



North Liberty Board of Adjustment Information Packet

May 16, 2018

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@northlibertyiowa.org



**NORTH LIBERTY BOARD OF ADJUSTMENT
MEETING NOTICE AND AGENDA
May 16, 2018, 6:30 PM
City Council Chambers, 1 Quail Creek Circle**

1. **Roll Call.**
2. **Public Comment**
3. **CONDITIONAL USE:** Application for an outside eating conditional use at North Nest restaurant (formerly Vito's), located just east of 965/Ranshaw Way on Jordan Street. (Legal: Lots 1-3 Corridor Commercial Part 1A)
 - a. Staff Presentation
 - b. Applicants Presentation
 - c. Public Comments
 - d. Questions and Comments
 - e. Formal Action
4. **CONDITIONAL USE:** Application for an outside eating conditional use at Rusciano's restaurant, located at Penn Landing at the northeast corner of Penn Street and 965/Ranshaw Way. (Legal: Lot 1, Grand North Plaza)
 - a. Staff Presentation
 - b. Applicants Presentation
 - c. Public Comments
 - d. Questions and Comments
 - e. Formal Action
5. **CONDITIONAL USE:** Application for an outside eating conditional use at Mosely's restaurant, located at Beaver Kreek Center at the southwest corner of Zeller Street and Dubuque Street. (Legal: Lot 2, Beaver Kreek Development Addition)
 - a. Staff Presentation
 - b. Applicants Presentation
 - c. Public Comments
 - d. Questions and Comments
 - e. Formal Action

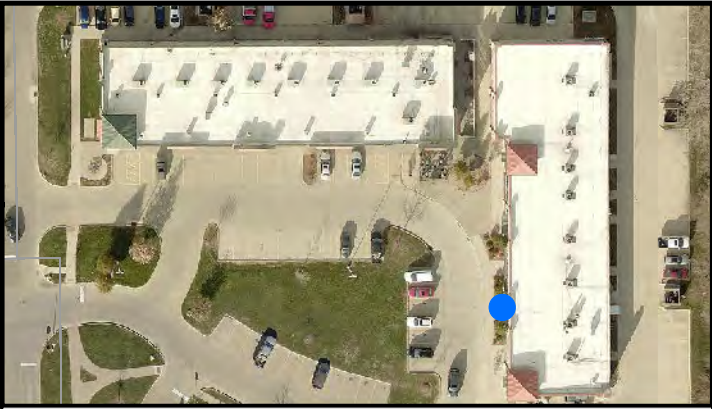
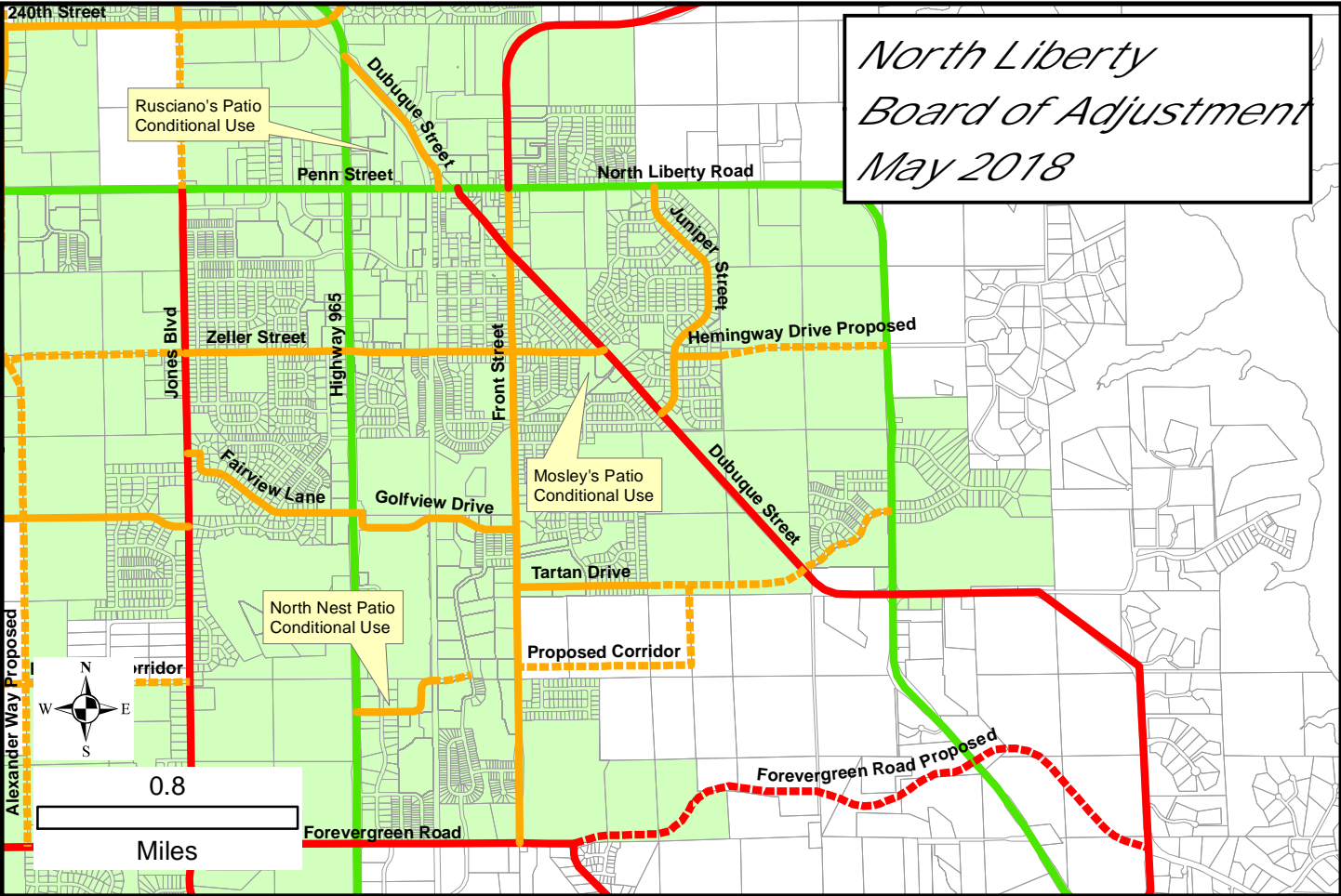
6. Minutes of Previous Meeting (August 2017)

