

AGENDA CITY OF CEDAR FALLS, IOWA PLANNING AND ZONING COMMISSION MEETING TUESDAY, DECEMBER 22, 2020 5:30 PM AT CITY HALL VIA VIDEO CONFERENCE

To protect against the spread of the COVID-19, the meeting will be held via Videoconference. The public may access/participate in the meeting in the following ways:

- a) By dialing the phone number +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782 and when prompted, enter the meeting ID (access code) 886 2008 9534.
- b) iPhone one-tap: +13126266799,,88620089534# or +19292056099,,88620089534#
- c) Join via smartphone or computer using this link: https://us02web.zoom.us/j/88620089534.
- d) View the live stream on Channel 15 YouTube using this link: https://www.youtube.com/channel/UCCzeig5nIS-dIEYisqah1uQ (view only).
- e) Watch on Cedar Falls Cable Channel 15 (view only).

To request to speak when allowed on the agenda, participants must click "Raise Hand" if connected by smartphone or computer, or press *9 if connected by telephone. All participants will be muted by the presiding officer when not actually speaking.

Call to Order and Roll Call

1. Planning and Zoning Commission Regular Meeting Minutes of November 24, 2020.

Approval of Minutes

Public Comments

New Business

2. Minor Plat for Carolan Minor Plat (Case #MP20-001)

Location: 927 and 929 W. 1st Street

Applicant: Aaron and Jolene Carolan, Owners

Previous discussion: None

Recommendation: Introduction and Recommend Approval

P&Z Action: Review and consider making a recommendation to Council

3. Final Plat for Arbors Fourth Addition (Case #FP20-005)

Location: North of Viking Road and West of Arbors Drive

Applicant: Midwest Development Co. - Owner; CGA Engineering, Engineer

Previous discussion: None

Recommendation: Introduction and Recommend Approval

P&Z Action: Review and consider making a recommendation to Council

4. Final Plat for Pinnacle Prairie Commercial South Phase III, Second Addition (Case #FP20-003)

Location: Northeast of Caraway Lane, along Prairie Parkway

Applicant: Greenhill Estates, Inc. - Owner; Nelson Construction & Development, Developer

Previous discussion: None

Recommendation: *Introduction and discussion* **P&Z Action:** *Review and provide direction*

Page 1 of 2

5. Site Plan for Pinnacle Prairie Senior Living Facility (Case #SP20-011)

Location: Northeast of Caraway Lane, along Prairie Parkway

Applicant: Greenhill Estates, Inc. - Owner; Nelson Construction & Development, Developer

Previous discussion: None

Recommendation: *Introduction and discussion* **P&Z Action:** *Review and provide direction*

Other:

Nomination and election of officers for 2021

Commission Updates:

Revised schedule for review of the proposed Downtown Zoning Code

Adjournment

Reminders:

- * January 13 and 27 Planning & Zoning Commission Meetings
- * January 4 and 19 City Council Meetings

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Cedar Falls Planning and Zoning Commission Regular Meeting November 24, 2020 Via Videoconference Cedar Falls, Iowa

MINUTES

The Cedar Falls Planning and Zoning Commission met in regular session on November 24, 2020 at 5:30 p.m. via videoconference due to precautions necessary to prevent the spread of the COVID-19 virus. The following Commission members were present: Hartley, Holst, Larson, Leeper, Lynch, Prideaux, Saul, Schrad and Sears. Karen Howard, Community Services Manager, Jaydevsinh Atodaria, Planner I, David Wicke, City Engineer, and Matthew Tolan, Civil Engineer II, were also present.

- 1.) Chair Holst noted the Minutes from the November 11, 2020 regular meeting and work session are presented. Ms. Lynch made a motion to approve both sets of the Minutes as presented. Mr. Hartley seconded the motion. The motion was approved unanimously with 9 ayes (Hartley, Holst, Larson, Leeper, Lynch, Prideaux, Saul, Schrad and Sears), and 0 nays.
- 2.) The first item of business was an amendment to the master plan for the Autumn Ridge Development. Chair Holst noted that he would need to recuse himself from the item and passed the item to Vice Chair Leeper. Vice Chair Leeper introduced the item and noted that the agenda items are all for public input and will not be voted on at this time. Mr. Atodaria provided background information explaining that the entire development is approximately 105 acres and has developed over a 20 year timeframe. An RP Master Plan was amended in 2001 and the entire area was rezoned from Agriculture to RP and there were five different areas created in the area. Mr. Atodaria showed a rendering of the development and explained the different kinds of development were planned for each area. There were other amendments made in 2005 and 2006 to reflect changes in the 2nd, 3rd and 4th Additions. In 2013 the developer submitted a preliminary plat for the 5th, 6th, 7th, 8th and 9th Additions that included a proposed 31 lots in the 8th Addition and 27 in the 9th, but the master plan was not updated at that time. He showed a rendering of the subdivision today and the breakdown of the 10 additions. He described the units that are proposed to be added to the 9th and 10th additions.

Mr. Atodaria discussed the amendments to the 9th Addition, noting staff concerns with excessive paving along street frontages that would add congestion to the streets, diminish on-street parking, create less sidewalk continuity and reduce room for landscaped front yards or street trees. Staff has provided suggestions that could alleviate the excessive curb cuts, such as bi-attached units or townhomes with alley loaded garages, or common driveway for attached units and limited the size to two car garages. Staff also has noted concerns with sidewalk connections along Union Road and community space/shared usable open space. Mr. Atodaria discussed suggestions provided by staff for these issues.

Mr. Atodaria then discussed the proposed amendment to the 10th Addition and the number of units to be added in the area. He explained that staff has reviewed the master plan and recommends some changes to the Master Plan prior to approval. These include:

- Providing a usable open space to enhance the livability of community in the 9th Addition, as was anticipated in the original master plan.
- Reduction of the number and size of proposed curb cuts for the proposed attached units in the 9th Addition.
- Provision of a public sidewalk along Union Road from the 9th Addition to Paddington Drive to comply with the subdivision code and deed of dedication requirements.

At this time, staff asked for comments and suggestions from the public and the Commission.

Dennis Happel spoke about the lake detention that was taken out of the development early on as they felt that the uncontrolled runoff to the west on the farm ground would soon cause it to fall into disarray due to the siltation. During the review of Autumn Ridge 6th and 7th in 2016, it was taken out by City staff due to the large stormwater issue that needed to be addressed. The large stormwater detention that was put into those additions was to help curb the runoff issues being discussed. With regard to the sidewalk, it has gone through the approval of two plats for that area and at that time staff felt it did not need to be installed because of the large bike trail across the street. He stated that they are not opposed to putting the sidewalk in from across the 9th Addition for a connection, but feels the City should be responsible for the rest. He discussed the parking issue that has been a concern and stated that there are other areas in town where similar concepts are used and there is not a problem with the on-street parking. They are trying to provide an affordable product for housing in the area and feel that adding an addition alley would create extra expense to the homeowners and costs for upkeep. They feel that housing mixture they have presented compliments the area and is a good plan.

Jesse Meehan, 4305 Berry Hill, lives near the drainage ditch between the properties and stated that their houses were built with low water entry points and with FEMA remapping the area, residents are not able to refinance without getting flood insurance. He believes that increasing the number of houses will create more runoff and problems. He asked if the duplex lots could potentially be single-family if that's what the owner prefers and if the houses were going to be "cookie cutter" and look the same. He would like to see some uniqueness in the area. He feels that if greenspace is proposed, it shouldn't be like the current greenspace. He also asked if the City is going to maintain a park if one is planned.

Doug Stanford, President of the Fieldstone Homeowners Association speaking for the Board of Directors, explained that a letter was presented to Stephanie Sheetz expressing their concerns with the project. He noted that they are concerned with the increased housing density in Autumn Ridge 9th and the traffic issues on Union Road. They feel that the increased density will intensify the traffic congestion and feels that it may be time to consider some upgrades to Union Road. The Board is also concerned with potential stormwater runoff issues with the addition of new construction that could potentially damage a pond in the development.

Robert Zoulek, Autumn Ridge resident, asked how the developer will ensure that the elevations with the additional runoff will not worsen the current issues.

Lyle Simmons, asked what impact studies have been done and how can they find the information regarding the potential effects of this project.

Dennis Happel reiterated the planned housing units and explained that the stormwater issue was addressed in 2016 with the large detention area. It has been reviewed and the impact of these additional additions was addressed back in the planning of previous additions. He also stated that they will not be the only builder in the development so there should not be an issue with "cookie cutter" design. As for the traffic issues, the developer has provided all the access the city has asked for and explained that Union Road issues would be more of a city matter. He also noted that the damage to the pond was not a result of Autumn Ridge.

Adam Daters, CGA Engineers, added that the traffic engineer for the project did simulations that showed that there was very little impact from the traffic increase.

Cindy Luchtenberg, resident in the Autumn Ridge area, questioned the approval process of which builder can build in the addition. She stated concerns with the effect this project could have on their ability to hook up to city water and sewer and the costs involved.

Mr. Meehan feels that the detention pond will not help with the issues that could arise.

Willis Roberts noted that he feels there will be additional traffic flow problems based on the layout proposed.

Mr. Happel explained that the developer or the building committee approve the configuration and design of the homes to keep the character of the neighborhood intact. He discussed the planned housing in the garden home area and explained that those are not geared to be rentals. He stated that the runoff has been addressed and numerous studies have been done and that it will not be an issue. He also addressed the comment regarding sewer hookup and explained that they have no control over how it fits someone's property.

Amber Hines feels that the proposed housing does not match the character of the current neighborhoods.

Mr. Happel stated that they have mixed in multi-unit housing well in other areas of the neighborhoods and doesn't feel it will be an issue.

Mr. Schrad asked about the lot sizes proposed for duplexes. Ms. Howard explained that the lot line shown is for one side of the duplex as they are considered to be a "bi-attached" single-family dwellings, with each side on its own lot. Mr. Schrad also feels that there needs to be a park and asked if the City would take care of it. Planning staff spoke with the Parks Department and they would be amenable to looking at a proposal for a public park in that area.

Mr. Larson asked if there were any metrics used to decide that this one parcel needed to have a park or what motivated the decision. He was under the impression that this area was going to be more senior driven and wondered how that would serve that community. Ms. Howard explained that the park would service the whole Autumn Ridge neighborhood as opposed to just one addition. A park would also fill the need for open space requirements. Mr. Larson asked about the proposal process for a park. Ms. Howard explained that the developer would need to submit a plan and the Parks Department

would review the proposal.

Vice Chair Leeper asked about stormwater setup for the area. Mr. Tolan explained that with this subdivision and subsequent subdivisions, regional detention was set up utilizing an existing culvert under Union Road and a secondary detention basin series. All detention for the entire area was already included in the 2012 study and has already been installed.

Ms. Saul stated she is concerned with all the paving and driveways with regard to walkability and safety and asked if there is a way to mitigate that. Mr. Larson asked about the maximum allowable width when curb cuts are directly abutting. Mr. Tolan provided information in response.

Vice Chair Leeper stated that he felt the developer should work with the City to address the concerns that have been expressed and then come back to the Commission after that.

Mr. Larson asked about the continuation of the sidewalk from the previous phases. He would like to know if there is a legal obligation to put the paths in. Ms. Howard stated that there is a requirement in the subdivision code that allows sidewalks to be put in post-development and requires it to be completed within five years of the completion of the plat. Mr. Larson asked a few more questions.

Vice Chair Leeper stated that he would like to hear more from the Commission to give some direction to the developer on whether they agree with the comments and recommendations from staff. Mr. Schrad stated that he agrees with the recommendations from staff but does recommend that the developer listen to the comments from neighbors. Mr. Larson felt the park and the sidewalk situations are important for further consideration. Ms. Saul and Ms. Lynch agreed.

The item was continued to the next meeting.

3.) The next item for consideration was the preliminary plat for Autumn Ridge 9th Addition. Vice Chair Leeper introduced the item and Mr. Atodaria provided background information. He explained that the phasing of the project and provided renderings of the area being discussed. He provided information regarding the requirements for the minimum perimeter setback and Ms. Howard noted that the developer establishes the building setbacks in a RP District and the plat must be consistent with the setbacks established with the master plan and development agreement. He also discussed and displayed drainage easements in the plat, as well as the stormwater management plan. Mr. Tolan provided further details with regard to the stormwater management and its history. Mr. Atodaria discussed proposed street connections, access points and mailbox locations and their layout and noted a concern about the mailbox clusters located too close to the intersections with Union and 1st Streets. Staff has reviewed the proposed preliminary plat and would like to bring it to the Commission for discussion only at this time. Staff notes that the proposed plat cannot be approved prior to the approval of the RP Master Plan and associated revision of the developmental procedures agreement.

Steve Troskey, CGA, noted that they will work with USPS with regard to the placement of the mailboxes. He also stated that in previous additions in Autumn Ridge there was a 5 foot side yard setback and the developer would like to see that on the internal units of the development to remain consistent with the other additions.

Ms. Saul stated that she would prefer to wait to see the results with regard to the Master Plan.

The item was continued to the next meeting.

4.) The Commission then considered the preliminary plat for Autumn Ridge 10th Addition. Vice Chair Leeper introduced the item and Mr. Atodaria provided background information. He discussed the phases and the proposal for each. He discussed and displayed the proposed setbacks for the units. He also spoke to the easements for the plat, as well as stormwater management. Mr. Tolan gave details with regard to the stormwater and its setup. Mr. Atodaria also provided information with regard to the street connections, access points and mailbox locations. Staff has reviewed the proposed preliminary plat and would like to bring it to the Commission for discussion only at this time. Staff notes that the proposed plat cannot be approved prior to the approval of the RP Master Plan and associated revision of the developmental procedures agreement.

The item was continued to the next meeting.

- 5.) Chair Holst noted that the next item for discussion is the appointment of the nominating committee for the election of officers for 2021. He explained that he has asked Ms. Lynch and Mr. Schrad to serve as the nominating committee. They will be bringing forward nominations for Chair and Vice Chair at one of the next two meetings.
- 6.) As there were no further comments, Mr. Larson made a motion to adjourn. Ms. Lynch seconded the motion. The motion was approved unanimously with 9 ayes (Hartley, Holst, Larson, Leeper, Lynch, Prideaux, Saul, Schrad and Sears), and 0 nays.

The meeting adjourned at 7:24 p.m.

Respectfully submitted,

Karen Howard

Community Services Manager

Joanne Goodrich

Administrative Assistant

Joanne Goodrick



DEPARTMENT OF COMMUNITY DEVELOPMENT

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

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MEMORANDUM

Planning & Community Services Division

TO: Planning and Zoning Commission

FROM: Michelle Pezley, Planner III

Matthew Tolan, EI, Civil Engineer II

DATE: December 17, 2020

SUBJECT: Carolan Minor Plat

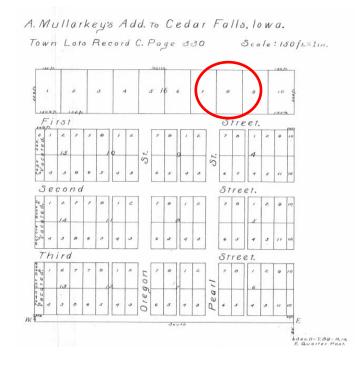
REQUEST: Request to approve the Carolan Minor Plat (Case # MP20-001)

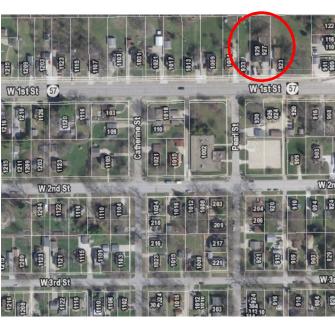
PETITIONER: Aaron and Jolene Carolan, Owners

LOCATION: 927 and 929 W 1st Street

PROPOSAL

The property owner of the duplex addressed as 927 and 929 W 1st Street propose to divide the property into two residential lots, which will convert the existing duplex into two single unit biattached dwellings. A minor plat is required to split the original single lot into two lots. The parcel is within the R2 Zoning District. .





