



**AGENDA**  
**PLANNING AND ZONING MEETING**  
**Norwalk City Hall, 705 North Ave**  
**Monday, February 26, 2018**  
**5:45 P.M.**

1. Call meeting to order at 5:45 P.M.
2. Approval of Agenda
3. Approval of Minutes – February 12, 2018
4. Chairperson – Welcome of Guests
5. Public Comment – 3-minute limit for items not on the agenda (No action taken)
6. New Business
  - a. Public hearing and consideration of a request from Britt & Mollie Baker to rezone approximately 10 acres of property on County Line Road from A-R Agricultural Reserve to RE-1 Rural Estates Single Family
  - b. Public Hearing and consideration of a request regarding a zoning amendment request to rezone the Hughes Farm property from C-2, R-1, R-3, and R-4 to Planned Unit Development with a mix of TC, C-2, IC, R-4, R-3, and R-1
  - c. Public Hearing and Consideration of a zoning amendment to add additional restrictions to the Private Streets section of the City of Norwalk Zoning Ordinance
  - d. Public Hearing and Consideration of a zoning amendment to change the garage requirements for R-4 senior living projects within the R-4 section of the City of Norwalk Zoning Ordinance
  - e. Discussion regarding the Dobson PUD R-4 Parcel
7. City Council Update – Brian Baker, Planning and Zoning Commission Liaison
8. Economic Development Update – Hollie Askey, Economic Development Director
9. Future Business Items
  - a. Intro to Planning & Zoning Workshop – April 2<sup>nd</sup> @ 6:00 PM – Ankeny
  - b. Stark Property
  - c. Sign Ordinance Revisions – Project Finance Signs
  - d. Walkability Design
  - e. Affordable Housing – Housing Trust Fund
10. Next Meeting Date: March 26, 2018
11. Adjournment

## **REGULAR NORWALK PLANNING AND ZONING MEETING 02-14-2018**

### **Call to order**

The regular meeting of the Norwalk Planning and Zoning Commission was held at the Norwalk City Hall, 705 North Avenue, Wednesday, February 14, 2018. The meeting was called to order at 12:02 p.m. by Chairperson Judy McConnell. Those present at roll call were Judy McConnell, Donna Grant, Brandon Foldes and Barbara Bellizzi. Absent: Elizabeth Thompson and John Fraser.

Staff present included: Luke Parris, Community Development Director, and Elliot Klimowski, Intern.

### **Approval of Agenda – 18-12**

Motion by Foldes and seconded by Bellizzi to approve the agenda. Approved 4-0.

### **Approval of Minutes – 18-13**

Motion by Bellizzi and seconded by Foldes to approve the minutes from the January 22, 2018 meeting. Approved 4-0.

Chairperson McConnell welcomed the guests present.

With no one wishing to speak, McConnell moved onto the first item of business.

### **New Business**

#### **Request from United Properties Invest Co, LC and Civil Design Advantage to approve the Final Plat of Marketplace at Echo Valley Plat 2**

##### **-18-14**

The request would create a commercial lot at the northeast corner of Beardsley Street and Marketplace Drive. There are no buffering requirements for this mixed-use parcel. Parkland dedication agreement was drafted during the development of the original Marketplace Plat and is intended to be carried out comprehensively as part of the entire Echo Valley PUD development area. Staff recommends approval of the Final Plat of Marketplace at Echo Valley with conditions of applicant will provide all supporting documentation required by Norwalk Subdivision Regulations and any significant modifications to the final plat would have to be reviewed and approved by the Planning and Zoning Commission as well as City Council.

Grant motioned to approve the Final Plat at Marketplace at Echo Valley Plat 2. Foldes seconded. Approved 4-0

#### **Request from the City State Bank to approve the Site Plan for the City State Bank at 1225 Colonial Parkway –18-15**

This request is to approve the site plan for the new City State Bank building at 1225 Colonial Parkway. Building accommodations will include both the bank and a retail space for one tenant. The site will be accessed from Colonial Parkway. The bank drive-thru will be located on the east side of the building, potential drive-thru lanes are shown on the site plan to accommodate a retail user that may request this access. The Farms of Holland PUD required a north/south trail along Iowa Highway 28. It was determined that it would be cost prohibitive for the City to extend the trail to the north due to the addition of a bridge to cross a drainage way. As an alternative the applicant would provide funds equal to the City to assist in the development of a north/south trail through Elizabeth Holland Park. City Staff recommends approval with conditions; the site development and building construction follow all City code regulations, any significant modifications to the site plan must be reviewed and approved by the Planning & Zoning Commission as well as City Council, the applicant and City continue to work on the median cut, and the applicant will agree to finalize an agreement with the City in relation to waiving the construction of the 10' trail along Iowa Highway 28.

*(Thompson arrived at 12:13 p.m.)*

Motion by Bellizzi to approve the Site Plan with conditions listed, and seconded by Grant.  
Approved 5-0

**Request from Platinum Homes, LLC to approve the Final Plat re-plat of Arbor Glynn Plat 5  
-18-16**

This re-plat of the Final plat for Arbor Glynn includes Plats 1, 2, & 3. The original shows two family townhomes as well as single family lots. The re-plat encompasses all the two-family lots and single family lots which will be re-platted into 11 Single family lots.

Motion by Grant to approve the Final Plat re-plat of Arbor Glynn Plat 5 and seconded by Thompson  
Approved 5-0

**Request from Norwalk Community School District to approve the Norwalk Middle School Addition  
and Renovation -18-17**

This request would add approximately 8640 square feet of space to the east side of Norwalk Middle School and add paved walkways. Paved walkways and paved handicap parking stalls will also be added to the baseball/softball diamond area replacing part of the gravel parking surface. Per City Zoning Ordinance Section 17.40.030, the gravel parking surface should be paved at some point in the near future. Staff has requested an official plan statement be presented by the developer to confirm a timeline of when the paving will be completed. Kate Baldwin, Business Manager for Norwalk Community School District, 308 Wright Road, approached the dais and spoke. Baldwin explained that the gravel surface would be paved but it would not all be done at one time when the addition happens. It was requested that documentation be provided to ensure that the area would be paved in the future.

Motion by Grant to approve the Norwalk Middle School Addition and Renovation and seconded by Bellizzi. Approved 5-0

**Future Business Items-**

Intro to Planning & Zoning Workshop – April 2<sup>nd</sup> @ 6:00 PM -- Ankeny

Stark Property

Sign Ordinance Revisions – Project Finance Signs

Walkability Design

Affordable Housing – Housing Trust Fund

**City Council Update-** No update

**Next meeting Date – February 26, 2018.**

**Adjournment – 18-18**

Motion by Bellizzi and seconded by Foldes to adjourn the meeting at 12:40 p.m. Approved 5-0.

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Judy McConnell, Chairperson

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Luke Parris, Community Development Director



**PLANNING & ZONING COMMISSION  
AGENDA STATEMENT**

Item No. 6A  
For Meeting of 2.26.2018

<b>ITEM TITLE:</b>	<b>Request from Britt &amp; Mollie Baker to rezone approximately 10 acres of property on County Line Road from A-R Agricultural Reserve to RE-1 Rural Estates Single Family.</b>
<b>CONTACT PERSON:</b>	<b>Luke Parris – Community Development Director</b>
<b>APPLICANT(S):</b>	Britt & Mollie Baker 7900 Adams Street Norwalk, IA 50211
<b>GENERAL DESCRIPTION:</b>	This request would change the zoning 10.26 acres of property off of County Line Road from its current A-R Agricultural Reserve zoning to RE-1 Rural Estates Single Family zoning. The property owner would like to then split the 10.26 acres into a lot for development of a single family home.
<b>RELATIONSHIP TO CURRENT ZONING:</b>	<p>The existing zoning of A-R has a minimum lot size of 30 acres. The development of one single family home per parcel in the A-R district is allowed per the Zoning Ordinance.</p> <p>The Baker's currently own a 29.53 parcel off of County Line Road zoned A-R. Per City Zoning, the Baker's could currently construct one single family home on the property. The Baker's have requested to split off 10 acres of the 29.53 acre parcel for a single-family home. The request to split off the 10 acre lot requires the consideration of a rezoning to RE-1, which has a minimum lot size of 40,000 square feet.</p>
<b>RELATIONSHIP TO CURRENT LAND USE AND COMP PLANS:</b>	The Future Land Use Plan shows the property and area surrounding it as Residential Commercial Flex. This area allows for a mix of residential and commercial uses.
<b>STAFF ANALYSIS:</b>	The expectation for the Residential Commercial Flex (RCF) land use is for a mix of commercial and residential developments at a density greater than what would be found in the RE-1 Rural Estates district. The area was identified as RCF due to its proximity to the proposed Veteran's Parkway corridor. While identified for future RCF development, the property does not currently have the services to support that development at this time.

The proposed rezoning and land split is located on the western boundary of the RCF area and is adjacent to current large estate lots in the Lakeland Estates Subdivision to the east. Under current Zoning regulations, the Baker's could build a single-family house on the existing parcel. The rezoning proposal and split of the 10 acres would leave approximately 45 acres of undeveloped ground in the RCF area, including the property adjacent to the proposed Veteran's Parkway.

**PLANNING & ZONING  
COMMISSION  
RECOMMENDATION:**

The Planning & Zoning Commission should consider the above facts of the proposal and make a recommendation to the City Council. Options for recommendation are:

1. Recommend approval
2. Recommend approval with conditions
3. Recommend denial (note that a lack of motion on the item is considered a recommendation to deny the request)
4. Table the item if additional information is required





# Baker Property Proposed Rezoning Area

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF NORWALK,  
IOWA BY REZONING APPROXIMATELY 10 ACRES OF PROPERTY ON COUNTY LINE ROAD  
FROM A-R AGRICULTURAL RESERVE TO RE-1 RURAL ESTATES SINGLE FAMILY**

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF NORWALK, IOWA:

SECTION 1. PURPOSE. The purpose of this ordinance is to amend the Official Zoning Map of the City of Norwalk, Iowa, under the provisions of Title 17 (Zoning Regulations), Chapter 17.04 (General Provisions), Section 17.04.060 (Zoning District Boundaries and Official Zoning Map) of the Norwalk Municipal Code.

