



AGENDA
CITY OF CEDAR FALLS, IOWA
PLANNING AND ZONING COMMISSION MEETING
WEDNESDAY, APRIL 13, 2022
5:30 PM AT CEDAR FALLS COMMUNITY CENTER, 528 MAIN STREET

Call to Order and Roll Call

Approval of Minutes

1. Planning and Zoning Commission Regular Meeting Minutes of March 23, 2022

Public Comments

New Business

2. **Cedar Falls Bicycle Plan**
Presented for Public Review: *March 23, 2022*
Recommendation: *Approval*
P&Z Action: *Discuss and make recommendation to City Council*

3. **Wild Horse Ridge Fifth Addition Final Plat (Case #FP22-001)**
Location: South of 12th Street and West of Union Road
Applicant: Midwest Development Co. (Owner) and CGA consultants (Engineer)
Previous Discussion: None
Recommendation: *Introduction and discussion*
P&Z Action: *Discuss and continue to the next meeting*

4. **Minor Plat for The Cove at Spruce Hills (Case #MP22-001)**
Location: North of Greenhill Road and east of Spruce Hills Drive and Prairie Parkway
Applicant: Brian Wingert (Developer); The Cove at Spruce Hills LLC (Owner); Snyder & Associates (Engineer)
Recommendation: *Approval*
P&Z Action: *Discuss and consider making a recommendation to City Council*

Old Business

5. **RP Site Plan Review – The Cove at Spruce Hills (Case #SP21-013)**
Location: North of Greenhill Road and east of Spruce Hills Drive and Prairie Parkway
Applicant: Brian Wingert (Developer); The Cove at Spruce Hills LLC (Owner); Snyder & Associates (Engineer)
Previous discussion: March 9, 2022
Recommendation: *Approval*
P&Z Action: *Discuss and make recommendation to City Council*

- 6. Amendment of RP Master Plan for Autumn Ridge Development (DEFERRED)**
Location: South of W. 1st Street and West of Union Road
Applicant: BKND, Inc., Owner; CGA Engineering, Engineer
Previous discussion: November 24, 2020, March 9, 2022
Recommendation: *Defer discussion to the next P&Z meeting*
P&Z Action: *None*

- 7. Preliminary Plat for Autumn Ridge 9th and 11th Additions (PP20-004)(DEFERRED)**
Location: South of W. 1st Street and West of Union Road
Applicant: BKND, Inc., Owner; CGA Engineering, Engineer

Previous discussion: November 24, 2020, March 9, 2022
Recommendation: *Defer discussion to the next P&Z meeting*
P&Z Action: *None*

Commission Updates

Adjournment

Reminders:

- * April 27 and May 11 - Planning & Zoning Commission Meetings
- * April 18 and May 2 - City Council Meetings

**Cedar Falls Planning and Zoning Commission
Regular Meeting
March 23, 2022
Cedar Falls, Iowa**

MINUTES

The Cedar Falls Planning and Zoning Commission met in regular session on March 23, 2022 at 5:30 p.m. at the Community Center. The following Commission members were present: Crisman, Hartley, Holst, Larson, Leeper, Lynch, Moser and Saul. Grybovyeh was absent. Karen Howard, Community Services Manager, Thomas Weintraut, Planner III, Chris Sevy, Planner I, and Matthew Tolan, EI, Civil Engineer II, were also present.

- 1.) Chair Leeper noted the Minutes from the March 9, 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 8 ayes (Crisman, Hartley, Holst, Larson, Leeper, Lynch, Moser and Saul), and 0 nays.

- 2.) The first item of business was a presentation regarding the Cedar Falls Bicycle Plan Update. Andrew Shroll, 930 Newman Avenue, Chair of the Bicycle and Pedestrian Advisory Committee, spoke on behalf of the committee regarding the updated Bicycle Network Plan. The plan is the result of substantial work by the City, the committee and public input. As a committee, the mission is to improve the quality of life through safe biking and walking. The more connected biking and walking are physically, the more connected the community becomes. Continuity of the network and intersection improvements are two of the biggest ways to improve safety and remove barriers to entry for riders of various skill levels. The goal is also to further increase community participation in utilizing this resource. The committee hopes that this network is viewed as fitting well with city planning for bikeability and walkability as well as broader plans, such as the Black Hawk County MPO Pedestrian Master Plan.

Ms. Howard stated that this is actually the next item on the agenda and Mr. Sevy will provide background information. He thanked the Bicycle and Pedestrian Advisory Committee for all the work that was put into this Plan Update. He explained why the plan is being updated, explaining the pride for the bike network, the relevance of the plan, regular review of the bike network and Council referral in 2019. Matthew Tolan, EI, Civil Engineer II discussed previous iterations of the plan and the 2045 MPO Bikeway Plan. He discussed what will be discussed for the proposed 2022 plan update.

Mr. Sevy discussed the parameters of the project, including:

- BPAC prioritizing commuting utility of bike network
- no widening of streets or rights-of-way would be considered
- design options for the most common street width
- putting in bike lanes instead of currently existing on-street parking
- sidewalks were not considered bike infrastructure for the purposes of this plan
- multi-use trails are generally only placed along street frontages with limited driveways and/or cross-streets
- and, on-street facilities can be safer for bicyclists where motorists are more likely to see them.

Matthew Tolan, EI, Civil Engineer II, discussed the design considerations and concerns, some of which included curb and gutter, parking lane considerations, right-of-way acquisitions and costs, and the costs of widening the road.

Mr. Sevy spoke to the methodology and timeline of the planning process for the update. Staff developed a plan map for the basis of discussion and the committee helped staff refine the plan map. Public feedback was sought for the developed plan map, and staff analyzed the data from the questionnaire responses and the refined map is being brought to the Commission for consideration and referral to Council.

Mr. Tolan discussed the engineering timeline and approval process. Mr. Sevy further explained the public outreach process, the questionnaire for public feedback that was submitted and responses provided. He also listed the areas of public interest from the questionnaire responses. Mr. Tolan explained how to read the map, discussed the different areas of public interest and the projects that are currently in construction for 2022. Mr. Sevy explained the schedule for the plan update process, and noted that this will be for discussion at this time and will be brought to the next Planning and Zoning meeting.

Daryl Kruse, 2725 Minnetonka Drive, commented on the east/west connection between Hudson and Main Street on 12th and 18th Streets. Those appear to be share the road and he could see an opportunity to alternate to 17th and 11th Streets. He feels that a big vehicle many times will not see bicycles and he feels this will potentially be a safer route as it will take the bicycles off the main thoroughfare.

Kathy Green, 1911 Timber Drive thanked the Planning and Zoning Commission and the Bicycle and Pedestrian Advisory Committee for their work on the plan. She did ask if something can be done to trigger the lights to turn green when bicycles are present. She also noted concerns with distracted drivers.

Ms. Lynch thanked everyone involved for the robustness of the plan. She noted that we have an amazing trail system and she is looking forward to see what will come in the future.

Ms. Saul seconded that and asked about the five year plan and the new things that have been added. She asked why that is not on the list in the next three to four years. Mr. Tolan explained that the plan is developed as a whole from looking at where there may be some infills that are needed to incorporate some of the projects that need to be integrated in. They would also like to have some long term goals for when funds become available.

Ms. Moser commended the plan and commented that she appreciates the public comments about safety and noted her concern with the commuter travelers are going to be going faster than recreational users and some of the trails are out of the way from where many of them would need to go. Mr. Sevy explained that this was certainly part of staff's concern as well and that it was something that was discussed. The limitations of street widths and type of streets have made this more difficult.

Ms. Crisman asked if there were concerns with current streets located in the center of town and whether there was any suggestion to move from 12th or 18th Street to other routes. Mr. Sevy explained that there has been some feedback on those routes and a desire to have more dedicated infrastructure. However, there would be a public process that would be involved to add more dedicated bike infrastructure along those routes and at this time it doesn't seem that there was the will to go through that process. Ms. Howard also explained that the gridded area on the map is called out as a bicycle friendly area due to the general low volume of traffic which can make it easier and safer to ride.

- 3.) The next item for consideration by the Commission was an amendment of the RP Master Plan for Autumn Ridge Development. This item has been deferred.
- 4.) The next item on the agenda was a preliminary plat for Autumn Ridge 9th and 11th Additions.

This item has been deferred.

- 5.) The next item of business was an RP Site Plan Review for the Cove at Spruce Hills. This item has been deferred.
- 6.) The next item for consideration by the Commission was an MU Master Plan amendment for Pinnacle Prairie Development. Chair Leeper introduced the item and Mr. Weintraut provided background information. He explained that this item was discussed at the previous Planning and Zoning meeting. It is requested to change the land use from multi-family and mixed use to Western Home. They are proposing to build 19 two-family units on two lots on the north and south side of Wild Rye Way. He provided a rendering of the proposed master plan that showed how the homes will be laid out on the lot. He discussed the proposed elevations and made himself available for any questions. Staff recommends approval of the change.

Mr. Holst and Ms. Lynch abstained from the item.

Ms. Saul made a motion to approve the item. Mr. Hartley seconded the motion. The motion was approved with 6 ayes (Crisman, Hartley, Larson, Leeper, Moser and Saul), 2 abstentions (Holst and Lynch) and 0 nays.

- 7.) The Commission then considered a zoning text amendment to add a requirement for Planning and Zoning review of site plans in the CD-DT. Chair Leeper introduced the item and Ms. Howard provided background information. She explained that some commission members were not on the commission when the new code was discussed, so she will be providing some background information again. She explained that there was concern and frustration with the fact that it seemed as though a great deal of projects had to come through the commission for approval. The idea behind the new code was to create more clear and objective standards in the code, making less reason to have an extra review by the Commission. She discussed the role of the Commission, which includes planning for the future growth of the city, making recommendations on legislative matters related to planning and zoning (amendments to the zoning code, changes to zoning map, etc.) and making recommendations on subdivision of land, including street extensions and proposals for parks. Review of site plans was not one of the official listed duties and was added to the code later for certain newer zoning and overlay districts.

Ms. Howard discussed potential options which include:

1. Maintain the code as currently adopted
2. Maintain as currently adopted, but staff provides monthly report to the Commission on site plans under review.
3. Require new buildings in the UG, UG2 and Storefront frontages to be reviewed and approved by Planning and Zoning.
4. Require all new buildings in the Downtown Character District to be reviewed and approved by Planning and Zoning
5. Require all site plans to be reviewed by Planning and Zoning and approved by City Council as was previously done in the CBD Overlay.

Mr. Larson feels that one of the primary objectives of the new zoning ordinance was to provide a clear set of rules and make it easier for developers and to potentially remove an often unnecessary step for the process. He suggested trying out option two to make sure there is some kind of a review.

Ms. Crisman also likes the second option and stated that she feels a bit discouraged by how many things have been coming back from council that the commission has put so much work into. She's not sure that adding another thing for approval is a great idea if things that have

been worked so hard on are going to come back again. She likes the idea of staying in the loop and checking in on the work already done.

Mr. Holst feels that the new zoning process is a lot more efficient and less subjective so it is easier to check things through. The only thing that will be unfortunate to lose is the chance for public input. He also said that Planning and Zoning is a check for staff.

Mr. Leeper agreed with the comments from the Commission and stated that it is a tough place to be. He likes the second option and asked if there is a mechanism that would allow the planning and zoning commission to pull an item in for approval.

Mr. Hartley feels that it would be nice to have an overview for projects, maybe in the form of a monthly report so that the Commission can decide if they should take a closer look. His concern isn't just with the Commission not being able to see what is going to happen, but to give the public a chance to comment as well.

Ms. Howard stated that there needs to be a clear path created to deciding on whether a project needs to be considered by the Commission. After further conversation, the general direction from the Commission to go with a mixture of options two and three.

- 8.) As there were no further comments, Ms. Lynch made a motion to adjourn. Ms. Moser seconded the motion. The motion was approved unanimously with 8 ayes (Crisman, Hartley, Holst, Larson, Leeper, Lynch, Moser and Saul), and 0 nays.

The meeting adjourned at 6:43 p.m.

Respectfully submitted,



Thomas A. Weintraut, AICP
Acting Community Services Manager



Joanne Goodrich
Administrative Assistant



DEPARTMENT OF COMMUNITY DEVELOPMENT

City of Cedar Falls
 220 Clay Street
 Cedar Falls, Iowa 50613
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MEMORANDUM

Planning & Community Services Division

TO: Planning & Zoning Commission
FROM: Chris Sevy, Planner I
 Matthew Tolan, Engineer
DATE: April 13, 2022
SUBJECT: Cedar Falls Bicycle Plan Update

INTRODUCTION

The Cedar Falls Bicycle Plan functions as a guiding document for infrastructure planning and is considered in the planning process when streets in the City are slated to be developed, reconstructed, or otherwise maintained. This ensures that opportunities for improving the network are not missed at the point when improvements make the most sense.

PURPOSE

In December of 2019, the Cedar Falls City Council requested an update to the Cedar Falls Bicycle Plan. Through collaboration with the Bicycle and Pedestrian Advisory Committee, the plan was updated and then further refined based on community input. At this time, City Staff is bringing forward the latest version of the plan for review by the Planning and Zoning Commission and recommendation to the City Council. As a goal for this update, the Bicycle and Pedestrian Advisory Committee chose to prioritize the daily commuting utility of the bike network while continuing to enhance the already excellent recreational aspects of the network.

HISTORY

The City adopted its first Bike Plan in 2009. It was developed with input from stakeholders throughout the community and with the help of the Iowa Bicycle Coalition and the Active Transportation Alliance as consultants to that project. That effort is also the origin of the Bicycle and Pedestrian Advisory Committee as currently constituted. After a few years of improvements a second iteration or update to that plan was made in 2015. That update was specifically to consider changes or additions to the plan map. Similarly, this update in 2022 is focused solely on the plan map.

PROCESS

The following is an outline of the process Staff and the Committee went through to produce this latest version of the plan map (events stated in chronological order):

1. Staff determined the limits and parameters of the project. The following understandings were the basis for all discussions:
 - a. No widening of streets or rights-of-way would be considered.

- b. Staff provided the Committee an array of design options for our most common street widths which provided guidance on what type of bicycle infrastructure would fit on any stretch they wanted to discuss.
 - c. Putting in bike lanes instead of currently existing on-street parking can be considered. However, prior to such a change, it would require a public process involving notification of adjacent property owners and a vote/approval by City Council. The Bike-Ped Committee would be responsible for conducting the public process along the street route where it is proposed on the plan.
 - d. While bikes are allowed on sidewalks in most parts of the City, sidewalks were not considered bike infrastructure for the purposes of this plan. For reference, sidewalks are less than six feet wide.
 - e. Multi-use trails are six to ten feet wide and for safety reasons are generally only placed along street frontages with limited driveways and/or cross-streets. Multi-use trails through parks and greenway corridors have few interruptions from traffic and are highly valued in the community, but may not be in convenient locations for people commuting to work or school by bicycle.
 - f. Along streets where more driveways and/or cross-streets are present, on-street facilities tend to be safer for bicyclists and pedestrians where motorists are more likely to see them.
2. Plan Map Version #1: As a starting point for discussion, staff presented an initial proposed plan map to the Bicycle and Pedestrian Advisory Committee. This map conservatively represented what staff determined to be the most likely to be built out based on parameters previously outlined.
 3. The Bicycle and Pedestrian Advisory Committee provided their analysis and proposed changes to the map.
 4. Considerations were also discussed in the Committee regarding how to present the maps for public input. Different map scenarios were discussed but the Committee settled on using a single map as a basis for public outreach.
 5. Plan Map Version #2: The map was refined and changed based on Committee input. The version intended for public review/input was presented to the Committee for their vote to move forward.
 6. A public outreach questionnaire was created and refined through internal staff discussions and discussions with the Committee.
 7. Public outreach events were advertised (channel 15, fliers, posters, WCF Courier, social media) and held at the Farmer's Market and the Public Library. The questionnaire was open for three weeks and garnered 430 responses.
 8. Staff synthesized and analyzed the data from questionnaire responses and identified the most prominent requests and recommendations provided by respondents.
 9. Plan Map Version #3: In response to public input, staff refined the map with several routes and notes that were reflective of all input and feedback received up to that point. This map was presented to the Bicycle and Pedestrian Advisory Committee on February

1, 2022, where they voted unanimously to recommend that the plan map be brought forward for consideration and adoption.

As illustrated by this process, the current proposed map is the culmination of a large body of work and input from a significant number of people.

Details of this presentation and public meeting have been published through various mediums to encourage public awareness and attendance in these final steps in the process.

READING THE PLAN MAP

Attached is the proposed plan map for review. All solid lines indicate what is currently built out and dashed lines indicate proposed or future routes yet to be built or added. For routes, here is what each color means:

- Red = Trail
- Blue = Bike Lane
- Light Green = Shared Lane (marked with painted “sharrows” or “Share the Road” signs)
- Dark Green = Paved Shoulder

RECOMMENDATION

The Bicycle and Pedestrian Advisory Committee (with a vote of 7-0) recommends approval of this Bicycle Plan Map Update and Staff brings it forward for the Planning and Zoning Commission to discuss and make a formal recommendation to City Council. Staff also recommends approval.

PLANNING & ZONING COMMISSION

Introduction and Discussion 3/23/2022 Andrew Shroll, 930 Newman Avenue, Chair of the Bicycle and Pedestrian Advisory Committee, spoke on behalf of the committee regarding the updated Bicycle Network Plan. The plan is the result of substantial work by the City, the committee and public input. As a committee, the mission is to improve the quality of life through safe biking and walking. The more connected biking and walking are physically, the more connected the community becomes. Continuity of the network and intersection improvements are two of the biggest ways to improve safety and remove barriers to entry for riders of various skill levels. The goal is also to further increase community participation in utilizing this resource. The committee hopes that this network is viewed as fitting well with city planning for bikeability and walkability as well as broader plans, such as the Black Hawk County MPO Pedestrian Master Plan.

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Attachment: Proposed Bicycle Plan Map

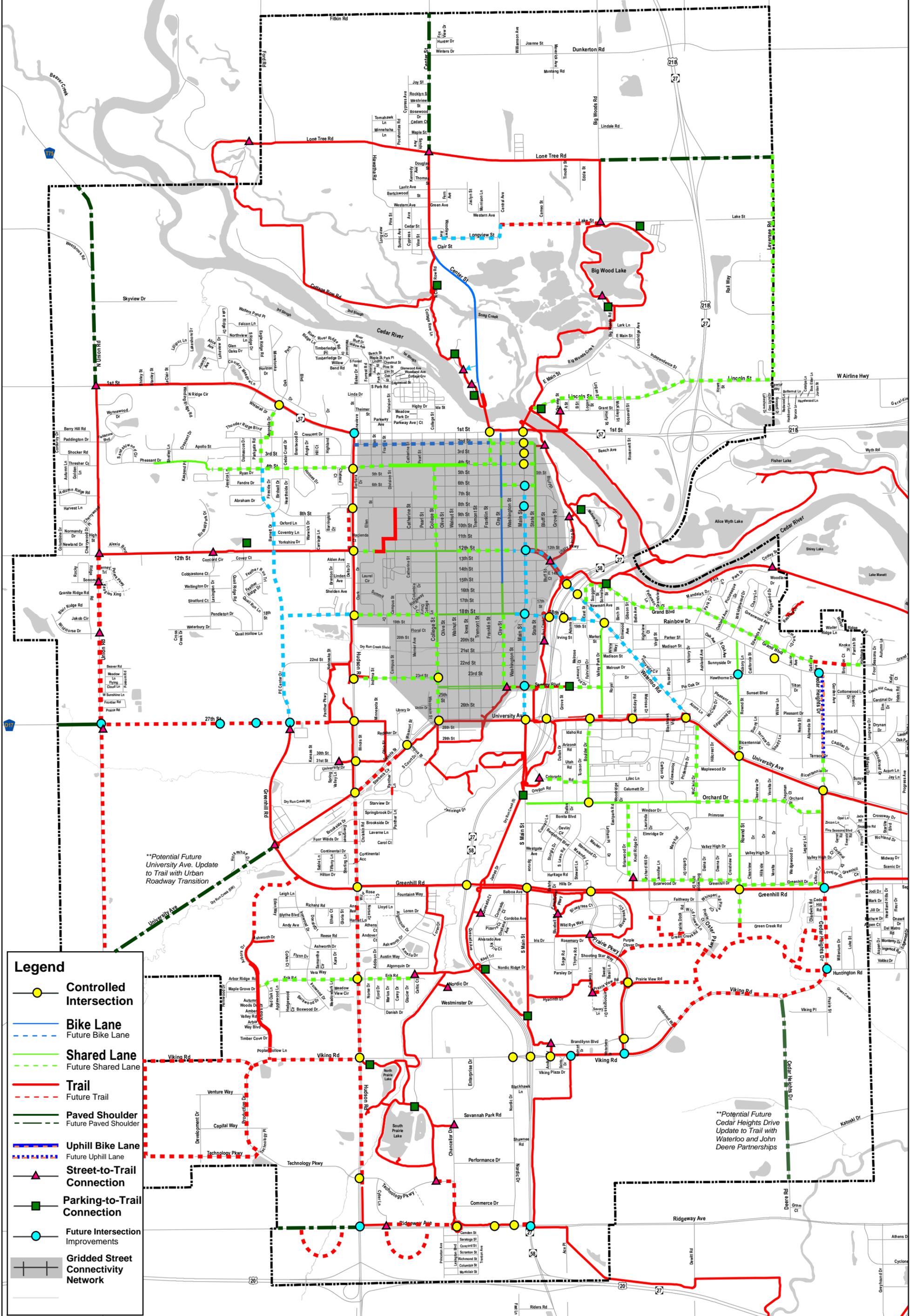


City of Cedar Falls, Iowa

Preliminary Recommendation

Bike Network

2-1-2022



Legend

- Controlled Intersection**
- Bike Lane**
- Future Bike Lane**
- Shared Lane**
- Future Shared Lane**
- Trail**
- Future Trail**
- Paved Shoulder**
- Future Paved Shoulder**
- Uphill Bike Lane**
- Future Uphill Lane**
- Street-to-Trail Connection**
- Parking-to-Trail Connection**
- Future Intersection Improvements**
- Gridded Street Connectivity Network**

***Potential Future University Ave. Update to Trail with Urban Roadway Transition*

***Potential Future Cedar Heights Drive Update to Trail with Waterloo and John Deere Partnerships*



DEPARTMENT OF COMMUNITY DEVELOPMENT

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MEMORANDUM

Planning & Community Services Division

TO: Planning Commission
FROM: Michelle Pezley, Planner III
 Matthew Tolan, EI, Civil Engineer II
DATE: April 6, 2022
SUBJECT: FP22-001 Wild Horse Fifth Addition Final Plat

REQUEST: Request to approve the Wild Horse Fifth Final Plat. Case #FP22-001

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

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

PROPOSAL

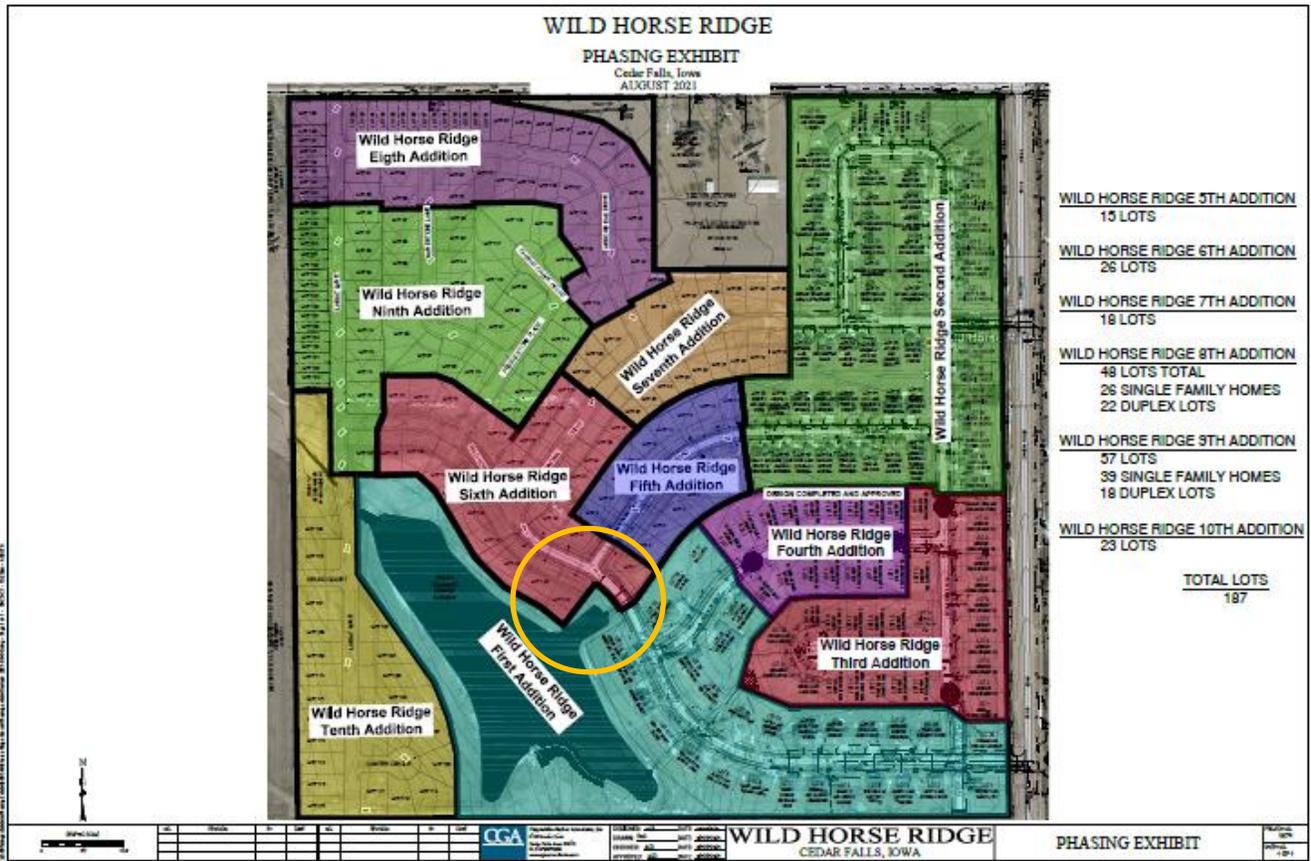
The petitioner owns a 29.9-acre parcel that is south of W. 12 Street, west of Union Road, and with access from Granite Ridge Road. The petitioner proposes to subdivide 8.13 acres of the 29.9 acres into 19 lots.

