



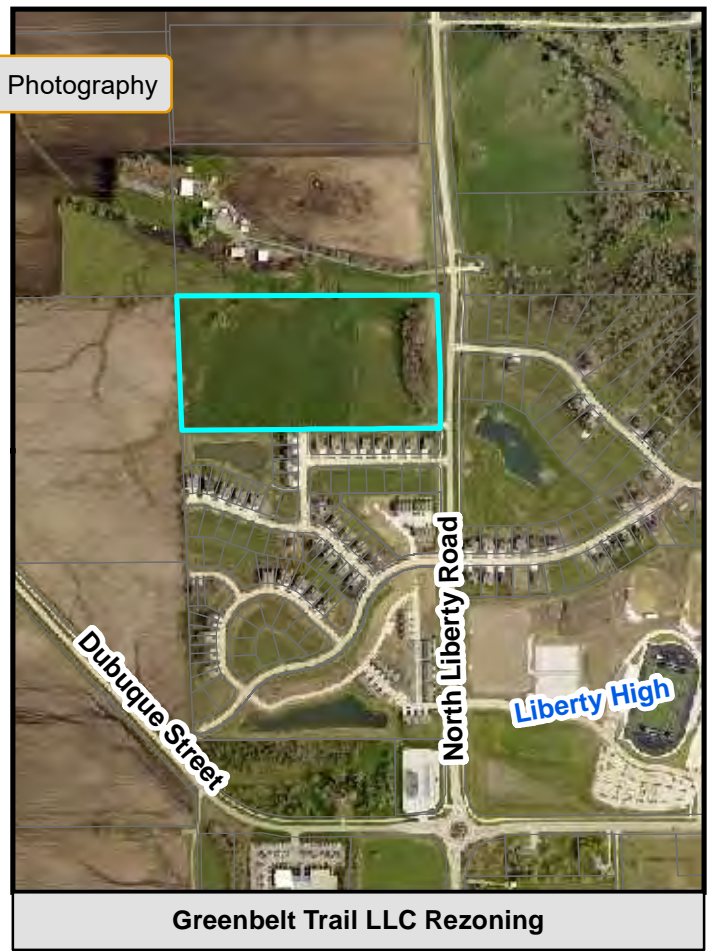
**North Liberty**  
**Planning**  
**Commission**  
Meeting Information  
  
Tuesday, June 4, 2019  
6:30 PM  
City Council Chambers

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](mailto:dwheatley@northlibertyiowa.org)



NORTH LIBERTY PLANNING COMMISSION  
MEETING NOTICE AND AGENDA  
**Tuesday, June 4, 2019, 6:30 PM**  
**North Liberty City Council Chambers, 1 Quail Creek Circle**

- 1. ROLL CALL**
- 2. AGENDA APPROVAL**
- 3. REZONING:** Request of Greenbelt Trail, LLC to approve a single-family residential rezoning for property located on the west side of North Liberty Road, directly north of the Dahnovan Estates neighborhood.
  - a. Staff Presentation
  - b. Applicants Presentation
  - c. Public Comments
  - d. Questions and Comments
  - e. Recommendation to the City Council
- 4. REVISED SITE PLAN:** Request of Tin Roost restaurant to approve a revised site plan that will establish a new outside lawn area for customer use.
  - a. Staff Presentation
  - b. Applicants Presentation
  - c. Public Comments
  - d. Questions and Comments
  - e. Recommendation to the City Council
- 5. APPROVAL OF PREVIOUS MINUTES**
- 6. OLD BUSINESS**
- 7. NEW BUSINESS**
- 8. ADJOURNMENT**





May 29, 2019

## **Memo**

To: North Liberty Planning Commission

From: Dean Wheatley, Planning Director

Subject: Request from Greenbelt Trail, LLC to approve a single-family residential rezoning for property located on the west side of North Liberty Road, directly north of the Dahnovan Estates neighborhood.

