



AGENDA
CITY OF CEDAR FALLS, IOWA
PLANNING AND ZONING COMMISSION MEETING
WEDNESDAY, APRIL 10, 2024
5:30 PM AT CITY HALL, 220 CLAY STREET

Call to Order and Roll Call

Approval of Minutes

1. Planning and Zoning Commission Regular Meeting Minutes for March 27, 2024

Public Comments

Old Business

2. **Preliminary Plat- Panther West Additions (PP23-009)**
Petitioner: Brent Dahlstrom of Panther Farms LLC, Owner; Brewer Civil LLC, Engineer
Previous discussion: March 27, 2024
Recommendation: *Approval*
P&Z Action: *Discuss and make a recommendation to City Council*

3. **Rezoning – 2300 Main Street, 2216 Main Street, and 127 E 23rd Street; East of Main Street; North of E Seerley Blvd. (RZ24-002)**
Petitioner: Seven D LLC, owner; Chris Fischels of Fischels Commercial & Residential Group, applicant
Previous discussion: March 27, 2024
Recommendation: *Approval*
P&Z Action: *Hold public hearing and make a recommendation to City Council*

New Business

None

Commission Updates

Adjournment

Reminders:

- * April 24 and May 8 - Planning & Zoning Commission Meetings
- * April 15 and May 6 - City Council Meetings

**Cedar Falls Planning and Zoning Commission
Regular Meeting
March 27, 2024
Cedar Falls, Iowa**

MINUTES

The Cedar Falls Planning and Zoning Commission met in regular session on March 27, 2024 at 5:30 p.m. at City Hall. The following Commission members were present: Grybovych, Hartley, Henderson, Johnson, Leeper, Moser, Sorensen, and Stalnaker. and Alberhasky was absent. Karen Howard, Planning & Community Services Manager, Michelle Pezley, Planner III, and Jaydevsinh Atodaria, Planner II were also present.

- 1.) Chair Hartley noted the Minutes from the January 24, 2024 regular meeting are presented. Johnson made a motion to approve the Minutes as presented. Leeper seconded the motion. The motion was approved unanimously with 8 ayes (Grybovych, Hartley, Henderson, Johnson, Leeper, Moser, Sorensen, and Stalnaker), and 0 nays.

- 3.) Chair Hartley introduced the first item, the Preliminary Plat for Panther West Additions. Mr. Atodaria, Planner II, provided background information on the case. He explained that recently the subject property was rezoned to RP and was approved subject to the RP Master Plan and the development procedures agreement. Mr. Atodaria mentioned that the proposed plat will create 131 detached single-family lots, and the development will be done in four phases. He also explained that the 1st Phase will address three critical street connections that would allow the distribution of traffic within the neighborhood. Mr. Atodaria also noted that Tract B, located along the northwest edge of the development adjacent to the Dry Run Creek corridor will be conveyed to the City with the final plat for the 1st Phase for a future public trail. Two sidewalk connections will be extended from the public streets to provide access for neighborhood residents to the future trail. These sidewalk connections are shown on the plat as tracts that will be maintained by the homeowners' association. Mr. Atodaria described how stormwater will be managed for the proposed subdivision and noted a few minor outstanding issues. Staff recommended continuing the discussion at the next meeting.

Moser asked staff to clarify why is the sidewalk along Arbors Drive being reduced from a 10 ft wide sidewalk to a 6 ft wide sidewalk. Ms. Howard mentioned that 4-foot-wide sidewalks are typically required along public streets within a residential subdivision. In this case a 10-foot trail was provided next to the school in the subdivision to the south, but staff recommends reducing it to 6-feet through this development to provide some extra width, but 10 feet may not be necessary further from the school given the greater cost and maintenance involved. Sorenson inquired about who will be responsible for adding the sidewalk. Ms. Howard stated that sidewalks are constructed along the frontage of each lot by the home builder when a home is constructed.

Sorenson also asked about the thoughts behind the proposed roundabout in the development. Mr. Atodaria explained that because of the proximity to the school, a traffic calming along Arbors Drive would allow more safety for pedestrians. Ms. Howard added that on such a long stretch of road, it is important to think about traffic

calming up front. The developer proposes a solution for traffic calming and the City reviews it for the appropriateness for the specific location. In this case, the developer proposed a small roundabout to address traffic calming.

Henderson asked about easements in the proposed subdivision. Mr. Atodaria described all the easements illustrated on the plat. Henderson also asked about past concerns about street connections to Aldrich Elementary School. Ms. Howard agreed that there has been concern about missing segments of street that would help relieve traffic congestion. She explained that the proposed subdivision will be addressing several critical connections to the school in the 1st phase, as well as providing better distribution of traffic throughout the neighborhood.

Public attendee Todd Coulter mentioned that he and some of his adjacent neighbors have some concerns about the proposed drainage easements abutting their properties and asked how this stormwater will be managed on the lots. The developer's engineer Nick Brewer answered that the drainage easement will be entirely on the proposed lots. Mr. Brewer also noted that there is currently a temporary stormwater basin in that location, but the proposed lots will be re-graded to provide a drainage path for the stormwater, which will be directed to the proposed detention basin in the north-west area of the development. The developer's representative Kevin Fittro mentioned that there will be a 25 ft drainage easement that will be free of any structures including fences. Ms. Howard mentioned that the developer's engineer can prepare a stormwater management exhibit that the staff can bring to the next meeting (April 10, 2024) for better clarification and understanding of stormwater management.

- 4.) Chairperson Hartley introduced the next item, a request to rezone property located near the intersection of Main Street and Seerley Boulevard. Ms. Pezley, Planner III, presented the staff report, describing the location, uses of surrounding properties, the basic review criteria for a rezoning, and the applicant's reason for requesting the rezoning. The property is currently M-1 Light Industrial District, and the request is to rezone the property to C-2 Commercial District. The applicant would like to add a dental clinic in the building, which is not allowed in the M-1 zoning district. Ms. Pezley noted that the proposed rezoning is consistent with the Future Land Use Map, which identifies this area as appropriate for community commercial uses. She noted that all necessary public infrastructure is available to support the proposed zoning change.

Commissioner Stalnaker asked for clarification about the detail body shop that is permitted on the site. Pezley explained that the property owner has an active building permit to remodel the building which includes the vehicle detailing shop as described in the staff report.

Moser asked if a collision center (auto body repair) would be allowed if the zoning change is approved. Ms. Pezley confirmed that an auto body repair shop would not be allowed if rezoned to C-2. Moser asked how the city would follow up if there were any changes to the use that transformed it into an auto body repair shop. Pezley noted that the staff report was very detailed on what was allowed in the C-2 Zone with the auto detailing shop. If the use changed to a more extensive repair shop, this would provide context and help determine if there was a code violation.

Stalnaker asked how the code enforcement changes between the current zoning and proposed zoning. Pezley explained that the detailing shop as currently described by the applicant would be allowed in the proposed zoning district.

Stalnaker asked if the use ever gets to be a nuisance to the neighborhood, how would the City handle that. Howard explained that if the property owner was changing the use, they would have to come to the city for building permits and the change of use would be reviewed at that time. Howard understands that there is a fine line between the proposed detailing shop and an auto body repair shop and that is why staff asked the applicant to describe the use in detail for the record. Howard explained that the C-2 zone allows for many commercial uses such as auto service, but it does not allow auto body work/collision center. This change would go to a less intense use than the current zone which is in a direction that would be more compatible with the comprehensive plan. The building was previously used for commercial uses, and they would like to continue to use the building for commercial uses.

Henderson asked if the owner could use the building as a collision center today and Howard said yes. Henderson points out that the rezoning would ensure a less intense use for the neighbors moving forward.

Chris Fischels, representing the property owner, said that this is the first time that he has seen an applicant request a down-zoning, but the owner would like to lease space for a dental clinic. He was there to answer any questions. There were no questions or comments from the Commission.

Dr. Spencer Walker, 3413 Pheasant Dr., Cedar Falls. Walker is the dentist who wants to lease space in the building. Walker has been working in Cedar Falls for 13 years and has outgrown his current office. Walker plans to stay in Cedar Falls for many years to come and thinks this would be a good location for the clinic.

Hartley asked for any more comments and there were none. Hartley shared that he thought that this was great repurpose of the building. Moser agreed.

Sorensen moved to set the public hearing for the April 10, 2024, Planning and Zoning Commission meeting. Henderson seconded the motion. The motion was approved unanimously on a voice vote.

- 5.) As there were no further comments, Henderson made a motion to adjourn. Sorensen seconded the motion. The motion was approved unanimously with 7 ayes (Alberhasky, Hartley, Henderson, Johnson, Leeper, Sorensen and Stalnaker), and 0 nays.

The meeting adjourned at 6:08 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
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www.cedarfalls.com

MEMORANDUM

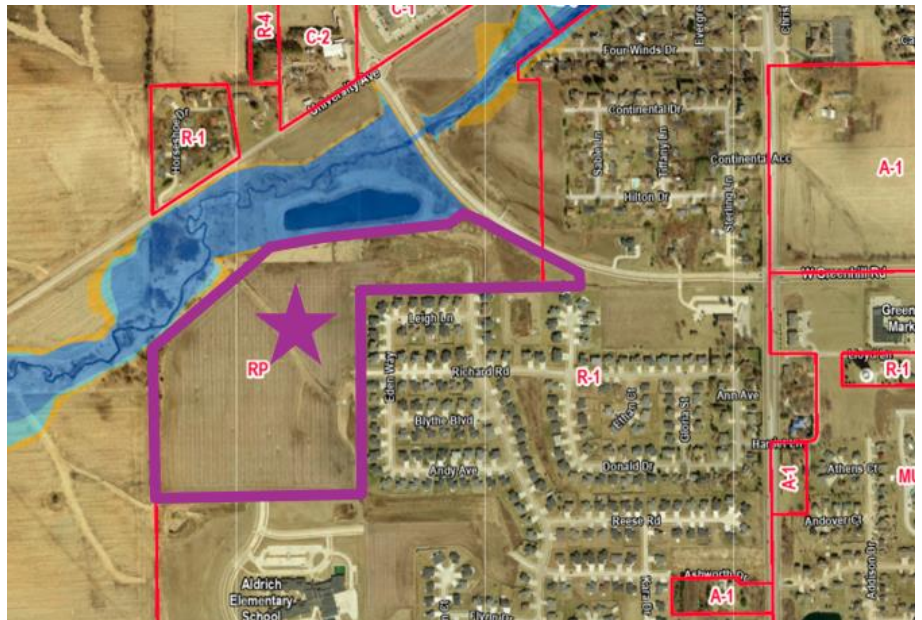
Planning & Community Services Division

TO: Planning & Zoning Commission
FROM: Jaydevsinh Atodaria (JD), AICP, City Planner II
Matthew Tolan, Civil Engineer II
DATE: April 10, 2024
SUBJECT: Preliminary Plat for Panther West Additions (PP23-009)

REQUEST: To approve Panther West Additions Preliminary Plat (PP23-009)
PETITIONER: Brent Dahlstrom, Owner; Brewer Civil LLC, Engineer
LOCATION: The property is located south of Greenhill Road and North of Aldrich Elementary School

PROPOSAL

It is proposed to subdivide the 54.79 acres (as highlighted in the image to the right) of property located south of Greenhill Road and north of Aldrich Elementary School to create 131 residential lots. It is intended to develop the subject property with detached single-family dwelling units and a tract intended to be dedicated to the City for a future public trail.



BACKGROUND

Panther Builders LLC has submitted a preliminary plat for Panther West Additions for review. The subject property was recently rezoned from R-1 Residence District and MU Mixed Use Residential District to RP Planned Residential District for detached single-family dwelling units. The RP Zoning for the area was approved by the City Council on March 4, 2024, along with the approval of an RP Master Plan for the subject property and the development procedures

agreement that includes the agreed-upon standards and conditions for the development. Both the RP Master Plan and the agreement document are attached in the packet for reference.

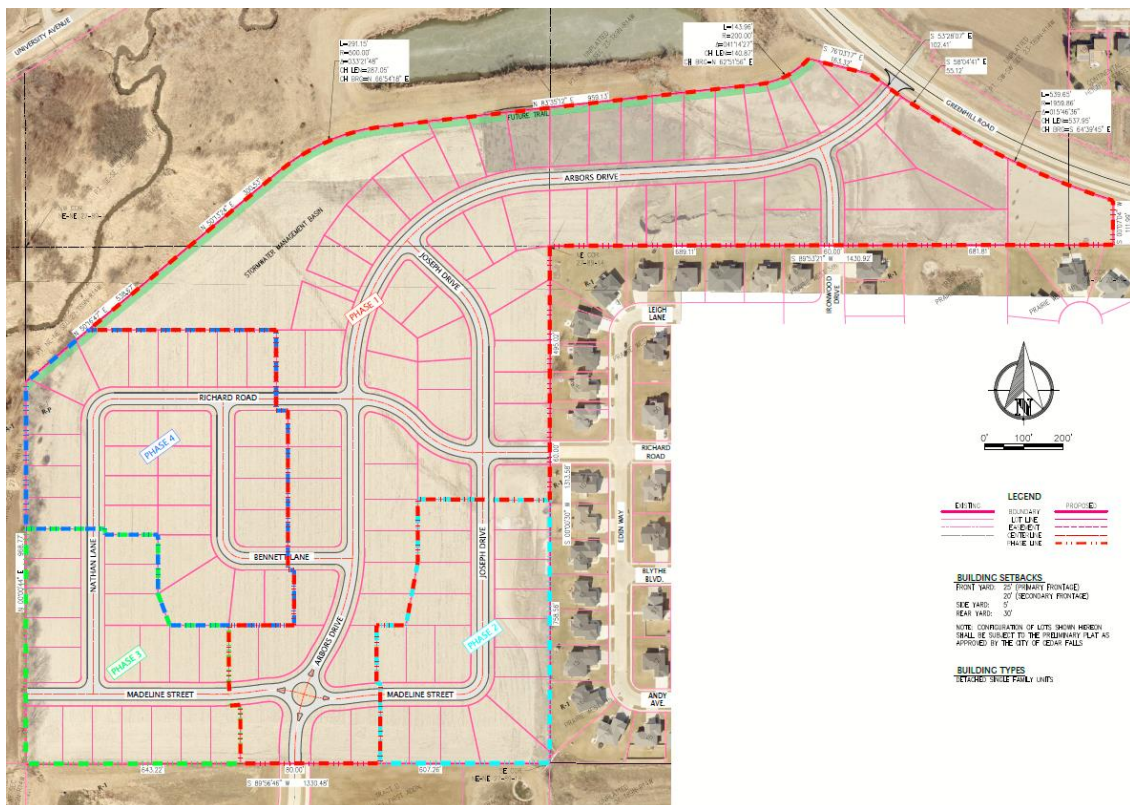
The developer now requests approval of the preliminary plat for the subject property.

STAFF ANALYSIS

Zoning

The proposed subdivision plat includes 131 lots on 54.79 (approx.) acres of land which will be accessed via Greenhill Road from the north, Richard Road from the east, Arbors Drive, and Ironwood Drive from the south. The property is zoned RP, Planned Residential which permits a variety of uses subject to an approved master development plan.

The purpose of the R-P Planned Residence District is to permit the establishment of multi-use and integrated-use residential developments and to provide for the orderly planned growth of residential developments in larger tracts of land. The RP District allows flexibility in the types of dwellings, lot sizes, building heights, and setbacks. However, to ensure that the area is developed in an orderly manner, provides for efficient traffic circulation between neighborhoods, and includes the necessary infrastructure to meet the needs of the future residents, a master plan must be submitted with the rezoning, and a developmental procedures agreement. It is also intended that such planned residence districts be designed and developed in substantial conformity with the standards of the comprehensive plan and with recognized principals of civic design, land use planning, and landscape architecture. The proposed preliminary plat aligns well with the recently approved RP Master Plan (See the approved RP Master Plan image below for reference) and the developmental procedures agreement.