SECTION 2. OFFICIAL ZONING MAP AMENDED. The official zoning map of the City of Norwalk, Iowa, is amended from A-R Agricultural Reserve to RE-1 Rural Estates Single Family for the property described in the attached Exhibit "A."

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE. In 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 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved by the City Council of the City of Norwalk, Iowa on the \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Tom Phillips, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Eddleman, Deputy City Clerk

PREPARED BY: Luke Parris, Community Development Director

EXHIBIT "A"

## LEGAL DESCRIPTION

E-7887

THE EAST 636.17 FEET OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE 5th P.M., EXCEPT AMT PLAT NO. 2, AN OFFICIAL PLAT RECORDED IN BOOK 9, PAGE 512, IN THE WARREN COUNTY RECORDERS OFFICE, CITY OF NORWALK, WARREN COUNTY, IOWA, SAID PARCEL CONTAINING 10.26 ACRES MORE OR LESS, INCLUDING 0.26 ACRES OF ROAD EASEMENT.





**PLANNING & ZONING COMMISSION  
AGENDA STATEMENT**

**Item No. 6B**  
**For Meeting of 02.26.2018**

**ITEM TITLE:** Public Hearing regarding a zoning amendment request to rezone the Hughes Farm property from C-2, R-1, R-3, and R-4 to Planned Unit Development with a mix of TC, C-2, IC, R-4, R-3, and R-1

**CONTACT PERSON:** Luke Parris, AICP – Community Development Director

**SUMMARY EXPLANATION:**

In January 2016, City staff and the City's consultant, Confluence, began developing the SubArea One Master Plan with engagement of the landowners in the area and the general public. The Master Plan set proposed land uses and development plans for approximately 1 square mile in the center of town, bounded by IA 28 on the west, E 27<sup>th</sup> Street/80<sup>th</sup> Avenue on the east, Beardsley Street on the north, and the Windflower neighborhood to the south. A main component of this Master Plan was the potential town center development within the Hughes Farm property.

In 2017, staff began working with the Diligent Development Group on potential Planned Unit Development guidelines for the development of the approximately 120 acres of the Hughes Farm property. The proposed PUD would be an extension of Chatham from the west into the property. Commercial opportunities are available along Iowa Highway 28 and the Chatham extension. The east end of the Chatham extension also includes potential for R-4 High Density Residential development or even light industrial development to the north of Chatham. A retail anchor space is identified central to the overall development. R-3 Townhomes uses provide a land use transition to single-family development in the southeast portion of the Hughes Farm. The Single-family area allows for a mix of lot widths and encourages the creation of narrower 40' lots to introduce more single-family homes into the community at an affordable price point. The Town Center concept is reserved for the southwest portion of the Hughes Farm property. This area will be planned in more specific detail as proposals come forward. The PUD does acknowledge the existing residential to the south and would require open space, civic uses, or lower density residential to be located on the southern boundary of the Town Center parcel near the adjacent existing residential.

The PUD also lays out desired street design guidelines. These guidelines focus on narrower lanes to increase safety, street aesthetics through the use of street trees, and pedestrian and bike accessibility through the inclusion of trails and bike lanes. In particular, the Town Center area will have unique street design concepts to allow for on-street parking and wide walking paths to accentuate the zero lot line development encouraged for the area.

A draft of the proposed PUD documents is included on the following pages. This hearing is intended to gather Commission, Council, and Public feedback on the proposal. The City will work with the developers to make necessary changes before the PUD is brought back through the City process for additional public hearings and formal adoption. No action is requested to be taken on this item at this time.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF NORWALK, IOWA, BY REZONING CERTAIN PROPERTY FROM C-2, C-O, R-4, R-3 and R-1(60) TO PLANNED UNIT DEVELOPMENT (PUD) AND TO ADOPT THE MASTER PLAN AND ESTABLISH THE RULES, REGULATIONS, AND GUIDELINES FOR THE DEVELOPMENT OF THE HUGHES CENTURY CROSSING PUD**

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF NORWALK, IOWA:**

**SECTION 1 – PURPOSE.** The purpose of this ordinance is to change the Official Zoning Map of the City of Norwalk, Iowa, under the provisions of Title 17 (Zoning Regulations), Chapter 17.04 (General Provisions), Section 17.04.060 (Zoning District Boundaries and Official Zoning Map) of the Norwalk Municipal Code, and to adopt a master plan pursuant to Chapter 17.10 (Zoning District Regulations), Section 17.10.170 (Planned Unit Development), Subdistrict 17.10.170.3 (Master Plan).

**SECTION 2 - OFFICIAL ZONING MAP AMENDED.** The Official Zoning Map of the City of Norwalk, Iowa, is amended from C-2, C-O, R-4, R-3 and R-1(60) to PUD, for the property legally described as follows:

**LEGAL DESCRIPTION:**

*(insert property legal description)*

**SECTION 3 - MASTER PLAN ADOPTION.** Attached hereto and made a part of this rezoning approval, for concept description and delineation is the Master Plan Document for the Hughes Century Crossing PUD marked Exhibit "A". The Master Plan is adopted to establish the rules, regulations, and development guidelines for the land use and performance standards pursuant to Section 17.10.170.4 of the Municipal Code of the City of Norwalk, Iowa, for the development of the Hughes Century Crossing PUD. The Master Plan layout, including the relationship of uses to each other and the relationship of land use to the general plan framework, and development requirements, shall be used as the implementation guide.

Individual parcels within the PUD may be developed independent of other parcels or tracks, provided the minimum requirements are met, unless modified herein, and the development of the parcel allows for the proper development of other parcels or tracks within the PUD.

It is recognized that shifts or modifications to the Master Plan layout and minor adjustments to the PUD Land Use Parcel boundaries may be made in order to establish workable street patterns, storm water management systems or facilities, elevations, grades, and/or usable building sites. Any modifications to the Master Plan considered by the Zoning Administrator to be major or significant and any amendments to the PUD text shall be made pursuant to Subsection 17.10.170.7 of the Municipal Code of the City of Norwalk, Iowa.

**SECTION 4 - REQUIRED PLANS.** The following plans shall be required as a part of the processing of any development application for any property within the Hughes Century Crossing PUD.

1. **Service Confirmation Plans for Public Sanitary Sewers, Storm Sewers, Water Mains and Streets:** Prior to or in conjunction with any Subdivision Plat and/or Site Plan, engineering design plans shall be provided to the City by the developer which demonstrate that properly sized and located public sanitary sewers, storm sewers, water mains, and streets will be constructed adjacent to or across the respective property in order to fully serve other parcels within the PUD.
2. **Platting:** Prior to, or in conjunction with development of any portion of the PUD, said area shall be platted in accordance with the City of Norwalk's subdivision regulations to delineate within a plat the parcel to be developed except as noted in this ordinance.
  - a. Plats-of-Surveys: In order to facilitate the sale or transfer of ownership of parcels within the PUD, a Plat-of-Survey may be created in accordance with State Law and submitted to the City of Norwalk for its review and approval following a finding of general compliance within the intent of the PUD. It is understood that the transfer of title of any Parcel in the PUD is an interim measure to facilitate development of the PUD and will ultimately culminate in the Final Platting of the respective Parcel. Parcels created by Plat-of-Survey shall not be buildable and no building permit shall be issued until the parcel is platted as part of a Subdivision Plat is approved and the final plat is recorded. No public or private infrastructure improvements are required to be installed or surety posted for any parcels created by Plat-of-Survey.
  - b. Outlots: As part of a Subdivision Plat, Outlot(s) may be created to facilitate the sale or transfer of ownership. Outlots shall not be buildable and no building permit shall be issued until such time that a Subdivision Plat is approved and the final plat is recorded that replats said Outlot(s) into one or more regular Subdivision Lots. No public or private infrastructure improvements are required to be installed or surety posted for any Outlots created by Subdivision Plat.
  - c. Acquisition Plats: Public street rights-of-way may be established by Acquisition Plat following the review and approval by the City.
  - d. Public Street Frontage: Lots without public street frontage shall be permitted provided the frontage requirements of the subdivision regulations have been otherwise satisfied by an abutting or surrounding lot which is under common ownership by an Owners' Association with all properties within the master development plan being part of the Association, or there have been cross parking and access easements executed which provide for the unrestricted use and access to the drives and parking for all members of the Association.
  - e. Postage Stamp Lots: Individual lots created within a common lot or outlot

that is owned and controlled by an Owner's Association or condominium regime, commonly referred to as a *Postage Stamp Lot*, may be permitted provided it is within an approved master planned development and the surrounding common lot or outlot meets the City's requirements for lot frontage, and provides for cross access/egress and public utilities for the Postage Stamp Lots.

3. **Development Applications:** Site Plans for all non-single family residential zoned parcels within the Hughes Century Crossing PUD shall be submitted to the City for its review and approval in accordance with the City's site plan review process prior to the development, and must meet the intent of the approved PUD Master Plan.

**SECTION 5 - GENERAL CONDITIONS.** The following general site development criteria are applicable to the Hughes Century Crossing PUD:

1. Any regulation, standard, provision or requirement that is not specifically addressed within this document that is regulated elsewhere in the Municipal Code of Norwalk, Iowa, the requirements of the Municipal Code shall be enforced.
2. All subdivisions, public streets, public street rights-of-way, public improvements, and other general development improvements shall adhere to the standards and design criteria set forth in the Norwalk Subdivision Ordinance and the Statewide Urban Design Specifications (SUDAS) as adopted or as amended by the City of Norwalk, pertaining thereto, unless otherwise stated within this Ordinance.
3. On-street parking may be allowed on streets as permitted by the City for convenience to adjoining property owners and for community use. Provisions for on-street parking will be reviewed by the City as development occurs. All off-street parking shall be in accordance with Chapter 17.40, Off-street Parking and Loading, of the Zoning Ordinance.
4. Applicable in all areas located within a 100-year frequency flood hazard zone, or in adjoining drainageways, detention areas, or other storm water management areas involving potential flood hazards, no building shall be erected which has a lowest floor elevation, including basements, of less than one (1) foot above the determined level of the one hundred (100) year frequency flood event; or the building shall be flood proofed to the same elevation in accordance with the City of Norwalk Floodplain Ordinance. No building shall be erected within 25-feet of any major drainage (as determined by the storm water management plan), storm water detention basin or pond, unless approved by the City.
5. The Developer, its successors and assigns, if any, shall pay all construction and engineering costs for the development and improvement of its property, including improvements located in all rights-of-way to be dedicated to the City, all in accordance with the current City policies and ordinances in affect at the time of development.
6. The physical character of the Hughes Century Crossing PUD dictates the configuration of transportation access to the property. All street names shall be determined at the time of platting. Street names stated in this ordinance are in reference to street names noted on the PUD Master Plan.

