



**AGENDA**  
**CITY OF CEDAR FALLS, IOWA**  
**PLANNING AND ZONING COMMISSION MEETING**  
**WEDNESDAY, DECEMBER 27, 2023**  
**5:30 PM AT CITY HALL, 220 CLAY STREET**

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**Call to Order and Roll Call**

**Approval of Minutes**

1. Planning and Zoning Commission Regular Meeting Minutes for December 13, 2023

**Public Comments**

**Old Business**

None

**New Business**

2. **Preliminary Plat Amendment- West Fork Crossing (PP23-007)**  
**Petitioner:** Money Pit LLC and Waterbury Property Investors LLC, Owners, Corona Woychik, ISG, Engineer  
**Previous Discussion:** None  
**Recommendation:** Approval  
**P&Z Action:** Discuss and consider making a recommendation to City Council
  
3. **Final Plat – West Fork Crossing First Addition (FP23-004)**  
**Petitioner:** Money Pit LLC, Owner, Corona Woychik, ISG, Engineer  
**Previous discussion:** None  
**Recommendation:** Approval  
**P&Z Action:** Discuss and consider making a recommendation to City Council

**Commission Updates**

**Adjournment**

Reminders:

- \* January 10 and January 24 - Planning & Zoning Commission Meeting
- \* January 2 and January 16 - City Council Meetings

**Cedar Falls Planning and Zoning Commission  
Regular Meeting  
December 13, 2023  
Cedar Falls, Iowa**

**MINUTES**

The Cedar Falls Planning and Zoning Commission met in regular session on December 13, 2023 at 5:30 p.m. at City Hall. The following Commission members were present: Alberhasky, Crisman, Hartley, Leeper, Moser and Stalnaker. Grybovych and Lynch were absent. Karen Howard, Planning and Community Services Manager and Thomas Weintraut, Planner III, were also present.

1.) Chair Lynch noted the Minutes from the November 21, 2023 regular meeting are presented. Ms. Crisman made a motion to approve the Minutes as presented. Ms. Moser seconded the motion. The motion was approved unanimously with 6 ayes (Alberhasky, Crisman, Hartley, Leeper, Moser and Stalnaker), and 0 nays.

2.) The first item of business was a final plat for the Ashworth North Subdivision. Acting Chair Hartley introduced the item and Mr. Weintraut provided background information, explaining that a rezoning and vacation of right-of-way has taken place at this property that led to the approval of a preliminary plat. The final plat was presented and is consistent with the preliminary plat and staff recommends approval with any comments or direction by the Planning Commission and conformance to all city recommendations and technical requirements.

Mr. Leeper stated that is was fairly straightforward and made a motion to approve the item. Ms. Crisman seconded the motion. The motion was approved unanimously with 6 ayes (Alberhasky, Crisman, Hartley, Leeper, Moser and Stalnaker), and 0 nays.

3.) Ms. Howard noted that City Council Committee will have a meeting with a presentation on the Capital Improvements Program (CIP) that the Commission is invited to attend on January 2, 2024.

Ms. Moser noted that this is the last meeting that Ms. Crisman will be on the Commission and wished her well on her new seat on the City Council.

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

The meeting adjourned at 5:37 p.m.

Respectfully submitted,



Karen Howard  
Community Services Manager



Joanne Goodrich  
Administrative Assistant



## DEPARTMENT OF COMMUNITY DEVELOPMENT

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

### MEMORANDUM

#### Planning & Community Services Division

**TO:** Planning and Zoning Commission  
**FROM:** Michelle Pezley, AICP, Planner III  
 Matthew Tolan, EI, Civil Engineer II  
**DATE:** December 27, 2023  
**SUBJECT:** PP23-008: West Fork Crossing Frist Amendment Preliminary Plat Amendment 2

**REQUEST:** Request to approve the West Fork Crossing Frist Amendment Plat Amendment.  
 Case #PP23-008

**PETITIONER:** Money Pit LLC, and Waterbury Property Investors LLC Owners,  
 Corona Woychik, ISG, Engineer

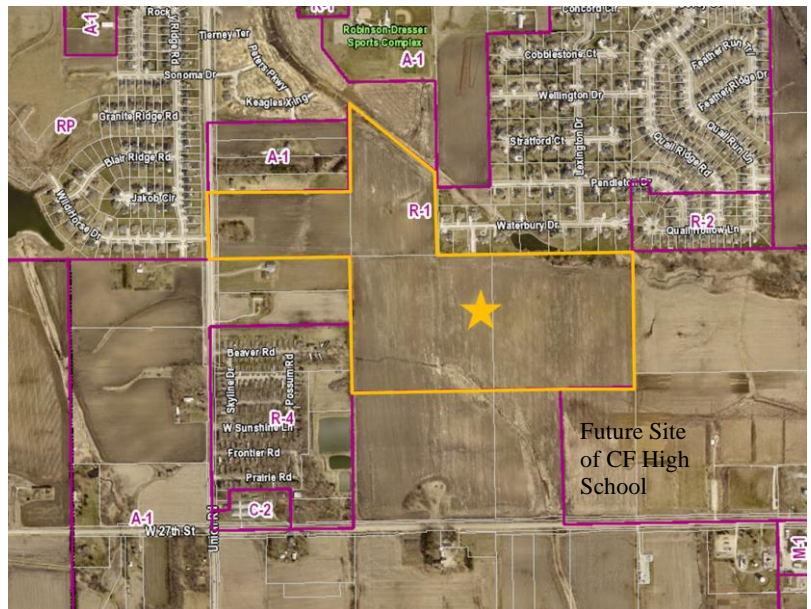
**LOCATION:** 120-acre parcel between Union Road and Waterbury Drive

### PROPOSAL

Money Pit LLC proposes a modification to their approved preliminary plat to remove references of purchasing wetland credits and indicate an alternative wetland mitigation plan for the wetlands that were disturbed with development in the first phase of the development. This will ensure that the final plat is in substantial conformance to the preliminary plat. This staff report will focus on those changes.

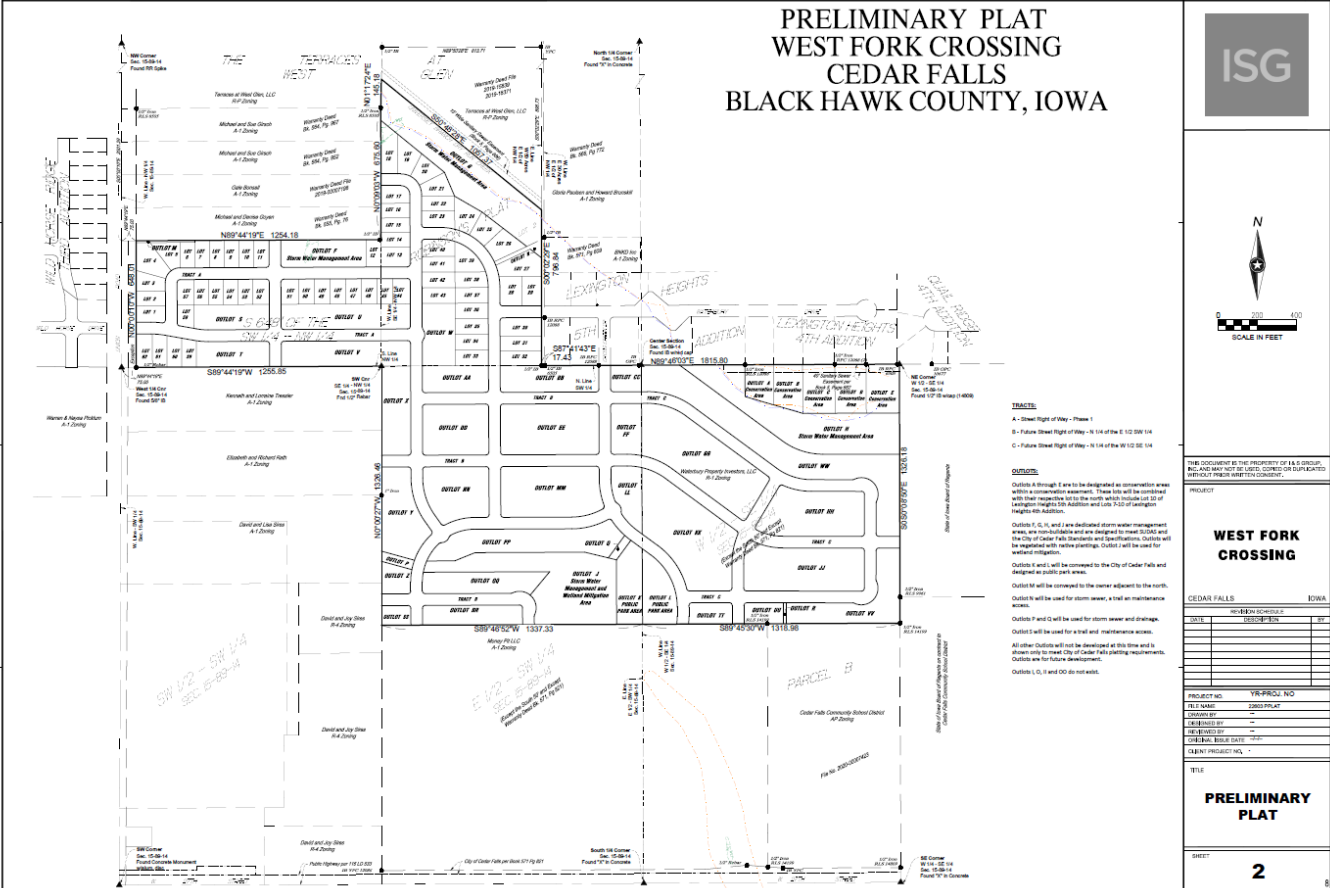
### BACKGROUND

The City Council approved the preliminary plat for the 120 acres on November 15, 2021. The next year, the applicant submitted modifications to the plat, which increased the number of lots in Frist Amendment making the lots more uniform in size, and reconfigured the shape and sizes of the stormwater basins. The City Council approved the revisions on June 6, 2022.



The property is zoned R-1 Residence District and as such, the subdivision will consist of uses allowed in that zoning district. The subject property is bordered by an R-1 zoned single-family subdivision (Lexington Heights) and an RP District (Terraces at West Glen) to the north. To the west of the site is a manufactured home development, zoned R-4 and several large single-family lots. Undeveloped land owned by UNI and the site of the new Cedar Falls High School is located east and southeast of the subject property. The property was farmland.

**ANALYSIS**



The preliminary plat consists of 62 lots and 29 outlots. The site is located north of W. 27th Street and east of Union Road near the site of the new Cedar Falls High School.

The City Code Sec. 20-6 (d) requires any wetlands that will be disturbed or eliminated during construction of the subdivision to be mitigated. The applicant was not able to buy wetland credits to mitigate the wetlands as originally proposed because the wetlands are non-jurisdictional wetlands (i.e. not regulated by the federal government) and the wetland banks are reserved for purchase of credits only for federally regulated wetlands. As an alternative, the applicant proposes to mitigate the wetlands that were disturbed during construction of First Amendment of the subdivision within Outlot J, which is located in Third Amendment of the subdivision. The applicant will construct the wetland area within Outlot J with the public improvements for the Second Amendment. The applicant has submitted a preliminary design to establish the wetlands, but a more detailed plan will be submitted with the construction drawings for the Second Amendment of the development. The applicant proposes to mitigate the wetlands on a 1:1 basis, i.e. 0.18 acres of wetlands were disturbed, so 0.18 acres of wetlands will be created.



The revised preliminary plat must be approved prior to consideration of the final plat of Frist Amendment, which is covered in the staff report for FP23-004.

### TECHNICAL COMMENTS

A courtesy mailing was mailed on December 20, 2023, to surrounding property owners within 200 feet of the property.

### PLANNING AND ZONING COMMISSION RECOMMENDATION

Staff recommends approval of PP 23-008; West Fork Crossing Frist Amendment Preliminary Plat Amendment with the following conditions:

- 1) A detailed Mitigation Plan must be submitted with the construction drawings of West Fork Crossing Second Amendment for Outlot J, showing conformance with Chapter 9.08 Stormwater Wetlands of the Iowa Stormwater Management Manual.
- 2) Construction of the wetlands shall be complete prior to approval of the West Fork Crossing Frist Amendment Final Plat.

### PLANNING AND ZONING

#### Discussion

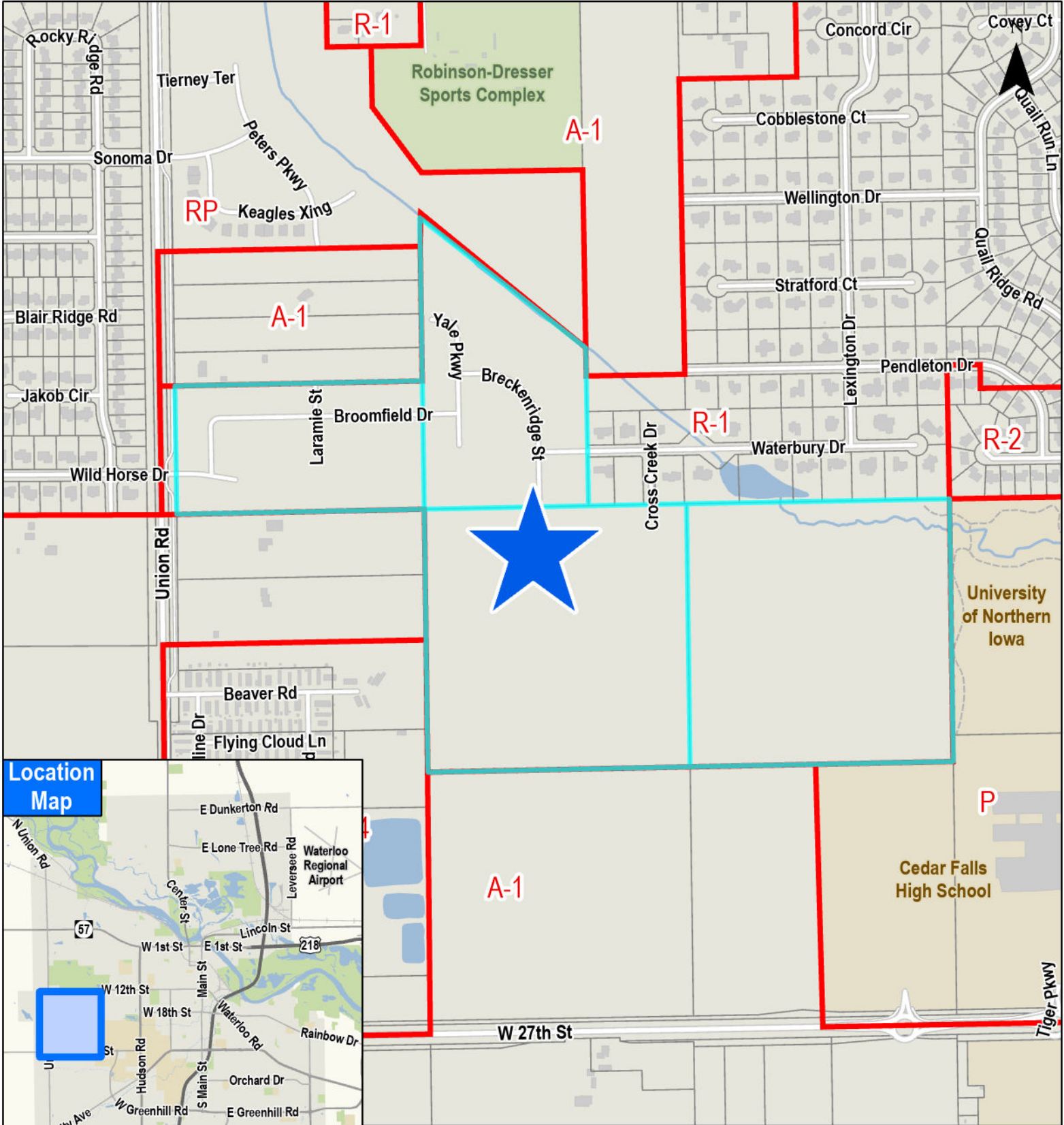
Attachments:

Location Map  
West Fork Crossing Revised Preliminary Plat  
Draft Wetland Mitigation Plan.

