



AGENDA
CITY OF CEDAR FALLS, IOWA
PLANNING AND ZONING COMMISSION MEETING
WEDNESDAY, JULY 24, 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 June 26, 2024

Public Comments

Old Business

2. **Preliminary Plat – North Cedar Estates (PP23-007)**
Petitioner: Jim Sands, Owner; VJ Engineering, Engineer
Previous discussion: June 26
Recommendation: *Approval, subject to consideration of recommendation from the Parks and Recreation Commission regarding the proposed park space.*
P&Z Action: *Discuss and make a recommendation to City Council*

New Business

3. **Minor Plat – Loy Minor Subdivision Plat No. 1 (MPT24-002)**
Petitioners: Joseph and Melanie Griffith; Amber and Levi Loy
Previous discussion: none
Recommendation: *Approval*
P&Z Action: *Discuss and make a recommendation to City Council*

Commission Updates

Adjournment

Reminders:

- * August 14 and 28 - Planning & Zoning Commission Meetings
- * August 5 and 19 - City Council Meetings

**Cedar Falls Planning and Zoning Commission
Regular Meeting
June 26, 2024
Cedar Falls, Iowa**

MINUTES

The Cedar Falls Planning and Zoning Commission met in regular session on June 26, 2024 at 5:30 p.m. at City Hall. The following Commission members were present: Alberhasky, Hartley, Henderson, Johnson, Sorensen and Stalnaker. Grybovyeh, Leeper and Moser were absent. Karen Howard, Planning and Community Services Manager and Jaydevsinh Atodaria, Planner II were also present.

- 1.) Chair Hartley noted the Minutes from the June 12, 2024 regular meeting are presented. Alberhasky made a motion to approve the Minutes as presented. Sorensen seconded the motion. The motion was approved unanimously with 6 ayes (Alberhasky, Hartley, Henderson, Johnson, Sorensen and Stalnaker), and 0 nays.
- 2.) The first item of business was a final plat for the Arbors Fifth Addition. Chair Hartley introduced the item and Ms. Howard provided background information. She explained that the property is north of Viking Road and West of Arbors Drive. The Fifth Addition is zoned RP-Planned Residence District and has 21 single-family residential lots and includes an extension of Autumn Woods and Fernwood Drives. Staff recommends approval of the final plat of Arbors Fifth Addition subject to all technical requirements and required legal papers.

Sorensen made a motion to approve the item. Henderson seconded the motion. The motion was approved unanimously with 6 ayes (Alberhasky, Hartley, Henderson, Johnson, Sorensen and Stalnaker), and 0 nays.

- 3.) The next item for consideration by the Commission was a preliminary plat for North Cedar Estates. Chair Hartley introduced the item and Sorensen recused himself from the item. Ms. Howard provided background information explaining that the plat is west of Cypress Street and north of Lone Tree Road and is owned by Jim Sands. The plat is proposed to have 33 residential lots with one phase of development, three tracts for stormwater management and one outlot for a proposed park. All of the lots meet requirements for size and setbacks. She discussed the new streets and those that will be continued. Ms. Howard also discussed stormwater management and sanitary sewer, noting that all requirements have been met. She also discussed the proposed parkland. Staff recommends the item be presented for initial discussion and voted on at a future meeting.

Mr. Stalnaker asked about the detention basins and how much they will contain. Ms. Henderson asked if this has been a flood issue in the past and if this will help with that. Ms. Howard indicated that it would be best to have the applicant's engineer answer the question. Mr. Stalnaker asked about the street parking near the park, how wide the street will be and if there will be parking designated for the park. Ms. Howard stated that the streets are the standard 31 ft.-wide and the parking would be available for anyone in the neighborhood to use.

Dan Arends, VJ Engineering, came forward to make himself available for questions.

John McSweeney, adjacent landowner, asked about the park and its location. He noted the issue he has with cul-de-sacs and only having one way to get out of a neighborhood. He stated that he would like to see roads that connect similar to the older neighborhoods where there is more of a grid.

Dan Arends, project engineer, spoke to the water detention, explaining that it will be swales where the water will infiltrate into the sandy soils during a rain event and will be easy to maintain and more effective. He noted that this type of system is used in other locations where there are similar sandy soils that absorb the water more quickly.

Jim Sands, petitioner, stated that he is willing to put tiles down to get down into the better soil if needed.

Chair Hartley asked about emergency vehicles in cul-de-sacs and whether Public Safety reviewed the plat. Ms. Howard stated that Public Safety did review the plat. While cul-de-sacs are discouraged, in this particular case existing development would prevent the street from extending to the south.

Mr. Stalnaker asked about the metric for the size of parks in a subdivision. Ms. Howard stated that there isn't a formula to determine the size. The subdivision code states that park space should be provided to serve the needs of the development. The project is being taken to the Parks and Rec Commission for their review and recommendation on July 11, so the size and location would be something that they would discuss. Ms. Henderson asked about potential expansion of the park with future development. Ms. Howard stated that that is a possibility.

The item was continued to the July 24 meeting.

- 4.) Mr. Atodaria then provided an update on development in the Downtown Character District. He spoke about the Clay Street Cottages and their progress. He also discussed a new detached single-family unit at 422 Iowa Street, Patton's at 317 Main Street, The Other Place at 408-412 Main Street and a new mixed-use building at 123 E. 3rd Street. Henderson asked if improvements are planned for the property next to Patton's. Mr. Atodaria said at this time the owner has decided to not move forward with the project, but the owner is still the same so there may be some future possibilities.
- 5.) As there were no further comments, Alberhasky made a motion to adjourn. Johnson seconded the motion. The motion was approved unanimously with 6 ayes (Alberhasky, Hartley, Henderson, Johnson, Sorensen and Stalnaker), and 0 nays.

The meeting adjourned at 6:06 p.m.

Respectfully submitted,

Karen Howard
Community Services Manager

Joanne Goodrich
Administrative Assistant



DEPARTMENT OF COMMUNITY DEVELOPMENT

City of Cedar Falls
220 Clay Street
Cedar Falls, Iowa 50613
Phone: 319-273-8600
Fax: 319-268-5126
www.cedarfalls.com

MEMORANDUM

Planning & Community Services Division

TO: Planning and Zoning Commission
FROM: Michelle Pezley, Planner III
Matthew Tolan, EI, Civil Engineer II
DATE: June 26, 2024; updated July 24, 2024
SUBJECT: North Cedar Estates Preliminary Plat (PP23-007)

REQUEST: Request to approved Preliminary Plat for North Cedar Estates

PETITIONERS: Jim Sands, property owner; VJ Engineering, Project Engineers

LOCATION: North of Lone Tree Road, Hiawatha Rd and Pocahontas Rd; and west of Cypress Avenue

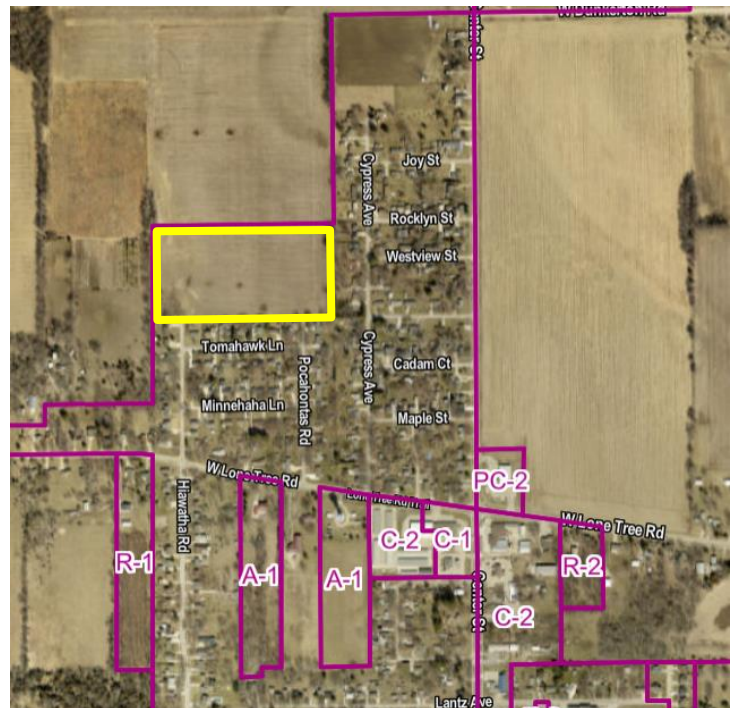
PROJECT #: PP03-007 Preliminary Plat for North Cedar Estates

PROPOSAL

Jim Sands submitted an application for a preliminary plat of 14.43 acres, which is a portion of a 46.25-acre parcel of land owned by the applicant located north of Lone Tree Road and west of Cypress Avenue, as shown in the image to the right. The applicant proposes to subdivide the land into 33 residential lots, with four tracts intended for public streets and stormwater management facilities, and one outlot intended for a public park.

BACKGROUND:

In May 2023, the City Council approved the rezoning of the southern 14.43 acres of the 46.25-acre property owned by Jim Sands. The northern 2/3 of the property is not able to be served by sewer at this time, so it remains zoned A-1 Agriculture.



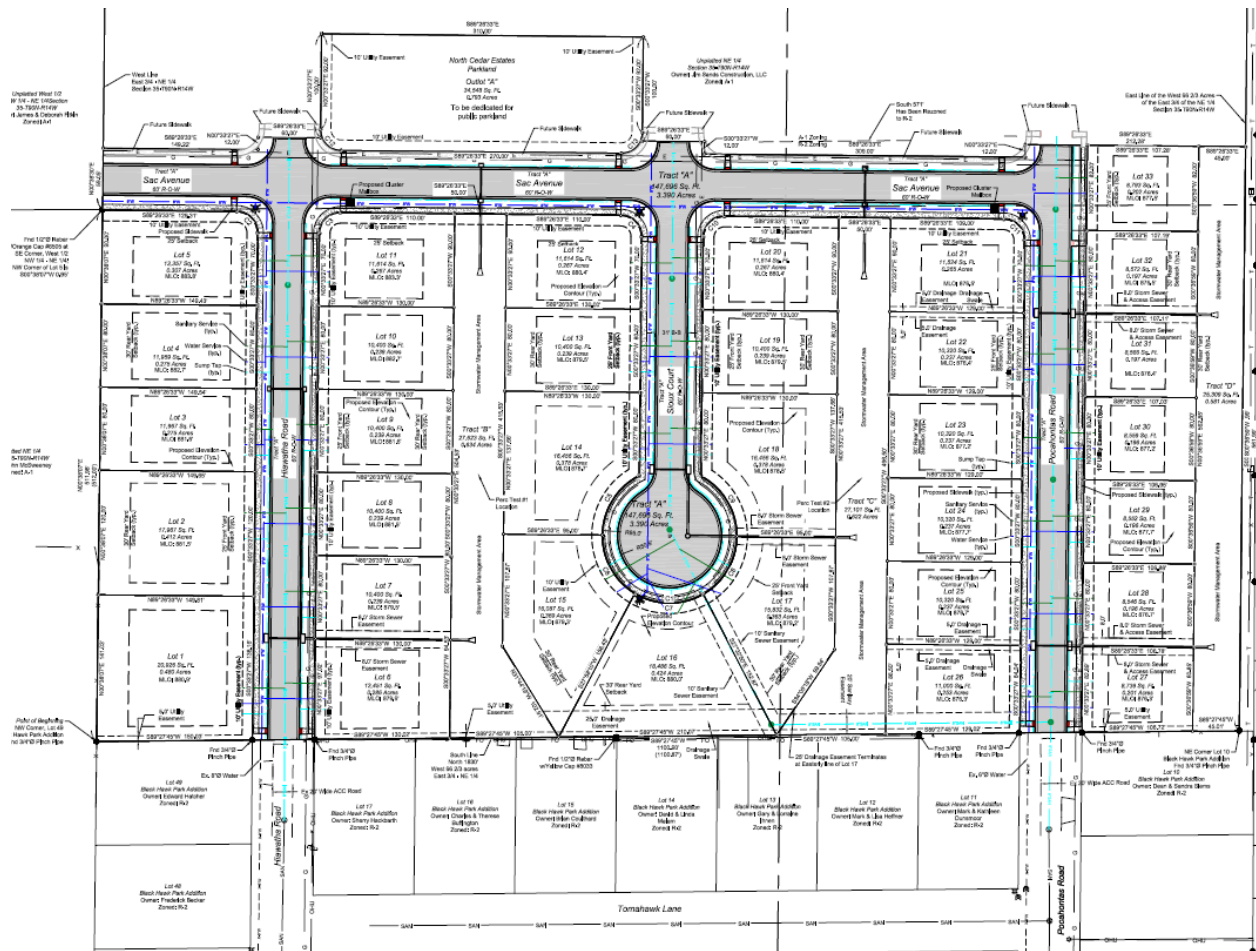
At the time of rezoning, the applicant committed to providing neighborhood park space with this subdivision to serve this area, consistent with the Future Land Use Map.

