



North Liberty Planning Commission

Meeting Information

Tuesday, March 5, 2019

6:30 PM

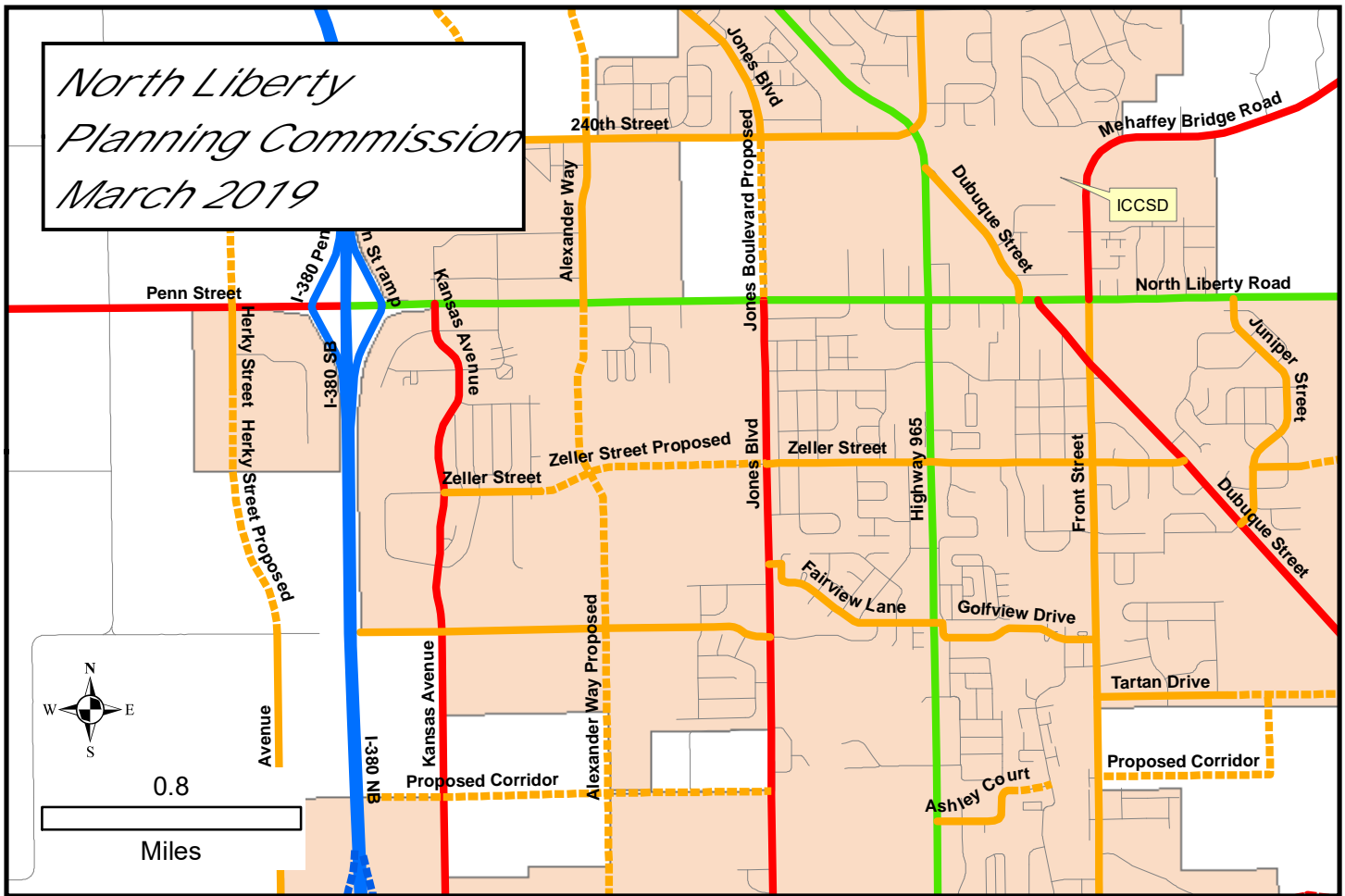
City Council Chambers

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@northlibertyiowa.org



NORTH LIBERTY PLANNING COMMISSION
MEETING NOTICE AND AGENDA
Tuesday, March 5, 2019, 6:30 PM
North Liberty City Council Chambers, 1 Quail Creek Circle

- 1. ROLL CALL**
- 2. AGENDA APPROVAL**
- 3. PRELIMINARY PLAT:** Request of the Iowa City Community School District to approve a one-lot plat for the new Grant school site on North Front Street across from the South Slope offices.
 - a. Staff Presentation
 - b. Applicants Presentation
 - c. Public Comments
 - d. Questions and Comments
 - e. Recommendation to the City Council
- 4. ZONING ORDINANCE AMENDMENT:** Request of staff to consider an amendment limiting the use of barbed wire and electric fences.
 - a. Staff Presentation
 - b. Public Comments
 - c. Questions and Comments
 - d. Recommendation to the City Council
- 5. COMMERCIAL LAND USE DISCUSSION:** Discussion and possible recommendation to City Council regarding commercial land use and zoning.
 - a. Staff Presentation
 - b. Discussion with Commission
 - c. Public Comments
 - d. Recommendation to the City Council
- 6. APPROVAL OF PREVIOUS MINUTES**
- 7. OLD BUSINESS**
- 8. NEW BUSINESS**
- 9. ADJOURNMENT**





February 26, 2019

Memo

To: North Liberty Planning Commission

From: Dean Wheatley, Planning Director

Subject: Request from Iowa City Community School District to approve a preliminary plat, Grant Elementary Subdivision, for property located on the west side of North Front Street generally across from the South Slope campus.

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

Kevin Trom, City Engineer

Dean Wheatley, Planning Director

This request is to subdivide an existing 21.59 acre parcel into two lots plus right-of-way for the extension of North Bend Drive and construction of a roundabout at the intersection of North Bend Drive and North Front Street. The property has been rezoned and a site plan approved previously, and construction on the new elementary school is well under way. The completion of the plat has been delayed while design of the roundabout has progressed and right-of-way needs were identified. A Good Neighbor meeting was held on October 26, 2017 to allow any interested party an opportunity to comment on this new school development, and eight people attended. Most were interested in plans. Bob and Mary Burns, as well as Jesse Burns, strongly advocated for the extension of North Bend Drive to not curve as shown on the preliminary site plan but to extend straight east to N Front Street. Chuck Deisbach of South Slope also had concerns related to difficulty they have entering and exiting the South Slope driveway, which is where City staff has directed the future alignment of North Bend Drive to terminate. These issues were addressed during review of the site plan, when the safety of the roadway was discussed and the alignment established as shown on this plat; and South Slope has been an outstanding partner as design work on the roundabout and related Front Street improvements has progressed.

