



North Liberty Planning Commission
Tuesday, February 2, 2021, 6:30 PM

Due to the COVID-19 pandemic, public health and safety concerns require City of North Liberty public meetings to be held electronically, so as to limit the spread of the virus. The public is invited to submit questions and comments in advance of the meeting for consideration submitting them to the City Clerk Tracey Mulcahey via email at tmulcahey@northlibertyiowa.org.

This meeting may be accessed live by the public on the internet at northlibertyiowa.org/live, on Facebook at facebook.com/northliberty or on YouTube at www.youtube.com/channel/UCrCw6ipAPjJnd-olpRgPJcg. You can also attend by phone; call 1 (312) 626 6799 with a touch-tone phone and enter the meeting ID 894 5025 7780 and meeting password 4850603. Meetings are rebroadcast on cable and available on-demand on northlibertyiowa.org.

Call to Order

1. Roll Call

2. Approval of the Agenda

3. Public Hearing for Zoning Map Amendment: Request of Greenbelt Trail II, LLC for a zoning map amendment on 66.84 acres, more or less, from ID – Interim Development District to RS-6 – Single-Unit Residence District on property located on the west side of North Liberty Road approximately 225 feet north of Salm Drive and also being east of the Arlington Ridge Subdivision.

- a. Staff Presentation
- b. Applicants Presentation
- c. Public Comments
- d. Questions and Comments
- e. Recommendation to the City Council

4. Public Hearing for Zoning Map Amendment Request of the City of North Liberty for a zoning map amendment on 11.04 acres, more or less, from ID – Interim Development District to P – Public Use District on property located on the east side of North Liberty Road approximately .35 miles north of Oak Lane NE.

- a. Staff Presentation
- b. Applicants Presentation
- c. Public Comments
- d. Questions and Comments
- e. Recommendation to the City Council

5. Public Hearing for Ordinance: Request of the City of North Liberty for an ordinance amending Chapter 173 Code of Ordinances of North Liberty, Iowa, entitled “Zoning Code – Sign Regulations” by amending several sections in Chapter 173 related to sign regulations.

- a. Staff Presentation
- b. Applicants Presentation
- c. Public Comments
- d. Questions and Comments
- e. Recommendation to the City Council

6. Approval of Previous Minutes

7. Old Business

8. New Business

9. Adjournment

 Subject Property

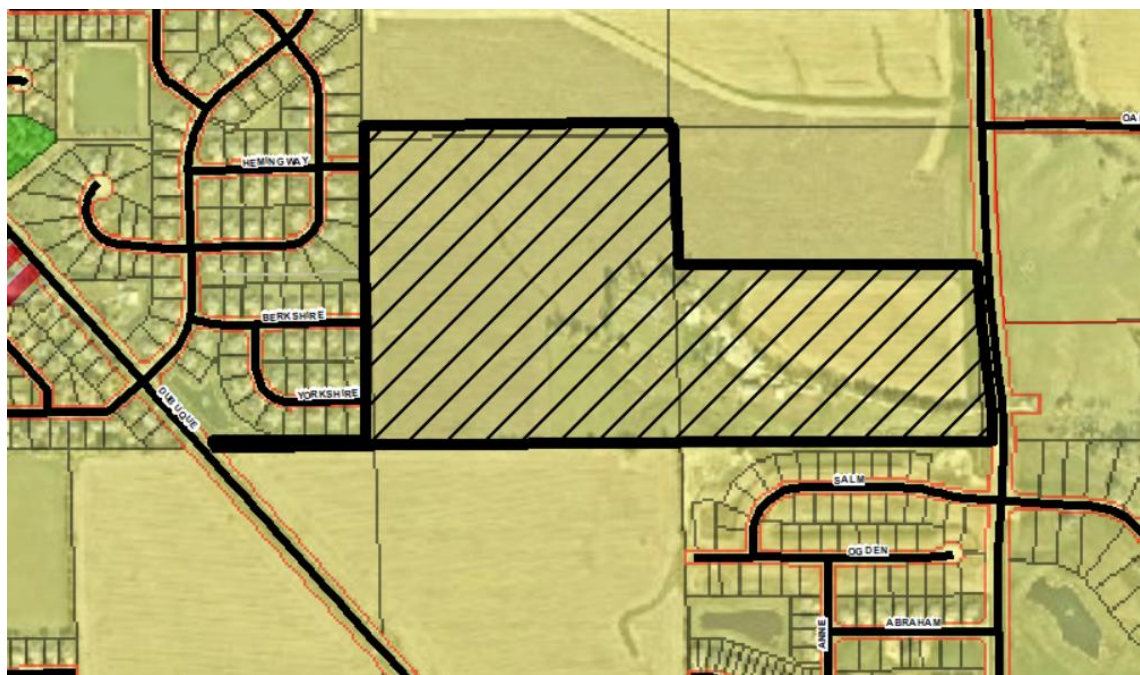
Proposed Zoning:


The applicant is requesting a zoning map amendment to the RS-6 - Single-Unit Residential District to allow the property to be developed as residential subdivision.

The RS-6 - Single-Unit Residence District is intended to provide for and maintain moderate density single-unit residential neighborhoods with a minimum lot size of 7,000 square feet. The district shall include appropriate neighborhood facilities such as public parks, libraries, schools, churches, and recreational facilities, and is intended to protect these residential areas from encroachment of incompatible uses. Commercial uses are limited to allowable home occupations.

Consistency with Comprehensive Plan:

Land Use Plan designation: Residential.



 Subject Property

The North Liberty Comprehensive Plan articulates the following regarding residential uses:

The plan promotes the development of a diversified housing stock that is affordable to a wide range of incomes. Even though general planning goals include limiting residential uses along arterials and in some cases even collector streets, the miles of such frontages within the City make strict adherence to those goals impractical, and landscape buffers, limited access, and smart neighborhood street layouts are utilized to minimize traffic impacts. Higher density residential development is considered to be somewhat of a transitional

buffer between office/commercial development and lower density residential neighborhoods, in part because it is practical to locate the greater numbers of residents found in the higher density developments closer to the commercial services they need. It is staff's opinion that zoning map amendment would be consistent the North Liberty Comprehensive Plan Land Use Plan.

Public Input:

Letters were sent to property owners within 200 feet of the subject property notifying them of the December 29, 2020 good neighbor meeting. The virtual meeting was very well attended, mostly by residents of the Arlington Ridge Subdivision. Topics of discussion included (staff commentary in *italics*):

1. The general configuration of the proposed development;
The draft preliminary plat was shown and discussed. One change since the neighborhood meeting is that the entire development will be all single-unit residences. At the time of the neighborhood meeting, the developer was contemplating a portion of the development being multi-unit residences.
2. Development phasing;
The developer indicated that the development phasing would be east to west. Notably, the North Liberty Fire Department will require two points of access once the number of dwelling units exceeds 30. This will likely compel a connection to the Arlington Ridge Subdivision.
3. Subdivision covenants;
A general concern was that subdivision covenants would be similar to those of the Arlington Ridge Subdivision, such that there wouldn't be a drastic difference in subdivision appearances.
4. Methods to control speeding and cut through traffic;
Staff is working with the developer's engineer to implement traffic calming measures. Staff will apprise the Commission of these measures during its review of the preliminary subdivision plat.
5. Construction traffic.
The developer indicated that subdivision construction traffic would be from North Liberty Road.

Compatibility with surrounding zoning and land uses:

With respect to residential zoning, there is RS-5 Single-Unit Residence District zoning to the west (Arlington Ridge) and to the south (Greenbelt Trail – Part One). There is also RS-4 – Single-Unit Residence District to the west (Arlington Ridge). The differences between RS-4 and RS-6 are shown below.

Zoning	Minimum Lot Size Requirement			Minimum Yard Requirement			
	Frontage	Width	Area	Front Yard Depth	Side Yard	Rear Yard	Maximum Height
RS-4	40 feet	80 feet	10,000 SF	25 feet	10 feet	30 feet	35 feet or 2½ stories
RS-6	35 feet	70 feet	7,000 SF	25 feet	8 feet	30 feet	35 feet or 2½ stories

An initial review of the preliminary subdivision plat indicates that the majority of the lots meet the RS-4 bulk requirements.