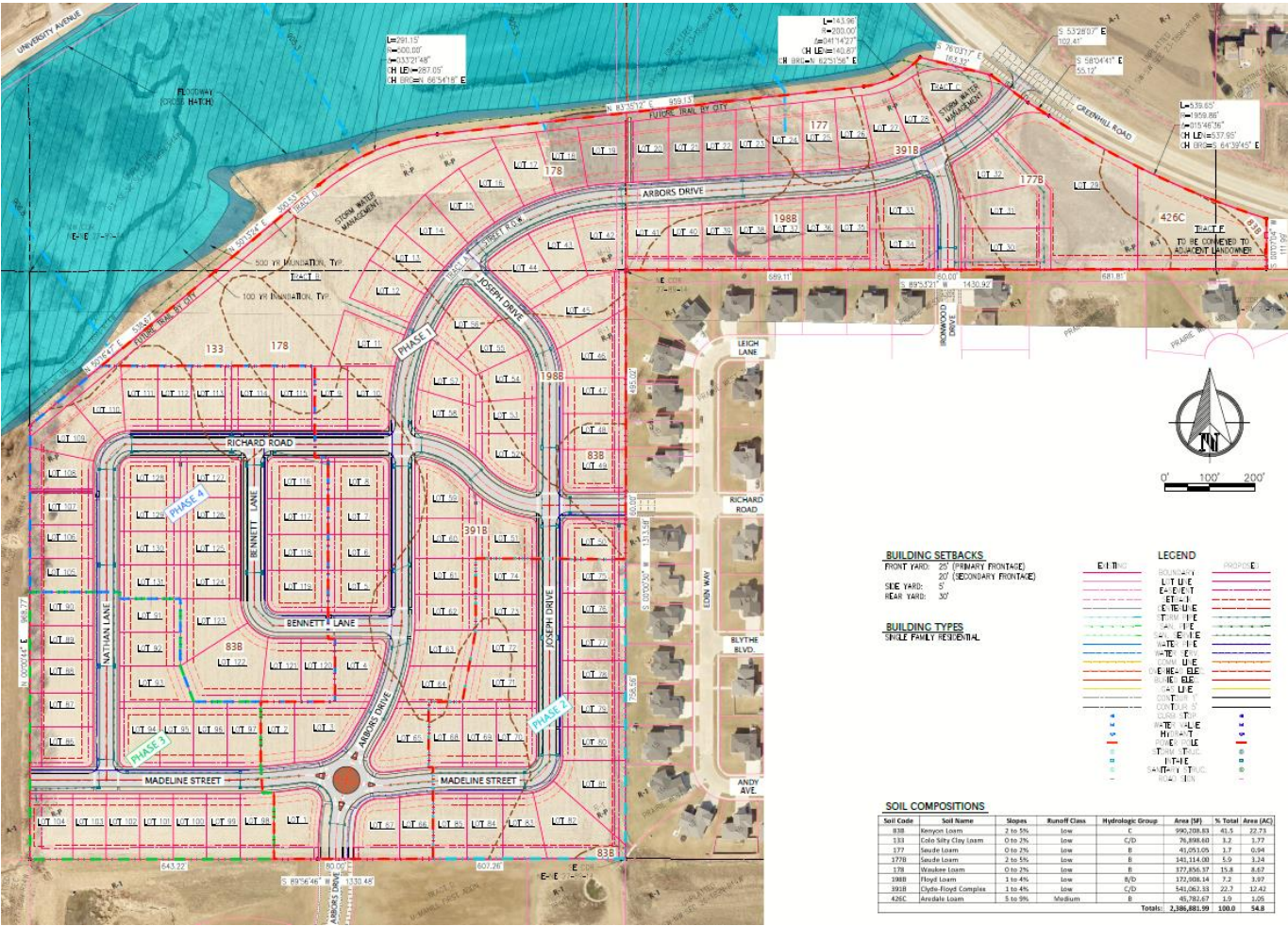


Setbacks equal to what is required in the R-4 Zoning District are required around the perimeter of the RP District. Therefore, where lots back up to the perimeter of the development, the setback is 30 feet to match the rear yard setback and the setback is 10% of the lot width, where lots back up to the perimeter of the development to match the side yard setback in the R-4 Zone. Staff notes that the perimeter setback needs to be labeled on the Preliminary Plat. The deed of dedication and the preliminary plat will outline the minimum building setback standards for all lots in the subdivision (detailed below). The lots as proposed satisfy minimum lot width and area criteria as specified in R-P Planned Residence District.

Subdivision Design

Street layout and connectivity:

The street layout is one of the most important aspects of the proposed master plan as it should demonstrate a well-connected street pattern with multiple, direct routes between neighborhood destinations with a phasing plan that ensures that critical street routes are completed first to reduce traffic congestion, encourage safe walking and biking, improve emergency access and response times, and allow for the timely provision of essential infrastructure. Better street connectivity also opens the possibility of development to surrounding undeveloped/unplatted areas.



The proposed preliminary plat (see image above for reference) follows the approved RP Master Plan for the subject property to ensure better street layout and connectivity. Arbors

Drive will be extended northward to W. Greenhill Road. Richard Road will be extended westward into the proposed development and Ironwood Drive will be extended northward to connect to W. Greenhill Road. All these street extensions allow both the proposed development and the adjacent developments east and south of the subject property with alternative routes to and from the area, distributing the traffic in the neighborhood and more importantly providing needed street connections to navigate between the subdivisions. Staff notes that the proposed extension of streets as noted above will address the missing critical connections for the surrounding land uses including Aldrich Elementary School.

In addition, Madeline Street will be extended westward from Arbors Drive, providing a connection opportunity for future development with all city services being stubbed to the western boundary of the subject property.

A traffic circle will be incorporated at the intersection of Arbors Drive and Madeline Street as part of the proposed subdivision construction in phase 1. Work will include a mountable intersection that will allow larger vehicles to pass through the intersection without impedance. The traffic circle will assist with traffic calming along Arbors Drive adjacent to Aldrich Elementary. The traffic circle will also assist pedestrian users with shorter crossing distances and separate lanes.

Public Sidewalks:

To provide continuity for pedestrian circulation, public sidewalks will be extended. With the proposed plat, the developer will be continuing to extend a 10 foot-wide trail from the McMahill Plat along the east of Arbors Drive and transition it to 6 feet wide sidewalk along the east side of the proposed northward extension of Arbors Drive in Panther West. The 6-foot-wide sidewalk will be extended northerly to the Greenhill Road trail system. Besides this, a 4-foot-wide sidewalk will be placed along all street frontages as required by the City's subdivision code. The deed of dedication will outline the details of the provision of sidewalks throughout the subdivision.

Future Public Trail:

As per the approved RP Master Plan and developmental procedures agreement for the subject property, the developer has included Tract D, which will be dedicated to the City of Cedar Falls for a future public trail along the northern boundary of the subdivision. This Tract will be developed and dedicated to the City in Phase 1 of the project. However, the trail will be added at a later date by the city. Tract D is located between the lots (in the proposed subdivision) and the floodway area (north of the proposed subdivision boundary). Staff notes that careful grading is done to ensure that no encroachment of any grading work is done in the floodway area (north of the proposed subdivision boundary).

The Developer will be responsible for providing two trail through connections from the internal roadway to the proposed Tract D, via a 6 ft. wide concrete sidewalk, 6 inches thick, and 15 ft. wide Tracts E and F. Both Tracts E and F will owned by the Panther West Addition Homeowners Association and maintained for public access to the future trail in Tract D. These connections will allow future residents in the area direct access to the trail. As the trail is built, it may promote pedestrian vs vehicular travel to the future City Park and Aldrich Elementary School (south of the proposed subdivision).

Staff notes that the pedestrian connection from Tract F to Tract D will be across the drainage easement. The sidewalk connection will need a small culvert, which will be sized for the proposed grade as it will be perpendicular to the drainage swale, thus creating a levelled space

for public egress to Tract D. The applicant has indicated that the same will be addressed with the construction plan of that phase.

The deed of dedication will outline the conditions under which the City will accept this trail tract area as it must be graded and seeded according to City standards to provide a level space for future use and maintenance.

Stormwater Management:

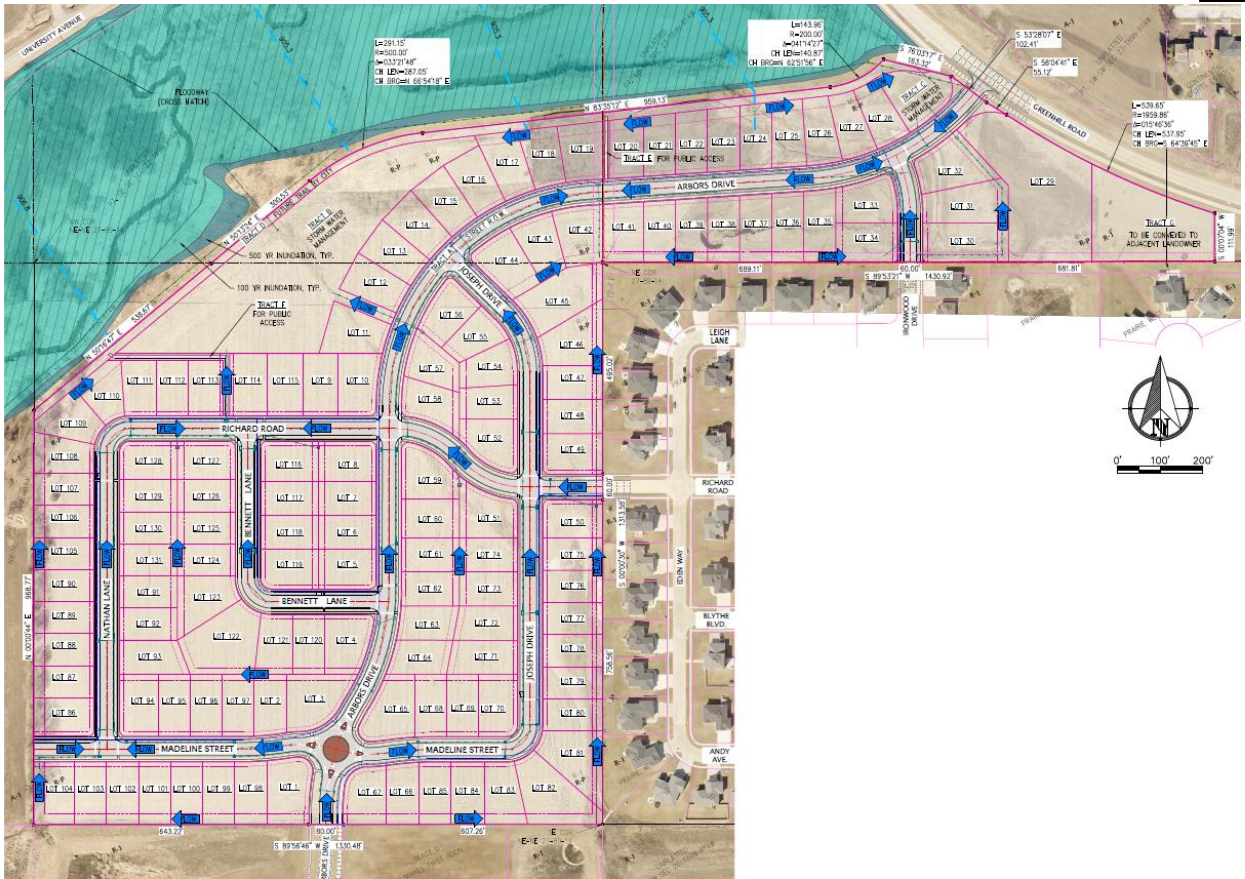
The overall development will utilize two regional detention facilities (Tract B and C on the proposed plat) that will be constructed to collect stormwater from the street network by intakes or captured by overland swales within protected drainage easements to be conveyed to the regional detention area. Tract B will collect the majority of the preliminary plat boundaries and Tract C will collect the far easterly side of the development near the intersection of Arbors Drive and Ironwood Drive. Tract C also accounts for the collection and bypass of the Prairie West Addition detention facility (located south of proposed Lot 29). The Prairie West 2nd Addition basin currently outfalls by overland flow that will be rerouted into the proposed Panther West Addition’s storm sewer network and released into proposed Stormwater Management area (Tract C) with a new outfall into the northerly City property (see image to the for additional reference)



Overland drainage routes are present throughout the proposed Panther West Addition and overall conveyance of the tracts will be released to the northern City property. A Maintenance and Repair Agreement (MRA) will be established between the City and developer, prior to the final plat, for the detention facilities to be maintained by the associated benefited properties the basins serve.

During construction, both the basins (Tract B and C) will be established in the first phase of construction. It will become the responsibility of the developer not to impede the flow of the existing detention facility located in Prairie West 2nd. It will also be the developer’s responsibility to create and maintain a Storm Water Pollution Prevention Plan that will limit onsite erosion from construction-related activities, as outlined by the City Code. Compliance with these requirements will help to reduce sedimentation within the stormwater facilities.

The applicant has added a Drainage Map exhibit in the packet as per request at the last Planning and Zoning Meeting on March 27th, 2024. This exhibit shows how the stormwater will be managed for the entire development. See below image for reference.



Sanitary Sewer

The sanitary sewer will be extended from Greenhill Road into this subdivision. The sewer will be extended along Arbors Drive and Ironwood Drive. Then the sanitary will continue southwesterly and extend along Arbors Drive, Joseph Drive, Richard Road, Bennett Lane, Nathan Lane, and then Madeline Street. The sanitary sewer will be extended to the limits of the plat on the westerly edge of Madeline Street, per the City's subdivision ordinance to accommodate future growth.

Utilities

City technical staff, including Cedar Falls Utilities (CFU) personnel, noted that the water, electric, gas, and communication services are available at the site. The developer is responsible for the construction of a properly sized water system from the 12" water main on the north end of Arbors Drive, the west end of Richard Road, the north end of Ironwood Drive, and the west side of Greenhill Road to and throughout the proposed addition. The water main will need to be to tie into the existing water main on the east side of Arbors Drive. The water main will be installed on the north/west side of the roads throughout the development. The developer will install electric and gas utilities throughout the addition. The fire hydrant and valve placement locations will need to be finalized during the water construction plan review. The developer is responsible for the cost of the streetlight installations required for any City streets.

Easements:

The proposed preliminary plat shows easements to provide access to services for the development of the subject property. Most of the lots will have drainage easements either along the side property line or rear property line. The plat also labels access easement, and electrical

transmission easement on several lots. No encroachments including building structures, overhang of a structure, fences, landscaping shrubs/trees, driveways, private gardens, or any other obstruction will be allowed in any easement.

Subdivision Phasing

The development has four phases. The first phase includes the extension of critical street connections including the extension of Richard Road, Ironwood Drive and Arbors Drive into the proposed development. Phase 1 will include the development of 67 detached single-family dwelling units, two tracts for Stormwater Management, a tract for conveyance to adjacent landowners, and a tract for a Future Public trail. Phases 2 and 4 will include the development of 18 and 27 detached single-family dwelling units respectively. Phase 3 will include the development of 19 detached single-family dwelling units and an extension of Madeline Street up to the western boundary of the subdivision. The proposed phasing aligns well with the approved RP Master Plan. The extensions of critical street infrastructure in Phase 1 of the project will likely ease traffic from existing development to the east and provide access to Aldrich Elementary School from both Greenhill Road and Richard Road.