BACKGROUND

The parcel was originally created by the A. Mullarkey's Add. to Cedar Falls, Iowa in 1857. As shown by the aerial photo of this area (page one) there has been a lot of reconfigurations of lots in the area.

There was a very small house on the property which was removed in 2017. In 2019, the previous owners applied for a building permit for the duplex. The duplex was completed and City issued a certificate of occupancy in November of 2020.

ANALYSIS

927 and 929 W 1st Street property is located in the R-2 Residence Zoning District. One-unit bi-attached dwellings require a minimum size of 4,000 square feet and a minimum lot width of 35 feet. The existing lot is 74 x 212 feet or 15,688 square feet in area. The petitioner proposes a minor plat to create two lots: Parcel E (929 W 1st Street) will have a lot width of 38.43 feet and a north/south depth of approximately 212feet with an area of 7,954 square feet. Parcel D will have a lot width of 35.15 feet and a north/south depth of approximately 212 feet with an area of 7,607 square feet.

The drawing to the right graphically depicts the lot split and building locations. The building setbacks in the R-2 district require a 25-foot front yard and a 30-foot rear yard area. The side yard areas are 10% of the width of the lot. The proposed plat shows a 25-foot front yard based on the platted building line. The existing building will comply with the R-2 standards. The final plat shows the 10-foot utility easement along the frontage of the lot, shows the shared 10 foot utility easement, and shows the topography with 2-foot contour lines.

By applying the setbacks on this lot, the bi-attached dwellings are built to meet the setbacks within the R-2 Zoning District. This building area is similar in size to other dwellings in the neighborhood. The area of both lots will be similar sizes to the other lots within the neighborhood. Both lots meet all zoning ordinance requirements..

TECHNICAL COMMENTS

City technical staff, including Cedar Falls Utilities (CFU) personnel, has reviewed the proposed plat. Water, electric, gas, and communications utility services are available to the proposed minor plat. During the construction of W. 1st Street/Highway 57, services and driveways were installed to match into the new construction as part of the lowa Department of Transportation's project. Utility easements requested as part of the original subdivision have been carried over into the proposed minor plat. Some minor technical issues need to addressed, including removing the building footprint from the plat and labelling the lot widths along the front building line. Revised plats addressing these minor issues will be submitted prior to Council consideration.

The property is located outside the floodplain overlay district.

A courtesy mailing was sent to the neighboring property owners on December 14, 2020



STAFF RECOMMENDATION

Staff reviewed Minor Plat case #MP20-001, and recommend approval with the following stipulations:

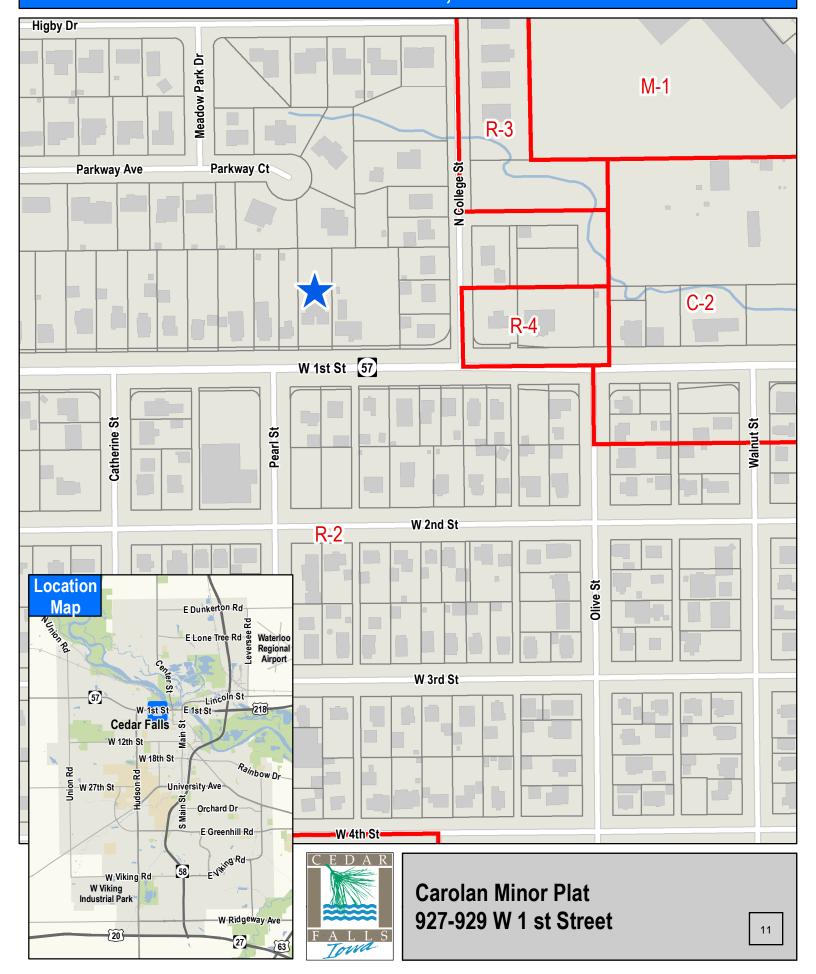
- 1. Any comments or direction specified by the Planning and Zoning Commission.
- 2. Conformance with all city staff recommendations and technical requirements.

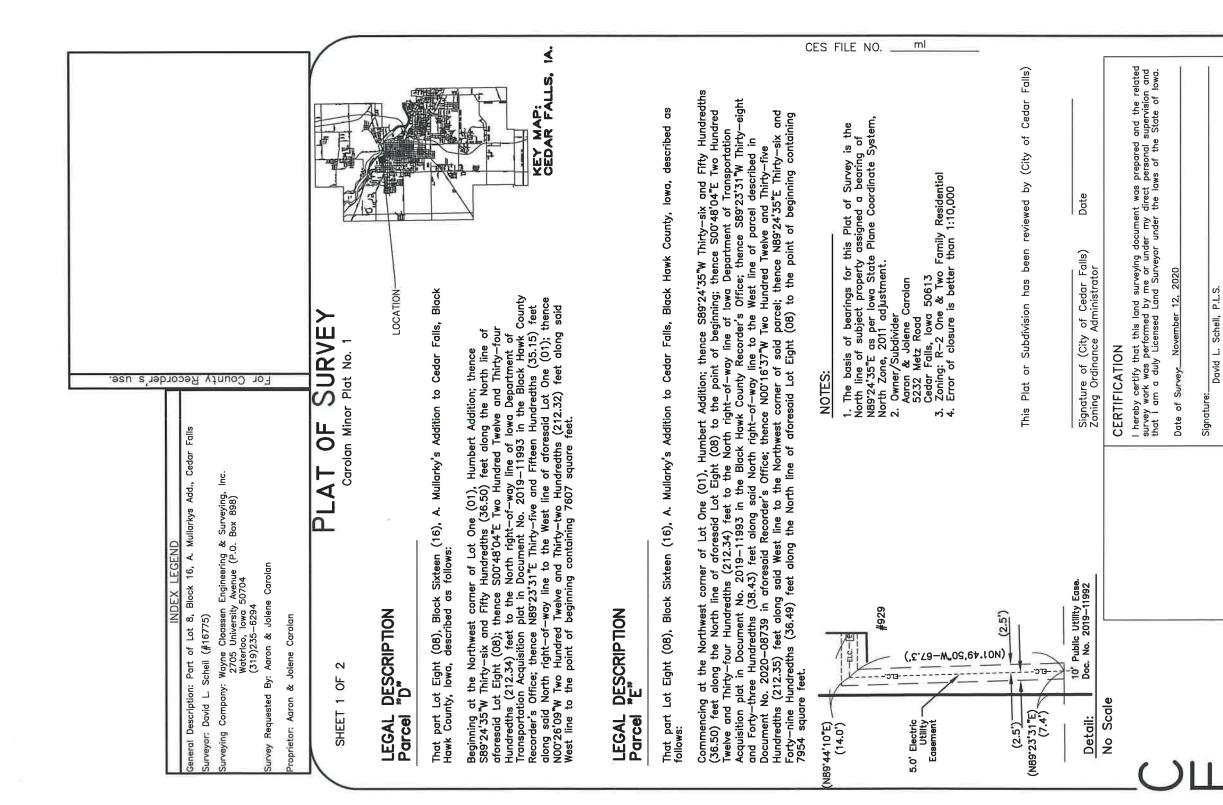
Staff recommends that if the Commission has no questions or concerns that require further review, the Commission make a recommendation to the Council.

PLANNING & ZONING COMMISSION

Discussion 12/22/2020

Cedar Falls Planning and Zoning Commission December 22, 2020





Item 2.

16775

License No.

Pages or Sheets Covered by this Seal: 2 My license renewal date is December 31, 2020

BOOK 685-43

TELD

DENOTES FOUND PIN & YELLOW CAP #8033 (UNLESS NOTED OTHERWISE) FOUND PIN & YELLOW CAP - UNREADABLE 10' Public Utility Ease, Doc. No. 2019-14569 R DENOTES RECORD DIMENSION DENOTES FIELD DIMENSION DENOTES 1/2" X 24" STEEL REBAR W/ RED PLASTIC CAP W/ NO. 16775 SET Proprietor: Jeffery & Jillynn Johnso (N89'25'27"E-254.49') 2 SHEET PHONE: (VOICE) 319-235-6294 (FAX) 319-235-0028 Zoning: R-Humbert DENOTES SET "X" CUT IN CONCRETE 10' Public Utility Ease Doc. No. 2019-11992 DOT Acquisition Plat Doc. No. 2019-14570 SURVEY LEGEND: FOUND 3/4" OPEN PIPE Building 0/S (8.3') 000.00 200.27'17"E-212.31' (N00'26'09"W-212.31' 0 \otimes (N89'23'31"E-35,15") (S89'24'35"W-36.50") 20% LOT WIDTH SETBACK LINE -DENOTES EXISTING ELECTRIC LINE (.0.64)Carolan Minor Plat No. 1 Part of Lot 8, Block 16, A. Mullarkys Add., Cedar Falls, Black Hawk County, lowa Survey for: Aaron & Jolene Carolan Proprietor: Aaron & Jolene Carolan Parcel "D" (7607 SF.) (23.0')920 3-STORY DUPLEX (22.0') 5.0'x61.2' Utility Easemr #927 DENOTES SANITARY CLEAN-OUT 덛 SURVE N89'23'27"E-72.99 DENOTES TELEPHONE BOX (22.31) DENOTES ELECTRIC BOX DENOTES FIRE HYDRANT Lay's Add. N89'22'23"W-73.58 LEGEND: Doc. No. 2019-11993 (\$00.48,04"E-212.34") Proprietor: Kurtis & Michelle Keough LOT 5 (10.2) (36.0°) 3'31"W-38.43") (N89'24'35"E-36.49') SETBA R-2(22.3)WAYNE CLAASSEN ENGINEERING AND SURVEYING, INC. P.O. BOX 898 WATERLOO, IOWA 50704—0898 Parcel "E" (7954 SF.) West 1st Street 8 Zoning: #929 SURVEY OF P (32.0')5 (9.0, ('8.84) (23.0') 飂 20% LOT WIDTH SETBACK LINE 8 X w ⊢ (NOO.16'37"W-212.35') Bullding 0/S (10.9') Building 6/S (10.5') 200.17,45"E-212.33" 5.0° Electric Utility Easement Sheet 1 of 2 2019-19156 ø Proprietor: Tracy & Juli 930 덛 Acquisition Plat No. 2019-19155 Add. 10' Public Doc. No. 2 Folken 16 LOT 6 Mullarky's Zoning: R-2 N89'23'27"E-96.31' (N89'25'33"E-96.24') Proprietor: & Charisse Block IELD BOOK 685-43 Pod FEET = 30 힏 1 INCH

CES FILE NO.

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Item 2.

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

We, Aaron J. Carolan and Jolene R. Carolan, being the legal titleholders of the real estate legally described as follows:

That part of Lot 8, Block 16, A. Mullarkys Addition to Cedar Falls, Iowa, described as follows: Commencing at a point 42 feet East of the Southwest corner of said Lot; thence running North on a line parallel with the West line of said Lot, 220 feet, more or less, to the North line of said Lot; thence East along the North line of said Lot, 73 ½ feet, more or less, to a point 16 ½ feet West of the Northeast corner of said Lot; thence South on a line parallel with the East line of said Lot to the South line of said Lot; thence West on the said South line of said Lot to the place of beginning, except that part conveyed to State of Iowa for right-of-way in Doc. #2019-11993.

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

RESTRICTIONS

- 1. The zoning and building requirements for the parcels included in the Minor Plat shall be as required by the R-2 Residence District of the Zoning Ordinance of Cedar Falls, Iowa.
- 2. Building setbacks shall be as shown on the Plat of Survey for the Minor Plat.
- 3. No further subdivisions of the property will be allowed unless the subdivision of the property is approved by the City of Cedar Falls, Iowa.

EASEMENTS

- 1. The owner of Parcel "D", its contractors and agents, shall have a perpetual easement over, upon, through, beneath and across the area on Parcel "E" that is identified on the Plat of Survey of the Minor Plat as a 5-foot electric utility easement, for installation, repair, maintenance, inspection, replacement and removal of electrical service lines, facilities and equipment.
- 2. The owner of each Parcel, and their respective contractors and agents, shall have a perpetual easement over, upon, through, beneath and across the area identified for each Parcel, on the Plat of Survey for the Minor Plat, as a 5-foot utility easement, for installation, repair, maintenance, inspection, replacement and removal of water and sewer service lines, facilities and equipment.
- 3. All easements granted herein shall include reasonable rights of ingress and egress. Except for exigent circumstances, the party desiring to exercise its rights hereunder shall give reasonable advance notice to the owner of the other Parcel. The party exercising its easement rights

hereunder shall restore the condition of the premises as nearly as possible to the condition in which the premises existed before the exercise of such rights. Neither party shall cement over an easement or erect any structure or other permanent improvement thereon.

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

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

Aaron J. Garolan		Jolene R. Carolan	
STATE OF IOWA)) ss:		
COUNTY OF BLACK HAWK)		

The foregoing record was acknowledged before me on December 1, 2020, by Aaron J. Carolan and Jolene R. Carolan, husband and wife.

AMY S. SCHLEY
Commission Number 738729
My Commission Expires
January 24, 2021

Notary Rublic - State of Jowa



DEPARTMENT OF COMMUNITY DEVELOPMENT

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

MEMORANDUM

Planning & Community Services Division

TO: Planning & Zoning Commission

www.cedarfalls.com

FROM: Michelle Pezley, Planner III

Matthew Tolan, EI, Civil Engineer II

DATE: December 17, 2020

SUBJECT: Arbors Fourth Addition Final Plat

REQUEST: Request to approve the Arbors Fourth Addition Final Plat. Case #FP20-005

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

LOCATION: The property is located north of Viking Road and west of Arbors Drive

PROPOSAL

The petitioner owns a total of 42 acres on two parcels located north of Viking Road and west of Arbors Drive. The applicant proposes to subdivide 15.96 acres of the 42 acres into 53 lots and one tract for stormwater management.

BACKGROUND

In April of 2014, the City Council approved the rezoning of is area from A-1 Agricultural to RP Planned Residential District as well as approving a Preliminary Plat for this subdivision (82.5 total acres). The original RP District Plan and Preliminary Plat showed a future build-out for up to 204 one and two –family dwellings in six "phases". The first three phases are developed to the original preliminary plat. In May of 2020, the City Council approved a revised preliminary plat and RP District Master Plan to include 39 bi-attached dwellings and realign the streets (as seen to the right).

The petitioner proposed the Fourth Addition to consists of 53 lots which are proposed for single family and bi-attached dwellings. The RP zoning

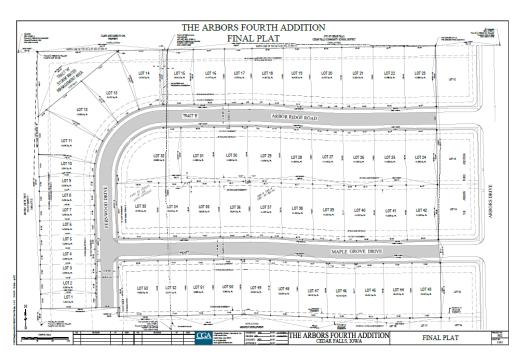
district allows flexibility within the setbacks. The petitioner proposes the street setback to be 25

feet, side yards to be 5 feet except for the lots that will have a zero setback to for the bi-attached dwellings, and a 30 foot rear setback.

