



AGENDA
CITY OF CEDAR FALLS, IOWA
PLANNING AND ZONING COMMISSION MEETING
WEDNESDAY, MAY 25, 2022
5:30 PM AT CEDAR FALLS COMMUNITY CENTER, 528 MAIN STREET

Call to Order and Roll Call

Approval of Minutes

1. Planning and Zoning Commission Regular Meeting Minutes of May 11, 2022

Public Comments

New Business

2. **West Viking Road Industrial Park Phase V Final Plat (FP22-003)**
Location: South of West Viking Road and East of South Union Road
Applicant: City of Cedar Falls (Owner) and Snyder & Associates (Engineer)
Previous Discussion: None
Recommendation: *Approval*
P&Z Action: *Discussion and continue to the next meeting or make a recommendation to Council*

3. **Minor Revisions to the Preliminary Plat for West Fork Crossing (PP22-003)**
Location: North of W. 27th Street, East of Union Road and West of Waterbury Drive
Applicant: Echo Development/Brent Dahlstrom; Money Pit, LLC and Waterbury Property Investors, LLC, owners; ISG Engineering, Engineer
Previous discussion: Preliminary Plat approved on November 15, 2021
Recommendation: *Approval*
P&Z Action: *Discuss and make a recommendation to City Council*

Old Business

4. **Zoning Text Amendment – P&Z review of certain site plans in the CD-DT (TA22-003)**
Location: Downtown Character District
Petitioner: City Council
Previous discussion: March 23, 2022
Recommendation: *Discuss and set date of public hearing*
P&Z Action: *Discuss and set date of public hearing*

Commission Updates

Adjournment

Reminders:

- * June 8 and June 22 - Planning & Zoning Commission Meetings
- * June 6 and June 20 - City Council Meetings

**Cedar Falls Planning and Zoning Commission
Regular Meeting
May 11, 2022
Cedar Falls, Iowa**

MINUTES

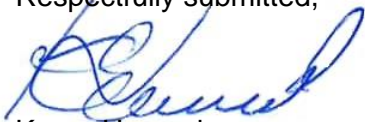
The Cedar Falls Planning and Zoning Commission met in regular session on May 11, 2022 at 5:30 p.m. at the Community Center. The following Commission members were present: Crisman, Grybovych, Holst, Larson (arrived late), Leeper, Lynch and Saul. Hartley and Moser were absent. Karen Howard, Community Services Manager and Michelle Pezley, Planner III, were also present.

- 1.) Chair Leeper noted the Minutes from the April 13, 2022 regular meeting are presented. Ms. Lynch made a motion to approve the Minutes as presented. Ms. Saul seconded the motion. The motion was approved unanimously with 6 ayes (Crisman, Grybovych, Holst, Leeper, Lynch, and Saul), and 0 nays.
- 2.) The first item of business was an amendment of the RP Master Plan for Autumn Ridge Development. This item was deferred.
- 3.) The next item for consideration by the Commission was a preliminary plat for Autumn Ridge 9th and 11th Additions. This item was deferred.
- 4.) The Commission then considered the final plat for Wild Horse Ridge Fifth Addition. Chair Leeper introduced the item and Ms. Pezley provided background information. She explained that this item was brought before the Commission at a previous meeting and provided brief background on the proposal. Staff recommends approval of the plat with any comments or direction from the Planning and Zoning Commission and conformance to all staff recommendations and technical comments.

Mr. Holst made a motion to approve the item. Mr. Larson seconded the motion. The motion was approved unanimously with 7 ayes (Crisman, Grybovych, Holst, Larson, Leeper, Lynch, and Saul), and 0 nays.
- 5.) As there were no further comments, Ms. Lynch made a motion to adjourn. Ms. Saul seconded the motion. The motion was approved unanimously with 7 ayes (Crisman, Grybovych, Holst, Larson, Leeper, Lynch, and Saul), and 0 nays.

The meeting adjourned at 5:34 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, Planner III
 Matthew Tolan, EI, Civil Engineer II

DATE: May 18, 2022

SUBJECT: FP22-003: West Viking Road Industrial Park Phase V

REQUEST: Request to approve the West Viking Road Industrial Park Phase V.
 Case #FP22-003

PETITIONER: City of Cedar Falls, property owner
 Eric Cannon and Lindsay Beaman; Snyder & Associates; Engineer

LOCATION: South of West Viking Road and east of South Union Road; west of the
 existing Viking Industrial Park.

PROPOSAL

The City of Cedar Falls owns a 200-acre site that is south of W. Viking Road, east of Union Road, and with access from Venture Way and Technology Parkway. The City proposes to subdivide 133.29 acres of the 200 acres into 18 lots and five outlots.

BACKGROUND

The subject property was annexed in early 2020. Per the Cedar Falls City Code (Section 26-121), once the land is annexed, the property is automatically zoned A-1 Agricultural. In June 2020, the properties were rezoned from A-1 Agricultural District to M-1-P (Planned Light Industrial).

During each planning phase of the subdivision, City Staff met with the neighbors and listened to their concerns about the need for buffer areas that would provide a visual screen and additional space to help reduce the potential for noise, spillover glare from lights, and other potential externalities typical from an industrial area. The City agreed to establish buffers between the existing residents and the new industrial uses as indicated on the master plan for the development (see attached). As noted below, certain Outlots and stormwater management areas are designed to provide the promised buffer areas and berms. The Deed of Dedication contains language ensuring the long term maintenance responsibilities for these areas along with other standards that will help prevent light pollution onto neighboring residential lots.

ANALYSIS

The petitioner, the City of Cedar Falls, proposes to final plat West Viking Road Industrial Park Phase V, comprised of 133.29 acres of land within the northern part of the subdivision. The plat will extend Venture Way and Technology Parkway and connect the two streets with Innovation Drive. The property is zoned M-1-P (Planned Light Industrial). The M-1-P zoning district permits light industrial and manufacturing uses. Phase V consists of 18 lots and 5 outlots. Four of the five outlots are intended for buffers and/or stormwater basins while Outlot T will be combined with the lot at 6317 Development Drive. The City will oversee the maintenance responsibilities for the stormwater management facilities in the subdivision to ensure proper functioning over time.

The Capital Improvement Plan anticipates that W. Viking Road will be improved to Union Road in 2023 to bring Viking Road up to City street standards. The northernmost segment of Innovation Drive where it will intersect with the improved W. Viking Road will be part of W. Viking Road improvements. The trail improvements on Outlot Y will also be completed at that time.

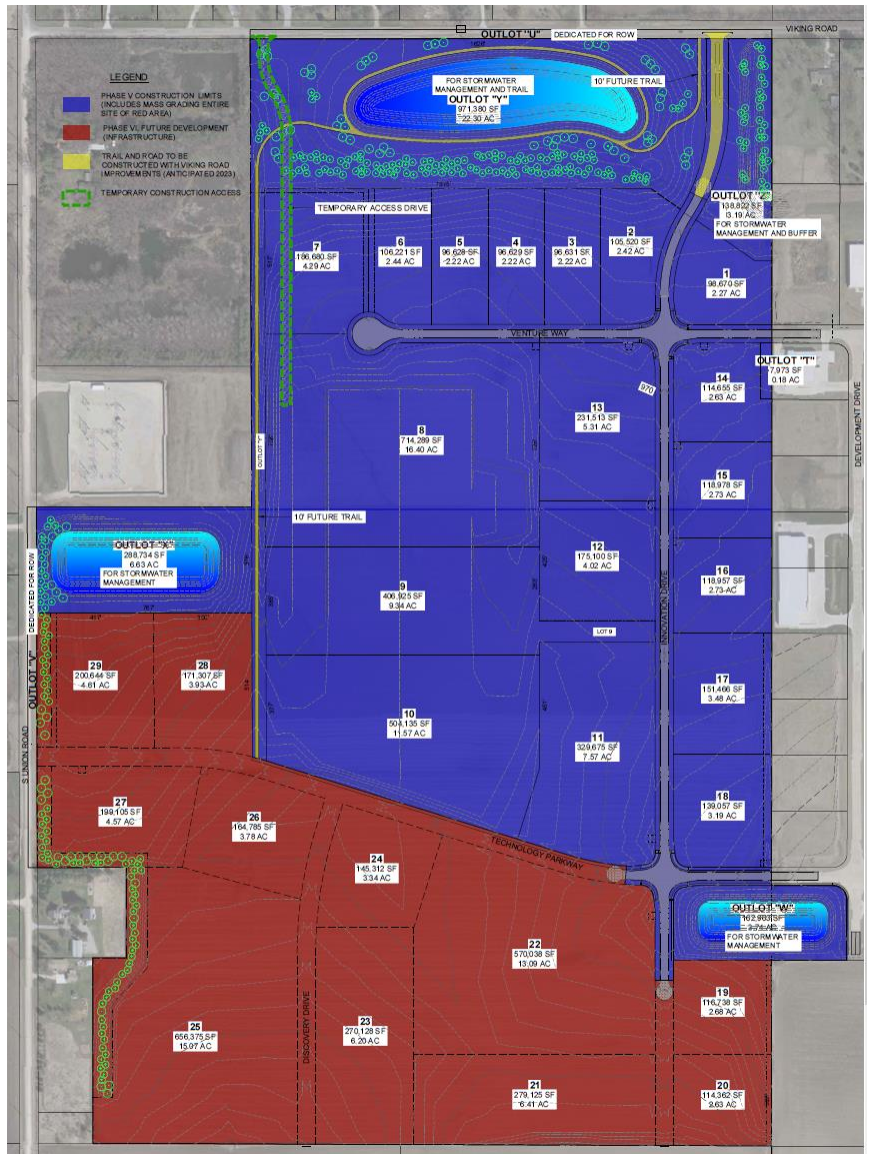
The City Code states that the final plat must be in substantial conformance with the preliminary plat. No changes were proposed for the final plat. Therefore, the staff finds that the proposed final plat is conforming to the preliminary plat and associated conditions. The petitioner has met the criteria for the final plat and the associated conditions.

TECHNICAL COMMENTS

City technical staff, including Cedar Falls Utilities (CFU) personnel, has reviewed the final plat for the CF W Viking Rd Industrial Park. CFU noted that all water, electric, gas, and communications utility services are available in accordance with the service policies of CFU.

The submitted Deed of Dedication for this final plat is consistent with the previously approved Deeds of Dedication from the previous additions and has addressed all the requirements.

The construction drawings were completed by Snyder & Associates and reviewed by Staff. On



January 18, 2022, the City Council approved the proposed plans and specifications for the West Viking Road Industrial Park Phase V project. On February 21, 2022, the City Council approved and accepted the low bid from Peterson Contractors, Inc. for the construction of the public improvements for West Viking Road Industrial Park. The City Council approved the contract and bond of Peterson Contractor, Inc. on March 7, 2022. Peterson Contractors, Inc. is on schedule to install all the utilities and internal road connections within the proposed subdivision that will be dedicated to the public. The installed internal infrastructure is able to serve the platted lots with access to public streets and right-of-way. The installed utilities are available for development for the platted lots. The City Council has approved the use of Tax Increment Financing to fund the project and the project is currently under contract as previously mentioned. Because the project is under a City contract, the City has an assurance that public improvements will be completed unlike with private developments where the developer would secure either a performance bond or cash escrow for the remaining items in the event the City has to finish the project.

City Code requires that sidewalks be installed along all streets within the subdivision. The petitioner has confirmed that sidewalks, built to City standards, will be constructed along the frontage of all lots at the time of lot development, as per City requirements. The City will install the sidewalks along the stormwater and buffer outlots.

The property is located outside of the regulated floodplain.

A courtesy mailing was sent to the neighboring property owners on May 17, 2022.

RECOMMENDATION

Staff recommends approval of FP 22-003; West Viking Road Industrial Park. The Planning and Zoning Commission has the option of gathering any comments from the Planning and Zoning Commission and public and continue the discussion at the next Planning and Zoning Commission meeting on June 8, 2022 or make a recommendation to City Council with the following conditions.

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

PLANNING AND ZONING

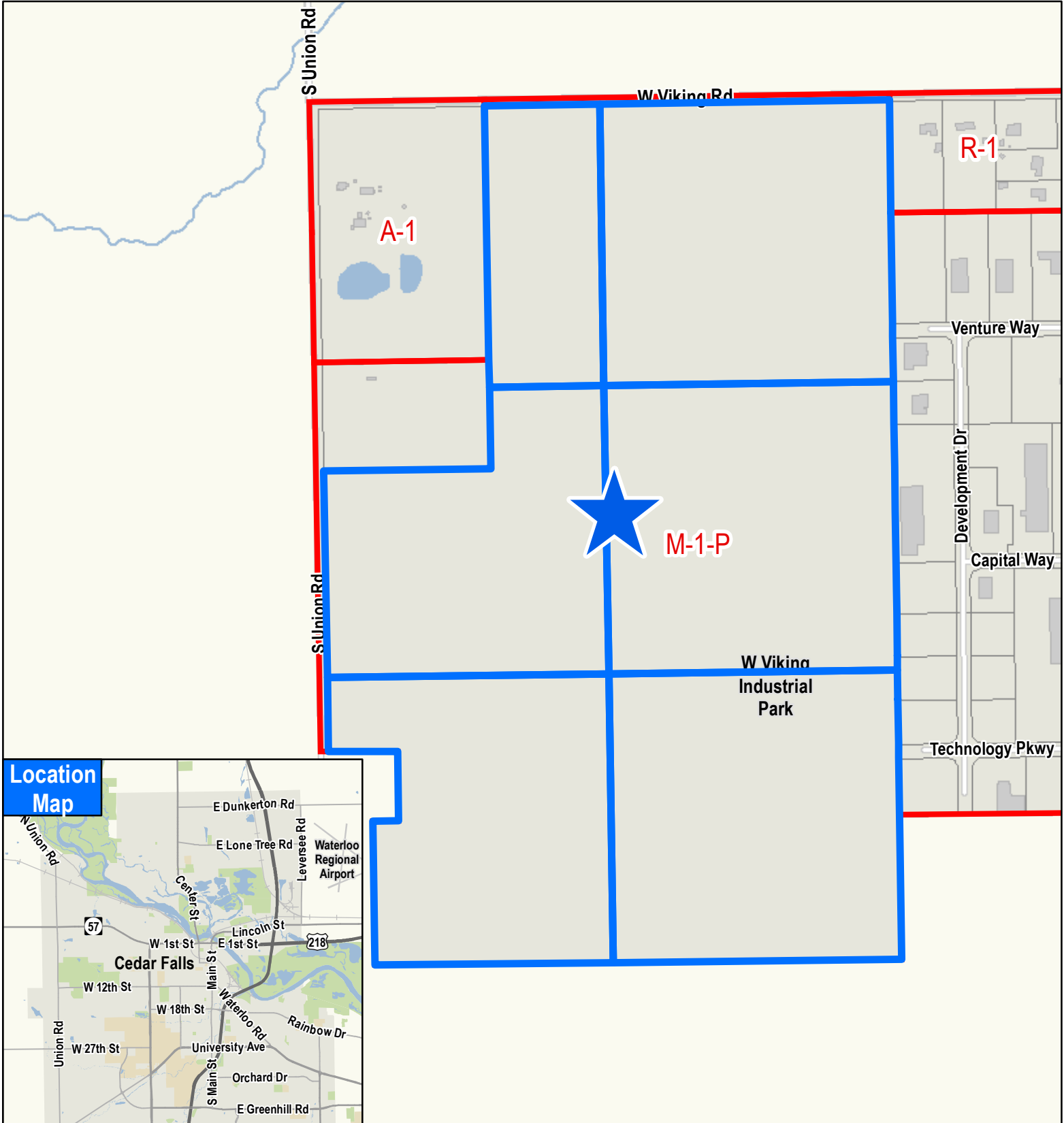
Discussion
5/25/22

Attachments:

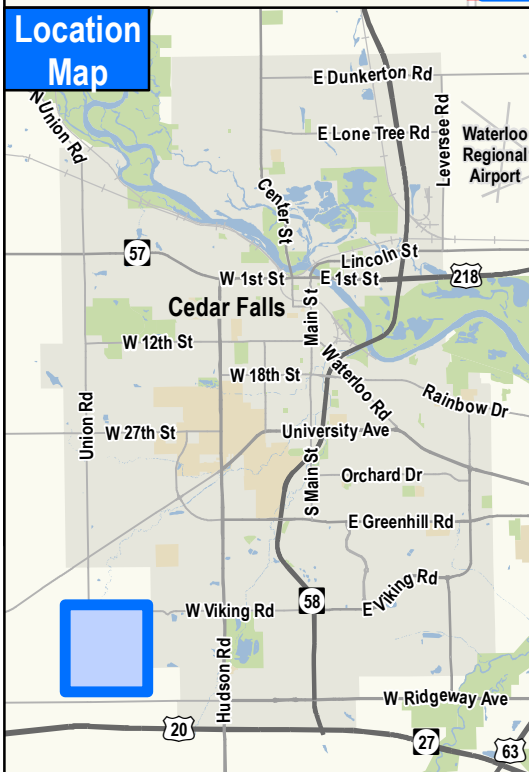
Location Map
West Viking Road Industrial Park Phase V Final Plat
Deed of Dedication

Cedar Falls Planning and Zoning Commission May 25, 2022

Item 2.



