



**AGENDA  
CITY OF CEDAR FALLS, IOWA  
PLANNING AND ZONING COMMISSION MEETING  
TUESDAY, NOVEMBER 22, 2022  
5:30 PM AT CITY HALL, 220 CLAY STREET**

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**Call to Order and Roll Call**

**Approval of Minutes**

1. Planning and Zoning Commission Regular Meeting Minutes of October 12, 2022

**Public Comments**

**Old Business**

**New Business**

2. **Final Plat – Wild Horse Ridge Sixth Addition (FP22-004)**  
**Location:** South and west of the intersection of W. 12th Street and Union Road  
**Petitioner:** Midwest Development Co., Owner; CGA Engineering, Engineer  
**Previous discussion:** None  
**Recommendation:** *Approval*  
**P&Z Action:** *Discussion and consider making a recommendation to City Council*
3. **Rezoning to R-4 with New Zoning Agreement – Midway Business Park (RZ22-003)**  
**Location:** Midway Business Park on Greenhill Circle  
**Petitioner:** Lucas Moore, Oak District LLC  
**Previous discussion:** September 28, 2022, September 14, 2022  
**Recommendation:** *Introduction, discussion, and set a date of public hearing*  
**P&Z Action:** *Discussion and set a date of public hearing*
4. **Rezoning – Lots 1-4 of Midway 2nd Addition (RZ22-005)**  
**Location:** 3019-3028 Lovejoy Drive  
**Petitioner:** City of Cedar Falls  
**Previous discussion:** None  
**Recommendation:** *Introduction, discussion, and set a date of public hearing*  
**P&Z Action:** *Discussion and set a date of public hearing*
5. **Site Plan Review - Tri-plex on Lot 4, Hanna Park Commercial Addition (SP22-012)**  
**Location:** Southwest of the intersection of Valley High Drive and Cedar Heights Drive  
**Petitioner:** Kyle Larson, LGC; Lary Koosmann EI, Clapsaddle-Graber Associates, Inc  
**Previous discussion:** None  
**Recommendation:** *Approval*  
**P&Z Action:** *Discussion and consider making a recommendation to City Council*

**Commission Updates**

6. Update on projects in Downtown Character District

**Adjournment**

Reminders:

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

**Cedar Falls Planning and Zoning Commission  
Regular Meeting  
October 12, 2022  
Cedar Falls, Iowa**

**MINUTES**

The Cedar Falls Planning and Zoning Commission met in regular session on October 12, 2022 at 5:30 p.m. at the Community Center. The following Commission members were present: Hartley, Holst, Larson, Lynch, Moser and Saul. Crisman, Grybovych and Leeper were absent. Karen Howard, Community Services Manager, Michelle Pezley, Planner III, and Jaydevsinh Atodaria, Planner I, were also present.

- 1.) Acting Chair Hartley noted the Minutes from the September 28, 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 (Hartley, Holst, Larson, Lynch, Moser and Saul), and 0 nays.
  
- 2.) The first item of business was the final plat for Terraces West Glen Second Addition. Acting chair Hartley introduced the item and Ms. Pezley provided background information. She explained that the property is located west of Dry Run Creek, south of 12<sup>th</sup> Street and east of Union Road and discussed the history of the plat. Ms. Pezley discussed the details provided in the final plat and stated that staff finds that the final plat is consistent with the preliminary plat and recommends approval subject to comments or direction from the Planning and Zoning Commission.  
  
Mr. Holst made a motion to approve the item. Ms. Lynch seconded the motion. The motion was approved unanimously with 6 ayes (Hartley, Holst, Larson, Lynch, Moser and Saul), and 0 nays.
  
- 3.) The next item for consideration by the Commission was a College Hill Neighborhood Overlay District design review for façade changes at 817 W. 23<sup>rd</sup> Street. Acting Chair Hartley introduced the item and Mr. Atodaria provided background information. He explained that a façade update is proposed for a new business, Astro E-sports Lounge. Part of the proposal includes a mural/painted artwork with a space theme that will be chosen through competition. The proposed mural will be 7' x 10' and will be continued on to the side wall. Staff recommends approval with any comments or direction from the Planning and Zoning Commission.

Mr. Holst asked for clarification on which street the mural faced. Mr. Larson asked about the ordinance regarding the square feet allowed for such murals. Mr. Atodaria explained that the code doesn't directly specify murals, but that the area of the mural is considered like a wall sign, which allows the mural to be placed on 1/3<sup>rd</sup> area of the surface to which it is affixed.

Mr. Hartley asked if the item will come back through the Commission once the mural has been chosen. Mr. Atodaria explained that the request here is to just get approval on the area allowed for the mural. However, the mural on the main wall has been almost finalized which will be about 70 square feet in area but the mural on the side wall, the graphic hasn't been finalized. The content of the mural may vary slightly as the owner is yet to select the artist's impression.

Ms. Lynch made a motion to approve the item. Ms. Moser seconded the motion. The motion was approved unanimously with 6 ayes (Hartley, Holst, Larson, Lynch, Moser and Saul), and 0 nays.

- 4.) The next item for consideration by the Commission was a College Hill Neighborhood Overlay District design review for new garage at 924 W. 19<sup>th</sup> Street. Acting chair Hartley introduced the item and Mr. Atodaria provided background information. He explained that a request has been submitted for a new garage on the corner of 19<sup>th</sup> and College Streets. Currently there is no garage. He spoke to the building design, architectural compatibility and neighborhood character, stating that it would meet all requirements. Staff recommends approval of the projects with any comments from the Commission.

Dave Schachterle, 924 West 19<sup>th</sup> Street, stated that he is trying to match the garage to the house and neighborhood as much as possible. He noted that he is looking forward to new code updates for the College Hill area that would hopefully make this extra review process unnecessary.

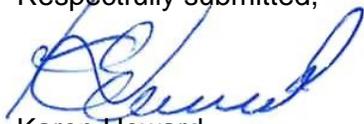
Ms. Saul made a motion to approve the item. Mr. Larson seconded the motion. The motion was approved unanimously with 6 ayes (Hartley, Holst, Larson, Lynch, Moser and Saul), and 0 nays.

- 5.) Ms. Howard thanked Ms. Saul for her service on the Commission, as this will be her last meeting. Mr. Larson asked when the changes/updates to the College Hill area code might be coming. Ms. Howard stated that it is up to the City Council and may be discussed at Council goal setting in November.

As there were no further comments, Ms. Moser made a motion to adjourn. Mr. Larson seconded the motion. The motion was approved unanimously with 6 ayes (Hartley, Holst, Larson, Lynch, Moser and Saul), and 0 nays.

The meeting adjourned at 5:54 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:** November 22, 2022  
**SUBJECT:** FP22-004 Wild Horse Sixth Addition Final Plat

**REQUEST:** Request to approve the Wild Horse Ridge Sixth Addition Final Plat. Case #FP22-004

**PETITIONER:** Midwest Development Co., Owner; CGA Engineering, Engineer

**LOCATION:** The property is located south of W. 12th Street and west of Union Road

#### PROPOSAL

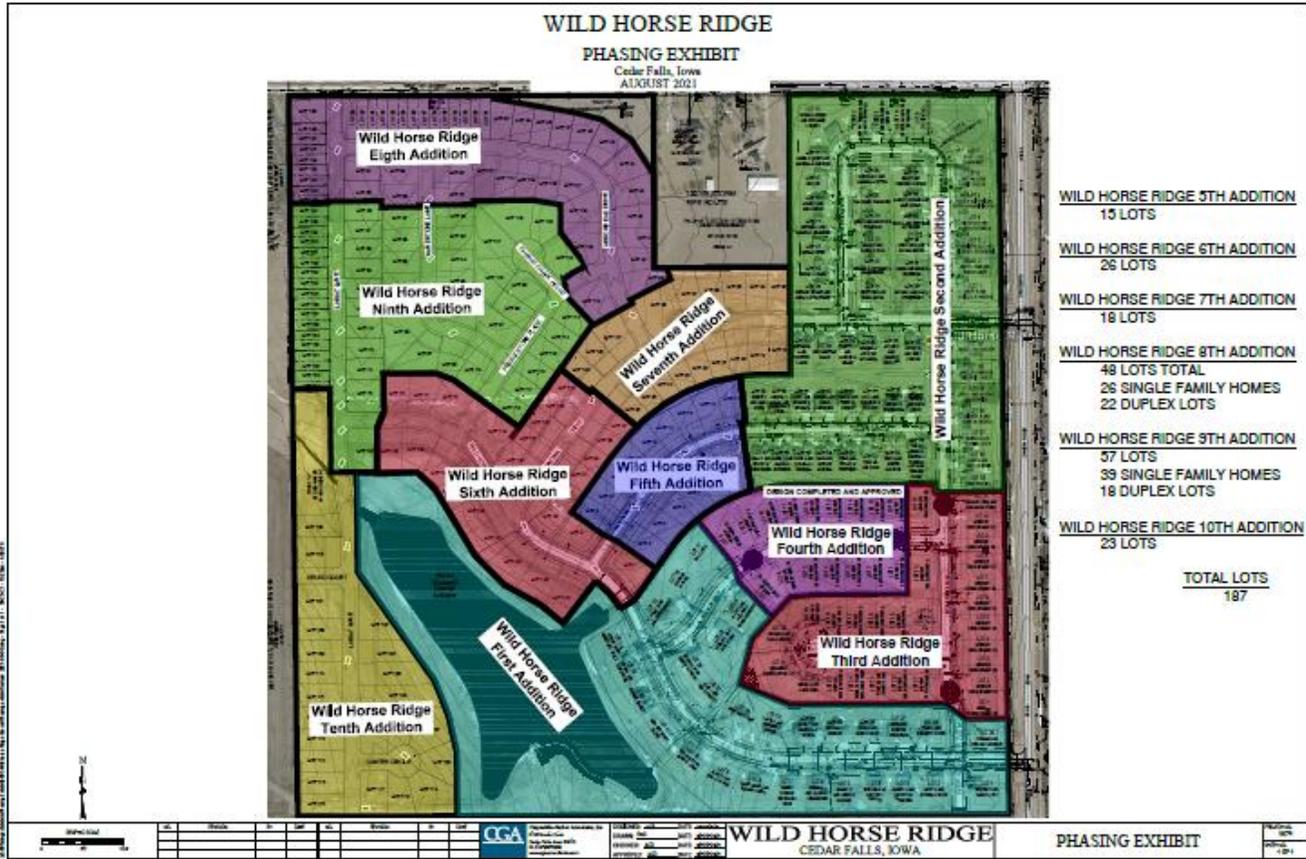
The petitioner owns a 21.77-acre parcel that is south of W. 12th Street, west of Union Road, and with access from Granite Ridge Road. The petitioner proposes to subdivide 9.35 acres of the 21.77 acres into 22 residential lots.

#### BACKGROUND

The City rezoned the entire 148-acre property from A-1, Agriculture to RP, Planned Residential for a maximum of 353 dwelling units in 2005. A Preliminary Plat for this area, called "Copperstone" was approved in July 2005. This plat covered the entire 148-acre property and proposed the establishment of 242 building lots with 353 units. The Final Plat for the Wild Horse Ridge First Addition was approved in September 2007. After several alterations to the preliminary plat, in 2021, City approved the latest alteration to the Preliminary Plat of Wild Horse Ridge, which increased the density of the development from 2.43 to 2.72 units per acre for the Fifth – Tenth additions by adding 40 duplex lots. The duplex lots are proposed to be within the Eighth and Ninth additions. Wild Horse Ridge 5<sup>th</sup> Addition was approved on August 15, 2022.

#### ANALYSIS

The petitioner, Midwest Development Co., proposes the final plat of the Sixth Addition, comprised of 9.35 acres of land within the middle of the subdivision, which continues Wild Horse Ridge northwest to connect to Sonoma Drive and Pebble Stone Place. The property is zoned RP Planned Residential. The RP zoning district permits a variety of residential uses from single-family to multi-family dwellings based on a master plan approved at the time of rezoning, which in this case was revised and approved in May of 2021. The revision provided additional density by adding 40 lots for bi-attached or duplex units.



The revision of May 2021 proposed the sixth addition to consists of 26 lots, including the connection between Wild Horse Drive and Granite Ridge Road. Four of the lots originally intended to be part of the Sixth Addition were added to the Fifth Addition at the intersection of Granite Ridge Road and Wild Horse Ridge that was approved by Council on August 15, 2022.

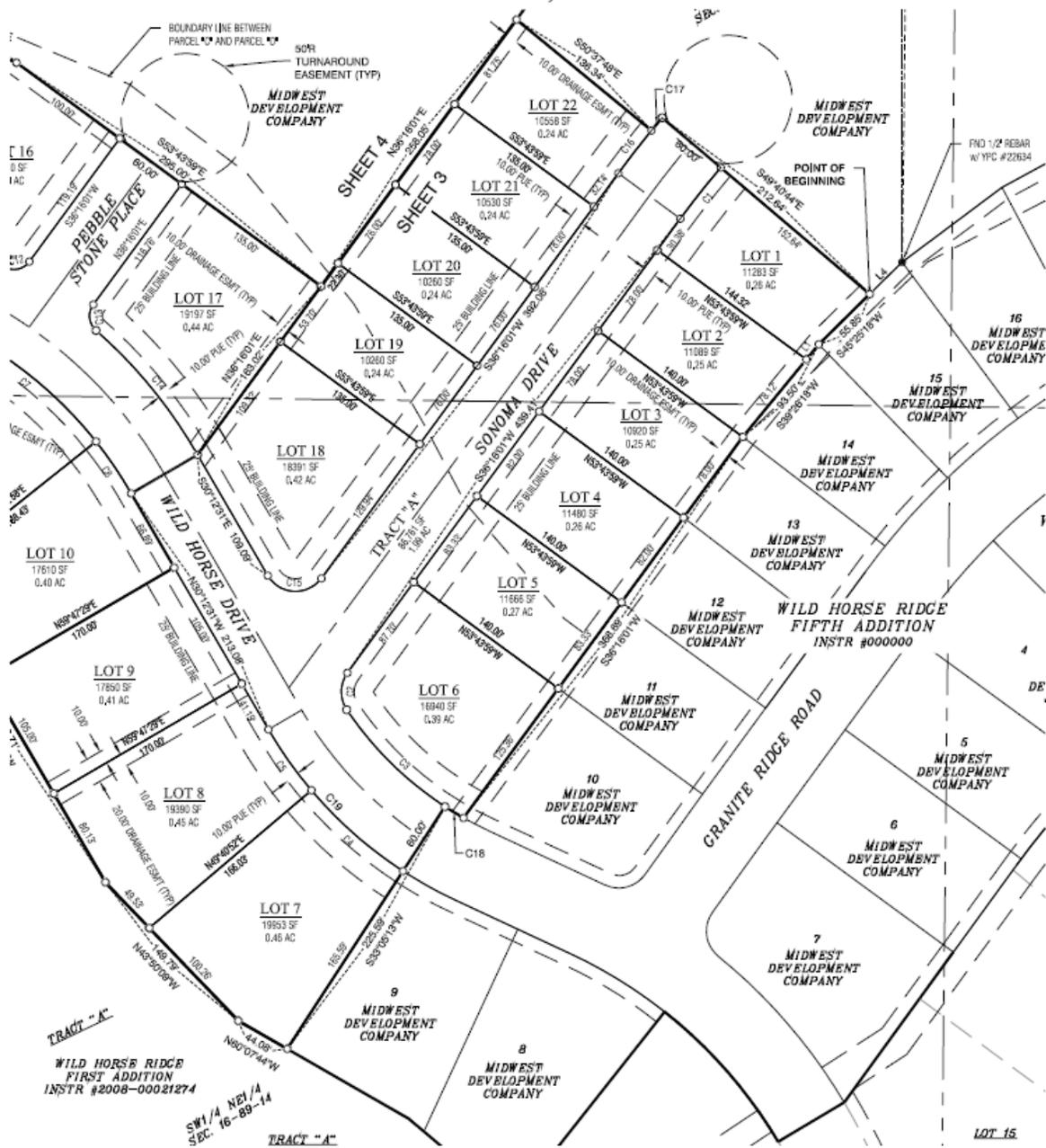
The petitioner will connect to the existing stormwater detention that is part of the Wild Horse Ridge First Addition. Stormwater will flow to the detention pond in the First Addition through an easement. The development agreement also calls for upgrading the stormwater pipes to a larger size in this area with the City reimbursing the developer for the oversize cost. The proposed detention basin will address both the water quantity and water quality of stormwater runoff. In summary, the proposed design of the stormwater management facilities for Wild Horse Ridge Sixth Addition meets the City’s ordinance standards.

The Master Plan calls for 25-foot front setback, 30- foot rear setback and a five-foot side yard setback. The setbacks shown on the face of the plat are consistent with the proposed setbacks from the approved Master Plat and Preliminary Plat and conform to the RP Zoning District requirements.

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

The City’s maintenance and repair agreement with the owner/developer will address maintenance responsibilities for the public improvements in the subdivision to ensure proper functioning over time.

# FINAL PLAT WILD HORSE RIDGE SIXTH ADDITION CEDAR FALLS, IOWA



The City Code states that the final plat must be in substantial conformance with the preliminary plat. The number of lots from the preliminary plat has been reduced as mentioned above. The final plat meets the density, lot size, or configuration of the preliminary plat. Therefore, staff finds that the proposed final plat is conforming with the preliminary plat and associated conditions. The petitioner has met that criterion and the associated conditions.

### TECHNICAL COMMENTS

City technical staff, including Cedar Falls Utilities (CFU) personnel, noted that the water, gas, and communication services are available to the site. The developer extended the utility services to the proposed development. The easements identified on the plat satisfy Public Works and CFU requirements.

Cluster mailboxes will be sized and placed in the ROW according to USPS standards. All cluster mailboxes will be located on lower volume streets and situated to prevent undue traffic congestion according to the direction from the City Engineer's office.

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 necessary requirements.

In 2014, the City and the developer agreed to share the cost W 12<sup>th</sup> Street improvements. This fee is calculated at \$5,852.43 per acre of development. The fee of \$5,852.43 x 9.35 acres is \$54,720.22. The fee was paid on October 20, 2022.

All the utilities and internal road connections within the proposed subdivision 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 petitioner's engineer has submitted a stormwater management plan to the City and it has been reviewed by the City Engineer. The City Engineer has determined that the plan meets the City's subdivision requirements. The Engineering Division is awaiting either final completion of public improvements or will enter into a 'Contract for Completion' with the Developer before proceeding with Council Approval.

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 property is located outside of the regulated floodplain.

A courtesy mailing was sent to the neighboring property owners on November 2, 2022.

