennis M. Hansen*
Dennis Hansen, President

STATE OF IOWA)
)ss
COUNTY OF BLACK HAWK)

On this 21st day of May, 2003, before me, a Notary Public in and for the said State, personally appeared **Dennis Hansen**, to me personally known, who being by me duly sworn did say that he is **President of said First Security State Bank**, and that said instrument was signed on behalf of the said **First Security State Bank** by authority of its President and that said **Dennis Hansen** acknowledge the execution of said instrument to be the voluntary act and deed of said **First Security State Bank** by it voluntarily executed.



Steve Leibold
Notary Public – State of Iowa



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: Karen Howard, AICP, Planning & Community Services Manager

DATE: September 28, 2022

SUBJECT: Petition from City Council to amend parking requirements in the Downtown Character District (TA22-004)

At their Committee meeting on August 15, 2022, the City Council directed staff to forward to the Planning and Zoning Commission a petition to eliminate the mandatory requirements for shared parking from the zoning code that currently apply in the Downtown Character District. The motion was made for this petition after a previous Council Committee discussion about the time and location standards for shared parking. It was decided that given the continued concerns about the shared parking requirements that the best course of action would be to eliminate these requirements from the zoning ordinance but continue to allow and even encourage voluntary agreements between property owners to share parking. In addition, a motion was made to increase the required parking for multi-unit dwellings from 0.75 spaces per bedroom to one parking space per bedroom.

Background

The Downtown Character District regulations were adopted by City Council on November 1, 2021. These new zoning regulations are intended to implement the *Imagine Downtown! Vision Plan* adopted in November of 2019. The vision plan was the result of public workshops, a week-long community design charrette, and other public outreach events that took place in 2019, where community members, including downtown merchants, property owners, residents, and other stakeholders were invited to share their feedback and ideas for the future of Downtown and surrounding neighborhoods.

The second phase of the project was to draft zoning regulations to encourage future development that is consistent with the adopted Vision. The draft code was presented to the public in February, 2021. The Commission considered the new code at four special work sessions and held 3 public hearings to consider public comments and suggestions for changes to the code. The Commission discussed all proposed changes to the draft and made decisions on each one before forwarding a final draft to the City Council for consideration in May 2021. The Planning & Zoning Commission's recommended draft was reviewed at three City Council Committee of the Whole meetings and two work sessions before a public hearing was scheduled. The draft was debated at three separate readings before being adopted on November 1, 2021.

In January, 2022, the City Council petitioned the Planning and Zoning to consider eliminating the shared parking requirements in the code. Council expressed several concerns about the shared parking requirements, including concerns about requiring property owners to make their private property available for public use and about how the shared spaces will be managed and monitored over time. A majority of the City Council felt that the potential downsides outweighed the potential benefits of this requirement and

requested the Commission consider eliminating the shared parking requirements from the zoning code. They noted that property owners would still have the option to voluntarily share their parking with other users or the public. The Commission considered this request at a public hearing on February 9 and on a 3-4 vote disapproved the Council's petition.

At that same time the City Council also petitioned the Planning and Zoning Commission to consider increasing the parking requirement for multi-unit dwellings from 0.5 spaces per bedroom to 1 space per bedroom. Based on the recommendations of the parking study conducted by WGI in late 2018, along with stakeholder interviews during the Visioning process, the consultants drafting the Downtown Character District Code (Ferrell Madden), included a reduction in the parking requirements for residential within mixed-use and multi-unit buildings from 1 space per bedroom to 0.5 spaces per bedroom (along with 0.25 spaces per bedroom for shared parking).

A majority of the City Council expressed concerns about lowering the parking requirements for residential uses in multi-unit and mixed-use buildings downtown and petitioned the Commission to consider re-establishing the previous requirement of one parking space per bedroom.

At a public hearing on February 9th, a motion to approve the Council's petition failed for a lack of a second to the motion, and therefore was considered disapproved by the Planning and Zoning Commission.

As an alternative, the Planning and Zoning Commission on a separate motion recommended, on a 4-3 vote, approval of an amendment to City Code Section 26-196, Character District Parking to increase the parking requirement for residential uses in mixed-use and multi-unit buildings to 0.75 spaces per bedroom, but not less than 1 space per unit.

Based on the Planning and Zoning Commission's recommendations, the City Council approved the ordinance amendment to increase the parking requirement for residential uses in mixed-use and multi-unit buildings to 0.75 spaces per bedroom, but not less than one parking space per unit. After a public hearing and three readings, the amendment was adopted on April 4, 2022.

(Note: For your convenience, the minutes from the Planning and Zoning Commission meetings from the original petition in January are attached below along with the minutes from your September 14th meeting).

RECOMMENDATION: Staff recommends that the Commission hold a public hearing and make a recommendation to Council on each of the specific requests by Council as stated below:

1. Eliminate the shared parking requirements from the Zoning Code.
2. Increase the required parking for residential uses in mixed-use and multi-unit buildings to 1 space per bedroom.

PLANNING & ZONING COMMISSION MINUTES FROM COUNCIL'S PREVIOUS PETITION

Discussion 1/26/2022

The first item of business was a zoning text amendment to amend CD-DT to eliminate shared parking requirements. Chair Leeper introduced the item and Ms. Howard provided background information. She explained that City Council has petitioned the Commission to consider amending the parking requirements in the Downtown Character District by deleting the requirements for shared parking and to increase the minimum parking requirement for multi-unit residential development to one space per bedroom and ensuring that there is at least one parking space per unit.

Ms. Howard provided a summary of the Downtown Visioning and Code update project for the new Planning and Zoning Commissioners who were not on the Commission during the public review process for the project. She displayed a rendering of the boundary of the Downtown Character District and discussed the previous zoning within the boundaries. She detailed the public review process that had taken place at the Planning and Zoning Commission before the Commission made their recommendation to the City Council in May of last year. Ms. Howard briefly described the two types of parking in the Central Business District, public and private. She discussed each and explained that the current issue is whether there should be parking requirements on private property in the downtown area. She explained why cities are moving away from focusing on zoning requirements for parking and more toward public shared parking solutions. She described the distinction between short-term and long-term parking needs, reasons why cities rely on public parking, particularly for short-term customer parking, and the unintended consequences of high parking requirements. Ms. Howard discussed the parking study that was done in 2018 and how those results affected the zoning standards proposed in the new zoning code. She noted that while other public parking options were being discussed to address downtown parking needs, such as construction of a public parking ramp, she explained that the focus of this meeting is on the zoning code and discussed the previous private parking requirements as well as the new code requirements. She also discussed the definition of shared parking. Staff recommends discussion of Council's request to eliminate shared parking requirements in the zoning Code and to increase the residential parking requirement back to one space per bedroom for new mixed-use and multi-unit buildings. It is recommended to set a public hearing date for February 9.

Mr. Larson made a motion to schedule a public hearing for February 9 for both items on the agenda. Ms. Lynch seconded the motion.

Mr. Holst asked about existing conditions for parking and how this will affect properties that are already established and previous requirements were met. Ms. Howard explained that it would only affect owners who are looking to make a change.

Mr. Larson asked for clarification on what would trigger new development as to when the shared parking requirement would be applicable. Ms. Howard stated that the only shared parking requirement is for new multi-family units, or for new upper floor commercial space that is greater than 5,000 square feet.

Mr. Larson asked how it will be decided what area of a parking lot is shared parking. Ms. Howard explained how the numbers are figured and how the spaces would be specified as available to the public. It was again clarified that these rules would not apply to existing properties.

Mr. Leeper asked for an example of how parking would be if requirements were increased to one space per bedroom. Ms. Howard gave River Place as an example and

presented the results from the parking study, which showed the percentage that was unused.

Ms. Grybovych asked about examples of how this has worked for other cities that have proposed lower parking requirements. Ms. Howard discussed findings from other communities and how they compare to Cedar Falls.

Ms. Crisman asked for clarification on whether private parking was just in lots or if it would include private garages. Ms. Howard stated that shared parking would only apply to new multi-unit or mixed-use buildings. Depending on how the parking is provided, it could be inside the building or be in surface lots. The owner would choose the best location for the shared parking spaces and would sign it for the hours it is available to the public.

Mr. Holst stated that he feels that going back to the way things were would cause the situation to digress and not allow for growth. It was recommended that documents and information from the previous studies, presentations and meetings be forwarded to the newest Commission members to give them some background on the information shared.

The motion to set a public hearing date for February 9th was approved unanimously with 9 ayes (Crisman, Grybovych, Hartley, Holst, Larson, Leeper, Lynch, Moser and Saul), and 0 nays.

Public Hearings 2/9/2022

The first item of business was a public hearing on a Zoning Text Amendment to eliminate shared parking requirements in the Downtown Character District. Chair Leeper introduced the item and Ms. Howard provided background information on the petition from Council.

Ms. Howard displayed the location of the Downtown Character District and noted that the details of the ordinance had been presented at the last meeting. She noted that if there were any questions about the current regulations in the Downtown Character District, the slides from the last meeting were available for viewing.

