



North Liberty Board of Adjustment Information Packet

June 29, 2016

6:30 PM

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

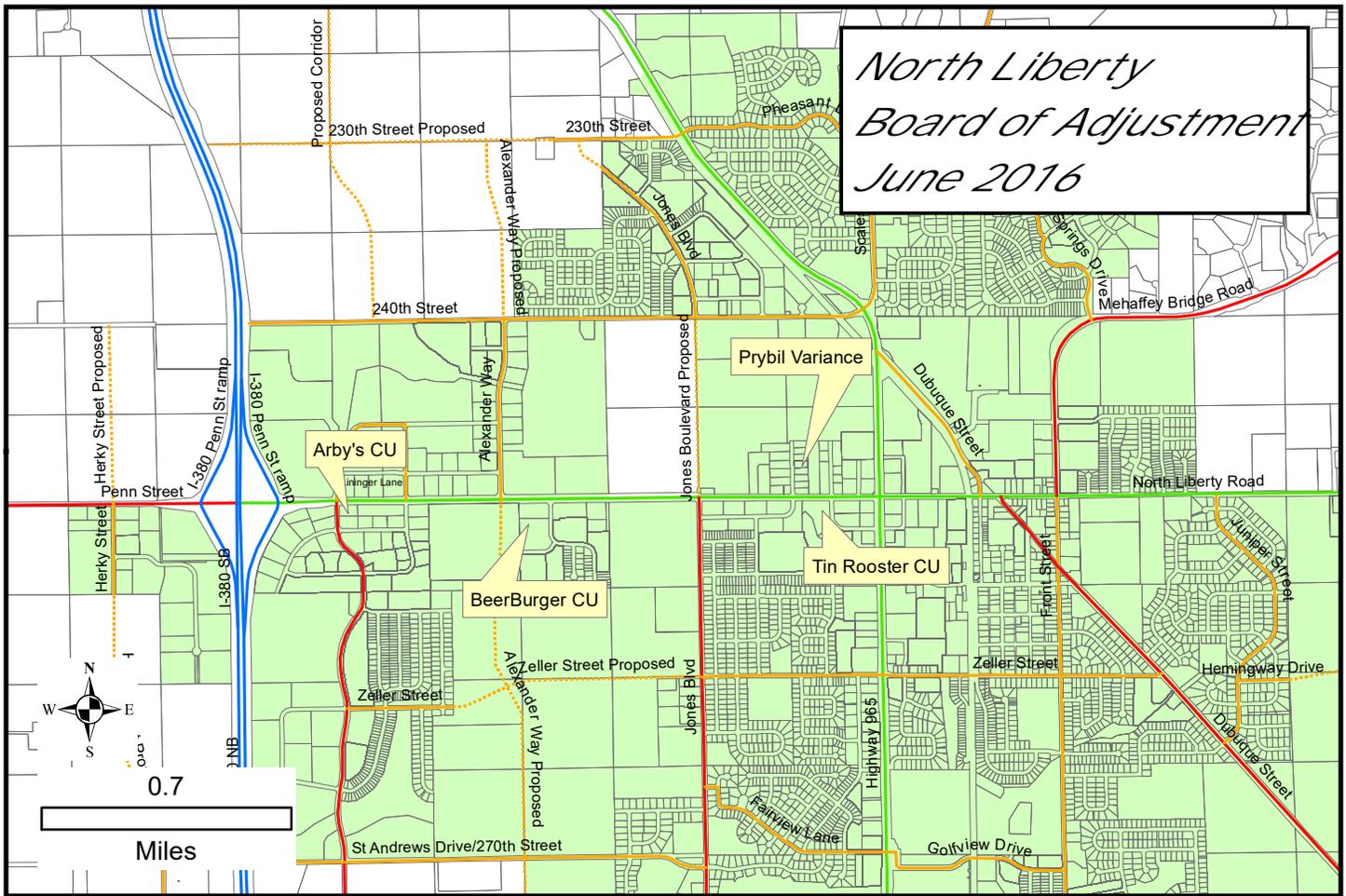


**NORTH LIBERTY BOARD OF ADJUSTMENT
MEETING NOTICE AND AGENDA
June 29, 2016, 6:30 PM**

- 1. Roll Call.**
- 2. Public Comment**
- 3. Conditional Use:** Request of Restaurant Concepts Inc. to approve outdoor eating for an Arby's restaurant located at the southeast corner of West Penn Street and Kansas Avenue, Lot 24 Liberty's Gate Part 2.
 - a. Staff Presentation and Planning Commission Recommendation
 - b. Applicant's Presentation
 - c. Public Hearing
 - d. Questions and Comments
 - e. Formal Action
- 4. Conditional Use:** Request of Cameron Way Partners to approve an outside eating conditional use at the new BeerBurger restaurant located at the southwest corner of West Penn Street and Cameron Way (former Kyodai restaurant location).
 - a. Staff Presentation and Planning Commission Recommendation
 - b. Applicant's Presentation
 - c. Public Hearing
 - d. Questions and Comments
 - e. Formal Action
- 5. Conditional Use:** Request of PFS, LLC to approve a plan for outside eating at a new restaurant to be located at the southwest corner of West Penn Street and Community Drive, Lot 12 Liberty Centre Part 1.
 - a. Staff Presentation and Planning Commission Recommendation
 - b. Applicant's Presentation
 - c. Public Hearing
 - d. Questions and Comments
 - e. Formal Action

6. **Variance:** Request of Gerald T. Prybil Family trust to approve a variance to allow expansion of an existing commercial warehouse building into a required side yard at 720 Liberty Way, Lot 12 of Inter-City Industrial Park.
 - a. Staff Presentation and Planning Commission Recommendation
 - b. Applicant's Presentation
 - c. Public Hearing
 - d. Questions and Comments
 - e. Formal Action
 7. **Minutes of Previous Meeting (July 2015)**
 8. **Old Business**
 9. **New Business**
- Adjournment**

*North Liberty
Board of Adjustment
June 2016*



2014 Aerial Photography
No scale





Recommended by
Planning Commission for
approval on 6/7/2016

May 31, 2016

Memo

To: North Liberty Planning Commission
From: Dean Wheatley, Planning Director
Subject: Site Plan and Outside Eating Approval Request
(Lot 24 Liberty's Gate Part 2)

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:

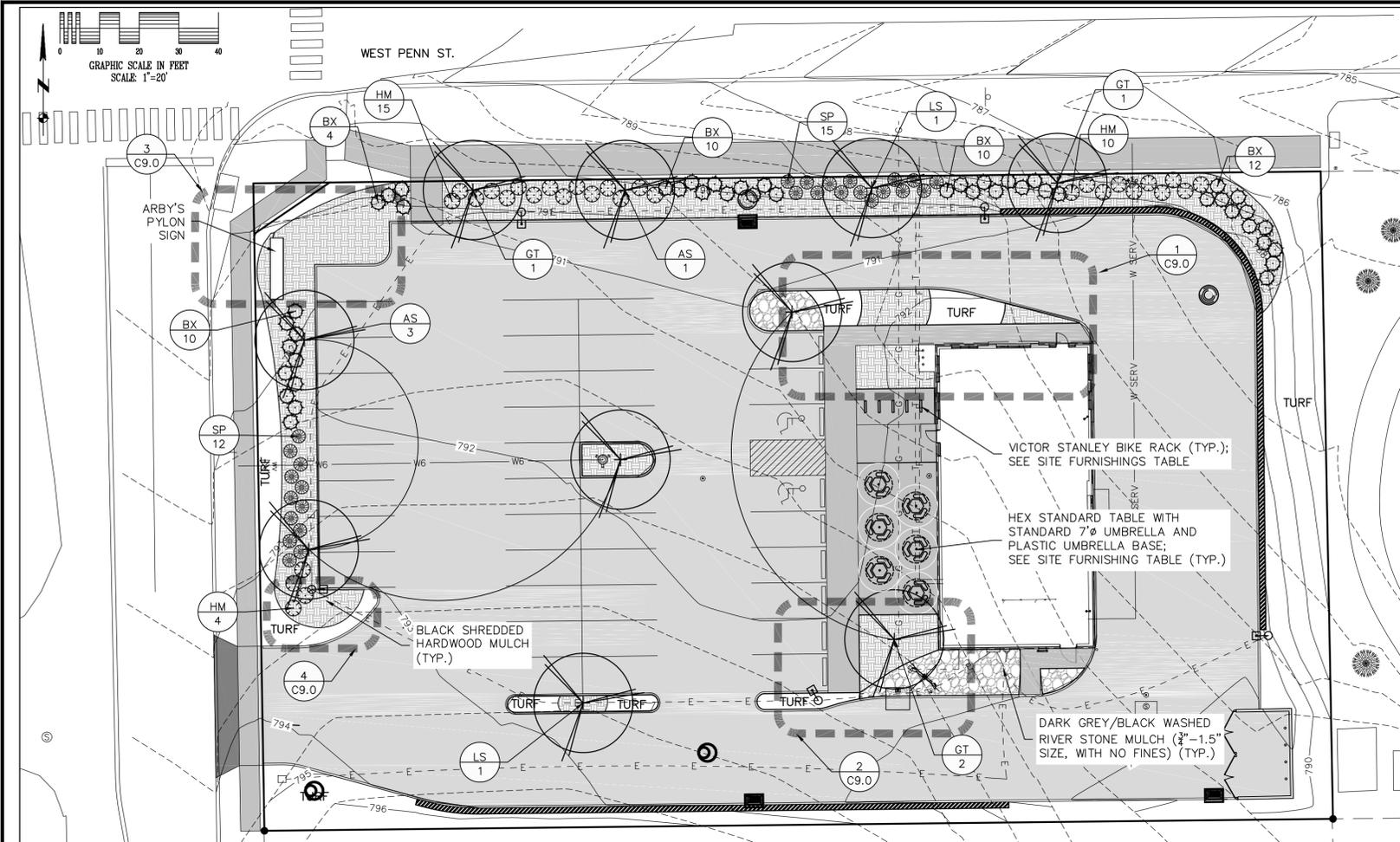
Ryan Heiar, City Administrator
Tracey Mulcahey, Assistant City Administrator
Tom Palmer, City Building Official
Scott Peterson, City Attorney
Kevin Trom, City Engineer
Dean Wheatley, Planning Director

This request is to approve a site plan including outside eating for a new Arby's restaurant located at the southeast corner of West Penn Street and Kansas Avenue.

The site layout is straightforward, with ample parking (30 required, 41 provided), good vehicular circulation, and drive-through services. The landscaping plan is very well developed, with tree and shrub plantings well beyond minimum requirements as well as a landscape area at the northwest corner of the site, which will soften the site considerably and fit well into the North Liberty aesthetic expectations. The commercial site feature requirement is met through detailed outside eating areas featuring colored concrete and permanent seating with shade. A bike rack is provided.

