



**North Liberty City Council
Regular Session
April 12, 2022**



City Administrator Memo



To **Mayor and City Council**
From **Ryan Heiar, City Administrator**
Date **April 8, 2022**
Re **City Council Agenda April 12, 2022**

Consent Agenda

The following items are on the consent agenda and included in the packet:

- City Council Minutes (03/22/22 & 03/23/22)
- Claims
- Liquor Licenses
 - Smokin’ Joes (Renewal)
 - The Depot (Renewal)
 - The Med Spa (New)
- Change Order # 8, Ranshaw Way, Phase 5 Project, Peterson Contractors, Inc., \$4,100
- Pay Application # 11, Ranshaw Way, Phase 5 Project, Peterson Contractors, Inc., \$69,104.80

Meetings & Events

Tuesday, Apr 12 at 6:30p.m.
City Council

Monday, Apr 18 at 4:30p.m.
Joint Government Meeting

Monday, Apr 18 at 7:00p.m.
Library Board

Tuesday, Apr 26 at 6:30p.m.
City Council

Archie’s Brake & Lube Site Plan

This commercial site plan proposes a 5,875 square foot, five-bay vehicle repair facility and related infrastructure at 1040 Liberty Way. Archie’s Brake and Lube would be relocated from an industrial tenant space on Nathan Avenue to this location in Liberty Centre, which continues to build out. The building is well designed and includes the use of masonry, window glazing (particularly in the overhead doors) and building articulation. The site plan includes recently approved enhancements to the Zoning Code including landscape islands with trees and additional trees adjacent to the off-street parking areas. The Planning Commission unanimously recommended approval of the site plan at its April 5, 2022 meeting. Staff also recommends approval of the site plan.

Forevergreen Estates

This preliminary plat – northeast corner of West Forevergreen Road and South Kansas Avenue – proposes 128 lots on 109.46 acres. The subdivision is generally consistent with the concept plan, which accompanied the rezoning. The preliminary plat includes a roundabout at the intersection of Remley Street and South Alexander Way and an additional stub street to the north property line, both of which were requested by City Staff. The preliminary plat also proposes an 8’ wide multi-use paths along Remley Street, South Alexander Way and South Kansas Avenue. A good neighbor meeting was held on

March 21, 2022 and four adjacent property owners attended. The adjacent property owners to the north attended the good neighbor meeting and the April 5, 2022 Planning Commission meeting. They expressed several concerns of which the primary was a shared low spot between the two properties that has no immediate stormwater outfall. The preliminary plat proposes to capture up to the 100-year storm on its property and outfall it to the south. Staff is generally agreeable to the solution and will ensure plans meet engineering standards during review of the construction plans. The other major concern was maintenance of the agricultural fence between the two properties. Staff and the Planning Commission are recommending a condition, which is stated in the resolution, that addresses this concern. Staff recommends approval of the preliminary plat.

Colony Annexation

City staff has been working with the Colonys over the past couple of years to facilitate bringing the Colony Pumpkin Patch and family farm into City limits. In consideration of the potential annexation, staff collaborated with the Colonys to write and propose an Agricultural Experience use and regulations in the zoning code, which was approved in July 2021. The Board of Adjustment unanimously approved a Conditional Use, subject to formal annexation, on February 2, 2022. The Colonys have committed to annexing the remainder of the family farm; however, it will be part of a much larger annexation involving various land owners at a later date. The Colonys are requesting the right to continue hunting on the property, in accordance with IDNR regulations, and the depredation agreement on the agenda will allow them to do so. This undertaking highlights the City's approach to collaborate and adapt City regulations to fit the needs and desires of the community. City water service and sanitary sewer service are immediately available to the site. All other typical city services will be provided upon annexation, including street maintenance (already managed by the City), police, fire, refuse pickup, building inspections and enforcement, and others. All required notifications have been made and no objections to the annexation have been received. Staff recommends approval of the annexation and related agreement.

CMW Properties, LLC Annexation

CMW Properties, LLC. is requesting annexation of 3.41 acres – east side of North Liberty Road south of South Dubuque Street – into the city. This property would be combined with the three properties directly to the north and would facilitate a potential mixed-use development. This annexation is consistent with the annexation agreement with Coralville. City water service and sanitary sewer service are immediately available to the site. All other typical city services will be provided upon annexation, including, police, fire, refuse pickup, building inspections and enforcement, and others. All required

notifications have been made and no objections to the annexation have been received. Staff recommends approval of the annexation.

Commercial Drive Extension

The City Council approved the purchase of property needed to extend Commercial Drive at the March 22 meeting. The proposed reimbursement resolution will allow the City to borrow, in the future, for the purchase of this land as well as for the construction of the project. Staff recommends approval of the resolution to maintain compliance with IRS municipal borrowing regulations.

Jones Boulevard Extension Project

The plans and specification for the extension of Jones Boulevard, from Penn Street to 240th Street, are completed and ready for Council approval. A full set of plans is available at City Hall for review. Bids for the project will be accepted on April 19 and a recommendation of award will be included on the April 26 Council agenda. Staff recommends approval of the plans and specifications.

Wastewater Treatment Plant Facility Plan Update

The most recent Wastewater Treatment Facility Plan was updated in 2014 and resulted in the plant upgrades and expansion that was completed in 2018. It is imperative to keep the facility plan updated in order to comply with IDNR and EPA regulations and to continue to stay ahead of the community's population growth. Staff is recommending approval of the proposal from Fox Strand in the amount of \$115,400, which will update the current plan by completing the tasks described in Part 1, A1.01. Steve Troyer with Fox Strand and WWTP Superintendent Drew Lammers will be at Tuesday's meeting to offer additional information as requested. Staff recommends approval of the proposal.

Goose Lake HOA Agreement

The Goose Lake Condominium Owner's Association would like to install anti-erosion controls (riprap) around that portion of Goose Lake which is adjacent to their property and owned by the City. This agreement allows the Association to do so, subject to approval and inspection by the City, and subject to the association insuring and indemnifying the City against loss or damage. Staff recommends approval.

Zoning Ordinance Amendment, First Reading

This minor amendment to the Zoning Code proposed by City staff addresses oversights and scrivener errors discovered after the most recent large Zoning Code update.

Specifically, the amendments address overhead doors, residential garage size and corrects two code references. These mini-amendments are common with large updates and staff anticipates there will be subsequent requested changes. The Planning Commission unanimously recommended approval of the Ordinance at its April 5, 2022 meeting. Staff recommends approval as well.

Solomon Holdings, LLC, Rezoning, Third & Final Reading and Preliminary Plat

Solomon Holdings, LLC is requesting a zoning map amendment to two residential districts and one commercial district on 71.48 acres, situated north of Penn Street, south of 240th Street, and west of future North Jones Boulevard.

The rezoning will allow development of a variety of housing types and unspecified commercial uses:

- The RS-9 Single-Unit Dwelling District was created in 2017 to allow smaller lots. 50' wide lots would be toward the north end of the property and 60' wide lots would be more toward the interior. If approved, this would be the first RS-9 zoned subdivision in the City.
- The RM-21 Multiple-Unit Dwelling District portion would facilitate a higher-end apartment development with amenities such as a clubhouse with a pool, walking trails and a pier. The concept plan depicts 420 units in nine buildings, so this would be a large development that would take several years to build out. Staff is requiring a traffic study to analyze the traffic distribution and to ensure there are no traffic safety concerns.
- The W. Penn Street frontage would contain four C-2-A zoned lots. There would be a public street between the commercial and multi-family development, which would allow access for both developments.

The preliminary plat proposes 118 lots on 76.97 acres. The City has designed and anticipates bidding soon the construction of North Jones Boulevard, bordering the east side of this plat. Relatedly, the preliminary site plan on the RM-21 zoned portion of the development proposes 352 higher-end multi-unit residences in eight buildings and related recreational amenities and site improvements on approximately 25.11 acres. The proposed buildings are well designed and include the use of masonry, window glazing and building articulation. The City required a traffic study to provide trip generation and distribution assumptions for the overall development and to determine what intersection geometric and traffic control improvements would be anticipated to be needed for the various phased construction of the proposed development. The traffic study

recommends a (developer-funded) off-site street and traffic signal adjacent to the southwest corner of the property. The developer has been in discussions with the property owner to the west regarding cooperation with this effort. The timing of the off-site street and traffic signal are dependent upon the timing of development of multi-unit and commercial properties. Notably, recently approved changes to the Zoning Code facilitated the preliminary site plan being included at this stage of the process and not at a future date. Also apparent by the recent Zoning Code enhancements are the amount landscape islands with trees and additional trees adjacent to the off-street parking areas.

The Planning Commission recommended approval of the rezoning at their March meeting, subject to the preliminary plat and preliminary site plan being approved at the third and final reading of the rezoning. The Commission unanimously recommended approval of the preliminary plat and preliminary site plan at its April 5, 2022 meeting. This is a complex development and new information was learned and some information was clarified subsequent to the Planning Commission meeting. Therefore, staff is requesting modifications to the two substantive conditions recommended by the Planning Commission. These relate to the timing of the off-site street and signal and are included in the resolution. Staff recommends approval of the rezoning, preliminary plat and preliminary site plan.

Smoke/Nicotine Free Places Ordinance, Third & Final Reading

Johnson County Public Health recommended an amendment of the Smoke-free Air Act to the Park Board on January 6. The Park Board has in turn recommended the Council adopt an amendment to the City Code designating City parks and trails as tobacco and nicotine-free places.

Matnic Rezoning, Second Reading

Matnic, LLC – located at the northeast corner of North Front Street and Jaro Way – is requesting a rezoning from RS-3 Single-Unit Residence District to RM-21 Multi-Unit Residence District. The applicant has indicated that the rezoning is to facilitate redevelopment of the property with two 12-unit multi-family buildings and a detached garage. There is RM-21 zoning to the north and west and RM-8 to the east and south. The RM-8 was recently approved by the City Council for the property to the east and south. The RM-8 zoned development contains 20 units on 4.10 acres. The applicant is part owner of this development and is not able to combine this and subject property due to the ownership structure. However, when analyzed from a density perspective, the density of the two developments would be 44 units on 5.58 acres or 7.89 units to the acre. There

have been some concerns expressed of the demolition of the existing residence. This property is not listed on the National Register of Historic Places. Even if it were, the property owner would be entitled under Federal and City regulations to demolish the building. Staff has received one objection from the property owner located at 110 Jefferson Lane. The property owner expressed that he would like for the property to developed with single-unit residences. A good neighbor meeting was held on February 10, 2022. Two people attended the meeting and had general questions about the proposed development. The Planning Commission unanimously recommended approval of the request at 3/1/2022 meeting. Staff recommends approval as well.



Agenda



City Council

April 12, 2022

6:30 p.m.