Eashaan Vajpeyi, 3831 Convair Lane, indicated that he was a spokesperson for a group of owners of property downtown. He feels there needs to be more specificity in the shared parking requirements to exempt certain businesses or to specify which businesses can afford to share their parking and which cannot. He gave the example of restaurants and how due to their hours they would not be able to shared their parking. He noted examples of potential issues and possible solutions.

Mr. Holst asked for clarification on the current requirements for shared parking. Ms. Howard clarified that the shared parking requirements only apply to new buildings with residential uses and upper floor commercial. There is no shared parking requirement for existing businesses or for ground floor commercial, including restaurants. Mr. Holst stated that parking has been a big concern for him throughout this project. However, he feels that a lot of time has been spent on review of this new code and that we should try things the way they are now set up before changing it.

Mr. Larson agreed and feels a great deal of work, research and math considered in coming up with the numbers. Those can be changed without scrapping the whole code

that everyone has put so much work into. He feels that trying it the way it is and adjusting as needed is the best plan. He believes that a great deal of time and effort has gone into the current code and it would be arbitrary to change the position on the numbers that were considered so seriously before.

Mr. Leeper stated that he doesn't feel that the shared parking requirement is very significant. He likes the idea of making the effort to fix the problem, but feels the shared parking is only meant to be a very small part of the overall approach to parking, so would be open to deleting it. Mr. Holst stated that he feels the need to forge ahead and at least give it a try to see how it works. The idea behind it is beneficial to the overall health of downtown and a lot of time and work has been put into researching all the information that was used to create the code.

Ms. Saul stated that she feels that if a developer wants to build downtown and is a good steward they will voluntarily do the sharing. She doesn't believe forcing the issue is necessary. She agreed with concerns about enforcement.

Mr. Hartley stated that he believes that some additional definition should be added, particularly with regard to underground and outdoor parking lots.

Ms. Saul made a motion to eliminate shared parking requirements. Ms. Grybovych seconded the motion. The motion was denied with 3 ayes (Grybovych, Leeper and Saul), and 4 nays (Crisman, Hartley, Holst and Larson).

Mr. Leeper asked if this can be brought back for consideration down the road to see how it is working. Ms. Howard stated that it can.

The next item for public hearing was a zoning text amendment to CD-DT to increase parking requirements for residential uses in multi-unit and mixed-use buildings. Chair Leeper introduced the item and Ms. Howard stated that the request from City Council is to consider increasing the parking requirement for residential uses in mixed-use or multi-unit buildings to one space per bedroom.

When asked, Ms. Howard noted that the Commission may discuss and vote to forward any alternative proposals for changes to the parking requirements by a separate motion.

Eashaan Vajpeyi asked for clarification on the requirements on the parking ratios. He discussed a map that was brought up that shows Halloween weekend in 2018 showing one surface residential parking lot that is only 52% full. He asked if anyone checked how occupied the building was. He feels that the accuracy of the numbers would need to include the building occupancy at the time to show the real parking ratio. He feels that there should be at least a minimum one spot per bedroom as he believes that more people have cars than are being counted. He feels that the ratio of spots and occupancy is very important.

Daryl Kruse, 2725 Minnetonka Drive, spoke regarding the parking study noting that, of the residents that live downtown, 35% do not have an assigned parking spot. Most park on the street or in a parking lot, consuming spots for customers. He also stated that the seating capacity for all the bars and restaurants downtown is very close to 4,000. If they are half full and everyone comes two per car, there are 1,000 cars that need to park. The parking study shows approximately 680 parking spots on the street. If new buildings are built without one spot per bedroom, parking will be very limited. He also had an issue with the difference in parking requirements for rentals from downtown and the rest of the town. He feels that one spot per bedroom should be the minimum.

Mr. Holst asked for clarification regarding the parking for studio apartments. Ms. Howard stated that a studio apartment would be considered one bedroom and would currently require 0.5 spots per resident and 0.25 for shared parking.

Ms. Saul made a motion to change the code to one parking space per residential unit. Mr. Larson seconded the motion.

Mr. Hartley said that changing the code to require at least one space per unit is a good idea, but the reality is that no one knows what the “magic” number regarding how many spaces per bedroom is until this is put into practice.

Mr. Leeper feels that requiring additional parking is a hindrance to development downtown and the environment that is attracting people downtown. People don't come downtown for the parking. He asked for clarification on the parking study that was done and Ms. Howard stated that parking was counted different days and different times of day to get a feel for the overall parking situation. Mr. Leeper stated that this seems to be a good case study. Ms. Saul interjected that shared parking is also being required. Mr. Holst stated that that small of a change isn't going to have that big of an impact either way.

Mr. Larson withdrew his second to the motion that was made to increase parking to one space per residential unit. The motion was removed from the table.

There was further discussion regarding an alternate motion. Mr. Holst stated that he feels that if the requirement is increased to one space, it would also include the shared parking requirement. He noted that he is not in favor of increasing to 1 space per bedroom and then have the additional 0.25 space in shared parking requirement, which would make it higher than it was before the new code was adopted. Mr. Larson noted that a lot of time was spent on the numbers and feels that it was well researched. This is just referring to new development and isn't going to affect a great amount of parking.

Saul made a motion to increase the parking requirement for residential in multi-unit and mixed-use buildings to 0.75 per bedroom, but no less than one space per dwelling unit. Mr. Holst seconded the motion.

Mr. Larson stated that this is substantially over-parked compared to the current condition and reiterated that he feels that a great deal of objective thought, meetings and research went into the current requirement. Ms. Crisman agreed.

Ms. Saul feels that the increase is a good compromise as consultants are making these kinds of recommendations all over the country, but Cedar Falls may not be like all those other locations.

The motion was approved with 4 ayes (Hartley, Holst, Leeper and Saul), and 3 nays (Crisman, Grybovych and Larson)

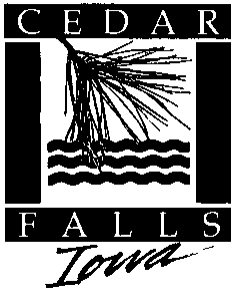
**Discussion
9/14/2022**

The next item for consideration by the Commission was a zoning text amendment petition from City Council to amend parking requirements in the Downtown Character District. Chair Leeper introduced the item and Ms. Howard provided background information. She explained that Council has petitioned the Commission to amend requirements by deleting all requirements for shared parking in the Downtown Character District and to increase the minimum parking requirement for residential uses in multi-unit and mixed-use buildings from 0.75 spaces per bedroom to one space per bedroom.

Ms. Howard discussed the timeline of discussions at previous meetings and decisions that were made.

Ms. Moser asked if there have been issues that have caused them to re-evaluate the parking situation. Ms. Howard stated that she is not aware of any issues. Mr. Leeper stated that this exact conversation happened in January and Mr. Holst agreed, noting that this had been decided earlier this year. Mr. Larson asked for clarification as to why this is being brought back after a decision has already been made. Mr. Holst also noted that he's not sure if this is as big of an issue as it is being made. The shared parking requirement is not that significant for this to be an issue. Ms. Moser stated that she feels that the idea behind this was to try it out and see how it worked and then make changes as needed. She would like to continue to do that.

Ms. Moser made a motion to set a public hearing for the next Planning and Zoning Commission meeting. Ms. Crisman seconded the motion. The motion was approved unanimously with 6 ayes (Crisman, Grybovych, Holst, Larson, Leeper and Moser), and 0 nays.



DEPARTMENT OF COMMUNITY DEVELOPMENT

City of Cedar Falls
 220 Clay Street
 Cedar Falls, Iowa 50613
 Phone: 319-273-8600
 Fax: 319-273-8610
 www.cedarfalls.com

MEMORANDUM Planning & Community Services Division

TO: Planning & Zoning Commission
FROM: Jaydevsinh Atodaria (JD), City Planner I
DATE: September 20, 2022
SUBJECT: Easement Vacation 3718 Apollo Street

REQUEST: Vacate portion of Sanitary Sewer Easement (Case # VAC22-001)

PETITIONER: Ryan N. Borgwart; Owner

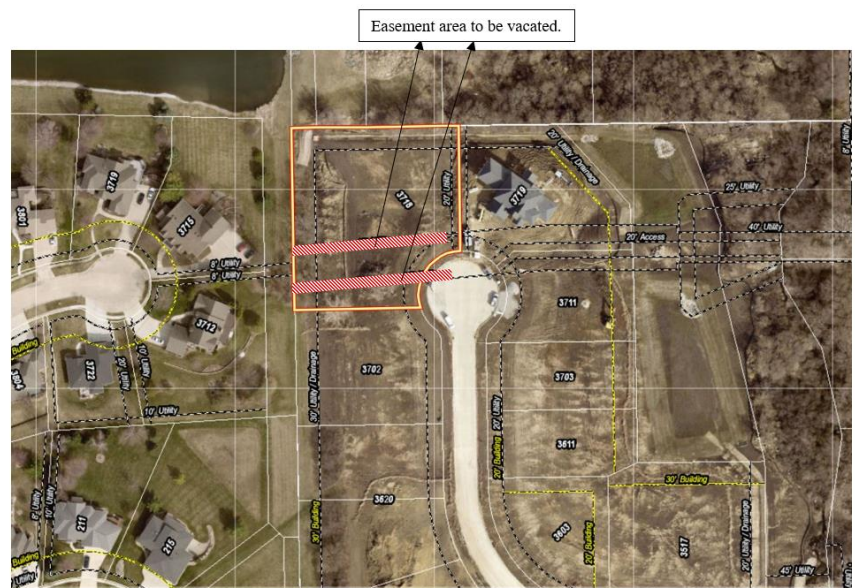
LOCATION: 3718 Apollo St. (Lot 11 and part of Lot 10 Pheasant Hollow 7th Addition)

PROPOSAL

The request is to vacate portion of existing 60-foot sanitary sewer easement on southern area of the property at 3718 Apollo Street. The petitioner wants to utilize the lot for development to its best potential. The area highlighted in red is the portion of the easement requested to be vacated on the subject property.