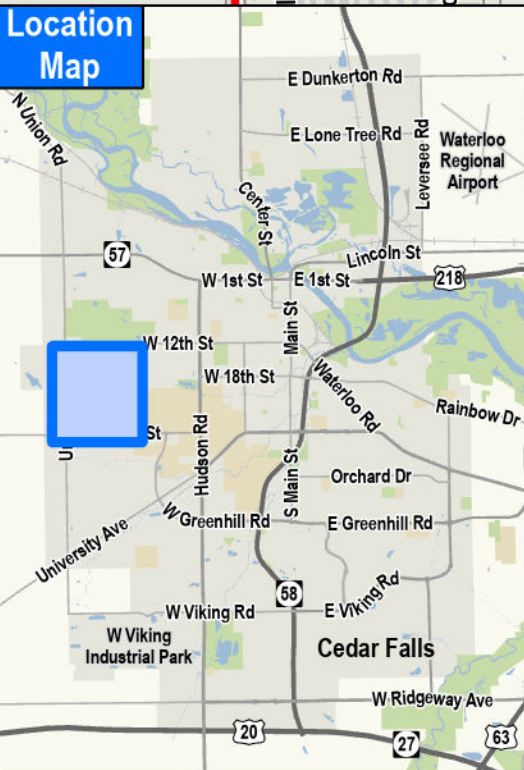
# Cedar Falls Planning and Zoning Commission

## December 27, 2023

Item 2.



### Location Map

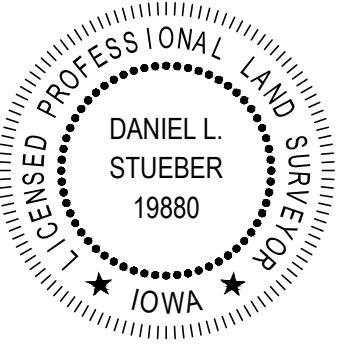


## West Fork Crossing Preliminary Plat Amendment (PP23-008)



# PRELIMINARY PLAT WEST FORK CROSSING CEDAR FALLS, BLACK HAWK COUNTY, IOWA

SEAL



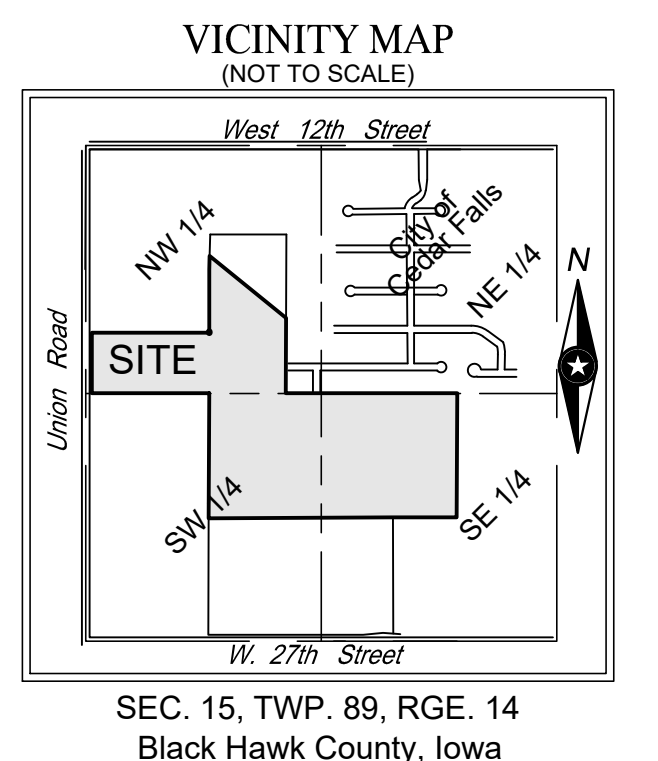
I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.  
DANIEL L. STUEBER

PRINTED SIGNATURE \_\_\_\_\_ SIGNATURE DATE \_\_\_\_\_

SIGNATURE \_\_\_\_\_ SIGNATURE DATE \_\_\_\_\_

My license renewal date is 12/31/2027  
REGISTRATION EXPIRES \_\_\_\_\_ DATE ISSUED \_\_\_\_\_

SHEETS COVERED BY THIS SEAL 8



**EXISTING LEGAL DESCRIPTION:**

The West Half of the Southeast Quarter (W1/2 SE1/4) and the East Half of the Southwest Quarter (E1/2 SW1/4) of Section 15, Township 89 North, Range 14 West of the 5<sup>th</sup> P.M., Black Hawk County, Iowa except the South 50 feet thereof conveyed for public highway in 115 LD 533 and except that part conveyed to the City of Cedar Falls, Iowa in 571 LD 821  
AND  
Lot No. 2 in Robinson's Plat of part of the Northwest Quarter of Section 15, Township 89 North, Range 14 West of 5th P.M., City of Cedar Falls, Black Hawk County, Iowa, Owner's Dedication filed July 29, 1992 in 302 Misc. 305  
AND  
The South 648 feet of the Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) of Section 15, Township 89 North, Range 14 West of the 5th P.M., Black Hawk County, Iowa, except that part conveyed to the City of Cedar Falls for Union Road right of way in 547 LD 656  
EXCEPT  
The South Half of the East Half of the Southwest Quarter of Section 15, Township 89 North, Range 14 West.  
AND FURTHER ACCEPTING  
The South Half of the West Half of the Southeast Quarter of Section 15, Township 89 North, Range 14 West.  
AND FURTHER ACCEPTING  
Parcel B in the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 15, Township 89 North, Range 14 West of 5th P.M., City of Cedar Falls, Black Hawk County, Iowa as shown on a plat of survey file no. 2020-00007423.  
AND FURTHER ACCEPTING  
Parcel A in Lot 2 of Robinson's Minor Plat of part of the Northwest Quarter (NW1/4) of Section 15, Township 89 North, Range 14 West of 5th P.M., City of Cedar Falls, Black Hawk County, Iowa as shown on a plat of survey file no. 2019-00015839

Total area to be platted - 120.88 Acres

**DEVELOPERS:**

Echo Development  
Brent Dahlstrom  
604 Clay Street  
Cedar Falls, IA 50613

**SURVEYOR and ENGINEER:**

ISG  
314 East 4th Street  
Waterloo, IA 50703  
(319) 234-1515

**OWNERS:**

Money Pit, LLC  
P.O. Box 128  
Cedar Falls, IA 50613

Terraces @Waterbury Property Investors, LLC  
604 Clay Street  
Cedar Falls, IA 50613

**EXISTING PROPERTY:**

ZONED: R-1 (1 & 2 Unit Residential)

**Building Setback:**

Front - 30 feet  
Side - 10% - 20% of lot width  
Rear - 30 feet

**BEARING NOTE:**

Orientation of this bearing system is based on IaRCS (Zone 5 - Waterloo).

**NOTES:**

- West Fork Crossing will be graded to allow for residential construction with the proposed grading primarily following existing topographic features currently present on site.
- Public Street Right-of-Way width will be 60.00 feet.
- A 6' Bike trail is proposed as shown in the development that connects the future 10' bike trails along Union Road and West 27th Street.
- 4' wide sidewalks will be constructed along sides of public streets where the City's bike trail system is not located.
- A 10' Wide Utility Easement will be provided adjacent to all Street Right-of-Way.
- West Fork Crossing First Addition will connect 12" DIP water main along Union Road, and Waterbury Road in Lexington Heights as well as connecting to the north to Robinson Dresser Park. A 12" DIP water main will also be present along the proposed Peters Parkway to connect to Terraces at West Glen in the future. An 8" diameter water main will be present in the other applicable streets, unless a larger water main is required, to be determined during the development of construction plans.
- Storm sewer is generally designed for 10 year storm flows.
- Sanitary sewer will be 8" diameter through the development and comply with SUDAS and the City of Cedar Falls Standards and Specifications.
- Water service and sanitary sewer service will be stubbed to the back of the utility easement line for each residential unit.
- Gas main is generally located 8' behind curb, opposite side of street from water main. Location shall be coordinated with local utility provider.
- Underground electric and communication lines shall be generally located within 10' utility easements. Location shall be coordinated with local utility provider.
- Streets to be 31' back of curb to back of curb, Portland cement concrete, with a minimum 12" thick crushed stone base and sub drain tile on both sides of street system, connecting to storm sewer.
- Existing site features can be found on sheets 3-7.
- Future street improvements can be found on sheets 3-7.
- Proposed street improvements and proposed contours can be found on sheets 3-7.
- Proposed utilities for phase 1 are shown in color and can be found on sheets 3-7. Future utilities outside of phase 1 are preliminary and not finalized.
- Proposed easements and building setbacks can be found on sheets 3-7.
- Proposed lot corners located at street intersections have a 15' radius unless otherwise noted.
- Proposed Street Right of Way and future traffic calming circles are shown for future development.
- Existing flood hazard boundary lines are shown per FEMA map 19013C0163F dated July 18, 2011.
- Non-regulated wetlands are shown per ISG's wetland delineation from June 3, 2019. Wetland mitigation will be achieved by creating wetlands within an outlot dedicated for stormwater management.
- Approximate low structure opening (LSO) elevations are shown on sheet 8.

**TRACTS:**

- A - Street Right of Way - Phase 1
- B - Future Street Right of Way - N 1/4 of the E 1/2 SW 1/4
- C - Future Street Right of Way - N 1/4 of the W 1/2 SE 1/4

**OUTLOTS:**

- Outlots A through E are to be designated as conservation areas within a conservation easement. These lots will be combined with their respective lot to the north which include Lot 10 of Lexington Heights 5th Addition and Lots 7-10 of Lexington Heights 4th Addition.
- Outlots F, G, H, and J are dedicated storm water management areas, are non-buildable and are designed to meet SUDAS and the City of Cedar Falls Standards and Specifications. Outlots will be vegetated with native plantings. Outlot J will be used for wetland mitigation.
- Outlots K and L will be conveyed to the City of Cedar Falls and designed as public park areas.
- Outlot M will be conveyed to the owner adjacent to the north.
- Outlot N will be used for storm sewer, a trail and maintenance access.
- Outlots P and Q will be used for storm sewer and drainage.
- Outlot S will be used for a trail and maintenance access.
- All other Outlots will not be developed at this time and is shown only to meet City of Cedar Falls platting requirements. Outlots are for future development.
- Outlots I, O, II and OO do not exist.

Lot Frontage at Building Setback for Irregular Shaped Lots	
Lot Number	Chord Distance (ft.)
3	71.4
4	70.0
5	68.0
24	94.7
25	104.2
26	104.2
27	72.6
39	81.5
40	58.3

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**PROJECT**

## WEST FORK CROSSING

CEDAR FALLS IOWA

REVISION SCHEDULE		
DATE	DESCRIPTION	BY
4-25-22	City Submittal	JMW
5-16-22	Revisions to City Submittal	JMW
12-19-23	Revisions to City Submittal	JMW

PROJECT NO.	19-22603
FILE NAME	X-22603-Pro-Lot-S PH1
DRAWN BY	JW
DESIGNED BY	TV
REVIEWED BY	DS/RR
ORIGINAL ISSUE DATE	5/10/21
CLIENT PROJECT NO.	

