





North Liberty Planning Commission Tuesday, February 4, 2025, 6:30 PM North Liberty City Council Chambers 360 N Main St, North Liberty, Iowa 52317

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- 1. Roll Call
- 2. Approval of the Agenda
- 3. Public Comment on any topic not on the agenda
- 4. Preliminary Site Plan: Request of North Jones, LLC to approve a Preliminary Site Plan for a 12-unit multi-unit residence building and related infrastructure on 3.53 acres. The property is located at 1605, 1655 and 1695 North Jones Boulevard.
 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments
 - d. Questions and Comments
 - e. Recommendation to the City Council
- 5. Public Hearing on Zoning Ordinance Amendment: Request of the City of North Liberty for an Ordinance amending Chapters 167 and 169 of the North Liberty Code of Ordinances, governing definitions of and regulations for fences and accessory structures and uses.
 - a. Staff Presentation
 - b. Public Comments
 - c. Questions and Comments
 - d. Recommendation to the City Council
- 6. Approval of Previous Minutes
- 7. Old Business
- 8. New Business
- 9. Adjournment





- То **City of North Liberty Planning Commission**
- From Ryan Rusnak, AICP
- Date January 31, 2025
- Re Request of North Jones, LLC to approve a Preliminary Site Plan for a 12-unit multi-unit residence building and related infrastructure on 3.53 acres. The property is located at 1605, 1655 and 1695 North Jones Boulevard.

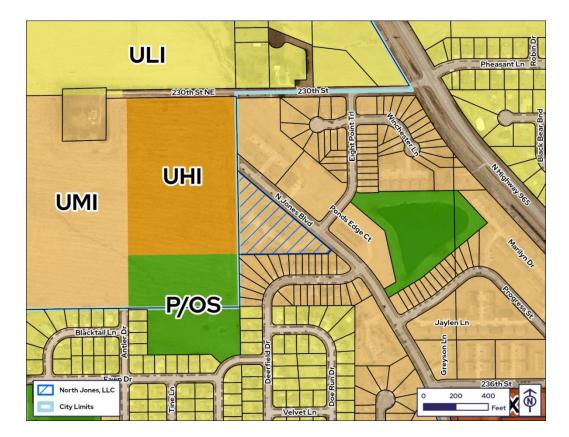
North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo.

1. Request Summary: The site plan proposes one, three-story, 12-unit multi-unit building and related infrastructure on approximately 3.53 acres.



- Pheasant Ln RS-4 30th St NE 230th St RS-6 **RD-10** Jack NHIGHNAN 965 RM-8 RM-8 RS-4 ids Edge Ct RM-12 1-1 MarianDr RD-10 **RD-10** Jaylen Ln P Blacktail RM-8 RM-8 5 Greyson RS-6 Run Dr RD-10 \square North Jones, LLC \$ 0 200 400 **City Limits** - Fe Velvet Ln
- 2. Current Zoning: RM-12 Multi-Unit Residence District.

3. Comprehensive Plan Future Land Use Map Designation: Urban Medium Intensity.



4. Site Plan Approval Standards:

Section 165.05(2)(E) of the North Liberty Code of Ordinances sets forth the approval standards (ordinance language in *italics* and staff analysis in **bold**).

- E. Approval Standards. The Planning Commission's recommendation to the City Council and the City Council's decision to approve or disapprove a preliminary site plan shall be informed by the preliminary site plan's adherence to the following standards:
 - (1) The consistency of the preliminary site plan with all adopted ordinances and regulations.

See analysis below.

(2) The consistency of the proposed land use with the Comprehensive Plan and any adopted land use policies. The submission of a preliminary site plan which proposes one or more uses inconsistent with the City's Future Land Use Map creates a rebuttable presumption that said use or uses are inharmonious with surrounding properties and incompatible with orderly development and redevelopment.

The RM-12 District is consistent with the UMI Land Use Map designation.

Analysis of adopted ordinances and regulations.

Section 168.07 of the North Liberty Code of Ordinances for some potential uses of the property.

Dwelling – Multiple–Unit.