7. Old Business

8. New Business

Adjournment

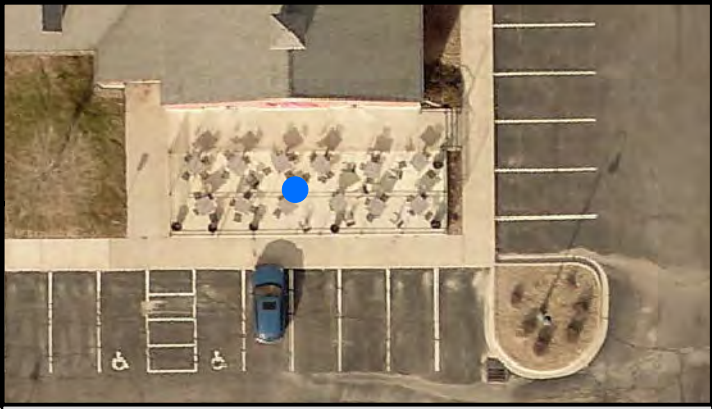
*North Liberty
Board of Adjustment
May 2018*



Rusciano's Patio Conditional Use



Mosley's Patio Conditional Use



North Nest Patio Conditional Use

2017 Aerial Photography
No scale

Recommended for approval by the Planning Commission at their meeting on 5/1/2018.



April 23, 2018

Memo

To: North Liberty Planning Commission
From: Dean Wheatley, Planning Director
Subject: Accessory Outside Eating at North Nest
(Legal: Lots 1-3 Corridor Commercial Part 1A)

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 use an existing large outside eating area at the south side of the existing multi-tenant building located on the north side of Ashley Court east of 965/Ranshaw Way. The property is zoned C-2-A, Commercial, and the outside patio was designed and built several years ago. No changes are planned.