# PRELIMINARY PLAT

SHEET  
**1**

**LEGEND**

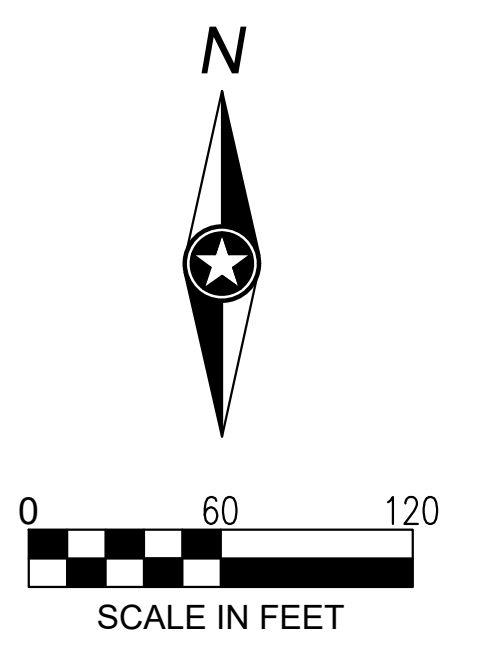
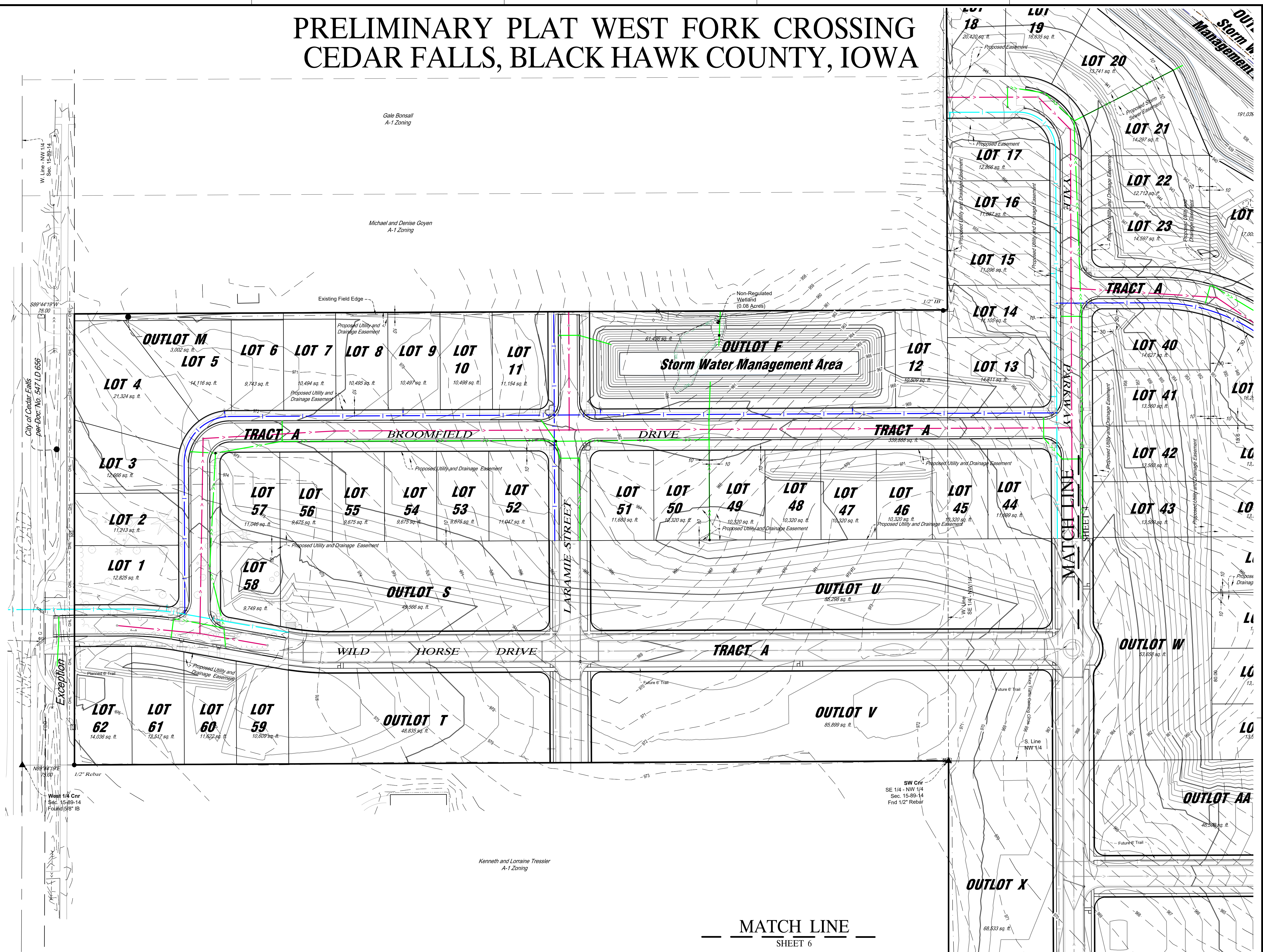
---<---	Existing Sanitary Sewer Line	---G---	Underground Gas Line	◆	Benchmark	⊗	Curb Stop
---<---	Proposed Sanitary Sewer Line	---UE---	Underground Electric Line	○	Drop Intake	○ □	Manhole/Catch Basin
---<---	Future Sanitary Sewer Line	---UTL---	Underground Utility Line	⊗	Gas Valve	⊗	Sign
---<<---	Existing Storm Sewer Line	---FBO---	Underground Fiber Optic Line	●	Iron Monument Found	⊗	Post
---<<---	Proposed Storm Sewer Line	---OHL---	Overhead Utility Line	▲	Section Corner Found	⊗	Deciduous Tree
---<<---	Future Storm Sewer Line	---	Landscaping Edge	⊗	Transformer	⊗	Coniferous Tree
--- ---	Existing Water Line	---W---	Water's Edge	⊗	Light Pole	⊗	Bush
--- ---	Proposed 8" Water Line	---WET---	Wetland Line	⊗	Utility Pedestal	⊗	Stump
--- ---	Proposed 12" Water Line	---	Treeline	⊗	Utility Pole/Guy Wire	⊗	Mailbox
--- ---	Future Water Line	---X---	Fence	⊗	Water Valve		
---	Proposed Building Setback Line	---	100 Year Floodplain Line	⊗	Hydrant		
		---	500 Year Floodplain Line				







# PRELIMINARY PLAT WEST FORK CROSSING CEDAR FALLS, BLACK HAWK COUNTY, IOWA



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PROJECT

**WEST FORK CROSSING**

CEDAR FALLS IOWA

REVISION SCHEDULE		
DATE	DESCRIPTION	BY

PROJECT NO. YR-PROJ. NO  
 FILE NAME 22603 PPLAT  
 DRAWN BY ---  
 DESIGNED BY ---  
 REVIEWED BY ---  
 ORIGINAL ISSUE DATE ---  
 CLIENT PROJECT NO. ---

TITLE

**PRELIMINARY PLAT**

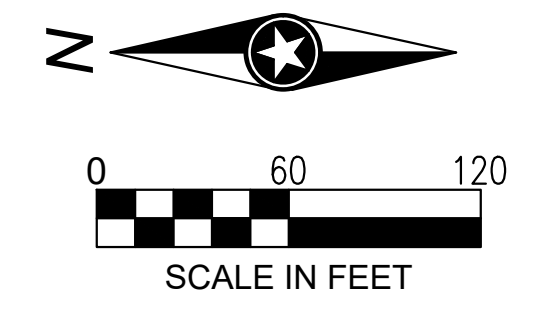
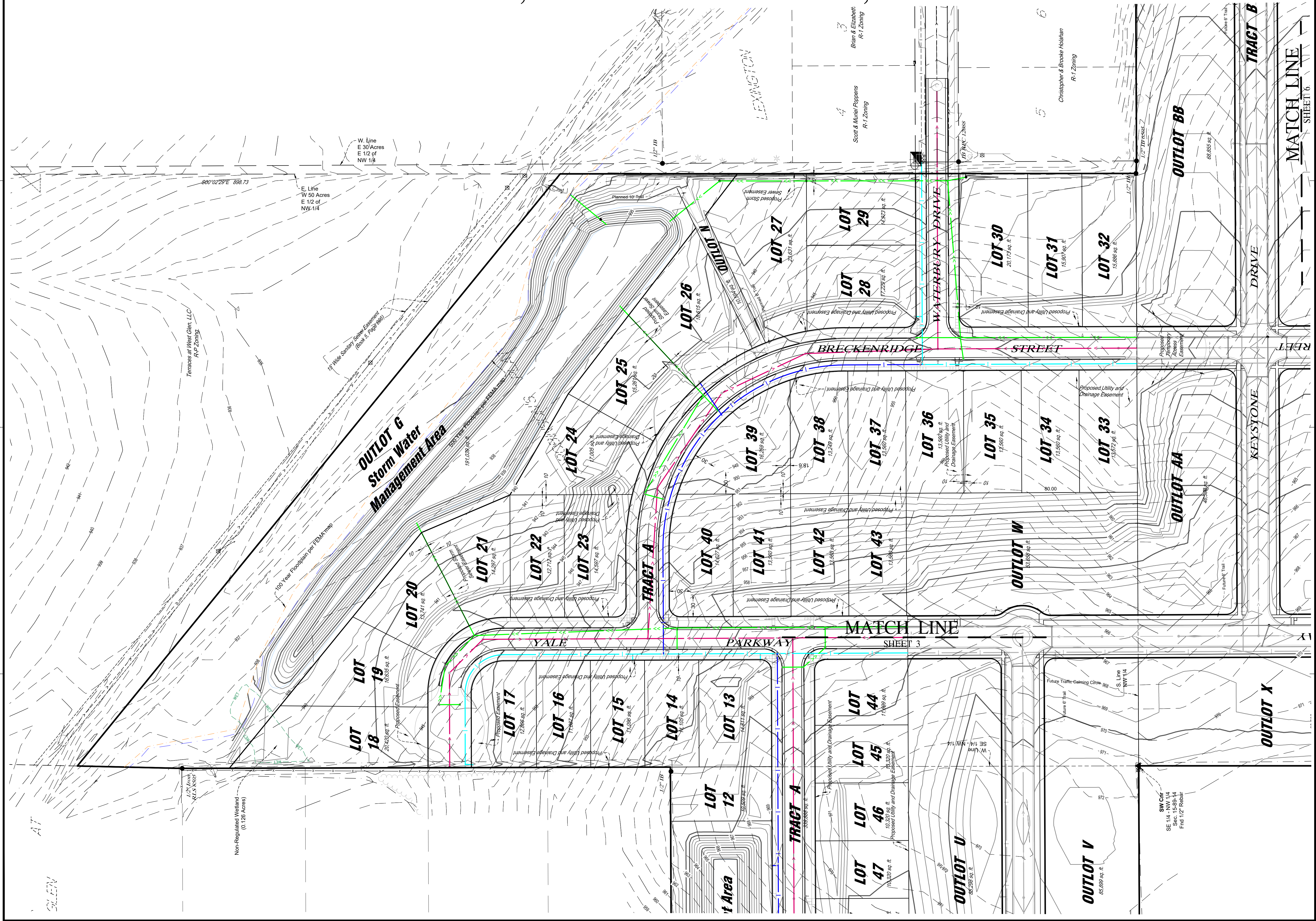
SHEET

**3**

MATCH LINE  
SHEET 6



# PRELIMINARY PLAT WEST FORK CROSSING CEDAR FALLS, BLACK HAWK COUNTY, IOWA



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PROJECT		
<b>WEST FORK CROSSING</b>		
CEDAR FALLS	IOWA	

REVISION SCHEDULE		
DATE	DESCRIPTION	BY

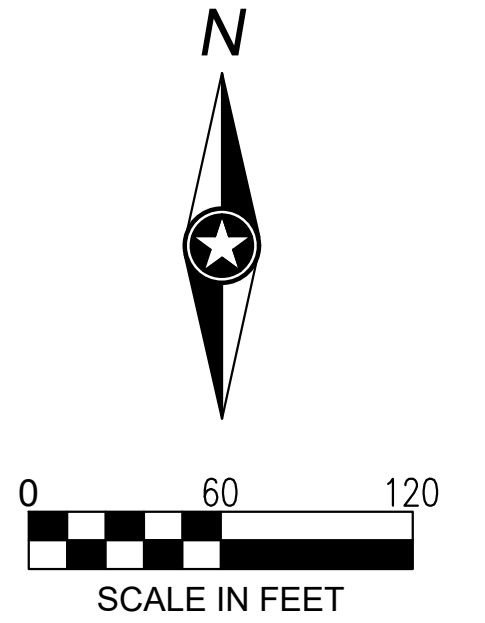
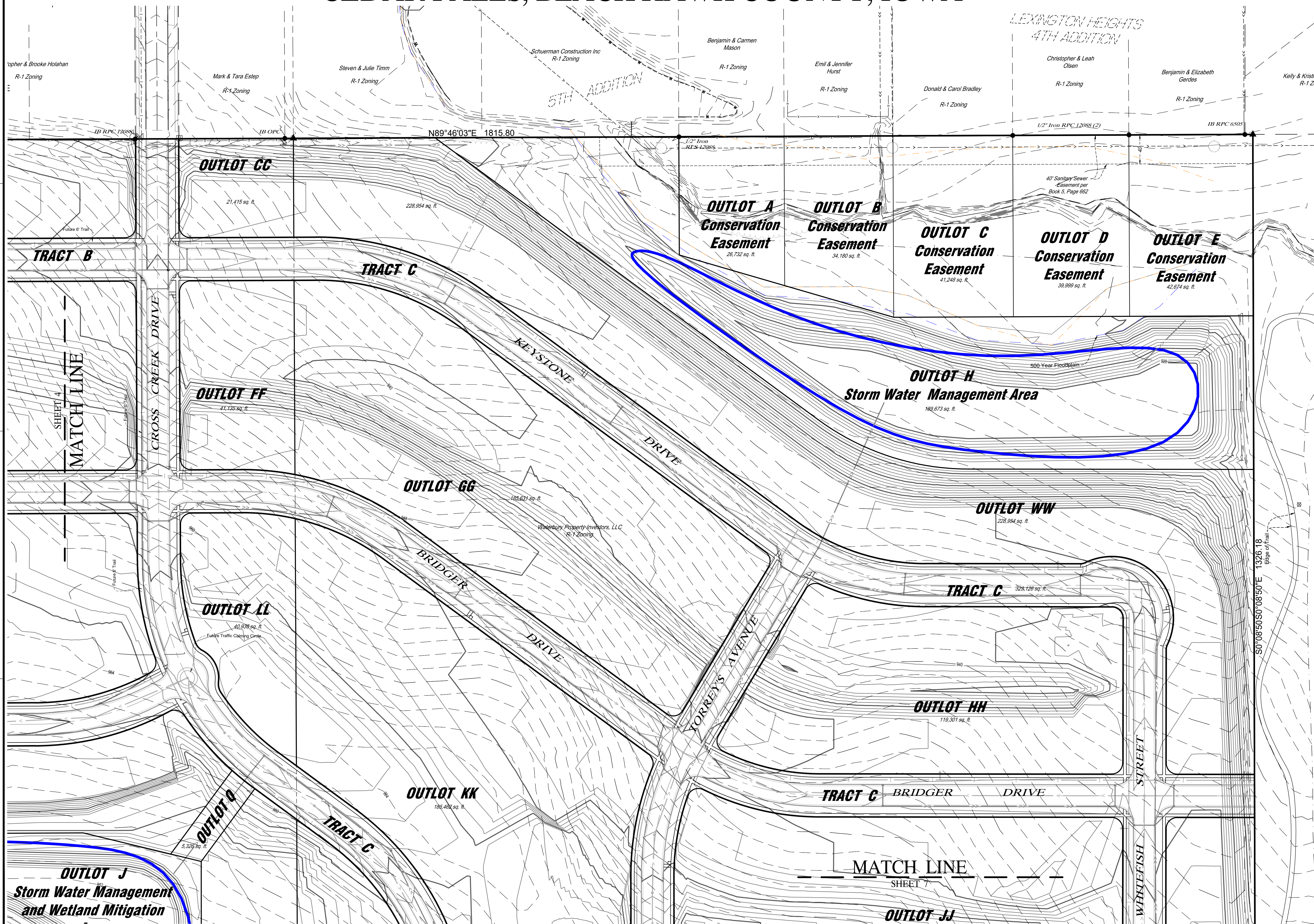
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FILE NAME	22603 PPLAT
DRAWN BY	---
DESIGNED BY	---
REVIEWED BY	---
ORIGINAL ISSUE DATE	---
CLIENT PROJECT NO.	---