The building is a clean corporate design that meets design standards. During the review process the developer moved the outside ladder access to inside the building, has proposed an excellent screening system for the roof-mounted HVAC, and has maintained an outstanding working relationship in completing other details.

Staff recommends approval of the site plan and outside eating conditional use.



GENERAL LANDSCAPE NOTES

- CONTRACTOR TO LOCATE ALL UTILITIES PRIOR TO EXCAVATION. BEFORE COMMENCEMENT OF ANY WORK, CONTACT IOWA ONE CALL (1-800-292-8989) OR 811 AT LEAST 48 HOURS PRIOR TO DIGGING. REPAIR DAMAGE TO UTILITIES AND STRUCTURES IMMEDIATELY AT CONTRACTOR'S EXPENSE.
- PRIOR TO PLANT MATERIAL INSTALLATION, THE LANDSCAPE OR OWNER'S REPRESENTATIVE SHALL APPROVE PLANT LOCATIONS. FIELD ADJUSTMENTS OF PROPOSED PLANT LOCATIONS MAY BE REQUIRED TO MINIMIZE POTENTIAL INTERFERENCE WITH EXISTING UTILITIES, TO MINIMIZE HAZARDS TO PLANT GROWTH AND TO IMPROVE MAINTENANCE CONDITIONS.
- PRIOR TO INSTALLATION, ALL TREE PLANTING LOCATIONS SHALL BE FLAGGED AND PLANTING BEDS SHALL BE DELINEATED FOR APPROVAL BY THE PROJECT LANDSCAPE ARCHITECT OR OWNER'S REPRESENTATIVE. CONTACT THE PROJECT LANDSCAPE ARCHITECT OR OWNER'S REPRESENTATIVE ONE WEEK PRIOR TO ANTICIPATED PLANT MATERIAL INSTALLATION DATE FOR LAYOUT APPROVAL.
- ALL PLANT MATERIAL SHALL AT LEAST MEET MINIMUM REQUIREMENTS SHOWN IN THE "AMERICAN STANDARD FOR NURSERY STOCK" (ANSI Z60.1-LATEST EDITION).
- PLANT QUANTITIES ARE FOR CONTRACTOR'S CONVENIENCE. DRAWINGS SHALL PREVAIL WHERE DISCREPANCIES OCCUR.
- NO PLANT MATERIAL SHALL BE SUBSTITUTED WITHOUT THE AUTHORIZATION OF THE LANDSCAPE ARCHITECT OR OWNER'S REPRESENTATIVE.
- BED PREPARATION AND MULCHING NOTES:**
 7. IMPORTED TOPSOIL, IF REQUIRED, SHALL BE:
 FERTILE, FRIABLE, NATURAL TOPSOIL, WITH A CLAY CONTENT NOT EXCEEDING 30% AND ORGANIC MATTER CONTENT NOT LESS THAN 5% FREE FROM LUMPS, COARSE SANDS, STONES, ROOTS, STICKS, AND OTHER FOREIGN MATERIAL, WITH ACIDITY RANGE OF BETWEEN Ph 6.0 and 6.8.
 8. PLANTING SOIL:
 PLANTING SOIL (I.E. BACKFILL AREAS AROUND ROOT BALLS AS SHOWN ON TREE/SHRUB INSTALLATION DETAIL) SHALL BE AMENDED. THOROUGHLY MIX 4 PARTS TOPSOIL, 1 PART COMPOST, 1 PART SAND.
 TOPSOIL SHALL BE AS SPECIFIED WITHIN THE NOTE ABOVE.
 COMPOST SHALL BE FINELY SCREENED GRADED TO PASS SIEVE AS FOLLOWS:
 -MINIMUM OF 85% BEING 1/4" OR SMALLER (DRY BASIS RESULT).
 -MINIMUM OF 70% BEING 5/32" OR SMALLER (DRY BASIS RESULT).
 -WITH CLUMPS OR PARTICLES 3/4" DIAMETER OR GREATER.
 SAND SHALL BE C33 WASHED CONCRETE SAND, OR APPROVED EQUAL.
- PROVIDE A MINIMUM 3" DEPTH OF SHREDDED HARDWOOD MULCH IN ALL TREE PLANTING BEDS. MULCH RINGS FOR TREES SHALL BE A MINIMUM SIX FOOT (6') DIAMETER AND CONTAIN SPADE EDGING AT MULCH RING EDGE.
- PROVIDE MIN. 2" - 3" MAX. DEPTH OF SHREDDED HARDWOOD MULCH IN ALL SHRUB/ORNAMENTAL GRASS/PERENNIAL BEDS.
- PROVIDE 3" DEPTH OF DARK GREY/BLACK WASHED RIVERSTONE MULCH FROM LOCAL SOURCES WITHIN 200 MILES OF NORTH LIBERTY, IOWA.
- NURSERY TAGS SHALL BE LEFT ON PLANT MATERIAL UNTIL LANDSCAPE ARCHITECT OR OWNER'S REPRESENTATIVE HAS COMPLETED THE INITIAL ACCEPTANCE.
- CONTAINER GROWN STOCK SHALL HAVE THE CONTAINER REMOVED AND THE ROOT BALL CUT THROUGH THE SURFACE IN TWO VERTICAL LOCATIONS.
- ALL PLANTS SHALL BE BALLED AND WRAPPED OR CONTAINER GROWN AS SPECIFIED. NO CONTAINER STOCK WILL BE ACCEPTED IF IT IS ROOT BOUND. ALL ROOT WRAPPING MATERIAL MADE OF SYNTHETICS OR PLASTICS SHALL BE REMOVED AT TIME OF PLANTING.
- AS NEEDED, STAKE ALL NEWLY PLANTED TREES RELATIVE TO WIND EXPOSURE. ALL PLANTS SHALL BE SET PLUMB TO GROUND AND FACED FOR BEST APPEARANCE. AS NECESSARY, PRUNE DEAD BRANCHES OR THOSE THAT COMPROMISE APPEARANCE AND STRUCTURE TO A MAX OF 1/3 THE PLANT.
- CONTRACTOR SHALL WATER AND MAINTAIN ALL SEEDED AREAS AS WELL AS ALL PLANTS UNTIL GROUND FREEZES. MAINTENANCE INCLUDES WEEDING, MULCHING, AND OTHER NECESSARY RELATED OPERATIONS UNTIL INITIAL ACCEPTANCE. INITIAL ACCEPTANCE IS CONSIDERED TO BE THE DATE AT WHICH PLANTING AND MULCHING, ETC., PER LANDSCAPE PLAN, HAS BEEN COMPLETED AND APPROVED BY LANDSCAPE ARCHITECT OR OWNER'S REPRESENTATIVE.
- ALL PLANT MATERIAL SHALL BE GUARANTEED TO BE IN VIGOROUS GROWING CONDITIONS FOR A PERIOD OF ONE (1) YEAR FROM DATE OF INITIAL ACCEPTANCE. REPLACE ALL PLANT MATERIAL UP TO ONE YEAR OF INITIAL ACCEPTANCE, IN ACCORDANCE WITH LANDSCAPE PLANS. ALL PLANTS THAT ARE DEAD OR IN AN UNHEALTHY OR UNSIGHTLY STATE ARE REQUIRED TO BE REPLACED AT NO ADDITIONAL COST TO THE OWNER.
- ALL AREAS DISTURBED BY CONSTRUCTION SHALL HAVE FULL SURFACE RESTORATION IMPLEMENTED BY MEANS OF TURF GRASS LAWN SEED AND/OR SOD, CONTRACTOR TO VERIFY/COORDINATE WITH OWNER UNLESS NOTED OTHERWISE.
- ALL SEEDING APPLICATION NOTES ARE LISTED IN SOD/SEED APPLICATION NOTES. CONTRACTOR SHALL FOLLOW SEED MANUFACTURER'S RECOMMENDED SPECIFICATIONS FOR PRODUCT INFORMATION & INSTALLATION. FOR ALL OTHER LANDSCAPING WORK NOT ADDRESSED VIA MANUFACTURER'S SPECIFICATIONS, CONTRACTOR SHALL FOLLOW THE STATEWIDE URBAN DESIGN AND SPECIFICATIONS (SDUS) SECTION 9010 FOR ANY DISCREPANCIES THAT MAY ARISE, THE PLAN AND NOTES ON THIS SHEET SHALL SUPERCEDE SDUS.
- ALL TREES TO BE PLACED WITHIN PARKING LOT ISLANDS ARE TO STRICTLY FOLLOW THE CEDAR RAPIDS METROPOLITAN AREA STANDARD DETAIL '2910-010 STANDARD PLANTING PIT'. FOR SPECIAL USE SITUATIONS WHEN PLACING TREES WITHIN A PARKING LOT WITHOUT A PROTECTIVE ISLAND, THE DETAIL '2910-015 SPECIAL USE PLANTING PIT' SHALL BE USED. SEE CITY DETAIL THIS SHEET.
- NURSERY SOURCE FOR LANDSCAPE PLANTS SHOWN HEREON SHALL BE WITHIN A 500 MILE RADIUS OF NORTH LIBERTY, IOWA AND GROWN IN A CLIMATE ZONE OF 5A OR COLDER.
- PROVIDE AND MAINTAIN POSITIVE DRAINAGE THROUGHOUT CONSTRUCTION AND INSTALLATION. DO NOT ALLOW ADDITION OF TOPSOIL, PLANTING SOIL OR MULCH TO DETER POSITIVE DRAINAGE OR TO CREATE AREA OF LOCALIZED PONDING.
- PROVIDE ALUMINUM EDGING BETWEEN ALL MULCHED BEDS AND LAWN AREAS (SOD AND/OR SEED). ALUMINUM EDGING SHALL BE PERMALOC CLEANLINE 3/16" x 5.5" WITH MILL FINISH - NATURAL ALUMINUM, OR APPROVED EQUAL. INSTALL PER MANUFACTURER'S SPECIFICATIONS. PRODUCT INFORMATION SEE: www.permaloc.com