The petitioner proposed to extend the extend Arbor Ridge Road and Maple Grove Road to Fernwood Drive which will later connected to the Fifth Addition. The petitioner also proposed that the stormwater would flow to a detention pond located on Track A.

ANALYSIS

The petitioner, Midwest Development Co., proposes the final plat of the Fourth Addition, comprised of 15.96 acres of land at the northwest corner of the subdivision, which is north of Viking Road and west of Arbors Drive. 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 2020. The Fourth Addition consists of 53 residential lots, some intended for single-unit bi-attached dwellings and some for single-unit detached dwellings and Tract A, intended for storm water management.

As proposed, the petitioner extended Arbor Ridge Road and Maple Grove Road to Fernwood Drive. The petitioner built the stormwater detention system to follow the preliminary plan to collect stormwater to Tract A. 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.

Setbacks are 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 final plat is conforming to 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 has extending 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 so as 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 addresses all necessary requirements.

All the utilities and internal road connections within the proposed subdivision will be dedicated to the public. The placed internal infrastructure is able to serve the platted lots with access to public streets and right-of-way. All the placed utilities are available for development for the platted lots. The petitioner's engineer has submitted a storm water 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 Department is in the process of finalizing all related paperwork with the petitioner for securing the Final Acceptance of Public Improvements.

As required from the preliminary plat process, the plat shows a pedestrian connection through a 20 foot wide easement that extends along the lot line between Lots 14 and 15, to accommodate a sidewalk connection from Arbor Ridge Road to the future public park on the north side of the subdivision.

The applicant also proposes sidewalks within the public right-of-way. The petitioner proposes that sidewalks, built to City standards, will be constructed along the frontage of all lots at the time of lot development.

The property is located outside of the designated 100-year floodplain.

A courtesy mailing was sent to the neighboring property owners on December 14, 2020.

STAFF 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 January 21, 2021 with the following conditions.

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

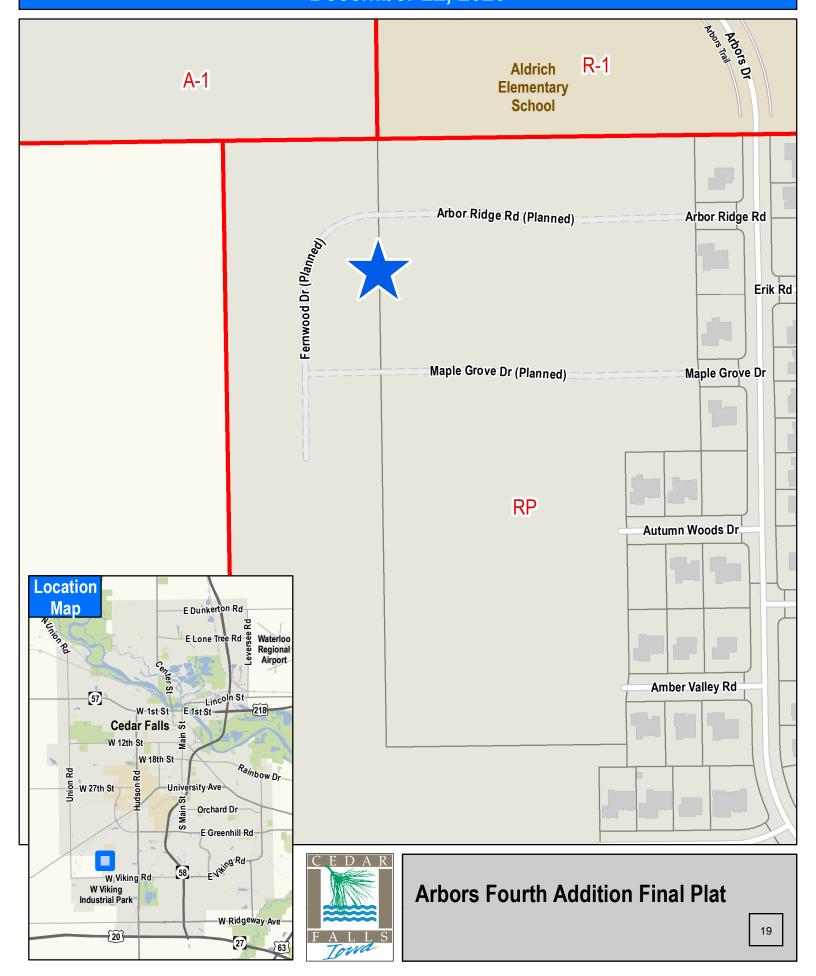
PLANNING AND ZONING

Discussion

12/22/2020

Cedar Falls Planning and Zoning Commission December 22, 2020

Item 3.



THE ARBORS FOURTH ADDITION FINAL PLAT

CEDAR FALLS, IA DECEMBER2020

LEGAL DESCRIPTION

LEGEND

EXISTING

PROPOSED

----W (*)---- ------ WATERLINE

----G(*)---- GAS LINE

EVERGREEN TREE

DECIDUOUS TREE

TREE LINE

----San(*)---- ----San---- SANITARY SEWER LINE

----StS (*)---- StS ---- STORM SEWER LINE

705 CONTOUR LINE

WATER VALVE

FIRE HYDRANT

MANHOLE

BEEHIVE INTAKE

GAS VALVE

POWER POLE

STREET LIGHT

BOX/TRANSFORMER

TELEPHONE PEDESTAL

----OHE---- OVERHEAD ELECTRICAL LINE

----E(*)---- BURIED ELECTRICAL LINE

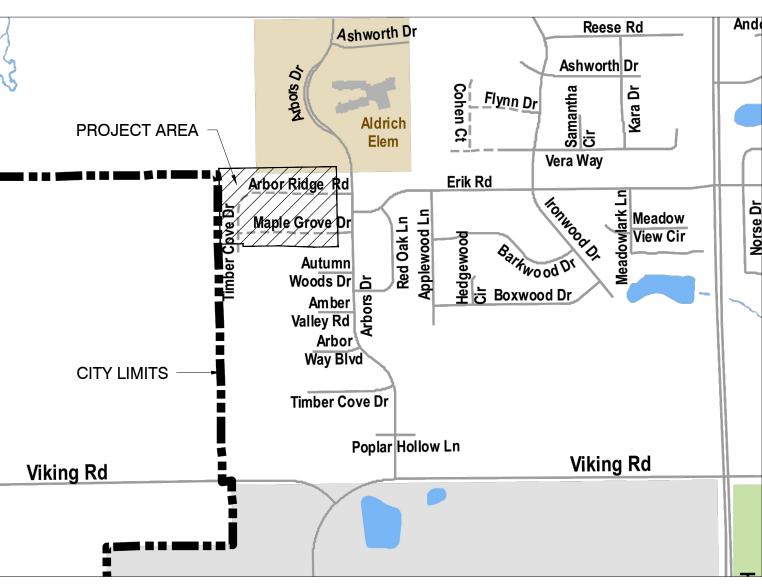
---- T(*) ---- TELEPHONE LINE

SHRUBS (BUSHES)

SIGN (TYPE AS NOTED)

THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THAT PART OF PARCEL "B" LOCATED IN THE SOUTHEAST QUARTER ALL IN SECTION 27, TOWNSHIP 89 NORTH, RANGE 14 WEST OF THE 5TH P.M., CITY OF CEDAR FALLS, BLACK HAWK COUNTY, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 89 NORTH RANGE 14 WEST OF THE 5TH P.M.; THENCE NORTH 88°10'08" EAST, 686.90' ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27, TO THE NORTHWEST CORNER OF LOT 12 OF THE ARBORS THIRD ADDITION TO THE CITY OF CEDAR FALLS; THENCE SOUTH 0°52'11" EAST, 495.00' ALONG THE WEST LINE OF SAID THIRD ADDITION TO THE SOUTHWEST CORNER OF LOT 14 OF SAID THIRD ADDITION; THENCE SOUTH 4°41'01" EAST, 60.14' ALONG THE WEST LINE OF SAID THIRD ADDITION; THENCE SOUTH 0°52'11" EAST, 140.00' ALONG THE LOTS 17 AND 18 OF SAID THIRD ADDITION AND ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOTS 17 AND 18; THENCE NORTH 87°50'52" WEST, 288.22'; THENCE SOUTH 89°10'08" WEST, 190.43' TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 27; THENCE CONTINUING SOUTH 89°10'08" WEST, 132.06'; THENCE NORTH 0°52'11" WEST, 22.50'; THENCE SOUTH 89°08'48" WEST, 200.00' TO THE WEST LINE OF PARCEL "B" LOCATED IN THE SOUTHEAST QUARTER OF SAID SECTION 27; THENCE NORTH 0°52'11" WEST, 657.58' ALONG THE WEST LINE OF SAID PARCEL "B" TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27; THENCE NORTH 89°10'08" EAST, 333.16' ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER AND NORTH LINE OF SAID PARCEL "B" TO THE POINT OF BEGINNING. PARCEL CONTAINS 15.96 ACRES. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.



VIC	CINI	ΤY	MAP
	NOT T	o sc	ALE

Curve Table						
CURVE DATA	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD	
C1	23.57'	15.00'	90°02'19"	S44°08'59"W	21.22'	
C2	66.15'	970.00'	3°54'27"	N88°52'38"W	66.14'	
C3	70.24'	1030.00'	3°54'27"	S88°52'38"E	70.23'	
C4	66.15'	970.00'	3°54'27"	S88°52'38"E	66.14'	
C5	70.24'	1030.00'	3°54'27"	N88°52'38"W	70.23'	
C6	23.55'	15.00'	89°57'41"	S45°51'01"E	21.21'	
C 7	188.58'	120.00'	90°02'19"	S44°08'59"W	169.76'	
C8	66.15'	970.00'	3°54'27"	N88°52'38"W	66.14'	
C9	70.24'	1030.00'	3°54'27"	S88°52'38"E	70.23'	
C10	66.15'	970.00'	3°54'27"	S88°52'38"E	66.14'	
C11	70.24'	1028.25'	3°54'51"	N88°52'46"W	70.23'	
C12	282.62'	180.00'	89°57'41"	S44°08'59"W	254.47'	
C13	64.67'	970.00'	3°49'12"	N88°55'16"W	64.66'	
C14	1.48'	970.00'	0°05'15"	N86°58'02"W	1.48'	
C15	65.44'	1030.00'	3°38'26"	N88°44'38"W	65.43'	
C16	4.80'	1030.00'	0°16'01"	S89°18'08"W	4.80'	
C17	30.44'	970.00'	1°47'54"	N89°55'55"W	30.44'	

CURVE DATA	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD	
C18	35.71'	970.00'	2°06'33"	N87°58'41"W	35.70'	
C19	52.86'	1030.00'	2°56'26"	N88°23'38"W	52.85'	
C20	17.38'	1030.00'	0°58'01"	S89°39'09"W	17.38'	
C21	12.19'	970.00'	0°43'12"	N89°31'45"E	12.19'	
C22	53.96'	970.00'	3°11'15"	S88°31'02"E	53.95'	
C23	39.61'	1030.00'	2°12'12"	S88°01'31"E	39.60'	
C24	30.63'	1030.00'	1°42'15"	S89°58'44"E	30.63'	
C25	30.67'	970.00'	1°48'43"	N89°55'30"W	30.67'	
C26	35.48'	970.00'	2°05'44"	N87°58'17"W	35.49'	
C27	43.09'	1028.25'	2°24'04"	N88°07'22"W	43.08'	
C28	27.15'	1028.25'	1°30'47"	S89°55'12"W	27.15'	
C29	62.73'	180.00'	19°58'11"	S79°08'44"W	62.42'	
C30	64.44'	180.00'	20°30'42"	S58°54'17"W	64.10'	
C31	61.95'	180.00'	19°43'04"	S38°47'24"W	61.64'	
C32	61.70'	180.00'	19°38'19"	S19°06'43"W	61.40'	
C33	31.80'	180.00'	10°07'24"	S4°13'51"W	31.76'	

Curve Table

OWNERS OF RECORD

MIDWEST DEVELOPMENT CO. 417 FIRST AVENUE SE CEDAR RAPIDS, IA 52401

FLOOD ZONE

PANEL # 19013C0276F EFFECTIVE DATE: JULY 18, 2011

SETBACK DATA

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

*LOTS 1-10 ARE APPROVED TO BE ONE UNIT BI-ATTACHED DWELLINGS.

SURVEY LEGEND

- ▲ GOVERNMENT CORNER MONUMENT FOUND
- GOVERNMENT CORNER MONUMENT SET 1/2" x 30" REBAR w/YELLOW PLASTIC ID CAP #22634
- FOUND 1/2" REBAR w/YELLOW PASTIC CAP #21428 OR AS NOTED ON PLAN
- SET 1/2" x 30" REBAR w/YELLOW PLASTIC ID CAP #22634
- () RECORDED AS

SURVEYOR AND ENGINEER

MARC C. HOODJER, P.L.S. ADAM C. DATERS, P.E. CLAPSADDLE-GARBER ASSOCIATES 5106 NORDIC DRIVE CEDAR FALLS, IOWA 50613 (319)266-0258

ZONING INFORMATION:

RP (UNLESS NOTED OTHERWISE)

SURVEY REQUESTED BY:

MIDWEST DEVELOPMENT CO. 417 FIRST AVENUE SE

CEDAR RAPIDS, IA, 52401

RESTRICTIONS (SEE DEED OF DEDICATION)

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

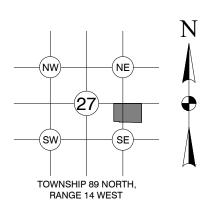
NOTE:

ALL BEARINGS ARE THE RESULT OF G.P.S. OBSERVATIONS USING NAD83 IOWA STATE PLAN NORTH ZONE

TRACTS

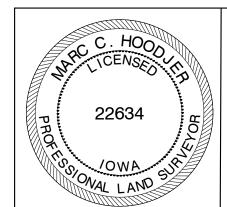
A. - STORM WATER MANAGEMENT B. - STREET RIGHT OF WAY

PHASE	LOTS	TRACT
4	53	"A" & "B"
TOTAL	53	



ACREAGE BREAKDOWN

NW ¹/₄ - SE ¹/₄ SEC 27-89-14 NE ¹/₄ - SE ¹/₄ SEC 27-89-14 10.87 ACRES 15.96 ACRES



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 Iowa License Number 22634

My License Renewal Date is December 31, 2020

Pages or sheets covered by this seal:

DATE REVISION



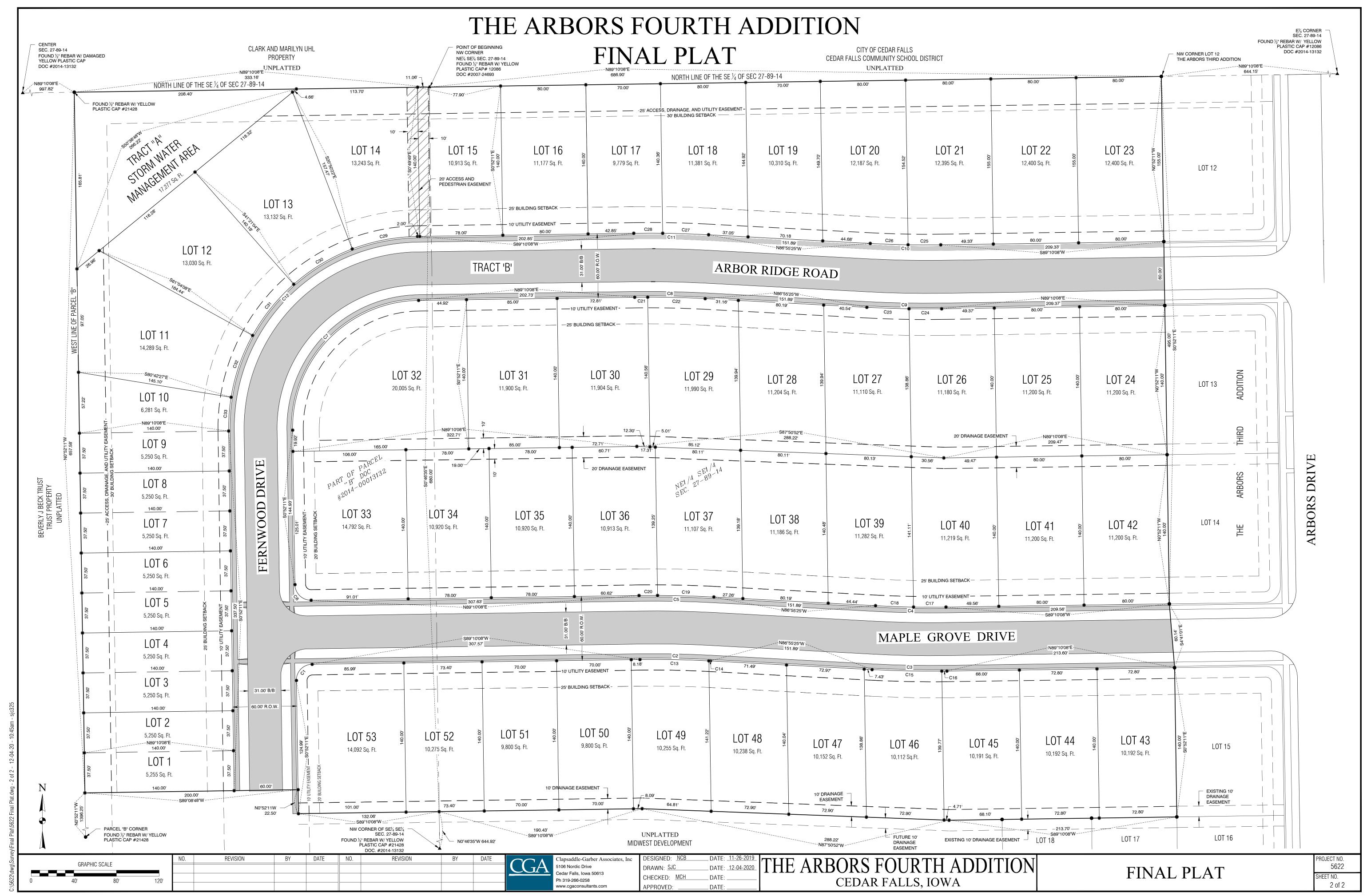
Clapsaddle-Garber Associates, In 5106 Nordic Drive Cedar Falls, Iowa 50613 Ph 319-266-0258 www.cgaconsultants.com

DRAWN: SJC CHECKED: MCH _ DATE: APPROVED:

_ DATE: 11-26-2019 THE ARBORS FOURTH ADDITION CEDAR FALLS, IOWA

FINAL PLAT

1 of 2



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

DEED OF DEDICATION OF

THE ARBORS FOURTH ADDITION IN THE CITY OF CEDAR FALLS, BLACK HAWK COUNTY, IOWA

KNOW ALL MEN BY THESE PRESENTS:

That Midwest Development C	Co., an Iowa corporation, with its principal office in Cedar Rapids,
Iowa, being desirous of setting out a	nd platting into lots and streets the land described in the attached
Certificate of Survey by	, a professional land surveyor, dated the
day of, 20), 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 ARBORS FOURTH 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, and maintenance of said services over, across, on and/or under the property as shown on the attached plat. No building structures, landscaping structures, private gardens or any other possible obstruction can be placed in the easements.

Any and all drainage easements will be required to follow the "Stormwater Management Plan" and no building structures, fence structures, landscaping structures, private gardens or any other possible obstruction can be built in or over said drainage easements. Owner and/or contractors working on the real estate will be responsible to maintain said easements to be free and clear of any physical obstruction(s) thus allowing the conveyance of overland storm water runoff as intended per "Stormwater Management Plan" on record with the City of Cedar Falls Engineer's Office.

The undersigned do hereby grant and convey to the City of Cedar Falls, its successors and assigns, access to the Access and Pedestrian Easement set forth between Lots 14 and 15 of said subdivision.

RESTRICTIONS

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

- 1. Any dwelling that shall be erected on any lot, other than a corner lot, shall have a minimum setback from the front of the lot line of 25 feet as indicated on the plat. For any dwelling that shall be erected on a corner lot, the short lot frontage length shall be considered the lot frontage and have a setback of 25 feet, while the long lot frontage length shall be considered the side frontage and have a setback of 20 feet. No building shall be erected nearer to an interior sideline than 5 feet nor shall the combined interior sideyard distances for each lot be less than 10 feet.
 - 2. Lots 1 through 10 will have one side yard at a zero lot line.
- 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. Midwest Development Co. shall construct only one-and two-family dwellings on the lots in this subdivision. One-unit bi-attached dwellings (two-family dwellings) may be constructed on Lots 1 through 10 in this subdivision. One-family dwellings shall be constructed on Lots 11 through 53.
- 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. 1,200 square feet for single story houses.
 - B. 1,200 square feet for split level houses.
 - C. 1,300 square feet for two-story houses.

- D. Each single family residence shall have a minimum of a two-car attached garage with a minimum of 400 square feet.
- 7. No one-unit bi-attached dwellings (two-family condominiums) 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, breeze ways, porches, stoops, and other such non-living areas, of less than 1,200 square feet per side; two-car attached garages with minimum of 400 square feet. The center line and the dividing wall of the one-unit bi-attached dwelling built on a lot as set forth herein shall be built on the center line of the lot in question. Each owner of a bi-attached dwelling in one-unit bi-attached dwellings (two-family condominiums) property shall be bound and governed by the following requirements:
 - A. Each owner shall be solely responsible for the maintenance, repair of the center or common wall (hereinafter "dividing wall") constructed between the two units, including fireproof sheetrock, and adjacent structure on the property owned by that owner, including the roof, foundation and sidewalls, on that owner's side of the dead air space in the dividing wall in accordance with the accepted construction methods and in compliance with all applicable building codes and ordinances, including but not limited to the fire code requirements of the City of Cedar Falls. Each owner shall be responsible for one-half of any required maintenance or repair of the common foundation wall, common area of the dividing wall and common area of the roof, and all such maintenance and repair shall be done in a workmanlike fashion. Neither owner shall make any modification to or allow deterioration of, the walls, foundations, roof or building on that owner's side of the dividing wall, which would create a fire hazard or diminish the fireproofing or structural integrity of the one-unit bi-attached dwelling as a whole.
 - B. If either owner fails or refuses to perform its duties as set forth in this Paragraph 7 of the Deed of Dedication, the other party, may, upon thirty (30) days' written notice, undertake to perform that maintenance or repair at that owner's own expense and shall have a right of reimbursement from the other owner for the reasonable cost of that maintenance or repair which may be enforced by the owner in incurring the expense as allowed under Iowa law, through legal action, in which event the defaulting owner shall be liable for all related reasonable attorney's fees and court costs.
 - C. Any dispute concerning the interpretation or enforcement of this Paragraph 7 in the Deed of Dedication concerning the enforcement of the provisions of one-unit bi-attached dwellings shall be submitted for mediation upon the written request of either owner. If the owners cannot otherwise agree on a mediator, each owner shall nominate one mediator and the name of the mediator to conduct the mediation shall be drawn by lot. The cost of mediation shall be assessed one-half to each owner.
 - D. In the event of damages to the one-unit bi-attached dwelling, each party shall be required to repair, rebuild his or her half of the one-unit bi-attached dwelling within a reasonable period of time, unless within thirty (30) days of the occurrence of the damages, both owners agree in writing not to repair or rebuild.

The provisions of this paragraph of the Deed of Dedication shall run with the land upon which the oneunit bi-attached dwelling is located and shall be binding on all subsequent owners of the individual oneunit bi-attached dwelling on said lots.

- 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 curbline 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. Owner shall comply with all requirements of the US Post Office for mail receptacles. All mailboxes shall be clustered or grouped for the units, and shall be placed between the curb line and the property line abutting the lots. The area around said mailboxes shall be kept free and clear by the owner of the lots on which said mailboxes are located. Location of the clustered mailboxes shall be reviewed and approved by the City of Cedar Falls, Iowa.
- 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. A perpetual easement is reserved along the lot lines of said lots as shown by the recorded plat for storm water drainage and utility installation and maintenance. There shall be no fences, buildings, large plantings or other obstructions upon or under the property covered by these easements, so that access is available for any equipment and/or persons necessary for the construction, reconstruction or maintenance of said utilities and/or drainage ways.
- 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 Association to be known as The Arbors Neighborhood 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 Neighborhood 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 The Arbors Neighborhood Association shall be to maintain the common areas and green spaces of the entire development, including but not limited to the multiple Tract A's marked as storm water management areas and signage to be developed, maintain the Access and Pedestrian Easement between Lots 14 and 15, 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, and maintenance 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 as to their lots. The homeowner's responsibility for these areas shall begin when the developer, Midwest Development Co. notifies the Neighborhood Association that they are turning over the responsibility of those areas to the Neighborhood Association.

Developers hereby grant to the City of Cedar Falls, Iowa, a twenty (20) foot access easement to the multiple Tract A's for the purpose of inspection and enforcement of any city code or ordinance provisions governing the maintenance of the storm water management areas designated as Tract A. No fences, detached buildings, equipment, parking, vegetation (scrubs, trees and bushes) or any other form of obstruction shall be allowed in said access easement.

Developers and Cedar Falls Community School District have entered in an agreement governing the management and maintenance of Tract A Storm Water Management Area 1.42 acres as set forth in the Plat of this subdivision. That agreement shall govern the responsibilities of the Developer and when transferred, The Arbors Neighborhood Association, as well as the Cedar Falls Community School District, with respect to the management and maintenance of Tract A Storm Water Management Area 1.42 Acres.

The annual dues for the Association shall initially be set at \$100.00 per lot per year beginning January 1, 2021. 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 the building plans, and plot plan, showing all buildings, fences, 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 external design and quality workmanship and materials with existing structures in the subdivision by Midwest Development Co.
- 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 (2019 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 2019 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 BY PLAT

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:

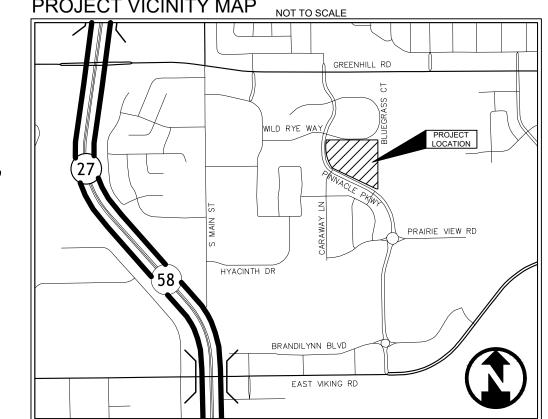
- A. Midwest Development Co. shall with respect to the streets shown on the attached plat, Arbor Ridge Road, Fernwood Drive, and Maple Grove Drive, will be brought to City grade and will be thirty-one (31) feet, back of curb to back of curb; all said streets with approved hard surface pavement in accordance 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 as to the other lots, 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 the work and improvements called for herein within one (1) year from the date of the acceptance of said final plat by each developer by the City of Cedar Falls, Iowa, the City may then make the improvements and assess the costs of the same to the lots owned and platted by the developer. 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 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.
- 28. The developer, Midwest Development Co., states:
 - A. That this plat and development shall comply with the R-P Planned 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	, 2020.
MIDWEST DEVELOPMENT CO		
By		
Kevin Fittro, Vice President		
* (C		
STATE OF IOWA)	
) ss	
COUNTY OF BLACK HAWK)	
This instrument was acknown	wledged before me on	, 2020, by Kevin
Fittro as Vice President of Midwest	t Development Co.	
4		
	Notary Public in and for	r the State of Iowa

ENVIRONMENTAL EXHIBIT PINNACLE PRAIRIE SENIOR LIVING

PINNACLE PRAIRIE COMMERCIAL SOUTH PHASE III,
SECOND ADDITION
CITY OF CEDAR FALLS
BLACK HAWK COUNTY, IOWA



LEGAL DESCRIPTION

29.74

BK 2014/PG 22/4/37

¥130' DRAÍNAĞE EASEMEN∓ BK 2014 PG 22438

S18° 50' 15"E -

A PARCEL IN THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 25, TOWNSHIP 89 NORTH, RANGE 14 WEST AND IN THE SOUTHWEST FRACTIONAL QUARTER (SW FR ¼) OF THE NORTHWEST FRACTIONAL QUARTER (SW FR ¼) OF SECTION 30, TOWNSHIP 89 NORTH, RANGE 13 WEST OF THE 5TH P.M., ALL IN THE CITY OF CEDAR FALLS, BLACK HAWK COUNTY, IOWA DESCRIBED AS:

BOOK 2005, PAGE 425 OF THE BLACK HAWK COUNTY RECORDER'S OFFICE, THENCE ALONG THE SOUTH LINE OF SAID PPBCN N83°20'19"E, 152.20 FEET, THENCE ALONG SAID SOUTH LINE N89°12'56"E, 456.28 FEET TO THE SOUTHEAST CORNER OF LOT 11 OF SAID PPBCN; THENCE SO0°47'05"E, 30.07 FEET TO THE SOUTHWEST CORNER OF LOT 1 OF PINNACLE PRAIRIE BUSINESS CENTER NORTH PHASE II FIRST ADDITION (PPBCNP2FA), AS RECORDED IN BOOK 2012, PAGE 18835 OF THE BLACK HAWK COUNTY RECORDER'S OFFICE; THENCE ALONG THE SOUTH LINE OF SAID LOT 1 N56°13'37"E, 211.71 FEET; THENCE ALONG THE SOUTH LINE OF SAID LOT 1 N22°34'30"E, 148.41 FEET TO THE SOUTH LINE OF SAID LOT 1 N56°13'37"E, 211.71 FEET; THENCE ALONG SAID SOUTH LINE N89°11'25"E, 474.43 FEET; THENCE SO0°47'06"E, 133.16 FEET; THENCE S50°10'37"W, 216.70 FEET; THENCE S67°05'38"W, 261.76 FEET; THENCE S51°27'40"W, 400.43 FEET; THENCE S58°12'42"W, 130.38 FEET TO THE TO THE NORTH RIGHT OF WAY LINE OF PRAIRIE PARKWAY; THENCE ALONG SAID NORTH RIGHT OF WAY LINE N18°50'15"W, 49.33 FEET; THENCE ALONG SAID NORTH RIGHT OF WAY LINE N63°45'33"W, 100.04 FEET; THENCE ALONG SAID NORTH RIGHT OF WAY LINE N63°45'33"W, 100.04 FEET; THENCE ALONG SAID NORTH RIGHT OF WAY LINE N63°45'33"W, 200.04 FEET; THENCE ALONG SAID NORTH RIGHT OF WAY LINE N63°45'33"W, 100.04 FEET; THENCE ALONG SAID NORTH RIGHT OF WAY LINE N63°45'03"W, 43.13 FEET TO THE POINT OF BEGINNING.