TITLE  
**PRELIMINARY PLAT**

SHEET  
**4**



# PRELIMINARY PLAT WEST FORK CROSSING CEDAR FALLS, BLACK HAWK COUNTY, IOWA



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PROJECT  
**WEST FORK CROSSING**

CEDAR FALLS IOWA

REVISION SCHEDULE		
DATE	DESCRIPTION	BY

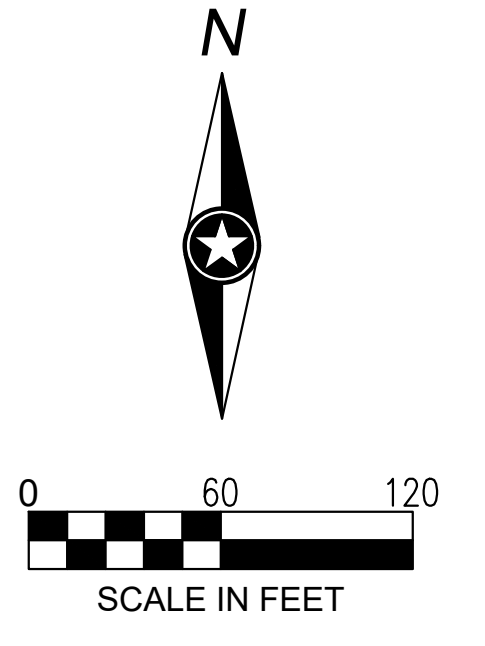
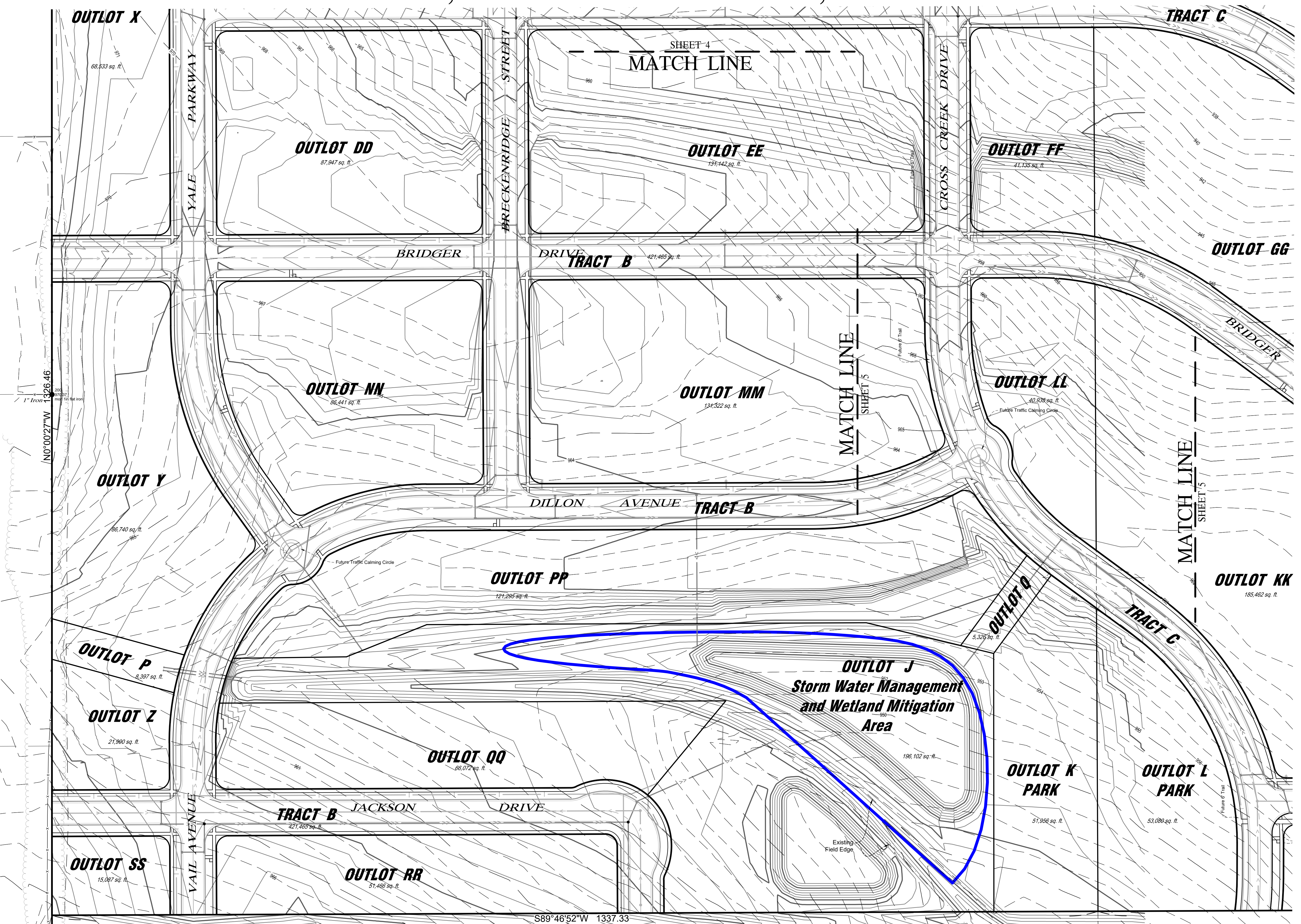
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FILE NAME	22603 PPLAT
DRAWN BY	---
DESIGNED BY	---
REVIEWED BY	---
ORIGINAL ISSUE DATE	11-1-22
CLIENT PROJECT NO.	---

TITLE  
**PRELIMINARY PLAT**

SHEET  
**5**



# PRELIMINARY PLAT WEST FORK CROSSING CEDAR FALLS, BLACK HAWK COUNTY, IOWA



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PROJECT

## WEST FORK CROSSING

CEDAR FALLS IOWA

REVISION SCHEDULE		
DATE	DESCRIPTION	BY

PROJECT NO.	YR-PROJ. NO
FILE NAME	22603 PPLAT
DRAWN BY	---
DESIGNED BY	---
REVIEWED BY	---
ORIGINAL ISSUE DATE	---/---/---
CLIENT PROJECT NO.	---

TITLE

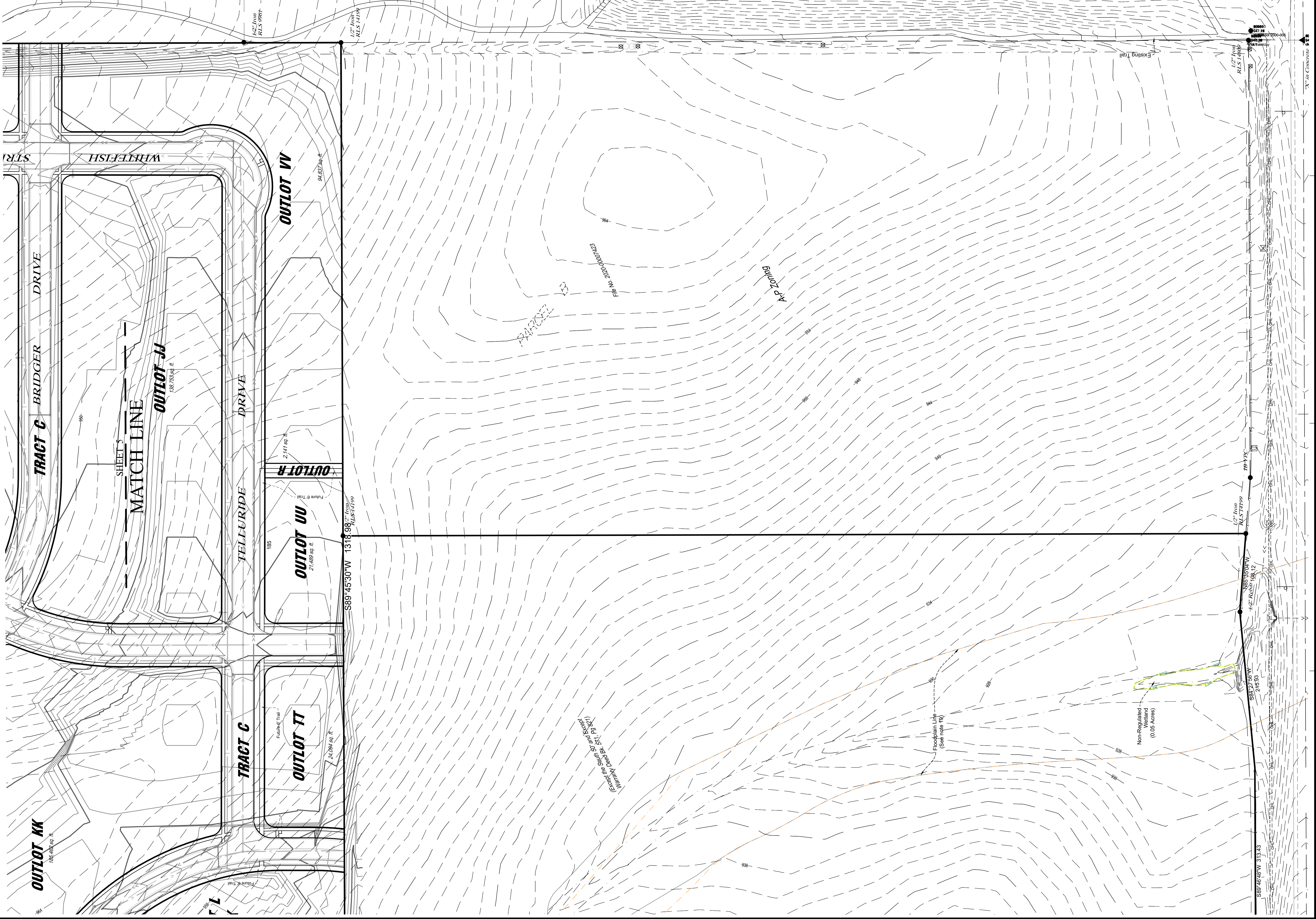
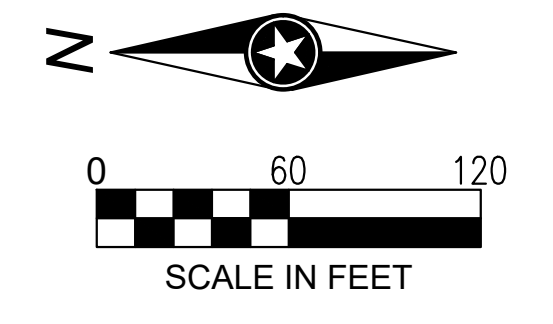
## PRELIMINARY PLAT

SHEET

# 6



# PRELIMINARY PLAT WEST FORK CROSSING CEDAR FALLS, BLACK HAWK COUNTY, IOWA



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PROJECT

**WEST FORK CROSSING**

CEDAR FALLS IOWA

REVISION SCHEDULE		
DATE	DESCRIPTION	BY

PROJECT NO. YR-PROJ. NO

FILE NAME 22603 PPLAT

DRAWN BY ---

DESIGNED BY ---

REVIEWED BY ---

ORIGINAL ISSUE DATE 11/11/21

CLIENT PROJECT NO. ---

TITLE

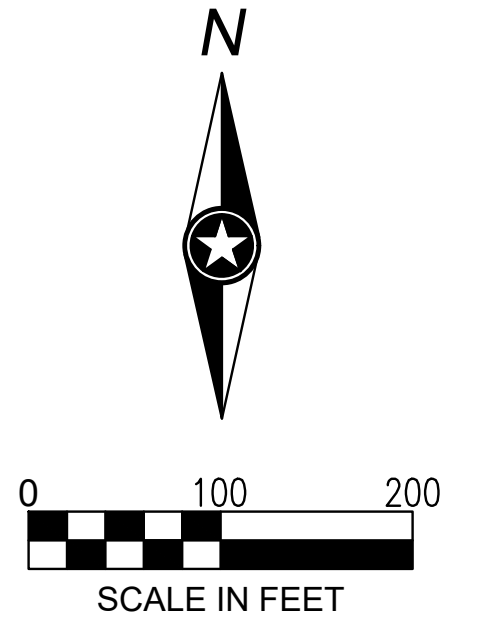
**PRELIMINARY PLAT**

SHEET

**7**



# PRELIMINARY PLAT WEST FORK CROSSING CEDAR FALLS, BLACK HAWK COUNTY, IOWA



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PROJECT

## WEST FORK CROSSING

CEDAR FALLS IOWA

REVISION SCHEDULE		
DATE	DESCRIPTION	BY

PROJECT NO.	19-22603
FILE NAME	X-22603-PRO-LOT-S
DRAWN BY	JW
DESIGNED BY	TV
REVIEWED BY	DS/RR
ORIGINAL ISSUE DATE	5/10/21
CLIENT PROJECT NO.	

## PRELIMINARY PLAT

SHEET **8** OF 8



# Memorandum

West Fork Crossing First Addition



**To:** City of Cedar Falls

**From:** Nick McCabe, Senior Environmental Scientist

**Date:** December 12, 2023

**Subject:** West Fork Crossing First Addition - Wetland Mitigation Plan

**CC:** Corona Woychik, Michelle Pezley, Kevin Fittro, David Wicke

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## OVERVIEW

Construction of the West Fork Crossing First Addition project will result in 0.18 acres of impacts to Non-Regulated Wetlands (wetlands not regulated by the Army Corps of Engineers). This includes 0.08 acres of impact to a wetland in Outlot C and 0.10 acres of impacts to a wetland in Outlot D. Both wetlands are farmed, Type 1 – Seasonally Flooded Basin wetlands.

As part of coordination for the West Fork Crossing Preliminary Plat, it was agreed upon by the Panther Builders (Developer), Money Pit LLC (Owner), and the City of Cedar Falls (City), to mitigate wetlands through the purchase of wetland credits at a banking site. The Developer/Owner, with the assistance of ISG, coordinated the purchase of wetland credits. Upon further coordination with the Army Corps of Engineers (Corps), the Corps stated via email on November 8<sup>th</sup>, 2023 that wetland credits may not be used to mitigate impacts to non-regulatory wetlands. As such, the payment for credits has been returned.