BACKGROUND

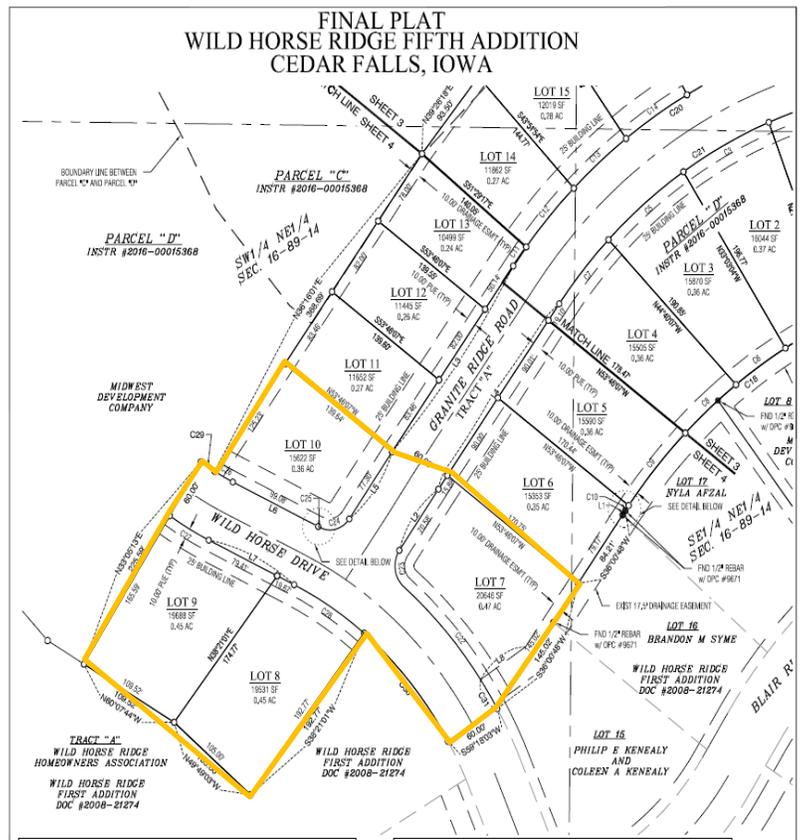
The City rezoned the entire 148-acre property from A-1, Agriculture to RP, Planned Residential for a maximum of 353 dwelling units in 2005. A Preliminary Plat for this area, called "Copperstone" was approved in July 2005. This plat covered the entire 148-acre property and proposed the establishment of 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 fifth – tenth additions by adding 40 duplex lots. The duplex lots are proposed to be within Eighth and Ninth additions.

ANALYSIS

The petitioner, Midwest Development Co., proposes the final plat of the Fifth Addition, comprised of 8.13 acres of land within the middle of the subdivision, which includes connecting Wild Horse Drive to Granite Ridge Road. 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 Fifth Addition consists of 19 residential lots, all intended for single-family residences.



As originally proposed, the petitioner planned to have the Fifth Addition as 15 lots that did not include the connection between Wild Horse Drive and Granite Ridge Road (highlighted in yellow above). Engineering Division and the Public Safety Department encouraged the connection between Wild Horse Drive and Granite Ridge Road to increase the connectivity of the existing subdivision and eliminate a dead end on Granite Ridge Road. The preliminary plat was approved prior to the new code requirements of addressing critical infrastructure through a phasing plan. Planning Staff has no objections to the additional 4 lots (highlighted in yellow on the right) and adding the intersection of Wild Horse Drive and Granite Ridge Road. The petitioner will connect to the existing stormwater detention. The City's maintenance and repair agreement with the owner/developer will address maintenance responsibilities for the stormwater



management facilities in the subdivision to ensure proper functioning over time. The setbacks shown on the face of the plat are consistent with the proposed setbacks from the approved Master Plat and Preliminary subdivision.

The City Code states that the final plat must be in substantial conformance with the preliminary plat. The proposed change does not change the density, lot size, or configuration of the lots. The proposed change increases safety and connection within the subdivision. 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.

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 establish a 'Contract for Completion' with the Developer before all documents required would be submitted for the public improvements and 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 April 5, 2022.

RECOMMENDATION

Gather any comments from the Planning and Zoning Commission and public then continue the discussion at the next Planning and Zoning Commission meeting on April 27, 2022 with the following conditions.

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

PLANNING AND ZONING

Discussion
4/13/22

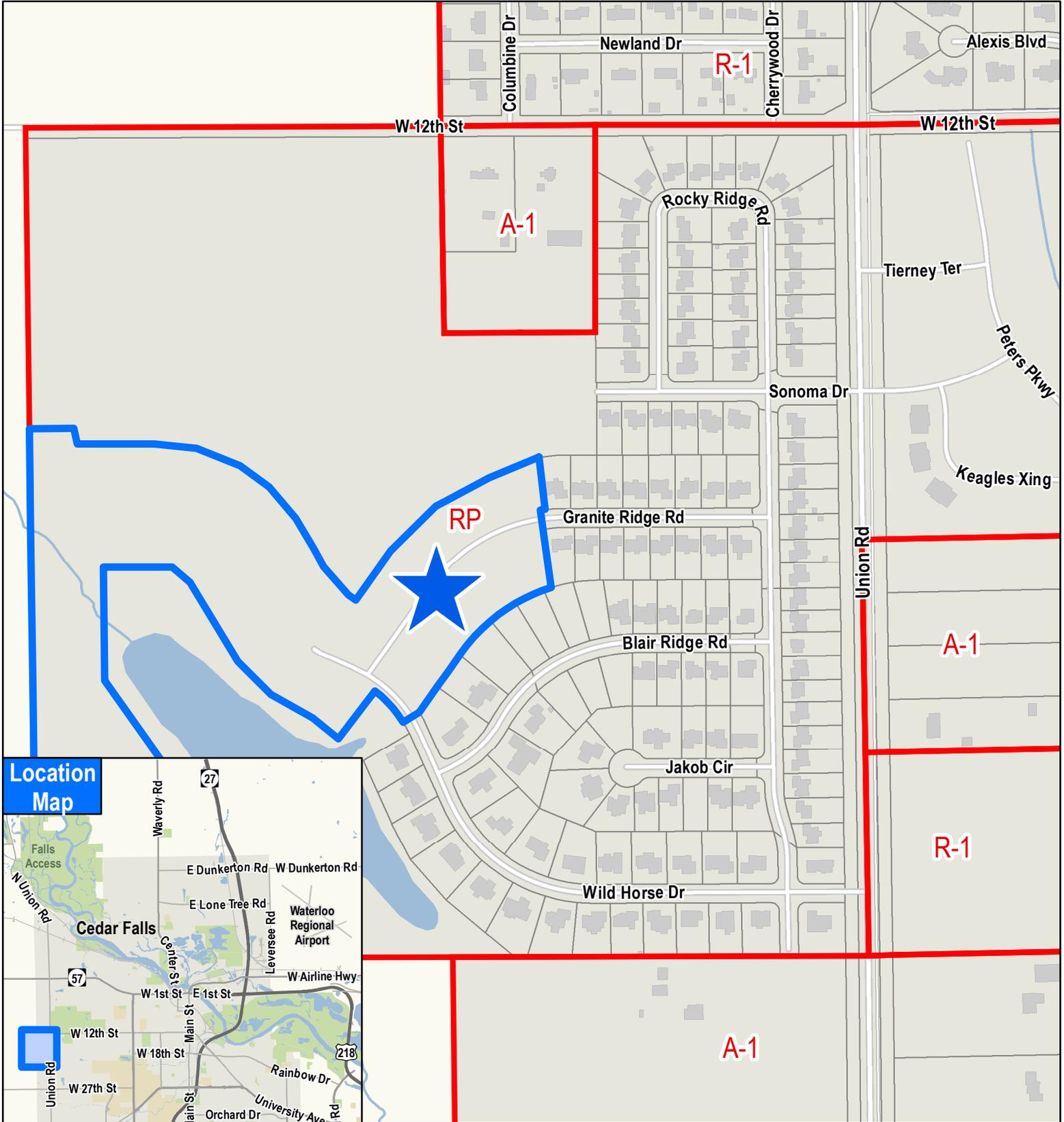
Attachments:

Wild Horse Ridge Fifth Addition Final Plat
Location Map
Deed of Dedication
Black Hawk County Auditor Approval of Subdivision Name

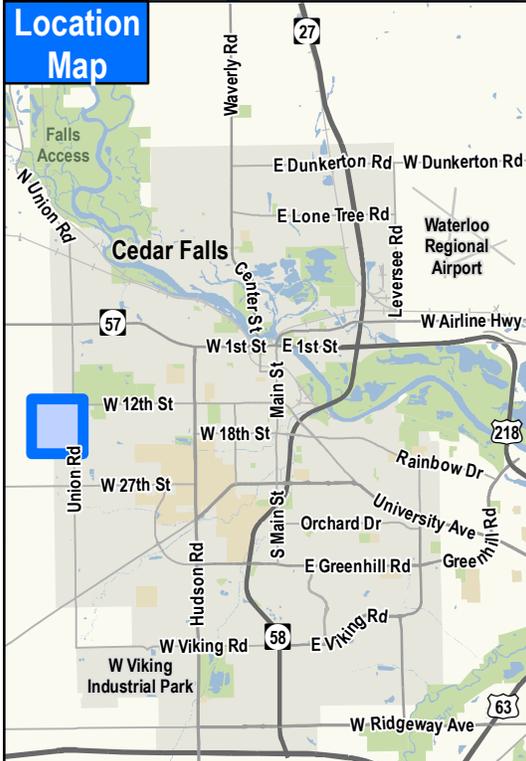
Cedar Falls Planning and Zoning Commission

April 13, 2022

Item 3.



Location Map



Final Plat for Wild Horse 5th Addition (FP22-001)

FINAL PLAT

WILD HORSE RIDGE FIFTH ADDITION

CEDAR FALLS, BLACK HAWK COUNTY, IOWA

JANUARY 2022

SURVEYOR AND ENGINEER

MARC C. HOODJER, 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:

JANUARY 10, 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:

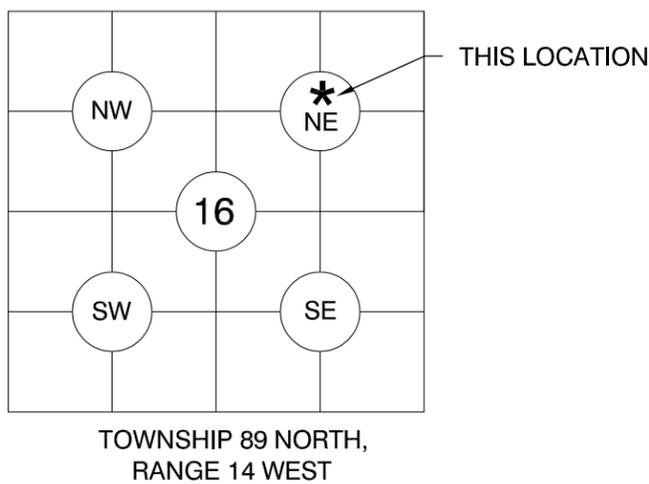
BEARINGS ARE BASED ON THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 89 NORTH, RANGE 14 WEST OF THE FIFTH PRINCIPAL MERIDIAN BEARING NORTH 00°00'09" WEST

AREA:

8.13 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	0.45	19,486
2	0.37	16,044
3	0.36	15,870
4	0.36	15,505
5	0.36	15,590
6	0.35	15,353
7	0.47	20,646
8	0.45	19,531
9	0.45	19,688
10	0.36	15,622
11	0.27	11,652
12	0.26	11,445
13	0.24	10,499
14	0.27	11,862
15	0.28	12,019
16	0.31	13,352
17	0.31	13,564
18	0.34	14,685
19	0.33	14,264
TRACT "A"	1.54	67,299

	(GROSS-ACRES)	(EASE-ACRES)	(NET-ACRES)
NE1/4 NE1/4 SEC 16-89-14	1.65 AC	0.29 AC	1.36 AC
NW1/4 NE1/4 SEC 16-89-14	0.25 AC	0.00 AC	0.25 AC
SE1/4 NE1/4 SEC 16-89-14	2.00 AC	0.21 AC	1.79 AC
SW1/4 NE1/4 SEC 16-89-14	4.23 AC	1.05 AC	3.18 AC
TOTAL	8.13 AC	1.55 AC	6.58 AC

LEGEND:

- ▲ GOVERNMENT CORNER MONUMENT FOUND
- △ GOVERNMENT CORNER MONUMENT SET 1/2" x 30" REBAR w/YELLOW PLASTIC ID CAP #22634
- PARCEL OR LOT CORNER MONUMENT FOUND
- SET 1/2" x 30" REBAR w/YELLOW PLASTIC ID CAP #22634
- () RECORDED AS

**FINAL PLAT
WILD HORSE RIDGE
FIFTH 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.

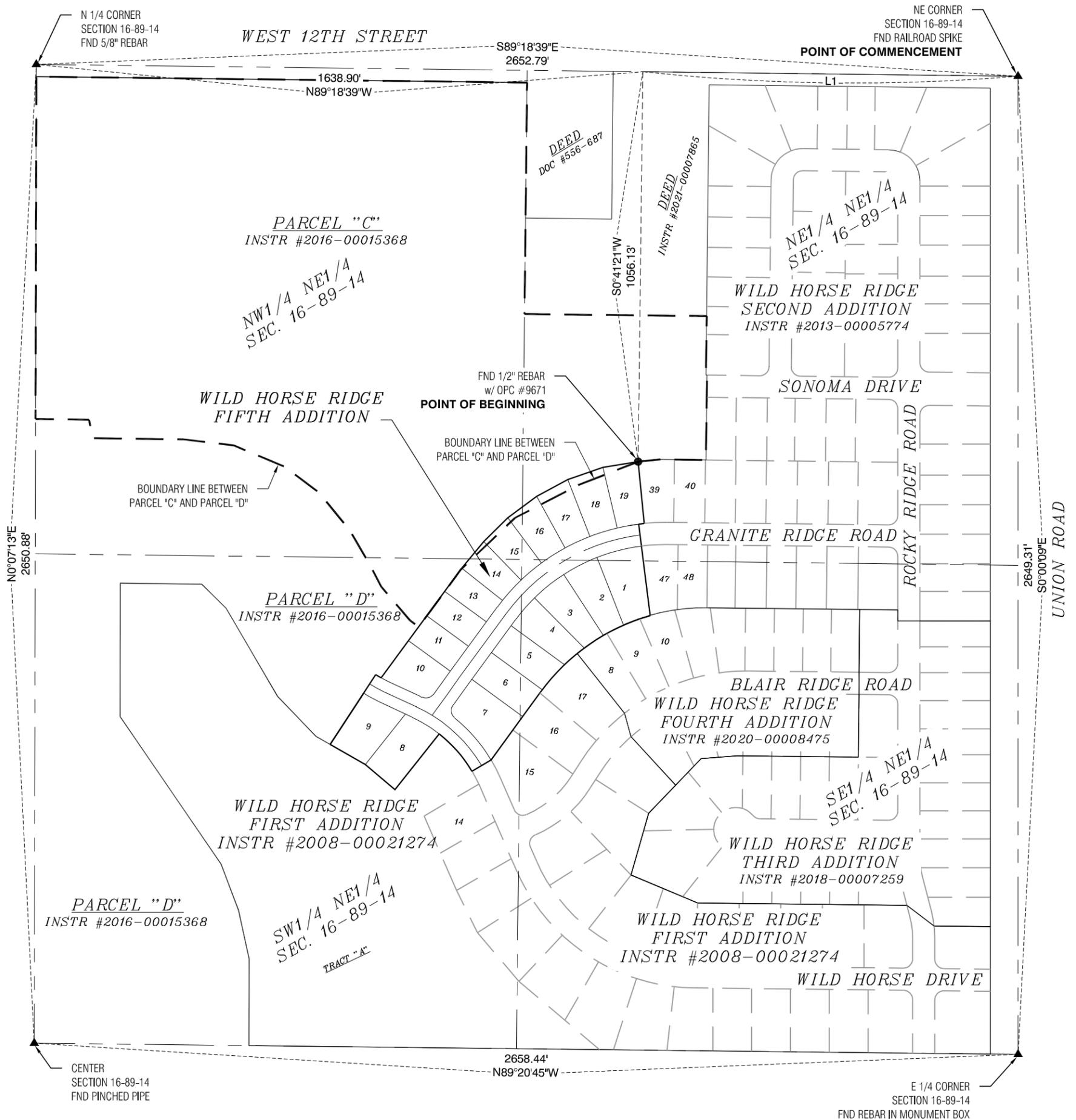
Marc C. Hoodjer, PLS _____ date _____
 Iowa License Number 22634
 My License Renewal Date is December 31, 2022
 Pages or sheets covered by this seal: _____
 SHEETS 1 OF 4, 2 OF 4, 3 OF 4 AND 4 OF 4



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 1-10-2022	PROJECT NO. 5805.05

FINAL PLAT WILD HORSE RIDGE FIFTH ADDITION CEDAR FALLS, IOWA

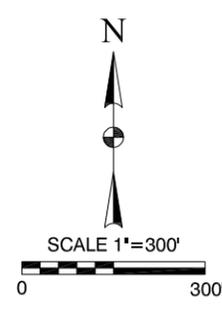


DESCRIPTION

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, THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 ALL 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 1013.89' ALONG THE NORTH LINE OF NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE, S0°41'21"W 1056.13' TO THE NORTHWESTERLY CORNER OF LOT 39 OF WILD HORSE RIDGE SECOND ADDITION, RECORDED ON DOCUMENT NO. 2013-00005774 IN THE OFFICE OF THE RECORDER, BLACK HAWK COUNTY AND SAID POINT BEING THE POINT OF BEGINNING; THENCE, S5°37'33"E 168.00' ALONG A WEST LINE OF SAID LOT 39 TO THE SOUTHWESTERLY CORNER OF SAID LOT 39, SAID POINT ALSO BEING ON THE NORTH RIGHT OF WAY LINE OF GRANITE RIDGE ROAD; THENCE, SOUTHWESTERLY 15.09' ALONG A 560.00' RADIUS CURVE, CONCAVE SOUTHEASTERLY HAVING A CHORD BEARING OF S83°36'08"W AND A CHORD DISTANCE OF 15.09' ALONG SAID NORTH RIGHT OF WAY LINE OF GRANITE RIDGE ROAD TO A WESTERLY CORNER OF SAID WILD HORSE RIDGE SECOND ADDITION; THENCE, S7°10'12"E 249.67' ALONG A WESTERLY LINE OF SAID WILD HORSE RIDGE SECOND ADDITION TO THE SOUTHWESTERLY CORNER OF LOT 47 OF SAID WILD HORSE RIDGE SECOND ADDITION, SAID POINT ALSO BEING ON A NORTHERLY LINE OF WILD HORSE RIDGE FOURTH ADDITION RECORDED ON INSTRUMENT NO. 2020-00008475 IN THE OFFICE OF THE RECORDER BLACK HAWK COUNTY; THENCE, SOUTHWESTERLY 371.49' ALONG A 550.00' RADIUS CURVE, CONCAVE SOUTHEASTERLY HAVING A CHORD BEARING S54°50'18"W AND A CHORD DISTANCE OF 364.47' ALONG THE NORTHERLY LINE OF SAID WILD HORSE RIDGE FOURTH ADDITION AND NORTHERLY LINE OF WILD HORSE RIDGE FIRST ADDITION, RECORDED ON INSTRUMENT NO. 2008-00021274 IN THE OFFICE OF THE RECORDER, BLACK HAWK COUNTY; THENCE, S36°00'48"W 84.21' ALONG A NORTHWESTERLY LINE OF SAID WILD HORSE RIDGE FIRST ADDITION; THENCE, S36°00'48"W 145.02' ALONG WESTERLY LINE OF SAID WILD HORSE RIDGE FIRST ADDITION TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF WILD HORSE DRIVE; THENCE, S59°18'03"W 60.00' ALONG A WESTERLY LINE OF SAID WILD HORSE RIDGE FIRST ADDITION TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF WILD HORSE DRIVE; THENCE, NORTHWESTERLY 135.29' ALONG THE ARC OF A 370.00' RADIUS CURVE, CONCAVE SOUTHWESTERLY, HAVING A CHORD BEARING OF N41°10'28"W AND A CHORD DISTANCE OF 134.54' ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE; THENCE, S38°21'01"W 192.77' ALONG A WESTERLY LINE OF SAID WILD HORSE RIDGE FIRST ADDITION; THENCE, N49°49'03"W 105.00' ALONG A NORTHERLY LINE OF SAID WILD HORSE RIDGE FIRST ADDITION; THENCE, N60°07'44"W 109.52' ALONG A NORTHERLY LINE OF SAID WILD HORSE RIDGE FIRST ADDITION; THENCE, N33°05'13"E 225.59' TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF WILD HORSE DRIVE; THENCE, SOUTHEASTERLY 16.95' ALONG A 270.00' RADIUS CURVE, CONCAVE NORTHEASTERLY, HAVING A CHORD BEARING OF S58°42'40"E AND A CHORD DISTANCE OF 16.94' ALONG SAID NORTHERLY RIGHT OF WAY LINE; THENCE, N36°16'01"E 368.69'; THENCE, N39°26'18"E 93.50'; THENCE, N45°25'18"E 91.41'; THENCE, N53°11'55"E 97.37'; THENCE, N61°39'21"E 95.21'; THENCE, N70°48'25"E 100.44'; THENCE, N80°39'55"E 96.56' TO THE POINT OF BEGINNING, CONTAINING 8.13 ACRES. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

LINE DATA		
LINE NUMBER	BEARING	DISTANCE
L1	N89°18'39"W	1013.89'