The outside eating area is 52'x16' (about 832 square feet). Food and alcohol will be served if approved. Lighting is low-lumen, and low volume amplified music is being proposed.

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 if introduced in the future, and
5. No more seats than allowed by the Building and Fire Codes for this location.

A zoning permit will need to be obtained from Building Department for the area.



Recommended for approval by
the Planning Commission at
their meeting on 5/1/2018.



April 23, 2018

Memo

To: North Liberty Planning Commission
From: Dean Wheatley, Planning Director
Subject: Accessory Outside Eating at Ruscaino's Restaurant
(Legal: Lot 1 Grand North Plaza)

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 small outside eating area at the front of the existing multi-tenant building located within the Penn Landing commercial development. The property is zoned C-2-A, Commercial, and the closest residential buildings are about 700' away, due south.

The outside eating area is proposed to be enclosed with temporary fencing that can be removed during the off-season for snow removal, and will include flower boxes; however, existing landscaping at the front of the store will need to be removed and concrete added. The Rocky O'Briens restaurant several doors north of this application also has outside eating on the walk in front of the store. Food and alcohol will be served if approved. Lighting will be low-lumen.

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 if introduced in the future, and
5. No more seats than allowed by the Building and Fire Codes for this location.

A zoning permit will need to be obtained from Building Department for the area.



Fencing to be used.



Fencing

Existing landscaping will need to be removed.

Front Door



1 inch = 20 feet

Recommended for approval by
the Planning Commission at
their meeting on 5/1/2018.



April 23, 2018

Memo

To: North Liberty Planning Commission
From: Dean Wheatley, Planning Director
Subject: Accessory Outside Eating at Mosley's Restaurant
(Legal: Lot 2, Beaver Kreek Development Addition)

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 use an existing large outside eating area at the north side of the existing multi-tenant building located on the south side of Zeller Street west of Dubuque Street. The property is zoned C-2-A, Commercial, and the outside patio was designed and built several years ago. Minor changes are planned, including installation of more opaque fencing around the patio and use of an outside cooker in the area.

The outside eating area is about 900 square feet. Food and alcohol will be served if approved. Lighting is low-lumen.

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 if introduced in the future, and
5. No more seats than allowed by the Building and Fire Codes for this location.

A zoning permit will need to be obtained from Building Department for the area.