- A. Defined. Multiple-Unit Dwelling means a structure containing three or more attached dwelling units used for residential occupancy. A multiple-unit dwelling does not include a townhouse dwelling.
- B. Use Standards.
 - (1) Buildings must be designed with consistent materials and treatments that wrap around all building elevations. There must be a unifying architectural theme for the entire multi-unit development, utilizing a common vocabulary of architectural forms, elements, materials, or colors in the entire structure.
 - (2) Building facades must include windows, projected or recessed entrances, overhangs, and other architectural features. Three-dimensional elements, such as balconies and bay windows, are encouraged to provide dimensional elements on a facade.
 - (3) Minimum required masonry on front and corner side yard building elevations in residential districts is 25%.
 - (4) To the maximum extent permitted by Iowa Code § 414.1(1)(h), minimum required masonry on front and corner side yard building elevations in residential districts is 25%.
 - (5) Buildings shall be oriented to the best extent possible so that attached garages doors do not face the public right-of-way.

- (6) Additional Commercial district design standards.
 - Roofs shall be designed to be generally flat and shall be concealed from view by use of parapet walls or other architectural methods.
 Portions of roofs that are curved or pitched may be allowed as architectural accents but shall not be used as the primary roof design.

Section 165.05(2)(D) of the North Liberty Code of Ordinances entitled, "Preliminary Site Review" sets forth the submission requirements (ordinance language in *italics* and staff analysis in **bold**).

- Date, north arrow and graphic scale. **Provided.**
- The property owner's name and description of proposed development. **Provided.**
- A vicinity sketch showing the location of the property and other properties within 1,000 feet of it. **Provided.**
- Property boundary lines, dimensions, and total area. **Provided.**
- Contour lines at intervals of not more than five feet, City datum. If substantial topographic change is proposed, the existing topography shall be illustrated on a separate map and the proposed finished topography shown on the site plan.
 Provided.
- The location of existing streets, sidewalks, easements, utilities, drainage courses. **Provided.**
- The total square feet of building floor area, both individually and collectively. **Provided.**
- All structures and major features shall be fully dimensioned including distance between structures, distance between driveways, parking areas, property lines and building height. **Provided.**
- Off-street parking areas, ingress and egress to the property, number of parking spaces proposed, number of parking spaces required by this code and type of surfacing. **Provided.**
- Pedestrian walkways with special consideration given to pedestrian safety. **Provided.**
- Trash and refuse enclosures. **Provided.**
- The general drainage pattern and location of storm water detention features. **Provided.**
- The general location, type and size of landscaping and ground cover illustrated in color perspective. **Provided.**
- A rendering, elevation or photo of the proposed development. **Provided.**

North Liberty Code of Ordinances Section 169.10 entitled, "Design Standards" sets forth certain design standards.

Requirements for All Districts (ordinance language in *italics* and staff analysis in **bold**).

- Building design shall be visually harmonious and compatible with the neighborhood character.
- Buildings located on property with double frontages shall have similar wall design facing both streets.
- Except for RS RD, R-MH and ID districts, color schemes shall be primarily based on earth tones. Earth tone colors include colors from the palette of browns, tans, greys, greens, and red. Earth tone colors shall be flat or muted. Building trim and accent areas may feature non-earth tone and brighter colors. In any district, the use of high intensity colors, neon or fluorescent color and neon tubing is prohibited.
- Except in the R-MH district, a minimum roof pitch of 5:12 shall apply to gable, hip, or shed roofs and there shall be a minimum roof overhang at the eves of 12 inches. This does not apply to portions of a roof that are separate from the structure's primary roof. Metal roofs shall not be corrugated or similar appearance. The color of the roof shall be visually harmonious and compatible with the building color scheme.

5. Additional information:

This property was recently rezoned from RM-8 Multi-Unit Residence District to RM-12 Multi-Unit Residence District to allow for the construction of this additional building.