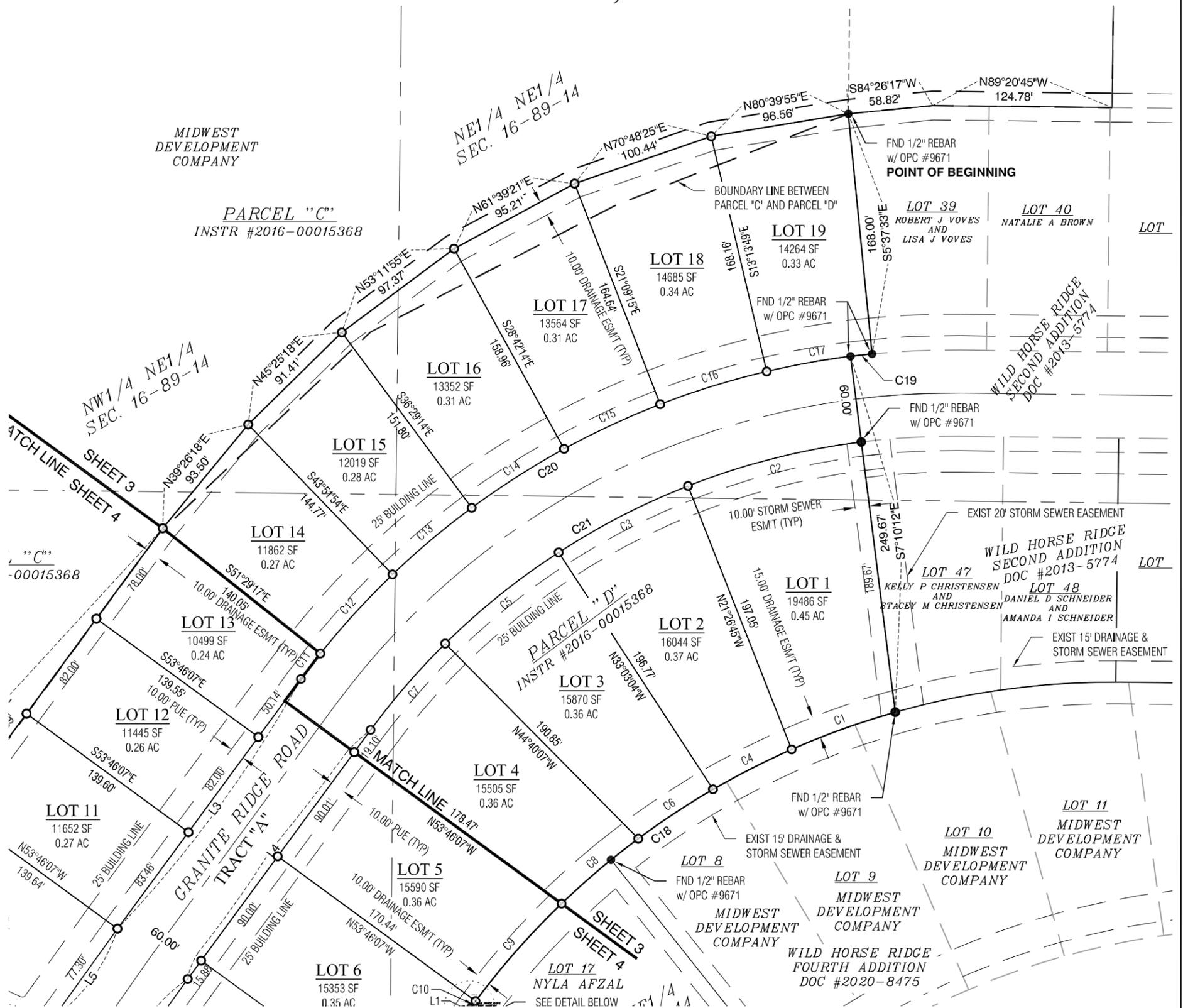


CGA

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DRAWN CAQ	SHEET NO. 2 OF 4
DATE 1-10-2022	PROJECT NO. 5805.05

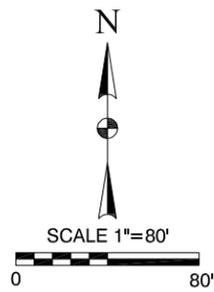
FINAL PLAT WILD HORSE RIDGE FIFTH ADDITION CEDAR FALLS, IOWA



CURVE DATA	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD
C1	76.62'	550.00'	7°58'54"	S70°11'50"W	76.56'
C2	124.58'	500.00'	14°16'33"	S75°41'31"W	124.26'
C3	101.27'	500.00'	11°36'18"	S62°45'06"W	101.10'
C4	61.32'	550.00'	6°23'15"	S63°00'45"W	61.29'
C5	101.38'	500.00'	11°37'04"	S51°08'24"W	101.21'
C6	62.29'	550.00'	6°29'21"	S56°34'26"W	62.26'
C7	79.41'	500.00'	9°06'00"	S40°46'53"W	79.33'
C8	69.96'	550.00'	7°17'18"	S49°41'07"W	69.92'
C9	90.47'	550.00'	9°25'28"	S41°19'44"W	90.37'
C10	5.79'	550.00'	0°36'11"	S36°18'54"W	5.79'
C11	22.29'	560.00'	2°16'50"	S37°22'18"W	22.29'
C12	74.51'	560.00'	7°37'23"	S42°19'24"W	74.45'
C13	72.11'	560.00'	7°22'40"	S49°49'26"W	72.06'
C14	76.07'	560.00'	7°47'00"	S57°24'16"W	76.01'
C15	73.79'	560.00'	7°32'59"	S65°04'16"W	73.74'
C16	77.45'	560.00'	7°55'26"	S72°48'28"W	77.38'
C17	74.32'	560.00'	7°36'16"	S80°34'19"W	74.27'

CURVE DATA	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD
C18	371.49'	550.00'	38°41'59"	S54°50'18"W	364.47'
C19	15.09'	560.00'	1°32'39"	S83°36'08"W	15.09'
C20	455.45'	560.00'	46°35'55"	S59°31'51"W	443.00'
C21	406.65'	500.00'	46°35'55"	S59°31'51"W	395.53'
C22	151.49'	430.00'	20°11'07"	N40°47'30"W	150.71'
C23	37.76'	25.00'	86°32'16"	S7°36'56"E	34.27'
C24	34.71'	25.00'	79°32'58"	N75°25'46"E	31.99'
C25	1.99'	430.00'	0°15'53"	N64°55'42"W	1.99'
C26	21.45'	270.00'	4°33'05"	S62°47'06"E	21.44'
C27	46.93'	330.00'	8°08'51"	S60°59'13"E	46.89'
C28	86.60'	370.00'	13°24'39"	N58°21'19"W	86.41'
C29	16.95'	270.00'	3°35'46"	S58°42'40"E	16.94'
C30	135.29'	370.00'	20°57'03"	N41°10'28"W	134.54'
C31	33.80'	430.00'	4°30'13"	N32°45'03"W	33.79'

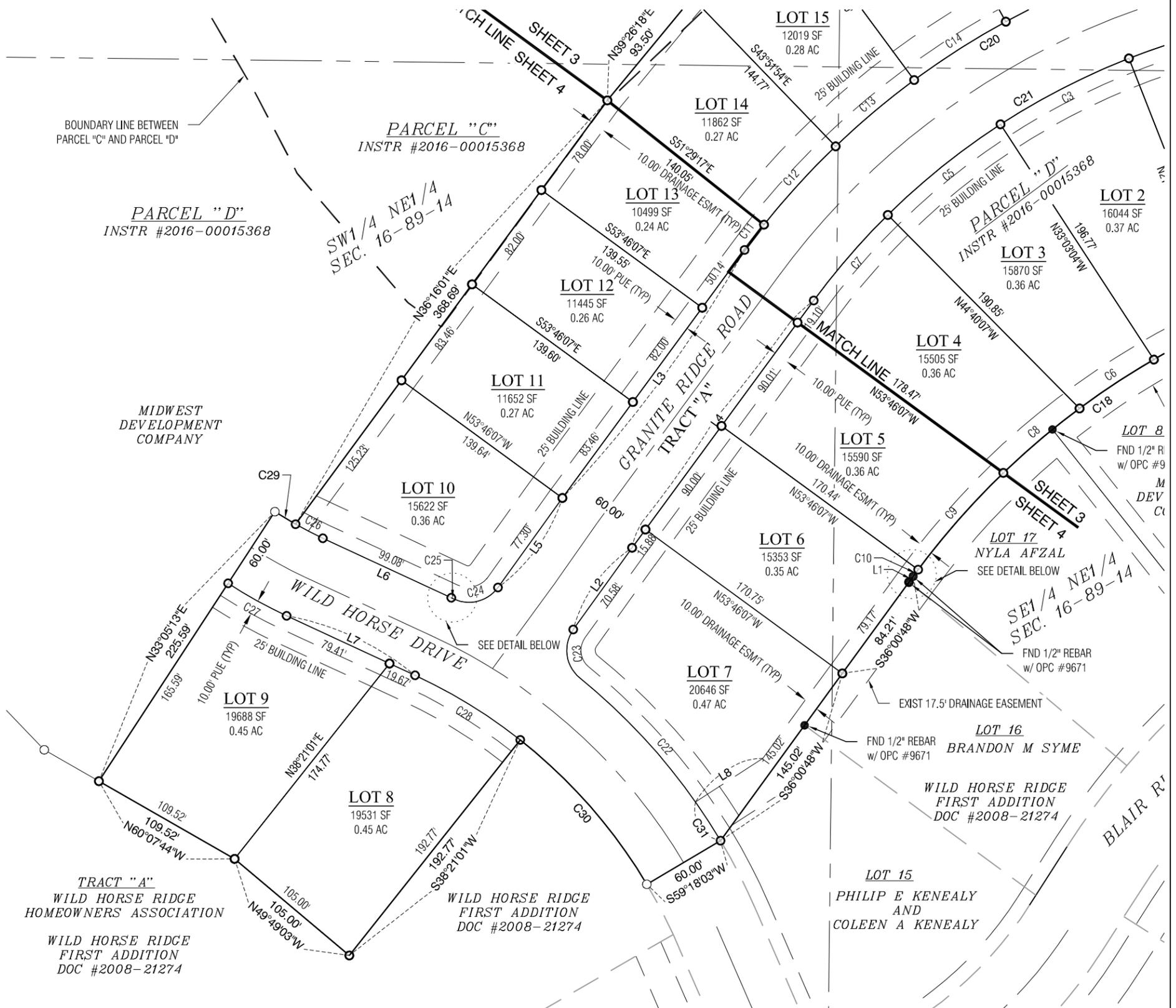
LINE NUMBER	BEARING	DISTANCE
L1	S36°00'48"W	5.04'
L2	S35°38'55"W	70.58'
L3	N36°13'57"E	215.60'
L4	N36°14'03"E	214.99'
L5	S35°38'56"W	77.30'
L6	N65°03'38"W	99.08'
L7	S65°03'38"E	99.08'
L8	N57°01'16"E	56.12'



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DRAWN CAQ	SHEET NO. 3 OF 4
DATE 1-10-2022	PROJECT NO. 5805.05

FINAL PLAT WILD HORSE RIDGE FIFTH ADDITION CEDAR FALLS, IOWA



Curve Table

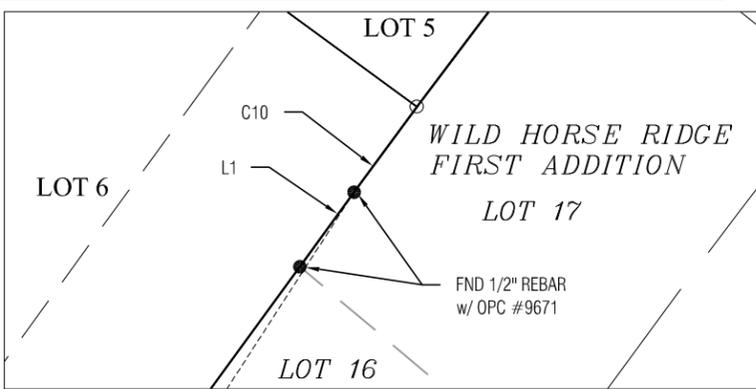
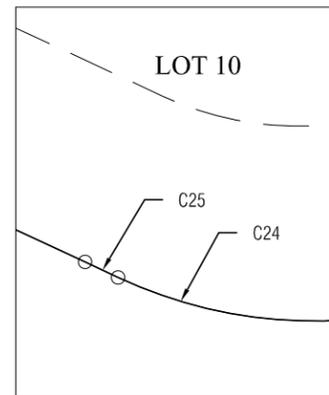
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C11	22.29'	560.00'	2°16'50"	S37°22'18"W	22.29'
C12	74.51'	560.00'	7°37'23"	S42°19'24"W	74.45'
C13	72.11'	560.00'	7°22'40"	S49°49'26"W	72.06'
C14	76.07'	560.00'	7°47'00"	S57°24'16"W	76.01'
C15	73.79'	560.00'	7°32'59"	S65°04'16"W	73.74'
C16	77.45'	560.00'	7°55'26"	S72°48'28"W	77.38'
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Curve Table

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C24	34.71'	25.00'	79°32'58"	N75°25'46"E	31.99'
C25	1.99'	430.00'	0°15'53"	N64°55'42"W	1.99'
C26	21.45'	270.00'	4°33'05"	S62°47'06"E	21.44'
C27	46.93'	330.00'	8°08'51"	S60°59'13"E	46.89'
C28	86.60'	370.00'	13°24'39"	N58°21'19"W	86.41'
C29	16.95'	270.00'	3°35'46"	S58°42'40"E	16.94'
C30	135.29'	370.00'	20°57'03"	N41°10'28"W	134.54'
C31	33.80'	430.00'	4°30'13"	N32°45'03"W	33.79'

LINE DATA

LINE NUMBER	BEARING	DISTANCE
L1	S36°00'48"W	5.04'
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L3	N36°13'57"E	215.60'
L4	N36°14'03"E	214.99'
L5	S35°38'56"W	77.30'
L6	N65°03'38"W	99.08'
L7	S65°03'38"E	99.08'
L8	N57°01'16"E	56.12'



SCALE 1"=80'



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DRAWN CAQ	SHEET NO. 4 OF 4
DATE 1-10-2022	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 FIFTH 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 Marc Hoodjer, a licensed land surveyor, dated the 10th day of January 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 FIFTH 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 drainage and stormwater easement is shared with the lots of Wild Horse Ridge Fourth Addition to the City of Cedar Falls, Black Hawk County, Iowa with the area north of Lots 15, 16, 17 and 18 and to the north and west of Lots 19 and 20 of Wild Horse Ridge Third Addition in the City of Cedar Falls, Black Hawk County, Iowa.

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. There shall be no fences, buildings, large plantings or other obstructions upon or under any property covered by the easements granted and conveyed herein, so that access is available for any equipment and/or persons necessary for the erection, laying, building, construction, reconstruction or maintenance of said utilities and/or drainage ways.
16. 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.
17. 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.
18. 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.
19. 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.

20. 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.

21. 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.

22. 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.

23. 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.

24. 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.

25. 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.

26. 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.

27. All buildings erected on any lot in said Addition shall be constructed in accordance with the Building, Plumbing and Electrical Codes of the City of Cedar Falls, Iowa.

PUBLIC IMPROVEMENTS REQUIRED
IN WILD HORSE RIDGE FIFTH 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 and Granite Ridge Road (Tract "A") will 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.

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

29. 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.

30. 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, Vice President

STATE OF IOWA, LINN COUNTY ss

This instrument was acknowledged before me on _____, 2022, by Hunter Skogman as Vice President of Midwest Development Co.

Notary Public in and for the State of Iowa

COUNTY AUDITOR

GRANT VEEDER

TIM JAMISON – Systems/Real Estate Tax Manager
BILLIE J. HETH – Payroll/Accounting Manager
JENN TODD – Accountant

BLACK HAWK COUNTY
316 E. 5TH STREET, ROOM 213
WATERLOO, IOWA 50703-4774
gveeder@blackhawkcounty.iowa.gov

Phone (319) 833-3002
Fax (319) 833-3119
E-mail auditor@blackhawkcounty.iowa.gov

Approval of Subdivision Plat Name by Black Hawk County Auditor

Date: November 8, 2021

The Black Hawk County Auditor’s Office has reviewed the final plat of the following subdivision:

Wild Horse Ridge Fifth Addition
in the City of Cedar Falls, Black Hawk County, Iowa

Pursuant to Iowa Code §354.11(1)(e), I approve the subdivision name or title.

Signed,


Grant Veeder, Black Hawk County Auditor





DEPARTMENT OF COMMUNITY DEVELOPMENT

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

MEMORANDUM

Planning & Community Services Division

TO: Planning and Zoning Commission
FROM: Jaydevsinh Atodaria (JD), Planner I
 Luke Andreasen, PE, Principal Engineer
DATE: April 7, 2022
SUBJECT: The Cove at Spruce Hills Minor Plat

REQUEST: Request to approve the Cove at Spruce Hills Minor Plat
 (Case # MP22-001)

PETITIONER: Brian Wingert (Developer); The Cove at Spruce Hills LLC (Owner);
 Snyder & Associates, INC. (Engineer)

LOCATION: 6.95-acre property located north of Greenhill Road and east of Spruce Hills
 Drive

PROPOSAL

The current property owner of the tract labeled as "Tract F" of Heritage Hills Estates 2nd Addition subdivision proposes to develop the parcel with 30, 2-story townhomes units within six buildings (4 five-unit townhome buildings, 1 four-unit townhome building, and 1 six-unit townhome building. As per subdivision code, a tract can only be developed if the tract area is re-platted to create a developable parcel.

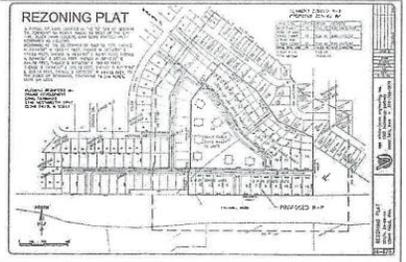
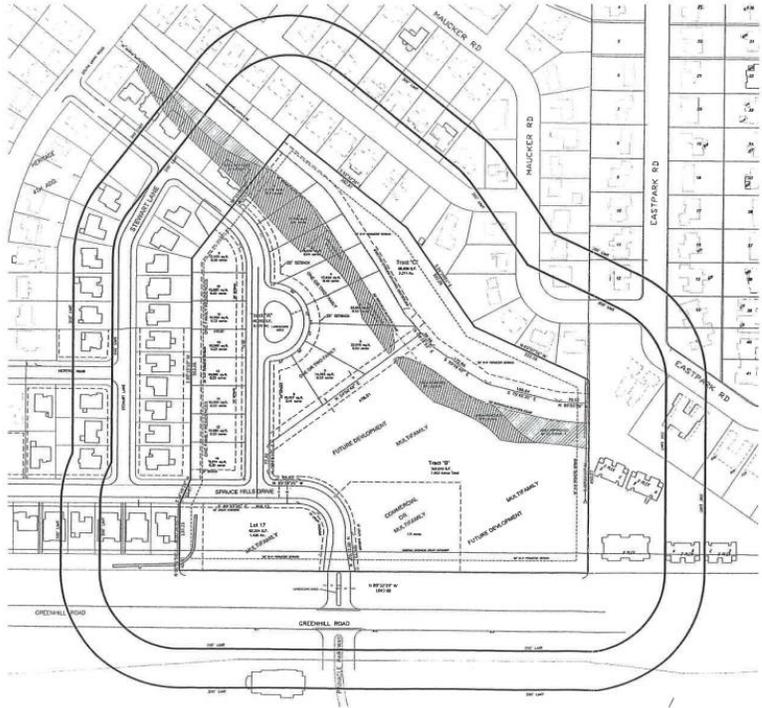
The proposed project of developing the subject parcel for multi-family development was introduced to the Planning and Zoning Commission at their regular scheduled meeting on 9th March 2022 as part of the R-P Site Plan review process. At the meeting, it was presented that the minor plat will be forwarded for review to the Commission at a later meeting date, as the proposed site plan cannot be approved before approval of the minor plat. The developer requests the approval of the submitted minor plat to be able to develop the area for multi-family development.

BACKGROUND

The subject parcel was created as part of Heritage Hills Estates Second Addition subdivision in 2014. As shown below, Tract F was reserved for multi-family development (with a density ratio of no more than 6.30 units per acre) as per the approved RP Site Plan for the area.

R-P Site Plan Amendment

PROPERTY DESCRIPTION:
 That part of the Southeast Quarter of Section 24, Township 89 North, Range 14 West of the 10th Principal Meridian, Black Hawk County, Iowa, more particularly described as follows: Beginning at the Southeast corner of said Southeast Quarter; thence N89°32'19" W 1043.08 feet along the South line of said Southeast Quarter and the North right-of-way line of Greenhill Road; thence S02°31'32" W 40.01 feet to the Southeast corner of Heritage Hills Estates; thence S02°31'32" W 130.00 feet along the East line of Heritage Hills Estates to the South right-of-way line of Spruce Hills Drive; thence S02°44'22" E 85.00 feet to the North right-of-way line of Spruce Hills Drive; thence N02°18'12" W 363.69 feet along the East line of Heritage Hills Estates and Heritage Hills Estates Final Addition; thence S02°31'32" W 451.27 feet along the Southeastern line of Heritage Hills Estates Final Addition to the Southeastern line of Heritage Hills Addition; thence S55°32'51" E 352.87 feet along the Southeastern line of Heritage Hills Addition; thence S34°28'51" E 301.00 feet along the Southeastern line of Heritage Hills Addition; thence S02°31'32" W 225.18 feet along the Southeastern line of Heritage Hills Addition to the West line of Blackhawk Park Addition; thence S20°19'15" E 455.87 feet along the West line of said Blackhawk Park Addition to the point of beginning, containing 10.130 acres, use in support of easements and restrictions of record.



Original R-P Site Plan (2004)

OWNER:
 ASPEN PROPERTIES, L.L.C.
 126 W 7TH ST
 WATERLOO, IA 50602

DEVELOPER:
 CRAIG FARMHOUSE HOMES
 218 SPRUCE HILLS DRIVE
 CEDAR FALLS, IA 50613

ZONING:
 EXISTING = RP - PLANNED RESIDENTIAL

LAND USE	UNITS	AREA	DENSITY
One or Two Family Dwellings (Lots 1-8)	8-16	3.485 AC.	2.31 - 4.62
One Family Dwellings (Lots 9-16)	8	1.978 AC.	4.04
Multifamily - Future In-lots (Lot 17)	6	1.44 AC.	4.17
Multifamily - Future Split Dwelling	40	6.35 AC.	6.30
Commercial or Multifamily**	(80')	1.50 AC.	5.33*
Tract A (Right-of-way)	0	2.17 AC.	0.00
Tract C (Unsubdivided Roadplains)	0	2.27 AC.	0.00
Total R-P Site Plan	62-78	19.13 AC.	3.65 - 4.88*

*Density excluding Tract A (Right-of-way)
 **Density including 1.5 acres as multifamily

The applicant requests the approval of the Cove at Spruce Hills Minor plat in order to develop the parcel with 30, 2-story townhome units within six separate buildings. The proposed development will be accessed through private streets. More details about the proposal can be found in the site plan staff report for the same area.

ANALYSIS

The subject property (6.95 acres in size) is located north of Greenhill Road and east of Spruce Hills Drive and is in RP, Planned Residential District and a portion of the property is also in the Highway Corridor and Greenbelt Overlay District. The proposed plat shows the new proposed multi-family development would meet the setback requirements of the zoning standards.

The developer will be providing access from Spruce Hills Drive eastward into the parcel with the two private streets, Spruce Needle Lane (running west to east) and Spruce Creek Drive (north to south), both of which would be located in a 45 foot private Ingress/Egress easement. In addition, the developer will be adding a 10 foot PUE (Public Utility Easement) along the ingress/egress easement.

The developer will be responsible for maintaining all existing easements (from Heritage Hills Estates 2nd Addition final plat) as noted on the attached Minor Plat exhibit as well as the any new private easements (including water storm sewer, and sanitary sewer easements) to serve the proposed multi-family townhome development private infrastructure.

City staff notes that the proposed on-site infrastructure for multi-family development will be private, and the developer will be responsible for providing and maintaining the private

infrastructure. In addition, the developer will be required to install and maintain public sidewalks along the existing public streets (Melendy Lane, Spruce Hills Drive and Prairie Parkway). Because of the nature of the proposed development, it is important to note and identify the project improvements, easements and maintenance responsibility of the developer and future residents. More details about easements, improvements and maintenance responsibility can be found in the attached Owner's statement document.

TECHNICAL COMMENTS

Cedar Falls Utilities (CFU) has reviewed the Minor Plat for the Cove at Spruce Hills Plat. Water, electric, gas, and communications utility services are available in accordance with the service policies of CFU. The developer is responsible for the construction of a properly sized, privately owned and maintained water system from the existing 12" water main at the east end of Spruce Hills Drive. Included in the installation are valves, fire hydrants and water service stubs for the new lots. Water main sizing and fire hydrant and valve placement locations will need to be modified. This will be done as a part of the construction plan review for the building permits. The developer will need to make refundable investments for the installation of the electric and gas utilities to and throughout the addition. CFU will install the communication utility fiber system to serve the addition in the public Utility easement area.