BREAKFAST

LUNCH

DINNER

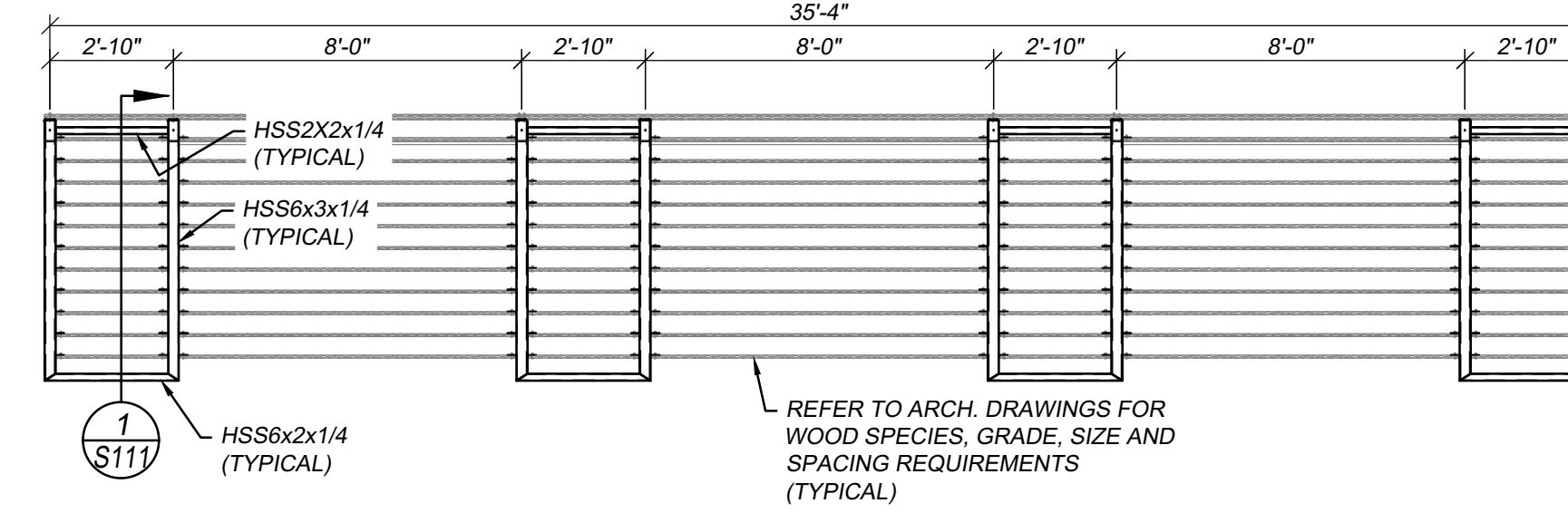
LUNCH

BREAKFAST

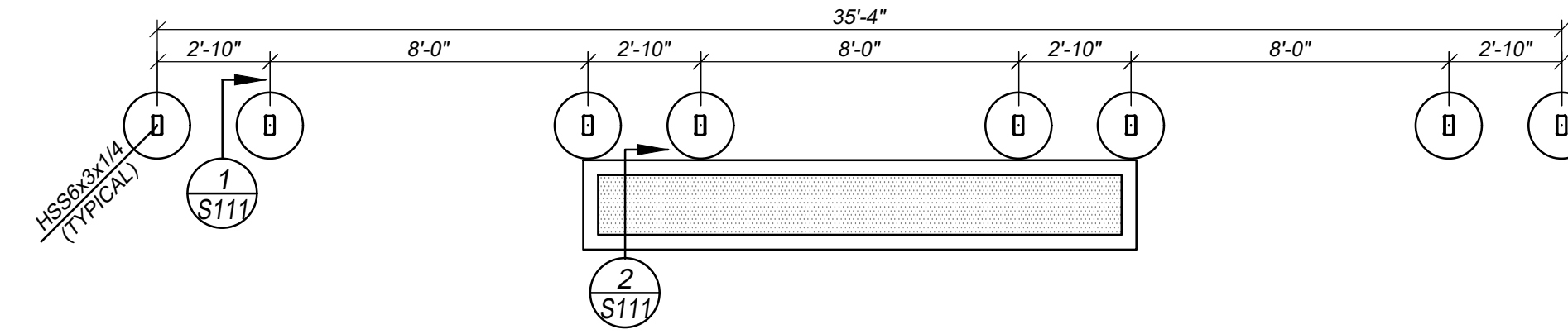
LED
WWW.RESTORANT

GENERAL TRELLIS STRUCTURAL NOTES

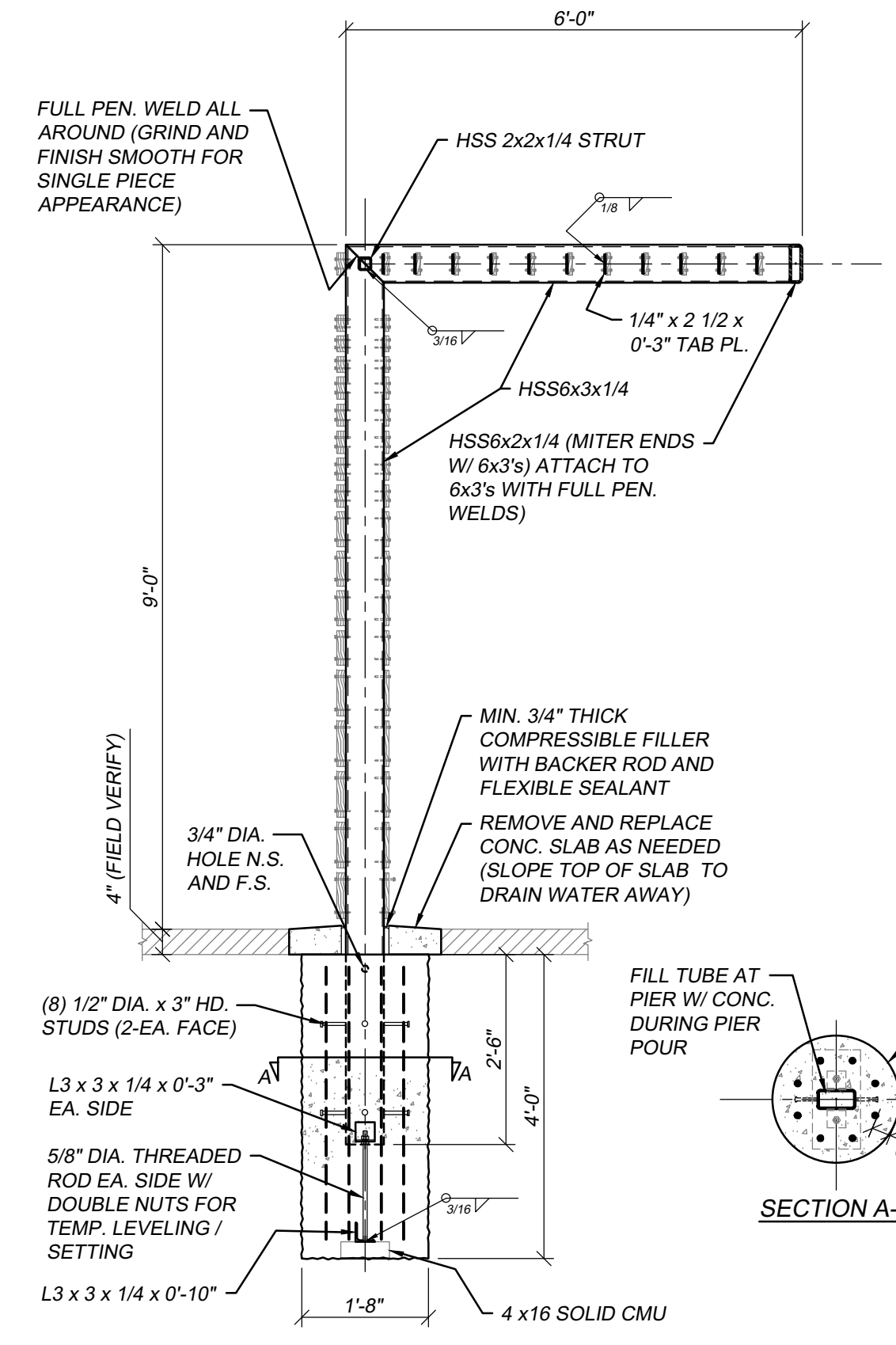
- Design Code: International Building Code, 2015 Edition (IBC-2015), Building Risk Category "II".
- Trellis Design Loads:
Roof Live Loads:
Ground Snow Load (Pg) 30 psf
Min. Flat Roof Snow Load (P_f) 21 psf
Wind:
Nominal Wind Speed 115 MPH (3-Second Gust)
Risk Category II
Wind Exposure "B"
- Trellis foundation piers shall be placed in auger-dug holes into suitable native soils. Notify Architect/Engineer if exposed soils appear deficient/suspect for further direction.
- Concrete work shall conform to the requirements of ACI 301 "Specifications for Structural Concrete for Buildings", latest edition and ACI 318 "Building Code Requirements for Reinforced Concrete", latest edition.
- Concrete shall be air-entrained with minimum 4,500 psi compressive strength at 28-days.
- Concrete reinforcing steel shall be in accordance with ASTM A615, Grade 60 specification.
- Hot weather concrete operations shall be in accordance with ACI 305. Cold weather concrete operations shall be in accordance with ACI 306.
- Structural Steel is to be fabricated and erected in accordance with AISC "Specifications for Structural Steel Buildings", latest edition.