Location Map



**CF W Viking Road Industrial Park
Phase V Preliminary Plat (FP22-003)
S of W Viking Rd, East of S Union Rd**

FINAL PLAT WEST VIKING ROAD INDUSTRIAL PARK PHASE V CEDAR FALLS, BLACK HAWK COUNTY, IOWA

LEGAL DESCRIPTION

ALL OF LOT 11, WEST VIKING ROAD INDUSTRIAL PARK PHASE IV (FINAL PLAT RECORDED AS FILE NUMBER 2014-0000687 AT THE BLACK HAWK COUNTY RECORDER'S OFFICE) AND PART OF THE WEST HALF OF SECTION 34, TOWNSHIP 89 NORTH, RANGE 14 WEST OF THE 5TH P.M., CEDAR FALLS, BLACK HAWK COUNTY, IOWA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 34;

THENCE SOUTH 00° 00' 36" WEST 3048.69 FEET ALONG THE EAST LINE OF SAID WEST HALF TO THE NORTHWEST CORNER OF SAID LOT 11;

THENCE SOUTH 89° 48' 37" EAST 217.16 FEET ALONG THE NORTH LINE OF SAID LOT 11;

THENCE SOUTHEASTERLY 78.54 FEET ALONG THE ARC OF A 50.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY (CHORD BEARING SOUTH 44° 38' 36" EAST 70.71 FEET) ALONG THE NORTHEAST LINE OF SAID LOT 11;

THENCE SOUTH 00° 11' 26" WEST 216.68 FEET ALONG THE EAST LINE OF SAID LOT 11;

THENCE NORTH 89° 48' 25" WEST 266.32 FEET ALONG THE SOUTH LINE OF SAID LOT 11 TO SAID EAST LINE OF SAID WEST HALF;

THENCE NORTH 90° 00' 00" WEST 349.64 FEET;

THENCE SOUTH 00° 00' 00" WEST 72.90 FEET;

THENCE NORTH 90° 00' 00" WEST 66.00 FEET;

THENCE NORTH 00° 00' 00" EAST 252.66 FEET;

THENCE NORTH 08° 32' 06" WEST 51.18 FEET;

THENCE NORTHWESTERLY 59.31 FEET ALONG THE ARC OF A 42.50 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY (CHORD BEARING NORTH 48° 30' 45" WEST 54.61 FEET);

THENCE WESTERLY 58.79 FEET ALONG THE ARC OF A 1063.00 FOOT RADIUS CURVE CONCAVE NORTHERLY (CHORD BEARING NORTH 86° 54' 21" WEST 58.78 FEET);

THENCE NORTH 04° 40' 43" EAST 66.01 FEET;

THENCE NORTHWESTERLY 219.62 FEET ALONG THE ARC OF A 997.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY (CHORD BEARING NORTH 79° 00' 51" WEST 219.17 FEET);

THENCE NORTH 72° 42' 02" WEST 1112.46 FEET;

THENCE NORTHWESTERLY 58.94 FEET ALONG THE ARC OF A 1063.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY (CHORD BEARING NORTH 74° 17' 20" WEST 58.93 FEET);

THENCE NORTH 00° 10' 38" WEST 513.73 FEET;

THENCE NORTH 90° 00' 00" WEST 800.05 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 34;

THENCE NORTH 00° 10' 38" WEST 376.23 FEET ALONG SAID WEST LINE TO THE SOUTH LINE OF PARCEL "A" OF THE NORTHWEST QUARTER (PLAT OF SURVEY RECORDED AS FILE NUMBER 2015-00020750 AT THE BLACK HAWK COUNTY RECORDER'S OFFICE);

THENCE NORTH 89° 58' 53" EAST 800.05 FEET ALONG SAID SOUTH LINE OF PARCEL "A" OF THE NORTHWEST QUARTER TO THE SOUTHEAST CORNER OF SAID PARCEL "A" OF THE NORTHWEST QUARTER;

THENCE NORTH 00° 10' 38" WEST 1700.15 FEET ALONG THE EAST LINE OF SAID PARCEL "A" OF THE NORTHWEST QUARTER AND ALONG THE EAST LINE OF THE NORTH 1200.0 FEET OF THE WEST 800.0 FEET OF SAID NORTHWEST QUARTER TO THE NORTH LINE OF SAID WEST HALF OF SECTION 34;

THENCE NORTH 89° 58' 14" EAST 1860.07 FEET ALONG SAID NORTH LINE OF THE WEST HALF OF SECTION 34 TO THE POINT OF BEGINNING AND CONTAINING 133.29 ACRES (5,806,247 SQUARE FEET) MORE OR LESS.

NOTES

- TRACT 'A' (INNOVATION DRIVE, TECHNOLOGY PARKWAY & VENTURE WAY), TRACT 'B' (WEST VIKING ROAD) AND TRACT 'C' (UNION ROAD) ARE BEING DEDICATED TO THE PUBLIC FOR STREET RIGHT-OF-WAY PURPOSES.
- FLOOD INFORMATION: PARCEL LIES IN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS PER BLACK HAWK COUNTY, IOWA FIRM MAP NUMBER 19013C0276F EFFECTIVE DATE: JULY 18, 2011.
- TOTAL FINAL PLAT ACREAGE = 133.29 ACRES.
- THE EAST LINE OF THE WEST HALF OF SEC. 34-T89N-R14W IS ASSUMED TO BEAR SOUTH 0°00'36" WEST.
- DISTANCES ARE IN FEET AND DECIMALS THEREOF.
- ERROR OF CLOSURE:
SUBDIVISION BOUNDARY MEETS OR EXCEEDS 1:10,000
EACH INDIVIDUAL LOT OR TRACT MEETS OR EXCEEDS 1:5,000

BULK REGULATIONS

FRONT SETBACK = 25'

DATE OF SURVEY

1/30/2020

OWNER/SUBDIVIDER

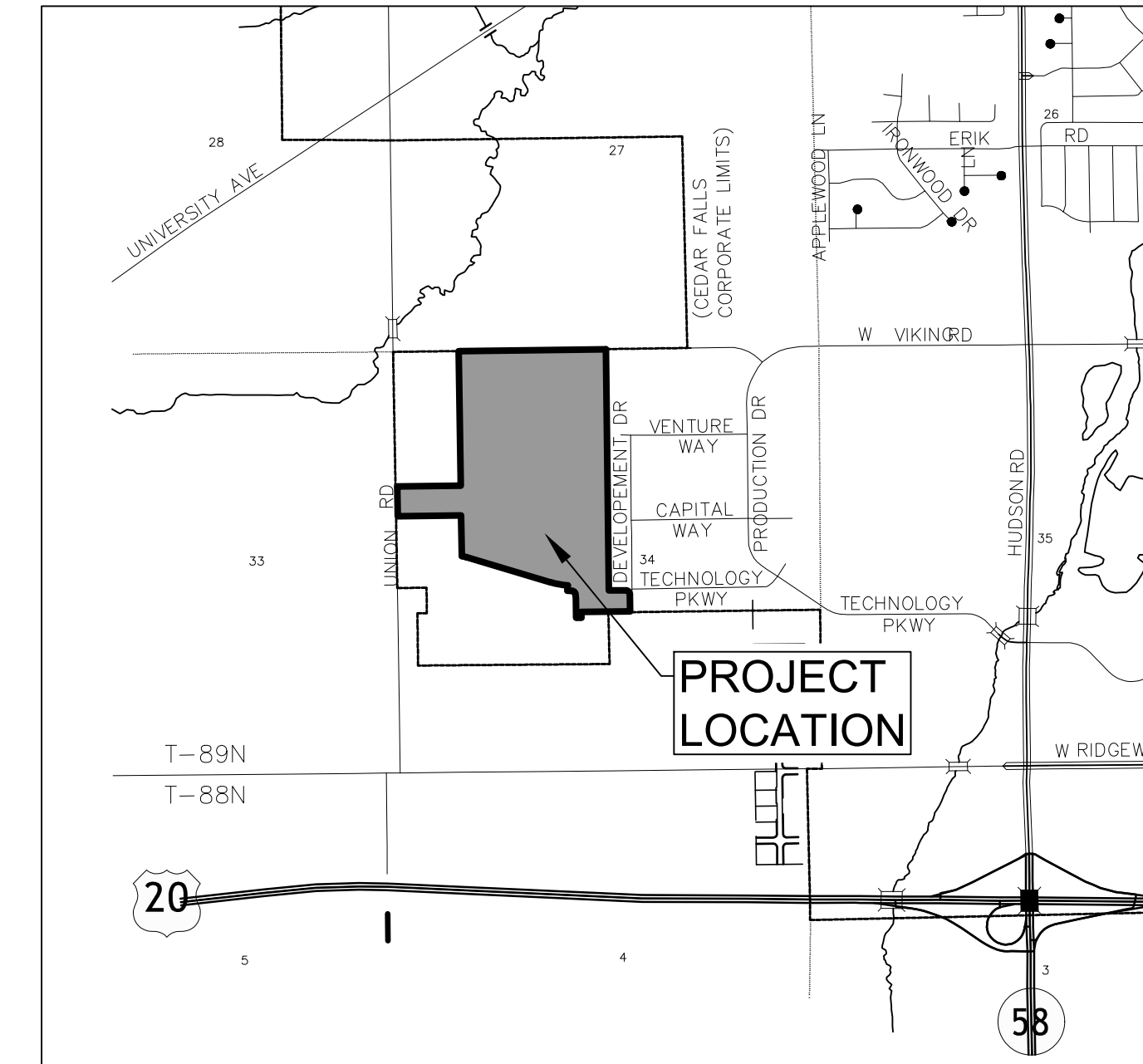
CITY OF CEDAR FALLS
220 CLAY STREET
CEDAR FALLS, IA 50643

LEGEND

FEATURES	FOUND	SET
1/2" Rebar, Cap #22020	●	○
w/ Yellow Plastic Cap (Unless Otherwise Noted)		
Platted Distance	P	
Measured Bearing & Distance	M	
Public Utility Easement	P.U.E.	
Right-of-Way	R.O.W.	
Easement Line	---	---
1/4 Section Line	---	---

FOUND MONUMENT LEGEND

- FOUND 1/2" IRON ROD WITH YELLOW CAP #8505
- FOUND 1/2" IRON ROD WITH YELLOW CAP #12086
- FOUND 1/2" IRON ROD WITH YELLOW CAP #22634
- FOUND 1/2" IRON ROD WITH ORANGE CAP #6505



LOCATION MAP
N.T.S.

CURVE TABLE

CURVE NO.	Δ	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING/LENGTH
C1	90°00'03"	50.00'	78.54'	50.00'	S44°48'36"E 70.71'
C2	79°57'18"	42.50'	59.31'	35.63'	N48°30'45"W 54.61'
C3	3°10'07"	1063.00'	58.79'	29.40'	N86°54'21"W 58.78'
C4	12°37'15"	997.00'	219.62'	110.25'	N79°00'51"W 219.17'
C5	3°10'36"	1063.00'	58.94'	29.48'	N74°17'20"W 58.93'
C6	4°40'50"	1030.00'	84.14'	42.09'	S87°39'42"E 84.12'
C7	32°35'08"	530.00'	301.42'	154.91'	N16°17'34"E 297.38'
C8	32°35'08"	670.81'	381.51'	196.07'	N16°17'34"E 376.39'
C9	81°27'54"	42.50'	60.43'	36.60'	N49°16'03"W 55.46'
C10	32°34'41"	497.11'	282.66'	145.26'	N16°17'35"E 278.86'
C11	32°38'54"	744.65'	424.32'	218.09'	N16°20'33"E 418.60'
C12	32°31'13"	596.71'	338.68'	174.04'	S16°13'51"W 334.16'
C13	32°34'42"	563.12'	320.19'	164.55'	S16°17'34"W 315.89'
C14	81°27'54"	42.50'	60.43'	36.60'	S40°43'57"W 55.46'
C15	41°46'46"	97.50'	71.10'	37.21'	N69°06'37"W 69.53'
C16	41°46'46"	77.50'	56.51'	29.58'	N69°06'37"W 55.27'
C17	90°10'38"	77.50'	121.98'	77.74'	S44°54'41"W 109.77'
C18	131°36'08"	77.50'	178.01'	172.45'	S65°58'42"E 141.38'
C19	41°46'46"	97.50'	71.10'	37.21'	N69°06'37"E 69.53'
C20	81°27'54"	42.50'	60.43'	36.60'	S49°16'03"E 55.46'
C21	84°04'24"	42.50'	62.36'	38.32'	S42°02'12"W 56.92'
C22	0°45'11"	997.00'	13.11'	6.55'	N85°42'05"W 13.11'
C23	12°37'15"	997.00'	219.62'	110.25'	N79°00'51"W 219.17'
C24	0°22'37"	1063.00'	6.99'	3.50'	N72°53'20"W 6.99'
C25	2°47'59"	1063.00'	51.94'	25.98'	N74°28'39"W 51.94'
C26	81°27'54"	42.50'	60.43'	36.60'	N40°43'57"E 55.46'
C27	81°27'54"	42.50'	60.43'	36.60'	N49°16'03"W 55.46'
C28	81°27'54"	42.50'	60.43'	36.60'	N40°43'57"E 55.46'

LINE TABLE

LINE #	BEARING	DIST. (FT)
L1	N89°28'36"E	53.46'
L2	N00°00'00"W	136.56'

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

WALTER T. HURLBUTT Date: _____
 License # 22020
 License Renewal Date is December 31, 2023

Pages or sheets covered by this seal:
 Sheets 1, 2 and 3 of 3.

WEST VIKING ROAD INDUSTRIAL PARK PHASE V
 CEDAR FALLS, BLACK HAWK COUNTY, IOWA
 PART OF THE W 1/2 OF SEC. 34-T89N-R14W AND
 LOT 11, WEST VIKING ROAD INDUSTRIAL PARK PHASE IV
SNYDER & ASSOCIATES, INC.

SNYDER & ASSOCIATES

Project No: 118.1174.08B
 Sheet 1 OF 3

AREA ABOVE RESERVED FOR RECORDER

INDEX LEGEND

SURVEYOR'S NAME / RETURN TO:
 WALTER T. HURLBUTT
 SNYDER & ASSOCIATES, INC.
 5005 BOWLING STREET SW, SUITE A
 CEDAR RAPIDS, IOWA 52404
 319-362-9394
 WHURLBUTT@SNYDER-ASSOCIATES.COM

SERVICE PROVIDED BY:
 SNYDER & ASSOCIATES, INC.

SURVEY LOCATED:
 PART OF THE W 1/2 OF SEC. 34-T89N-R14W
 LOT 11, WEST VIKING ROAD INDUSTRIAL PARK
 PHASE IV

REQUESTED BY:
 CITY OF CEDAR FALLS
 PROPRIETOR:
 CITY OF CEDAR FALLS

MARK	REVISION	DATE	BY
2	REVISED AS PER CFU COMMENTS	04-15-22	WTH
1	REVISED AS PER CITY COMMENTS	04-06-22	JS

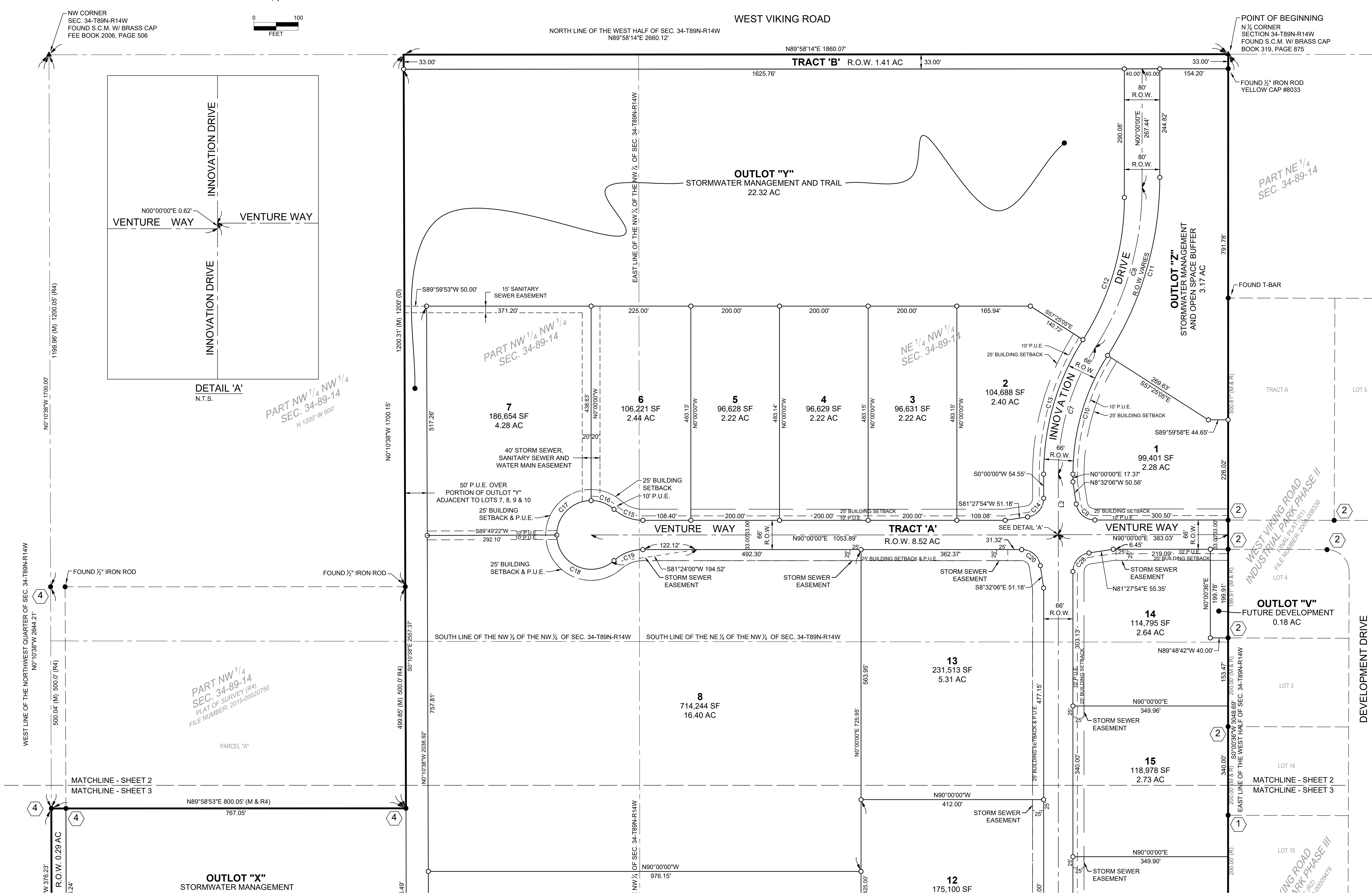
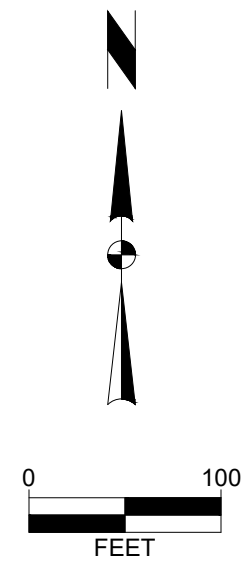
Checked By: TWJ
 Engineer: JS
 Date: 03-24-2022
 Scale: 1" = 1" = 100'
 T-R-S: 89N-14W-34
 Technician: WTH
 Project No: 118.1174.08B
 Sheet 1 OF 3

