



# **North Liberty Planning Commission**

## **Meeting Information Packet**

**November 1, 2011**

**6:30 PM**

**City Council Chambers**

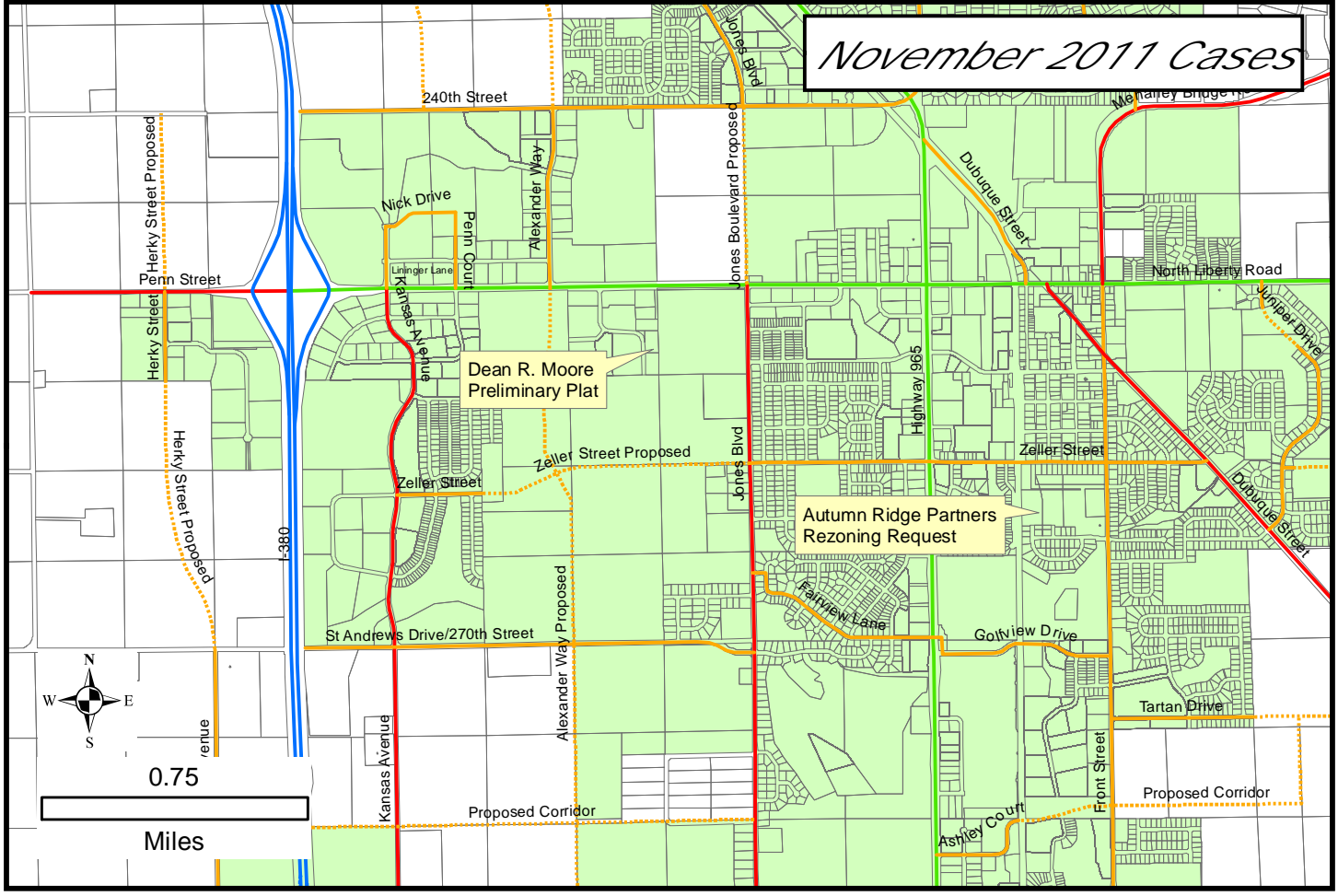
If you would like additional information, larger-scale maps, or other information before the meeting, please contact Dean Wheatley at 626-5747 or at [dwheatley@ci.north-liberty.ia.us](mailto:dwheatley@ci.north-liberty.ia.us)



