



DEPARTMENT OF COMMUNITY DEVELOPMENT

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

MEMORANDUM

Planning & Community Services Division

TO: Planning & Zoning Commission
FROM: Shane Graham, Planner II
DATE: March 21, 2019
SUBJECT: Ashley Furniture Homestore Site Plan Review

REQUEST: Request to approve an S-1 Shopping Center District site plan for the reuse of the former Younkens building at College Square Mall.

PETITIONER: Igal Nassim, College Square Realty, LLC (Owner); VJ Engineering (Engineer)

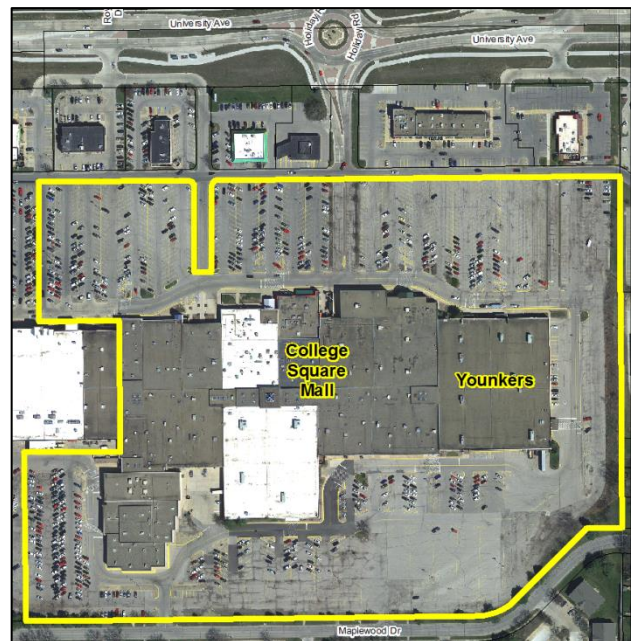
LOCATION: 6301 University Avenue (former Younkens store)

PROPOSAL:

College Square Realty, LLC is requesting a site plan review of the old Younkens store at College Square Mall in order to sell the building to a developer who would renovate it for a new Ashley Homestore. The reuse of the building would include constructing an approximate 15,526 square foot addition onto the north side of the existing 83,524 square foot store, for a total store size of approximately 99,050 square feet.

BACKGROUND:

College Square Realty, LLC purchased the 42-acre mall property in March of 2015. This included the main mall building, as well as 9 additional buildings located in front of the mall along University Avenue (Applebee's at the east end to Wells Fargo at the west end). In November of 2016, the mall owner submitted to the City the College Square Mall Addition Preliminary and Final Plat. This plat subdivided off 9 lots along



University Avenue from the mall property, leaving just the mall building on the remaining lot.

At the same time that the subdivision was approved in 2016, a Developmental Procedures Agreement was also approved between the City and College Square Realty, LLC in order to address certain aspects of the mall property, such as parking lot and access drive repairs, addition of a sidewalk from the mall to the trail along University Avenue, and the addition of landscaping across the mall property. This agreement also included a supplemental Declaration of Easements, Covenants and Restrictions (ECR), which focused on the function and maintenance of the property given that there would be multiple property owners. The Agreement called for items such as the sidewalk installation, parking lot repairs, and landscaping to be installed by December 31, 2018, however those have not been completed as of yet. The applicant asked for and received an extension until August 31, 2019 to complete those items per the Agreement.

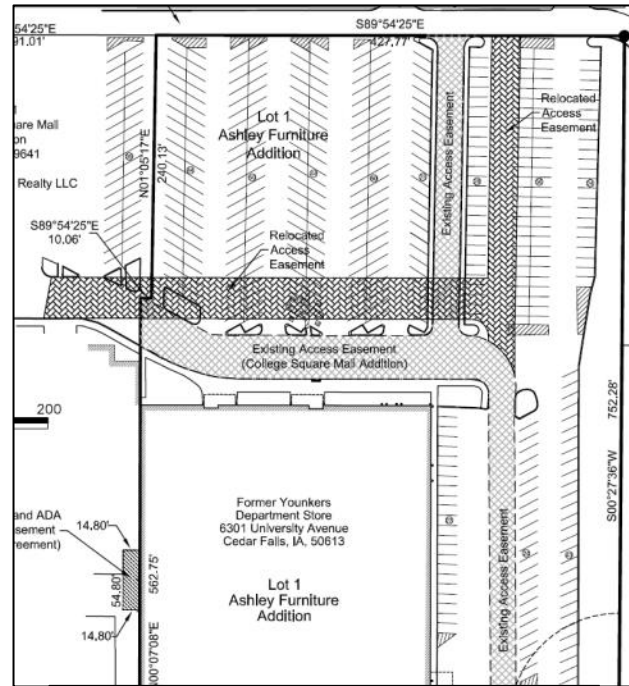
STAFF ANALYSIS

The property is zoned S-1, Shopping Center District. The purpose of this district is to provide for the development of shopping centers. A shopping center is a planned retail and service area under single ownership, management or control characterized by a concentrated grouping of stores and compatible uses, with various facilities designed to be used in common, such as ingress and egress roads, extensive parking accommodations, etc. Since the project includes major modifications, such as a building addition and a modification to the existing drive lanes, this will require review by the Planning & Zoning Commission and approval by City Council. Following is a review of the zoning ordinance requirements for this site plan:

- 1) Use: The building was previously used as an anchor store at College Square Mall. The proposed reuse of the building will be for another large retail store, which was similar to the previous use in that building. Such a use is also allowed within the S-1 Shopping Center District. **Use is allowed.**
- 2) Parking/Access:
 - a. **Parking** – For furniture stores, one parking space is required for every 750 square feet of gross floor area, plus one parking space for every two employees. With the proposed addition, the building will be approximately 99,050 square feet in total size. This equates to 119 required parking spaces, in addition to what is required for employee parking (minus the 10% deduction for storage areas, mechanical areas, etc.). There is an existing drive lane that is currently on the site that will be removed in order to add an additional lane of parking stalls. Also, there will be a loss of several parking spaces in front of the building, as the spaces will need to be removed in order to relocate the access drive in front of the building, as a building addition will be constructed to the front of the building. In total, the site will have 451 parking spaces, which is well over the required amount of parking for the site.

The remaining mall parcel has 1,317 parking spaces. For shopping centers over 2,000 square feet in gross floor area, 4.5 parking spaces are required for every 1,000 square feet of gross floor area. Based on the square footage of the mall, the total amount of required parking spaces would be 1,171. Therefore, after the splitting of the old Younkers store from the mall, the mall would have an excess of 146 parking spaces. **The parking plan for the Ashley Homestore and remaining mall property satisfies City requirements.**

- b. **Cross Access** – There is an existing cross access easement throughout the mall property where there exist common drive lanes for vehicles to travel across and throughout the mall property. This easement will need to be modified slightly due to the proposed addition onto the front of the building, and also due to the removal of the north-south drive lane that extends to the frontage road. The new proposed location of the cross access easement will align straight with the existing access easement to the west, and the new north-south access easement will align with the existing north-south easement to the east of the building. Both cross access easement relocations would appear to make travel across the property much easier by not having to make additional turning movements throughout the site. **The plan for the relocation of the cross access easements satisfies the requirements of the original ECR and provides cross access across this site and onto the mall property. However, these will need to be clearly marked on the site plan.**



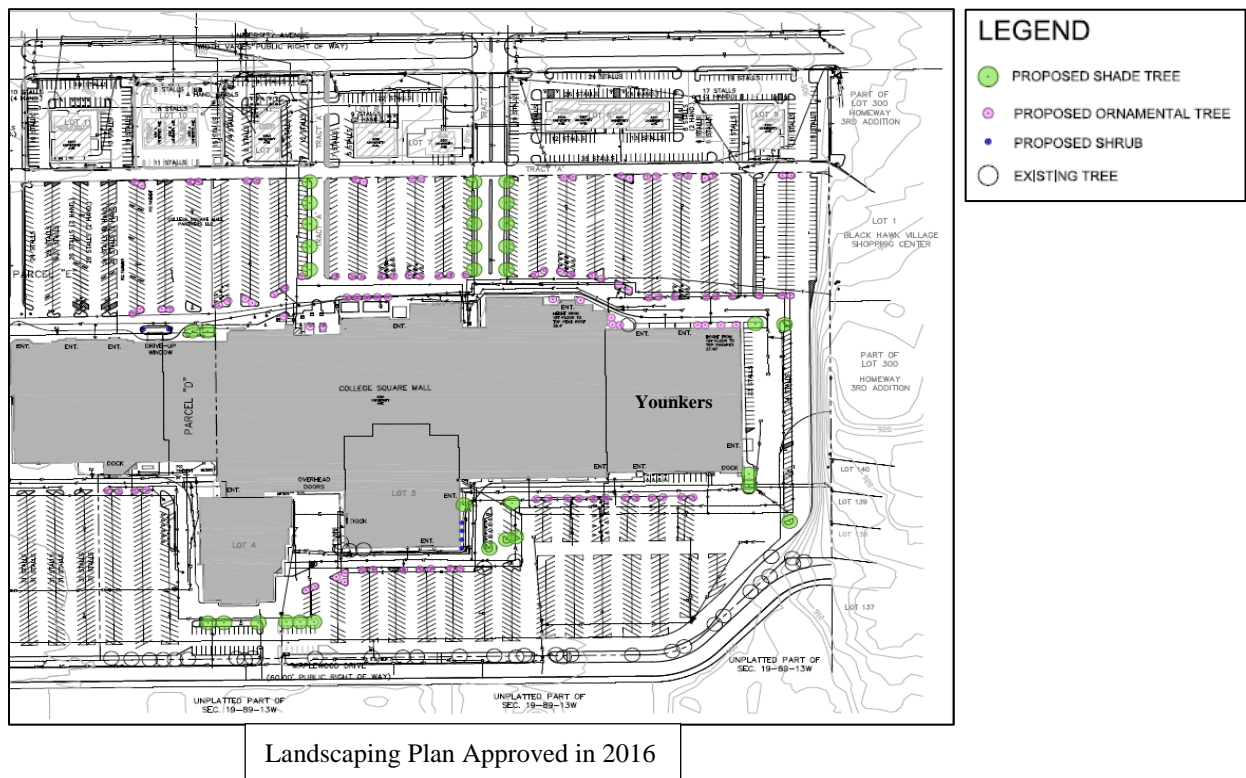
Existing and Proposed Cross Access Easements

Parking Lot Repair – The Developmental Procedures Agreement that was approved in 2016 included making repairs to certain areas of the parking lot and backage road of the mall property. There are 4 locations on what would be the new parcel for Ashley Homestore that are required to be addressed per the Agreement: the north-south drive lane in front of the Younkers building (#2 in the image to the right), which was required to be overlaid with asphalt, the parking area at the northeast corner of the property (#1 in the image to the right), which was to be overlaid with asphalt, and two smaller areas along the east side of the property (#9 and #10 in the image to the right), which were to have potholes filled. After a site visit by staff, it appears that the small holes along the east side of the property have been filled, but the drive lane and area at the northeast corner of the property have not been overlaid with new asphalt. The developer does plan on overlaying this area with new asphalt, per the Developmental Procedures Agreement.



Exhibit from Developmental Procedures Agreement showing the parking lot areas to be addressed on the Younkers site.