Lot Standards

As per the R-P, Residential Planned zoning district, there are no minimum yard or height requirements except that the minimum yards, as specified in the R-4 residence district shall be provided around the boundaries of the planned residence district. The perimeter setbacks are described in the zoning section above.

Minimum principal building setbacks:

The developer proposes the following minimum setbacks for all the lots in the development.

- Minimum Front Yard setback = 25 feet (Primary frontage as shown on the plat)
- Minimum Front Yard setback = 20 feet (Secondary frontage as shown on the plat)
- Minimum Side Yard setback = 5 feet
- Minimum Rear Yard setback = 30 feet

City staff finds that the setbacks will be appropriate for the development being like setback requirements for single-family dwellings in the R-4 District. All setback information is labeled on the plat for additional reference. However, staff notes that a label showing the perimeter setback line along the periphery of the proposed subdivision must be shown on sheet PP-2.

Lot size:

As per the R-P District standards, the lot area requirements of the R-4 District shall apply. In the R-4 District, detached single-family units require a minimum of 6000 square feet. The proposed lot sizes in the development vary from 10,125 sq. ft. to 66,590 sq. ft. All proposed lots exceed the requirements of the RP District.

Driveways:

As per the approved Development Procedural Agreement for the subject property, the developer will have to ensure driveway curb cuts spacing requirement. Staff notes that some of the corner lots located along Arbors Drive will need to maintain a minimum driveway separation of 75'-0 from the opposing street as per SUDAS. The width of driveway may be reduced to maintain intersection clearance defined in SUDAS. Staff notes that the developer will be adding some language about restricting driveway widths for certain lots to meet driveway spacing

requirements and the same has been specified in the deed of dedication document. Staff also note that no direct driveway access shall be allowed on W. Greenhill Road for Lot 29.

Notification of Surrounding Property Owners:

City Staff sent a courtesy notice to the surrounding property owners on March 18th, 2024.

TECHNICAL COMMENTS

The petitioner’s engineer has previously submitted a stormwater management plan to the City and it has been reviewed by the City Engineer. The City Engineer has determined that the plan meets the City’s subdivision requirements and also finds that the design will improve the drainage pattern that has developed over the years on this undeveloped parcel of land.

The draft deed of dedication has been submitted with the packet. The wording of this document will be dependent on the conditions and specifications of the plat as recommended by the Planning and Zoning Commission.

STAFF RECOMMENDATION

Staff recommends approval of the proposed preliminary plat for Panther West Additions (PP23-009), subject to any comments or direction specified by the Planning and Zoning Commission and conformance to all city staff recommendations and technical comments noted above.

PLANNING & ZONING COMMISSION

Introduction& Discussion
03/27/2024
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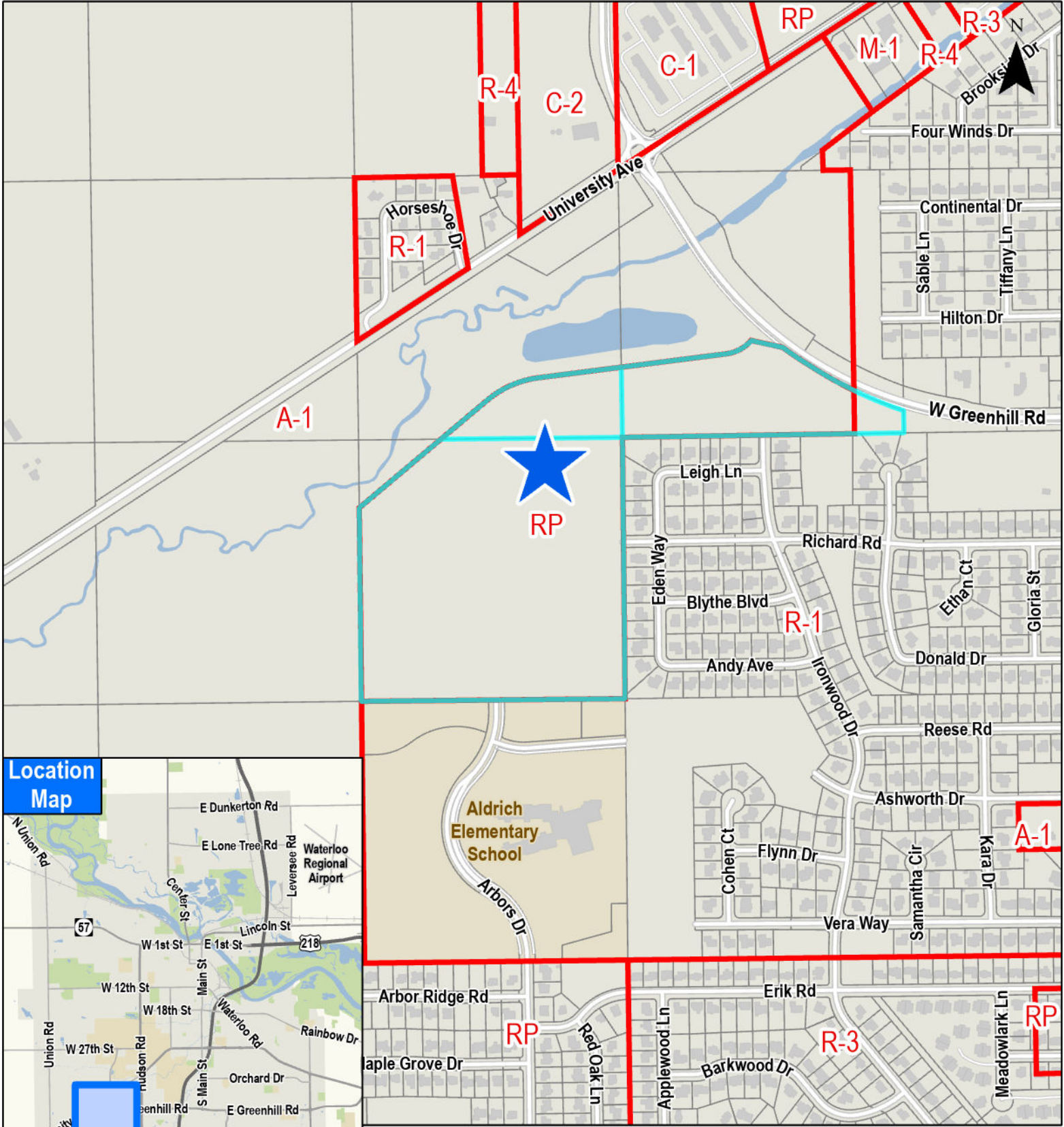
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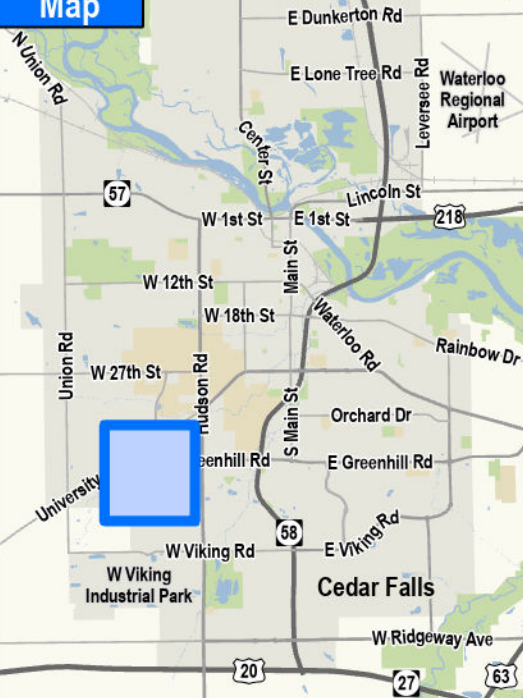
Cedar Falls Planning and Zoning

March 27, 2024

Item 2.



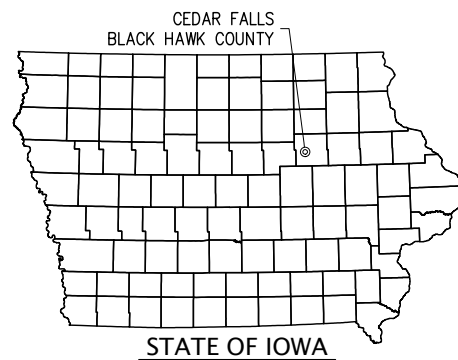
Location Map



Preliminary Plat for Panther West Additions (PP23-009)

PRELIMINARY PLAT FOR PANTHER WEST ADDITIONS TO THE CITY OF CEDAR FALLS, BLACK HAWK COUNTY, IOWA

PN: PROJECT #
2024_0403



NOTES

1. THIS PRELIMINARY PLAT IS A CONCEPTUAL REPRESENTATION OF THE PROPOSED DEVELOPMENT. ANY FINAL PLAT AND RELATED IMPROVEMENTS REQUIRED BY THE DEVELOPMENT SHALL MEET THE REQUIREMENTS OF THE CITY OF CEDAR FALLS
2. FINAL EASEMENT SIZING SHALL BE REVIEWED AT TIME OF FINAL PLATTING. SIZING SHOWN IS BASED ON ASSUMED DEPTH AND SIZES OF UTILITIES
3. TRACK A SHALL BE DEDICATED TO THE CITY OF CEDAR FALLS FOR PUBLIC RIGHT-OF-WAY
4. TRACTS B & C SHALL BE USED FOR STORM WATER DETENTION/RETENTION AND OVERFLOW ROUTING. FINAL SIZING IS DEPENDENT ON AN APPROVED STORM WATER MANAGEMENT REPORT.
5. TRACT D SHALL BE DEDICATED TO THE CITY OF CEDAR FALLS FOR A FUTURE PUBLIC TRAIL.
6. TRACT E & F SHALL BE USED FOR PUBLIC ACCESS TO THE FUTURE TRAIL WITH SIDEWALK PROVIDED BY THE DEVELOPER AND MAINTENANCE AND REPAIRS PROVIDED THEREAFTER BY THE PANTHER WEST HOA.
7. TRACT G SHALL BE CONVEYED TO ADJACENT LANDOWNER DIRECTLY SOUTH.
8. ALL LOT FRONTAGE (INCLUDING DOUBLE FRONTAGE), SHALL HAVE A 10' PUBLIC UTILITY EASEMENT FROM THE PROPERTY LINE INTO THE LOT UNLESS NOTED AS GREATER ON THIS DOCUMENT.
9. ALL UTILITY EASEMENT SHOWN ARE SUBJECT TO UTILITY APPROVAL AT TIME OF FINAL PLATTING.
10. TRAFFIC CALMING MEASURES INCLUDE IMPLEMENTATION OF ROUNDABOUT AND PROVIDING REDUCED STRAIGHT SECTIONS OF ROADWAY.

PREPARED FOR

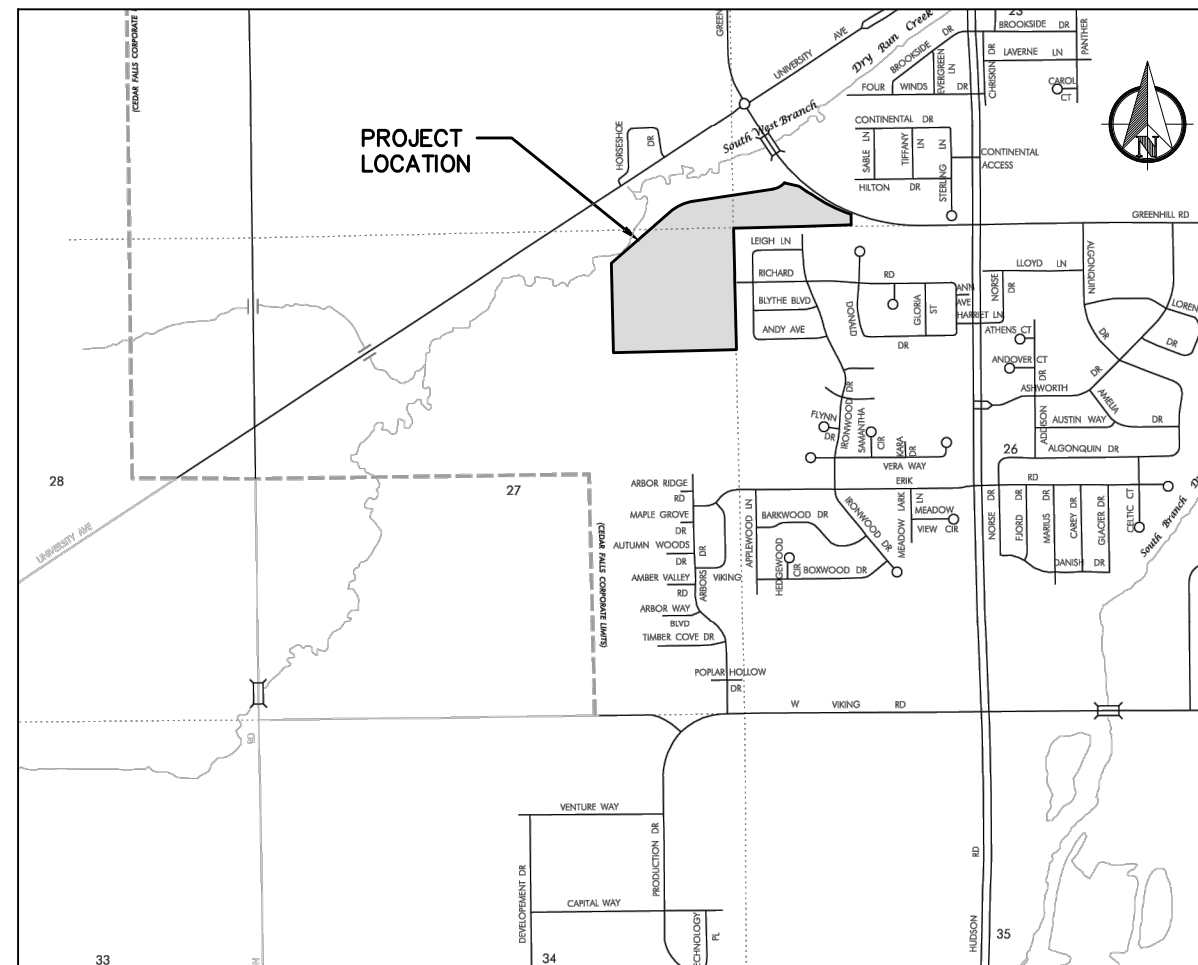


DEVELOPER

PANTHER FARMS, LLC
PO BOX 128
CEDAR FALLS, IOWA 50613

CIVIL ENGINEER

BREWER CIVIL, LLC
2920 McCLAIN DRIVE
CEDAR FALLS, IOWA 50613
ENGINEER: NICK BREWER, PE
319.575.2725



Sheet List Table	
Sheet Number	Sheet Title
PP-1	COVER
PP-2	PRELIMINARY PLAT - SITE MAP
PP-3	PRELIMINARY PLAT - SOUTH
PP-4	PRELIMINARY PLAT - NORTHWEST
PP-5	PRELIMINARY PLAT - NORTHEAST

LEGAL DESCRIPTION

Northeast Quarter of the Northeast Quarter of Section 27, Township 89 North, Range 14 West of the 5th P.M., Black Hawk County, Iowa, except that part lying within 574 LD 64 as shown and depicted on Plat of Survey Doc. #2013-13902.

And

All that part of the Southeast Quarter of the Southeast Quarter of Section 22, Township 89 North, Range 14 West of the 5th P.M., Black Hawk County, Iowa, lying Southerly of 574 LD 64 as shown and depicted on Plat of Survey Doc. #2013-13902.