- Structural steel tubing shall be ASTM A500, Grade B and structural steel angles/plates shall be ASTM A36.
- Anchor bolts/anchor rods shall be ASTM F1554, grade 36 with ASTM F436 washers and ASTM A563 heavy-hex nuts.
- All welding shall conform to the latest A.W.S. Specifications. Use E70XX electrodes.
- Welded headed stud anchors shall be Nelson Anchors or equivalent.
- Wood cladding connection screws into structural steel tubes shall be minimum #12 corrosion resistant self-drilling through wood into structural steel of sufficient length for full thread engagement into structural steel backup, and be suitable for intended long-term exterior environment.
- Wood cladding connection to steel tab-plates shall be #12 screws, washers and nuts with integral nylon-locking mechanism. All items shall be corrosion resistant and suitable for long-term exterior environment.
- Trellis structure steel assemblies to be shop fabricated to extent that is practical for shipping and erection with intent that field welding will not be required.
- Trellis structure to be fabricated to smooth architecturally exposed (aess) finish.
- Trellis structure to be prepped to commercial blast cleaned (SSPC-SP6) condition and be shop prime coated to receive final paint process after erection. All field welds and any damage to prime finish that has occurred is to be properly prepared and touched up with suitable touch-up primer prior to receiving final paint process.