- 3) Landscaping: When the preliminary and final plat of College Square Mall Addition was approved in 2016, a Developmental Procedures Agreement was also approved, of which one of the requirements was that landscaping and parking lot islands for landscaping be added in various locations throughout the mall property. The mall owner has not installed these parking lot islands or landscaping yet, but is required to do so by August 31, 2019 (see landscaping plan at the top of the following page).



As you can see on the plan, several parking lot islands along with landscaping are required to be installed on the proposed Ashley Homestore site, in addition to other areas of the mall property. The developer is requesting an amendment to this Developmental Procedures Agreement in order to waive the requirement for the parking lot islands and the trees that go within those islands for their site.

On a new site, landscaping is required to be installed within the parking areas of the parking lot. The parking lot section of the zoning ordinance states that for parking lots with 21 or more parking spaces, one overstory tree shall be planted for each 21 parking spaces. The trees shall be provided sufficient open planting area necessary to sustain full growth. This section also states that not less than five (5) percent of the interior of the parking area shall be provided as open space, including the planting areas for the trees. Each of the open space areas within the parking area shall be a minimum of 40 square feet with a dimension of at least five (5) feet. In the case of this project, a total of 451 parking spaces will be provided on the site, which would equate to 22 trees that would be required to be installed within the parking area ($451/21=21.47$, or 22 trees). Since this is an existing situation, the City typically would require the site to be brought into compliance as parking areas are being reconstructed or expanded.

As stated earlier, the Developmental Procedures agreement with the mall owner required certain minimum landscaping improvements to be made as a condition of approval of previous revitalization efforts. Ashley Homestores is requesting a waiver of some of the landscaping requirements in that agreement.

As an alternative to the parking lot islands and trees that are required per the Developmental Procedures Agreement, the developer has submitted a landscape plan that shows additional landscaping along the east property line within the

existing greenspace area, shows new planters in front of the building between the sidewalk and the building, shows added trees and shrubs within a new greenspace area near the northeast corner of the building, and shows a new planter area within the existing greenspace area at the southeast corner of the building. The provided landscape plan does indicate the location of the proposed plantings, however staff would like to see a more refined landscape plan that defines the types of plantings proposed (overstory tree, ornamental tree, shrub, etc.), the species of the planting, and the size (caliper of trees, gallons for shrubs). A more refined landscape plan which shows the above mentioned items can help staff and the planning and zoning commission better visualize and determine whether their alternative landscaping proposal will be an adequate substitute for the landscape plan that is required per the current Developmental Procedures Agreement.

4) Sidewalk/Pedestrian Accommodations:

There is an existing sidewalk located in front of the building, as well as along the side and rear of the building. A new sidewalk will be installed in front of the building addition on the north side of the building, and will tie in with



the existing sidewalk located on the mall property to the west. Also, as part of the existing Developmental Procedures Agreement with the mall owner, a sidewalk is required to be installed from the new University Avenue trail to the main entrance to the mall. This sidewalk is required to be completed by August 31, 2019. This sidewalk will provide pedestrians a safe route to access the mall property and this proposed development from the existing trail along University Avenue, where a bus stop is also located.

- 5) Signage: The new building storefront will have 3 entrances; one entrance for the Ashley Homestore, another entrance for their Sleep Shop, and a third entrance for La-Z-Boy furniture. Each of these entrances will have their own signage located on the wall above the door. The S-1 District allows wall signage as long as it does not exceed 1/3 of the surface of the wall to which it is affixed. The wall signage appears to be within the signage requirements, however this will be reviewed in detail at the time a sign permit is requested. **Signage plan is acceptable, subject to detailed review with a sign permit.**

- 6) Storm Water Management: Storm water runoff from this area flows into several intakes located within the parking lot around the building, and heads to the west within a private storm sewer line until it connects to a public storm sewer line near Boulder Drive.

Currently, there is no storm water detention facility located on this site, nor is storm water quality being addressed on this site, as it is an existing site that has largely remained the same for close to 50 years. As part of this project, storm water quality will be addressed by providing two (2) hydrodynamic separators within the parking lot in front of the building and to the rear of the building. These devices are installed under the parking area, and collect the water runoff from the parking lot and separate and capture any debris, sediment or other pollutants within the structure, thus allowing the clean water to flow out into the storm sewer system. Also, new storm sewer lines will be installed as part of the project on the property. These storm sewers will be upsized in order to provide for additional water holding capacity, which will help increase the amount of water that can flow through them. This will help to detain more water within the site prior to exiting the site through the storm sewer system.

It should be noted that any future additions, remodels, or new structures on the site may be subject to the stormwater ordinance, depending upon their scope, and will be evaluated at the time of submittal. **Storm Water Management Plan has been reviewed by Engineering staff, but a final storm water report and construction plans need to be submitted prior to issuance of a building permit for the project.**

- 7) Utilities: Currently, all utilities are found in front of the building within the drive lane and parking lot. The electric and communication lines will not need to be relocated as part of this project and will remain in their current location. The existing sanitary sewer main, storm sewer main, and water main will need to be relocated further to the north in order to make room for the new building addition that is being proposed. A fire hydrant will also be removed and replaced with a new hydrant just to the north of its current location. When the mall was developed in 1970, a blanket utility easement covered the entire mall property. As part of the plat, a blanket utility easement is being proposed for this lot, similar to the blanket utility easement that covers the mall property, so when the utilities are relocated, they will be covered under that easement. **Utility plan and easements are acceptable.**

TECHNICAL COMMENTS

The Engineering Department has reviewed the initial storm water management plan, and finds it acceptable, but is awaiting the finalized report. Also, detailed construction plans will need to be submitted to the Engineering Department prior to the issuance of a building permit for this project.

Water, electric, gas, and communications utility services are available to the site in accordance with the service policies of Cedar Falls Utilities. The property owner/developer will be responsible for all utility relocation costs.

STAFF RECOMMENDATION:

The introduction of this site plan is for discussion and public comment purposes. The Community Development Department has reviewed the plan and provides the following comments:

1. Resubmittal of a more refined landscape plan, which defines the types of plantings proposed (overstory tree, ornamental tree, shrub, etc.), the species of the planting, and the size (caliper for trees, gallons for shrubs).
2. Submittal of a finalized storm water management report and detailed construction plans prior to issuance of a building permit.
3. Any comments or direction specified by the Planning & Zoning Commission.

Subject to the comments noted above being addressed, staff anticipates that this will be referred to the Planning and Zoning Commission for a vote on April 10, 2019.

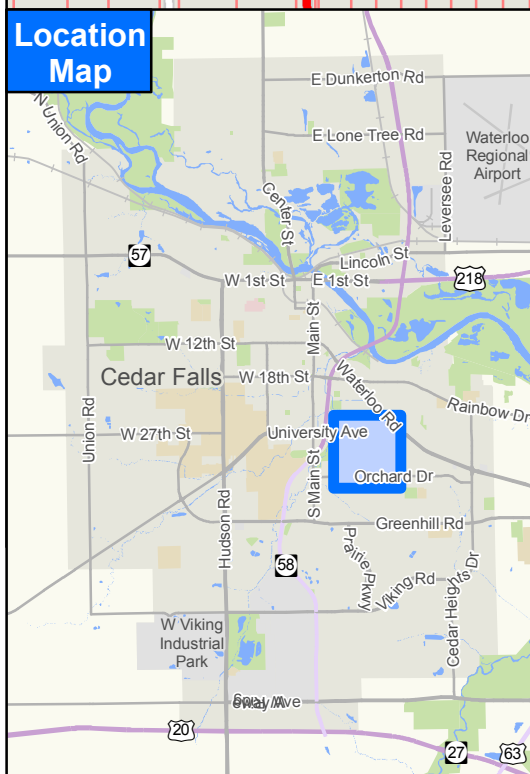
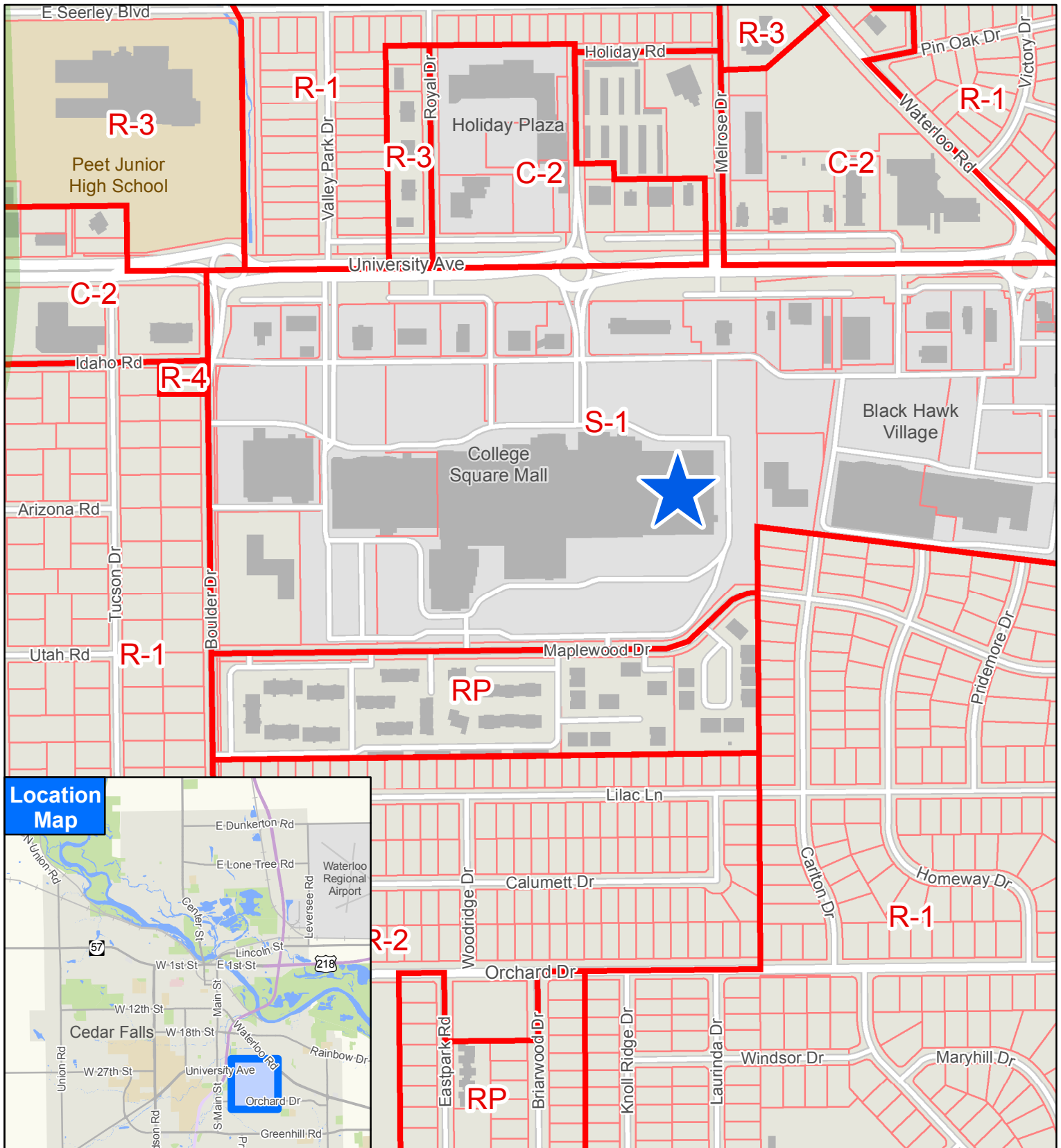
PLANNING & ZONING COMMISSION