BACKGROUND

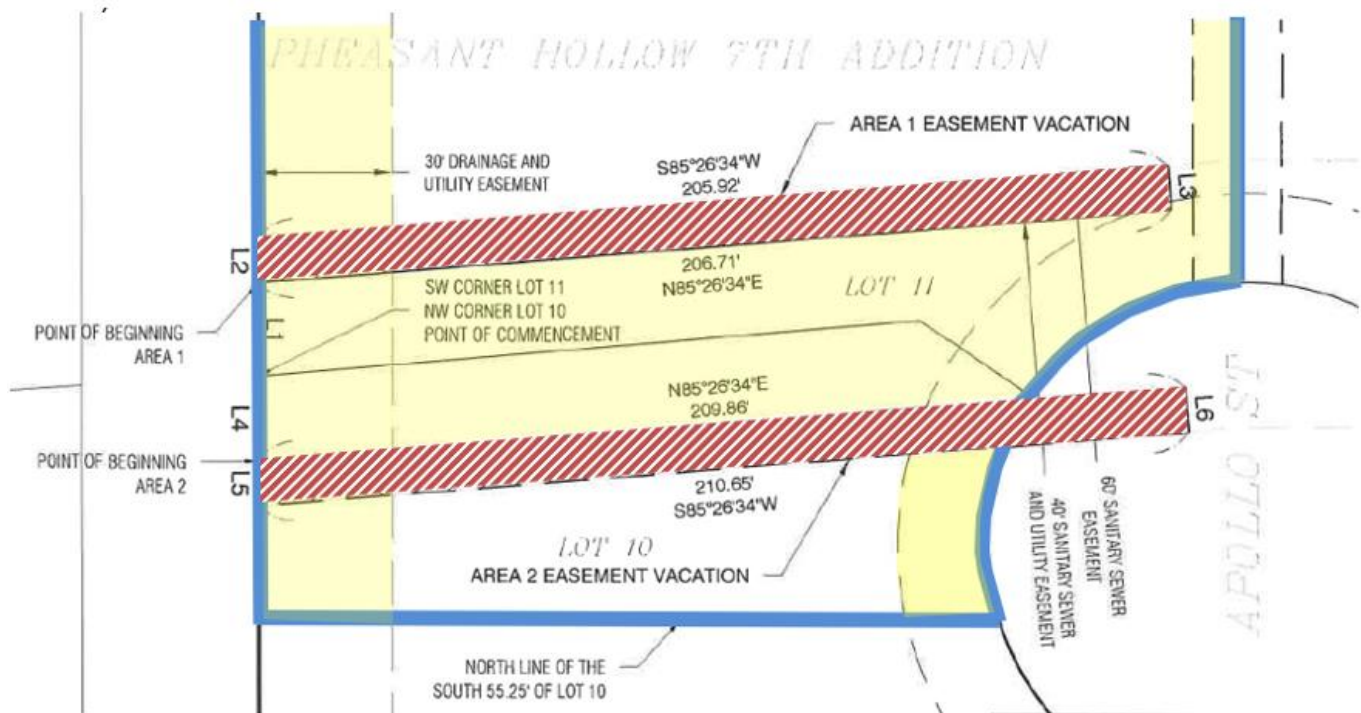
The subject property is Lot 10 and portion of Lot 11 of Pheasant Hollow 7th Addition, which was platted in June 2020, which is addressed 3718 Apollo Street. Mr. Borgwart, owner of the property, is requesting to reduce the size of the sanitary sewer easement on his property from 60 feet to 40 feet wide by vacating a 10-foot portion of the existing 60-foot sanitary sewer easement on the north and south sides of the existing easement. The owner would like to reduce the encumbrance on his lot so he can more easily develop the property.



ANALYSIS

The request is to vacate the portion of existing 60-foot sanitary sewer easement on property

located at 3718 Apollo Street. As per the Pheasant Hollow 7th Addition final plat approved in June 2020, there are two platted easements that extend over the southern area of the property that create unnecessary redundancy as both share the same center line. One is an existing 60-foot sanitary sewer easement and the other is 40-foot sanitary sewer and utility easement. The request here is to vacate Area 1 and Area 2 (highlighted in red hashed area) in the sketch below (also see attached vacation plat). Area 1 is an approximately 10 feet wide strip that runs 206 feet in length and area 2 is an approximately 10 feet wide strip that runs 211 feet in length. Staff notes that areas 1 and area 2 are the only portions of the existing 60-foot-wide sanitary sewer easement that are being vacated. All other easements as platted on this lot are retained, including the 20-foot public utility easement along the frontage of the lots and the 30-foot drainage and utility easement along the western lot line.



As indicated by the developer's engineer, it was their intention to vacate the previously platted 60-foot sanitary sewer easement with the Pheasant Hollow, 7th Addition final plat. It was an oversight that it was not addressed.

The City Engineer's office confirmed that they would be in favor of the proposed vacation request, as the remaining platted 40-foot sanitary sewer and utility easement running through the lot at 3718 Apollo Street is adequate for maintaining and operating the services. Engineering staff also notes that the profile section (included in the packet) provided by the CGA consultants working on behalf of the owner indicates that the 40-foot-wide sanitary sewer and utility easement would be adequate, considering the line depth of the services.

TECHNICAL COMMENTS

City technical staff has reviewed the vacation request and has no concerns. Legal papers for the easement vacation must note that all other easements of record shall be retained.

STAFF RECOMMENDATION

Staff has reviewed the proposed vacation request vacating a portion of existing 60-foot sanitary sewer easement on property located at 3718 Apollo Street and recommends approval, subject to the following conditions:

1. Any comments or direction specified by the Planning and Zoning Commission
2. Conformance with all City staff recommendations and technical requirements