It is staff's opinion that the RS-6 zoning is compatible with the surrounding zoning and land uses.

Proposed Subdivision Design:

The Planning Commission will formally consider the Greenbelt Trail – Part 2 Preliminary Subdivision Plat at a future meeting. However, the initial design warrants discussion.

The preliminary subdivision plat proposes 148 single-unit residence lots. The subdivision would have a single entrance on North Liberty Road. This would connect to Berkshire Lane in Arlington Ridge. There would also be connections to Yorkshire Street and Hemmingway Drive. Hemmingway Drive, which is identified as a future collector street on the Comprehensive Plan Future Land Use Map, would extend east and eventually connect to North Liberty Road. This would serve as roadway entrance for a future elementary school. Seven Oaks Road would terminate at the south end of the development. City staff anticipates that this street will extend south and connect to the Dubuque Street and also make a connection to Ogden Lane in the Greenbelt Trail – Part One.

As mentioned staff is working with the developer's engineer to implement traffic calming measures in the design of the subdivision.

There would be a trail along the south of the development and the Arlington Ridge Subdivision connecting it to the Dubuque Street trail. The trail would terminate at the school property. City staff anticipates that the trail will extend along the west end of the school property and connect to a future trail on Hemmingway Drive.

Findings:

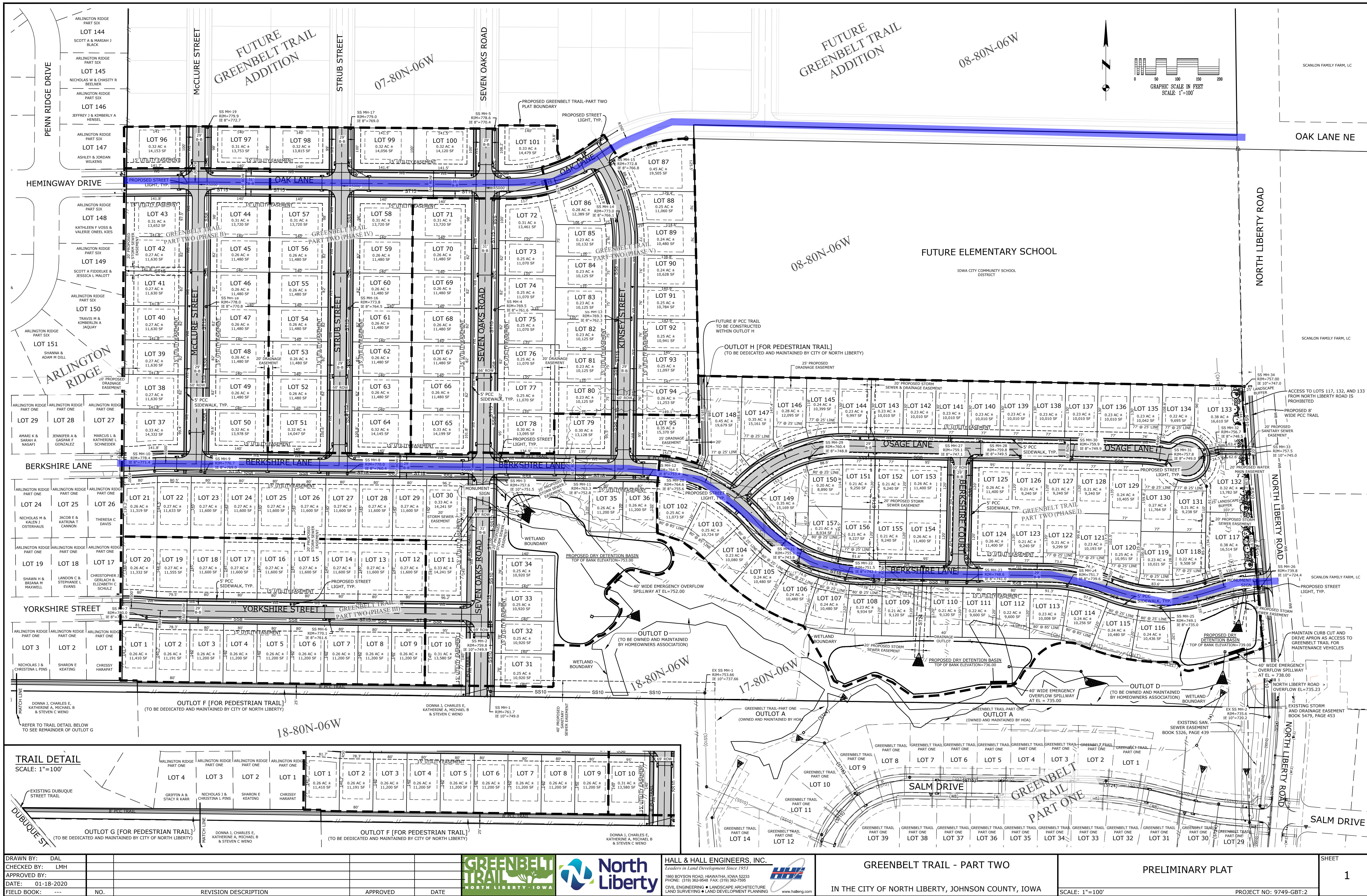
1. The zoning map amendment would be consistent the North Liberty Comprehensive Plan Land Use Plan; and
2. The proposed zoning and use of the property would be compatible with the area;