6. Staff Recommendation:

Finding:

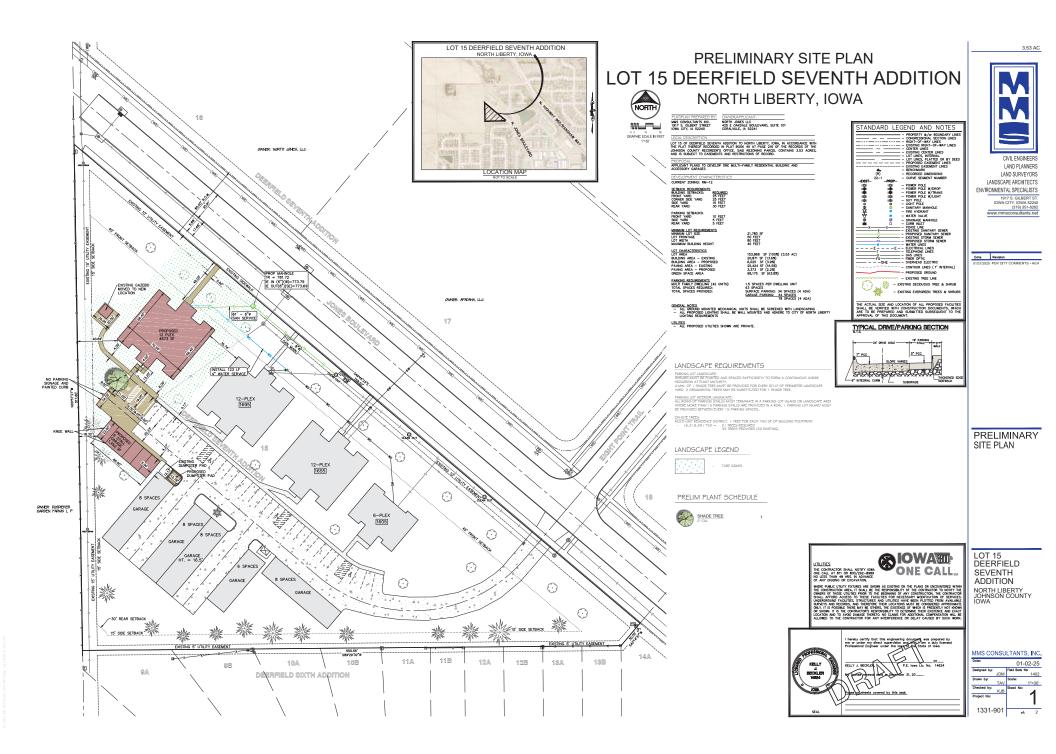
1. The preliminary site plan would achieve consistency with the approval standards enumerated in Section 165.05(2)(E) of the Zoning Code.

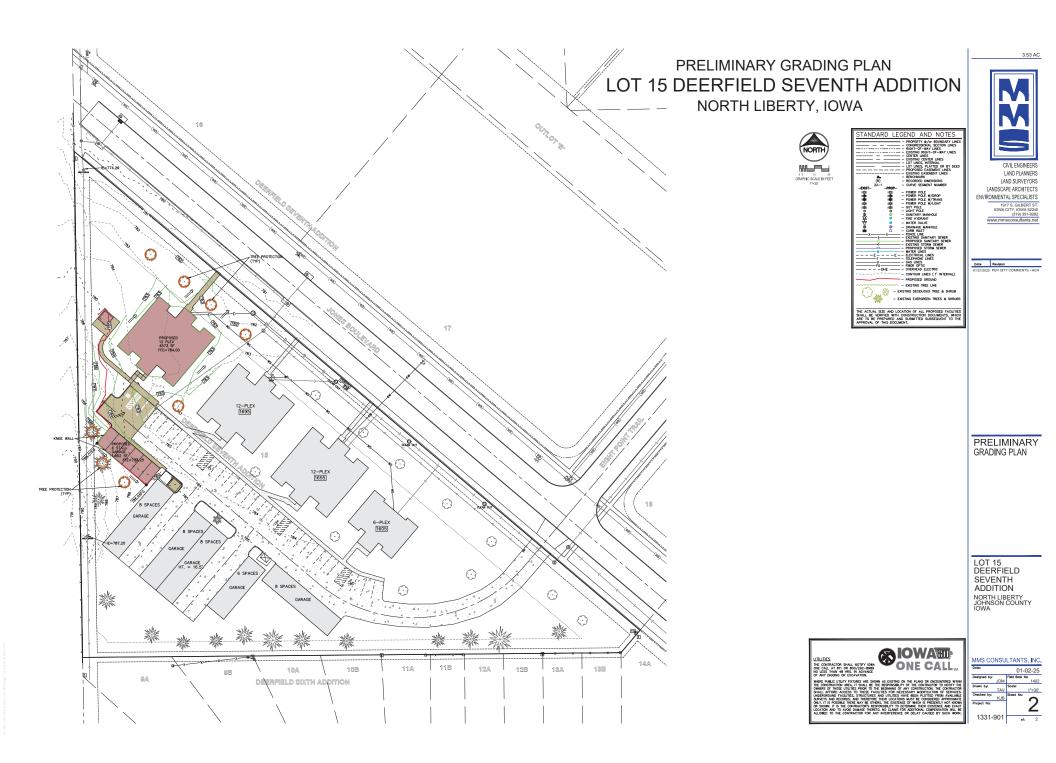
Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the request to approve a Preliminary Site Plan for a 12-unit multi-unit residence building on 3.53 acres to the City Council with a recommendation for approval.