ANALYSIS

Lot Configurations:

The applicant proposes 33 lots, 4 tracts, and one outlet to be dedicated for public park space. Tract A is intended for street rights-of-way and Tracts B-D are intended for stormwater detention. Outlet A, which is approximately 0.8 acres in size, is proposed for neighborhood park space.

The entire subdivision is located within the R-2 Residence District, except for the park space, which is located in the A-1 Agriculture District. The minimum lot size in the R-2 District is 7,200 square feet. The subdivision consists of home lots that range from 8,546-20,926 square feet. The development lots are generally 80 feet in width or greater, which exceeds the minimum lot width for single-unit dwellings in the R-2 District. Minimum principal building setbacks within the R-2 Zoning District are as follows: 25-foot front yard, 30-foot rear yard, and a side yard of 10% of the lot width. All 33 of the proposed development lots meet these standards. As required by the subdivision code, the corner lots are all at least 80 feet wide as measured at the front setback line.



Phasing of Development and Critical Connections:

The applicant proposes to develop the 33 lots in one phase. The preliminary plat provides three street connections to the north and one connection to the west to provide for future development. Existing development prevents any street connections to the east. Two of the north-south streets are extensions of existing streets, Pocahontas and Hiawatha Roads.

Stormwater Management:

The City requires that the 100-year storm event be detained on the property and be released at the pre-development rate. The applicant proposes three tracts to be used for stormwater management areas: Tracts B-D. There is no existing storm sewer in this area for the development to connect to. Therefore, the applicant has designed the three tracts as infiltration basins that will look like grass ditches. During a rain event the basins will hold and infiltrate the stormwater into the ground. The sandy soils in this area are conducive for a greater infiltration rate so provides the possibility for this type of basin. Storm sewer will be constructed along the streets, which will direct water to the stormwater basins.

According to the draft deed of dedication, the property owner will deed the stormwater management areas to a homeowners' association, which will be responsible for maintaining the basins. The City Engineer's office has reviewed the preliminary stormwater report and finds it acceptable. The project engineer of record has provided a summary of the stormwater report (see attached).

Sanitary Sewer:

The sanitary sewer is available from Hiawatha and Pocahontas Roads. The sewer will align with the proposed extensions of Hiawatha and Pocahontas Roads, which will allow for future extension to the north. Preliminary concept drawings of the sewer extension have been submitted for Engineering Division review and they find it acceptable.

Environmentally Sensitive Areas:

The property has long been used as farm ground and is fairly flat. There are no known wetlands or trees on the site.

Parks and Trails:

The Comprehensive Plan includes an analysis regarding the community needs for parkland including geographic distribution. The analysis is designed to be general to provide flexibility and encourage creative design in providing park space. The Future Land Use Map in the Comprehensive Plan illustrates parkland in this area. At the rezoning hearing, the applicant indicated that a park would be included in this subdivision. The applicant proposes approximately 0.80 acres for neighborhood park space located along the northern edge of the plat along Sac Avenue. The park will be easily accessible to neighborhood residents with street frontages on three sides. This land is located outside the area that was rezoned in 2023, so remains in the A-1 Agriculture District. Parks, playgrounds and other similar open space uses are allowed in the A-1 District. The applicant proposes to dedicate the land to the City for public park space at the time of final plat.

Parks and Recreation Commission Recommendation:

Staff presented the subdivision plat and proposed parkland to the Parks and Recreation Commission at their July 11th meeting. The Parks and Recreation Commission agreed that creating a park in this location would be an attractive amenity for this neighborhood and would help satisfy neighborhood open space needs for the residents. They recommend approval of the park dedication as proposed for North Cedar Estates. However, they noted the small size of the park and would like to see the park double in size when development to the north is considered.

Process:

Approval of a preliminary plat will allow the developer to proceed with the construction and installation of all required public infrastructure such as streets, sewers, and other utilities for North Cedar Estates. No lot sales or new home construction can begin until a final plat is approved by the City Council. A final plat cannot be approved until infrastructure construction plans (streets, utilities, grading, etc.) are approved by the City Engineering Division and the infrastructure built and accepted by the City or a performance bond established.

TECHNICAL COMMENTS

Cedar Falls Utilities (CFU) has reviewed the Preliminary Plat for the North Cedar Estates Subdivision. Water, electric, gas, and communications utility services are available in accordance with the service policies of CFU. The developer is responsible for the construction of a properly sized water system from the existing water mains on the north end of Hiawatha Road and Pocahontas Road. Included in the installation are valves, fire hydrants and water service stubs for the new lots. Water main sizing and fire hydrant and valve placement locations may need to be modified. This will be done as a part of the construction plan review. The developer will need to make refundable investments for the installation of the electric and gas utilities to and throughout the addition. For a ten-year period after the installation, CFU will refund a portion of the refundable investments based upon the number of new service connections to the electric and gas distribution systems. There is no interest paid on the refundable investments and the total refunds will not exceed the original investment amounts. Due to the large increase in the cost of electric equipment, it is likely that the total amount of the electric refundable investment will not be returned to the Developer. CFU will install the communication utility fiber system to serve the addition. The developer is responsible for the cost of the streetlight installations required for any City streets. CFU has provided a Developer Information Sheet to the applicant that gives more detailed information regarding utility installations.

A public sidewalk should be constructed along the frontage of the public park at the time the streets are constructed. The wording on the plat should be changed from “future sidewalk” in this location to illustrating construction with the street.

Amendments to the deed of dedication will be needed to acknowledge and address any conditions associated with the parkland, such as grading and seeding to meet City specifications prior to conveyance to the City.

Neighbor Notice:

A courtesy notice to nearby property owners was mailed on June 18, 2024.

RECOMMENDATION

Staff recommends approval of PP03-007, a preliminary plat for North Cedar Estates, subject to all technical comments and recommendations as outlined in this staff report.

PLANNING AND ZONING

Discussion
6/26/24

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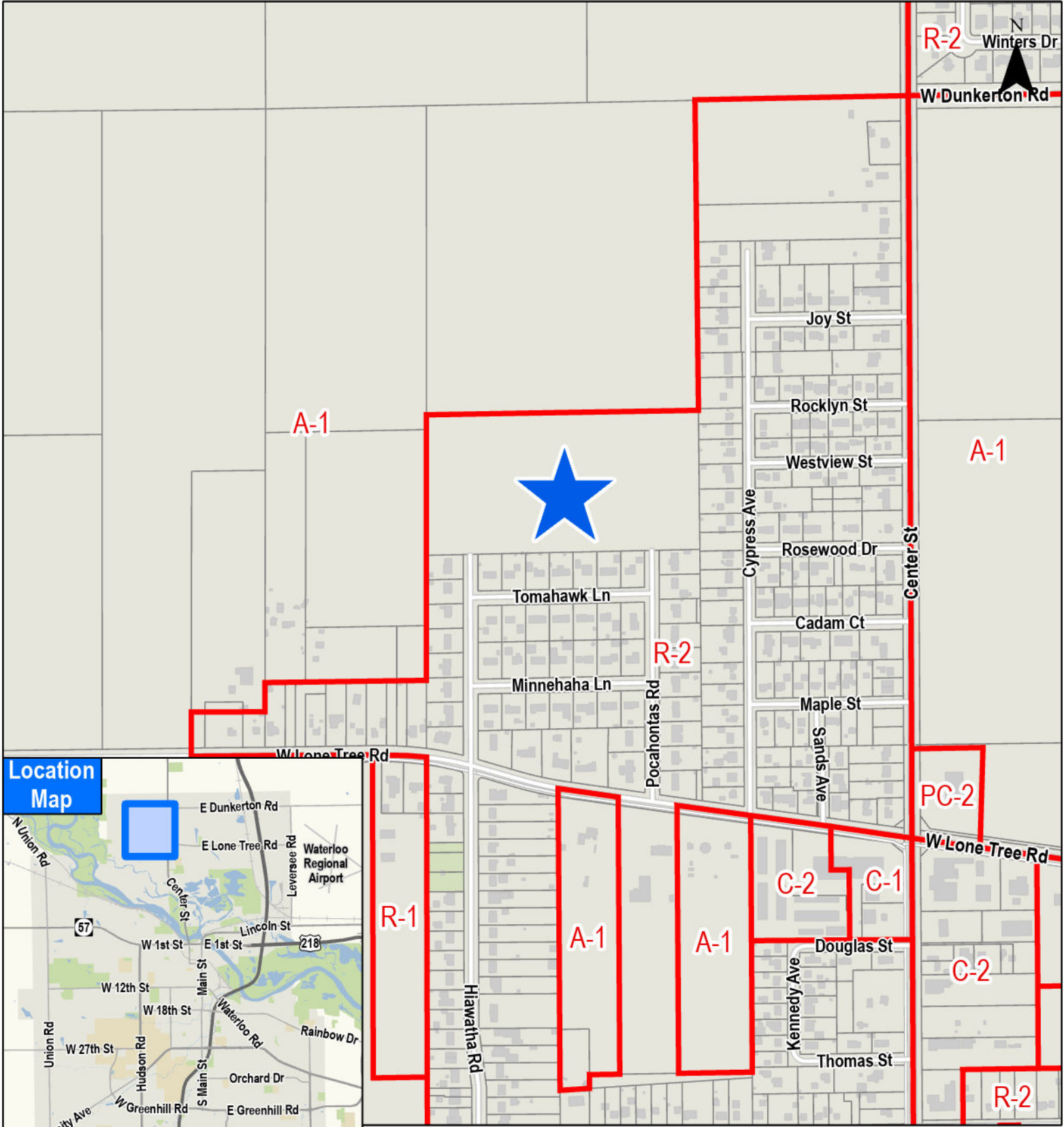
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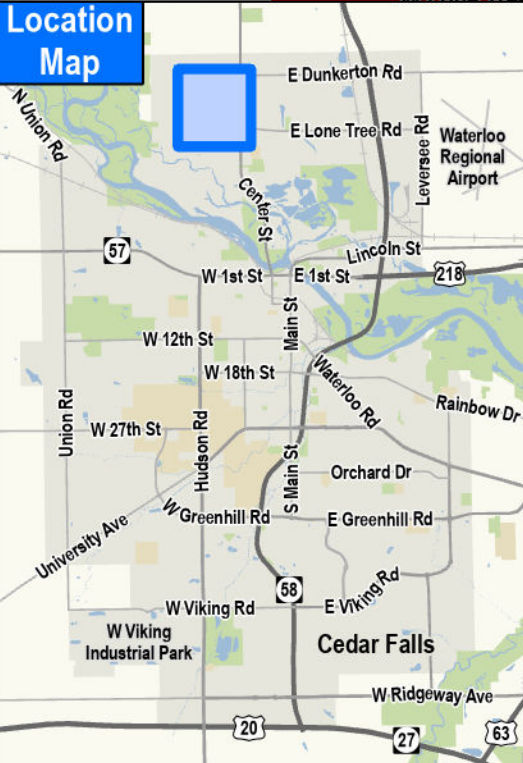
Discussion and
recommendation
7/24/24

Cedar Falls Planning and Zoning Commission June 26, 2024

Item 2.