**NORTH LIBERTY PLANNING COMMISSION  
MEETING NOTICE AND AGENDA  
November 1, 2011, 6:30 PM**

- 1. ROLL CALL**
- 2. AGENDA APPROVAL**
- 3. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**
- 4. REZONING:** Request of Autumn Ridge Partners, LC to approve a rezoning from RS-6 (Single-Family) to RD-10 (Duplex Zero-lot) for property generally located south of Zeller Street west of Garner Elementary School.  
(Legal: Lengthy, part of Autumn Ridge Preliminary Plat subdivision)
  - a. Staff Presentation
  - b. Applicants Presentation
  - c. Public Comments
  - d. Questions and Comments
  - e. Recommendation to City Council
- 5. PRELIMINARY PLAT:** Request of Dean R. Moore to approve a 4-lot preliminary plat for property generally located south of Penn Street and east of Cameron Way.  
(Legal: Lot 3 Country View subdivision and lots 4 and 5 Liberty Medical and Commerce subdivision)
  - a. Staff Presentation
  - b. Applicants Presentation
  - c. Public Comments
  - d. Questions and Comments
  - e. Recommendation to City Council
- 6. APPROVAL OF PREVIOUS MINUTES**
- 7. OLD BUSINESS**
- 8. NEW BUSINESS**
- 9. CASES UNDER DEVELOPMENT:** Request of the Casey's Marketing Company to approve a site plan for new Casey's Convenience Store located at the southwest corner of Highway 965 and Cherry Street.
- 10. ADJOURNMENT**

*November 2011 Cases*





October 27, 2011

## Memo

To: North Liberty Planning Commission

From: Dean Wheatley, Planning Director

Subject: Request of Autumn Ridge Partners, LC to approve a rezoning from RS-6 (Single-Family) to RD-10 (Duplex Zero-lot) for property generally located south of Zeller Street west of Garner Elementary School.

(Legal: Lengthy, part of Autumn Ridge Preliminary Plat subdivision)