DESCRIBED PARCEL CONTAINS 11.89 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD

PROPERTY OWNER/APPLICANT/ADDRESS

4900 PRAIRIE PARKWAY.

PROPERTY OWNER:
GREENHILL ESTATES INC
ATTN: JESSICA SUK
3957 75TH ST
AURORA, IL 60504

APPLICANT:
NELSON CONSTRUCTION &
DEVELOPMENT
C/O JACOB WOLFGANG
218 6TH AVENUE, SUITE 200
DES MOINES, IA 50309
PH: 515-720-6170
JACOB@NELSONCONST.COM

PREPARED BY:
AXIOM CONSULTANTS
NICK BETTIS, P.E. - CIVIL ENGINEER
60 E. COURT STREET
IOWA CITY, IA 52240
PH: 319-519-6220
EMAIL: NBETTIS@AXIOM-CON.COM

ENGINEER:

CONSULTAN

CONSULTAN

PROJECT NAME:
PINNACLE PRAIRIE
REVIEW
REVIEW

NOT FOR CONSTRUCTION
CLIENT NAME:

NELSON CONSTRUCTION
OCT.16, 2020
A

DRAWING LOG
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REV

DRAWING LOG
REV

DESCRIPTION OF CHANGES

CURRENT REV

DATE ISSUED:

A

OCT.16, 2020
A

DRAWING LOG
REV

DESCRIPTION OF CHANGES

CURRENT REV

DESCRIPTION OF CHANGES

CURRENT REV

DATE ISSUED:

A

OCT.16, 2020
A

SITE INFORMATION

SIGNIFICANT TREE STANDS:

NONE ONSITE.

WETLANDS:

NONE WITHIN LOT 6.

NONE WITHIN LOT 6.

AREA OF DISTURBANCE:

5.76 ACRES (LOT 6 AND TRAIL IN TRACT C)

STEEP SLOPES (18% OR GREATER):

PURPOSE OF DEVELOPMENT

EXISTING SITE IS AN OPEN LOT THAT DRAINS TO THE

EAST/SOUTHEAST DIRECTION. SITE SHALL BE REGRADED TO

ACCOMMODATE NEW BUILDING WILL CONSIST OF ASSISTED

LIVING AND MEMORY CARE CENTER, AND CAREFREE LIVING.

TRACT C TO BE FLOODPLAIN, WETLAND, AND DRAINAGE EASEMENT.

ZONING INFORMATION:
CURRENT ZONING - MIXED USE RESIDENTIAL (MU)

TRACT C (6.35 ACRES)

FLOODPLAIN OR FLOODWAY INFORMATION:

FLOODPLAIN ZONE A FEMA PANEL 190130C0281F EFFECTIVE DATE 07/18/2011.

SITE NOTES:

LOT 6 (5.54 ACRES)

LOT SIZE:

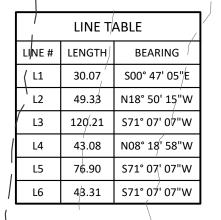
TRACT

- 1. SEE NRCS REPORT FOR SOILS INFORMATION.
- 2. WETLAND LIMITS AND FLOODPLAIN LIMITS INFORMATION GATHERED FROM PINNACLE PRAIRIE COMMERCIAL SOUTH PHASE 3 PRELIMINARY PLAT (DATED 3/4/15).
- 3. THIS PROJECT INCLUDES NO PROPOSED IMPROVEMENTS ON TRACT C.

LOT 9 PINNACLE PRAIRIE PINNACLE PRAIRIE PINNACLE PRAIRIE	
THE BUSINES PG 425	
LOT 10 LOT 10 PINNACLE PRAIRIE PINNACLE PRAIRIE BUSINESS CENTER NORTH BUSINESS CENTER NORTH BK 2006 PG 425 BK 2006 PG 425	
N83 18 40 N89° 12' 56"E 456.28' (456.00' R) 153.49' (153.78' R) STRUCTURES	
952	

·10' UTILITY EASEMENT

5.54 AC 241,366 SF



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	CURVE#	LENGTH	RADIUS	DELTA	CHORD DIR.	CHORD LE	ΞN
\	C1	∖304.11	304.98	57°07'56"	N35° 14' 05"W	291.67	7

2:28nm S:\PROJECTS\2020\200016\05 Design\Civil-Survey\Sheets\200016 - Environmental Eyhihit dwg



DEPARTMENT OF COMMUNITY DEVELOPMENT

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

MEMORANDUM

Planning & Community Services Division

TO: Planning and Zoning Commission

FROM: Jaydevsinh Atodaria (JD), Planner I

Matthew Tolan, Civil Engineer II

DATE: December 17, 2020

SUBJECT: Pinnacle Prairie Commercial South, Phase III, Second Addition Final Plat

REQUEST: Request to approve the Final Plat for the Pinnacle Prairie Commercial

South, Phase III, Second Addition Case #FP20-003

PETITIONER: Greenhill Estates, Inc. - Owner, Nelson Construction & Development;

Developer

LOCATION: 11.89 acre site is located just north east section opposite Caraway

Lane, along Prairie Parkway

PROPOSAL:

The petitioner is proposing to final plat a 11.89 acre area of the preliminary plat approved for Pinnacle Prairie Commercial South Phase III. The subject property is Lot 6 and Tract C of the approved preliminary plat.

This final plat is an 11.89 acre site adjacent to Prairie Parkway and the proposal is to develop a senior living facility and a tract for floodplain, wetland and drainage management, for which a site plan review will be required. Currently, there are two lots developed out of seven lots preliminary platted. Unity Point Clinic is established on lot 1; Care Initiatives is established on lot 2 whereas lot 3, 4, 5, 6 and 7 remain undeveloped. With this request Lot 6 will be developed for a senior living facility with approval of a site plan review.

BACKGROUND:

Following the rezoning to MU (Mixed Use Zoning) in 2004, planning of the district's development has been steadily in motion. Projects for the area include but are not limited to the Business Center North, Business Center South, Western Homes, and the recently updated Pinnacle Prairie Master Plan. The Preliminary Plat for this site was approved by the Planning and Zoning Commission in May 2015. After the approval of

preliminary plat and portion of southern area with a final plat, two lots have been developed in the form Unity Point Clinic and Care Initiatives. To continue developing the preliminary platted lots, applicant has proposed the final plat and a site plan review for senior living facility in the northern area of subdivision. City staff notes that final plat needs to be approved prior approval of site plan application.

ZONING:

The property is zoned MU, Mixed Use Residential, which permits a "mixture" of residential, commercial and business uses along with recreational/institutional uses in an effort to establish a comprehensive community/neighborhood development. The proposed preliminary plat continues to implement the Pinnacle Prairie Master Plan, adopted per the MU district requirements. The Pinnacle Prairie Master Plan was last updated in 2015.

STAFF ANALYSIS

The proposal of final platting Lot 6 and Tract C will lead to development of Lot 6 for a senior living facility and will maintain Tract C as a floodplain, wetland and drainage easement. Tract C is part of a larger regional detention basin that benefits the area within the subject final plat and a number of other nearby properties outside the area of the plat. There is an existing maintenance and repair agreement for this stormwater facility that covers all of the benefited properties including Lot 6 within the subject plat, so a separate agreement is not needed for this plat.

With the development in Lot 6 the developer will be adding a section of 5 foot wide public sidewalk along Prairie Parkway to connect with the existing sidewalk at the intersection with Green Creek Road and completing the extension of 10-footwide Pinnacle Prairie public trail within the platted area as per the approved Pinnacle Prairie Master Plan.

The proposed final plat includes a 10 foot wide utility easement along the west lot line of Lot 6 adjacent to Prairie Parkway and a 20 foot wide utility and trail easement along the northern and southeastern lot lines of Lot 6 to facilitate extension of the Pinnacle Prairie public trail. There is a 20 foot sanitary sewer easement along the west and north lot lines of Tract C and 10 foot wide utility easement along the east and southeast lot lines of Tract C. 130 foot wide drainage easement runs along the central portion of Tract C.

Staff finds that the proposed final plat is in substantial conformance with the approved preliminary plat. All the legal paper work for the final plat has been submitted by the applicant. Staff notes that all the original hard copies with required signatures and stamps will be required prior to consideration by City Council.

A courtesy notice was sent out regarding the final plat to the surrounding property owners on 12/15/20.

<u>COMPLIANCE WITH PREVIOUS DEVELOPMENTAL PROCEDURES AGREEMENT</u>
Compliance Provisions in last updated development procedural agreement for the

Pinnacle Prairie Master Plan are not yet fulfilled. Provisions that must be addressed include:

- Submittal of a plan and construction of landscaping amenities in the Prairie Parkway/Prairie View Road roundabout. In the 2015 agreement these improvements were to be constructed in 2016. Since these improvements have not yet been made, Staff recommends that prior to approval of the final plat, the owner contribute \$40,000 (reduced from the original estimated contribution of \$60,000) into an escrow account with the City. These funds will be used to supplement the more substantial funding provided by the City through TIF to construct the roundabout improvements as a future City project.
- Oster has submitted a plan for improving the terminus of Goldenrod Way that is acceptable to the City. Oster anticipates completing these improvements in Spring 2021. To ensure compliance, staff recommends that Oster provide a cash escrow for the estimated cost of the improvements, which can then be drawn down when they are completed; or Oster and the developer of the senior living facility enter into an agreement with the City prior to approval of this final plat to complete the improvements prior to issuance of an occupancy permit for the senior living facility.

TECHNICAL COMMENTS:

<u>Stormwater:</u> A private storm sewer network will be established onsite to collect and convey stormwater from the site into the exiting Greenhill Road Detention facility that was previously established prior to this development. This property is already under the benefited property of the established Maintenance and Repair Agreement by the previous land owners.

<u>Sanitary Sewer:</u> A private storm sewer network will be established onsite to collect and convey sanitary sewer from the proposed building to the public sanitary network located along the southeastern boundary of the property.

<u>Street Improvements:</u> As part of the development, access points will need to be established for the property for along the north bound lanes of the exiting Prairie Parkway pavement. Sidewalk and trail improvements will be made along Prairie Parkway where existing infills are required to connect to adjacent properties.

There are still few things that needs to be resolved, the remaining items to be addressed are:

• Confirming the stormwater Maintenance and Repair Agreement (MRA). A previously established MRA was setup for the Greenhill Road Detention Facility encompassing this property as part of an established regional drainage and detention area in 2015 with adopted revisions. It is assumed at this point that this property is within the bounds of the previous agreement's legal description, thus not requiring a new MRA as a benefitted property. Staff is working to verify the boundaries of the original MRA against the proposed areas. In the event that an MRA is needed to be established, the City will coordinate with the petitioner's

- legal counsel to update the original MRA.
- Technical errors regarding platting of lot lines on proposed final plats be corrected. City surveyor recommends addressing these technical issues to clear the final plat free of errors for the developer to develop. Staff is working with applicant to resolve these technical issues. The attached final plat exhibit will have to be revised and submitted back prior second review at Planning and Zoning.

STAFF RECOMMENDATION:

Staff recommends initial review and discussion of the proposed Final Plat of Pinnacle Prairie Commercial South, Phase III, Second Addition.

PLANNING & ZONING COMMISSION

Discussion 12/22/2020

DEED OF DEDICATION OF

PINNACLE PRAIRIE COMMERCIAL SOUTH PHASE III, SECOND ADDITION CEDAR FALLS, IOWA

KNOW ALL MEN BY THESE PRESENTS:

That GREENHILL ESTATES, INC., an Iowa corporation, with its principal office in Cedar Falls, Iowa, being desirous of setting out and platting into Lot 6 and Tract C the land described in the attached Certificate of Survey by Bradley R. Geater, P.L.S. dated _________, 2020, 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:

PINNACLE PRAIRIE COMMERCIAL SOUTH PHASE III, SECOND ADDITION CEDAR FALLS, IOWA

(the "Development"), all of which is with the free consent and the desire of the undersigned.

EASEMENTS

The undersigned do hereby grant and convey to the City of Cedar Falls, Iowa, its successors and assigns, and to any private corporation, firm or person furnishing utilities for the transmission and/or distribution of water, storm water and drainage, sanitary sewer, gas, electricity, communication service or cable television, perpetual easements for the erection, laying, building and maintenance of said services over, across, on and/or under the property as shown on the attached plat designated as "Utility Easement," "Sewer Easement," "Storm Sewer Easement," and "Drainage Easement". The undersigned do hereby further grant and convey to the City of Cedar Falls, Iowa, its successors and assigns, a perpetual trail easement for pedestrian use only over, across and/or on the property as shown on the attached plat designated as "Trail Easement". No structures shall be built or placed on said easements.

RESTRICTIONS

Be it also known that the undersigned do hereby covenant and agree for themselves and their successors and assigns that Lot 6 and Tract C in the Development be and the same are hereby made subject to the following restrictions upon their use and occupancy as fully and effectively to all intents and purposes as if the same were contained and set forth in each deed of conveyance or mortgage that the undersigned or their successors in interest may hereinafter make for any of said Lot 6 and/or Tract C 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 building that shall be erected on Lot 6 shall have a minimum setback from the front, side, and rear of the lot lines as indicated on attached Final Plat. All minimum setbacks will be required to meet or exceed the zoning in effect respecting the Development.
- 2. Tract C shall be preserved and maintained primarily as a perpetual easement for wetland, floodplain and drainage purposes. No building or other permanent structure shall be constructed in any area of Tract C designated on the Final Plat as areas and/or easements for wetland, floodplain, or drainage.
- 3. Any and all drainage easements will be required to follow the "Stormwater Management Plan" and no building structures, fence structures, landscaping structures, private gardens or any other

possible obstruction can be built in and over said drainage easements, except for typical landscaping consisting of grass and other native vegetation. All lot owners and/or contractors working on said lots will be responsible to maintain said easements to be free and clear of any physical obstruction(s) thus allowing the conveyance of overland storm water runoff as intended per "Stormwater Management Plan" on record with the City of Cedar Falls Engineer's Office.

- 4. The undersigned and all persons and entities hereafter acquiring any right, title, or interest in any portion of Lot 6 and Tract C shall be taken and held to have agreed and covenanted with the owners of all other portions of Lot 6 and Tract C and with the respective successors and assigns of all of the rest of such other portions of Lot 6 and Tract C to conform to and observe all of the foregoing covenants, restrictions, and stipulations as to the construction of building thereon, for a period of 21 years from the date of filing of said plat, and this deed of dedication for record. Within the period of 21 years and in accordance with Iowa Code § 614.24 and § 614.25 or their successor provisions, these covenants, restrictions, and stipulations may be extended for an additional period of 21 years upon compliance with § 614.24 and § 614.25 of the Code of Iowa. In the event an extension of the covenants, restrictions, and stipulations is not filed within the period of 21 years or successive 21-year periods, then the covenants, restrictions, and stipulations contained herein shall terminate at the end of the existing period of 21 years.
- 5. Invalidation of any of these covenants by judgment, decree, or court order, shall in no way affect any of the other provisions of this dedication and such other provisions shall remain in full force and effect.
- 6. 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 owning property in said Development 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 recovering damages for such violations or both, and for costs and reasonable attorney fees as determined by the court.

PUBLIC IMPROVEMENTS REQUIRED IN PLAT

- 1. The respective owners of Lot 6 and Tract C shall construct and maintain that portion of the public trail located on its property within the "Trail Easement," including the eighteen inches (18") located on both sides of said trail, in good order and repair. Said trail will be constructed prior to the issuance of a final certificate of occupancy respecting the building to be constructed on Lot 6.
- 2. The owner of Tract C, its successors and/or assigns, shall maintain in good order and repair Tract C so as to preserve the integrity of all wetland areas, floodplain areas, and other drainage areas located on Tract C.
- 3. Sanitary sewer, together with the necessary manholes and sewer service lines to all buildings in the plat will be provided.
- 4. Underground utilities, as required by the Subdivision Ordinance of the City of Cedar Falls, Iowa, shall be installed.
- 5. City water will be provided to all buildings as required by the Cedar Falls Utilities Department.
- 6. Municipal fire hydrant(s) will be provided as required by the Cedar Falls Public Safety Department.