Regular Session

Council Chambers

1 Quail Creek Circle

1. Call to order
2. Roll call
3. Approval of the Agenda
4. Consent Agenda
 - A. City Council Minutes, Regular Session, March 22, 2022
 - B. City Council Minutes, Special Session, March 23, 2022
 - C. Claims
 - D. Liquor License Renewal, Smokin' Joes
 - E. Liquor License Renewal, The Depot
 - F. Liquor License Application, Revitalize U
 - G. Ranshaw Way Phase 5 Project, Change Order Number 8, PCI, \$4,100
 - H. Ranshaw Way Phase 5 Project, Pay Application Number 11, PCI, \$69,104.80
5. Public Comment
6. City Engineer Report
7. City Administrator Report
8. Mayor Report
 - A. Proclamation of Housing Trust Fund Week
9. Council Reports
10. Archies Brake and Lube Site Plan
 - A. Staff and Commission recommendations
 - B. Applicant presentation
 - C. Resolution Number 2022-29, A Resolution approving the Development Site Plan for Lot 2 Liberty Centre – Part One, North Liberty, Iowa
11. Forevergreen Estates
 - A. Staff and Commission recommendations
 - B. Applicant presentation

- C. Resolution Number 2022-30, A Resolution approving the Preliminary Plat for Forevergreen Estates, North Liberty, Iowa
12. Colony Annexation
 - A. Resolution Number 2022-08, A Resolution approving annexation of certain property to the City of North Liberty
 - B. Resolution Number 2022-09, A Resolution approving the Wildlife Conservation and Depredation Agreement between the City of North Liberty, Colony 1927, LLC
 13. CMW Properties, LLC Annexation
 - A. Resolution Number 2022-31, A Resolution approving annexation of certain property to the City of North Liberty
 14. Commercial Drive Extension
 - A. Resolution Number 2022-32, A Resolution relating to the financing of certain proposed projects to be undertaken by the City of North Liberty, Iowa; establishing compliance with Reimbursement Bond Regulations under the Internal Revenue Code
 15. Jones Boulevard Extension Project
 - A. Public Hearing regarding proposed plans, specifications, and estimate of cost
 - B. Resolution Number 2022-33, A Resolution finally approving and confirming plans, specifications, and estimate of cost for the Jones Boulevard Extension Project
 16. Waste Water Treatment Plant Facility Plan Update
 - A. Resolution Number 2022-34, A Resolution approving Task Order Number 7037.011 between the City of North Liberty and Fox Strand Engineering for the 2022 Wastewater Treatment Plant Facility Plan
 17. Goose Lake Owner's Association Agreement
 - A. Resolution Number 2022-35, A Resolution approving the Indemnification Agreement and Consent between the City of North Liberty and Goose Lake Estates Condominiums Owners Association, Inc.
 18. Zoning Ordinance Amendment
 - A. Public Hearing regarding proposed Zoning Ordinance amendments

- B. First consideration of Ordinance Number 2022-09, An Ordinance amending Section 167.01 regarding the definition of "Masonry, Required", Section 168.07(27)(9) regarding design standards for attached garages and Sections 168.07(76) and 168.07(77) correcting scrivener's errors
19. Solomon Holdings, LLC
- A. Third consideration and adoption of Ordinance Number 2022-07, An Ordinance amending Chapter 167 of the North Liberty Code of Ordinances by amending the use regulations on property located on the north side of West Penn Street west of North Jones Boulevard as extended northerly from West Penn Street to 240th Street located in North Liberty, Iowa to those set forth in the Municipal Code for the RS-9 Single-Unit Residence District, RM-21 Multiple-Unit Residence District and C-2-A Highway Commercial District
 - B. Staff and Commission recommendation regarding the preliminary plat
 - C. Applicant presentation
 - D. Resolution Number 2022-36, A Resolution approving the Preliminary Plat for Solomon's Landing, North Liberty, Iowa
 - E. Staff and Commission recommendation regarding The Emory Site Plan
 - F. Applicant presentation
 - G. Resolution Number 2022-37, A Resolution approving the Development Site Plan for Solomon's Landing Apartments, North Liberty, Iowa
20. Nicotine Product Free Places
- A. Third consideration and adoption of Ordinance Number 2022-06, An Ordinance Amending Chapter 49 of the North Liberty Code of Ordinances to prohibit Nicotine Products in Parks and on Trails
21. Matnic Rezoning
- A. Second consideration of Ordinance Number 2022-08, An Ordinance amending Chapter 167 of the North Liberty Code of Ordinances by amending the use regulations on property located at 10 Jaro Way located in North Liberty, Iowa to those set forth in the Municipal Code for the RM-21 Multiple-Unit Residential District
22. Old Business
23. New Business
24. Adjournment



Consent Agenda

City Council
March 22, 2022
Regular Session

Call to order

Mayor Chris Hoffman called the March 22, 2022 Regular Session of the North Liberty City Council to order at 6:30 p.m. Councilors present: Ashley Bermel, RaQuishia Harrington, Erek Sittig, Brent Smith, Brian Wayson; absent –none.

Others present: Ryan Heiar, Mary Byers, Ryan Rusnak, Kevin Trom, Grant Lientz, Matt Lepic, V Fixmer-Oraiz, and other interested parties.

Approval of the Agenda

Harrington moved; Wayson seconded to approve the agenda. The vote was all ayes. Agenda approved.

Consent Agenda

Smith moved, Harrington seconded to approve the Consent Agenda including the City Council Minutes from the Regular Session on March 8, 2022; the attached list of claims; Ranshaw House Project, Wolfe Contracting, Inc., Pay Application Number 5, \$32,767.53; Ranshaw House Project, Wolfe Contracting, Inc., Project Acceptance; SW Growth Area Water & Sanitary Sewer Extensions, Boomerang, Change Order Number 3, (\$200,965.79); SW Growth Area Water & Sanitary Sewer Extensions, Boomerang, Pay Application Number 13, \$107,107.06; SW Growth Area Water & Sanitary Sewer Extensions, Boomerang, Project Acceptance. The vote was all ayes. Consent Agenda approved.

Public Comment

No public comment was offered.

City Engineer Report

City Engineer Trom reported that the contractor will be setting up for traffic control on Thursday for Ranshaw Way, Phase Five continuation. Relocation of the private utilities continues on the Dubuque Street Project and the contractor begins Monday. The City Hall Project will be ready for staff review mid-April and will go out for bid late summer. Jones Blvd. Extension Project is scheduled for a Public Hearing April 12th and bid opening April 19th. Bids are due April 7th for the roof replacement at the Recreation Center. City staff should have the first draft by mid-April for the Facility Plan.

City Administrator Report

City Administrator Heiar spoke on the large attendance on Zoom meetings for city projects and information videos. Heiar went to Washington DC with Coralville City Administrator, Kelly

Hayworth, to meet with legislators on future road projects shared with both North Liberty and Coralville and possible federal funding that would be available.

Mayor Report

Mayor Hoffman proclaimed April as Child Abuse Prevention Month. Hoffman reported on the statewide tornado drill scheduled for tomorrow weather permitting. Hoffman thanked city staff for the technical miracle they gave for the Zoom meeting last night.

Council Reports

Councilor Wayson also commented on the statewide tornado drills and reminded people to be sure their weather radios are up and going.

Councilor Sittig reported Blues and BBQ is scheduled for July 9th and the summer booklet is out with upcoming summer programs at the Rec Center.

Inclusive Economic Development Plan in Johnson County

V Fixmer-Oraiz, with Astig Planning, addressed the council on an inclusive economic development plan that's being worked on in collaboration with ICAD and other business partners.

Matric Rezoning

Rusnak reported that staff and the Planning Commission recommended approval.

Matt Lepic, owner of the property, was present and addressed questions from the council.

Wayson moved, Smith seconded to approve the first consideration of Ordinance Number 2022-08, An Ordinance amending Chapter 167 of the North Liberty Code of Ordinances by amending the use regulations on property located at 10 Jaro Way located in North Liberty, Iowa to those set forth in the Municipal Code for the RM-21 Multiple-Unit Residential District. The vote was: ayes- Smith, Harrington, Wayson, Bermel, Sittig; nays – none. Motion carried.

Scanlon & Penn Township Annexation

At 7:10 p.m., Mayor Hoffman opened the public hearing regarding the proposed annexation. No oral or written comments were received. The public hearing was closed.

Smith moved, Sittig seconded to approve Resolution Number 2022-22, A Resolution approving annexation of certain property to the City of North Liberty, Iowa. The vote was: ayes – Sittig, Harrington, Wayson, Smith, Bermel; nays – none. Motion carried.

Electric Service Agreement

Smith moved, Harrington seconded to approve Resolution Number 2022-23, A Resolution approving the Electric Service Agreement between Interstate Power and Light Company and the City of North Liberty. The vote was: ayes – Sittig, Smith, Bermel, Wayson, Harrington; nays – none. Motion carried.

Community Center Roof Replacement Project

At 7:18 p.m., Mayor Hoffman opened the public hearing on plans, specifications, and estimate of cost for the Community Center Roof Replacement Project. No oral or written comments were received. The public hearing was closed.

Harrington moved, Wayson seconded to approve Resolution Number 2022-24, A Resolution approving and confirming plans, specifications, and estimate of cost for the Community Center Roof Replacement Project. The vote was: ayes – Wayson, Sittig, Smith, Harrington, Bermel; nays – none. Motion carried.

The Preserve Part 1

Sittig moved, Bermel seconded to approve Resolution Number 2022-25. A Resolution approving the Escrow Agreement for Lot 1, The Preserve Part One between the City of North Liberty and Watts Group Development, Inc. The vote was: ayes – Harrington, Wayson, Bermel, Smith, Sittig; nays – none. Motion carried.

SW Growth Area Water & Sanitary Sewer Extension Project

Wayson moved, Harrington seconded to approve Resolution Number 2022-26, A Resolution approving the Settlement Agreement and Release between the City of North Liberty and James M. Seelman and Beverly A. Seelman. The vote was: ayes – Wayson, Smith, Harrington, Sittig, Bermel; nays – none. Motion carried.

Commercial Drive Extension

Smith moved, Wayson seconded to approve Resolution Number 2022-27, A Resolution approving the Settlement Agreement and accepting the Warranty Deed between the City of North Liberty and the Estate of William Simmons. The vote was: ayes – Sittig, Bermel, Smith, Wayson, Harrington; nays – none. Motion carried.

Solomon Holdings, LLC

Wayson moved, Harrington seconded to approve Resolution Number 2022-28, A Resolution approving the Easement Agreements and accepting the Warranty Deed between the City of North Liberty and Solomon Holdings, LLC. The vote was: ayes – Bermel, Smith, Sittig, Wayson, Harrington; nays – none. Motion carried.

Smith moved, Wayson seconded to approve the second consideration of Ordinance Number 2022-07, An Ordinance amending Chapter 167 of the North Liberty Code of Ordinances by amending the use regulations on property located on the north side of West Penn Street west of North Jones Boulevard as extended northerly from West Penn Street to 240th Street located in North Liberty, Iowa to those set forth in the Municipal Code for the RS-9 Single-Unit Residence District, RM-21 Multiple-Unit Residence District and C-2-A Highway Commercial District. The vote was: ayes – Wayson, Smith, Bermel, Sittig, Harrington; nays – none. Motion carried.