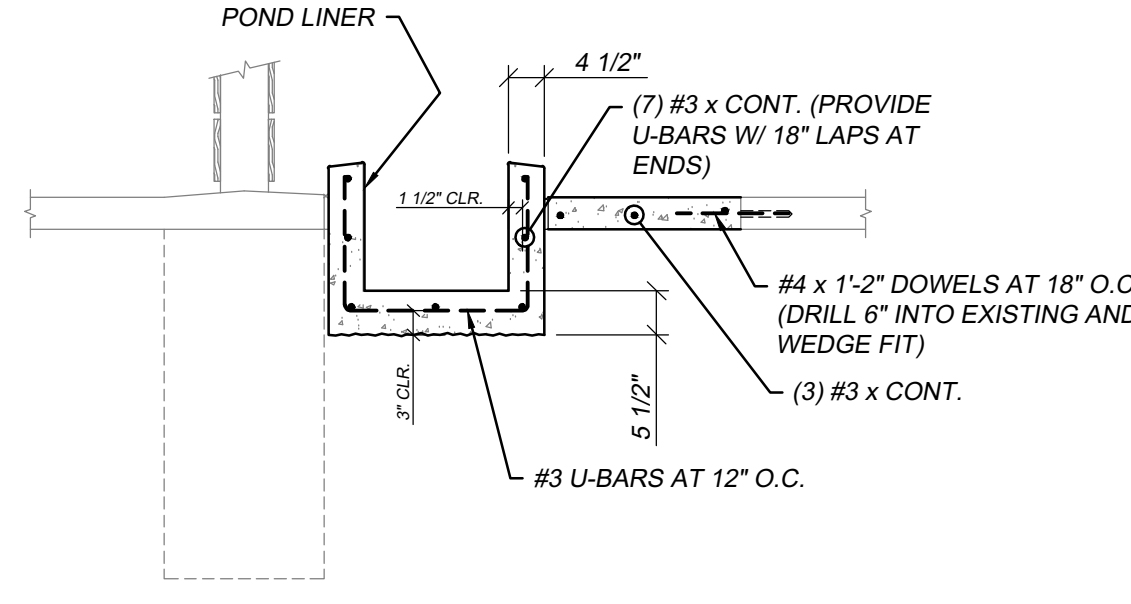
TRELLIS ROOF FRAMING PLAN
SCALE: 1/4" = 1'-0"



TRELLIS FOUNDATION PLAN
SCALE: 1/4" = 1'-0"