Discussion

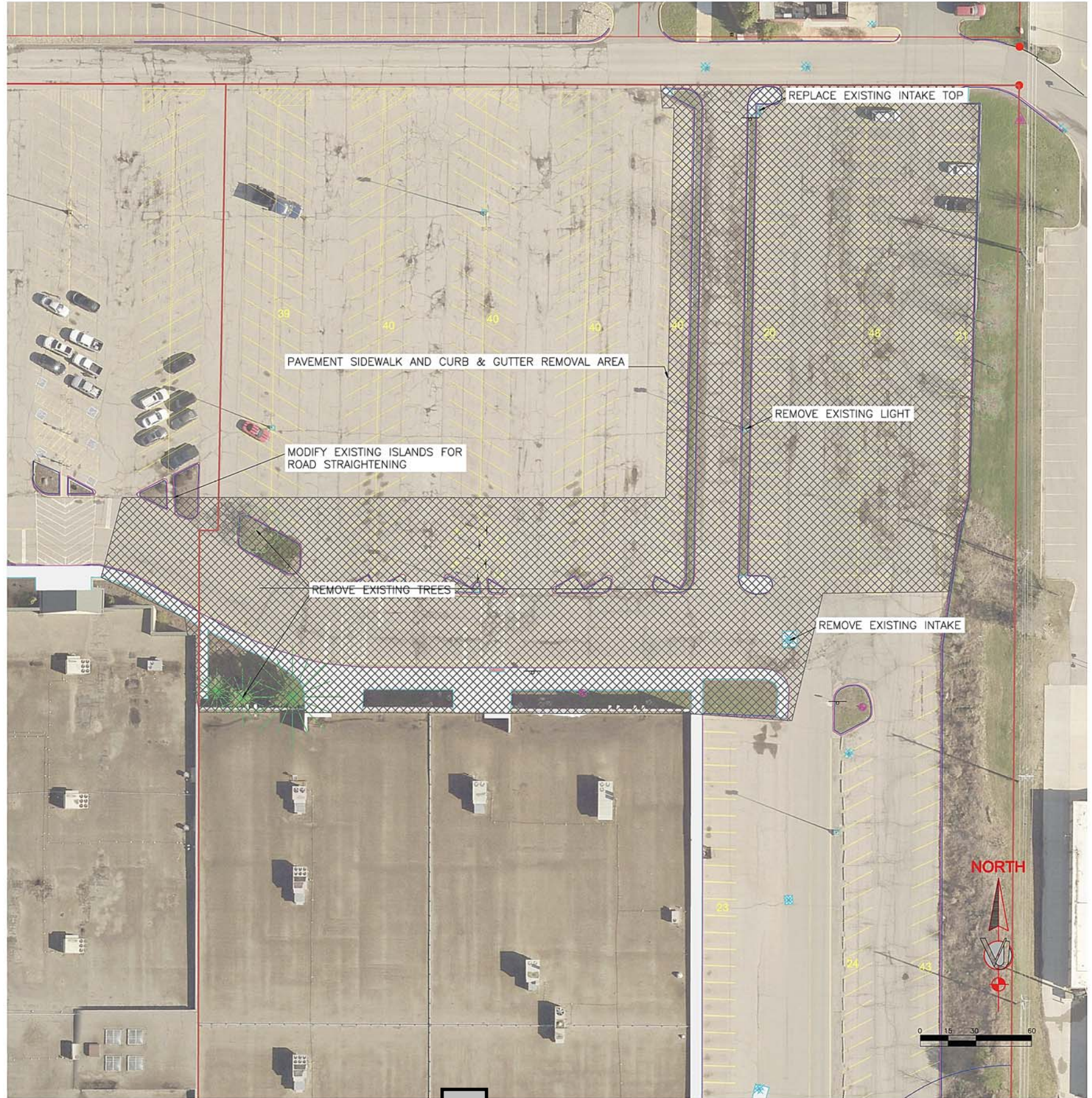
3/27/2019

Cedar Falls Planning & Zoning Commission

March 27, 2019

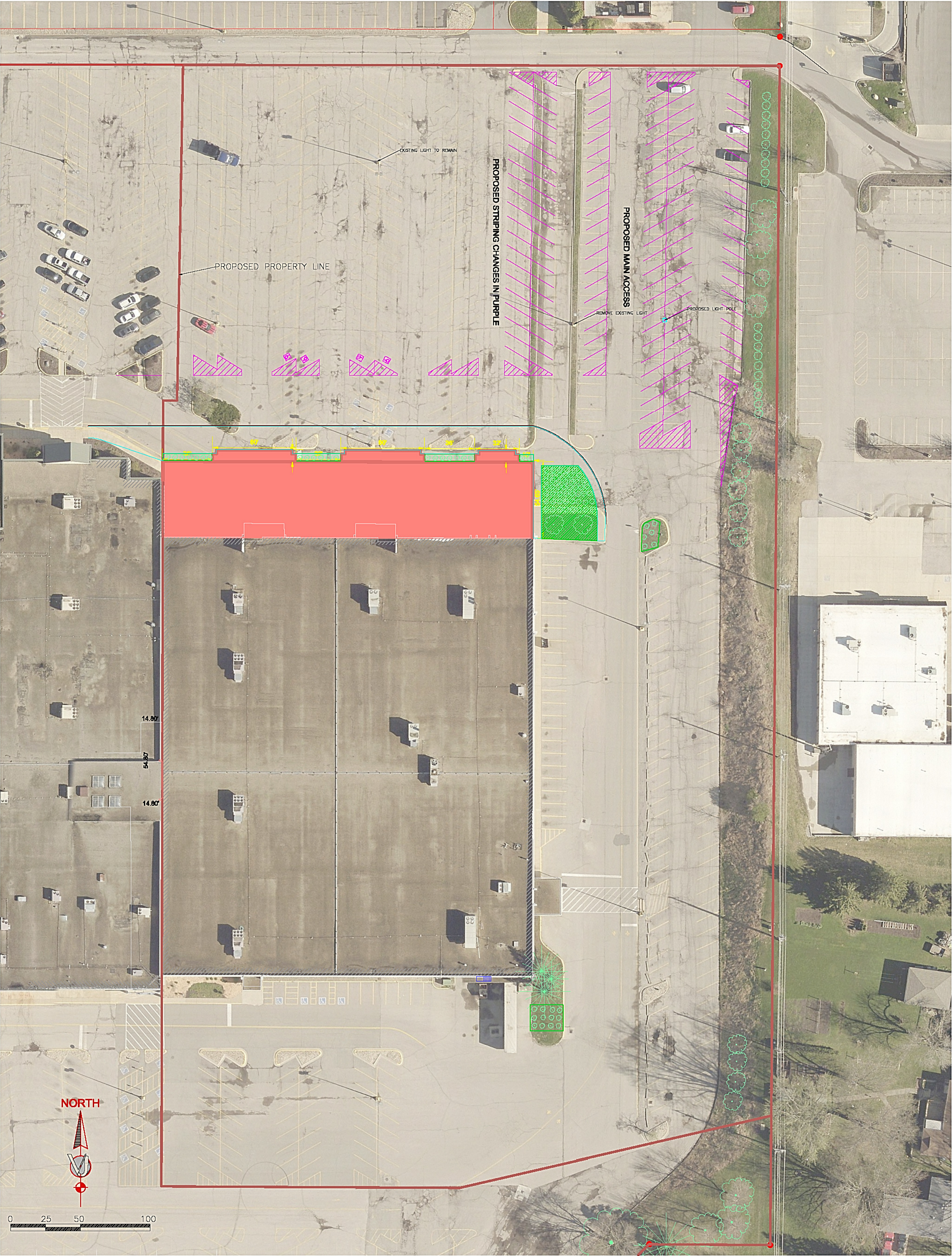
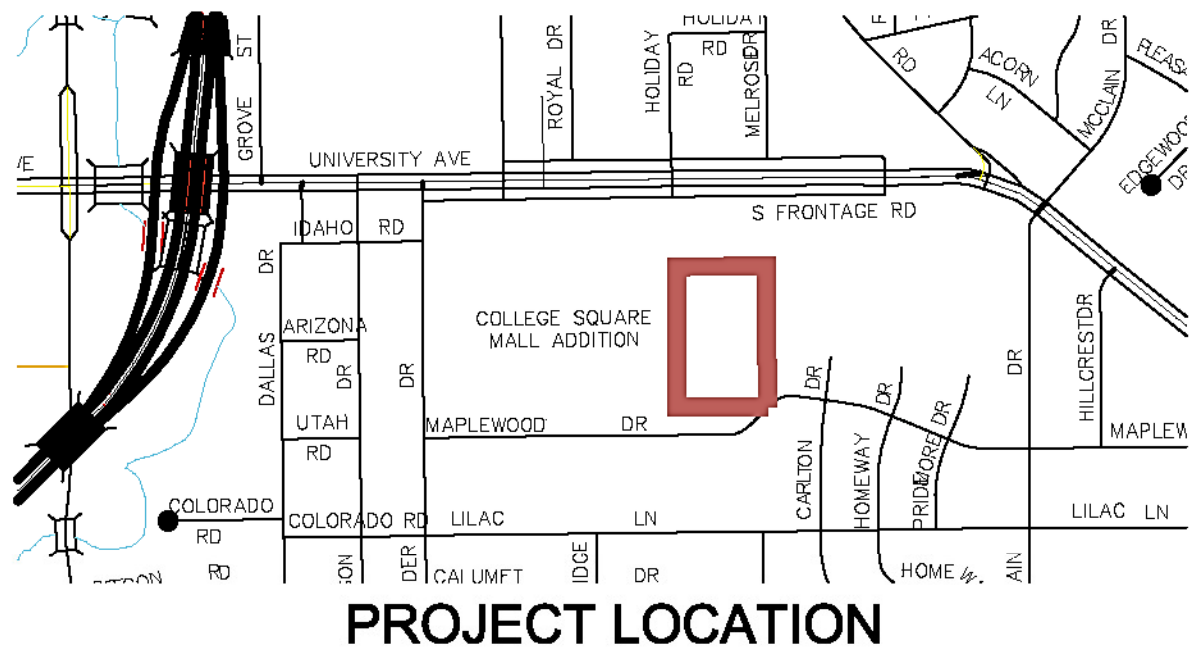


Ashley Homestore S-1 Site Plan Review
and Ashley Furniture Addition Preliminary
and Final Plat





ASHLEY HOME STORES
6301 UNIVERSITY AVENUE
CEDAR FALLS, IOWA



PROJECT SITE ADDRESS
6301 UNIVERSITY AVE

BUILDING
EXISTING: 83,524 SF
PROPOSED ADDITION: 15,526 SF
TOTAL: 99,050 SF

CURRENT ZONING
S-1 SHOPPING CENTER

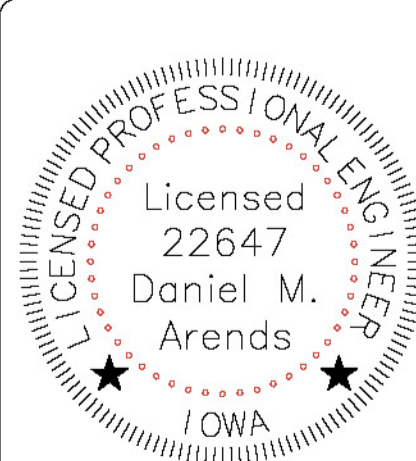
PARKING REQUIREMENTS
1/750 SF FLOOR SPACE + 0.5/EMPLOYEE
PARKING REQUIRED: 132 STALLS
PARKING PROVIDED: 451 STALLS (INCLUDING 8 ADA)

- INDEX OF SHEETS
- 1. TITLE SHEET
 - 2. REMOVALS
 - 3. LANDSCAPE PLAN
 - 4. UTILITY PLAN



UTILITY STATEMENT
THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES DECLARE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE.