V:\Projects\2018118_1174_08B\Survey\118117408B_PLAT_FINAL_PHASE-V.dwg WALTER HURLBUTT 2/20/2020 16:54:48 AM ARCH FULL BLEED D (8.00 X 24.00 INCHES)

FINAL PLAT

WEST VIKING ROAD INDUSTRIAL PARK PHASE V

CEDAR FALLS, BLACK HAWK COUNTY, IOWA



#	REVISION	DATE	BY
1	REVISED AS PER CITY COMMENTS	04-15-22	WTH
2	REVISED AS PER CITY COMMENTS	04-06-22	JS

Checked By: TWF
 Engineer: JS
 Technician: WTH
 Date: 03-24-2022
 Scale: 1" = 1" = 100'
 T-R-S, 89N-14W-34
 Project No: 118.1174.08B
 Sheet 2 OF 3

WEST VIKING ROAD INDUSTRIAL PARK PHASE V

CEDAR FALLS, BLACK HAWK COUNTY, IOWA

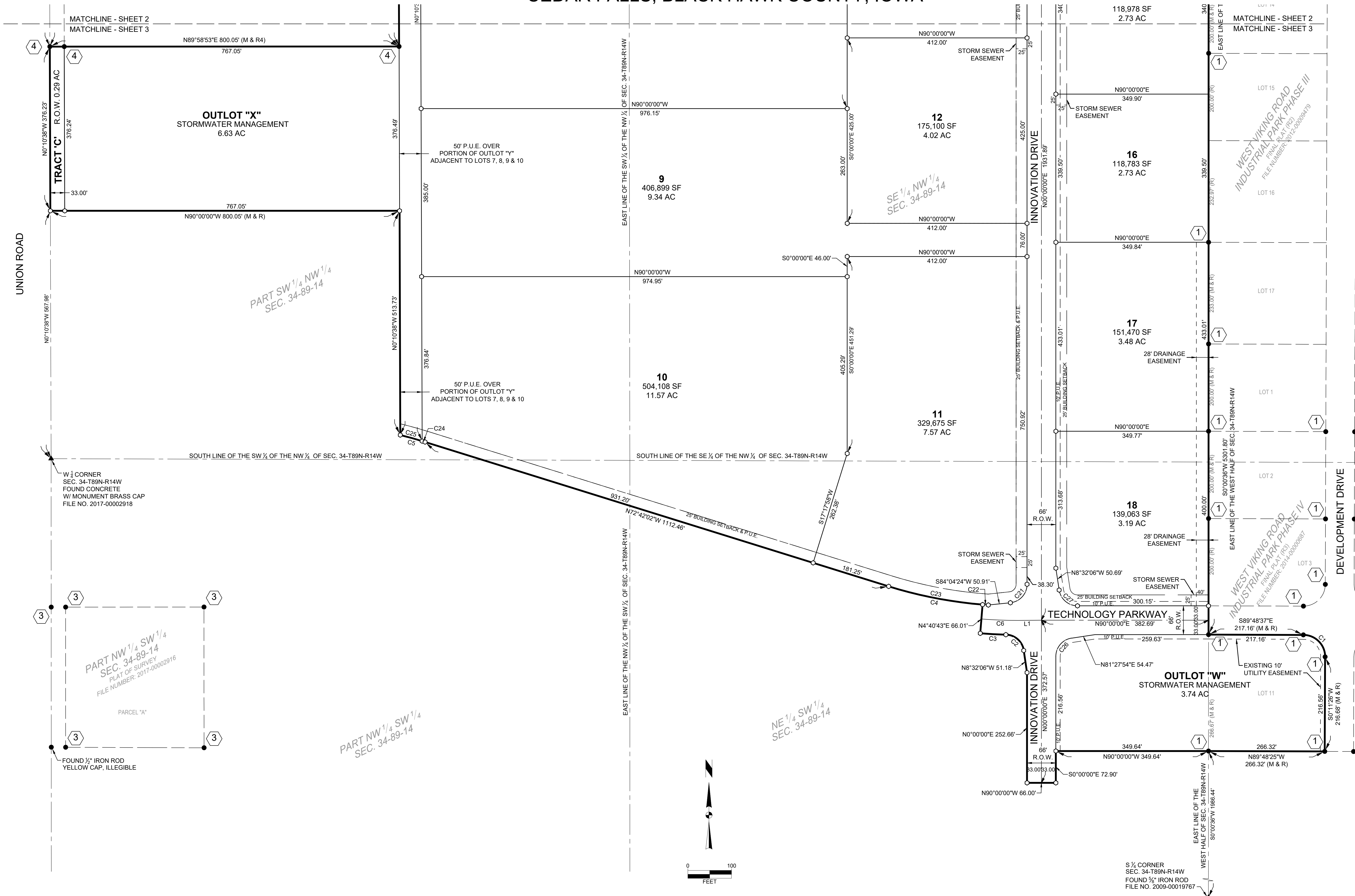
SNYDER & ASSOCIATES, INC. |

5005 BOWLING STREET S.W.
 CEDAR RAPIDS, IOWA 52404
 319-382-9394 | www.snyder-associates.com

SNYDER & ASSOCIATES

Project No: 118.1174.08B
Sheet 2 OF 3

FINAL PLAT WEST VIKING ROAD INDUSTRIAL PARK PHASE V CEDAR FALLS, BLACK HAWK COUNTY, IOWA



#	#	#
1	2	1
2	1	1

REVISIONS AS PER CITY COMMENTS
 REVISIONS AS PER CITY COMMENTS
 REVISIONS AS PER CITY COMMENTS

MARK: Engineer: JS, Checked By: TW, Date: 03-24-2022, Scale: 1" = 1' = 100', T-R-S: 89N-14W-34, Technician: WTH, Date: 03-24-2022, Project No: 118.1174.08B

WEST VIKING ROAD INDUSTRIAL PARK PHASE V
CEDAR FALLS, BLACK HAWK COUNTY, IOWA

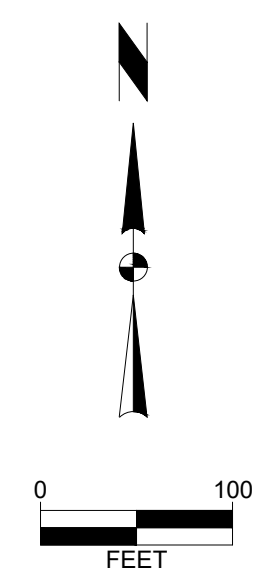
WEST VIKING ROAD INDUSTRIAL PARK PHASE IV
 LOT 11, WEST VIKING ROAD INDUSTRIAL PARK PHASE V

SNYDER & ASSOCIATES, INC.

5005 BOWLING STREET S.W.
 CEDAR RAPIDS, IOWA 52404
 319-362-9394 | www.snyder-associates.com

SNYDER & ASSOCIATES

Project No: 118.1174.08B
 Sheet 3 OF 3



OWNER’S STATEMENT AND DEED OF DEDICATION
OF
CEDAR FALLS WEST VIKING ROAD INDUSTRIAL PARK PHASE V I
CITY OF CEDAR FALLS, IOWA

KNOW ALL MEN BY THESE PRESENTS:

That the City of Cedar Falls, Iowa (hereinafter, “Owner”), being desirous of setting out and platting into lots and streets the land described in the attached Certificate of Survey by _____, a Professional Engineer and Licensed Land Surveyor, dated _____ day of _____, 2022, 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:

CEDAR FALLS WEST VIKING ROAD INDUSTRIAL PARK PHASE V
CITY OF CEDAR FALLS, IOWA

(hereinafter, “Development”) all of which is with the free consent and the desire of the Owner and the Owner does hereby designate and set apart for public use the street(s) as shown upon the attached plat.

EASEMENTS

The Owner does hereby retain for itself, its successors and assigns, and hereby grants 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.

NEGATIVE EASEMENT

A perpetual easement is granted for the establishment of a 50-75 foot wide berm and/or landscaping easement between Lots 25, 27, 29, and the residential uses located immediately to the west and south of said Lots, as a landscaped buffer between this industrial lot and the adjacent residential property. This easement area shall not be utilized for any other purpose than open landscape area, with necessary landscaping and maintenance by the property owner.

RESTRICTIONS

Be it also known that the Owner does hereby covenant and agree for itself and its successors and assigns that each and all of the lots in the Development 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 Owner or its successors in interest may hereinafter make for any of said lots and that such restrictions shall run with the land and with each individual lot thereof for the length of time and in all particulars hereinafter stated, to-wit:

1. All lots described herein shall be known, described and used solely as industrial lots as set forth in the “M-1- P” Planned Light Industrial District of the Zoning Ordinance of the City of Cedar Falls, Iowa.
2. No building shall be erected on any lot nearer to the front lot line than twenty-five (25’) feet, or nearer than ten (10’) feet to the rear lot line, or nearer than ten (10’) feet to the side lot line.
3. No trailer, basement, tent, shack, garage, barn or other outbuilding erected on any lot shall at any time be used as a residence temporarily or permanently, nor shall any residence of a temporary or permanent character be permitted.
4. Outlot “Z” shall be used for an earthen berm for the benefit of the residential neighborhood located immediately to the east of said Outlot and for stormwater detention.
5. Outlots “W” and “X” shall be used for stormwater detention.
6. Outlot Y shall be used for stormwater detention and 10-foot trail.
7. No area of a lot shall be established as a gravel parking area. All areas that are intended to be used or are commonly used for on-site parking of vehicles shall be hard surfaced and meet City parking lot requirements and specifications.
8. The titleholders of each lot, vacant or improved, shall keep the lot free of weeds and debris.
9. All primary occupied buildings within said addition shall be of any allowable construction type noted in Code of Ordinances, City of Cedar Falls, Chapter 7, Buildings and Building Regulations and Chapter 9, Fire Prevention and Protection. Furthermore, all building plans shall be signed and sealed by a registered engineer certifying to the fact that such buildings meet all loading requirements of applicable codes.
10. On all primary occupied buildings the minimum gauge metal for sidewalls is 26 gauge and roof panels shall be 24 gauge standing seam type. The exterior finish of all metal buildings shall be guaranteed by the manufacturer for a minimum of five (5) years from the date of completion of the primary occupied building. On all steel and plain faced concrete block primary occupied buildings, a minimum of fifty percent (50%) of the exposed exterior wall area facing the street(s) shall be constructed of a decorative brick, block, stone, glass, or other color/finish that provides a contrast to the rest of the exterior wall material.
11. All developed properties shall be required to be landscaped. On each lot there shall be provided an open green space area consisting of natural vegetative material equal to twenty-five (25) percent of the total lot area. Said green space area will be unencumbered with any structure, off-street parking, storage areas, or ingress/egress drives. The green space area shall be landscaped and well maintained with grass, trees and shrubbery.

The location and type of all plants, grass, trees, or ground cover to be used in the landscape areas shall be illustrated on a landscape plan, with the size and names of plants, shrubs and trees clearly indicated. The minimum requirements are as follows:

- A. One over-story tree shall be planted for every five thousand (5,000) square feet of the required open green space area on the lot. Up to thirty-five (35) percent of the required over-story trees may be substituted with over-story conifers. The minimum size of over-story trees at the time of planting shall be 1 ½” caliper. The minimum height of conifers at the time of planting shall be 3 feet.
- B. Street plantings shall be required along the street frontage of each lot at the rate of one over-story tree for every 75 feet of street frontage. Trees planted within the public right-of-way must gain prior approval from the City Arborist. All trees must be located so as to avoid utility easements or otherwise must not interfere with utility services.
- C. One ornamental tree or three shrubs shall be planted for every ten thousand (10,000) square feet of the required open green space area on the lot. These plantings shall be planted near the main entrance to the building, and/or along the visitor/employee parking area. The minimum size of ornamental trees shall be 1” caliper, and the minimum size of shrubs shall be 2 gallons.
- D. On Lots 2, 3, 4, 5, 6 and 7, owners of said lots shall also plant, in addition to the requirements specified herein, at least five (5) over-story trees evenly spaced across the rear of the Lot, for the purpose of screening said Lot from the nearby residential properties.

12. Lots 2, 3, 4, 5, 6, 7, 25, 27 and 29 within the Development are adjacent to nearby residential uses. For the benefit of all lots within this subdivision, as well as for the owners of the nearby residential uses, the following restrictions shall apply:

- A. Roof-mounted appurtenances and mechanical equipment such as air conditioning units, furnaces, generators, fans, blowers or similar utility or building service components are discouraged from being established on the roof of any structure on said Lots. However, in those cases where such facilities must be established on the rooftop area of the building, a solid screen/architecturally compatible shield shall be established on the roof that obscures said facilities from public view.
- B. Lots 25 and 27 shall incorporate an earthen berm measuring at least 9 feet in height along a portion of the rear of the lot, as shown on the plat, that must be maintained by the owner of the lot in such a manner that the established height of the berm is not reduced in any fashion and that the vegetation on the berm, including grass, trees and bushes, is properly maintained. If any vegetation on said berm is damaged, destroyed, dies, is harvested or is otherwise removed,

the property owner will be responsible for its proper reestablishment and continued maintenance. Proper maintenance of the vegetative materials shall include appropriate mowing, weeding, and any other maintenance acts necessary to ensure that the aesthetic condition of the berm easement area is maintained. The owner is also responsible for maintaining the originally established height and structural integrity of the earthen berm structure.

- C. On Lots 25, 27, and 29, a 50-75 foot landscape easement, as shown on the plat, shall be reserved as a landscaped buffer between this industrial lot and the adjacent residential property. This easement area shall not be utilized for any other purpose than open landscape area, with necessary maintenance, and shall not be utilized for any business purposes that are visible to the owners of the nearby residential properties. This easement area cannot be utilized or encumbered with onsite parking, building structures or other above-ground structural features.
- D. On Lots 2-7, no outdoor storage of materials or outdoor work areas shall be allowed behind the building on the rear of the lot. Outdoor seating or patio areas may be established for purposes of employee relaxation or free time; however, not as an active work space.
- E. On-site parking or parking lots on Lots 2-7 shall be permitted within the front and side portion of the lots only. No parking areas or parking lots will be allowed in the rear of or behind the building structure on said Lots. A single driveway can be established to the rear of the building if a driveway is needed for fire access or traffic circulation around the building; however, said driveway is not to be used for parking, docking, or unloading of trucks or other vehicles in the rear of the building. No dock doors or truck access points will be allowed in the rear of the building.
- F. Any trash dumpster/trash disposal areas located on said Lots shall be enclosed with concrete masonry or siding that matches the materials used on the principal structure. Such enclosures shall be located outside of the rear yard portion of the property.
- G. On Lots 2-7, no wall signage or other type of signage shall be established on the rear portion of the building structure or in the rear portion of the lot that will clearly be visible to the abutting residential properties.

13. Site lighting shall be designed to illuminate only the subject lot. All exterior fixtures must be downcast and fully shielded to prevent glare and spillover light onto nearby properties, with particular care taken where properties are adjacent to or visible from residential properties. Floodlights and wall pack fixtures should be avoided to the extent possible, but if used must be aimed no higher than forty-five degrees from vertical and be located and shielded such that the bulb is not directly visible from any residential use.

14. Advertising signs must be necessary in nature (relating only to the use of the premises on which the sign is located). No off-premise sign shall be allowed unless specifically authorized by the City.

Permitted signs shall be limited to the following types:

- A. Wall Signs shall not exceed ten (10) percent of the wall area of any single wall to which the sign is attached. No murals, paintings, or other drawings will be permitted upon the exterior wall of any structure. Such wall signs shall not project more than eighteen (18) inches from the face of the building. No sign shall be permitted to project above the roof line of any structure. Sign letters shall be constructed of plastic or fabricated metal. Direct, back lighting or internal illumination of signs shall be permitted. Permitted lighting shall not include flashing, pulsating, or colored lighting.
- B. Free Standing Signs shall be limited to the front yard area of each property. Such signs shall be limited in size to forty (40) square feet in area, ten (10) feet in height, with an eighteen (18) inch clearance above grade.

One (1) enter or exit sign shall be permitted for each curb cut. Such signs shall be limited in size to six (6) square feet in area, three and a half (3.5) feet in height, with an eighteen (18) inch clearance above grade.
- C. Unless otherwise specified, the Cedar Falls Sign Regulations as set forth in the Code of Ordinances Chapter 26, Article IV, shall apply to all sign displays.

15. The Owner 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, for a period of 21 years from the date of filing for record of said plat, and this Owner's Statement and Deed of Dedication. 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 then existing period of 21 years.