This plat provides for a much-needed and long-planned connection of North Bend Drive to North Front Street, and the school district has worked closely with the City in developing those plans, as well as the on-site circulation plans as part of the approved site plan.

There has been a very strong working relationship between the City and the school district in finding solutions to access, traffic management, storm water management, sharing of roadway improvement costs, and other issues for development. Staff recommends approval of the plat.



CIVIL ENGINEERS
LAND PLANNERS
LAND SURVEYORS
LANDSCAPE ARCHITECTS
ENVIRONMENTAL SPECIALISTS

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

Date Revision

PRELIMINARY PLAT GRANT ELEMENTARY SUBDIVISION NORTH LIBERTY, IOWA

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

OWNER/APPLICANT:
IOWA CITY COMMUNITY SCHOOL DISTRICT
1725 N. DODGE STREET
IOWA CITY, IOWA 52245

APPLICANT'S ATTORNEY:
C. JOSEPH HOLLAND
123 N. LINN STREET
IOWA CITY, IOWA 52245

PLAT/PLAN APPROVED
by the
City of North Liberty

Date:

UTILITY EASEMENTS, AS SHOWN HEREON, MAY OR MAY NOT
INCLUDE SANITARY SEWER LINES, AND/OR STORM SEWER LINES,
AND/OR WATER LINES : SEE CONSTRUCTION PLANS FOR DETAILS.

DESCRIPTION - GRANT ELEMENTARY SUBDIVISION

I CERTIFY THAT DURING THE MONTH OF SEPTEMBER, 2018 AT THE
DIRECTION OF THE IOWA CITY COMMUNITY SCHOOL DISTRICT, A
SURVEY WAS MADE UNDER MY SUPERVISION OF AUDITOR'S PARCEL
#66137 IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER
OF SECTION 12, TOWNSHIP 80 NORTH, RANGE 7 WEST, AND A
PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST
QUARTER OF SECTION 7, TOWNSHIP 80 NORTH, RANGE 8 WEST, ALL
OF THE FIFTH PRINCIPAL MERIDIAN, NORTH LIBERTY, JOHNSON
COUNTY, IOWA. SAID AUDITOR'S PARCEL #66137 CONTAINS 21.59
ACRES, AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF
RECORD.

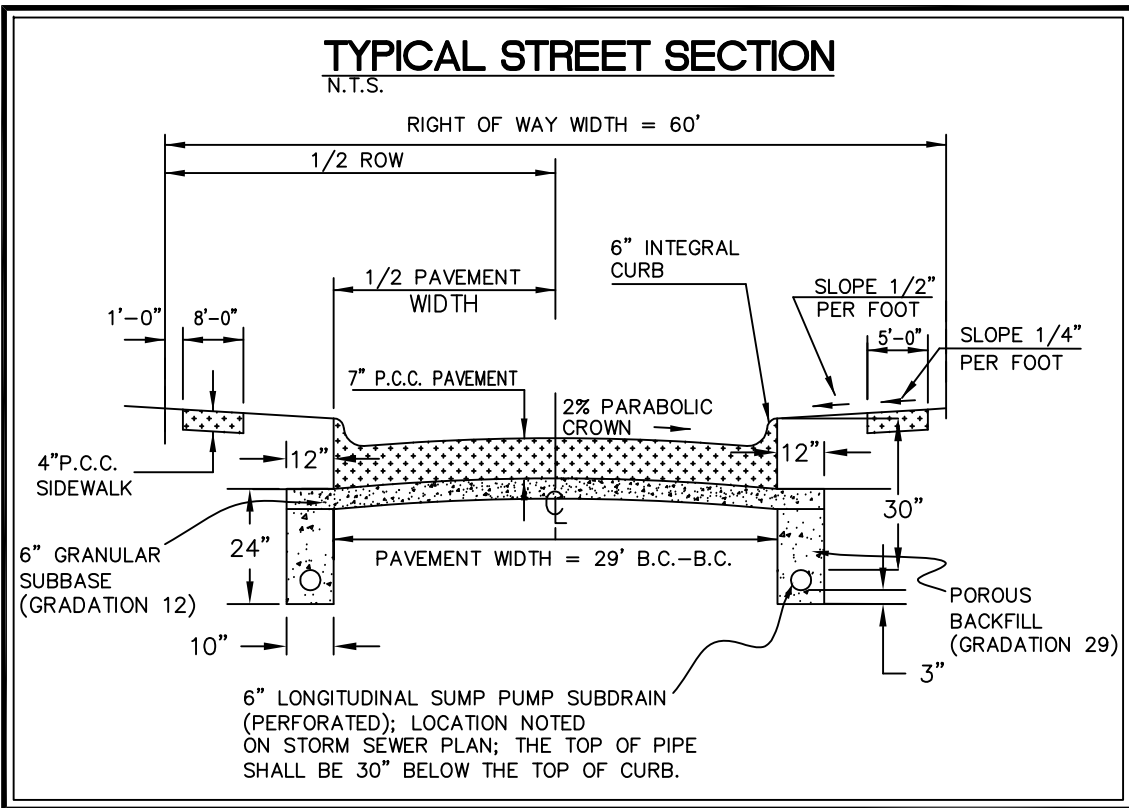
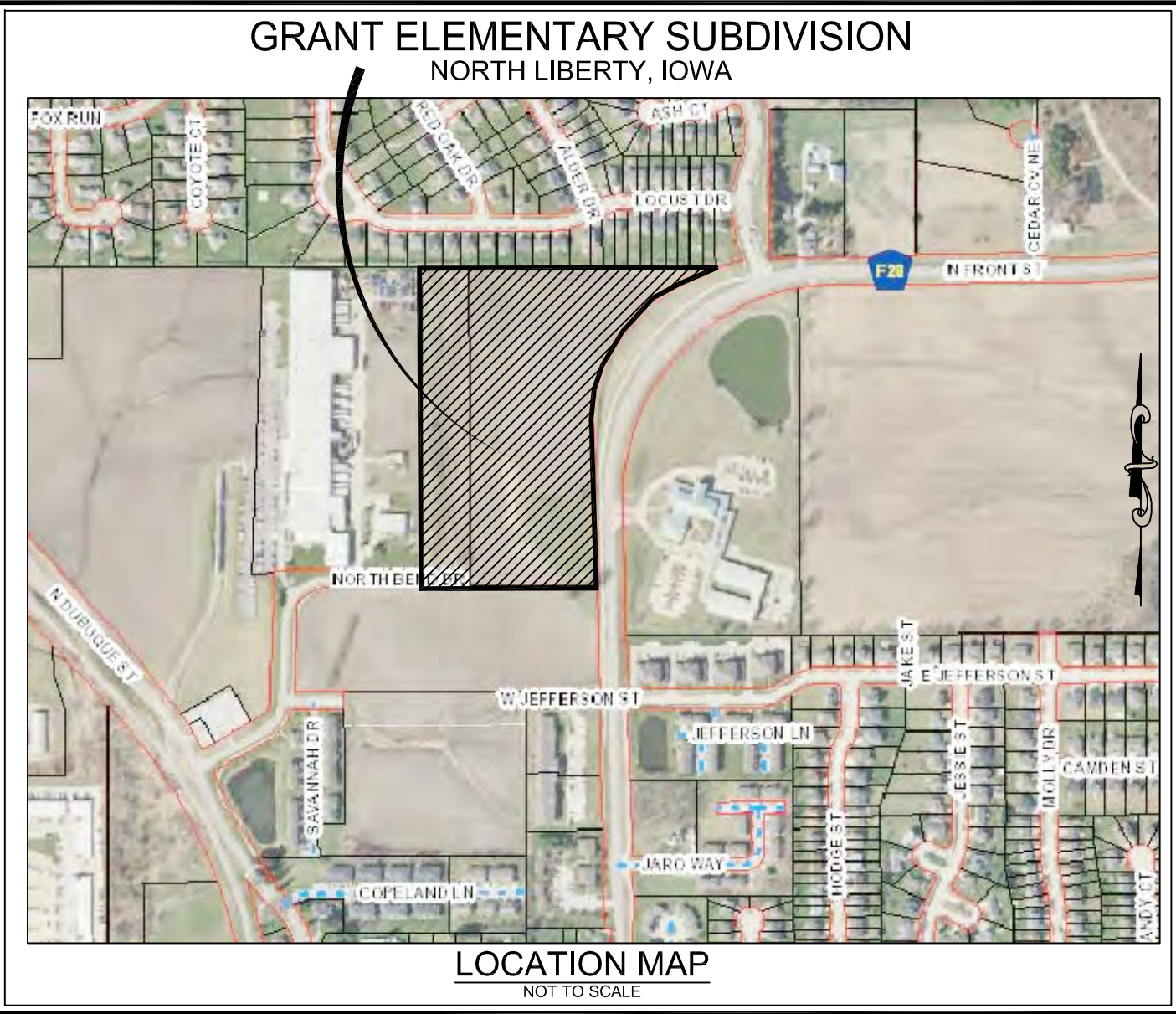
STANDARD LEGEND AND NOTES

