



August 29, 2011

Memo

To: North Liberty Planning Commission

From: Dean Wheatley, Planning Director

Subject: Request of Dean Moore to approve a rezoning from C-2-A (Commercial) to RM-12 (Multiple-family) and RD-10 (Duplex) for property generally located east of Cameron Way and south of West Penn Street.

(Legal: Lot 3 Liberty View and Lots 4, 5 and B of Liberty Medical and Commerce)

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

Ryan Heiar, City Administrator

Tracey Mulcahey, Assistant City Administrator

Tom Palmer, City Building Official

Scott Peterson, City Attorney

Kevin Trom, City Engineer

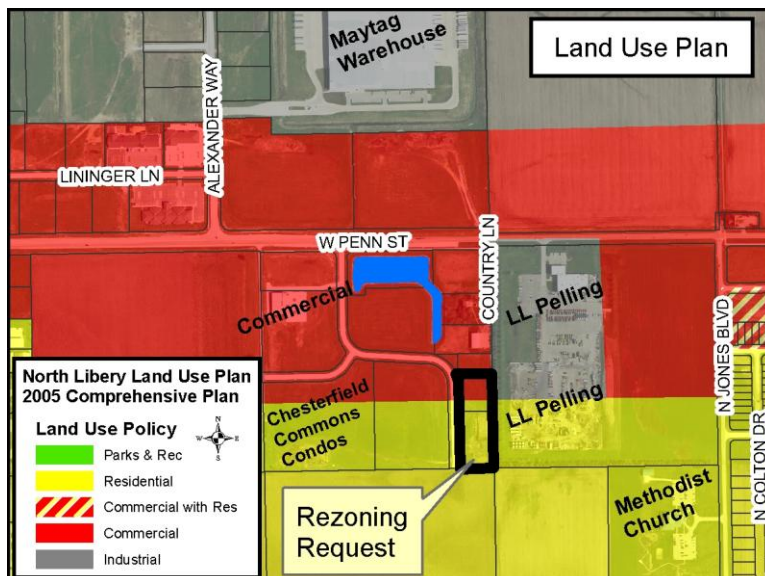
Dean Wheatley, Planning Director

Background and Statistics

This request is to rezone an area currently zoned C-2-A to RM-12 and RD-10. A Good Neighbor meeting

was held on June 30 to allow any interested party an opportunity to comment on this rezoning prior to submission. One adjacent property owner attended and did not support or object to the potential rezoning.

The property is shown partly as “residential” and partly as “commercial” on the Land Use Plan, and so in a general sense the request may be considered consistent with that policy. More recently, a draft consensus was reached at the August joint Planning Commission – City Council meeting that this property should be shown as residential on the Land Use Plan. In addition to the map, zoning decisions should be based on



policy goals found in the Comprehensive Plan. While there are many such goals that might apply to some degree to this case, the most appropriate are probably the following:

- 2.1.1 Develop and implement a cohesive, efficient land use pattern that ensures compatibility, functional relationships, and complementary adjacent activities among land uses.
- 2.1.3 Ensure land use allocations are balanced with economic market demands and service availability.
- 2.1.4 Establish and maintain an advantageous property tax situation and pursue a strengthened and sound tax base through a diversification of land uses, including commercial and industrial development, as well as a variety of residential options.
- 2.1.8 Provide for a logical extension of urban growth and related community services.
- 2.1.10 To the extent possible, encourage the development of a variety of dwelling unit types, styles and sizes and balanced housing stock to satisfy the needs, desires, and income levels of all people and household sizes.
- 2.1.14 Maintain opportunities for industrial development and uses within the community and segregate them into harmonious and compatible use types.

And finally, Commission and Council typically base decisions on extensive local knowledge of public opinion, precedents set, and specific site information.

A concept plan has been developed and presented for the multi-family portion of the rezoning application. It features two 20-unit buildings, with garages lined up along the eastern property line next to LL Pelling to provide a near-complete ground-level screen, and access from two directions. Because of the number of units in each building, the concept shows a significant amount of green space; however, we recommend against approval of the specific number of units shown on the site plan pending review of a full site plan.