Location Map



North Cedar Estates Preliminary Plat (PP23-007)

Preliminary Plat

North Cedar Estates

Cedar Falls, Black Hawk County, Iowa

North Cedar Estates Legal Description:
That part of the North 1,830 feet of the West 66 and 2/3 acres of the East Three-Quarters of the Northeast Quarter of Section 35, Township 90 North, Range 14 West of the 5th P.M., Cedar Falls, Black Hawk County, Iowa, described as follows:

Beginning at the Northwest Corner of Lot 49, Black Hawk Park Addition; thence N00°38'07"E 511.98 feet along the West line of said East Three-Quarters to the Southeast corner of the West One-half of the Northwest Quarter of the Northeast Quarter of said Section 35; thence N00°38'30"E 59.05 feet along the West line of said East Three-Quarters; thence S89°26'33"E 149.22 feet; thence N00°33'27"E 12.00 feet; thence S89°26'33"E 60.00 feet; thence N00°33'27"E 100.00 feet; thence S89°26'33"E 310.00 feet; thence S00°33'27"W 100.00 feet; thence S89°26'33"E 60.00 feet; thence S00°33'27"W 12.00 feet; thence S89°26'33"E 309.00 feet; thence N00°33'27"E 12.00 feet; thence S89°26'33"E 212.28 feet to the East line of said West 66 2/3 acres; thence S00°36'59"W 561.99 feet to the Northeast corner of Lot 10, Black Hawk Park Addition; thence S89°27'45"W 1100.90 feet along the South line of said West 66 2/3 acres also being the North line of Black Hawk Park Addition to the Point of Beginning, containing 15.05 acres.

Owner / Developer
Jim Sands Construction, LLC
3125 Big Woods Road
Cedar Falls, Iowa 50613

Surveyor / Engineer
VJ Engineering
1501 Technology Parkway, Suite 100
Cedar Falls, Iowa 50613

Existing Utility Service Providers:
Communications:
Mediacom
Centurylink
Cedar Falls Utilities

Electric and Natural Gas:
Cedar Falls Utilities

Water:
City of Cedar Falls

Water:
Cedar Falls Utilities

Zoning Classification:
R-2 Residential

Building Setbacks:
Front yard = 25'
Rear yard = 30'
Side yard = 10% of lot width

Easements:
10' Utility Easement along R-O-W
5' Utility Easement along South Boundary
8' Storm Sewer Easement:
Lots 6, 7, 17, & 18
8' Storm Sewer & Access Easement:
Lots 27, 28, 31, & 32
25' Drainage Easement:
Lots 15, 16 & 17
10' Sanitary Easement:
Lots 16, 17 & 26
5' Drainage Easement:
Lots 21, 22, 25 & 26

Flood Zone Classification:
This preliminary plat is located within Zone "X" unshaded, per Flood Insurance Rate Map #19013C0154G, effective date May 8, 2024.

General Notes:
1.) Minimal topographic changes will occur for the construction of the streets and stormwater management areas which will be defined during the development of the construction plans.

2.) Tract "A" to be dedicated to the City of Cedar Falls as public right-of-way for roadway and utilities.

3.) No wetlands are located on the property.

4.) Proposed streets to be 31 foot wide concrete paving with standard 6 inch curb.

5.) Proposed Sanitary Sewer to be 8"Ø Truss pipe with 4"Ø services to proposed residences.

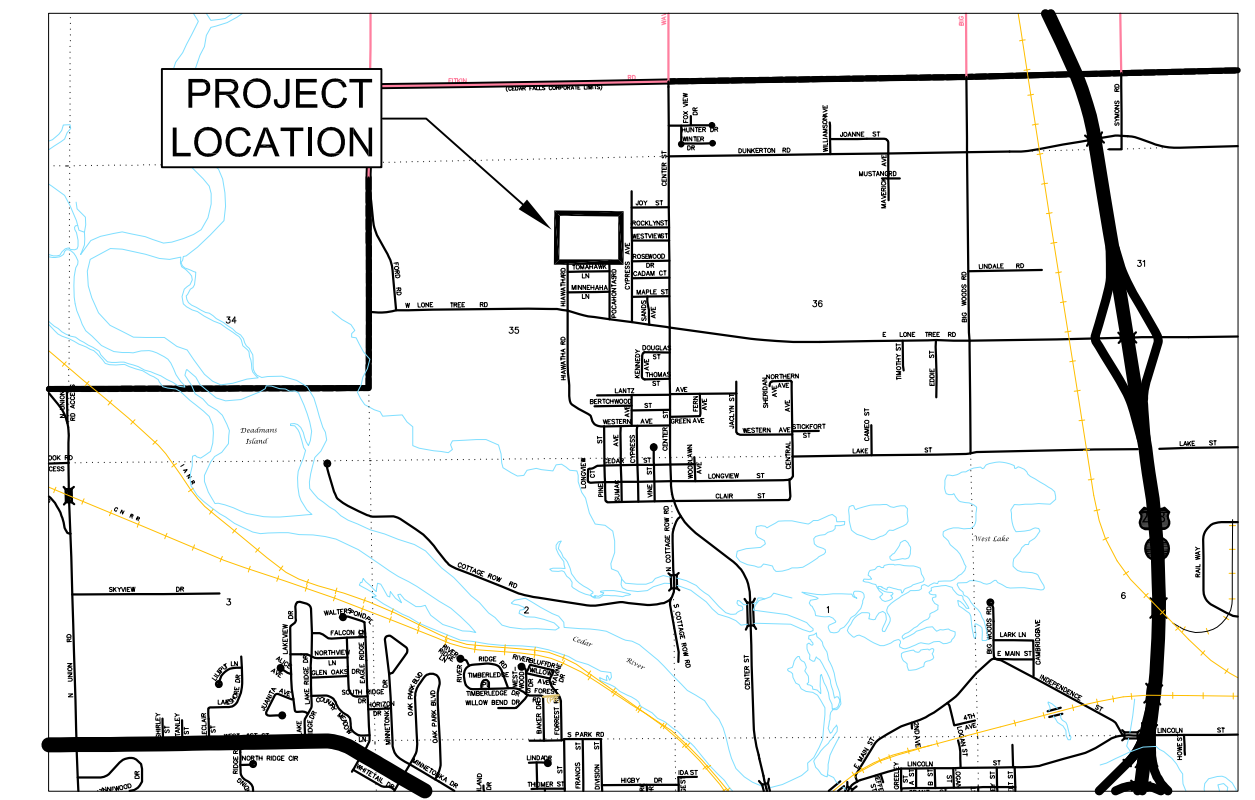
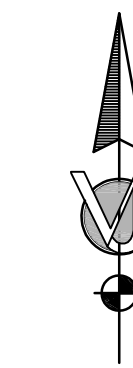
6.) Proposed Water Main to be 8"Ø Ductile Iron Pipe with 1"Ø services to proposed residences.

7.) Proposed Storm Sewer size to be determined during the development of the construction plans.

8.) Stormwater will be conveyed to on-site stormwater management areas, which are Tracts "B", "C" & "D".

9.) Outlot "A" to be dedicated to the City of Cedar Falls for use as a park.

NORTH



INDEX OF SHEETS	
SHEET NO.	SHEET NAME
1	COVER SHEET, NOTES, AND OVERALL LAYOUT
2	DETAILED LOT LAYOUT

Curve Table					
Curve #	Length	Radius	Chord	Bearing	Δ
C1	346.04'	65.00'	60.00'	S89°26'33"E	305°01'38"
C2	31.42'	20.00'	28.28'	S44°26'33"E	90°00'00"
C3	31.42'	20.00'	28.28'	N45°33'27"E	90°00'00"
C4	31.42'	20.00'	28.28'	S44°26'33"E	90°00'00"
C5	70.92'	65.00'	67.45'	S31°48'51"W	62°30'49"
C6	67.49'	65.00'	64.50'	S29°11'18"E	59°29'30"
C7	69.22'	65.00'	66.00'	S89°26'33"E	61°01'00"
C8	67.49'	65.00'	64.50'	N30°18'12"E	59°29'30"
C9	70.92'	65.00'	67.45'	N30°41'57"W	62°30'49"
C10	31.42'	20.00'	28.28'	N45°33'27"E	90°00'00"
C11	31.42'	20.00'	28.28'	S44°26'33"E	90°00'00"
C12	31.42'	20.00'	28.28'	N44°33'27"W	90°00'00"
C13	31.42'	20.00'	28.28'	S45°33'27"W	90°00'00"

Minimum Low Opening Elevation	
Lot No.	Elevation
1	880.9'
2	881.5'
3	881.6'
4	882.7'
5	883.8'
6	879.9'
7	879.5'
8	881.5'
9	881.6'
10	882.7'
11	883.3'
12	880.4'
13	879.5'
14	878.7'
15	879.3'
16	880.0'
17	879.2'
18	878.5'
19	879.5'
20	880.4'
21	876.5'
22	876.4'
23	877.2'
24	877.7'
25	876.7'
26	876.3'
27	873.6'
28	876.7'
29	877.7'
30	877.2'
31	876.4'
32	876.5'
33	877.5'

Lot Area Table		
Lot No.	Area Square Feet	Area Acres
Lot 1	20,926 sq. ft.	0.480 ac.
Lot 2	17,967 sq. ft.	0.412 ac.
Lot 3	11,967 sq. ft.	0.275 ac.
Lot 4	11,959 sq. ft.	0.275 ac.
Lot 5	13,357 sq. ft.	0.307 ac.
Lot 6	12,451 sq. ft.	0.286 ac.
Lot 7	10,400 sq. ft.	0.239 ac.
Lot 8	10,400 sq. ft.	0.239 ac.
Lot 9	10,400 sq. ft.	0.239 ac.
Lot 10	10,400 sq. ft.	0.239 ac.
Lot 11	11,614 sq. ft.	0.267 ac.
Lot 12	11,614 sq. ft.	0.267 ac.
Lot 13	10,400 sq. ft.	0.239 ac.
Lot 14	16,456 sq. ft.	0.378 ac.
Lot 15	16,087 sq. ft.	0.369 ac.
Lot 16	18,496 sq. ft.	0.424 ac.
Lot 17	15,832 sq. ft.	0.363 ac.
Lot 18	16,456 sq. ft.	0.378 ac.
Lot 19	10,400 sq. ft.	0.239 ac.
Lot 20	11,614 sq. ft.	0.267 ac.