**SECTION 6 - STREET CIRCULATION AND RIGHT-OF-WAY.** Exhibit A shows a conceptual roadway circulation system within each Land Use Area Parcel including the classification of each

road. The circulation and layout of street within Parcel F shall be determined when a proposal for the Town Center area is developed. The minimum standards of each road classification are as follows:

**Chatham Avenue (Major Collector):**

- 82' Right of Way
- 16' wide landscaped median
- Two 11.5' drive lanes
- Two 5.5' bike lanes
- 5' sidewalks on both sides
- Street trees

**Commercial Corridors:**

- 71' Right of Way
- Two 11.5' drive lanes
- One 11' center turn lane
- 10' trail on one side
- 5' sidewalk one side
- Street trees

**Town Center Main Street:**

- 60' Right of Way
- Two 10.5' drive lanes
- 8' parking lane on both sides
- 11.5' sidewalks on both sides with street trees

**Residential Minor Collector:**

- 64' Right of Way
- 8.5' parking lane on westside of street
- One 10' drive lane
- One 10.5' drive lane
- One 11' center turn lane
- 8' trail on westside of street
- 5' walk on eastside of street
- Street trees

**Residential Local Street:**

- 64' Right of Way
- 8.5' parking lane on westside of street
- One 10' drive lane
- One 10.5' drive lane
- One 11' center turn lane
- 5' walks on both sides
- Street trees

At a minimum, the Developer of each area shall design the local street circulation system and shall extend designated roadways across its plat to adjacent areas. Public street right-of-way shall be dedicated to the City at the time of platting consistent with the above standards and with the City's current Ordinances and Policies. Private streets shall establish a private street easement with a width that is no less than the prescribed right-of-way width as if a public street. Said easement shall detail the private street ownership, maintenance, private access rights, and the right of use by the general public and city emergency service vehicles for access and circulation.

The Developer of each area shall submit to the City for its review and approval, as a part of the Subdivision Plat review and approval process, a roadway alignment and circulation plan (including phasing) which satisfies the City's development requirements and standards. The roadway alignment and circulation plan shall also provide adequate connections to all adjacent plats, Land Use Area Parcels, and adjoining properties within and adjacent to the PUD.

The design and construction of the street (whether public or private) shall comply with the City's public street design standards and procedures.

**SECTION 7 - PEDESTRIAN TRAILS**

Pedestrian trails as identified on the PUD Master Plan shall be installed within the public street rights-of-way (or within the private street easement if applicable) by the developer at the time of street installation. These trails shall be in lieu of the corresponding street sidewalk. The City shall reimburse the developer for the installation cost of the pedestrian trail that is in excess of the installation cost of a standard 5 ft sidewalk.

**SECTION 8 - PARKLAND DEDICATION.** All development within this PUD shall comply with the City's parkland dedication requirements. Parkland to be dedicated to the City shall be contained within a single continuous parcel approximately ??? acres in size and located within PUD Land Use Parcel F. Once that dedication has been fulfilled, the remaining parkland dedication requirements shall be satisfied by the installation of improvements within this designated park site and installation of pedestrian trails identified on the PUD Master Plan.

**SECTION 9 - SANITARY SEWER SERVICE AND STORM WATER DRAINAGE.** Each Developer shall extend across its plat sanitary sewer and storm sewers at sufficient capacity and appropriate elevations and locations to serve the respective service area.

The Developer of all areas within the PUD shall submit to the City for its review and approval, as part of the Subdivision Plat and any Site Plan review and approval process, a sanitary sewer service and storm water drainage plan which satisfies the City's development standards and regulations. The sanitary sewer service and storm water drainage plan shall also provide for sufficient service within the respective service area both within and adjacent to the PUD.

Sufficient service is defined herein as sanitary sewer and storm water drainage facilities (pipes, structures, drainageways, detention ponds, and similar facilities) adequately sized and designed, including location and depth/elevation, to accommodate the expected flows generated within the service area. Furthermore, the design shall provide for the extension of the facilities across or through the respective Subdivision Plat and/or Site Plan so that all areas within the service area including those located 'upstream' from the Plat and/or Site Plan shall be adequately served.

**SECTION 10 - STORM WATER MANAGEMENT.** As a part of the review and approval for each Subdivision Plat and Site Plan, a storm water management plan for the area within the Subdivision Plat and/or Site Plan shall be submitted to the City for its approval. All storm water management plans shall comply with the current City design standards and shall incorporate best practices of the latest version of the Iowa Storm Water Management Manual specifically including Water Quality Volume and Channel Protection Storage Volume, and to all other standards applicable to the subdivision plat or site plan. Specific emphasis shall be placed on the Unified Sizing Criteria and Water Quality Volume.



The storm water management plan shall take into account all off-site drainage that passes through the site for both the undeveloped and developed conditions. It is understood that as development of areas outside of the PUD's boundaries progresses, those areas shall provide the necessary storm water management facilities to control flows and sedimentations from off-site properties.

Furthermore, the storm water management plan shall include a downstream capacity analysis to determine what the impacts of storm water drainage downstream of this PUD. Any issues identified by this analysis must be addressed prior to development within the PUD.

The method of storm water management and the storm water conveyance system shall be approved by the City prior to the improvement of any Subdivision Plats or Site Plans.

**SECTION 11 - LAND USE DESIGN CRITERIA.** In addition to the general conditions as stated above, the following land use design criteria shall apply to the areas designated on the Hughes Century Crossing PUD Master Plan. The PUD Master Plan document, which is made a part of this rezoning action, delineates land use area parcels of the PUD as A through F. The following development standards and use regulations shall apply to each of the following development PUD Land Use Parcels:

1. **Land Use Parcels A and G:** All general use regulations and provisions set forth in Chapter 17, Zoning, of the City Code for C-2, Community Commercial District, shall apply to any development proposal for property located within Land Use Parcels A and G shown on the PUD Master Plan of the Hughes Century Crossing PUD ordinance, unless noted otherwise in this ordinance. Land Use Parcels A and G incorporate approximately 38 acres.
  - a. **Allowed Uses:** All permitted principal and accessory uses and special uses as provided in the City Code for the C-2 district, except the following uses shall be prohibited:
    - i. Adult Entertainment Facilities
    - ii. After Hours Businesses
    - iii. Delayed Deposit Services Business including check cashing, payday lending, and car title loan establishments)
    - iv. Extended Stay and Apartment Hotels
    - v. Pawnshops
    - vi. Smoking Lounges, Smoking Dens or Hookah Lounges

**Additional Allowed Uses:** Vertically attached multiple-family dwellings (apartments and condominiums), located on the upper level of a multi-story, mixed use building (buildings containing a combination of retail, office and residential dwelling units) **shall be allowed**. Stand-alone apartment and condominium buildings are prohibited, except that senior restricted housing, assisted living residential facilities, and nursing homes may be permitted. The maximum residential density for any development shall be no more than 18 dwelling units per acre.

Car washes, including self-service, shall be permitted.

Pet daycare centers (defined as short-term, daytime boarding for household pets, with no outdoor kennels) may be approved by Special Use Permit by the Board of Adjustment in accordance with Chapter 17.90 of the City Code. These facilities shall not include overnight boarding.

- b. Setbacks: All setbacks shall be in accordance with the Height and Bulk Regulations for the C-2 district except as noted herein.
  - c. Building Heights: No building shall exceed four (4) stories in height, not including roof-top patios.
  - d. Storage and Display: Outdoor storage is prohibited. Limited and temporary outdoor display and sales of retail goods, including lawn and garden centers, may be specifically permitted by the City Council as part of the Site Plan review and approval process.
  - e. Highway 28 Access: Vehicular access to Highway 28 is subject to and shall be in compliance with Iowa Department of Transportation (IDOT) requirements.
  - f. Alternate Standards and Regulations: The City Council may, at its full discretion, allow all or a portion of Land Use Parcel A to be developed under the standards as established herein for Land Use Parcel F.
2. **Land Use Parcel B**: All general use regulations and provisions set forth in Chapter 17, Zoning, of the City Code for R-4 High Density Multiple-Family Residential District, shall apply to any development proposal for property located within Land Use Parcel B shown on the PUD Master Plan of the Hughes Century Crossing PUD ordinance, unless noted otherwise in this ordinance. Land Use Parcel B incorporates approximately 7.25 acres and contains approximately 130 dwelling units for an average density of no more than 18 dwelling units per acre.
- a. Allowed Uses: All permitted principal and accessory uses and special uses as provided in the City Code for the R-4 district.
  - b. Setbacks: All setbacks shall be in accordance with the Height and Bulk Regulations for the R-4 district, except that for all principal structures the front yard setback from all public street right-of-way lines shall be a minimum of 15 feet and a maximum of 25 feet.
3. **Land Use Parcel C**: All general use regulations and provisions set forth in Chapter 17, Zoning, of the City Code for R-3, Medium Density Multiple-Family Residential District, shall apply to any development proposal for property located within Land Use Parcel C shown on the PUD Master Plan of the Hughes Century Crossing PUD ordinance, unless noted otherwise in this ordinance. Land Use Parcel C incorporates approximately 13.5 acres and contains a approximately 160 dwelling units with an overall density of no more the 12 dwelling units per acre.
- a. Allowed Uses: All permitted principal and accessory uses and special uses as provided in the City Code for the R-3 district including the following:
    - i. Assisted Living Residential Facilities, Nursing or Convalescent Home, Dormitories, or other group quarters, not exceeding eighteen (18) dwelling units per acre of lot area exclusive of public street right-of-way, or for those facilities which do not provide separate living quarters defined as dwelling units within this ordinance, a maximum of thirty-six (36) beds or residents per acre of lot area exclusive of public street right-of-way.
  - b. Setbacks: All setbacks shall be in accordance with the Bulk Regulations for the R-3 district, except as noted herein. For all principal structures, the front yard

setback from all public street right-of-way lines shall be a minimum of 15 feet and a maximum of 25 feet.