## RECOMMENDATION

City staff has reviewed the final plat for Wild Horse Ridge Sixth Addition (FP22-004) and recommends approval with the following stipulations:

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

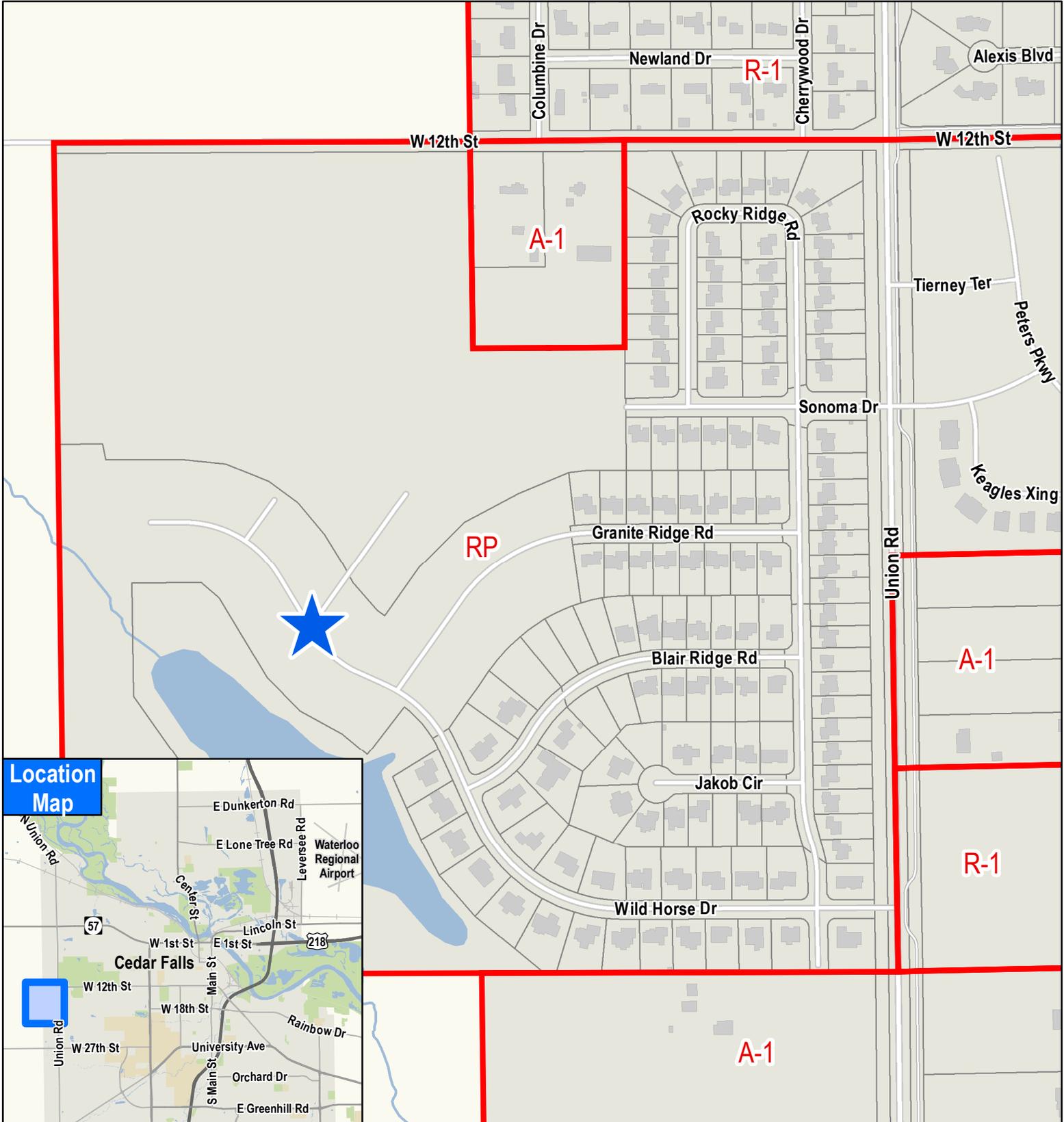
## PLANNING AND ZONING

Discussion  
11/7/22

Attachments:  
Wild Horse Ridge Sixth Addition Final Plat  
Location Map  
Deed of Dedication

# Cedar Falls Planning and Zoning Commission November 22, 2022

Item 2.



### Location Map



**Final Plat for Wild Horse Ridge  
6th addition (FP22-004)  
South of W.12th St. and West of Union**

# FINAL PLAT

## WILD HORSE RIDGE SIXTH ADDITION

### CEDAR FALLS, BLACK HAWK COUNTY, IOWA

### SEPTEMBER 2022

**SURVEYOR AND ENGINEER**

TRAVIS R. STEWART, P.L.S.  
 ADAM DATERS, P.E.  
 CLAPSADDLE-GARBER ASSOCIATES  
 P.O. BOX 754 - 16 E. MAIN STREET  
 MARSHALLTOWN, IOWA 50158  
 (641)752-6701

**ZONING INFORMATION:**

RP (UNLESS NOTED OTHERWISE)

**TYPICAL BUILDING SETBACKS**

FRONT YARD = 25 FT  
 REAR YARD = 30 FT  
 SIDE YARD = 5 FT

**SURVEY REQUESTED BY:**

MIDWEST DEVELOPMENT CO.  
 411 FIRST AVENUE SE  
 CEDAR RAPIDS, IOWA

**CLOSURE:**

- ALL SUBDIVISION BOUNDARIES ARE WITHIN THE 1:10,000 ERROR OF CLOSURE REQUIREMENT
- ALL LOTS ARE WITHIN THE 1:5000 ERROR OF CLOSURE REQUIREMENT.

**TRACT SUMMARY:**

TRACT A - ROAD RIGHT-OF-WAY

**SHEET INDEX**

SHEET 1 TITLE SHEET  
 SHEET 2 OVERALL LAYOUT  
 SHEET 3 FINAL PLAT  
 SHEET 4 FINAL PLAT

**OWNERS OF RECORD**

MIDWEST DEVELOPMENT CO.  
 411 FIRST AVENUE SE  
 CEDAR RAPIDS, IOWA

**FLOOD ZONE**

(ZONE X)  
 PANEL #19013C0145F  
 AND  
 PANEL #19013C0163F  
 EFFECTIVE DATE: JULY 18, 2011

**PREPARED DATE:**

JULY 5, 2022

**BENCH MARK**

ELEV = 975.45  
 AERIAL SERVICE GPS CONTROL MONUMENT #93 ON THE WEST SIDE OF UNION ROAD, APPROX 277 FEET NORTH OF WILD HORSE DRIVE & UNION ROAD INTERSECTION.

**NOTE:**

BEARINGS ARE BASED ON THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 89 NORTH, RANGE 14 WEST OF THE FIFTH PRINCIPAL MERIDIAN BEARING NORTH 00°00'09" WEST

**AREA:**

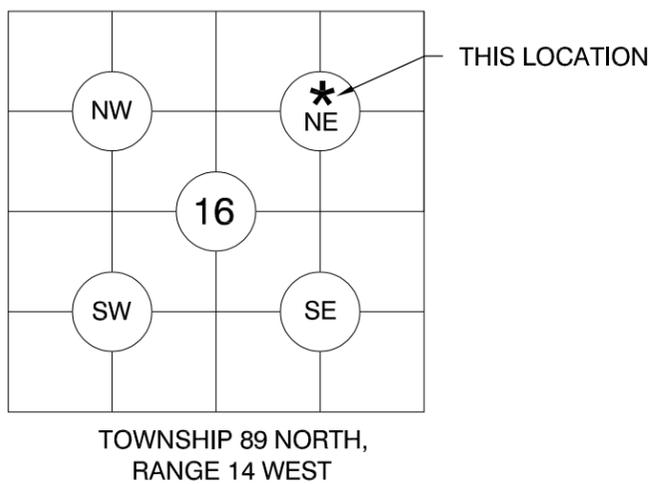
9.35 ACRES

**MAILBOX NOTES:**

ALL MAILBOXES SHALL MEET USPS STANDARDS. CONTRACTOR SHALL COORDINATE WITH CITY OF CEDAR FALLS PRIOR TO INSTALLATION.

### LOT TABLE

LOT	ACRES	SQ FT
1	0.26	11,283
2	0.25	11,089
3	0.25	10,920
4	0.26	11,480
5	0.27	11,666
6	0.39	16,940
7	0.46	19,953
8	0.45	19,390
9	0.41	17,850
10	0.40	17,610
11	0.41	17,867
12	0.39	17,202
13	0.33	14,400
14	0.29	12,658
15	0.34	14,947
16	0.38	16,710
17	0.44	19,197
18	0.42	18,391
19	0.24	10,260
20	0.24	10,260
21	0.24	10,530
22	0.24	10,558
TRACT "A"	1.99	86,761



	(GROSS-ACRES)	(EASE-ACRES)	(NET-ACRES)
NW1/4 NE1/4 SEC 16-89-14	4.48 AC	1.06 AC	3.42 AC
SW1/4 NE1/4 SEC 16-89-14	4.87 AC	0.93 AC	3.94 AC
TOTAL	9.35 AC	1.99 AC	7.36 AC

**LEGEND:**

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

FINAL PLAT  
WILD HORSE RIDGE  
SIXTH ADDITION



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

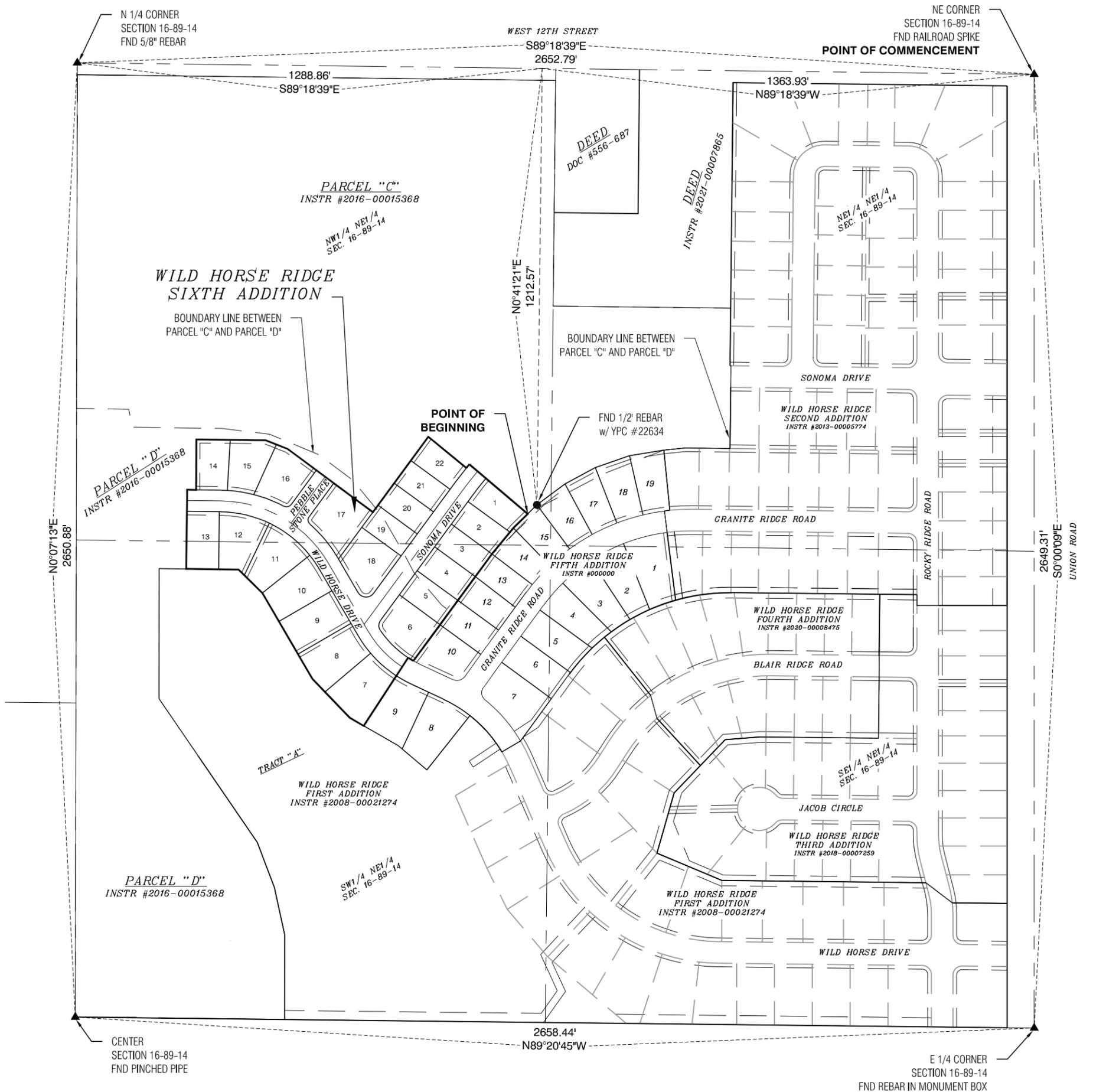
Travis R. Stewart, PLS date  
 Iowa License Number 17162  
 My License Renewal Date is December 31, 2023  
 Pages or sheets covered by this seal: \_\_\_\_\_  
 SHEETS 1 OF 4, 2 OF 4, 3 OF 4 AND 4 OF 4



Clapsaddle-Garber Associates, Inc.  
 16 East Main Street  
 Marshalltown, Iowa 50158  
 Ph 641-752-6701  
 www.cgaconsultants.com

DRAWN CAQ	SHEET NO. 1 OF 4
DATE 9-21-2022	PROJECT NO. 5805.05

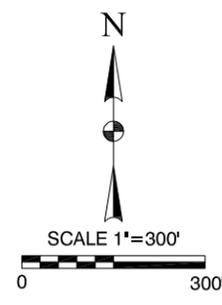
# FINAL PLAT WILD HORSE RIDGE SIXTH ADDITION CEDAR FALLS, IOWA



**DESCRIPTION**

A CERTAIN PARCEL OF LAND LOCATED IN PART OF PARCEL "C" AND IN PART OF PARCEL "D" OF A PLAT OF SURVEY FILED ON DOCUMENT NO. 2016-00015368 IN THE OFFICE OF THE RECORDER, BLACK HAWK COUNTY AND BEING PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 IN SECTION 16, TOWNSHIP 89 NORTH, RANGE 14 WEST OF THE 5TH P.M., IN THE CITY OF CEDAR FALLS, BLACK HAWK COUNTY, IOWA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER SECTION 16, TOWNSHIP 89 NORTH, RANGE 14 WEST OF THE 5TH P.M.; THENCE, N89°18'39"W 1363.93' ALONG THE NORTH LINE OF NORTHEAST 1/4 OF SAID SECTION 16; THENCE, S0°41'21"W 1212.57' TO THE NORTHWESTERLY CORNER OF LOT 15 OF WILD HORSE RIDGE FIFTH ADDITION, RECORDED ON DOCUMENT NO. 0000-000000 IN THE OFFICE OF THE RECORDER, BLACK HAWK COUNTY; THENCE, S45°25'18"W 35.57' ALONG THE NORTHWESTERLY LINE OF SAID LOT 15, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE, S45°25'18"W 55.85' ALONG THE NORTHWESTERLY LINE OF SAID LOT 15 TO THE NORTHWESTERLY CORNER OF LOT 14 OF SAID WILD HORSE RIDGE FIFTH ADDITION; THENCE, S39°26'18"W 93.50' ALONG THE NORTHWESTERLY LINE OF SAID LOT 14 TO THE NORTHWESTERLY CORNER OF LOT 13 OF SAID WILD HORSE RIDGE FIFTH ADDITION; THENCE, S36°16'01"W 368.69' ALONG THE NORTHWESTERLY LINE OF LOTS 13, 12, 11 AND 10 OF SAID WILD HORSE RIDGE FIFTH ADDITION TO THE SOUTHWESTERLY CORNER OF LOT 10 OF SAID WILD HORSE RIDGE FIFTH ADDITION, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT OF WAY LINE OF WILD HORSE DRIVE; THENCE, NORTHWESTERLY 16.95' ALONG A 270.00' RADIUS CURVE, CONCAVE NORTHEASTERLY HAVING A CHORD BEARING N58°42'40"W AND A CHORD DISTANCE OF 16.94' ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID WILD HORSE DRIVE; THENCE, S33°05'13"W 225.59' ALONG A WESTERLY LINE OF SAID WILD HORSE RIDGE FIFTH ADDITION TO THE SOUTHWEST CORNER OF LOT 9 OF SAID WILD HORSE RIDGE FIFTH ADDITION, SAID POINT ALSO BEING ON THE NORTHEASTERLY LINE OF TRACT "A" OF WILD HORSE RIDGE FIRST ADDITION AS RECORDED IN INSTRUMENT NO. 2008-00021274 IN THE OFFICE OF THE RECORDER, BLACK HAWK COUNTY, IOWA; THENCE, N60°07'44"W 44.08' ALONG SAID NORTHEASTERLY LINE; THENCE, N43°50'09"W 149.79'; THENCE, N30°12'31"W 276.71'; THENCE, N45°16'06"W 92.58'; THENCE, N89°20'45"W 145.12'. THE AFORESAID ALL BEING ALONG SAID NORTHEASTERLY LINE OF TRACT "A"; THENCE, N0°39'15"E 220.00'; THENCE, S89°20'45"E 25.17'; THENCE, N0°07'18"E 140.00'; THENCE, S89°20'56"E 191.39'; THENCE, S68°37'20"E 65.82'; THENCE, S53°43'59"E 295.00'; THENCE, N36°16'01"E 258.05'; THENCE, S50°37'48"E 136.34'; THENCE, NORTHEASTERLY 12.95' ALONG THE ARC OF A 780.00' RADIUS CURVE, CONCAVE SOUTHEASTERLY, HAVING A CHORD BEARING OF N39°50'43"E AND A CHORD DISTANCE OF 12.95'; THENCE, S49°40'44"E 212.64' TO THE POINT OF BEGINNING, CONTAINING 9.35 ACRES INCLUDING 1.99 ACRES OF ROAD RIGHT OF WAY. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.