The plat shows both existing easements and proposed private easements which will be used to provide utility services to residents. It is the developer's intention to have private drives and utilities for the subject property. The developer will be responsible for all installation, maintenance and improvements for the infrastructure. Included in the improvements are public sidewalks along the property boundaries abutting the public streets (including Melendy Lane, Spruce Hills Drive and Prairie Parkway) and the developer will be responsible for the infrastructure maintenance (including snow removal and any repair work). In addition, the developer will be responsible for constructing and maintaining sidewalks along the private streets to provide pedestrian connectivity to future residents of the proposed multi-family townhome development. More details about the easements, improvements and maintenance responsibilities can be found in the attached Owner's statement document. City staff notes that the portion of the north-west corner of the subject parcel is in a flood-plain area, and therefore, any grading or construction activity in that area would require a floodplain development permit.

Staff notes that the City will not be responsible for any maintenance of the private infrastructure or snow removal and garbage pick-up. The sidewalks that are in the public right-of-way must meet city standards including ADA compliance. The landowner will be responsible for clearing snow and maintaining the public sidewalk adjacent to the property, which is the requirement for all public sidewalks throughout the city. Staff notes that the public sidewalk must be added by the developer prior to getting an occupancy permit for any building established in the area.

The cost of the maintenance of private streets, sidewalks, garbage and snow removal will fall on a homeowner's association, which will be established and stated in the Owner's declaration of covenants and the deed of dedication.

The city staff is working with the developer to finalize the Maintenance and Repair Agreement (MRA) for the property. Staff notes that the agreement will need to be finalized and approved by City Council before issuance of any building or SWPPP permits for development. In addition, staff notes the developer will also have to comply with the existing MRA of the Heritage Hills Second Addition, in addition to the new MRA developed for the site (the Cove at Spruce Hills site), as it is one of the contributing parcels for any maintenance and repair work in the common

areas. Staff notes these items will be highlighted in the Owner's statement document to insure the future residents are aware of the responsibilities.

City staff is working with the applicant on the deed of dedication/owner's statements, which outline number of items and responsibilities shared between future residents and define the maintenance responsibility of common shared areas, including the private streets. Staff notes that all the legal documents including the surveyor's certificate, affidavit of ownership, final plat and the owner's statement will need to be signed, stamped and submitted to city staff prior to the case being reviewed at the City Council Meeting.

A courtesy mailing was sent to the neighboring property owners on April 6, 2022

STAFF RECOMMENDATION

City staff recommends approval of the proposed minor plat for the Cove at Spruce Hills with the following stipulations:

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

PLANNING & ZONING COMMISSION

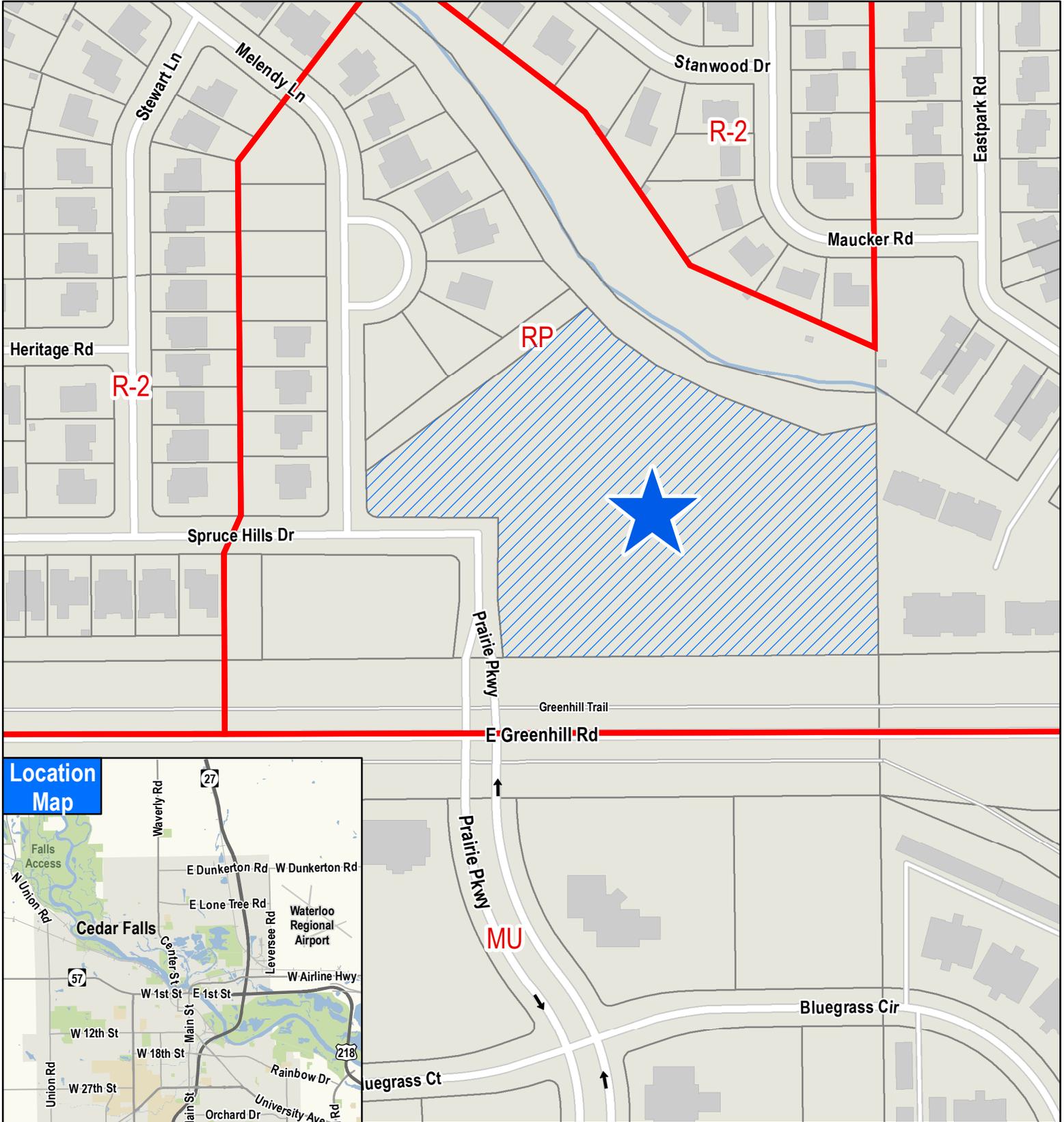
Discussion

4/13/2021

Cedar Falls Planning and Zoning Commission

April 13, 2022

Item 4.



Location Map



Minor Plat for the Cove at Spruce Hills (MP22-001)

MINOR PLAT

THE COVE AT SPRUCE HILLS PLAT 1

"A RESUBDIVISION OF TRACT "F", HERITAGE HILLS SECOND ADDITION, AN OFFICIAL PLAT"

AREA ABOVE RESERVED FOR RECORDER'S STAMP

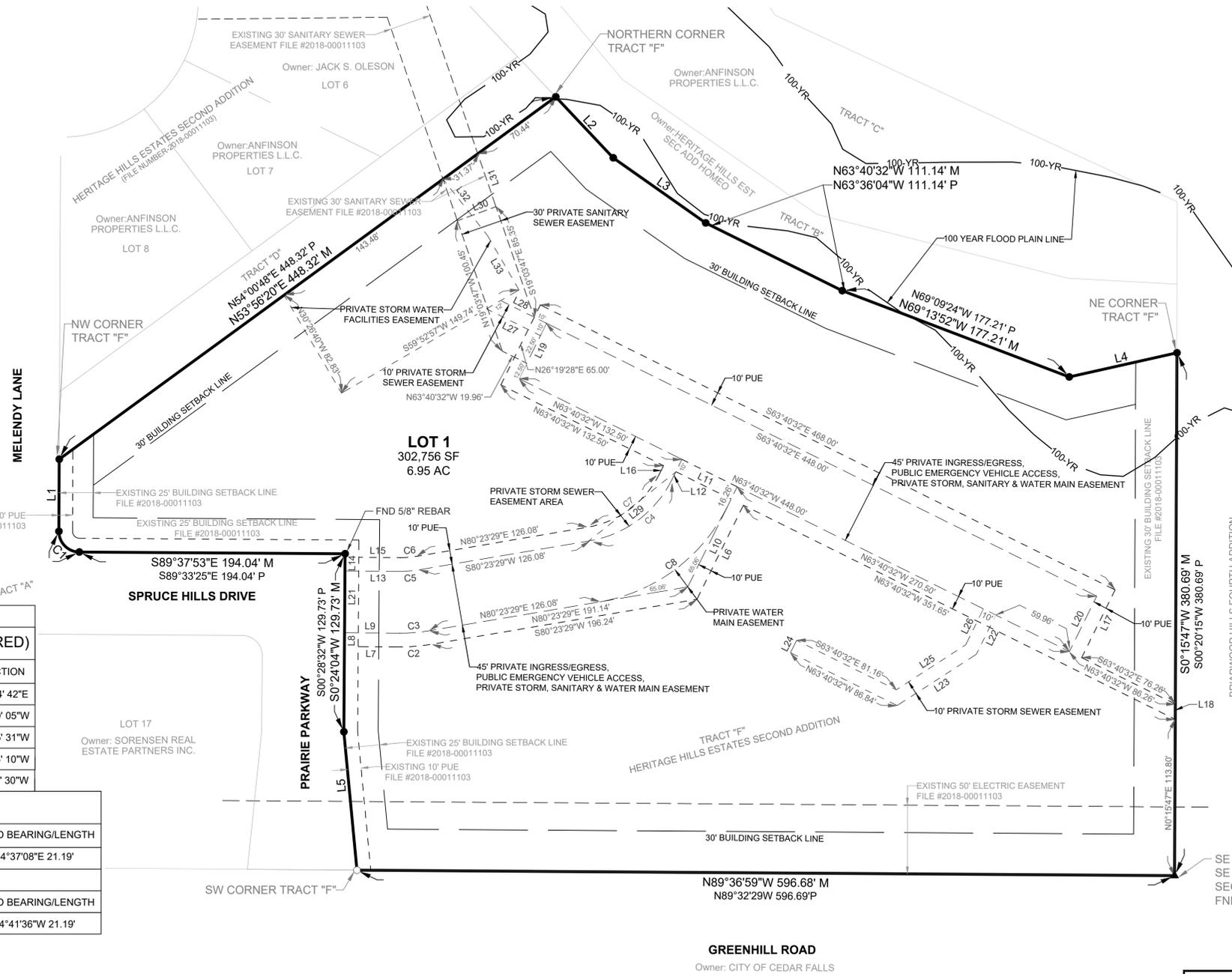
INDEX LEGEND

SURVEYOR'S NAME / RETURN TO:
ERIN GRIFFIN
SNYDER & ASSOCIATES, INC.
2727 SW SNYDER BOULEVARD
ANKENY, IOWA 50023
515-964-2020
EGRIFFIN@SNYDER-ASSOCIATES.COM

SERVICE PROVIDED BY:
SNYDER & ASSOCIATES, INC.

SURVEY LOCATED:
TRACT "F"
HERITAGE HILLS ESTATES SECOND ADDITION
SEC. 24-89-14

REQUESTED BY:
THE COVE AT SPRUCE HILLS, L.L.C.



PLAT DESCRIPTION

TRACT "F", HERITAGE HILLS ESTATES SECOND ADDITION, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF CEDAR FALLS, BLACK HAWK COUNTY, IOWA.

OWNER & DEVELOPER

THE COVE AT SPRUCE HILLS, L.L.C.
201 WASHINGTON STREET
CEDAR FALLS, IOWA, 50613.

AREA

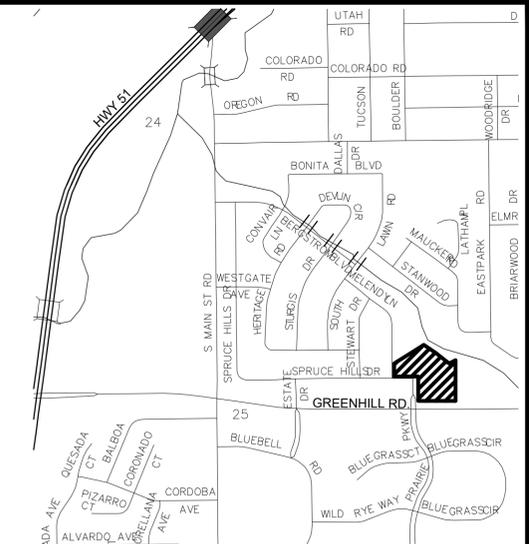
6.95 ACRES (302,756 S.F.)

ZONING

RP - PLANNED RESIDENTIAL

BULK REGULATIONS:

25' FRONT YARD (ALONG SPRUCE HILLS DR. & PRAIRIE PARKWAY)
30' BACKYARD (PERIMETER SETBACK ALL OTHER SIDES)



BOUNDARY TABLE

LINE TABLE (PLATTED)			LINE TABLE (MEASURED)		
LINE #	LENGTH (FT)	DIRECTION	LINE #	LENGTH (FT)	DIRECTION
L1	52.51	N00° 19' 10"E	L1	52.51	N00° 14' 42"E
L2	61.13	N43° 14' 37"W	L2	61.13	N43° 19' 05"W
L3	82.46	N54° 51' 03"W	L3	82.46	N54° 55' 31"W
L4	80.57	S77° 29' 38"W	L4	80.57	S77° 25' 10"W
L5	101.13	N05° 21' 02"W	L5	101.13	N05° 25' 30"W

CURVE TABLE (PLATTED)

CURVE NO.	Δ	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING/LENGTH
C1		15.00'	23.53'		S44°37'08"E 21.19'

CURVE TABLE (MEASURED)

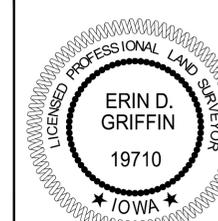
CURVE NO.	Δ	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING/LENGTH
C1	89°52'29"	15.00'	23.53'	14.97'	N44°41'36"W 21.19'

LEGEND

FEATURES	FOUND	SET
Section Corner	●	△
5/8" Rebar, Red Plastic Cap #12088	●	○
1/2" Rebar, Yellow Plastic Cap #19710	●	○
(Unless Otherwise Noted)		
ROW Marker	■	□
ROW Rail	■	□
Control Point	○	○
Bench Mark	○	○
Platted Distance	—	—
Measured Bearing & Distance	—	—
Recorded As	—	—
Deed Distance	—	—
Calculated Distance	—	—
Minimum Protection Elevation	—	—
Centerline	—	—
Section Line	—	—
1/4 Section Line	—	—
1/4 1/4 Section Line	—	—
Easement Line	—	—

CURVE TABLE (EASEMENTS)					
CURVE NO.	Δ	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING/LENGTH
C2	10°00'00"	137.50'	24.00'	12.03'	S85°23'29"W 23.97'
C3	10°00'00"	127.50'	22.25'	11.15'	N85°23'29"E 22.22'
C4	54°04'01"	82.50'	77.85'	42.10'	S53°21'29"W 74.99'
C5	10°00'00"	82.50'	14.40'	7.22'	S85°23'29"W 14.38'
C6	10°00'00"	72.50'	12.65'	6.34'	N85°23'29"E 12.64'
C7	54°04'01"	72.50'	68.41'	36.99'	N53°21'29"E 65.90'
C8	54°04'01"	127.50'	120.31'	65.06'	N53°21'29"E 115.90'

LINE TABLE (EASEMENTS)					
LINE #	LENGTH (FT)	DIRECTION	LINE #	LENGTH (FT)	DIRECTION
L6	76.42	S26° 19' 28"W	L16	6.26	N26° 19' 28"E
L7	29.87	N89° 35' 56"W	L17	55.00	S26° 19' 28"W
L8	10.00	N00° 24' 04"E	L18	11.13	S00° 15' 47"W
L9	30.64	S89° 35' 56"E	L19	45.00	N26° 19' 28"E
L10	71.32	N26° 19' 28"E	L20	45.00	S26° 19' 28"W
L11	45.00	N63° 40' 32"W	L21	45.00	N00° 24' 04"E
L12	6.26	S26° 19' 28"W	L22	31.88	S26° 19' 28"W
L13	29.86	N89° 35' 56"W	L23	68.83	S57° 07' 30"W
L14	10.00	N00° 24' 04"E	L24	10.00	N26° 19' 28"E



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.

Erin D. Griffin, PLS Date _____
License Number 19710
My License Renewal Date is December 31, 2023
Pages or sheets covered by this seal:
SHEET 1 OF 1

THE COVE AT SPRUCE HILLS

MINOR SUBDIVISION PLAT

SNYDER & ASSOCIATES, INC.

CEDAR FALLS, IA

2727 S.W. SNYDER BLVD
ANKENY, IOWA 50023
515-964-2020 | www.snyder-associates.com

MARK	REVISION	DATE	BY
Engineer:	Checked By:	EDG	Scale: 1" = 50'
Technician:	Date:	03-08-2022	T-R-S: T89N-R14W-24
Project No:	121-0880.01		
Sheet 1 of 1			



Project No: 121.0880.01
Sheet 1 of 1

OWNER'S STATEMENT AND DECLARATION OF COVENANTS AND RESTRICTIONS OF
THE COVE AT SPRUCE HILLS PLAT 1, A RESUBDIVISION OF TRACT F OF HERITAGE HILLS
ESTATES SECOND ADDITION
IN THE CITY OF CEDAR FALLS BLACK HAWK COUNTY, IOWA

KNOW ALL MEN BY THESE PRESENTS:

That The Cove at Spruce Hills, LLC, an Iowa limited liability company, including its successors and assigns (the "Platted Property Owner") with its principal office in the City of Cedar Falls, Black Hawk County, Iowa, being desirous of setting out and platting into a single lot the land described in the attached Certificate of Survey by Erin D. Griffin, a Licensed Professional Land Surveyor, dated _____, 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:

THE COVE AT SPRUCE HILLS MINOR PLAT (the "Platted Property")

all of which is with the free consent and the desire of the Platted Property Owner.

BACKGROUND

1. The Cove at Spruce Hills, LLC, an Iowa limited liability company, is the owner of that certain real property previously described as Tract F of Heritage Hills Estates Second Addition,, Cedar Falls, Black Hawk County, Iowa.
2. On or about the date hereof, the Platted Property Owner submitted for recording a Minor Subdivision Plat for The Cove at Spruce Hills Minor Plat, a resubdivision of Heritage Hills Estates Second Addition Tract F.
3. All provisions, obligations, and responsibilities under the "Deed of Dedication of Heritage Hills Estates Second Addition," and associated Maintenance and Repair Agreement (Black Hawk County File # 2018-00011427) shall be recognized as reaffirmed and continuing and shall not be considered amended or rescinded by this Owner's Statement and Declaration of Covenants and Restrictions, unless specifically stated herein.

EASEMENTS

The Platted Property Owner does hereby grant and convey a 10 feet PUE (Public Utility Easement) as shown on The Cove at Spruce Hills Minor Plat (attached hereto and hereinafter referred to as Exhibit A) and to any corporation, firm, or person furnishing utilities for the transmission and/or distribution of gas, electric, communication service or cable television, for the erection, laying, building, and maintenance of said services over, across, on and/or under the area of the PUE as shown on Exhibit A.

The Platted Property Owner also does hereby grant an ingress/egress easement to the public and to any emergency service provider, over, across and on the ingress/egress easement as shown on Exhibit A.

All existing easements of record shall be retained and shall be recognized as continuing in effect and shall not be considered amended or rescinded by this Owner's Statement and Declaration of Covenants and Restrictions.

Any and all drainage easements will be required to follow the Maintenance and Repair Agreement (MRA)

for the Platted Property, attached hereto as Exhibit B, and no building structures, fence structures, landscaping features, private gardens or any other possible obstruction can be built in or over said drainage easements. The Platted Property Owner, and/or contractors working in or on the Platted Property shall be responsible to maintain said easements to be free and clear of any physical obstruction(s), thus allowing the unimpeded conveyance of storm water runoff to the stormwater detention facility as described in Exhibit B, on record with the City of Cedar Falls Engineer's Office.

All private easements shown on Exhibit A are to the benefit and obligation of the Platted Property Owner. No building structures, fence structures, landscaping structures, private gardens or any other possible obstruction can be built in and over said private easements, as shown on Exhibit A.

RESTRICTIONS

Be it also known that the Platted Property Owner does hereby covenant and agree for itself and its successors and assigns that the Platted Property be and the same is hereby made subject to the following restrictions upon its 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 its successors in interest may hereinafter make for said Platted Property and that such restrictions shall run with the land and with said Platted Property for the length of time and in all particulars hereinafter stated, to-wit:

1. The Platted Property Owner plans to file a declaration of submission of property to horizontal property regime (the "Declaration") as provided for in Iowa Code Chapter 499B to submit the lot to a condominium form of ownership. The Declaration will provide for a condominium owners association (the "Condo Association") that will be responsible for the management of the condominium regime and for the maintenance, repairs, and replacement of the general and limited common elements set forth in the Declaration.
2. The Condo Association will be responsible to keep the Platted Property free of weeds and debris.
3. No obnoxious or offensive trade or activity shall be carried on upon the Platted Property nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
4. All approaches, driveways, and private streets in the Platted Property shall be paved with Portland Cement Concrete (PCC).
5. No old or used buildings shall be moved upon the Platted Property for any purpose. No auxiliary buildings or sheds shall be allowed upon the Platted Property for any purpose.
6. No radio station or short-wave operators of any kind shall operate from the Platted Property which shall cause interference with audio or visual reception upon any property adjoining the Platted Property. No exterior radio antenna shall be erected or maintained in or on the Platted Property. No satellite TV antenna or "Dish" may be maintained, constructed or erected on the Platted Property unless it is constructed in the rear yard and at least twenty feet from the property line and is shielded from the public view by shrubbery and landscaping. No dish larger than 24" will be allowed.
7. No dwelling on the Platted Property shall be occupied until the exterior is completed and finished and the interior substantially completed and finished, and same inspected by the City of Cedar Falls and an occupancy permit issued by the City of Cedar Falls.
8. No bus, semi-tractor, RV, fifth-wheel camper, trailer or truck of any kind except what is commonly described as a "pick-up truck" shall be kept or parked on the Platted Property for a period not to exceed

twenty-four hours, after which said vehicle cannot return to said Platted Property for a period of five days, provided, however, that this prohibition shall not apply to such vehicles driven in said Platted Property in pursuit of and in conducting their usual business.

9. All buildings erected on the Platted Property shall be constructed in accordance with the City Code of Ordinances of the City of Cedar Falls, Iowa.

10. No animals, livestock, or poultry of any kind shall be raised, bred or kept on the Platted Property, except that in any individual residential unit constructed on the Property 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 laws and regulations of the City of Cedar Falls, Black Hawk County, Iowa. Dog runs or dog kennels of any kind are prohibited.

11. Any and all fencing constructed on the Platted Property shall have a minimum set back of one foot from the property line and must comply with all easement restrictions. Construction of any privacy fencing must have the support posts on the interior side of the fencing.

12. No building or structure shall be erected, placed or altered on the Platted Property until the building plans, showing all buildings, patios, and pools, and showing the location thereof, and side yard distances, rear yard distances, front yard distances, driveways, and walkways, and type of construction have been approved in writing as to conformity and harmony of the external design and quality workmanship and materials by a representative of the Platted Property Owner.

13. Factory-built housing or modular homes will not be allowed.

14. Each person or entity who is record owner of a fee or undivided fee interest in any condominium unit on the Platted Property shall be a member of the Condo Association. Voting rights and membership in the Condo Association shall be set forth in the Declaration.

One of the purposes of the Condo Association shall be to maintain the general and common elements of the condominium regime as provided in the Declaration. Such maintenance shall include, but not limited to, streets, sidewalks, handicap ramps, sanitary sewers, storm sewers, water mains and services, landscaping, mowing, watering, upkeep of any underground sprinkler system, snow removal, refuse pick-up, and maintenance of all stormwater facilities.

The annual dues, and any adjustments thereof, for the Condo Association shall be as set forth in the Declaration and shall be sufficient to fund ongoing maintenance of the general and common elements as outlined in the Declaration. The Cove at Spruce Hills, LLC shall be exempt from any dues expense, except to the extent that The Cove at Spruce Hills, LLC owns one or more condominium units on the Platted Property.

IMPROVEMENTS

Private Improvements and Standards:

1. All development on the platted property shall be constructed according to the approved Site Plan, attached hereto as Exhibit C.

2. Spruce Needle Lane, a private street, as shown on Exhibit C, shall be brought to City grade at its

intersection with Spruce Hills Drive. Said private street shall be twenty-five (25) feet in width, back of curb to back of curb, with approved hard surface pavement in accordance with the City of Cedar Falls Fire Code and as specified per Exhibit C and building construction plans.