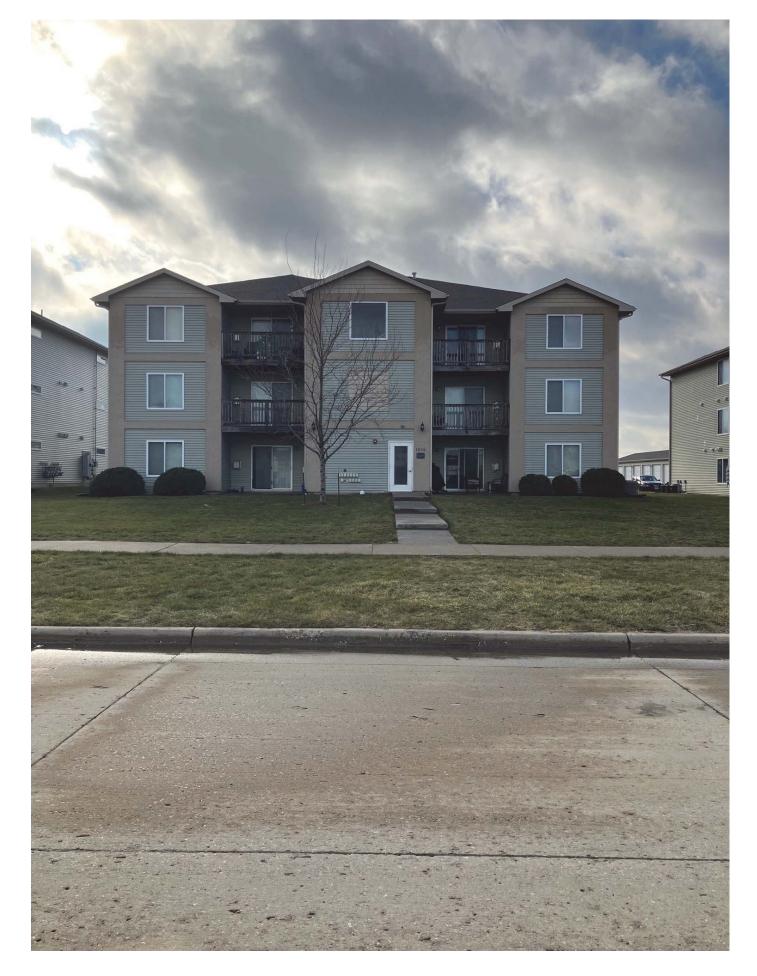
Suggested motion:

I move that the Planning Commission accept the listed finding and forward the preliminary site plan to the City Council with a recommendation for approval.