Clapsaddle-Garber Associates, Inc  
16 East Main Street  
Marshalltown, Iowa 50158  
Ph 641-752-6701  
www.cgaconsultants.com

DRAWN CAQ	SHEET NO. 2 OF 4
DATE 9-21-2022	PROJECT NO. 5805.05

# FINAL PLAT WILD HORSE RIDGE SIXTH ADDITION CEDAR FALLS, IOWA



**Curve Table**

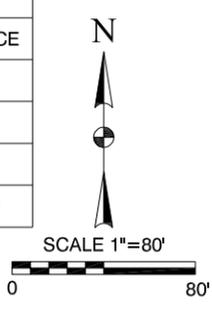
CURVE DATA	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD
C1	50.95'	720.00'	4°03'15"	S38°17'38"W	50.94'
C2	30.61'	25.00'	70°09'44"	S1°11'09"W	28.74'
C3	125.41'	270.00'	26°36'50"	S47°12'08"E	124.29'
C4	95.58'	330.00'	16°35'39"	S48°36'58"E	95.24'
C5	58.23'	330.00'	10°06'37"	S35°15'50"E	58.16'
C6	48.99'	321.82'	8°43'17"	N34°04'52"W	48.94'
C7	144.60'	320.00'	25°53'27"	N51°23'45"W	143.37'
C8	139.65'	320.00'	25°00'17"	N76°50'37"W	138.55'
C9	17.64'	380.00'	2°39'34"	N88°00'59"W	17.64'
C10	74.24'	380.00'	11°11'38"	N81°05'23"W	74.12'
C11	90.63'	380.00'	13°39'55"	N68°39'36"W	90.42'
C12	21.44'	15.00'	81°54'21"	N77°13'11"E	19.66'
C13	22.25'	15.00'	85°00'23"	S6°14'11"E	20.27'
C14	125.86'	380.40'	18°57'23"	N39°15'23"W	125.28'

**Curve Table**

CURVE DATA	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD
C15	49.53'	25.00'	113°31'28"	S86°58'15"E	41.82'
C16	42.25'	780.00'	3°06'12"	S37°49'06"W	42.24'
C17	12.95'	780.00'	0°57'05"	N39°50'43"E	12.95'
C18	16.95'	270.00'	3°35'46"	N58°42'40"W	16.94'
C19	153.81'	330.00'	26°42'16"	S43°33'39"E	152.42'
C20	333.24'	320.05'	59°39'25"	N59°30'54"W	318.39'
C21	182.51'	380.00'	27°31'07"	N75°35'12"W	180.76'

**LINE DATA**

LINE NUMBER	BEARING	DISTANCE
L1	S39°26'18"W	15.38'
L2	S89°20'45"E	4.02'
L3	S89°20'45"E	25.17'
L4	S45°25'18"W	35.57'





**CGA**

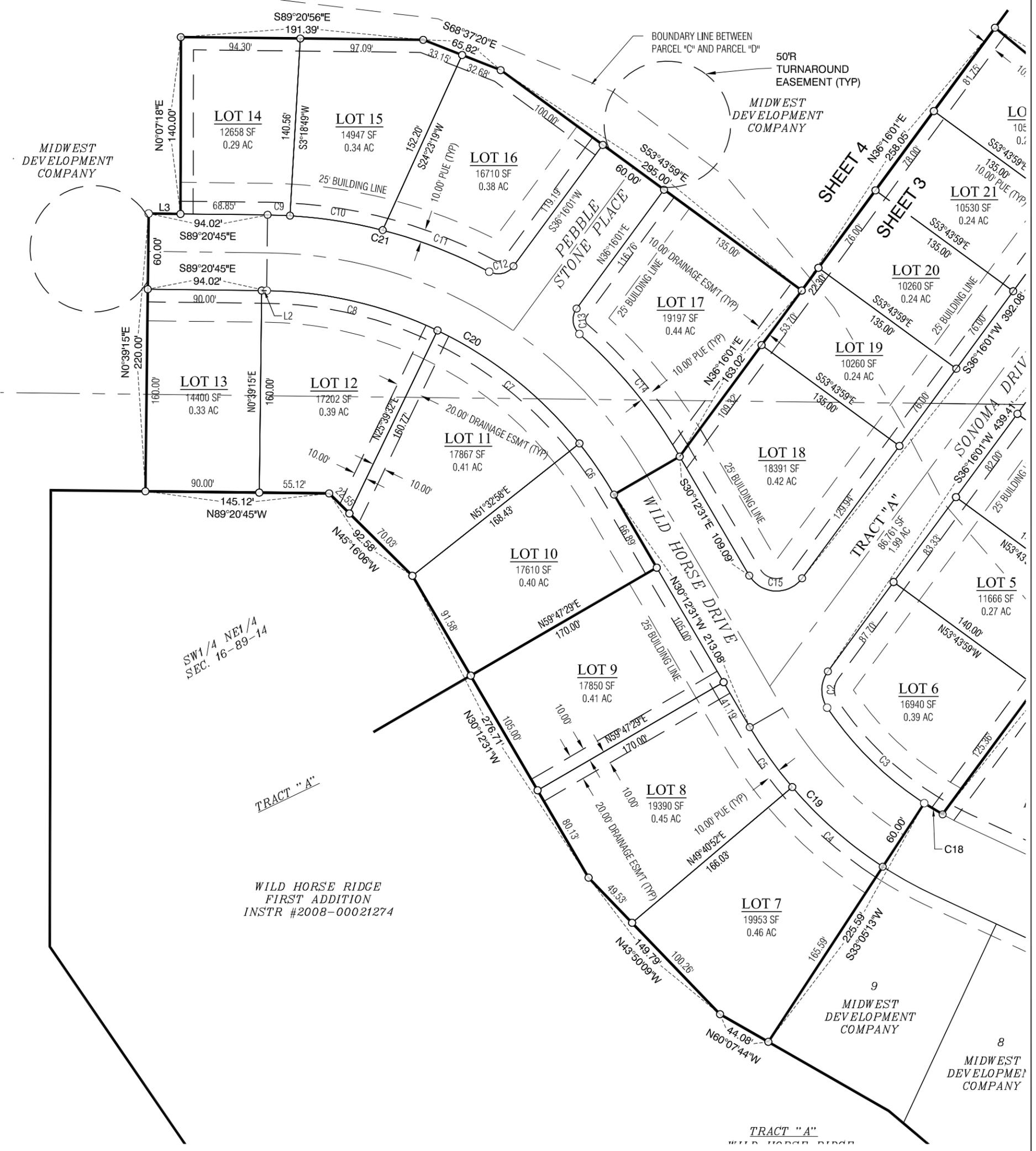
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DRAWN CAQ	SHEET NO. 3 OF 4
DATE 9-21-2022	PROJECT NO. 5805.05

# FINAL PLAT WILD HORSE RIDGE SIXTH ADDITION CEDAR FALLS, IOWA

NW1/4 NE1/4  
SEC. 16-89-14

PARCEL "C"  
INSTR #2016-00015368



SW1/4 NE1/4  
SEC. 16-89-14

WILD HORSE RIDGE  
FIRST ADDITION  
INSTR #2008-00021274



SCALE 1"=80'  
0 80'



Clapsaddle-Garber Associates, Inc  
16 East Main Street  
Marshalltown, Iowa 50158  
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www.cgaconsultants.com

DRAWN CAQ	SHEET NO. 4 OF 4
DATE 9-21-2022	PROJECT NO. 5805.05

Prepared by: Richard R. Morris, 620 Lafayette Street, Ste. 300, PO Box 178, Waterloo, IA 50704 (319) 234-1766

DEED OF DEDICATION  
OF  
WILD HORSE RIDGE SIXTH ADDITION,  
IN THE CITY OF CEDAR FALLS, BLACK HAWK COUNTY, IOWA

KNOW ALL MEN BY THESE PRESENTS:

That Midwest Development Co., an Iowa corporation, with its principal office in Cedar Rapids, Iowa, being desirous of setting out and platting into lots and streets the land described in the attached Certificate of Survey by Travis R. Stewart, a licensed land surveyor, dated the \_\_\_\_ 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:

WILD HORSE RIDGE SIXTH ADDITION,  
IN THE CITY OF CEDAR FALLS, BLACK HAWK COUNTY, IOWA,

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

EASEMENTS

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

A perpetual easement is reserved along the lot lines of said lots as shown by the recorded plat for storm sewer, sanitary sewer, storm water drainage and utility installation and maintenance. There shall be no fences, buildings, large plantings or other obstructions upon or under the property covered by these easements, so that access is available for any equipment and/or persons necessary for the construction, reconstruction or maintenance of said utilities and/or drainage ways. Drainage easements exist ten feet along the rear of lots 1 through 6, 17-22. There is also a twenty-foot drainage easement between lots 8

and 9 and 11 and 12 with ten foot of said easement on each of those four lots. There is a public utility easement of ten feet along the street frontage of all lots in this subdivision.

### RESTRICTIONS

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

1. Any dwelling that shall be erected on any lot shall have a minimum setback from the front of the lot line of 25 feet as indicated on the plat. No building shall be erected nearer to an interior sideline than 5 feet of the owner's lot width, provided however, that corner lots within the addition require a 25 foot setback from each street bordering said lot.

2. Although lots in said Addition may be split or divided in any fashion to provide for more lot area when added to an adjoining lot, no dwelling shall be built or maintained on any partial lot unless said partial lot is combined with an adjoining lot or partial lot so that the resulting lot has no less frontage than the smallest lot as indicated on the plat. The side yard setbacks set forth in paragraph 1. above shall be based on ownership property lines rather than platted lot lines.

3. No buildings or structure not attached to the original structure shall be constructed upon any lot or combination of lots in this subdivision, with the exception of a gazebo which has been approved in accordance with Paragraph 21 hereof. Sheds may be permitted but only if size, design, and materials are approved in writing by the developer. After completion of all houses in the plat, approval for a shed not previously approved by the developer shall be approved by the Association.

4. No trailer, basement, tent, shack, garage or barn erected in said Addition shall at any time be used as a residence, temporarily or permanently, nor shall any residence of a temporary character be permitted on any lot in said Addition.

5. Only single family dwellings shall be constructed on all lots in this subdivision.

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

A. 1,400 square feet for single story or split-level houses with a minimum of 700 square feet on the first floor level for any house of more than one story and total minimum square footage must be at least 1,400 square feet.

7. Each single family residence shall have a minimum of a two-car attached garage with a minimum of 420 square feet.

8. The owner of each lot, vacant or improved, shall keep his lot or lots free of weeds and debris. Further, the owner and/or occupant of each lot shall jointly and severally be responsible to keep in good order or to maintain the area between the curblin and the property line abutting his property including keeping said area free of holes, pitfalls, stumps of trees, fences, brick, stone, cement or other monument-type mail boxes, stakes, post or rods to which a metal, plastic or similar receptacle designed to hold newspapers are affixed, private irrigation or sprinkler systems, retaining walls, landscaping brick, block, stone, timber or other similar material, or any other similar obstructions. No individual mailboxes are allowed in this subdivision; a cluster-style mailbox system, approved by the United States Postal Service, shall be installed by the Developer.

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

10. All approaches and driveways in said Addition shall be paved with concrete.

11. No dwelling on any lot in said Addition shall be occupied until the exterior is completed and finished and the interior substantially completed and finished.

12. No old or used buildings shall be moved upon any of the lots in said Addition for any purpose.

13. All electrical distribution lines and service entrances, all telephone lines and services therefor, all cable TV/fiber optic cable and service therefor, and all other utilities of whatever kind or nature shall be installed underground on all lots in said Addition.

14. No dog compound, enclosure, shelter, storage outbuilding, playhouse, or wood pile for firewood shall be constructed, used or maintained within ten feet of any lot line nor shall they exceed eight feet in height on any of said lots. All outbuilding exteriors shall be approved by the developer in writing prior to start of construction.

15. No radio station or short-wave operators of any kind shall operate from any lot which shall cause interference with audio or visual reception upon any other lot. Antennas are permitted if attached to the structure and do not extend more than eight feet above the peak of the home. All other antennas, satellite TV dishes in excess of 24 inches in diameter, poles for radios, and windmills are prohibited.

16. No motor home or recreational vehicle, trailer of any kind, whether camping, boat, house, utility or otherwise, shall be parked or kept for more than a 48 hour period on any street, driveway or on the lot in said Addition. Any such vehicle must be stored inside the garage.

17. No bus, semi-tractor, trailer or truck of any kind, except what is commonly described as a "pickup truck", shall be kept or parked on any lot or street in said Addition; provided, however, that this prohibition shall not apply to such vehicles driven in said Addition in pursuit of and in conducting their usual business.

18. No shrubs or trees shall be planted so as to infringe upon adjoining property lines based on maximum expected growth and shall be maintained so as not to infringe.

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

The purpose of Wild Horse Ridge Homeowners Association shall be to maintain the common areas and green spaces of the entire development, including but not limited to the entrance parcel and signage to be developed, including the signage easement that is the east 40 feet of Lot 8 in Wild Horse Ridge Third Addition to the City of Cedar Falls, Black Hawk County, Iowa, as well as the pond which is owned by the Wild Horse Ridge Homeowners Association, and such other activities as set forth in the Articles of Incorporation and Bylaws of the Association. Such ownership and maintenance shall include, but not be limited to, mowing, watering, including upkeep of any underground sprinkler system, maintenance of the pond, and snow removal of common areas. Initially, the developer, Midwest Development Co. shall perform the actual construction duties to establish the common areas, green spaces, entrance and surrounding access area.

The annual dues for the Association shall initially be set at \$200.00 per lot per year beginning January 1, 2022. Dues shall be paid by each member of the Association by July 31 of each year. The Association shall have the ability and authority to adjust annual dues as it deems appropriate to carry out the maintenance duties described above. The developer, Midwest Development Co., shall have no responsibility for annual association dues.

20. No building or structure shall be erected or placed on any lot in this subdivision until two sets of building plans, site plans and specifications for the proposed structures shall be submitted to Midwest Development Co. or its designee for approval. Approved plans, site plans and building specifications will be signed and one set of each returned to the Lot Owner. In addition to plans and specifications for the structure, the site plan application shall show the location and type of fences, parking areas, tree plantings, landscaping and other relevant matters, including the location on the lot of all proposed improvements, including whether or not there is a proposed swimming pool which must be an in ground pool only, the materials to be used and the exterior color scheme proposed. No building shall have less than a 6 and 12 pitch roof unless otherwise specifically approved in writing by Midwest Development Co. or its designee. Roofing materials shall be asphalt shingles (25 year minimum rating), wood shakes, wood shingles, slate or tile unless other materials are specifically approved by Midwest Development Co. or its designee. The application shall also set forth a time schedule for construction of improvements and in no event shall an application be approved when the proposed construction will take longer than twelve (12) months. Midwest Development Co. or its designee shall approve or disapprove the application in writing within a period of ten (10) days after receipt of all the documents and in the event of disapproval shall specify the reasons to enable the applicant to correct the application in order to obtain approval. Midwest Development Co. reserves the absolute right and sole discretion, to reject any of the plans, specifications and other aspects of the proposed improvement which in Midwest Development Co.'s opinion is not suitable or desirable for the subdivision. It is the intention of this restriction to permit improvement that will enhance the aesthetics of the subdivision and maintain or improve property values.

21. All of the provisions hereof shall be enforceable by appropriate legal proceedings by any present or future owner of the legal or equitable title to any lot in said subdivision. Invalidation of any one or more of the within restrictions by judgment or decree of court shall not be regarded as affecting

the validity of any of the other provisions hereof, nor shall any judicial determination with respect to any of the restrictive provisions hereof be regarded as affecting the validity or sufficiency of this instrument as a deed of dedication of said plat, all of which such other provisions shall remain in full force and effect.

22. The undersigned and all persons and corporations hereafter requiring any right, title or interest in any of the lots in said subdivision shall be taken and held to have agreed and covenanted with the owners of all other lots in this subdivision and with the respective successors and assigns of all of the rest of such other lots to conform to and observe all of the foregoing covenants, restrictions and stipulations as to the construction of building thereon for a period of twenty-one (21) years from the date of filing of said plat and this deed of dedication for record. Within the period of twenty-one (21) years and in accordance with Iowa Code Chapter 614.24 and 614.25 (2021 Code of Iowa) or their successor provisions, these covenants, restrictions and stipulations shall be automatically extended for an additional period of twenty-one (21) years upon compliance with Chapter 614.24 and Chapter 614.25 of the 2021 Code of Iowa. In the event an extension of the covenants, restrictions and stipulations is not filed within the period of twenty-one (21) years or successive 21-year period, then the covenants, restrictions and stipulations contained herein shall terminate at the end of the existing period of twenty-one (21) years.

23. If the parties hereto or any of them or their heirs or assigns shall violate or attempt to violate any of the covenants or restrictions herein, it shall be lawful for any other person or persons owning property in said Addition to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenants or restrictions and for the purpose of preventing such acts or to recover damages for such violation, or both, and for costs and reasonable attorney's fees as determined by the Court and not the statute.

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

25. Upon the sale of a lot, owner shall take responsibility for any erosion control issues, certifications and/or requirements of the Iowa Department of Natural Resources.

26. All buildings erected on any lot in said Addition shall be constructed in accordance with all applicable statutes, ordinances, codes, rules, regulations, and standards of the City of Cedar Falls, Iowa.

#### PUBLIC IMPROVEMENTS REQUIRED IN WILD HORSE RIDGE SIXTH ADDITION

The undersigned do hereby dedicate and set apart to the public and for the public's use all streets shown and laid out on the attached plat, subject to the easements set forth herein, and do further agree as follows:

- A. That the streets shown on the attached plat, Wild Horse Drive, Sonoma Drive and Pebble Stone Place (Tract "A") shall be thirty-one (31) feet and will be brought to City grade, back of curb to back of curb; said street with approved

hard surface pavement in accordance with City of Cedar Falls, Standard Specifications.

- B. That sanitary sewer, together with the necessary manholes and sewer service lines to all lots in the plat, will be provided.
- C. That underground utilities, as required by the Subdivision Ordinance of the City of Cedar Falls, Iowa, shall be installed.
- D. That the city water will be provided to all lots as required by the Cedar Falls Municipal utilities.
- E. That municipal fire hydrants will be provided as required by the Cedar Falls Public Safety Department.
- F. That storm sewer will be provided as specified by the City Engineer.
- G. That handicap ramps will be provided as required by law.
- H. That a four (4) foot wide concrete sidewalk four (4) inches thick and a concrete surface or hard surface entrance will be installed during or immediately after the construction of the residence on any particular lot, or within five (5) years after the date the plat is filed in the office of the Recorder of Black Hawk County, whichever is sooner and that the sidewalk be across the full length of the lot and on corner lots also, across the parking and full length of the lot. In the event that the City is required to construct the sidewalk as permitted by subparagraph J, a lien or liens may only be imposed against the lot or lots which require city construction and no others in the subdivision.
- I. That the work improvements called for herein shall be in accordance with the specifications of the City of Cedar Falls, Iowa, and performed under the supervision of the City Engineer. In the event that the developer, Midwest Development Co., its grantees and assigns fail to complete said work and improvements called for herein within one (1) year from the date of the acceptance of said final plat by the City of Cedar Falls, Iowa, the City may then make the improvements and assess the costs of the same to the respective lots. The undersigned, for themselves, their successors, grantees and assigns, waive all statutory requirements of notice of time and place of hearing and agree that the City may install said improvements and assess the total costs thereof against the respective lots.
- J. That the City may perform said work, levy the cost thereof as assessments, and the undersigned agree that said assessments so levied shall be a lien on the respective lots with the same force and effect as though all legal provisions pertaining to the levy of such special assessments have been observed, and further authorize the City Clerk to certify such assessments to the County Auditor as assessments to be paid in installments as provided by law.