Lot Area Table		
Lot No.	Area Square Feet	Area Acres
Lot 21	11,524 sq. ft.	0.265 ac.
Lot 22	10,320 sq. ft.	0.237 ac.
Lot 23	10,320 sq. ft.	0.237 ac.
Lot 24	10,320 sq. ft.	0.237 ac.
Lot 25	10,320 sq. ft.	0.237 ac.
Lot 26	11,000 sq. ft.	0.253 ac.
Lot 27	8,739 sq. ft.	0.201 ac.
Lot 28	8,546 sq. ft.	0.196 ac.
Lot 29	8,552 sq. ft.	0.196 ac.
Lot 30	8,559 sq. ft.	0.196 ac.
Lot 31	8,566 sq. ft.	0.197 ac.
Lot 32	8,572 sq. ft.	0.197 ac.
Lot 33	8,793 sq. ft.	0.202 ac.
Outlot A	34,548 sq. ft.	0.793 ac.
Tract A	147,696 sq. ft.	3.390 ac.
Tract B	27,822 sq. ft.	0.634 ac.
Tract C	27,101 sq. ft.	0.622 ac.
Tract D	25,309 sq. ft.	0.581 ac.

Subdivision Area Table		
1/4 - 1/4	Area Square Feet	Area Acres
NW 1/4 - NE 1/4	72,024 sq. ft.	1.653 ac.
NE 1/4 - NE 1/4	23,325 sq. ft.	0.536 ac.
SW 1/4 - NE 1/4	335,725 sq. ft.	7.707 ac.
SE 1/4 - NE 1/4	224,521 sq. ft.	5.154 ac.
Total	655,595 sq. ft.	15.050 ac.

0 50' 100' 200'

LEGEND

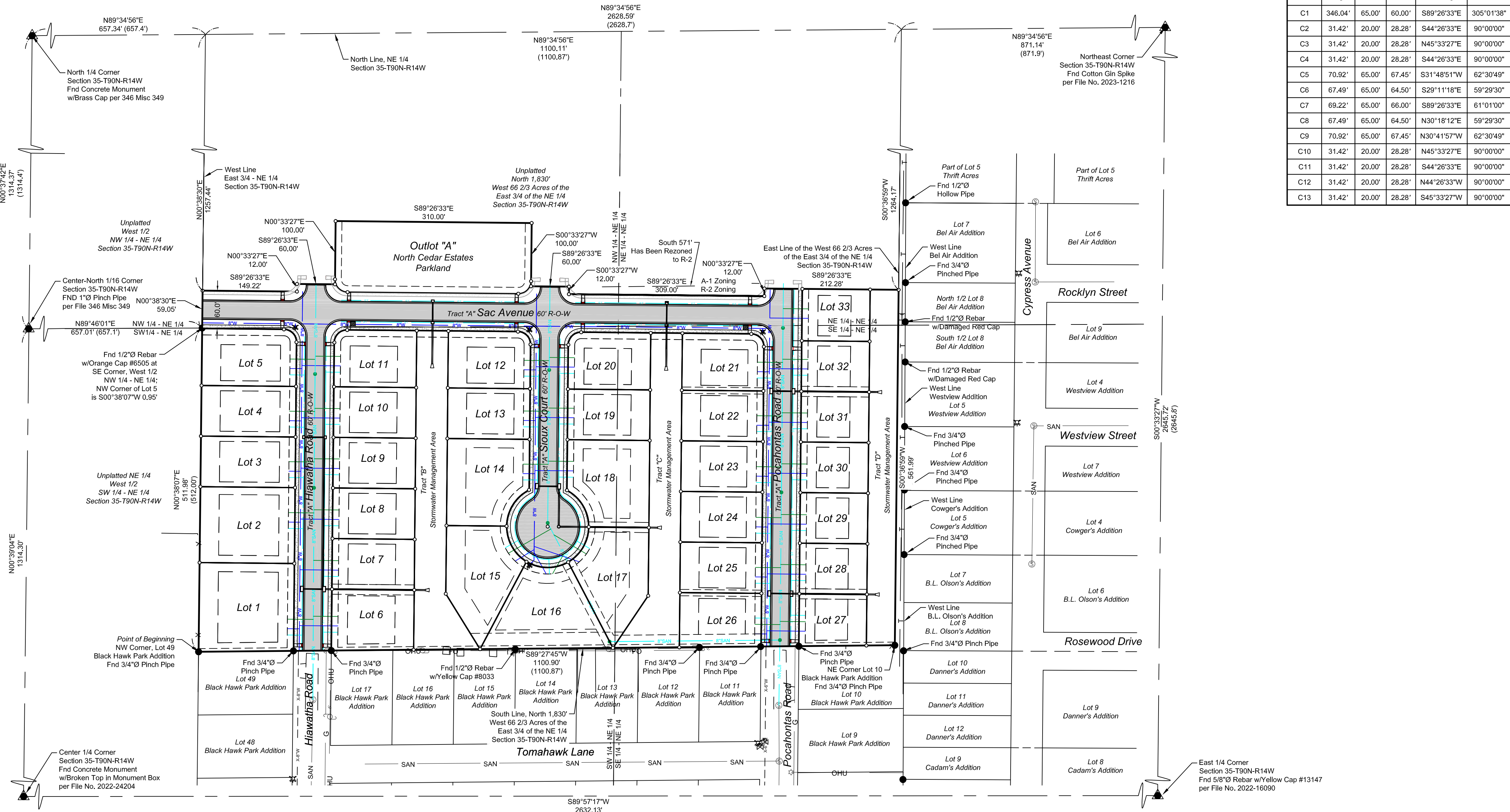
---	BOUNDARY LINE
- - - -	EASEMENT LINE
- · - · -	PROPERTY LINE
- · - - -	SECTION/R.O.W. LINE
- · - - -	SETBACK LINE
- · - · -	CONTOUR LINE
- · - · -	ELECTRIC LINE
- · - · -	FENCE LINE
- · - · -	FIBER LINE
- · - · -	GAS LINE
- · - · -	OVERHEAD UTILITY LINE
- · - · -	SANITARY SEWER LINE
- · - · -	SILT FENCE LINE
- · - · -	STORM SEWER LINE
- · - · -	TELEPHONE LINE
- · - · -	TELEVISION LINE
- · - · -	WATER LINE
○	PROPERTY CORNER
●	BENCH MARK
✱	CONIFEROUS TREE
○	DECIDUOUS TREE
⊙	GAS MANHOLE
⊙	GAS VALVE
⊙	SANITARY MANHOLE
⊙	SIGN
⊙	STORM INTAKE
⊙	STORM MANHOLE
⊙	TELEPHONE PEDESTAL
⊙	UTILITY POLE
⊙	WATER HYDRANT
⊙	WATER SHUT OFF
⊙	WATER VALVE

Index Legend
Description: NE 1/4, Section 35-T90N-R14W
Surveyor: Matthew Kofka, PLS 22561
Company: VJ Engineering
1501 Technology Parkway, Suite 100
Cedar Falls, IA 50613
319-266-5829
Proprietor: Jim Sands Construction, LLC
Survey Requested by: Jim Sands

Survey Notes:
1.) Bearings are based on the Iowa Regional Coordinate System Zone 5, NAD 83 2011.
2.) All dimensions are in US Survey feet and decimals thereof.
3.) The error of closure is better than 1:10,000.
4.) Proprietor: Jim Sands Construction, LLC
5.) Survey Requested by: Jim Sands Construction, LLC
6.) Field work was completed: 11-29-2022

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.

Matthew A. Kofka, P.L.S.
License number 22561
My license renewal date is December 31, 2024
Date: _____
Pages or sheets covered by this seal: _____



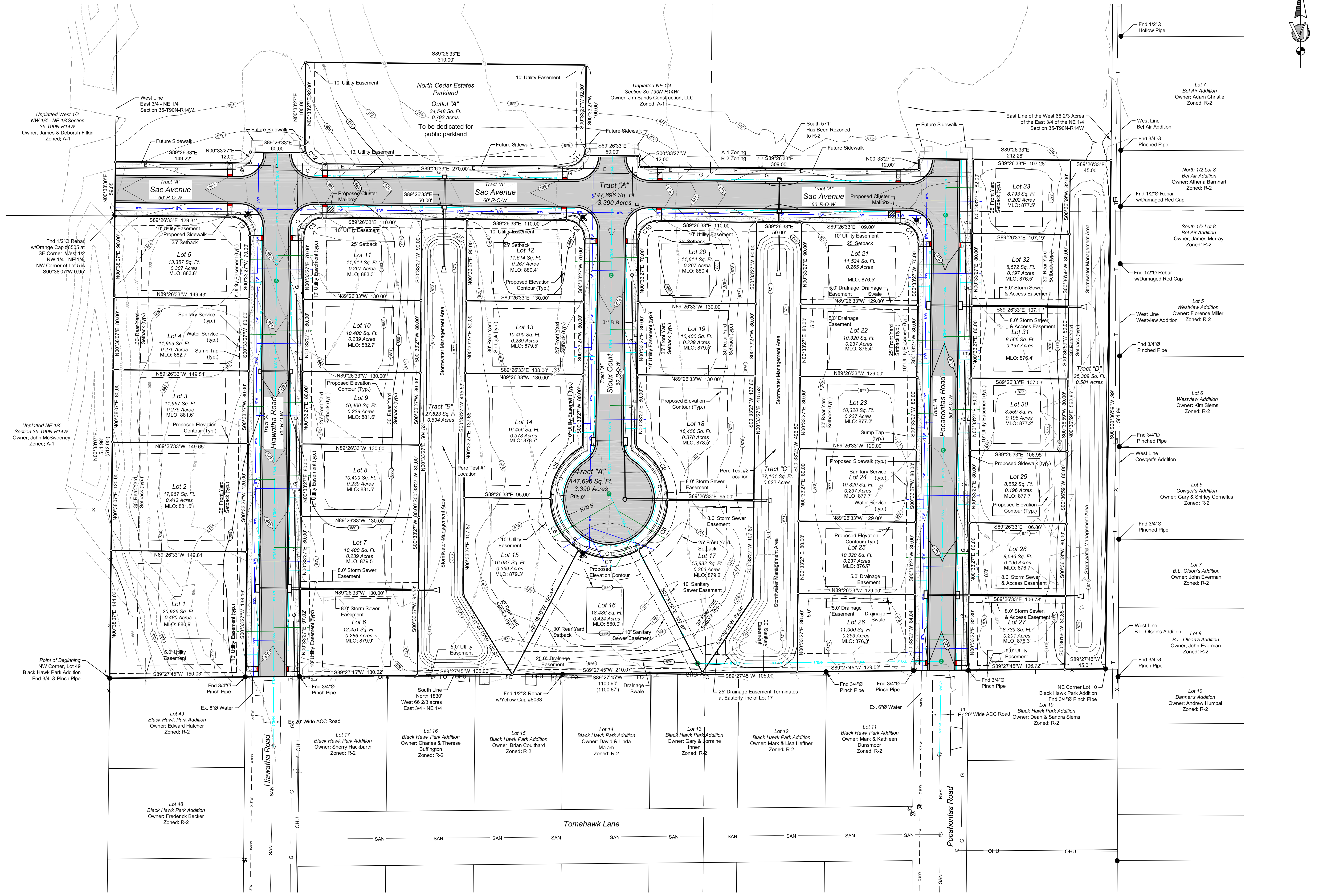
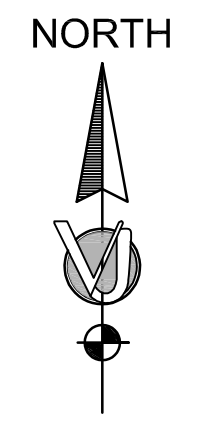
Item 2