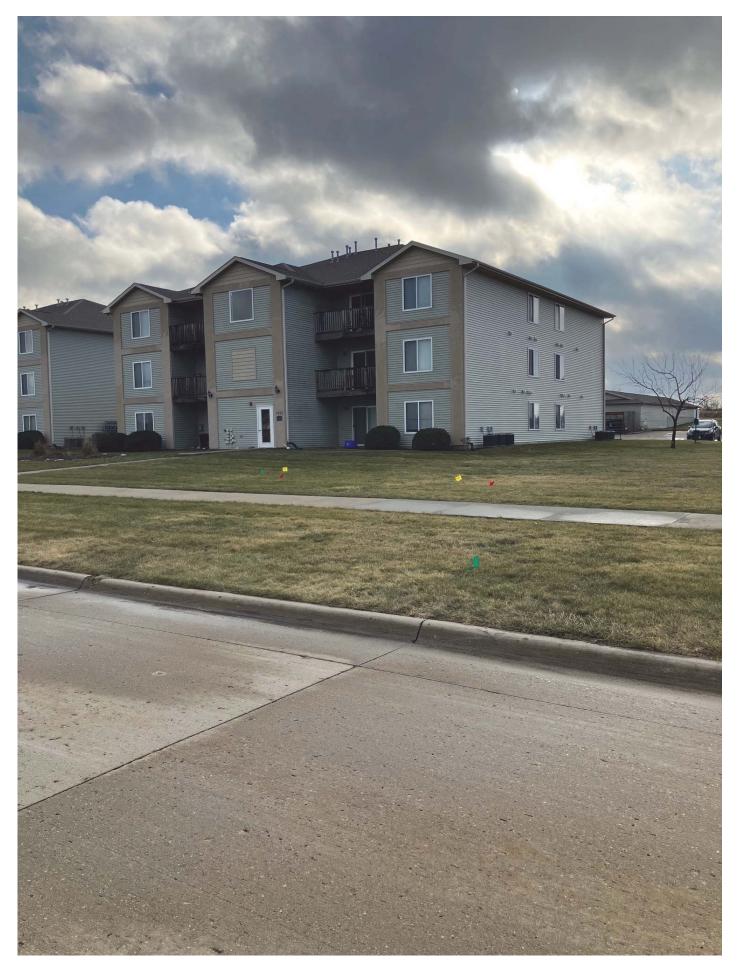
LOT 15 DEERFIELD 7TH ADDITION



LOT 15 DEERFIELD 7TH ADDITION



LOT 15 DEERFIELD 7TH ADDITION









To City of North Liberty Planning Commission

From Ryan Rusnak, AICP

Date January 31, 2025

Request of the City of North Liberty for an Ordinance amending Chapters167 and 169 of the North Liberty Code of Ordinances, governing definitionsof and regulations for fences and accessory structures and uses.

North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo.

1. Request Summary:

Section 166.01(6) of the North Liberty Code of Ordinances provides for an appeal of an interpretation by the Code Official to be submitted to the Board of Adjustment and such interpretation shall be considered final.

The City recently prevailed in two separate requests appealing the Planning Director's interpretation of certain provisions of the Zoning Code. Although the Zoning Board of Adjustment agreed with the Planning Director's interpretation in both cases, staff is proposing to strengthen the Zoning Code to deter similar or nuanced requests for appeal.

2. Zoning Text Amendment Approval Standards

Section 165.09(4)(D)(2) of the Zoning Ordinance sets for the approval standards for zoning text amendments.

Approval Standards. The Planning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards (staff commentary in italics).

Text Amendments.

(a) The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

It is staff's opinion that the proposed amendment is consistent with the Comprehensive Plan and adopted land use policies.

(b) The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.

It is staff's opinion that the proposed zonings would promote the public health, safety, and welfare of the City.

(c) The consistency of the proposed amendment with the intent and general regulations of this Ordinance.

It is staff's opinion that the proposed amendment would be consistent with the intent and general regulations of this Ordinance.

(d) Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy or change in development trends or technology.

It is staff's opinion that the proposed amendment adds clarification to existing requirements.

(e) The extent to which the proposed amendment creates nonconformities.

