

Autumn Ridge Rezoning



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

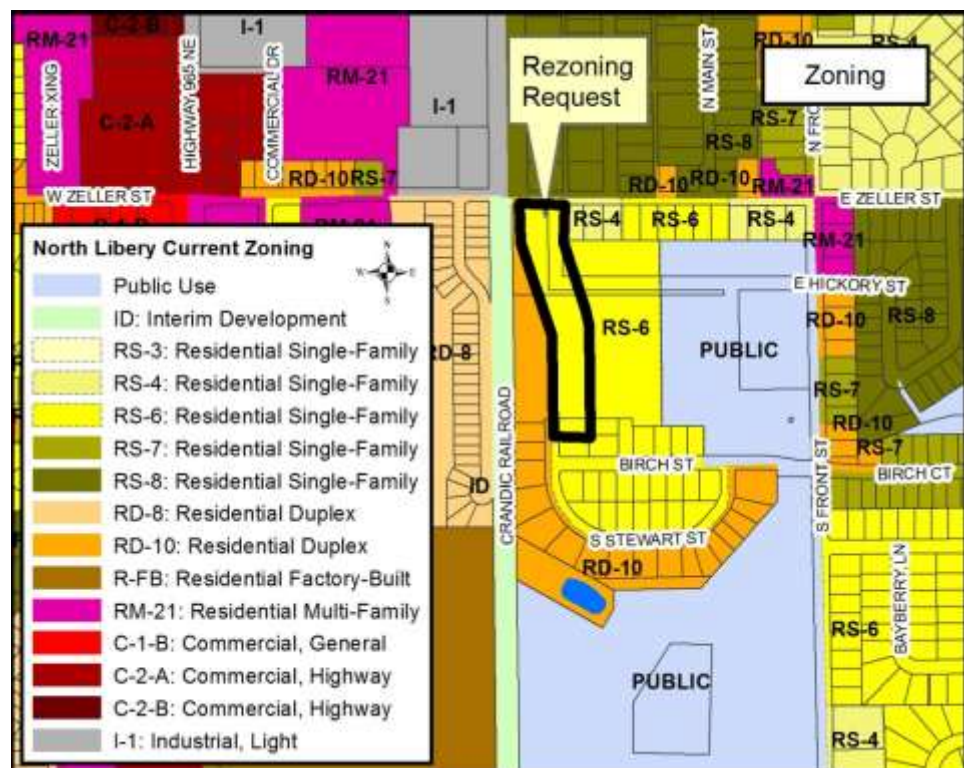
Kevin Trom, City Engineer

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.

Tracey Mulcahey

From: Glenn Siders [gsiders@sgdev.net]
Sent: Monday, November 14, 2011 2:20 PM
To: Alert Tom Salm; Coleen Chipman; Terry Donahue; Gerry Kuhl; Alert Chris Hoffman; Brian Wayson
Cc: Ryan Hejar; Dean Wheatley; Tracey Mulcahey
Subject: Autumn Ridge Development

Mayor Salm and Council members:

Autumn Ridge Partners has requested a rezoning for a portion of the Autumn Ridge development. In this week's Council packet you will notice that a public hearing and first consideration will be on your November 22 agenda. I presume a staff report will accompany this request. The purpose of this email is to inform you that my travel schedule will not allow me to be present at the public hearing.

Our request is to rezone 13 single family lots (RS-6) to 10 zero lot-line lots (RD-10). The staff report did not support the request. Their greatest concern was the impact of potential 80' wide lots not allowing enough space between driveways to park two vehicles. The report did however mention that a zero lot-line request was consistent with the neighborhood. At the November 1, 2011 Planning & Zoning Commission meeting both sides were presented and I believe a satisfactory compromise was achieved. The recommendation coming before you will be to allow RD-10 zoning with no lot smaller than 10,000 square feet total and no lot with a dimension less than 90' in width at the building setback line. This compromise will negate the less than two car parking argument. To date there has not been any input from the adjoining property owners or general public.

I would ask the Council to consider the following:

- Hold the public hearing as presented on the agenda. If there is no negative input and you do not have any discomfort with the request close the hearing and approve the first consideration. If there is some concern on anyone's part, please continue the public hearing until the next meeting when I can be present to address any concerns.
- View the November 1, 2011 P & Z meeting. The Commission asked several questions and had a great dialog before they made their recommendation.
- Verify with the City staff that what I have represented in this email to be correct.
- Touch base with me for any questions or concerns. My contact information is at the bottom of this email. I will be in the office through Monday November 21. I will be available while traveling on the 22nd via my cell and email.

Thank you for your consideration of this request.



Glenn R. Siders
Vice President

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Iowa City, IA 52244-1907

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Facsimile: 319.337.9823
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ORDINANCE NO. 11-17

AN ORDINANCE AMENDING THE ZONING ORDINANCE TO CHANGE THE USE REGULATIONS ON PROPERTY OWNED BY AUTUMN RIDGE PARTNERS, L.C. LOCATED IN NORTH LIBERTY, IOWA, TO THOSE SET FORTH IN THE NORTH LIBERTY MUNICIPAL CODE FOR THE RD-10 DUPLEX RESIDENTIAL DISTRICT.

WHEREAS, the subject property is located within the North Liberty corporate city limits and

WHEREAS, the property is located in an area which is designated for future residential development in the North Liberty Comprehensive Plan, and

WHEREAS, the owner of the property, Autumn Ridge Partners, L.C., has requested that the property be zoned to RD-10 Duplex Residential, and

WHEREAS, the RD-10 Duplex Residential district provides for future development that is compatible with the future proposed development in the North Liberty Comprehensive Plan, and

WHEREAS, the Planning and Zoning Commission has reviewed the request and made the following recommendation:

- 1) 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.