- PROPERTY &/or BOUNDARY LINES
- CONGRESSIONAL SECTION LINES
- RIGHT-OF-WAY LINES
- EXISTING RIGHT-OF-WAY LINES
- CENTER LINES
- EXISTING CENTER LINES
- LOT LINES, INTERNAL
- LOT LINES, PLATTED OR BY DEED
- PROPOSED EASEMENT LINES
- EXISTING EASEMENT LINES
- BENCHMARK
- RECORDED DIMENSIONS
- CURVE SEGMENT NUMBER

22-1

- POWER POLE
- POWER POLE W/DROP
- POWER POLE W/TRANS
- POWER POLE W/LIGHT
- GUY POLE
- LIGHT POLE
- SANITARY MANHOLE
- FIRE HYDRANT
- WATER VALVE
- DRAINAGE MANHOLE
- CURB INLET
- FENCE LINE
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- WATER LINES
- ELECTRICAL LINES
- TELEPHONE LINES
- GAS LINES
- CONTOUR LINES (1' INTERVAL)
- PROPOSED GROUND
- EXISTING TREE LINE
- EXISTING DECIDUOUS TREE & SHRUB
- EXISTING EVERGREEN TREES & SHRUBS

THE ACTUAL SIZE AND LOCATION OF ALL PROPOSED FACILITIES
SHALL BE VERIFIED WITH CONSTRUCTION DOCUMENTS, WHICH
ARE TO BE PREPARED AND SUBMITTED SUBSEQUENT TO THE
APPROVAL OF THIS DOCUMENT.



PRELIMINARY
PLAT

GRANT
ELEMENTARY
SUBDIVISION
NORTH LIBERTY
JOHNSON COUNTY
IOWA

MMS CONSULTANTS, INC.

Date: 10-01-18

Designed by: SBP Field Book No:

Drawn by: JDM Scale: 1"=60'

Checked by: SBP Sheet No:

Project No: IOWA CITY 1270-227 of: 1

Amendment proposal to disallow most barbed wire and electric fence in North Liberty.

Changes shown in red.

169.05 FENCE REQUIREMENTS. The provisions of this section apply to the construction, alteration, moving, and repair of any fence within the jurisdiction.

1. **Permit Required.** Each application for a fence permit shall be submitted prior to the installation or alteration of a fence. The application shall be accompanied by a plot plan, in duplicate, drawn to scale, showing the actual dimensions of the lot; the size, shape, and location of all existing buildings; location, height, and material type of the proposed fence; and such other information as may be necessary to provide for the enforcement of this section. A record of applications and plans shall be kept in the Code Official's office.
2. **Application Fee.** A fee for the fence permit shall be charged. The fee shall be set by the City and shall be available at the office of the Code Official.
3. **Review.** All applications for fence permits shall be submitted to the Code Official for review and approved prior to permit issuance. Each application shall include data necessary to show that the requirements of this code are met.
4. **Expiration.** Every fence permit issued by the Code Official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced, for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee. Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The Code Official may extend the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once.
5. **Inspection Required.** Upon completion of the work the applicant or owner shall notify the Code Official that the work is completed. A final inspection shall be performed to assure compliance with this code.
6. **Height.** The height of all fences, retaining walls, and hedges located within a front, side, or rear yard shall not exceed those found in Table 169-C.

TABLE 169-C – MAXIMUM FENCE HEIGHTS^{1, 2}

District	Front Yard	Side Yard	Rear Yard
R Zones	38 inches ⁴	8 feet	8 feet
All Other Zones	38 inches ⁴	16 feet ³	16 feet ³
<ol style="list-style-type: none"> 1 At street intersections, no fence, retaining wall or hedge more than 10 percent solid or three feet above the street level shall be located within a triangular area composed of two of its sides and twenty-five feet in length and measured along the right-of-way lines from the point of intersection of the above-referenced lines. 2 No chain-link fence shall be located within any portion of the front yard. 3 If adjoining residential district maximum 8-ft. 4 On a corner lot property, a 6-foot-high privacy fence may be erected on that portion of the lot at the rear of the house provided the fence is erected a minimum of 15 feet from any sidewalk, driveway, or right-of-way line. Said fence shall comply in all other respects with the fence requirements. 			

7. **Location.** Fences and hedges shall be located entirely within the confines of the property lines except for fences located next to a public or private alley shall maintain a minimum 2-foot

separation between the fence and alley line. No fence, wall, or hedge shall encroach on or obstruct a public sidewalk.