It is staff's opinion that the proposed amendment does not create any nonconformities, which is always a staff priority.

3. Public Input:

There are no formal objections to the request.

4. Staff Recommendation:

Finding:

1. The proposed amendment would achieve consistency with Section 165.09 of the Zoning Code.

Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the request for Ordinance amendment to the City Council with a recommendation for approval.

Suggested motion:

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

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTERS 167 AND 169 OF THE NORTH LIBERTY CODE OF ORDINANCES, GOVERNING DEFINITIONS OF AND REGULATIONS FOR FENCES AND ACCESSORY STRUCTURES AND USES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY, IOWA:

SECTION 1. AMENDMENT OF ORDINANCE. Section 167.01 of the North Liberty Code of Ordinances, is amended to modify the definition "gross floor area" and add the definitions of "fence" and "shade structure".

"Floor area, gross" means the sum of the horizontal areas of floors of a building measured from the exterior face of exterior walls or, if appropriate, from the centerline of dividing walls; this includesincluding, but limited to courts, and decks, or porches when covered by a roof.

<u>"Fence" means a vertical structure used to provide privacy, visual or otherwise, or for protection,</u> to identify or demark boundaries, or for containment and/or confinement.

<u>"Structure, Shade" means an attached or freestanding structure with a temporary or permanent</u> <u>roof and/or walls designed to provide protection from the sun and rain.</u>

SECTION 2. AMENDMENT OF ORDINANCE. Subsection 9 of Section 169.04 of the North Liberty Code of Ordinances, is amended as follows:

9. Prohibited Fence Material.

The following fences are prohibited, except as provided in this chapter or for permitted agricultural residential gardening uses to protect against rodents, vermin, and pests:

- A. Metal fences with the exception of chain link, wrought iron, and simulated wrought iron
- B. Electrical fences or any kind of electrically charged fences
- B:C. Barbed wire, razor wire, spikes, nails, etc.
- C.D. Wood panel fence
- ₽.E. Plywood or oriented strand board (OSB)
- <u>F.</u> Pallets or any used repurposed material
- E.G. Cloth, fabric, canvas, plastic sheets, tarps, etc. as primary materials
- F.<u>H.</u>Chicken wire
- G.I.___Snow fence, except as provided below

A snow fence may be erected on a temporary basis, not to exceed six months, to alleviate the adverse effects of drifting snow or to warn and prevent access to an area by unauthorized persons. When erected on a temporary basis to prevent access of

unauthorized persons to any area, a snow/safety fence shall be removed within 24 hours after the elimination of the reason for which the fence was erected originally.

SECTION 3. AMENDMENT OF ORDINANCE. Preamble and Subsections 1, 2 and 3 of Section 169.05 of the North Liberty Code of Ordinances, is amended as follows:

Accessory structures and uses shall occupy the same lot as the main use or building. No lot shall have an accessory structure or use without the principal use. No accessory structure shall be used as a dwelling unit. Accessory structures shall be constructed out of material intended for long-term exposure to the elements. Prohibited materials include, but are not limited to cloth, fabric, canvas, plastic sheets and tarps. Exceptions to the materials prohibition includes plastic for greenhouses and fabric and/or canvas for shade structures. Shipping containers are prohibited as an accessory structure.

1. Yard Encroachment.

No accessory building or use shall be located within any yard unless authorized by this Section and/or Section 169.08.