16. Invalidation of any of these covenants by judgment, decree, or court order, shall in no way affect any of the other provisions of this dedication and such other provisions shall remain in full force and effect.

17. If any person or entity shall violate or attempt to violate any of the covenants, restrictions or stipulations herein, it shall be lawful for any person or entity owning property in

said Development to prosecute any proceedings at law or in equity against the person or entity violating or attempting to violate any such covenants, restrictions or stipulation, and for the purpose of preventing such acts or recovering damages for such violations, or both, and for costs and reasonable attorney fees as determined by the court.

PUBLIC IMPROVEMENTS REQUIRED IN PLAT

Owner, for itself and its successors and assigns, agrees as follows:

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

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

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

4. City water shall be provided to all buildings as required by the Cedar Falls Municipal utilities.

5. Municipal fire hydrant(s) shall be provided as required by the Cedar Falls Public Safety Department.

6. Storm sewer shall be provided as specified by the City Engineer.

7. ADA accessible ramps shall be provided as required by law.

8. A 5-foot wide concrete sidewalk four inches thick shall be installed across the entire street frontage of any lot, at the time of construction upon said lot. This shall include ADA accessible ramps as provided by state law.

9. A 10-foot wide concrete trail shall be installed on Outlot Y, as shown on the plat which will be installed during the reconstruction of W. Viking Road.

10. A concrete surface driveway or entrance shall be installed during or immediately after the construction of a building on any particular lot.

All public improvements within the Development shall be constructed and installed in accordance with the design standards and technical standards established for such public improvements by the City and by Cedar Falls Utilities and as required by the City Engineer.

SIGNED and DATED this _____ day of _____, 2022

CITY OF CEDAR FALLS, IOWA

Robert M. Green, Mayor

Jacqueline Danielsen, MMC, City Clerk

STATE OF IOWA, BLACK HAWK COUNTY: ss

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

Notary Public in and for the State of Iowa



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: May 18, 2022
SUBJECT: Revision of West Fork Crossing Preliminary Plat

REQUEST: Request to amend the approved Preliminary Plat for West Fork Crossing

PETITIONERS: ISG Engineering, Engineers and Echo Development/Brent Dahlstrom; Money Pit, LLC and Waterbury Property Investors, LLC, property owners.

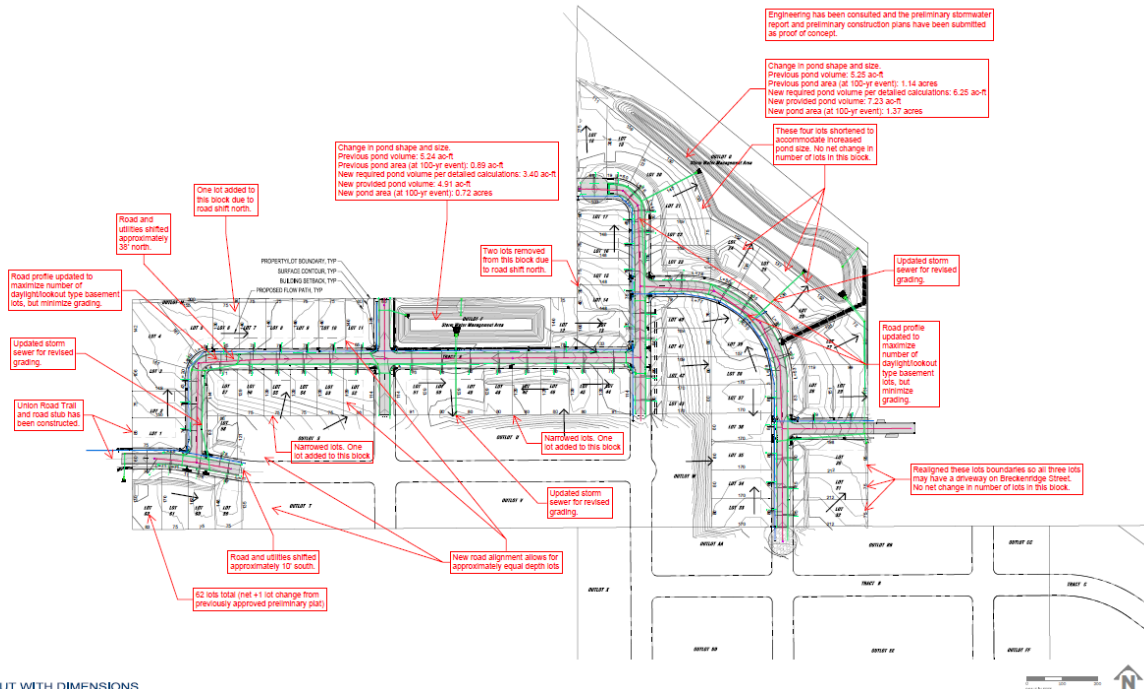
LOCATION: 120 acre parcel between Union Road and Waterbury Drive

PROJECT #: PP22-003 Minor Revision Preliminary Plat for West Fork Crossing

PROPOSAL

On November 15, 2021, the City Council approved PP21-003 West Fork Crossing. While refining the details of the plat in anticipation of the first phase of development, the developer realized that it would be beneficial to create more uniform lots as some were deeper than necessary and some were too shallow. Making the lots more uniform will require a shift of the roads and will change the size and shape of the stormwater basins. It will also result in one additional lot in Phase I. While these are fairly minor adjustments to the plat, staff recommended that the applicant bring these changes forward for review and approval to insure that the final plat will be in substantial conformance to the preliminary plat. This staff report will primarily focus on those changes to the lot configurations and stormwater management. A full detail of the minor changes are also attached.





PHASE 1 LAYOUT WITH DIMENSIONS

BACKGROUND:

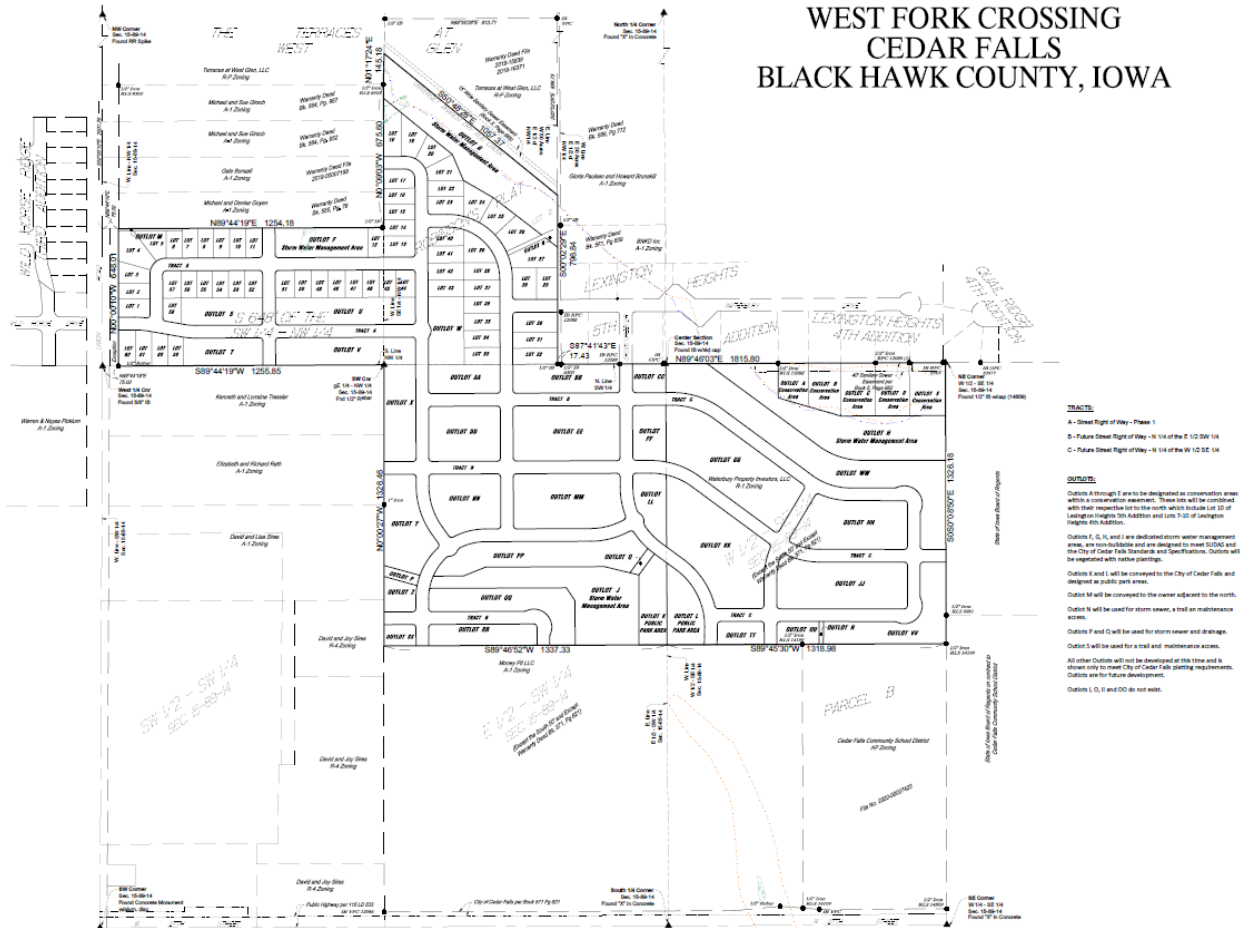
The approved preliminary subdivision plat for West Fork Crossings included 61 building lots and 29 outlots for future development on approximately 120 acres of land located north of W. 27th Street and east of Union Road near the site of the new Cedar Falls High School. The preliminary plat indicates the location of streets, trails, a neighborhood park, conservation areas, and stormwater management areas. Per the subdivision code regulations the applicant submitted a phasing plan, indicating that the subdivision will be final platted in six phases beginning with the northern 61 lots. The subdivision will be single-family residential development. 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 is currently farmland.

Staff has reviewed the proposed revisions of preliminary plat approved last November (PP21-003) with regard to the new lot configurations, shift of the streets, and to ensure that the revised stormwater plans meet City code requirements. Other than those changes noted on the applicant’s drawing, all other aspects of the approved preliminary plat remain the same, including but not limited to, the phasing, parks and trails, and street connections. All conditions approved by City Council with the original preliminary plat will still apply.

ANALYSIS

Lot Configurations:

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



The 62 building lots shown on the northern part of the subdivision are intended to be developed as the First Addition. As mentioned above, the applicant proposes the remaining phases to be broken down into outlots that will be reviewed in future preliminary plats prior to any final plats for the Second through the Sixth Additions.

The applicant proposes the West Fork Crossing First Addition to consist of 62 residential lots to be between 23,000 to 9,000 square feet in size. Each lot is at least 70 feet wide as measured from the front setback. Minimum principal building setbacks within the R-1 Zoning District are as follows: 30-foot front yard, 30-foot rear yard, and a side yard of 10% of the lot width. All 62 of the proposed buildable lots meet these standards. Lot 39 is the only odd-shaped lot within the First Addition, so the setbacks are delineated on the lot.

Tracts A, B, and C designate the area where streets will be constructed and dedicated to the City once the improvements are approved by the City. Tract A will be dedicated for streets with the approval of the West Fork Crossing First Addition final plat.

A wetland, the University Branch of Dry Run Creek, and the floodplain are found on Outlot G. Outlot F also contains a small wetland. The wetlands located in Outlot F are likely to be disturbed during construction of the stormwater facility proposed in this

location. Therefore, the applicant proposes to mitigate for this wetland F by purchasing wetland credits. The other small wetland in Outlot G and Lot 18 will not be disturbed. No development is proposed within the 100 and 500 year floodplain. A stormwater management area will be located outside the floodplain. (See more on stormwater management in PP21-003 staff report.)

Street Network within the Subdivision:

The applicant proposes to amend the lot sizes so they are more uniform (see attached graphic provided by the applicant), which shifts Broomfield Drive north approximately 38 feet and Wild Horse Drive south about 10 feet. Other than these shifts, the applicant has not changed the overall design of the street network.

The street layout for West Fork Crossings illustrates the intended pattern of streets and blocks that form a modified grid. Staff finds that the proposed plan provides good connectivity throughout the development and stubs the streets to the property boundary so that a similar street network can continue in adjacent properties. While some of the blocks exceed 600 feet in length, the general pattern is well designed and responds to the topography and environmental features of the site.

Stormwater Management:

The applicant proposes four outlots to be used for stormwater management areas: Outlot F, G, H, and J for the entire subdivision. The First Addition will consist of grading for Outlots F and G. The applicant has indicated that the grading for Outlot G will not encroach into the floodplain area. The applicant proposes to develop the stormwater management detention area on Outlot H during the Third Addition and the last stormwater detention area on Outlot J in Phase 5.

Stormwater easements are proposed throughout the preliminary plat to direct stormwater run-off to the four detention basins and similar easements will be proposed on future development outlots. These basins are designed to ensure that the water run-off from the new development is properly managed. According to the draft deed of dedication, the property owner will deed the stormwater management areas to the homeowners association to maintain as well as dedicate easements to the City. The City Engineer's office has reviewed the revised stormwater report and find it acceptable.

Process:

Approval of a revised 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 the First Addition of West Fork Crossing. Final platting must follow the phasing plan as attached. 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. Further preliminary plat approvals are required for the outlots that are designated for future development prior to the submittal of construction drawings and/or final plat.

TECHNICAL COMMENTS

Cedar Falls Utilities (CFU) has reviewed the revised preliminary plat for the West Fork Crossing Development. 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 12" water mains on the west side of Union Road and the west end of Waterbury Drive. 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 will 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. CFU will install the communication utility fiber system to serve the addition.

Sewer:

Sanitary sewer is available and will be connected from the Cherrywood Interceptor located along the northern boundary of the property. This sewer is located along the northern boundary of the property within the floodplain of Dry Run Creek. Staff finds that the proposed revisions will not affect the sanitary sewer as originally proposed. The service to the north will be adequate to serve West Fork Crossing. This sanitary sewer is located in the Cherrywood Interceptor Sewer District which includes a sewer tapping fee as part of the development. The sewer tapping fee is \$294.63 per acre of development. This fee is paid by the developer at the time of final platting.

The City is also in the process of expanding sewer along W. 27th Street to serve the high school and new development along that area. Once the project is completed, staff anticipates that a new sewer tapping fee district will be created which may affect the Third Addition final plat tapping fee.

Neighbor Notice:

A courtesy notice to nearby property owners was mailed on May 17, 2022.

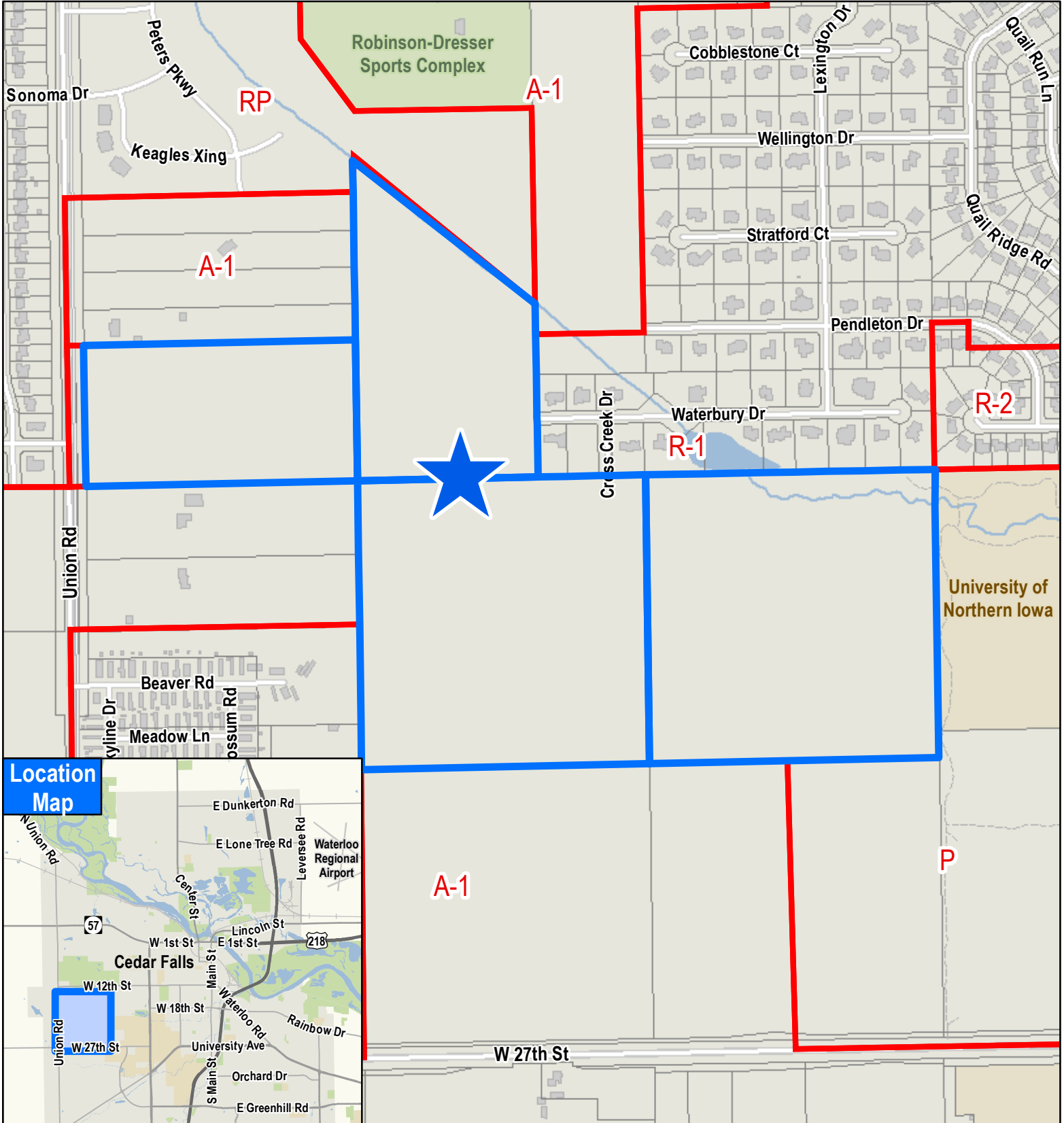
STAFF RECOMMENDATION

Staff recommends the approval of PP22-003, a revised preliminary plat for West Fork Crossings, subject to the following conditions pulled from PP21-003:

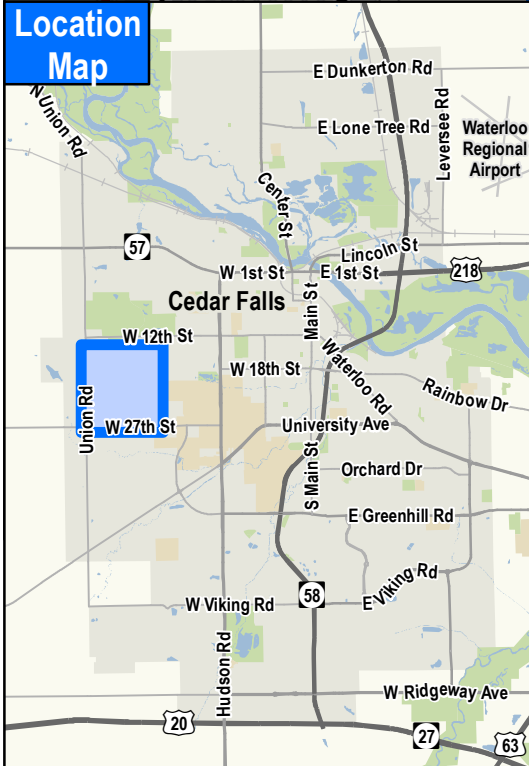
1. The applicant shall provide a temporary construction access road to 27th Street for the construction of the Third Addition.
2. The applicant shall provide a street connection to 27th Street prior to the development of the Fourth Addition.
3. For all phases, the applicant shall route the construction traffic from Union Road and W. 27th Street (not through the existing neighborhoods to the northeast).
4. Cost-share on Union Road trail equivalent to cost of a 5-foot sidewalk in this location to be paid at final plat.