8. Fence Materials.

- A. Barbed Wire. It is unlawful for any person to erect, construct, keep, or maintain any barbed wire fence within the City except when the barbed wire fence is erected, constructed, and maintained in compliance with the provisions contained in the *Code of Iowa* and used on property zoned for Interim Development use, provided the property has been used for the purpose of enclosing livestock within the preceding 24-month period. Barbed wire fences shall ~~be permitted in a commercial or industrial zoning district, provided that the bottom strand of barbed wire is not less than 6½ feet above grade, not be permitted in any other district.~~
- B. Electric Fences. It is unlawful for any person to erect, construct, keep, or maintain any electric fence in any zoning district within the City, except for the enclosure of livestock operations located in an Interim Development District, provided the property on which the livestock operation is located does not adjoin property that is zoned or used for any residential purposes.
- C. Barbed Wire and ~~Election~~-Electric Fences. Barbed wire and electric fences, ~~when allowed in the limited circumstances specified within sections A and B of this section, are prohibited in any zoning district or in conjunction with any use or operation when any such fence is~~ are prohibited from being located located within five feet of an adjoining residential property, a public sidewalk, or a street right-of-way line where a public sidewalk does not exist.
- D. Metal Fences. Metal fences shall consist of galvanized or vinyl-covered chain link material, including all supporting frame posts and rails.
- E. Wood Fences. Wood fences shall consist of a treated or decay-resistive material. Posts and supports for the wood fence shall be located on the inside of the fence on the property on which the fence is constructed.

9. Prohibited Fence Material. The following fences are prohibited, except as provided in this chapter or for permitted agricultural residential gardening uses to protect against rodents, vermin, and pests:

- A. Wooden snow fence;
- B. Welded wire fence;
- C. Panel fence;
- D. Plastic snow/safety fence; and
- E. Chicken wire.

A snow fence may be erected on a temporary basis, not to exceed six months, to alleviate the adverse effects of drifting snow or to warn and prevent access to an area by unauthorized persons. When erected on a temporary basis to prevent access of unauthorized persons to any area, a snow/safety fence shall be removed within 24 hours after the elimination of the reason for which the fence was erected originally.

10. Installation and Maintenance. All fences shall be constructed in a workmanlike manner with approved materials and installed to withstand wind load of 30 pounds per square foot. All fences shall be maintained and repaired as needed. The owner of the property upon which the fence is constructed is required to maintain the fence.

Land Use Policy Discussion Focus on Commercial

February 2019 Planning Commission

Problems with too much commercial

- Spreads commercial uses/areas out and takes years to develop cohesiveness, so scattered and less pedestrian-friendly.
- Land may sit undeveloped due to lack of enough demand. Spotty development pattern and devalued property due to oversupply.
- The value of commercial property taxes for cities is lower than in previous years due to state legislative tax changes. Not the benefit it used to be.

Problems with too little commercial

- Commercial development takes longer because most development requires rezoning = detriment.
- Large portions of most readily developable land can be controlled by only a few owners, driving costs up and slowing growth.
- Population not adequately served.

Best practice for land uses in general

- Separate land uses tend to be healthiest when there is a critical cohesive mass of each use. Commercial examples: car dealers, restaurants & bars, medical districts. Residential examples: planned neighborhoods, multi-family with large strong HOAs.
- Just as residential owners generally want to be protected from non-residential intrusion impacts, non-residential owners are wary of residential complaints.
- Mixed-use development that has been championed for some time still must be logical and not just uses thrown together.

Best practice for commercial

- Don't over-zone or under-zone (there is no "right" amount or proportion).
- Locate commercial in concise, easy-to-access areas.
- Commercial struggles when located away from major streets.

We may be over-zoned for commercial

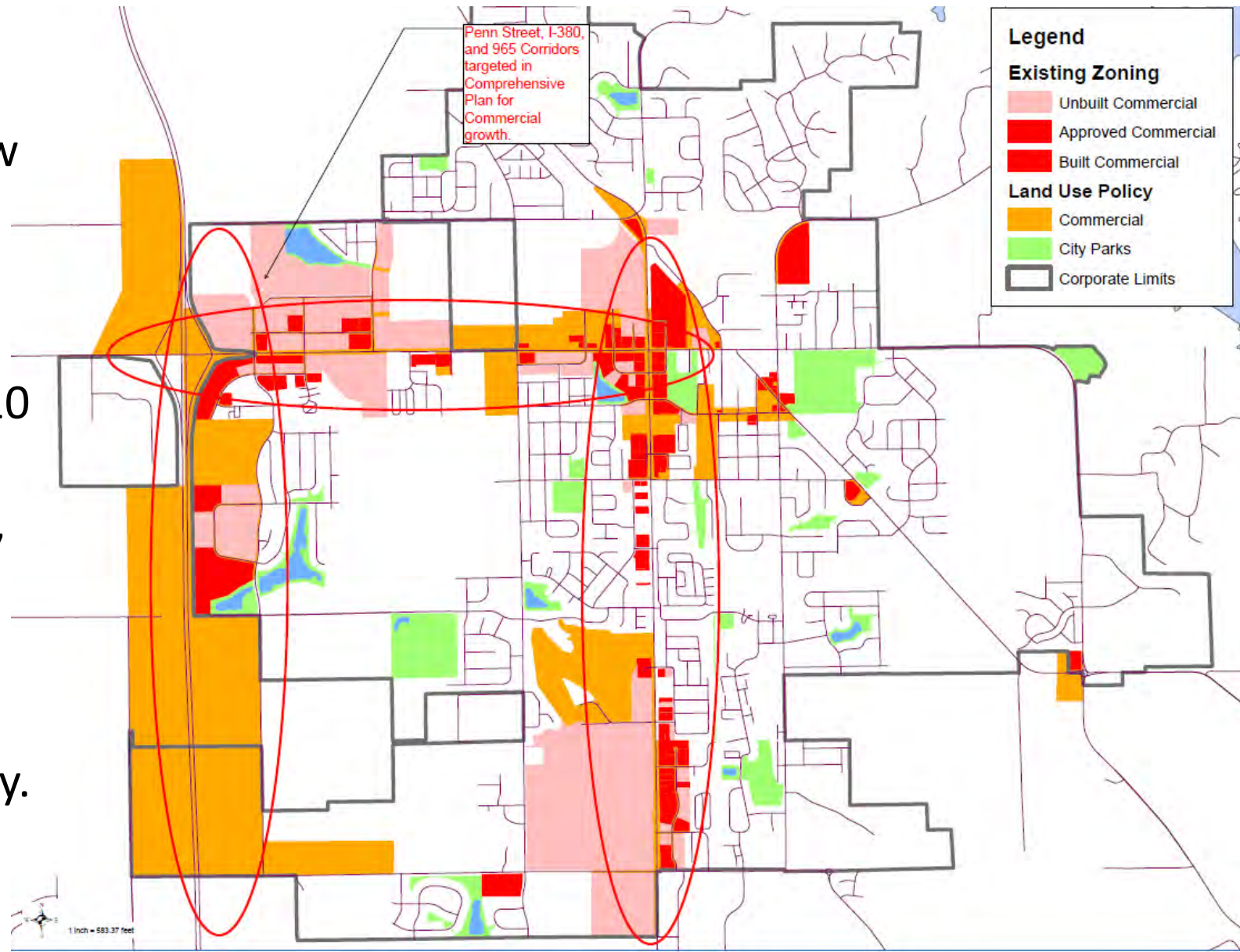
	Acres	Absorption Rate	Years Absorb
Commercial Zoned Land	698	9.1	55
Commercial Developed Land	<u>198</u>	Acres/Year	Years!
Commercial Surplus, 2018	500		
Duplex Zoned Land	254		
Duplex Developed Land	<u>220</u>		
Duplex Surplus, 2018	34	8.3	4
Multi-Family Zoned Land	383		
Multi-Family Developed Land	<u>276</u>		
Multi-Family Surplus, 2018	107	11.2	10
Single-Family Zoned Land	1328		
Single-Family Developed Land	<u>1129</u>		
Single Family Surplus, 2018	199	35.4	6
* Zoned Land figures factored by percent ROW			