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

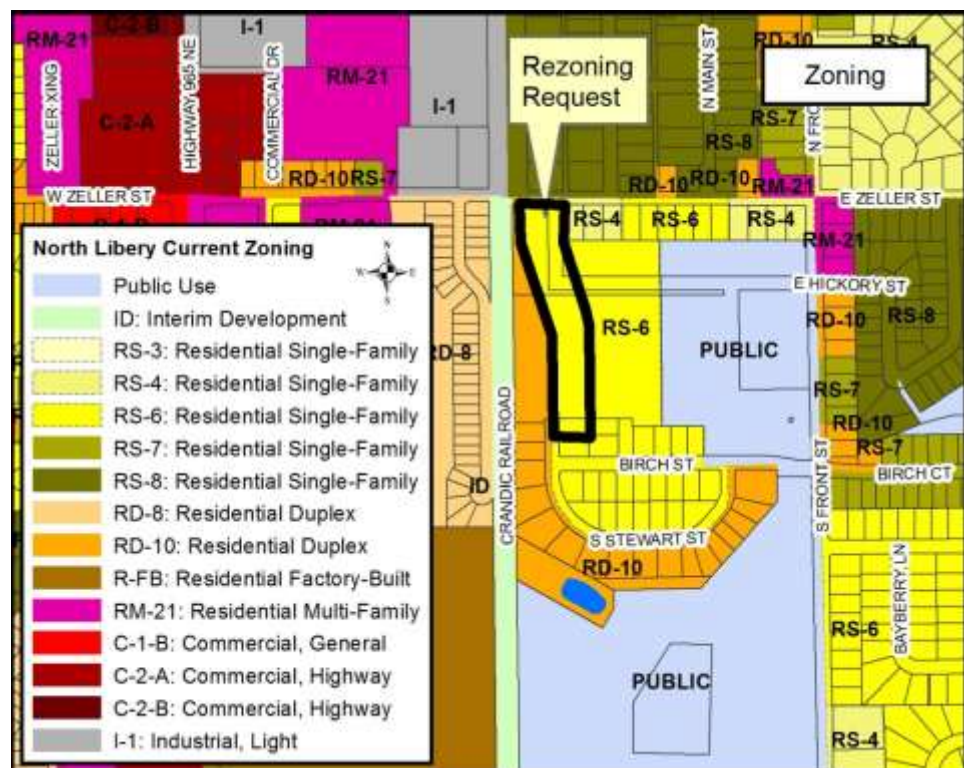
Kevin Trom, City Engineer

Dean Wheatley, Planning Director

### Background and Statistics

This request is to rezone an area currently zoned RS-6 to RD-10. A Good Neighbor meeting was held on September 29 to allow any interested party an opportunity to comment on this rezoning prior to submission, and no one from the public attended.

The developer is proposing zero-lot development on part of the Autumn Ridge



subdivision that was originally planned for single-family development. A zero-lot house design concept has been submitted with the rezoning request, showing a ranch-style building similar to those found on West Cherry Street in the Liberty Center development. The zoning requested is consistent with existing zoning directly west of the site and farther south and east along the south side of South Stewart Street (see map).

The preliminary plat was approved with 13 single-family lots in the area subject to this request. If approved, the RD-10 zoning would permit up to 24 housing units or almost twice as many as originally approved.

The property is shown as “residential” on the Land Use Plan, and so the request is consistent with that policy (see map).



**Subdivision Ordinance Provisions Affecting This Development**

The proposal is part of a recent approved preliminary plat that provides for all necessary infrastructure and utility improvements.

**Zoning Ordinance Provisions Affecting This Development**

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

1. Minimum 4,500 square feet of

- lot per unit, 9,000 square feet per lot, and 80 foot width.
2. Minimum 25% masonry on front building elevations.
3. Yards: 25 front, 30 rear, 10 each side.

**Staff Comments Regarding the Proposed Zoning**

**Storm water impacts.** Storm water from this site will need to be managed within each lot and directed ultimately to the storm water retention pond on the south edge of the subdivision.

**Street/Traffic impacts.** Duplex zoning is already approved across the future extension of South Stewart Street, and adding duplex zoning here will make on-street parking very scarce because of the density of driveways. For eighty-foot lots as proposed, the 42’ driveways centered on the common line would leave one legal on-street parking space for every 2 units. Because of the nearby school, there is a possibility that parking may be restricted to one side only in the future, which would further decrease opportunities.

**Land use impacts and adjacent properties.**

There would be no impact to adjacent existing properties from this proposal if approved because there is no development directly adjacent; however, if approved the amount of area in the Autumn Ridge subdivision zoned for duplex development will grow significantly and at some point may impact the viability of the remaining single-family lots.

**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 zero-lot development, and zero-lot zoning is compatible with surrounding uses and planned uses.

While it understood that zero-lot development parcels are in high demand in North Liberty, staff feels that the RD-10 zoning requested is too dense for the area and recommends RD-8 instead. Rather than eighty-foot lots with minimal on-street parking and almost twice the number of new units as originally planned, RD-8 would provide one hundred-foot lots with double the on-street parking opportunities as RD-10 and a maximum of 18 units rather than the 24 of RD-10. Comparable details are:

1. Minimum 5,000 square feet of lot per unit, 10,000 square feet per lot, and 100 foot width.
2. Minimum 25% masonry on front building elevations.
3. Yards: 25 front, 30 rear, 10 each side (same as RD-10).