Subdivision Ordinance Provisions Affecting This Development

The proposal is part of the Liberty Medical and Commerce subdivision and the Liberty View subdivision. Storm water management features were developed as part of those subdivisions, as well as streets and other infrastructure. If approved, new housing units would front on Cameron Way but may access both that street and the private drive “Country Lane.”

Zoning Ordinance Provisions Affecting This Development

The RM-12 district includes the following requirements related to this site:

1. Minimum 3,500 square feet of lot per unit.
2. Minimum 25% masonry on front building elevations.
3. Newer requirements for driveway pavement thickness have been imposed.

The RD-10 district includes the following requirements related to this site:

1. Minimum lot size of 4,500 square feet per unit.
2. Permitted and conditional uses nearly identical to the RS (single-family) zoning districts.
3. Minimum 25% masonry on front building elevations, and other design standards identical to most RS districts.

Staff Comments Regarding the Proposed Development Layout

Storm water impacts. Storm water from this site will be directed to the private pond along Penn Street.

Street/Traffic impacts. Cameron Way is a relatively new street adequate to carry anticipated residential traffic. In the West Village concept plan approved by Council Cameron Way extends south from its

current end adjacent to this development site all the way to St. Andrews Drive.

Land use impacts and adjacent properties. There is no doubt that housing is not the most obvious choice of land uses for this area; however, the request is interesting in that impacts associated with the development are more likely to be impacts *on* it rather than impacts *from* it. LL Pelling operations directly east of the site can be noisy, odorous, and around-the-clock at times, and if land in the vicinity currently zoned commercial develops as commercial, it may have negative impacts on the property. However, it is most likely that land west of the site will develop as residential, as recently discussed at the August special meeting. Recent completion of the Chesterfield Commons multi-family rezoning west of this site has reinforced a trend toward residential uses along the southern half of the quarter-quarter sections of land fronting the south side of Penn Street.

Land use and zoning recommendation. In rezoning considerations, *suitability* and *compatibility* are key issues in addition to land use policy. In this case, the site is physically suitable for multi-family and duplex development because it has good vehicular access, utilities readily available, and no topographic challenges. It is generally compatible with recent development in the vicinity; however, noise, odors, dust and other potential impacts from LL Pelling operations immediately east of the site are not compatible with residential uses. A question to consider may be: If residential uses are considered inappropriate here, how far away *would* be appropriate? Are the impacts here substantially different from other locations residents choose to live in, such as closer to Interstate 380, Centro, or Cole's Bread? LL Pelling is a good corporate citizen and operates a very clean and well-run business, and an existing berm and plantings provides some screening of activities at that site.

Based on developer interest and economic conditions, it appears that North Liberty has an overabundance of undeveloped commercially-zoned property and a shortage of undeveloped duplex and multi-family zoning. With an overabundance of commercial land, lots such as this without valuable major street frontage are difficult to market for commercial use. Whatever the outcome, the city must recognize the ongoing operations of LL Pelling and not impact those continuing industrial operations.

In summary, the requested zoning is not ideal for the intended site, but alternatives including lesser-value commercial properties might be worse for the city. In the bigger picture, the proposal creates a desirable transition from commercial properties along the south side of West Penn Street to the single-family residential areas planned for south of the property. Staff recommends approval of the rezoning with the following conditions:

1. That a statement approved by the City Planner is recorded by the owner prior to publication of the rezoning or with final plat documents including the following:
 - a. Informing future buyers of the existence and operating characteristics of the LL Pelling operations.
 - b. Informing future buyers that a substantial landscaped berm or other visual screening feature along the boundary with LL Pelling will be required by the city as part of any construction or site plans.
2. That the concept plan submitted with the application is generally followed; however, the city reserves the right to approve more or fewer units than shown.