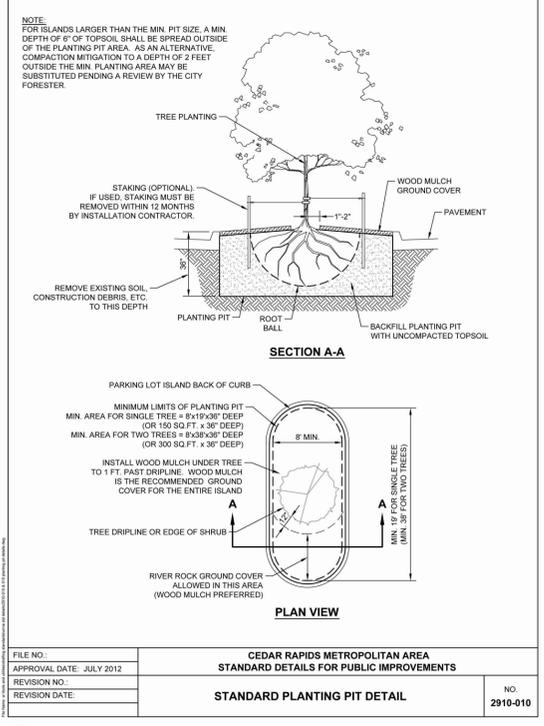
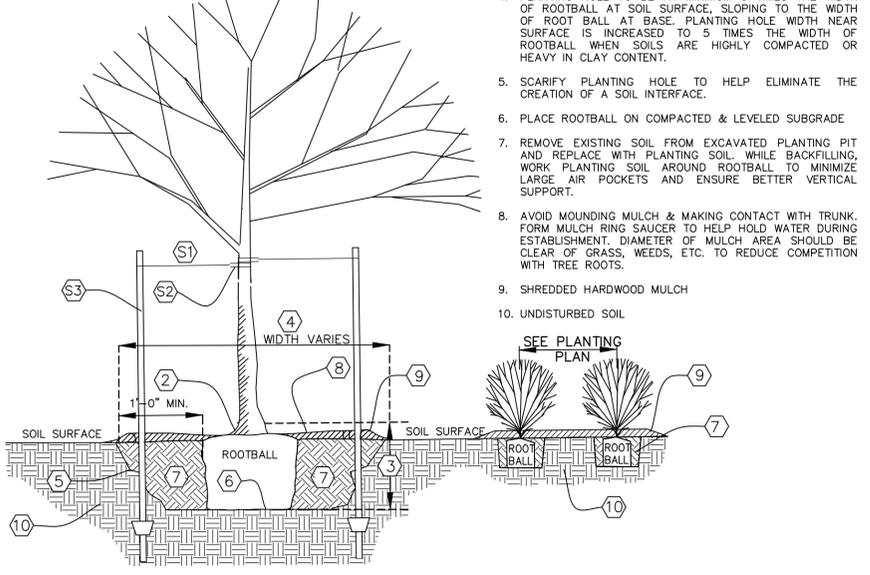
PLANTING SCHEDULE						
QTY	ID	BOTANICAL/COMMON NAME	MIN. SIZE	ROOT	SPACING	NOTES
OVERSTORY / SHADE TREES						
4	AS	Acer saccharum 'Sugar Cone' SUGAR CONE SUGAR MAPLE	2 1/2" DBH	BB	SEE PLAN	NURSERY MATCHED, QUALITY SPECIMEN
4	GT	Gleditsia tricanthos var. Inermis 'Street Keeper' STREET KEEPER HONEYLOCUST	2 1/2" DBH	BB	SEE PLAN	NURSERY MATCHED, QUALITY SPECIMEN
2	LS	Luquidambar styraciflua SWEETGUM	2 1/2" DBH	BB	SEE PLAN	NURSERY MATCHED, QUALITY SPECIMEN
SHRUBS						
46	BX	Buxus microphylla 'Wintergreen' WINTERGREEN BOXWOOD	3 GAL.	CONTAINER	SEE PLAN	NURSERY MATCHED, QUALITY SPECIMEN
88	CA	Calmagrostis x. acutiflora 'Karl Foerster' FEATHER REED GRASS	3 GAL.	CONTAINER	SEE PLAN	NURSERY MATCHED, QUALITY SPECIMEN
13	EA	Euonymus alatus 'Compactus' COMPACT BURNING BUSH	3 GAL.	CONTAINER	SEE PLAN	NURSERY MATCHED, QUALITY SPECIMEN
100	HC	Hemerocallis ssp. 'Chicago Sunrise' CHICAGO SUNRISE DAYLILY	3 GAL.	CONTAINER	SEE PLAN	NURSERY MATCHED, QUALITY SPECIMEN
29	HM	Hydrangea macrophylla 'Endless Summer' ENDLESS SUMMER HYDRANGEA	3 GAL.	CONTAINER	SEE PLAN	NURSERY MATCHED, QUALITY SPECIMEN
27	SP	Syringa X prestoniae 'Donald Wyman' DONALD WYMAN LILAC	3 GAL.	CONTAINER	SEE PLAN	NURSERY MATCHED, QUALITY SPECIMEN
26	VD	Viburnum dentatum 'Christom (Blue Muffin)' BLUE MUFFIN ARROWWOOD VIBURNUM	3 GAL.	CONTAINER	SEE PLAN	NURSERY MATCHED, QUALITY SPECIMEN

PARKING LOT INTERNAL LANDSCAPING
 PARKING LOT SIZE= 19410 SF < 49000 SF
 LANDSCAPE ISLAND REQUIREMENT= 19410 x 0.03= 582 SF
 LANDSCAPE ISLAND PROVIDED= > 582 SF
 ALL PARKING SPACES ARE WITHIN 40 FEET

TREE REQUIREMENT
 BUILDING SIZE: 3000 SF
 TREE REQUIREMENT: 3000 ÷ 1.5
 TREES REQUIRED: 2
 TREES PROVIDED: 10

- STAKING NOTES:**
 (SEE GENERAL LANDSCAPE NOTES FOR MORE DETAIL).
- STAKING WIRE
 - RUBBER HOSE SET LOOSE TO ALLOW FOR TRUNK TAPER AND LESS DETRIMENTAL GROWTH.
 - STEEL FENCE POST STAKE DRIVEN INSIDE MULCH RING DIAMETER. DRIVE STAKES 6" TO 1"-0" INTO UNDISTURBED SOIL BELOW ROOTBALL.

- TREE & SHRUB PLANTING NOTES:**
- REMOVE TOP 3" OF WIRE BASKET AND BURLAP ONCE PLACED INTO PLANTING HOLE. REMOVE ALL SISAL AND SYNTHETIC TWINE.
 - TRUNK FLARE SHOULD BE EXPOSED BEFORE DETERMINING PLANTING HOLE DEPTH.
 - PLANT TREE WITH TRUNK FLARE 1-2" MAXIMUM ABOVE ORIGINAL GRADE, AVOID PLANTING TREE TOO DEEPLY.
 - PLANTING HOLE TO BE AT MINIMUM 3 TIMES THE WIDTH OF ROOTBALL AT SOIL SURFACE, SLOPING TO THE WIDTH OF ROOT BALL AT BASE. PLANTING HOLE WIDTH NEAR SURFACE IS INCREASED TO 5 TIMES THE WIDTH OF ROOTBALL WHEN SOILS ARE HIGHLY COMPACTED OR HEAVY IN CLAY CONTENT.
 - SCARIFY PLANTING HOLE TO HELP ELIMINATE THE CREATION OF A SOIL INTERFACE.
 - PLACE ROOTBALL ON COMPACTED & LEVELED SUBGRADE
 - REMOVE EXISTING SOIL FROM EXCAVATED PLANTING PIT AND REPLACE WITH PLANTING SOIL WHILE BACKFILLING, WORK PLANTING SOIL AROUND ROOTBALL TO MINIMIZE LARGE AIR POCKETS AND ENSURE BETTER VERTICAL SUPPORT.
 - AVOID MOUNDING MULCH & MAKING CONTACT WITH TRUNK. FORM MULCH RING SAUCER TO HELP HOLD WATER DURING ESTABLISHMENT. DIAMETER OF MULCH AREA SHOULD BE CLEAR OF GRASS, WEEDS, ETC. TO REDUCE COMPETITION WITH TREE ROOTS.
 - SHREDDED HARDWOOD MULCH
 - UNDISTURBED SOIL



- SURFACE RESTORATION APPLICATION NOTES**
- FOR ALL TURF GRASS LAWN SEED, ALL SEEDING APPLICATION AREAS SHALL BE PROVIDED BY UNITED SEEDS INC. OR APPROVED EQUAL. CONTACT INFORMATION IS LISTED BELOW
 - ALL TURF GRASS LAWN AREAS, UNLESS NOTED OTHERWISE, ARE TO BE PLANTED AND INSTALLED AS PER THE 'TECHNICAL BULLETIN' FOR 'SOD GROWER II KENTUCKY BLUEGRASS BLEND' PROVIDED BY UNITED SEEDS, OR APPROVED EQUAL. 'TECHNICAL BULLETIN FOR 'SOD GROWER II KENTUCKY BLUEGRASS BLEND' CAN BE FOUND ON THE UNITED SEEDS WEBSITE: www.unitedseeds.com

- SEED/ SOD APPLICATION NOTES**
- IF TURF GRASS LAWN SEED ALTERNATE IS USED IN LIEU OF SOD, ALL SEEDING APPLICATION AREAS SHALL BE PROVIDED BY UNITED SEEDS INC. OR APPROVED EQUAL. CONTACT INFORMATION IS LISTED BELOW
 - ALL TURF GRASS LAWN AREAS, WHETHER SODDED OR SEEDED, UNLESS NOTED OTHERWISE, ARE TO BE PLANTED AND INSTALLED AS PER THE 'TECHNICAL BULLETIN' FOR 'SOD GROWER II KENTUCKY BLUEGRASS BLEND' PROVIDED BY UNITED SEEDS, OR APPROVED EQUAL. 'TECHNICAL BULLETIN FOR 'SOD GROWER II KENTUCKY BLUEGRASS BLEND' CAN BE FOUND ON THE UNITED SEEDS WEBSITE: www.unitedseeds.com
 - ALL TURF GRASS SOD TO BE OF THE SAME PERFORMANCE QUALITY AND SPECIES TYPE OF THE 'SOD GROWER II KENTUCKY BLUEGRASS BLEND' PROVIDED BY UNITED SEEDS, OR APPROVED EQUAL. 'BLUEGRASS VARIETIES SHALL INCLUDE: 'CONCERTO', 'NU BLUE', 'BEYOND', AND 'EVEREST'.

SITE FURNISHINGS TABLE						
	MANUFACTURER	MODEL	SIZE	COLOR	NO.	QTY
TABLE	TREE TOP PRODUCTS	HEX STANDARD TABLE	40" TABLE	BLACK W/ BLACK FRAME	12K5661	6
UMBRELLA	TREE TOP PRODUCTS	DIXON OCTAGON	7.5' UMBRELLA WITH CRANK	RED W/ BLACK POLE	1WE5666-LR	6
UMBRELLA BASE	TREE TOP PRODUCTS	PLASTIC BASE UMBRELLA	N/A	BLACK	12U5500	6
BIKE RACK	VICTOR STANLEY	BRWS	N/A	BLACK	BRWS	5

*ALL SITE FURNISHINGS TO BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS
 **CONTRACTOR TO USE SITE FURNISHING AS SPECIFIED OR APPROVED EQUAL

DRAWN BY: NHS	
CHECKED BY: KWD	
APPROVED BY: KWD	
DATE: 5/19/06	1 APPROVAL SUBMITTAL
FIELD BOOK: OT97	NO.