The City of Cedar Falls requires mitigation of wetlands and makes no differentiation between regulatory vs non-regulatory wetlands as per Section 20.6 subsection D of the City Code of Ordinances. The Developer, City, and ISG met over a virtual meeting on December 7<sup>th</sup>, 2023 to discuss and verbally agree upon a proposed wetland mitigation plan.

## WETLAND MITIGATION PLAN

The 0.18 acres of non-regulated wetland impacts will be mitigated as part of Phase 2 of the West Fork Crossing subdivision, also known as West Fork Crossing Second Addition. This will be done by construction of a created wetland that meets the three required technical criteria of a wetland as detailed in the 1987 US Army Corps of Engineers Wetland Delineation Manual and the 2010 Midwest Regional Supplement: occurrence of hydric soil, predominance of hydrophytic vegetation, and the presence of one primary and/or two secondary indicators of wetland hydrology.

### Location

The wetlands will be created within the Phase 3 project boundary in an outlot designated for future stormwater management. The proposed wetland area displaces a planned stormwater management area. The planned stormwater management area will be relocated to a point hydraulically upland/upstream, and the stormwater report will be updated during preliminary plat development for Phase 2. Approximate locations and geometry of the proposed wetland and future stormwater pond is shown in the Wetland Mitigation Plan exhibit attached.

# Memorandum

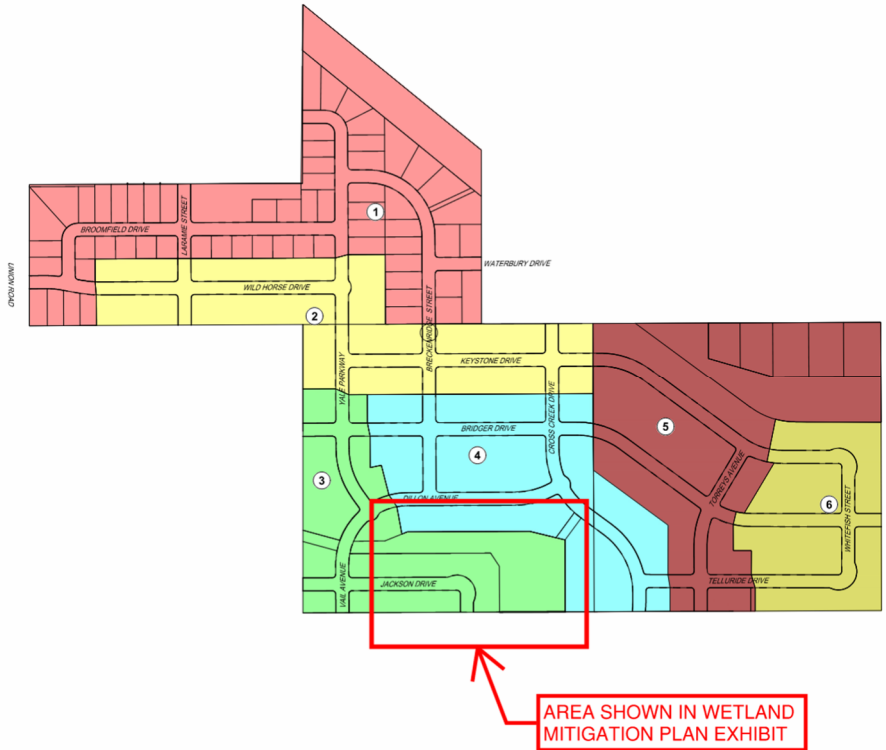
West Fork Crossing First Addition – Wetland Mitigation Plan

## Timing

Although the proposed wetland area is physically located within the Phase 3 area of West Fork Crossing Subdivision's current phasing plan, wetland mitigation is proposed to be completed during Phase 2 of the West Fork Crossing subdivision. Construction for Phase 2 is expected in 2025; however, construction may occur as early as 2024 or as late as 2026 depending on how quickly Phase 1 lots sell.

## Hydric Soil

The proposed wetland area is in a location where soils are partially hydric (33%-67% hydric). Hydric soils will be salvaged from areas within the Phase 2 boundary to fully restore the proposed wetland area with hydric soils. Additionally, the area will be graded as needed to form the conditions necessary to protect or further create hydric soils.



A hydric soil is a soil formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part. Examples of hydric soil indicators include: the accumulation of organic matter, low-chroma soil matrices, gleying, redox concentrations, redox depletions, and hydrogen sulfide odor.

## Hydrophytic Vegetation

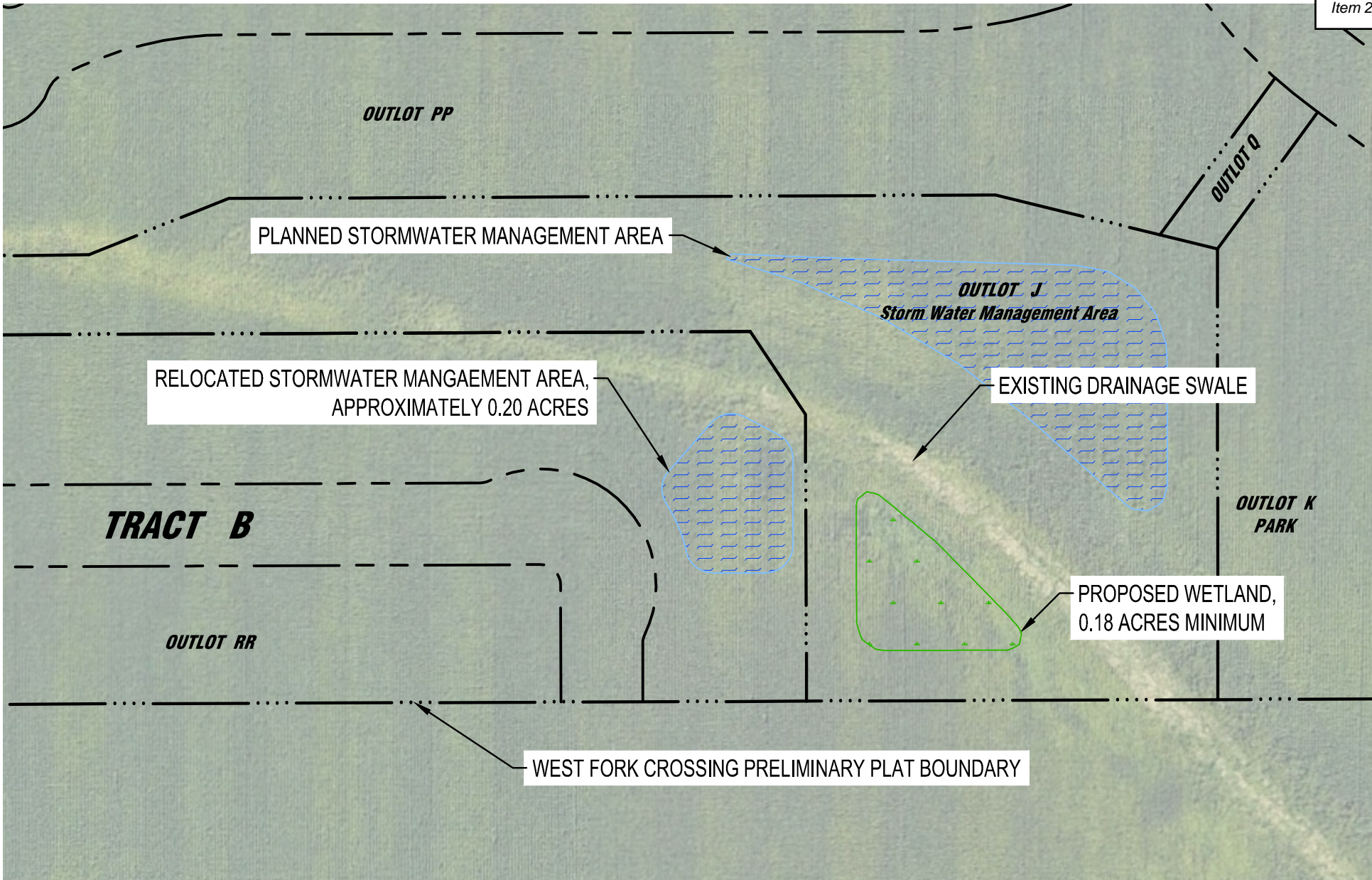
Hydrophytic plant species will be incorporated into the seeding following construction to ensure that the created wetland meets the wetland vegetation criterion.

The wetland vegetation criterion is satisfied when the prevalent vegetation consists of plant species adapted to inundation or substrates periodically deficient in oxygen as a result of prolonged saturation. Specifically, this includes plant communities that under normal circumstances have more than 50% of the composition of the dominant species from all strata ranked with an indicator status as obligate wetland (OBL), facultative wetland (FACW), and/or facultative (FAC) species. The indicator status for individual plants is defined by the updated 2020 Iowa National Wetland Plant List.

## Wetland Hydrology

The area will be graded as needed to ensure the proposed wetland meets wetland hydrology.

According to the 1987 manual, wetland hydrology is present when the area is inundated either permanently or periodically at mean water depths less than or equal to 6.6 feet, or the soil is saturated to the surface at some time during the growing season. The Midwest Regional Supplement requires fourteen (14) or more consecutive days of flooding or ponding, or a water table of twelve (12) inches (30 cm) or less below the soil surface, during the growing season at a minimum frequency of five (5) years in ten (10) (50% or higher probability) to satisfy wetland hydrology.



### WETLAND MITIGATION PLAN



Architecture + Engineering + Environmental + Planning  
 ISGInc.com

WEST FORK CROSSING  
 CEDAR FALLS, IOWA - 12/18/22  
 ISG PROJECT NO. 19-2





## 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 and Zoning Commission  
**FROM:** Michelle Pezley, AICP, Planner III  
 Matthew Tolan, EI, Civil Engineer II  
**DATE:** December 27, 2023  
**SUBJECT:** FP23-004: West Fork Crossing First Addition Final Plat

**REQUEST:** Request to approve West Fork Crossing First Addition Final Plat.  
 Case #FP23-004

**PETITIONER:** Money Pit, LLC., Owner,  
 Corona Woychik, ISG, Engineer

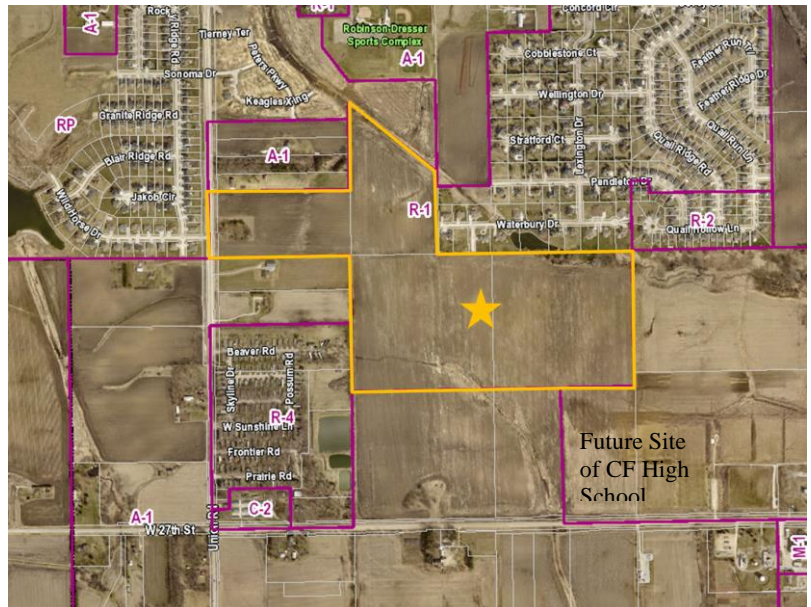
**LOCATION:** 120-acre parcel between Union Road and Waterbury Drive

#### PROPOSAL

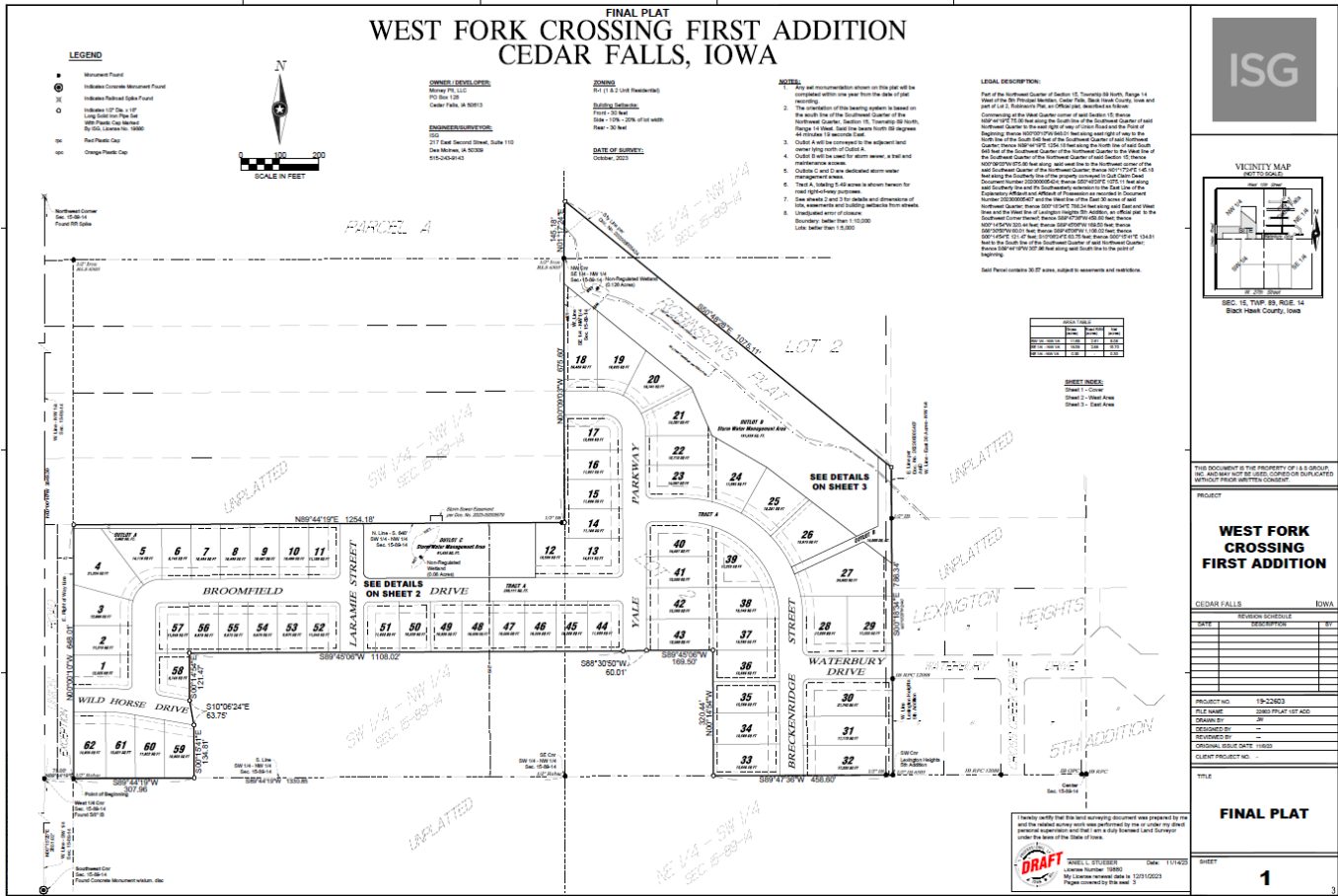
Money Pit LLC is requesting approval of a final plat for West Fork Crossing First Addition, the first phase of development of the 120-acre West Fork Crossings preliminary plat. The proposed final plat encompasses 30 acres and consists of 62 single family lots and four outlots. The property is located north of W. 27th Street and east of Union Road near the site of the new Cedar Falls High School.