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

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

27. The developer, Midwest Development Co., states:
- A. That this plat and development shall comply with the R-P Residential Zoning District Classification Regulations.

28. Notwithstanding anything contained in the Deed of Dedication to the contrary, any assessment made under the Deed of Dedication shall not be a lien against any property described herein unless and until the City of Cedar Falls records with the Black Hawk County Recorder a "Notice of Assessment Lien" which notice shall describe the property against which the lien attaches in the amount of said lien.

29. All subsequent owners of lots in the subdivision shall be obligated to meet any requirements imposed by the Commissioners of the Black Hawk County Conservation District or any other governmental agency, by the authority of Chapter 161A, Code of Iowa, pertaining to soil erosion control plans for certain land distributing activities. This covenant shall be perpetual and not be governed by the provisions of Paragraph 23 of this Deed of Dedication.

SIGNED and DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

MIDWEST DEVELOPMENT CO.

By \_\_\_\_\_  
Hunter Skogman, President Land Acquisition and  
Development

STATE OF IOWA, LINN COUNTY ss

This instrument was acknowledged before me on \_\_\_\_\_, 2022, by Hunter Skogman as President Land Acquisition and Development, Midwest Development Co.

\_\_\_\_\_  
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: 319-273-8610  
 www.cedarfalls.com

### MEMORANDUM

#### *Planning & Community Services Division*

**TO:** Planning & Zoning Commission  
**FROM:** Chris Sevy, Planner I  
**DATE:** November 22, 2022  
**SUBJECT:** Zoning Agreement – Midway Business Park

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**REQUEST:** New Zoning Agreement - Midway Business Park

**PETITIONER:** Lucas Moore, Oak District LLC

**LOCATION:** Lots 5 & 6 Midway Business Park: Greenhill Circle

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#### PROPOSAL

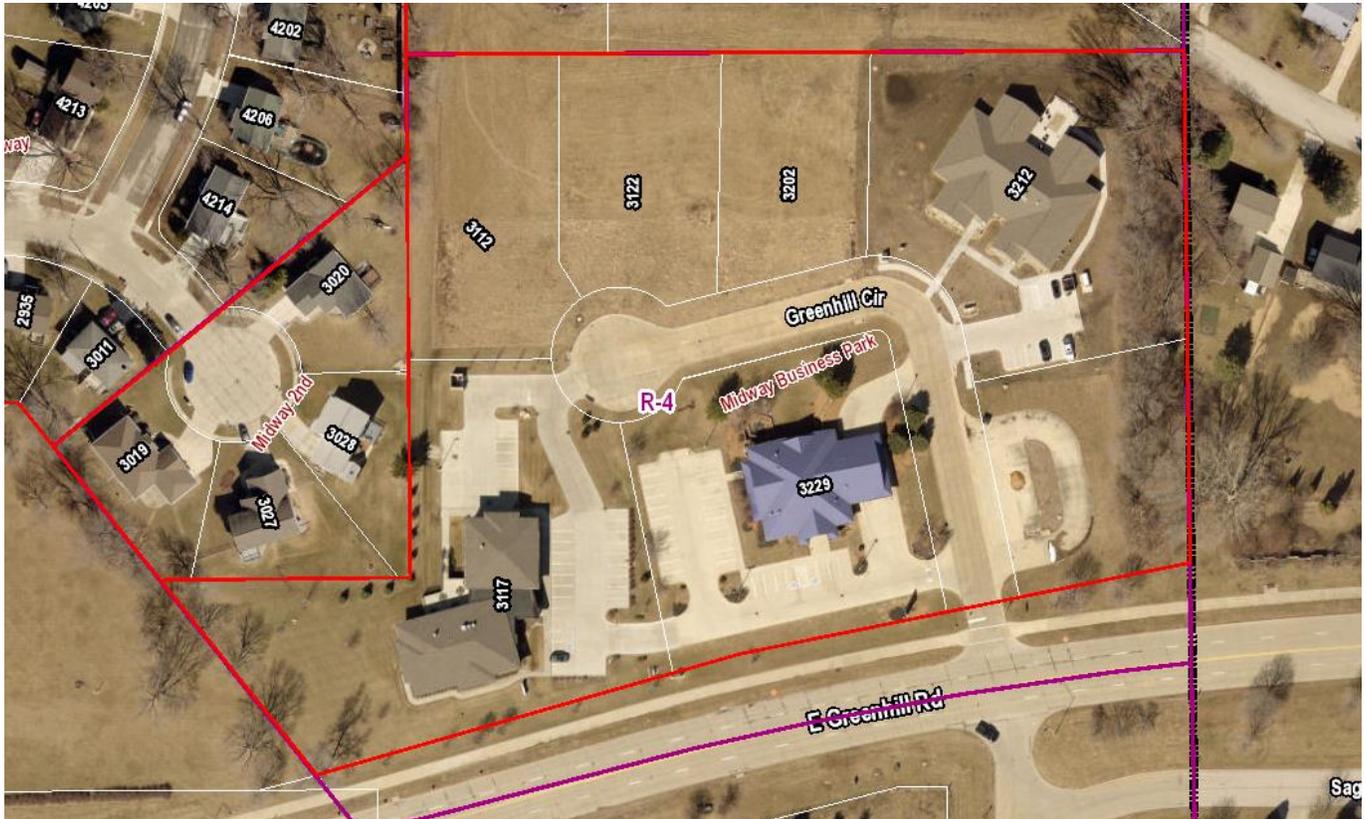
The applicant submitted a request to amend the zoning restriction placed on Lots 5 and 6 of the Midway Business Park subdivision. This restriction only allows for the construction of professional service office buildings and the applicant wishes to establish a nursing home/senior assisted living facility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

#### BACKGROUND

This request and issue came before the Planning and Zoning Commission on September 14, 2022 (introduction and setting of public hearing) and September 28, 2022 (public hearing). However, in preparing an amendment to the zoning agreement it was discovered that there was an error in the legal description included in the original zoning agreement from 1994 so it did not accurately describe the same properties that were rezoned to R-4 at the time. Since this error nullifies that rezoning, the agreement, and any subsequent amendments, it is best to rescind the original agreement and draft a new one that includes the conditions that remain relevant today, specifically the use restrictions in the Midway Business Park. It is also necessary to properly rezone to R-4 as the original resolution to rezone used the same legal description as the agreement.

The other two conditions of the original 1994 agreement have already been accomplished. Namely, Lovejoy Drive ends in a cul-de-sac, and four single family homes have been constructed on the four lots at the end of Lovejoy. This effectively separates the residential neighborhood from the Midway Business Park, so no commercial traffic can flow through the neighborhood (see aerial image below). For reference, the minutes from the previous meeting

are noted below.



Aside from the issue of the legal description of the land this would apply to, no material facts regarding the request and staff's analysis have changed. It should be noted that an amendment to the 1994 agreement was approved in 2018 which provided for a nursing home/senior assisted living use on lots 7 and 8. With the success of the initial facility, Oak District, the applicant would like to take the necessary steps with a new zoning agreement to allow a second similar assisted living facility on Lots 5 & 6. If this request is approved, only two lots within the Midway Business Park Subdivision will remain undeveloped.

One important issue is that there are four single-family homes at the end of Lovejoy Drive (cul-de-sac abutting the business park) that were zoned R-4 and were included in the 1994 agreement to be restricted to single-family use. Since the conditions of the original 1994 agreement have already been accomplished and the legal description did not entirely encompass those lots, the use restrictions may not be enforceable. The property is currently zoned R-4, High Density Residential. To ensure that multifamily and non-residential uses are not established in that single-family neighborhood counter to the intent of the original agreement (however unlikely), staff will be recommending rezoning these properties to R-1 to be consistent with the rest of the residential neighborhood. Staff is reaching out to these property owners to explain the situation and discuss rezoning their properties to R-1, so staff will bring this forward as a separate rezoning case before the Planning and Zoning Commission at a subsequent meeting.

ANALYSIS

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

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

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

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

The zoning agreement approved in 1994 and revised in 2018 will need to be rescinded and replaced by a new zoning agreement which accommodates the proposed assisted living facility. The new zoning agreement will only encompass the lots within the Midway Business Park and not the four single family lots at the end of Lovejoy.

A notice was mailed to the adjoining property owners on September 6, 2022 regarding this zoning district amendment. An additional notice was also mailed on November 4, 2022.

STAFF RECOMMENDATION

The Department of Planning and Community Services recommends setting a public hearing to consider a new zoning agreement that will encompass the Midway Business Park and restrict the uses to professional offices, nursing homes, and assisted living facilities. The resolutions approving the 1994 agreement and the 2018 amendment will be rescinded. The new agreement is being drafted and will be brought forward at the public hearing.

The Department of Planning and Community Services also recommends setting a public hearing to consider a proper rezoning of the Midway Business Park to R-4 utilizing the correct legal description.

PLANNING & ZONING COMMISSION

Introduction 9/14/2022	The first item of business was a rezoning request for an Amendment to Zoning Agreement for Lots 5 & 6 Midway Business Park. Chair Leeper introduced the item
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and Mr. Weintraut provide background information. He explained that the item is a rezoning, not for a change in the underlying zoning, but a change to the zoning agreement that was adopted with the rezoning that occurred in 1994. At that time, neighbors were concerned about the intensity of uses and increased traffic, so the developer agreed to limit the development to office uses only even though the property is zoned R-4. In 2018, an amendment to the zoning agreement was approved to allow an assisted living facility on Lots 7 & 8. The same developer/owner, Oak District LLC, would like to build a similar assisted living facility on Lots 5 & 6, so have requested another amendment to the zoning agreement to allow this type of use on these lots. Staff recommends that a public hearing be set for the next P&Z meeting.

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

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

#### Discussion & Vote 9/28/2022

The first item of business was a public hearing regarding an Amendment to a Zoning Agreement for Lots 5 and 6 in Midway Business Park. Acting Chair Hartley introduced the item and Mr. Weintraut provided background information. He explained that the Midway Business Park is located off of Greenhill Road at Waterloo city limits. The property was originally zoned R-1, but was changed to R-4 as it is located along a busy street. The applicant has submitted a request to amend the zoning restriction to allow for a nursing home or assisted living facility on these lots. Staff recommends approval of the amendment with the provision that a revised Zoning Amendment Agreement signed by all property owners within the Midway Business Park Addition subdivision be submitted.

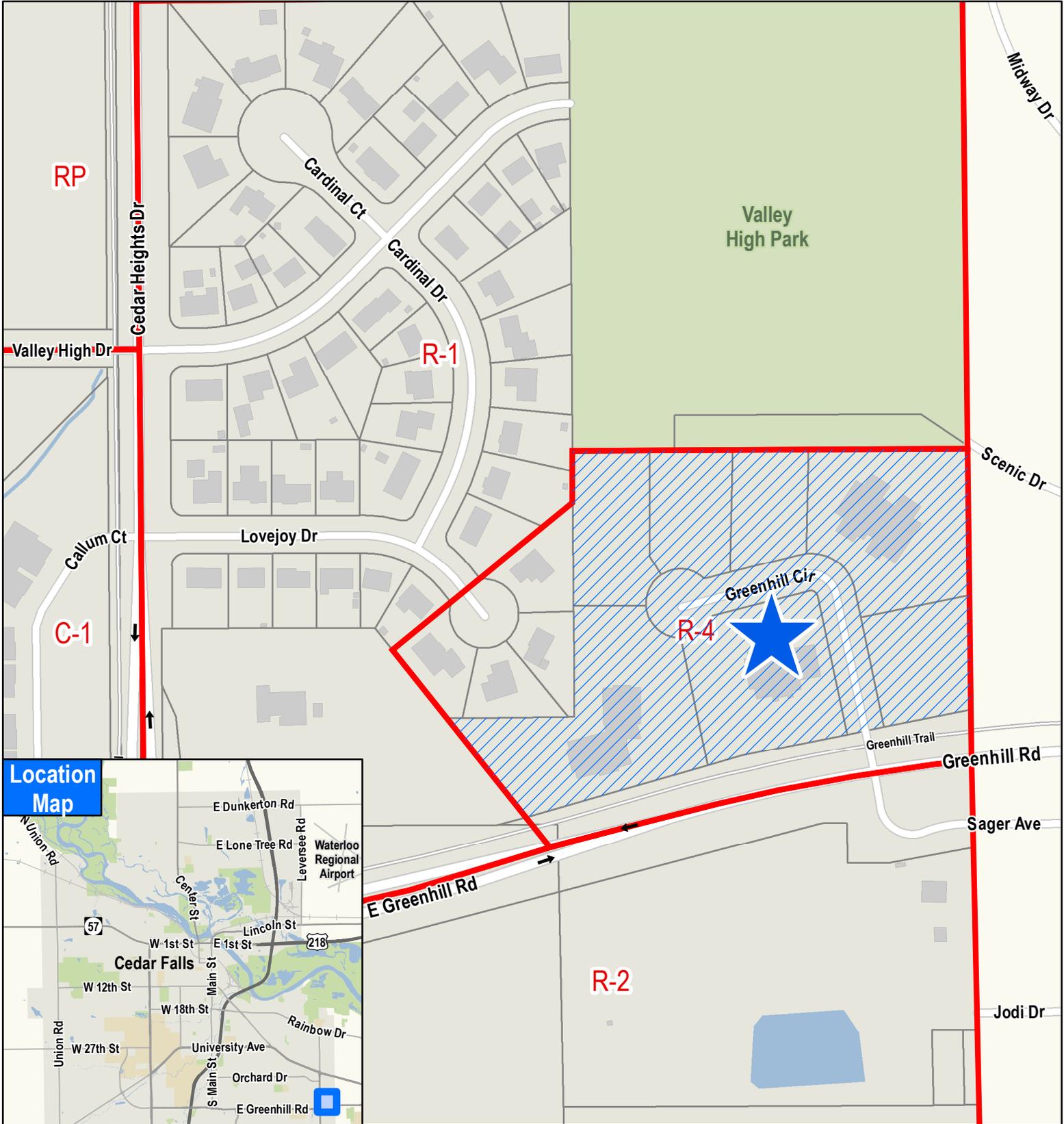
Luke Moore, 8206 West Ridgeway, stated that the signatures should be completed in a few days.

Ms. Saul made a motion to approve the item. Mr. Larson seconded the motion. The motion was approved unanimously with 8 ayes (Crisman, Grybovych, Hartley, Holst, Larson, Lynch, Moser and Saul), and 0 nays.

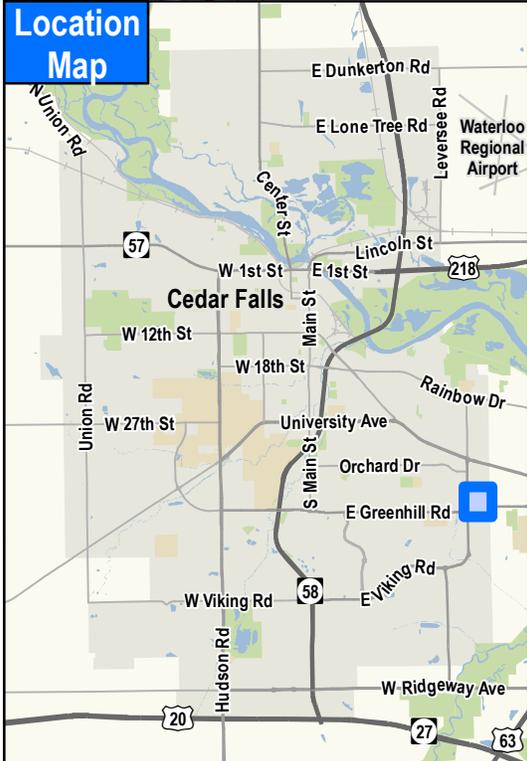
Attachments: Location map  
Lots where assisted living facility is proposed  
Request Letter  
Original Zoning Agreement

# Cedar Falls Planning and Zoning Commission November 22, 2022

Item 3.



Location Map



**Zoning Agreement update & Rezone to R-4  
Midway Business Park  
All properties on Greenhill Circle**

# FINAL PLAT MIDWAY BUSINESS PARK CEDAR FALLS, IOWA

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

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

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

### FEATURE LEGEND

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



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

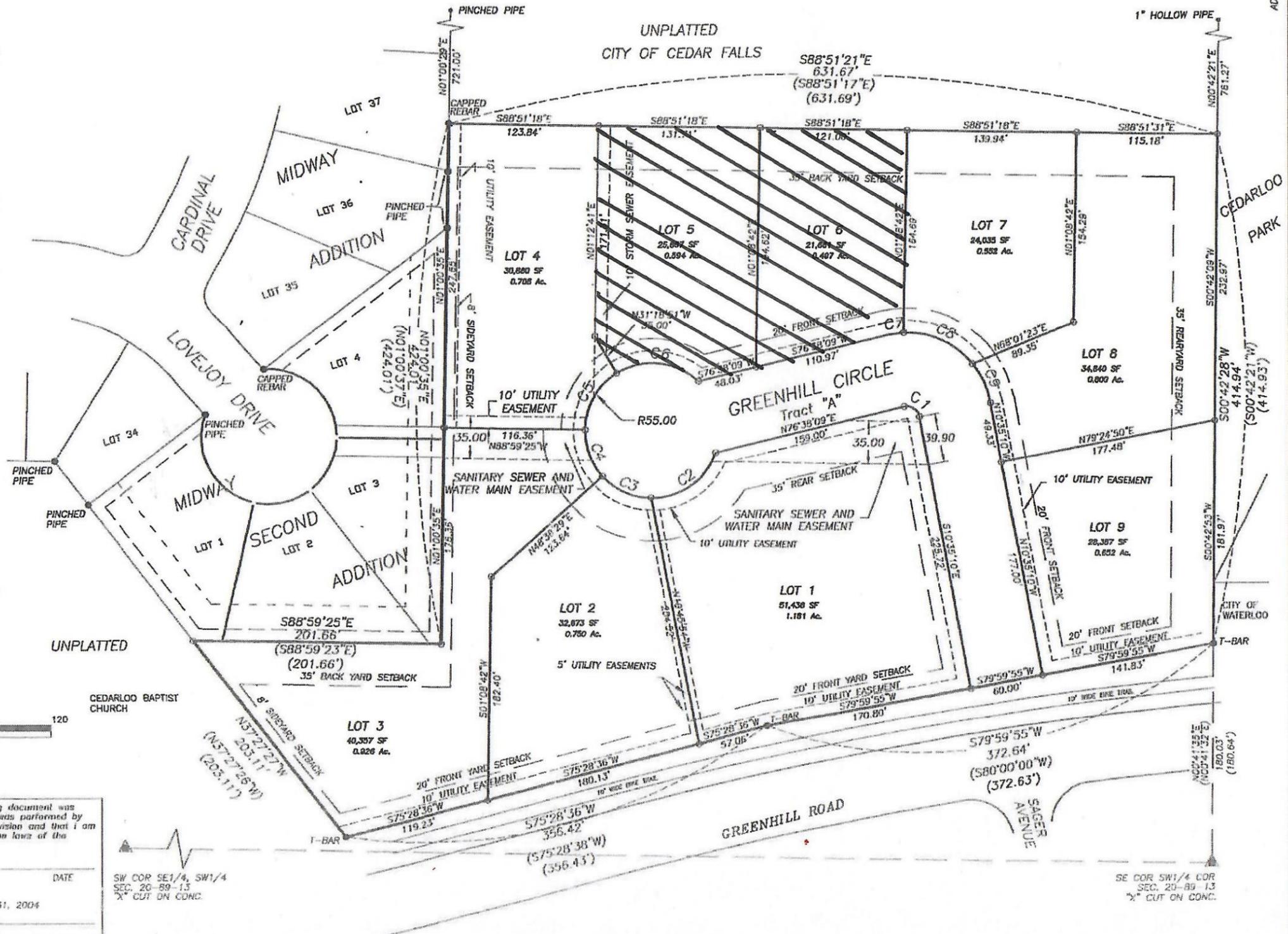
WENDELL J. LUPKES, L.S. DATE  
License number 12088  
My license renewal date is December 31, 2004  
Pages or sheets covered by this seal:

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

### LEGAL DESCRIPTION

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

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



ADDITIONAL 5' UTILITY EASEMENT (LOTS 1 & 2) 11-20-02

DATE	BY	REVISIONS
11-20-02	WJL	BOOK

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

MIDWAY BUSINESS PARK, FINAL PLAT  
CEDAR FALLS, IOWA

02889

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

Luke Moore

COPY

## ZONING AGREEMENT

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

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

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

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

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

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

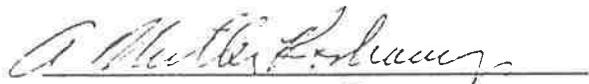
NOW, THEREFORE, it is hereby agreed by and between the above named parties that the following conditions are hereby imposed on R & N Investments and the real estate described as follows in addition to the existing regulations governing all real estate included in the R-4, Residential Zoning District.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

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

2. That the remaining property subject to rezoning east of the Lovejoy Drive cul-de-sac area will be developed solely with professional service office buildings.
3. That prior to the establishment of any uses on the property other than single family residences or professional service office buildings a separate rezoning request shall be submitted to the City for consideration in the normal fashion.