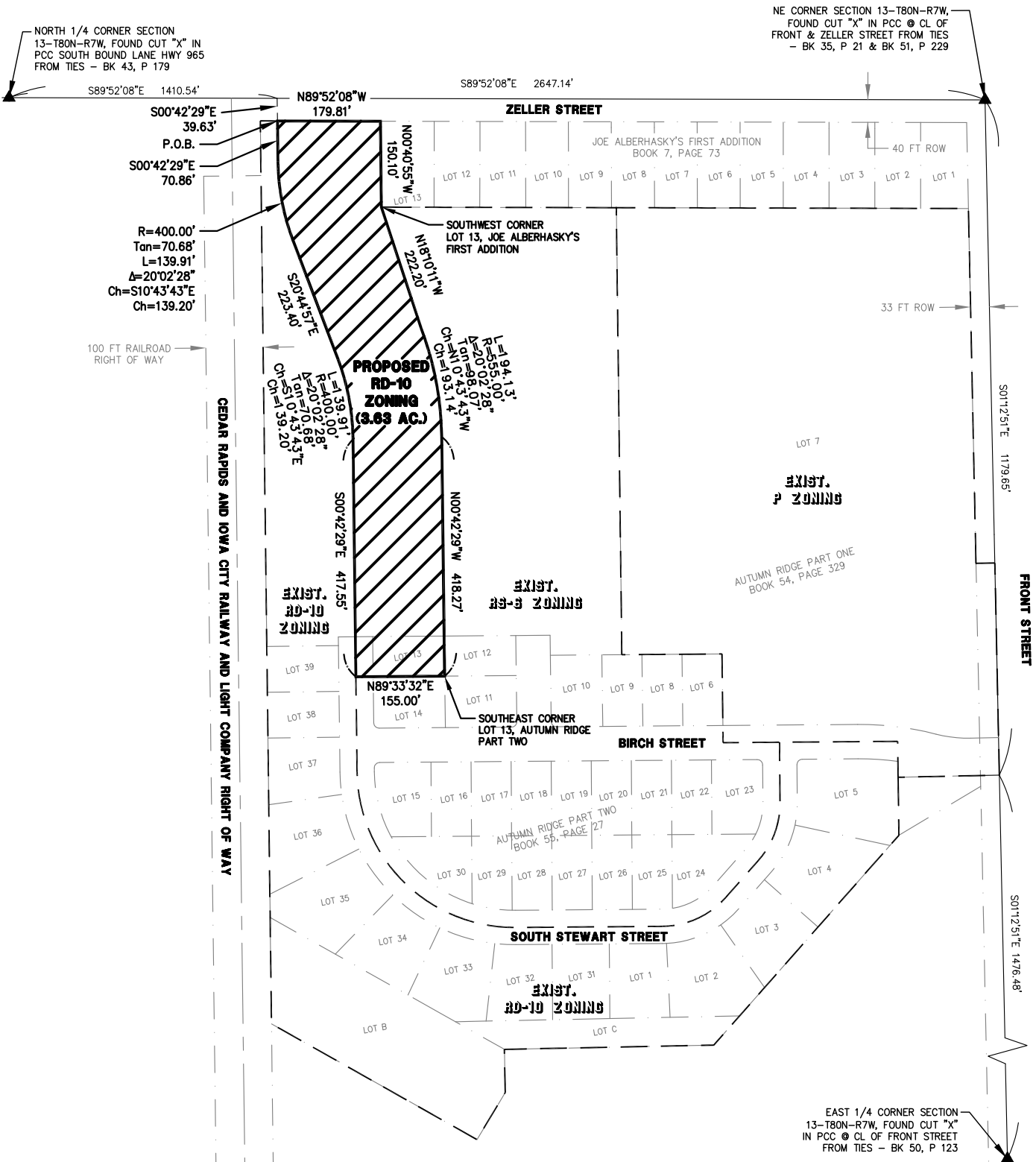
We feel that this neighborhood is most appealing for young families because of its proximity to the elementary school, and somewhat larger lots would also be more appropriate for their needs.