Correction:
822

Correction:
68 Years

Land Use Policy shows even more commercial in the future!

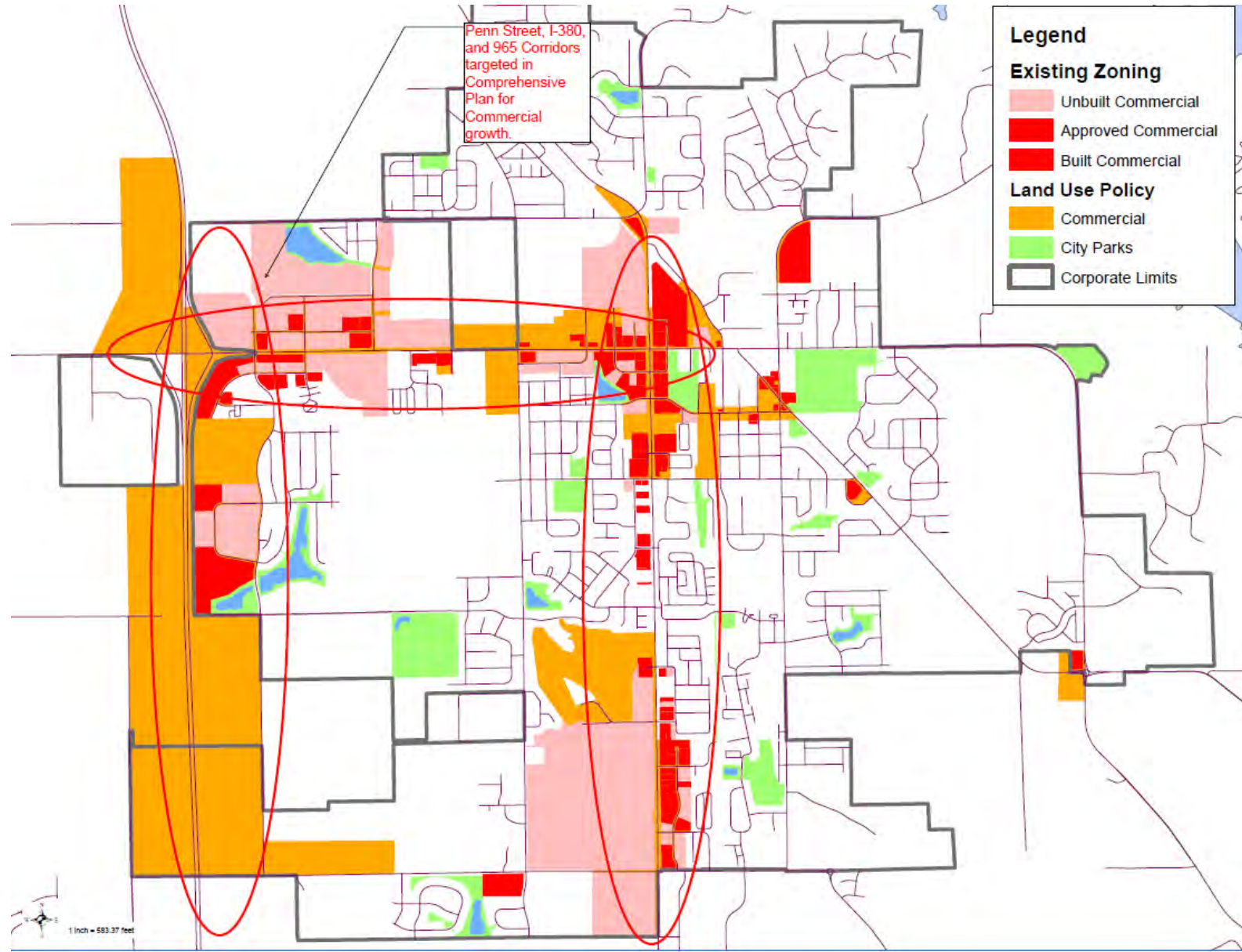
- Orange areas on map at right show commercial land use policy on properties not already zoned commercial, approximately 610 acres.
- 610 acres = approximately 67 more years to build out.
- Total zoned and planned = 135 years. Not healthy.



If we cut back on commercial, where?