Recommendation:

Staff recommends the Planning Commission accept the two listed findings and forward the request of Greenbelt Trail II, LLC for a zoning map amendment on 66.84 acres, more or less, from ID – Interim Development District to RS-6 Single-Unit Residence District on property located on the west side of North Liberty Road approximately 225 feet north of Salm Drive and also being east of the Arlington Ridge Subdivision to the City Council with a recommendation for approval.

Suggested motion:

I move that the Planning Commission accept the two listed conditions and forward the zoning map amendment to the City Council with a recommendation for approval.





To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **January 29, 2021**
Re **Request of the City of North Liberty for a zoning map amendment on 11.04 acres, more or less, from ID – Interim Development District to P – Public Use District on property located on the east side of North Liberty Road approximately .35 miles north of Oak Lane NE.**


North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo. The staff review team includes the following personnel:

Ryan Heiar, City Administrator
Tracey Mulcahey, Assistant City Administrator
Grant Lientz, City Attorney
Tom Palmer, City Building Official
Kevin Trom, City Engineer
Ryan Rusnak, Planning Director

Current Zoning:

The property is currently zoned ID – Interim Development District.



 Subject Property

Proposed Zoning:


The City is requesting a zoning map amendment to the P – Public Use District to reflect the actual use of the property, which is the Red Fern Dog Park.

Public Use District is intended to provide space for public safety, administration, recreational, and community facilities.

Consistency with Comprehensive Plan:

Land Use Plan designation: Parks and Recreation.



 Subject Property

The North Liberty Comprehensive Plan articulates the following regarding community facilities:

Community facilities include those lands, buildings, services and systems that are provided on a public or semi-public basis in the interest of the residents of the community. Such facilities typically include public utilities, parks, open space, and administrative services. Their importance should not be underestimated in that they are offered as a necessity for sustaining quality life within the urban environment and are, therefore, a major determinant of the quality and safety of urban living.

It is staff's opinion that zoning map amendment would be consistent the North Liberty Comprehensive Plan Land Use Plan.

Public Input:

A good neighbor meeting is not required with a zoning map amendment for publicly owned land. City staff would not expect objection to the request because the request aligns the zoning with the actual use of the property, which is the Red Fern Dog Park.

Findings:

1. The zoning map amendment would be consistent the North Liberty Comprehensive Plan Land Use Plan; and
2. The proposed zoning and use of the property would be compatible with the area;

Recommendation:

Staff recommends the Planning Commission accept the two listed findings and forward the request of the City of North Liberty for a zoning map amendment on 11.04 acres, more or less, from ID – Interim Development District to P – Public Use District on property located on the east side of North Liberty Road approximately .35 miles north of Oak Lane NE to the City Council with a recommendation for approval.

Suggested motion:

I move that the Planning Commission accept the two listed conditions and forward the zoning map amendment to the City Council with a recommendation for approval.