- FEATURE LEGEND
- PROPERTY CORNER SET
 - PROPERTY CORNER FOUND
 - SECTION CORNER FOUND
 - 100.00 DIMENSION OF SURVEY
 - (100.00) DIMENSION OF RECORD
 - COMM- EXISTING COMMUNICATION
 - G- EXISTING GAS
 - ST- EXISTING STORM SEWER
 - SAN- EXISTING SANITARY SEWER
 - T- EXISTING TELEPHONE
 - C- EXISTING CABLE
 - E- EXISTING ELECTRIC
 - W- EXISTING WATER
 - OHU- EXISTING OVERHEAD UTIL.
 - FO- EXISTING FIBER OPTIC
 - EXISTING FENCE
 - EXISTING LIGHT POLE
 - EXISTING UTILITY POLE
 - EXISTING ELECTRICAL BOX
 - EXISTING MANHOLE
 - EXISTING FIRE HYDRANT
 - EXISTING WATER VALVE
 - EXISTING GAS VALVE
 - EXISTING TELEPHONE PED.
 - EXISTING TREE
 - 000--- EXISTING CONTOURS
 - 000--- PROPOSED CONTOURS
 - XXXXXX PROPOSED GRADES
 - XXXXXX EXISTING GRADES
 - PROPOSED SILT FENCE



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

DANIEL M. ARENDS, P.E. DATE

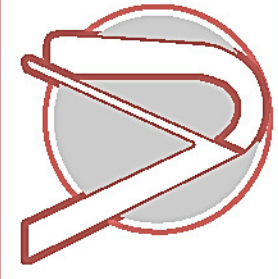
License number 22647

My license renewal date is December 31, 2020

Pages or sheets covered by this seal: _____

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

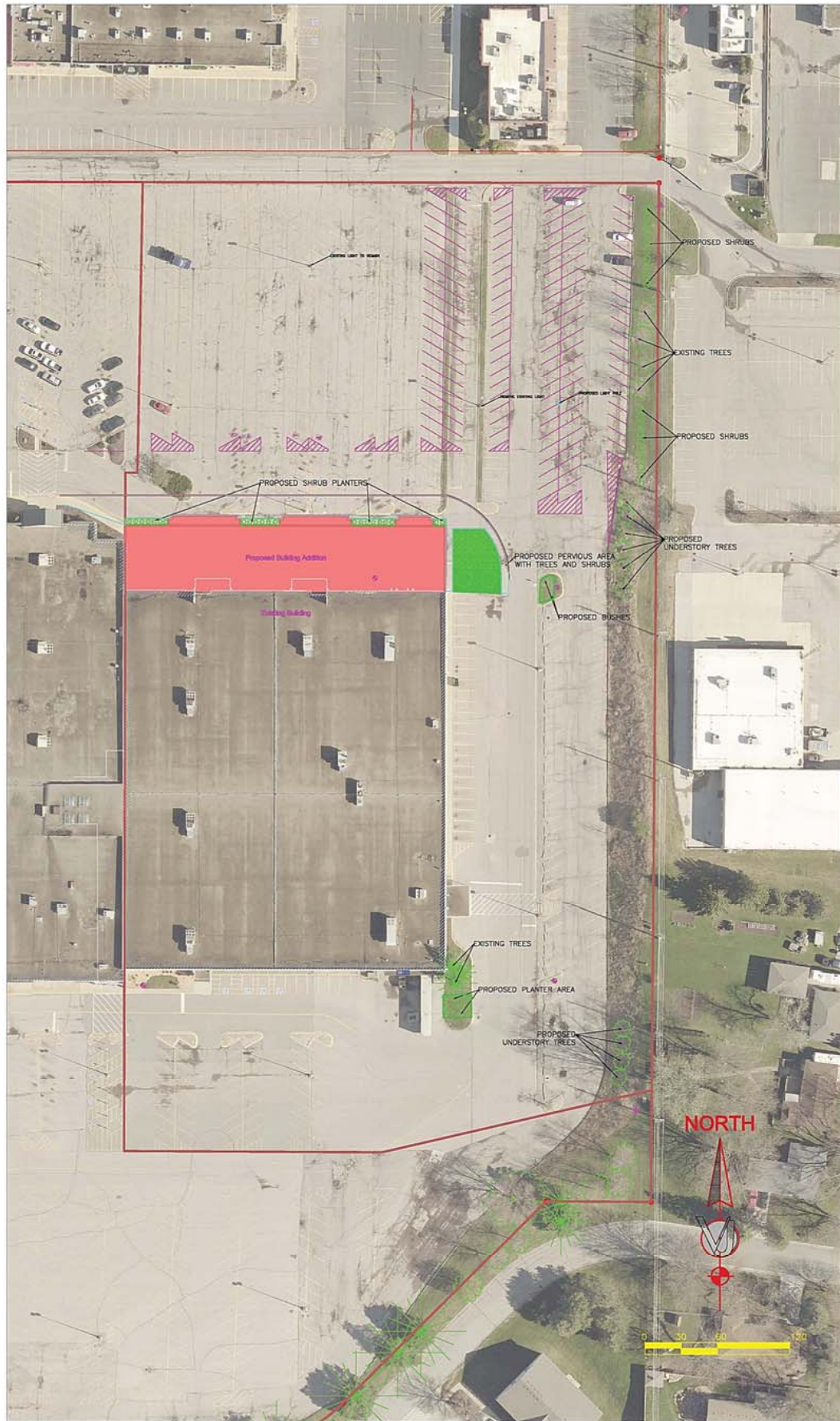


PRELIMINARY

ASHLEY HOME STORES
CEDAR FALLS, IA
SITE PLAN

1 OF 4
scale
As Noted
drawn by
DMA
approved by
DMA
date
2/26/19
revisions

198000



PROPOSED LANDSCAPING:

FRONT:
TREES: 8
PLANTER AREA: 2,800 SF

REAR:
TREES: 4
PLANTER AREA: 450 SF



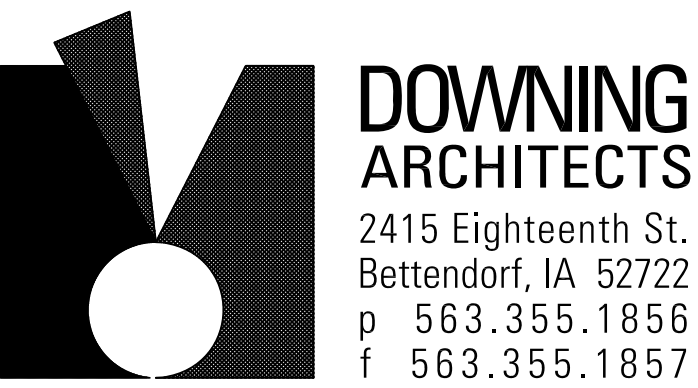
PRELIMINARY

ASHLEY HOME STORES
 CEDAR FALLS, IA
 LANDSCAPING PLAN

3	OF	4
scale		
drawn by		
approved by		
date		
revisions		



NEW BUILDING FOR: ASHLEY HOMESTORE



A DIVISION OF BRUNER, COOPER & ZUCK, INC.
DESIGN FIRM - LS / ARC / PE / SE 184002633



NEW BUILDING FOR ASHLEY HOMESTORE

EAST AGENCY STREET
BURLINGTON, IA 52601

DRAWING INDEX

GENERAL

TO COVER SHEET

CIVIL

- | | |
|-----|-----------------------------------|
| C-1 | COVER SHEET |
| C-2 | CONTACTS, NOTES AND LEGEND |
| C-3 | SEDIMENT AND EROSION CONTROL PLAN |
| C-4 | EXISTING CONDITIONS PLAN |
| C-5 | SITE PLAN |
| C-6 | UTILITY PLAN |
| C-7 | GRADING PLAN |
| C-8 | GENERAL DETAILS |
| C-9 | GENERAL DETAILS |

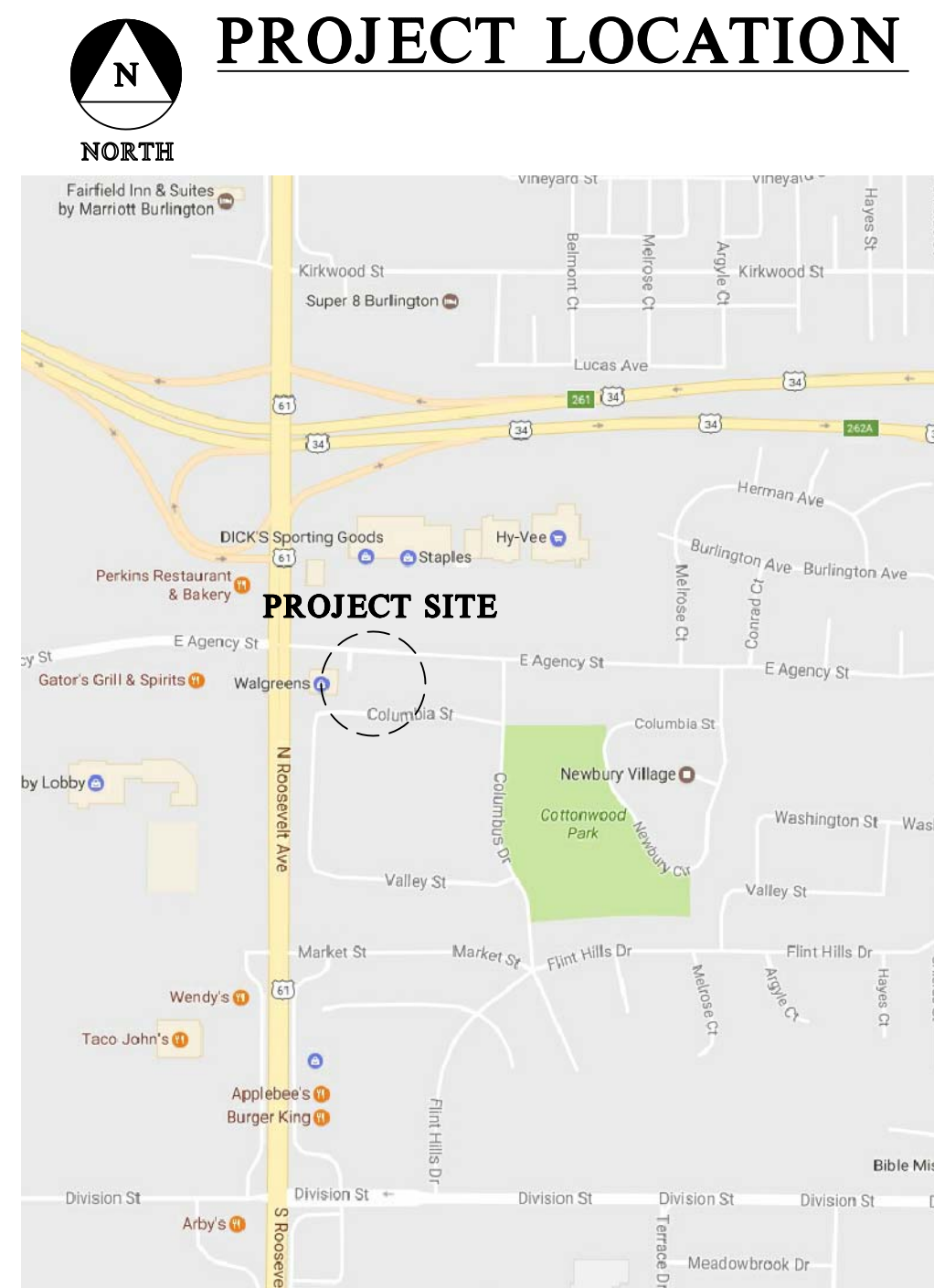
ARCHITECTURAL

- A0.0 TRASH ENCLOSURE
A1.0 FLOOR PLAN
A1.1 ROOF PLAN
A2.0 ENLARGED PLANS & SCHEDULES
A3.0 ELEVATIONS
A3.1 ELEVATIONS
A4.0 SECTIONS
A4.1 SECTIONS
A4.2 SECTIONS
A4.3 SECTIONS
A5.0 DETAILS
A6.0 ACCESSIBILITY SPECIFICATIONS
A6.1 ACCESSIBILITY SPECIFICATIONS