Nicotine Product Free Places

Wayson moved, Harrington seconded to approve the second consideration of Ordinance Number 2022-06, An Ordinance Amending Chapter 49 of the North Liberty Code of Ordinances to prohibit Nicotine Products in Parks and on Trails. The vote was: ayes – Harrington, Bermel, Wayson, Sittig, Smith; nays – none. Motion carried.

Old Business

No old business was presented.

New Business

No new business was presented.

Adjournment

Harrington moved, Wayson seconded to adjourn at 7:30 p.m. The vote was all ayes. Meeting adjourned.

CITY OF NORTH LIBERTY

By: _____
Chris Hoffman, Mayor

Attest: _____
Mary Byers, Deputy City Clerk



City Council
March 23, 2022
Special Session

Call to order

Mayor Chris Hoffman called the March 23, 2022 Special Session of the North Liberty City Council to order at 6:30 p.m. Councilors present: Ashley Bermel, RaQuishia Harrington, Erek Sittig, Brent Smith, Brian Wayson; absent –none.

Others present: Ryan Heiar and Elizabeth Hanson.

Approval of the Agenda

Wayson moved; Harrington seconded to approve the agenda. The vote was all ayes. Agenda approved.

Goal Setting Work Session

The City Council with Elizabeth Hanson conducted goal setting for 2022 to 2024.

Adjournment

Harrington moved, Wayson seconded to adjourn at 8:25 p.m. The vote was all ayes. Meeting adjourned.

CITY OF NORTH LIBERTY

By: _____
Chris Hoffman, Mayor

Attest: _____
Tracey Mulcahey, City Clerk

Services <<https://directory.iowa.gov/service/Index?>

[ga=1.101492737.1604613096.1488473035&ia_slv=1649081752780](https://directory.iowa.gov/service/Index?ga=1.101492737.1604613096.1488473035&ia_slv=1649081752780)>

License Application (LE0001348)

Agencies <https://directory.iowa.gov/?ia_slv=1649081752780>

Social <https://directory.iowa.gov/social/Index?ia_slv=1649081752780>

<https://www.iowa.gov/search/google?ia_slv=1649081752780>

▪ Applicant

Name of Legal Entity : The Outlet Inc

Name of Business(DBA) : Smokin' Joe's Tobacco and Liquor Outlet # 12

Address of Premises : 465 Hwy. 965 Unit G

City : North Liberty

County : Johnson

Zip : 52317

Business : (563) 322-8340

Mailing Address: 1916 N. Sturdevant St.

City : Davenport

State : Iowa

Zip : 52804

▪ Contact Person

Name : Deb Schnyder

Phone : (319) 560-3457

Email : licensing@smokinjoesoutlets.com

- **License Information**

License Number : LE0001348

License/Permit Type : Class E Liquor License

Term : 12 Month

Status : Submitted to Local Authority

Effective Date : 2021-07-01

Expiration Date : 2022-06-30

Sub-Permits : Class E Liquor License, Class C Beer Permit, Class B Wine Permit

Privileges : Sunday Sales

Last Day of Business :

- **Status of Business**

Business Type : Privately Held Corporation

- **Ownership**

Joseph S. DePaepe Trust

Federal Id : 87-6968982

City : Davenport

State : Iowa

Zip : 52804

% of ownership : 100

Anthony Gripp

City : Davenport

State : Iowa

Zip : 52807

Position : Owner

% of ownership :

U.S. Citizen : Yes

- **Insurance Company Information**

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North Liberty Police Department

340 N Main St•PO Box 77•North Liberty, Iowa•52317•(319) 626-5724/Fax: 5743

April 4, 2022

Liquor License Check

Business: Smokin' Joe's Tobacco & Liquor
465 S Hwy 965
North Liberty, IA 52317

Owners: Anthony Gripp(DOB: 1988)

The North Liberty Police Department does not have any documented contacts with the owner(s) or premise in conflict with their liquor license.

I recommend the license be granted.

This record check was conducted by Sergeant Mitch Seymour.



Services <<https://directory.iowa.gov/service/Index?>

[ga=1.101492737.1604613096.1488473035&ia_slv=1649082150493](https://www.google.com/search?ga=1.101492737.1604613096.1488473035&ia_slv=1649082150493)>

License Application (LE0002978)

Agencies <https://directory.iowa.gov/?ia_slv=1649082150493>

Social <https://directory.iowa.gov/social/Index?ia_slv=1649082150493>

<https://www.iowa.gov/search/google?ia_slv=1649082150493>

▪ Applicant

Name of Legal Entity : The Depot North Liberty LLC

Name of Business(DBA) : The Depot North Liberty LLC

Address of Premises : 1290 S Dubuque St

City : North Liberty

County : Johnson

Zip : 52317

Business : (319) 545-9514

Mailing Address: 221 W Marengo Rd

City : Tiffin

State : Iowa

Zip : 52340

▪ Contact Person

Name : David Scheetz

Phone : (319) 545-9514

Email : info@thedepotexpress.com

- **License Information**

License Number : LE0002978

License/Permit Type : Class E Liquor License

Term : 12 Month

Status : Submitted to Local Authority

Effective Date : 2021-12-01

Expiration Date : 2022-11-30

Sub-Permits : Class E Liquor License, Class C Beer Permit, Class B Wine Permit

Privileges : Sunday Sales

Last Day of Business :

- **Status of Business**

Business Type : Limited Liability Company

- **Ownership**

David Scheetz

City : Oxford

State : Iowa

Zip : 52322

Position : Owner

% of ownership : 50

U.S. Citizen : Yes

Matthew Scheetz

City : Tiffin

State : Iowa

Zip : 52340

Position : Owner

% of ownership : 50

U.S. Citizen : Yes

- **Insurance Company Information**

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North Liberty Police Department

340 N Main St•PO Box 77•North Liberty, Iowa•52317•(319) 626-5724/Fax: 5743

April 4, 2022

Liquor License Check

Business: The Depot Express
1290 S. Dubuque Street
North Liberty, IA 52317

Owners:

1. Matthew Scheetz (DOB: 1979)
2. David Scheetz (DOB: 1981)

The North Liberty Police Department does not have any documented contacts with the owners or premise in conflict with their liquor license.

I recommend the license be granted.

This record check was conducted by Sergeant Mitch Seymour.



Services <[https://directory.iowa.gov/service/Index?
\(App-154341\)](https://directory.iowa.gov/service/Index?ga=1.101492737.1604613096.1488473035&ia_slv=1648143960905)>
Agencies <https://directory.iowa.gov/?ia_slv=1648143960905>

Social <https://directory.iowa.gov/social/Index?ia_slv=1648143960905>

<https://www.iowa.gov/search/google?ia_slv=1648143960905>

License Application

- **Applicant**

Name of Legal Entity : UNIVERSITY OF IOWA COMMUNITY MEDICAL SERVICES AESTHETICS, LLC

Name of Business(DBA) : Revitalize U

Address of Premises : 1750 Jordon Street

City : North Liberty

County : Johnson

Zip : 52317

Business : (319) 467-8358

Mailing Address: 1750 Jordon Street

City : North Liberty

State : Iowa

Zip : 52317

- **Contact Person**

Name : Elizabeth Jagers

Phone : (319) 471-7848

Email : elizabeth-jagers@uiowa.edu

▪ **License Information**

License Number :

License/Permit Type : Class C Liquor License

Term : 12 Month

Status : Submitted to Local Authority

Tentative Effective Date : 2022-04-04

Tentative Expiration Date : 2023-04-03

Sub-Permits : Class C Liquor License

Privileges : Sunday Sales, Outdoor Service

Last Day of Business :

▪ **Status of Business**

Business Type : Limited Liability Company

- **Ownership**

University of Iowa Community Medical Services

Federal Id : 42-1454252

City : Coralville

State : Iowa

Zip : 52241

% of ownership : 100

Elizabeth Jagers

City : Coralville

State : Iowa

Zip : 52241

Position : Owner

% of ownership :

U.S. Citizen : Yes

- **Insurance Company Information**

Insurance Company : Founders Insurance Company

Policy Effective Date : 2022-04-04

Policy Expiration : 2023-04-04

Bond Effective :

Dram Cancel Date :

Outdoor Service Effective :

Outdoor Service Expiration :

Temp Transfer Effective Date :

Temp Transfer Expiration Date :

▪

▪



North Liberty Police Department

340 N Main St•PO Box 77•North Liberty, Iowa•52317•(319) 626-5724/Fax: 5743

March 2, 2021

Liquor License Check

Business: Revitalize U

1750 Jordan St

North Liberty, IA 52317

Owner: Elizabeth Jagers (DOB: 1983)

The North Liberty Police Department does not have any documented contacts with the owners or premise in conflict with their liquor license.

I recommend the license be granted.

This record check was conducted by Sergeant Mitch Seymour.





State of Iowa ABD approval statement from the following county department

Legal Name of Applicant: _____

Name of Business (DBA): Revitalize U

Address of Business: _____

Business Phone: _____

Email: _____

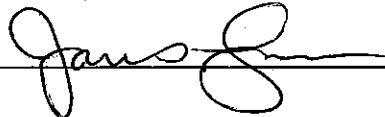
State of Iowa ABD License #: _____

Johnson County Health Department:

The above referenced business possesses a valid Johnson County Public Health food license.

Name: James Lacia

Title: Env. Health Manager Date: 3/4/22

Signature: 

North Liberty Fire Department

Occupancy: **Revitalize U Med Spa and Salon**
Occupancy ID: **995269**
Address: **1750 Jordan ST**
North Liberty IA 52317

Inspection Type: **Liquor License Inspection**

Inspection Date: **4/1/2022** By: **Hardin, Bryan E (01-1022)**

Time In: **14:30** Time Out: **15:25**

Authorized Date: **04/05/2022** By: **Hardin, Bryan E (01-1022)**

Next Inspection Date: **No Inspection Scheduled**



Form: General Fire
Inspection Checklist 1.3

Inspection Description:

ORDER TO COMPLY:

You must correct the violations noted upon receipt of this notice. An inspection to determine compliance with this Notice will be conducted on or after 30 days from the date of inspection. This initial and the first re-inspection are at no charge. If subsequent re-inspections are needed to ensure compliance, you will be charged the current fee schedule. If you fail to comply with this notice, you may be liable for the penalties provided for by law for such violations.

Inspection Topics:

Additional Time Spent on Inspection:

Category	Start Date / Time	End Date / Time
----------	-------------------	-----------------

Notes: No Additional time recorded

Total Additional Time: 0 minutes

Inspection Time: 55 minutes

Total Time: 55 minutes

Summary:

Overall Result: Passed

Inspector Notes:

This inspection was part of the final occupancy inspection. See fire department acceptance inspections for the building permit for additional inspections that were conducted during the construction process. Another inspection will be conducted to verify compliance for last remaining items.