- c. Building Heights: No building shall exceed three (3) stories in height.

4. **Land Use Parcel D**: The intent of this parcel is to create a walkable Single-Family Residential neighborhood. The neighborhood will be a mix of lot types and sizes, allowing for Standard Single-Family Lots and Compact Single-Family Lots. All principal permitted uses and permitted accessory uses set forth in Chapter 17A, Zoning, of the City Code for the general R-F, Founders Single-Family Residential District, shall apply to any development proposal for property located within Land Use Parcel D shown on the PUD Master Plan of the Hughes Century Crossing PUD ordinance, unless noted otherwise in this ordinance. Specific bulk regulations to encourage walkable design elements of the neighborhood are outlined in this section. Land Use Parcel D incorporates approximately 24.8 acres and approximately 150 single family lots.

Areas designated as Single Family Residential are intended for traditional stand-alone single family lots. No multi-family units or commercial uses of any kind will be allowed in these areas. Accessory garages may be attached or detached, and the developer is encouraged to incorporate rear-loaded or alley-loaded garages where feasible. All public walks shall be constructed with concrete – see street standards for dimensions and relative locations. Hard surfacing on private lots may also include stamped concrete, colored (integral) concrete, concrete paving units, porous paving units.

- a. Allowed Uses: All permitted principal and accessory uses and special uses as provided in the City Code for the R-F district, in accordance with the specified minimum lot width suffix.
- b. Setbacks: All setbacks shall be in accordance with the Height and Bulk Regulations for the R-F district, except as modified herein.
- i. **Standard Single-Family Lot Dimensions**: Standard Single-Family Homes are allowed to have direct driveway access to the public street from a private driveway. Driveway access locations on each lot should be thoughtful and pair with access on adjacent lots to maximize opportunities for on-street parking. Lot dimensions and building setbacks shall comply with the following:
- (1) Lot Width – Minimum 60 feet.
  - (2) Lot Depth – Minimum 120 feet.
  - (3) Front Yard Setback – Minimum 15 feet and Maximum 20 feet, (minimum 25 feet setback for garage doors facing the street).
  - (4) Front Porch Setback – Minimum eight (8) feet.
  - (5) Side Yard Setback – Minimum five (5) feet one-side, 11 feet minimum total sum of the side yard setbacks.
  - (6) Rear Yard Setback – Minimum 25 feet.
- ii. **Compact Single-Family Lot Dimensions**: Compact Single-Family Lots allow for smaller, denser, and more affordable detached single-family homes. Compact Single-Family Homes are allowed garages that are detached in the rear yard and either rear-loaded off a common alleyway or via public street access off a single-lane shared driveway between two lots.

- (1) Lot Width – Minimum 40 feet.
- (2) Lot Depth – Minimum 120 feet.
- (3) Front Yard Setback – Minimum 15 feet and **Maximum 25 feet**, (minimum 25 feet setback for garage doors facing the street).
- (4) Front Porch Setback – Covered front porches that are not fully enclosed, minimum eight (8) feet.
- (5) **Front Porch Requirement – 50% of homes built of Compact Single-Family Lots shall be required to have an eight (8) foot covered front porch projecting off the front façade of the house into the front setback.**
- (6) Side Yard Setback – Minimum five (5) feet one-side, 11 feet minimum total sum of the side yard setbacks.
- (7) Rear Yard Setback – Minimum 25 feet.
- (8) Detached Garage Setback – Five (5) feet rear yard and five (5) feet side yard, minimum of 10-foot separation from all other structures.
- (9) Shared Driveway Dimensions – Minimum 12 feet wide with six (6) feet of driveway on each lot. All buildings shall be no closer than one (1) foot from the driveway lane.
- (10) **Driveway Width - The width of driveways serving a single lot shall be 12' at the front property line. The driveway shall be allowed to taper back onto the property to a wider width that meets all other City driveway requirements.**

5. **Land Use Parcel E:** All general use regulations and provisions set forth in Chapter 17A, Zoning, of the City Code for IC, Industrial Commerce Park District, and the R-4, High Density Multiple Family Residential District shall apply to any development proposal for property located within Land Use Parcel E shown on the PUD Master Plan of the Hughes Century Crossing PUD ordinance, unless noted otherwise in this ordinance. Land Use Parcel E incorporates approximately 23.8 acres. Any R-4 development will be at an overall density of no more than 18 dwelling units per acre.

- a. Allowed Uses: All permitted principal and accessory uses and special uses as provided in the City Code for the IC, Industrial Commerce Park District and the R-4, High Density Multiple Family Residential District, **with the exception that no One and Two Family - Rowhouse / Townhome dwellings or Multiple Family - Rowhouse / Townhome dwellings shall be permitted within Parcel E.**
- b. Setbacks, Site and Architectural Design Standards: All setbacks, site, parking, and building architectural design standards shall be in accordance with the regulations for the IC district or the R-4 district based upon the district under which the site's use is permitted.
- c. Storage and Display: Outdoor storage of all materials, goods, construction equipment (not including operable and licensed cars, trucks, and semi-trailers), containers, etc., is prohibited unless completely screen from view from all public street rights-of-way and all adjoining non-industrial uses.

Limited and temporary outdoor display and sales of retail goods, including lawn and garden centers, on retail developed sites may be specifically permitted by the City Council as part of the Site Plan review and approval process.

6. **Land Use Parcel F:** All general use regulations and provisions set forth in Chapter 17, Zoning, of the City Code for the TC, Town Center District, shall apply to any

development proposal for property located within Land Use Parcel D shown on the PUD Master Plan of the Hughes Century Crossing PUD ordinance, unless noted otherwise in this ordinance. Land Use Parcel F incorporates approximately 15.2 acres.

- a. Allowed Uses: All permitted principal and accessory uses and special uses as provided in the City Code for the TC district, except the following uses shall be prohibited:
- i. Adult Entertainment Facilities
  - ii. After Hours Businesses
  - iii. Delayed Deposit Services Business including check cashing, payday lending, and car title loan establishments)
  - iv. Apartment Hotels
  - v. Pawnshops
  - vi. Single Tenant Buildings with Vehicle Drive-Thru Service
  - vii. Smoking Lounges, Smoking Dens or Hookah Lounges

Additional Allowed Uses: Horizontally attached **One and Two Family Rowhouse / Townhome dwellings and Multiple-Family - Rowhouse / Townhome dwellings**, not exceeding twelve (12) dwelling units per acre and no greater than eight (8) dwelling units per building, **shall be allowed**.

Vertically attached multiple-family dwellings (apartments and condominiums), not exceeding eighteen (18) dwelling units per acre and located on the upper level of a multi-story, mixed use building **shall be allowed**. Stand-alone apartment and condominium buildings are prohibited.

The south 200 ft of Land Use Parcel F shall be restricted to open space, park space, civic/municipal uses or the development of detached **one-family** or horizontally attached **two-family** residential **townhome** units, **no greater than two (2) dwelling units per building and** no taller than two-stories. It is intended that the 200 feet will encompass the depth of one row of development along the southern border. Said residential units shall be setback a minimum of 25 ft from the 30 ft wide buffer required along the southern edge of the PUD boundary.

- b. Setbacks: All setbacks shall be in accordance with the Bulk Regulations for the TC district, except as noted herein.
- c. Building Heights: No principal building shall exceed three (3) stories and fifty (50) feet in height. No accessory structure shall exceed fifteen (15) feet in height, unless a greater height is permitted for a special use.
- d. Site Design Standards: No off-street parking area, parking lot, or loading area shall be located between a street (public or private) and a principal structure.
- e. Vehicle Parking: All development shall comply with the off-street parking and loading standards as contained in the City Zoning Code. At the full discretion of the City, on-street parking may be counted towards fulfillment of the off-street parking requirements. Credit towards fulfillment of the off-street parking requirements may be granted by the City for parking shared between uses that are off-peak from each other.
- f. Bike Facilities: Every building that contains a residential or a retail use including restaurants, bars, and coffee shops, shall provide a bike parking facility, such as a bike rack or bike lock boxes or an indoor bike storage area.

- g. Open Space: On each developed lot, there shall be provided an open space area equal to no less than 15% of the lot area. Open space shall be defined as an area unencumbered with any structure, off-street parking area, roadways, driveways or similar paved area. Open space may include paved pedestrian areas, plazas, patios and courtyards.

Each development lot shall provide an outdoor seating and gathering plaza space for use of its patrons and/or occupants. The amount of outdoor seating and gathering space shall be proportional to the scale and type of use; e.g., restaurant uses should provide larger outdoor seating areas that would an office use.

At the full discretion of the City, fulfillment of this open space and outdoor seating/gathering plaza requirement may be provided on an adjoining lot or lots as part of a planned development concept to congregate required open space into a larger, outdoor pedestrian space.

- h. Storage and Display: Outdoor storage is prohibited. Limited and temporary outdoor display and sales of retail goods may be specifically permitted by the City Council as part of the Site Plan review and approval process.

**SECTION 12 - BUFFERING.** A 30-foot wide **Type 1** landscaped buffer, in accordance with the provisions of the Zoning Code, shall be installed along the southern boundary of **Parcel F** of this PUD. All building and parking lot setbacks shall be measured from the edge of the buffer line. ~~This buffer shall not be required where the adjoining property is developed with detached single family residential lots.~~

~~A 30-foot wide, Type 1 landscaped buffer shall be required along the southern boundary of Parcel D for any areas developed with a use other than detached single family residential dwellings.~~

~~A 30-foot wide, Type 1 landscaped buffer is required for all single family residential double frontage lots within Land Use Parcel D per the Zoning Code, not including lots that back to a private alley. Said buffer shall be located along the street on which the double frontage lot does not have its driveway located. No fences are permitted within this buffer and the building setbacks shall be measured from the edge of the buffer line. Fences may be placed within the rear yard setback area that is outside the buffer.~~

~~No other buffers are required internally within this PUD to transition between differing uses, except that within Parcel E, a 30-foot wide, Type 3 landscaped buffer shall be required between any industrial use and **all** any adjacent residential uses **whether either use is** located ~~either~~ within or adjacent to PUD Parcel E.~~

~~Existing trees and shrubs located along the southern boundary of the PUD, that are not dead, dying or diseased, shall be preserved unless removal is required to accommodate utility installation or drainage improvements. Removal shall be the minimum necessary to accommodate the necessary improvements. Dead, dying, or diseased trees and shrubs may and shall be removed.~~

**SECTION 13 - GENERAL LANDSCAPE STANDARDS.** All areas not covered by building or paving shall be landscaped with turf grass, prairie grass, plant beds, shrubs, and trees in accordance herein.