(Legal: To be platted)

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

Grant Lientz, City Attorney

Kevin Trom, City Engineer

Dean Wheatley, Planning Director

## **Background and Statistics**

This request is to rezone property to permit the development of single-family lots typical in many North Liberty neighborhoods. A Good Neighbor meeting will be held to allow any interested party an opportunity to comment on this rezoning prior to submission, and comments received at that meeting will be reported to the Commission at the meeting. As can be seen on the zoning map inset, zoning surrounding and in the vicinity of the site includes ID, Public (Liberty High), RS-4, and RD-10. North Liberty Road is an arterial in the major street system.

The property is shown as “residential” on the Land Use Plan, and so the request is consistent with that policy. A concept plan has been developed showing how streets can be developed within the proposal area, but is subject to refinement prior to the third rezoning reading (by Council), as a preliminary plat is currently under development.

Existing housing unit counts within North Liberty are approximately:

Single-family: 3,153 (38.9%)

Multi-family: 2,605 (32.2%)

Duplex: 1,422 (17.6%)

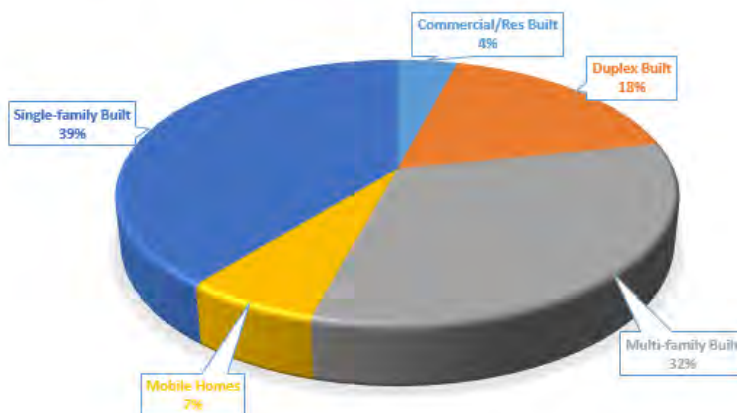
Res/Commercial: 331 (4.1%)

Mobile Home: 531 (6.6%)

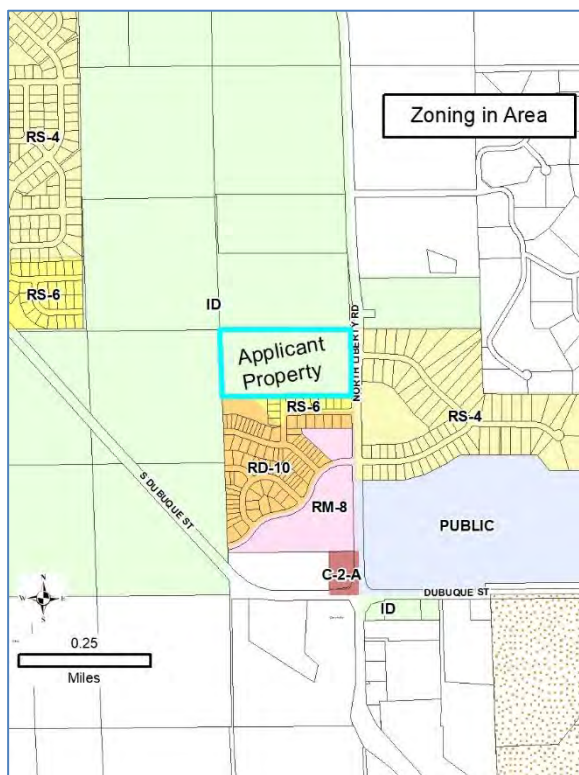
### **Subdivision Ordinance Provisions Affecting This Development**

Proposed corner lots should be larger than others, as recommended by the City to provide somewhat larger yards. Storm water management will need to be planned for the site.

**DEVELOPED HOUSING UNITS WITHIN NORTH LIBERTY**



### **Zoning Ordinance Provisions Affecting This Development**



None identified.

### **Staff Comments Regarding the Proposed Zoning**

**Storm water impacts.** Storm water from this site will need to be managed in accordance with City standards as part of the preliminary plat review and infrastructure construction.