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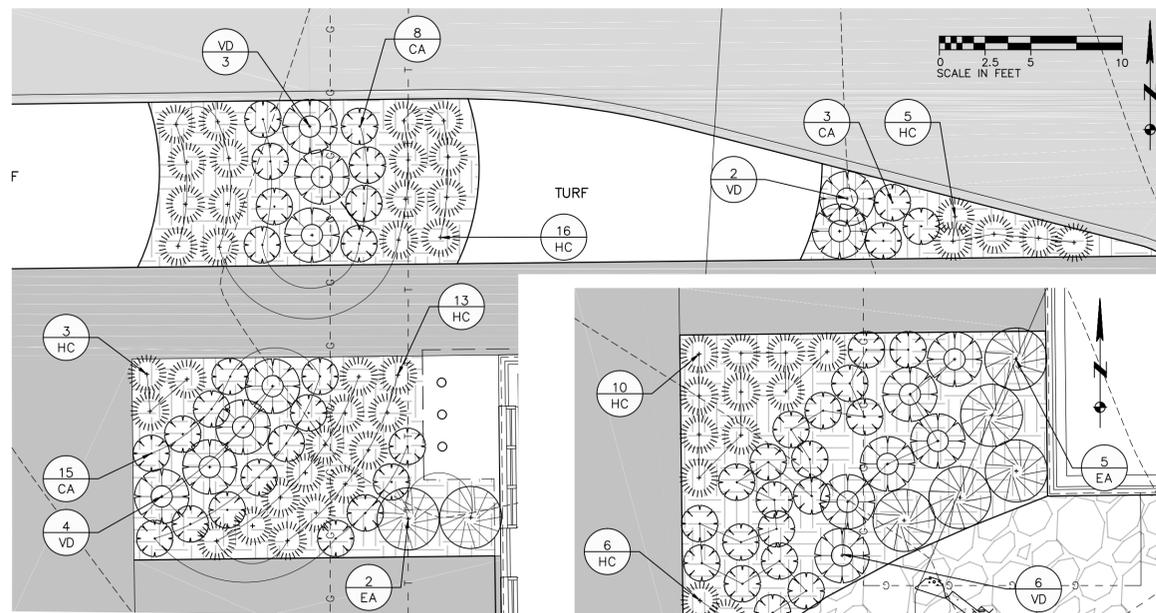
ARBY'S
LOT 24 LIBERTY'S GATE PART TWO

SITE LANDSCAPE PLAN

C8.0

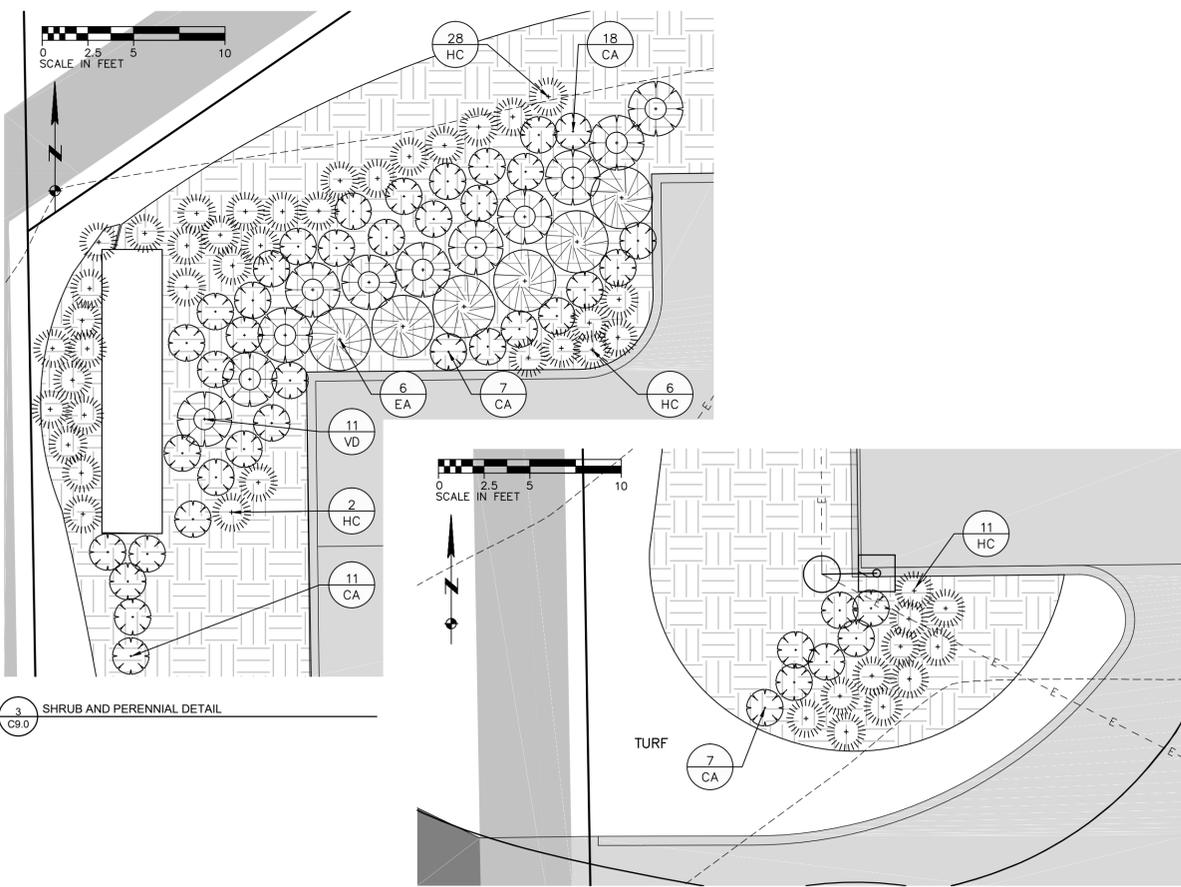
PROJECT NO: 20274

CAD File: I:\projects\202000\20274-Arby's\DWG\POI\20274-Arby's\North Liberty LA C8.0.dwg Date Plotted: 5/26/2016 3:34pm Plotted By: KENDEKYSER



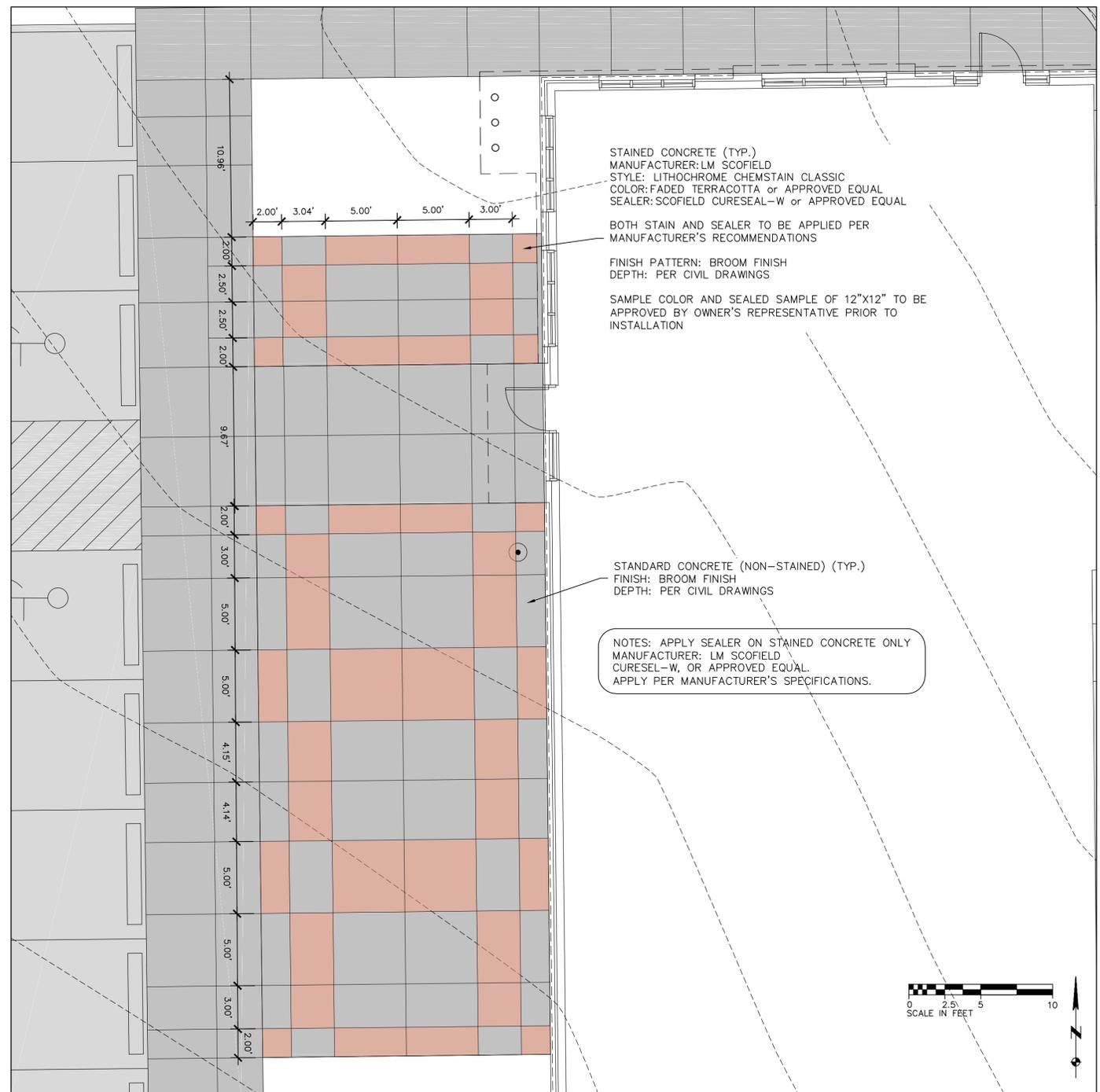
1 SHRUB AND PERENNIAL DETAIL
C9.0

2 SHRUB AND PERENNIAL DETAIL
C9.0

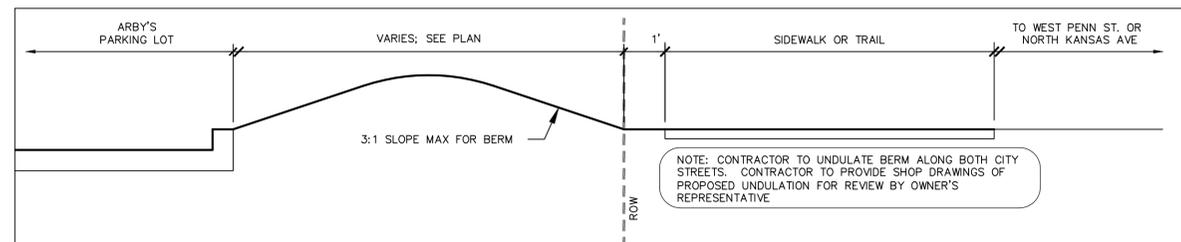


3 SHRUB AND PERENNIAL DETAIL
C9.0

4 SHRUB AND PERENNIAL DETAIL
C9.0



5 OUTDOOR EATING AREA CONCRETE LAYOUT
C9.0



6 TYPICAL BERM CROSS SECTION
SCALE: NTS
C9.0

DRAWN BY: NHS			
CHECKED BY: KWD			
APPROVED BY: KWD	2	CITY COMMENT - ADD BERMING BEHIND KANSAS AVENUE SIDEWALK	5/24/16
DATE: 5/24/16	1	APPROVAL SUBMITTAL	5/19/16
FIELD BOOK: OT97	NO.		DATE