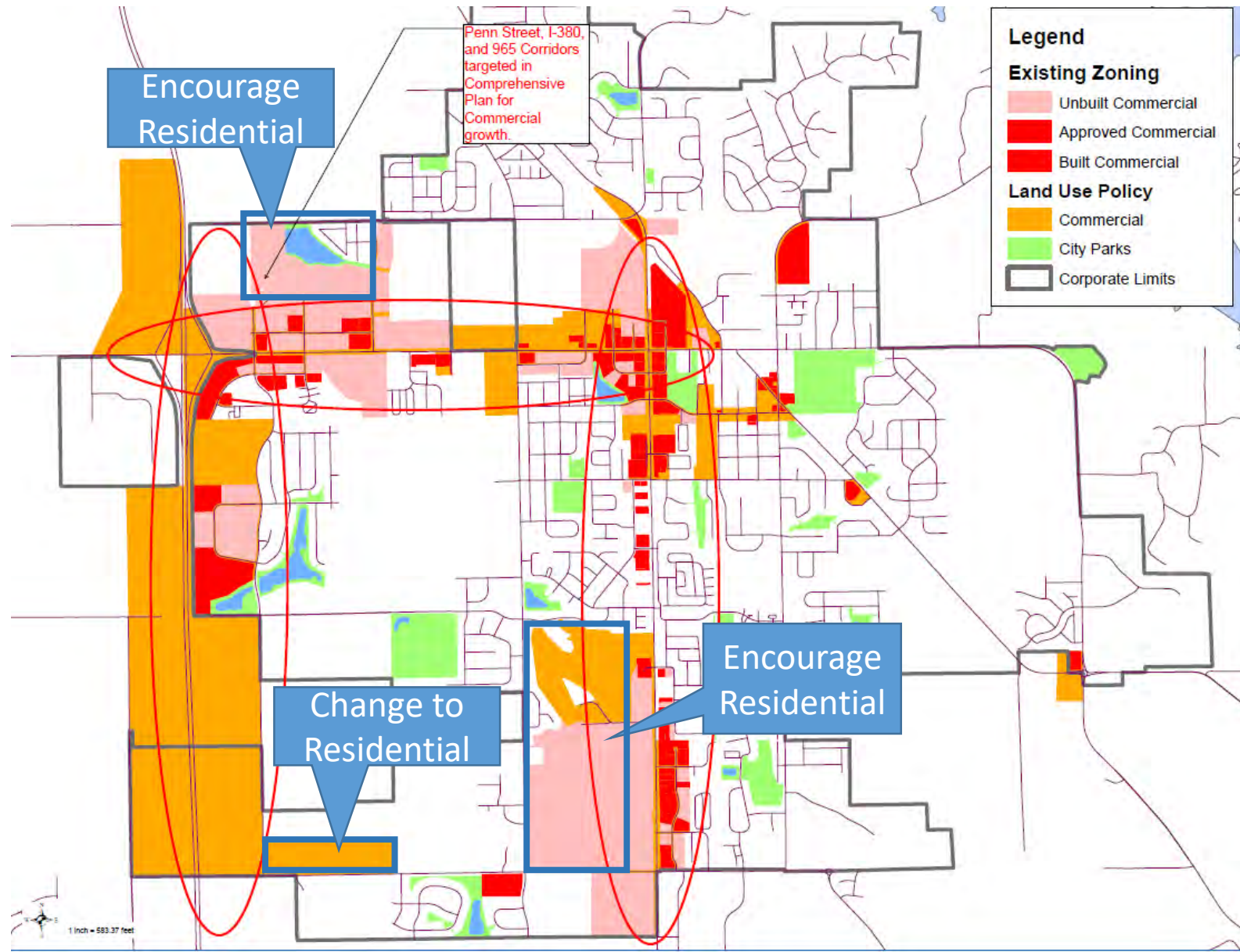
Assumptions:

- Changing existing commercial zoning may not be possible.
- Planned commercial focus has been Penn, I-380, and 965.



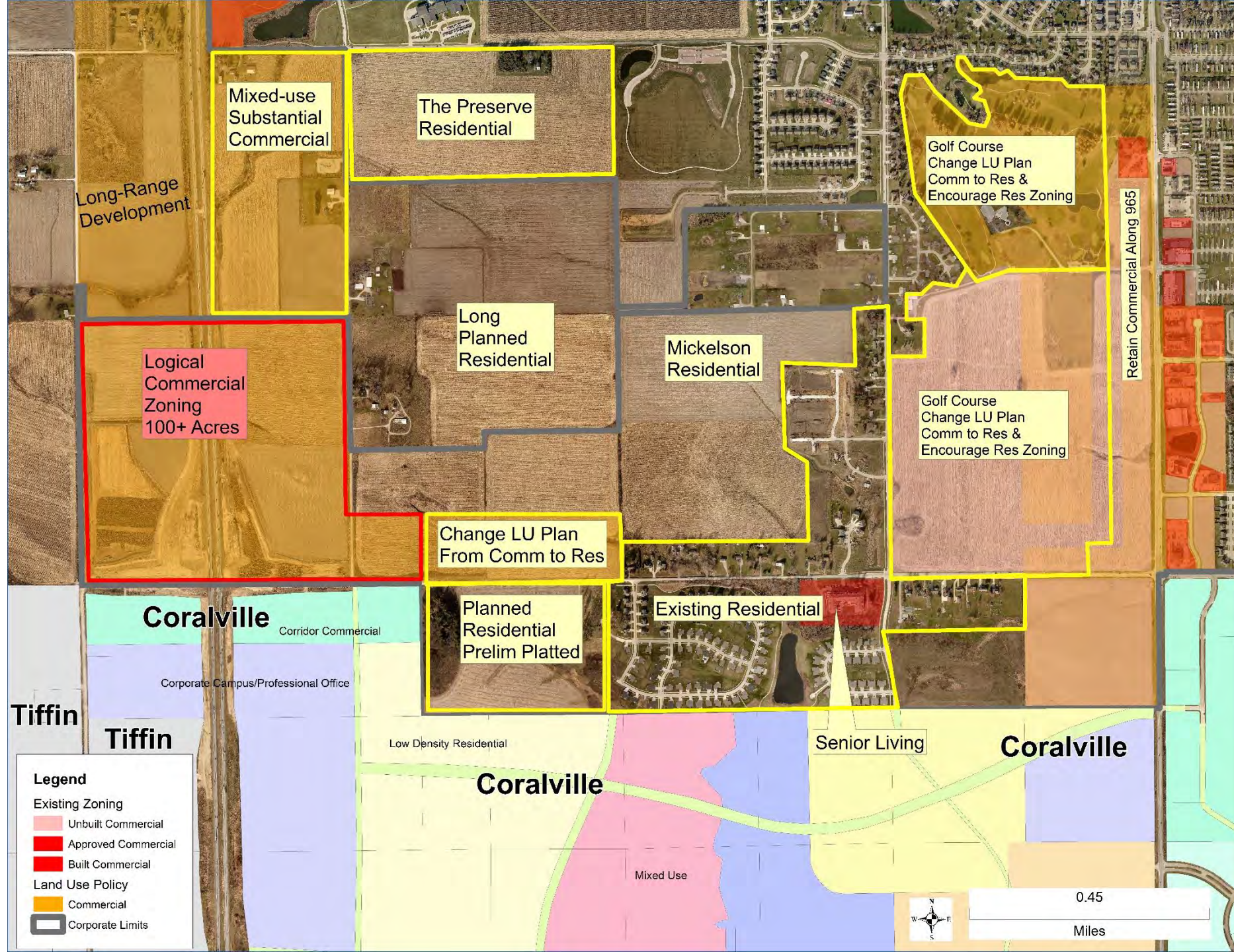
Some potential areas to scale back

- Areas shown in orange are not yet zoned commercial and can be changed.
- Light red-colored areas are already zoned but the City can encourage rezoning.