**Street/Traffic impacts.** North Liberty Road is classified as a major street, recently reconstructed, and is adequate to accommodate new traffic resulting from this development.

**Land use impacts and adjacent properties.** This proposal extends the logical transition in housing density begun in Dahnovan Estates from higher density of condominium and duplex development to lower density extending north and west. This request is consistent with long-standing City priorities for single-family housing in this area.

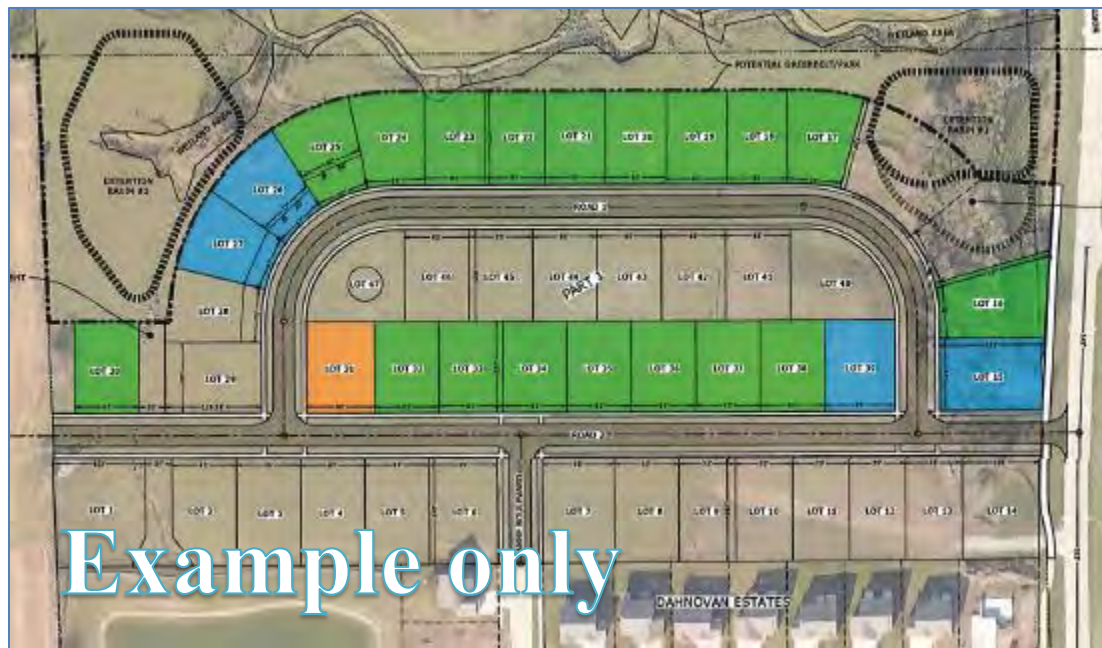
**Land use and zoning recommendation.** In rezoning considerations, *suitability* and *compatibility* are key issues in addition to land use policy. In this case, the site is physically suitable for the development proposed, and the zoning districts proposed are compatible with expected and planned development in the area. In particular, this development extends the gradual transition to single-family as the distance from the intersection of two major streets increases.