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**ARBY'S
 LOT 24 LIBERTY'S GATE PART TWO**

SITE LANDSCAPE PLAN

SHEET
C9.0

PROJECT NO: 20274

CAD File: I:\projects\20200\20274-Arby's\DWG\PO1\20274_Arby's North Liberty LA C9.0.dwg Date Plotted: May 26, 2016 - 3:35pm Plotted By: KENDREY/SER



Recommended by
Planning Commission for
approval on 6/7/2016

May 31, 2016

Memo

To: North Liberty Planning Commission
From: Dean Wheatley, Planning Director
Subject: Accessory Outside Eating at BeerBurger Restaurant
(Legal: Lots 1 & 2, Liberty Medical & Commerce; AKA AP 2014031)

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 allow a large outside eating area at the planned BeerBurger restaurant at the Liberty Medical & Commerce development area located at the southwest corner of West Penn Street and Cameron Way. The property is zoned C-2-A Commercial PAD, and the owner of the plaza has endorsed this project for the tenant. The closest residential buildings are on the same lot as the proposed outside eating area.

The specific plans for the patio are to use wrought iron fencing to establish an approximately 1,200 square foot area at the front of the restaurant with access to the restaurant through a roll-up overhead door. Exhibit photos intended to be replicated here include wrought iron fencing, large planting areas, and lighting, and pergola-type coverings. Food and alcohol will be served if approved.

Due to the very close residential uses, noise will be a major issue. This outside eating area should be developed as a quiet urban space and not a noisy venue.

The Zoning Ordinance specifies provisions that apply to every outdoor eating accessory use:

- *All businesses shall be subject to the approval of a conditional use permit and approval by the Council of a site plan meeting requirements of this code. Any City action against the outdoor eating accessory use shall also be enforceable against the associated restaurant operation, and may include withdrawal of certifications or permits for both the accessory use and for the principal restaurant use on the property. The City shall have the discretion to require a formal agreement, specifying conditions for operations, to be approved in any case.*
- *All Zoning Ordinance requirements shall be observed, including parking, yards, and signage. No additional signage is allowed in conjunction with the outside eating area.*

- *The area used for the establishment shall be clearly delineated by fencing, plant materials or other landscaping or other aesthetically pleasing means, to be specified and approved through the site plan process.*
- *The area used for the establishment shall be hard-surfaced with concrete, asphalt, or other suitable permanent materials.*
- *The principal use on the site must meet all Zoning Ordinance and site plan requirements.*
- *Temporary structures or other facilities may be approved through the site plan review.*
- *Businesses must provide evidence that appropriate State and local licensing has been obtained.*
- *All applicable local, county, and State regulations must be met.*
- *Businesses may not serve alcoholic beverages unless specifically approved by formal agreement.*
- *Businesses may not provide lighting unless specifically approved by formal agreement.*
- *Businesses may not provide any amplified music or public address system unless specifically approved by formal agreement.*

This application meets the requirements of the Zoning Ordinance and the conditional use is recommended for approval with the following conditions:

1. Permit is for this owner only (future owners would need to reapply),
2. Alcoholic beverage sales allowed,
3. Only low-wattage lighting to be added – no floodlighting,
4. Amplified music levels to be agreed to in the field by the owner and City staff, and
5. No more seats than allowed by the Building and Fire Codes for this location.

A building permit will need to be obtained from Building Department for construction of the area.



**City of North Liberty
Site Plan, Rezoning, Conditional Use, PAD
Application Form**

Request – check all that apply		Fee
<input type="checkbox"/>	Site Plan	\$750
<input type="checkbox"/>	Revised Site Plan	\$250
<input checked="" type="checkbox"/>	Conditional Use	\$300
<input type="checkbox"/>	Rezoning	\$300
<input type="checkbox"/>	Planned Area Development (PAD)	\$750
<input type="checkbox"/>	Revised Planned Area Development	\$250

Project name: BeerBurger (Bar and restaurant)
Site location (address or legal description): 575 Cameron Way Suite #200
Existing zoning district: Commercial
Project description: Adding an outdoor patio for additional seating to an existing building.

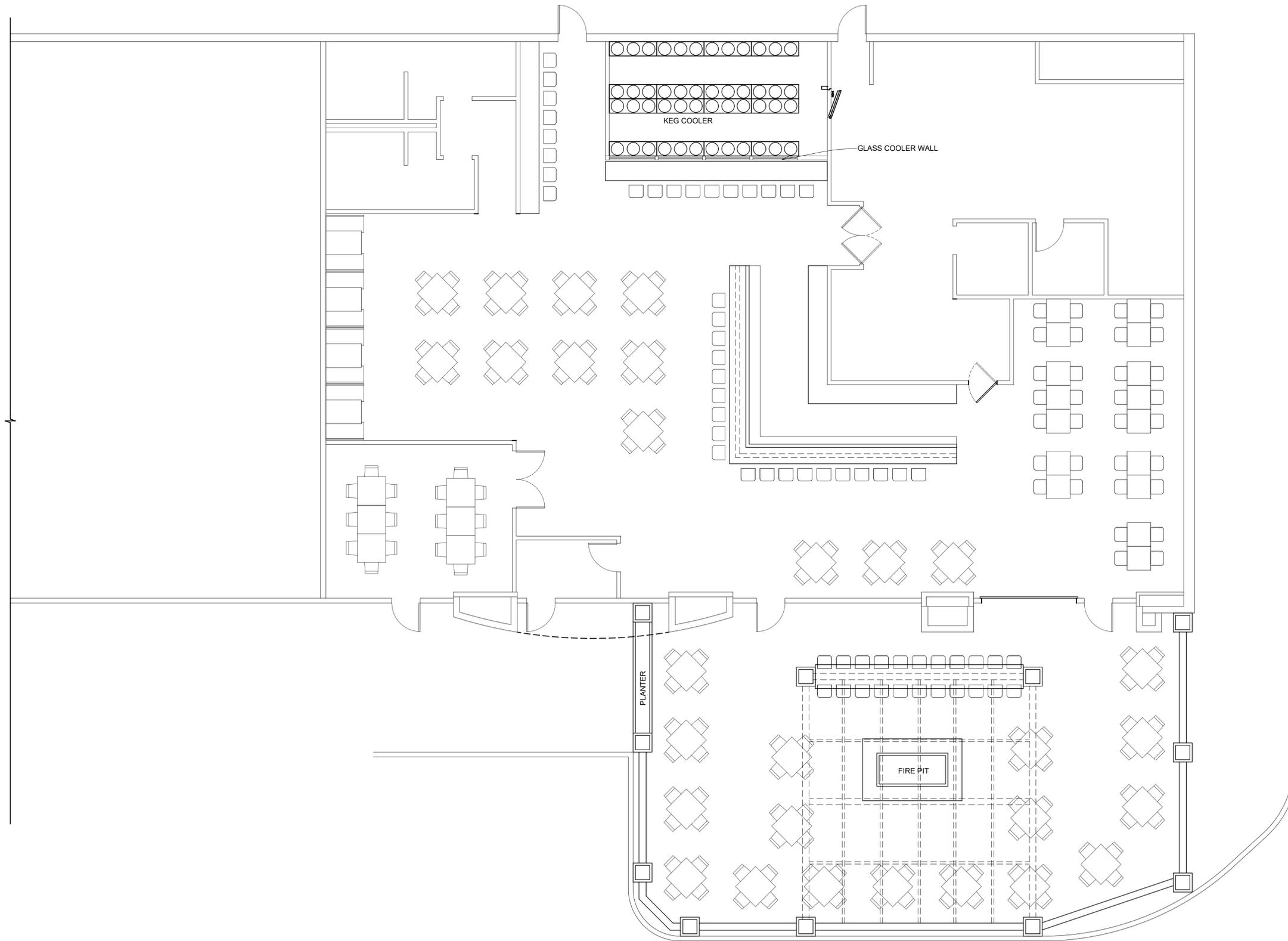
Property owner: Cameron Way Partners, LLC
Owner mailing address: 550 Pond View Dr #1, North Liberty, IA 52317
Phone: 319-321-5500 **Fax:** **Email:** mikebails@urbanacres.com

Applicant if different from owner: N/A
Applicant mailing address:
Applicant contact person:
Phone: **Fax:** **Email:**

Applicant's engineer (Contact Person): Duane Musser
Company: MMS
Address: 1917 S Gilbert St, Iowa City, IA 52240
Phone: 351-8282 **Fax:** **Email:** d.musser@mmsconsultants.net

Applicant's attorney: Doug Ruppert
Company: Meardon, Sueppel & Downer
Address: 122 S. Linn St, Iowa City, IA 52240
Phone: 338-9222 **Fax:** **Email:** douglasr@meardonlaw.com

OFFICE USE ONLY
Date submitted:
Fee amount:



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PROJECT

BEERBURGER

N. LIBERTY, IDWA

RELEASE DATE

4-28-16 PRELIMINARY

PROJECT

1604053

SHEET

A 101





CHOP  HOUSE





CHOP  HOUSE



Recommended by Planning
Commission for approval on
6/7/2016

May 31, 2016

Memo

To: North Liberty Planning Commission
From: Dean Wheatley, Planning Director
Subject: Accessory Outside Eating at Tin Rooster Restaurant
(Legal: Lot 12 Liberty Centre Part One)

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:

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Kevin Trom, City Engineer
Dean Wheatley, Planning Director

This request is to allow a large outside eating area at the planned Tin Rooster restaurant at the Liberty Centre development area located at the southwest corner of West Penn Street and Community Drive. The property is zoned C-2-A Commercial, and the proposed outdoor eating area is adjacent to the Liberty Centre Pond. The closest residential buildings are condominiums about 400' to the southwest, then duplexes along Cherry Street, about 900' away.

The specific plans for the patio are to use stonework and wrought iron fencing to establish a large, 197-seat area with outdoor lighting, alcohol service, and amplified music. Because of the building layout and situation on the lot, the outdoor patio is screened from Penn Street and mostly from Community Drive, with maximum exposure toward Liberty Centre Pond.

Although Liberty Centre is a commercial area and the pond was intended for just the sort of use proposed, the level of music amplification will need to be carefully modulated to avoid nuisance levels for nearby residential areas. This outside eating area should be developed as a commercial adult urban space and not a loud venue.