Closing Notes:

Above is the results of your Fire Inspection conducted by the North Liberty Fire Department Department. If you have any questions, please feel free to contact Fire Marshal Bryan Hardin at (319) 626-5709. If you had any violations, please reply back when all corrections are made so we may close out your inspection. Thank you for your time and attention.

Inspector:

Name: Hardin, Bryan E
Rank: Assistant Chief
Work Phone(s): None on file
Email(s): bhardin@northlibertyiowa.org
Hardin, Bryan E:



Signed on: 04/05/2022 12:27

Signature

Date

Representative Signature:

Signature

Date

CHANGE ORDER
For Local Public Agency Projects

No.: 8

Non-Substantial:

Apr 6, 2022

Substantial:

Administering Office
Concurrence Date

Accounting ID No. (5-digit number):37719

Project Number: STP-U-5557(622)--70-52

Contract Work Type: PCC Pavement - Grade & Replace

Local Public Agency: City of North Liberty

Contractor: Peterson Contractors Inc.

Date Prepared: March 23, 2022

You are hereby authorized to make the following changes to the contract documents.

A - Description of change to be made:

8032 - ADD an item for "Mobilization for Watering." (Non-Substantial) Refer to "ITC-18 Revised" posted to the Plans drawer in Doc Express. Work consists of mobilizing for dedicated landscaping watering trips for portions of plant material near the pedestrian underpass if installation and planting is delayed due to aesthetic wall treatment work. Perform work per Standard Specification 2601.

8033 - ADD an item for "Wall Coating Mockups." (Non-Substantial) Refer to "ITC-18 Revised" posted to the Plans drawer in Doc Express. Work consists of providing multiple color mockup samples of mineral silicate coating for Owner review. Perform work per Special Provision for Exterior Specialty Items (SP-156136) as updated in "ITC-18 Revised". Method of Measurement: Item will not be measured separately for payment. Basis of Payment: Lump Sum.

Revise the specifications for Item 1290 Aesthetic Wall Treatment - East and Item 1300 Aesthetic Wall Treatment - West. (Substantial) The sandblasting work on the aesthetic wall items will be replaced with an application of a mineral silicate coating of custom colors. Work shall be performed per "ITC-18 Revised" posted to the Plans drawer in Doc Express, including revised Special Provision for Exterior Specialty Items (SP-156136) as updated in "ITC-18 Revised".

B - Reason for change:

8032 - The timing of the aesthetic wall paint coating is subject to the weather conditions (temperatures), and therefore installation of some landscape plantings around the base of the wall may need to be delayed. This item will apply if additional mobilizations are needed for watering these portions of the landscape plantings around the walls.

8033 - This item covers material and labor costs to obtain and prepare multiple coating colors and mockup layouts for review and Owner approval prior to the full wall application.

Revised specifications for Items 1290 and 1300 - It was determined the mockup of concrete sandblasting work did not provide the desired surface finish. Discussion between the design team and the contractors identified an alternate method for finishing the surface of the cast-in-place concrete walls (as part of the aesthetic wall treatment items).

C - Settlement for cost(s) of change as follows with items addressed in Sections F and/or G:

8032 - Agreed Unit Price

8033 - Agreed Lump Sum

Revised specifications for Items 1290 and 1300 - No Cost Change

D - Justification for cost(s) (See I.M. 6.000, Attachment D, Chapter 2.36, for acceptable justification):

8032 - An agreed upon unit price for the work was established. The cost is less than the DOT predetermined unit price (\$350.00/EA) for the January 2022 letting. The cost includes 10% prime contractor markup per Standard Specification 1109.03,B.,3.

8033 - An agreed upon lump sum price for the work was established. Cost is considered reasonable based on estimated cost of coating materials and labor to prepare multiple mockup installations for Owner review.

Revised specifications for Items 1290 and 1300 - The subcontractor performing the work provided a breakdown of their revised cost to perform the mineral silicate coating. The cost is justified when compared to past bid prices for similar work 2403-7303000 Structural Concrete Coating. There is a \$6,250.00 cost savings by changing to the mineral silicate coating. However, since the scope of the work is changing, this work qualifies as extra work and is eligible for prime contractor markup per Standard Specification 1109.03,B.,3. The Prime Contractor has agreed to utilize the total price of the revised work (\$82,700.00) to determine the prime contractor markup. A 10% markup will be applied to the first \$50,000 of the cost, and a 5% markup will be applied to the remaining cost. This results in a total cost of \$89,335.00, but the Prime Contractor has agreed to reduce their markup by \$385.00 in order for the total cost of the work to match the bid prices for Items 1290 and 1300.

E - Contract time adjustment: No Working Days added Working Days added: _____ Unknown at this time

Justification for selection:

F - Items included in contract:

Participating			For deductions enter as "-x.xx"			
Federal-aid	State-aid	Line Number	Item Description	Unit Price .xx	Quantity .xxx	Amount .xx
<input type="button" value="Add Row"/>				<input type="button" value="Delete Row"/>		TOTAL

G - Items not included in contract:

Participating				For deductions enter as "-x.xx"			
Federal-aid	State-aid	Change Number	Item Number	Item Description	Unit Price .xx	Quantity .xxx	Amount .xx
X		8032	2601-2643300	MOBILIZATION FOR WATERING	\$275.00	12.000	\$3,300.00
X		8033	2599-9999010	WALL COATING MOCKUPS	\$1.00	800.000	\$800.00
<input type="button" value="Add Row"/>				<input type="button" value="Delete Row"/>		TOTAL	\$4,100.00

H. Signatures

Signatures will be applied through DocExpress.

APPLICATION AND CERTIFICATE FOR PAYMENT

TO OWNER:	City of North Liberty 3 Quail Creek Circle P.O. Box 77 North Liberty, Iowa 52317	PROJECT:	Ranshaw Way Phase 5 Improvements STP-U-5557(622)--70-52	APPLICATION NO:	11	Distribution to: <input type="checkbox"/> OWNER <input type="checkbox"/> ARCHITECT <input type="checkbox"/> CONTRACTOR <input type="checkbox"/> ENGINEER
FROM				PERIOD TO:	4/2/22	
CONTRACTOR:	Peterson Contractors, Inc. 104 Blackhawk Street, P.O. Box A Reinbeck, Iowa 50669	VIA ENGINEER:	Shive-Hattery, Inc. 2839 Northgate Drive Iowa City, Iowa 52245	PROJECT NO.:	STP-U-5557(622)--70-52	
				CONTRACT ID:	52-5557-622	
				LETTING DATE:	4/20/21	

CONTRACT FOR: Ranshaw Way Phase 5 Improvements

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet is attached.

1. ORIGINAL CONTRACT SUM	\$	<u>7,882,878.58</u>
2. Net Change by Change Orders	\$	<u>121,667.56</u>
3. CONTRACT SUM TO DATE	\$	<u>8,004,546.14</u>
4. TOTAL COMPLETED & STORED TO DATE	\$	<u>5,930,300.51</u>
5. RETAINAGE 3 % of Completed Work & Stored Material	\$	<u>30,000.00</u>
6. TOTAL EARNED LESS RETAINAGE	\$	<u>5,900,300.51</u>
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$	<u>5,831,195.71</u>
8. CURRENT PAYMENT DUE	\$	<u>69,104.80</u>
9. BALANCE TO FINISH, INCLUDING RETAINAGE	\$	<u>2,104,245.63</u>

(This amount will decrease, as Change Orders do not yet reflect items deleted or decreased in quantity - see summary sheet for est. final totals)

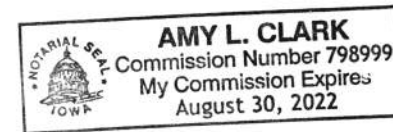
CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$ 458,362.18	\$ 340,794.62
Total approved this Month	\$ 4,100.00	-
TOTALS	\$ 462,462.18	\$ 340,794.62
NET CHANGES by Change Order	\$ 121,667.56	\$ -

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief, the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Peterson Contractors, Inc.
 By: *[Signature]* Date: 4-6-22

State of: Iowa
 County of: Crawford
 Subscribed and sworn to before me this 6th day of April, 2022

Notary Public: *[Signature]*
 My Commission expires: 8-30-22



ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observation and the data comprising this application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED

(Attach explanation if amount certified differs from the the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

\$ **69,104.80**

ENGINEER: *[Signature]*
 By: _____ Date: 04 / 06 / 22

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.



Mayor Report



PROCLAMATION

Housing Trust Fund Week

WHEREAS, the Housing Trust Fund of Johnson County was founded in 2004; and

WHEREAS, for 18 years the Housing Trust Fund of Johnson County has been creating and preserving housing that is affordable; and

WHEREAS, the Housing Trust Fund of Johnson County has committed more than twelve million dollars for housing that is affordable; and

WHEREAS, more than 1,000 units of housing that is affordable have been created and preserved for citizens of Johnson County by the Housing Trust Fund including housing at Penn Oaks Apartments in North Liberty; and

WHEREAS, the City of North Liberty has provided funding for the work accomplished by the Housing Trust Fund of Johnson County; and

WHEREAS, the Housing Trust Fund's Affordable Housing Highlights program will take place on Friday, April 22 at Noon on Zoom and Facebook Live hosted by the Johnson County Affordable Housing Coalition and will be recorded for viewing on the Housing Trust Fund of Johnson County's Facebook page.

THEREFORE, I, Mayor Chris Hoffman, Mayor City of North Liberty, do hereby proclaim April 22-28, 2022

HOUSING TRUST FUND WEEK

and encourage citizens of North Liberty to learn more about the Housing Trust Fund of Johnson County and their mission to promote and support housing that is affordable.

Mayor Chris Hoffman

Signed in North Liberty, Iowa
this 12th day of April, 2022



Archies Brake and Lube Site Plan



April 5, 2022

Chris Hoffman, Mayor
City of North Liberty
3 Quail Creek Circle
North Liberty IA 52317

Re: Request of Archie's Rent A Ride, LLC to approve a Site Plan for a minor vehicle repair facility and related site improvements on approximately 1.5 acres of property located at 1040 Liberty Way.

Mayor Hoffman:

The North Liberty Planning Commission considered the above-reference request at its April 5, 2022 meeting. The Planning Commission took the following action:

Findings:

1. The minor vehicle repair use of the property would be consistent with the current C-2-A District and the Comprehensive Plan Future Land Use Map designation of Commercial; and
2. The site plan would achieve consistency with North Liberty Code of Ordinances Section 165.05(2) entitled, "Preliminary Site Plan Review" and Section 169.10 entitled "Design Standards" and other Code of Ordinance requirements.

Recommendation:

The Planning Commission accepted the two listed findings and forwards the request to approve the site plan to the City Council with a recommendation for approval.

The vote for approval was 6-0.