To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **January 29, 2021**
Re **Request of the City of North Liberty for an ordinance amending Chapter 173 Code of Ordinances of North Liberty, Iowa, entitled "Zoning Code – Sign Regulations" by amending several sections in Chapter 173 related to sign regulations.**

North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo. The staff review team includes the following personnel:

Ryan Heiar, City Administrator
Tracey Mulcahey, Assistant City Administrator
Grant Lientz, City Attorney
Tom Palmer, City Building Official
Kevin Trom, City Engineer
Ryan Rusnak, Planning Director

Proposed Zoning Ordinance amendments:

1. Section 173.05 entitled "Exempt Signs".
 - Relocating current language to Section 173.12 as it is better suited in that section.
2. Section 173.12 entitled "Specific Sign Regulations".
 - Modifying directional signs to reflect modern commercial practices. Additionally, no maximum height is listed in current code language.
 - Relocated windows signs to this section.
3. Section 173.13, entitled "Temporary Signs".
 - Modifying real estate signs to reflect modern practices;
 - Removing language that permits real estate signs in the right-of-way. Zoning Ordinances are not intended to regulate uses in the right-of-way.
 - Modifying builder/contractor signs to construction activity sign, which reflects modern practices.

Public Input:

No public input has been received.

Finding:

1. The Zoning Ordinance amendments would revise outdated and onerous language.

Recommendation:

City staff recommends the Planning Commission accept the one listed finding and forward the request of the City of North Liberty for an ordinance amending Chapter 173 Code of Ordinances of North Liberty, Iowa, entitled "Zoning Code – Sign Regulations" by amending several sections in Chapter 173 related to sign regulations.

Suggested motion:

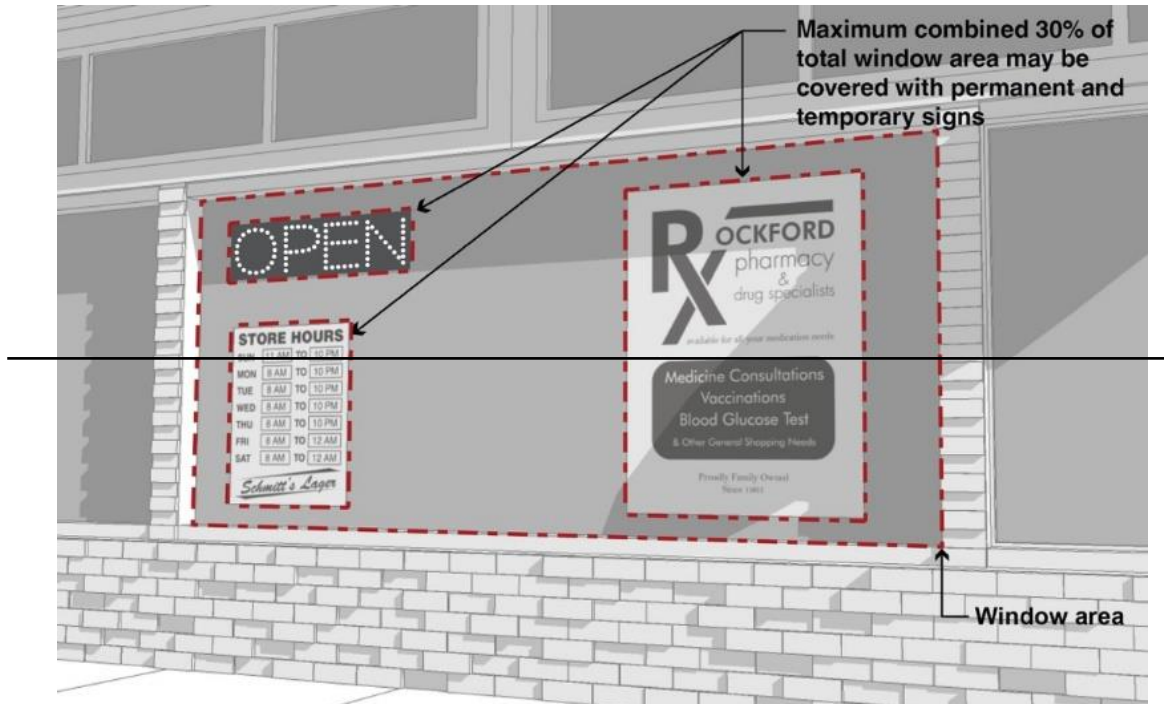
I move that the Planning Commission accept the one listed condition and forward the Ordinance amendments to the City Council with a recommendation for approval.