REZONING EXHIBIT

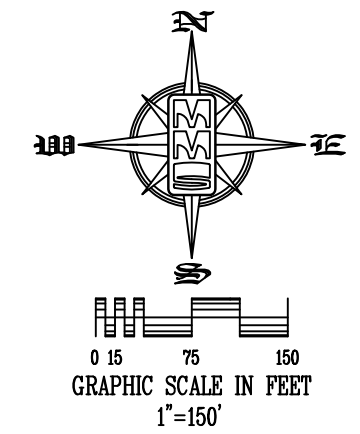
LOT 3 OF LIBERTY VIEW & LOTS 4, 5 AND OUTLOT "B" OF LIBERTY MEDICAL & COMMERCE NORTH LIBERTY, IOWA

PLAT PREPARED BY:
MMS CONSULTANTS, INC.
1917 S. GILBERT STREET
IOWA CITY, IOWA 52240

OWNER:
DEAN MOORE
P.O. BOX 1146
IOWA CITY, IOWA 52244

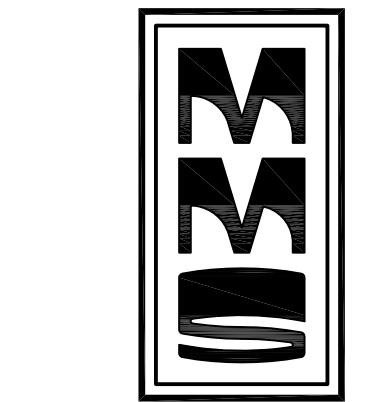
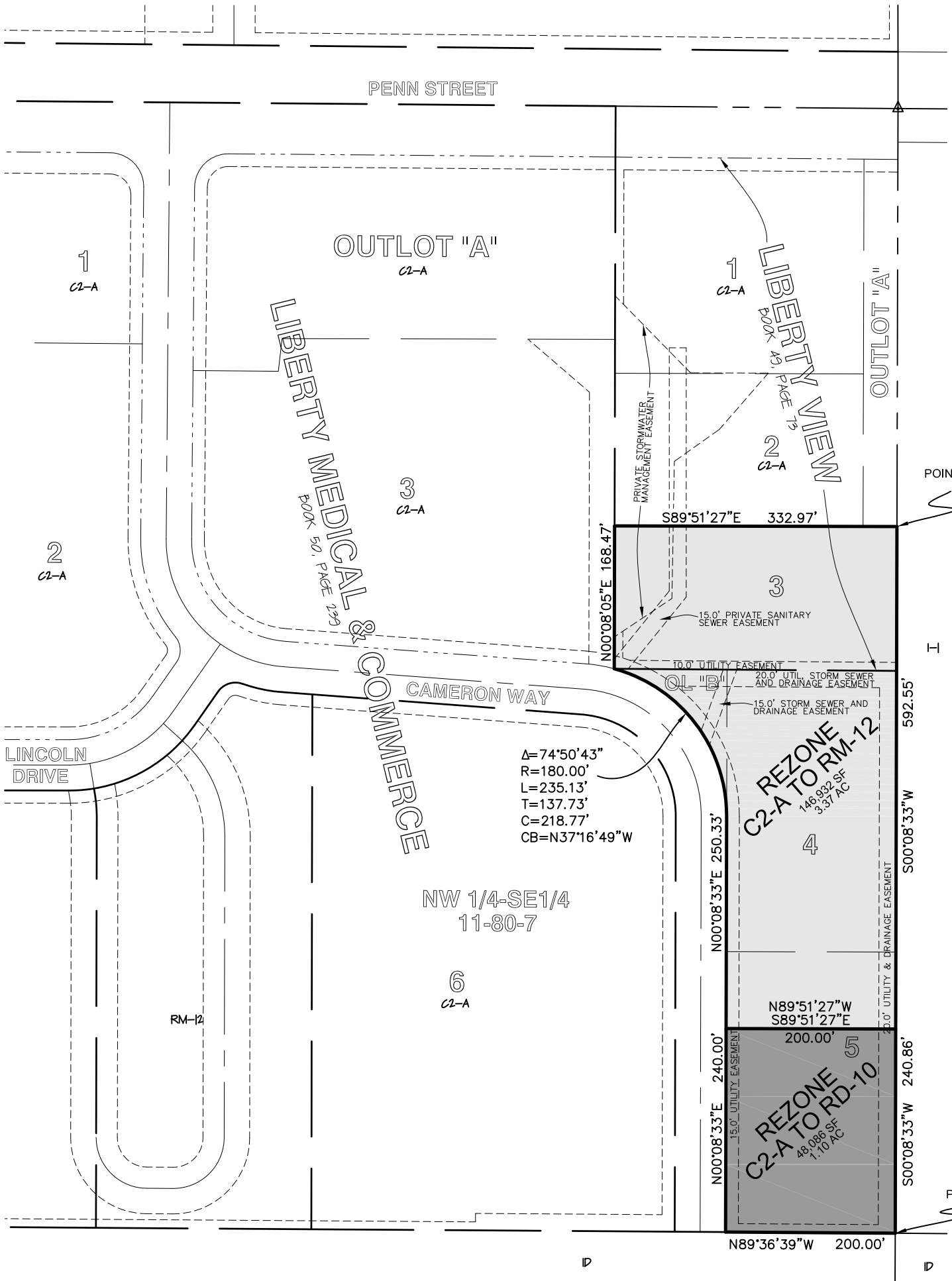
APPLICANT:
PRIME VENTURES
CONSTRUCTION, INC.
580 MADISON AVE. UNIT #3
NORTH LIBERTY, IOWA 52317