- 3. All private utilities shall be installed as required by the City of Cedar Falls Code of Ordinances.
- 4. City water shall be provided to the Platted Property as required by the Municipal Water Utilities of the City of Cedar Falls to a privately owned water distribution system that consists of piping, valves, fittings, and water service lines.
- 5. Fire hydrant(s) shall be provided as required by the Cedar Falls Public Safety Department. The fire hydrant(s) shall be exercised by Cedar Falls Utilities (CFU) as needed at the cost of the Platted Property Owner or Unit Owners through the Cove at Spruce Hills Condominium Owners Association, or successors or assigns.
- 6. A private storm sewer, together with the necessary manholes, catch basins, and water detention basins will be provided as specified by the City Engineer or designee.
- 7. A private sanitary sewer, together with the necessary manholes and sewer service lines shall be installed as specified by the City Engineer or designee.
- 8. All private sidewalks and ramps shall be constructed as specified on Exhibit C.
- 9. All Private Improvements shall be constructed, owned, maintained, and repaired or replaced by the Platted Property Owner.

Public Improvements and Standards:

- 1. All public utilities shall be installed as required by City of Cedar Falls Code of Ordinances.
- 2. Public sidewalks and ramps shall be constructed within the public ROW according to City standards and specifications. Said sidewalk shall be maintained by the Platted Property Owner.

The Public Improvements described herein shall be installed in accordance with the specifications of the City of Cedar Falls, Iowa, and performed under the supervision of the City Engineer or designee. All public sidewalks shall be constructed prior to issuance of an occupancy permit for any dwellings on the Platted Property. In the event the Developer does not provide the required Public Improvements that meet City Specifications, as determined solely by the City Engineer, the City Engineer may give the Developer written notice by ordinary mail that said Public Improvements shall be so completed within thirty (30) days. In the event the Developer fails to comply with said notice, the City may, at the sole discretion of the City, complete the necessary Public Improvements and the Platted Property Owner, for itself, and for its successors, grantees and assigns, waives all statutory requirements of notice of time and place of hearing and agree that the City may install said Public Improvements and assess the total costs thereof against the Platted Property.

SIGNED AND DATED _____, 2022.

THE COVE AT SPRUCE HILLS, LLC, an Iowa limited liability company

By: _____

Printed name: _____

Title: _____

STATE OF IOWA, COUNTY OF _____, SS:

This record was acknowledged before me on _____, 2022 by _____ as _____ of The Cove at Spruce Hills, LLC, an Iowa limited liability company.

STAMP

Notary Public in and for said State

11259890

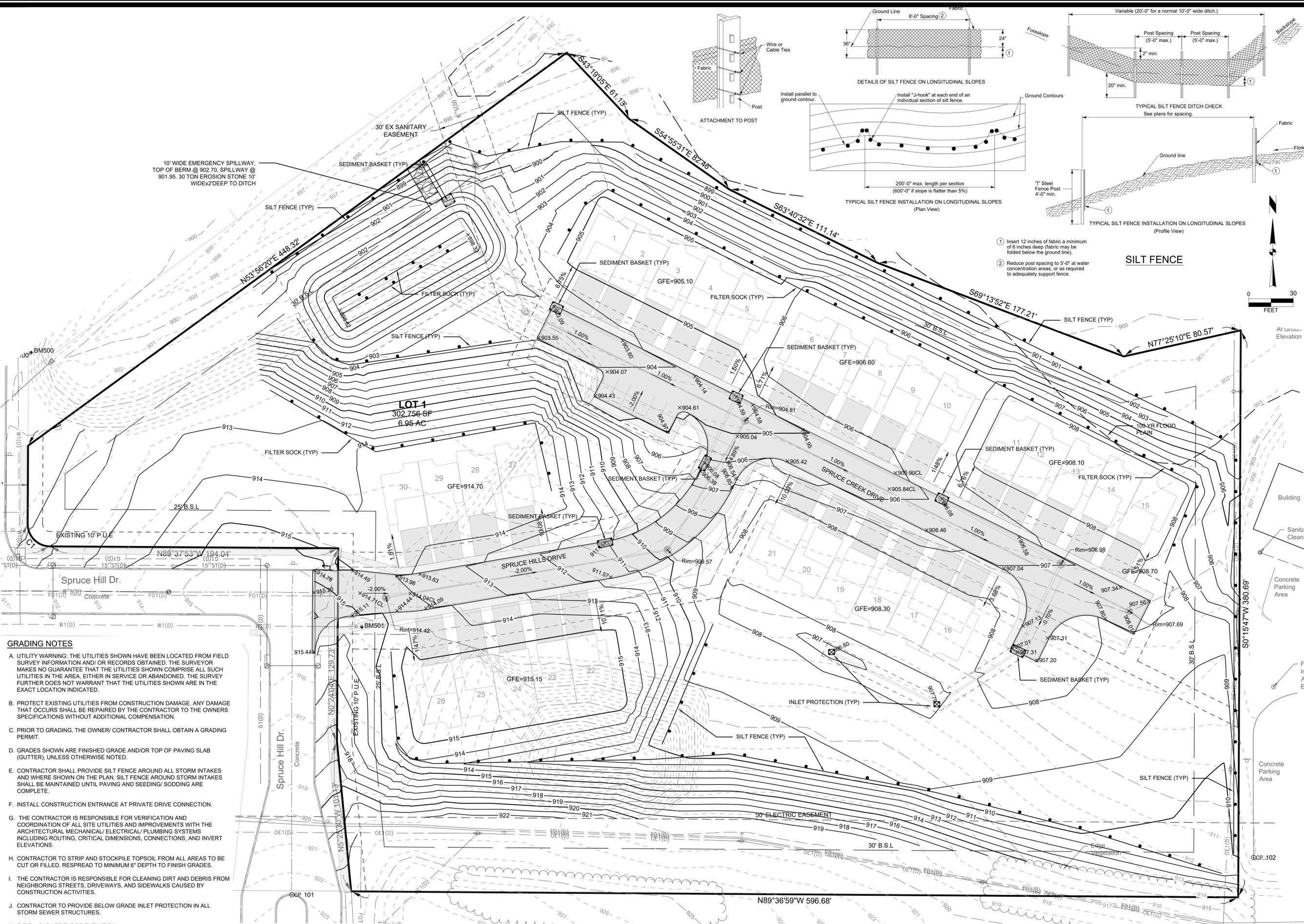
DRAFT

STATE OF IOWA, BLACK HAWK COUNTY: ss

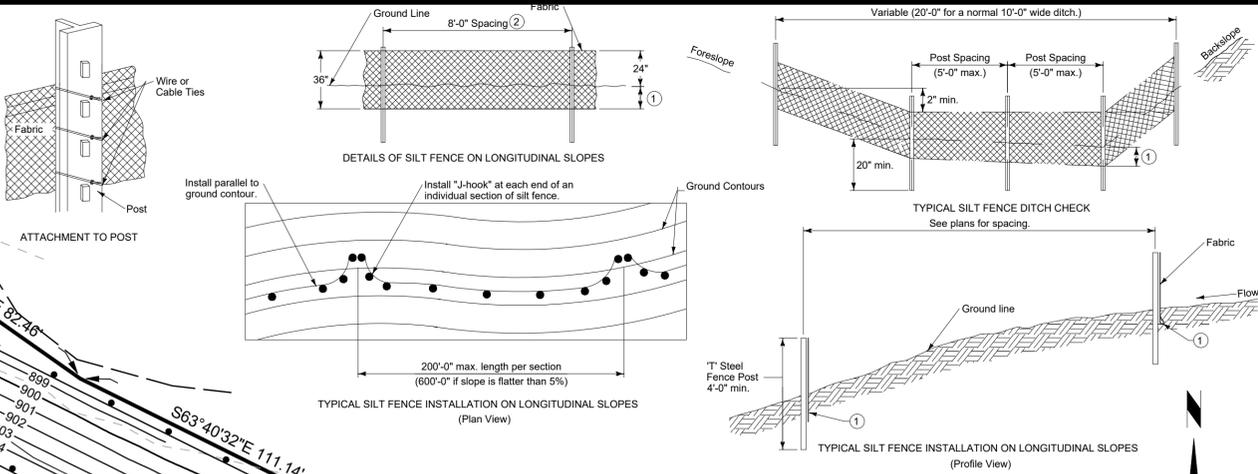
On this__ day of _____,2022, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Brian J. Wingert, Manager of The Cove at Spruce Hills LLC, to me known as the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed on behalf of The Cove at Spruce Hills LLC.

Notary Public in and for the State of Iowa

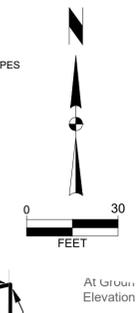
DRAFT



- GRADING NOTES**
- A. UTILITY WARNING: THE UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND/OR RECORDS OBTAINED. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEY FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED.
 - B. PROTECT EXISTING UTILITIES FROM CONSTRUCTION DAMAGE. ANY DAMAGE THAT OCCURS SHALL BE REPAIRED BY THE CONTRACTOR TO THE OWNERS SPECIFICATIONS WITHOUT ADDITIONAL COMPENSATION.
 - C. PRIOR TO GRADING, THE OWNER/ CONTRACTOR SHALL OBTAIN A GRADING PERMIT.
 - D. GRADES SHOWN ARE FINISHED GRADE AND/OR TOP OF PAVING SLAB (GUTTER), UNLESS OTHERWISE NOTED.
 - E. CONTRACTOR SHALL PROVIDE SILT FENCE AROUND ALL STORM INTAKES AND WHERE SHOWN ON THE PLAN. SILT FENCE AROUND STORM INTAKES SHALL BE MAINTAINED UNTIL PAVING AND SEEDING/ SODDING ARE COMPLETE.
 - F. INSTALL CONSTRUCTION ENTRANCE AT PRIVATE DRIVE CONNECTION.
 - G. THE CONTRACTOR IS RESPONSIBLE FOR VERIFICATION AND COORDINATION OF ALL SITE UTILITIES AND IMPROVEMENTS WITH THE ARCHITECTURAL MECHANICAL/ELECTRICAL/PLUMBING SYSTEMS INCLUDING ROUTING, CRITICAL DIMENSIONS, CONNECTIONS, AND INVERT ELEVATIONS.
 - H. CONTRACTOR TO STRIP AND STOCKPILE TOPSOIL FROM ALL AREAS TO BE CUT OR FILLED. RESPREAD TO MINIMUM 6" DEPTH TO FINISH GRADES.
 - I. THE CONTRACTOR IS RESPONSIBLE FOR CLEANING DIRT AND DEBRIS FROM NEIGHBORING STREETS, DRIVEWAYS, AND SIDEWALKS CAUSED BY CONSTRUCTION ACTIVITIES.
 - J. CONTRACTOR TO PROVIDE BELOW GRADE INLET PROTECTION IN ALL STORM SEWER STRUCTURES.
 - K. G.F.E. = GARAGE FLOOR ELEVATION



SILT FENCE



2	REVISED AS PER CITY COMMENTS	2-8-22	JFS
1	REVISED AS PER OWNER	1-21-22	JWM
MARK	REVISION	DATE	BY
Engineer: EDC	Checked By: EDC	Scale: 1" = 30'	
Technician: JWM	Date: 09-27-21	T-R-S: TTN-RRW-JS	

THE COVE AT SPRUCE HILLS
GRADING AND EROSION CONTROL PLAN
SNYDER & ASSOCIATES, INC.



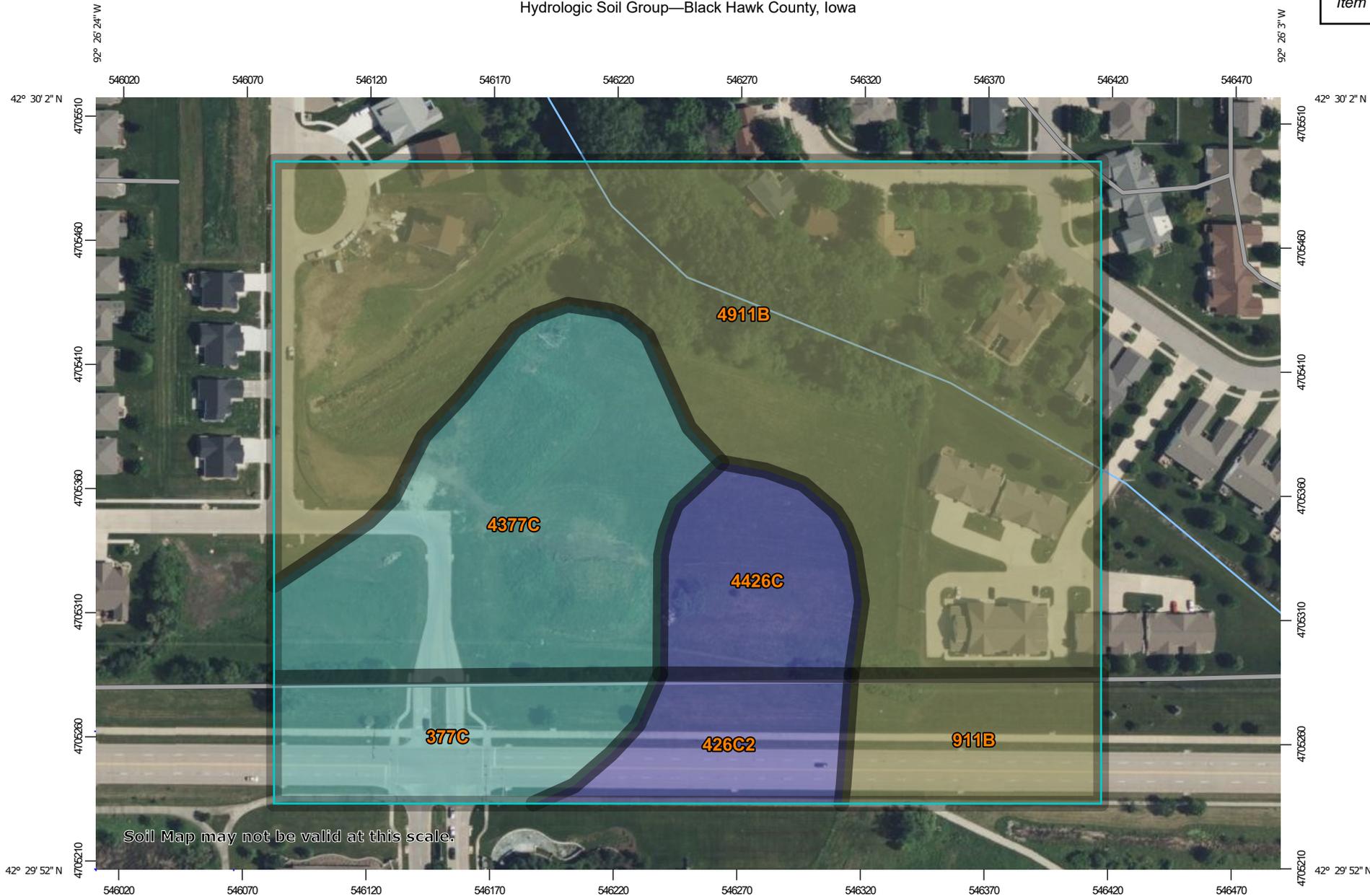
Project No: 121.0880.01
 Sheet C500

CEDAR FALLS, IA
 2727 S.W. SNYDER BLVD
 ANKENY, IOWA 50023
 515-964-2020 | www.snyder-associates.com

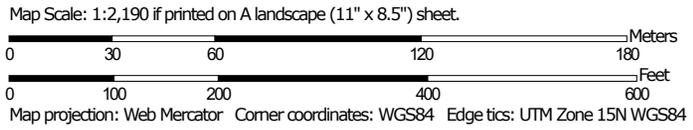
Sheet C500
 Project No: 121.0880.01

Hydrologic Soil Group—Black Hawk County, Iowa

Item 4.



Soil Map may not be valid at this scale.



MAP LEGEND

- Area of Interest (AOI)**
 -  Area of Interest (AOI)
- Soils**
 - Soil Rating Polygons**
 -  A
 -  A/D
 -  B
 -  B/D
 -  C
 -  C/D
 -  D
 -  Not rated or not available
 - Soil Rating Lines**
 -  A
 -  A/D
 -  B
 -  B/D
 -  C
 -  C/D
 -  D
 -  Not rated or not available
 - Soil Rating Points**
 -  A
 -  A/D
 -  B
 -  B/D
- Water Features**
 -  Streams and Canals
- Transportation**
 -  Rails
 -  Interstate Highways
 -  US Routes
 -  Major Roads
 -  Local Roads
- Background**
 -  Aerial Photography
- Other**
 -  C
 -  C/D
 -  D
 -  Not rated or not available

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.
 Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Black Hawk County, Iowa
 Survey Area Data: Version 29, Sep 14, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Nov 21, 2021—Nov 24, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
377C	Dinsdale silty clay loam, 5 to 9 percent slopes	C	1.8	8.2%
426C2	Aredale loam, 5 to 9 percent slopes, moderately eroded	B	1.2	5.6%
911B	Colo-Ely complex, 0 to 5 percent slopes	C/D	1.3	6.2%
4377C	Dinsdale-Urban land complex, 5 to 9 percent slopes	C	4.3	19.8%
4426C	Aredale-Urban land complex, 5 to 9 percent slopes	B	1.5	6.9%
4911B	Colo-Ely-Urban land complex, 2 to 5 percent slopes	C/D	11.5	53.4%
Totals for Area of Interest			21.5	100.0%

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

Prepared by: Erin D. Griffin, PLS Snyder & Associates, Inc., 2727 SW Snyder Boulevard Ankeny, Iowa 50023 (515) 964-2020

Return to: Erin D. Griffin, PLS Snyder & Associates, Inc., 2727 SW Snyder Boulevard Ankeny, Iowa 50023 (515) 964-2020

SURVEYOR 'S CERTIFICATE

THE COVE AT SPRUCE HILLS PLAT 1, AN OFFICIAL PLAT, CEDAR FALLS, IOWA

I CERTIFY THAT DURING THE MONTH OF SEPTEMBER 2021 AT THE DIRECTION OF THE COVE AT SPRUCE HILLS, L.L.C., A SURVEY WAS MADE, UNDER MY SUPERVISION, OF THE PARCEL OF LAND TO BE KNOWN AS LOT 1, THE COVE AT SPRUCE HILLS PLAT 1, AS SHOWN ON THE ATTACHED PLAT, AND THE BOUNDARY OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PLAT DESCRIPTION:

TRACT "F" HERITAGE HILLS ESTATES SECOND ADDITION, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF CEDAR FALLS, BLACK HAWK COUNTY, IOWA.

I FURTHER CERTIFY THAT THE PLAT AS SHOWN IS A CORRECT REPRESENTATION OF THE SURVEY AND ALL CORNERS WILL BE MARKED AS INDICATED



Erin D. Griffin, PLS License No. 19710



DEPARTMENT OF COMMUNITY DEVELOPMENT

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

MEMORANDUM

Planning & Community Services Division

TO: Planning and Zoning Commission
FROM: Jaydevsinh Atodaria (JD), City Planner I
 Luke Andreasen, PE, Principal Engineer
DATE: April 6, 2022
SUBJECT: RP District Site Plan for the Cove at Spruce Hills Townhomes (SP21-013)

REQUEST: RP Site Plan of the Cove at Spruce Hills Townhomes

PETITIONER: Brian Wingert (Developer); The Cove at Spruce Hills LLC (Owner);
 Snyder & Associates, INC. (Engineer)

LOCATION: The 6.95-acre property is located north of Greenhill Road and east of Spruce Hills Drive

PROPOSAL

The developer is proposing to build 30, 2-story townhome units within six buildings (four (4) five-unit townhome buildings, one (1) four-unit townhome building, and one (1) six-unit townhome building) on the last remaining undeveloped area of Heritage Hills Estates 2nd Addition subdivision. The proposed development will be on Tract F of Heritage Hills Estates 2nd Addition subdivision, which was reserved for multi-family development as per the approved RP Master Plan for the area. The six proposed buildings will have access through a private street, Spruce Needle Lane extending east and Spruce Creek Drive running north-south, which would also be private. As per the subdivision code, Tract F can only be developed if the tract is re-platted to create a lot. The minor plat to establish the new lot for development will also be reviewed alongside the site plan. City staff notes the proposed site plan cannot be approved before the approval of the minor plat.

BACKGROUND

In the summer of 2004, the entire property of 19.12 acres ("Heritage Hills Estates Second Addition Subdivision") was rezoned to RP, Planned Residence District, for the construction of one and two-family residences, multifamily dwellings, and condominiums with a density not to exceed 4.47 dwelling units per acre. In the winter of 2014, the RP plan (see next page and attached) was amended to change the area shown for multi-family dwellings to single-family dwellings. This RP Master Plan reflected the proposed final subdivision plat and also established other proposed uses on the remaining acreage (i.e. multi-family and a commercial area). The amendment stated the multifamily area will have a density ratio of no more than 6.30 units per acre. Also, a clause stating the commercial area may be converted to multifamily at a

Land Use and Density:

As stated above, the subject parcel, Tract F, has an allowed residential density of no more than 6.30 units per acre or 44 dwelling units. The proposal of 30 residential townhome units within six multi-unit buildings meets both the land use and density requirements as specified in the developmental procedures agreement, which was developed with the RP Master plan for the area.

Proposed Layout of the Development:

The RP Planned Residence District provides flexibility in establishing lot sizes, setbacks and general layout of the development which then must be approved through the site plan review process. In this case, the development is proposed as a condominium regime with 30 units on one lot. All the streets and infrastructure will be private and maintained by a Homeowner's Association. The site layout is arranged with garages and pedestrian entries accessed from the private streets and finished façades with doors leading to rear porches/patios which face Greenhill Road and neighboring properties. This design provides two facades – one facing the private street and one facing the public street and neighboring properties.

The proposed site plan illustrates 25 foot front yard setbacks from the private street easement for all buildings along the Spruce Needle Lane and Spruce Creek Drive. The proposed six buildings are spaced a minimum of 20 feet apart, which provides adequate open space between the buildings for privacy and provides breaks in the facades. The buildings will be setback a minimum of 30 feet from the lot line along Prairie Parkway to be consistent with the approved setback shown on the final plat of Heritage Hills Estates Second Addition and will meet the 30-foot required perimeter setback for the RP district. All the minimum required setbacks are provided.

All infrastructure will be private and is delineated with private easements on the site plan and will be recorded with the plat. A 45-foot easement will be established for the private streets (Spruce Needle Lane and Spruce Creek Drive), which will narrow from the 60-foot public street right-of-way of Spruce Hills Drive at the entrance of the development. An easement for public and emergency vehicle access will need to be established over the private streets with the plat. Other private easements will be delineated for the private storm sewer and sanitary sewer. CFU will require an easement for the water main which will be extended to serve this development. There is an existing 50-foot Electric easement along E. Greenhill Road. In addition, the proposed site plan shows 10-foot public utility easements where required.

Site Access:

The proposed development will be accessed through private streets, which will include an easterly extension of the Spruce Hills Drive, which will be known as Spruce Needle Lane (a private drive running west-east) and Spruce Creek Drive (a private drive running north-south). The private streets are proposed to be 24 feet in width with six parking stalls perpendicular to the roadway along Spruce Creek Drive to facilitate guest parking on the site since there the narrow street width and multiple driveways will limit available on-street parking. The proposed site plan includes sidewalks, which will need to meet ADA requirements, along the edge of the private streets to allow pedestrian movement throughout the development. In addition, sidewalks meeting City standards will be required along all public street frontages, including Spruce Hills Drive, Melendy Lane, and Prairie Parkway.

City staff notes private streets are discouraged as per the city’s subdivision code for the following reasons:

- Private streets are often proposed in order to save space and cost associated with pavement depths and rights-of-way and street widths which do not meet City street standards. As a consequence, the City does not accept private streets as public improvements and all future maintenance cost falls to future owners/residents of the development and possibly adding a significant financial burden once the pavement needs to be replaced or reconstructed. If a homeowners association (HOA) hasn’t been set up to collect funds over time for future maintenance costs, these areas may experience disinvestment in the future and homeowners often turn to the City for assistance if that occurs.
- Secondly, since the private streets are not dedicated to the City, the property owners or the HOA will be responsible for services, such as garbage pick-up and snow removal.

Staff has noted these issues to the developer and indicated the deed of dedication and owners declaration of covenants will need to be carefully drafted to ensure future buyers are aware of these costs and responsibilities. The documents will be reviewed with the minor plat and provided these issues are clearly addressed in the subdivision documents, staff is accepting of the private streets in this particular case due to the unique site constraints: 1) the parcel is bounded by wetlands and floodplain to the north and east and, 2) no street connection will be allowed to Greenhill Road, which is an arterial street. As a consequence, the proposed streets will be dead end and only serve this development and not function for neighborhood traffic circulation. The developers are responding to the community market for townhomes instead of larger multi-family buildings, and therefore, it is more challenging to provide a connected street layout, such as a loop street.