PLANNING & ZONING COMMISSION

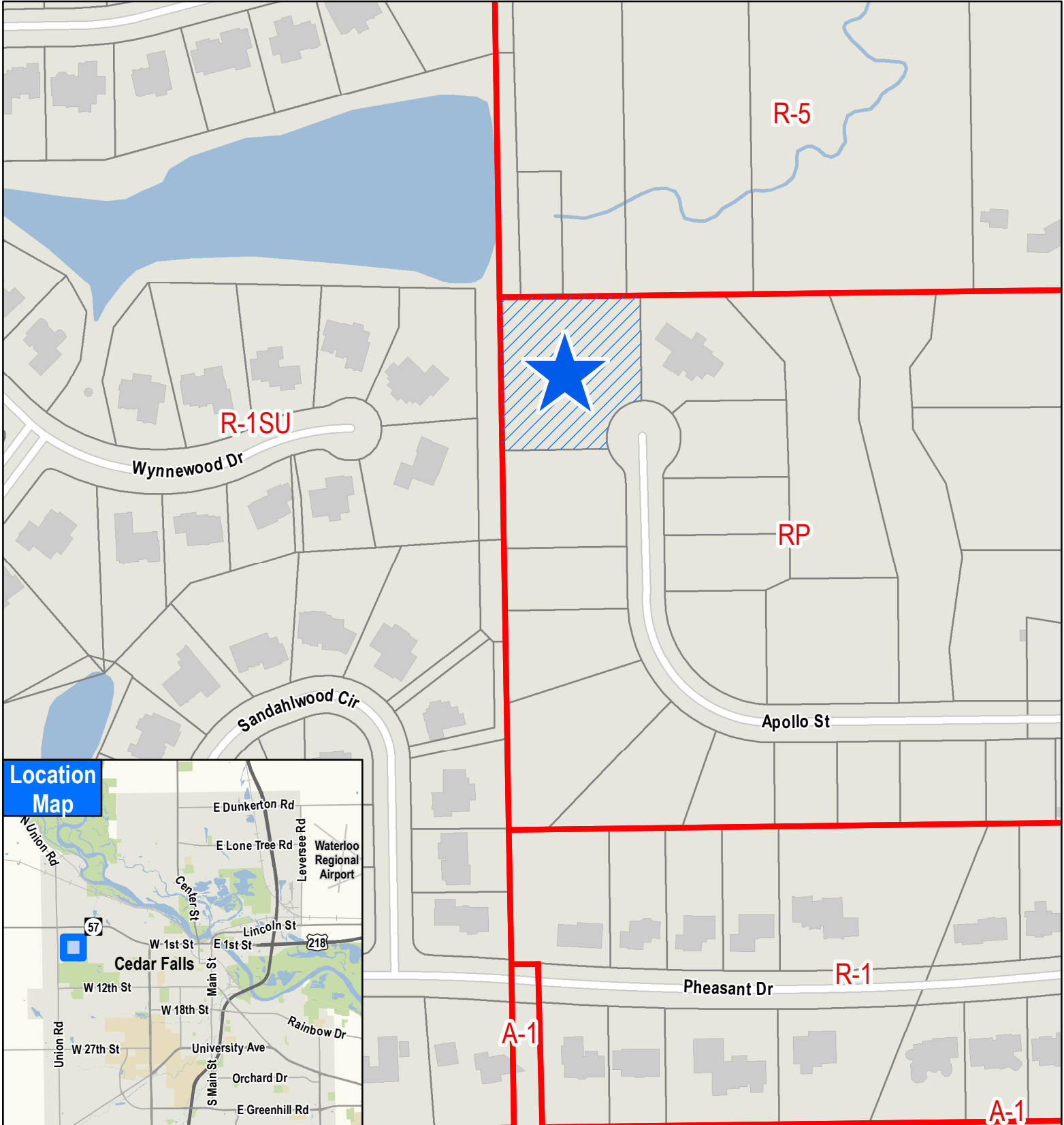
Discussion/Action

09/28/2022

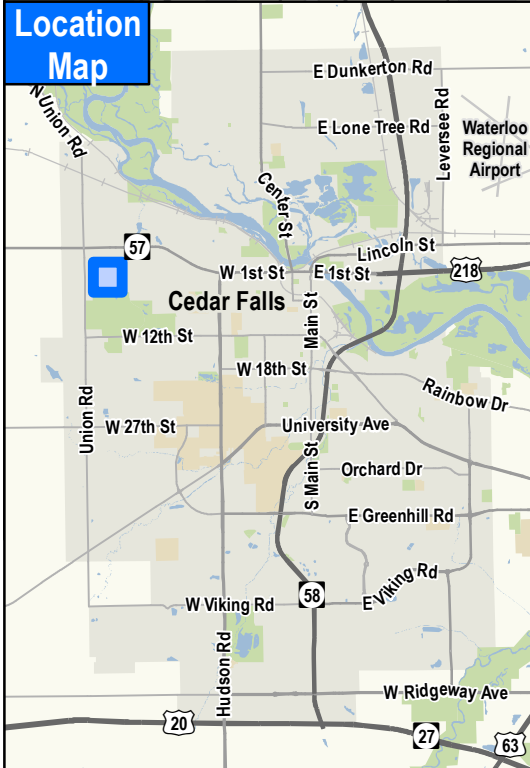
Attachments: Location Map
 Right of Way Application
 Vacated Easement Exhibit
 Profile section
 Final Plat Pheasant Hollow 7th Addition
 Plat of Survey

Cedar Falls Planning and Zoning Commission September 28, 2022

Item 4.



Location Map



**Easement Vacation for portion of existing
sanitary sewer easement (VAC22-001)
3718 Apollo St.**



**DEPARTMENT OF COMMUNITY DEVELOPMENT
EASEMENT VACATION APPLICATION**

**City of Cedar Falls
220 Clay Street
Cedar Falls, Iowa 50613**

Applicant's Name: RYAN BORLWARDT
Applicant's Mailing Address: 4426 WYNEWOOD DRIVE
City: CEDAR FALLS State: IA ZIP: 50613
Applicant's Email: ryan.borgwardt@gmail.com
Daytime Phone #: 563 357 2253
Location of Proposed Vacation: LOTS 10 AND 11 IN PHEASANT HOLLOW, 7TH ADDITION

What is the purpose of the easement? Drainage Utility Both Drainage and Utility
 Other

A COMPLETE SUBMITTAL INCLUDES A PAPER AND ELECTRONIC COPY OF:

- Cover letter stating intent and reason for Vacation of Easement request
- Nonrefundable fee: \$200
- Lot numbers vacation would affect/ touches
- Vacate Awareness Form: signatures of owners of property where easement will be vacated
- Legal description of vacation area (Word)
- Plat of Survey (if applicable) (PDF)
- Verification that there are no utilities within the easement
- Drainage Easement
 - If the easement is a drainage easement: a sub-basin drainage study by a licensed engineer, indicating what easement width is needed for the designed overland flow (what is the stormwater management plan)

To the best of my knowledge the foregoing and attached statements are true and correct, I sign this completed application with the intent of requesting an easement vacation.

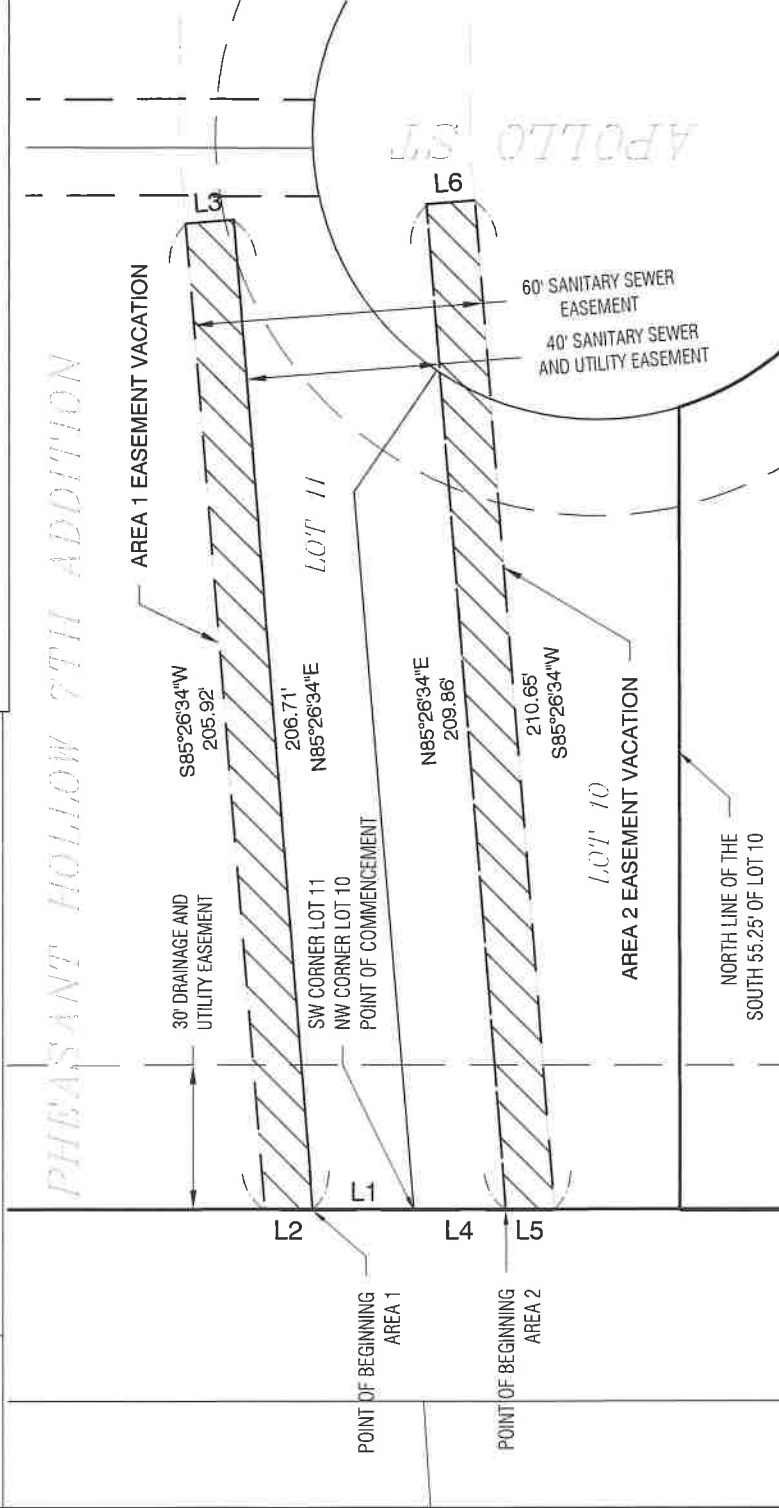
Ryan Borgwardt
Applicant's Signature

Date: 8.8.2022

EASEMENT VACATION EXHIBIT

INDEX LEGEND

LOCATION:	3718 APOLLO STREET, CEDAR FALLS, IOWA 50613
PROPRIETOR:	RYAN N. BORGWARDT
REQUESTED BY:	RYAN N. BORGWARDT
PREPARED BY:	CLAPSADDLE-GARBER ASSOCIATES, INC.
RETURN TO:	5106 NORDIC DRIVE CEDAR FALLS, IOWA 50613 PHONE 319-266-0258 CGA@CGACONSULTANTS.COM



LEGAL DESCRIPTION:

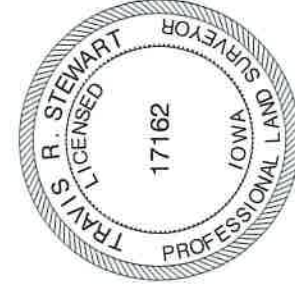
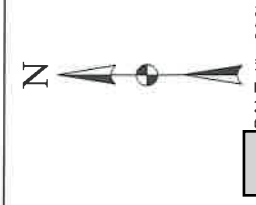
AREA 1:

A 10.00 FOOT WIDE EASEMENT VACATION LOCATED WITHIN THE EXISTING 60 FOOT WIDE SANITARY SEWER EASEMENT AS SHOWN IN THE FINAL PLAT OF PHEASANT HOLLOW SEVENTH ADDITION, AS RECORDED IN FILE NO.2021-00000733, IN THE OFFICE OF THE RECORDER, BLACK HAWK COUNTY, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 11, PHEASANT HOLLOW SEVENTH ADDITION, THENCE N0°03'14"W, 21.04 FEET ALONG THE WEST LINE OF SAID LOT 11 TO THE POINT OF BEGINNING, ALSO BEING THE NORTH LINE OF THE 40 FOOT SANITARY SEWER AND UTILITY EASEMENT; THENCE N85°26'34"E, 206.71 FEET ALONG THE NORTH LINE OF SAID 40 FOOT EASEMENT; THENCE N85°26'34"E, 205.92 FEET ALONG THE NORTH LINE OF SAID 60 FOOT SANITARY SEWER EASEMENT; THENCE S0°03'14"E, 10.03 FEET ALONG THE WEST LINE OF SAID LOT 11 TO THE POINT OF BEGINNING, CONTAINING 0.05 ACRES OR 2,063 SQUARE FEET.

AREA 2:

A 10.00 FOOT WIDE EASEMENT VACATION LOCATED WITHIN THE EXISTING 60 FOOT WIDE SANITARY SEWER EASEMENT AS SHOWN IN THE FINAL PLAT OF PHEASANT HOLLOW SEVENTH ADDITION, AS RECORDED IN FILE NO.2021-00000733, IN THE OFFICE OF THE RECORDER, BLACK HAWK COUNTY, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT 10, PHEASANT HOLLOW SEVENTH ADDITION, THENCE S0°03'14"E, 19.08 FEET ALONG THE WEST LINE OF SAID LOT 10 TO THE POINT OF BEGINNING, ALSO BEING THE SOUTH LINE OF THE 40 FOOT SANITARY AND UTILITY EASEMENT; THENCE N85°26'34"E, 209.86 FEET ALONG THE SOUTH LINE OF SAID 40 FOOT EASEMENT; THENCE S4°33'26"E, 10.00 FEET TO THE SOUTH LINE OF THE 60 FOOT SANITARY SEWER EASEMENT; THENCE S85°26'34"W, 210.65 FEET ALONG THE SOUTH LINE OF SAID 60 FOOT EASEMENT TO THE WEST LINE OF SAID LOT 10; THENCE N0°03'14"W, 10.03 FEET ALONG THE WEST LINE OF SAID LOT 10 TO THE POINT OF BEGINNING, CONTAINING 0.05 ACRES OR 2,106 SQUARE FEET.

LINE NUMBER	BEARING	DISTANCE
L1	N0°03'14"W	21.04'
L2	S0°03'14"E	10.03'
L3	N4°33'26"W	10.00'
L4	S0°03'14"E	19.08'
L5	N0°03'14"W	10.03'
L6	S4°33'26"E	10.00'

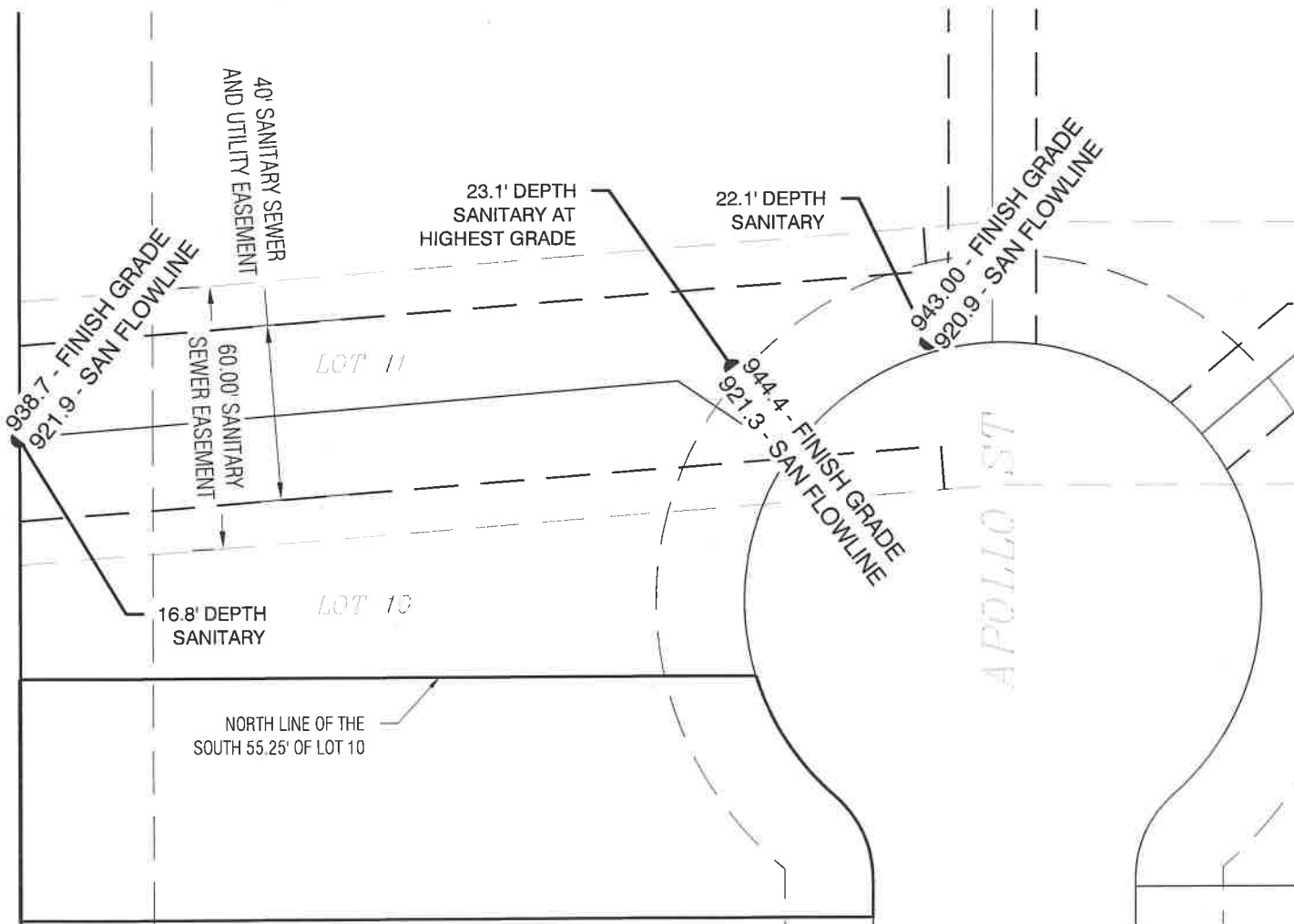


I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Iowa.

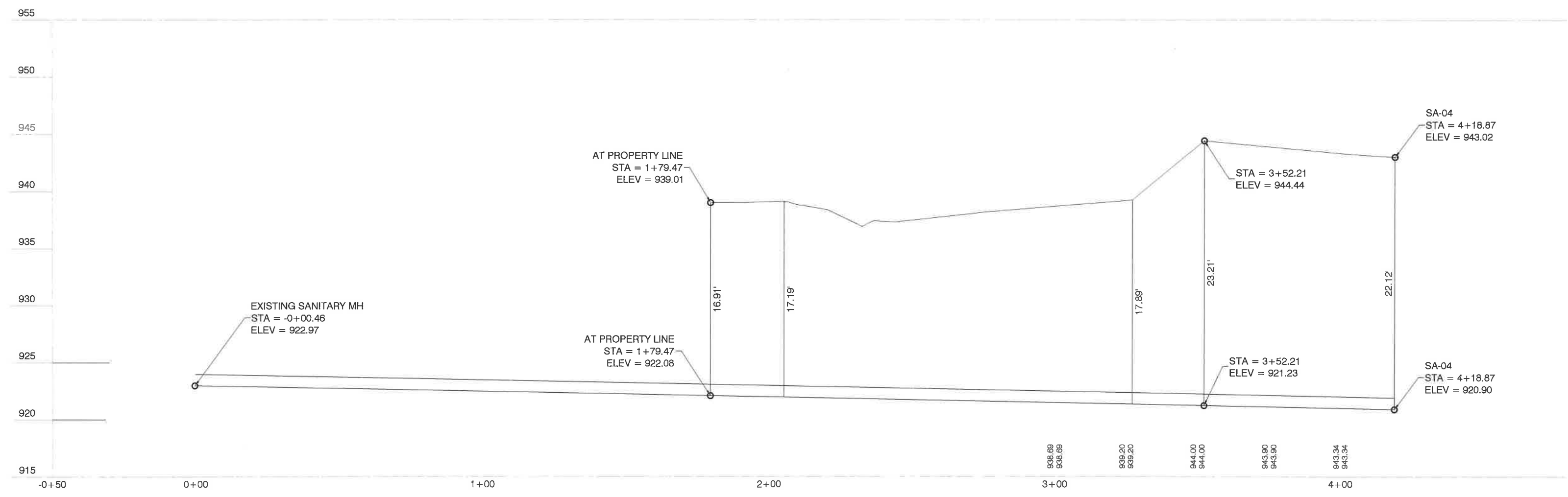
Travis R. Stewart 8/04/2022 date
Travis R. Stewart, PLS
Iowa License Number 17162
My License Renewal Date is December 31, 2023
Pages or sheets covered by this seal: THIS SHEET