APPLICANT'S ATTORNEY:
MICHAEL J. PUGH
ONE S. GILBERT STREET
IOWA CITY, IOWA 52240



TRACT #1 REZONE PARCEL C2-A TO RD-10
BEGINNING at the Southeast corner of Lot 5, Liberty Medical & Commerce, North Liberty, Iowa, in accordance with the Plat thereof recorded in Book 50, at Page 239, in the Records of the Johnson County Recorder's Office; Thence N89°36'39"W, along the South line of said Lot 5, a distance of 200.00 feet, to the Southwest corner thereof; Thence N00°08'33"E, along the West line of said Lot 5, a distance of 240.00 feet; Thence S89°51'27"E, 200.00 feet, to a point on the East line of said Lot 5; Thence S00°08'33"W, 240.86 feet, to said POINT OF BEGINNING, containing 1.10 acres, (48,086 square feet), and subject to easements and restrictions of record.

TRACT #2 REZONE PARCEL C2-A TO RM-12
BEGINNING at the Northeast corner of Lot 3, Liberty View, North Liberty, Iowa, in accordance with the Plat thereof recorded in Book 49, at Page 73, in the Records of the Johnson County Recorder's Office; Thence S00°08'33"W, along the East line of said Lot 3, and the East line of Lot 4 and Lot 5, Liberty Medical & Commerce, North Liberty, Iowa, in accordance with the Plat thereof recorded in Book 50, at Page 239, in the Records of the Johnson County Recorder's Office, 592.55 feet; Thence N89°51'27"W, 200.00 feet, to a point on the West line of said Lot 5, Liberty Medical & Commerce; Thence N00°08'33"E, along the West line of said Lot 5 and Lot 4, Liberty Medical & Commerce, 250.33 feet; Thence Northwesterly, 235.13 feet, along the West line of Outlot "B", Liberty Medical & Commerce, and an arc of a 180.00 foot radius curve, concave Southwesterly, whose 218.77 foot chord bears N37°16'49"W, to the Northwest corner thereof, and the Southwest corner of said Lot 3, Liberty View; Thence N00°08'05"W, along the West line of said Lot 3, Liberty View, 168.47 feet, to the Northwest corner thereof; Thence S89°51'27"E, along the North line of said Lot 3, Liberty View, 332.97 feet, to said POINT OF BEGINNING, containing 3.37 acres, (146,932 square feet), and subject to easements and restrictions of record.