Josey Bathke, Vice Chairperson
City of North Liberty Planning Commission



To **City of North Liberty Planning Commission**
 From **Ryan Rusnak, AICP**
 Date **April 1, 2022**
 Re **Request of Archie's Rent A Ride, LLC to approve a Site Plan for a minor vehicle repair facility and related site improvements on approximately 1.5 acres of property located at 1040 Liberty Way.**

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
- Grant Lientz, City Attorney
- Tom Palmer, City Building Official
- Kevin Trom, City Engineer
- Ryan Rusnak, Planning Director

1. Request Summary:

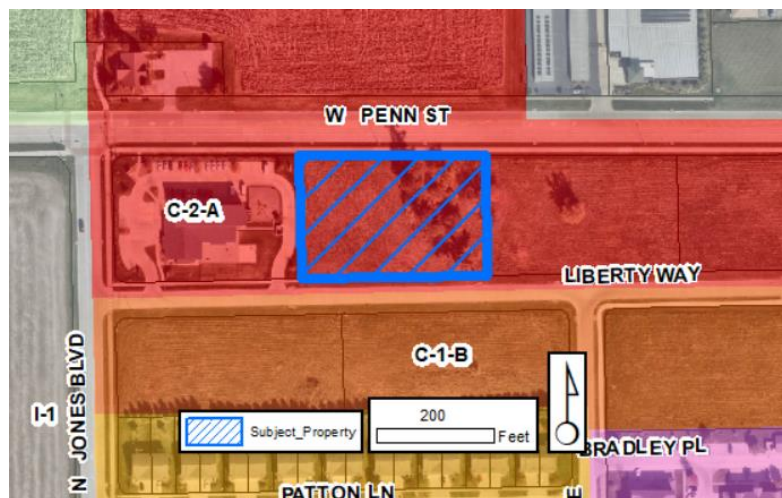
The site plan proposes to construct a 5,875 square foot minor vehicle repair facility and related infrastructure.

2. Existing Zoning:

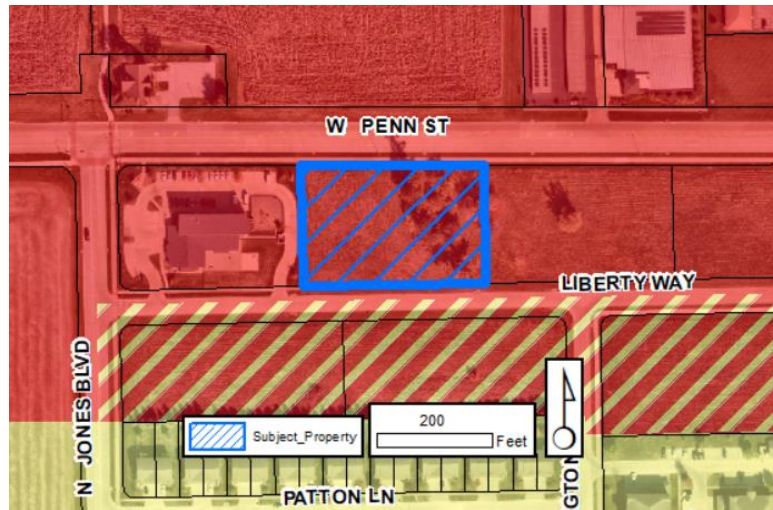
The property is currently zoned C-2-A Highway Commercial District. "Vehicle repair, minor" is listed as a permitted use in the C-2-A District.

C-2-A District Description:

C-2-A Highway Commercial District. The C-2-A District is intended to provide for those commercial uses which may take particular advantage of a highway location and/or due to size or other nuisance constraints may be incompatible with the predominantly retail uses permitted in the C-1-A and C-1-B Commercial Districts, and whose service area is not confined to any one neighborhood or community.



3. **Comprehensive Plan Future Land Use Map Designation:** Commercial. The C-2-A Zoning is consistent with the Commercial Land Use Designation.



The North Liberty Comprehensive Plan articulates the following regarding commercial uses:

The highest densities of more locally-oriented commercial uses are generally planned along Penn Street and along Highway 965. Interstate-related large scale office and mixed-use developments are planned for the Kansas Avenue corridor, especially between Kansas and I-380 and near the planned Forevergreen Road interchange. High visibility from the I-380 corridor presents an excellent opportunity to introduce high-quality office and commercial uses in this “front door” area that may serve both the external demand associated with the I-380 proximity and access and the internal demand generated by substantial recent and planned residential development in the area.

Relevant Comprehensive Plan Policies Related to Land Use:

- Establish and maintain an advantageous property tax situation and pursue a strengthened and sound tax base through a diversification of land uses, including commercial and industrial development, as well as a variety of residential options.

4. Public Input:

No public comments have been received.

5. Approval Standards:

Section 165.05(2) of the North Liberty Code of Ordinances entitled, “Preliminary Site Review” sets forth the approval standards (Ordinance language in *italics* and staff analysis in **bold**).

- *Date, north arrow and graphic scale.* **Provided on Sheet C0.00.**
- *The property owner’s name and description of proposed development.* **Provided on Sheet C0.00.**
- *A vicinity sketch showing the location of the property and other properties within 1,000 feet of it.* **Provided on Sheet C0.00.**

- *Property boundary lines, dimensions, and total area.* **Provided on Sheets C0.00 and C2.00.**
- *Contour lines at intervals of not more than five feet, City datum. If substantial topographic change is proposed, the existing topography shall be illustrated on a separate map and the proposed finished topography shown on the site plan.* **Provided on Sheet C1.00.**
- *The location of existing streets, sidewalks, easements, utilities, drainage courses.* **Provided on Sheet C4.00.**
- *The total square feet of building floor area, both individually and collectively.* **Provided on Sheet C0.00.**
- *All structures and major features shall be fully dimensioned including distance between structures, distance between driveways, parking areas, property lines and building height.* **Provided on Sheet C2.00. Building height is not provided, but it's a one-story building so building height is not a concern.**
- *Off-street parking areas, ingress and egress to the property, number of parking spaces proposed, number of parking spaces required by this code and type of surfacing.* **Provided on Sheets C0.00 and C2.00.**
- *Pedestrian walkways with special consideration given to pedestrian safety.* **Provided on Sheet C2.00. There is a dedicated pedestrian walkway from the West Penn Street sidewalk to the front entrance of the building.**
- *Trash and refuse enclosures.* **Provided on Sheets C2.00 and C5.00.**
- *The general drainage pattern and location of storm water detention features.* **Provided on Sheet C4.00.**
- *The general location, type and size of landscaping and ground cover illustrated in color perspective.* **Provided on landscape rendering.**
- *A rendering, elevation or photo of the proposed development.* **Provided on the architectural rendering.**

North Liberty Code of Ordinances Section 169.10 entitled, "Design Standards" sets forth certain design standards (applicable Ordinance language in italics and staff analysis in bold).

Requirements for All Districts.

- Building design shall be visually harmonious and compatible with the neighborhood character.
- Buildings located on property with double frontages shall have similar wall design facing both streets.
- Except for RS RD,R-MH and ID districts, color schemes shall be primarily based on earth tones. Earth tone colors include colors from the palette of browns, tans, greys, greens, and red. Earth tone colors shall be flat or muted. Building trim and accent areas may feature non-earth tone and brighter colors. In any district, the use of high intensity colors, neon or fluorescent color and neon tubing is prohibited.
- Except in the R-MH district, a minimum roof pitch of 5:12 shall apply to gable, hip, or shed roofs and there shall be a minimum roof overhang at the eaves of 12 inches. This does not apply to portions of a roof that are separate from the structure's primary

roof. Metal roofs shall not be corrugated or similar appearance. The color of the roof shall be visually harmonious and compatible with the building color scheme.

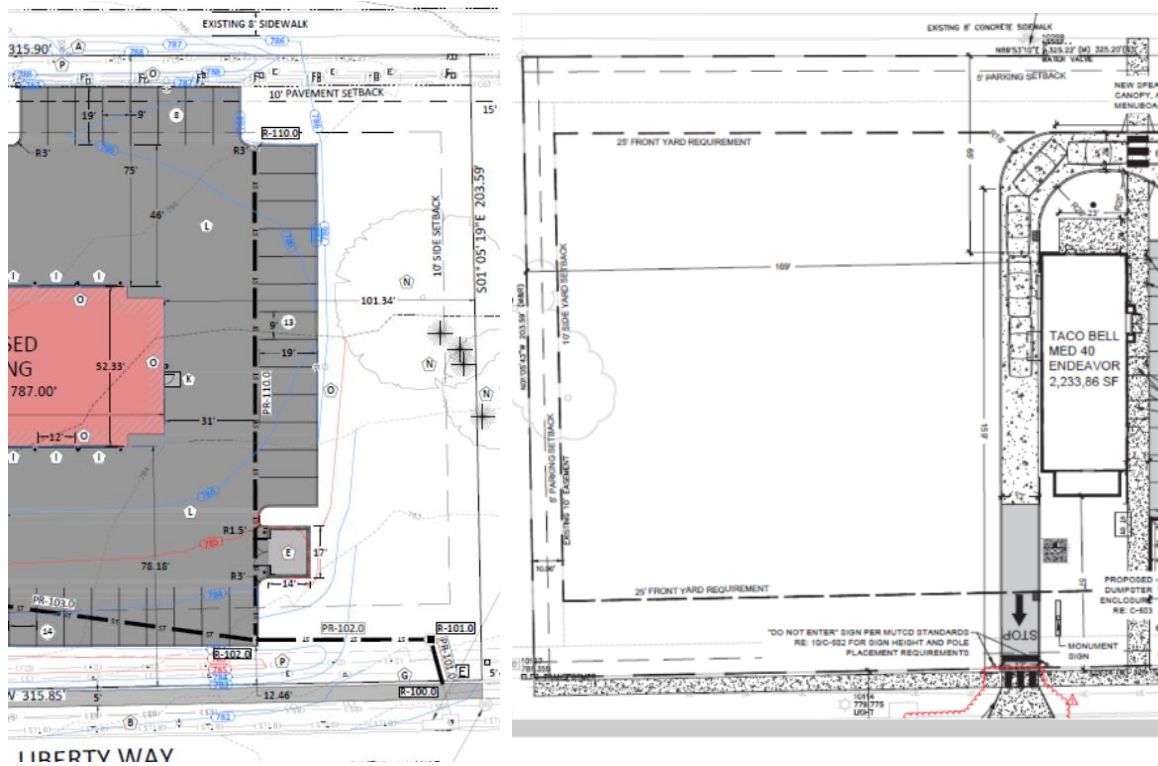
Requirements for Development in Commercial Districts.