Cedar Falls Planning and Zoning Commission May 25, 2022

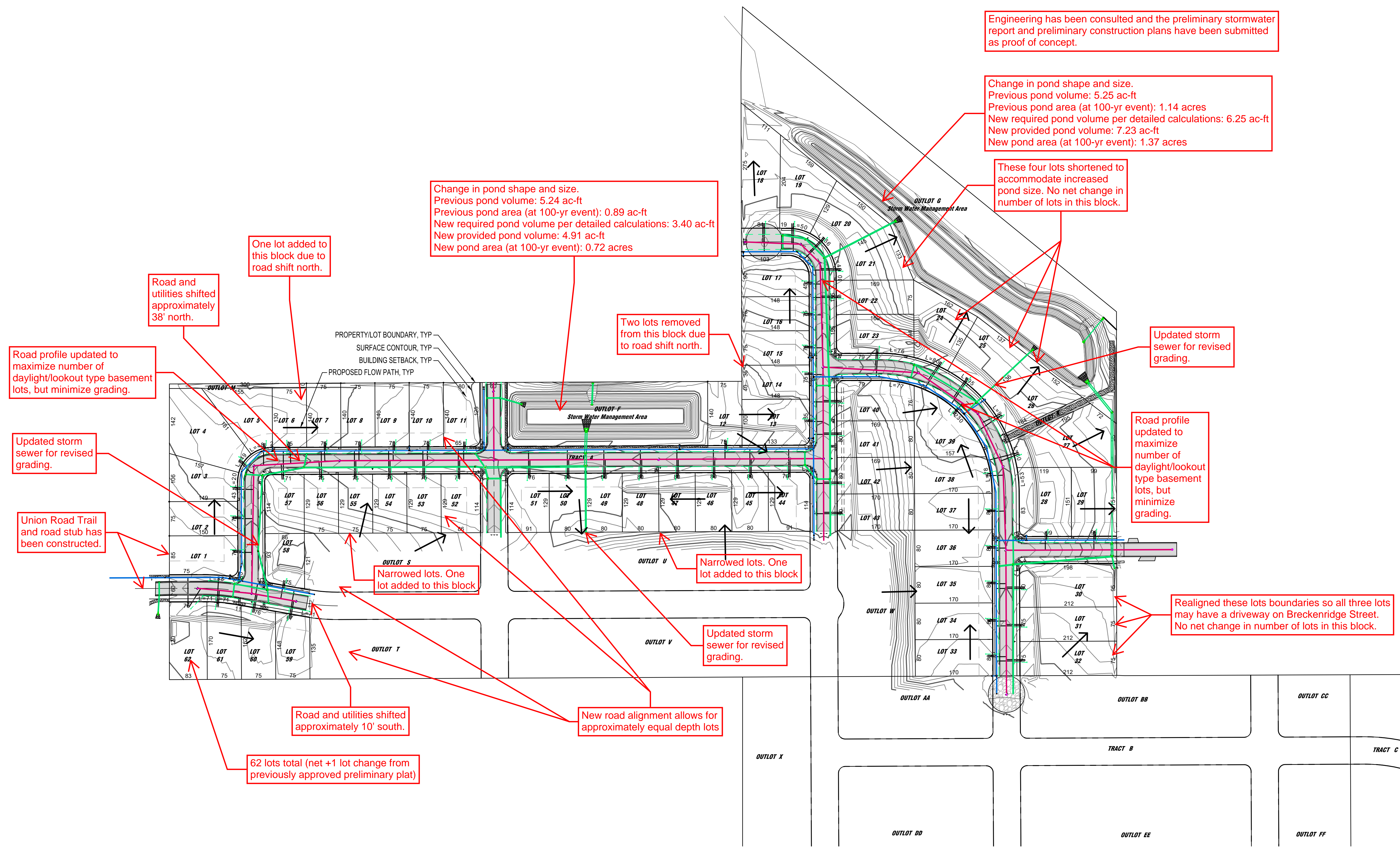
Item 3.



Location Map



**(PP21-003) Preliminary Plat for
West Fork Crossing
North of W 27th St and East of Union**

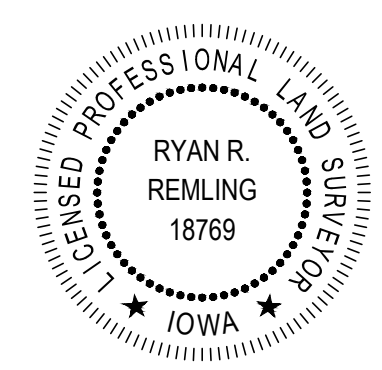


PHASE 1 LAYOUT WITH DIMENSIONS



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 AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

RYAN R. REMLING

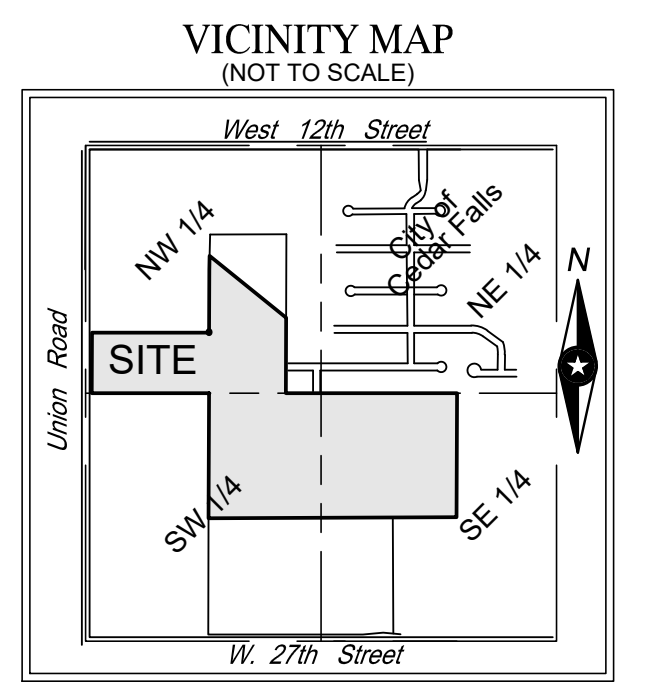
PRINTED SIGNATURE _____ SIGNATURE DATE _____

SIGNATURE _____ SIGNATURE DATE _____

My license renewal date is 12/31/2027

REGISTRATION EXPIRES _____ DATE ISSUED _____

SHEETS COVERED BY THIS SEAL 9



SEC. 15, TWP. 89, RGE. 14
Black Hawk County, Iowa

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 5th 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 via the purchase of wetland credits or by an alternative method approved by the City of Cedar Falls in the event no wetland credits are available.
- 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.
- 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

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.	

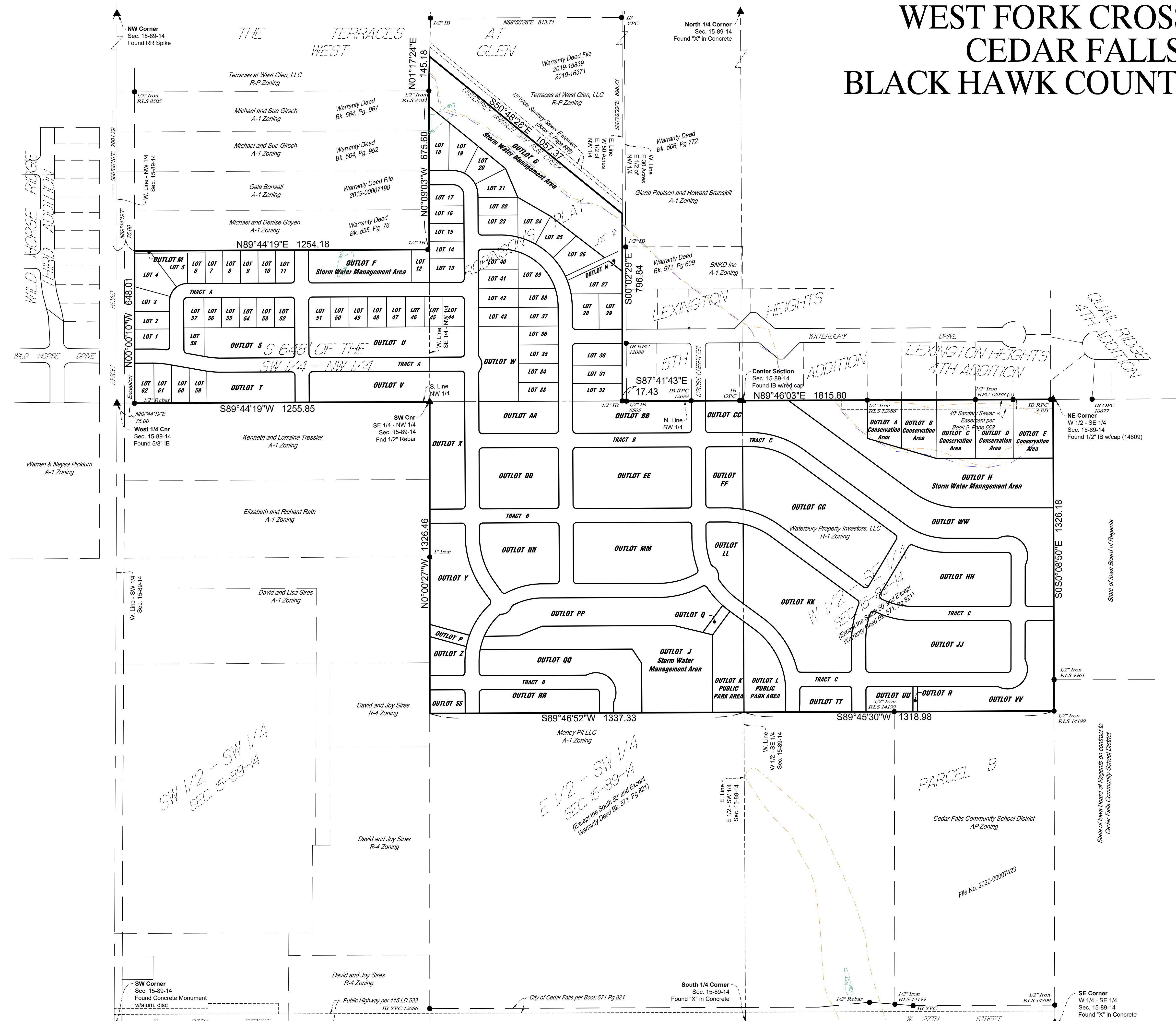
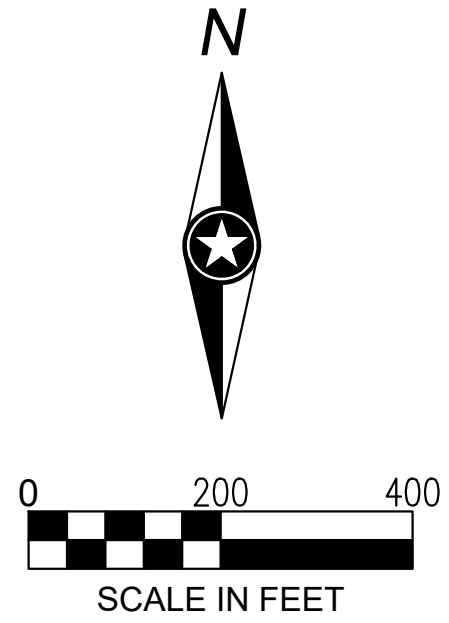
PRELIMINARY PLAT

SHEET **1** OF 8

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	⊗ ^{GGV}	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



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.
- 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.

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PROJECT		
WEST FORK CROSSING		
CEDAR FALLS		IOWA
REVISION SCHEDULE		
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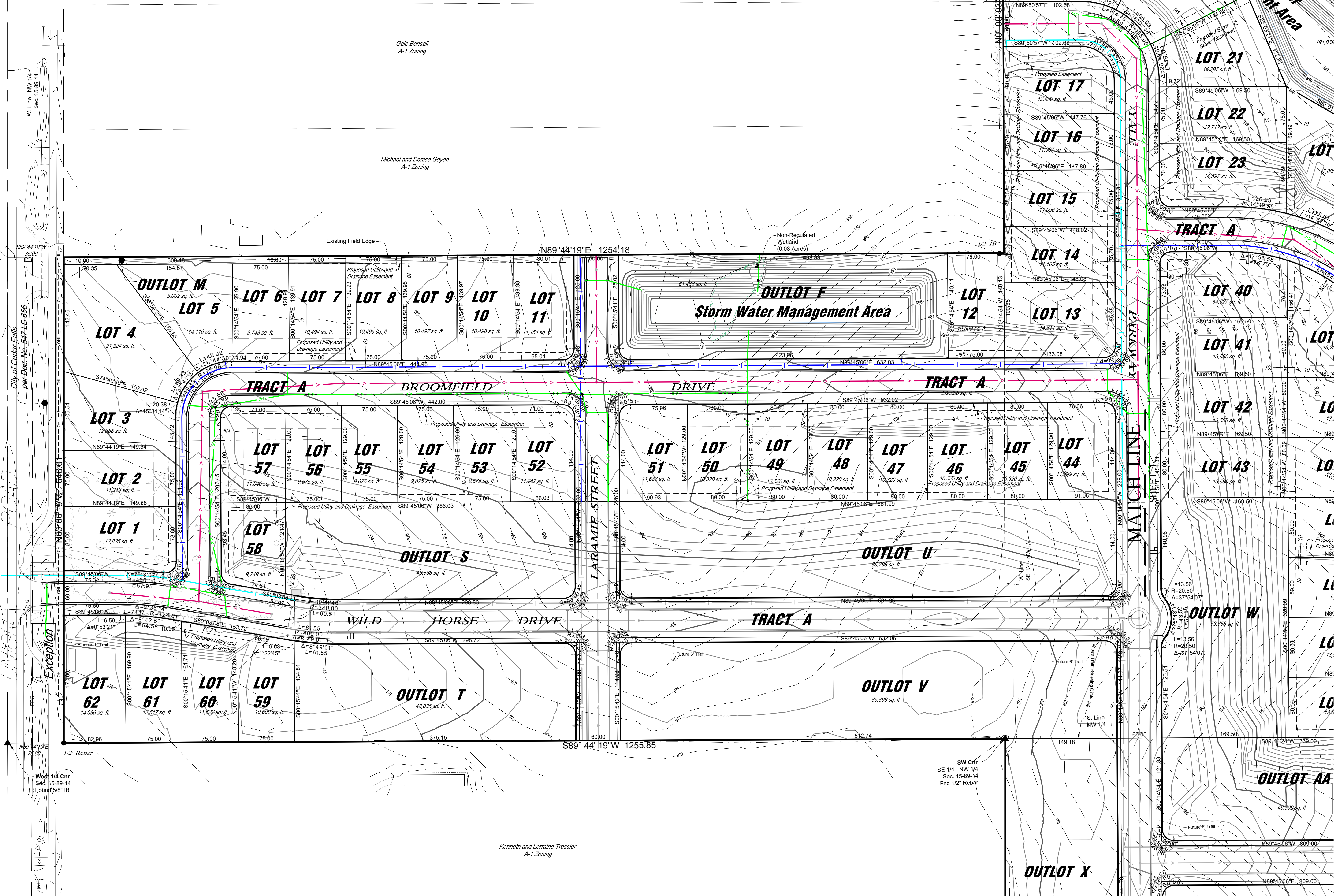
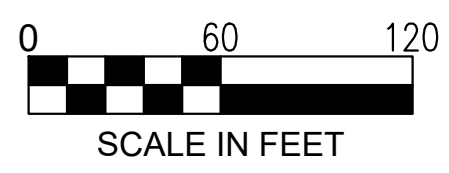
TITLE
PRELIMINARY PLAT