- 7. Storm sewer will be provided as specified by the City Engineer.
- 8. Handicap ramps will be provided as required by law.
- 9. All buildings erected on any lots in the Development shall be constructed in accordance with the plumbing and electrical codes of the City of Cedar Falls.
- 10. The owner of Lot 6, its successors and/or assigns, will install a five (5) foot wide concrete sidewalk, four (4) inches thick, within the Prairie Parkway right-of-way to its connection with the existing sidewalk stub at the intersection of Prairie Parkway and Green Creek Road prior to the issuance of a final certificate of occupancy respecting the building to be constructed on Lot 6. This shall include handicap ramps, if any, as required by state law.
- 11. The improvements required for herein shall be completed 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 owners of Lot 6 and Tract C, their grantees and assigns, fail to complete said work and improvements called for within one (1) year from the date of the acceptance of said final plat by the City of Cedar Falls, Iowa, the City may then make improvements and assess the costs of the same to the respective parcel. 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 parcel. The foregoing one (1) year time frame shall be extended to five (5) years for the sidewalks to be installed in the Development.
- 12. 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 parcel 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.
- 13. The owners of Lot 6 and Tract C, their grantees and assigns, 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

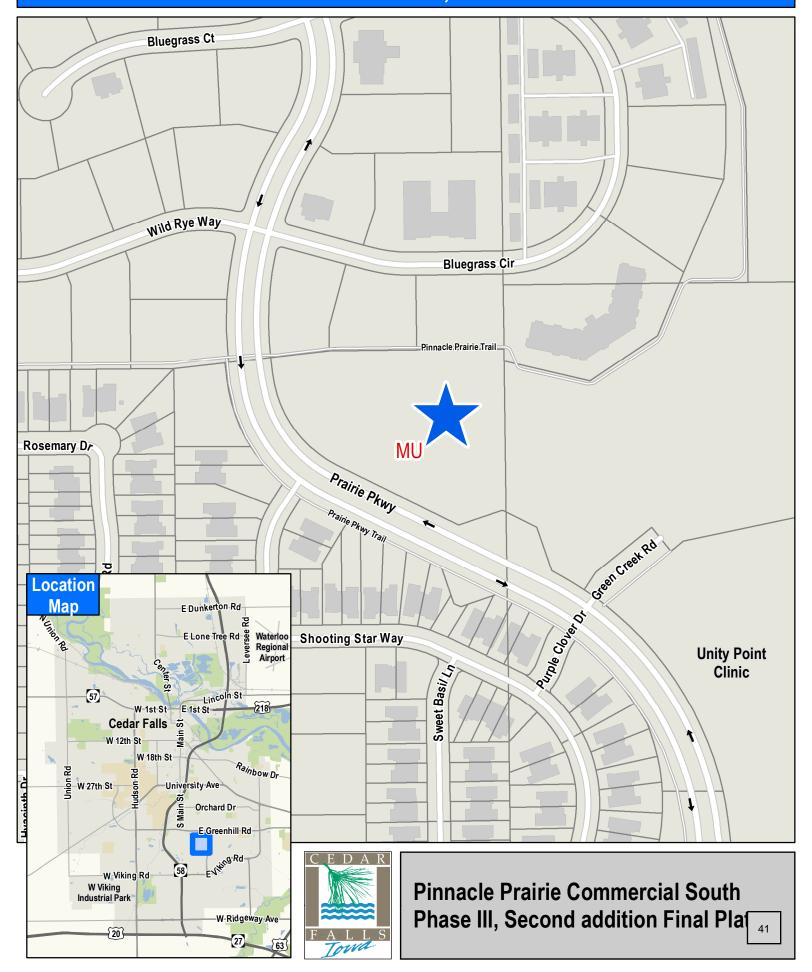
the City Engineer from time to time, and approved by the city council.

14. Construction plans for Lot 6 are now on file in the Office of the City Engineer.

[Signature and Acknowledgment Follow]

day of, 2020.	ed as executed this Deed of Dedication as of the		
	GREENHILL ESTATES, INC., an Iowa corporation		
	By: Name: Its:		
STATE OF)) ss COUNTY OF)			
This instrument was acknowledged before, as	me on this day of, 2020, by of GREENHILL ESTATES, INC., an		
Iowa corporation.			
	Notary Public		

Cedar Falls Planning & Zoning Commission December 22, 2020



FOR RECORDER'S USE ONLY **LEGAL DESCRIPTION COUNTY: BLACKHAWK** FINAL PLAT **SECTION:** 30-89-13 and 25-89-14 A PARCEL IN THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 25, TOWNSHIP 89 NORTH, RANGE 14 WEST **QUARTER SECTION:** AND IN THE SOUTHWEST FRACTIONAL QUARTER (SW FR ¼) OF THE NORTHWEST FRACTIONAL QUARTER (NW FR ¼) OF SECTION 30. TOWNSHIP 89 NORTH, RANGE 13 WEST OF THE 5TH P.M., ALL IN THE CITY OF CEDAR FALLS, BLACK HAWK COUNTY, IOWA DESCRIBED AS: SE 1/4 NE 1/4 25-89-14 and SW FRL 1/4 NW FRL 1/4 30-89-13 PINNACLE PRAIRIE **CITY: CEDARFALLS** SUBDIVISION: COMMERCIAL SOUTH PHASE III, Pinnacle Prairie Commercial South Phase III, Second Addition PROPRIETOR: GREENHILL ESTATES INC SECOND ADDITION **REQUESTED BY: NELSON CONSTRUCTION & DEVELOPMENT** AXIOM CONSULTANTS, LLC, 60 E. Court St. Unit 3 Iowa City, IA 52240 - PH# 319.519.6220 CITY OF CEDAR FALLS BLACK HAWK COUNTY, IOWA N35°14'05"W, 291.67 FEET); THENCE ALONG SAID NORTH RIGHT OF WAY LINE N08°18'58"W, 43.08 FEET TO THE POINT OF BEGINNING. DESCRIBED PARCEL CONTAINS 11.89 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD NW CORNER LOT 22 -PINNACLE RIDGE FIRST N50° 28' 50"W FOUND ¹/₂" REBAR OPC #6505 35.00' N22° 34' 30"E S39° 31' 10"W N89° 11' 25"E 474.43' 20,00' N89° 11' 25"E 832.83" N50° 28' 50"W -N71° 07' 07"E 43.31' N00° 00' 43"E S63° 48' 04"E 15.00' 61.64' **DETAIL 2 - STORM SEWER EASEMENT DETAIL 1 - TRAIL EASEMENT** EASEMENT **PLAT PREPARED BY: AXIOM CONSULTANTS** 10' UTILITY - SE CORNER LOT 11 EASEMENT ΓRAÇŦ 60 E. COURT STREET IOWA CITY, IA 52240 FOUND 1/2" REBAR YPC #8505 N89° 12' 56"E 456.28' (456.00' R) PH: 319-519-6220 YPC #8505 FLOODPLAIN, WETLAND **PROPERTY OWNER:** 20' SANITARY SEWER AND DRAINAGE EASEMEN **GREENHILL ESTATES INC** EASEMÉNT ATTN: JESSICA SUK BK 2014 PG 22437 SW CORNER LOT 1 20' UTILITY POINT OF BEGINNING 3957 75TH ST PPBCN PHASE II FIRST ADDITION SW CORNER LOT 9 PPBCN **EASEMENT** #17162 AURORA, IL 60504 FOUND 5/8" REBAR RPC #12088 FOUND 1/2" REBAR YPC #8505 20' TRAIL & **APPLICANT:** FOUND 1/2" REBAR OPC #17162 UTILITY EASEMENT **NELSON CONSTRUCTION &** FOR EAST ROW 1.3' NORTHEAST **DEVELOPMENT GENERAL** 218 6TH AVENUE, SUITE 200 DES MOINES, IA 50309 NW FRL 1/4 **EASEMENT** 20' TRAIL & 0.80 AC 5.54 AC 241,366 SF 130' DRAINAGE EASEMENT 25-89-14 25-89-14 4.74 AC BK 2014 PG 22438 LEGEND SET 3/4" Ø PIPE OPC 19828 10' UTILITY EASEMENT FOUND PROPERTY CORNER-AS LABELED STORM SEWER EASEMENT ORANGE PLASTIC CAP SEE DETAIL 2 OPC #17162 SECOND YELLOW PLASTIC CAP LINE TABLE 10' UTILITY RED PLASTIC CAP LINE # LENGTH BEARING EASEMENT **EXISTING PROPERTY LINE** TRAIL EASEMENT COMMER(PHASE III, SEE DETAIL 1 49.33 N18° 50' 15"W PROPOSED BOUNDARY/PROPERTY LINE 120.21 | S71° 07' 07"W **EXISTING EASEMENT** 43.08 N08° 18' 58"W PROPOSED EASEMENT _10' UTILITY EASEMENT 76.90 S71° 07' 07"W **SECTION LINE** 43.31 S71° 07' 07"W EXISTING FENCE RPC #12088 **EXISTING SETBACK CURVE TABLE** CURVE# LENGTH RADIUS DELTA CHORD DIR. CHORD LEN. PROPOSED SETBACK 304.11 | 304.98 | 57°07'56" | N35° 14' 05"W | 291.67 PREVIOUSLY RECORDED AS S18° 50' 15"E 71.01' HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY NORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY CENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA. OPC #17162 **BRADLEY** ALL MONUMENTS TO BE PLACED WITHIN ONE YEAR OF RECORDING OF SUBDIVISION. REVIEW DRAFT R. GEATER 2. BASIS OF BEARINGS IS THE IOWA PLANE COORDINATE SYSTEM SOUTH ZONE NAD 83. BRADLEY R. GEATER, P.L.S., P.E. 19828 3. THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS AND ROADWAYS OF RECORD. 4. ERROR OF CLOSURE IS LESS THAN 1 IN 10,000. MY LICENSE RENEWAL DATE IS DECEMBER 31, 2021. 5. TRACT C HAS 0.04 ACRES IN THE SE $\frac{1}{4}$ OF NE $\frac{1}{4}$ OF SECTION 25-9-14 AWO \

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DEPARTMENT OF COMMUNITY DEVELOPMENT

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

MEMORANDUM

Planning & Community Services Division

TO: Planning and Zoning Commission

www.cedarfalls.com

FROM: Jaydevsinh Atodaria (JD), Planner I

Matthew Tolan, Civil Engineer II

DATE: December 17, 2020

SUBJECT: Pinnacle Prairie Senior Living Site Plan (SP20 – 011)

REQUEST: Request to approve the Pinnacle Prairie Senior Living Site Plan

Case #SP20-011

PETITIONER: Greenhill Estates, Inc. - Owner, Nelson Construction & Development,

Developer; Axiom, Engineer

LOCATION: Lot 6 of Pinnacle Prairie Commercial South Phase III, Second Addition. The

5.54 acre site is located in northeast section opposite Caraway Lane, along

Prairie Parkway.

PROPOSAL

The petitioner is proposing to build a 109 unit retirement building that will consist of 32 units in the memory care area, 77 assisted living units including 27 carefree living units and 1 guest unit on a 5.54 acre parcel along the east side of Prairie Parkway. The memory care section is located at the east end of the proposed building. This section will be a single story structure. The central portion of the building is the commons area that transitions from a single story to a two and three story section for the assisted living area at the west end of the building. The applicant has submitted the site plan to provide additional detailed information about the project.

BACKGROUND

This property is included in Pinnacle Prairie Commercial South Phase III, Second Addition. The preliminary plat for Pinnacle Prairie Commercial South Phase III was approved in 2015 and the final plat with the subject property is currently being introduced to the Planning and Zoning Commission. City staff notes that the site plan will be approved after the approval of Final Plat presented. The site plan may then proceed to the City Council in conjunction with the final plat.

The subject property is located in the MU, Mixed Use Residential District and also a part of Pinnacle Prairie Master Plan. Therefore, the building design of this proposed senior living facility should align with design guidelines in Pinnacle Prairie Master Plan. City staff believes that the applicant has consulted with the Pinnacle Prairie Design Committee to ensure that their building

design would be consistent with the design guidelines.

ANALYSIS

The property in question is located within the MU, Mixed Use Residential zoning district. Development in an MU zoning district requires a detailed site plan review to ensure that the development site satisfies the standards of the comprehensive plan, recognizes principles of civic design, land use planning, landscape architecture, and building architectural design that are set out for the district. Attention to details such as parking, open green space, landscaping, signage, building design, and other similar factors help to ensure orderly development. The following is a review of the zoning ordinance requirements:

Use:

The intent of the MU district is to encourage a variety of housing types and neighborhood commercial land uses for the purpose of creating viable, self-supporting neighborhood districts. Therefore, MU zoning permits a variety of uses ranging from neighborhood commercial to office to singleunit homes to condominiums and multi-unit dwellings. The subject property is part of Pinnacle Prairie Master Plan (See image to the right for reference) and it is designated to be developed as Mixed Use property. City's Future Land Use Map closely follows the Pinnacle Prairie Master Plan. A standard planning practice is to create a gradual transition of development intensity from single unit development to higher density residential to neighborhood-serving commercial and mixed-uses. The proposed



Pinnacle Prairie senior living facility will serve as a transition in development intensity and is consistent with the City's Future Land Use Map. The proposed senior living facility is a permitted use in this area and also consistent with the approved Pinnacle Prairie Master Plan.

Building Location:

In the MU Zoning District, minimum setback area consisting of open landscaped green space measuring 30 foot in width shall be established around the perimeter of the development site. No structures or parking areas are permitted in the said setback area. The minimum setback area may be reduced to 20 feet on tracts measuring less than ten acres in area subject to review and recommendation by the planning and zoning commission and city council. In this case, the subject property being just less than 6 acres, the latter rule will be applicable. Because the proposed building height is 40 feet, 5 feet more than the standard height allowance, therefore 1 feet of additional setback for every 1 feet additional height above 35 feet will have to be provided as a perimeter setback to meet the exception as per MU district guidelines. Therefore minimum required perimeter building setback from the site boundary is 25 feet in the case of proposed site plan. The proposed building setbacks are 59.41' north; 27.6' west; 55.47' south and 57.62' east. All the proposed parking areas are located outside the required perimeter setback of 20 feet. **Setbacks satisfied.**

Parking:

The parking requirement for senior living facilities in Cedar Falls is 1.5 stalls for every dwelling unit and one stall for every two employees. The parking requirement for nursing homes is one parking stall for every 5 beds. The proposed senior living facility will include 32 memory care units, 77 assisted living units including 27 carefree living units and 1 guest unit. The parking requirement is listed in the following table:

Type of Use	Parking Requirement	No. of Beds/Units	Required Parking	Total
Memory Care	1 stall/5 beds	32 Beds	6.4 stalls	7
Employees	1 Stall/2 Employees	36 Employees	18 stalls	18
Assisted Living	1 stall/5 beds	49 Beds	9.8 stalls	10
Carefree Living	1.5 stalls/unit	27 rooms & 1	42 stalls	42
		guest rooms		
Total Required Parking				77
Parking Provided				

The parking areas are situated off of Prairie Parkway and located south, east, and north of the building along the internal access drive. The petitioner states that there is enough parking stalls to accommodate employees, visitors and residents.

All parking areas are well screened from the adjacent streets and lots. Out of 93 parking stalls, 16 stalls are placed just east of the Memory Care unit along the internal drive, 6 stalls are placed just north of the Memory Care unit and the remainder 71 stalls are provided south of the commons area. There is provision of 5 Handicapped stalls, which are placed next to the main entrance area for easy accessibility. The parking area will be accessed by an internal two-way drive. **Parking requirements satisfied.**

Open Green Space/Landscaping:

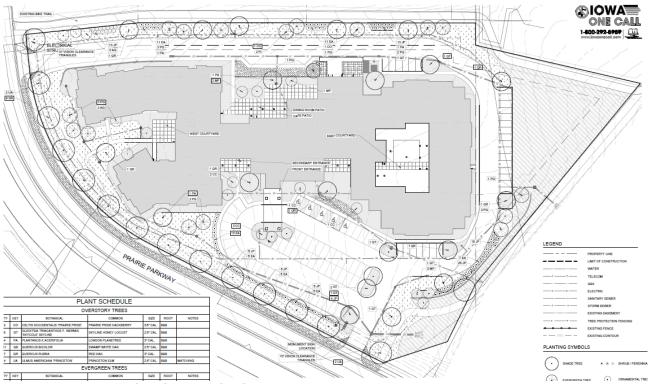
The MU District requires that open green space be provided at the rate of 10% of the total development site area excluding the required district setbacks. The development site is 5.54 acres or 241,366 square feet. The proposed site plan offers 2.68 acres or 116,873 square feet (48.5%) of open space. The minimum required open space area for this lot is approximately 24,136 square feet. When deducting the driveways and parking areas for this property the open space provided for the site is 57,493 square feet. **The open green space requirement is met**.