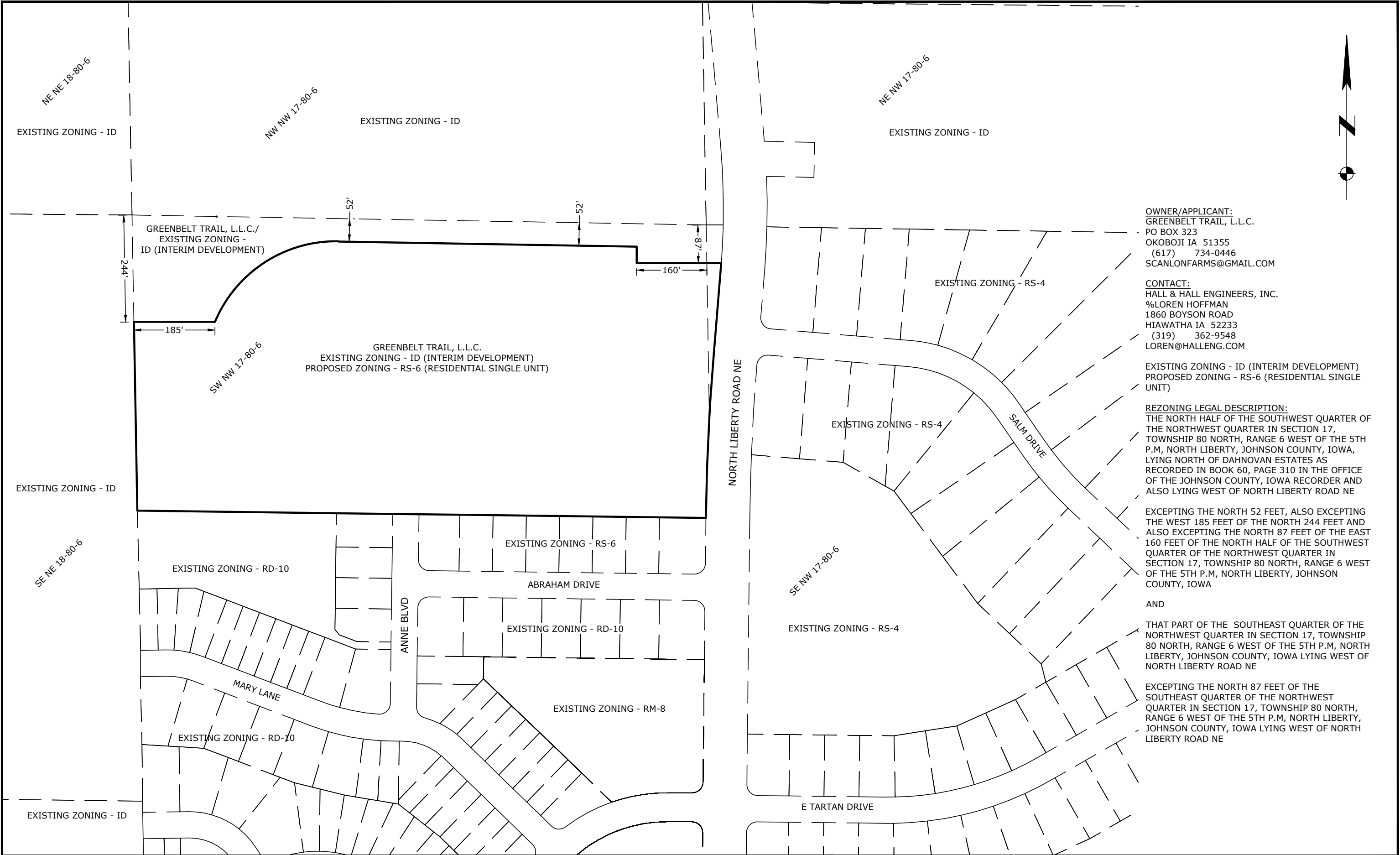
1. The location of this development area near the high school makes it appealing and highly marketable for single-family development.
2. Market conditions. While demand has been significant for duplex and multi-family development, the demand is starting to change based perhaps on saturation in that market.

The map displays the following features:

- Applicant Property:** A yellow rectangular area in the center.
- Residential:** A large yellow area to the north and west of the applicant property.
- Public:** A blue area to the east of the applicant property, representing a body of water.
- Commercial:** A red area to the south of the applicant property.
- Commercial Residential:** A red area with diagonal hatching to the south of the commercial area.
- Streets:**
  - S. DULOUIS ST. (ARTERIAL STREET):** A blue line running diagonally from the bottom left towards the center.
  - NORTH LIBERTY RD. (ARTERIAL STREET):** A red line running vertically along the right side of the map.
- Scale:** A scale bar indicating 0.25 Miles.
- Compass Rose:** A compass rose showing North (N), South (S), East (E), and West (W).
- Legend:** A box in the top right corner titled "Land Use Policy in Area".