CIVIL ENGINEERS
LAND PLANNERS
LAND SURVEYORS
LANDSCAPE ARCHITECTS
ENVIRONMENTAL SPECIALISTS

1917 S. GILBERT ST.
IOWA CITY, IOWA 52240
(319) 351-8282

www.mmsconsultants.net

5741 C ST. SW SUITE C
CEDAR RAPIDS, IOWA 52404
(319) 841-5188

Date	Revision

REZONING EXHIBIT

LOT 3, LIBERTY VIEW AND
LOTS 4, 5 AND OUTLOT "B"
LIBERTY MEDICAL & COMMERCE

NORTH LIBERTY
JOHNSON COUNTY
IOWA

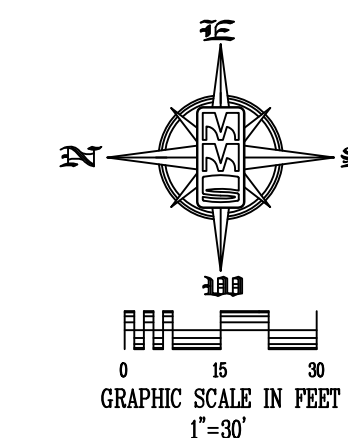
MMS CONSULTANTS, INC.

Date:	06-01-11
Designed by:	DAM
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Drawn by:	JDM
Scale:	1"=150'
Checked by:	JEL
Sheet No:	1
Project No:	IC 3043017
of:	1

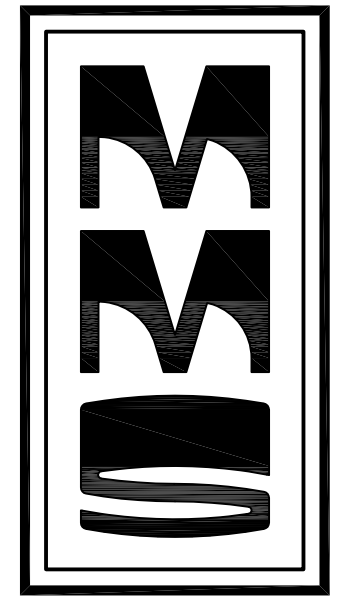
CONCEPT PLAN MOORE PROPERTY NORTH LIBERTY, IOWA

PLAT PREPARED BY:
MMS CONSULTANTS INC.
1917 S. GILBERT ST.
IOWA CITY, IOWA 52240

APPLICANT/OWNER:
DEAN MOORE
P.O. BOX 1146
IOWA CITY, IOWA 52244



STANDARD LEGEND AND NOTES	
---	PROPERTY &/OR BOUNDARY LINES
---	CONGRESSIONAL SECTION LINES
---	RIGHT-OF-WAY LINES
---	EXISTING RIGHT-OF-WAY LINES
---	CENTER LINES
---	EXISTING CENTER LINES
---	LOT LINES, INTERNAL
---	LOT LINES, PLATTED OR BY DEED
---	EXISTING EASEMENT LINES
---	PROPOSED EASEMENT LINES
---	BENCHMARK
---	RECORDED DIMENSIONS
---	CURVE SEGMENT NUMBER
---	EXIST- 22-1
---	PRO- 22-1
---	POWER POLE
---	POWER POLE W/DROP
---	POWER POLE W/TRANS
---	POWER POLE W/LIGHT
---	GUY POLE
---	LIGHT POLE
---	SANITARY MANHOLE
---	FIRE HYDRANT
---	WATER VALVE
---	DRAINAGE MANHOLE
---	CURB INLET
---	FENCE LINE
---	EXISTING SANITARY SEWER
---	PROPOSED SANITARY SEWER
---	EXISTING STORM SEWER
---	PROPOSED STORM SEWER
---	WATER LINES
---	ELECTRICAL LINES
---	TELEPHONE LINES
---	GAS LINES
---	CONTOUR LINES (1' INTERVAL)
---	PROPOSED GROUND
---	EXISTING GROUND
---	EXISTING TREE LINE
---	EXISTING DECIDUOUS TREE & SHRUB
---	EXISTING EVERGREEN TREES & SHRUBS



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CEDAR RAPIDS, IOWA 52404
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AREA CALCULATIONS:

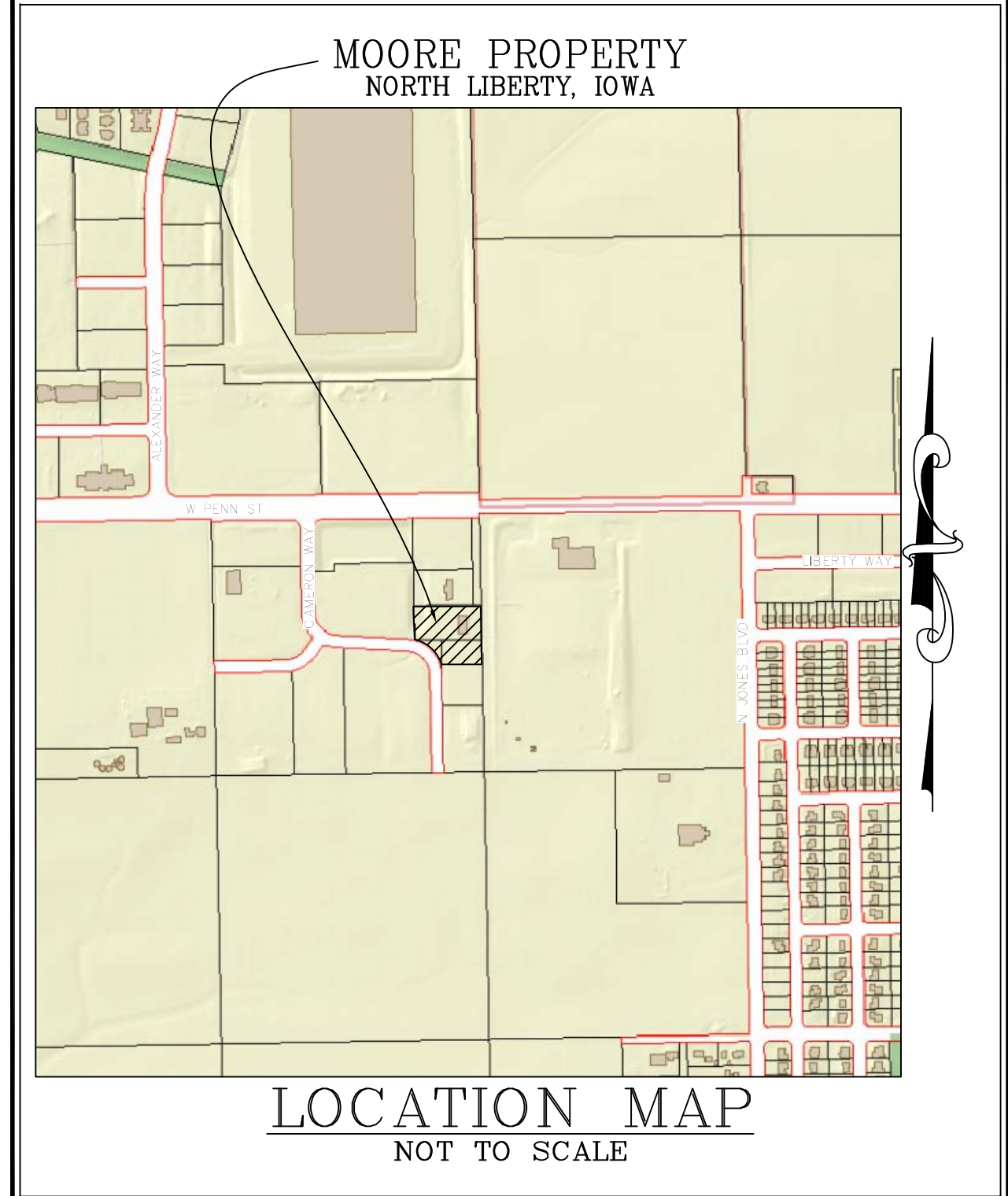
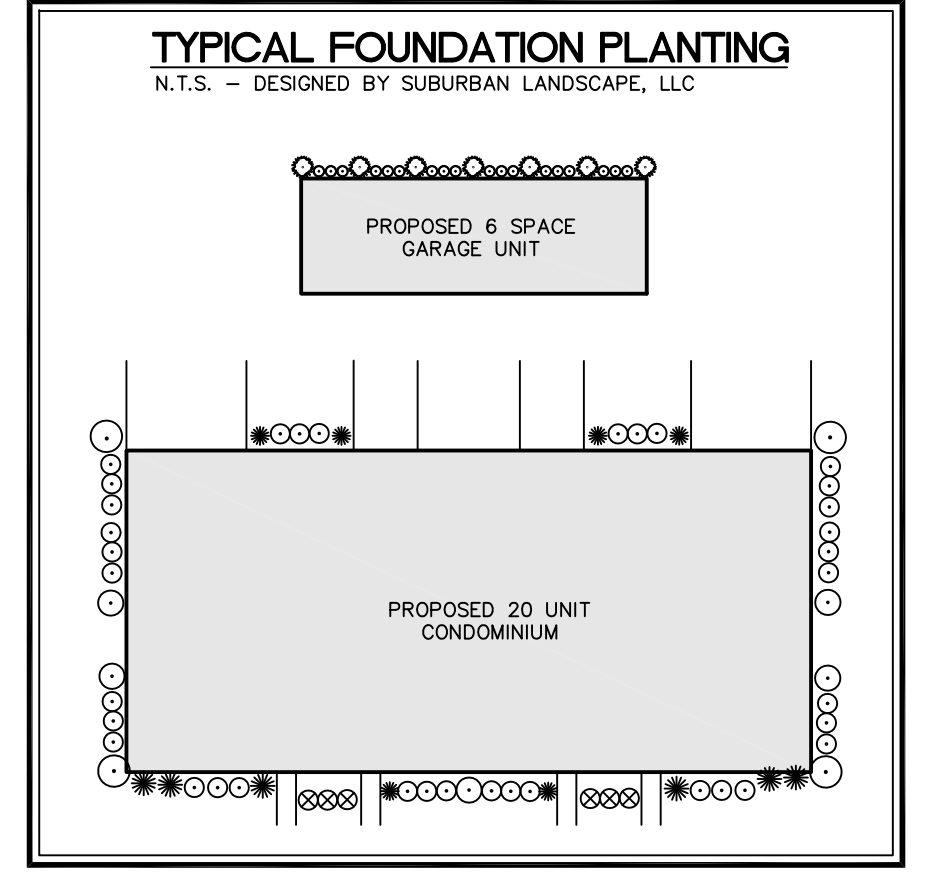
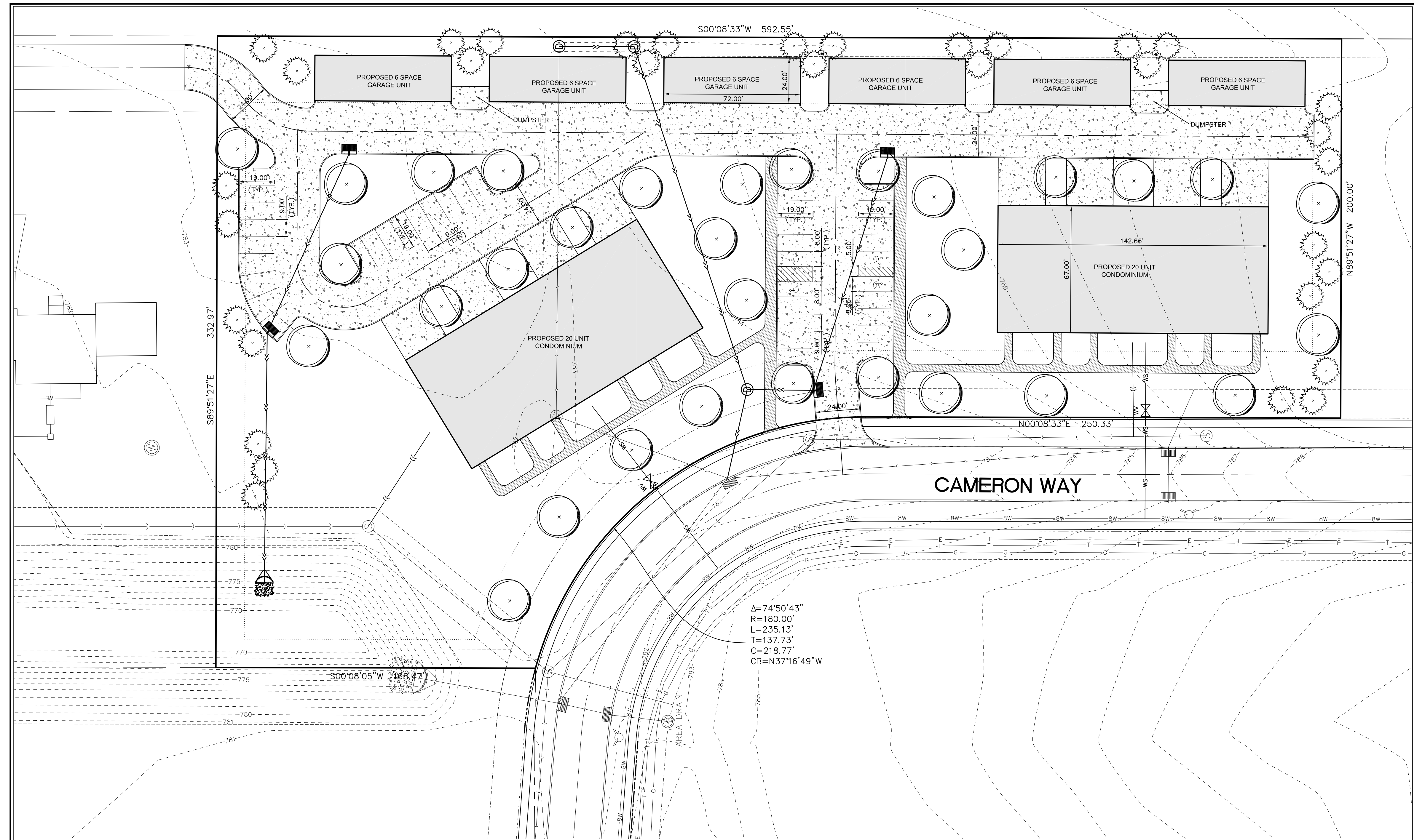
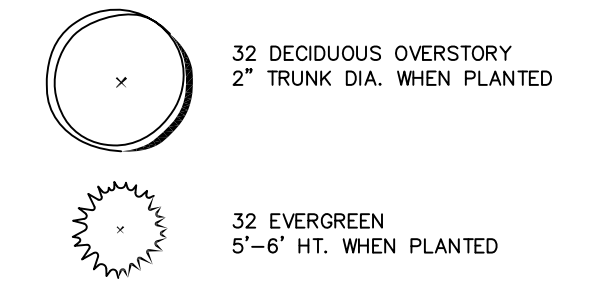
TRACT AREA	146,932 SF (3.38 AC)
BUILDING AREA	29,484 SF (20.0%)
PAVED AREA	42,305 SF (28.9%)
OPEN AREA	75,138 SF (51.1%)

PARKING REQUIREMENTS:

2.2 / DU	88 SPACES
40 DU X 2.2 = 88	TOTAL REQUIRED

PARKING PROVIDED:

CONDOMINIUMS	16 SPACES
GARAGES	36 SPACES
ADDITIONAL	38 SPACES
TOTAL PROVIDED	90 SPACES



Date	Revision
08/25/11	PER CITY REVIEW -JDM

CONCEPT PLAN

MOORE PROPERTY

NORTH LIBERTY
JOHNSON COUNTY
IOWA

MMS CONSULTANTS, INC.

Date:	06-01-11
Designed By:	KJB
Drawn By:	CJS
Checked By:	KJB
Project No:	IOWA CITY 3034-017
Field Book No:	
Scale:	1"=30'
Sheet No:	1
of:	1