STRUCTURAL

- S1 GENERAL NOTES AND DETAILS
S2 FOUNDATION PLAN
S2.1 FOUNDATION PLAN II
S3 FOUNDATION DETAILS
S4 ROOF FRAMING PLAN
S5 ROOF FRAMING DETAILS I
S6 ROOF FRAMING DETAILS II
S7 GENERAL NOTES

PROJECT LOCATION



BUILDING CODE ANALYSIS

Location	Burlington, Iowa
Current Building Code	2015 IBC, 2009 IECC
Project Description	New 1-story retail building of 37,563 sf
Occupancy Classification	Group M Retail
Type of Construction	Type II - B sprinklered
Fire -resistance rating of exterior walls, Distance from property line, Table 602	Verify east wall is greater than 10 feet from property line
Fire rating, east exterior wall Allowable Height, Table 504.3	No fire rating if east wall >10 ft from property line 75 feet
Allowable Area, Table 506.2	Tabular area = 50,000 sf (Note: sprinkler and frontage increase not needed)
Actual Building Area/Allowable Area Number of stories/Height, Table 504.3	37,563 actual < 50,000 sf allowed, OK 1 story actual < 2 story allowed
Occupant load, Table 1004.1.2, M (Retail) calculation	Retail occupant load factor of 30 sf/occ + Warehouse of 500 sf/occ (gross sf); 37,563 sf retail/30 = 1,254 occupants; 2,763 sf warehouse/500 = 5.53, or 6 occupants; 1,254 + 6 = 1,260 total occupants
Exits: Table 1006.3.1	1,260 occupants > 1,000; provide at least 4 exits 1/3 diagonal apart
Means of egress sizing, 1005.3.2	1,260 occupants (0.2) = 21 ft required exit width; exit width provided from retail = 27 ft
Common path of travel, 1006.2.1	Egress from mechanical room through warehouse is less than 100 ft to point where 2 paths of egress are available
Exits, Table 1006.2.1 (Warehouse)	Provide 2 exits at warehouse; while the occupant load of the warehouse is less than 29, the 2 nd exit is required to meet common path of travel
Door swing, 1010.1.2.1	Doors shall swing in direction of egress travel serving a room/area with occupant load of 50 or more; occupant load of warehouse is less than 50 (required egress/pair interior warehouse)
Door operations, 1010.1.9	Egress doors shall be openable from egress side without use of key or special knowledge (pair interior warehouse)
Panic/Fire exit hardware	Provide panic/fire exit hardware for all exit doors
Emergency Lighting at mean of egress, 1008.1 Exit signage, 1013.1	Provide at exterior landings of all exterior exit doors Provide at all exit doors and at all locations where path of exit travel is not immediately visible
Plumbing fixtures, occupant load	1,260 occupants/2 = 630 men/635 women; provide separate accessible facilities
Plumbing fixtures, Table 2902.1	1/500 toilets, 1/750 lavs, drinking fountain 1/1,000 Provide 2 toilets/2 lavs women, provide 1 toilet/1 urinal/2 lavs men
Accessible exterior route Slope not steeper than 1:20 Accessible parking	Provide accessible route from accessible surface parking to main entrance Provide accessible parking spaces & signage

● 15 JULY 2017
BID DOCUMENTS

. ISSUE RECORD .

[illegible]

<u>TYPE</u>	<u>DESCRIPTION</u>
P	PRELIMINARY
R	REVISION
B	BID DOCUMENTS
C	FOR CONSTRUCTION
A	RECORD DOCUMENTS

● 2016045-2

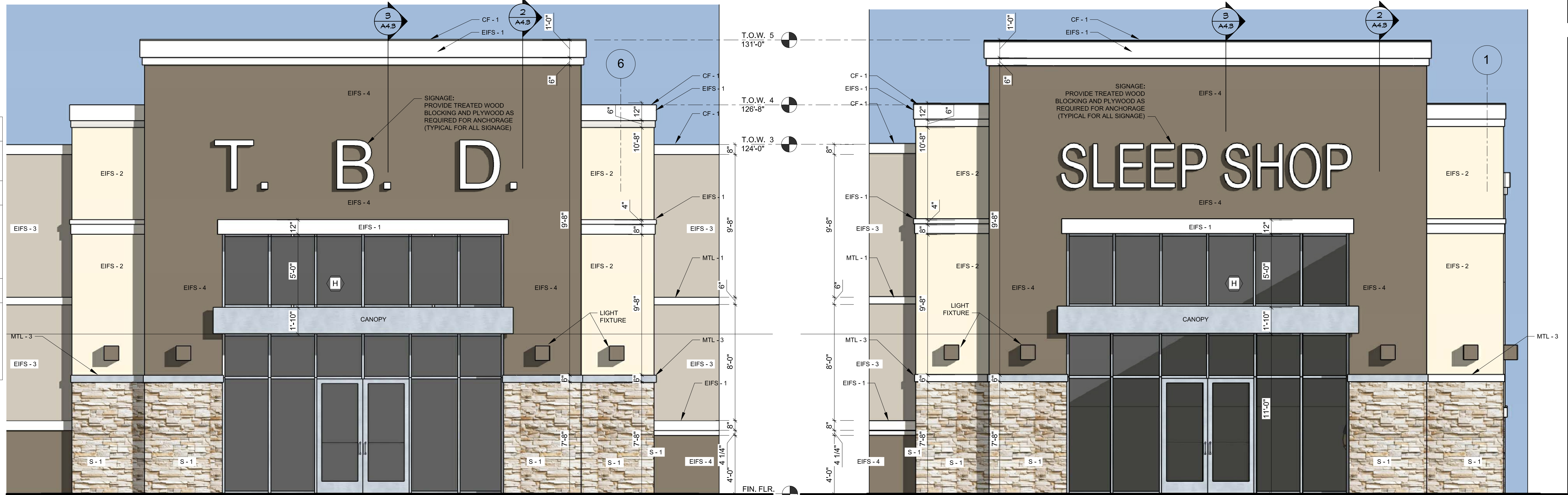
COVER SHEET



1 A31 ENTRANCE ELEVATION
SCALE: 1/4" = 1'-0"

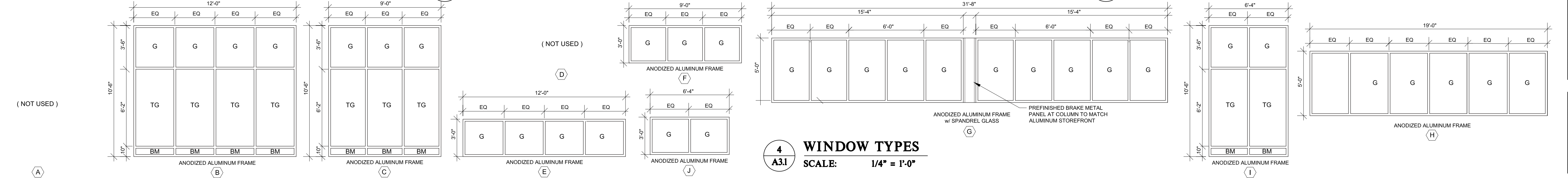
STOREFRONT GLASS LEGEND	
G	1" THERMOPANE GLASS
TG	1" THERMOPANE TEMPERED GLASS
BM	BRAKE METAL FLUSH WITH FRAME -- CLEAR ANODIZED
STOREFRONT GLASS LEGEND	
1.	PROVIDE OLDCASTLE FLOAT GLASS
2.	EXTERIOR LITES SHALL BE 1/4" PILKINGTON ARCTIC BLUE
3.	INTERIOR LITES SHALL BE 1/4" PPG SOLARBAN 60 ON CLEAR LOW-E #3
4.	OWNER TO VERIFY AND PROVIDE FULL SPEC
STOREFRONT GLASS LEGEND	
1.	STOREFRONT MANUFACTURER SHALL DESIGN AND BE RESPONSIBLE FOR ALL STRUCTURAL CALCULATIONS AND SPECIFICATIONS ASSOCIATED WITH THEIR PRODUCT.
2.	STOREFRONT MANUFACTURE SHALL COORDINATE WINDOW HEAD DEFLECTION REQUIREMENTS WITH STRUCTURAL ENGINEER.

NOTE:
SEE SHEET A3.0 FOR EXTERIOR
FINISH SCHEDULE.



2 A31 T.B.D. ENTRANCE ELEVATION
SCALE: 1/4" = 1'-0"

3 A31 SLEEP SHOP ENTRANCE ELEVATION
SCALE: 1/4" = 1'-0"



4 A31 WINDOW TYPES
SCALE: 1/4" = 1'-0"

**NEW BUILDING FOR
ASHLEY HOMESTORE**

**EAST AGENCY STREET
BURLINGTON, IA 52601**

**15 JULY 2017
BID DOCUMENTS**

- ISSUE RECORD -

1	07/15/2017	B

TYPE	DESCRIPTION
P	PRELIMINARY
R	REVISION
B	BID DOCUMENTS
C	FOR CONSTRUCTION
A	RECORD DOCUMENTS

2016045-2

ELEVATIONS

Ashley Home Stores – Summary of Proposed Work

The proposed site plan is for the addition of an Ashley HomeStore retail operation in the College Square mall at 6301 University Avenue. The proposed expansion consists of adding ~15,000 square feet of building onto the north / front section of the existing 83,500 square foot building. This building was most recently occupied by Younkers. The addition is planned to align the newly constructed storefront building with the adjacent store fronts of the mall to the west. The current zoning of the property is S-1 and no zoning changes are being sought.

The improvements will consist of the removal and replacement of a portion of the parking lot that is in significant disrepair in the northeast corner of the parking lot. This repair will also include restriping of the reconstructed area for a more simplified parking layout. The interior roadway directly in front of the building (north side) is proposed to be straightened. The rerouted roadway is proposed to become in line with the existing internal mall roadway to the west in order to provide a more natural traffic route and provide an area for the building expansion. Additionally, the modified striping layout will remove and shift the current north-south interior easement access from its existing location to the east just slightly in order to provide a more direct north-south traffic flow which continues to the east side of the Yonkers building.

Any utilities impacted by the building addition on the north side such as a water main, sanitary service and line and storm water will be shifted further north in order to make way for the building addition and road straightening. Overall the site grading will remain basically the same as it is locked into the existing parking lot and driveways on three sides. Storm water quality will be provided using hydrodynamic separators on the front and rear of the building. Storm water lines being replaced will be upsized slightly in order to provide additional outflow from the site. Sizing for these systems is still being determined. One fire hydrant will be relocated to the new building front. One parking lot light will be removed and replaced in the removal area in front of the building with a similar style light to match the existing mall parking lights.