As per code, cul-de-sacs or dead-end streets are also discouraged, but if allowed they do not exceed 600 feet in length and are designed to meet Fire Code regulations for emergency vehicle access and turn around. The City’s Fire Division has reviewed the proposed development and finds it acceptable.

Landscaping:

HCG Highway Corridor and Greenbelt Overlay Zoning District require the incorporation of landscaping standards to provide continuity of developments within the HCG overlay district. Required landscape areas shall be 65 percent of the lot exclusive of buildings and the yard area shall be planted with a combination of trees and shrubs to achieve a minimum of 0.05 points per square foot of landscaped area. Additionally, a minimum of 0.75 points per linear foot of street frontage must be achieved in the right-of-way area to meet street tree planting requirement and screening is required along the lot line adjacent boundary to screen the development from major arterial roads. Following is the table which summarizes required and proposed landscaping improvements as per code.

Site Landscaping	
Overall Lot area	302,756 sq. ft.
Total area of Building footprint on lot	31,350 sq. ft.
Total area exclusive of building footprint	271,406 sq. ft.
Min. landscaping points required	8,820 points (271,406 * 0.65 * 0.05)
Landscaping points proposed	8,820 points (4,480 points – overstory trees, 2400 points – evergreen trees, 1,020 points –

	understory trees, and 920 points – shrubs)
Street Tree Planting	
Min, street tree planting points required	0.75 points per linear foot of street frontage
Required street tree planting points	447.75 points (597 ft * 0.75 points)
Street tree planting points proposed	480 points (6 trees)
Parking lot screening (provided in the proposed site plan)	

The proposed landscaping plan meets the minimum landscaping points requirement as per code.

Building Elevations:

The proposed site plan includes six townhome buildings; four containing five units, one four-unit building, and one six-unit building. All the townhomes look identical to one another. The rear elevation snapshot below will be visible from peripheral areas of the site, including from Greenhill Road, and the front elevation snapshot below will be visible from the private drives in the development. Building materials include the use of cultured stone (minimal), three shades of lap siding, three shades of wood shakes and asphalt roofing shingles. The shades of wood shakes and lap sidings are nicely balanced and complement each other.



Implications for future residents:

The proposed project for multi-family residential development on private drives means the city will not undertake and provide any maintenance of the private drives and sidewalks. Also, the city will not provide services, such as snow removal and garbage pick-up for the area. The cost of the maintenance of streets, sidewalks, garbage removal and snow removal will be the responsibility of a homeowner’s association, which will be established at the time of development. These items of responsibility must be stated in the Owner’s declaration of covenants and the deed of dedication.

TECHNICAL COMMENTS

City staff, including Cedar Falls Utilities (CFU) personnel, has the following technical comments on the proposed site plan.

- All basic utility services are available to the site. The developer is responsible for the construction of a properly sized, privately owned and maintained water system beginning at the existing 12-inch water main at the east end of the Spruce Hills Drive. Water main sizing and fire hydrant and valve placement locations will need to be modified. This will be done as a part of the construction plan review. The developer is currently working with CFU personnel to address the comments. CFU also notes the trees and other landscaping features proposed on the landscaping plan are within the utility easement area. And removal and replacement of the trees or any other landscaping located within these areas may be disturbed by utility maintenance, repair, or replacement is the responsibility of the property owner.
- The City Engineering Division staff members have reviewed the plans and have found them acceptable. Since the roads, storm sewer, sanitary sewer, and most of the sidewalks are private infrastructure, engineering staff has minimal input on the construction plans. Due to the proximity of the project site to the floodplain, the detention was designed for stormwater runoff quality control purposes and not designed for full storage. The City will not be responsible for any maintenance on the private infrastructure including snow removal. The sidewalks which are located in the public right-of-way must meet city standards including ADA compliance. The landowner will be responsible for clearing snow and maintaining the public sidewalk adjacent to the property, as is the requirement for all public sidewalks throughout the city.
- Staff notes the proposed project site will need to be platted to execute the proposed site plan since the property is shown as "Tract F" of Heritage Hills Estates 2nd Addition subdivision. As per subdivision code, tracts can only be developed if the tract area is replatted to create a developable parcel, i.e. a lot. Once the minor plat is approved, the site plan can be approved concurrently. City staff notes there will be no street lighting in the proposed development. The developer is proposing exterior garage lights which will all be controlled by photocells to provide street lighting in the development. City staff recommends adding street lighting at least on the street intersection (standards followed in any residential development on the public street). City staff is working with the applicant on the deed of dedication/owner's statements, which outlines a number of items, will be shared among the future residents, such as the maintenance responsibility of common shared areas, private utilities and private streets.

A courtesy notice about proposed site plan development was provided to the surrounding residents within 200 feet of the proposed project site was sent out on March 1st, 2022.

STAFF RECOMMENDATION

City staff recommends approval of the proposed site plan for the Cove at Spruce Hills Townhomes with the following stipulations:

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

Staff notes the site plan cannot be approved prior to approval of the minor plat.

PLANNING & ZONING COMMISSION

Introduction & Discussion
3/9/2022

Chair Leeper introduced the item and Mr. Atodaria provided background information. He discussed a rezoning in 2004 and an RP Plan amendment in 2014 and the changes made. He explained that in 2017 a final plat was approved and the proposed project will be the last development in the subdivision. It is proposed to build 30 units of 2-story townhomes within six buildings that would include four (4) five-unit townhome buildings, one (1) four-unit townhome building and one (1) six-unit townhome building. He discussed the proposed site plan layout with regard to garage and pedestrian access, facades and infrastructure. He noted that all infrastructure, including the internal streets and sidewalks would be private. He noted staff concerns about private streets and that long term maintenance and provision of services would fall to future homeowners. Mr. Atodaria spoke about the setbacks, easements, site access, stormwater management, landscaping and building elevations. It is noted that the sidewalks in the public right-of-way must meet city standards, including ADA compliance. The homeowners will be responsible for clearing snow, garbage removal and maintaining both the public and private sidewalks (installed within property boundary). He described the outstanding issues that included the need for lighting plan, approval of the minor plat prior to the site plan, and submission of the Deed of Dedication addressing responsibilities of maintenance of shared areas. He explained that future residents should note that the City will not provide any maintenance of private streets or sidewalks, or provide services such as snow removal and garbage pickup and the cost of such things will be the responsibility of the Home Owners Association or the developer.

Brian Wingert, 2110 Flynn Drive, spoke regarding the project as the developer. He discussed the density issues and the compromise to reduce it. He also explained that there will be a lot of landscaping and beautification done in the area. He also noted that an on-site manager has been hired to be available for any issues in the neighborhood. Mr. Wingert explained that the units are at a sale point of \$250,000 and discussed affordable housing.

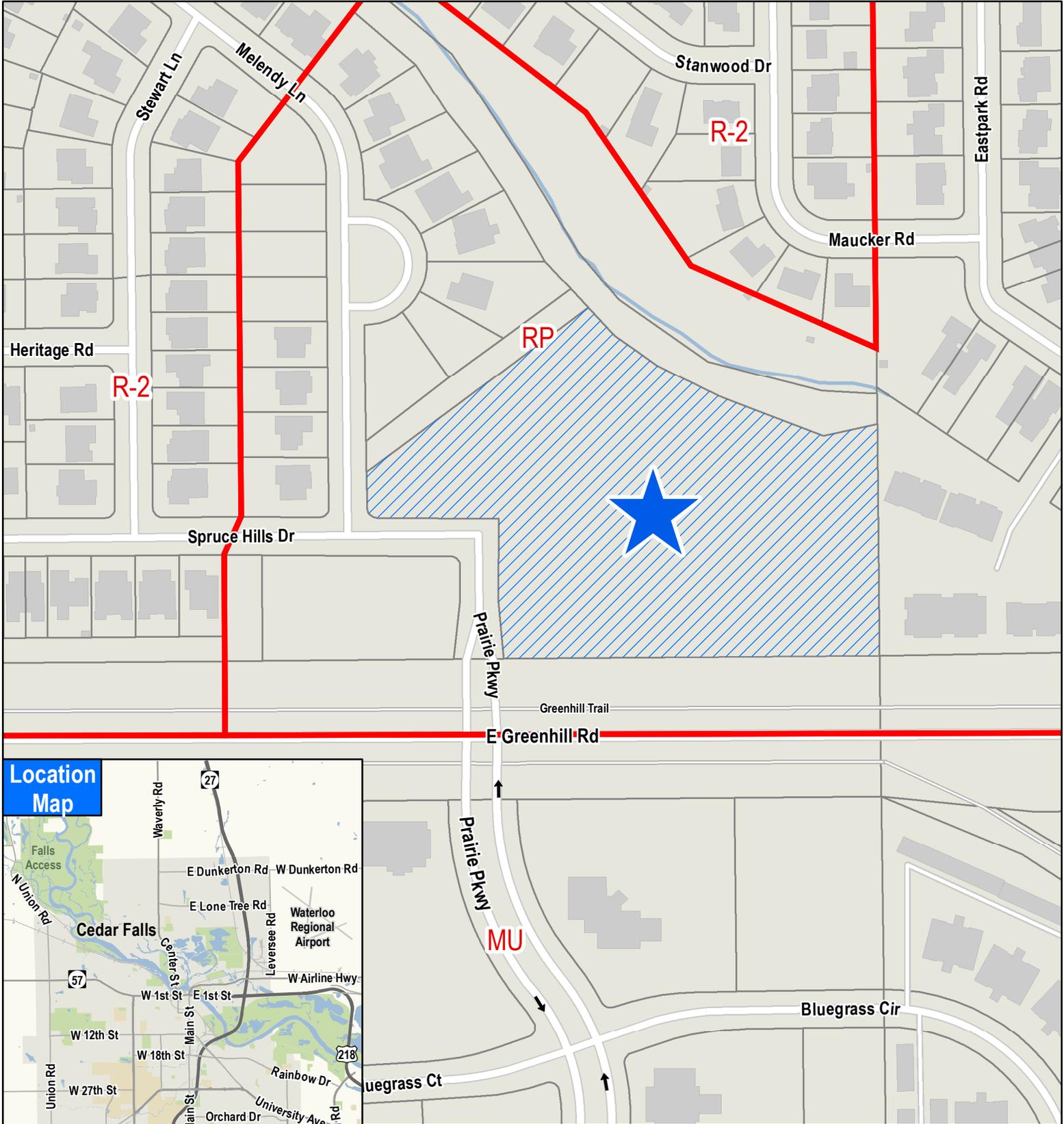
Ms. Saul feels it is a good use of space. Ms. Lynch stated her appreciation for not removing the forest area behind the properties. The item was continued to the next meeting.

Discussion
&
Vote
4/13/2022

Cedar Falls Planning and Zoning Commission

April 13, 2022

Item 5.



Location Map



R-P Site Plan Review for the Cove at Spruce Hills Townhomes (SP21-013)

SITE PLAN FOR THE COVE AT SPRUCE HILLS TOWNHOMES

MULTI-FAMILY RESIDENTIAL DEVELOPMENT CITY OF CEDAR FALLS, BLACK HAWK COUNTY, IOWA



VICINITY MAP



OWNER
 THE COVE AT SPRUCE HILLS LLC
 201 WASHINGTON ST
 CEDAR FALLS, IA 5013

DEVELOPER
 BRIAN WINGERT
 2021 MAIN STREET, SUITE A
 CEDAR FALLS, IA

ENGINEER
 SNYDER & ASSOCIATES
 2727 SW SNYDER BLVD
 ANKENY, IA 50023
 CONTACT: ERIC CANNON

INDEX OF SHEETS

- C100 TITLE SHEET
- C200 PROJECT INFORMATION
- C300 DIMENSION PLAN
- C400 UTILITY PLAN
- C500 GRADING AND EROSION CONTROL PLAN
- C600 PLANTING PLAN
- C601 PLANTING PLAN GENERAL NOTES

3	REVISED AS PER CITY COMMENTS	JFS	3-30-22	
2	REVISED AS PER CITY COMMENTS	JFS	2-8-22	
1	REVISED AS PER OWNER	JMM	1-21-22	
MARK	REVISION	DATE	BY	
Engineer: EDC	Checked By: EDC	Scale: 1" = NA		
Technician: JMM	Date: 09-27-21	T-R-S: TTN-RRW-SS		
Project No: 121.0880.01				Sheet C100

THE COVE AT SPRUCE HILLS

TITLE SHEET

SNYDER & ASSOCIATES, INC.

2727 S.W. SNYDER BLVD
 ANKENY, IOWA 50023
 515-964-2020 | www.snyder-associates.com

LICENSED PROFESSIONAL ENGINEER

ERIC D.
CANNON

P18954

★ IOWA ★

I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.

Eric D. Cannon, P.E. Date

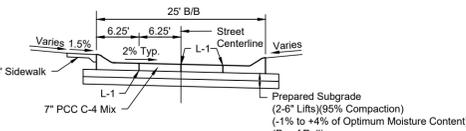
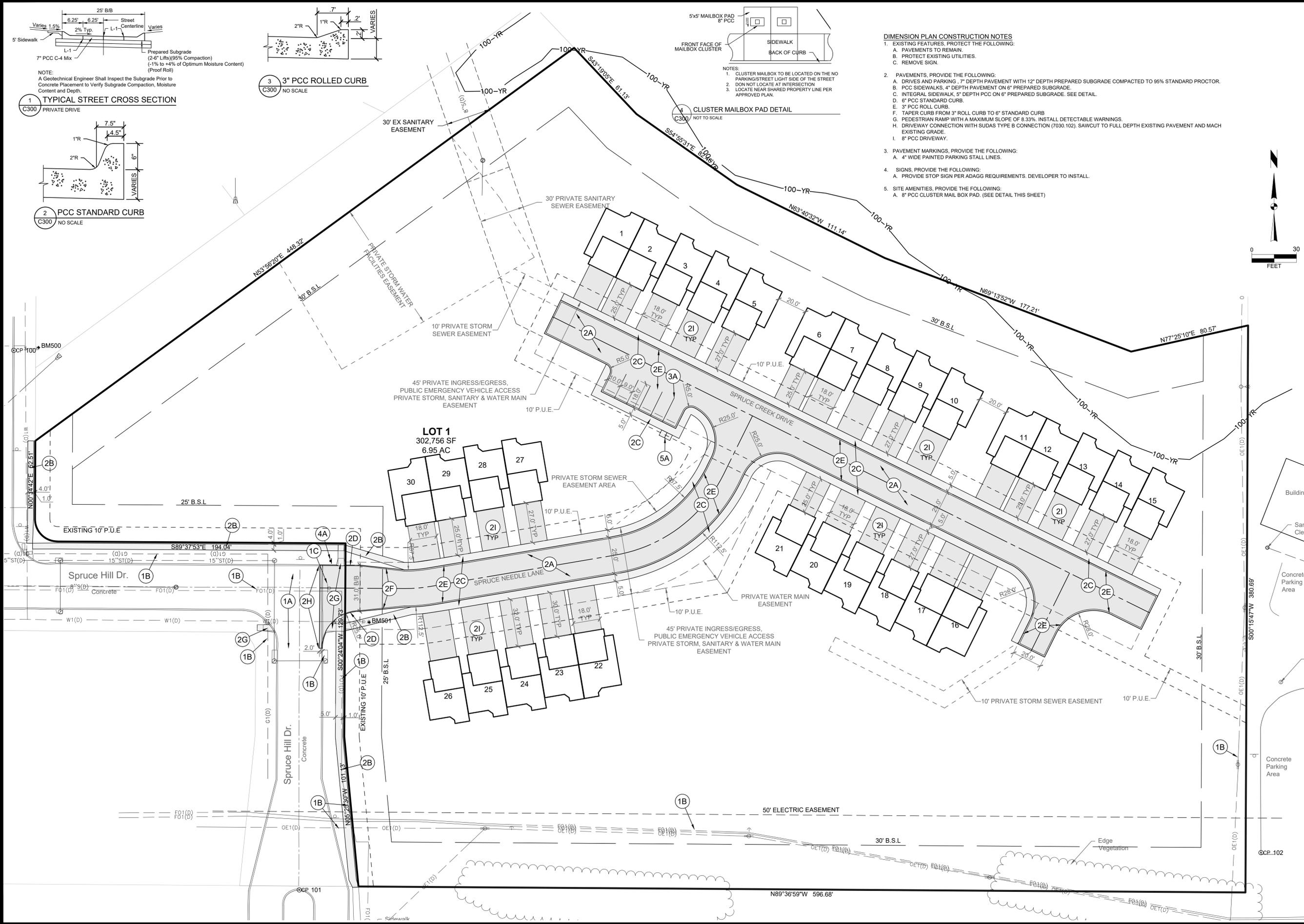
License Number P18954

My License Renewal Date is December 31, 2023

Pages or sheets covered by this seal:
C-100 THRU C601

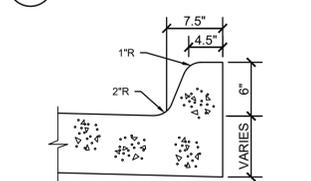


V:\projects\2021\121.0880.01\CADD\SP - 1210880 - 15H.dwg JUSTIN STROM, TITLE SHEET, 2022/03/31, 7:46 AM, ANSI FULL BLEED D (34.00 X 22.00 INCHES)

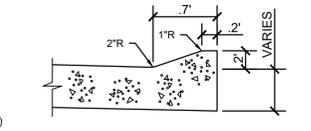


NOTE:
A Geotechnical Engineer Shall Inspect the Subgrade Prior to Concrete Placement to Verify Subgrade Compaction, Moisture Content and Depth.

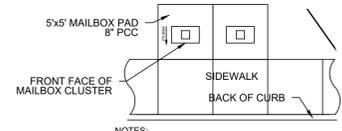
1 TYPICAL STREET CROSS SECTION
C300 PRIVATE DRIVE



2 PCC STANDARD CURB
C300 NO SCALE



3 3\"/>



4 CLUSTER MAILBOX PAD DETAIL
C300 NOT TO SCALE

DIMENSION PLAN CONSTRUCTION NOTES

- EXISTING FEATURES, PROTECT THE FOLLOWING:
 - PAVEMENTS TO REMAIN.
 - PROTECT EXISTING UTILITIES.
 - REMOVE SIGN.
- PAVEMENTS, PROVIDE THE FOLLOWING:
 - DRIVES AND PARKING, 7\"/>
 - PCC SIDEWALKS, 4\"/>
 - INTEGRAL SIDEWALK, 5\"/>
 - 6\"/>
 - 3\"/>
 - TAPER CURB FROM 3\"/>
 - PEDESTRIAN RAMP WITH A MAXIMUM SLOPE OF 8.33%. INSTALL DETECTABLE WARNINGS.
 - DRIVEWAY CONNECTION WITH SUBAS TYPE B CONNECTION (7030.102). SAWCUT TO FULL DEPTH EXISTING PAVEMENT AND MATCH EXISTING GRADE.
 - 8\"/>
- PAVEMENT MARKINGS, PROVIDE THE FOLLOWING:
 - 4\"/>
- SIGNS, PROVIDE THE FOLLOWING:
 - PROVIDE STOP SIGN PER ADAGG REQUIREMENTS. DEVELOPER TO INSTALL.
- SITE AMENITIES, PROVIDE THE FOLLOWING:
 - 8\"/>



THE COVE AT SPRUCE HILLS

DIMENSION PLAN



Project No: 121.0880.01
Sheet C300

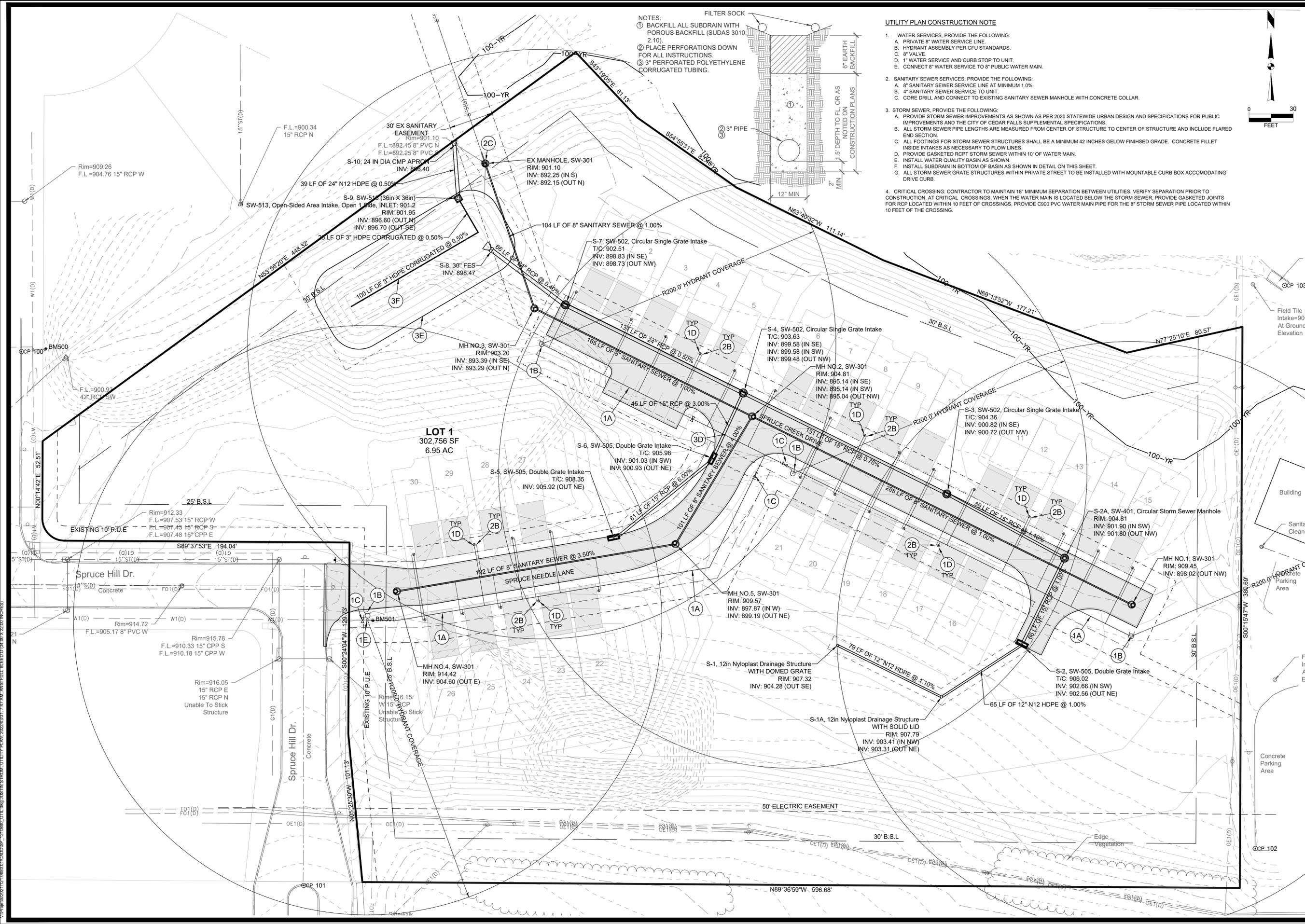
CEDAR FALLS, IA

SNYDER & ASSOCIATES, INC.

2727 S.W. SNYDER BLVD
ANKENY, IOWA 50023
515-964-2020 | www.snyder-associates.com

Sheet C300

Project No: 121.0880.01



NOTES:
 ① BACKFILL ALL SUBDRAIN WITH POROUS BACKFILL (SUDAS 3010 2.10).
 ② PLACE PERFORATIONS DOWN FOR ALL INSTRUCTIONS.
 ③ 3" PERFORATED POLYETHYLENE CORRUGATED TUBING.