Landscape standards for this PUD are intended to help in the creation of an overall theme for streets, municipal buildings, and residential/commercial development. The base recommendations are a minimum requirement and efforts should be made to increase the overall level of landscape installation throughout.

The use of native, drought tolerant plant materials is encouraged throughout Hughes Farm. High maintenance annuals and plants needing significant watering after installation are discouraged.

Diversity of plantings is also strongly encouraged over mass monoculture plantings. As seen with the Emerald Ash Borer and other plant diseases, it's preferred to have a mix of plants. This way if something affects a certain species of plant it doesn't affect the entire landscape.

Irrigation systems are discouraged for shrub and perennial planting beds. Systems installed for turf areas should implement water saving features as much as possible in order to reduce overall consumption. Hybrid and native turf varieties are strongly encouraged as an alternate to typical bluegrass sod.

- a. Building Foundation Plantings: Low height plant materials (shrubs, ornamental grasses, perennials) shall be planted and maintained along all building foundation lines where not impeded by building entrances, loading areas and sidewalks. Foundation plant materials shall not count towards the fulfillment of the required open space landscaping.
- b. Mulch: Wood based mulch shall be used around all plantings and in all plant beds. Large areas of wood mulch that do not contain plantings shall not be permitted except when used around play structures. In organic ground cover material, including rock, chip brick, and synthetic turf, is prohibited except in extremely limited applications as may be deemed acceptable by the City.
- c. Street Right-of-Way Tree Installations: One (1) overstory tree (minimum 10 feet tall) shall be planted in the right-of-way or private street easement for every 50 feet of street frontage along every Major Collector, Minor Collector, and Main Street as defined in Section 6 of this PUD.

All other residential streets shall require one (1) overstory tree (minimum 6 feet tall) per street face of each residential lot (corner lots shall require 2 trees - 1 per street). Installation of all street trees will be the responsibility of the builder/owner.

Due to potential loss of tree canopy from disease and pests, it is recommended that the street tree plantings be a combination of diverse species. Plans should incorporate an alternating sequence of varying species throughout, allowing for minimal impact should one particular species die out. No more than 5 trees of one particular species are recommended in a single group. Additional overstory trees beyond the minimum are encouraged where possible, however, no evergreen trees are permitted anywhere within a street right-of-way.

At the time of development, the developer shall submit a tree plan for review. The specific location of all street trees shall be subject to the review and approval of the City.

- d. Open Space Landscaping Requirements: The following required landscaping shall be based on calculations of required open space per site. Sites are allowed and encouraged to have greater than the required open space, however landscape

minimums are based only on the required Open Space.

- 2 Overstory Trees (2.5" caliper or larger) per 5,000 SF of required Open Space
- 1 Understory Tree (1.5" caliper or larger) per 3,000 SF of required Open Space
- 1 Evergreen Tree (6' height or larger) per 5,000 SF of required Open Space
- 6 Shrubs (#5 or larger) per 5,000 SF of required Open Space

e. Off-Street Parking and Loading Area Landscape Requirements (Parking Lot Plantings): Vegetation in off street parking areas aides in breaking up large open areas of pavement and helps reduce overall negative environmental impacts on the property. All off-street parking areas shall be screened from view of public rights-of-way. Plantings shall be a minimum of 36 inches high and provide year-round screening. Perennial plants and ornamental grasses may be used in addition to shrubs, but not as the primary screening element. The following requirements will apply to all off-street parking lots within Hughes Farm:

- i. Landscaped islands throughout the parking lot are required to help break up the overall expanse of pavement. Islands should be effectively placed to allow access for emergency vehicles.
- ii. Landscaped islands shall be placed, at a minimum, every twelve (12) stalls within a row of parking. Landscaped islands shall be equal to or larger than a standard parking stall within the lot.
- iii. 'Tree Diamonds' are not allowed as acceptable parking lot planting islands.
- iv. The minimum planting requirement for off street parking areas are as follows:
  - 2 Overstory trees in each landscaped island equal to 2 parking stalls.
  - 1 Overstory tree in each landscaped island equal to 1 parking stall.
  - 12 Shrubs (#5 or larger) in each landscaped island equal to 2 parking stalls.
  - 6 Shrubs (#5 or larger) in each landscaped island equal to 1 parking stalls.
  - All landscaping required in off street parking shall be in addition to any requirements for open space.

**SECTION 14 - ARCHITECTURE AND SITE DESIGN REGULATIONS.** All single family residential, multi-family residential, office, commercial buildings, mixed-use buildings, industrial buildings, and accessory structures shall comply with the City's architectural standards.

**SECTION 15 – SIGNAGE.** All signage shall be in compliance with the City Zoning Code regulations.

**SECTION 16 - DEFINITION.** The term "Developer" for the purpose of the Ordinance, shall mean any person, individual, firm, partnership, association, corporation, estate, trust, entity, or agent or same acting or proposing to subdivide land, improve or develop land including grading or installation of utilities, or plat a Land Use Area Parcel (or fractional part therein) within the PUD by improving or grading the parcel, installing utilities, or for the construction of a building or buildings or amenities.

**SECTION 17 - VIOLATIONS AND PENALTIES.** Any person who violates the provision of this Ordinance upon conviction shall be punished as set forth in the Municipal Code of the City of Norwalk, Iowa.

**SECTION 18 - OTHER REMEDIES.** In addition to the provisions set out in Violation and Penalties Section herein, the City may proceed in law or equity against any person, firm or corporation for violation of any section or subsection of this Ordinance.

**SECTION 19 - REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 20 - SEVERABILITY CLAUSE.** In 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 21 - EFFECTIVE DATE.** This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved by the City Council of the City of Norwalk, Iowa on the \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Tom Phillips, Mayor

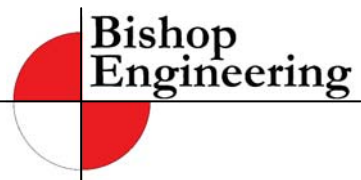
ATTEST:

\_\_\_\_\_  
Jodi Eddleman, City Clerk

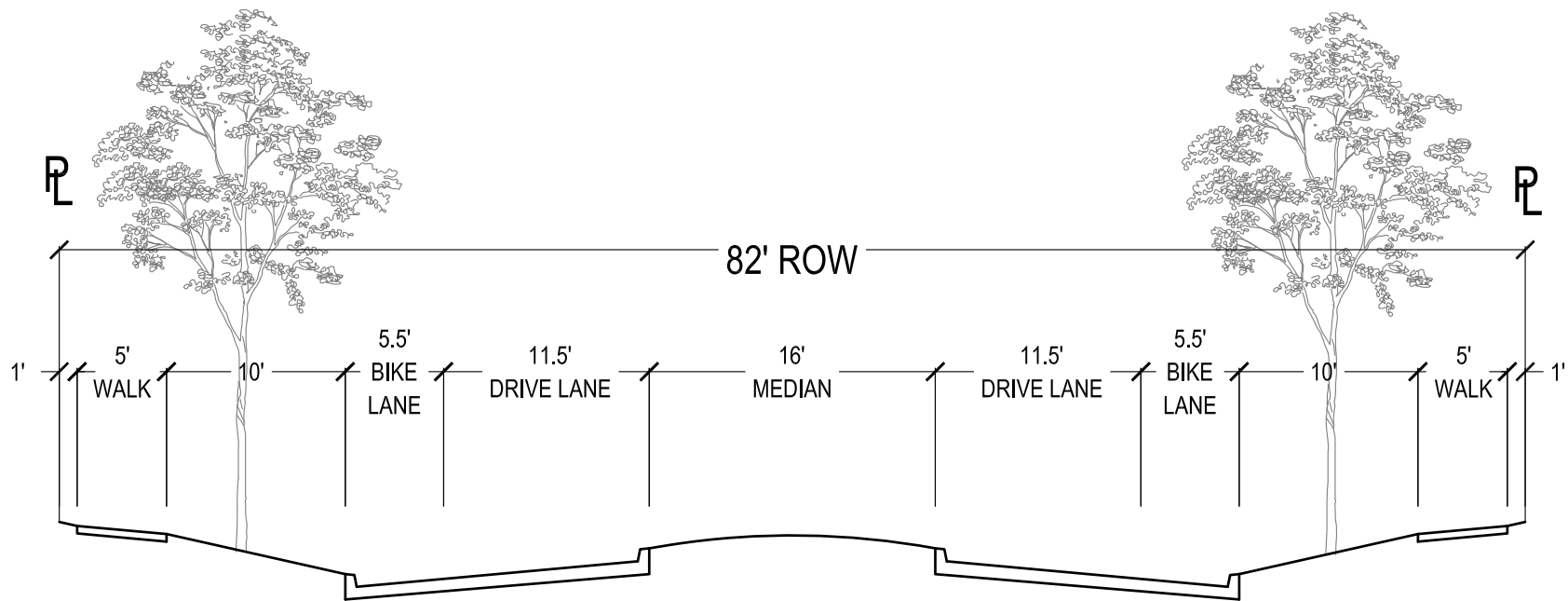


NORTH

GRAPHIC SCALE

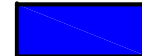


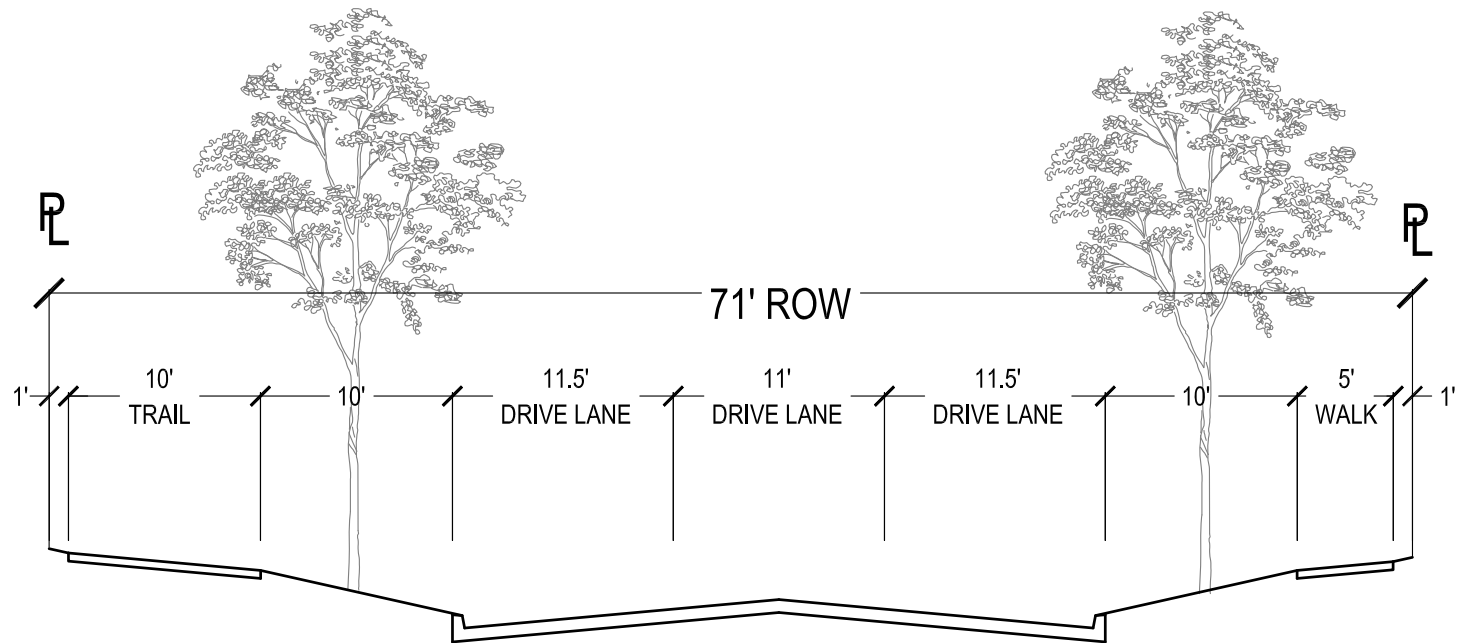
**HUGHES FARM**  
ROADWAY SECTION LOCATIONS



CHATHAM AVENUE PAVEMENT  
CROSS SECTION  
82' ROW WITH 16' MEDIAN (CHATHAM)