#### BACKGROUND

The City Council approved the preliminary plat for the 120 acres on November 15, 2021, and an amendment to that plat on June 6, 2022. Please note that the applicant is requesting a second amendment to the preliminary plat related to the wetland mitigation plat, which is discussed in a separate staff report under case number PP23-007.



ANALYSIS



The applicant, Money Pit LLC proposes to final plat approximately 30 acres into 62 lots and four outlots.

Outlots C and D are stormwater management areas that have been designed and constructed to meet City Standards. Outlot A is to be conveyed to and combined with the property at 1712 Union Road located north of this subdivision. A 10-foot-wide trail has been constructed within Outlot B. The intent is for this trail to be extended in the future to provide a connection to Robinson-Dresser Sports Complex. Staff notes that a stormwater and public trail easement should be recorded on this Outlot. The applicant will submit a corrected plat. The Deed of Dedication indicates that Outlots B, C, and D, will be maintained by the Homeowner's Association. The Deed of Dedication will need to be modified to add a paragraph to convey the public access easement to the City. This may be completed before Deed of Dedication is submitted to City Council.

Outlot C had a wetland in which the applicant had proposed to buy wetland credits to mitigate the wetland as required under Sec. 20-6(d). The applicant found that they could not buy mitigation credits for non-federally regulated wetland. The applicant proposes to modify the preliminary plat to remove the reference to buy credits. They also propose to mitigate the wetlands in West Fork Crossing Second Amendment. Please refer to PP23-007 staff report for the review of the amendment to the preliminary plat.

The City Code states that the final plat must be in substantial conformance with the preliminary plat. Staff finds that subject to approval of the amendment to the preliminary plat for the alternative wetland mitigation proposal, the final plat is in substantial conformance with the



preliminary plat and meets code requirements.

### TECHNICAL COMMENTS

Cedar Falls Utilities (CFU) has reviewed the final plat for the West Fork Crossing First Addition. Water, electric, gas, and communications utility services are available in accordance with the service policies of CFU.

All the public improvements to serve the First Addition have largely been completed. The developer's construction crew is finishing the final check list to complete the required improvements prior to the plat going before the City Council.

A courtesy mailing was mailed on December 20, 2023, to property owners within 200 feet of the property.

### PLANNING AND ZONING COMMISSION RECOMMENDATION

Staff recommends approval of FP23-004, a final plat of West Fork Crossing First Addition, subject to:

- approval of the amendment to the preliminary plat of West Fork Crossing to address wetland mitigation; and
- minor corrections to the documents noted in this staff report.

### PLANNING AND ZONING

#### Discussion

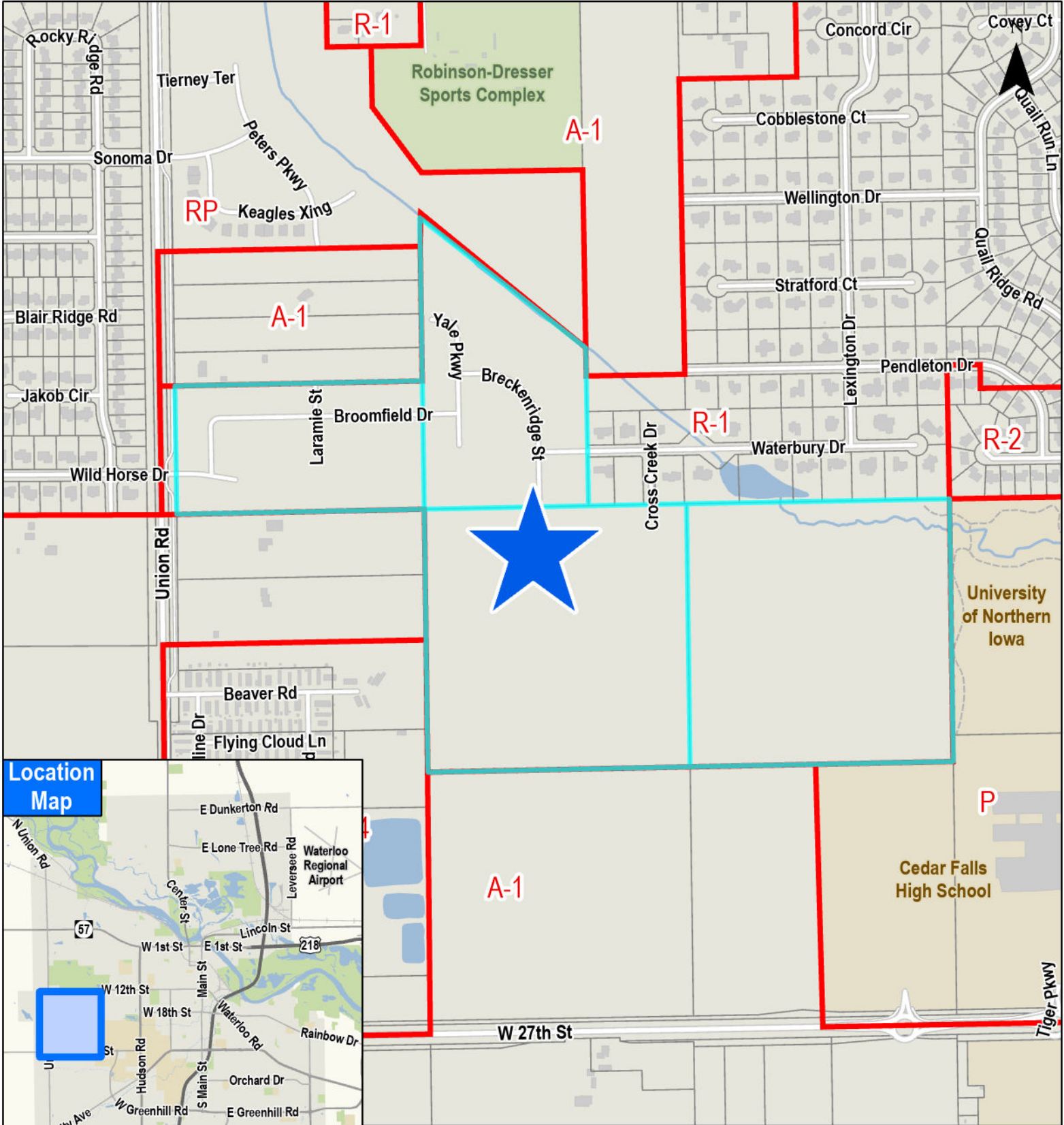
Attachments:

Location Map  
West Fork Crossing Phase 1 Final Plat  
Deed of Dedication

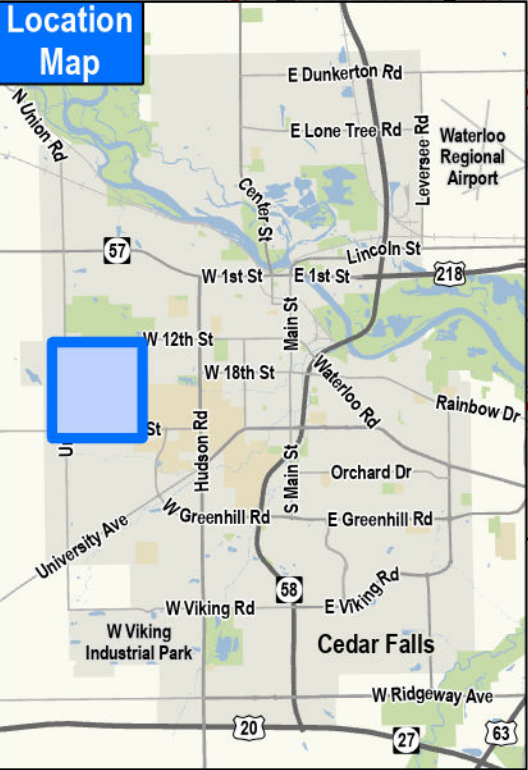
# Cedar Falls Planning and Zoning Commission

## December 27, 2023

Item 3.



### Location Map



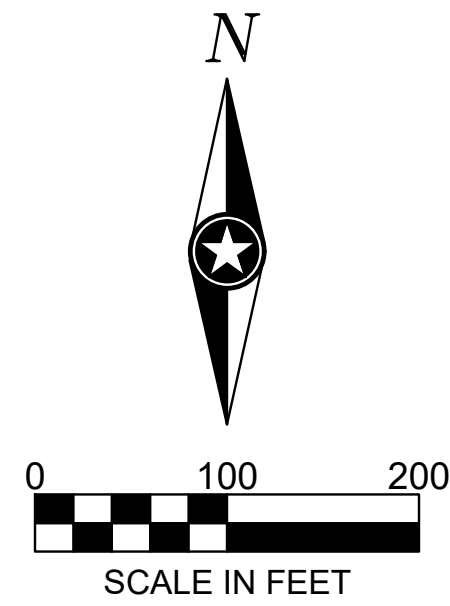
## West Fork Crossing Phase 1 Final Plat (FP23-004)



# FINAL PLAT WEST FORK CROSSING FIRST ADDITION CEDAR FALLS, IOWA

## LEGEND

- Monument Found
- ⊙ Indicates Concrete Monument Found
- ⊙ Indicates Railroad Spike Found
- Indicates 1/2" Dia. x 18" Long Solid Iron Pipe Set With Plastic Cap Marked By ISG, License No. 19880
- rpc Red Plastic Cap
- opc Orange Plastic Cap



**OWNER / DEVELOPER:**  
Money Pit, LLC  
PO Box 128  
Cedar Falls, IA 50613

**ENGINEER/SURVEYOR:**  
ISG  
217 East Second Street, Suite 110  
Des Moines, IA 50309  
515-243-9143

**ZONING**  
R-1 (1 & 2 Unit Residential)

**Building Setbacks:**  
Front - 30 feet  
Side - 10% - 20% of lot width  
Rear - 30 feet

**DATE OF SURVEY:**  
October, 2023

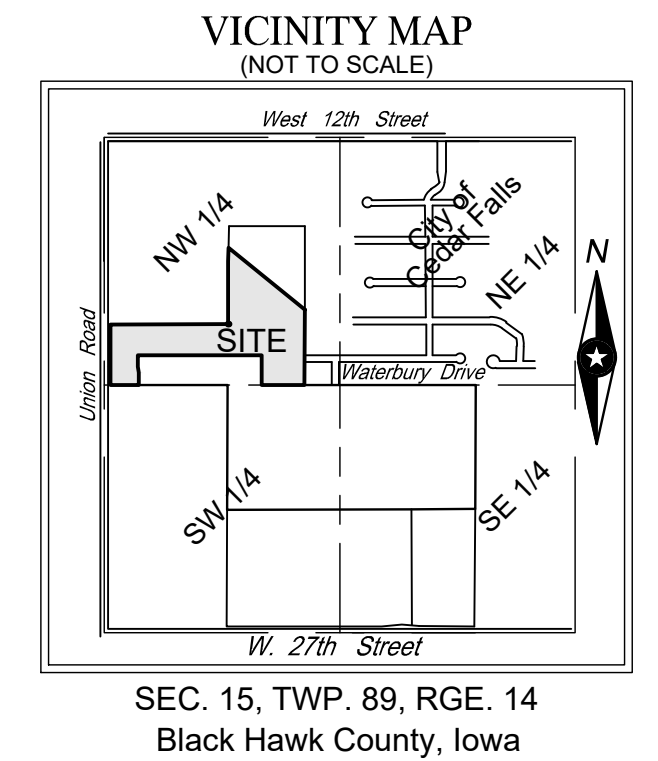
### NOTES:

1. Any set monumentation shown on this plat will be completed within one year from the date of plat recording.
2. The orientation of this bearing system is based on the south line of the Southwest Quarter of the Northwest Quarter, Section 15, Township 89 North, Range 14 West. Said line bears North 89 degrees 44 minutes 19 seconds East.
3. Outlot A will be conveyed to the adjacent land owner lying north of Outlot A.
4. Outlot B will be used for storm sewer, a trail and maintenance access.
5. Outlots C and D are dedicated storm water management areas.
6. Tract A, totaling 5.49 acres is shown hereon for road right-of-way purposes.
7. See sheets 2 and 3 for details and dimensions of lots, easements and building setbacks from streets.
8. Unadjusted error of closure:  
Boundary: better than 1:10,000  
Lots: better than 1:5,000

### LEGAL DESCRIPTION:

Part of the Northwest Quarter of Section 15, Township 89 North, Range 14 West of the 5th Principal Meridian, Cedar Falls, Black Hawk County, Iowa and part of Lot 2, Robinson's Plat, an Official Plat, described as follows:  
Commencing at the West Quarter corner of said Section 15; thence N89°44'19"E 75.00 feet along the South line of the Southwest Quarter of said Northwest Quarter to the east right of way of Union Road and the Point of Beginning; thence N00°00'10"W 648.01 feet along east right of way to the North line of the South 648 feet of the Southwest Quarter of said Northwest Quarter; thence N89°44'19"E 1254.18 feet along the North line of said South 648 feet of the Southwest Quarter of the Northwest Quarter to the West line of the Southeast Quarter of the Northwest Quarter of said Section 15; thence N00°09'03"W 675.60 feet along said west line to the Northwest corner of the said Southeast Quarter of the Northwest Quarter; thence N01°17'24"E 145.18 feet along the Southerly line of the property conveyed in Quit Claim Deed Document Number 20200005424; thence S50°48'28"E 1075.11 feet along said Southerly line and it's Southeasterly extension to the East Line of the Explanatory Affidavit and Affidavit of Possession as recorded in Document Number 20230005407 and the West line of the East 30 acres of said Northwest Quarter; thence S00°18'34"E 786.34 feet along said East and West lines and the West line of Lexington Heights 5th Addition, an official plat to the Southwest Corner thereof; thence S89°47'36"W 458.60 feet; thence N00°14'54"W 320.44 feet; thence S89°45'06"W 169.50 feet; thence S88°30'50"W 60.01 feet; thence S89°45'06"W 1,108.02 feet; thence S00°14'54"E 121.47 feet; S10°06'24"E 63.75 feet; thence S00°15'41"E 134.81 feet to the South line of the Southwest Quarter of said Northwest Quarter; thence S89°44'19"W 307.96 feet along said South line to the point of beginning.