In summary, staff recommends denial of the requested RD-10 rezoning, but recommends consideration of RD-8 zoning if acceptable to the owners.

# REZONING EXHIBIT

## DESCRIPTION (FROM RS-6 TO RD-10)


COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 13, TOWNSHIP 80 NORTH, RANGE 7 WEST OF THE 5TH P.M., IN THE CITY OF NORTH LIBERTY, JOHNSON COUNTY, IOWA; THENCE S89°52'08"E, 1410.54 FEET ALONG THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 13; THENCE S00°42'29"E, 39.63 FEET TO THE SOUTHERN RIGHT OF WAY LINE OF ZELLER STREET, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING S00°42'29"E, 70.86 FEET; THENCE SOUTHEASTERLY 139.91 FEET ALONG A 400.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY WITH CHORD BEARING S10°43'43"E, 139.20 FEET; THENCE S20°44'57"E, 223.40 FEET; THENCE SOUTHEASTERLY 139.91 FEET ALONG A 400.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY WITH CHORD BEARING S10°43'43"E, 139.20 FEET; THENCE S00°42'29"E, 417.55 FEET; THENCE N89°33'32"E, 155.00 FEET TO THE SOUTHWEST CORNER OF LOT 13, AUTUMN RIDGE PART TWO, AS RECORDED IN BOOK 55, PAGE 27 OF THE JOHNSON COUNTY RECORDS; THENCE N00°42'29"W, 418.27 FEET; THENCE NORTHWESTERLY 194.13 FEET ALONG A 555.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY WITH CHORD BEARING N10°43'43"W, 193.14 FEET; THENCE N18°10'11"W, 222.20 FEET TO THE SOUTHWEST CORNER OF LOT 13, JOE ALBERHASKY'S FIRST ADDITION, AS RECORDED IN BOOK 7, PAGE 73 OF THE JOHNSON COUNTY RECORDS; THENCE N00°40'55"W, 150.10 FEET ALONG THE WEST LINE OF SAID LOT 13 TO A POINT ON THE SOUTHERN RIGHT OF WAY LINE OF ZELLER STREET; THENCE N89°52'08"W, 179.81 FEET ALONG SAID SOUTHERN RIGHT OF WAY TO THE POINT OF BEGINNING. SAID LAND CONTAINS 3.63 ACRES.




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1740 LININGER LANE  
NORTH LIBERTY, IOWA 52317  
319-626-9090  
fax319-626-9095



NORTH

0 250

(IN FEET)  
1 inch = 250 ft.

## AUTUMN RIDGE DEVELOPMENT – PART THREE

NORTH LIBERTY, IOWA

PROJECT NO: NLI 325010-03  
DRAWN BY: NPB  
CHECKED BY: BRG  
DATE: 8/31/2011  
DRAWING PATH: N:\Land Projects 4\NLI 325010-03\dwg\PHASE II\REZONING EXHIBIT\RD-10 REZONING EXHIBIT.dwg

SHEET:  
**RZ-01**

PROPERTY OWNER/APPLICANT  
AUTUMN RIDGE PARTNERS, LC  
755 MORMON TREK BOULEVARD  
P.O. BOX 1907  
IOWA CITY, IOWA 52244-1907  
CONTACT: GLENN SIDERS (319) 631-1179

APPLICANT'S ATTORNEY  
HOLLAND & ANDERSON LLP  
123 NORTH LINN STREET  
SUITE 300  
IOWA CITY, IOWA 52244-2820

APPLICANT'S ENGINEER  
McCLURE ENGINEERING COMPANY  
1740 LININGER LANE  
NORTH LIBERTY, IOWA 52317  
CONTACT: KEVIN BAILEY (319) 626-9090