A few additional bushes will be placed along the north east property line of the property. Planters will be placed between entrances and small trees and bushes will be located in a planter area on the northeast corner of the building. Additional bushes will be added in the existing islands on the east side of the building and near the truck dock.



DEPARTMENT OF COMMUNITY DEVELOPMENT

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

MEMORANDUM

Planning & Community Services Division

TO: Planning & Zoning Commission
FROM: Shane Graham, Planner II
Matt Tolan, Civil Engineer II
DATE: March 21, 2019
SUBJECT: Ashley Furniture Addition, Preliminary & Final Plats

REQUEST: Request to preliminary and final plat one (1) lot as the Ashley Furniture Addition.

PETITIONER: College Square Realty, LLC (Owner); VJ Engineering (Surveyor)

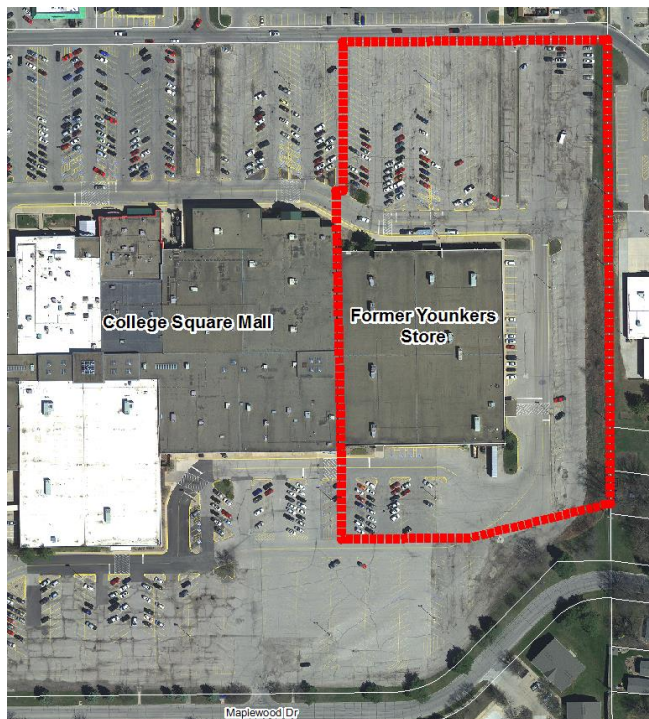
LOCATION: 6301 University Avenue (Former Younkers Department Store)

PROPOSAL:

The applicant, Igal Nassim with College Square Realty, LLC, is proposing to subdivide the former Younkers store located at the east end of College Square Mall onto its own lot, for the purpose of selling the lot to a buyer who will redevelop the store for a new Ashley Homestore (see proposed parcel outlined in red in the image to the right). The current store is 83,524 square feet in size, and the proposal from the buyer would be to add a 15,526 square foot addition onto the front of the store, for a total store size of 99,050 square feet.

BACKGROUND:

College Square Realty, LLC purchased the 42-acre mall property in March 2015. This included the main mall building, as



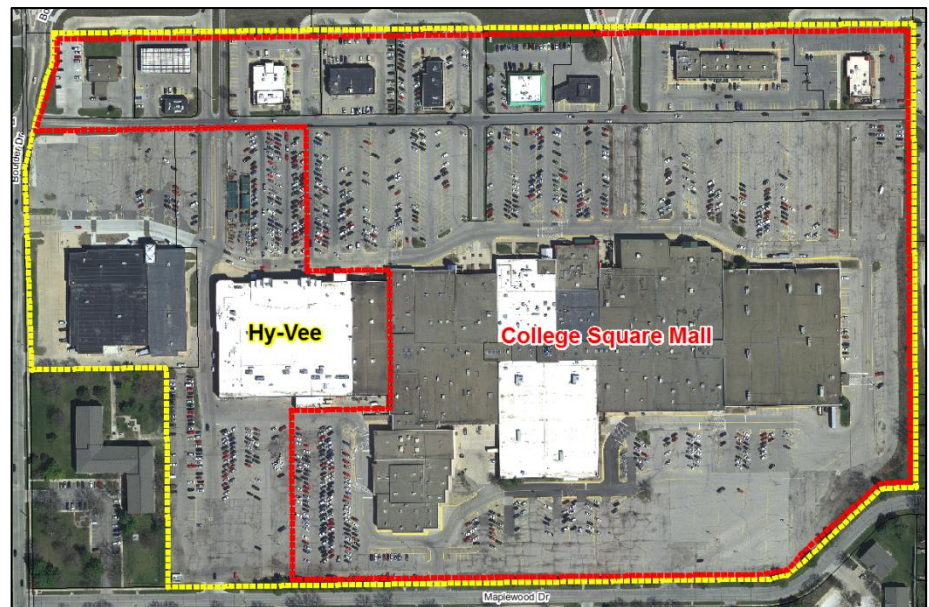
Proposed Lot for Ashley Furniture Addition

well as 9 additional buildings located in front of the mall along University Avenue (Applebee's at the east end to Wells Fargo at the west end). In November of 2016, the mall owner submitted to the City the College Square Mall Addition Preliminary and Final Plat. This plat subdivided the 9 buildings in front of the mall onto their own lots, and at the time the owner indicated that the subdivision would provide several benefits: securing capital that could be used for continued mall improvements, ongoing development and maintenance of the property and attraction and retention of tenants.

At the same time that the subdivision was approved in 2016, a Developmental Procedures Agreement was also approved between the City and College Square Realty, LLC in order to address certain aspects of the mall property, such as parking lot and access drive repairs, addition of a sidewalk from the mall to the trail along University Avenue, and the addition of landscaping across the mall property. This agreement also included a supplemental Declaration of Easements, Covenants and Restrictions (ECR), which focused on the function and maintenance of the property given that there would be multiple property owners. The Agreement called for items such as the sidewalk installation, parking lot repairs, and landscaping to be installed by December 31, 2018, however those have not been completed as of yet. The applicant asked for and received an extension until August 31, 2019 to complete those items per the Agreement.

As indicated above, the College Square Mall Addition plat that was approved in 2016 included a Declaration of Easement, Covenants and Restrictions (ECR) that focused on the function and maintenance of the property given that there would be multiple property owners (see red outlined area in the image to the right). This ECR supplemented a Reciprocal Easement Agreement (REA) that was executed in 2004, applying to both the mall property and the Hy-Vee grocery store located adjacent to the mall on the west side of the property (see yellow outlined area in the image above). The REA addresses function and maintenance such as:

- Cross access and use of parking areas
- Utilities access and sharing
- Maintenance of parking areas, sidewalks, walkways, roadways and lighting
- Party wall easements (related to the building)



REA boundary (yellow) and ECR boundary (red)

Staff will be reviewing these agreements to ensure that when the new parcel is created, it will still be subject to the restrictions found in both the REA and ECR or if any modifications to those agreements are necessary.

STAFF ANALYSIS

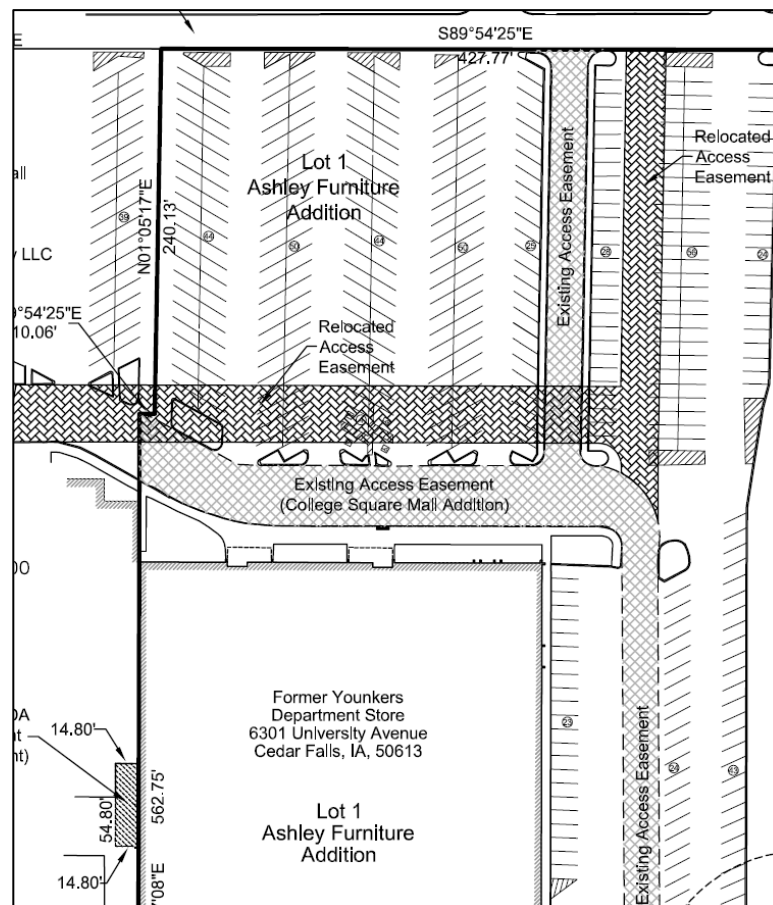
The applicant, College Square Mall Realty, LLC, which owns the 31.46 acre mall parcel, is proposing to subdivide one lot from the mall property with a lot size of 7.906 acres in order to sell the parcel for redevelopment purposes. This lot will include the former Younkers store located at the east end of College Square Mall. The buyer would like to purchase the lot from the owner and redevelop the store into a new Ashley Homestore. This will include reutilizing the existing 83,524 square foot store, and constructing a 15,526 square foot addition onto the front of the building, for a total store size of 99,050 square feet.

The property is zoned S-1, Shopping Center District. The purpose of this district is to provide for the development of shopping centers. A shopping center is a planned retail and service area under single ownership, management or control characterized by a concentrated grouping of stores and compatible uses, with various facilities designed to be used in common, such as ingress and egress roads, extensive parking accommodations, etc. Although the S-1 district indicates single ownership, several subdivisions have occurred on this site over the past several years. In 2013, the former Hy-Vee building (now Slumberland) and current Hy-Vee building (former Wal-Mart) were subdivided from the mall property and sold so that the business could retain ownership of their own lot. In 2016, nine outlots in front of the mall building along University Avenue were subdivided and sold off to another business entity as well. Also, looking at the commercial development to the east that is also zoned S-1, Kohl's, Sakura, and Texas Roadhouse are all located on their own lots under individual ownership. What is being proposed with this plat is to subdivide off the existing Younkers store in order to sell it for the redevelopment of it into an Ashley Homestore, which would not appear to be out of character with the area.

As indicated in the earlier in this section, the proposed preliminary and final plat of Ashley Furniture Addition will split off 7.9 acres from the mall property onto its own lot. This parcel will include the former Younkers store, which is being proposed to be redeveloped into a new Ashley Homestore. When the College Square Mall Addition was created in 2016, there were specific areas shown as cross access easements along the main drive lanes that go throughout the mall property. Portions of those easements are located on the proposed parcel; one in front of the building, one along the side of the building, and one in front of the building that leads to the backage road of the mall site. Part of this redevelopment project will include adding a building addition to the front of the store. This will require the relocation of the east-west driving lane to the north, which will in turn straighten out the drive, as the building will be in line with the rest of the mall. Also, there is an existing drive lane north of the building that goes north and connects with the backage road of the mall. This driving lane is seldom used, and the developer would like to remove it and re-stripe the area for parking. As part of this re-striping, the

drive lane would be proposed to move to the east, so that it lines up with the existing drive lane that goes around the side of the building. Please see the image below to see where the existing easements are located and where the new ones are proposed. Staff feels that by moving the easements to their proposed locations, it will straighten out both drive lanes and should make it easier for the traveling public to navigate their way across the property.