And

All that part of the South one-half of the Southwest Quarter of Section 23, Township 89 North, Range 14 West of the 5th P.M., Black Hawk County, Iowa, lying Southerly of 574 LD 64 and Doc. #2013-12296 as shown and depicted on Plat of Survey Doc. #2013-13902.

Containing 54.79 Acres

CURRENT ZONING

R-P

AVERAGE LOT SIZE

13,000 SF / 0.30 ACRES (FIGURE EXCLUDES ALL TRACTS)

PP-1

2024_0403
FINAL SUBMITTAL



	I hereby certify that this Engineering document was prepared by me or under my direct personal supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Iowa.	
	Signature _____ Nicholas C Brewer, P.E.	Date _____ LICENSE NO. 28034
	My License renewal date is: <u>DECEMBER 31, 2024</u>	
	Pages or sheets covered by this seal: _____	

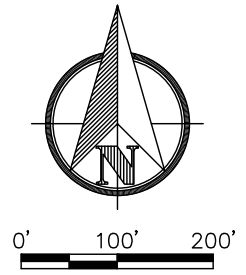
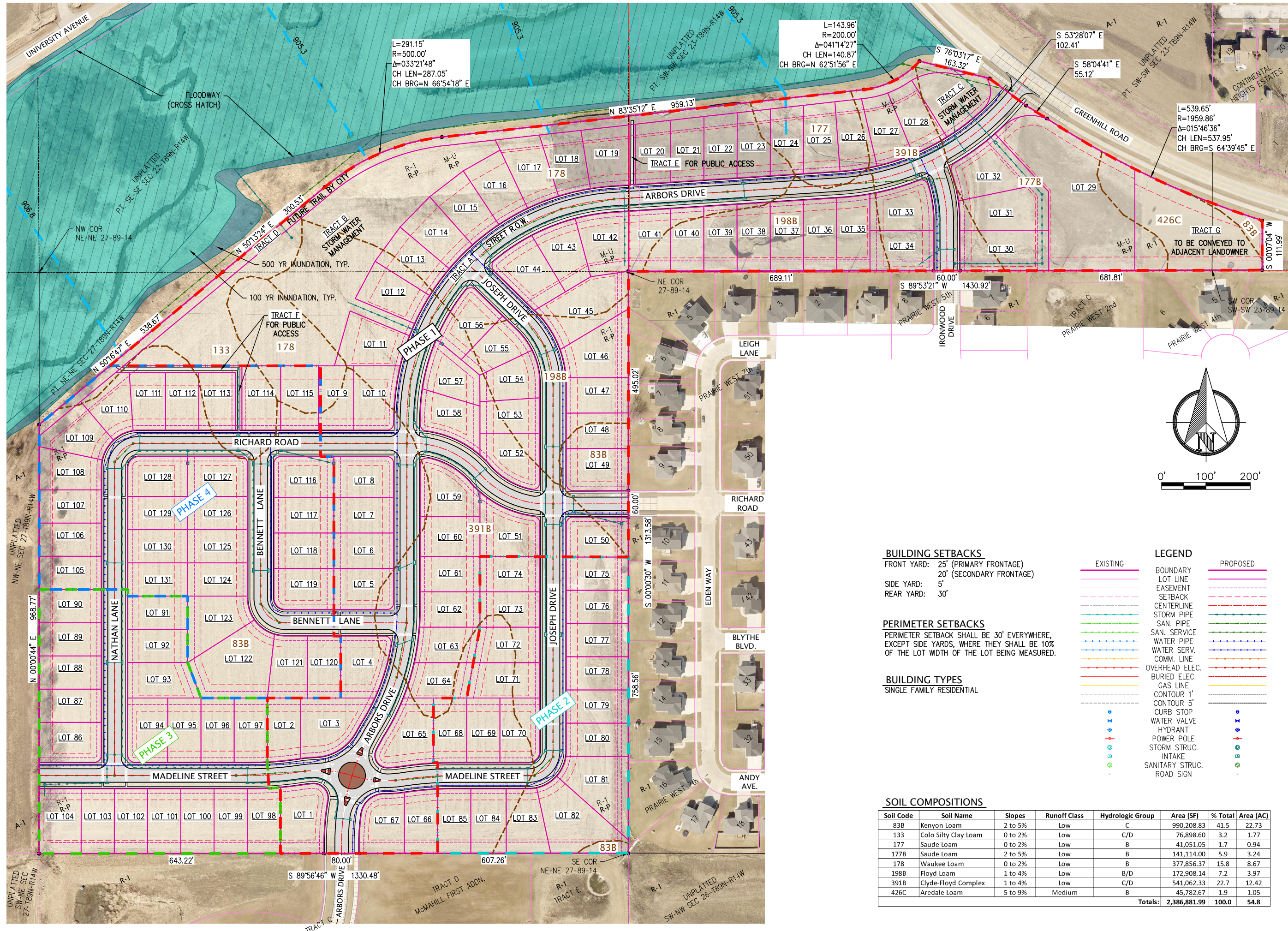


PRELIMINARY PLAT - SITE MAP

PANTHER WEST ADDITIONS

PANTHER FARMS, LLC
PN - PROJECT #

PP-2
2024_04
FINAL SUBM 16



BUILDING SETBACKS

FRONT YARD: 25' (PRIMARY FRONTAGE)
20' (SECONDARY FRONTAGE)
SIDE YARD: 5'
REAR YARD: 30'

PERIMETER SETBACKS

PERIMETER SETBACK SHALL BE 30' EVERYWHERE,
EXCEPT SIDE YARDS, WHERE THEY SHALL BE 10%
OF THE LOT WIDTH OF THE LOT BEING MEASURED.

BUILDING TYPES

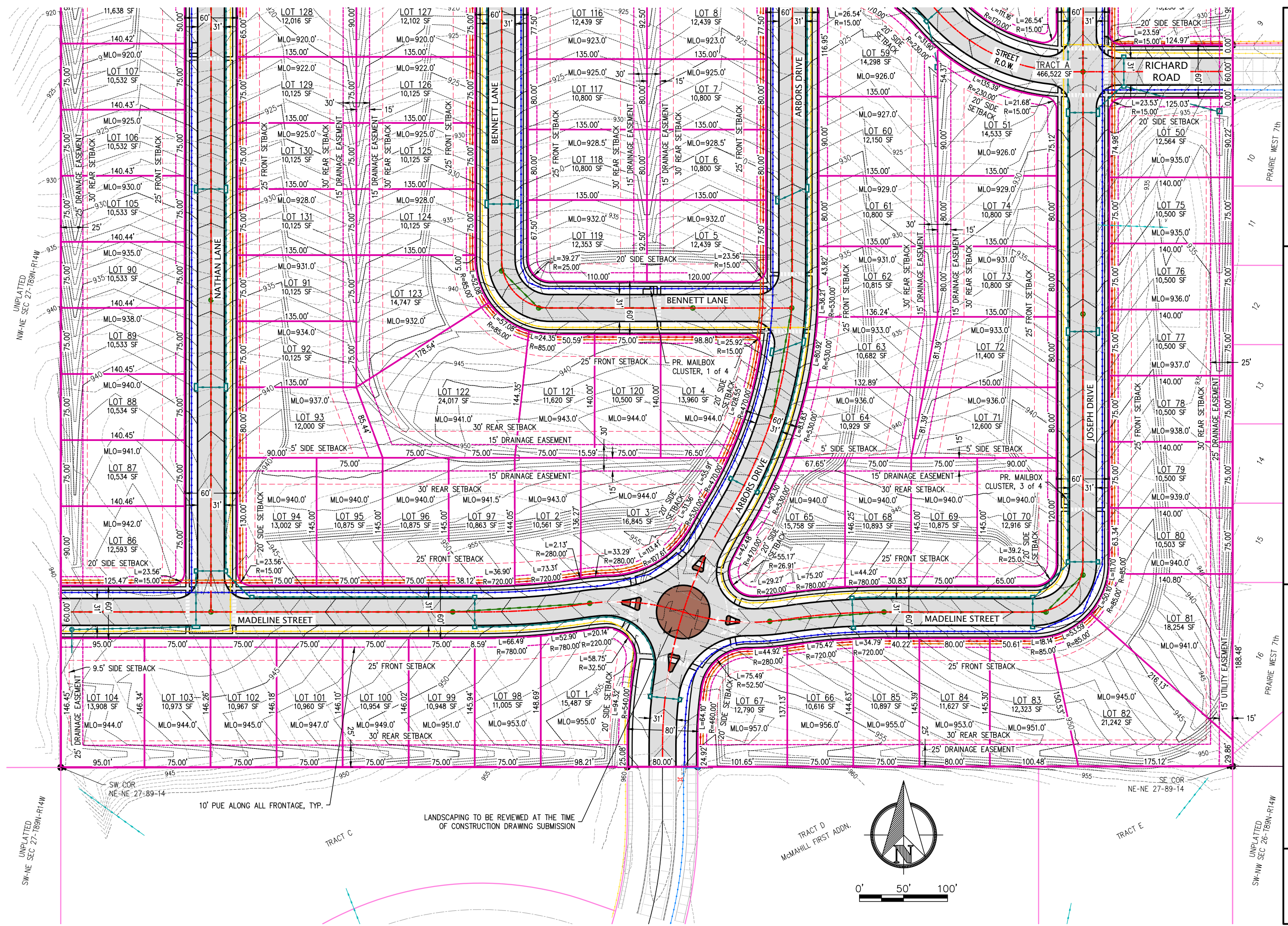
SINGLE FAMILY RESIDENTIAL

LEGEND

EXISTING	PROPOSED
(Pink dashed line)	(Pink solid line)
(Blue dashed line)	(Blue solid line)
(Green dashed line)	(Green solid line)
(Red dashed line)	(Red solid line)
(Yellow dashed line)	(Yellow solid line)
(Cyan dashed line)	(Cyan solid line)
(Purple dashed line)	(Purple solid line)
(Brown dashed line)	(Brown solid line)
(Black dashed line)	(Black solid line)
(Blue dashed line with cross)	(Blue dashed line with cross)
(Red dashed line with cross)	(Red dashed line with cross)
(Green dashed line with cross)	(Green dashed line with cross)
(Yellow dashed line with cross)	(Yellow dashed line with cross)
(Cyan dashed line with cross)	(Cyan dashed line with cross)
(Purple dashed line with cross)	(Purple dashed line with cross)
(Brown dashed line with cross)	(Brown dashed line with cross)
(Black dashed line with cross)	(Black dashed line with cross)

SOIL COMPOSITIONS

Soil Code	Soil Name	Slopes	Runoff Class	Hydrologic Group	Area (SF)	% Total	Area (AC)
83B	Kenyon Loam	2 to 5%	Low	C	990,208.83	41.5	22.73
133	Colo Silty Clay Loam	0 to 2%	Low	C/D	76,898.60	3.2	1.77
177	Saude Loam	0 to 2%	Low	B	41,051.05	1.7	0.94
177B	Saude Loam	2 to 5%	Low	B	141,114.00	5.9	3.24
178	Waukee Loam	0 to 2%	Low	B	377,856.37	15.8	8.67
198B	Floyd Loam	1 to 4%	Low	B/D	172,908.14	7.2	3.97
391B	Clyde-Floyd Complex	1 to 4%	Low	C/D	541,062.33	22.7	12.42
426C	Aredale Loam	5 to 9%	Medium	B	45,782.67	1.9	1.05
Totals:					2,386,881.99	100.0	54.8



UNPLATTED NW-NE SEC 27-189N-R14W

10' PUE ALONG ALL FRONTAGE, TYP.

LANDSCAPING TO BE REVIEWED AT THE TIME OF CONSTRUCTION DRAWING SUBMISSION

TRACT D McMAHILL FIRST ADDN.

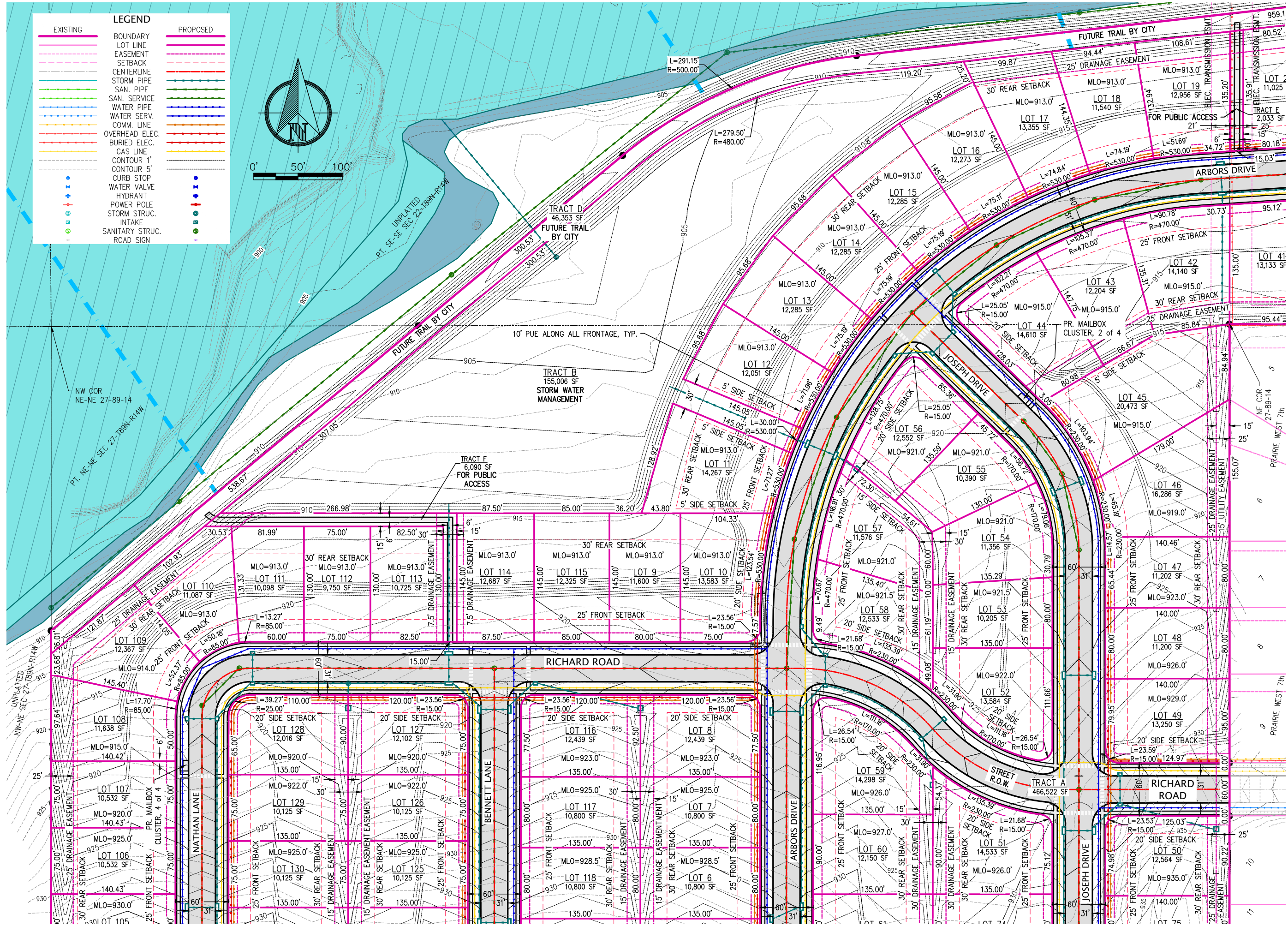
UNPLATTED SW-NW SEC 26-189N-R14W



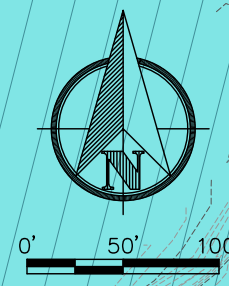
PRELIMINARY PLAT - NORTHWEST PANTHER WEST ADDITIONS