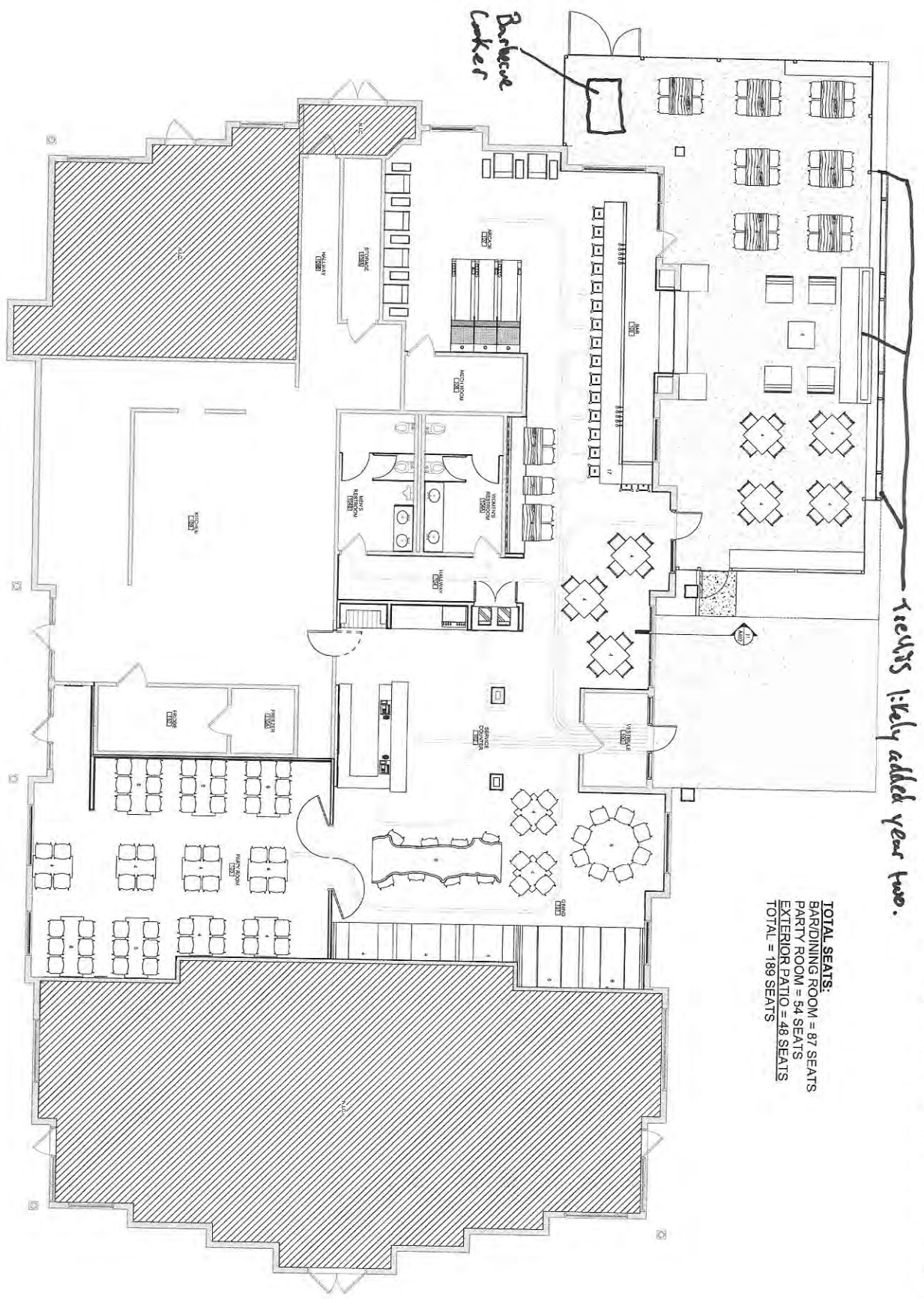
1 SECTION
SCALE: 1/2" = 1'-0"



2 SECTION
SCALE: 1/2" = 1'-0"

M2B PROJECT NO. 154110 (PLOT DATE: 04-10-2017)

1 FURNITURE FLOOR PLAN FOR REFERENCE ONLY



TOTAL SEATS:
 BAR DINING ROOM = 87 SEATS
 PARTY ROOM = 34 SEATS
 EXTERIOR PATIO = 48 SEATS
 TOTAL = 189 SEATS

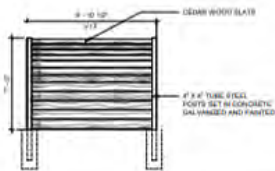
Tables likely added year two.