173.05 EXEMPT SIGNS by deleting Section 173.05(12)

~~12. Window Signs:~~

- ~~A. Window signs are permitted for all nonresidential uses in all districts.~~
- ~~B. All window signs, whether temporary or permanent, are limited to no more than 30% of the surface of each window area. Window area is counted as a continuous surface until divided by an architectural or structural element. Mullions are not considered an element that divides window area.~~
- ~~C. Window signs include neon or LED signs. Flashing neon or LED is prohibited.~~

~~Window Sign~~



~~173.09 SIGNS IN THE COMMERCIAL RECREATIONAL VEHICLE DISTRICT.~~

~~Each C-RV development shall be permitted one ground sign with a maximum area of one square foot for each lineal foot of street frontage, not to exceed 100 square feet.~~

173.12 SPECIFIC SIGN REGULATIONS by amending 173.12(4) and by adding 173.12(8)

4. Directional Signs.

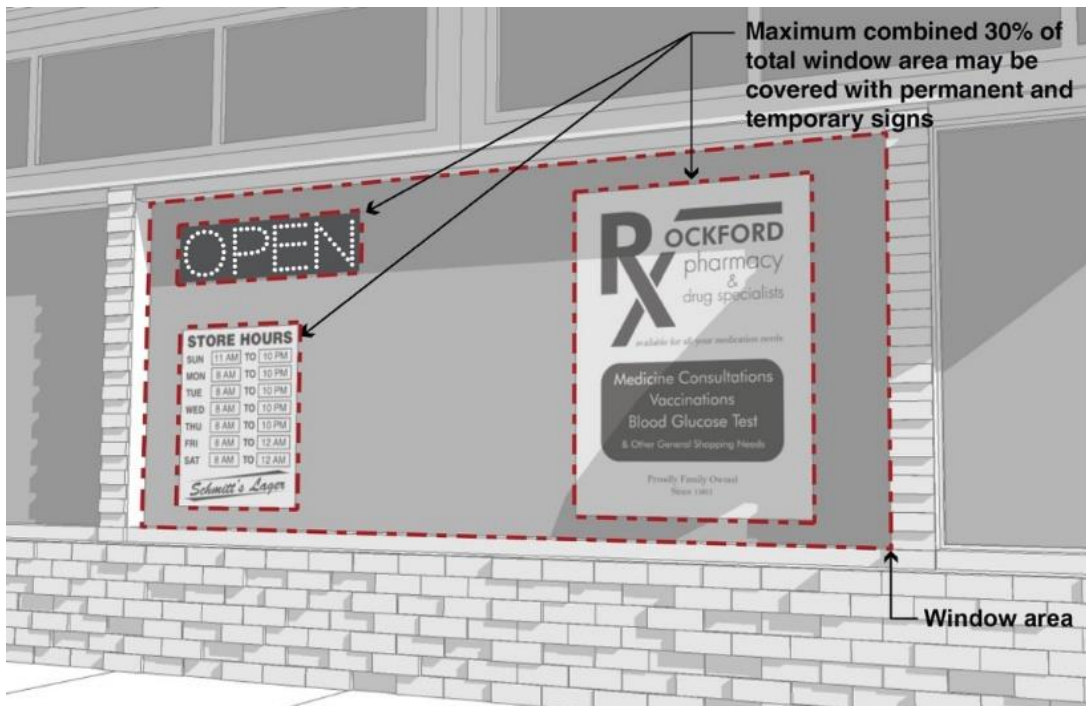
- A. No more than two directional signs per street entrance shall be permitted for any enterprise, business, or institution are permitted at each entrance/exit. One additional directional sign may be permitted at each interior driveway intersection, drive-through lane, or other circulation point. Building mounted signs shall be limited to one per building elevation.
- B. Such signs shall be for the sole purpose of ensuring safe and convenient access to the property. Signs are limited to the following maximum dimensions: two feet in length and two feet in height.