VJ Engineering
1501 Technology Parkway
Cedar Falls, Iowa - 319-266-5829

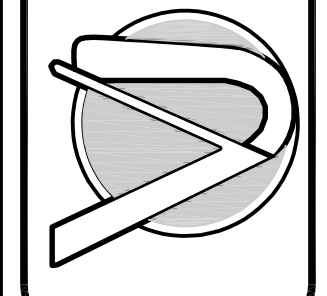
North Cedar Estates
Part of the NE 1/4, Section 35-T90N-R14W
Cedar Falls, Black Hawk County, Iowa
Preliminary Plat

1 OF 2
Scale 1"=100'
Drawn SJL/SJC
Reviewed MAK
Date 2024.01.19
Revisions 2024.04.19
2024.05.24
2024.06.20

2281 11

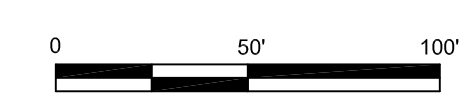


VJ Engineering
1501 Technology Parkway
Cedar Falls, Iowa - 319-266-5829



North Cedar Estates
Part of the NE 1/4, Section 35-190N-R14W
Cedar Falls, Iowa
Preliminary Plat

2	OF	2
Scale 1"=50'		
Drawn SJL/SJC		
Reviewed MAK		
Date 2024.01.08		
Revisions		
2024.04.19		
2024.05.24		
2024.06.20		



DEED OF DEDICATION AND DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS

NORTH CEDAR ESTATES, CEDAR FALLS, BLACK HAWK COUNTY, IOWA

KNOW ALL MEN BY THESE PRESENTS:

Jim Sands Construction, LLC (hereinafter the “Developer”), does hereby certify that it is the owner in fee simple of the lands laid out into lots and streets as shown by the annexed plat of “NORTH CEDAR ESTATES, CEDAR FALLS, BLACK HAWK COUNTY, IOWA,” which lands more particularly are described by metes and bounds in the Surveyor’s Certificate accompanying said plat, prepared by Matthew A. Kofta, P.L.S., a licensed professional land surveyor, and does hereby further declare that the said subdividing and platting as it appears on said plat is with its free will and consent and in accordance with its desire and it does hereby duly and legally dedicate, grant, and donate the streets as shown and designated on said plat, to the use of the public forever.

PUBLIC IMPROVEMENTS REQUIRED IN SUBDIVISION

The Developer, in consideration of approval of this Subdivision by the Cedar Falls Planning and Zoning Commission and the City Council of the city of Cedar Falls, Iowa, does hereby agree for itself and its successors and assigns as follows:

1. That concrete sidewalks four inches thick will be installed during or immediately after construction of a building on any particular lot. Such sidewalks will be installed on any unsold lots in any event within five years after the date the plat is filed in the office of the Recorder of Black Hawk County, Iowa, and the sidewalks constructed shall be across the full width of the lot and on corner lots and also across the parking and full length of the lot. The balance of the sidewalks will be 5-foot wide, and are to be installed by individual lot owners during or after construction of a building as set forth above. In the event that the sidewalks are not so installed, the City may perform the work and levy the cost thereof under paragraph 11. In the event the City is required to construct the sidewalks or trails as permitted in paragraph 10, a lien or liens may only be imposed against the lot which requires city construction and no other lot.
2. Sanitary sewer, together with all necessary manholes and sewer service lines to all lots shall be provided.
3. Underground utilities, as required by the Subdivision Ordinance of the city of Cedar Falls, Iowa, shall be installed.
4. Water shall be provided and stubbed in to each lot as required by the Cedar Falls Municipal Utilities.
5. Municipal fire hydrants shall be provided as required by the Cedar Falls Public Safety Department.
6. Storm sewer shall be provided as required by the City Engineer of the city of Cedar Falls.
7. Handicap ramps shall be provided as required by law.
8. 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.

9. The Developer shall construct and install all required public improvements within the subdivision plat, which public improvements shall conform to approved construction plans which meet the specifications of the city of Cedar Falls, Iowa. Such required public improvements shall meet the following requirements:
- (a) They shall be constructed and installed in a good and workmanlike manner;
 - (b) They shall be free of defects in workmanship or materials;
 - (c) They shall be free of any conditions that could result in structural or other failure of said improvements;
 - (d) They shall be constructed and installed in accordance with the design standards and technical standards established for such public improvements by the city of Cedar Falls, and by Cedar Falls Utilities; and
 - (e) They 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.

The Developer's construction plans are now on file in the office of the City Engineer.

10. The work and improvements called for herein shall be in accordance with City specifications under the supervision of the City Engineer, and shall be completed within one year of the date of approval of the final Plat. Further, the Owner and its successors and assigns shall comply with site plan review and approval by the Cedar Falls Planning and Zoning Commission and the Cedar Falls City Council.
11. In the event the improvements called for herein shall not be performed in accordance with the City Ordinances and the above Agreement, the City may perform said work, levy the costs thereof as assessments, and the undersigned agree that said assessments so levied shall be a lien on all of the lots in the subdivision with the same force and effect as though all legal provisions relating 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.

EASEMENTS

The Developer further does hereby reserve for the mutual benefit and convenience of grantor and his assigns, the city of Cedar Falls, Iowa, all grantees named in any and all deeds heretofore or hereinafter executed for each and all of the lots in said "NORTH CEDAR ESTATES, CEDAR FALLS, BLACK HAWK COUNTY, IOWA," all proprietors of public utility companies and their assigns, and any private corporation, firm or person furnishing utilities for the transmission and/or distribution of water, gas, sewer, electricity, communication service or cable television, perpetual non-exclusive easements for the construction, laying, building, and maintenance of said services, including underground facilities and related surface mounted equipment such as meter boxes, junctions and cabinets, for said services, over, under, across, and upon as applicable those utility, sewer and drainage easements as more particularly

reflected on the Final Plat of "NORTH CEDAR ESTATES, CEDAR FALLS, BLACK HAWK COUNTY, IOWA," prepared by Matthew A. Kofta, P.L.S., licensed land surveyor in the State of Iowa.

The proprietors, agents and employees of all such public utility and service companies, corporations or agencies shall have the right of reasonable access to their services and proposed installations for the purpose of the proper construction and maintenance of their lines and equipment, together with the privilege of installing, maintaining and operating permanent underground feeders or service facilities and to enter upon said premises to do any of the work contemplated in the installation and maintenance of said public utilities, provided the user of the easement restores the property as nearly as possible to the condition the property was in prior to any repair, maintenance, or use of the easement, all at no cost to grantors. No structure will be placed or use undertaken within the easement premises in any manner so as to obstruct the proper and authorized use of the easement premises.

RESTRICTIVE COVENANTS

The Developer further does hereby make and declare all of the real estate situated in "NORTH CEDAR ESTATES, CEDAR FALLS, BLACK HAWK COUNTY, IOWA," subject to the following restrictive covenants, to-wit:

1. All lots in the subdivision shall be used for residential purposes only, and no lot shall be re-subdivided into building lots. No structure shall be erected or located on any lot other than one single-family dwelling not exceeding two stories in height with a private attached garage. Notwithstanding any other provision herein to the contrary, however, the Developer may place on any lot or lots a bi-attached dwelling or a horizontal property regime in a manner that is consistent with applicable zoning regulations. All building and construction, including the requirements of structure and living units, shall be governed by the applicable zoning regulations of the City of Cedar Falls.
2. On all lots, one outbuilding, of similar design with the house, no larger than 40% of rear yard area will be allowed. Rear yard shall include the area from the rear corners of the residence to the adjacent lot lines and rearward to the back lot line.
3. No building shall be erected on any lot that encroaches into the front, rear and side yard setbacks as shown or noted on the plat.
4. No trailer, basement, tent, shack, garage, barn or other out-building erected in the subdivision shall be used at any time as a residence, either temporarily or permanently, and no residence of a temporary character shall be permitted on any lot.
5. All one-story single family houses shall have a minimum ground floor area of 1,400 square feet. All one and one-half and split foyer houses shall have a minimum ground floor area of 1,200 square feet. All two-story houses shall have a minimum ground floor area of 1,100 square feet. Said ground floor areas shall be exclusive of porches and garages. A "story" shall be required to have a floor level which is above ground level at all points. Any floor level which is not above ground level at all points shall be considered a basement level, and shall not be a "story."
6. All residential structures shall be constructed with private attached two-stall garages (or larger).

7. All approaches located on city right of way and all driveways shall be constructed of Portland cement concrete, and shall be constructed at the same time as any residential structure is constructed on any lot.
8. The owner of each lot, vacant or improved, shall keep his/her lot or lots mowed and free of weeds and debris.
9. 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. Burn barrels are specifically prohibited.
10. No residence shall be used as a place of business and no business signs shall be erected in or at the entrance of the subdivision.
11. No dwelling on any lot in the subdivision shall be occupied until the exterior is completed and finished and the interior substantially completed and finished and an occupancy permit has been issued by the City of Cedar Falls, Iowa. All construction shall be completed within one year from the start of dwelling construction.
12. No old or used buildings shall be moved upon any of the lots in the subdivision for any purpose and all buildings on any lot in the subdivision shall be kept in a reasonable state of repair and upkeep.
13. With the exception of household pets, no animals, poultry, rabbits, or livestock of any kind shall be kept or raised nor shall any kennel accommodating more than two household pets be maintained on any lot in the subdivision.
14. No trailers of any kind or nature, buses, semi-tractors, recreational vehicles, campers, boats, or trucks (except for those trucks commonly described as "pickup trucks") shall be stored on any lot unless they are fully enclosed in a permanent garage, or parked on a concrete driveway or concrete slab adjacent to a driveway or outbuilding servicing any lot. All disabled or non-functioning motor vehicles must be fully enclosed in a permanent garage.
15. All outdoor swimming pools of any nature shall be constructed "in ground" or if "above ground", must be fully professionally enclosed. In either case, the pool shall be fenced and any such fencing must be consistent with the requirements of the city of Cedar Falls, Iowa. This restriction shall not be construed so as to prohibit removable children's wading pools. All non-portable jacuzzis, hot tubs, whirlpool spas or other items of such nature shall be recessed or built in with the heating and filtering equipment and elements completely enclosed from public view by appropriate material.
16. All plans and specifications for houses, garages, and fencing to be built on any lot in the subdivision are to be submitted to and approved by the Developer or its authorized agent or agents. No television or radio tower shall be erected without the prior written approval of the Developer or its authorized agent or agents.
17. No wood basements shall be allowed. No totally manufactured or modular homes or mobile homes shall be placed or constructed on any lot unless approved in writing by the Developer or its authorized agent or agents.

18. All electrical transmission lines and service entrances, cable television or other transmission lines, and all telephone lines and services shall be installed underground on all lots.
19. No excess dirt from the excavation of basements on any lot in the subdivision shall be removed from the subdivision unless approved by the Developer or its authorized agent or agents. The Developer or its authorized agent or agents may stockpile or distribute the excess dirt as needed, or may require the excess dirt to be disposed of off-site by the lot owner.
20. The owner and/or occupant of each lot shall jointly and severally be responsible to keep in good order and maintain the area between the curb line 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 is 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 not be placed between the curb line and the property line abutting the lots.
21. The Developer will cause to be constructed storm water detention and management areas (the "Storm Water Management Areas") on Tract "B", Tract "C" and Tract "D", and the Developer does hereby convey Tract "B", Tract "C" and Tract "D", to the Association for use as a stormwater drainage and detention area as required by applicable ordinance of the City of Cedar Falls, subject to a right of access in favor of the City of Cedar Falls. The Association is charged with the duty to maintain and repair the Storm Water Management Areas, pursuant to requirements adopted by the City of Cedar Falls.