Barbecue Cooker

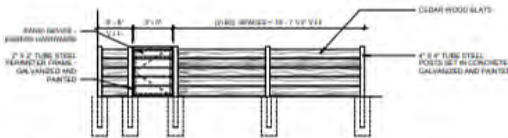
OPIN ARCHITECTS
 3414 E. CHURCH ST. SUITE 11
 DENVER, CO 80202
 P: 303.733.5577
 WWW.OPINARCHITECTS.COM

PROJECT: [illegible]
 ARCHITECT: [illegible]
 DATE: [illegible]

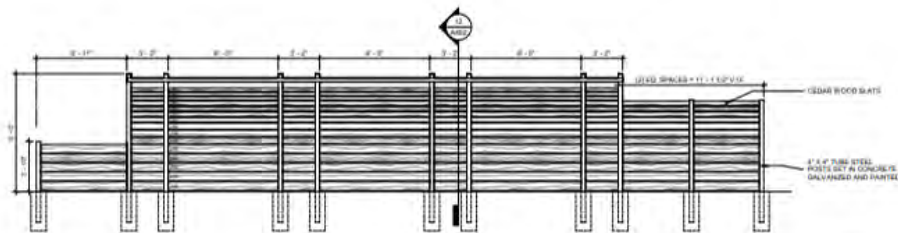
161
 ARCHITECTURE FLOOR PLAN FOR REFERENCE ONLY



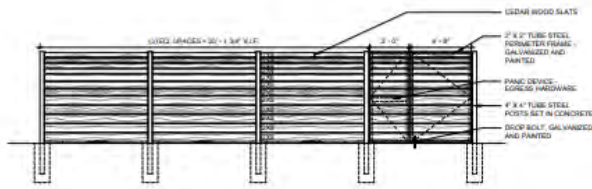
1 PATIO FENCE SOUTH ELEVATION
1/4" = 1'-0"



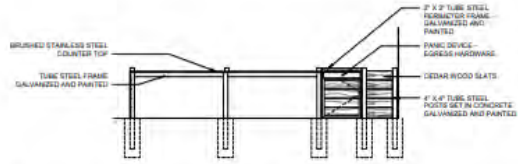
2 PATIO FENCE EAST ELEVATION
1/4" = 1'-0"



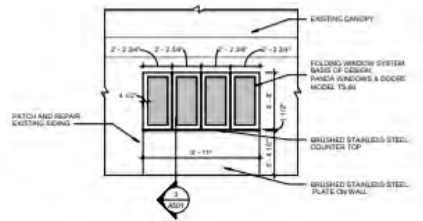
3 PATIO FENCE NORTH ELEVATION
1/4" = 1'-0"



4 PATIO FENCE WEST ELEVATION
1/4" = 1'-0"



5 PATIO WOOD LOG BAR TOP
1/4" = 1'-0"



6 EXTERIOR BAR SOUTH ELEVATION
1/4" = 1'-0"





**NORTH LIBERTY BOARD OF ADJUSTMENT
MEETING MINUTES
August 23, 2017, 6:30 PM
City Council Chambers, 1 Quail Creek Circle**

Roll Call: The meeting was called to order by Chairperson Reed at 6:40 p.m. Board of Adjustment members present were: Ruttum, Reed, Carter, Kouri and Erenberger.

Others present: Pat Barten from Build to Suit and Jack Piper from Jimmy Jacks.

Public comment on items not on the agenda: None.

Conditional Use Request: Request from Adrian & Piper Enterprises LLC to approve a conditional use for outside eating at a new restaurant, Jimmy Jack's Rib Shack, located on Community Drive overlooking the Liberty Centre Pond. (Lot 1 Liberty Centre Part 1B)

Staff reported on the case details, and reported that the Planning Commission has recommended approval. The petitioner told the Board that he plans to run a family operation and agrees with all of the standard conditions for approval. Opening is planned for mid-October. Ruttum moved for approval of the conditional use with conditions as noted in the staff report. Erenberger seconded the motion, which was approved by unanimous roll call vote of all members present.

Minutes from Previous Meeting. Carter moved to approve the minutes of the July 2017 meeting as presented. Ruttum seconded the motion, which passed unanimously.

Old Business: None.

New Business: None.

Adjournment: The Chair declared the meeting adjourned at 6:50 PM.

Dean Wheatley, Planning Director