- *Design. To achieve appealing aesthetic design through high quality architecture and construction, with attention to placement, relationship, and orientation of structures and amenities to provide both internal cohesiveness and compatibility with surrounding uses.*
- *Walkability. To achieve overall development patterns that encourage walking and reduce dependence on the automobile to travel from one business to another, and so reduces the dominance of the automobile within the development.*
- *Parking Areas. Parking areas shall consist of areas that are aesthetically pleasing, landscaped to screen public views, and located so as not to be the dominant feature along any street or within any development. The use of alternate materials to designate pedestrian areas within or adjacent to parking lots is encouraged, and pedestrian areas shall be separated from vehicular traffic with landscaping, decorative posts, special paving, or other measures to clearly define the pedestrian spaces. Property owners are encouraged to establish shared parking zones among uses on one or more lots.*
- *Materials. Minimum required masonry on all building elevations is 60%. Exterior walls not composed of masonry products shall not be covered with ribbed metal siding commonly referred to as corrugated metal.*
- *Design. Buildings and building features shall be sized and detailed appropriately for pedestrian use. Projected or recessed doorways and windows, awnings, and other architectural features may be used to achieve this design. Traditional strip-retail type frontages featuring long flat frontages with regularly spaced doors and unbroken expanses of concrete approaching the storefronts are specifically disallowed. Side and rear elevations shall be comprised of the same materials and reasonably similar in character and quality as the front elevation unless screened from view from all public streets and residential areas by topography differences, landscaping materials, or other screening devices, in which case building material may be concrete block or tilt-up concrete panels.*

It is staff's opinion that the site plan achieves consistence with the aforementioned design standards.

6. Additional Considerations:

The building is generally centered on the lot. Correspondence with the applicant indicated that this was to allow for potential expansion to its west. There is approximately 50' of green space to its east. The Taco Bell site has approximately 150' of green space to its west, so there is the potential for an additional development between the two sites.



7. Staff Recommendation:

Findings:

1. The minor vehicle repair use of the property would be consistent with the current C-2-A District and the Comprehensive Plan Future Land Use Map designation of Commercial; and
2. The site plan would achieve consistency with North Liberty Code of Ordinances Section 165.05(2) entitled, "Preliminary Site Plan Review" and Section 169.10 entitled "Design Standards" and other Code of Ordinance requirements.

Recommendation:

Staff recommends the Planning Commission accept the two listed findings and forward the request to approve a site plan for a minor vehicle repair facility and related site improvements on approximately 1.5 acres of property located at 1040 Liberty Way to the City Council with a recommendation for approval.

Suggested motion:

I move that the Planning Commission accept the two listed findings and forward the site plan to the City Council with a recommendation for approval.

DRAWINGS FOR PROPOSED IMPROVEMENTS ARCHIE'S BRAKE AND QUICK LUBE 1040 LIBERTY WAY, NORTH LIBERTY, JOHNSON COUNTY, IOWA

LEGAL DESCRIPTION

LOT 2, LIBERTY CENTRE - PART ONE, NORTH LIBERTY, IOWA, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK 47, PAGE 107, PLAT RECORDS OF JOHNSON COUNTY, IOWA.

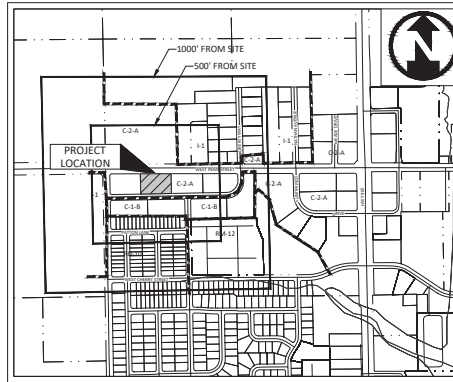
PROJECT SITE IS LOCATED IN SW ¼ SECTION 12, TOWNSHIP 80 NORTH, RANGE 7 WEST. PARCEL ID IS 0612327003.

NOTE:

THE PROPOSED IMPROVEMENTS INCLUDED IN THESE DRAWINGS HAVE BEEN DESIGNED IN ACCORDANCE WITH CITY OF NORTH LIBERTY REQUIREMENTS AND THE IOWA STATEWIDE URBAN DESIGN AND SPECIFICATIONS (SUDAS), LATEST ADDITION, UNLESS NOTED OTHERWISE ON THE PLANS.

NO DESIGN VARIANCES ARE REQUESTED.

STORM WATER MANAGEMENT FOR THIS SITE HAS BEEN ACCOUNTED FOR WITH THE ORIGINAL DEVELOPMENT OFFSITE.



CITY OF NORTH LIBERTY, IOWA

SITE INFORMATION

PURPOSE OF DEVELOPMENT
BRAKE AND LUBE SHOP

ZONING INFORMATION
CURRENT/PROPOSED ZONING C-1-B

MINIMUM LOT REQUIREMENTS
FRONT YARD SETBACK 25 FEET
SIDE YARD 10 FEET
REAR YARD 25 FEET

SITE CHARACTERISTICS
TOTAL LOT SIZE 65,174 SF 1.50 AC

EXISTING:
BUILDING AREA: 0 SF (0.00 AC) 0.0%
PAVEMENT AREA: 0 SF (0.00 AC) 0.0%
OPEN SPACE: 65,174 SF (1.50 AC) 100.0%
PRE-DEVELOPMENT IMPERVIOUS AREA: 0.0% (0.00 AC)

DEVELOPED:
BUILDING AREA: 5,875 SF (0.14 AC) 9.3%
PAVEMENT AREA: 28,188 SF (0.65 AC) 43.3%
OPEN SPACE: 31,111 SF (0.71 AC) 47.4%
POST DEVELOPMENT IMPERVIOUS AREA: 52.6% (0.79 AC)

PARKING
AUTOMOBILE REPAIR MINOR 2 STALLS PER SERVICE BAY (PROPOSED 5 SERVICE BAYS)
TOTAL REQUIRED PARKING 10 STALLS
TOTAL PROVIDED PARKING 43 STALLS (INCLUDES 2 ADA STALLS)

APPLICANT INFORMATION

OWNER/APPLICANT:
RON MACE
ARCHIES RENT A RIDE
760 NATHAN AVE #11
NORTH LIBERTY, IA 52317
319-800-5394

ATTORNEY:
DAVID BRIGHT
PUGH HAGAN PRAHAM PLC
CORALVILLE, IA 52241
319-351-2028

PROJECT INFORMATION

CONTACT PERSON:
BRIAN BOELK
AXIOM CONSULTANTS, LLC
60 E. COURT STREET, UNIT 3
IOWA CITY, IOWA 52240-3833
PHONE: 319-519-6220
EMAIL: BBOELK@AXIOM-CON.COM

UTILITY CONTACTS

ALLIANT ENERGY
CONTACT NAME: ALLIANT ENERGY FIELD ENGINEER
CONTACT PHONE: 800-255-4268
CONTACT EMAIL: LOCATE_IPL@ALLIANTENERGY.COM

LINN COUNTY RECORDER
CONTACT NAME: JOHNA NUNEMAKER
CONTACT PHONE: 319-377-1587
CONTACT EMAIL: NUNEMAKER@LINNCOUNTYREC.COM

MIDAMERICAN - GAS
CONTACT NAME: CARSON HEMPHILL
CONTACT PHONE: 319-341-4461
CONTACT EMAIL: CRHEMPHILL@MIDAMERICAN.COM

CITY OF NORTH LIBERTY
CONTACT NAME: TOM PALMER
CONTACT PHONE: 319-626-5736
CONTACT EMAIL: TPALMER@NORTHLIBERTY.ORG

SOUTH SLOPE TELEPHONE
CONTACT NAME: BRIAN FRESSE
CONTACT PHONE: 319-227-7111
CONTACT EMAIL: BRIAN@SOUTHSLOPE.COM

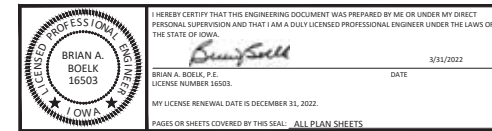
MEDIACOM IOWA CITY
CONTACT NAME: CARL NORTON
CONTACT PHONE: 319-594-6201
CONTACT EMAIL: CNORTON@MEDIACOMCC.COM

UNIVERSITY OF IOWA
CONTACT NAME: CHRIS HATLAND
CONTACT PHONE:
CONTACT EMAIL: CHRIS-HATLAND@UIOWA.EDU

WINDSTREAM COMMUNICATIONS
CONTACT NAME: LOCATE DESK
CONTACT PHONE: 800-289-1901
CONTACT EMAIL: LOCATE.DESK@WINDSTREAM.COM



SHEET INDEX	
C0.00	COVER SHEET
CIVIL	
C0.01	LEGEND AND GENERAL NOTES
C0.02	GENERAL NOTES
C1.00	TOPOGRAPHIC SURVEY AND REMOVALS PLAN
C2.00	OVERALL SITE AND UTILITY PLAN
C3.00	GRADING & EROSION CONTROL PLAN
C4.00	PAVEMENT PLAN
C5.00	CONSTRUCTION DETAILS
E1.00	PHOTOMETRIC PLAN
L1.00	LANDSCAPE PLAN



CITY APPROVAL

BY: _____ DATE: _____

AXIOM CONSULTANTS
WWW.AXIOM-CON.COM | 519/519-6220

DRAWING LOG

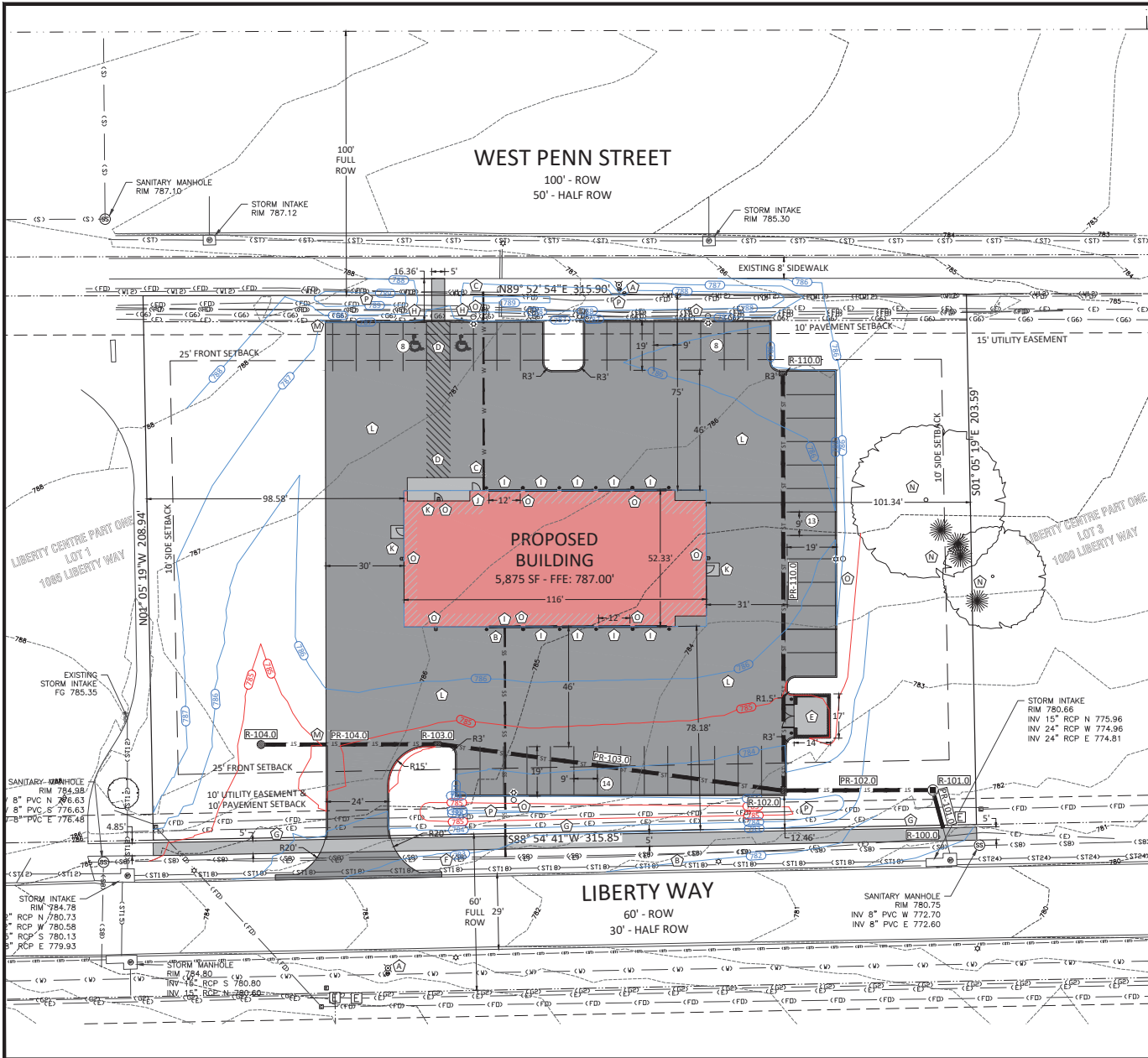
REV.	DATE	DESCRIPTION OF CHANGES
1	03-28-2022	CITY FIRST SUBMITTAL
2	03-31-2022	RESPONSE TO STAFF COMMENTS #1
3	03-31-2022	RESPONSE TO STAFF COMMENTS #2