PANTHER FARMS, LLC P.N. PROJECT #

PP-4 2024_04 FINAL SUBM 18



LEGEND	
EXISTING	PROPOSED
	BOUNDARY
	LOT LINE
	EASEMENT
	SETBACK
	CENTERLINE
	STORM PIPE
	SAN. PIPE
	SAN. SERVICE
	WATER PIPE
	WATER SERV.
	COMM. LINE
	OVERHEAD ELEC.
	BURIED ELEC.
	GAS LINE
	CONTOUR 1'
	CONTOUR 5'
	CURB STOP
	WATER VALVE
	HYDRANT
	POWER POLE
	STORM STRUC.
	INTAKE
	SANITARY STRUC.
	ROAD SIGN



NW COR NE-NE 27-89-14
PT. NE-NE SEC 27-789N-R14W

TRACT D
46,353 SF
FUTURE TRAIL BY CITY

TRACT B
155,006 SF
STORM WATER MANAGEMENT

TRACT F
6,090 SF
FOR PUBLIC ACCESS

RICHARD ROAD

RICHARD ROAD

LOT 105

LOT 106

LOT 107

LOT 108

LOT 109

LOT 110

LOT 111

LOT 112

LOT 113

LOT 114

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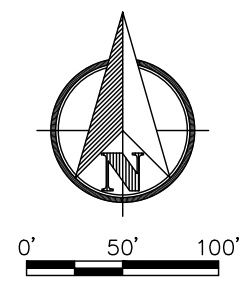
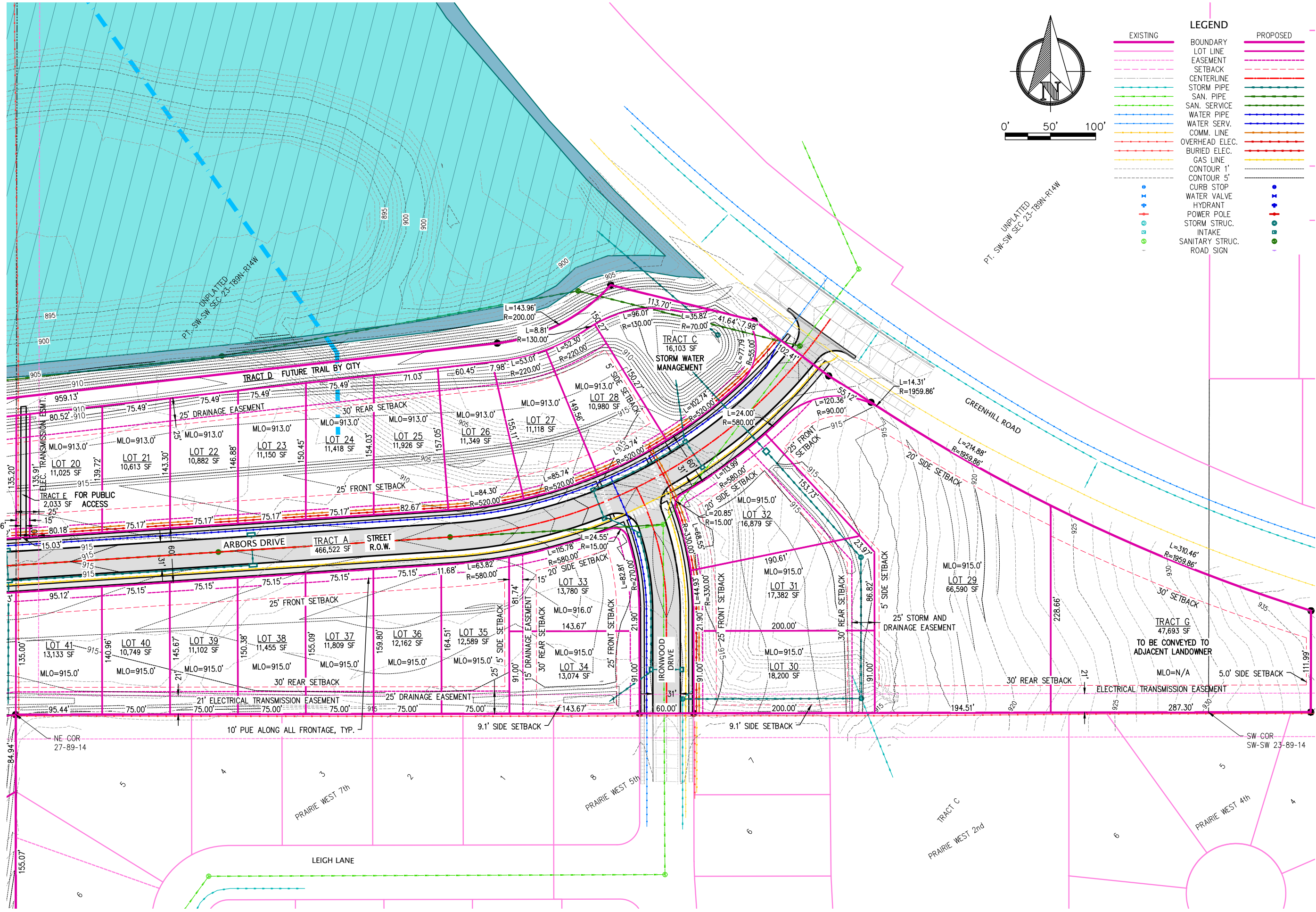
LOT 120

LOT 121

LOT 122



PRELIMINARY PLAT -
NORTHEAST
PANTHER WEST ADDITIONS
PANTHER FARMS, LLC
PN - PROJECT #



EXISTING	LEGEND	PROPOSED
	BOUNDARY	
	LOT LINE	
	EASEMENT	
	SETBACK	
	CENTERLINE	
	STORM PIPE	
	SAN. PIPE	
	SAN. SERVICE	
	WATER PIPE	
	WATER SERV.	
	COMM. LINE	
	OVERHEAD ELEC.	
	BURIED ELEC.	
	GAS LINE	
	CONTOUR 1'	
	CONTOUR 5'	
	CURB STOP	
	WATER VALVE	
	HYDRANT	
	POWER POLE	
	STORM STRUC.	
	INTAKE	
	SANITARY STRUC.	
	ROAD SIGN	

UNPLATTED
PT. SW-SW SEC. 23-T89N-R14W

TRACT C
PRAIRIE WEST 2nd

PRAIRIE WEST 7th

LEIGH LANE

TRACT C
PRAIRIE WEST 2nd

PRAIRIE WEST 4th

SW COR
SW-SW 23-89-14

ELECTRICAL TRANSMISSION EASEMENT

TRACT G
47,693 SF
TO BE CONVEYED TO
ADJACENT LANDOWNER
MLO=N/A

25' STORM AND
DRAINAGE EASEMENT

IRONWOOD DRIVE

PRAIRIE WEST 5th

TRACT A
466,522 SF
STREET
R.O.W.

ARBORS DRIVE

TRACT E FOR PUBLIC
ACCESS
2,033 SF

TRACT C
16,103 SF
STORM WATER
MANAGEMENT

TRACT D
FUTURE TRAIL BY CITY

GREENHILL ROAD

LOT 20
11,025 SF

LOT 21
10,613 SF

LOT 22
10,882 SF

LOT 23
11,150 SF

LOT 24
11,418 SF

LOT 25
11,926 SF

LOT 26
11,349 SF

LOT 27
11,118 SF

LOT 28
10,980 SF

LOT 29
66,590 SF

LOT 30
18,200 SF

LOT 31
17,382 SF

LOT 32
16,879 SF

LOT 33
13,780 SF

LOT 34
13,074 SF

LOT 35
12,589 SF

LOT 36
12,162 SF

LOT 37
11,809 SF

LOT 38
11,455 SF

LOT 39
11,102 SF

LOT 40
10,749 SF

LOT 41
13,133 SF

NE COR
27-89-14

10' PUE ALONG ALL FRONTAGE, TYP.

9.1' SIDE SETBACK

9.1' SIDE SETBACK

30' REAR SETBACK

5.0' SIDE SETBACK

111.99'

155.07'

6

4

3

2

1

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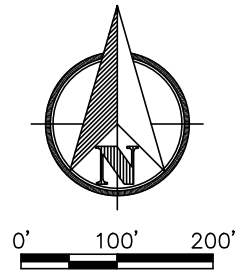
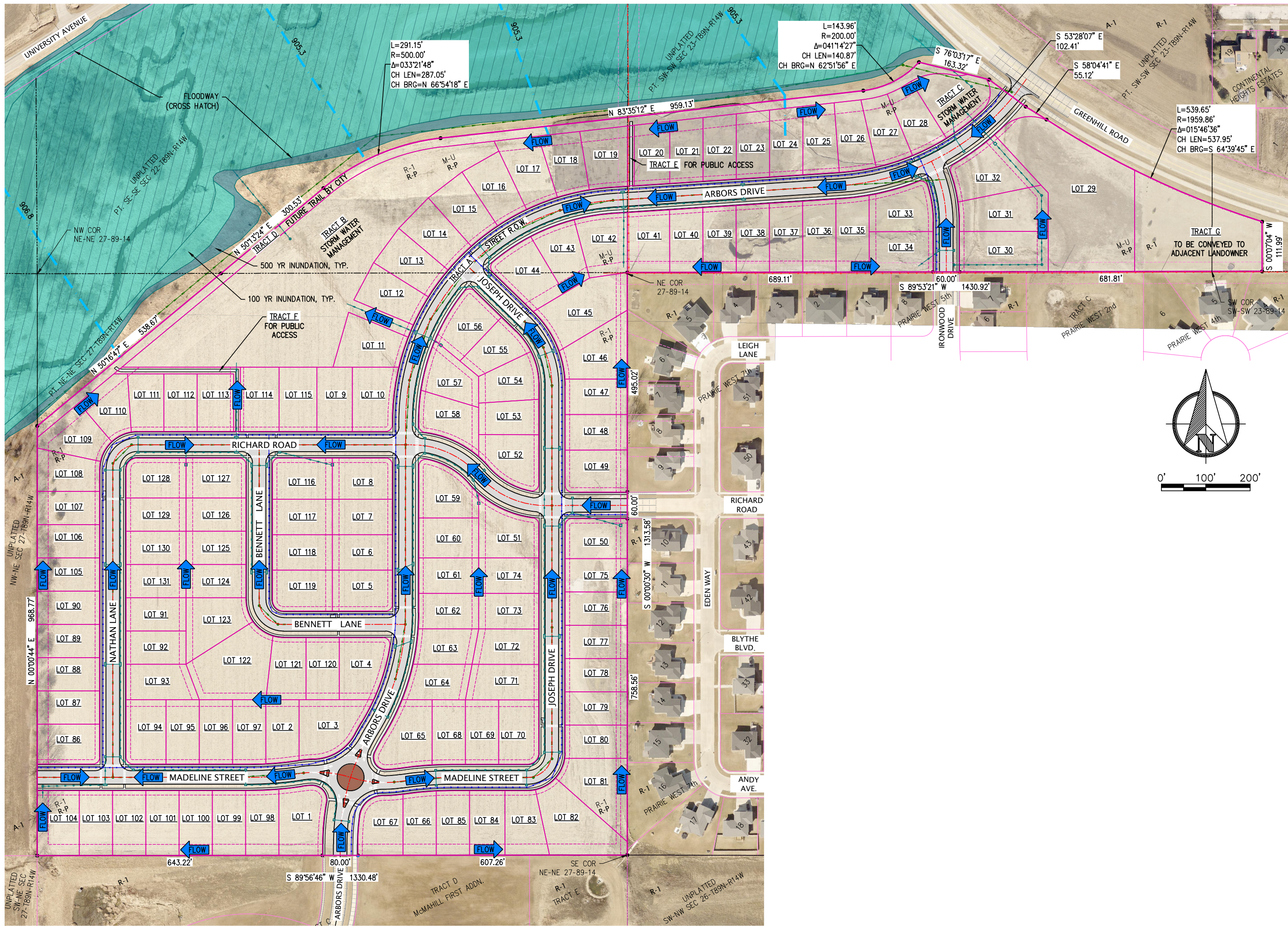
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PRELIMINARY PLAT - DRAINAGE MAP

PANTHER WEST ADDITIONS

PANTHER FARMS, LLC
PN: PROJECT #

DEED OF DEDICATION
OF
PANTHER WEST ADDITIONS
TO THE CITY OF CEDAR FALLS,
BLACK HAWK COUNTY, IOWA

KNOW ALL MEN BY THESE PRESENTS:

That Panther Farms LLC, an Iowa limited liability company, with its principal office in Cedar Falls, Iowa (the “Developer”); being desirous of setting out and platting into lots and streets the land described in the attached Certificate of Survey by Nicholas C. Brewer, a Professional Engineer, dated _____ day of _____, 2024, does by these presents designate and set apart the aforesaid premises as a subdivision of the City of Cedar Falls, Iowa (the “City”) the same to be known as:

PANTHER WEST ADDITIONS
TO THE CITY OF CEDAR FALLS,
BLACK HAWK COUNTY, IOWA

all of which is with the free consent and the desire of the undersigned and the undersigned do hereby designate and set apart for public use the street(s) as shown upon the attached plat.

EASEMENTS

The undersigned 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, 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. No building structures, overhang of a structure, fence structures, landscaping structures, landscaping shrubs/trees, driveways, private gardens or any other possible obstruction can be built in and over any easement. Any such obstructions may be removed without notice by the City of Cedar Falls at the undersigned’s cost.

RESTRICTIONS

Be it also known that the undersigned do hereby covenant and agree for themselves and their successors and assigns that each and all of the residential 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 their 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:

Z:\USERS\CD Shared\Boards & Commissions\Planning & Zoning
Commission\Cases\Subdivision\2023\Prelim Plat\PP23-009 Preliminary Plat for Panther
West\PZ 4-10-24\5. Deed of Dedication 4-2-24 DRAFT.doc

1. Any dwelling erected on any lot shall have a minimum setback from the front or streetside lot line(s) as illustrated on the Plat. The minimum rear yard setback is 30 feet. The minimum set back from each side lot line is 5 feet, except as noted below. To meet the RP perimeter setback requirements, Lot 30, 34, and 104 shall maintain setback of 10 % of lot width from the side lot line along perimeter boundary of the plat. Lot 29 shall maintain a setback of 20 feet along the lot line abutting Greenhill Road. All minimum setbacks will be required to meet or exceed R-P Zoning standards as illustrated on the Plat.

2. No single-family dwelling shall be constructed, permitted or occupied on any lot herein having a square footage floor space, designed, intended, and constructed for living quarters, which space shall not include cellars, attics, garages, breezeways, porches, stoops, and other such non-living areas, of less than the following requirements:

A. 1,200 square feet for the main base of a single story, split-level or split-foyer houses.

B. 600 square feet on the first floor for story and one-half houses, or two-story houses. With a total for all floors not less than 1,300 square feet excluding the basement level.

3. Each single-family residence shall have a minimum of a two stall attached garage with a minimum of 400 square feet with a maximum of a three stall garage with a maximum of 1,600 square feet.

4. The owner(s) of each lot, vacant or improved, shall keep his/hers lot or lots free of weeds and debris.

5. No obnoxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

6. All approaches and driveways in said subdivision shall be paved with concrete.

7. No old or used buildings shall be moved upon any of the lots in said subdivision for any purpose. Any auxiliary buildings or sheds must be built of the same or similar materials of the residential structure on the lot and have the same roof pitch and design as said residential structure.