An Iowa non-profit corporation known as The CF North Cedar Estates Drainage Association, Inc. (the "Association") is being created for the purpose of the long-term maintenance and repair of the Storm Water Management Areas for the common benefit of the owners of all lots in the Addition. The membership of the Association shall at all times remain vested in the owners of all lots in the Addition. A transfer of a lot within the Addition shall automatically require that the membership rights and obligations in the Association be transferred to the new owner, including any unpaid assessments. The cost of the Association's maintenance (as described below) of the Storm Water Management Areas shall be shared equally by all of the owners of the lots and shall be assessed to the owners in the manner and in the amount determined from time-to-time by the board of directors of the Association. Any owner failing to pay an assessment adopted by the board of directors of the Association shall be subject to a civil action for collection instituted by the board of directors of the Association or a lien may be filed against the property of such owner and collected in the same manner as a mechanic's lien.

The City of Cedar Falls shall have an access easement to the Storm Water Management Areas to the extent necessary for the inspection and enforcement of any city code or ordinance provisions applicable to said areas.

22. The undersigned and all persons and entities hereafter acquiring any right, title, or interest in any of the lots in said subdivision shall be taken and held to have agreed and covenanted with the owners of all other lots in this subdivision and with the respective successors and assigns of all of the rest of such other lots to conform to and observe all of the foregoing covenants, restrictions and stipulations for a period of 21 years from the date of the recording of the final

plat and this dedication, and during the term of any renewal or extension of these restrictions or their enforceability or applicability as provided for under Iowa law.

- 23. Any violation of the restrictions contained herein may be enforced by any lawful proceeding at law or in equity by any party with an interest in any real estate situated in the subdivision, and any party bringing any such enforcement proceeding shall be entitled to reasonable damages, costs and attorney’s fees as determined to be appropriate by a court of competent jurisdiction.
- 24. Invalidation of any one of these covenants by judgment, decree, order of court, or otherwise shall in no way affect any of the other covenants and such other covenants shall remain in full force and effect.

Dated this _____ day of _____, 2024.

 James V. Sands, as Manager of Jim Sands
 Construction, LLC

STATE OF IOWA, BLACK HAWK COUNTY, ss:

This instrument was acknowledged before me on this ____ day of _____, 2024, by James V. Sands as Manager of Jim Sands Construction, LLC.

 Notary Public in and for the State of Iowa



vj engineering

1501 technology pkwy, suite 100
cedar falls, iowa 50613
ph: (319) 266-5829 fax: (319) 266-5160

engineering – surveying

Memorandum – Engineering Considerations

May 24, 2024

RE: Sands North Cedar Estates Subdivision – Infiltration System Design

This is in reference to the proposed stormwater infiltration basin system proposed for The North Cedar Estates subdivision project. The project consists of the development of 14.2 acres of agricultural land which has now been rezoned as residential.

In its current condition of agricultural use with no detention system in place, there is a potential for a large rainfall event (50-100 year storms) to cause stormwater runoff to leave the site, especially in frozen ground conditions. During these infrequent events, the runoff flows to the east and into the existing residential neighborhood, causing issues. However, not many events provide the volume that produces any runoff due to the sites existing extremely sandy soil and flat terrain.

The proposed development will increase the amount of impervious area significantly. However, three very large basins have been designed to detain this runoff and allow the stormwater to infiltrate into the ground essentially the same way that it is now, just in a more defined location with the ability to store the rain events, giving them time to soak in. The system is designed so that no stormwater from the entire site will be allowed to leave (up to the 100 year storm).

Also, due to the very conservative approach used in sizing these basins, there is more than enough volume to hold the entire 100-year storm while allowing infiltration to take place.

Percolation testing was performed to determine appropriate infiltration rates for the site. An average infiltration rate of 4.78 inches per hour was determined. While using the result of 4.78 inches per hour would be a suitable rate for designing the site, the standardized rate (per Iowa Stormwater Management Manual for Sandy Loam Soils) of 1.02 inches per hour was utilized as the final design infiltration rate as a redundancy as it correlates with the soil type found. This means that there is a very large factor of safety built into the design.

Each basin has an additional volume of freeboard to serve as an emergency storage allotment in the event of a larger storm and also routing to ensure that any volume greater than the 100-year storm would be routed away from structures before rising to any FFE. This routing would send discharge greater than the 100-year storm to the same location all runoff currently goes to and would only be the volume of water beyond what the basins were designed for, which would be massively less runoff during that extreme event than would be encountered under the current conditions.

Paul Arch, P.E.



DEPARTMENT OF COMMUNITY DEVELOPMENT

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

MEMORANDUM

Planning & Community Services Division

TO: Planning and Zoning Commission
FROM: Thom Weintraut, AICP, Planner III
 Matt Tolan, EI, Civil Engineer II
DATE: July 24, 2024
SUBJECT: Loy Minor Subdivision Plat

REQUEST: Request to approve the Loy Minor Subdivision Plat No. 1
 (Case # MPT24-002)

PETITIONER: Levi and Amber Loy and Joseph and Melanie Griffith (Owners); David Scheil,
 William Classsen Engineering & Surveying, Inc. (Surveyor)

LOCATION: 514 & 528 W 28th Street

PROPOSAL

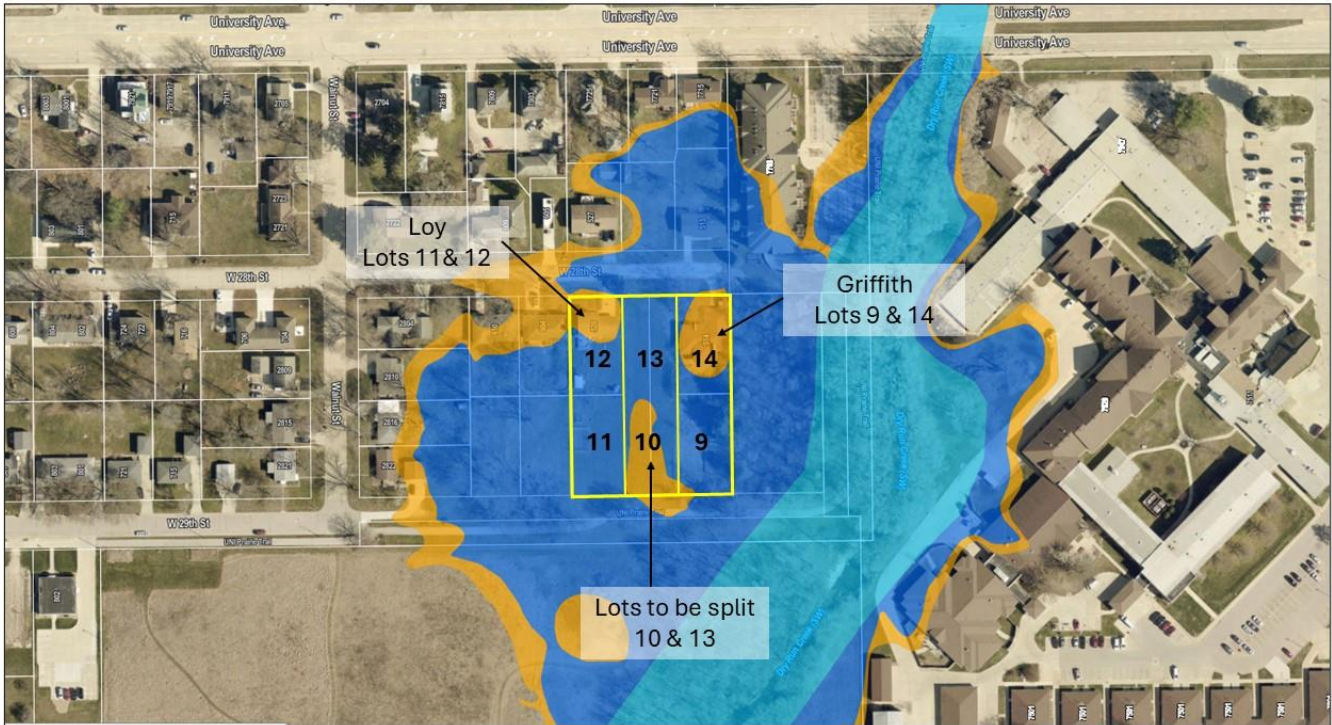
The current property owners propose to divide Lots 10 & 13 of the Twenty-Eighth Addition in half and then combine the western portion of Lots 10 & 13 with Lots 11 & 12, owned by the Loys, and the eastern portion of Lots 10 & 13 with Lots 9 and 14, owned by the Griffiths. A minor plat is required to split the two lots and to combine them with the other parcels. The subject parcels are within the R-2 Residence District and the F-F Floodway Fringe Overlay District.

BACKGROUND

The subject parcels (Lots 9 through 14) are part of the Twenty-Eighth Street Addition subdivision which was created in 1958. When the subdivision was platted only the north half of the right of way for 29th Street was platted and so the street was never constructed. The properties are located in the floodway fringe.

The Loys purchased Lots 11 and 12 in 2019. The residence on their property (lot 12) was built in 1980. Lots 9 and 14 were purchased by the Griffiths in 1990 and they built a house on Lot 14 in 1994. In July 2021, the Griffiths purchased Lots 10 and 13 which were both vacant, with the intent to keep the area open for storage of water in the event of flooding. In October 2023, the Griffiths offered the Loys the opportunity to purchase the western half of Lot 10 & 13.

One the following page is an image with the six lots highlighted and the floodplain shown.



ANALYSIS

514 and 528 W 28th Street along with the other four (4) lots are located in the R-2 Residence District and the F-F Floodway Fringe Overlay District. The property owners wish to split lots 10 & 13 and combine with the existing lots to keep the floodplain surrounding their properties undeveloped. Additionally, with Lots 9, 10, and 11 located within the flood plain and the fact these lots do not have utility services available along the 29th Street and that 29th Street only has a 33-foot-wide right-of-way, the potential for development is not very feasible. There is a storm sewer located in a 14-foot north-south utility easement between Lots 12 and 13, which then turns and runs westerly in a 16-foot easement along the north property line of Lot 11.

The two newly created parcels, “B” and “C” will meet zoning ordinance requirements.

TECHNICAL COMMENTS

The property owners will need to submit two signed and notarized Owner Statements before the subdivision can move forward for City Council approval. A draft is attached.

Cedar Falls Utilities (CFU) has reviewed the Loy Minor Plat 1. Water, electric, gas, and communication utility services are available in accordance with the service policies of CFU.

A courtesy mailing was sent to the neighboring property owners on July 16, 2024.