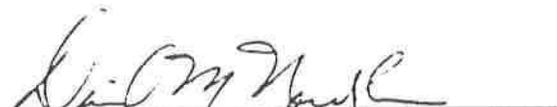
The foregoing conditions shall apply to the above described real estate and shall run with the land.

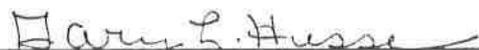
CITY OF CEDAR FALLS, IOWA

  
A. Miller Roskamp, Property Owner

By:   
Ed Stachovic, Mayor

ATTEST:

  
David M. Nordyke, Property Owner

  
Gary L. Hesse, City Clerk





## DEPARTMENT OF COMMUNITY DEVELOPMENT

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

### MEMORANDUM

#### *Planning & Community Services Division*

**TO:** Planning & Zoning Commission  
**FROM:** Chris Sevy, Planner I  
**DATE:** November 22, 2022  
**SUBJECT:** Rezone Midway 2<sup>nd</sup> Addition

---

**REQUEST:** Rezone from R-4 to R-1

**PETITIONER:** City of Cedar Falls

**LOCATION:** Lots 1-4 of Midway 2<sup>nd</sup> Addition (3019-3028 Lovejoy Dr) (RZ22-005)

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#### PROPOSAL

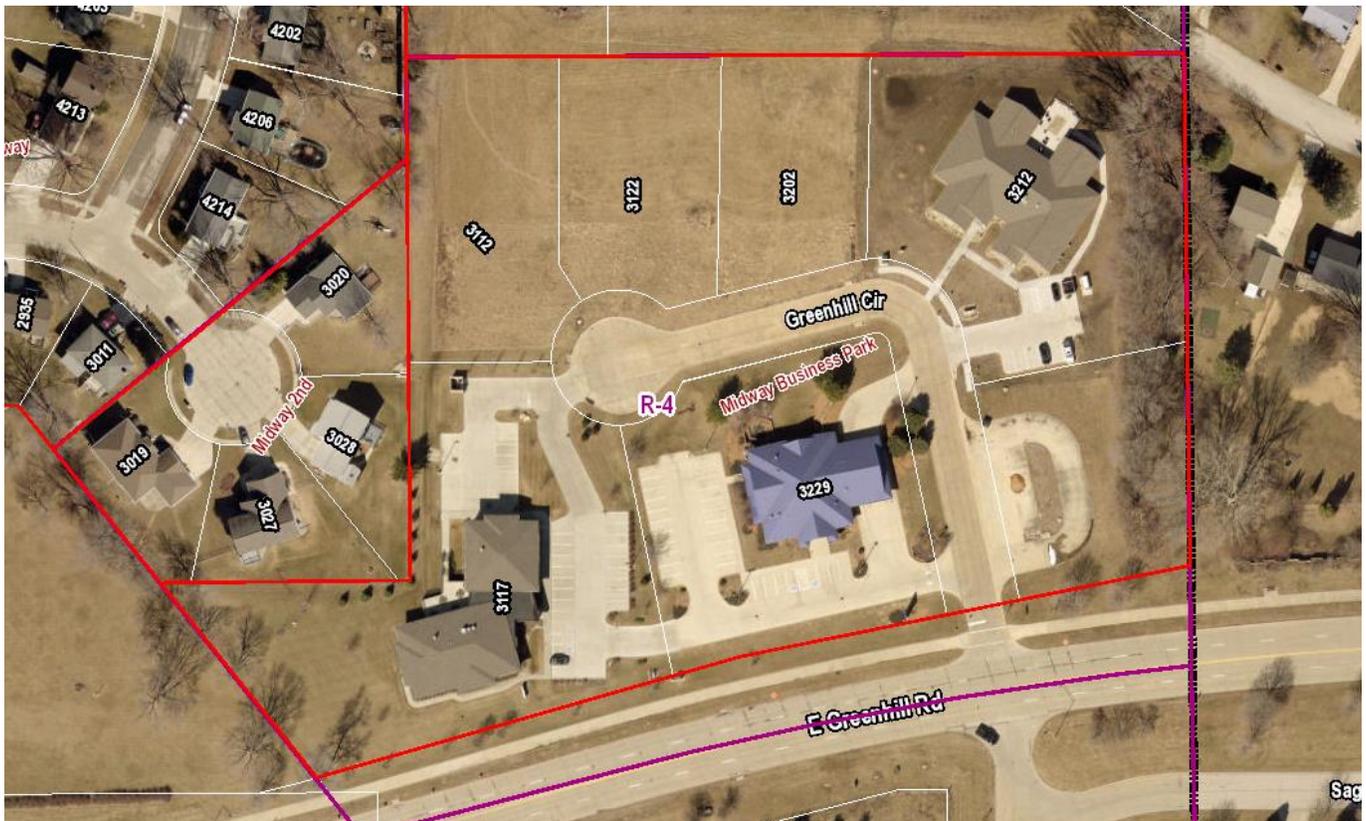
The zoning agreement that restricts the use of these lots to single family in the R-4 District is in the process of being rescinded and replaced as errors were discovered in the legal description while updating the restrictions in that agreement. The agreement has served its purpose in the establishment of single-family uses, and it makes more sense at this time to regulate these lots the same as the rest of the residential neighborhood. To ensure that the use of these lots remains consistent with the residential neighborhood, staff proposes that they be rezoned from R-4 to R-1.

#### BACKGROUND

The origin of this request is from a proposed amendment to the zoning agreement which came before the Planning and Zoning Commission on September 14, 2022 (introduction and setting of public hearing) and September 28, 2022 (public hearing). However, in preparing an amendment to the zoning agreement it was discovered that there was an error in the legal description included in the original zoning agreement from 1994 so it did not accurately describe the same properties that were rezoned to R-4 at the time. Since this error nullifies the agreement and any subsequent amendments, it is best to rescind the original agreement and draft a new one that includes the conditions that remain relevant today, specifically the use restrictions in the Midway Business Park.

The other two conditions of the original 1994 agreement have already been accomplished. Namely, Lovejoy Drive ends in a cul-de-sac, and four single family homes have been constructed on the four lots at the end of Lovejoy. This effectively separates the residential

neighborhood from the Midway Business Park, so no commercial traffic can flow through the neighborhood (see aerial image below).



The four residential properties at the end of Lovejoy Drive are currently zoned R-4, High Density Residential. To ensure that multifamily and non-residential uses are not established in that single-family neighborhood counter to the intent of the original agreement (however unlikely), staff is recommending rezoning these properties to R-1 to be consistent with the rest of the residential neighborhood. Staff has reached out to these property owners to explain the situation and discuss rezoning their properties to R-1.

### ANALYSIS

By virtue of the errors in the legal description of the original zoning agreement, the enforceability of that agreement is in question. The city is in the process of rescinding and replacing the agreement which leaves two options:

1. Include the residences in the new zoning agreement and continue to regulate the residences in that way, or
2. Rezone the residences to R-1 and regulate them the same as the adjacent homes in the neighborhood, which is zoned R-1.

Since, for some time these have not been considered part of the Midway Business Park but an addition to the Midway Subdivision, the latter option appears to be more appropriate. Also, rezoning to R-1 better defines the rights of the property owners.

Worth noting is that there are platted 20-foot front setbacks that will continue to apply to these properties. All other aspects of R-1 District standards will apply.

MINIMUM CRITERIA FOR REZONE

The following criteria are the minimum consideration for a rezone:

1) *Is the rezoning request consistent with the Future Land Use Map and the Comprehensive Plan?*

Yes, these residences are slated for Low Density Residential on the Future Land Use Map

2) *Is the property readily accessible to sanitary sewer service?*

Yes, these are developed lots and each residence is connected to utilities.

3) *Does the property have adequate roadway access?*

Yes, the lots are on a cul-de-sac at the end of Lovejoy Drive.

Notice was mailed to the adjoining property owners on September 6, 2022 regarding the zoning agreement amendment. Additional notice was mailed on November 4, 2022 regarding the change of course to rescind and replace the agreement. Lastly, notice was mailed on November 16<sup>th</sup>, 2022 regarding this rezone from R-4 to R-1.

STAFF RECOMMENDATION

Staff recommends setting a public hearing to consider rezoning the subject properties from R-4 to R-1.

PLANNING & ZONING COMMISSION

Introduction  
9/14/2022

The first item of business was a rezoning request for an Amendment to Zoning Agreement for Lots 5 & 6 Midway Business Park. Chair Leeper introduced the item and Mr. Weintraut provide background information. He explained that the item is a rezoning, not for a change in the underlying zoning, but a change to the zoning agreement that was adopted with the rezoning that occurred in 1994. At that time, neighbors were concerned about the intensity of uses and increased traffic, so the developer agreed to limit the development to office uses only even though the property is zoned R-4. In 2018, an amendment to the zoning agreement was approved to allow an assisted living facility on Lots 7 & 8. The same developer/owner, Oak District LLC, would like to build a similar assisted living facility on Lots 5 & 6, so have requested another amendment to the zoning agreement to allow this type of use on these lots. Staff recommends that a public hearing be set for the next P&Z meeting.

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

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

Discussion &  
Vote 9/28/2022

The first item of business was a public hearing regarding an Amendment to a Zoning Agreement for Lots 5 and 6 in Midway Business Park. Acting Chair Hartley introduced the item and Mr. Weintraut provided background information. He explained that the Midway Business Park is located off of Greenhill Road at Waterloo city limits. The property was originally zoned R-1, but was changed to R-4 as it is located along a busy street. The applicant has submitted a request to amend the zoning restriction to allow for a nursing home or assisted living facility on these

lots. Staff recommends approval of the amendment with the provision that a revised Zoning Amendment Agreement signed by all property owners within the Midway Business Park Addition subdivision be submitted.

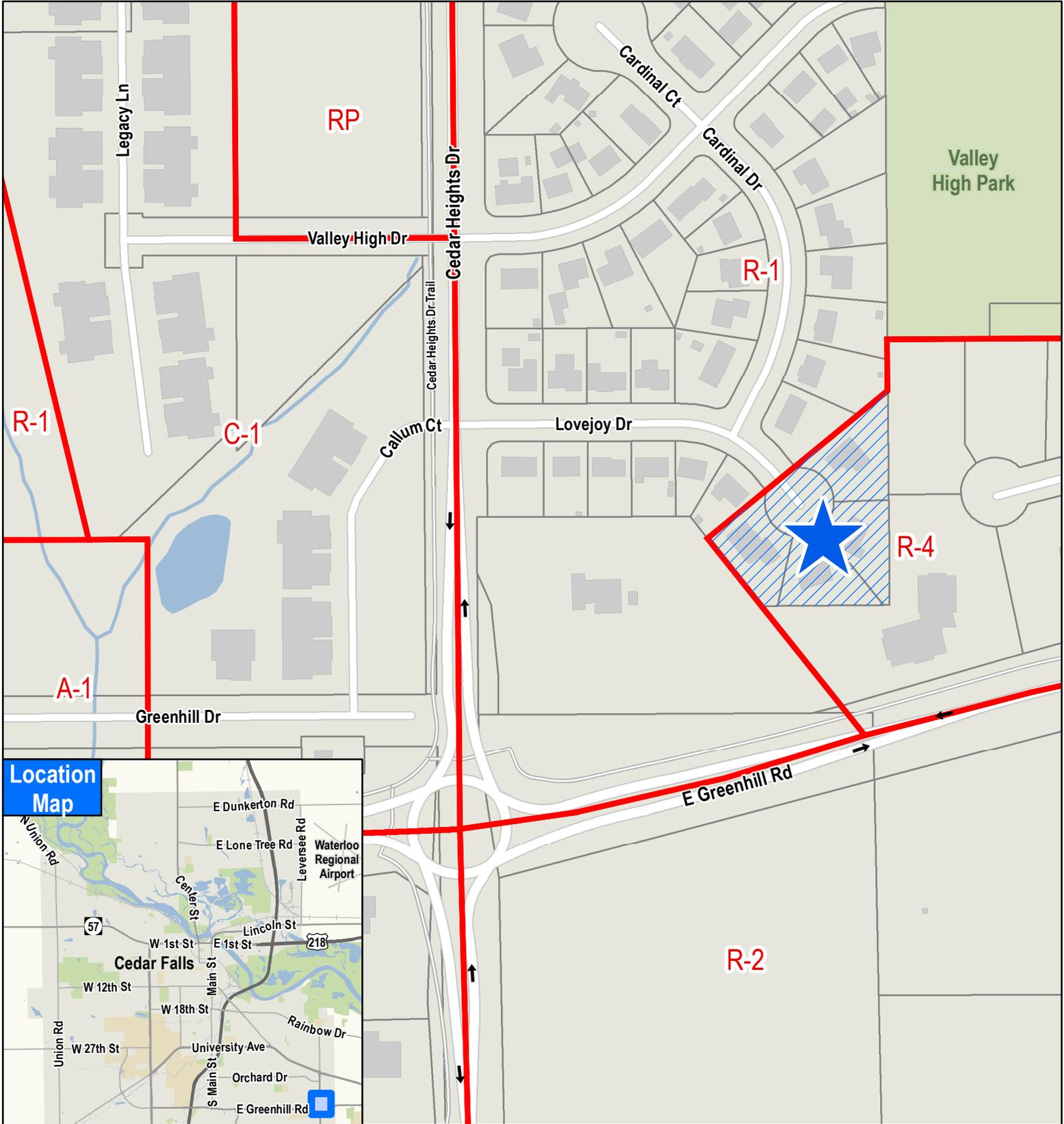
Luke Moore, 8206 West Ridgeway, stated that the signatures should be completed in a few days.

Ms. Saul made a motion to approve the item. Mr. Larson seconded the motion. The motion was approved unanimously with 8 ayes (Crisman, Grybovych, Hartley, Holst, Larson, Lynch, Moser and Saul), and 0 nays.

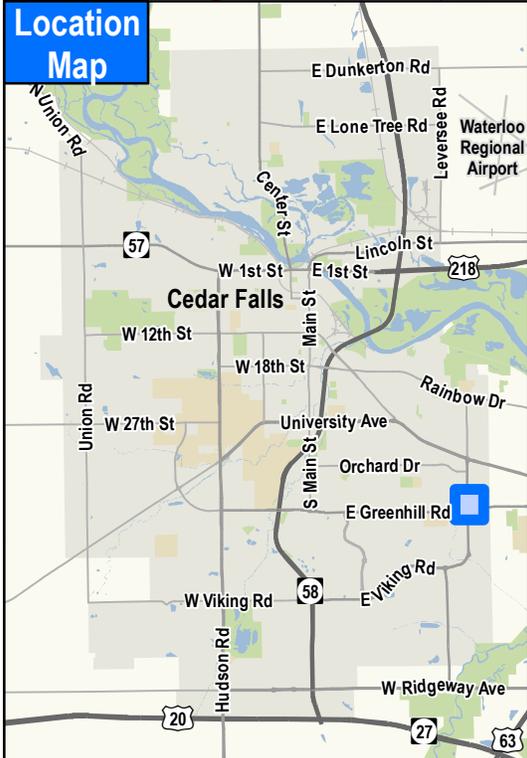
Attachments: Location map

# Cedar Falls Planning and Zoning Commission November 22, 2022

Item 4.



### Location Map



**Rezone from R-4 to R-1**  
**Lots 1 through 4, Midway 2nd Addition**  
**3019, 3020, 3027, 3028 Lovejoy Dr.**



## DEPARTMENT OF COMMUNITY DEVELOPMENT

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

### MEMORANDUM

#### Planning & Community Services Division

**TO:** Planning & Zoning Commission  
**FROM:** Michelle Pezley, Planner III  
**DATE:** November 22, 2022  
**SUBJECT:** Site Plan Review for Triplex on Lot 4, Hanna Park (Case # SP22-012)

**REQUEST:** Site Plan Approval for construction of a new tri-plex in C-1 District

**PETITIONER:** Kyle Larson, LGC; Lary Koosmann EI, LSI, Clapsaddle-Garber Associates, Inc

**LOCATION:** Southwest of the intersection of Valley High Dr. and Cedar Heights Dr.

#### PROPOSAL

The applicant proposes to construct a one-story, tri-plex on Lot 4 of Hanna Park Commercial Addition. The property is located on Valley High Drive west of Cedar Heights Drive. Each unit will consist of three bedrooms, two bathrooms, and a three-car garage.