- 2. Freestanding Garages, Storage Buildings, Greenhouses, Gazebos, Pergolas, and other Similar Structures greater than 200 Square Feet Gross Floor Area.
 - A. RS, RD and ID districts shall be subject to the following:
 - (1) A maximum of one freestanding garage building, greenhouse, gazebo, pergola, or other similar structure greater than 200 square feet gross floor area.
 - (2) Freestanding garages or combination of structures, which include a freestanding garage: A maximum gross floor area of 850 square feet. RS district exception: on properties exceeding .5 acres but less than.75 acres, the maximum gross floor area shall be 1,000 square feet. On properties exceeding .75 acres but less than one acre, the maximum gross floor area shall be 1,200 square feet. On properties exceeding one acre, the maximum gross floor area shall be 1,400 square feet. Notwithstanding the foregoing, the gross floor area shall not exceed the total footprint of the residence.
 - (3) All other structures <u>or combinations of structures, which do not include a</u> besides freestanding garages.: A maximum gross floor area of 600 square feet.
 - (4) <u>Structures as described in subparagraphs (1) and (2) above may May</u> be located within the rear yard subject to a five_foot side and rear setback.
 - (5) <u>Structures as described in subparagraphs (1) and (2) above may May</u> be located within a side yard subject to meeting the required side and rear yard setbacks for the main building.
 - (6) <u>Structures as described in subparagraphs (1) and (2) above shallMust</u> be situated a minimum 20 feet from a public or private right-of-way or improved alley.

- (7) <u>Structures as described in subparagraphs (1) and (2) above shallMay</u> not be located within any utility, sewer, drainage, access or walkway easement, where such easement is dedicated to the City or to public use.
- (8) <u>Structures as described in subparagraphs (1) and (2) above shall have a</u> maximum height of 15 feet.
- B. RM district.
 - <u>The RM District has no</u>No maximum number of freestanding garagesstructures, however, the aggregate floor area of all freestanding garages, greenhouses, gazebos, pergolas and other similar structures shall not exceed the aggregate footprint of the main buildings.
 - (2) <u>Freestanding garages, greenhouses, gazebos, pergolas and other similar</u> <u>structures may</u>May be located within the rear yard subject to a 10-foot side and rear setback.
 - (3) A minimum 20 feet from a public or private right-of-way or improved alley is required for all freestanding garages, greenhouses, gazebos, pergolas and other similar structures.
 - (4) <u>Freestanding garages, greenhouses, gazebos, pergolas and other similar</u> <u>structures</u> shall<u>not be located</u>Not within any utility, sewer, drainage, access or walkway easement, where such easement is dedicated to the City or to public use.
 - (5) <u>Freestanding garages, greenhouses, gazebos, pergolas and other similar</u> <u>structures shall have a</u>A maximum height of 15 feet.
- 3. Storage Buildings and Greenhouses.
 - A. RS and RD districts shall be subject to the following:
 - (1) A maximum two storage buildings, greenhouses or structures designed for other similar use, or any combination thereof, may be located within the rear yard.
 - (2) Maximum 200 square feet gross floor area per structure.
 - (3) Storage buildings, greenhouses<u>and other similar structures shall have a</u>A minimum of five feet from the side and rear property line.
 - (4) A minimum of 10 feet from a public or private right-of-way alley is required for all storage buildings, greenhouses, and other similar structures.
 - (5) Storage buildings<u>, greenhouses, and other similar structures shall not be</u> <u>located</u>Not within any utility, sewer, drainage, access or walkway easement, where such easement is dedicated to the City or to public use.
 - (6) Storage buildings, <u>greenhouses</u>, and other similar structures shall have a Mmaximum building height of 10 feet.
 - B. R-MH district shall be subject to the following:
 - (1) A maximum one storage building, greenhouse or structure designed for other similar use, or any combination therefore, may be located on the same space as the manufactured home, and only in the side or rear yard.
 - (2) A maximum of 144 square feet gross floor area_is permitted <u>for any such</u> <u>structure</u> as described in subparagraph (1) above.

- (3) <u>Structures as described in subparagraph (1) above shall be located a</u>A minimum of 10 feet from a public or private right-of-way alley.
- (4) <u>Structures as described in subparagraph (1) above shall not be located</u>Not within any utility, sewer, drainage, access or walkway easement, where such easement is dedicated to the City or to public use.
- (5) <u>Structures as described in subparagraph (1) above shall have a</u> <u>maximum</u>Maximum building height of 10 feet.

SECTION 4. REPEALER. All Ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. SCRIVENER'S ERROR. The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Clerk or the Clerk's designee without further public hearing.