October 27, 2011

## **Memo**

To: North Liberty Planning Commission  
From: Dean Wheatley, Planning Director  
Subject: Preliminary Plat Approval Request for Liberty Medical and Commerce Part Three  
(Lot 3 Country View subdivision and lots 4 and 5 Liberty Medical and Commerce subdivision)

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

This request is to approve a replating of several existing lots to be consistent with a recent rezoning of the same property. It includes one large multi-family lot of over 3 acres on the north end and 3 duplex lots on the south end of a north-south oriented property. Cameron Way is not classified as a major street and driveway access points are not restricted to it. Since this is a replat of already-subdivided property, utilities and infrastructure are already installed.

The owner has worked with the city throughout the rezoning and development process so far, and any development on the multi-family lot will require site plan approval. The preliminary plat is recommended for approval, subject to the following:

### *Notes:*

#### *Prior to final approval of the plat and rezoning:*

- *The existing storage building is not a permitted stand-alone use in the multi-family zoning district and arrangements for its removal will need to be made with the city's Building Safety Department.*
- *The owner will need to provide covenants or other evidence of arrangements for sharing/maintenance/use of the existing pond and private sanitary sewers .*

*A developer's agreement will not be required for this plat.*





## **Planning and Zoning Commission**

Minutes

October 4, 2011

**Call to Order.** At 6:30 p.m., Chairman Mausser called the October 4, 2011 Regular Session of the North Liberty Planning and Zoning Commission to order. Commission members present: Anderson, Covert, Detlefsen, Frost, Haack, Mausser, Moore.

Others present: Ryan Heiar, Tracey Mulcahey, Scott Peterson, Kevin Trom, Dean Wheatley, Erika Harper and other interested parties.

**Approval of the Agenda.** Moore moved, Haack seconded to approve the agenda as drafted. The vote was: ayes – Haack, Moore, Detlefsen, Covert, Frost, Mausser, Anderson; nays – none. Motion carried.

**Public Comment.** No public comment was offered.

### **Midwest Home Builders Rezoning Request.**

*Staff Presentation.* Wheatley presented the request of Midwest Home Builders to approve a rezoning from RS-4 (Single-Family) to RM-8 (Multi-family) for property generally located east of the Dubuque Street and north of West Penn Street. The developer has reached an agreement with the adjacent property owner, Copeland Meadows, for access. Staff recommends approval of the application with the following condition: That the developer/owners agree in a written document addressed to the city that development on the site will be generally consistent with and no denser than the concept plan.

*Applicant's Presentation.* Duane Musser from MMS Consultants and Dan Sweeting from Midwest Homes reported that an agreement has been reached with Copeland Homeowner's Association regarding the access to Hidden Meadows.

*Public Comments.* No public comments were received.

*Questions and Comments.* The Commission spoke in favor the application as presented.

*Recommendation to City Council.* Moore moved, Detlefsen seconded to recommend approval of the rezoning request to the City Council with the condition that the developer/owners agree in a written document addressed to the city that development on the site will be generally consistent with and no denser than the concept plan and with an approved access agreement with Copeland Meadows Homeowners Association. The vote was: ayes – Detlefsen, Mausser, Frost, Moore, Covert, Anderson, Haack; nays – none. Motion carried.

**Hidden Meadows Preliminary and Final Plats.**

*Staff Presentation.* Wheatley presented the request of Midwest Home Builders to approve a 3-lot preliminary and final plat for property generally located east of the Dubuque Street and north of West Penn Street. Staff recommends approval with the following conditions:

1. That the extension of Copeland Lane meets city street design standards for pavement thickness and subgrade drainage.
2. That a sidewalk connection is provided from West Penn Street to Copeland Lane.

*Applicant's Presentation.* Duane Musser presented additional information regarding the application.

*Public Comments.* No public comments were offered.