PROJECT NAME: ARCHIE'S BRAKE AND QUICK LUBE
CITY NAME: NORTH LIBERTY, IA
CLIENT NAME: SWITCH DEVELOPMENT

PROJECT NO.: 220017
DRAWN BY: BOELK

NOT FOR CONSTRUCTION

C0.00



SITE & UTILITY KEYNOTES:

- Ⓐ EXISTING FIRE HYDRANT
- Ⓑ PROPOSED SANITARY SEWER SERVICE. COORDINATE WITH MEP PLANS FOR FINAL SIZE OF SERVICE. OIL SEPARATOR TO BE LOCATED WITHIN BUILDING.
- Ⓒ LIVE TAP EXISTING WATERMAIN AND PROVIDE ±76 LF OF 6" PROPOSED WATER SERVICE TO BUILDING. CONTRACTOR TO PROVIDE CURB STOP 5' FROM FACE OF BUILDING.
- Ⓓ PROPOSED GORE AREA PAVEMENT MARKING FROM PEDESTRIAN ACCESS.
- Ⓔ PROPOSED DUMPSTER ENCLOSURE. SEE DETAIL C5.00
- Ⓕ PROPOSED SUDAS CONCRETE DRIVEWAY, TYPE A. SUDAS 7030.101
- Ⓖ PROPOSED SUDAS CLASS B SIDEWALK. SUDAS 7030.201. SEE DETAIL C5.00
- Ⓗ PROPOSED ADA PARKING SIGN
- Ⓘ PROPOSED GARAGE DOOR WITH PROPOSED BOLLARDS. SEE DETAIL C5.00.
- Ⓛ PROPOSED SPRINKLER ROOM DOOR ACCESS & STOOP.
- Ⓜ PROPOSED EXTERIOR DOOR ACCESS & STOOP.
- Ⓝ PROPOSED STANDARD DUTY PAVEMENT. SEE DETAIL C5.00
- Ⓞ END STANDARD CURB SECTION. WEST EDGE OF PAVEMENT TO HAVE NO CURB.
- Ⓟ PROTECT EXISTING TREES DURING CONSTRUCTION ACTIVITIES.
- Ⓠ PROPOSED LIGHTING FIXTURE. SEE LIGHTING SITE PLAN E1.00.
- Ⓡ PROPOSED LANDSCAPING BERM. SEE SECTION A-A AND DETAIL A ON SHEET C3.00.

STORM SEWER STRUCTURES

STRUCTURE ID	TYPE	RIM / FG	INFLOW PIPE IE	OUTFLOW PIPE IE
100.0	CONNECT TO EXISTING STUB	781.56	15" IE: 776.06 N	
101.0	48" SW-402	782.06	15" IE: 777.49 W	15" IE: 776.21 S
102.0	SW-501	783.14	15" IE: 778.73 W	15" IE: 778.63 E
103.0	SW-501	784.48	12" IE: 780.32 W	15" IE: 780.07 E
104.0	18" SW-512	784.07	784.07	12" IE: 781.00 E
110.0	SW-501	785.37		15" IE: 781.93 S

STORM SEWER PIPE TABLE

PIPE ID	STRUCTURE US	STRUCTURE DS	INVERT US	INVERT DS	LENGTH (FEET)	SLOPE	SIZE (IN)	NOTES
101.0	101.0	100.0	776.21	776.06	15.1	1.00%	15	RCP
102.0	102.0	101.0	778.63	777.49	57.3	2.00%	15	RCP
103.0	103.0	102.0	780.07	778.73	134.0	1.00%	15	RCP
104.0	104.0	103.0	781.00	780.32	67.8	1.00%	12	HDPE
110.0	110.0	102.0	781.93	779.51	160.9	1.50%	15	RCP

GENERAL NOTES:

- PVC WATER SERVICE TO HAVE TRACER WIRE IN ACCORDANCE WITH SUDAS AND NORTH LIBERTY WATER DEPARTMENT REQUIREMENTS.

LEGEND

	SIDEWALK PCC PAVEMENT
	STANDARD DUTY PCC PAVEMENT



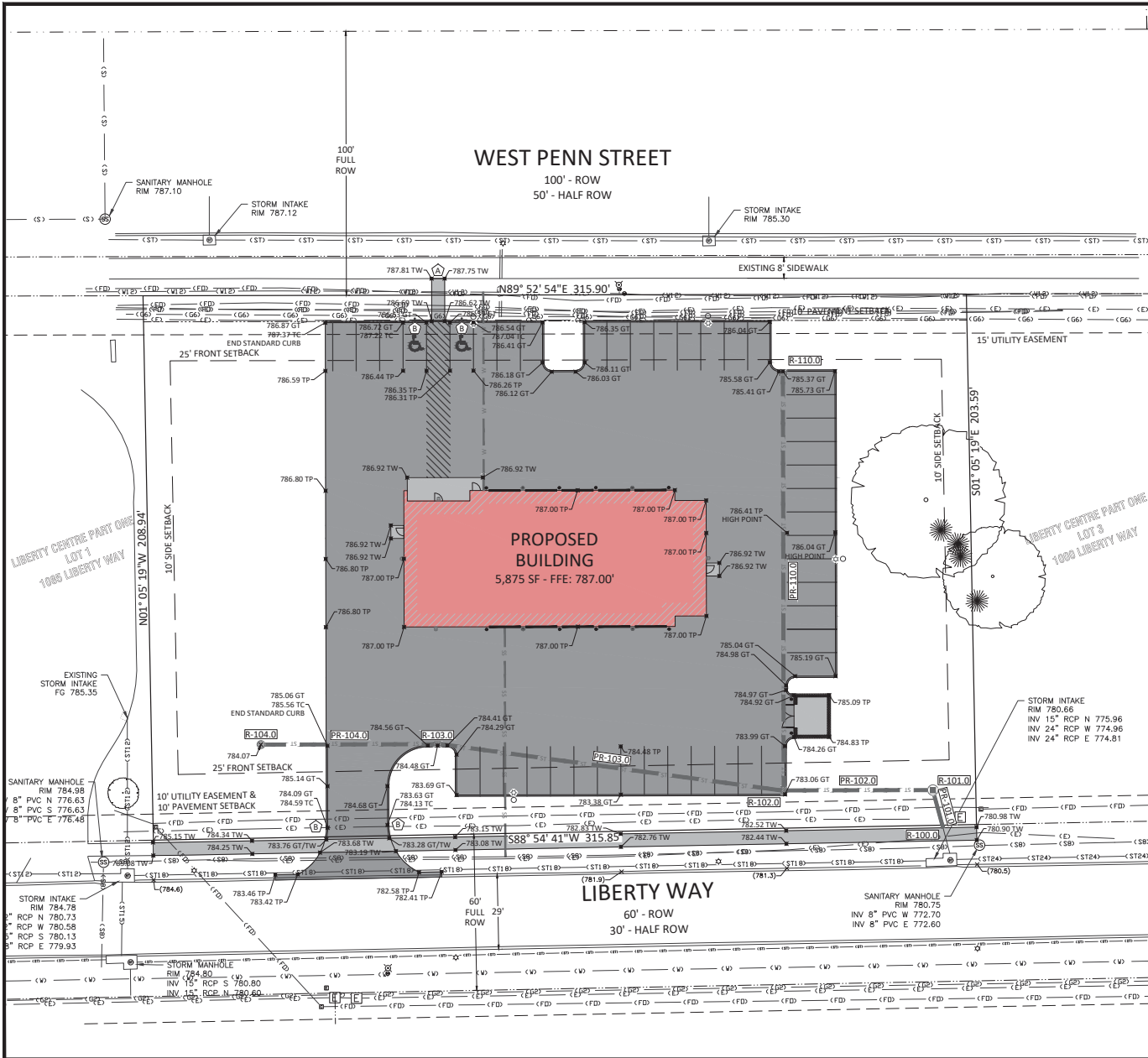
REV.	DESCRIPTION OF CHANGES	DATE
1	CITY FIRST SUBMITTAL	03-28-2022
2	RESPONSE TO STAFF COMMENTS #1	03-31-2022
3	RESPONSE TO STAFF COMMENTS #2	03-31-2022

PROJECT NAME: ARCHES BRAKE AND QUICK LUBE
 NORTH LIBERTY, IA
 CLIENT NAME: SWITCH DEVELOPMENT

SHEET NAME: OVERALL SITE AND UTILITY PLAN
 SHEET NUMBER: 220017
 DESIGN PROFESSIONAL: BOELK

NOT FOR CONSTRUCTION

C2.00



PAVING PLAN KEY NOTES:

- Ⓐ SIDEWALK AT ADA STALLS TO SLOPE DOWN TO GUTTER ELEVATION AT 12:1 SLOPE (MAX)
- Ⓒ BEGIN TRANSITION FROM NO CURB TO STANDARD CURB. SEE PCC CURB DETAILS SUDAS PV-102

GENERAL NOTES:

1. JOINTING PLAN TO BE SUBMITTED BY PAVING CONTRACTOR FOR ENGINEER REVIEW PRIOR TO PLACEMENT.
2. SEE SUDAS SECTION 7010 FOR ADDITIONAL CONCRETE PAVING REQUIREMENTS
3. ASSUME STANDARD 6" CURB UNLESS NOTED OTHERWISE.