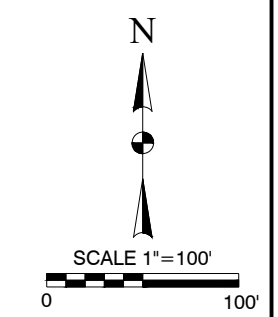
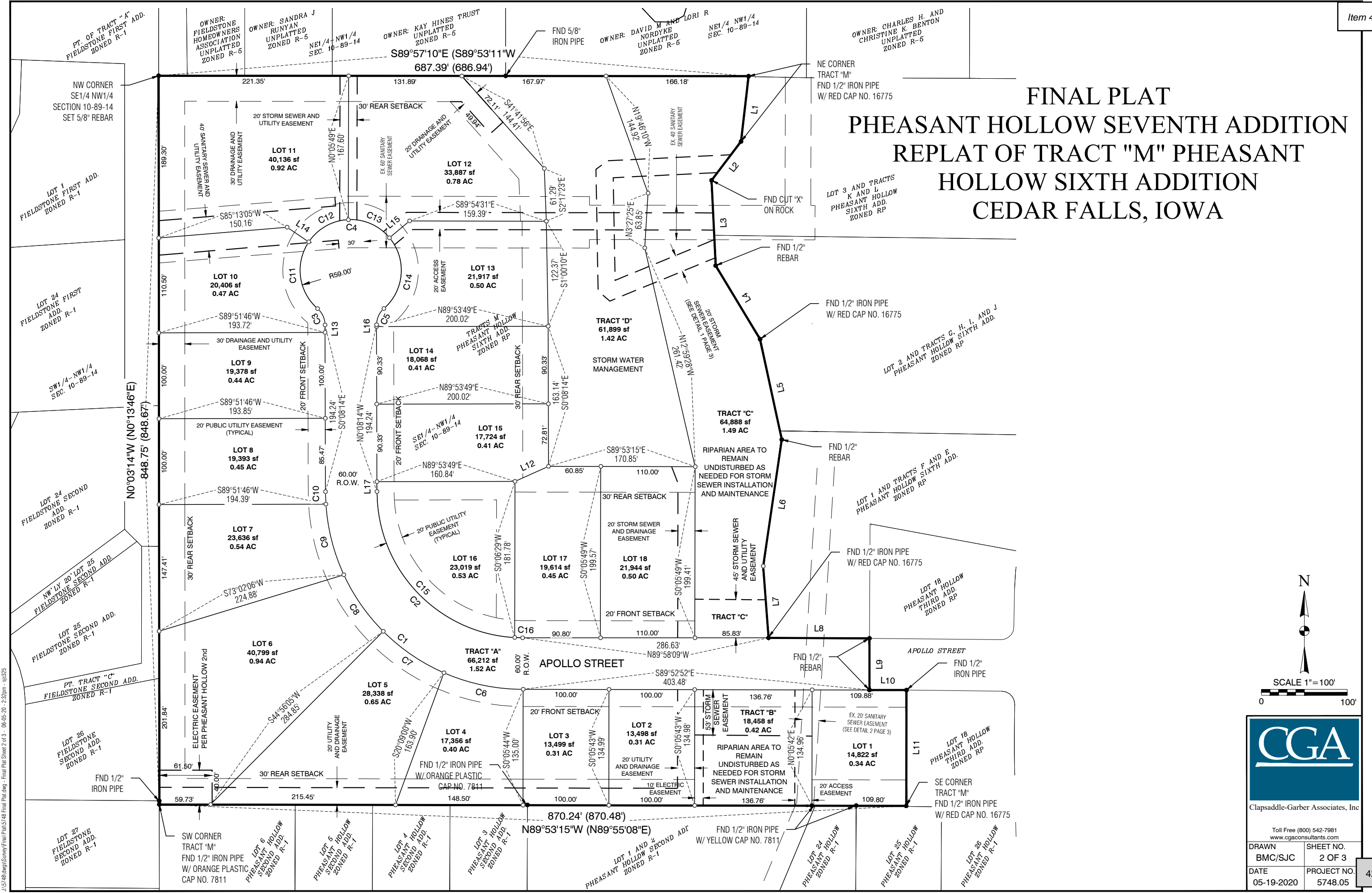
PROJECT NO.	574
DATE:	08/09
DRAWN BY:	U
FIELD CREW:	U
SHEET NO.	1 OF 1



Clapsaddle-Garber Associates, Inc
5106 Nordic Drive
Cedar Falls, Iowa 50613
Ph 319-266-0258
www.cgaconsultants.com



FINAL PLAT PHEASANT HOLLOW SEVENTH ADDITION REPLAT OF TRACT "M" PHEASANT HOLLOW SIXTH ADDITION CEDAR FALLS, IOWA



Clapsaddle-Garber Associates, Inc.	
Toll Free (800) 542-7981 www.cgaconsultants.com	
DRAWN BMC/SJC	SHEET NO. 2 OF 3
DATE 05-19-2020	PROJECT NO. 5748.05

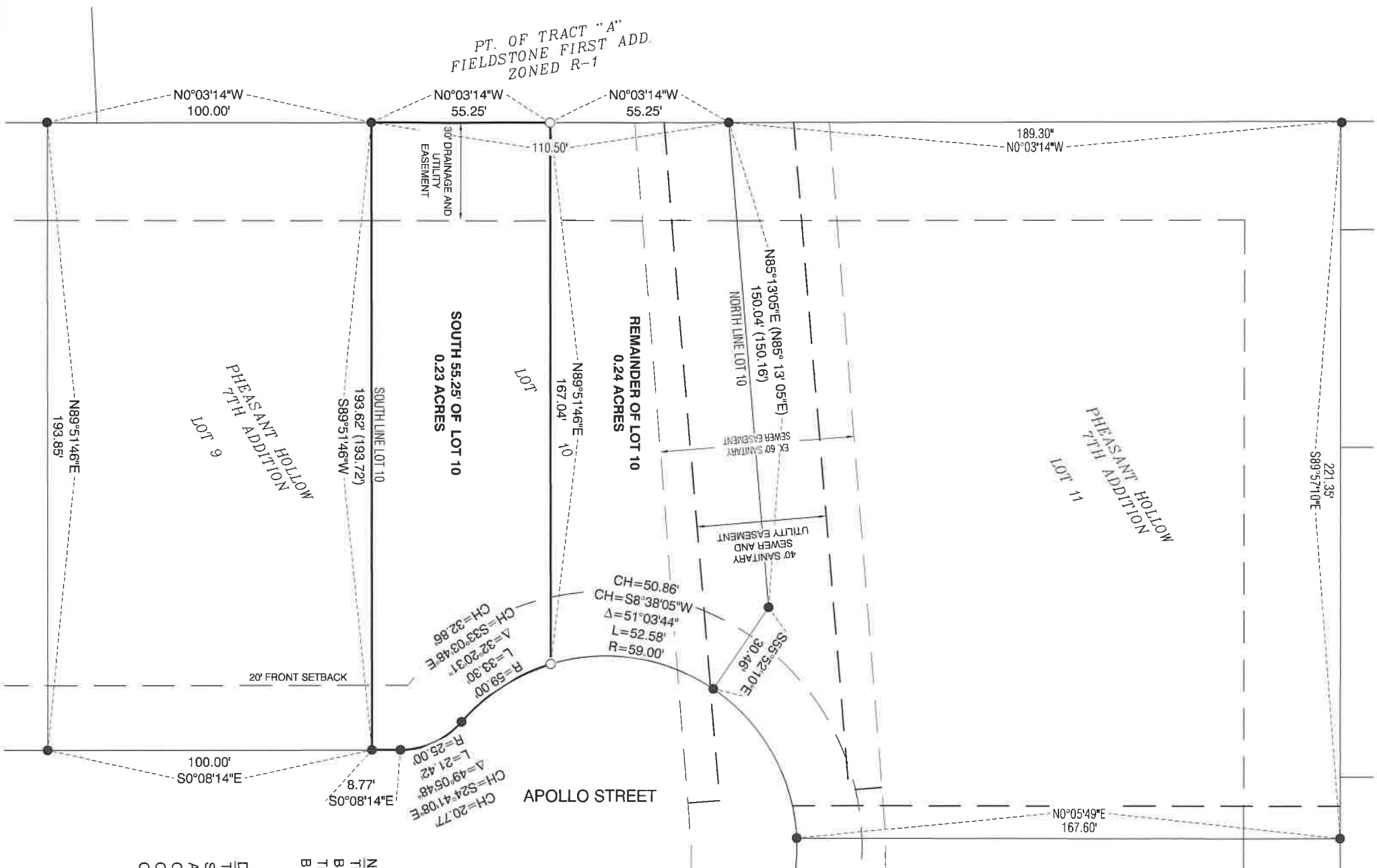
J:\5748\Map\Survey\Final Plats\5748 Final Plat.dwg - Final Plat Sheet 2 of 3 - 06-05-20 - 2:32pm - sjc25