Focus: Kansas Ave and Forevergreen Rd

- This plan leaves many years of development potential near I-380 while creating large residential core to the east.



Responses to Planning Commission Questions Regarding Commercial Land Use and Zoning

February 5, 2019

1. Can you explain what could happen by changing the golf course area from commercial to residential in the land use plan? Is the part the golf course is on large enough to fit other properties? Has the company that owns shown an interest in developing the land for purposes other than golf?

Think of this relationship as: the Land Use Plan is a guide, and zoning is the law. Changing the Land Use Plan does not change the zoning on the property, and the property may be developed as commercial at any time; however, if the current or a future owner desire to develop the property as residential instead of commercial, the Land Use Plan designation makes a rezoning request more likely to succeed. Importantly, it also informs other potential surrounding property owners of the preferred use, although in the case of the golf course that is not much of a benefit since surrounding land is mostly already developed. The overall goal of the Land Use Plan is to lay out in general how the City would like development to occur, so it is best to reflect those aspirations. It can be argued that changing the Land Use Plan without changing the zoning does not accomplish much, and to some extent that is true, but in the day-to-day considerations that go on by developers, the Plan provides a bit of guidance in an otherwise high-risk environment. Regarding the golf course land specifically, there are three main parts:

- The golf course itself, with club house. This property is all zoned commercial.
- The 170 undeveloped acres south of the golf course, extending to Forevergreen Road, under the same ownership as the golf course and sometimes included in the discussion. Zoned commercial.
- A smaller, approximately 5 acre undeveloped lot south of the existing condominium tower, also zoned commercial. We reviewed a condominium proposal on this property about 5 years ago, but the property is restricted by access problems.

The golf course and undeveloped land owner has not expressed an interest in rezoning, or in development at all. The 5 acre parcel would probably develop in the near term if the private access issues could be resolved between owners.

2. Where can I see which areas are currently mixed use? Is this one correct: <https://northlibertyiowa.org/wp-content/uploads/2018/05/Housing-Units-and-Existing-Land-Use-7-20171.pdf>?

Yes, exactly. This map shows existing development. Mixed-use development has been all the rage in Planning and in city development for quite a few years now, as cities struggle to overcome many years of development patterns that separate residences from work and entertainment by long distances and force everyone to drive. However, it needs to be remembered that like many big trends, this one started in the large metropolitan areas on the coasts, where distances and drive times are much longer than the Midwest. In recent years in North Liberty, developers want so badly to develop residential (and not commercial) that they are willing to commit to mixed-use development mainly to get the residential component. Some examples of this are the commercial development in the Cameron Road area, the day care business developed as part of the

condominium development at Kansas Avenue and Madison Avenue, and the new mixed-use development under construction now on Kansas Avenue at Landon Road. We do not have a “mixed-use” zoning district, but some commercial districts allow residential OVER commercial. We can also use a Planned Area Development (PAD) zoning overlay if a developer is looking to do different types of mixed-use development. Last, I would note that the term “mixed-use” can mean different things. In our case, it has usually meant residential over commercial or residential and commercial development on the same lot or in the same development; however, sometimes the term gets over-hyped. It could also be applied to commercial uses that are very close to residential uses and not necessarily developed together, and North Liberty as a whole is mostly meeting that ideal. The big thing to remember here is that the city does not develop commercial property, though many seem to think we do based on social media comments I’ve seen. There needs to be a certain population base (which varies by company, by type of business, and other factors), an interested commercial business owner (aspirational or existing), available land, and affordable construction prices. Last, as much as we idealize the live-work relationship, many of us still chose to live far from where we work for various good reasons, and no amount of land use planning is going to change that.

3. Is the absorption rate you listed for NL? If how many years was it averaged over? What has been the absorption over the past 5 years and 10 years?

Yes, the absorption rate is for North Liberty only. It was averaged over the maximum number of years I have reliable data for, 1/2012 to 7/2018. These numbers should not be viewed as absolute, because they are based on quite a few assumptions and standards; they are big picture guides, used with other information to identify potential areas of concern. For example, the existing land use acreages are based on actual developed lot acreages, while undeveloped areas do not yet have a full street network so I had to use an averaging factor to estimate usable land area (street rights-of-way take up a surprising 12.7% of land on average). In addition to the numbers presented in the summary, I can tell you anecdotally what I hear from developers all the time - the commercial development market has decreased significantly from what it was 10 years ago, especially for smaller stand-alone businesses. Just as we have seen a shift from stand-alone starter homes to condominiums and duplex starter homes, we have seen a shift from stand-alone commercial buildings to multi-tenant “strip” centers. If we were not fortunate to be in a growth area in Iowa, which drives commercial development, all growth numbers would be very small indeed.

4. Do you have an idea of what Coralville's, Iowa City's or Tiffin's absorption rate has been over the last 10 years?

No, and it probably would not contribute much to our conversation. Every city is different for any number of reasons, including population base to support nonresidential development, geographic location, aggressiveness in subsidizing development, age of the city, land use and zoning policies, and in our area location relative to the university, hospital, and VA. I will follow up and ask, but I am pretty certain Coralville and Tiffin cannot produce similar numbers because they have no staff to do that work. Iowa City may, but it is so different from us that the numbers will be meaningless.

5. Do you have an estimate of Coralville's and Tiffin's current commercial zoning and planned zoning is?

Not sure of this. Are you looking for straight-up acres of commercial zoning vs land use? I will try to get this, but since they cannot likely provide it, I will need to figure it myself based on public records and it may take a while. I would caution us to not get too fixated on other communities, but it is another potential source of information. One of the greatest frustrations of my recent career has been the inability to find any source of information that might help determine an appropriate mix and proportionality of land uses. Not only are there no guides, but there are also no good data sources that I can find to research it on my own. For example, it might be helpful for decision-makers to benchmark successful cities' zoning or land use policy, but there are just limited resources. Adding to the complication is the fact that land use policy and zoning district designations are far from uniform from jurisdiction to jurisdiction, and many nuances can dramatically change results one might think are representative. In light of all this, and considering the cost-benefit of the results, my direction has been to look closely at what we have, what the demand has been and is anticipated to be based on developer input, and be open for frequent updates and revisions.

6. What is our current commercial area with easily accessible utilities?

Very good question. All of our current commercial zoned and commercial policy areas within and close to the corporate limits have immediately available or soon-to-be-available utilities. For example, all of Penn Street and the area between Penn and Deerfield is fully served. The corridor between Kansas Avenue and I-380 from St. Andrews to Forevergreen Road is not serviced now but a study identifying best options for providing that service is just wrapping up and we anticipate recommending a major sanitary sewer project to Council within the next several months to serve the area.