SW 1/2 - SW 1/4
SEC. 15-89-14

E 1/2 - SW 1/4
SEC. 15-89-14
(Except the South 50' and Except
Warranty Deed Bk. 571, Pg 821)

PARCEL B

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



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CEDAR FALLS	IOWA	
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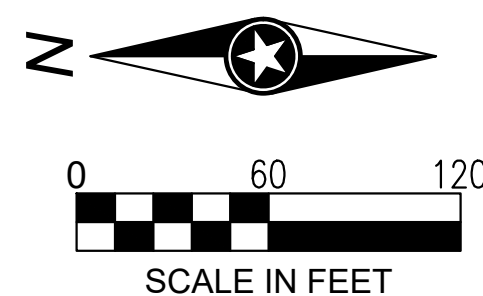
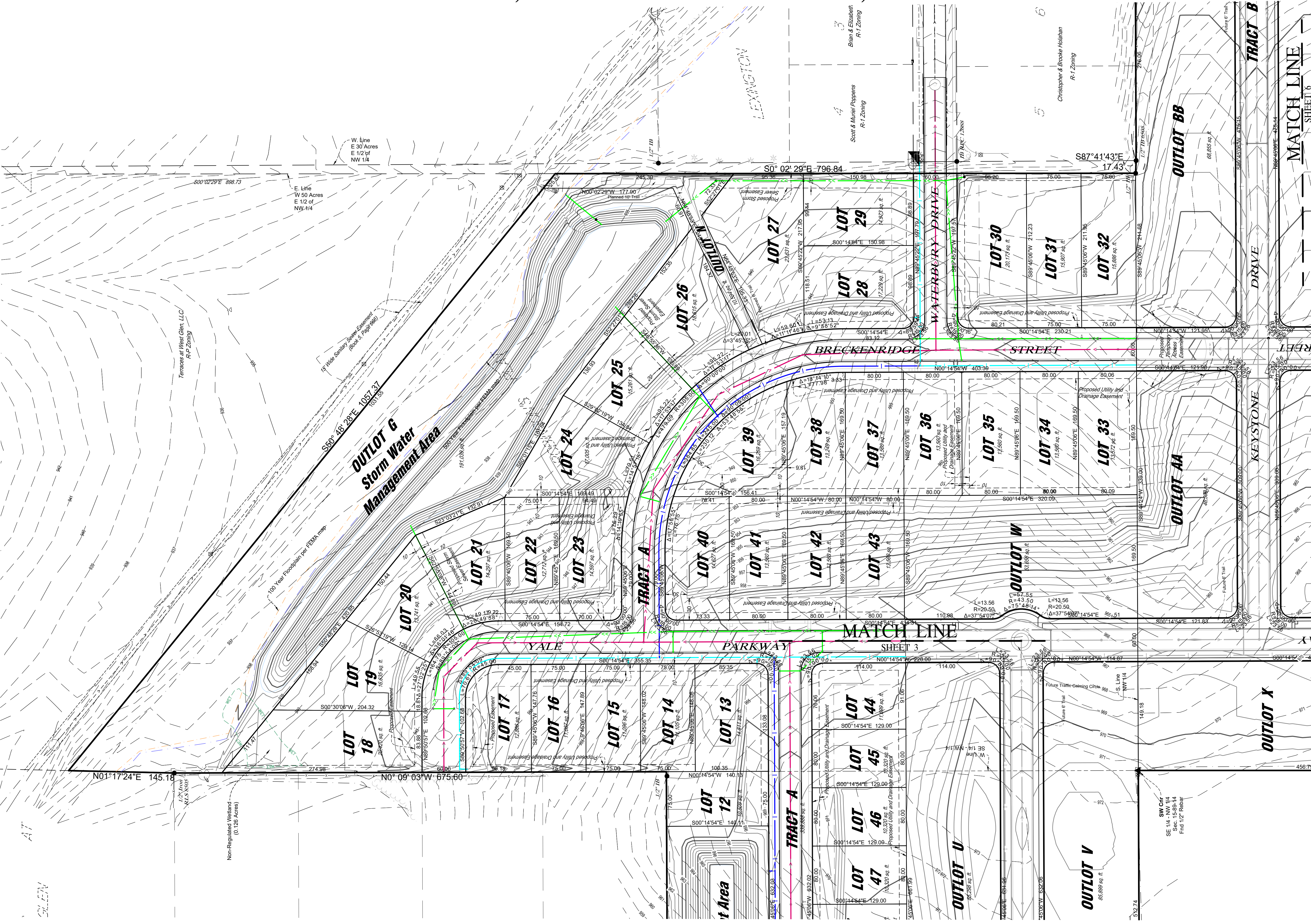
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TITLE	PRELIMINARY PLAT
SHEET	3

MATCH LINE
SHEET 6

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

ISG



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PROJECT	
WEST FORK CROSSING	
CEDAR FALLS	IOWA

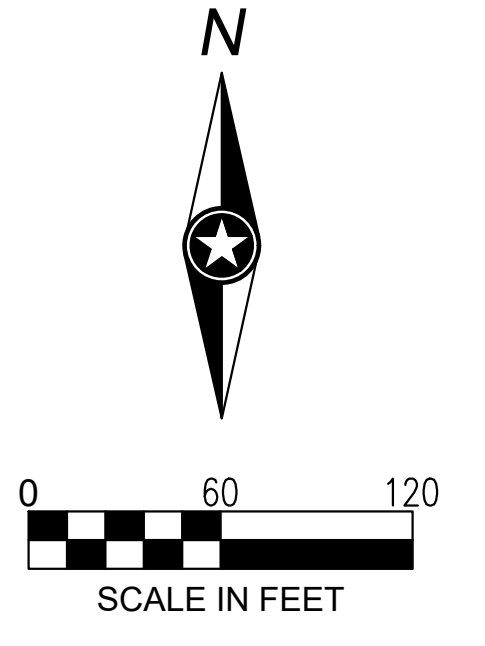
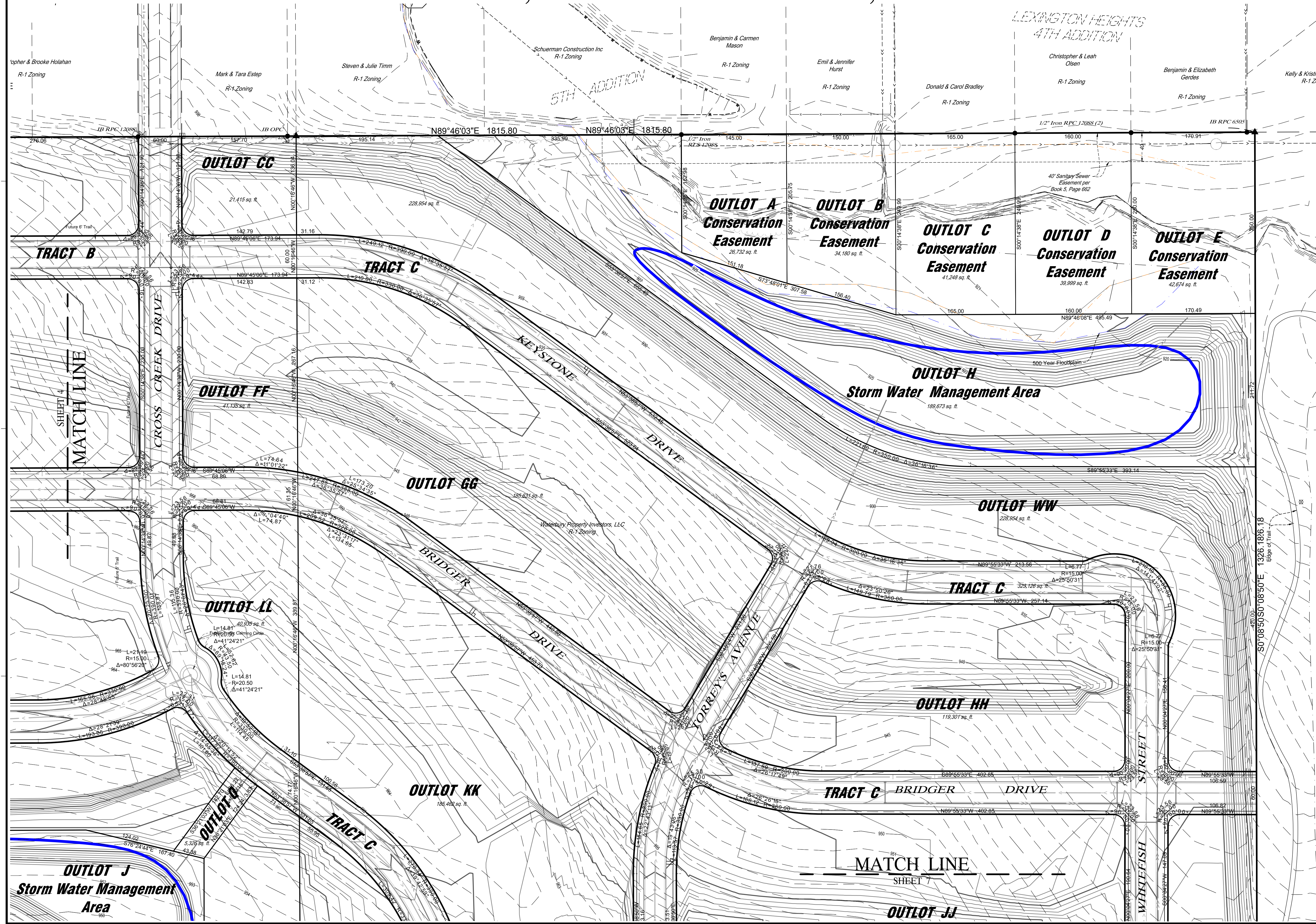
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PRELIMINARY PLAT	
SHEET	4
	OF 8

Item 3. 27

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



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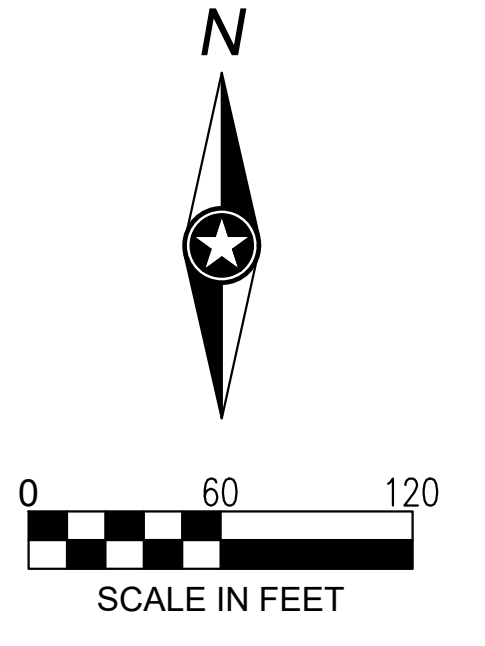
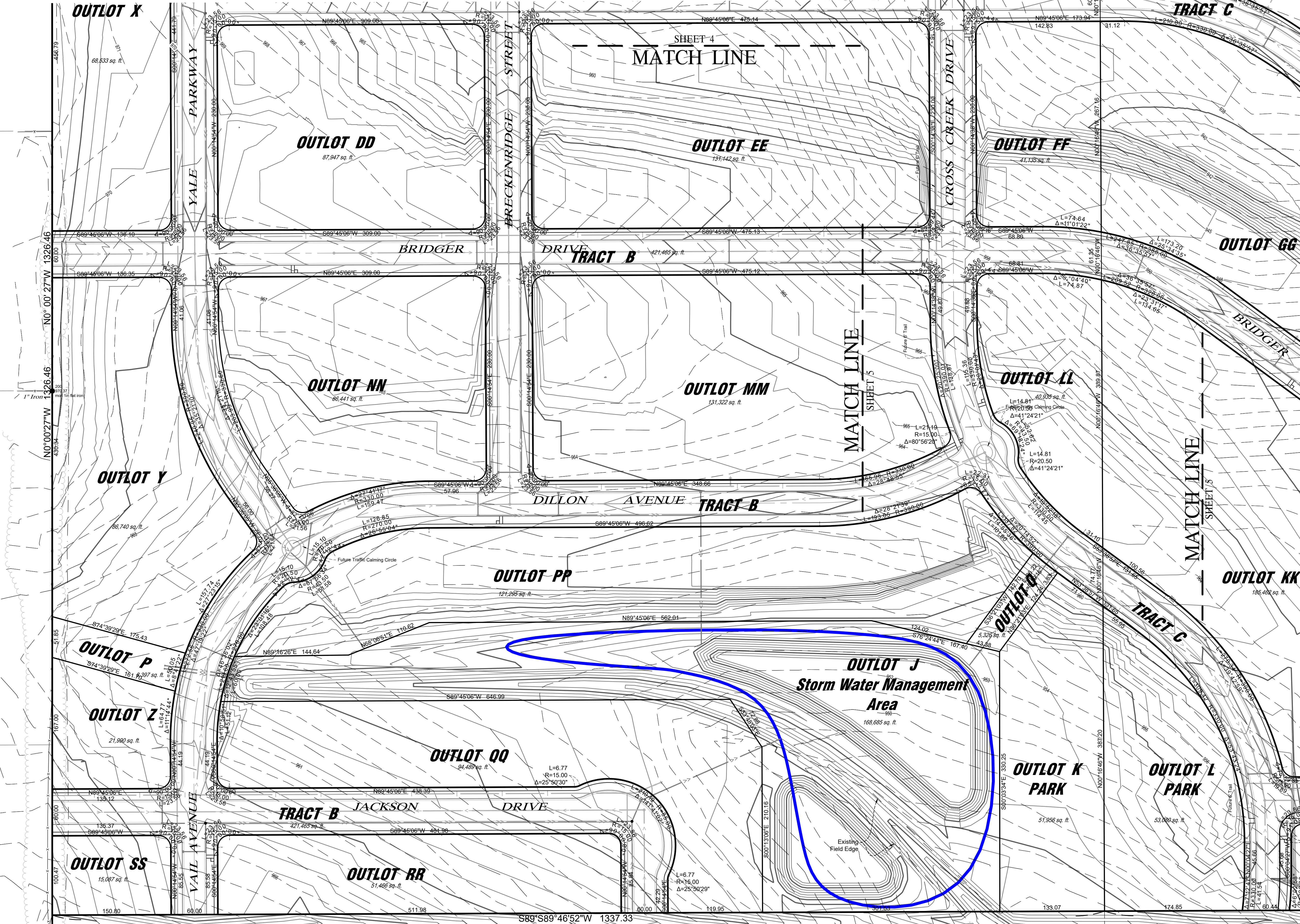
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CEDAR FALLS		IOWA
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PRELIMINARY PLAT WEST FORK CROSSING CEDAR FALLS, BLACK HAWK COUNTY, IOWA



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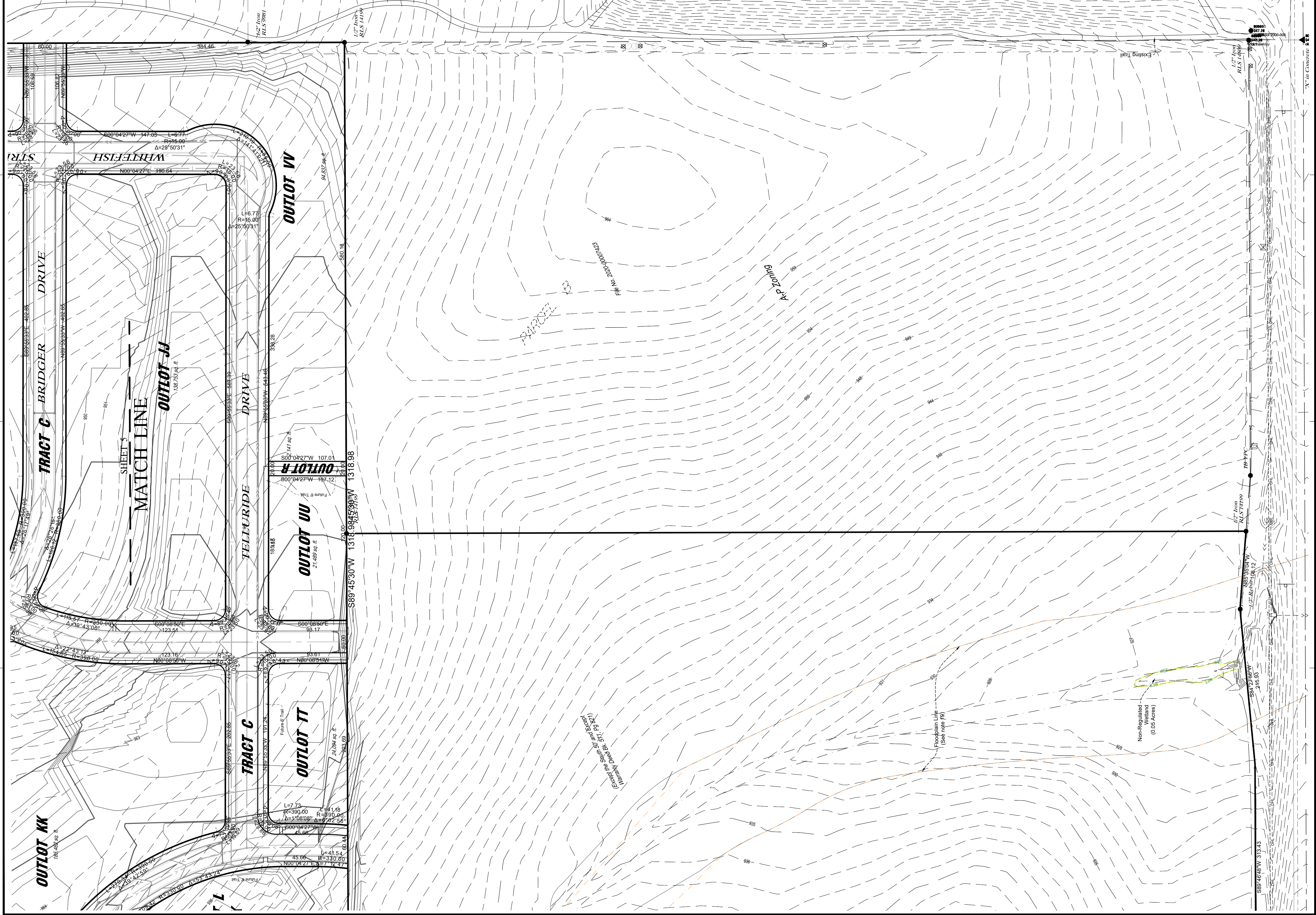
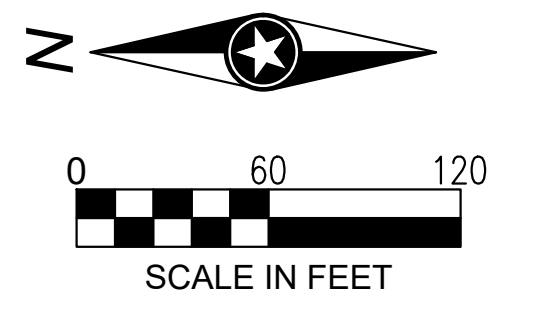
CEDAR FALLS IOWA