STAFF RECOMMENDATION

Staff recommends approval of case #MPT24-003, the Loy Minor Subdivision Plat No. 1, with the following stipulations:

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

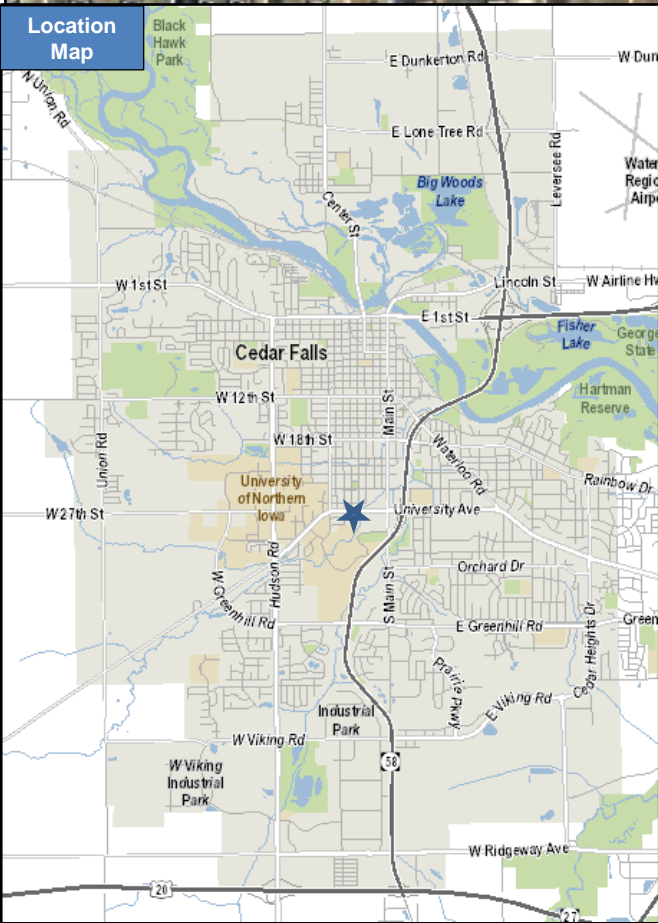
If the Planning and Zoning Commission finds that there are no issues meriting further discussion, staff recommends making a recommendation to the Council.

PLANNING & ZONING COMMISSION

Discussion

7/24/2024

Attachments: Location Map
Proposed Plat
Draft Owner's Statement



Loy Minor Plat 1
514 & 528 W 28th Street

For County Recorder's use.

INDEX LEGEND

General Description: Part of Twenty-Eight Street Addition, Cedar Falls
 Surveyor: David L. Scheil (#16775)
 Surveying Company: Wayne Claassen Engineering & Surveying, Inc.
 2705 University Avenue (P.O. Box 898)
 Waterloo, Iowa 50704
 (319)235-6294
 Survey Requested By: Levi P. & Amber C. Loy and Joseph L. & Melanie J. Griffith
 Proprietor: Shown on Sheet 3 of 3

LOY MINOR SUBDIVISION PLAT NO. I

Parcels "B" & "C"

SHEET 1 OF 3

LEGAL DESCRIPTION Parcel "B"

That part of Lot Eleven (11), Lot Twelve (12), the West Half (W 1/2) of Lot Thirteen (13) and the West Half (W 1/2) of Lot Ten (10), all in Twenty-Eight Street Addition, City of Cedar Falls, Black Hawk County, Iowa, described as follows:

Beginning at the Northwest corner of aforesaid Lot Twelve (12);
 thence N89°18'57"E Seventy-two and Ninety-eight Hundredths (72.98) feet along the North line of said Lot Twelve (12) to the Northeast corner of said Lot Twelve (12);
 thence N89°18'18"E Thirty-six and Fifty-five Hundredths (36.55) feet along the North line of aforesaid Lot Thirteen (13) to the East line of aforesaid West Half (W 1/2) of Lot Thirteen (13);
 thence S00°43'44"E One Hundred Thirty-five and Eighty-three Hundredths (135.83) feet along said East line to the South line of said Lot Thirteen (13);
 thence S00°44'15"E One Hundred Thirty-five and Eighty-five Hundredths (135.85) feet along the East line of aforesaid West Half (W 1/2) of Lot Ten (10) to the South line of said Lot Ten (10);
 thence S89°16'01"W Thirty-six and Fifty-four Hundredths (36.54) feet along the South line of said Lot Ten (10) to the Southeast corner of aforesaid Lot Eleven (11);
 thence S89°21'49"W Seventy-three and Fifteen Hundredths (73.15) feet along the South line of said Lot Eleven (11) to the Southwest corner of said Lot Eleven (11);
 thence N00°42'17"W One Hundred Thirty-five and Eighty-seven Hundredths (135.87) feet along the West line of said Lot Eleven (11) to the Northwest corner of said Lot Eleven (11);
 thence N00°41'42"W One Hundred Thirty-five and Seventy-eight Hundredths (135.78) feet along the West line of aforesaid Lot Twelve (12) to the point of beginning containing 29,778 square feet (0.68 acres).

LEGAL DESCRIPTION Parcel "C"

That part of Lot Nine (09), Lot Fourteen (14), the East Half (E 1/2) of Lot Thirteen (13) and the East Half (W 1/2) of Lot Ten (10), all in Twenty-Eight Street Addition, City of Cedar Falls, Black Hawk County, Iowa, described as follows:

Commencing at the Northwest corner of aforesaid Lot Thirteen (13);
 thence N89°18'18"E Thirty-six and Fifty-five Hundredths (36.55) feet along the North line of said Lot Thirteen (13) to the West line of aforesaid East Half (E 1/2) of Lot Thirteen (13) and to the point of beginning;
 thence N89°18'18"E Thirty-six and Fifty-five Hundredths (36.55) feet along said North line to the Northeast corner of said Lot Thirteen (13);
 thence N89°18'18"E Seventy-three and Ten Hundredths (73.10) feet along the North line of aforesaid Lot Fourteen (14) to the Northeast corner of said Lot Fourteen (14);
 thence S00°43'27"E Two Hundred Seventy-one and Sixty-one Hundredths (271.61) feet along the East line of said Lot Fourteen (14) and along the East line of aforesaid Lot Nine (09) to the Southeast corner of said Lot Nine (09);
 thence S89°16'01"W Seventy-three and Seven Hundredths (73.07) feet along the South line of said Lot Nine (09) to the Southwest corner of said Lot Nine (09);
 thence S89°16'01"W Thirty-six and Fifty-four Hundredths (36.54) feet along the South line of aforesaid Lot Ten (10) to the West line of aforesaid East Half (E 1/2) of said Lot Ten (10);
 thence N00°44'15"W One Hundred Thirty-five and Eighty-five Hundredths (135.85) feet along said West line to the North line of said Lot Ten (10);
 thence N00°43'44"W One Hundred Thirty-five and Seventy-three Hundredths (135.73) feet along aforesaid West line of the East Half (E 1/2) of Lot Thirteen (13) to the point of beginning containing 29,782 square feet (0.68 acres).

NOTES:

1. The basis of bearings for this Plat of Survey is the North line of Lot 12 assigned a bearing of N89°18'57"E as per Iowa State Plane Coordinate System, North Zone, 2011 adjustment.

This Plat or Subdivision has been reviewed by (City of Cedar Falls)

Signature of (City of Cedar Falls)
Zoning Ordinance Administrator

Date

CLES

FIELD BOOK 681-52

CERTIFICATION

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.

Signature: _____
David L. Scheil, P.L.S.

Date: _____, 20____ License No. 16775

Pages or Sheets Covered by this Seal: 3

My license renewal date is December 31, 2024

CES FILE NO. _____ ML

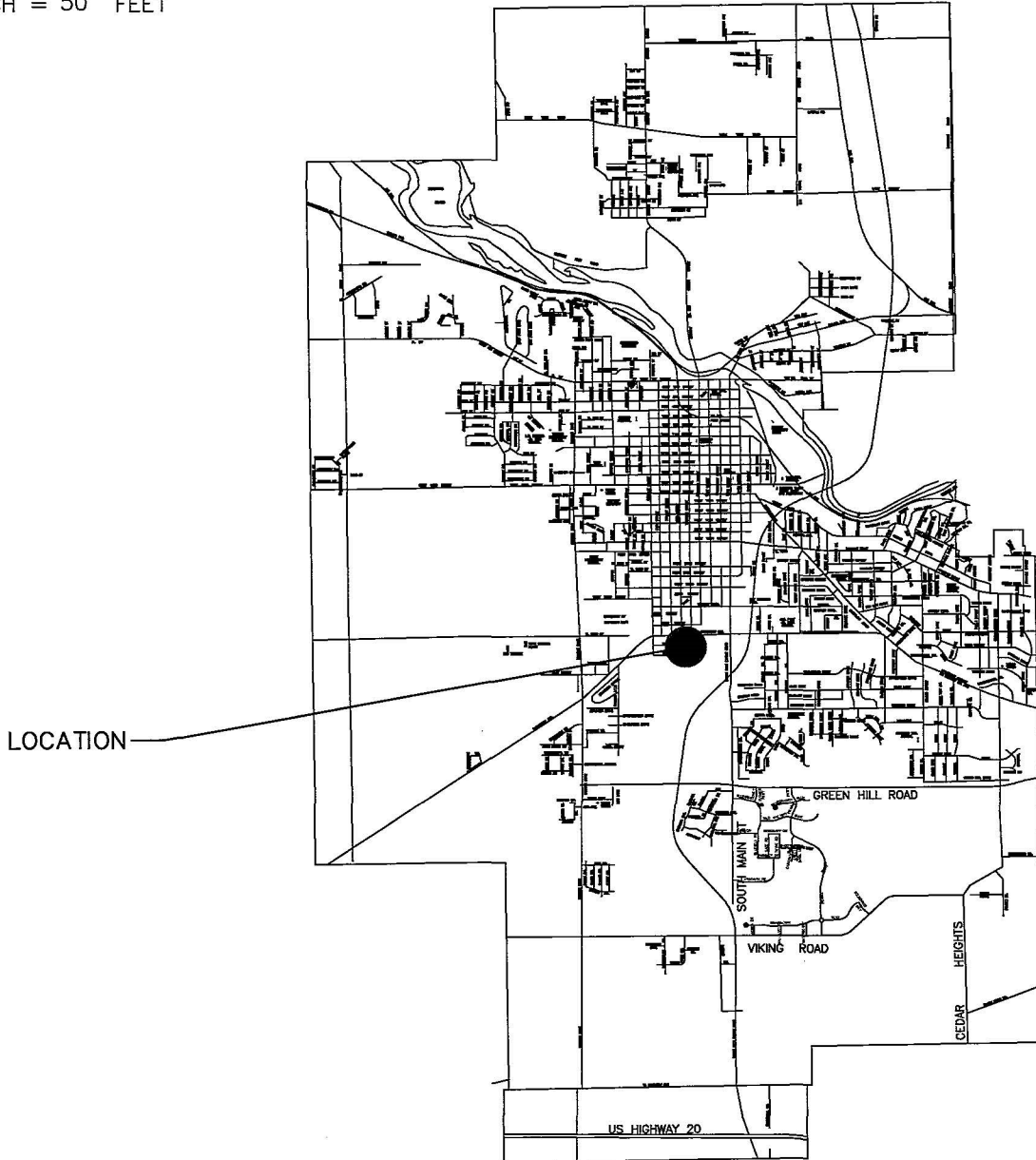
LOY MINOR SUBDIVISION PLAT NO. 1

SHEET 2 OF 3



1 INCH = 50 FEET

Parcels "B" & "C"
Part of Twenty-Eight Street Addition,
Cedar Falls, Black Hawk County, Iowa
Survey for: Levi P. & Amber C. Loy
and Joseph L. & Melanie J. Griffith
Proprietor: Shown on Sheet 3 of 3



KEY MAP:
CEDAR FALLS, IA.

GENERAL NOTES:

1. Owner: Levi and Amber Loy
528 W. 28th Street
Cedar Falls, Iowa 50613
2. Owner: Joseph & Melanie Griffith
514 W. 28th Street
Cedar Falls, Iowa 50613
3. Engineer/Surveyor: Wayne Claassen Engineering and Surveying, Inc.
2705 University Ave. (P.O. Box 898)
Waterloo, Iowa, 50704
Phone: 319.235.6294
4. Current zoning is R-2 Residential District. Front setback is 25.
Side setback is 10% lot width. Rear setback is 30.
5. Flood Zone AE is special hazard area with base flood elevation or depth.
Flood Zone X is 0.2% annual chance flood hazard, areas of 1% annual
chance flood with average depth less than one foot
or with drainage areas less than one square mile.