Staff recommends approval of the rezoning.



**OWNER/APPLICANT:**  
GREENBELT TRAIL, L.L.C.  
PO BOX 323  
OKOBOJI IA 51355  
(617) 734-0446  
SCANLONFARMS@GMAIL.COM

**CONTACT:**  
HALL & HALL ENGINEERS, INC.  
%LOREN HOFFMAN  
1860 BOYSON ROAD  
HIAWATHA IA 52233  
(319) 362-9548  
LOREN@HALLENG.COM

EXISTING ZONING - ID (INTERIM DEVELOPMENT)  
PROPOSED ZONING - RS-6 (RESIDENTIAL SINGLE UNIT)

**REZONING LEGAL DESCRIPTION:**  
THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER IN SECTION 17, TOWNSHIP 80 NORTH, RANGE 6 WEST OF THE 5TH P.M, NORTH LIBERTY, JOHNSON COUNTY, IOWA, LYING NORTH OF DAHNOVAN ESTATES AS RECORDED IN BOOK 60, PAGE 310 IN THE OFFICE OF THE JOHNSON COUNTY, IOWA RECORDER AND ALSO LYING WEST OF NORTH LIBERTY ROAD NE

EXCEPTING THE NORTH 52 FEET, ALSO EXCEPTING THE WEST 185 FEET OF THE NORTH 244 FEET AND ALSO EXCEPTING THE NORTH 87 FEET OF THE EAST 160 FEET OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER IN SECTION 17, TOWNSHIP 80 NORTH, RANGE 6 WEST OF THE 5TH P.M, NORTH LIBERTY, JOHNSON COUNTY, IOWA

AND

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER IN SECTION 17, TOWNSHIP 80 NORTH, RANGE 6 WEST OF THE 5TH P.M, NORTH LIBERTY, JOHNSON COUNTY, IOWA LYING WEST OF NORTH LIBERTY ROAD NE

EXCEPTING THE NORTH 87 FEET OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER IN SECTION 17, TOWNSHIP 80 NORTH, RANGE 6 WEST OF THE 5TH P.M, NORTH LIBERTY, JOHNSON COUNTY, IOWA LYING WEST OF NORTH LIBERTY ROAD NE

DRAWN BY: SKF				
CHECKED BY: LMH				
APPROVED BY: LMH				
DATE: 05/01/2019				
FIELD BOOK: NA	NO.	REVISION DESCRIPTION	APPROVED	DATE



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GREENBELT TRAIL ADDITION	REZONING EXHIBIT	SHEET 1 OF 1
IN THE CITY OF NORTH LIBERTY, JOHNSON COUNTY, IOWA	SCALE: 1"=200' PROJECT NO: 9749-GBT1	



May 30, 2019

## **Memo**

To: North Liberty Planning Commission

From: Dean Wheatley, Planning Director

Subject: Revised Site Plan for Tin Rooster Restaurant to establish a grassy lawn area for customer use near the current patio

(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:

Ryan Heiar, City Administrator

Tracey Mulcahey, Assistant City Administrator

Tom Palmer, City Building Official

Grant Lientz, City Attorney

Kevin Trom, City Engineer

Dean Wheatley, Planning Director

This request, if approved, will permit the establishment and limited use of a large lawn area beyond the patio currently used for outside eating at the Tin Roost restaurant, located at the southwest corner of West Penn Street and Community Drive. The property is zoned C-2-A Commercial, and the proposed fenced lawn 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 original outside eating area was approved in 2016 as part of the original restaurant plans. At that time the staff report noted:

*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.*

It is accurate to report that the City has needed to deal with several complaints about loud music over the past 18 months. The owners have assured staff that they have shifted the nature of their outside music from loud multi-instrument acts to more acoustic offerings, and have limited the hours of music to end at 9:00 PM rather than the previous 10:00 PM.