The existing access easement that covers the mall property was indicated by a sketch on a site plan showing where the common access drives were located on the mall property. Staff is checking the original plat to determine if easements were legally described and recorded to determine if any existing easements need to be vacated. Because the cross access easement on this proposed lot will be separate from the mall property, the easement will need to be shown on the plat and legally described and recorded.



Existing and Proposed Locations of Access Easements

In addition to the relocating of the cross-access easements, there are several utilities that will need to be relocated away from the front of the building in order for the building addition to be constructed. Typically, wherever utilities are located there exists a utility easement in order for the utility company to perform maintenance or repairs on that

particular utility. In this case, the entire mall property was designated as an easement for utility purposes. The proposed plat continues that easement, calling out the entire parcel as a utility easement similar to the mall property.

When subdividing a property, the parking regulations must be met for both the proposed lot (Ashley Homestore lot) and the remaining lot (College Square Mall lot). For the Ashley Furniture lot, a furniture store requires one parking space for every 750 square feet of gross floor area, plus one parking space for every two employees. With the proposed addition, the building will be approximately 99,050 square feet in total size. This equates to 119 required parking spaces, in addition to what is required for employee parking. There is an existing drive lane that is currently on the site that will be removed in order to add an additional lane of parking stalls. Also, there will be a loss of several parking stalls in front of the building, as the stalls will need to be removed in order to relocate the access drive in front of the building. In total, the Ashley Furniture lot will provide 451 parking stalls, which is well over the 119 spaces (in addition to employee parking) required for the site.

The remaining mall parcel will have 1,317 parking stalls after the Ashley Furniture lot is subdivided. For shopping centers over 2,000 square feet in gross floor area, 4.5 parking spaces are required for every 1,000 square feet of gross floor area. Based on the square footage of the mall, the total amount of required parking spaces would be 1,171. Therefore, after the splitting of the old Younkers store from the mall, the mall would have an excess of 146 parking spaces.

A preliminary storm water management report has been submitted and reviewed as part of the plat. Currently, there is no storm water detention facility located on this site, nor is storm water quality being addressed on this site, as it is an existing site that has largely remained the same for close to 50 years. As part of this project, storm water quality will be addressed by providing two (2) hydrodynamic separators within the parking lot in front of the building and to the rear of the building. These devices are installed under the parking area, and collect the water runoff from the parking lot and separate and capture any debris, sediment or other pollutants within the structure, thus allowing the clean water to flow out into the storm sewer system. Also, new storm sewer lines will be installed as part of the project on the property. These storm sewers will be upsized in order to provide for additional water holding capacity, which will help increase the amount of water that can flow through them. This will help to detain more water within the site prior to exiting the site through the storm sewer system. It should be noted that any future additions, remodels, or new structures on the site may be subject to the stormwater ordinance, depending upon their scope, and will be evaluated at the time of submittal.

Typically a preliminary plat would be submitted and approved first prior to the final plat being submitted. This allows for the installation of any required public infrastructure, such as streets, sewers and other public utilities. However, this subdivision does not include the construction of any new public infrastructure, so the applicant has requested that both plats be reviewed at the same time.

Staff notes that a final plat generally includes a review of the property title by an attorney. A title opinion has not yet been submitted, and will be required prior to forwarding the plats to City Council for approval.

TECHNICAL COMMENTS

The Engineering Department has reviewed the initial storm water management plan, and finds it acceptable, but is awaiting the finalized report. Also, detailed construction plans will need to be submitted to the Engineering Department prior to the issuance of a building permit for this project. After a review of the preliminary and final plats by the City Surveyor, comments were sent to the applicant's surveyor. An updated preliminary and final plat was submitted by the applicant's surveyor to City staff this week, and is currently being re-reviewed by the City Surveyor.

Water, electric, gas, and communications utility services are available to the site in accordance with the service policies of Cedar Falls Utilities. The property owner/developer will be responsible for all utility relocation costs.

STAFF RECOMMENDATION:

The introduction of this preliminary and final plat is for discussion and public comment purposes. The Community Development Department has reviewed the plats and provides the following comments:

1. Provide a legal description for the cross access easements on the lot and vacate any easements rendered obsolete with this plat.
2. Address any additional comments made by the City Surveyor after a re-review of the submitted plats.
3. Provide a title opinion for the property, owner's certificate and other legal papers required for the final plat.
4. Deed of Dedication – final corrections
5. Review of existing ECR and REA to address any necessary amendments.
6. Submittal of a final storm water management report and detailed construction plans prior to issuance of a building permit.
7. Submittal of two (2) signed Certificates of Survey and Six (6) signed full sized copies of the final plat prior to City Council submittal.
8. Any comments or direction specified by the Planning & Zoning Commission.

Subject to the comments noted above being addressed, staff anticipates that this will be referred to the Planning and Zoning Commission for a vote on April 10, 2019.

PLANNING & ZONING COMMISSION

Discussion
3/27/2019

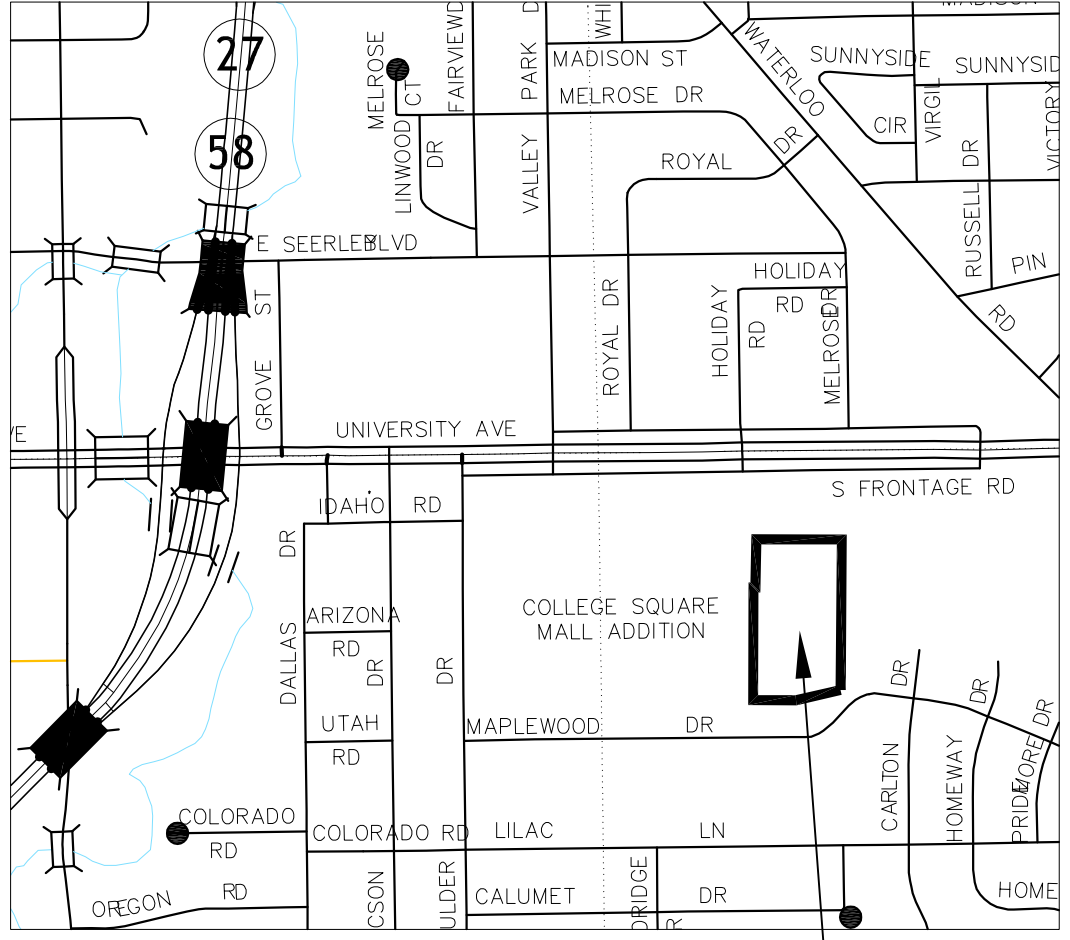
Preliminary Plat
Ashley Furniture Addition
A part of Lot 1, College Square Mall Addition
Cedar Falls, Black Hawk County, Iowa.

That part of Lot 1, College Square Mall Addition, Cedar Falls, Black Hawk County, Iowa described as follows:

Beginning at the Northeast corner of said Lot 1, thence S0°27'36"W 752.28 feet along the east line of said Lot 1; thence S77°03'00"W 229.21 feet; thence N89°42'30"W 213.81 feet to the southerly extension of the center of a common wall; thence N0°07'08"E 562.75 feet along said common wall and the northerly extension thereof; thence S89°54'25"E 10.06 feet; thence N1°00'24"E 240.53 feet to the north line of said Lot 1; thence S89°54'25"E 427.77 feet along the north line of said Lot 1 to the point of beginning, containing 344,375 square feet, or 7.906 acres and is subject to easements and restrictions of record.

Owner:
College Square Realty, LLC
150 Great Neck Rd #304
c/o Namard Realty Group
Great Neck, NY 11021

Developer:
Furniture Mart USA
Ashley HomeStores
140 E Hinks Lane
Sioux Falls, SD 57108



Subdivision Location

NORTH

0 20 40 80

FEATURE LEGEND

- PROPERTY CORNER SET
- PROPERTY CORNER FOUND
- SECTION CORNER FOUND
- 100.00 DIMENSION OF SURVEY
- (100.00) DIMENSION OF RECORD
- G — EXISTING GAS
- ST — EXISTING STORM SEWER
- SAN — EXISTING SANITARY SEWER
- T — EXISTING TELEPHONE
- TV — EXISTING TELEVISION
- FO — EXISTING FIBER
- E — EXISTING ELECTRIC
- W — EXISTING WATER
- X — EXISTING FENCE
- OHU — EXISTING OVERHEAD UTILITIES
- ☆ EXISTING LIGHT POLE
- ☆ EXISTING UTILITY POLE
- EXISTING ELECTRICAL BOX
- EXISTING SANITARY MANHOLE
- EXISTING STORM MANHOLE
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE
- EXISTING GAS VALVE
- EXISTING TELEPHONE PED.
- — EXISTING TREE
- — EXISTING CONTOURS
- — EXISTING GUY WIRE
- — EXISTING SIGN

Sanitary Structure No.	Rim Elevation	Invert Elevation
SA-1	896.61'	892.07' (8°0' E & W)
SA-2	897.37'	892.47' (8°0' E & NW)
SA-3	898.08'	892.82' (8°0' W - 6°0' S)
SA-4	896.16'	890.56' (8°0' W)

Storm Structure No.	Rim Elevation	Invert Elevation
ST-1	895.68'	891.71' (18°0' NW) 892.44' (15°0' E)
ST-2	897.23'	893.73' (15°0' N) 893.68' (18°0' W)
ST-3	896.75'	893.95' (15°0' NW)
ST-4	896.74'	893.04' (18°0' E & W)
ST-5	897.39'	893.19' (18°0' NW & E)
ST-6	897.96'	894.71' (15°0' W) 894.86' (15°0' S)
ST-7	900.34'	896.84' (12°0' NW) 897.44' (6°0' E - Subdrain)
ST-8	898.28'	896.28' (12°0' N) 896.33' (6°0' E - Subdrain)
ST-9	897.37'	895.32' (6°0' E - Subdrain) 895.07' (12°0' S)
ST-10	897.33'	893.83' (12°0' N) 893.43' (12°0' W) 894.15' (12°0' SE)
ST-11	895.40'	893.70' (12°0' E) 893.60' (12°0' W)
ST-12	896.80'	892.30' (15°0' E) 892.30' (18°0' W)
ST-13	895.24'	890.30' (18°0' E)
ST-14	899.94'	895.89' (12°0' NW) 896.25' (6°0' E - Subdrain)
ST-15	896.57'	892.27' (12°0' S)
ST-16	893.95'	892.50' (4°0' E - Subdrain) 892.05' (6°0' SW)
ST-17	896.78'	890.60' (12°0' N & W)
ST-18	892.28'	888.18' (12°0' E & W)

Existing Easement for Public Utilities
per College Square Mall Addition File No. 2017-0641:
A perpetual easement and right to the City of Cedar Falls and Cedar Falls Utilities to operate, maintain, repair and replace water, gas, electric and communications utilities as currently installed within the boundary of College Square Mall Addition was granted.