The Zoning Ordinance specifies provisions that apply to every outdoor eating accessory use:

- *All businesses shall be subject to the approval of a conditional use permit and approval by the Council of a site plan meeting requirements of this code. Any City action against the outdoor eating accessory use shall also be enforceable against the associated restaurant operation, and may include withdrawal of certifications or permits for both the accessory use and for the principal restaurant use on the property. The City shall have the discretion to require a formal agreement, specifying conditions for operations, to be approved in any case.*

- *All Zoning Ordinance requirements shall be observed, including parking, yards, and signage. No additional signage is allowed in conjunction with the outside eating area.*
- *The area used for the establishment shall be clearly delineated by fencing, plant materials or other landscaping or other aesthetically pleasing means, to be specified and approved through the site plan process.*
- *The area used for the establishment shall be hard-surfaced with concrete, asphalt, or other suitable permanent materials.*
- *The principal use on the site must meet all Zoning Ordinance and site plan requirements.*
- *Temporary structures or other facilities may be approved through the site plan review.*
- *Businesses must provide evidence that appropriate State and local licensing has been obtained.*
- *All applicable local, county, and State regulations must be met.*
- *Businesses may not serve alcoholic beverages unless specifically approved by formal agreement.*
- *Businesses may not provide lighting unless specifically approved by formal agreement.*
- *Businesses may not provide any amplified music or public address system unless specifically approved by formal agreement.*

This application meets the requirements of the Zoning Ordinance and the conditional use is recommended for approval with the following conditions:

1. Permit is for this owner only (future owners would need to reapply),
2. Alcoholic beverage sales allowed,
3. Only low-wattage lighting to be added – no floodlighting,
4. Amplified music levels to be agreed to in the field by the owner and City staff, and
5. No more seats than allowed by the Building and Fire Codes for this location.

A building permit will need to be obtained from Building Department for construction of the area.

FURNITURE PLAN SHEET NOTES

1. ALL FURNITURE SHOWN FOR REFERENCE ONLY. ALL FURNITURE TO BE PROVIDED AND INSTALLED BY OWNER UNLESS NOTED OTHERWISE. FINAL LOCATIONS AND TYPES OF FURNITURE TO BE DETERMINED BY OWNER.
2. PROVIDE AND INSTALL BLOCKING FOR ALL EQUIPMENT AND FIXTURES.

KEYNOTE LEGEND

60	PATIO HEATER; REFER TO MECHANICAL
61	PERGOLA COLUMNS

ISG



PRELIMINARY
NOT FOR CONSTRUCTION

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PROJECT

TIN ROOSTER RESTAURANT

NORTH LIBERTY IOWA

REVISION SCHEDULE		
NO	DATE	DESCRIPTION

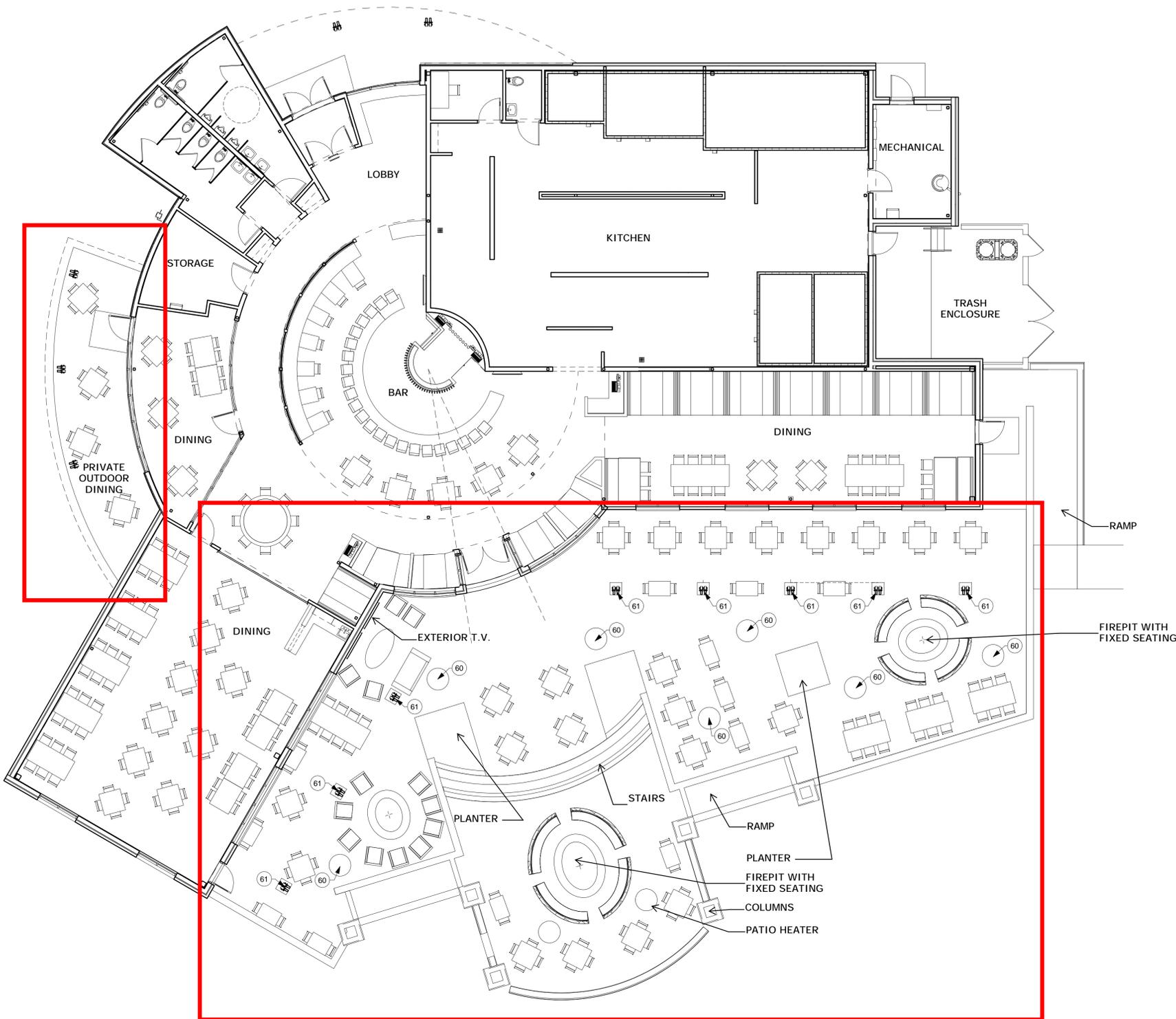
PROJECT NO.	15-18546
FILE NAME	18546 Arch 16.rvt
DRAWN BY	
DESIGNED BY	
REVIEWED BY	
ORIGINAL ISSUE DATE	
CLIENT PROJECT NO.	

TITLE

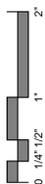
FIRST FLOOR FURNITURE PLAN

SHEET

A1.61



1 FIRST FLOOR FINISH PLAN
1/8" = 1'-0"







1 NORTH ELEVATION
1/8" = 1'-0"



2 WEST ELEVATION
1/8" = 1'-0"



3 SOUTH ELEVATION
1/8" = 1'-0"



4 EAST ELEVATION
1/8" = 1'-0"

BUILDING ELEVATIONS



Letter of Transmittal

UTILITY
INFRASTRUCTURE
SOLUTIONS



Date: April 27, 2016

Project: Prybil Heating & Air Building Addition - 640 Liberty Way No. 2

To:

Dean Wheatley
City of North Liberty
3 Quail Creek Circle
North Liberty, IA

From:

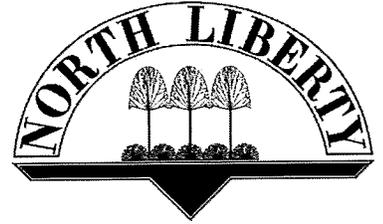
Brian Boelk
HBK Engineering, LLC
509 S. Gilbert St.
Iowa City, IA 52240

DISTRIBUTION		Thumb Drive Copy	Email (Electronic)		Hard Copy			
Name	Company		FULL	HALF	Check	8.5"x11"	24"x36"	11"x17"
Variance Application	City of North Liberty					1		
Building Addition Construction Drawings	City of North Liberty							1
Site Plan	City of North Liberty							1
Project File	HBK							

SIGNATURE _____

Brian A. Boelk, P.E., CMS4S, CPESC

APPLICATION FOR NORTH LIBERTY ZONING ORDINANCE VARIANCE



Please print or type the following information. Use additional sheets, if necessary. Owner/agent must submit an accurate scaled plot plan indicating the request.

Property owner's name:

Property owner's address & phone:

Owner's agent name & phone (if applicable):

Property legal description (lot, block, subdivision):

Property current zoning and current use:

Variance request:

Please thoroughly read and complete the second page of this form, and be sure to include it in your submission. It outlines the criteria the City of North Liberty uses in reviewing and acting on variance requests.

Signature of owner:

This section for staff use only.

Application received by:

Date:

Date and time of Board of Adjustment meeting:

Board of Adjustment action:

Request granted. Conditions of approval:

Request denied. Reasons for denial:

Chairperson, Board of Adjustment

Attest: _____

203.7.4 Decisions. The Zoning Ordinance is a document that lays out very specific requirements deemed to be in the best interest of the city by the Planning and Zoning Commission and the City Council. In most cases, those requirements must be met by property owners and developers; however, in some rare cases the enforcement of those requirements may be found to cause extreme hardship for an individual, and a variance may be granted. Variances shall not be granted by the Board of Adjustment simply because no one objects, or because it seems harmless in an isolated circumstance. Any variance granted shall reflect the spirit and intent of the code and shall not constitute the granting of a special privilege. The following variance criteria is utilized by the Board of Adjustment in hearing variance requests. No variance shall be granted by the Board unless affirmative findings can be made for each of the applicable following criteria:

1. Unique Circumstances. The subject property is unique or exceptional as compared to other properties subject to the same provisions by reason of irregularity, narrowness, shallowness, substandard or marginal size; exceptional topographical features; or other extraordinary conditions peculiar to and inherent in the subject property and that relate to or arise out of the property rather than the personal situation of the current owner of the property; and that amount to more than a mere inconvenience to the owner.

Your comments: Variance due to setbacks on existing lot.

2. Not Exclusively for Financial Gain. The purpose of the variance is not based exclusively upon a desire to increase financial gain from the property. Proof that the property cannot be used for its highest or best use under the regulations applicable to it, or that it could be used more profitably if not subject to such regulations, should not in itself justify granting a variance.

Your comments: Variance is to accommodate needs and expansion of existing longer term tenant.

3. Hardship Not Self-Created. The unique or special condition referenced in subsection 1 above a. existed at the time of the enactment of the provisions of this Ordinance that affect it, or b. was the result of government action, other than adoption of this Ordinance, for which no compensation was paid, and has not been created by any persons presently having an interest in the property.