The Zoning Ordinance specifies provisions that apply to every outdoor eating accessory use; however, this new proposed area would not technically be considered the same way an outdoor eating area accessory use as approved for the existing patio. This area would be much less formal, and is described by the owner as follows:



*The intention of Tin Roost is to extend our ability for guests to be able to take advantage of our lawn area while enjoying alcoholic beverages. We have recently purchased adult and kid friendly yard games, as examples: such as giant checkers, ladder toss (golf toss) and bags (cornhole) etc. We are not planning on any permanent structure in the lawn area. We are planning on putting up the signs that say no alcohol beyond this point at the entrance of our sidewalk to the East and south (that connects the city sidewalk with our sidewalk) and along our East property line along our sidewalk next to the parking lot.*

Staff proposes the following conditions to control its limited use:

1. A fence shall be constructed by the owners and maintained around the requested area.
2. There will be no lighting other than that existing for the permanent restaurant.
3. Uses for the lawn area include but are not limited to eating, drinking, various outdoor lawn games such as “bags”, children’s games, and similar uses. Owners will contact the City regarding special events intended to draw a crowd beyond that expected with normal restaurant operations.
4. No kegs, tappers, grills, or other eating or drinking serving equipment, temporary or permanent, shall be used in the lawn area.
5. No permanent tables or chairs are permitted in the lawn area, and no food or alcohol service shall be provided there. Food and drink may be consumed there.
6. No activities are permitted on the lawn area after dark each day, generally defined as one-half hour after sunset.
7. No equipment shall be stored in the lawn area when not in use.
8. No garbage will be allowed to remain on the lawn area when not in use.
9. Placement of typical backyard or playground equipment is to be approved by the City prior to purchase and installation.
10. A building permit will need to be obtained from Building Department for construction of the area.

Staff recommends approval of the revised site plan with the conditions shown above.

## Details of the revised site plan





## **NORTH LIBERTY PLANNING COMMISSION**

Minutes

May 7, 2019

North Liberty City Council Chambers, 1 Quail Creek Circle

### **Roll Call**

Chair Ronda Detlefsen called the May 7, 2019 Regular Session of the North Liberty Planning Commission to order at 6:31 p.m. Commission members present: Ronda Detlefsen, Jason Heisler, Becky Keogh, Kiley Pentecost and Pat Staber; absent: Jennifer Bleil and Adam Gebhart.

Others present: Dean Wheatley, Ryan Heiar, Tracey Mulcahey, Grant Lientz, Kevin Trom, Joel Miller and other interested parties.

Heiar introduced the new City Attorney, Grant Lientz.

Bleil arrived at 6:32 p.m.

### **Agenda Approval**

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

### **Penn Street Group LLC Site Plan**

#### *Staff Presentation*

Wheatley presented the request of Penn Street Group LLC to approve a commercial site plan for Lot 10 of Liberty Centre, Part One, located on Community Drive west of Ranshaw Way/965. Staff recommends approval of the application with no conditions.

#### *Applicants Presentation*

Ben Mitchell, MMS Consultants, was present on behalf of the applicant and offered to answer questions.

#### *Public Comments*

No public comments were offered.

#### *Questions and Comments*

The Commission discussed the application including the need for this service in the community, outdoor play areas, and traffic flow and impact.

*Recommendation to the City Council*

Pentecost moved, Staber seconded to recommend approval of the site plan application with no conditions. The vote was: ayes – Heisler, Detlefsen, Staber, Pentecost, Keogh, Bleil; nays – none. Motion carried.

**Approval of previous Minutes**

Bleil moved, Staber seconded to approve the minutes of the April 2 meeting. The vote was all ayes. Minutes approved.

**Old Business**

Wheatley reported that he conveyed the Commission's concerns regarding parking at The Preserve to Council. Council approved as presented.

**New Business**

Wheatley reported that next month's agenda will have a code amendment and a rezoning request close to Liberty High School.

**Adjournment**

At 6:43 p.m., Staber moved, Keogh seconded to adjourn. The vote was all ayes. Meeting adjourned.