SECTION 6. SEVERABILITY. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 7. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First consideration on, 2	2025.
Two meetings prior to final consideration waive	ed on, 2025.
Second and final consideration on	, 2025.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK

I certify that the forgoing was published as Ordinance No. _____ in the Cedar Rapids *Gazette* on the _____ day of _____, 2025.

TRACEY MULCAHEY, CITY CLERK







Planning Commission

January 7, 2025 Council Chambers, 360 N. Main Street

Call to Order

Chair Amy Yotty called the Tuesday, January 7, 2025, Planning Commission to order at 6:30 p.m. in the Council Chambers at 360 N. Main Street. Commission members present: Sheila Geneser, Jason Heisler, Valerie Ward, Dave Willer, and Amy Yotty; absent: Barry A'Hearn and Josey Bathke.

Others present: Ryan Rusnak, Ryan Heiar, Grant Lientz, Tracey Mulcahey, Josiah Bilskemper, and other interested parties.

Approval of the Agenda

Willer moved, Geneser seconded to approve the agenda. The vote was all ayes. Agenda approved.

Public Comment

No public comments were offered.

Watts Group Preliminary Site Plan

Staff Presentation

Rusnak presented the request of Watts Group Development, Inc. to approve a Preliminary Subdivision Plat for a 20-lot subdivision on approximately 5.03 acres. Staff recommends the Planning Commission accept the two findings; 1– The Preliminary Subdivision Plat, which proposes residential, would achieve consistency with the Comprehensive Plan Future Land Use Map designation of Urban Low Intensity; and 2 – The Preliminary Subdivision Plat would achieve consistency with Section 180.11(3)(A) and 180.12 of the North Liberty Code of Ordinances which sets forth the preliminary subdivision plat submittal requirements and design standards, respectively; and forward the request of Watts Development Group, Inc. to approve a Preliminary Subdivision Plat for a 20-lot subdivision on approximately 5.03 acres to the City Council with a recommendation for approval.

Applicant Presentation

No applicant presentation was offered.

Public Comments

No public comments were offered.

Questions and Comments

The Commission had no questions or comments.

Recommendation to the City Council

Willer moved, Geneser seconded that the Planning Commission accept the two listed findings and forward the Preliminary Subdivision Plat to the City Council with a recommendation for approval. The vote was: ayes – Ward, Geneser, Heisler, Willer, Yotty; nays – none; absent – A'Hearn, Bathke.

Watts Group Preliminary Site Plan

City of North Liberty – 2025 Page: 1 Rusnak presented the request of Watts Group Development, Inc. to approve a Preliminary Subdivision Plat for a 4-lot subdivision on approximately 12.86 acres. Staff recommends the Planning Commission accept the two findings; 1– The Preliminary Subdivision Plat, which proposes residential, would achieve consistency with the Comprehensive Plan Future Land Use Map designation of Urban Medium Intensity; and 2 – The Preliminary Subdivision Plat would achieve consistency with Section 180.11(3)(A) and 180.12 of the North Liberty Code of Ordinances which sets forth the preliminary subdivision plat submittal requirements and design standards, respectively; and forward the request of Watts Development Group, Inc. to approve a Preliminary Subdivision Plat for a 4–lot subdivision on approximately 12.86 acres to the City Council with a recommendation for approval.

Applicant Presentation

Adam Hahn was present on behalf of the applicant and offered additional background information.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including the property line in relation to how the walls are constructed.

Recommendation to the City Council

Heisler moved, Ward seconded that the Planning Commission accept the two listed findings and forward the Preliminary Subdivision Plat to the City Council with a recommendation for approval. The vote was: ayes – Yotty, Heisler, Geneser, Willer, Ward; nays – none; absent – A'Hearn, Bathke.

Approval of Previous Minutes

Heisler moved, Geneser seconded to approve the minutes of the December 3, 2024, meeting. The vote was all ayes. Minutes approved.

Old and new Business

Rusnak reported on agenda items for the February meeting. He will be presenting information on trends from the previous calendar year at the next meeting.

Adjournment

At 6:40 p.m., Geneser moved, Willer seconded to adjourn. The vote was all ayes. Meeting adjourned.

Signed: Tracey Mulcahey, City Clerk