PLAT OF SURVEY

INDEX LEGEND	
LOCATION:	LOT 10 PHEASANT HOLLOW SEVENTH ADDITION, CEDAR FALLS, IOWA
PROPRIETOR:	WHITE COAT LLC SERIES II
SURVEY REQUESTED BY:	PHILLIP SHIRK
FIELD WORK COMPLETED:	9/15/2020
SURVEY PREPARED BY:	CLAPSADDE-GARBER ASSOCIATES, INC.
RESPOND TO:	5106 NORDIC DRIVE, CEDAR FALLS, IOWA 50613 PHONE 319-266-0258 TSTEWART@CGACONSULTANTS.COM

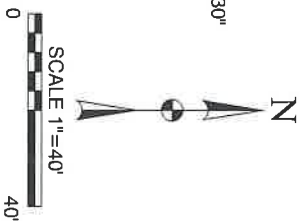
THIS PLAT OR SUBDIVISION HAS BEEN REVIEWED BY THE CITY OF CEDAR FALLS, IOWA.

SIGNATURE OF CEDAR FALLS DEVELOPMENT SERVICES MANAGER *[Signature]* DATE *10/2/20*



NOTE:
ALL BEARINGS ARE THE RESULT OF G.P.S. OBSERVATIONS USING NAD83 IOWA STATE PLANE NORTH ZONE 5.

- LEGEND:
- ▲ GOVERNMENT CORNER MONUMENT FOUND
 - △ GOVERNMENT CORNER MONUMENT SET 1/2" x 30" REBAR W/ORANGE PLASTIC ID CAP #17162
 - PARCEL OR LOT CORNER MONUMENT FOUND
 - SET 1/2" x 30" REBAR W/ORANGE PLASTIC ID CAP #17162
 - () RECORDED AS



LOT-SPLIT SURVEY
BLACK HAWK COUNTY

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, PLS
Iowa License Number 17162
My License Renewal Date is December 31, 2021
Pages or sheets covered by this seal: THIS SHEET

NOTE:
THE SOUTH 55.25' OF LOT 10 IS NOT CONSIDERED A SEPARATE BUILDABLE LOT; IT SHALL BE COMBINED WITH LOT 9.
THE REMAINDER OF LOT 10 IS NOT CONSIDERED A SEPARATE BUILDABLE LOT; IT SHALL BE COMBINED WITH LOT 11.

DESCRIPTION
THE SOUTH 55.25' OF LOT 10 AS DESCRIBED IN PHEASANT HOLLOW SEVENTH ADDITION, REPLAT OF TRACT "M" PHEASANT HOLLOW SIXTH ADDITION, CEDAR FALLS, IOWA, AS RECORDED IN BLACK HAWK COUNTY RECORDER FILE 2020-00000733. THE SOUTH 55.25' OF LOT 10 CONTAINS 0.23 ACRES. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

CGA
Clapsadde-Garber Associates, Inc.
Toll Free (800) 542-7981
www.cgaconsultants.com

DRAWN	BMC/SJC	SHEET NO.
DATE	9-29-2020	PROJECT NO.
		5748.05



DEPARTMENT OF COMMUNITY DEVELOPMENT

City of Cedar Falls
220 Clay Street
Cedar Falls, Iowa 50613
Phone: 319-273-8600
Fax: 319-273-8610
www.cedarfalls.com

MEMORANDUM

Planning & Community Services Division

TO: Planning and Zoning Commission
FROM: Jaydevsinh Atodaria (JD), City Planner I
DATE: September 21, 2022
SUBJECT: College Hill Neighborhood Overlay Design Review for a new detached garage.

REQUEST: Request to approve College Hill Neighborhood Overlay District design review application for adding a new detached garage (#DR22-002)

PETITIONER: Aaron Carolan, property owner; Carolan Builders

LOCATION: 1214 W. 20th Street

PROPOSAL

It is proposed to relocate the existing detached garage on the property at 1222-1224 W. 20th Street to the adjacent property at 1214 W 20th Street. The property is located in the College Hill Neighborhood Overlay Zoning District and a review by the Planning and Zoning Commission and City Council is required for reviewing any new construction of a detached accessory structure more than 300 square feet in base floor area for a residential use (substantial improvement) within the district.

BACKGROUND

The College Hill Neighborhood Overlay District was established for the preservation of neighborhood character and the stabilization of its neighborhoods after a long history of changes and updates to properties that typically increased occupancies and detracted from the original intent of those properties and neighborhoods. This trend and the establishment of the Overlay called for more scrutiny when reviewing changes that may affect the character of the neighborhood. See the location map on the side for reference, the highlighted property in the yellow is the subject property.



Existing Garage (22' x 24') to be relocated to 1214 W 20th Street

New Garage location (22' x 24') being proposed at 5 feet setback from side lot line

The subject property is located within the R-2, Residence Zoning districts (Section 26-165) and the College Hill Neighborhood Overlay Zoning District (Section 26-181). The Overlay Zoning District intends to develop business districts and residential districts in an orderly manner and one that complements the University of Northern Iowa campus and promotes community vitality and safety. As per code, new construction of a detached accessory structure over 300 square feet in base floor area for a residential use within the district is termed as a substantial improvement. A substantial improvement requires review and approval by the Planning and Zoning Commission and the City Council. The criterion listed in the Overlay requires that the following be considered in this design review: architectural compatibility; neighborhood character; building materials; detached accessory structure standards; and other provisions as applicable in the code.

The subject property has been equipped with a 2-bedroom single-unit dwelling unit (approx. 794 sq.ft.) built in 1946. The petitioner/owner of the property at 1214 W 20th Street is intending to relocate the existing two-stall detached garage located on 1222-1224 W 20th Street (owned by the same owner) on the property located at 1214 W 20th Street, to have covered parking for the residents. As per code, the following analysis has been done to review the proposal.

ANALYSIS

On-site parking:

As per code, the minimum on-site parking required for a one-unit dwelling is two stalls per dwelling unit. Currently, the property at 1214 W. 20th Street has a single wide driveway (approx. 10 feet wide) that widens out to 20 feet. The driveway is sufficient to park two cars. However, the owner of the property is requesting to add a two-stall garage on the property to have a covered parking for the unit. The resulting parking arrangement more than satisfies the ordinance requirement for this single-family residential dwelling.

Detached Accessory Structure:

As per CHN Overlay zoning district, a newly constructed detached accessory structure must meet the regulations of detached accessory structure standards (Section 26-126) and must be consistent with the architectural style of the principal residential structure on the property. Also, the proposed detached structure should have similar building materials, colors, rooflines, roof pitch, and roofing materials to the extent possible to principal structure.

As per code, detached accessory structure under 600 square feet in area can be placed at 2 feet setback from side lot line if recessed at least 18 feet behind the front line of the principal structure and needs to maintain separation of at least 8 feet from the principal structure. It is proposed that the detached accessory structure to be added on property at 1214 W 20th Street is 22 feet wide and 24 feet in length, in total about 528 Square feet in area, and will be placed at 5 feet setback from side property line. The proposed detached accessory structure will be 14 feet high, about 60 feet recessed from the front line of the principal structure and will maintain at least 28 feet separation from the principal structure. The proposal meets all relevant city codes.

Building Design:

- Building Entrances:

As per the proposal, the two-stall detached accessory structure will be accessed through two garage shutters, oriented toward and visible from W. 20th Street. The building design is configured in a way that the garage sits 28 feet south of principal single-family dwelling unit, 5 feet from east property line, 23 feet from west property line and 38 feet from south property line.

- **Building Materials:**

As per code, similar building materials, colors, roof lines, roof pitch and roofing materials shall be established on the accessory structure to match as closely as possible those elements on the principal structure. In response, the owner is planning to re-side the proposed garage with new vinyl siding (Certainteed brand Mainstreet series Flagstone color), which would match the existing siding of the single-family unit on the lot at 1214 W 20th Street. See below picture of existing garage located at 1222-1224 W 20th Street (red in color), which is to be moved to the lot at 1214 W 20th Street as part of the project.



Roofing on existing garage is shingles, which will be retained as is, but the owner will be replacing the roofing to steel roof (similar to roofing on house) after the existing roofing is worn out. Vinyl siding is a common material on other homes in the neighborhood, along with brick and wood siding. Staff finds that the building materials of the proposed detached accessory structure is consistent with the principal structure on the property at 1214 W 20th Street and meets code requirement.