- C. ~~No such sign shall exceed two square feet in area in the residential zones and shall not exceed three square feet in area in all other zones. A freestanding sign is limited to five feet in height and must be five feet from any lot line that abuts a street.~~
- D. ~~A permit is not required for a directional sign except for an illuminated sign requiring the installation of an electrical branch circuit.~~

8. Window Signs.

- A. Window signs are permitted for all nonresidential uses in all districts.
- B. All window signs, whether temporary or permanent, are limited to no more than 30% of the surface of each window area. Window area is counted as a continuous surface until divided by an architectural or structural element. Mullions are not considered an element that divides window area.
- C. Window signs include neon or LED signs. Flashing neon or LED is prohibited.
- D. A permit is not required for a window sign.

Window Sign



173.13 TEMPORARY SIGNS.

2. Real Estate Signs.

- A. Real estate signs shall be permitted in all zones, provided that all such signs shall be located on the property to which they apply, except as provided in Paragraphs D and E of this section.
- B. Signs are limited to one per street frontage.
- C. Signs may be either freestanding, wall, or window signs.
- ~~B.D.~~ Real estate signs shall conform to the following maximum size requirements: Four square feet in area for the first 10,000 square feet in lot area plus four square feet for each additional 10,000 square feet of lot area, not to exceed a total sign size of 32 square feet Signs are limited to 12 square feet in the interim development and residential districts and 32 square feet in all other districts.
- E. Freestanding signs are limited to six feet in height in the interim development and residential districts and eight feet in height in all other districts. All signs must be located a minimum of five feet from any lot line and shall not be located within the corner visual clearance pursuant to Section 167.01.
- ~~C.F.~~ Real estate signs shall be removed upon closing of the sale within five days of final closing, lease, or rental.
- ~~D.G.~~ In addition to lot-specific real estate signs, signs advertising the sale of lots within a subdivision shall be permitted. No more than one sign per entrance into the subdivision shall be allowed, and each sign shall be no greater than 32 square feet in area, no greater than 8 feet in height, and in place no longer than a period of three years.
- ~~E.~~ Open house real estate signs may be located within the street right-of-way between the curb and sidewalk but not for more than 48 hours before or more than four hours after the open house is held. Open house real estate signs shall be placed so that no part of the sign is closer to the roadway than three feet from the back of the curb and shall not be placed within a gravel shoulder. No signage of any kind is permitted within the landscaped areas at street intersections, and no signage shall be placed so that it obscures said landscaped areas. Any signs including real estate signs placed in the street right-of-way are posted entirely and solely at the risk of the sign owner, and may be removed at will and disposed of without notice by the adjacent lot owner or by City staff.
- F. Permits are not required for temporary real estate signs that are over 4 square feet in area, but not for those up to 4 square feet in area.

~~6.~~ Builder/Contractor Signs. Builders, contractors, and subcontractors may each display a business sign no larger than four square feet in size on a lot where they are actively working but not within the public right-of-way.

- ~~A.~~ For new home construction, the posting of such signs is limited to that time between the start of construction and the sale of the home, but not more than 6 months.

- B. ~~For other construction projects requiring a building permit, the posting of such signs is limited to that time between the start of construction and the closing of the permit, but not more than 6 months.~~
- C. ~~For other construction projects not requiring a building permit, the posting of such signs is limited to that time between the start of construction and the end of construction, but not more than 6 months.~~

~~A permit is not required for builder/contractor signs.~~

6. Construction Activity Signs. One temporary sign is permitted per each street frontage. Such temporary signs are subject to the following:

- A. Such temporary signs are permitted in all districts on sites with an active or upcoming construction projects.
- B. Such temporary signs may be installed only after approval of a site plan and/or building permit for such activity. Signs may be installed no more than two months prior to active construction. Signs must be removed once construction is complete or the permit expires, whichever occurs first.
- C. Such temporary signs may be constructed as either freestanding signs or wall signs, and subject to the following:
 - (1) Signs are limited to 32 square feet in area.
 - (2) Freestanding signs are limited to eight feet in height
 - (3) Freestanding signs must be located a minimum of five feet from any lot line.
 - (4) Signs may not be illuminated.

A permit is not required for construction activity signs.