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PRELIMINARY PLAT

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



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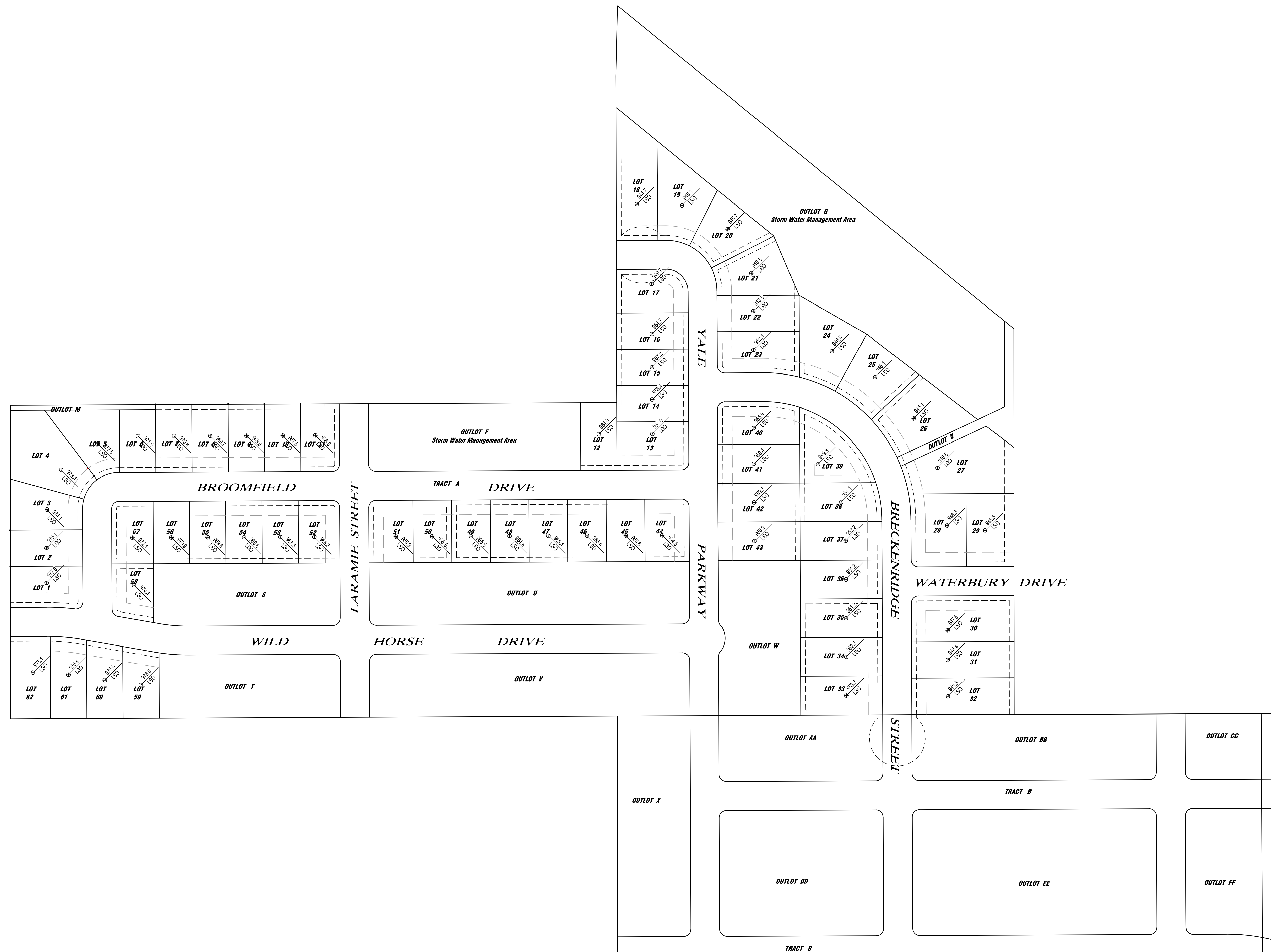
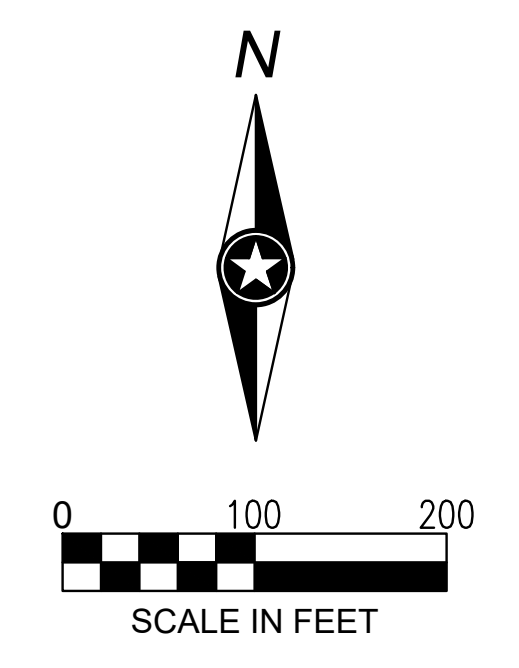
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PRELIMINARY PLAT

SHEET

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



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PRELIMINARY PLAT

SHEET **8** OF 8



DEPARTMENT OF COMMUNITY DEVELOPMENT

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

MEMORANDUM

Planning & Community Services Division

TO: Planning & Zoning Commission
FROM: Karen Howard, AICP, Planning & Community Services Manager
DATE: May 19, 2022
SUBJECT: Petition from City Council to amend the Downtown Character District (TA22-003)

The City Council has directed staff to forward to the Planning and Zoning Commission their request for additional amendments to the recently adopted Downtown Character District code. They request that the Planning and Zoning Commission reconsider their previous recommendation to have all site plans reviewed and approved administratively by staff without additional Planning and Zoning Commission review.

Background

The Downtown Character District regulations were adopted by City Council on November 1, 2021. These new zoning regulations are intended to implement the *Imagine Downtown! Vision Plan* adopted in November of 2019. The second phase of the project was to draft zoning regulations to encourage future development that is consistent with the adopted Vision. The draft code was presented to the public in February, 2021. The Commission considered the new code at four special work sessions and held 3 public hearings to consider public comments and suggestions for changes to the code. The Commission discussed all proposed changes to the draft and made decisions on each one before forwarding a final draft to the City Council for consideration in May 2021. The Planning & Zoning Commission's recommended draft was reviewed at five City Council Committee of the Whole/ Work Session before a public hearing was scheduled. The draft was discussed at three separate readings before being adopted on November 1, 2021.

Council Petition: Re-establish Planning and Zoning Commission review of site plans for development in the Downtown Character District.

During the review of the new code, the Planning and Zoning Commission discussed the pros and cons of continuing the practice of P&Z review of all site plans for development in the downtown. After discussion, the Commission decided to keep the new code as proposed without additional Planning and Zoning Commission Review. The following pros and cons are excerpted from the decision matrix, which was the tool used to carefully consider all requests for changes to the draft code (see item #8 in the attached decision matrix from April 2021).

Issue: Include a design review process/role for P&Z

Pros:

- Provides for more public scrutiny of development projects in the downtown area.
- Provides additional reassurance that a project will be consistent with the vision for downtown.

Cons:

- One of the goals of the Downtown Zoning Code update was to streamline the development review process and move toward by-right approvals for those projects that meet a set of objective form-based standards. The benefits of this approach are to a) provide a greater level of predictability for property owners, developers, and neighbors; b) move away from the time and expense of negotiating individual projects in the Downtown district, particularly if it requires project redesign or additional legal fees; and c) remove the subjectivity of the public review process, where individual opinions can cause projects that otherwise meet the standards to be redesigned adding cost to the project.
- From a fairness and equity standpoint, [review at P&Z] can also give undue influence to particularly persuasive or well-connected applicants or to those who may simply want to prevent development from occurring.
- The purpose of establishing the staff Zoning Review Committee is to ensure that development projects meet the adopted standards, but also to assist applicants in their understanding of the intent of the provisions of the code, so they can achieve a more cohesive design, so in essence will serve as an administrative design review.

Staff notes that site plans in previous zoning districts that surrounded the Central Business District Overlay (R-3, R-4, C-2, C-1, etc.) did not require Planning and Zoning Commission and City Council review and approval. It was only within the Central Business District Overlay where all improvements to existing buildings and all new buildings proposed were subject to P&Z and Council review.

At the Commission's March 23, 2022 meeting staff forwarded the petition from the City Council for discussion. The Commission discussed the following non-exhaustive list of potential options for discussion ranging from least P&Z oversight to full review by P&Z and Council. At that meeting the Commission requested that staff bring back a proposed code amendment according to the 3rd option below and would also like to be updated on site plans that are under review in the Downtown Character District on a monthly basis.

1. Maintain the currently adopted process for site plan review – administrative review by staff. If a proposed project meets the code requirements it will be approved. If it does not, it will be denied.
2. Maintain the currently adopted process for site plan review, but for an initial period of time (one year? two years?) have staff provide a monthly report to the Commission on

the site plans under administrative review in the Downtown Character District, so that the Commission can monitor, ask questions, discuss concerns, and if necessary initiate code amendments if problems arise. This would also provide an opportunity for staff to note any code provisions that may not be working as intended and to suggest solutions.

3. Require new buildings in the Urban General, Urban General 2, and Storefront frontages to be reviewed by P&Z to confirm staff administrative review decisions.
4. Require all new buildings in the Downtown Character District to be reviewed by P&Z to confirm staff administrative decisions, including in the Neighborhood frontages.
5. Require all site plans (including all new buildings, all changes to existing buildings, projecting signs, site changes) to be reviewed by P&Z and approved by City Council (as was previously done in the CBD Overlay).

Staff has drafted the attached amendments to the zoning code for the Commission's consideration. The strike-through notation indicates language to be deleted. Underlined text is new language added. All other language is unchanged and is included to provide context for the changes proposed. Staff consulted with the City Attorney and he advised that if there is a desire to have Planning and Zoning Commission review certain site plans, that it would be best to establish a process that is similar to other zoning districts where the Commission is a recommending body to the City Council and the final decisions are made by the City Council. This would add an additional step to what is noted in option 3 above, which proposes that the Commission would be the decision-making body and additional review and approval by Council would not be needed.

RECOMMENDATION: Staff recommends that the Commission review the attached draft changes to the zoning code. If the Commission decides to move forward and is satisfied with the proposed changes, staff recommends that the Commission set the public hearing date for the June 8th meeting.

Attachments:

- Draft changes to the zoning ordinance
- Decision Matrix from April 2021

Amend Section 26-191C., Applicability, as follows:

C. Applicability and Development Review

1. Where an adopted Regulating Plan is shown on the zoning map, these Character District standards immediately apply at the parcel level.
2. ~~The process for developing or redeveloping within a Character District is delineated in Section 26-36 through Section 26-39. All applications for development or redevelopment within a Character District shall be reviewed and approved according to the procedures set forth in Sections 26-36 through Section 26-39. Applications shall be administratively reviewed and approved, except for site plans for new buildings on property designated as Urban General, Urban General 2, or Storefront on an adopted Regulating Plan. For new buildings on property designated as Urban General, Urban General 2, or Storefront on an adopted Regulating Plan, the Zoning Administrator, in consultation with the Zoning Review Committee and Technical Review Committee, shall prepare and forward a report along with the site plan and supporting documents to the Planning and Zoning Commission and City Council for review and approval according to procedures set forth in Section 26-36(d), Review and Decision-making.~~

Amend Section 26-36 and 26-37, as follows:

Sec. 26-36. ~~Administrative Determination~~ Site Plan Review, Proportionate Compliance Determinations, and Minor Adjustments

(a) **APPLICABILITY GENERAL APPLICATION REQUIREMENTS**

~~The Zoning Administrator shall review and decide upon applications for the following administrative reviews and code adjustments in consultation with the Zoning Review Committee(ZRC) and/or the staff Technical Review Committee, as applicable. Some of these processes have additional review and approval requirements; a cross-reference to those requirements is provided in the right column.~~

Permit or Adjustment	Additional Review Requirements
Site Plan	Section 26-37.D
Proportionate Compliance	n/a
Minor Adjustment	Section 26-39.E

Applications and submittal materials required for site plan review, proportionate compliance determinations, and minor adjustments under this Chapter shall be submitted on forms and in such numbers as required by the City. The applicable filing fee shall be paid at the time the application is filed. Additional fees may be required for re-submittals. Fees are determined by resolution of the City Council.

(b) **APPLICATION COMPLETENESS REVIEW**

- (1) Applications shall not be processed until all fees and materials have been submitted and are deemed ~~sufficient~~ complete in form and content such that recommendations, as required, and a decision may be made on the application by the Zoning

Administrator, or other decision-making body, as specified in this chapter. The Zoning Administrator shall determine application ~~sufficiency~~ completeness.

- (2) If an application is deemed ~~insufficient~~ incomplete, the Zoning Administrator shall inform the applicant of the specific submittal requirements that have not been met. The Zoning Administrator may provide notice in writing, electronically, or in conversation with the applicant.
- (3) If an application is deemed ~~insufficient~~ incomplete, the applicant must resolve and resubmit the materials required to complete the application within 30 days of the date informed of the insufficiency of the application.
 - a. An ~~insufficient~~ incomplete application that has not been revised to meet the completeness requirements shall expire on the 30th day. An expired application shall be returned to the applicant along with any original documents submitted in support of the application.
 - b. The City, at its discretion, may retain the application fee paid. Once an application has expired, the application must be resubmitted in full, including application fee.

(c) REVIEW, REFERRAL, AND RECOMMENDATION

- (1) Upon submission of an application, the Zoning Administrator shall review the application and accompanying documentation to determine whether the information included in the application is sufficient to evaluate the application against the approval criteria of the procedure or permit requested.
- (2) The Zoning Administrator may refer any application to the Zoning Review Committee (ZRC) or Technical Review Committee (TRC) for review and recommendation.

(d) REVIEW AND DECISION-MAKING

- (1) ~~The Zoning Administrator shall review the Applications~~ will be reviewed for conformance with all applicable provisions of this chapter.
- (2) To be approved, an application shall be fully consistent with the standards of this chapter unless a minor adjustment is concurrently approved to allow specified deviation from applicable standards. An ~~administrative~~ approval may include instructions and clarifications regarding compliance with this Code, but shall not be approved with conditions that require action beyond the specific requirements of the City Code of Ordinances.
- (3) Except as specified in paragraphs (4) below, after consultation with the TRC and ZRC, as applicable, the Zoning Administrator shall approve or deny ~~the applications~~ for site plan review and minor adjustments and shall make determinations regarding proportionate compliance and provide written notification of the decision to the applicant. If an application is denied, the written notification shall include the reasons for denial. Administrative decisions are appealable pursuant to Section 26-62.
- (4) For any site plan that requires Planning and Zoning Commission and/or City Council review and approval, as set forth in this Chapter, the Zoning Administrator shall prepare a staff report and recommendation based on the approval criteria, standards, and requirements of this Chapter, the Comprehensive Plan, and any other applicable policies and regulations. The staff report and recommendation shall be forwarded to the Planning and Zoning Commission for its review and recommendation to the City Council. If the Planning and Zoning Commission recommends denial, the site plan shall not be forwarded to the City Council, unless so requested by the applicant in writing. After consideration of the staff report and the Planning and Zoning Commission's recommendation, the City Council may approve, approve with conditions, or deny the site plan. If a site plan is denied, the Planning and Zoning Commission and/or City Council, as applicable, shall state the reasons for denial.

(e) APPEAL

~~1. Administrative determinations are appealable pursuant to Section 26-62.~~

Sec. 26-37. Site Plan

(a) APPLICABILITY

The purpose of this section is to set forth the procedures and criteria for review and approval of site plans, which shall include when referenced in this Chapter, site development plans, development plans, and similar. Site plans are technical documents that illustrate how the structure(s), layout of an area, and proposed uses meet the requirements of this chapter and any other applicable ordinances, standards, regulations, and with all previously approved plans applicable to the property.