In addition to the green space requirement the MU district has a landscaping requirement of 0.02 landscaping points per square foot of total development site area. For a 241,366 square feet lot, 4,827 landscaping points are needed. The proposed landscaping plan is proposing to provide 6,640 landscaping points. The proposed landscaped areas will be distributed throughout the development site.

The MU District also requires 0.75 landscaping points for street trees per linear foot of public street frontage. This development is required to provide 525 (700 feet x 0.75) landscaping points worth of street trees. In response, developer will plant 14 overstory street trees amounting to 1,120 points.

Apart from this, parking lot screening and landscaping requirements will also be applicable. Minimum 1 overstory tree for every 15 parking stalls or every 2,500 sq. of parking space should

be provided. For total of 93 parking stalls, 7 overstory trees are required. In response developer has proposed to plant 8 overstory trees. For screening the parking areas from public view, shrubs are provided in the periphery of parking areas. **Landscaping and screening requirements are satisfied.**



Proposed landscaping in the site includes:

- All parking areas will be screened from public view with shrubs around it.
- Café patio and dining room patio areas in the commons area will be planted with overstory and ornamental trees.
- Red oak and ornamental trees will be planted near the main entrance to the commons area.
- Ornamental trees, evergreen trees and red oak trees will be placed in the west courtyard located between the assisted living areas of the building facing Prairie Parkway.
- A 20-foot landscape buffer along the north property line will be screened with shrubs, overstory trees, evergreen trees and ornamental trees. This will provide a landscaping buffer between the senior living facility and the property to the north.
- The entire periphery of the building will have shrubs/perennial plantings.
- Native prairie grasses will be placed along the eastern and southern areas of the property.
- Lawn area will be placed along western and northern property lot lines.

Building Height:

The maximum building height allowed in this district is 35 feet or three stories, whichever is less. In the MU district, buildings may increase in height if the setback is increased by 1 foot for every additional foot of height on the building. The proposed building will be one to three stories in height for a total height of 40 feet. To allow for the additional 5 feet of building height, the building is setback with an additional 6 feet perimeter setback.

The proposed building is situated from its lowest height at the east end of the site to its tallest point at the west end of the site. A berm will be installed along the westerly property line beginning from the north side of the storm sewer and continuing northward. The site will be graded, with some cut on western side of the site and some fill on eastern side of the site so that site is flattened for the building and site construction. **Building height satisfied**.

Building Design:

The MU District requires a design review of various elements to ensure architectural compatibility to surrounding structures within the MU District. Below are a set of images showing the character of neighboring buildings and developments within the MU District. The height in the surrounding area ranges from one and half to four stories. Architectural characteristics of surrounding building are mix of Prairie Style and modern styles. All the neighboring properties including the subject property are part of MU, Mixed Use Residential Zoning District and also part of Pinnacle Prairie Master Plan. Building design should respond both to MU District zoning standards and Pinnacle Prairie Master Plan design guidelines.



Western Home communities 6th Addition



Village Cooperative of Cedar Falls Housing for 55+ communities.



Unity Point Clinic

<u>Proportion:</u> The relationship between the width and height of the front elevations of adjacent buildings shall be considered in the construction or alteration of a building; the relationship of width to height of windows and doors of adjacent buildings shall be considered in the construction or alteration of a building.

The MU District allows a variety of housing types and neighborhood commercial land uses. The property in question has duplex residential development to the west. There are condominium apartments along the northeast site boundary and a health clinic in the south eastern proximity to the site. Two-story buildings are typical for this area with one and half story residential units west of the proposed site, three-story condos abutting northeast corner of the proposed site and a four-story health clinic southeast of the site.

The proposed senior living facility will be one to three stories in height. The one story (approx. 25 feet in height) section and the three story (approx.40 feet in height) section of the building will be closest to Prairie Parkway across the street from the existing residential dwellings on the west side of the street. The site will be graded with excavation on the western side of site and filling on eastern side of the site so that the building development occurs more or less on a flat surface. The proposed building will be similar in height to the multi-dwelling building located northeast of the site.

The design of the building includes an array of windows on all sides. The central part of the building provides a covered entrance canopy for vehicle pick up and drop off. There are ground to eave window openings, ribbon windows along with a mixture of single, double and triple wide windows around the building. These features are found in other surrounding buildings. **Criterion met.**

<u>Roof shape, pitch, and direction:</u> The similarity or compatibility of the shape, pitch, and direction of roofs in the immediate area shall be considered in the construction or alteration of a building.

All neighboring residential developments and condominium apartments have pitched roofs whereas the health clinic has a flat roof. The proposed senior living buildings will incorporate a

blend of pitched and flat roofs. Criterion met.

<u>Pattern:</u> Alternating solids and openings (wall to windows and doors) in the front facade and sides and rear of a building create a rhythm observable to viewers. This pattern of solids and openings shall be considered in the construction or alteration of a building.

The proposed building has a harmonious building pattern for each section. The entries are recessed from primary building line of the structure. There are covered porches in the central portion of the building for both entrance area and gathering space that the tenants can use. The pitch in the commons area is slightly elevated than other commons and memory care unit areas. The outdoor patio area in the northern section is lined with wooden screens and metal pergola to provide nice semi-covered areas for tenants to enjoy. The pattern around the entire perimeter of the building is a unique combination of horizontal and vertical fiber cement panels in two different colors and manufactured stone materials.

Windows and doors in the building have stone sill and stone bands to give a unique break of continuous building façade. The windows and doors create a nice pattern around the building. Again, these design features are found on other buildings in this MU District. *Criterion met.*

<u>Materials and texture:</u> The similarity or compatibility of existing materials and textures on the exterior walls and roofs of buildings in the immediate area shall be considered in the construction or alteration of a building. A building or alteration shall be considered compatible if the materials and texture used are appropriate in the context of other buildings in the immediate area.

The proposed senior living facility includes a number of materials that make up the exterior portion of the facade. The lower portion of the building is covered with a manufactured stone material and is then merged with fiber cement siding and "vintagewood" fiber cement panels in the upper areas. Sections of manufactured stone facades are placed up to three stories high in the assisted living area of the building and are capped with stone bands. Areas of the facades with vintagewood fiber cement horizontal and vertical panels provide a great contrast to the stone façade. The pitched roofs in the building are capped with aluminum coping and are covered with a standing seam metal roof.

Pitched roofs in the building have aluminum coping in the perimeter while the flat roofs have fiber cement fascia board, this will provide a clear distinction of roof areas and building facades. The flat roofs in the building are slightly cantilevered from the building façade to provide a good distinctive breakage between the building façade and roofs of the building. The proposed materials are consistent with materials used within the district. *Criterion met.*

<u>Color:</u> The similarity or compatibility of existing colors of exterior walls and roofs of buildings in the area shall be considered in the construction or alteration of a building.

The proposed buildings will be covered with fiber cement siding of in two different brown colors, both vertical and horizontal vintagewood fiber cement panels resembling color of wood. The manufactured stone is ivory and the roof shingles are dark brown in color. Overall color pattern resembles earthen color pallet. The use of a neutral color is consistent with the area. **Criterion met.**

<u>Architectural features:</u> Architectural features, including but not limited to, cornices, entablatures, doors, windows, shutters, and fanlights, prevailing in the immediate area, shall be considered in the construction or alteration of a building. It is not intended that the details of existing buildings be duplicated precisely, but those features should be regarded as suggestive of the extent, nature, and scale of details that would be appropriate on new buildings or alterations.

There are a number of architectural elements on the proposed senior living facility that resemble a prairie style of architecture. The wide eaves are typical of this style. There are exposed aluminum copings, stone bands both in lintel and sill areas of the building and fiber cement fascia of flat roofs creates a distinctive prairie style building. Outdoor courtyards allow tenants to explore wide visual surroundings and celebrate community space. A drive through canopy that extends out supported with two columns covered with stone work provides shelter from the elements and a distinctive entrance feature to this prairie style building. The roof line is broken up and the front walls are setback in places to create both visual horizontal and vertical breaks. Stone bands are provided around the entire periphery of the building to create a unique breakage of continuous fiber cement facades. These architectural elements can be found in other buildings in the area. **Criterion met.**



Main Entrance area



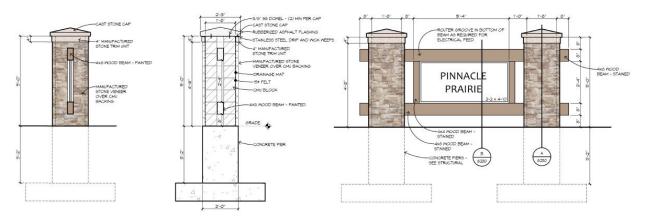
Memory Care area



Assisted living area

Signage:

As shown on the submitted drawings, one monument sign will be installed along Prairie Parkway, placed next to the access drive on the southwest area of the site. The monument sign is nicely supported by two stone columns with stone coping and horizontal wooden beams. The dimensions and area of the monument sign meets the district requirements.



Access locations / Sidewalks:

Site is equipped with two driveway locations for the site. Both the driveways are off of Prairie Parkway and are right-in / right-out only because there is a median along Prairie Parkway that prevents full access. The master plan anticipated this limited access. The driveway leading to main entrance area is located in the southwest corner of site.

Site will also be accessed by pedestrian means. A 5 foot sidewalk will be constructed along eastern edge of Prairie Parkway and will be extended to connect with the sidewalk at the intersection of Green Creek Road. Pedestrian walkways are extended to provide access to and around the various buildings on the site and to all entrances. In addition, a section of sidewalk will also be extended from the north courtyard of the building to the Pinnacle Prairie public trail running along the northern boundary of the site. All sidewalks placed within the senior living campus and bordering Prairie Parkway are 5 feet wide.

In addition, as per the Pinnacle Prairie Master Plan, developer will also be extending the existing 10-foot wide Pinnacle Prairie public trail from the existing northeastern edge of site to

connect with the sidewalk along Prairie Parkway.

Infrastructure Improvements:

<u>Stormwater:</u> A private storm sewer network will be established onsite to collect and convey stormwater from the site into the exiting Greenhill Road Detention facility that was previously established prior to this development. This property is already under the benefited property of the established Maintenance and Repair Agreement by the previous land owners.

<u>Sanitary Sewer:</u> A private storm sewer network will be established onsite to collect and convey sanitary sewer from the proposed building to the public sanitary network located along the southeastern boundary of the property.

<u>Street Improvements:</u> As part of the development, access points will need to be established for the property for along the north bound lanes of the exiting Prairie Parkway pavement. Sidewalk and trail improvements will be made along Prairie Parkway where existing infills are required to connect to adjacent properties.

Other Site Elements:

Details of the site elements are enclosed in the packet. Site will be equipped with trash enclosure (20' x 10'), generator enclosure (20' x 28') and a transformer pad. All of these areas are located just north of commons area. Both the enclosures will be framed with composite decking material with diagonal bracing and will be up to 10 feet in height.

The site lighting will include LED luminaires mounted on varying heights of 18' and 20' tall square bronze aluminum pole for the parking lot and driveway around the building. Small bollard lights or pathway lights at 36" in height will be placed along the walking paths and by the building. These lights will also be placed next to internal sidewalks for additional safety and easy accessibility in the night time. These are downcast lights that do not project outward into the neighboring properties. Site lighting plan has been provided in the packet for additional reference.



TECHNICAL COMMENTS

City technical staff, including Cedar Falls Utilities (CFU) personnel, has reviewed the proposed site plan. All utilities including water, electric, gas and communications are available to the site in accordance with CFU service policies from Prairie Parkway. Developer is responsible for the construction of a properly sized water system. The public sidewalk along Prairie Parkway will be 5 feet wide and installed in conjunction with the construction of the building. The water main and service to the property will be owned, installed, and maintained by the developer/owner, including the fire sprinkler service and all fire hydrants required by the Cedar Falls Public Safety Department. The developer will need to work with CFU regarding final locations of the water, electric, gas and communications utilities.

Item 5.

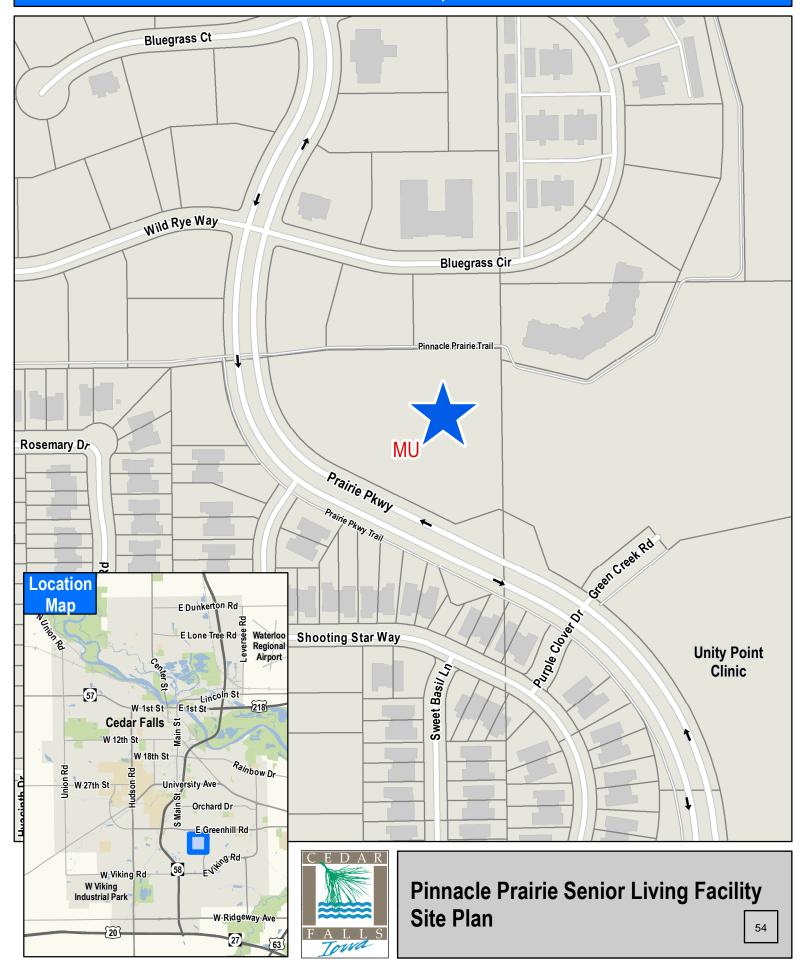
A courtesy notice to adjoining property owners was mailed on December 15, 2020.