Said Parcel contains 30.57 acres, subject to easements and restrictions.



AREA TABLE			
	Gross (acres)	Road R/W (acres)	Net (acres)
SW 1/4 - NW 1/4	11.69	2.61	9.08
SE 1/4 - NW 1/4	18.58	2.88	15.70
NE 1/4 - NW 1/4	0.30	-	0.30

**SHEET INDEX:**  
Sheet 1 - Cover  
Sheet 2 - West Area  
Sheet 3 - East Area

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## WEST FORK CROSSING FIRST ADDITION

CEDAR FALLS IOWA

REVISION SCHEDULE		
DATE	DESCRIPTION	BY

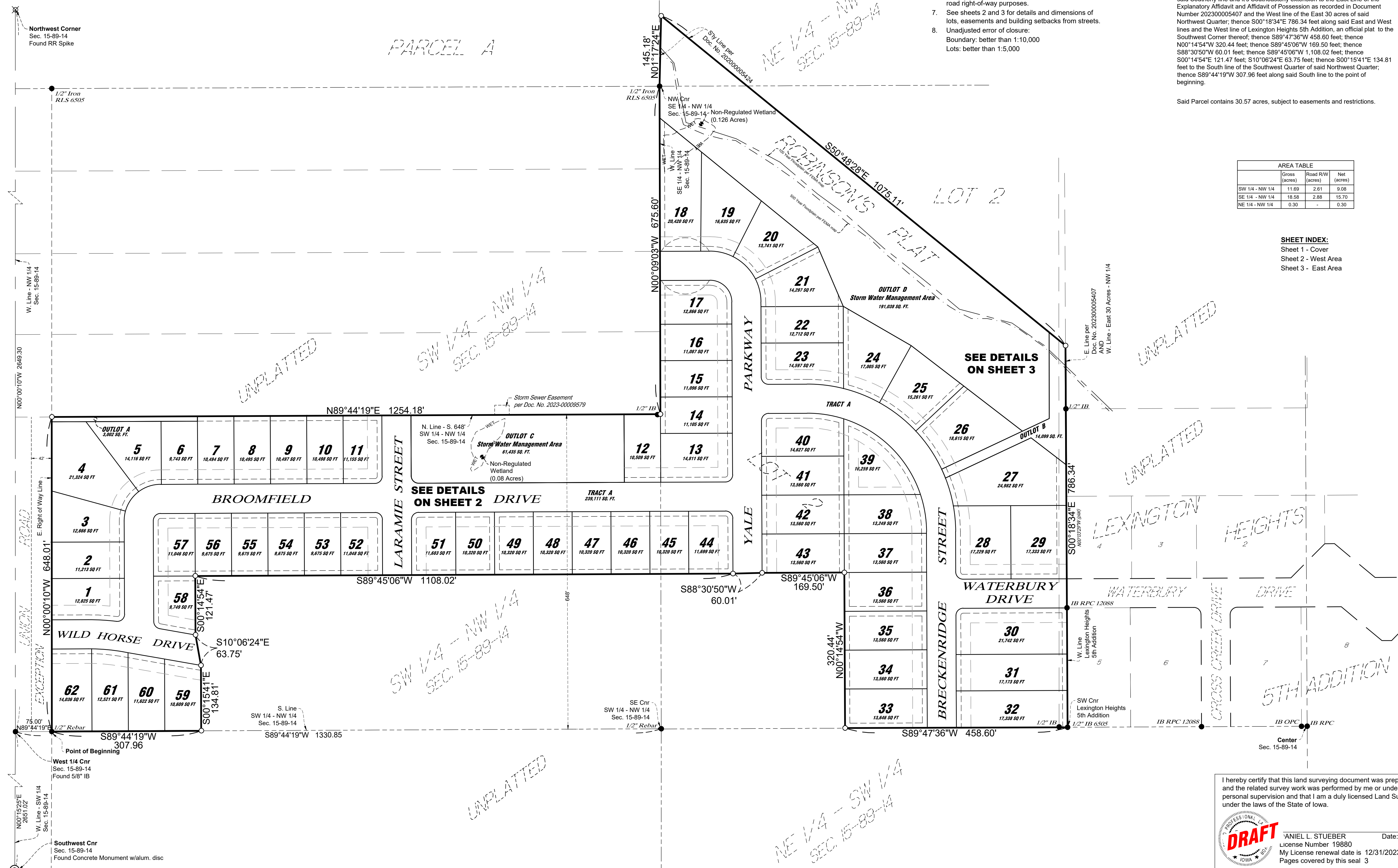
PROJECT NO. 19-22603  
FILE NAME 22603 FPLAT 1ST ADD  
DRAWN BY JW  
DESIGNED BY ---  
REVIEWED BY ---  
ORIGINAL ISSUE DATE 11/8/23  
CLIENT PROJECT NO. -

## FINAL PLAT

TITLE SHEET  
**1**

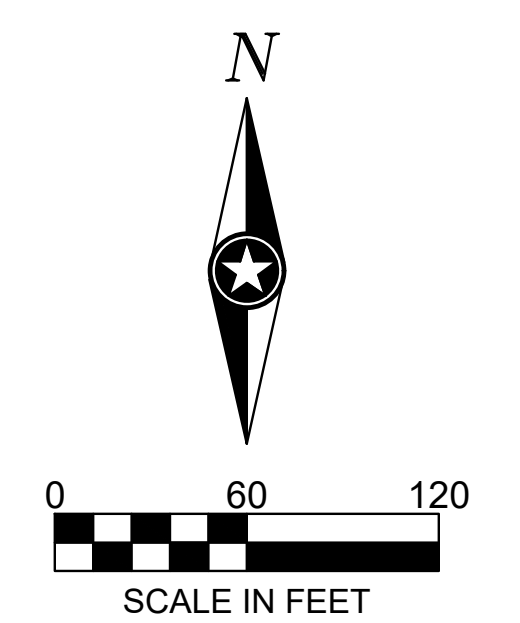
I hereby certify that this land surveying document was prepared by me and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

**DRAFT**  
ANIEL L. STUEBER Date: 11/14/23  
License Number 19880  
My License renewal date is 12/31/2023  
Pages covered by this seal 3





# FINAL PLAT WEST FORK CROSSING FIRST ADDITION CEDAR FALLS, IOWA



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PROJECT

## WEST FORK CROSSING FIRST ADDITION

CEDAR FALLS IOWA

REVISION SCHEDULE		
DATE	DESCRIPTION	BY

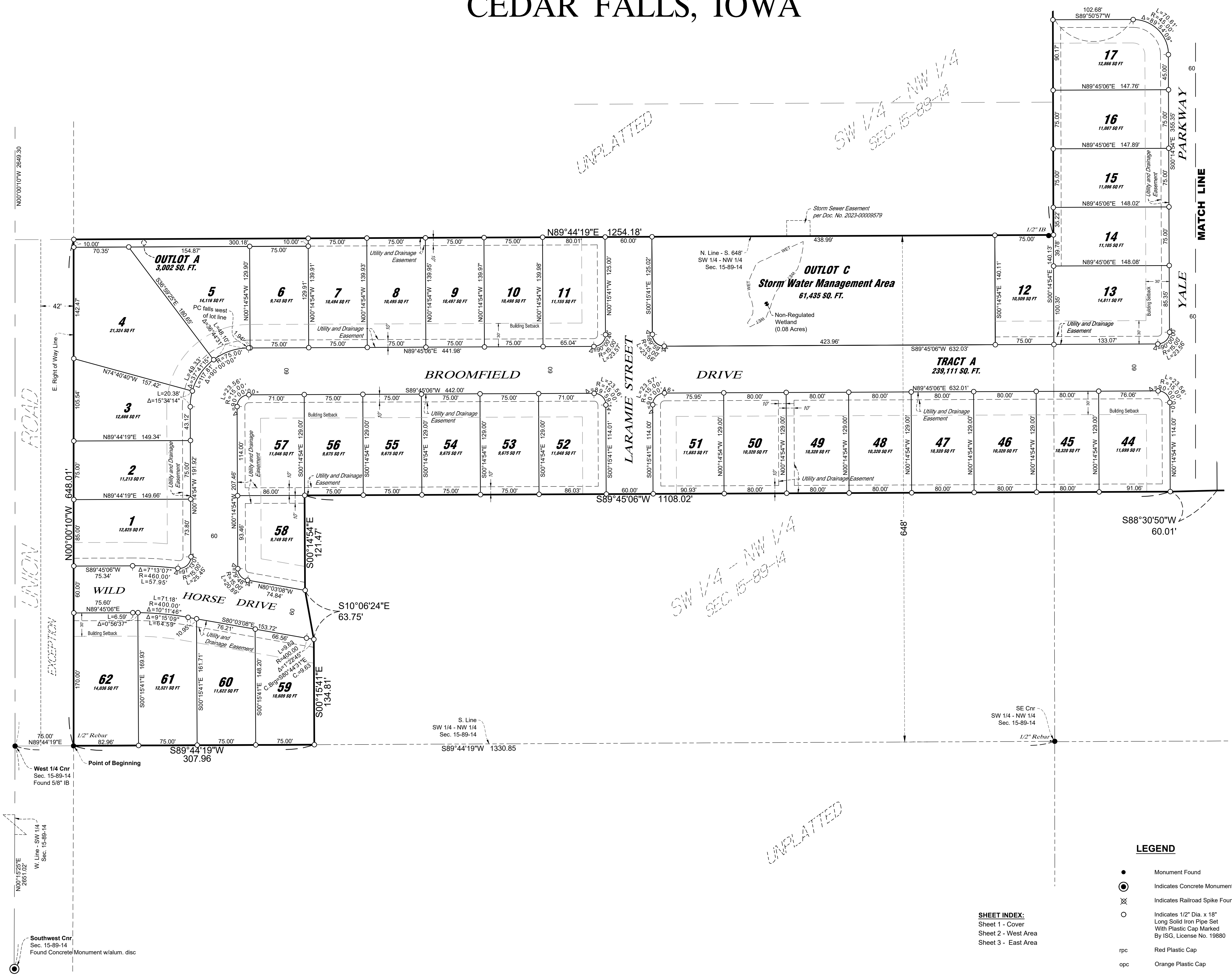
PROJECT NO.	19-22603
FILE NAME	22603 FPLAT 1ST ADD
DRAWN BY	JW
DESIGNED BY	---
REVIEWED BY	---
ORIGINAL ISSUE DATE	11/14/23
CLIENT PROJECT NO.	-

TITLE

## FINAL PLAT

SHEET

# 2



- LEGEND**
- Monument Found
  - ⊙ Indicates Concrete Monument Found
  - ⊗ Indicates Railroad Spike Found
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  - rpc Red Plastic Cap
  - opc Orange Plastic Cap

**SHEET INDEX:**  
 Sheet 1 - Cover  
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 Sheet 3 - East Area

N00°00'10"W 2648.30

E. Right of Way Line  
N74°40'40"W 157.42  
L=20.38'  
Δ=15°34'14"  
R=45.12'  
N89°44'19"E 149.34'  
N89°44'19"E 149.66'  
N00°00'10"W 648.01'  
N00°00'10"W 185.00'  
S89°45'06"W 75.34'  
Δ=7°13'07"  
R=400.00'  
L=57.95'  
N89°45'06"E  
L=6.59'  
Δ=0°56'37"  
L=64.59'  
S89°45'06"W 75.34'  
N89°45'06"E  
L=71.18'  
R=400.00'  
Δ=10°11'46"  
L=64.59'  
S89°45'06"E  
L=6.59'  
Δ=0°56'37"  
L=64.59'