- **Architectural compatibility with surrounding buildings:**

The majority of houses in the neighborhood represent colonial bungalow-style architecture with a mix of attached and detached garages (See below pictures of existing dwelling units in the neighborhood for reference). The garages on these properties are either in line with the main house façade or are recessed.



The proposed two-stall detached garage will be recessed from the principal single-family unit on the lot and therefore will be compatible with other detached accessory structures on surrounding properties.

- **Neighborhood Character:**

The College Hill neighborhood area is one of the City's oldest and most densely populated neighborhoods and being near the University of Northern Iowa, the

preservation of neighborhood character (including uniformity of building size, scale, bulk, varying appearances, etc.) are of primary concerns regardless of the nature of the proposed building use. The proposed two stall detached accessory structure is similar in terms of size and scale comparison to other detached accessory structures in the immediate neighborhood. The staff finds that the proposal is appropriate for the site and would be a good addition on the lot to address owner's need.

TECHNICAL COMMENTS

Notification of this case was sent to adjacent property owners within 200 feet on September 20th, 2022. All existing utilities are required to be disconnected and abandoned before the demolition of the existing structure on 1222-1224 W 20th Street.

Staff notes that the applicant will have to apply for a demolition permit, building permit, floodplain development permit, and elevation certificate to execute the proposal on site. Once construction is complete, a final elevation certificate is required verifying that the home is built to the required elevation above the floodplain.

STAFF RECOMMENDATION

City staff has reviewed the proposed design review application for building a new detached garage at 1214 W. 20th Street and recommends approval, subject to the following conditions:

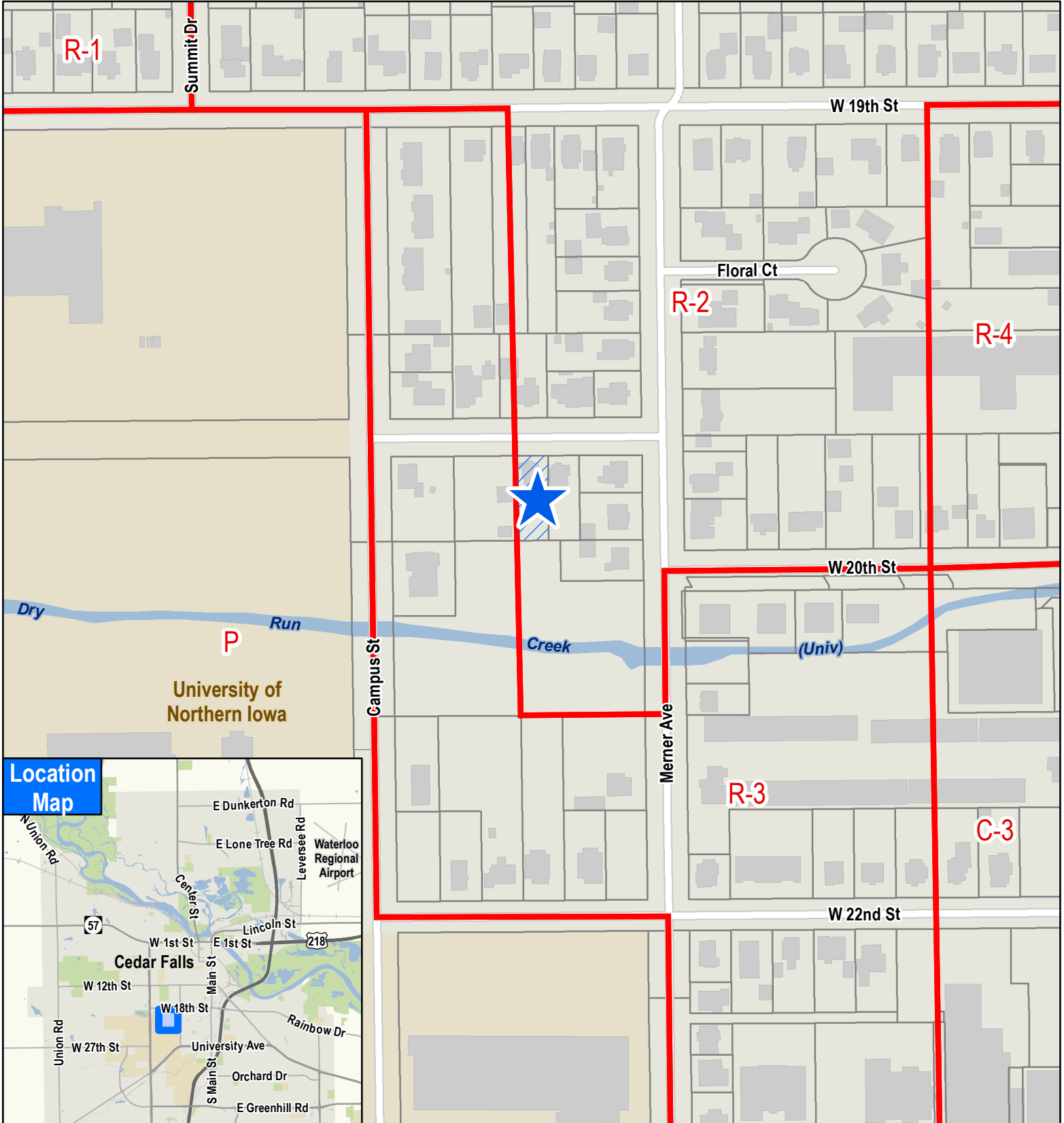
1. Any comments or direction specified by the Planning and Zoning Commission
2. Conformance with all City staff recommendations and technical requirements

Attachments:

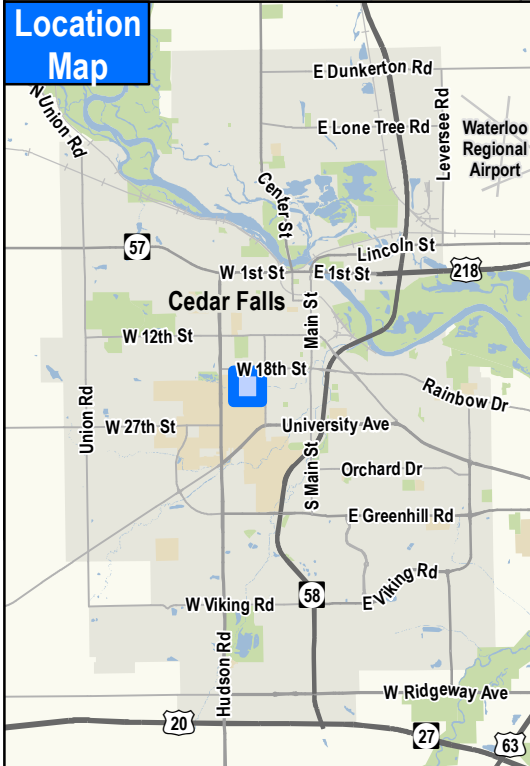
Proposed Site Plan
Letter of Intent

Cedar Falls Planning and Zoning Commission September 28, 2022

Item 5.



Location Map



**College Hill Neighborhood Overlay
Design Review for a new garage (DR22-002)
1214 W. 20th Street**



Carolan Builders
 Aaron Carolan
 5232 Metz Road
 Cedar Falls IA 50613

319-415-5810 (cell)
 Carolanbuilders95@gmail.com

Letter of Intent for property at 1214 W 20 th. Street

My intentions are to move existing garage from next door at 1224 w 20th, where we already have permission to remove house and build new duplex, and place it on a new concrete slab foundation at the end of the driveway in backyard of 1214 w 20th.

We will then install new vinyl siding on all of the exterior of the garage to match what is on the house. And install a new side entrance door.

The siding to be used is Certainteed brand Mainstreet series Flagstone color.

Owners within 200' from proposed project:

Tom & William Ogle 1226 W 20 th.
 Cedar Heights Baptist Church 2016 Campus St.
 Russell Campbell 1934 Campus St.
 Bryce Steiert 2001 Merner
 Nicholas Balk 2009 Merner
 Christopherson Rentals LLC 2015 Merner
 State of Iowa
 Austin Ryan 1233 W 20 th.
 Melvin Reimer 1215 W 20 th.
 Suzanne Riehl 1939 Merner

Beacon™ Black Hawk County, IA



Overview



Legend

- Water
- Parcels

Parcel ID	891414426003	Alternate ID	n/a	Owner Address	CAROLAN, AARON J
Sec/Twp/Rng	n/a	Class	R		5232 METZ RD
Property Address	1214 W 20TH ST CEDAR FALLS	Acreeage	n/a		CEDAR FALLS, IA 50613

District 910001
 Brief Tax Description SUNNYSIDE ADDITION LOT 10 BLK 6 LOT 11 BLK 6
 (Note: Not to be used on legal documents)

319-415-5810

These maps do not represent a survey. No liability is assumed for the accuracy of the data delineated herein, either expressed or implied by Black Hawk County, the Black Hawk County Assessor or their employees. These maps are compiled from official records, including plats, surveys, recorded deeds, and contracts, and only contain information required for local government purposes. See the recorded documents for more detailed legal information.

Date created: 9/11/2022
Last Data Uploaded: 9/10/2022 12:17:25 AM

Developed by Schneider GEOSPATIAL

Item 5.