7. Could we also see a map with residential and industrial zoning? Built and unbuilt and future land use?

I have all of this data, but I just cannot create a readable map of them all together because the different layers overlap and it becomes a confusing mess. This would involve 3 separate data sets: a) existing land use, b) zoning, and c) land use policy. It is frustrating to me that I can't adequately show these relationships, but I encourage you to maybe think about different combinations of 2 data sets that might get you what you want to see. Or if you would like to identify what patterns or relationships you are hoping to discern I might be able to narrow in on using parts of each data set to get there.

8. What have been the recent legislative changes that have affected tax revenues from commercial properties?

The legislature reduced the amount of value commercial and industrial property is taxed on by 10% most recently, and there were changes made a few years ago in how soon commercial tax values are assessed after the land is subdivided (it now takes longer for commercial taxes to "kick in"). In addition, since the mid-1900's when cities would sell their souls for commercial development because of the high tax value, there have been other reductions such as no longer

taxing equipment in the buildings. I mention this because there is still a perception that commercial and industrial development is the answer to every city's funding needs, based in part on long-held ideas, but in today's environment cities often incentivize commercial and industrial development as much or more for the employment base and assumed spin-off values that come with employed residents than tax value, especially in the short to mid-term future. Make no mistake, commercial and industrial taxes are still higher than residential, but they are not what they used to be. I'll research this and provide some better information.



PLANNING COMMISSION

Minutes

January 2, 2019

North Liberty City Council Chambers, 1 Quail Creek Circle

Roll Call

Chair Ronda Detlefsen called the January 2, 2019 Regular Session of the North Liberty Planning Commission to order at 6:31 p.m. Commission members present: Jennifer Bleil, Ronda Detlefsen, Adam Gebhart, Jason Heisler, Rebecca Keogh, Kylie Pentecost. Absent: Patrick Staber

Others present: Dean Wheatley, Ryan Heiar, Tracey Mulcahey, Kevin Trom, Joel Miller, Duane Musser, Scott Hardwick, Tom Palmer and other interested parties.

Agenda Approval

Gebhart moved, Heisler seconded to approve the agenda. The vote was all ayes. Agenda approved.

Watts Group Development, Inc. Rezoning

Staff Presentation

Wheatley presented the request of Watts Group Development Inc to approve a one-lot rezoning for a small area of "The Preserve" at the southeast corner of Kansas Avenue and St. Andrews Drive. Staff recommends approval of the application.

Applicants Presentation

Duane Musser was present on behalf of the applicant and offered additional information.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including the drainageway that goes through the property and the reconfiguration.

Recommendation to the City Council

Bleil moved, Gebhart seconded to recommend approval of the proposed rezoning with no conditions to the City Council. The vote was: ayes – Pentecost, Gebhart, Keogh, Heisler, Detlefsen, Bleil; nays – none. Motion carried.

Watts Group Development Inc Preliminary Plat

Staff Presentation

Wheatley presented the request of Watts Group Development Inc to approve a revised subdivision plat for "The Preserve" at the southeast corner of Kansas Avenue and St. Andrews Drive. Staff recommends approval of the application.

Applicants Presentation

Duane Musser was present on behalf of the applicant.

Public Comments

No public comments were offered.

Questions and Comments

The Commission had no discussion on the application.

Recommendation to the City Council

Keogh moved, Pentecost seconded to recommend approval of the revised preliminary plat with no conditions. The vote was: ayes – Gebhart, Pentecost, Heisler, Bleil, Detlefsen, Keogh; nays – none. Motion carried.

Longsterman Holdings LLC Subdivision Plat

Staff Presentation

Wheatley presented the request of Longsterman Holdings LLC, to approve a subdivision plat, Longsterman Subdivision, located approximately 1.8 miles beyond the corporate limits along Scales Bend Road, but within the Fringe Area for City review. Staff recommends that Council defer to the County on this application.

Applicants Presentation

The application was not present.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including how the recommendation might be worded.

Recommendation to the City Council

Bleil moved, Heisler seconded to recommend deferring to the County to the City. After discussion, the vote was: ayes – Heisler, Gebhart, Pentecost, Bleil, Detlefsen, Keogh; nays – none. Motion carried.

David Scott Hardwick County Conditional Use in North Liberty Fringe Area

Staff Presentation

Wheatley presented the request of David Scott Hardwick to Johnson County for a conditional use to establish a lawn maintenance business for 2-5 years at 2780 S Front Street, generally located on the east side of Front Street between the Broadmoor and Windsor Farms subdivisions. Staff recommends not approving the proposed use based on land use policy.

Applicants Presentation

Scott Hardwick was present on behalf of the applicant and offered additional information on the application.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including concerns for the neighboring properties, the usage, the County imposing additional restrictions, and the timeframe for allowed use.

Recommendation to the City Council

Pentecost moved, Bleil seconded to recommend approval for twenty-four months with no retail sales and limited to just this applicant to the City Council. After discussion, the vote was: ayes – Detlefsen, Pentecost, Heisler, Gebhart, Keogh, Bleil; nays – none. Motion carried.

Ordinance Amendments

Staff Presentation

Wheatley presented a series of amendments to address various issues, including:

- Trash enclosure opening orientation and gate specifications.
- Fence installation changes to better reflect current permitting practice and better define a setback standard.
- Supplemental yard changes to address certain problems encountered by Building Department staff with the locations of garages, sheds, and swimming pools, decks, and other miscellaneous uses.
- Remove need for outside eating areas to obtain conditional uses, but keeping all code requirements regarding the placement and operations.
- Cleanup language missed during previous amendment regarding conditional use requirement for outside storage (no longer required).
- Delete the C-RV (Commercial Recreational Vehicle) district.
- Refine regulations for PODS storage units and commercial dumpsters, and amend Section 105.11 in the Code, Solid Waste Control, to prohibit commercial dumpsters in residential areas except during permitted construction activities.

Public Comments

No public comments were received.

Questions and Comments

The Commission discussed the proposed ordinance amendments.

Recommendation to the City Council

Pentecost moved, Keogh seconded to recommend approval of the proposed ordinance amendments to the City Council. After discussion, the vote was: ayes – Heisler, Pentecost, Gebhart, Detlefsen, Bleil, Keogh; nays – none. Motion carried.

Approval of Previous Minutes

Gebhart moved, Heisler seconded to approve the minutes of the December 4, 2018 Planning Commission. The vote was all ayes. Minutes approved.

Old Business

Wheatley reported on the screening for the heating and cooling on top of GEICO building. He reported that it is a great example of how it should be done. Detlefsen spoke regarding the quality of building

New Business

Wheatley reported that since no new cases were received for February, a land use discussion would be held at the next meeting.

Adjournment

Keogh moved, Gebhart seconded to adjourn at 7:33 p.m. The vote was all ayes. Meeting adjourned.