KEY COLOR



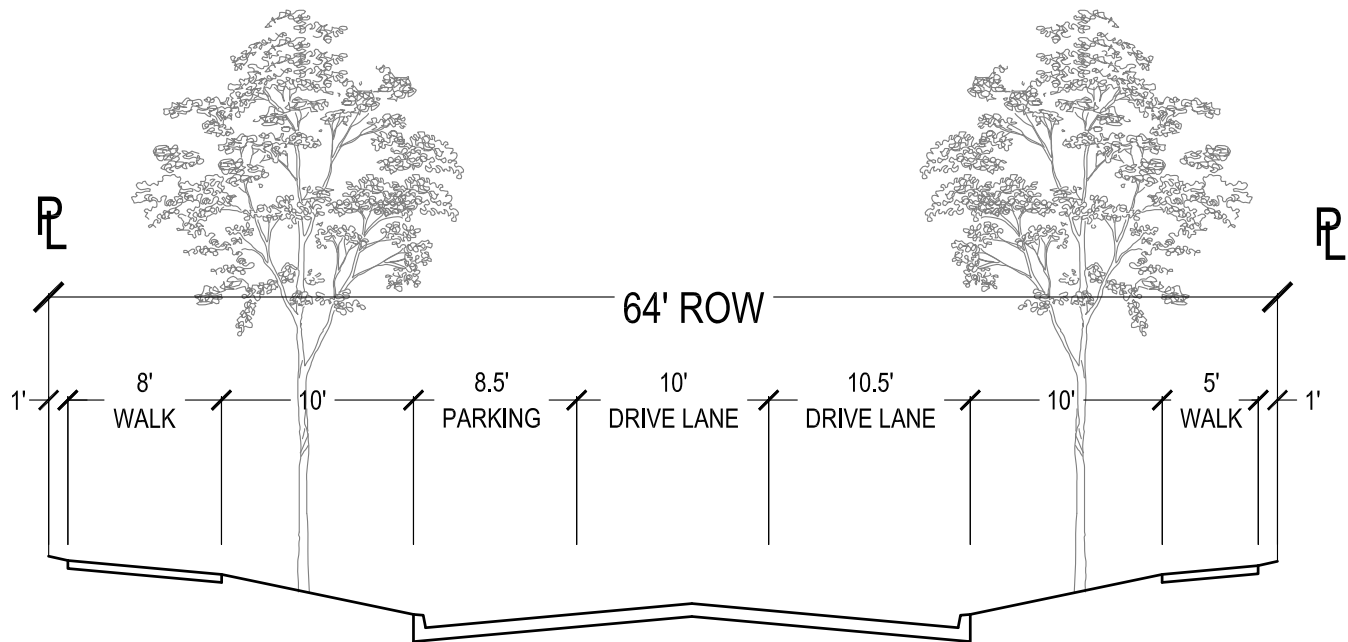


NORTH/SOUTH ROADS  
CROSS SECTION  
71' ROW - 34' B/B

KEY COLOR



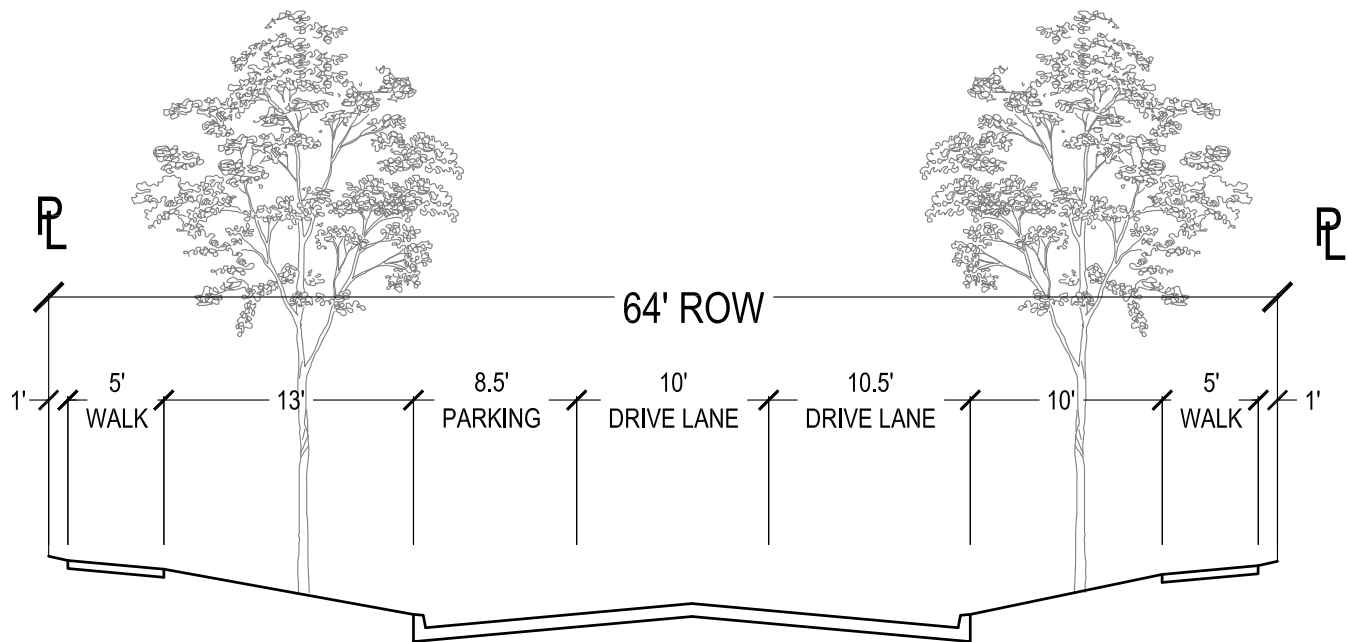




RESIDENTIAL ROADS  
CROSS SECTION  
64' ROW - 29' B/B

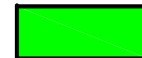
KEY COLOR



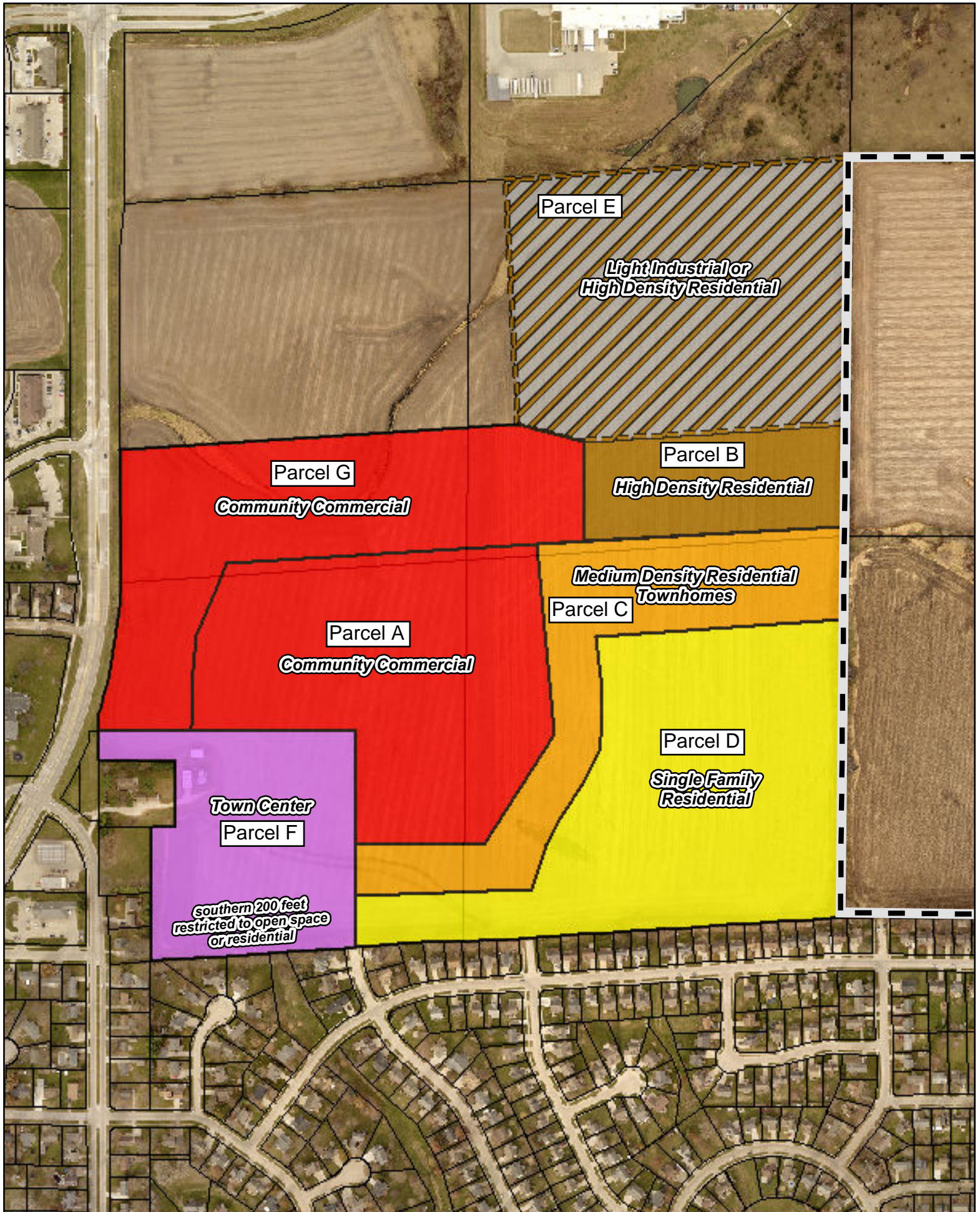


RESIDENTIAL ROADS  
CROSS SECTION  
64' ROW - 29' B/B

KEY COLOR









**PLANNING & ZONING COMMISSION  
AGENDA STATEMENT**

**Item No. 6C**  
**For Meeting of 02.26.2018**

**ITEM TITLE:** **Public Hearing and Consideration of a zoning amendment to add additional restrictions to the Private Streets section of the City of Norwalk Zoning Ordinance**

**CONTACT PERSON:** **Luke Parris, AICP – Community Development Director**

**SUMMARY EXPLANATION:**

Several projects during 2017 raised concerns at the City Council regarding the usage of private streets. In addition to these projects, the City has experienced concerns for residents regarding private streets in already developed portions of the community. The Council directed staff to review the positives and negatives of allowing private streets in the community. Staff presented a memo to Council on January 18<sup>th</sup> describing potential positives and negatives. The staff opinion was that private streets provided for a needed style of development in the community. The Council directed staff to work on an ordinance that would amend the City Zoning Code to reduce many of the negatives and help to alleviate concerns with private streets. Staff has drafted the proposed amendment that focuses on limiting the development of private streets that serve as a through connection, limit the connection of high intensity private streets connecting to adjacent low intensity private streets, and identifying a neighborhood as having private streets for potential buyers within the development.

The full proposed amendment is on the following page.

**STAFF RECOMMENDATION:**

Staff recommends approval of the amendment.



**AN ORDINANCE AMENDING THE CITY OF NORWALK ZONING REGULATIONS TO ADD RESTRICTIONS AND REQUIREMENTS FOR PRIVATE STREETS TO SECTION 17.04.340**

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF NORWALK, IOWA:

SECTION 1. PURPOSE. The purpose of this ordinance is to amend the City of Norwalk, Iowa, Zoning Regulations (Title 17) to amend Section 17.04.340 Privately-Owned Improvements Serving More Than One Property Owner.

SECTION 2. ZONING REGULATIONS AMENDED. The City of Norwalk Zoning Regulations (Title 17) is amended to add the following highlighted text into Section 17.04.340:

Private Streets and Roadways: Except as provided herein this section, all private streets and roadways shall be constructed with a paving design standard and street width consistent with the City standards as if said street were a public street. All typical street appurtenances, including sidewalks, street lights, traffic control and street name signage shall be provided in accordance with City standards for a public street. Private streets shall only be allowed in developments that have been master planned for private streets and where the private streets will be owned and maintained by a common association. Private streets for a development shall not provide a through connection to two separate public streets. Private streets for a development shall not connect to an existing private street, if that connection would encourage the use of the private streets as an alternate route to an existing public street. Private streets for RE-1, R-1, R-F and R-2 developments shall not be allowed to connect to private streets serving higher intensity zoning districts of R-3, R-4, R-5, C-O, C-1, C-2, C-3, C-4, TC, PC, IC, and M-1.

Private Street and Roadway Signage options:

All private street developments shall be signed with an entry sign that identifies the development and street as private. Text on the sign shall read "PRIVATE STREETS ARE MAINTAINED BY ASSOCIATION." The lettering on the sign shall be designed to meet MUTCD standards. The sign shall be erected at all entrances to the development prior to final plat approval by the City.

Private Street Maintenance Sign example:



SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE. In 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 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved by the City Council of the City of Norwalk, Iowa on the \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Tom Phillips, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Eddleman, Deputy City Clerk

PREPARED BY: Luke Parris, Community Development Director





**PLANNING & ZONING COMMISSION  
AGENDA STATEMENT**

**Item No. 6D**  
**For Meeting of 02.26.2018**

**ITEM TITLE:** **Public Hearing and Consideration of a zoning amendment to change the garage requirements for R-4 senior living projects within the R-4 section of the City of Norwalk Zoning Ordinance**

**CONTACT PERSON:** **Luke Parris, AICP – Community Development Director**

**SUMMARY EXPLANATION:**

In 2017 the City has received several inquiries from developers looking to develop housing projects geared specifically towards seniors. In reviewing the City's requirements for higher density residential development, it has become apparent that current requirements for garages with apartment units are making it difficult for projects to develop to serve this market. Staff has discussed the concerns internally and with several developers and feels that an amendment can be made to the Zoning Code to exempt these types of uses from the garage requirement.

Staff has drafted an amendment that would tweak the garage requirement and exempt senior living projects from the requirement. The full proposed amendment is on the following page.

**STAFF RECOMMENDATION:**

Staff recommends approval of the amendment.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE CITY OF NORWALK ZONING REGULATIONS TO CHANGE THE GARAGE REQUIREMENTS FOR R-4 APARTMENT DEVELOPMENT WITHIN SECTION 17.10.060.2(D)**

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF NORWALK, IOWA:

SECTION 1. PURPOSE. The purpose of this ordinance is to amend the City of Norwalk, Iowa, Zoning Regulations (Title 17) to amend Section 17.10.060.2(D) Multiple-Family Dwellings.

SECTION 2. ZONING REGULATIONS AMENDED. The City of Norwalk Zoning Regulations (Title 17) is amended to add the following highlighted text into Section 17.10.060.2(D):

- D. Multiple-Family Dwelling – Apartments, with no less than 3 dwelling units attached vertically and not exceeding eighteen (18) dwelling units per acre of lot area excluding public street right-of-way.
  - a. All multiple-family dwellings shall have no less than one garage space for each unit. The garage space may be attached or detached and shall be a minimum 10 feet in width and 20 feet in depth. The number of garage spaces required for each dwelling unit shall be for the exclusive use of the occupants of each dwelling unit. Garage spaces may not be transferred for use by another tenant or separate individual or entity. Multi-family dwellings designed as a senior living complex, and restricting the age of residents, shall be exempted from this requirement.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE. In 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 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved by the City Council of the City of Norwalk, Iowa on the \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Tom Phillips, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Eddleman, Deputy City Clerk

PREPARED BY: Luke Parris, Community Development Director



**PLANNING & ZONING COMMISSION  
AGENDA STATEMENT**

**Item No. 6E**  
**For Meeting of 02.26.2018**

**ITEM TITLE:** Discussion regarding the Dobson PUD R-4 Parcel  
**CONTACT PERSON:** Luke Parris, AICP – Community Development Director

**SUMMARY EXPLANATION:**

The Dobson Planned Unit Development (PUD) is located northwest of Iowa Highway 28 & Wright Road, and south of the Lutheran Church along Iowa 28. The Dobson PUD was originally approved by the City in 2004. At that time, the PUD included four development parcels. The north included a single-family residential parcel, along Iowa 28 on the east was a commercial parcel, and to the south of the single family residential and to the west of the commercial were two multi-family parcels. The northern Parcel "B" multi-family allowed for R-3 development. The southern Parcel "C" allowed for R-4 development. The Dobson PUD map is included on the following pages of this agenda statement.

Development in the area progressed with the single-family being built out and the start of duplex and single-family townhomes located within the R-3 Parcel B. Development to the west also occurred as single-family development. In 2015, the City was approached by a developer interested in purchasing the Commercial parcel within the Dobson as developing it as single-family residential. The developer felt that the commercial was not viable in that location and that single-family residential was better suited for the area. The City reviewed the initial request and approved a rezoning to single-family residential for a portion of the commercial in 2015. In 2016, the developer brought a subsequent request forward to rezone the remainder of the commercial property to single-family residential, which was approved by Council. Since the rezoning, the single-family area has been final platted as the Cort Landing residential subdivision.

Additionally, in 2016 the City began, and in 2017 completed, an update to the Land Use Chapter of the City's Comprehensive Plan. This included a revision to the City's Future Land Use Map. During that process, the area shown as Parcel C, which allowed for R-4 development, was identified as a Low Density Residential Land Use. The previous Future Land Use Plan, adopted by the City in 2013 identified the area as Medium Density Residential Land Use. Both the Low Density and Medium Density Residential Land Use categories do include apartments as a typical uses.