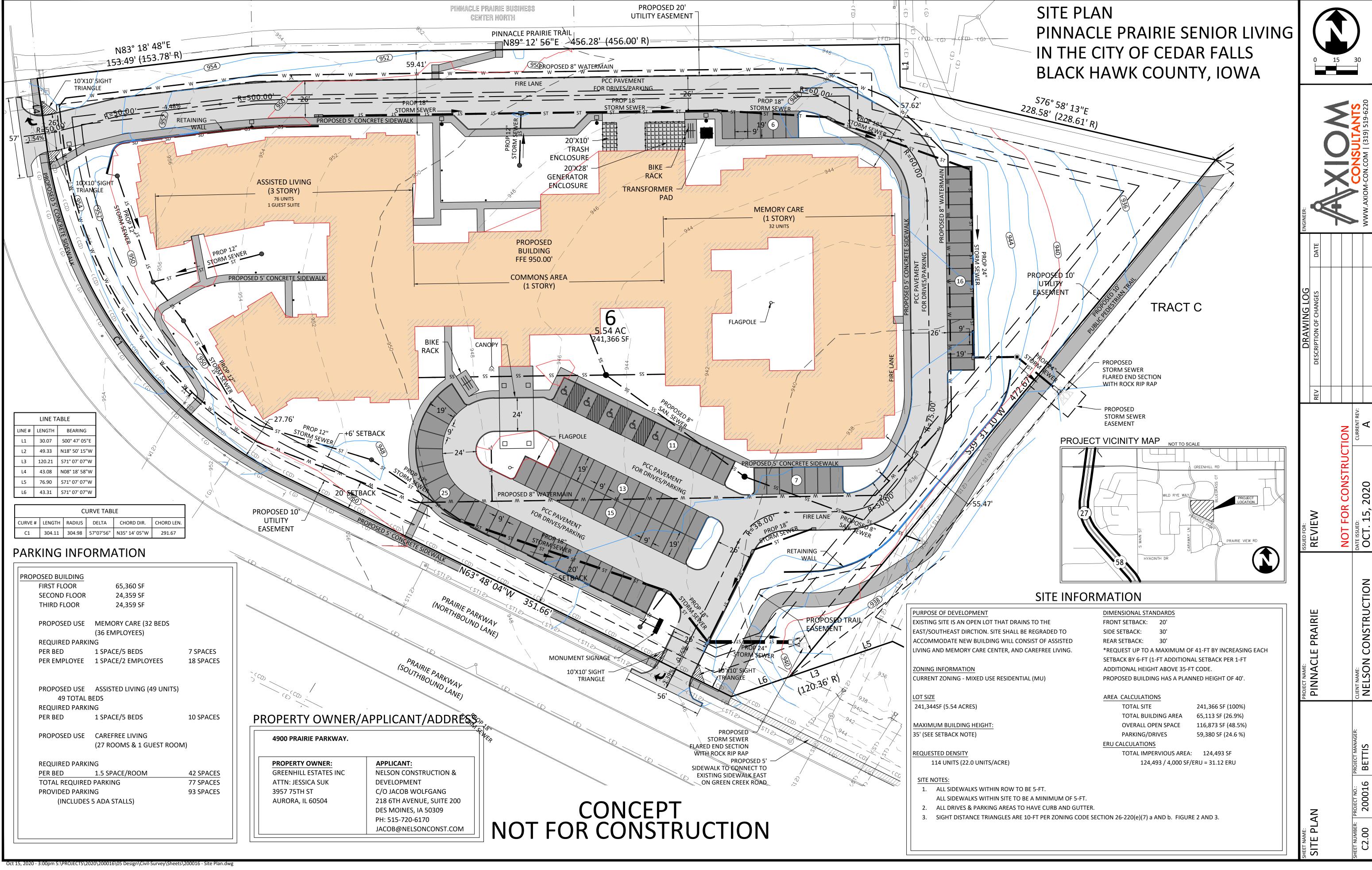
STAFF RECOMMENDATION The Community Development Department recommends review and discussion of the site plan. Site plan cannot be approved prior approval of final plat. The project architect will attend the meeting to provide a brief presentation of the features of the site and to answer any questions from the Commission or the public. To allow additional time for public review and discussion, staff recommends continuing the discussion to the next meeting.

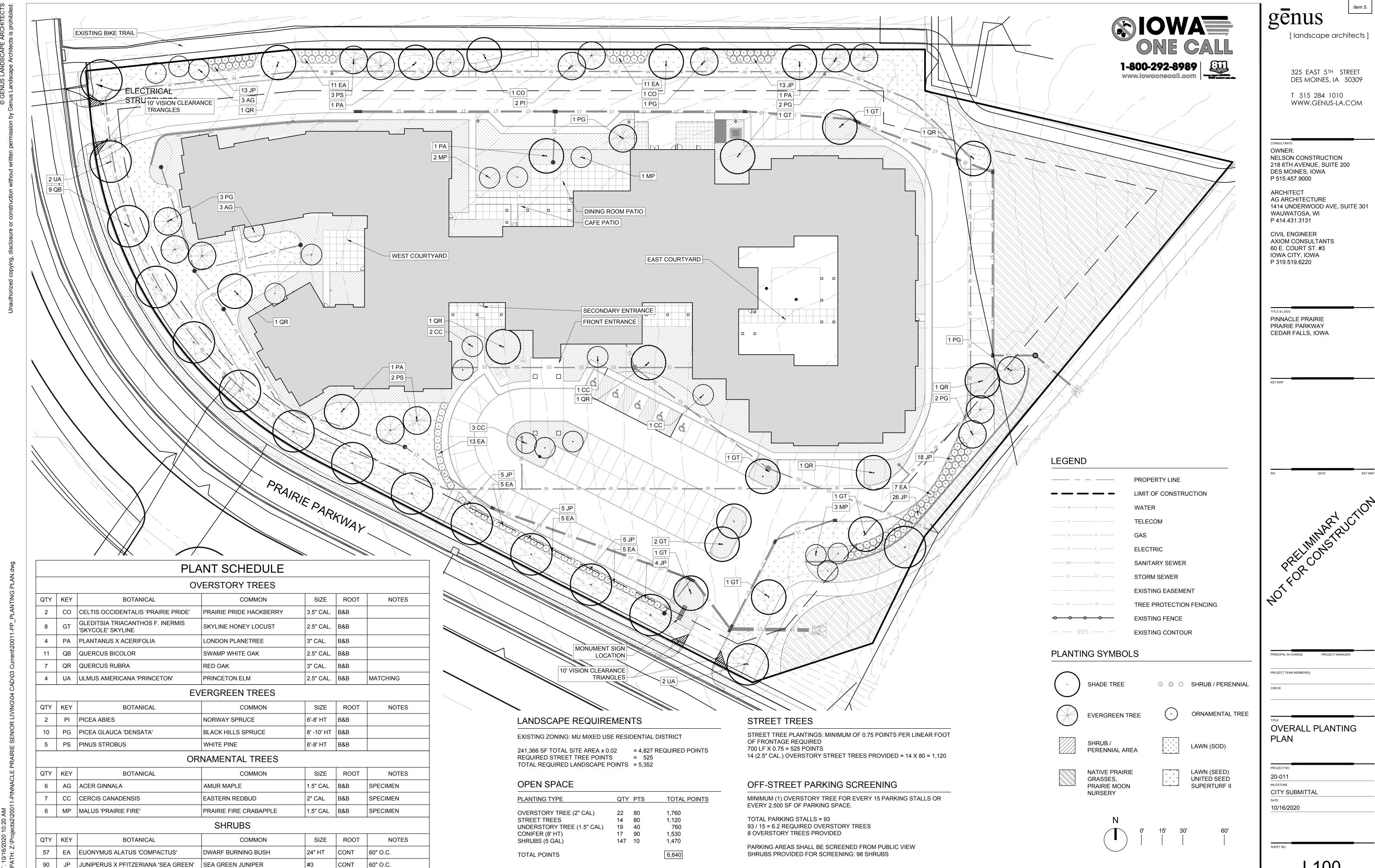
PLANNING & ZONING COMMISSION

Discussion 12/22/2020

Cedar Falls Planning & Zoning Commission December 22, 2020







Architecture

EXTERIOR ELEVATION GENERAL NOTES

1. PROVIDE CONCRETE SPLASH BLOCKS AT ALL DOWNSPOUTS WHICH SPILL ONTO GRADE OR ROOFS.

2. ALL CONDUIT, METERS, VENTS, ETC. TO BE PAINTED TO MATCH ADJACENT SURFACE.

3. GUTTERS AND DOWNSPOUTS ARE PREFINISHED ALUMINUM.

EXTERIOR ELEVATION KEY NOTES:

MR STANDING SEAM METAL ROOF

FI FIBER CEMENT SIDING WITH ALTERNATING 4" AND 8" LAP SIDING F2 FIBER CEMENT SIDING WITH 6" LAP

FP1 FIBER CEMENT PANELS - COLOR A

FP2 FIBER CEMENT PANELS - COLOR B

A THREE DIMENSIONAL ASPHALT SHINGLES MS MANUFACTURED STONE

MP1 NICHHA VINTAGEMOOD FIBER CEMENT PANEL - HORIZONTAL

MP2 NICHHA VINTAGEMOOD FIBER CEMENT PANEL - VERTICAL



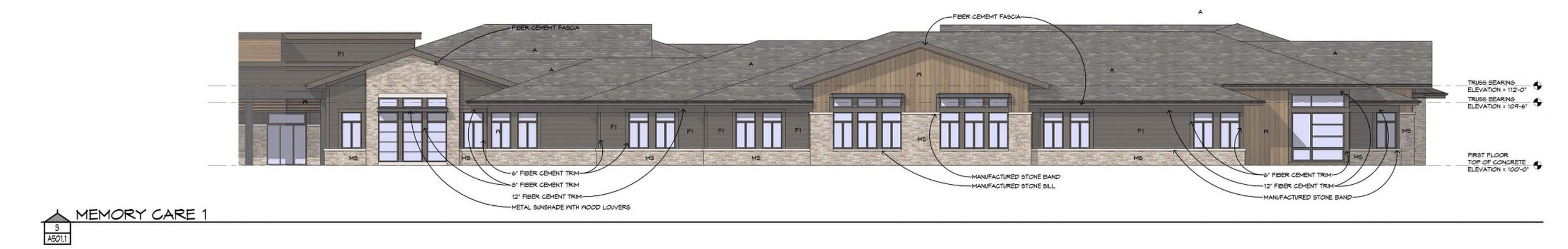


Pinnacle Prairie

Architecture 1/8" EXTERIOR ELEVATIONS Cedar Falls, Iowa Architecture 58

23 NOV 2020





EXTERIOR ELEVATION GENERAL NOTES

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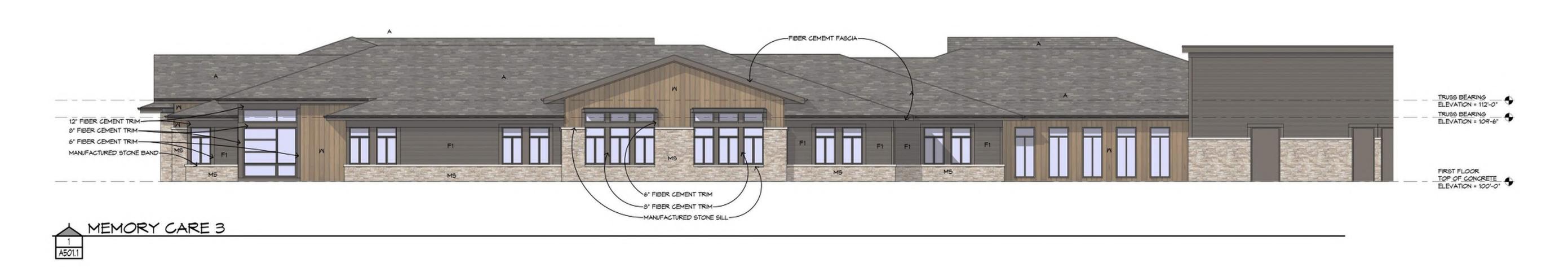
FP2 FIBER CEMENT PANELS - COLOR B

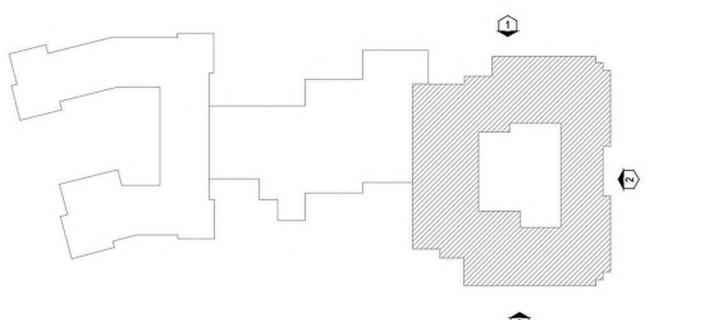
A THREE DIMENSIONAL ASPHALT SHINGLES

MS MANUFACTURED STONE MP1 NICHHA VINTAGEMOOD FIBER CEMENT PANEL - HORIZONTAL

MP2 NICHHA VINTAGEMOOD FIBER CEMENT PANEL - VERTICAL



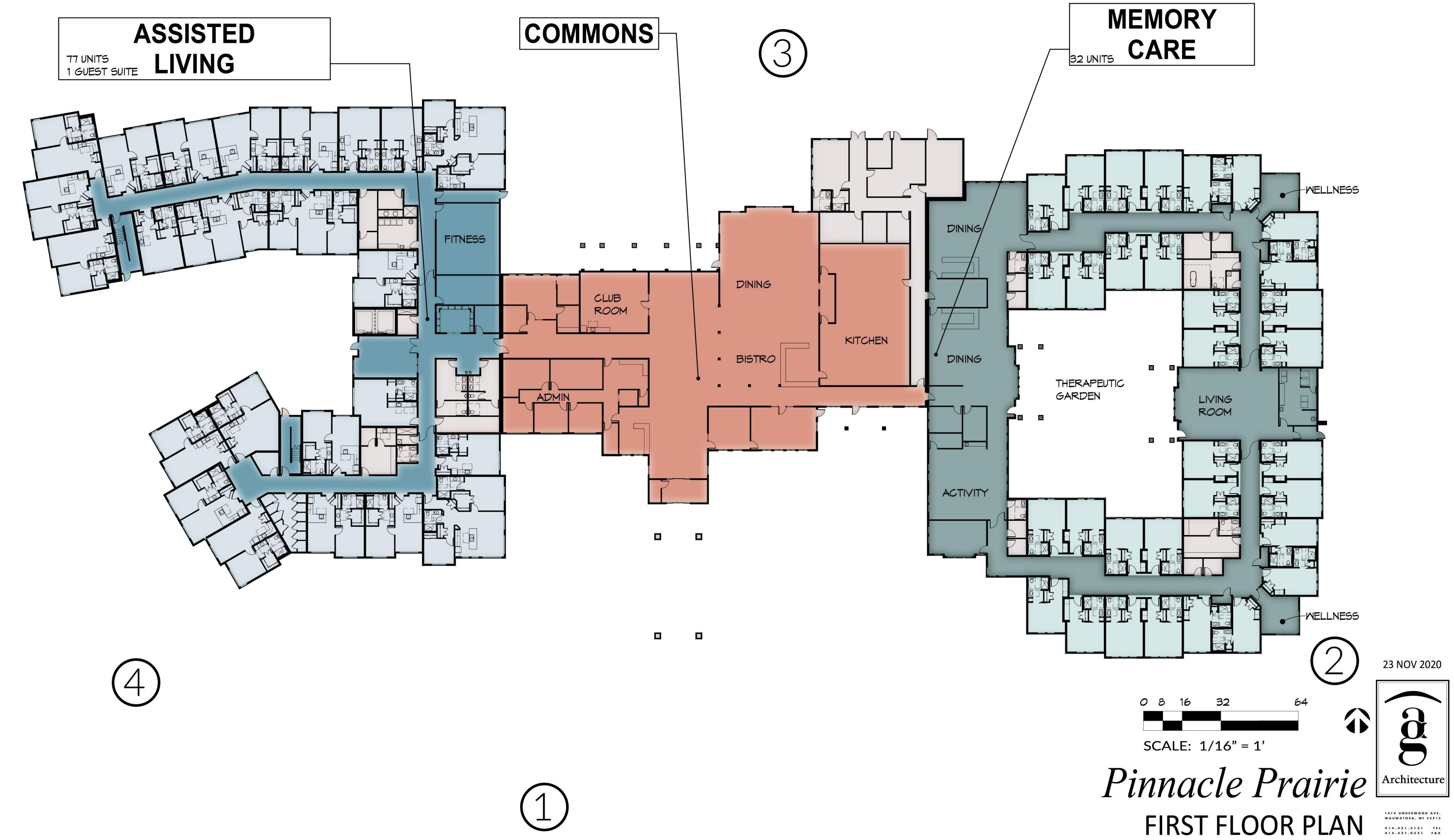




Pinnacle Prairie

Architecture 1/8" EXTERIOR ELEVATIONS Cedar Falls, Iowa

23 NOV 2020



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RST FLOOR PLAN

A14.431.3131 TE 414.431.0531 FA WWW.AGARCH.CO

Cedar Falls, Iowa

Architectur
Engineerin
Plannin

Item 5.









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SITE STRUCTURES & DETAILS G230 66 TYPICAL