West 1/4 Cnr  
Sec. 15-89-14  
Found 5/8" IB

Point of Beginning

Southwest Cnr  
Sec. 15-89-14  
Found Concrete Monument w/alum. disc

N00°14'52"E 2851.02'  
W Line - SW 1/4  
Sec. 15-89-14

S. Line  
SW 1/4 - NW 1/4  
Sec. 15-89-14

SE Cnr  
SW 1/4 - NW 1/4  
Sec. 15-89-14

UNPLATTED

SW 1/4 - NW 1/4  
SEC. 15-89-14

SW 1/4 - NW 1/4  
SEC. 15-89-14

UNPLATTED

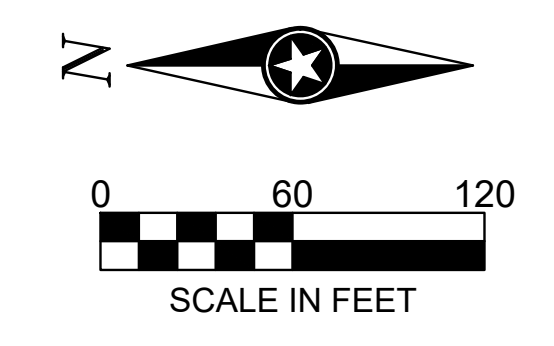
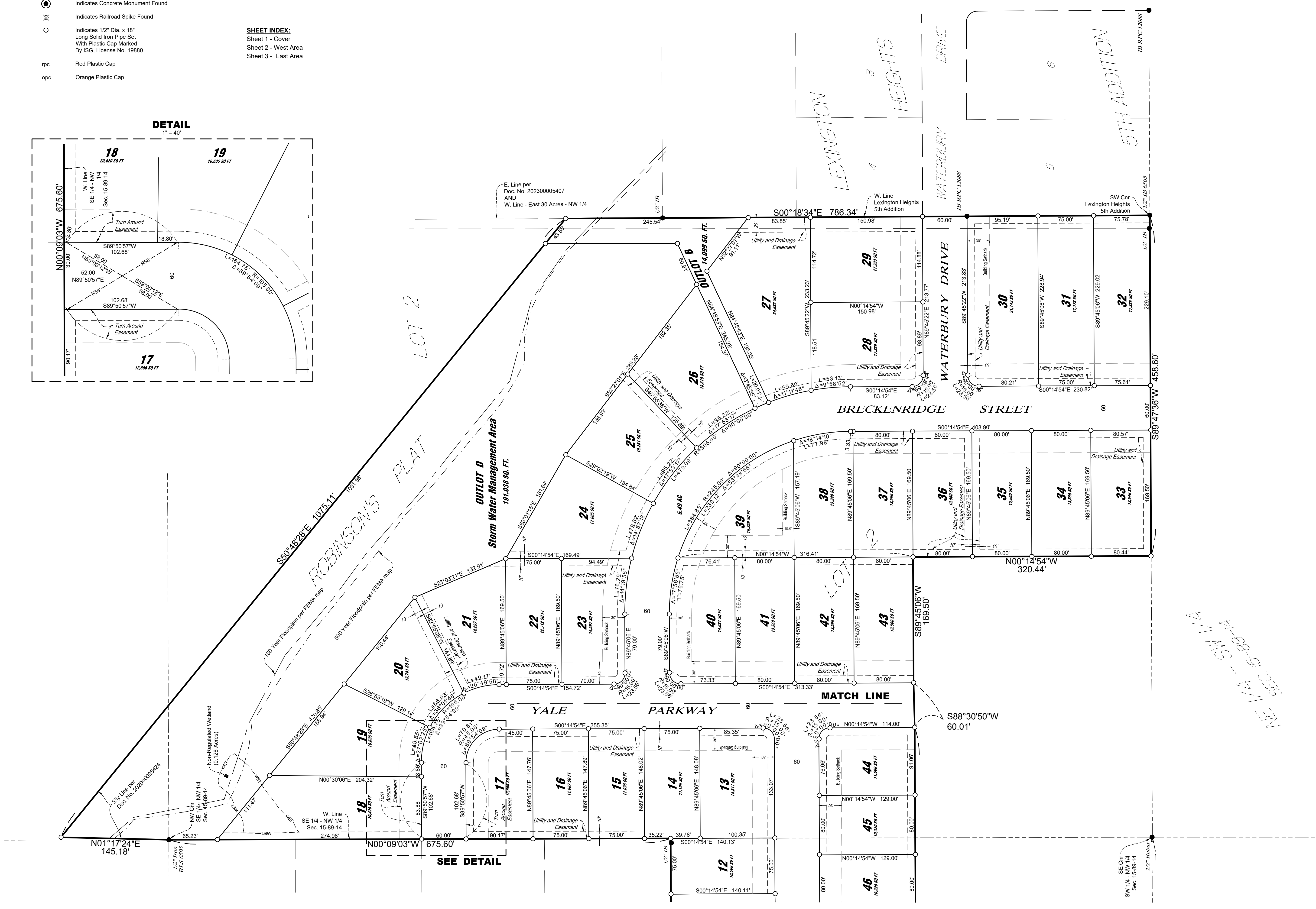
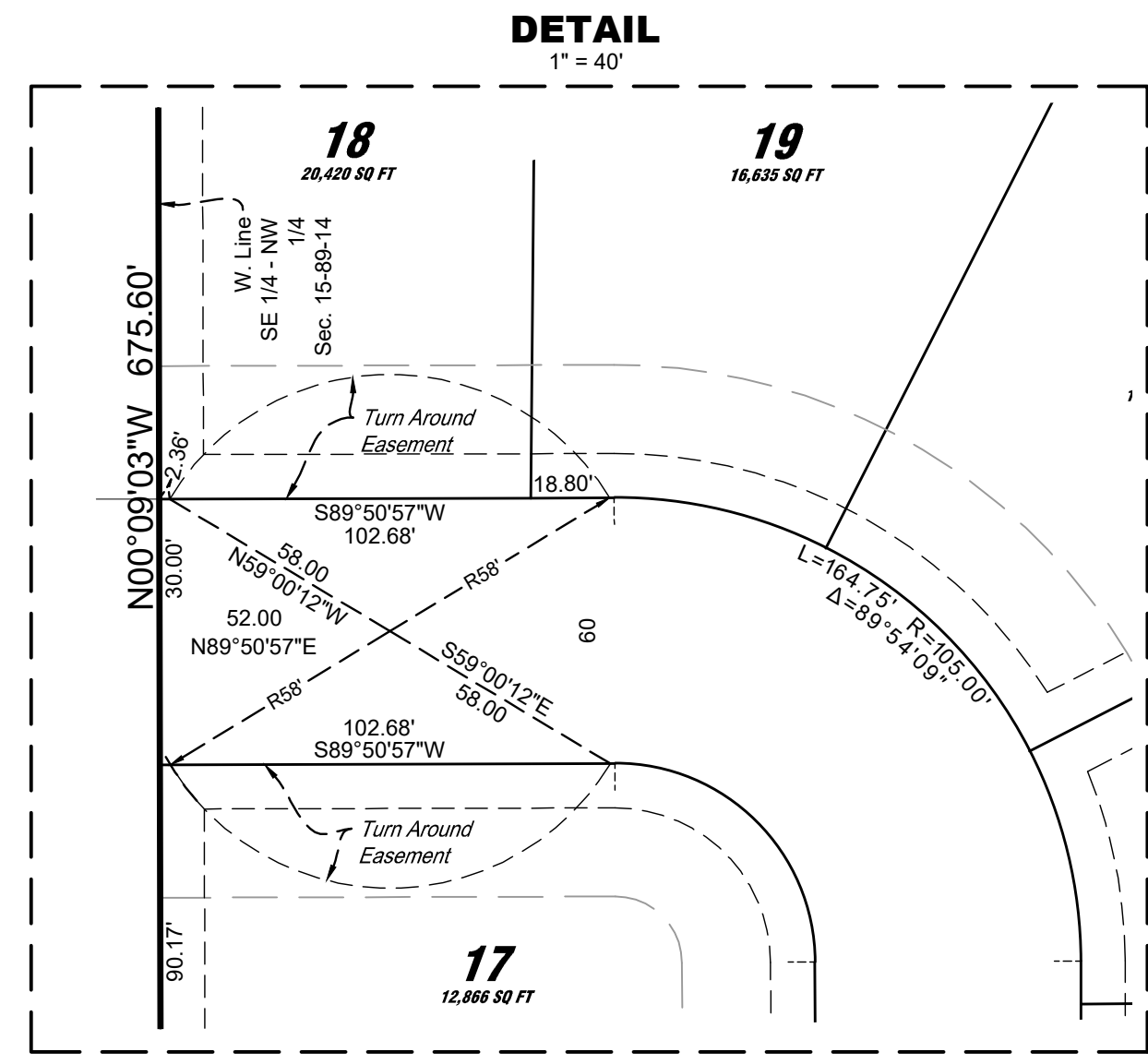


# FINAL PLAT WEST FORK CROSSING FIRST ADDITION CEDAR FALLS, IOWA

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PROJECT

## WEST FORK CROSSING FIRST ADDITION

CEDAR FALLS IOWA

REVISION SCHEDULE		
DATE	DESCRIPTION	BY

PROJECT NO. 19-22603  
 FILE NAME 22603 FPLAT 1ST ADD  
 DRAWN BY JW  
 DESIGNED BY ...  
 REVIEWED BY ...  
 ORIGINAL ISSUE DATE 11/14/23  
 CLIENT PROJECT NO. -

TITLE

## FINAL PLAT

SHEET

# 3

NE 1/4 14-89-14  
 SW 1/4 14-89-14  
 SEC 15-89-14

DEED OF DEDICATION  
O F  
WEST FORK CROSSING FIRST ADDITION  
CEDAR FALLS, IOWA

KNOW ALL MEN BY THESE PRESENTS:

That Money Pit, LLC (“Developer”), an Iowa limited liability company, with its principal office in Cedar Falls, Iowa, being desirous of setting out and platting into lots and streets the land described in the attached Certificate of Survey by Daniel L. Stueber, a Professional Engineer and Licensed Land Surveyor, dated the \_\_\_\_ day of \_\_\_\_\_, 2023, do 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:

WEST FORK CROSSING FIRST ADDITION  
CEDAR FALLS, 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. Tract A is herein conveyed to the City of Cedar Falls, Iowa for road purposes.

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. Such easements shall be deemed to run with the land and shall be binding upon the undersigned and the undersigned’s successors and/or assigns. No building structures, fence structures, landscaping structures, private gardens or any other possible obstruction can be built on or over said easements.

Any and all drainage easements shall 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 within the subdivision and/or contractors working on said lots will be responsible to maintain said easements to be free and clear of any physical obstruction(s) so as to allow the conveyance of overland storm water runoff as intended per "Stormwater Management Plan" on record with the City of Cedar Falls Engineer's Office.

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:

1. Any dwelling that shall be erected on any lot shall have a minimum setback from the front of the lot line as indicated on the Plat. All minimum setbacks will be required to meet or exceed R-1 Zoning requirements.

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.
- C. Only single family structures will be allowed in this subdivision

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.

10. No bus, boat, 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 forty-eight hours. This 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 all applicable statutes, ordinances, codes, rules, regulations, and standards 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, shelters, 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 Outlots shall be used as follows:

A. Outlot A will be conveyed to the owner adjacent to the north.

B. Outlot B will be used for storm sewer, a trail, and maintenance access and will be conveyed to the West Fork Crossing Homeowners Association. Said Outlot is non-buildable and designed to meet SUDAS and the City of Cedar Falls Standards and Specifications. Said Outlot will be vegetated with native plantings.

C. Outlots C & D are dedicated storm water management areas and will be conveyed to the West Fork Crossing Homeowners Association. Said Outlots are non-buildable and designed to meet SUDAS and the City of Cedar Falls Standards and Specifications. Said Outlots will be vegetated with native plantings.

15. A four foot wide P.C.C. sidewalk four inches thick will be installed by the owner of said lot 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 and that the sidewalk be across the full width of the lot and on corner lots also. In the event that the owner does not construct said sidewalk in said timeframe, the City may construct the sidewalk and impose a lien against the lot. Developer will construct sidewalks on Outlots where they have frontage along a street. Sidewalks will be 4-foot wide unless shown otherwise as 6-foot or as a 10-foot wide trail on the attached plat. 6-foot wide trails are on the south side of Wild Horse Drive and the east side of Breckenridge south of the 10-foot wide trail. 10-foot wide trails are along Union Road and along the boundary between Lots 26 and 27, and along the east side of Outlot B. The construction and maintenance of the 6' sidewalk/trails with road right of way adjacent to said lots would be the owner of said lots responsibility. The construction of the 6' walk/trails within Outlots, and all 10' trails, will be the responsibility of Developer. Maintenance of the 6' walk/trails within Outlots, and all 10' trails will be the responsibility of the Association established in Paragraph 21 below responsibility.

16. 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 Developer.

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

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. Owner of each lot shall comply with all requirements of the US Post Office for mail receptacles. All mailboxes shall be clustered or grouped for the units as shown on the Plat, and shall be placed between the curb line and the property line abutting the lots according to the direction of the City Engineer. The area around said mailboxes shall be kept free and clear by the owner of the lots on which said mailboxes are located.

20. No lots shall have direct driveway access off Union Road or 27<sup>th</sup> Street.

21. 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 West Fork Crossing Homeowners Association. This shall not be construed to include persons or entities who 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 West Fork Crossing Homeowners Association shall be to own and maintain the detention basins on all Outlots, common area and green spaces of the development and surrounding access (whether located in said subdivision or serving said subdivision but located outside thereof) 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, common neighborhood monument-type mailboxes, fill, mowing, watering, include upkeep of any underground sprinkler system, snow removal of common areas, and maintenance of the storm water management areas, including water quality issues set forth by the City of Cedar Falls. Initially, the Developer, shall perform the actual construction duties to establish the common area, green spaces, entrance, storm water management areas, and surrounding access area.

The annual dues for the Association shall initially be set at \$100.00 per lot per year beginning in January 1, 2024. The Developer 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.

Developer reserves the right to add real estate platted as part of the Preliminary Plat of West Fork Crossing to be part of and governed by Association.

22. No short term rentals (less than 28 days) of dwellings in subdivision shall be allowed.

23. 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.

## IMPROVEMENTS

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. The street segments will be constructed in order as shown on the phasing plan.
2. The stormwater facilities in Outlots B, C & D will be constructed and stabilized, including grading and seeding with adequate ground cover to the satisfaction of the City Engineer.
3. Sanitary sewer, together with the necessary manholes and sewer service lines to all lots in the plat will be provided.
4. That underground utilities, as required by the Subdivision Ordinance of the City of Cedar Falls, Iowa, shall be installed.
5. That city water will be provided to all lots as required by the Cedar Falls Municipal utilities.
6. That municipal fire hydrant(s) will be provided as required by the Cedar Falls Public Safety Department.
7. That Storm sewer will be provided as specified by the City Engineer.
8. A four foot wide P.C.C. sidewalk four inches thick will be installed by the owner of said lot 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 and that the sidewalk be across the full width of the lot and on corner lots also. In the event that the owner does not construct said sidewalk in said timeframe, the City may construct the sidewalk and impose a lien against the lot. Developer will construct sidewalks on Outlots where they have frontage along a street. Sidewalks will be 4-foot wide unless shown otherwise as 6-foot or as a 10-foot wide trail on the attached plat. 6-foot wide trails are on the south side of Wild Horse Drive and the east side of Breckenridge south of the 10-foot wide trail. 10-foot wide trails are along Union Road and along the boundary between Lots 26 and 27, and along the east side of Outlot B. The construction and maintenance of the 6' sidewalk/trails with road right of way adjacent to said lots would be the owner of said lots responsibility. The construction of the 6' walk/trails within Outlots, and all 10' trails, will be the responsibility of Developer. Maintenance of the 6' walk/trails within Outlots, and all 10' trails will be the responsibility of the Association established in Paragraph 21 above responsibility.
9. That handicap ramps will be provided as required by law.
10. Traffic calming circles constructed per the specifications of the City Engineer will be provided at the locations shown on the attached plat.
11. That the work and improvements called for 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, it grantees and assigns fail to complete said work and improvements 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.

SIGNED and DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2023

Money Pit, LLC

\_\_\_\_\_  
By: Kevin Fittro  
Its: Manager

STATE OF IOWA, BLACK HAWK COUNTY: ss

This record was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2023, by Kevin Fittro, as Manager of Money Pit, LLC.

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