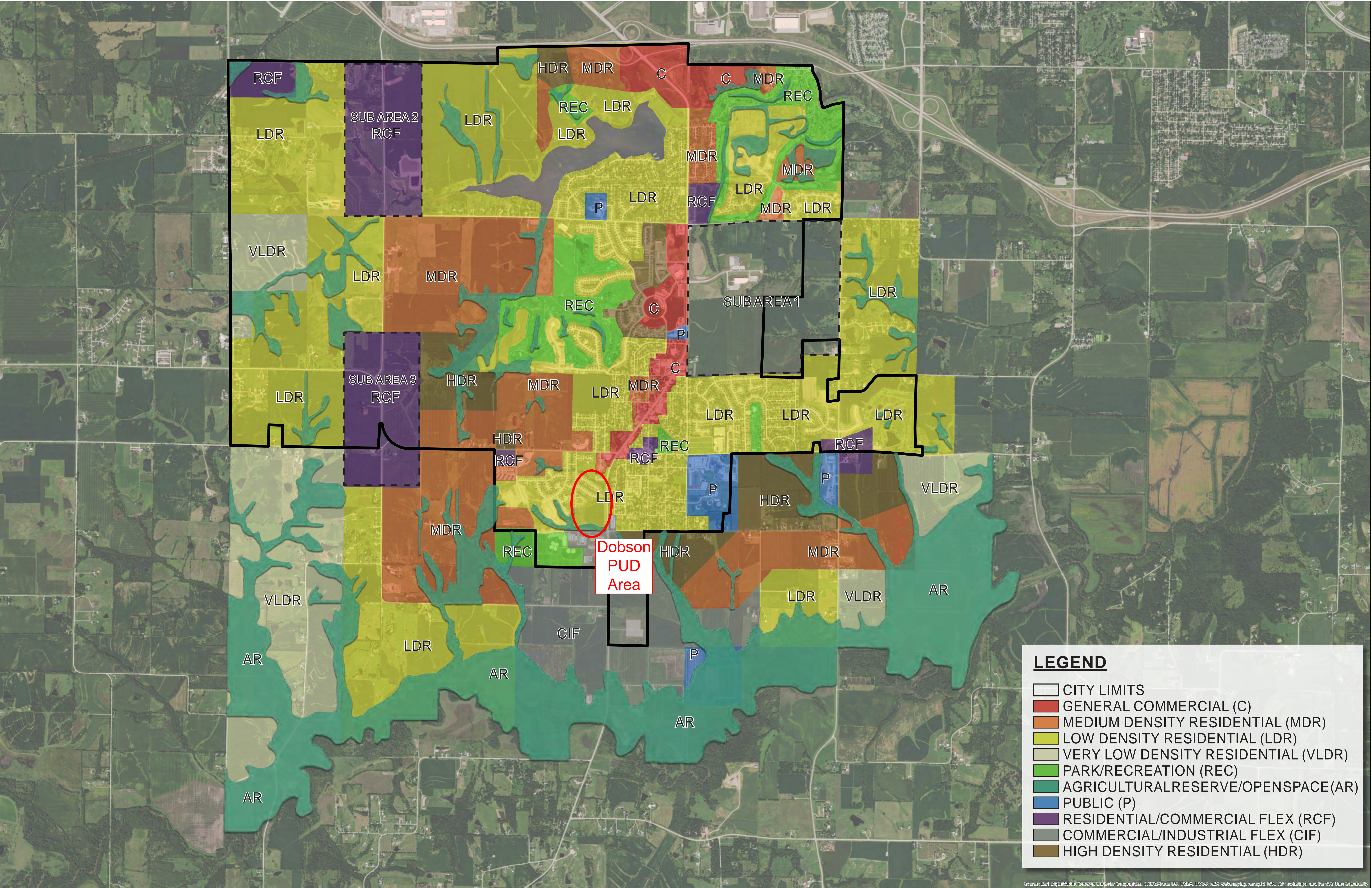
The inconsistency between the current Future Land Use Plan and the R-4 zoning identified in the Dobson PUD can be problematic for the City. Residents that participated in the public process during the 2013 Comprehensive Plan development and during the 2016 Land Use Chapter amendment would have an expectation of lower density development in the area. Conversely, builders and developers may view the property as being ready for higher density residential development. In fact, City staff has been made aware of a developer interest in the property under its current zoning.

The City should take steps to clarify the expectation for development in this area. Options for proceeding would be to process an amendment to the City Comprehensive Plan and Future Land Use Map related to allowing High Density Residential development in the area or to process a City initiated rezoning of the property to a zoning district that would be compatible with the City Comprehensive Plan and Future Land Use Map.

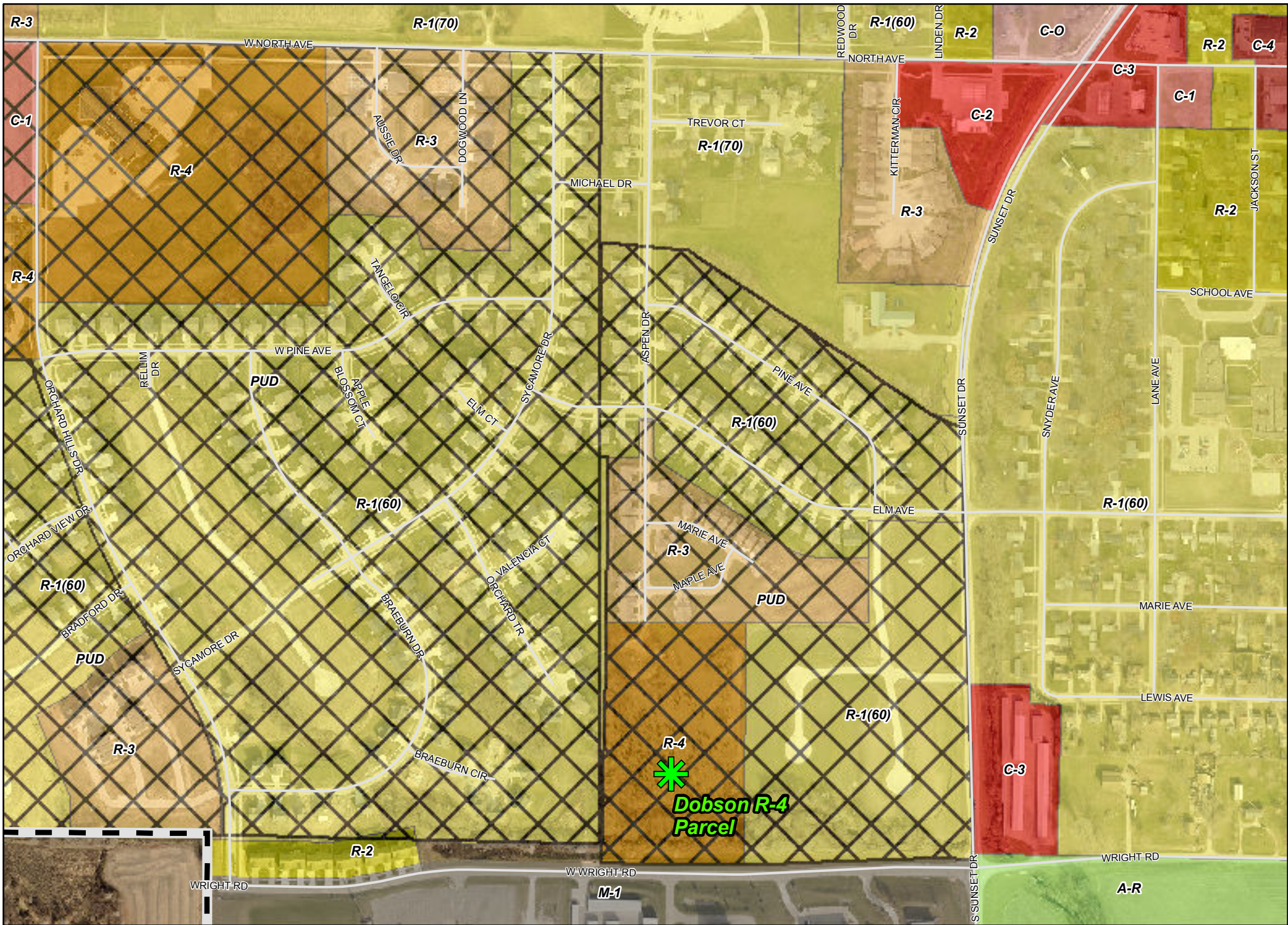
Staff presented the issue to the City Council at the February 15, 2018 City Council meeting. The Council motioned to have the Planning & Zoning Commission review and consider a potential rezoning of the property to a zoning district that would be compatible with the Low Density Residential Land Use identified in the City's Comprehensive Plan's Future Land Use Map. Districts compatible with the Low Density Residential Land Use category would be the R-1 and R-F districts.



# NORWALK FUTURE LAND USE - 2016









## Low Density Residential Land Use

### *General Purpose*

The future land use area is found throughout the Norwalk planning jurisdiction. The primary intent of this area is to provide an area for single-family residential with no multi-family development.

### *Typical uses*

1. Single-family detached residential structures
2. Accessory structures that are subordinate to the primary structures
3. Religious uses and structures
4. Educational uses and structures
5. Community/Recreational Center
6. Parks
7. Mobile home parks provided the facilities meet a specific set of design criteria.

### *Potential issues to consider*

1. Slopes
2. Topography
3. Natural amenities such as trees, ponds, and streams
4. Site drainage
5. Flooding hazard
6. Maximum residential densities
7. Minimum lot sizes
8. Residential dwellings should take access from a dedicated street system
9. Wetlands
10. Stream corridor protection

### *Buildable lot policies*

1. Residential dwellings on lots ranging from 7,500 square feet to 3 acres should be permitted.
2. Other uses should be on a minimum area of 7,500 square feet within these areas.

### *Residential Density policies*

1. Overall residential densities should not exceed 6.5 dwelling units per acre, except where clustering is proposed. If clustering is proposed and a Planned Unit Development is presented and agreed to, then the overall density within an area may exceed the 6.5 dwelling units per acre by special agreement.

### *Development policies to consider*

1. Cluster developments should be considered and used whenever the soils, topography and natural amenities warrant