Your comments: Set backs at date of construction were allowed.

4. Substantial Rights Denied. Carrying out the strict letter of the provisions of the Zoning Ordinance would deprive the property owner of substantial rights commonly enjoyed by other property owners subject to the same provisions.

Your comments: Current property at 720 Libertway was granted some variance.

5. Not Special Privilege. The hardship affecting the property is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other property subject to the same provisions.

Your comments: Would help to stop flow of non-customer traffic through the property.

6. Not Detrimental. Granting the variance will not be detrimental to the public welfare or materially injurious to the enjoyment, use, or development of property in the vicinity; would not materially impair an adequate supply of light and air to adjacent properties; would not substantially increase congestion in the public streets, nor increase the danger of flood or fire, or endanger the public safety, nor substantially diminish or impair property values in the vicinity.

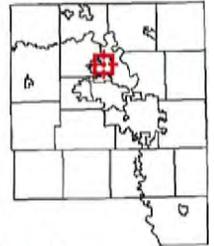
Your comments: All items are true. Furthermore, the variance would be consistent with the setbacks of 620, 640 and 740 Liberty Way. Please see attached Johnson County Beacon Aerial Photo.

7. No Other Remedy. There are no means other than the requested variance by which the hardship can be avoided or remedied to a degree sufficient to permit a reasonable use of the property.

Your comments: True statement, in order to stay with City Code.



Overview



Legend

- Political Boundaries
- Subdivisions
- Parcels

Parcel ID	0612277006	Alternate ID	06-12-2S	Owner Address	GERALD T PRYBIL FAMILY TRUST
Sec/Twp/Rng	12-80-7	Class	Commercial		2985 DUBUQUE ST NE
Property Address	660 LIBERTY WAY	Acreage	0.473	Value	IOWA CITY IA 52240
					\$269900
District	NLI				
Brief Tax Description	INTER-CITY INDUSTRIAL PARK LOT 12 <i>(Note: Not to be used on legal documents)</i>				

Date created: 4/20/2016

April 6, 2016

Lucas Grout
Eastern Iowa Building Inc.
104 Williams Blvd
Fairfax, IA 52228

Office: (319) 845 - 8000
Cell: (319) 540 - 3443

Prybil Heating & Air Inc
640 Liberty Way No 2
North Liberty, IA 52317

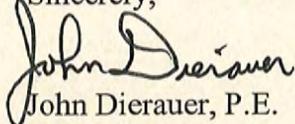
Building Description: 50' x 38' x 15'6"
Building Area: 1,906 sq ft addition
Building Code: IBC 2009
Construction Type: V B
Building Use: Storage
Lester Order: #270260

Enclosed are sealed construction drawings for the 50' x 38' x 15'6" storage building addition for Prybil Heating. The building is located in Johnson County in the City of North Liberty.

The building has been designed in accordance with the IBC 2009 building code for a 25 psf ground snow load (21 psf sloped roof snow load) and a 90 mph Exposure C wind load to meet the requirements of the City of North Liberty Building Code.

These drawings are for your use in obtaining the building permits. If you have any questions, please feel free to give me a call at (320) 395 - 5271.

Sincerely,

A handwritten signature in black ink that reads "John Dierauer". The signature is fluid and cursive, with the first name being the most prominent.

John Dierauer, P.E.
Senior Engineer
Lester Building Systems

Cc: Job File: #270260



SIZE IN ACRES: **0.47**

NOTES:
MINOR SITE PLAN FOR BUILDING ADDITION OF PRYBIL HEATING & AIR CONDITIONING

WWW.HBKENGINEERING.COM

PREPARED BY:
hbk ENGINEERING
HBK ENGINEERING, LLC
509 S. Gilbert St.
Iowa City, IA 52240
Phone: (319) 338-7557
Fax: (319) 358-2937

STATE OF IOWA,
DEPARTMENT OF PROFESSIONAL
LICENSE NO. 00527328

OWNER:
Prybil Heating & Air Conditioning
640 Liberty Way #2
North Liberty, IA 52317
PHONE NO. (319) 626-2333

ATTORNEY:

CONTRACTOR:

TITLE:
MINOR SITE PLAN

REVISIONS			
REV	DATE	DESCRIPTION	BY
01			
02			
03			
04			
05			
06			
07			
08			
09			
10			
11			
12			

DRAWN BY:	CHECKED BY:	APPROVED BY:
EMS	JPL	BAB

PROJECT NUMBER:	16-0250
FILE NAME:	160250
DATE DRAWN:	03-22-2016
SCALE:	1"=10'

SHEET: **1 OF 1**

MINOR SITE PLAN GRADING PLAN

SITE ADDRESS:
660 Liberty Way, North Liberty, IA 52317

ZONING: I-1

LOT SIZE:

North/South - 206.18 ft / 206.41 ft
East/West - 99.93 ft / 99.80 ft

REQUIRED SETBACKS:

Front Yard - 25'

Side Yard - 20'

Rear Yard - 20'

EASEMENTS:

Electric and Utility (Rear) - 10'

MAIN LEVEL: Commercial

DEVELOPMENT AREAS:

Net Area - 20,600 ft²

Commercial Floor Area - 6,000 ft²

Total Paved Area - 9,256 ft²

Total Impervious Area - 15,256 ft²

Green Space - 3,410 ft²

Area Disturbed (est.) - 1,900 ft² (0.045 Acres)

PARKING:

Usage - Staff Parking

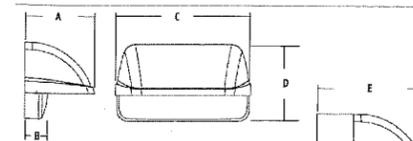
Total Stalls Shown - 12

LEGAL DESCRIPTION:

Lot 12, Inter-City Industrial Park, North Liberty, Iowa, as recorded on Page 15, Book 88 with the Plat Records of Johnson County, Iowa.

PROJECT LEGEND

	EASEMENT LINES
	BUILDING
	EXISTING FENCE
	EXISTING ASPHALT
	DRAINAGE ARROW



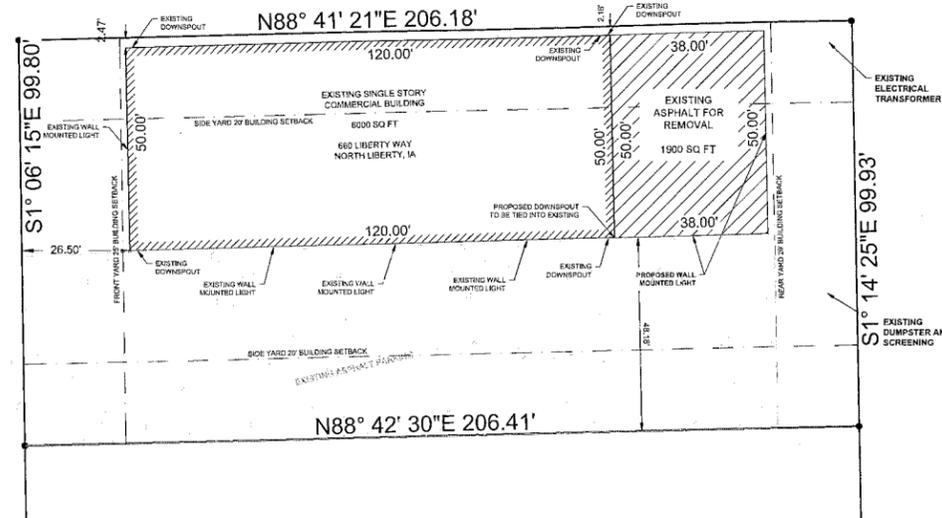
A	B	C	D	E	Weight / BBU
6.25"	1.6"	10.25"	5.6"	10.25"	7.0 / 15.0 lbs.
158.7 mm	40.2 mm	260.4 mm	142.2 mm	260.4 mm	3.2 / 6.8 kg

1 Lighting Detail

SCALE: NTS

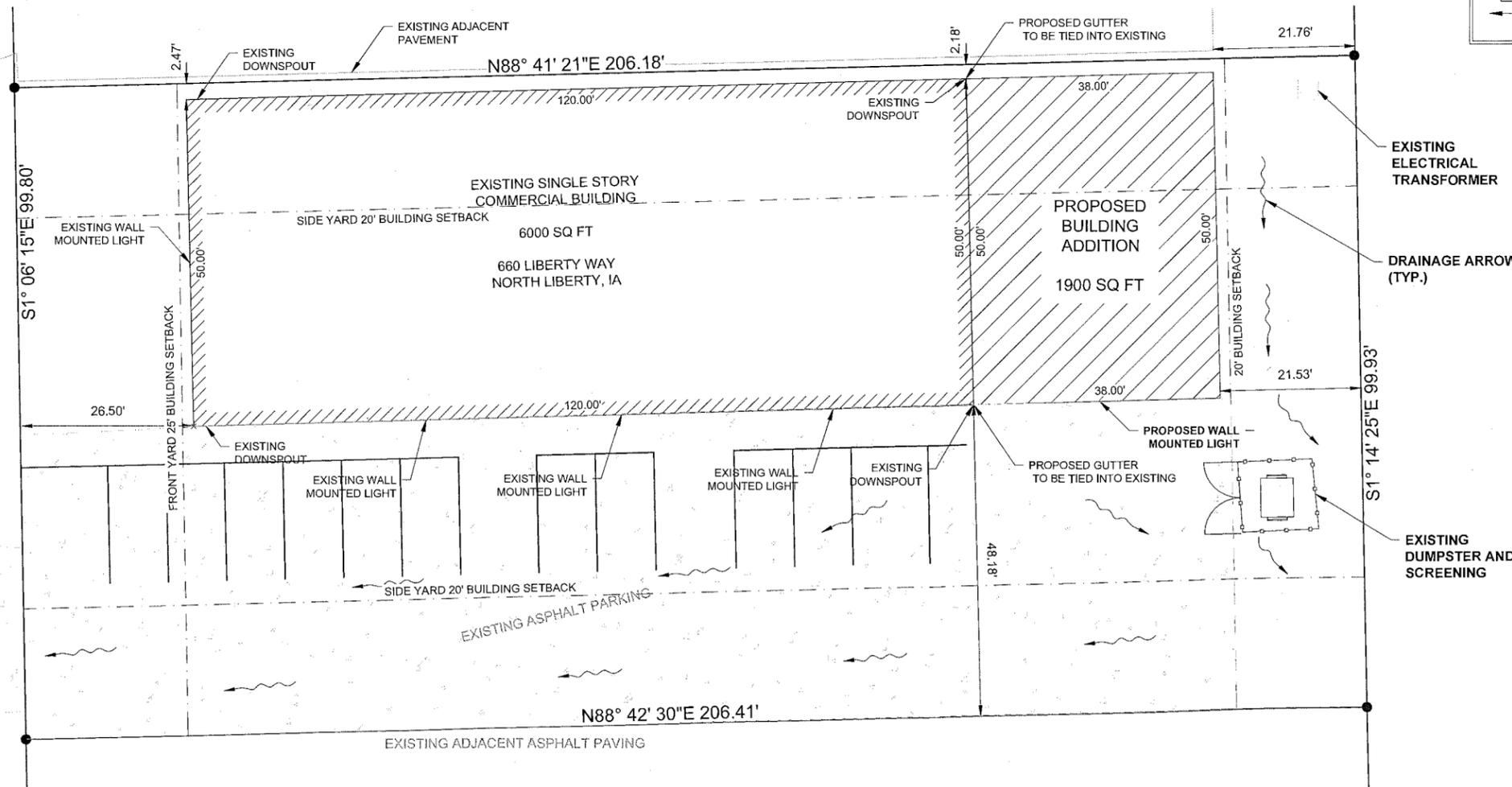
NOTE:

Primary use of building addition is for shop equipment storage and potential vehicle parking.