(b) AUTHORITY

A site plan is required for:

(1) Character Districts

- a. Any application for development in a character district.
- b. All requests for structures, architectural elements or accessory structures (front porch, front yard fence) at or forward of the required building line, and accessory or temporary uses; however, for minor accessory structures not located forward of the required building line, such as sheds, fences, or decks, the site plan shall only be required to show the location of the proposed structure or addition in relation to property boundaries, required setbacks, easements, and terrain changes as more fully detailed in this Code;

(2) ~~Traditional Zone Districts~~ All other Zoning Districts

- a. Any application for a commercial, industrial, institutional, or multi-unit dwelling project;
- b. Any application for development requiring site plan review, site development plan review, development plan review, plan review, or similar as set forth elsewhere in this chapter.

(c) APPLICATION PROCEDURES

- (1) A pre-application meeting with the Zoning Review Committee (ZRC) is required prior to the submission of a site plan application for development in a character district. Pre-application meetings are optional and encouraged for all other applications.
- (2) The applicant shall submit the site plan application to the Planning and Community Services Division. Application submittal deadlines and requirements shall be established on submittal forms available from the Planning and Community Services Division and on the City's website.

(d) DECISION CRITERIA

The site plan shall be reviewed against the following criteria:

- (1) The site plan is consistent with all applicable adopted plans and policies;
- (2) The site plan is consistent with any prior approvals, including any conditions that may have been placed on such approvals; and
- (3) The site plan conforms with all applicable requirements of the Code of Ordinances, or with all applicable requirements as modified by a ~~request for a~~ an approved minor adjustment.

(e) LIMITATION OF APPROVAL

~~Zoning Administrator approval of a site plan does not in any way imply approval by any other City department.~~

(f) EFFECT

- (1) Approved site plans shall be binding upon the property owner(s) and their successors and assigns.
- ~~(2) No permit shall be issued for any building, structure, or use that does not conform to an approved site plan.~~
- (3) No building, structure, use or other element of the approved site plan shall be modified without amending the site plan, unless it is determined by the City that such modification will not require an amended site plan.
- (4) All buildings, structures and uses shall remain in conformance with the approved site plan or be subject to enforcement action.

(g) POST-APPROVAL ACTIONS**(1) Expiration**

- a. Approved site plans shall expire one year after approval if a building permit has not been issued, or the approved use established. In the event that the documents expire due to the passage of this time period, new site plan review documents must be submitted for approval in the same manner as an original application for development review.
- b. An extension not to exceed one year may be granted by the Zoning Administrator.

(2) Modifications to Site plans

The holder of an approved site plan may request an adjustment to the document, or the conditions of approval, by submitting either an application for minor adjustment or an amended site plan, whichever is appropriate, to the Zoning Administrator. An amended site plan shall be filed and processed in accordance with the procedures specified in this Chapter for the an initial site plan submittal, or as otherwise specified in this Chapter.

PROPOSED AMENDMENTS TO THE PUBLIC REVIEW DRAFT OF THE DOWNTOWN ZONING CODE

26-193 – Building Form Standards

	Proposed Amendment	Explanatory Notes	Consultant/Staff Recommendation	P&Z Discussion (Date)	P&Z Decision
1	<p>Requestor: Consultant/staff</p> <p>Change Building Form Standards (BFS) Section 193.5 Neighborhood Small Frontage B. Placement 4. Buildable Area to allow Private Open Area to be above grade for lots with less than 70 ft of depth.</p>	<p>Technical Fix: This better accommodates rowhouses on especially shallow lots (such as many of the lots along 2nd Street, as shown in the Vision Plan) with their 66ft width/depth. This will make Neighborhood Small consistent with Neighborhood Medium.</p>	<p>Consultant/staff are in support of this amendment.</p>	<p>Commission directed staff to make the change.</p>	<p>Amendment Approved</p>
2	<p>Requestor: Consultant/staff</p> <p>Change Required Building Line (RBL) on the Downtown Regulating Plan, on the north side of W 2nd St. from Franklin St. to the western border of the District. The RBL should be moved forward an additional 5ft, from 15ft to 10ft off the front property line.</p>	<p>Technical Fix: This is for consistency with the RBL to the east of Franklin (Urban General 2) and better accommodates rowhouses fronting 2nd Street (as shown in the Vision Plan) within the shallower (66ft) depth of many of those lots.</p> <p>This keeps the building form and scale consistent with the Neighborhood Small designation, but allows room for both parking and for usable ground floor space within the buildings.</p>	<p>Consultant/staff are in support of this amendment to the Downtown Character District Regulating Plan.</p>	<p>Commission directed staff to make the change.</p>	<p>Amendment Approved</p>
3	<p>Requestor: Staff</p> <p>a) Insure consistency of terms between new proposed Section 26-140. Use-Specific Standards, Category Descriptions, and Definitions and proposed Section 26-197. Building Functions;</p> <p>b) Clarify language in Character District Use Table introductory paragraph concerning additional standards that apply</p>	<p>Technical Fix:</p> <p>a) Because drafting was an iterative process, additional revisions were made to Section 26-140, Use Classification, after the public review draft of Downtown Character District Code (Section 26-197) was released. This is a simple clean-up to make sure terms are internally consistent. Also to correct the Code Section number of the Use Classification to Sec. 26-140 (not 26-132).</p> <p>b) Make clear that additional development and performance standards apply above and beyond the broad permitted use categories.</p>	<p>Consultant/staff are in support of these amendments</p>	<p>Commission directed staff to make these changes.</p>	<p>Amendment Approved</p>

4	<p>Requestor: Staff</p> <p>Correct outline format, as needed</p>	<p>Technical Fix: Some outline numbers are out of sequence and need correction</p>	<p>Consultant/staff are in support of this amendment</p>	<p>Commission directed staff to make these changes.</p>	<p>Amendment Approved</p>
5	<p>Requestor: Historical Society and Planning Staff</p> <p>Add Civic Building designations to Regulating Plan</p>	<p>Technical Fix: The Cedar Falls Woman’s Club and Cedar Falls Historical Society Victorian House Museum and Museum Buildings in Sturgis Park should be identified as Civic Buildings.</p>	<p>Consultant/staff are in support of this amendment</p>	<p>Commission directed staff to make these changes.</p>	<p>Amendment Approved</p>
6	<p>Requestor: Consultant/Staff</p> <p>Change to Section 26-140. Use-Specific Standards, Category Descriptions, and Definitions for clarity, etc.</p>	<p>Technical Fix: Clarification concerning categorization of commercial assembly uses as large or small based on size and the other classification criteria in Section 26-140(a)(3)</p> <p>This will help in classifying uses appropriately in different zoning districts. Examples include small commercial assembly uses, such as theaters that fit into a main street area, like the Oster Regent Theater downtown versus large commercial assembly uses, such as a large metroplex theater complex located in a suburban shopping center.</p>	<p>Consultant/staff are in support of this amendment</p>	<p>Commission directed staff to make these changes.</p>	<p>Amendment Approved</p>

<p>7</p>	<p>Requestor: P&Z Member Larson</p> <p>Change the Regulating Plan designated building frontage on west side of Overman Park from Neighborhood Small to Urban General 2 to accommodate existing businesses located in buildings along Franklin Street;</p> <p>or alternatively:</p> <p>Requestor: Tom and Dorinda Pounds They own a house on Franklin Street that was converted to office space for their business. They want assurance their business can continue, but also have maintained many of the historic residential features of the home, so it could be converted back to residential use in the future, if desired.</p> <p>They would like an approach to better accommodate existing businesses, while maintaining the residential character and scale of the area</p>	<p>As drafted, all existing businesses can remain as non-conforming uses. The new code requires no changes unless/until the owner makes a significant change to their business or building, at which time the standards identified in Section 26-38 Proportionate Compliance would apply, based on the [level/degree] of proposed change.</p> <p>The intent of the proposed limitations on new businesses in the Neighborhood frontage areas is to encourage their concentration in the core of Downtown for the synergy it creates and to stabilize and encourage reinvestment in the surrounding residential areas and preservation of the historic character of these areas.</p> <p>Options for change:</p> <p>Option 1: Change the regulating plan along west side of Franklin Street to Urban General 2.</p> <p>Pro: Insure existing business are not made non-conforming</p> <p>Con: Change in building frontage designation affects more than use; it would also change the physical scale and character of permitted new buildings, potentially incentivizing the demolition of other houses in the neighborhood. This could potential affect the historic residential character along Franklin Street. Most businesses are located within existing residential structures.</p> <p>Option 2: Language could be added to state that all existing businesses at the time of code adoption are considered conforming, so can continue and even expand, but that no new businesses are permitted in the Neighborhood frontages. This is a similar approach we took for manufacturing businesses on the far east side of the study area.</p>	<p>Consultant/staff are in support of Option 2, as it achieves the goal of keeping existing businesses conforming, but doesn't have the unintended consequences noted with Option 1.</p>	<p>Commission directed staff to make the changes per Option 2.</p>	<p>Amendment Approved Option 2.</p> <p>(Note: add a parking requirement for non-residential uses in Neighborhood Frontages).</p>
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<p>8</p>	<p>Requestor: P & Z Chair: Include a design review process/role for P&Z</p>	<p>Commission expressed concern that it is difficult to legislate good design and that some additional design guidance may be needed, at least for some projects; and this process should be conducted through a public review process at P&Z and/or Council.</p> <p>Pros: Provides for more public scrutiny of development projects in the downtown area. Provides additional reassurance that a project will be consistent with the vision for downtown.</p> <p>Cons: One of the goals of the Downtown Zoning Code update was to streamline the development review process and move toward by-right approvals for those projects that meet a set of objective form-based standards. The benefits of this approach are to a) provide a greater level of predictability for property owners, developers, and neighbors; b) move away from the time and expense of negotiating individual projects in the Downtown district, particularly if it requires project redesign or additional legal fees; and c) remove the subjectivity of the public review process, where individual opinions can cause projects that otherwise meet the standards to be redesigned adding cost to the project.</p> <p>From a fairness and equity standpoint, it can also give undue influence to particularly persuasive or well-connected applicants or to those who may simply want to prevent development from occurring.</p> <p>The purpose of establishing the staff Zoning Review Committee is to ensure that development projects meet the adopted standards, but also to assist applicants in their understanding of the intent of the provisions of the code, so they can achieve a more cohesive design, so in essence will serve as an administrative design review.</p>	<p>Consultants/staff do not recommend adopting a public design review process at this time.</p> <p>If a majority of the Commission would still like to move forward with a public design review process, the consultants and staff will continue to work to determine a workable approach.</p>	<p>Commission directed staff to keep the draft the same and not require a separate design review through P&Z and Council.</p>	<p>No change recommended</p>
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<p>9</p>	<p>Requestor: Kevin Harberts (owns two residential properties along 2nd Street).</p> <p>Change the Regulating Plan so that the General Urban frontage designation goes from the 1st Street frontage to 2nd Street frontage</p> <p>The requestor would like the option to create larger through lots for commercial uses that extend the full depth of the block from 1st to 2nd Street.</p>	<p>The regulating plan designations between 1st and 2nd Street are already set up to provide more lot depth for Urban General along 1st Street to accommodate the larger footprint of many commercial buildings, leaving a shallower depth for the neighborhood frontage designation along 2nd Street, which can accommodate smaller footprint residential building types, such as rowhouses.</p> <p>Pros and Cons of making this change:</p> <p>Pro: Uniform building form standards for the entire parcel (with considerably more buildable area)</p> <p>Con: This would undermine the scale transition from the higher intensity, mixed-use 1st Street down to the less intense Overman Park neighborhood to the south.</p> <p>The code provides considerable flexibility for parcels with more than one frontage designation to shift the frontage designation to accommodate specific needs of the development. However, it is important for the buildings along both sides of 2nd Street to relate to one another, rather than having residential buildings facing the backs of 1st Street businesses. The regulating plan designations ensure buildings of similar scale and character along both sides of a street.</p>	<p>Consultant/staff are <u>not</u> in support of this amendment.</p> <p>The regulating plan already establishes Urban General deeper into the block (from north to south) and leaves a rather shallow area along 2nd Street that will accommodate residential building forms, such as townhomes, as shown in the <i>Imagine Downtown! Vision Plan</i>.</p>	<p>Commission directed staff to keep the regulating plan the same. No change recommended.</p>	<p>No change recommended</p>
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<p>10</p>	<p>Requestor: Planning & Zoning Commission and questions from several members of the public.</p> <p>Consider the inclusion of vinyl siding as an approved wall material in Neighborhood Frontages</p>	<p>There is concern that prohibiting vinyl siding in the Neighborhood Frontages could be cost prohibitive and encourage disinvestment in existing residential properties.</p> <p>The intent of the proposed prohibition was to promote more durable and environmentally sustainable building materials. (The issue is not one of aesthetics).</p> <p>Pro: Reduce the up-front cost of building construction and maintenance</p> <p>Con: Higher long-term costs for maintenance and upkeep; concerns related to durability and fire-resistance; environmental impacts of PVC, i.e. produces toxic smoke when it burns and melts at a fairly low temperature; damaged or melted siding often ends up in the landfill and is not biodegradable. While it is possible to recycle it, there are often issues of contamination from dirt, nails, and mixed-in aluminum flashing. In contrast, wood, brick or stone have a life cycle of more than 100 years. The life span of vinyl is 15 to 20 years before it becomes brittle from ultraviolet light and is easily damaged.</p> <p>If change to the ordinance is desired, following are some options:</p> <ol style="list-style-type: none"> 1. Maintain the prohibition of vinyl siding for new construction. 2. Permit the use of vinyl siding to replace or repair existing vinyl siding. 3. Permit use of vinyl siding that meets higher minimum standards for quality, maintenance, and durability, based on industry standards to replace or cover over other types of siding on existing single family dwellings. 4. Delete the prohibition on vinyl siding from the code altogether, so it would be allowed on all existing and new buildings in the Neighborhood Frontages. 	<p>Consultant/staff are particularly concerned about the long term consequences of allowing vinyl siding related to the noted environmental concerns, so recommend prohibiting vinyl siding for new construction.</p> <p>With regard to the second bullet point, the current draft already allows replacement of like material with like material for maintenance purposes. Consultant/staff would be in support of adding some additional language to make sure this is clear.</p> <p>Consultant/staff are <u>not</u> supportive of allowing vinyl siding to replace existing environmentally sustainable building materials, such as wood, stone, or brick. We feel that the long term costs outweigh the short term savings.</p> <p>Consultant/staff strongly recommend against listing vinyl siding as a generally allowed building material.</p>	<p>Commission directed staff to move forward with making changes consistent with 1, 2, and 3, but did not support option 4.</p> <p>Bullet points 1 and 2 were supported unanimously. Bullet point 3 was supported by a majority.</p> <p>With regard to bullet 1, the Commission requests that the language be clarified to indicate that for additions to existing buildings that have vinyl siding that vinyl siding can be used for the addition. We will need to discuss how to fit that into the trigger chart.</p> <p>Bullet point 4 was rejected by a majority.</p>	<p>Amendments Approved according to bullet points 1, 2, and 3. Majority of the Commission does not support 4.</p>
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<p>11</p>	<p>Requestor: Jesse Lizer, Emergent Architects</p> <p>Permit the use of higher quality foam products for architectural detailing</p>	<p>There is concern that the prohibition of “all other foam-based products” in Sec. 26-194.C.5. would limit options for restoration of historic buildings. That was never the intent of this prohibition, but rather to limit the use of flimsy, easily damaged building materials, particularly at the street level. Potential change:</p> <ul style="list-style-type: none"> • Delete “all other foam-based products” from the prohibited list and add a new item to the secondary materials list in Sec. 26-194.C.4. as follows: “Durable foam-based products, such as Fypon, may be used for architectural detailing.” 	<p>Consultant/staff are in support of this amendment,</p>	<p>Commission directed staff to make this change.</p>	<p>Amendment Approved</p>
<p>12</p>	<p>Requestor: Staff</p> <p>Provide more direction for ADUs</p>	<p>Concern that there is insufficient enforceability of owner-occupancy requirement following the development of an ADU. Consider including a requirement for an affidavit/legal agreement with the City in Sec. 26-193.1.G (p.24) to be filed and recorded, so that it is clear to future owners or prospective buyers that the dwelling is not considered a duplex, so that the limits on size and occupancy for ADUs continue to be enforceable over time.</p> <p>The allowance for ADUs is intended to make home ownership more affordable and encourage investment and reinvestment that will help stabilize existing older neighborhoods surrounding downtown.</p>	<p>Consultant/staff are in support of this amendment.</p>	<p>Commission directed staff to make this change.</p>	<p>Amendment Approved</p>

13	<p>Requestor: Staff</p> <p>Prohibit conversion of existing single unit dwellings into duplexes or multi-unit dwellings.</p>	<p>The new code opens up the possibility for new types of housing, but in a manner that ensures that new housing fits into the context of the neighborhood with quality design and a logical configuration of the dwelling units. However, the new standards and allowances are not intended to encourage existing single unit dwellings to be chopped up into additional units in a manner that reduces the functionality and livability of the dwelling and makes it less desirable for those seeking a long term rental opportunity or homeownership. As is often experienced in college towns this is a common practice to provide short term rentals for college students by converting living rooms, dining rooms, and other spaces to maximize the number of bedrooms. While providing rental housing for students is important, this particular practice often creates units that are not very conducive to long term renters and cannot be easily or cost-effectively adapted or converted back to the original condition in response to market fluctuations, such as a drop in enrollment.</p> <p>Staff notes that making this change will keep the new code consistent with the City's current conversion prohibition in the R1 and R2 Districts.</p>	Staff is in support of this change.	Commission directed staff to make this change.	Amendment approved.
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Item 4.