LOY MINOR SUBDIVISION PLAT NO. I

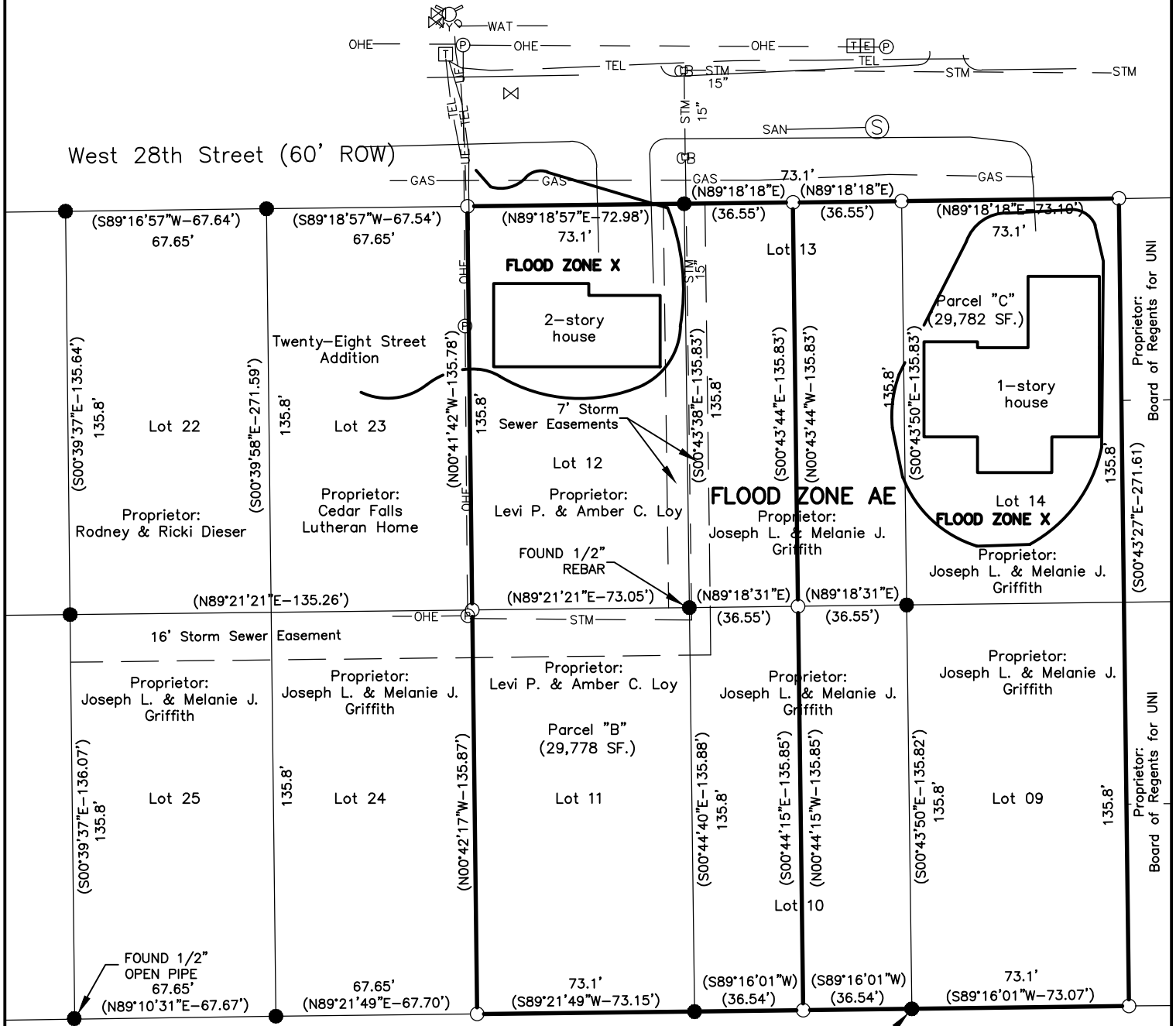
SHEET 3 OF 3

Parcels "B" & "C"

Part of Twenty-Eight Street Addition,
Cedar Falls, Black Hawk County, Iowa
Survey for: Levi P. & Amber C. Loy
and Joseph L. & Melanie J. Griffith
Proprietor: Shown below



1 INCH = 50 FEET



SURVEY LEGEND:

- DENOTES FOUND 1" CLIP PIN (UNLESS NOTED OTHERWISE)
- DENOTES 1/2" X 24" STEEL REBAR W/ RED PLASTIC CAP W/ NO. 16775 SET
- 000.00 DENOTES RECORD DIMENSION
(000.00) DENOTES FIELD DIMENSION
- ⊙ DENOTES POWER POLE
- ☐ DENOTES TELEPHONE BOX
- ⊞ DENOTES ELECTRIC BOX
- ⊙ DENOTES SANITARY SEWER MANHOLE
- CB ⊙ DENOTES STORM CATCH BASIN
- ⊙ DENOTES FIRE HYDRANT
- ⊙ DENOTES WATER VALVE
- SAN— DENOTES EXISTING SANITARY SEWER
- GAS— DENOTES EXISTING GAS MAIN
- UE— DENOTES UNDERGROUND ELECTRIC
- TEL— DENOTES EXISTING CABLE
- OHE— DENOTES OVERHEAD WIRES
- STM— DENOTES EXISTING STORM SEWER
- WAT— DENOTES EXISTING WATER MAIN

Proprietor: Board of Regents for UNI

Proprietor: Board of Regents for UNI

CS

OWNER'S STATEMENT OF RESTRICTIONS AND
EASEMENTS FOR
LPY MINOR PLAT NO. 1,
CEDAR FALLS, IOWA

We, Amber C. Loy, Levi P. Loy, Joseph L. Griffith, and Melanie J. Griffith being the legal titleholders of the real estate legally described as follows:

That part of Lot Eleven (11), Lot Twelve (12), the West Half (W 1/2) of Lot Thirteen (13) and the West Half (W 1/2) of Lot Ten (10), all in Twenty-Eight Street Addition, City of Cedar Falls, Black Hawk County, Iowa, described as follows:

Beginning at the Northwest corner of aforesaid Lot Twelve (12); thence N89°18'57"E Seventy-two and Ninety-eight Hundredths (72.98) feet along the North line of said Lot Twelve (12) to the Northeast corner of said Lot Twelve (12); thence N89°18'18"E Thirty-six and Fifty-five Hundredths (36.55) feet along the North line of aforesaid Lot Thirteen (13) to the East line of aforesaid West Half (W 1/2) of Lot Thirteen (13); thence S00°43'44"E One Hundred Thirty-five and Eighty-three Hundredths (135.83) feet along said East line to the South line of said Lot Thirteen (13); thence S00°44'15"E One Hundred Thirty-five and Eighty-five Hundredths (135.85) feet along the East line of aforesaid West Half (W 1/2) of Lot Ten (10) to the South line of said Lot Ten (10); thence S89°16'01"W Thirty-six and Fifty-four Hundredths (36.54) feet along the South line of said Lot Ten (10) to the Southeast corner of aforesaid Lot Eleven (11); thence S89°21'49"W Seventy-three and Fifteen Hundredths (73.15) feet along the South line of said Lot Eleven (11) to the Southwest corner of said Lot Eleven (11); thence N00°42'17"W One Hundred Thirty-five and Eighty-seven Hundredths (135.87) feet along the West line of said Lot Eleven (11) to the Northwest corner of said Lot Eleven (11); thence N00°41'42"W One Hundred Thirty-five and Seventy-eight Hundredths (135.78) feet along the West line of aforesaid Lot Twelve (12) to the point of beginning containing 29,778 square feet (0.68 acres).

And

That part of Lot Nine (09), Lot Fourteen (14), the East Half (E 1/2) of Lot Thirteen (13) and the East Half (W 1/2) of Lot Ten (10), all in Twenty-Eight Street Addition, City of Cedar Falls, Black Hawk County, Iowa, described as follows:

Commencing at the Northwest corner of aforesaid Lot Thirteen (13); thence N89°18'18"E Thirty-six and Fifty-five Hundredths (36.55) feet along the North line of said Lot Thirteen (13) to the West line of aforesaid East Half (E 1/2) of Lot Thirteen (13) and to the point of beginning; thence N89°18'18"E Thirty-six and Fifty-five Hundredths (36.55) feet along said North line to the Northeast corner of said Lot Thirteen (13); thence N89°18'18"E Seventy-three and Ten Hundredths (73.10) feet along the North line of aforesaid Lot Fourteen (14) to the Northeast corner of said Lot Fourteen (14); thence S00°43'27"E Two Hundred Seventy-one and Sixty-one Hundredths (271.61) feet along the East line of said Lot Fourteen (14) and along the East line of aforesaid Lot Nine (09) to the Southeast corner of said Lot Nine (09); thence S89°16'01"W Seventy-three and Seven Hundredths (73.07) feet along the South line of said Lot Nine (09) to the Southwest corner of said Lot Nine (09); thence S89°16'01"W Thirty-six and Fifty-four Hundredths (36.54) feet along the South line of aforesaid Lot Ten (10) to the West line of aforesaid East Half (E 1/2) of said Lot Ten (10); thence N00°44'15"W One Hundred Thirty-five and Eighty-five Hundredths (135.85) feet along said West line to the North line of said Lot Ten (10); thence

N00°43'44"W One Hundred Thirty-five and Seventy-three Hundredths (135.73) feet along aforesaid West line of the East Half (E 1/2) of Lot Thirteen (13) to the point of beginning containing 29,782 square feet (0.68 acres).

And being desirous of dividing said real estate into separate parcels upon approval of this **Loy Minor Plat No. 1** (the "Minor Plat"), by the City of Cedar Falls, do hereby submit the following statement of restrictions and easements:

RESTRICTIONS

- 1. The zoning and building requirements for the parcels included in the Minor Plat shall be as required by the R-2 Residence District of the Zoning Ordinance of Cedar Falls, Iowa.
- 2. These parcels are located in the F-F Floodway Fringe Overlay District and are subject to the development requirements contained in that section.
- 3. No further subdivisions of the property will be allowed unless the subdivision of the property is approved by the City of Cedar Falls, Iowa.

EASEMENTS

- 1. The owners do hereby grant and convey to the City of Cedar Falls, Iowa, its successor and assigns, and to any private or municipal corporations, firms or persons furnishing utilities for the transmission and/or distribution of water, sanitary sewer, gas, electricity, communication service or cable television, perpetual non-exclusive easements across, on and/or under the property in the specific locations shown on the attached plat.
- 2. All recorded easements affecting the subject property prior to this platting shall be recognized as continuing in effect and service and shall not be considered rescinded by this platting.

WITNESS our hands as our statement of intention for the **LOY MINOR PLAT NO. 1, CEDAR FALLS, IOWA**

Levi P. Loy

Amber C. Loy

STATE OF IOWA)
) ss:
COUNTY OF BLACK HAWK)

The foregoing record was acknowledged before me on _____, 2024, by Levi P. Loy and Amber C, Loy, husband and wife.

Notary Public – State of Iowa

Joseph L. Griffith

Melanie J. Griffith

STATE OF IOWA)
) ss:
COUNTY OF BLACK HAWK)

The foregoing record was acknowledged before me on _____, 2024, by Joseph L. Griffith and Melanie J Griffith, husband and wife.

Notary Public – State of Iowa