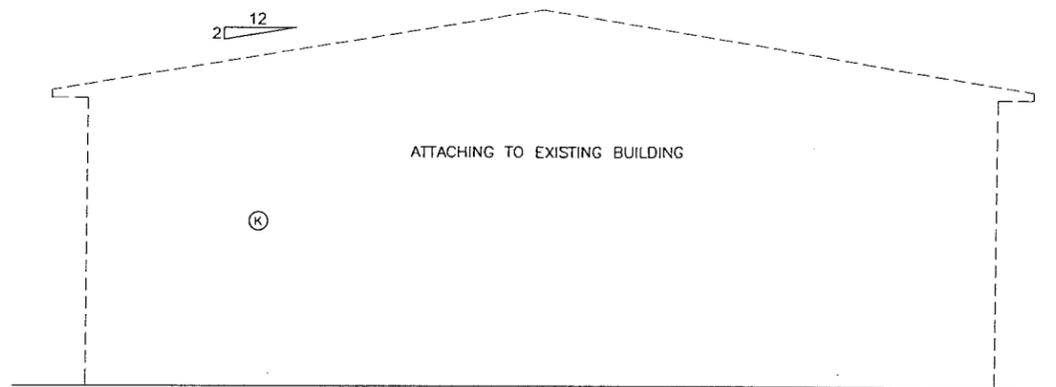
SITE OVERVIEW

SCALE: 1" = 20'

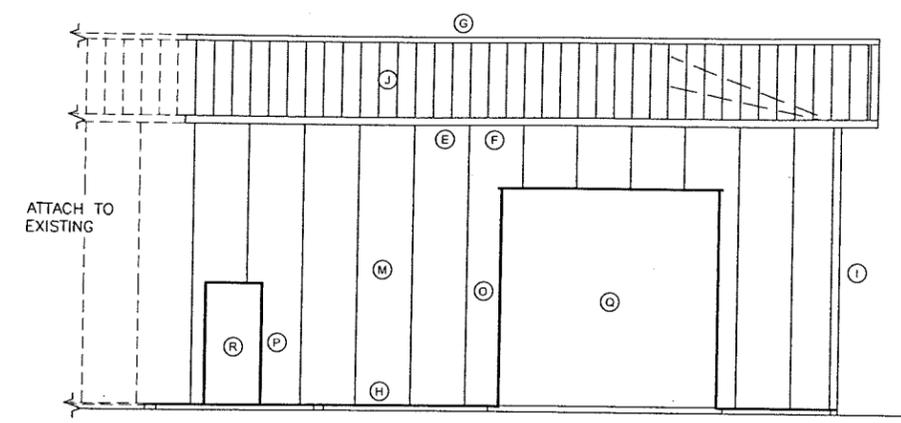


SITE LAYOUT PLAN

SCALE: 1" = 10'

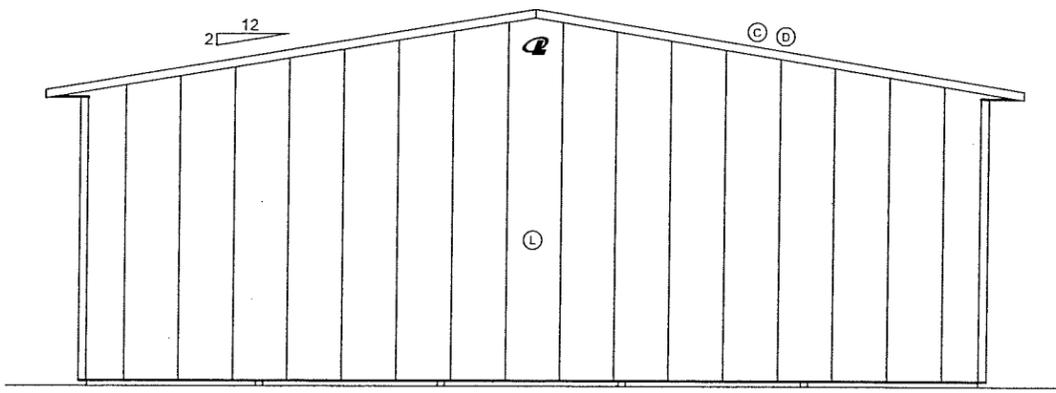


A2 ENDWALL 1 ELEVATION
3/32" = 1'-0"

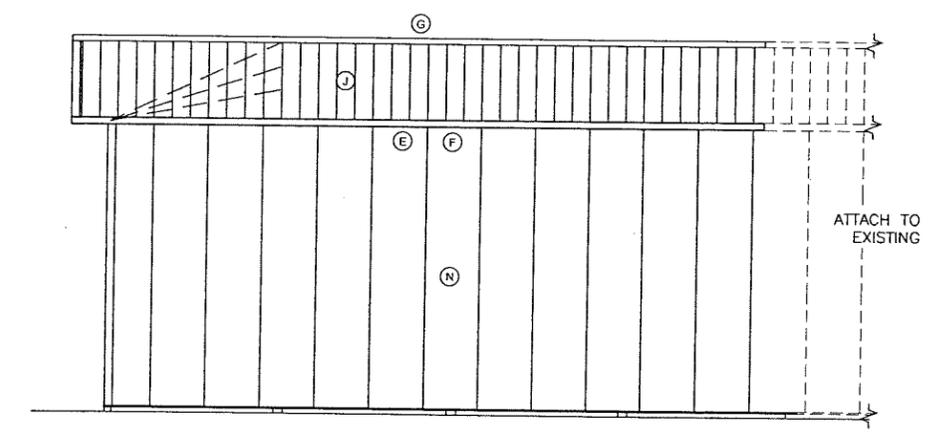


B2 SIDEWALL 1 ELEVATION
3/32" = 1'-0"

ATTENTION
SEE DETAIL JF068 FOR LAP SEALANT INSTRUCTIONS



C2 ENDWALL 2 ELEVATION
3/32" = 1'-0"



D2 SIDEWALL 2 ELEVATION
3/32" = 1'-0"

BUILDING COLORS

ROOF METAL	BONE WHITE	SLDG DR. PANEL	
SIDEWALL	CLAY	SLDG DR. VERT.	
ENDWALL	CLAY	SL. DR JAMB TR	
GABLES		SLD. DR TRACK	
BASE	QUAKER GRAY	OVHD DR TRIM	QUAKER GRAY
CORNER	QUAKER GRAY	OVHD DOOR	
EAVE/FASCIA	QUAKER GRAY	WALK DOOR	AJ WHITE
GABLE/RAKE	QUAKER GRAY	WALK DOOR TRIM	QUAKER GRAY
SOFFIT	BONE WHITE	WINDOW	
WAINSCOT		WINDOW TRIM	
ACCENT PANEL		SHUTTERS	
GABLE LOUVER		SIG DR FIELD	
INS-WL BATTN		SIG DR TRIM	
RIDGE CAP	BONE WHITE	SIG DR JAMB TR	
RIDGE VENT		SIG DR WINDOW	
CUPOLA ROOF		SIG DR TRACK	
CUPOLA BODY		LARGE DOOR	
CUPOLA BASE		LARGE DOOR TRIM	
GUTTER		DUTCH DR.FRAME	
DOWNSPOUT		DUTCH DR.INSERT	
PORCH ROOF		SHINGLES	
PORCH COL CVR		MANSARD RF	
PORCH CRWN/VBLK		MANSARD EAVE	
PORCH SOFT/CLG		MANSARD SOFFIT	
CLEAR OPNG TRIM		MODERRA	
CURTAIN OPNG TRIM		BOX STALL GRILLS	

FINISH SCHEDULE

ID	Location	Description	Detail
A	FINISH	ELEVATIONS ARE NOT FOR PANEL LAYOUT	
B	FINISH	SEE PANELGEN REPORTING FOR ACTUAL LAYOUT	
C	RAKE TRIM	#820 RAKE AND CORNER	JF330
D	RAKE TRIM	#672 FASCIA WITH STIFFENER	JF153
E	EAVE TRIM	#175 STANDARD EAVE	JF154
F	EAVE TRIM	#672 FASCIA WITH STIFFENER	JF153
G	RIDGE TRIM	#153 VENTED RIDGECAP	OA050,OA053
H	BASE TRIM	#190 BOTTOM CLOSURE	MF113
I	CORNER TRIM	#820 RAKE AND CORNER	MF511
J	R1	UNI-RIB 29GA - G60 SMP	JF044,JF068
K	E1	OPEN WALL- ATTACHING TO EXISTING	SEE SHEET #5
L	E2	UNI-RIB 29GA - G60 SMP	MF044
M	S1	UNI-RIB 29GA - G60 SMP	MF044
N	S2	UNI-RIB 29GA - G60 SMP	MF044
O	OVHD DR TRIM	#890 SIDE JAMB C TRIM	LK424
P	WALK DR TRIM	#890 SIDE JAMB C TRIM	KC471,KC470,KC598
Q	OPENING-B	12' High Overhead Door Opening	D1
R	OPENING-C	Walk Door - Furnished By Others	D4

I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA.

JOHN DIERAUER
John Dierauer

DATE 04/06/2016 LICENSE #9632

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2016

DATE: 4/6/2016
JOB-NUMBER: 270260
SHEET: 02 OF 15

DRWN BY: Eric (5363)
CHKD BY:
REV NO: 0

JOB DESCRIPTION:
50x38x15'-6. Uni-1
Prybil Heating

CUSTOMER:
Prybil Heating
640 Liberty Way
North Liberty, IA 52317

DEALER:
Eastern Iowa Building Inc.
104 Williams Blvd.
Fairfax, IA 52228

LESTER BUILDINGS
LESTER PRAIRIE, MN 800-238-4412...Ext.5000+
CHARLESTON, IL 800-826-4439...Ext.3100+
CLEARBROOK, VA 800-826-4439...Ext.6000+