Topographical Changes
The proposed development will include a building addition, relocation of sanitary and storm sewers, relocation of water main and fire hydrants. It will also include a revision to the access easements depicted in the College Square Mall Addition plat documents, and reconfiguring some of the parking areas.

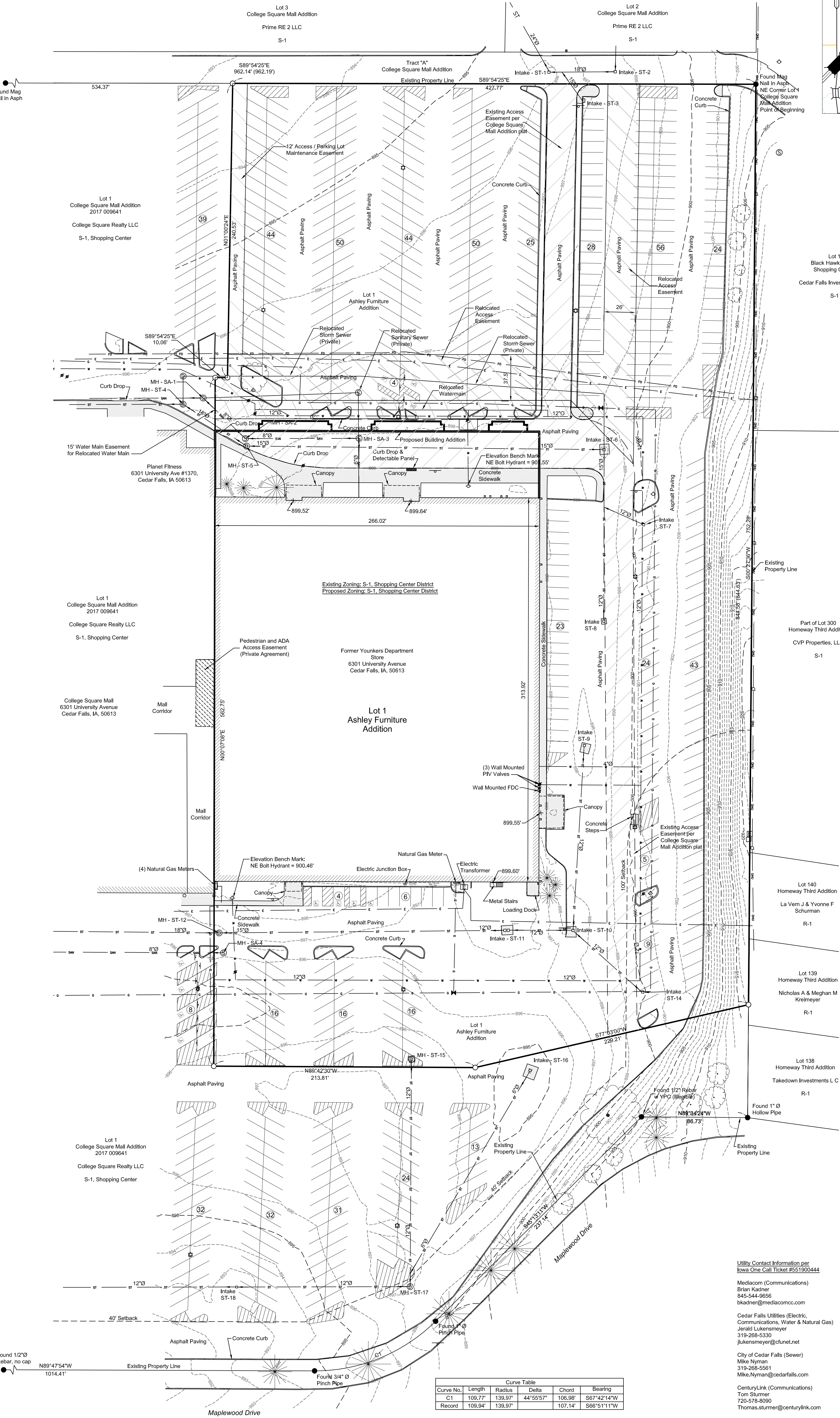
Utility Statement
The Underground Utilities shown have been located from field survey information and existing drawings. The Surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The Surveyor further does not warrant that the utilities shown are in the exact location indicated although he does declare that they are located as accurately as possible from information available.

Floodplain Note:
The property is located in Zone X (unshaded) per FIRM panel 19013C01068F with an effective date of 7-18-2011

Wetlands Note:
The property has no wetlands per US Fish and Wildlife National Wetlands Inventory, and no delineation of wetland areas have been performed.

Notes:
1.) The East line of Lot 1, College Square Mall Addition was assumed to bear S00°27'36"W, utilizing the Iowa Regional Coordinate System, Zone 5.
2.) All dimensions are in US Survey feet and decimals thereof.
3.) The error of closure is better than 1:10,000
4.) Field work was completed: 1/18/2019
5.) Lot 1 Ashley Furniture Addition Area:
7.906 acres in the NW 1/4 - NW 1/4, Section 19-T89N-R13W
6.) Proprietor: College Square Realty LLC
7.) Survey Requested by: Furniture Mart USA/Ashley HomeStores

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.
Matthew A. Kofa, P.L.S.
License number 22661
My license renewal date is December 31, 2020
Date: _____
Pages or sheets covered by this seal: _____



Curve No.	Length	Radius	Delta	Chord	Bearing
C1	109.77'	138.97'	44°55'7"	106.98'	S67°42'14"W
Record	109.94'	138.97'		107.14'	S66°51'11"W

Utility Contact Information per
Iowa One Call Ticket #551900444

Mediacon (Communications)
Brian Kadner
845-544-9656
bkadner@mediaconcc.com

Cedar Falls Utilities (Electric,
Communications, Water & Natural Gas)
Jerald Lukensmeyer
319-268-5330
jlukensmeyer@cfunet.net

City of Cedar Falls (Sewer)
Mike Nymann
319-268-5561
Mike.Nymann@cedarfalls.com

CenturyLink (Communications)
Tom Stummer
720-578-5090
Thomas.stummer@centurylink.com

Ashley Furniture Addition
A part of Lot 1, College Square Mall Addition
Cedar Falls, Black Hawk County, Iowa

Preliminary Plat

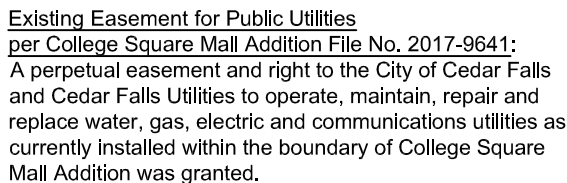
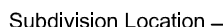


VJ Engineering
1501 Technology Parkway
Cedar Falls, Iowa - 319-266-5829

A part of Lot 1, College Square Mall Addition
Cedar Falls, Black Hawk County, Iowa.

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Proprietor: College Square Realty, LLC
Survey Requested by: Furniture Mart USA



- 1.) The East line of Lot 1, College Square Mall Addition was assumed to bear S00°27'36"W, utilizing the Iowa Regional Coordinate System, Zone 5.
- 2.) All dimensions are in US Survey feet and decimals thereof.
- 3.) The error of closure is better than 1:10,000
- 4.) Field work was completed: 1/18/2019
- 5.) Lot 1 Ashley Furniture Addition Area:
7.906 acres in the NW 1/4 - NW 1/4, Section 19-T89N-R13W

License number 22561
My license renewal date is December 31, 2020
Pages or sheets covered by this seal:

DEED OF DEDICATION
FOR
ASHLEY FURNITURE ADDITION
CITY OF CEDAR FALLS, BLACK HAWK COUNTY, IOWA

KNOW ALL MEN BY THESE PRESENTS:

That Furniture Mart USA/Ashley HomeStores, hereinafter "Owner," being desirous of setting out and platting the land described in the attached Legal Description, Exhibit "A", does by these present designate and set apart the aforesaid premises as a subdivision of the City of Cedar Falls, Black Hawk County, Iowa, the same to be hereafter known as:

Ashley Furniture Addition, City of Cedar Falls, Black Hawk County, Iowa,

All of which is with the free consent and desire of the said Owner, and the Owner does hereby dedicate and set apart for public use the streets and roads shown on the attached Plat.

EASEMENTS

The Owner hereby grants and conveys 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, gas, sewer, electricity, communication service or cable television, perpetual easements for the construction, laying, building, and maintenance of said services over, under, across, and upon the property as shown on the attached Plat, Exhibit "B".

RESTRICTIONS

The Owner does hereby covenant and agree for itself and its successors and assigns that each and all of the 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 as if the same were contained and set forth in each deed of conveyance or mortgage that the undersigned or its successors in interest may hereinafter make for 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. The development of this property shall be in accordance with and governed by the S-1, Shopping Center Zoning District set forth in the Cedar Falls Zoning Ordinance.
2. Invalidation of these restrictions by judgment, decree or court order shall in no way affect any of the other provisions of this Deed of Dedication and such other provisions shall remain in full force and effect.
3. The covenants and restrictions set forth in this Deed of Dedication shall run with the land and shall inure to the benefit of and be enforceable by the owner of any land located in the plat, which is the subject of this Deed of Dedication, and their legal

representatives, heirs, successors and assigns for a term of twenty-one (21) years from and after the date of filing of this plat in the office of the Recorder of Black Hawk County, Iowa. Said covenants and restrictions may be extended for successive twenty-one (21) year periods thereafter, upon the filing of a verified claim by the owner of any one (1) lot or tract in the subdivision, in the manner provided in Iowa Code Sections 614.24 through 614.28, Code of Iowa.

IN WITNESS WHEREOF, this instrument has been signed at _____,
_____, this _____ day of _____, 2019.

Furniture Mart USA/Ashley HomeStores

By: _____

STATE OF SOUTH DAKOTA)
) ss
COUNTY OF _____)

This instrument was acknowledged before me on the _____ day of _____,
2019 by _____, President of Furniture Mart USA/Ashley HomeStores.

Notary Public in and for the State of South Dakota