#### BACKGROUND

The property is zoned C-1 Commercial. Within the C-1 Zoning district, residential uses are subject to review by the Planning and Zoning Commission and approval by the City Council.

The Future Land Use map shows this property area as Medium Density Residential.

The parcel is also within the 500-year flood plain.

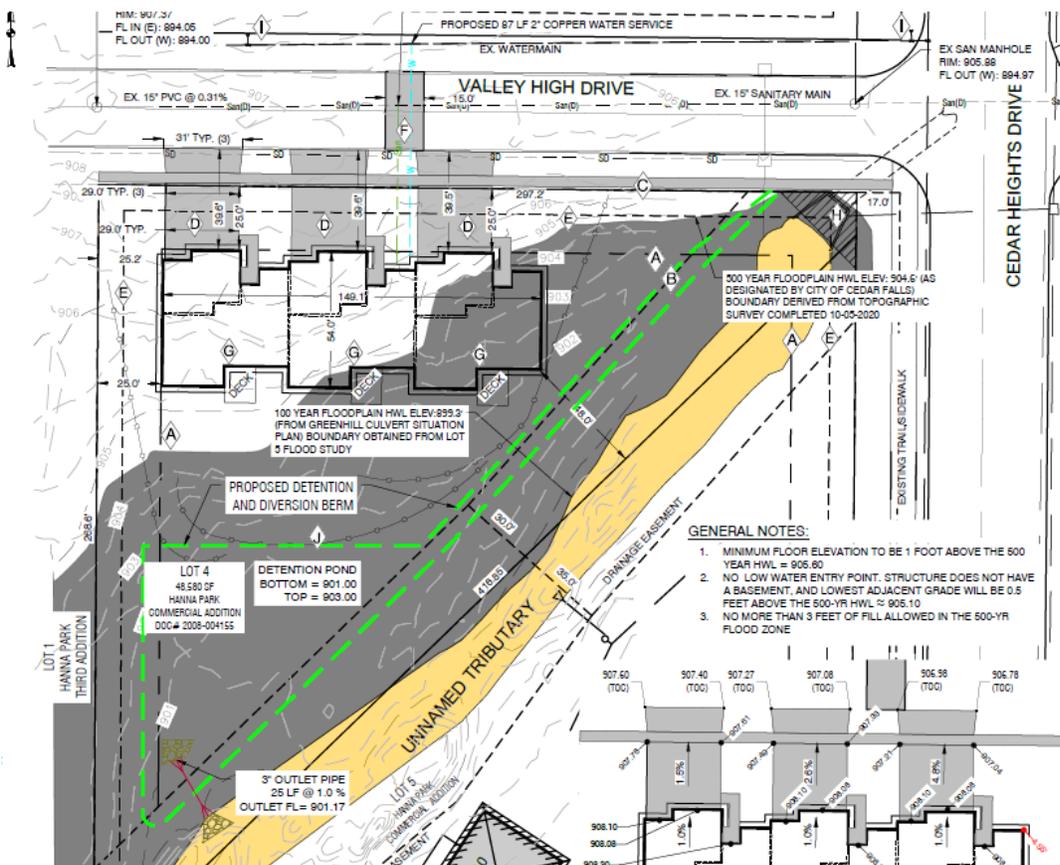


### ANALYSIS

C-1 Zoning District is intended to provide opportunities for commercial uses next to residential districts that meet the needs of the local residents. C-1 Zoning District requires a site plan review for all residential uses to make sure that the residential uses are appropriate to the surrounding residential uses and existing commercial uses. The proposed residential use must be in conformance with the standards of the comprehensive plan and recognized principles of civic design, land use planning, and landscape architecture.

Building design shall be of an appropriate architectural design and utilize similar building materials compared to similar residential facilities in residential zoning districts. Minimum required building and parking lot setbacks shall generally conform to those requirements specified in the R-4 district. However, these standards may be modified by the city council in consideration of special circumstances of the property in question. Lot area and density standards shall generally conform to standards outlined in the R-4 district.

Following is a review of the zoning ordinance requirements for the proposed development:

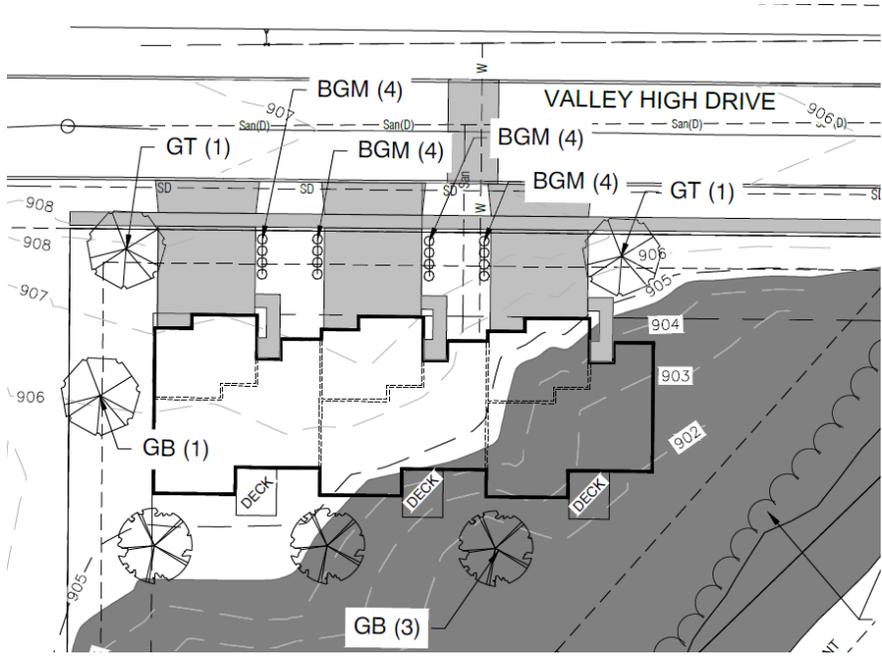


- 1) Use: The Future Land Use map shows this property area as Medium Density Residential. Residential uses are allowed within the C-1 Zoning District if the use is in conformance to the Comprehensive Plan. The Residential uses are subject to review by the Planning and Zoning District and approval from City Council.
- 2) Setbacks: C-1 Zoning District designates the setbacks residential uses to follow the R-4 Zoning District.

The Hanna Park Commercial Addition Plat shows a 25-foot setback from the front and the western property line. The applicant proposes to maintain the setbacks as shown on the plat. Building setbacks are satisfied.

- 3) Parking: The code requires two parking spaces per unit plus one space for each additional bedroom over two bedrooms, which in this case is three parking spaces. The applicant proposes three car garage for each unit and three spaces within the driveways that will be at least 31 feet wide by 25 feet long. The amount and dimension of the parking spaces comply.

- 4) Landscaping: For residential uses in the C-1 District, amenities appropriate for residential uses such as open green space, landscaping, and outdoor recreation areas must be provided generally consistent with other similar residential developments. The applicant proposes shrubs along the driveways (Green Mountain Boxwoods) and six trees (Autumn Gold Ginkgo and Skyline Honey Locust). The rest of the area will be grass or native vegetation along the unnamed tributary. The landscaping will fit in well with the surrounding residential neighborhood.



- 5) **Building Design:** The applicant proposes the tri-plex to be single story modern design. All the garage doors will face the street with the front doors setback from the



front plane of the garages. This development design will fit into the existing neighborhood as most of the existing garages are closer to the street than the front doors.

- 6) **Lighting:** The C-1 Zoning District does not have specific lighting design guidelines. However, all new site plans require a review of the lighting to consider potential nuisance issues and incompatibilities. The applicant proposes lighting over the front door to make sure the walkway is visible. Lighting is acceptable.
- 7) **Signage:** Signage shall be limited and of a size, height and scale normally allowed in residential neighborhoods. No signage proposed.
- 8) **Storm Water Management:** The applicant proposes to have an on-site detention pond and diversion berm adjacent to the unknown tributary that meets the stormwater quality and detention requirements. Prior to construction, a City SWPPP permit will need to be obtained to ensure that erosion controls are placed properly. Criterion is met, subject to final engineering review prior to issuance of a building permit.

### TECHNICAL COMMENTS

Cedar Falls Utilities (CFU) has reviewed the proposed plans for the Triplex at Hanna Park. Water, electric, gas, and communications utility services are available in accordance with the service policies of CFU. Water is available from an 8" water main along the north side of Valley High Drive and gas is available from a gas main along the south side of Valley High Drive. The 3-Plex Site Plan shows a 2" copper water service and a 6" sanitary sewer service installed into the center unit of the 3-plex. These services need to be designed to meet current plumbing standards/codes for services to the 3-plex. This is for developer information and for city plumbing code enforcement information.

Removal and replacement of the trees or any other landscaping located within these areas that may be disturbed by utility maintenance, repair, or replacement is the responsibility of the property owner.

Any other minor technical issues will be addressed at the time of a building plan review.

A courtesy notice to surrounding property owners was mailed on November 15, 2022.

### STAFF RECOMMENDATION

Staff recommends approval of SP22-012, a residential site plan within the C-1 Zoning District for property located at Lot 4 of Hanna Park Commercial Addition, subject to:

- 1) Any comments or direction specified by the Planning & Zoning Commission.
- 2) Conformance with all staff recommendations and technical requirements.
- 3) Construction of the proposed residential development must commence (i.e., city building permits secured) within one year following city council approval, or the original approval shall be void and the application shall be resubmitted to the planning and zoning commission and the city council, to review any changes in local conditions.

### PLANNING & ZONING COMMISSION

Introduction

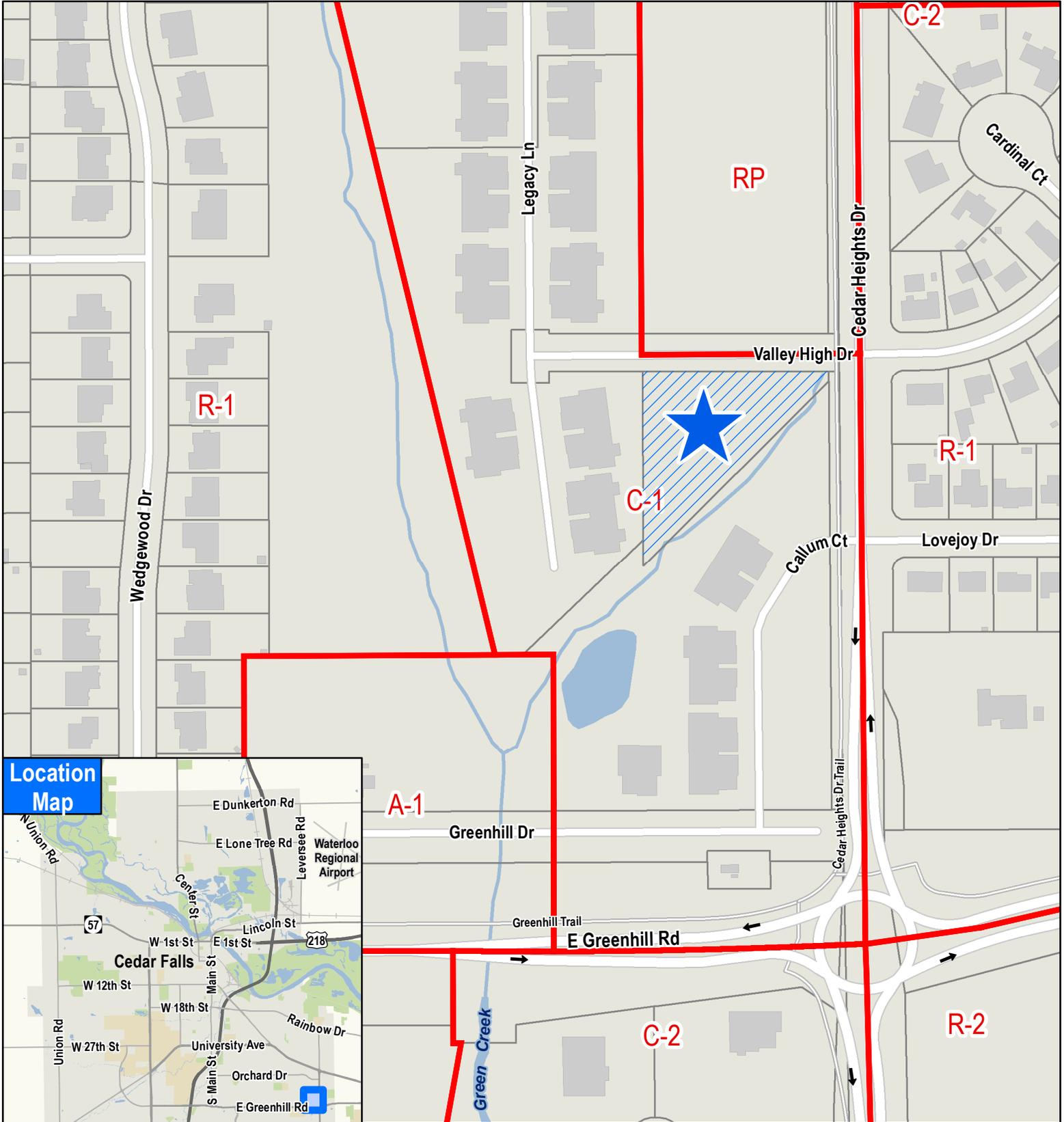
Discussion

11/22/2022

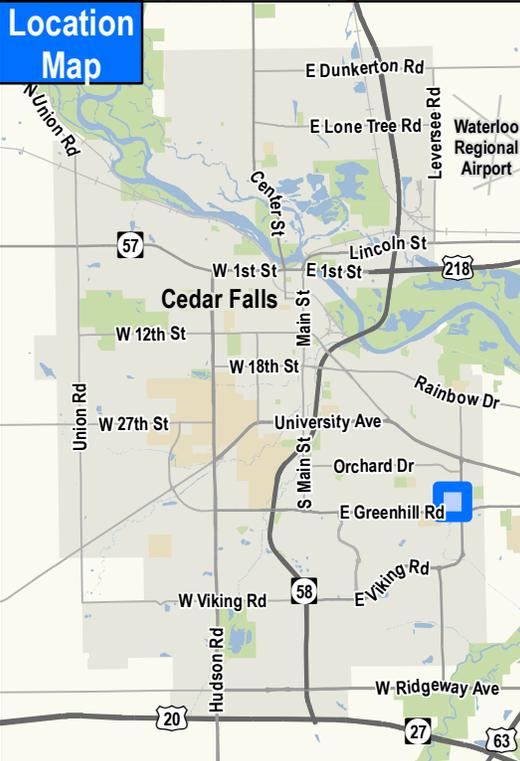
Attachments:   Location Map  
                  Complete Site Plan Set  
                  Building Elevations

# Cedar Falls Planning and Zoning Commission November 22, 2022

Item 5.



## Location Map



**Site Plan review for a new Triplex  
Lot 4, Hanna Park Commercial Add.  
SW corner of Valley High & Cedar Heights**

# SINGLE STORY 3-PLEX SITE PLAN

## LOT 4, HANNA PARK COMMERCIAL ADDITION

### CEDAR FALLS, IOWA

#### OWNER

LG COMPANIES

#### DEVELOPER

LGC HOMES  
5601 UNIVERSITY AVE.  
CEDAR FALLS, IA 50613  
319-266-6609

#### ZONING

C-1 - NEIGHBORHOOD COMMERCIAL

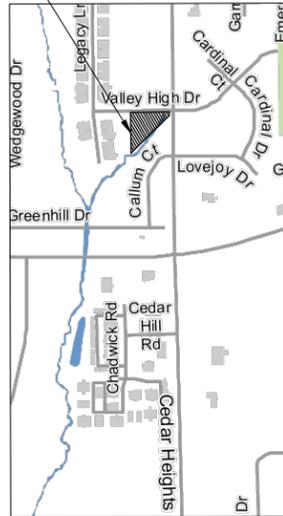
#### PARKING SPACES (EACH UNIT)

REQUIRED: 2.5  
PROVIDED: 3

#### IMPERVIOUS AREAS

LOT = 9424 sf  
ROW = 2133 sf

PROJECT LOCATION



VICINITY MAP

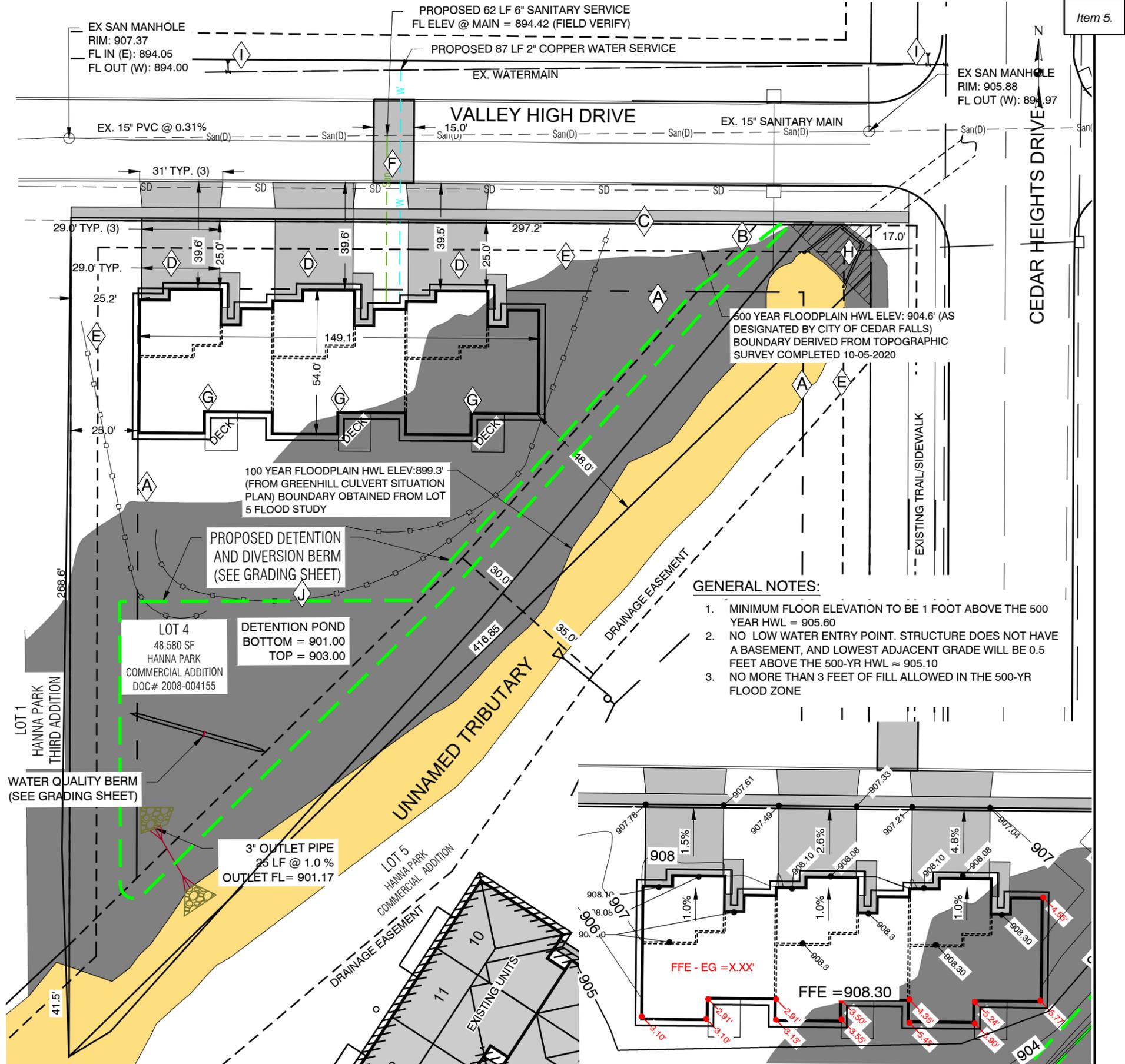
NOT TO SCALE

#### INDEX OF SHEETS

SHEET NO.	DESCRIPTION
EX.01	SITE PLAN
EX.02	GRADING PLAN
EX.03	LANDSCAPE PLAN

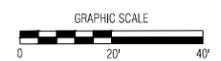
#### SITE NOTES:

- A** 25' BUILDING SETBACK LINE
- B** DRAINAGE EASEMENT AND SETBACK LINE
- C** 4' WIDE PCC SIDEWALK
- D** PROPOSED PCC DRIVEWAY
- E** 10' UTILITY EASEMENT
- F** PROPOSED 15' X 31' PCC PATCH
- G** PROPOSED BUILDING UNIT
- H** 30' CLEAR SIGHT ZONE
- I** EXISTING FIRE HYDRANT
- J** 450 LF ± SILT FENCE



#### GENERAL NOTES:

- MINIMUM FLOOR ELEVATION TO BE 1 FOOT ABOVE THE 500 YEAR HWL = 905.60
- NO LOW WATER ENTRY POINT. STRUCTURE DOES NOT HAVE A BASEMENT, AND LOWEST ADJACENT GRADE WILL BE 0.5 FEET ABOVE THE 500-YR HWL ≈ 905.10
- NO MORE THAN 3 FEET OF FILL ALLOWED IN THE 500-YR FLOOD ZONE



NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE



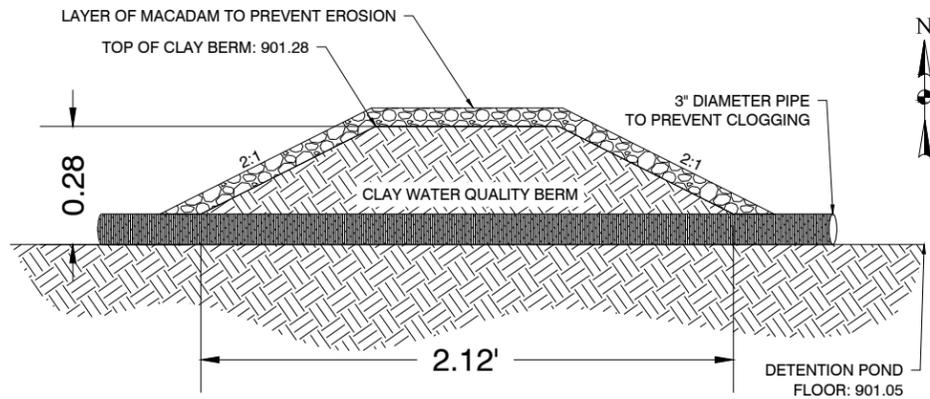
DESIGNED: #### DATE: ####  
DRAWN: #### DATE: ####  
CHECKED: #### DATE: ####  
APPROVED: #### DATE: ####

## HANNA PARK LOT 4

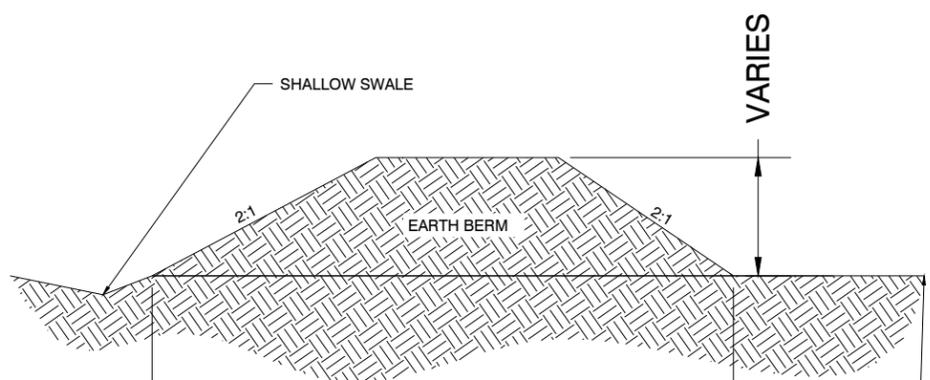
### CEDAR FALLS, IOWA

## 3-PLEX SITE PLAN

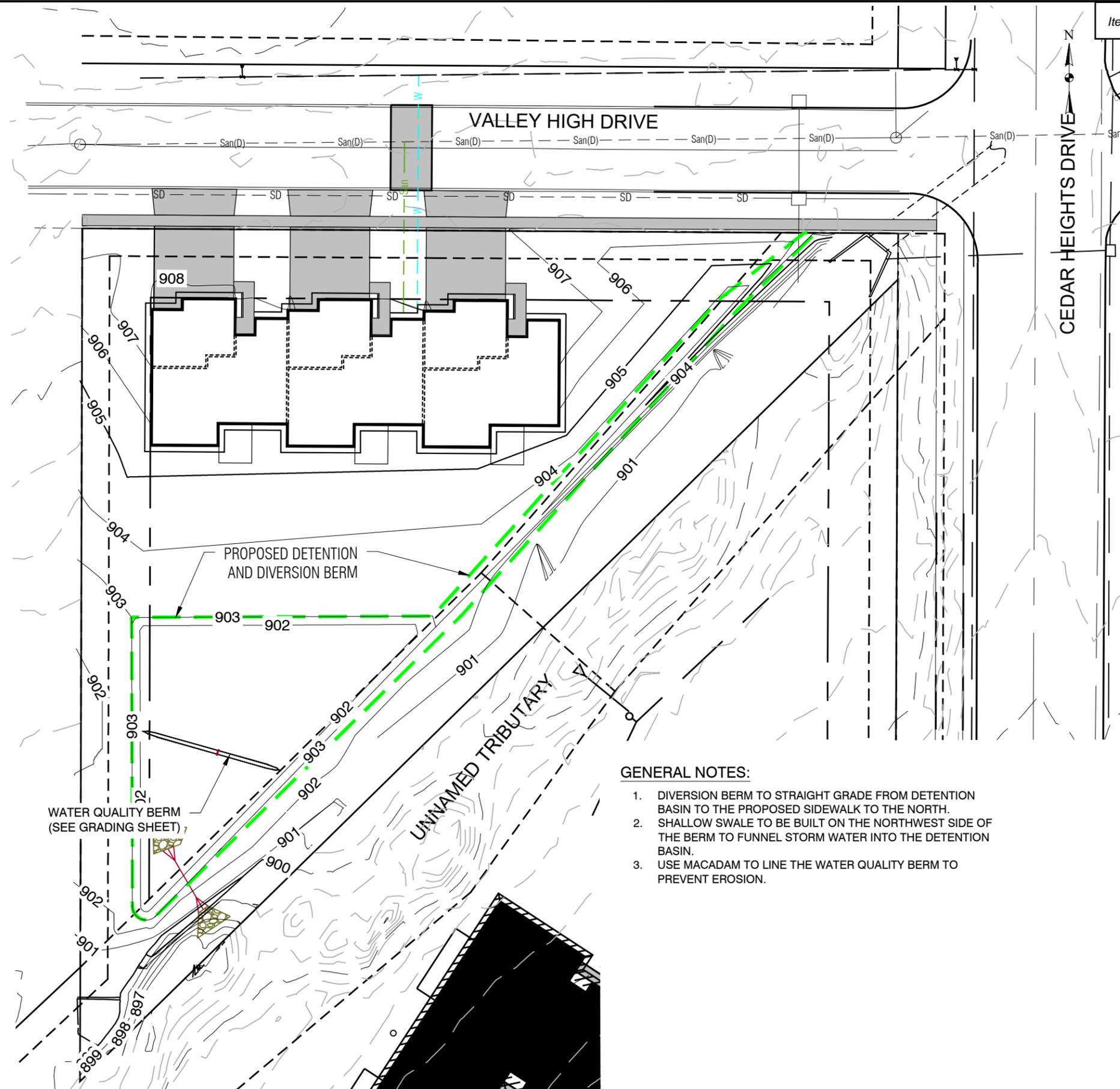
PROJECT NO. 5656  
SHEET NO. EX.01



**WATER QUALITY BERM**  
NTS



**DIVERSION BERM DETAIL**  
NTS



**GENERAL NOTES:**

1. DIVERSION BERM TO STRAIGHT GRADE FROM DETENTION BASIN TO THE PROPOSED SIDEWALK TO THE NORTH.
2. SHALLOW SWALE TO BE BUILT ON THE NORTHWEST SIDE OF THE BERM TO FUNNEL STORM WATER INTO THE DETENTION BASIN.
3. USE MACADAM TO LINE THE WATER QUALITY BERM TO PREVENT EROSION.

J:\6566.dwg\Embills\5656\_Lot 4 Site Plan 3plex 11/01/22.dwg - ex.02 - 11-01-22 - 3:25pm - Hoosmann



NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE

**CGA** Clapsaddle-Garber Associates, Inc.  
5106 Nordic Drive  
Cedar Falls, Iowa 50613  
Ph 319-266-9258  
www.cgaconsultants.com

DESIGNED: #### DATE: ####  
DRAWN: #### DATE: ####  
CHECKED: #### DATE: ####  
APPROVED: #### DATE: ####

**HANNA PARK LOT 4**  
CEDAR FALLS, IOWA

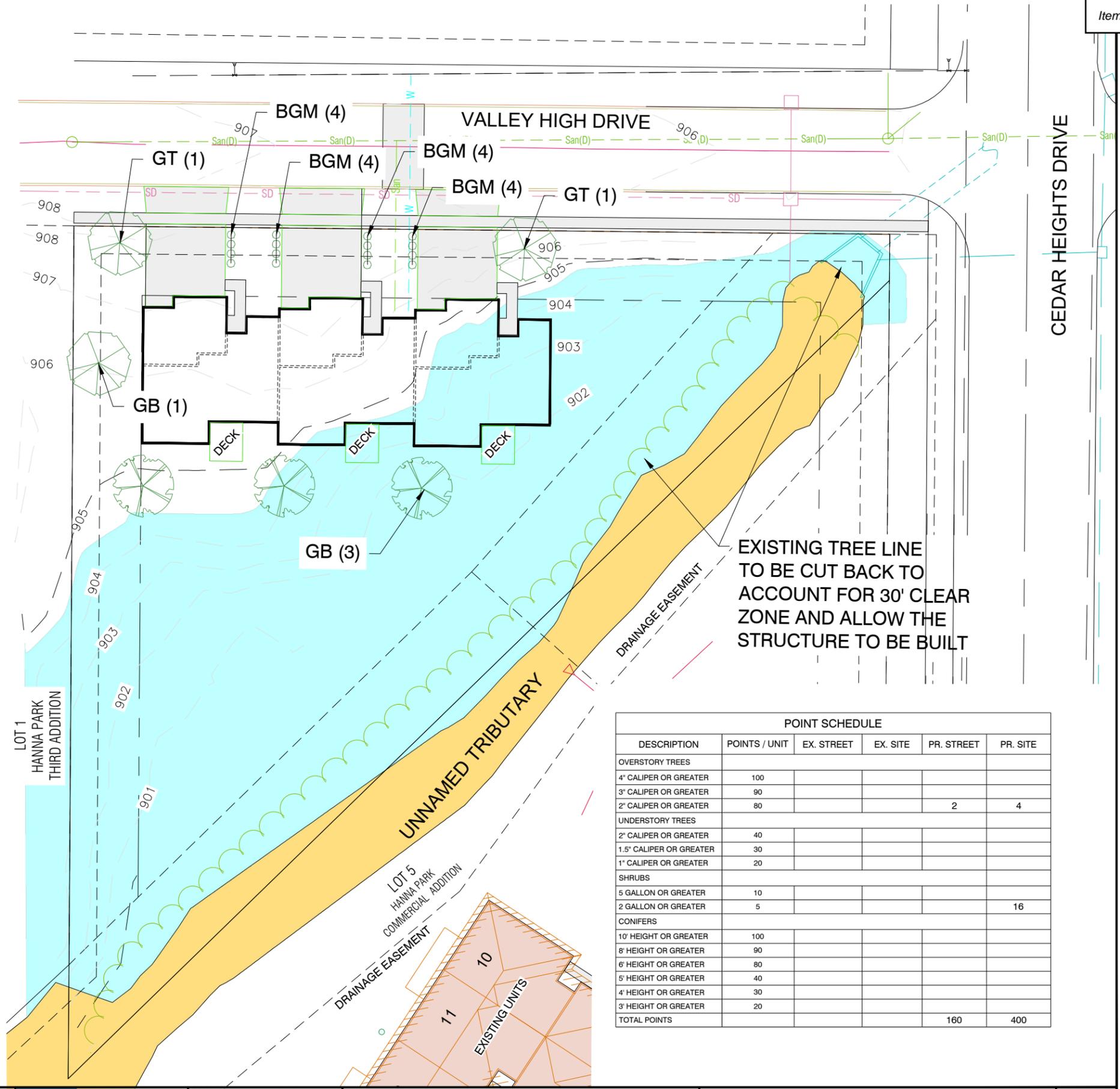
**3-PLEX GRADING PLAN**

PROJECT NO. 5656  
SHEET NO. EX.02

**LANDSCAPE NOTES:**

1. PLANT QUANTITIES ARE FOR INFORMATION ONLY; DRAWING SHALL PREVAIL IF CONFLICT OCCURS. CONTRACTOR IS RESPONSIBLE FOR CALCULATING OWN QUANTITIES AND BASING BID ACCORDINGLY.
2. CONTRACTOR SHALL PLACE SHREDDED HARDWOOD BARK MULCH AROUND ALL TREES AND IN ALL PLANTING BEDS TO A DEPTH OF 3". WALNUT PRODUCTS ARE PROHIBITED.
3. KIND, SIZE AND QUALITY OF PLANT MATERIAL SHALL CONFORM TO AMERICAN STANDARD FOR NURSERY STOCK, ANSI 260-2004, OR MOST RECENT EDITION.
4. THE CONTRACTOR SHALL REPORT SUBSURFACE SOIL OR DRAINAGE PROBLEMS TO THE ENGINEER.
5. THE CONTRACTOR SHALL SHOW PROOF OF PROCUREMENT, SOURCES, QUANTITIES AND VARIETIES FOR ALL SHRUBS, PERENNIALS, ORNAMENTAL GRASSES WITHIN 21 DAYS FOLLOWING THE AWARD OF CONTRACT. TIMELY PROCUREMENT OF ALL PLANT MATERIAL IS ESSENTIAL TO THE SUCCESSFUL COMPLETION AND INITIAL ACCEPTANCE OF THE PROJECT.
6. SUBSTITUTIONS SHALL ONLY BE ALLOWED WHEN THE CONTRACTOR HAS EXHAUSTED ALL SOURCES FOR THE SPECIFIED MATERIAL, AND HAS PROVEN THAT THE SPECIFIED MATERIAL IS NOT AVAILABLE. THE CONTRACTOR MUST PROVIDE NAME AND VARIETY OF SUBSTITUTION TO THE ENGINEER FOR APPROVAL PRIOR TO TAGGING OR PLANTING. SUBSTITUTIONS SHALL BE NEAREST EQUIVALENT SIZE OF VARIETY OF PLANT HAVING SAME ESSENTIAL CHARACTERISTICS.
7. ALL PLANT MATERIAL SHALL BE NURSERY GROWN, SOUND, HEALTHY, VIGOROUS AND FREE FROM INSECTS, DISEASE AND INJURIES, WITH HABIT OF GROWTH THAT IS NORMAL FOR THE SPECIES. SIZES SHALL BE EQUAL TO OR EXCEEDING SIZES INDICATED ON THE PLANT SCHEDULE. THE CONTRACTOR SHALL SUPPLY PLANTS IN QUANTITY AS SHOWN ON DRAWINGS. TAKE OR PLACE ALL PLANTS IN FIELD AS INDICATED ON THE DRAWINGS OR AS DIRECTED BY THE ENGINEER FOR APPROVAL BY THE OWNER PRIOR TO PLANTING.
8. ALL DISTURBED AREAS NOT OTHERWISE COVERED BY BUILDING, PAVEMENT, AND LANDSCAPE BEDS SHALL BE SODDED WITH TYPE 1 LAWN MIXTURE AS APPROVED BY THE OWNER.