*Questions and Comments.* The Commission discussed the storm water detention basins and public access.

*Recommendation to City Council.* Haack moved, Frost seconded to recommend approval of the Preliminary and Final Plats of Hidden Meadows Subdivision to the City Council with the following conditions:

1. That the extension of Copeland Lane meets city street design standards for pavement thickness and subgrade drainage.
2. That a sidewalk connection is provided from West Penn Street to Copeland Lane.

The vote was: ayes – Frost, Haack, Covert, Moore, Anderson, Mausser, Detlefsen; nays – none. Motion carried.

**Allen Homes Rezoning Request.**

*Staff Presentation.* Wheatley presented the request of Allen Homes to approve a rezoning from C-1-B (Commercial) to RM-21 (Multi-family) for property generally located west of Highway 965 at the end of the private drive Club House Road. Staff recommends approval with the condition that the developer/owners agree in a written document addressed to the city that development on the site will be generally consistent with the layout and building style of the concept plan. No rezoning completion until access is complete.

*Applicant's Presentation.* Jesse Allen from Allen Homes reported on the application for the site. He has hired an architect from Chicago for the site plan design. Allen presented the preliminary site plan. The applicant has met with the owners of the condominiums and golf course regarding the roadway.

The commission asked about parking, the pond, and the density of the proposed development.

*Public Comments.* Karen Johnson stated that the Quail Creek Condominiums presented a letter signed by several owners at the Good Neighbor meeting. She stated that this will be good for Quail Creek condos and that the access road will be improved in the process. Evelyn Bollinger said that she is surprised that this application is being recommended by staff for approval. She stated that only one unimproved access exists and this will put lots of cars on Highway 965. She stated that the application is not a companion building as indicated by staff. She further stated that the association agreement being signed was a surprise as the Association not had a meeting regarding the document. Wheatley stated that access improvement is critical. If recommended for Council approval, the application will be held until there is assurance that the drive will be

upgraded. Kevin Johannsen of 1180 Hauer Drive spoke against the rezoning. He would prefer more single family homes rather than higher density. Blaine Thomas, one of the applicants, reported that he delivered a letter to the golf course owner. The developer will pay for the road improvements and maintenance. He stated that this development would be a unique cornerstone piece for North Liberty. Kevin Johannsen then stated that no other community has this type of design because it is a bad idea. George Pappageorge, the architect for the project, spoke about the project. The developer is seeking to create an interesting sense of place for diversity in culture and age groups. He stated that commercial district uses could far exceed the traffic movements of residential district movements. The proposed use is compatible with existing neighbors and has large outdoor spaces. Chad Waring of 1150 Hauer Drive expressed concerns with the density.

*Questions and Comments.* The Commission discussed the traffic impact on Highway 965, the density of the proposed structure, the access road improvements, the term of the build out, and the size and cost of the proposed units.

*Recommendation to City Council.* Mausser moved, Haack seconded to recommend non-approval of the rezoning request to the City Council. After discussion, the vote was: ayes – Mausser, Anderson, Haack, Covert, Frost; nays – Detlefsen; abstain - Moore. Motion carried.

**Land Use Plan Updates.**

*Staff Presentation.* Wheatley reviewed the proposed changes to Land Use Plan discussed at previous joint meetings with Council.

*Recommendation to City Council.* Detlefsen moved, Frost seconded to recommend the proposed Land Use Plan Updates to the City Council. The vote was: ayes – Moore, Covert, Anderson, Haack, Frost, Detlefsen, Mausser; ayes – none. Motion carried.

**Minutes of Previous Meetings.** Frost moved, Moore seconded to approve the minutes of the Planning Commission meetings contained in the packet. All ayes. Motion carried.

**Cases Under Development.** Wheatley summarized the pending case for the Commission.

**Adjournment.** At 8:00 p.m., Moore moved, Haack seconded to adjourn. All ayes. Meeting adjourned.