UTILITY PLAN CONSTRUCTION NOTE

- WATER SERVICES, PROVIDE THE FOLLOWING:
 - PRIVATE 8" WATER SERVICE LINE.
 - HYDRANT ASSEMBLY PER CFU STANDARDS.
 - 8" VALVE.
 - 1" WATER SERVICE AND CURB STOP TO UNIT.
 - CONNECT 8" WATER SERVICE TO 8" PUBLIC WATER MAIN.
- SANITARY SEWER SERVICES, PROVIDE THE FOLLOWING:
 - 8" SANITARY SEWER SERVICE LINE AT MINIMUM 1.0% IMPROVEMENTS AND THE CITY OF CEDAR FALLS SUPPLEMENTAL SPECIFICATIONS.
 - 4" SANITARY SEWER SERVICE TO UNIT.
 - CORE DRILL AND CONNECT TO EXISTING SANITARY SEWER MANHOLE WITH CONCRETE COLLAR.
- STORM SEWER, PROVIDE THE FOLLOWING:
 - PROVIDE STORM SEWER IMPROVEMENTS AS SHOWN AS PER 2020 STATEWIDE URBAN DESIGN AND SPECIFICATIONS FOR PUBLIC IMPROVEMENTS AND THE CITY OF CEDAR FALLS SUPPLEMENTAL SPECIFICATIONS.
 - ALL STORM SEWER PIPE LENGTHS ARE MEASURED FROM CENTER OF STRUCTURE TO CENTER OF STRUCTURE AND INCLUDE FLARED END SECTION.
 - ALL FOOTINGS FOR STORM SEWER STRUCTURES SHALL BE A MINIMUM 42 INCHES BELOW FINISHED GRADE. CONCRETE FILLET INSIDE INTAKES AS NECESSARY TO FLOW LINES.
 - PROVIDE GASKETED RCP STORM SEWER WITHIN 10' OF WATER MAIN.
 - INSTALL WATER QUALITY BASIN AS SHOWN.
 - INSTALL SUBDRAIN IN BOTTOM OF BASIN AS SHOWN IN DETAIL ON THIS SHEET.
 - ALL STORM SEWER GRATE STRUCTURES WITHIN PRIVATE STREET TO BE INSTALLED WITH MOUNTABLE CURB BOX ACCOMMODATING DRIVE CURB.
- CRITICAL CROSSING: CONTRACTOR TO MAINTAIN 18" MINIMUM SEPARATION BETWEEN UTILITIES. VERIFY SEPARATION PRIOR TO CONSTRUCTION. AT CRITICAL CROSSINGS, WHEN THE WATER MAIN IS LOCATED BELOW THE STORM SEWER, PROVIDE GASKETED JOINTS FOR RCP LOCATED WITHIN 10 FEET OF CROSSINGS, PROVIDE C900 PVC WATER MAIN PIPE FOR THE 8" STORM SEWER PIPE LOCATED WITHIN 10 FEET OF THE CROSSING.



3	REVISED AS PER CITY COMMENTS	3-30-22	JFS
2	REVISED AS PER CITY COMMENTS	2-8-22	JFS
1	REVISED AS PER OWNER	1-21-22	JWM
MARK	REVISION	DATE	BY
Engineer: EDC	Checked By: EDC	Scale: 1"=30'	
Technician: JMM	Date: 09-27-21	T-R-S: TTN-RRW-SS	

Project No: 121.0880.01

Sheet C400

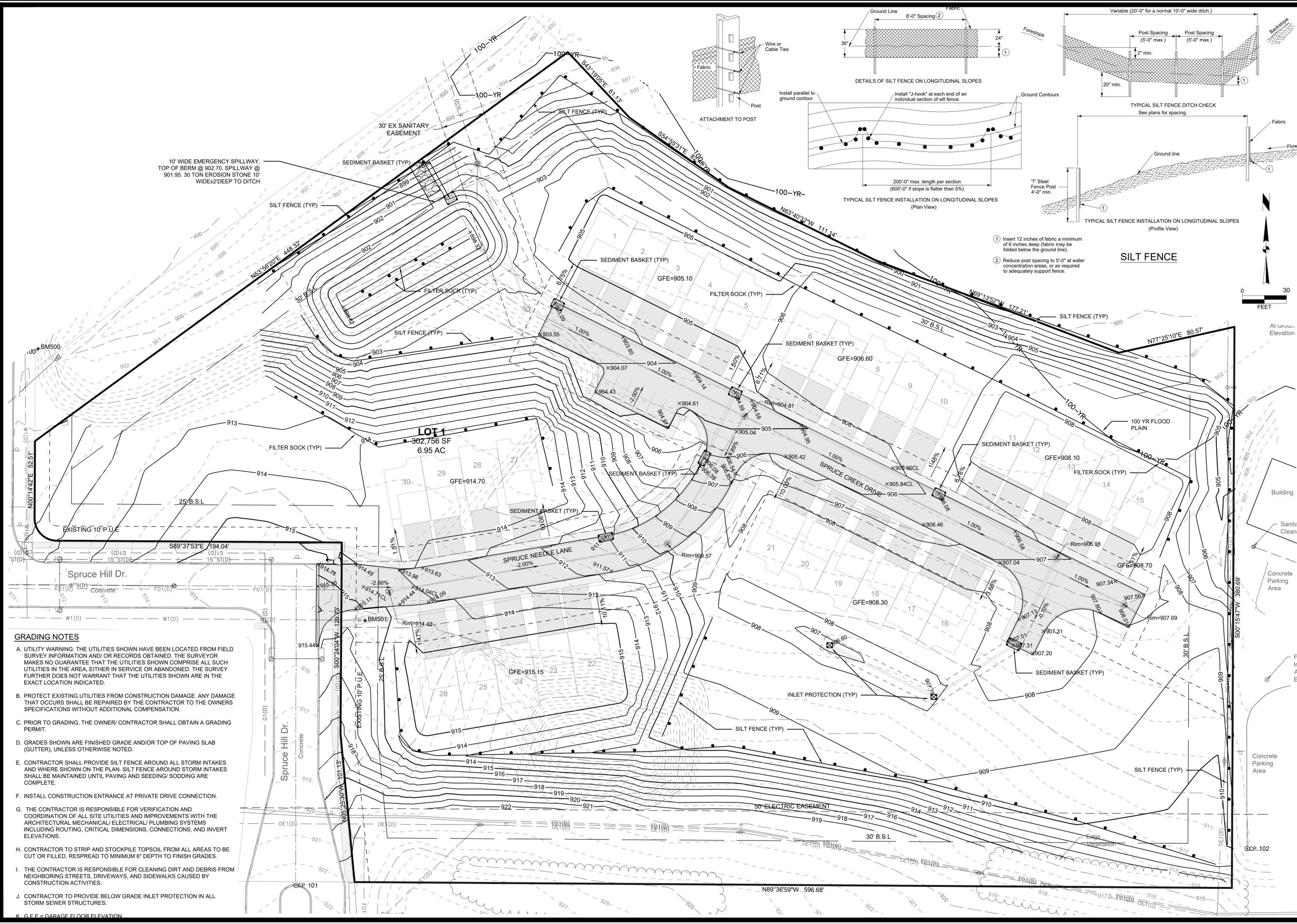
THE COVE AT SPRUCE HILLS

UTILITY PLAN

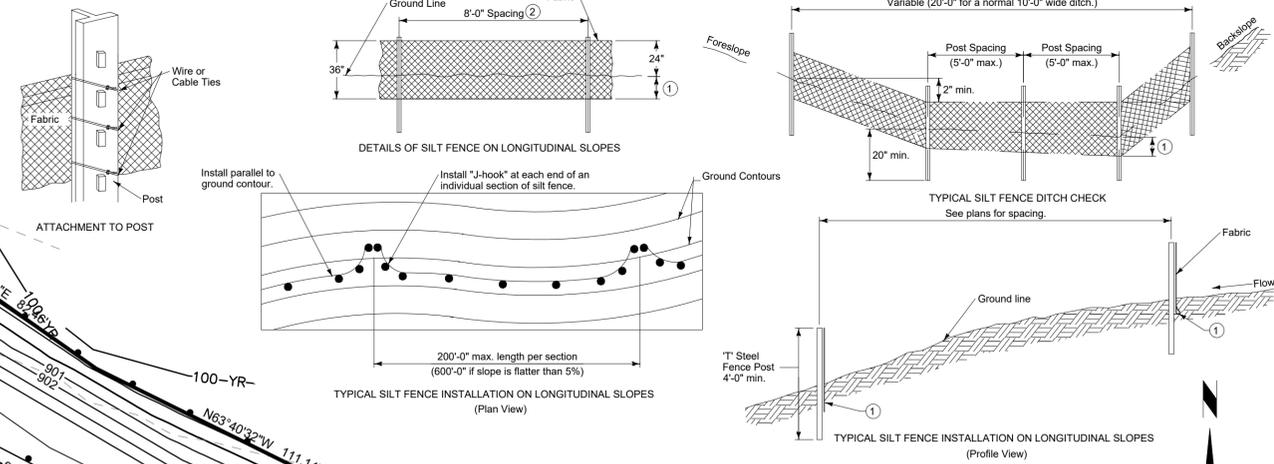
SNYDER & ASSOCIATES, INC.

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 ANKENY, IOWA 50023
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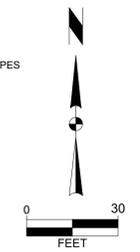


10' WIDE EMERGENCY SPILLWAY,
TOP OF BERM @ 902.70, SPILLWAY @
901.95, 30 TON EROSION STONE 10'
WIDE X 2' DEEP TO DITCH



- 1 Insert 12 inches of fabric a minimum of 6 inches deep (fabric may be folded below the ground line).
- 2 Reduce post spacing to 5'-0" at water concentration areas, or as required to adequately support fence.

SILT FENCE



GRADING NOTES

- A. UTILITY WARNING: THE UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND/OR RECORDS OBTAINED. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEY FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED.
- B. PROTECT EXISTING UTILITIES FROM CONSTRUCTION DAMAGE. ANY DAMAGE THAT OCCURS SHALL BE REPAIRED BY THE CONTRACTOR TO THE OWNERS SPECIFICATIONS WITHOUT ADDITIONAL COMPENSATION.
- C. PRIOR TO GRADING, THE OWNER/ CONTRACTOR SHALL OBTAIN A GRADING PERMIT.
- D. GRADES SHOWN ARE FINISHED GRADE AND/OR TOP OF PAVING SLAB (GUTTER), UNLESS OTHERWISE NOTED.
- E. CONTRACTOR SHALL PROVIDE SILT FENCE AROUND ALL STORM INTAKES AND WHERE SHOWN ON THE PLAN. SILT FENCE AROUND STORM INTAKES SHALL BE MAINTAINED UNTIL PAVING AND SEEDING/ SODDING ARE COMPLETE.
- F. INSTALL CONSTRUCTION ENTRANCE AT PRIVATE DRIVE CONNECTION.
- G. THE CONTRACTOR IS RESPONSIBLE FOR VERIFICATION AND COORDINATION OF ALL SITE UTILITIES AND IMPROVEMENTS WITH THE ARCHITECTURAL MECHANICAL/ELECTRICAL/PLUMBING SYSTEMS INCLUDING ROUTING, CRITICAL DIMENSIONS, CONNECTIONS, AND INVERT ELEVATIONS.
- H. CONTRACTOR TO STRIP AND STOCKPILE TOPSOIL FROM ALL AREAS TO BE CUT OR FILLED. RESPREAD TO MINIMUM 6" DEPTH TO FINISH GRADES.
- I. THE CONTRACTOR IS RESPONSIBLE FOR CLEANING DIRT AND DEBRIS FROM NEIGHBORING STREETS, DRIVEWAYS, AND SIDEWALKS CAUSED BY CONSTRUCTION ACTIVITIES.
- J. CONTRACTOR TO PROVIDE BELOW GRADE INLET PROTECTION IN ALL STORM SEWER STRUCTURES.
- K. G.F.F. = GARAGE FLOOR ELEVATION.

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1	REVISED AS PER OWNER	1-21-22	JWM
MARK	REVISION	DATE	BY
Engineer: EDC	Checked By: EDC	Scale: 1" = 30'	
Technician: JWM	Date: 09-27-21	T-R-S: TTN-RRW-SS	

THE COVE AT SPRUCE HILLS

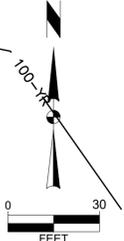
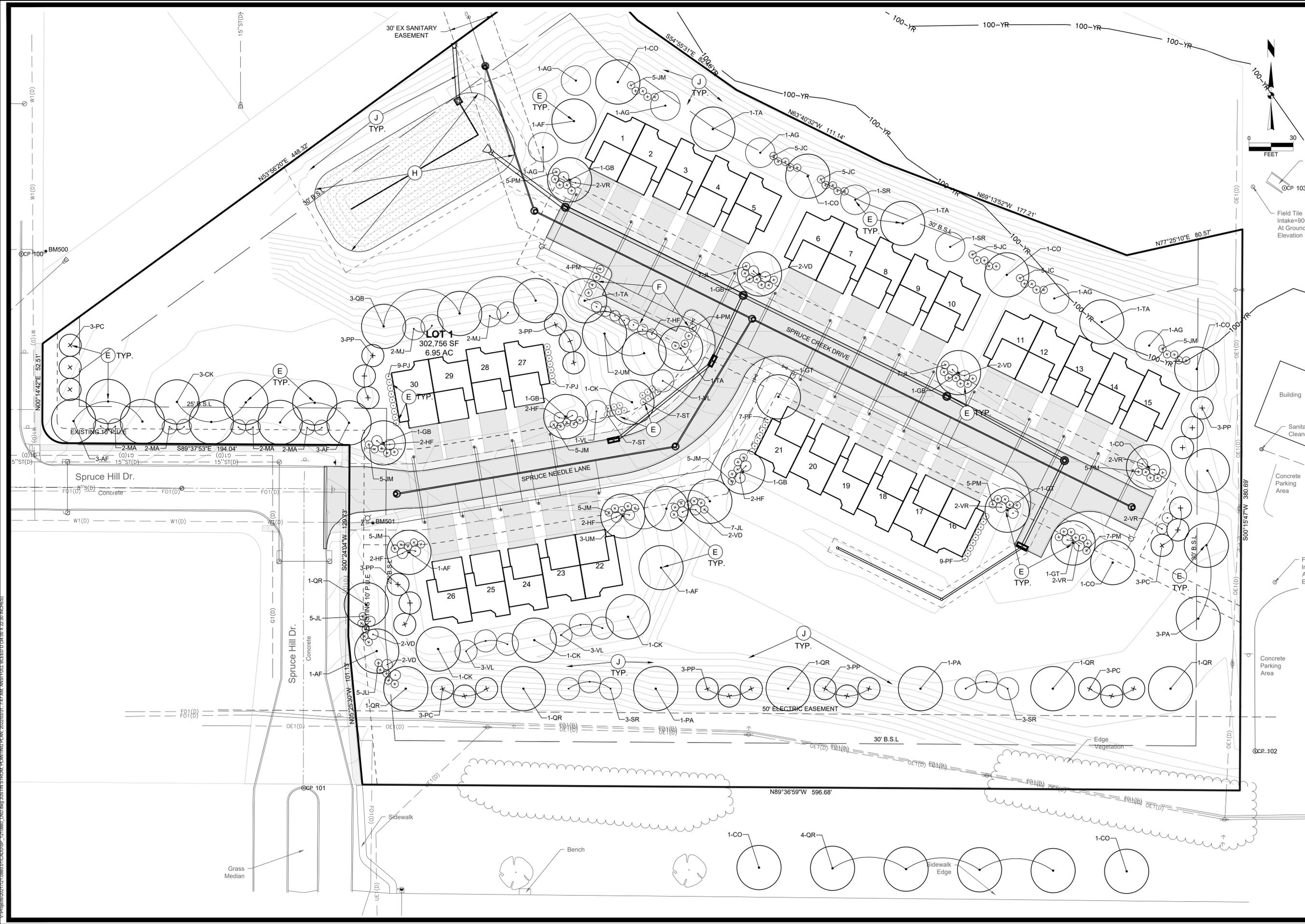
GRADING AND EROSION CONTROL PLAN

SNYDER & ASSOCIATES, INC.

CEDAR FALLS, IA

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515-964-2020 | www.snyder-associates.com

Project No: 121.0880.01
Sheet C500



3	REVISED AS PER CITY COMMENTS	3-30-22	JFS
2	REVISED AS PER CITY COMMENTS	2-8-22	JFS
1	REVISED AS PER OWNER	1-21-22	JMM
MARK	REVISION	DATE	BY
Engineer: EDC	Checked By: EDC	Scale: 1"=30'	
Technician: JMM	Date: 09-27-21	T-R-S: TTN-RRW-SS	

Project No: 121.0880.01

Sheet C600

THE COVE AT SPRUCE HILLS

PLANTING PLAN

SNYDER & ASSOCIATES, INC.

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4 Rear Elevation
SCALE: 3/16" = 1'-0"

MATERIAL SCHEDULE

CS	CULTURED STONE
R1	ASPHALT ROOFING SHINGLE
S1	7" LAP - WHITE
S2	7" LAP - GRAY
S3	7" LAP - CHARCOAL
S4	SHAKES - GRAY
S5	SHAKES - CHARCOAL



3 Left Elevation
SCALE: 3/16" = 1'-0"



2 Right Elevation
SCALE: 3/16" = 1'-0"



1 Front Elevation
SCALE: 3/16" = 1'-0"

PROJECT: **Heritage Hills Townhomes**
Cedar Falls, IA 50613

REVISIONS:

1	
2	
3	

PROJECT NO:
CONTENTS:
Elevations

SHEET NO:
A201



4 Rear Elevation
SCALE: 3/16" = 1'-0"

MATERIAL SCHEDULE

CS	CULTURED STONE
R1	ASPHALT ROOFING SHINGLE
S1	7" LAP - WHITE
S2	7" LAP - GRAY
S3	7" LAP - CHARCOAL
S4	SHAKES - GRAY
S5	SHAKES - CHARCOAL



3 Left Elevation
SCALE: 3/16" = 1'-0"



2 Right Elevation
SCALE: 3/16" = 1'-0"



1 Front Elevation
SCALE: 3/16" = 1'-0"

PROJECT:
Heritage Hills Townhomes
Cedar Falls, IA 50613

REVISIONS:

1	
2	
3	

PROJECT NO:
CONTENTS:
Elevations

SHEET NO:
A201



4 Rear Elevation
SCALE: 3/16" = 1'-0"

MATERIAL SCHEDULE

CS	CULTURED STONE
R1	ASPHALT ROOFING SHINGLE
S1	7" LAP - WHITE
S2	7" LAP - GRAY
S3	7" LAP - CHARCOAL
S4	SHAKES - GRAY
S5	SHAKES - CHARCOAL



3 Left Elevation
SCALE: 3/16" = 1'-0"



2 Right Elevation
SCALE: 3/16" = 1'-0"



1 Front Elevation
SCALE: 3/16" = 1'-0"

PROJECT: **Heritage Hills Townhomes**
Cedar Falls, IA 50613

REVISIONS:

1	
2	
3	

PROJECT NO:
CONTENTS:
Elevations

SHEET NO:
A201

REZONING PLAT

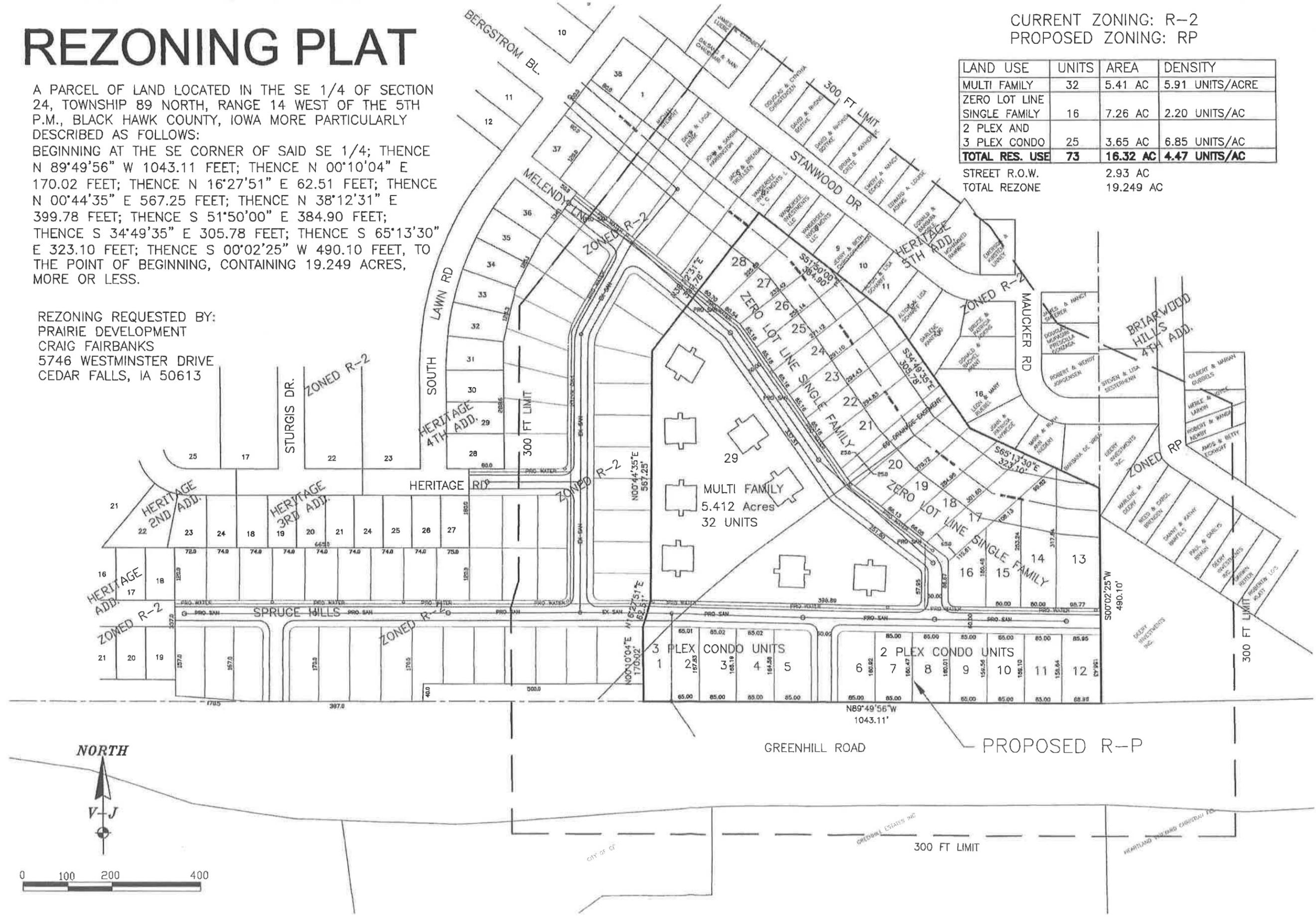
A PARCEL OF LAND LOCATED IN THE SE 1/4 OF SECTION 24, TOWNSHIP 89 NORTH, RANGE 14 WEST OF THE 5TH P.M., BLACK HAWK COUNTY, IOWA MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE SE CORNER OF SAID SE 1/4; THENCE N 89°49'56" W 1043.11 FEET; THENCE N 00°10'04" E 170.02 FEET; THENCE N 16°27'51" E 62.51 FEET; THENCE N 00°44'35" E 567.25 FEET; THENCE N 38°12'31" E 399.78 FEET; THENCE S 51°50'00" E 384.90 FEET; THENCE S 34°49'35" E 305.78 FEET; THENCE S 65°13'30" E 323.10 FEET; THENCE S 00°02'25" W 490.10 FEET, TO THE POINT OF BEGINNING, CONTAINING 19.249 ACRES, MORE OR LESS.

REZONING REQUESTED BY:
 PRAIRIE DEVELOPMENT
 CRAIG FAIRBANKS
 5746 WESTMINSTER DRIVE
 CEDAR FALLS, IA 50613

CURRENT ZONING: R-2
 PROPOSED ZONING: RP

LAND USE	UNITS	AREA	DENSITY
MULTI FAMILY	32	5.41 AC	5.91 UNITS/ACRE
ZERO LOT LINE SINGLE FAMILY	16	7.26 AC	2.20 UNITS/AC
2 PLEX AND 3 PLEX CONDO	25	3.65 AC	6.85 UNITS/AC
TOTAL RES. USE	73	16.32 AC	4.47 UNITS/AC

STREET R.O.W. 2.93 AC
 TOTAL REZONE 19.249 AC



REZONING PLAT SE1/4, 24-89-14 CEDAR FALLS, IOWA	van winkle-jacob engineering, inc. 1501 technology parkway cedar falls, iowa - 319-266-5829
04-87	67

Prepared by: VJ Engineering, 1501 Technology Parkway, Suite 100, Cedar Falls, IA 50613 (319-266-5829)

RESOLUTION NO. 18930

RESOLUTION ACCEPTING AND APPROVING R-P DISTRICT DEVELOPMENT SITE PLAN AND DEVELOPMENTAL PROCEDURES AGREEMENT

WHEREAS, an R-P District Development Site Plan, and a Developmental Procedures Agreement, attached hereto as Exhibits "A" and "B", have been submitted for acceptance and approval by the City Council of the City of Cedar Falls, Iowa.