PLANT SCHEDULE				
KEY	BOTANICAL NAME	COMMON NAME	QTY.	SIZE
Deciduous Overstory Trees				
GB	Ginkgo biloba 'Autumn Gold'	Autumn Gold Ginkgo	4	1" Container or 2" BB
GT	Gleditsia triacanthos 'skyline'	Skyline HoneyLocust	4	2.5" Caliber
Shrubs				
BGM	Buxus x 'Green Mountain'	Green Mountain Boxwood	16	3.5" POT



POINT SCHEDULE					
DESCRIPTION	POINTS / UNIT	EX. STREET	EX. SITE	PR. STREET	PR. SITE
OVERSTORY TREES					
4" CALIPER OR GREATER	100				
3" CALIPER OR GREATER	90				
2" CALIPER OR GREATER	80			2	4
UNDERSTORY TREES					
2" CALIPER OR GREATER	40				
1.5" CALIPER OR GREATER	30				
1" CALIPER OR GREATER	20				
SHRUBS					
5 GALLON OR GREATER	10				
2 GALLON OR GREATER	5				16
CONIFERS					
10' HEIGHT OR GREATER	100				
8' HEIGHT OR GREATER	90				
6' HEIGHT OR GREATER	80				
5' HEIGHT OR GREATER	40				
4' HEIGHT OR GREATER	30				
3' HEIGHT OR GREATER	20				
TOTAL POINTS				160	400



NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE

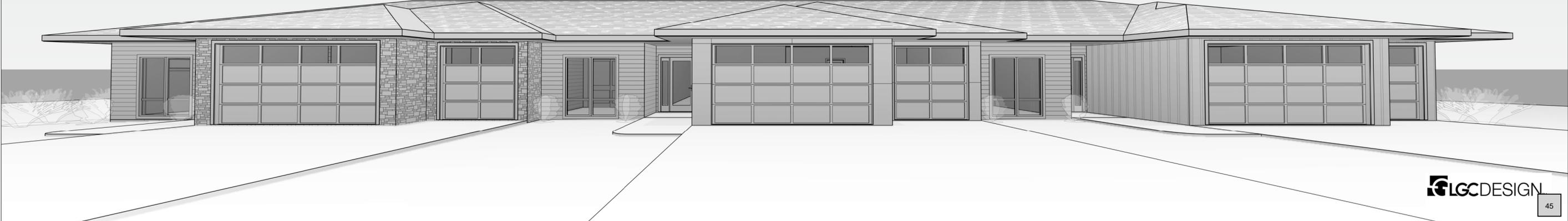
**CGA** Clapsaddle-Garber Associates, Inc.  
 5106 Nordic Drive  
 Cedar Falls, Iowa 50613  
 Ph 319-266-9256  
 www.cgaconsultants.com

DESIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_  
 DRAWN: KNW DATE: 11-25-20  
 CHECKED: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

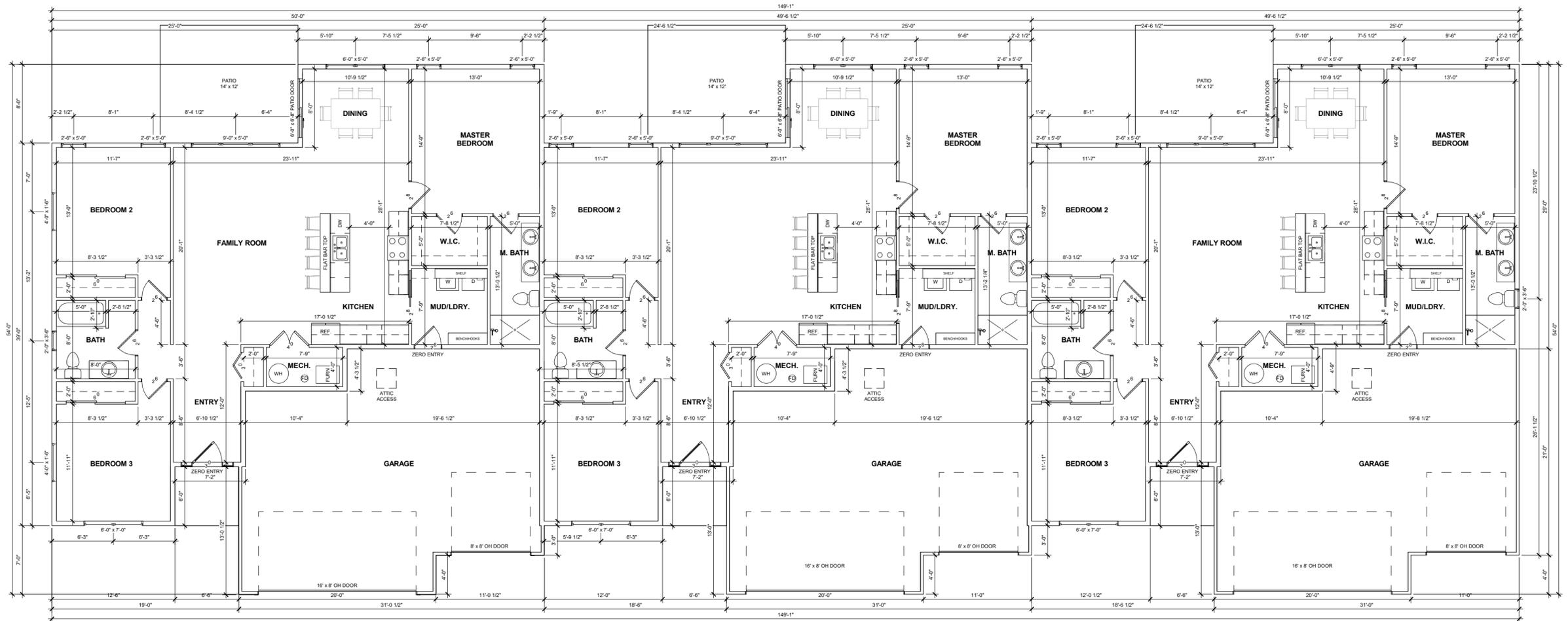
**HANNA PARK LOT 4**  
 CEDAR FALLS, IOWA

**3-PLEX LANDSCAPE PLAN**

J:\5656.dwg\Exhibits\5656\_Lot 4 Landscape Plan 3plex 09112022.dwg - Lot 4 Exhibit - 11-01-22 - 3:10pm - Mroosnam







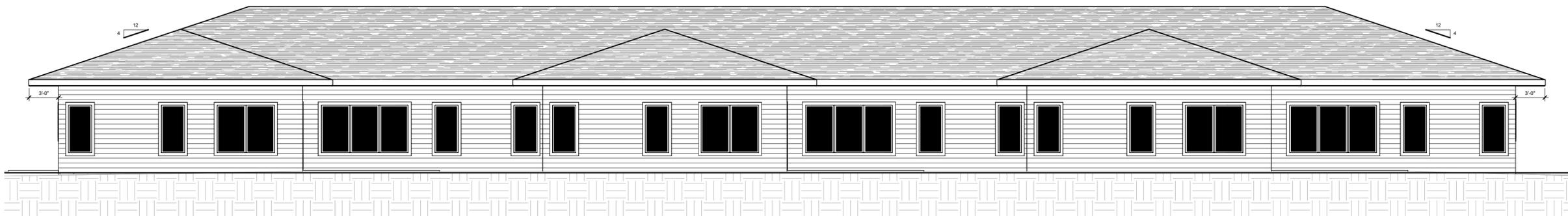
MAIN FLOOR PLAN

1/8" = 1'-0"



FRONT ELEVATION

1/8" = 1'-0"



REAR ELEVATION

1/8" = 1'-0"



LEFT ELEVATION

1/8" = 1'-0"



RIGHT ELEVATION

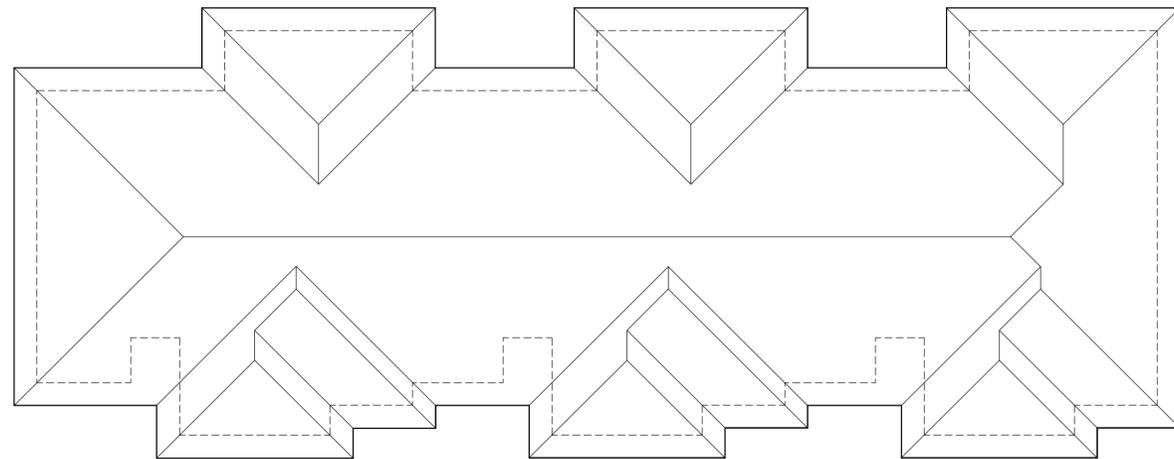
1/8" = 1'-0"



FRONT/LEFT PERSPECTIVE VIEW



BACK/LEFT PERSPECTIVE VIEW



ROOF PLAN

1/16" = 1'-0"



MAIN FLOOR AREA PLAN

1/8" = 1'-0"

PATIO AREA (TYPICAL UNIT): 168 S.F.

MAIN FLOOR FINISHED AREA (LEFT UNIT): 1,602 S.F.  
MAIN FLOOR FINISHED AREA (MIDDLE UNIT): 1,552 S.F.  
MAIN FLOOR FINISHED AREA (RIGHT UNIT): 1,596 S.F.

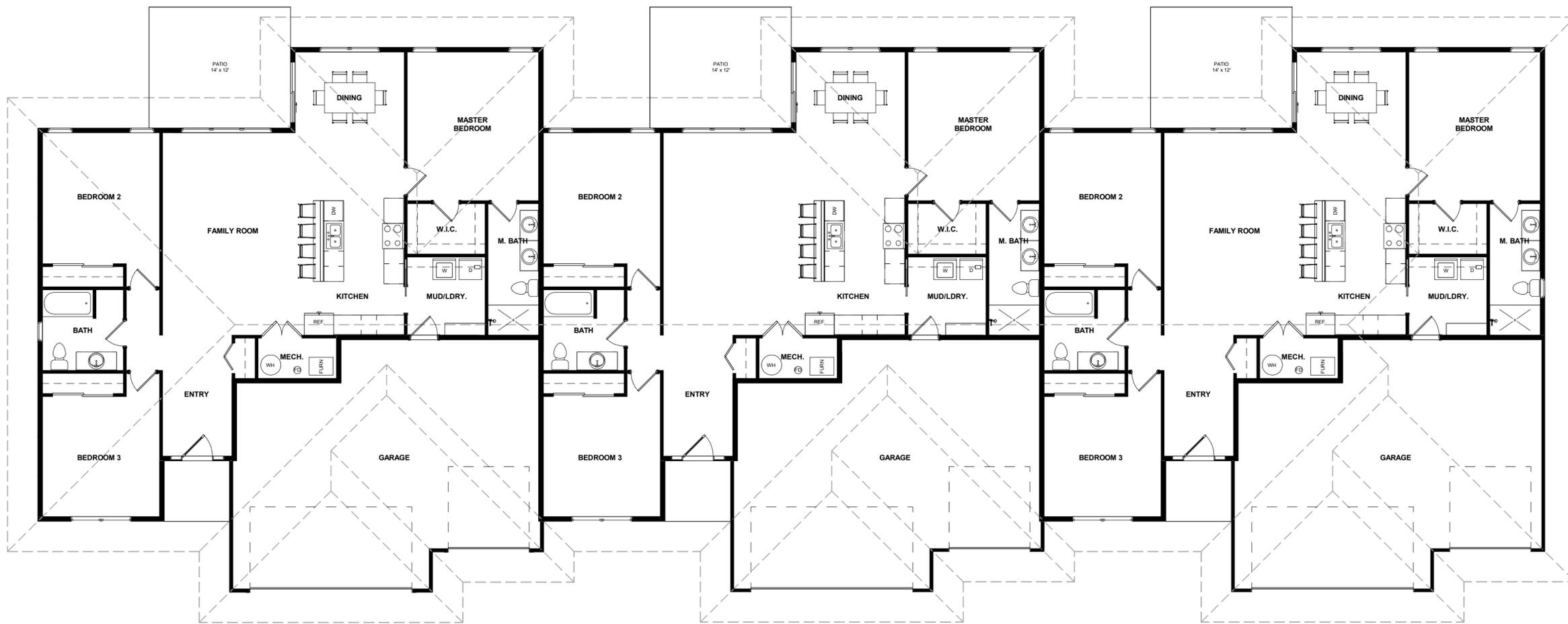
TOTAL MAIN FLOOR FINISHED AREA: 4,750 S.F.

GARAGE AREA (LEFT UNIT): 677 S.F.  
GARAGE AREA (MIDDLE UNIT): 675 S.F.  
GARAGE AREA (RIGHT UNIT): 679 S.F.

TOTAL GARAGE AREA: 2,031 S.F.

LGCDESIGN		x	CUSTOM DESIGN
07/25/2022	LGC - MICHAELSEN III - AREAS - REV. 2		© 2012 Floorplan Logic, LLC
LOT #6 of xxxxx, CEDAR FALLS, IA			50
SCALE: 1/8" = 1'-0"		(319) 266-6609 BRIAN LAFORCE	

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MAIN FLOOR PRESENTATION PLAN

1/8" = 1'-0"





## 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:** Jaydevsinh Atodaria (JD), City Planner I  
**DATE:** November 22, 2022  
**SUBJECT:** Downtown Character District Project updates

#### Introduction

During recent discussions about changes to the site plan review process in the new Downtown Character District, the Commission requested that City staff provide updates to the Planning and Zoning Commission regarding new and significant renovation projects that have been or are under administrative review.

#### Project Updates

Several projects have been completed in the Downtown Character District, including both small and large-scale projects. Small projects include paving, signage, garages, fences, and interior remodel work. These small projects were reviewed and approved with basic land use and building permits as they did not involve complex site plan changes. These were reviewed in the same manner as other similar requests in other parts of the city, according to the regulations of the zoning district. Staff notes that a couple of the new garages would not have been possible under the previous regulations, but were allowed under the Downtown Character District code, which provides a bit more flexibility in size and location. Following are the more significant projects that have been completed or are under administrative review:

- Project Name:** Design review for The Other Place at 209 Main Street (DT22-001)

**Frontage on regulating Plan:** Storefront Frontage

**Project Status:** Review completed. Work completed.

**Project description:** The project was to update the existing storefront façade to use the storefront for “The Other Place” sports bar that fronts Main Street. The proposal also includes adding new awning, signage, and interior remodel for the new business. See below images of the completed project.





2. **Project Name:** Design review for Wyth Flats at 706-712 Main Street (DT22-002)

**Frontage on regulating Plan:** Urban General Frontage

**Project Status:** Review Completed. Work Ongoing.

**Project description:** The project will give new life to these 1905 brick townhomes with new windows, doors, and front porches, repair brick facades and develop rear courtyards with detached garages in the rear. The project also includes interior remodeling work that will update the interior of the townhomes. Each of these dwellings, while attached to the neighboring unit, is located on a separate lot, so can be sold as separate single-family homes. See below images of the ongoing project.



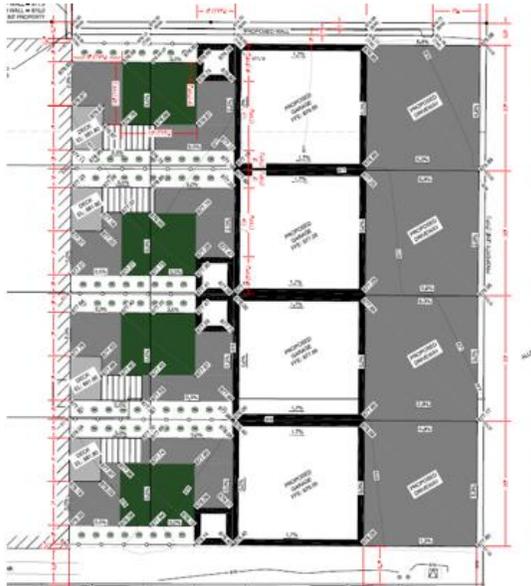
	35'	27'	20'	18'
8'	706 Main St	Courtyard	Car(s)	D
25'	708 Main St	Courtyard	Car(s)	D
8'	710 Main St	Courtyard	Car(s)	D
25'	712 Main St	Courtyard	Car(s)	D

**3. Project Name:** Site plan review for Wyth Flats at 706-712 Main Street (DT22-003)

**Frontage on regulating Plan:** Urban General Frontage

**Project Status:** Review completed. Project ongoing.

**Project description:** The project is to include a detached garage building for the four townhomes and update the backyard with permeable pavers, and landscaping work and add a driveway to provide access to the new garages. See below images of the proposed project.

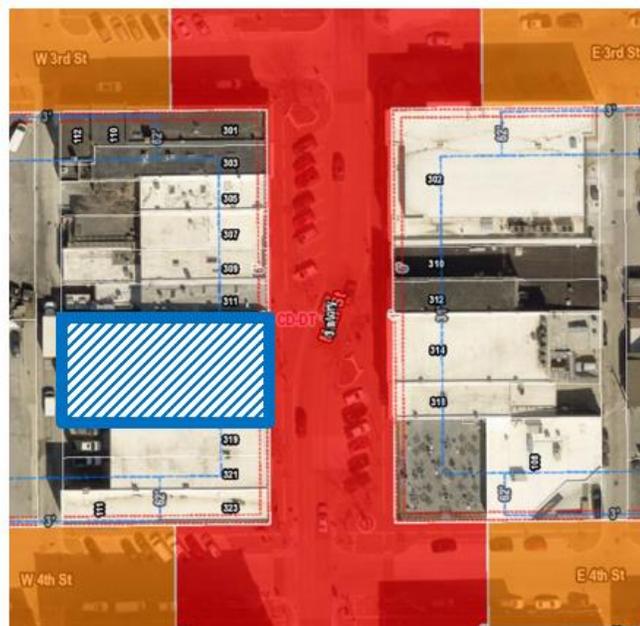


4. **Project Name:** Design review for 315 & 317 Main Street (DT22-004)

**Frontage on regulating Plan:** Storefront Frontage

**Project Status:** Review Completed. Work soon to commence.

**Project description:** The project is about updating the existing storefront façades for two different but connected establishments. The 315 Main St. storefront will be used as a brewery and restaurant and the 317 Main St. storefront will be used as a restaurant/bar. The storefront at 317 Main will include larger storefront windows and decorative elements to give it more of an historic appearance. The 315 Main Street storefront will be updated with deep green decorative tile (see image below left to get a sense of how the tile will look on the façade. Note, this is not the proposed façade, but is intended to show the proposed tile work). The storefront windows at 315 Main will be replaced with operable accordion-style storefront windows that can be opened for an indoor-outdoor dining experience. The project also includes significant interior renovation.



**5. Project Name:** Site plan and design review for Clay Street Cottages at 215 W. 9<sup>th</sup> Street (DT22-005)

**Frontage on regulating Plan:** Neighborhood Small Frontage

**Project Status:** Application received on October 24th. Review Ongoing.

**Project description:** This project includes a site plan review and design review. The project includes a proposal for two Cottage Courts, which will include 12 independent cottages and possibly one apartment unit above the garage. The cottage court units will be 1.5 stories high and will have a footprint of approximately 650 square feet, with a basement and ½ story above. Each cottage faces and has access to a central landscaped courtyard and a generous front porch. Each will have its own garage with access from the alley. See below for architectural renderings of the proposed cottage courts.



Staff would be happy to answer any questions about these projects at your meeting.