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

Section 1. ZONING AMENDMENT. The property legally described as:

Commencing at the north $\frac{1}{4}$ 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 $\frac{1}{4}$ of said Section 13; thence 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 southeast 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 lot contains 3.63 acres.

shall be classified and zoned to RD-10 Duplex Residential.

Section 2. ZONING MAP. It is hereby authorized and directed that the Zoning Map of the City of North Liberty, Iowa, be changed to conform to this amendment upon final passage, approval and publication of this ordinance as provided by law.

Section 3. RECORDATION. The City Clerk is hereby authorized and directed to record this ordinance at the Johnson County Recorder's office upon final passage and approval.

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

Section 5. SEVERABILITY. If any section, provision or part of the ordinance shall be adjudged to be 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 6. EFFECTIVE DATE. This ordinance shall be in effect after its final passage, approval and publication as required by law.

* * * * *

First Consideration: _____.

Second Consideration: _____.

Third Consideration and adoption: _____.

PASSED AND APPROVED this ____ day of _____, 20__.

CITY OF NORTH LIBERTY, IOWA

BY: _____
Thomas A. Salm, Mayor

ATTEST:

Tracey Mulcahey, City Clerk

Drafted and approved as to form by City Attorney:

Scott C. Peterson, City Attorney

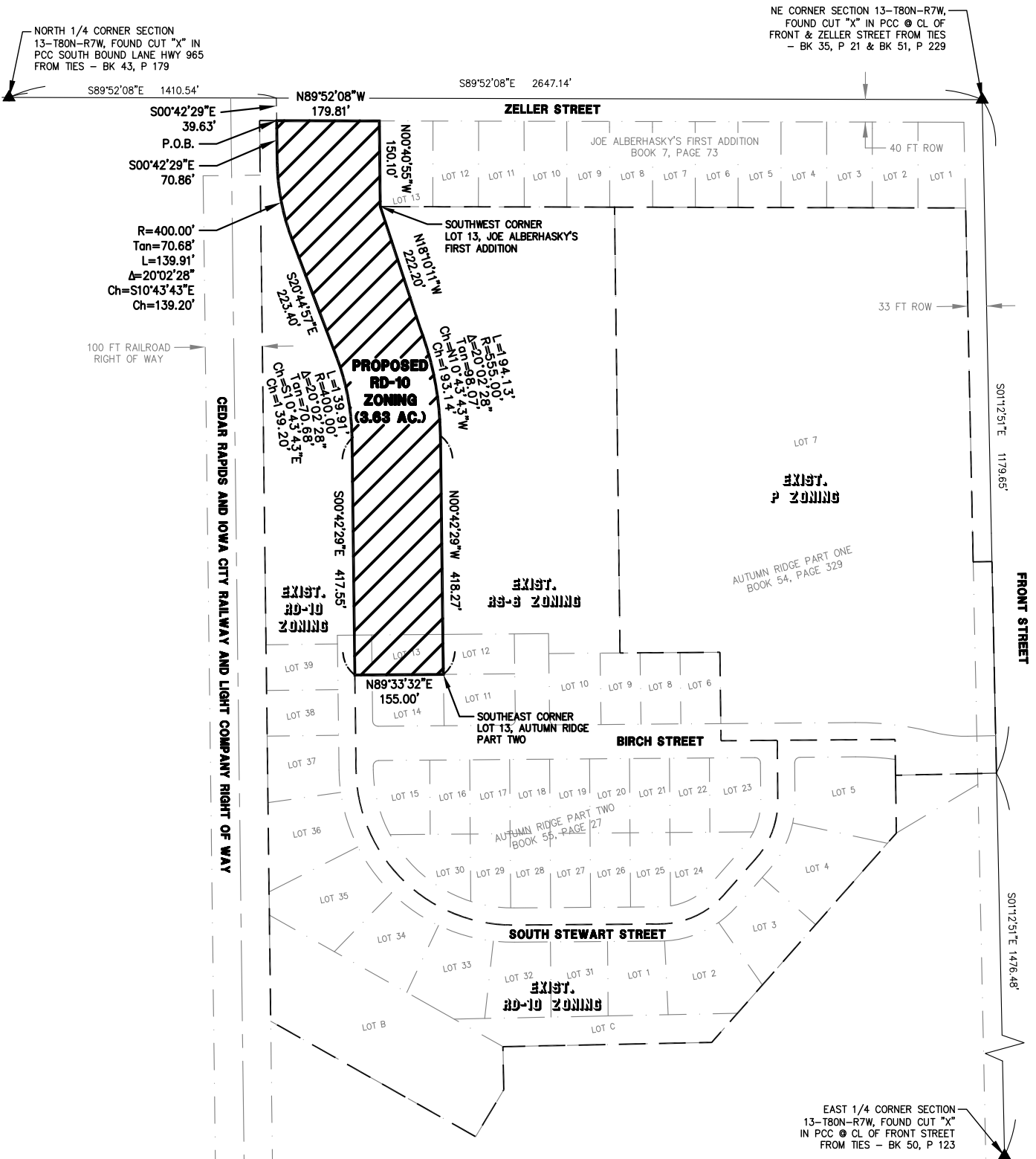
I certify that the forgoing was published as Ordinance No. _____ in the *North Liberty Leader* on the _____ day of _____, 2011.

Tracey Mulcahey, City Clerk

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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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