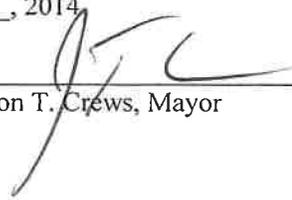
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR FALLS, IOWA, that the attached R-P Development Site Plan, and the Developmental Procedures Agreement, submitted for the property described as follows:

That part of the Southeast Quarter of Section 24, Township 89 North, Range 14 West of the Fifth Principal Meridian, Black Hawk County, Iowa, more particularly described as follows:

Beginning at the Southeast corner of said Southeast Quarter; thence N89°32'29"W 1043.08 feet along the South line of said Southeast Quarter and the North right-of-way line of Greenhill Road; thence N0°31'56"E 40.01 feet to the Southeast corner of Heritage Hills Estates; thence N0°26'35"E 130.21 feet along the East line of Heritage Hills Estates to the South right-of-way line of Spruce Hills Drive; thence N24°49'23"E 65.87 feet to the North right-of-way line of Spruce Hills Drive; thence N0°19'10"E 563.06 feet along the East line of Heritage Hills Estates and Heritage Hills Estates First Addition; thence N38°10'00"E 401.27 feet along the Southeasterly line of Heritage Hills Estates First Addition to the Southwesterly line of Heritage 5th Addition; thence S51°32'26"E 382.87 feet along the Southwesterly line of Heritage 5th Addition; thence S34°26'51"E 307.06 feet along the Southwesterly line of Heritage 5th Addition; thence S65°07'56"E 322.18 feet along the Southwesterly line of Heritage 5th Addition to the West line of Briarwood Hills Fourth Addition; thence S0°20'15"E 490.07 feet along the West line of said Briarwood Hills Fourth Addition to the point of beginning, containing 19.126 acres, and is subject to easements and restrictions of record.

be, and the same are hereby accepted and approved, and the Mayor and City Clerk are hereby authorized and directed to certify a copy of this resolution to the County Recorder of Black Hawk County, Iowa.

INTRODUCED AND ADOPTED this 27th day of January, 2014



Jon T. Crews, Mayor

ATTEST:



Jennifer Rodenbeck, CPA, CPFO
Finance Manager/City Clerk

Prepared by Wendell J. Lupkes, L.S., VJ Engineering
 1501 Technology Parkway, Ste. 100
 Cedar Falls, Iowa 50613

EXHIBIT "B"

DEVELOPMENT PROCEDURES AGREEMENT

THIS AGREEMENT is entered into by and between the City of Cedar Falls, Iowa ("City") and Anfinson Properties, LLC (Anfinson) for the purpose of outlining the procedures to be followed for the development of certain land hereinafter described, and for allowing the City to proceed with the request for rezoning of the real estate made by Anfinson.

1. The real estate which is the subject of this agreement is legally described as:

That part of the Southeast Quarter of Section 24, Township 89 North, Range 14 West of the Fifth Principal Meridian, Black Hawk County, Iowa, more particularly described as follows:

Beginning at the Southeast corner of said Southeast Quarter; thence N89°32'29"W 1043.08 feet along the South line of said Southeast Quarter and the North right-of-way line of Greenhill Road; thence N0°31'56"E 40.01 feet to the Southeast corner of Heritage Hills Estates; thence N0°26'35"E 130.21 feet along the East line of Heritage Hills Estates to the South right-of-way line of Spruce Hills Drive; thence N24°49'23"E 65.87 feet to the North right-of-way line of Spruce Hills Drive; thence N0°19'10"E 563.06 feet along the East line of Heritage Hills Estates and Heritage Hills Estates First Addition; thence N38°10'00"E 401.27 feet along the Southeasterly line of Heritage Hills Estates First Addition to the Southwesterly line of Heritage 5th Addition; thence S51°32'26"E 382.87 feet along the Southwesterly line of Heritage 5th Addition; thence S34°26'51"E 306.99 feet along the Southwesterly line of Heritage 5th Addition; thence S65°07'34"E 322.24 feet along the Southwesterly line of Heritage 5th Addition to the West line of Briarwood Hills Fourth Addition; thence S0°20'15"E 490.07 feet along the West line of said Briarwood Hills Fourth Addition to the point of beginning, containing 19.126 acres, and is subject to easements and restrictions of record.

2. Anfinson desires to have the previously approved R-P Planned Residential Plan on the subject real estate amended in accordance with the zoning ordinances of the City.
3. Anfinson agrees that the real estate will be developed for use as one and two family residences, condominiums, multifamily dwellings, and commercial. Anfinson shall not exceed the density 4.59 units per acre on the requested R-P Site Plan Amendment for the 19.13 area of the total development area.
4. The multifamily area will have a density ratio of no more than **6.30 units per acre**. The commercial area shown may be converted to multifamily at a later date if the use proves to not be a viable. Density for that area will not exceed **6.30 units per acres**.
5. Anfinson further agrees that a Subdivision Plat will be submitted prior to the development of the real estate for the 16 platted lots which will satisfy

all ordinance requirements relating to street construction, sanitary sewer and storm sewer construction, and any and all other requirements imposed by the City with respect to approval of a Subdivision Plat.

- 6. The other multifamily and commercial areas will be submitted to the Planning and Zoning Commission for a site plan review as needed prior to construction.
- 7. No gas station and/or convenience store will be allowed as a commercial use within the R-P Site Plan.
- 8. Permitted use examples for the commercial area shall be as follows:
Coffee shop, sales office, community center for the neighborhood.
- 9. Set aside fill, ie., topsoil and other compaction materials that are a normal part of the development process, will be set aside as designated on the agreed upon Swppp documents. This fill will be used to complete the final lot grading during the infrastructure construction process.

It is anticipated that there will not be any remaining fill as we believe we are still short of fill needs for the area. Should there be a surplus of dirt it will not remain in a stock pile condition longer than 18 months following the dedication of the streets to the city of Cedar Falls.

Dated this 31ST day of December, 2013

City of Cedar Falls

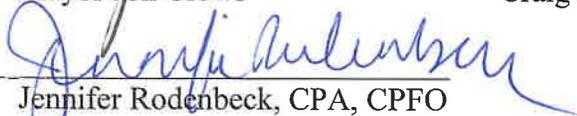
Anfinson Properties, LLC

By: 

Mayor Jon Crews

By: 

Craig Fairbanks Managing Member

By: 

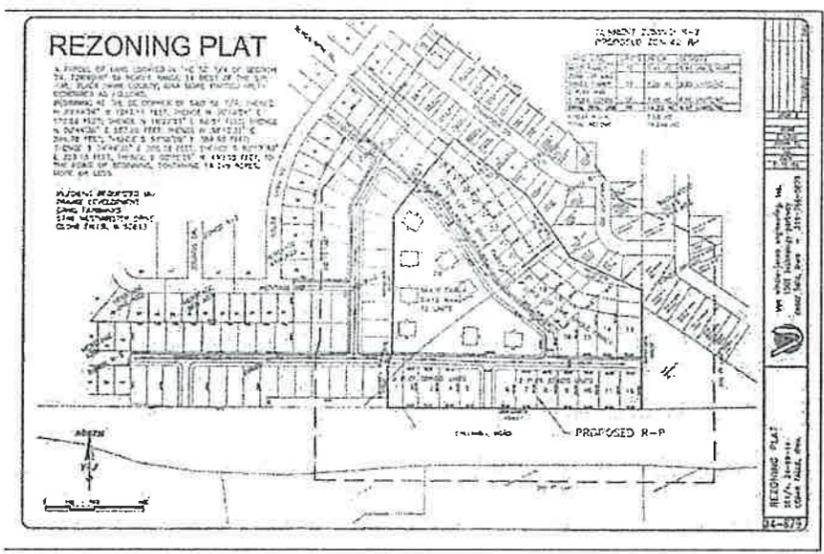
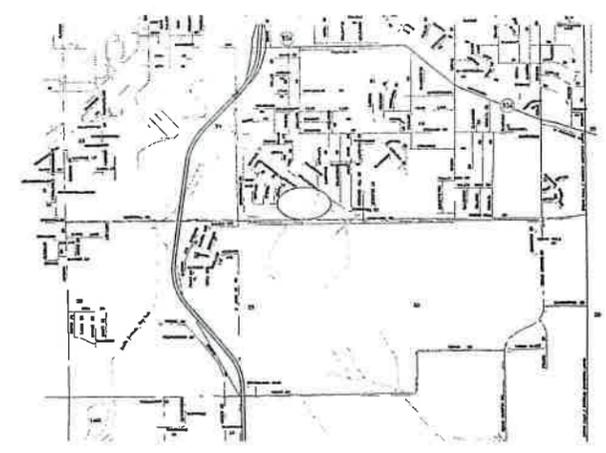
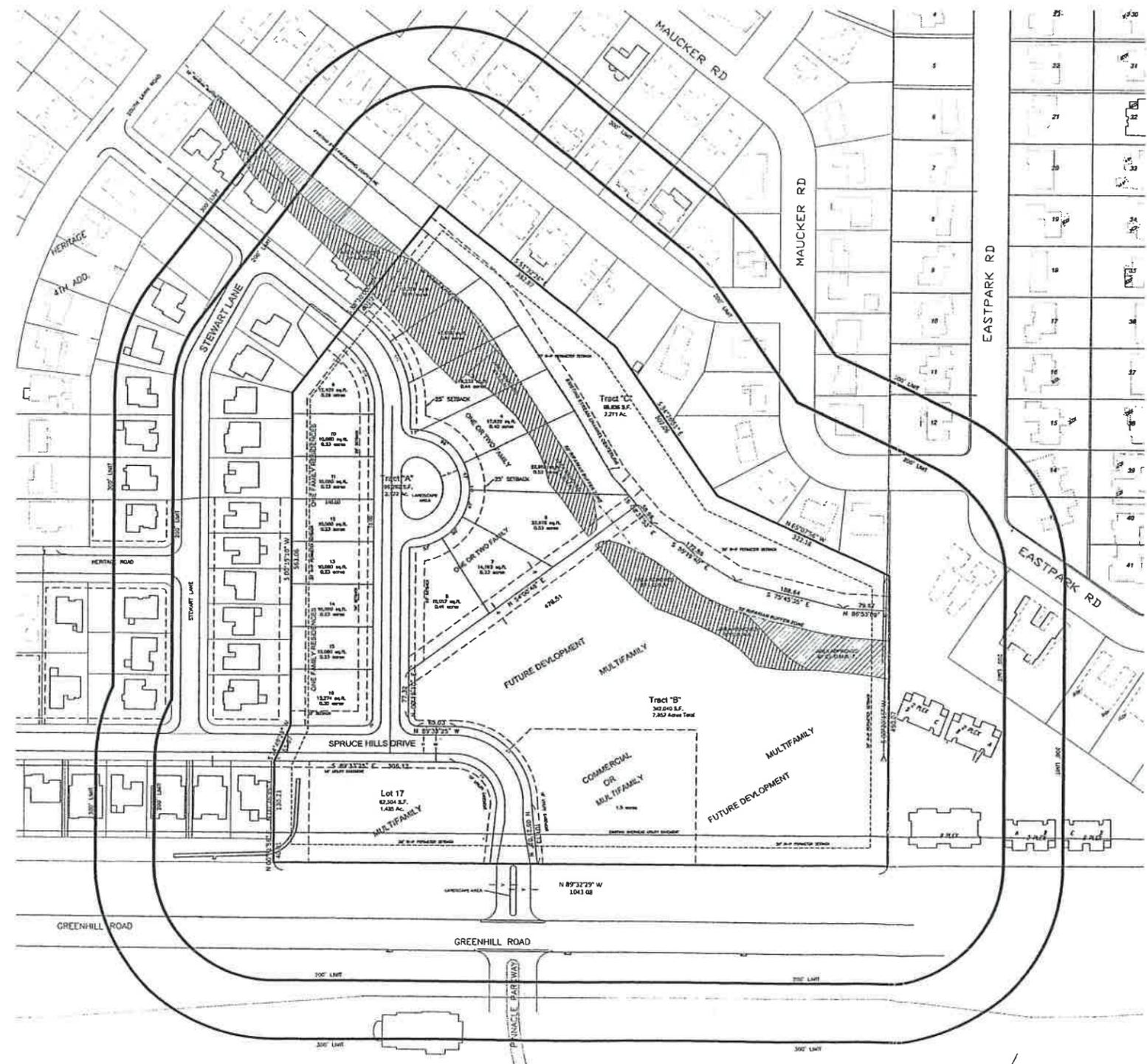
Jennifer Rodenbeck, CPA, CPFO
Finance Manger/City Clerk

128079

R-P Site Plan Amendment

PROPERTY DESCRIPTION:
 That part of the Southeast Quarter of Section 24, Township 89 North, Range 14 West of the Fifth Principal Meridian, Black Hawk County, Iowa, more particularly described as follows:
 Beginning at the Southeast corner of said Southeast Quarter; thence N89°32'29"W 1043.08 feet along the South line of said Southeast Quarter and the North right-of-way line of Greenhill Road; thence N0°31'56"E 40.01 feet to the Southeast corner of Heritage Hills Estates; thence N0°26'35"E 130.21 feet along the East line of Heritage Hills Estates to the South right-of-way line of Spruce Hills Drive; thence N24°49'23"E 65.87 feet to the North right-of-way line of Spruce Hills Drive; thence N0°19'10"E 563.06 feet along the East line of Heritage Hills Estates and Heritage Hills Estates First Addition; thence N38°10'00"E 401.27 feet along the Southeasterly line of Heritage Hills Estates First Addition to the Southwesterly line of Heritage 5th Addition; thence S51°32'26"E 382.87 feet along the Southwesterly line of Heritage 5th Addition; thence S34°26'51"E 307.06 feet along the Southwesterly line of Heritage 5th Addition; thence S65°07'56"E 322.18 feet along the Southwesterly line of Heritage 5th Addition to the West line of Briarwood Hills Fourth Addition; thence S0°20'15"E 490.07 feet along the West line of said Briarwood Hills Fourth Addition to the point of beginning, containing 19.126 acres, and is subject to easements and restrictions of record.

Exhibit "A"



Original R-P Site Plan (2004)

OWNER
 ANFINSON PROPERTIES L L C
 726 W 4TH ST
 WATERLOO, IA 50702

DEVELOPER
 CRAIG FAIRBANKS HOMES
 319 SPRUCE HILLS DRIVE
 CEDAR FALLS, IA 50613

ZONING
 EXISTING = RP - PLANNED RESIDENTIAL

LAND USE	UNITS	AREA	DENSITY
One or Two Family Dwellings (Lots 1-8)	8-16	3.465 Ac.	2.31 - 4.62
One Family Dwellings (Lots 9-16)	8	1.978 Ac.	4.04
Multifamily - Future triplex (Lot 17)	6	1.44 Ac.	4.17
Multifamily - Future 8-plex dwellings	40	6.35 Ac.	6.30
Comercial or (Multifamily)**	(8)**	1.50 Ac.	5.33**
Tract A (Right-of-way)	0	2.12 Ac.	N.A.
Tract C (Unbuildable-floodplain)	0	2.27 Ac.	0.00
Total R-P Site Plan	62-78	19.13 Ac.	3.65 - 4.59*

*Density excluding Tract A (right-of-way)
 **Density including 1.5 acres as multifamily

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



R-P Site Plan Amendment
 Heritage Hills Estates Development
 Cedar Falls, Iowa

1 OF 1
 scale
 1" = 100'
 drawn by
 WJL
 approved by
 WJL
 date
 8-21-13
 revisions
 10-16-2013
 11-14-2013
 12-13-2013

138079

FINAL PLAT

HERITAGE HILLS ESTATES

SECOND ADDITION

CEDAR FALLS,
BLACK HAWK COUNTY, IOWA

OWNER
ANFISON PROPERTIES L.L.C.
728 W 4TH ST
WATERLOO, IA 50702

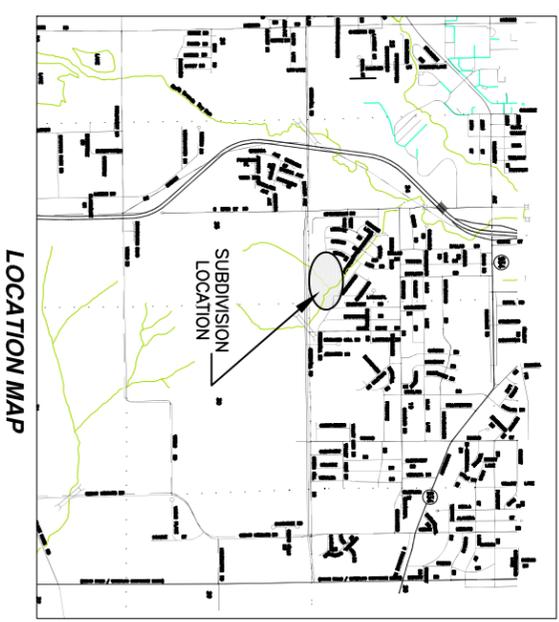
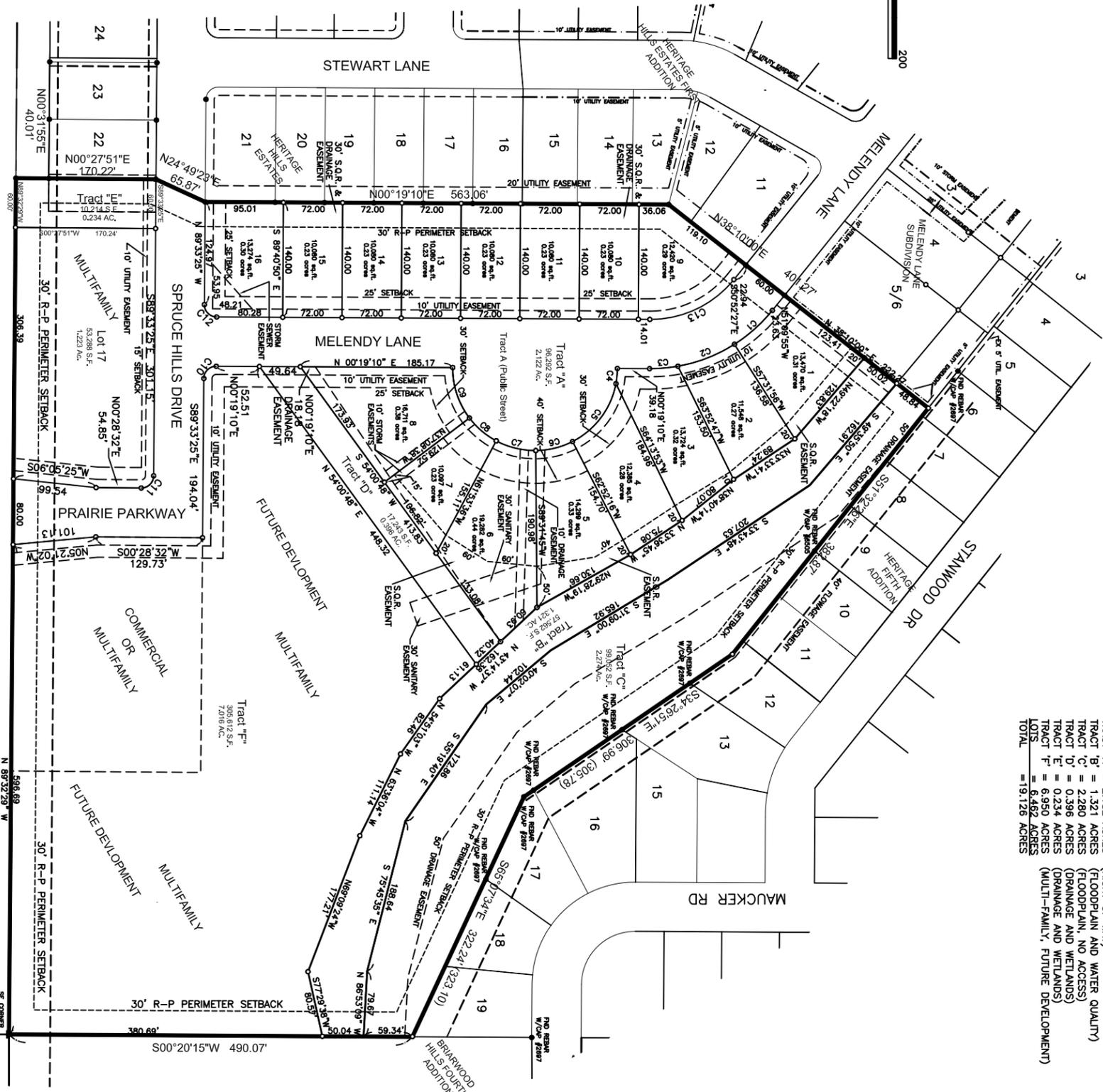
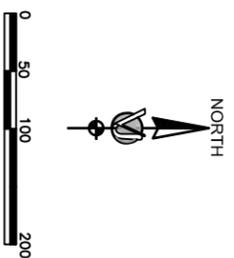
DEVELOPER
ORAC FAIRBANKS HOMES
405 SPRUCE HILLS DRIVE
CEDAR FALLS, IA 50613

ZONING
EXISTING = RP - PLANNED RESIDENTIAL

SETBACKS
FRONTYARD=25'
BACKYARD=30'

AREA SUMMARY

TRACT A =	2,182 ACRES	(RIGHT OF WAY)
TRACT B =	1,321 ACRES	(FLOODPLAIN AND WATER QUALITY)
TRACT C =	2,280 ACRES	(FLOODPLAIN, NO ACCESS)
TRACT D =	0,396 ACRES	(DRAINAGE AND WETLANDS)
TRACT E =	0,234 ACRES	(DRAINAGE AND WETLANDS)
TRACT F =	6,950 ACRES	(MULTI-FAMILY, FUTURE DEVELOPMENT)
LOTS	6,462 ACRES	
TOTAL	=19,126 ACRES	



That part of the Southeast Quarter of Section 24, Township 89 North, Range 14 West of the Fifth Principal Meridian, Black Hawk County, Iowa, more particularly described as follows:

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- NOTES:**
- 1) THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 24 IS ASSUMED TO BEAR N 89°32'29" W.
 - 2) ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
 - 3) THE ERROR OF CLOSURE IS BETTER THAN 1:10,000.
 - 4) LOTS 1-16 ARE TO BE ONLY SINGLE FAMILY HOMES.
 - 5) CURRENT ZONING IS R-P, PLANNED RESIDENTIAL DISTRICT.
 - 6) SEE DEED OF DEDICATION FOR USE AND MAINTENANCE OF ALL TRACTS SHOWN ON THE PLAT.
 - 7) ALL PINS FOUND OR SET ARE 5/8" REBAR WITH RED PLASTIC CAP 12088 (SOIL QUALITY RESTORATION) EASEMENTS ARE FOR STORM WATER ABSORPTION AND ARE TO BE MAINTAINED AS OUTLINED IN DEED OF DEDICATION.
 - 8) S.O.R. (SOIL QUALITY RESTORATION) EASEMENTS ARE FOR STORM WATER ABSORPTION AND ARE TO BE MAINTAINED AS OUTLINED IN DEED OF DEDICATION.

CURVE	LENGTH	RADIUS	CHORD	DIRECTION
C1	62.01	190.00	61.74	N41°49'03"W
C2	74.12	190.00	73.65	N21°17'31"W
C3	34.61	190.00	34.56	N04°53'55"W
C4	18.66	100.00	18.63	N84°39'15"W
C5	91.07	100.00	87.96	N53°13'07"W
C6	46.53	100.00	46.11	N13°47'58"W
C7	49.88	100.00	49.36	N13°49'04"E
C8	43.20	100.00	42.86	N40°28'53"E
C9	65.94	100.00	64.75	N71°44'50"E
C10	23.53	15.00	21.19	S44°37'08"E
C11	23.57	15.00	21.22	N44°32'27"W
C12	23.59	15.00	21.24	N45°22'52"E
C13	116.81	130.00	112.92	N25°25'23"W

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

Signature of City Ordinance Administrator _____ Date _____

PROFESSIONAL LAND SURVEYOR
Wendell J. Luppkes
12088
IOWA

I hereby certify that each plat containing this 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. LUPPKES, P.L.S.
License number 72088
My license renewal date is December 31, 2018
DATE _____
Pages or sheets covered by this seal: _____

138079	Final Plat		VJ Engineering	drawn by WJL	date 5-23-2017	scale 1"=100'	Revised lot line between 6 & 7	8-10-2017
	Heritage Hills Estates Second Addition		1501 Technology Parkway	reviewed by WJL		book	Added dimensions and labeled SQR & Drainage Easement	8-22-2017
	Cedar Falls, Black Hawk County, Iowa		Cedar Falls, Iowa - 319-266-5829	approved by WJL				
							revisions	date