8. No radio station or short-wave operators of any kind shall operate from any lot which shall cause interference with audio or visual reception upon any other lot. No exterior radio antenna shall be erected or maintained in or on the property. No satellite TV antenna or "Dish" may be maintained, constructed or erected on any lot unless it is constructed in the rear yard and at least twenty feet from any property line and is shielded from the public view by shrubbery and landscaping. No dish larger than 24" will be allowed.

9. No dwelling on any lot of said subdivision shall be occupied until the exterior is completed and finished and the interior substantially completed and finished, and an occupancy permit issued by the City of Cedar Falls.

10. No bus, semi-tractor, RV, fifth-wheel camper, trailer or truck of any kind except what is commonly described as a “pick-up truck” shall be kept or parked on any lot or street in said subdivision for a period not to exceed twenty-four hours, after which said vehicle can not return to said subdivision for a period of five days, provided, however, that this prohibition shall not apply to such vehicles driven in said subdivision in pursuit of and in conducting their usual business.

11. 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.

12. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that two dogs or cats maximum, or other household pets are allowed and then only if they are not kept, bred or maintained for any commercial purposes, such animals shall be kept under control so as not to constitute a public nuisance and must be kept in compliance with applicable zoning laws and regulations of the City of Cedar Falls, Black Hawk County, Iowa. Dog runs or dog kennels of any kind are prohibited.

13. Any and all fencing constructed on said lots shall have a minimum set back of one foot from any property line. Construction of any privacy fencing must have the support posts on the interior side of the fencing.

14. The Tracts shall be used as follows:

- a. Tract A is conveyed herein to the City of Cedar Falls, for street purposes and public right-of-way.
- b. Tracts B and C shall be used for stormwater detention/retention and overflow routing and shall be owned by the Panther West Addition Homeowners’ Association.
- c. Tract D is conveyed herein to the City of Cedar Falls for a future public trail.
- d. Tracts E and F shall be owned by the Panther West Addition Homeowners Association and maintained for public access to the trail in Tract D.
- e. Tract G shall be conveyed to adjacent landowner to south.

15. No building or structure shall be erected, placed or altered on any lot in this subdivision until the building plans, and plot plan, showing all buildings, patios, and pools, and showing the location thereof, and side yard distances, rear yard distances, front yard distances, driveways, and walkways, and type of construction have been approved in writing as to conformity and harmony of the external design and quality workmanship and materials with existing structures in the subdivision by a representative of Panther Farms, LLC.

16. Factory-built housing or modular homes will not be allowed. Panelized homes may be allowed, but must meet the requirements of Panther Farms, LLC, as stated in the previous restriction.

17. The Owner and/or occupant of each Lot shall jointly and severally be responsible to keep in good order or to maintain the area between the curblineline and the property line abutting their property including keeping said area free of holes, pitfalls, stumps of trees, fences, brick, stone, cement, stakes, posts or rods to which a metal, plastic or similar receptacle designed to hold newspapers are affixed, private irrigation or sprinkler systems, retaining walls, landscaping brick, block, stone, timber or other similar material, or any other similar obstructions. All mailboxes shall be clustered or grouped for the units, and shall be placed between the curb line and the public sidewalk as approved by the US Post Office and according to City Specification.

18. The contractor or owner of any lot shall verify the depth of the sanitary sewer service line serving said lot to ensure minimum drainage will be met prior to any footing or foundation work being completed. All sump pump lines must be buried and attached to the subdrain along the back of the P.C.C. curbed street. No sump lines will be allowed to dump directly onto the ground surface.

19. Any and all drainage easements will be required to follow the “Stormwater Management Plan” and no building structures, fence structures, landscaping structures, private gardens or any other possible obstruction can be built in and over said drainage easements. All lot owners and/or contractors working on said lots will be responsible to maintain in perpetuity said easements to be free and clear of any physical obstruction(s) thus allowing the conveyance of overland storm water runoff as intended per “Stormwater Management Plan” on record with the City of Cedar Falls Engineer’s Office.

21. Lots 29 shall not have access off Greenhill Road.

22. Driveways curb cuts for Lots 1, 3, 4, 5, 8, 10, 32, 33, 44, 56, 58, 59, 65 & 67 along Arbors Drive may need to be reduced to meet the minimum 75 feet driveway spacing requirements from any street intersection as per SUDAS.

22. Each person or entity who is record owner of a fee or undivided fee interest in any lot shall be a member of the Homeowners Association to be known as Panther West Homeowners’ Association. This shall not be construed to include persons or entities whom hold an interest merely as security for the performance of an obligation. There shall be one vote per lot and each lot owner shall be a member of the Homeowners Association. Membership shall be appurtenant to and may not be separated from ownership of any lot; ownership of such lot shall be the sole qualification of membership.

The purpose of Panther West Homeowners’ Association shall be to own and maintain the common area and green spaces of the development, including but not limited to detention

basins to be constructed and maintained on Tracts Band C and for trail access on Tracts E and F as per approved Panther West Additions Plat, the detention area, trail access area and surrounding access and such other activities set forth in the Articles of Incorporation and Bylaws of the Association. Such ownership and maintenance shall include, but not limited to, mowing, watering, include upkeep of any underground sprinkler system, snow removal of common areas (Tract E and F), and maintenance of the detention areas (Tract B and C) according to the Maintenance and Repair Agreement with the City of Cedar Falls. Initially, the Developer, Panther Farms, LLC, shall perform the actual construction duties to establish the common area, green spaces, entrance, detention facilities, and surrounding access area.

The annual dues for the Association shall initially be set at \$100 per lot per year beginning in _____ 1, 2024. The Developer, Panther Farms, LLC, shall be exempt from any dues expense. The Association shall have the ability and authority to adjust annual dues as it deems appropriate to carry out the maintenance duties as described above.

24. The undersigned and all persons and entities hereafter acquiring any right, title, or interest in any of the lots in said Development shall be taken and held to have agreed and covenanted with the owners of all other lots in this Development 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 accordance with Iowa Code § 614.24 and § 614.25 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 Code of Iowa. In the event an extension of the covenants, restrictions, and stipulations is not filed within the period of 21 years or successive 21-year periods, then the covenants, restrictions, and stipulations contained herein shall terminate at the end of the existing period of 21 years.

PUBLIC IMPROVEMENTS REQUIRED IN PLAT

1. The Street(s) shown on the attached plat, and referred to as Tract A, will be brought to City grade and that the street will be thirty-one (31) feet, back of curb to back of curb, with approved hard surface pavement in accordance with the City of Cedar Falls, Standard Specifications unless otherwise specified as per approved construction plans.

2. Sanitary sewer, together with the necessary manholes and sewer service lines to all lots in the plat will be provided.

3. That underground utilities, as required by the Subdivision Ordinance of the City of Cedar Falls, Iowa, shall be installed.

4. That city water will be provided to all lots as required by the Cedar Falls Municipal utilities.
5. That municipal fire hydrant(s) will be provided as required by the Cedar Falls Public Safety Department.
6. That Storm sewer will be provided as specified by the City Engineer.
7. That handicap ramps will be provided as required by law.
8. Emergency vehicle turnarounds shall be constructed at the end of all stub streets, as required by City Code, and shall be maintained free and clear of any obstructions or debris. This shall be showed on the construction document set for the development.
9. A four foot wide P.C.C. sidewalk four inches thick will be installed by the owner of all lots, unless noted otherwise below, during or immediately after the construction of the residence on any particular lot, or within five years after the date the plat is filed in the office of the recorder of Black Hawk County, whichever is sooner. Said sidewalk shall be constructed across the full width of the lot and on corner lots also. In the event that 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. Along Arbors Drive, Lots 29, 32, 33, 35-44, and 56-65 sidewalks must be six foot wide, and on Lot 67 the sidewalk will transition from ten foot to six foot along the western property line.
10. Developer will be responsible for constructing a six-foot-wide P.C.C. sidewalk 6 inches thick shall be installed in Tracts E and F within the noted 15 foot wide Public Access Easements as shown on the Plat to provide access to Future Public Trail on Tract D.
11. That the work improvements called herein shall be in accordance with the specifications of the City of Cedar Falls, Iowa, and performed under the supervision of the City Engineer. In the event that the developer, Panther Farms, LLC, it grantees and assigns fail to complete said work and improvements called for within one (1) year from the date of the acceptance of said final plat by the City of Cedar Falls, Iowa, the City may then make improvements and assess the costs of the same to the respective lots. The undersigned, for themselves, their successors, grantees and assigns, waive all statutory requirements of notice of time and place of hearing and agree that the City may install said improvements and assess the total costs thereof against the respective lots.
12. That the City may perform said work, levy the cost thereof as assessments, and the undersigned agree that said assessments so levied shall be a lien on the respective lots with the same force and effect as though all legal provisions pertaining to the levy of such special assessments have been observed, and further authorize the City Clerk to certify such assessments to the County Auditor as assessments to be paid in installments as provided by law.

13. The Developer shall construct and install all required public improvements within the subdivision plat, to conform with approved construction plans which meet the specifications of the City of Cedar Falls, Iowa. Such required public improvements shall meet the following requirements:

- (a) Shall be constructed and installed in a good and workmanlike manner;
- (b) Shall be free of defects in workmanship or materials;
- (c) Shall be free of any conditions that could result in structural or other failure of said improvements;
- (d) Shall be constructed and installed in accordance with the design standards and technical standards established for such public improvements by the City and by Cedar Falls Utilities;
- (e) Shall be constructed and installed in strict compliance with the minimum acceptable specifications for the construction of public improvements set forth in the Cedar Falls Code of Ordinances, including without limitation, Chapter 24, Subdivisions, and as such specifications shall be recommended for approval by the City Engineer from time to time, and approved by the city council.

14. This Deed of Dedication is subject to the terms and conditions of that certain Infrastructure Development Agreement between Panther Farms, LLC and the City of Cedar Falls, Iowa, dated June 5, 2023, which was approved by the City Council of the City by way of Resolution No. 23,194 dated June 5, 2023.

The Developer’s construction plans are now on file in the Office of the City Engineer.

SIGNED and DATED this _____ day of _____, 2024.

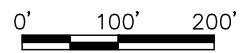
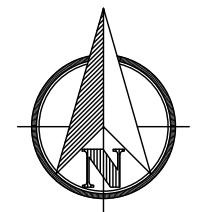
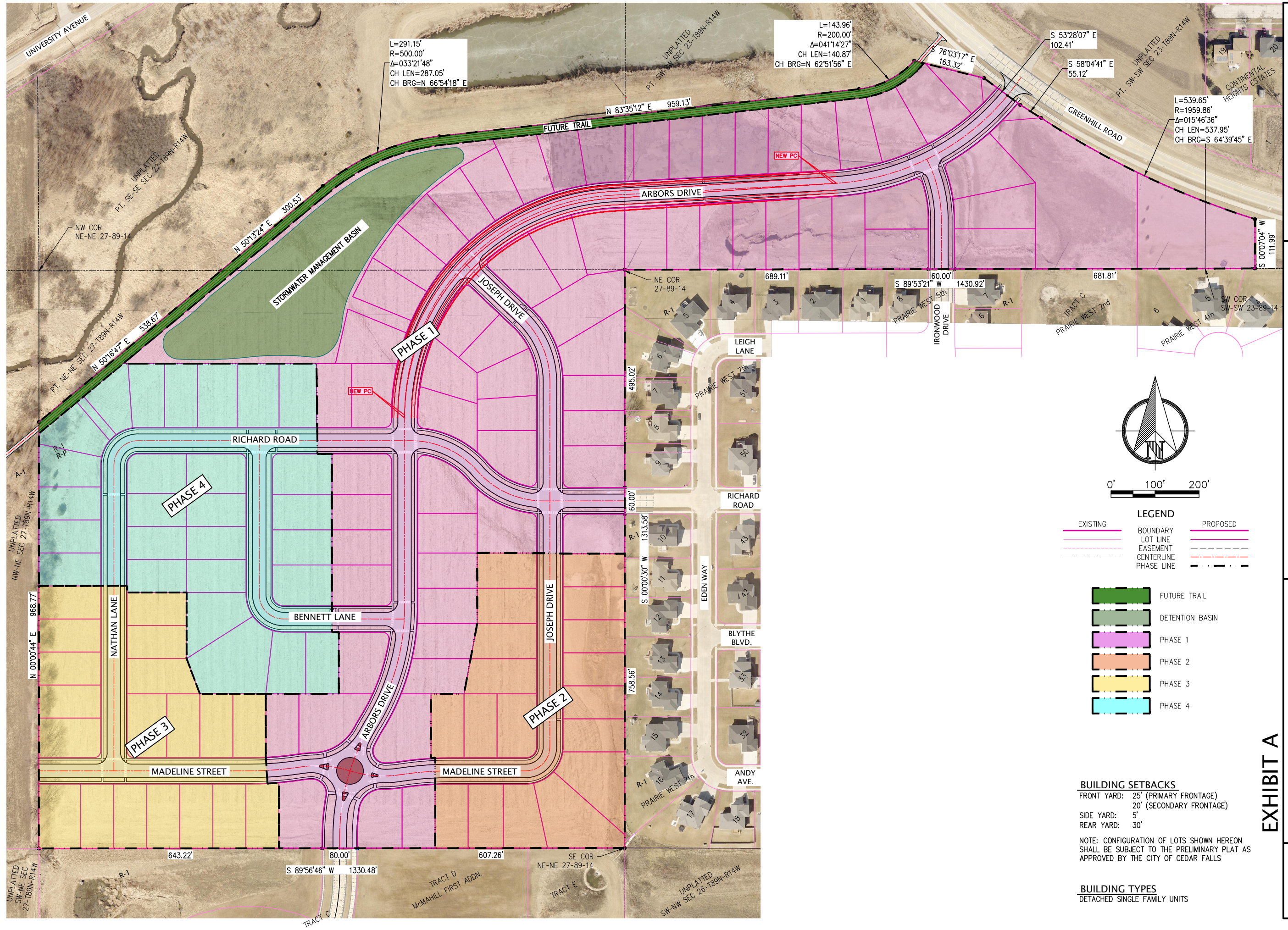
Panther Farms, LLC

Brent Dahlstrom, Manager

STATE OF IOWA, BLACK HAWK COUNTY: ss

On this ____ day of _____, 2024, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Brent Dahlstrom, Manager of Panther Farms, LLC, to me known as the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed on behalf of Panther Farms, LLC.

Notary Public in and for the State of Iowa



LEGEND

	EXISTING		BOUNDARY		PROPOSED
	BOUNDARY		LOT LINE		EASEMENT
	EASEMENT		CENTERLINE		PHASE LINE

	FUTURE TRAIL
	DETENTION BASIN
	PHASE 1
	PHASE 2
	PHASE 3
	PHASE 4

BUILDING SETBACKS

FRONT YARD: 25' (PRIMARY FRONTAGE)
 20' (SECONDARY FRONTAGE)

SIDE YARD: 5'

REAR YARD: 30'

NOTE: CONFIGURATION OF LOTS SHOWN HEREON SHALL BE SUBJECT TO THE PRELIMINARY PLAT AS APPROVED BY THE CITY OF CEDAR FALLS

BUILDING TYPES
 DETACHED SINGLE FAMILY UNITS

EXHIBIT A

DEVELOPMENT R-P MASTER PLAN

PANTHER WEST ADDITIONS

PANTHER FARMS, LLC
PN PROJECT #

Exhibit B

**PLANNED RESIDENCE (RP) ZONING DISTRICT
DEVELOPMENTAL PROCEDURES AGREEMENT FOR PANTHER WEST**

This Development Procedures Agreement (the “**Agreement**”) is made and entered into this 4th day of March, 2024, by and between the **City of Cedar Falls, Iowa** (the “**City**”) and **Panther Farms, LLC** (“**Developer**”), for the purpose of outlining procedures and conditions to be followed for the development of certain real estate (the “**Property**”) located north of Aldrich Elementary School and south of W. Greenhill Road, containing approximately 54.79 acres, being owned by the **Developer**, which is legally described as follows:

NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 89 NORTH, RANGE 14 WEST OF THE 5TH P.M., BLACK HAWK COUNTY, IOWA, EXCEPT THAT PART LYING WITHIN 574 LD 64 AS SHOWN AND DEPICTED ON PLAT OF SURVEY DOC. #2013-13902.

AND

ALL THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 89 NORTH, RANGE 14 WEST OF THE 5TH P.M., BLACK HAWK COUNTY, IOWA, LYING SOUTHERLY OF 574 LD 64 AS SHOWN AND DEPICTED ON PLAT OF SURVEY DOC. #2013-13902.

AND

ALL THAT PART OF THE SOUTH ONE-HALF OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 89 NORTH, RANGE 14 WEST OF THE 5TH P.M., BLACK HAWK COUNTY, IOWA, LYING SOUTHERLY OF 574 LD 64 AND DOC. #2013-12296 AS SHOWN AND DEPICTED ON PLAT OF SURVEY DOC. #2013-13902.

RECITALS

WHEREAS, it is the desire of the **Developer** to rezone the **Property** from R-1 Residence District and MU Mixed Use Residential District to RP Planned Residence District in Cedar Falls, Iowa; and

WHEREAS, the RP Planned Residence District allows mixed-use residential neighborhoods with flexibility in the types of dwellings, lots sizes, building heights, and setbacks through the submittal and approval of a master plan and developmental procedures agreement that outlines any specific conditions pertaining to the development, any timing and phasing of the project, and other details as necessary; and


WHEREAS, it is the desire of the **City** to ensure that said development proceeds in an orderly manner and in accordance with the principles of the Comprehensive Plan and the provisions of the RP Planned Residence District; and

WHEREAS, the Planning and Zoning Commission has recommended approval of the rezoning for development in accordance with the submitted master plan;

NOW THEREFORE, in consideration of the mutual covenants hereinafter contained, the **City** and **Developer** agree as follows:

1. In General:
 - a) The **Property** will be developed according to the Master Plan, attached hereto, and incorporated herein as Exhibit A.
 - b) The development will consist of single-family dwellings.
2. Phasing:
 - a) The **Property** shall be developed in four phases as outlined in Exhibit A.
3. Setbacks:
 - b) All lots will be developed with a minimum front-yard setback of 25 feet except for corner lots, which shall have minimum front-yard setbacks of 25 feet along one street frontage and 20 feet along the other street frontage, as delineated on the subdivision plat.
 - c) All lots will maintain a minimum side-yard setback of 5 feet and rear-yard setback of 30 feet.
 - d) Setbacks around the perimeter of the RP District shall be delineated on the subdivision plat and shall comply with the setback standards for single-unit dwellings in the R4 Zoning District.
4. Provision for future public trail
 - a) The **Developer** shall establish a minimum 20-foot-wide outlot on the subdivision plat for the Property that extends along the entire edge of the Property abutting the Dry Run Creek stream corridor to be dedicated to the City for a future public trail, in the general location shown on Exhibit A. The specific location and alignment of said outlot shall be determined with the preliminary plat.
 - b) Said outlot shall be graded and seeded according to City requirements prior to conveyance to the **City** for a future public trail. The **City** shall be responsible for constructing the trail at such time as funding is available.
5. Driveway access
 - a) No direct driveway access shall be allowed on W. Greenhill Road.
 - b) Driveway curb cuts shall be spaced a minimum of 75 feet from any street intersection, as specified in the Iowa Statewide Urban Design and Specifications ("SUDAS")
6. Subdivision Plats
 - a) Prior to development, the **Developer** shall provide a preliminary subdivision plat for the entirety of the Property and a final subdivision plat for each phase of the development consistent with the RP Master Plan (Exhibit A) and the provisions of this Agreement.
7. Successors and Assigns
 - a) The foregoing conditions shall be binding upon the Developer, its successors and assigns and shall apply to the above-described Property and shall run with the land.
8. Amendment/Approval
 - a) Any amendment to this **Agreement** shall be in writing, signed by both parties, and is subject to approval by the City Council of the City of Cedar Falls, Iowa.

THE CITY OF CEDAR FALLS, IOWA

By: 
Daniel Laudick, Mayor

ATTEST:


Kim Kerr, CMC, City Clerk

Panther Farms, LLC, Developer

By: 
Brent Dahlstrom, Member



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: Michelle Pezley, AICP, Planner III
DATE: April 10, 2024
SUBJECT: Rezoning Request, 2300 Main Street (RZ24-001)

REQUEST: Rezone property from M-1 Light Industrial to C-2 Retail Commercial.

PETITIONER: Seven D LLC, owner; Chris Fischels of Fischels Commercial & Residential Group, applicant

LOCATION: 2300 Main Street, 2216 Main Street, and 127 E 23rd Street; West of Main Street; North of E Seerley Blvd. (RZ24-002)

PROPOSAL

The site consists of three parcels. The proposal is to rezone a 3.8-acre site owned by Seven D LLC located north of E Seerley Blvd from M-1 Light Industrial to C-2 Retail Commercial District.

BACKGROUND

The existing building at 2300 Main Street was previously a furniture store. In January 2022, Seven D LLC bought the properties at 2300 Main Street, 2216 Main Street, and 127 E 23rd Street. At that time, 2216 Main Street and 127 E 23rd Street were single-family units that were registered rentals. Both units were demolished in 2023.

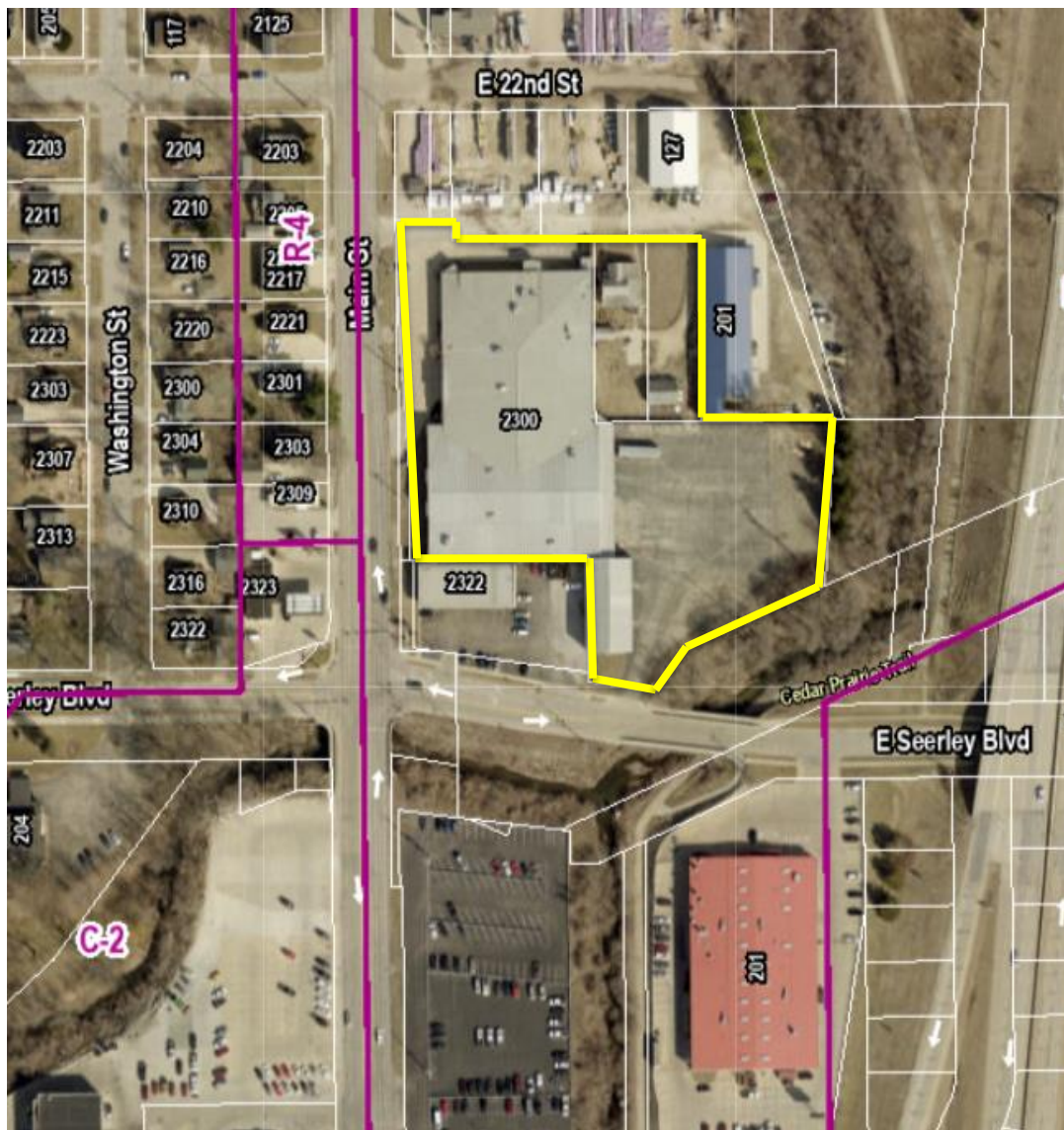
In 2023, Seven D LLC proposed remodeling the building which included changing the footprint of the building, changing the parking configuration, and adding an auto detailing shop, private pickleball courts, storage space, and retail space.

In 2024, a dentist’s office is interested in leasing space in the building. The M-1 District does not allow institutions for human care, such as a dentist’s office. The applicant proposes to rezone the property to allow a dental clinic in one of the lease spaces.

The property owner is currently working to install a body detailing shop at 2300 Main Street. The auto body detailing shop is an extension of Deery Brother's Collision Center. All the collision repairs will be completed at 201 E Seerley. The applicant proposes three parts to the detail auto shop at this location, which are a paint booth, detailing space, and photo booth space. The paint booth will also be used for touching up minor scratches and dings. They will also occasionally remove a bumper for painting in this area as well.

The detailing space will be used to clean vehicles both inside and outside including vacuuming, buffing, waxing, and sealing the paint. They will also use this space to add ceramic coating and undercoating.

The photo booth space will be a place where they can showcase the work done with video/photographs for their website listings.



ANALYSIS

CURRENT ZONING

The purpose of the M-1 Light Industrial Zoning District is to provide an environment suitable for industrial activities that do not create visible nuisance or hazards to surrounding properties. It allows most uses that are within the C-3 District except for any dwellings, schools, hospitals, clinics, or other institutions for human care with the exception of daycare uses. This ensures compatibility of uses because some for industrial uses could have an unintended effect on human care uses.

The request is to change the zoning on three parcels totaling 3.8 acres of land located north of E Seerley Blvd from M-1 Light Industrial to C-2 Retail Commercial District.

The applicant would have an auto detailing shop at this site along with private pickleball courts, storage space, and retail space.

PROPOSED ZONING

The C-2 Retail Commercial District Zone is intended to provide space for regional and neighborhood retail uses. Uses allowed in C-2 include dwellings, schools, hospitals, clinics, or other institutions for human care.

The site is surrounded by residential uses and a former gas station along the west, a lumber yard to the north, and an auto quick lube to the south. The properties to the north, east, and south are within the M-1 Zoning District. The residential properties to the west are in the R-4 Zoning District and the former gas station location is in the C-2 Zoning District. Staff finds that the zoning change will be compatible with the surrounding area and will allow for a more compatible use next to the residential uses to the west.

The autobody detailing space as described above will meet the C-2 Zoning Code, which allows for auto services. The owner will need to keep to the work described to avoid creating a non-conforming use.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Future Land Use Map identifies these three parcels as Community Commercial. The requested C-2 zoning is consistent with the Comprehensive Plan and the request would not require an amendment to the Future Land Use Map.

ACCESS TO PUBLIC SERVICES

The property is in a developed area of the city and has access for connection to all utilities and public services.

ACCESS TO ADEQUATE STREET NETWORK

The property has two access points to Main Street and an access point along the south onto E Seerley Blvd. There is also an access easement to the north that connects Main Street to 201 E 22nd Street.

PUBLIC NOTICE

City staff mailed letters to the surrounding property owners notifying them of the rezoning request.

TECHNICAL COMMENTS

The City technical staff, including Cedar Falls Utilities, have no concerns with the proposed rezoning request.

STAFF RECOMMENDATION

Gather any comments from the Planning and Zoning Commission and the public, then continue the discussion on this rezoning request and set the date for the public hearing at the next Planning and Zoning Commission meeting on April 10, 2024.

PLANNING & ZONING COMMISSION

Introduction
3/27/2024

Chairperson Hartley introduced the next item, a request to rezone property located near the intersection of Main Street and Seerley Boulevard. Ms. Pezley, Planner III, presented the staff report, describing the location, uses of surrounding properties, the basic review criteria for a rezoning, and the applicant's reason for requesting the rezoning. The property is currently M-1 Light Industrial District, and the request is to rezone the property to C-2 Commercial District. The applicant would like to add a dental clinic in the building, which is not allowed in the M-1 zoning district. Ms. Pezley noted that the proposed rezoning is consistent with the Future Land Use Map, which identifies this area as appropriate for community commercial uses. She noted that all necessary public infrastructure is available to support the proposed zoning change.

Moser asked if a collision center (auto body repair) would be allowed if the zoning change is approved. Ms. Pezley confirmed that an auto body repair shop would not be allowed if rezoned to C-2. Moser asked how the city would follow up if there were any changes to the use that transformed it into an auto body repair shop. Pezley noted that the staff report was very detailed on what was allowed in the C-2 Zone with the auto detailing shop. If the use changed to a more extensive repair shop, this would provide context and help determine if there was a code violation.

Stalnaker asked how the code enforcement changes between the current zoning and proposed zoning. Pezley explained that the detailing shop as currently described by the applicant would be allowed in the proposed zoning district.

Stalnaker asked if the use ever gets to be a nuisance to the neighborhood, how would the City handle that. Howard explained that if the property owner was changing the use, they would have to come to the city for building permits and the change of use would be reviewed at that time. Howard understands that there is a fine line between the proposed detailing shop and an auto body repair shop and that is why staff asked the applicant to describe the use in detail for the record. Howard explained that the C-2 zone allows for many commercial uses such as auto service, but it does not allow auto body work/collision center. This change would go to a less intense use than the current zone which is in a direction that would be more compatible with the comprehensive plan. The building was previously used for commercial uses, and they would like to continue to use the building for commercial uses.

Henderson asked if the owner could use the building as a collision center today

and Howard said yes. Henderson points out that the rezoning would ensure a less intense use for the neighbors moving forward.

Chris Fischels, representing the property owner, said that this is the first time that he has seen an applicant request a down-zoning, but the owner would like to lease space for a dental clinic. He was there to answer any questions. There were no questions or comments from the Commission.

Dr. Spencer Walker, 3413 Pheasant Dr., Cedar Falls. Walker is the dentist who wants to lease space in the building. Walker has been working in Cedar Falls for 13 years and has outgrown his current office. Walker plans to stay in Cedar Falls for many years to come and thinks this would be a good location for the clinic.

Hartley asked for any more comments and there were none. Hartley shared that he thought that this was great repurpose of the building. Moser agreed.

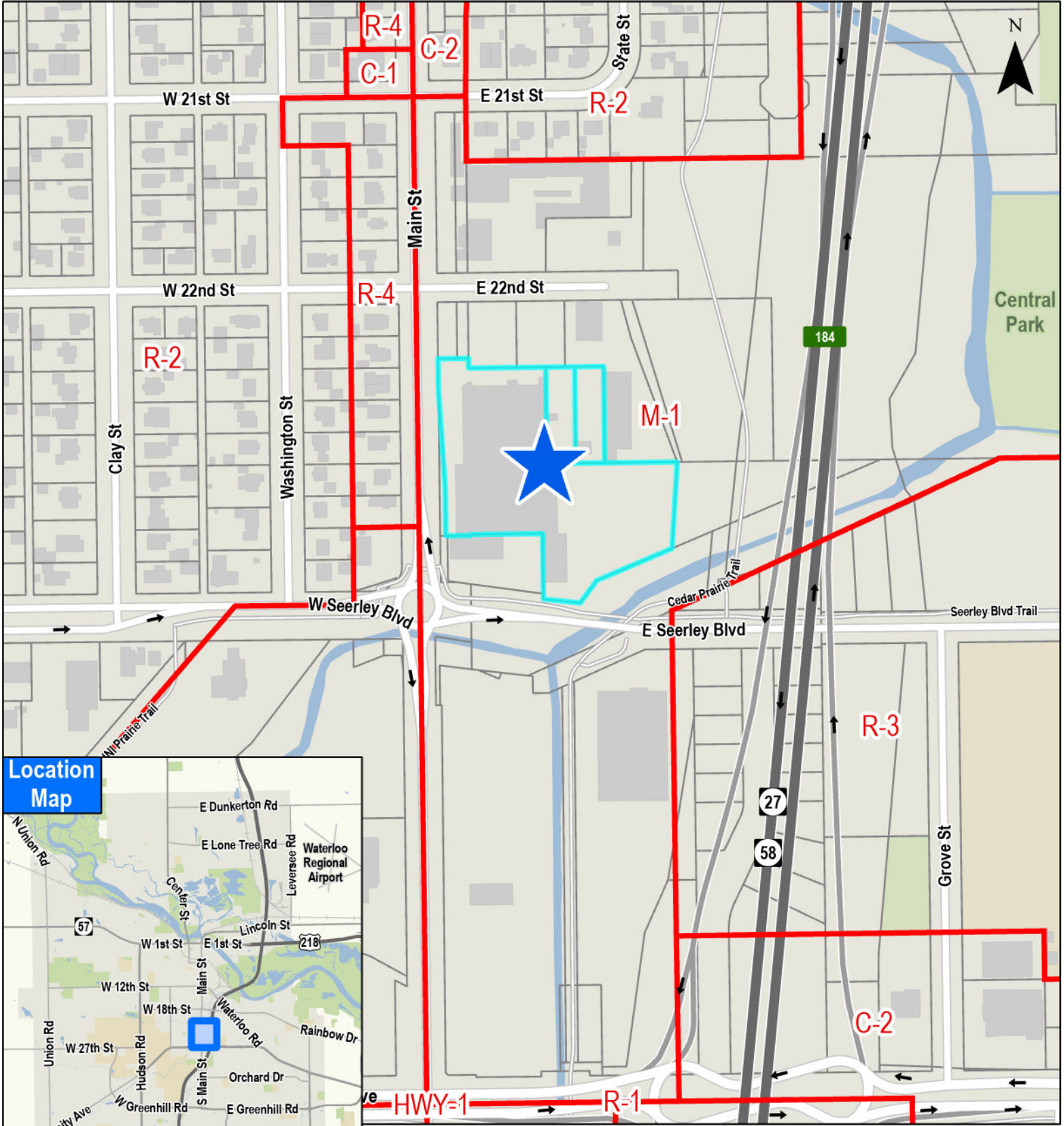
Sorensen moved to set the public hearing for the April 10, 2024, Planning and Zoning Commission meeting. Henderson seconded the motion. The motion was approved unanimously on a voice vote.

Attachments: Location Map
Rezoning request letter
Legal Description
Rezoning Exhibit Plat

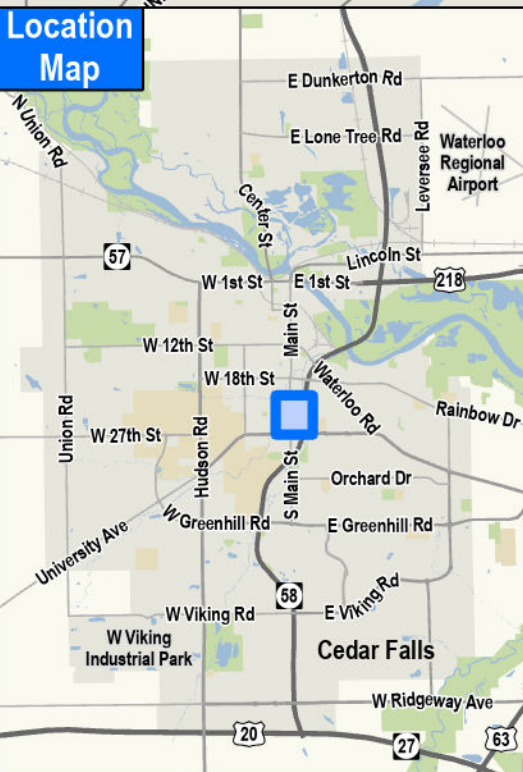
Cedar Falls Planning and Zoning

March 27, 2024

Item 3.



Location Map



Rezoning request from M-1 to C-2
2300, 2216 Main St. & 127 E. 23rd St.
(RZ24-001)

February 22, 2024

City of Cedar Falls
220 Clay St.
Cedar Falls, IA 50613

RE: 2300 Main St., Cedar Falls

To whom it may concern:

Please consider this application our formal request to re-zone the property located at 2300 Main St. in Cedar Falls from M-1 to C-2. The property is undergoing a major renovation that will be a huge improvement to the Main St. corridor. We have an opportunity to lease approximately 3500 sq. ft. of space to a national dental user which would be a great asset to the community. M-1 zoning does not allow for dental/medical thus the requested change.

The north end of the building is currently being reconstructed as multiple retail/medical office suites offering approximately 15,961 sq. ft. The remaining portion of the building will be used as a recreational space for Owners use and Detail Shop as an extension of owner's business; Dan Deery Toyota.

We feel the addition of this Tenant and subsequent rezoning to C-2 will be a benefit to the property and area. Revitalization of the community is important to us, and this allows us to do that with a quality, community-focused user.

I appreciate your consideration. Please don't hesitate to reach out with any questions.

Sincerely,

Dan Deery
Seven D LLC

Michelle Pezley

From: Melissa Youngblut <melissa@crfre.com>
Sent: Wednesday, March 13, 2024 3:17 PM
To: Michelle Pezley
Subject: [EXTERNAL] RE: [EXTERNAL] RE: Rezoning 2300 Main Street RZ24-002

CAUTION: This email originated outside the City of Cedar Falls email system.
 Do not click links or open attachments unless you recognize the sender and know the content is safe.

See below from owner regarding the detail center:

There's three sections to our detail center.

First step is to prep the car for detail which includes touching up minor scratches and dings. Occasionally we will pull off a single panel to fix scratches. This will be done inside our paint booth so that dirt does not get underneath the touch up areas. This paint booth enclosure prevents outside dirt/grime from being present during touch up process. All major body repairs or structural repairs will need to be done at the Deery Brothers collision center.

The second step is the actual detail. The cars are rinsed on the outside and door jams rinsed down. The interior is then vacuumed and shampooed as well as other interior surfaces. Depending on the condition, the exterior may need buffing/waxing/paint sealed. We will also offer ceramic coating and undercoating.

The final step is in our Photo Booth, where our completely reconditioned cars will be photod for the website listings.

Does this fit within the guidelines of C-2? If so, I'll continue with the paperwork to get you the updated application before 3/15.

Melissa Youngblut

Executive Assistant to Chris Fischels

Fischels Commercial & Residential Group
 3510 Kimball Ave., Ste H
 Waterloo, IA 50702

Office: 319.234.5000

From: Michelle Pezley <Michelle.Pezley@cedarfalls.com>
Sent: Monday, March 11, 2024 11:30 AM
To: Melissa Youngblut <melissa@crfre.com>
Subject: RE: [EXTERNAL] RE: Rezoning 2300 Main Street RZ24-002

Hi Melissa,

The application maybe found at <https://www.cedarfalls.com/DocumentCenter/View/6810/Rezoning-Application-12-14-22?bidId=>.

(Legal Description)

Parcel 'F' of Plat of Survey attached to Quit Claim Deed 570 LD 762 of part of the Southwest Quarter of the Southeast Quarter of Section 13, Township 89 North, Range 14 West of the 5th P.M., Black Hawk County, Iowa.

AND

That part of the West Half of the SE ¼ of Section 13, Township 89 North, Range 14 West of the 5th P.M., bounded and described as follows:

Commencing at the point of intersection of the Easterly extension of the center line of 22nd Street and a point distant 50 feet Easterly, measured at right angles from the center line of the main track of the Wisconsin, Iowa and Nebraska Railway Company (later the Chicago Great Western Railway Company, now the Chicago and North Western Transportation Company), as said main track center line was originally located and established over and across said Section 13; thence Southerly parallel with said original main track center line a distance of 147 feet, more or less to a point distant 147.0 feet Southerly, measured at right angles, from said Easterly extension of the center line of 22nd Street, said point being the point of beginning of the parcel of land herein described; thence continuing Southerly parallel with said original main track center line a distance of 367.25 feet, more or less, to a point distant 514.25 feet Southerly, measured at right angles, from said Easterly extension of the center line of 22nd Street; thence Westerly parallel with said Easterly extension of the center line of 22nd Street a distance of 75 feet, more or less to a point distant 25 feet Westerly, measured at right angles, from said original main track center line; thence Northerly parallel with said original main track center line a distance of 367.25 feet, more or less, to a point distant 147.0 feet Southerly, measured at right angles, from said Easterly extension of the center line of 22nd Street; thence Easterly parallel with said center line of 22nd Street, extended, a distance of 75 feet, more or less, to the point of beginning, except that part conveyed for right-of-way to City of Cedar Falls in Doc. #2007-01064.

AND

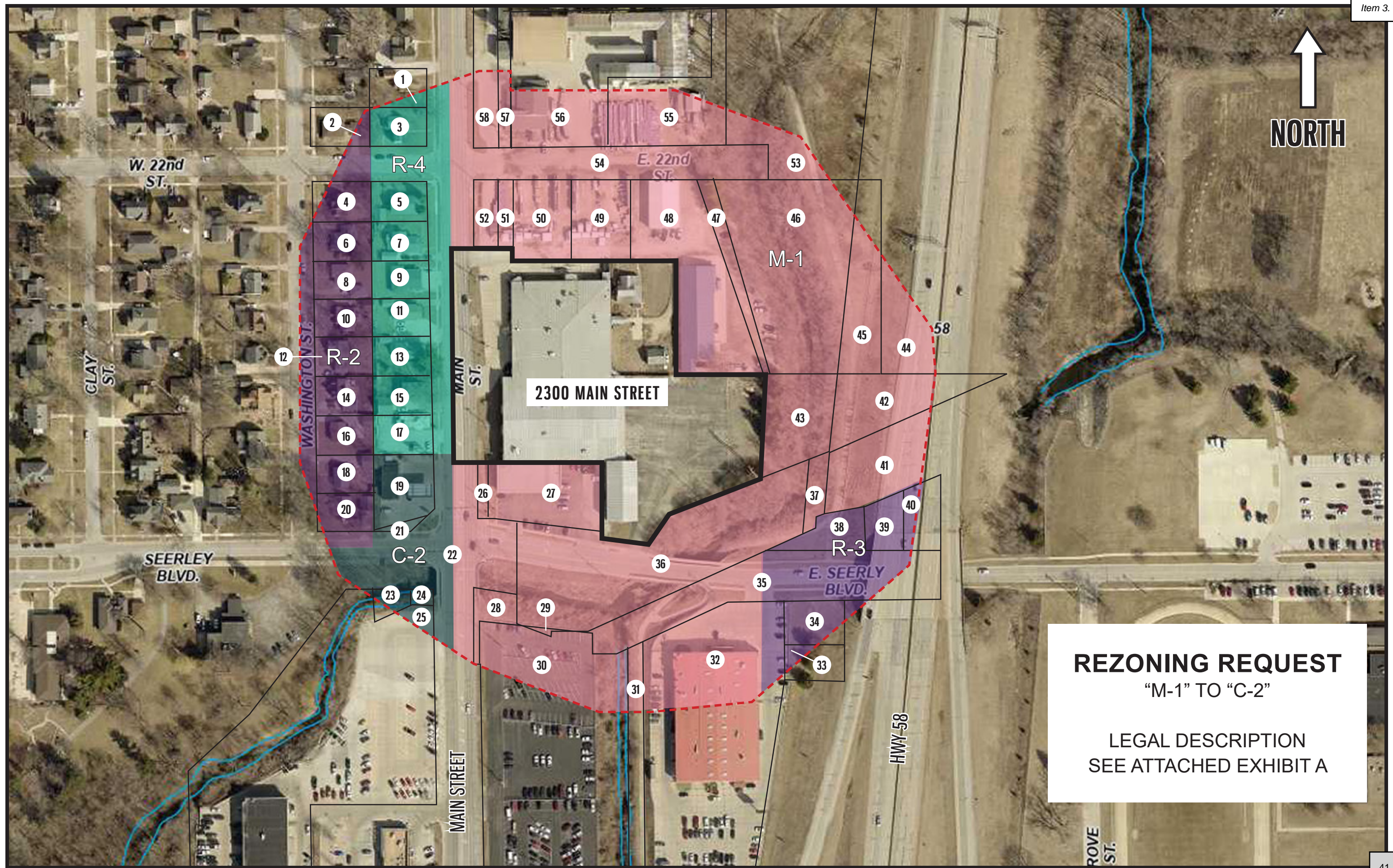
That part of the Northwest Quarter of the Southeast Quarter of Section 13, Township 89 North, Range 14 West of the 5th P.M., Black Hawk County, Iowa, described as follows:

Commencing at the intersection of the South line of the Northwest Quarter of the Southeast Quarter of said Section 13 with the East line of the Chicago, Great Western Railroad right-of-way; thence East along the said South line of the Northwest Quarter of the Southeast Quarter, 160 feet; thence North along a line that is parallel with the East line of the Chicago, Great Western Railroad right-of-way, 200 feet; thence West along a line that is parallel with the said South line of the Northwest Quarter of the Southeast Quarter, to the East line of the Chicago, Great Western Railroad right-of-way; thence South along the East line of the Chicago, Great Western Railroad right-of-way, to the place of beginning.

AND

That part of the Southwest Quarter of the Southeast Quarter of Section 13, Township 89 North, Range 14 West of the 5th P.M. Black Hawk County, described as follows:

Beginning at the point of intersection of the East line of the Chicago, Great Western Railroad right-of-way with the North line of said Southwest Quarter of the Southeast Quarter; thence South along the East line of the right-of-way, 145 feet; thence East, parallel with the North line of said Southwest Quarter of the Southeast Quarter, 150 feet; thence South parallel with the East line of said right-of-way, 100 feet; thence East, parallel with the North line of said Southwest Quarter of the Southeast Quarter, to a point 364.6 feet East of the West line of said Southwest Quarter of the Southeast Quarter; thence deflect left 22°34', 639.5 feet, to the North line of said Southwest Quarter of the Southeast Quarter; thence West along said North line, 851.7 feet to the point of beginning. except that part condemned for the use of State of Iowa and City of Cedar Falls, Iowa in 620 LD 778.



REZONING REQUEST
 "M-1" TO "C-2"

LEGAL DESCRIPTION
 SEE ATTACHED EXHIBIT A