LEGEND	
	SIDEWALK PCC PAVEMENT
	STANDARD DUTY PCC PAVEMENT

NOT FOR CONSTRUCTION

PROJECT NAME: ARCHES BRAKE AND QUICK LUBE

SHEET NUMBER: 220017

ENGINEER: BOELK

DATE: 03-28-2022

DESCRIPTION OF CHANGES: CITY FIRST SUBMITTAL

REV: 1

RESPONSE TO STAFF COMMENTS #1

REV: 2

RESPONSE TO STAFF COMMENTS #2

REV: 3

PROJECT NO: 220017

CLIENT NAME: NORTH LIBERTY, IA

PROJECT TYPE: SWITCH DEVELOPMENT

ENGINEER: BOELK

WWW.AXIONCONSULTANTS.COM | (515) 519-5220

AXION CONSULTANTS

ENGINEER

PAVEMENT PLAN

C4.00

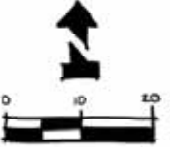
ARCHIE'S LANDSCAPE RENDERING

WEST PENN STREET



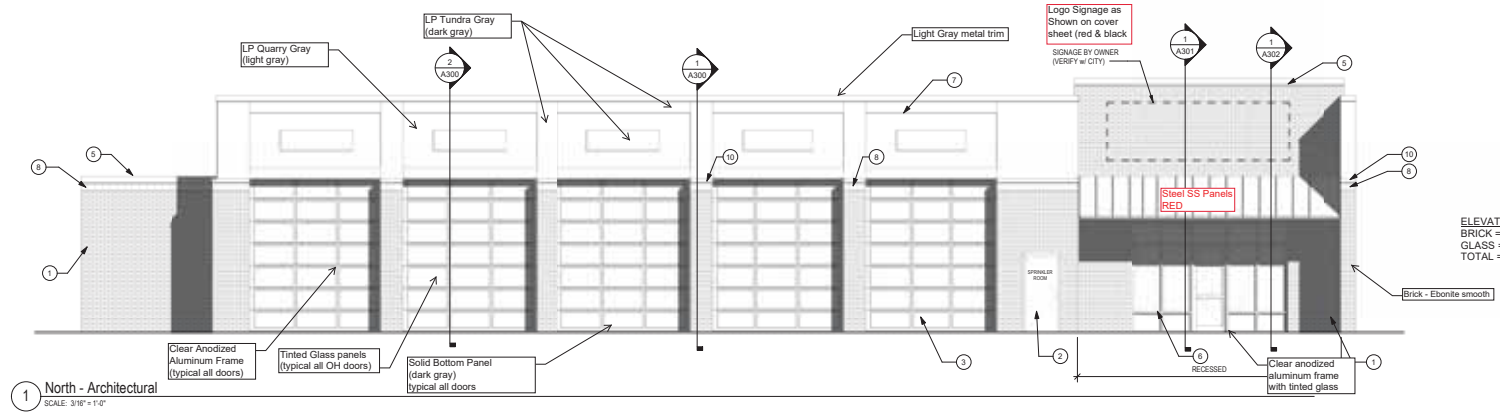
LIBERTY CENTRE PART ONE
LOT 1
1085 LIBERTY WAY

LIBERTY CENTRE PART ONE
LOT 3
1000 LIBERTY WAY



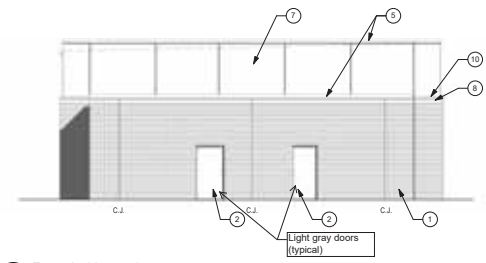
ISSUED FOR PERMIT
2022.03.21

A200



ELEVATION SQUARE FOOTAGE:
BRICK = 864 SQ. FT. (35%)
GLASS = 986 SQ. FT. (40%)
TOTAL = 2,438 SQ. FT.

1 North - Architectural
SCALE: 3/16" = 1'-0"



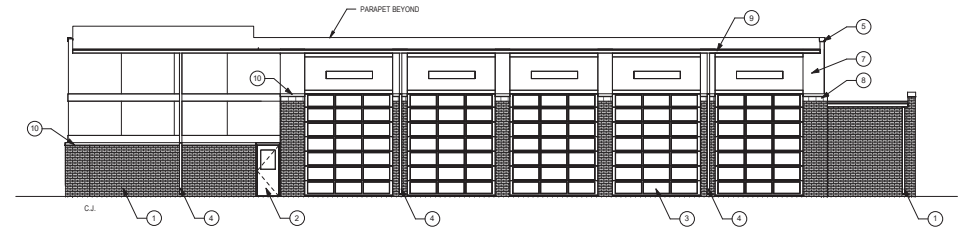
ELEVATION SQUARE FOOTAGE:
BRICK = 725 SQ. FT. (85%)
GLASS = 0 SQ. FT. (0%)
TOTAL = 1,115 SQ. FT.

2 East - Architectural
SCALE: 1/8" = 1'-0"

EXTERIOR ELEVATION KEYNOTES

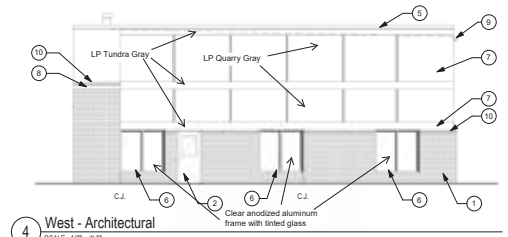
- 1 EXTERIOR BRICK VENEER - EBNONITE Smooth- (Dark Gray) Stone City Brick
 - 2 INSULATED H.M. DOOR - Light Gray
 - 3 GLASS OVERHEAD DOOR - Clear Anodized Aluminum Frame - Tinted Glass, Solid bottom panel - Dark Gray
 - 4 DOWNSPOUT - Light Gray
 - 5 PREFINISHED METAL CAP - Light Gray
 - 6 INSULATED GLAZING SET IN **BRICK** - Clear Anodized Aluminum Frame (VERIFY w/ OWNER)
 - 7 HARDBOARD PANEL & TRIM - LP Smart Siding (Quarry Gray) with LP Smart Siding Trim (Tundra Gray)
 - 8 STONE ACCENT - Indiana Stone
 - 9 PREFINISHED GLITTER - Light Gray
 - 10 PREFINISHED FLASHING - Light Gray
- C.J. = CONTROL JOINT - MAX SPACING = 25' - 0"

ELEVATION SQUARE FOOTAGE TOTAL:
BRICK = 2,561 SQ. FT. (37%)
GLASS = 1,931 SQ. FT. (28%)
TOTAL = 6,898 SQ. FT.



ELEVATION SQUARE FOOTAGE:
BRICK = 546 SQ. FT. (24%)
GLASS = 835 SQ. FT. (37%)
TOTAL = 2,234 SQ. FT.

3 South - Architectural
SCALE: 1/8" = 1'-0"



ELEVATION SQUARE FOOTAGE:
BRICK = 426 SQ. FT. (38%)
GLASS = 110 SQ. FT. (9%)
TOTAL = 1,111 SQ. FT.

4 West - Architectural
SCALE: 1/8" = 1'-0"

Resolution No. 2022-29

**RESOLUTION APPROVING THE DEVELOPMENT SITE PLAN
FOR LOT 2 LIBERTY CENTRE – PART ONE, NORTH LIBERTY,
IOWA**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY, IOWA:

WHEREAS, the applicant, Archies Rent a Ride, has filed with the City Clerk a development site plan;

WHEREAS, the property is described as:

Lot 2 Liberty Centre – Part One to North Liberty, Iowa, according to the Final Plat thereof recorded in Book 47, Page 107, Plat Records of Johnson County, Iowa containing 1.50 acres (at the time of survey) and is subject to easements and restrictions of record;

WHEREAS, said site plan is found to:

1. The minor vehicle repair use of the property would be consistent with the current C-2-A District and the Comprehensive Plan Future Land Use Map designation of Commercial; and
2. The site plan would achieve consistency with the North Liberty Code of Ordinances Section 165.05(2) entitled, "Preliminary Site Plan Review" and Section 169.10 entitled "Design Standards" and other Code of Ordinance requirements; and

WHEREAS, said site plan has been examined by the North Liberty Planning and Zoning Commission, which recommended that the site plan be approved with no conditions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of North Liberty, Iowa, does hereby approve the development site plan for Lot 2 Liberty Centre – Part One, North Liberty, Iowa.

APPROVED AND ADOPTED this 12th day of April, 2022.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK



Forevergreen Estates



April 5, 2022

Staff Note: The revised Preliminary Plat has addressed condition #2.

Chris Hoffman, Mayor
City of North Liberty
3 Quail Creek Circle
North Liberty IA 52317

Re: Request of Bowman Property, LLC to approve a Preliminary Subdivision Plat for a 129 lot subdivision on 109.46 acres, more or less, on property located at the northeast corner of West Forevergreen Road and South Kansas Avenue.

Mayor Hoffman:

The North Liberty Planning Commission considered the above-referenced request at its April 5, 2022 meeting. The Planning Commission took the following action:

Findings:

1. The preliminary plat, which proposes residential and commercial development would achieve consistency with the Future Land Use designations, which are Residential, Commercial and Residential with Commercial (staff will initiate a Land Use amendment for the portion of the property designated Commercial with Residential so that the Land Use Map reflects entirely residential development).
2. The preliminary plat, with conditional recommended by City staff, would achieve consistency with Section 180.11(3)(A) and 180.12 of the North Liberty Code of Ordinances, which sets forth the preliminary subdivision plat submittal requirements and design standards, respectively.

Recommendation:

The Planning Commission accepted the two listed findings and forwards the request to approve the preliminary plat to the City Council with a recommendation for approval subject to the following conditions:

1. That the 10' landscape easement and the sanitary sewer force main easement be left unobstructed by fences (other than the fence along the north perimeter property line) and that the homeowners' association be responsible for maintenance of the area within the landscape easement and the south side of the north perimeter fence and that said maintenance responsibilities be articulated in a recorded landscape easement at the time of final plat; and
2. That the preliminary plat be revised to include the restriction that Lot 124 shall have no direct access to South Kansas Avenue.

The vote for approval was 6-0.

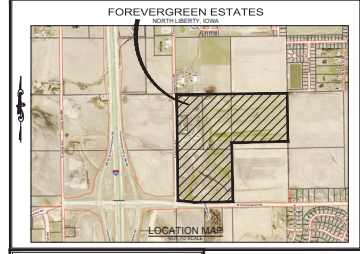
Josey Bathke, Vice Chairperson
City of North Liberty Planning Commission



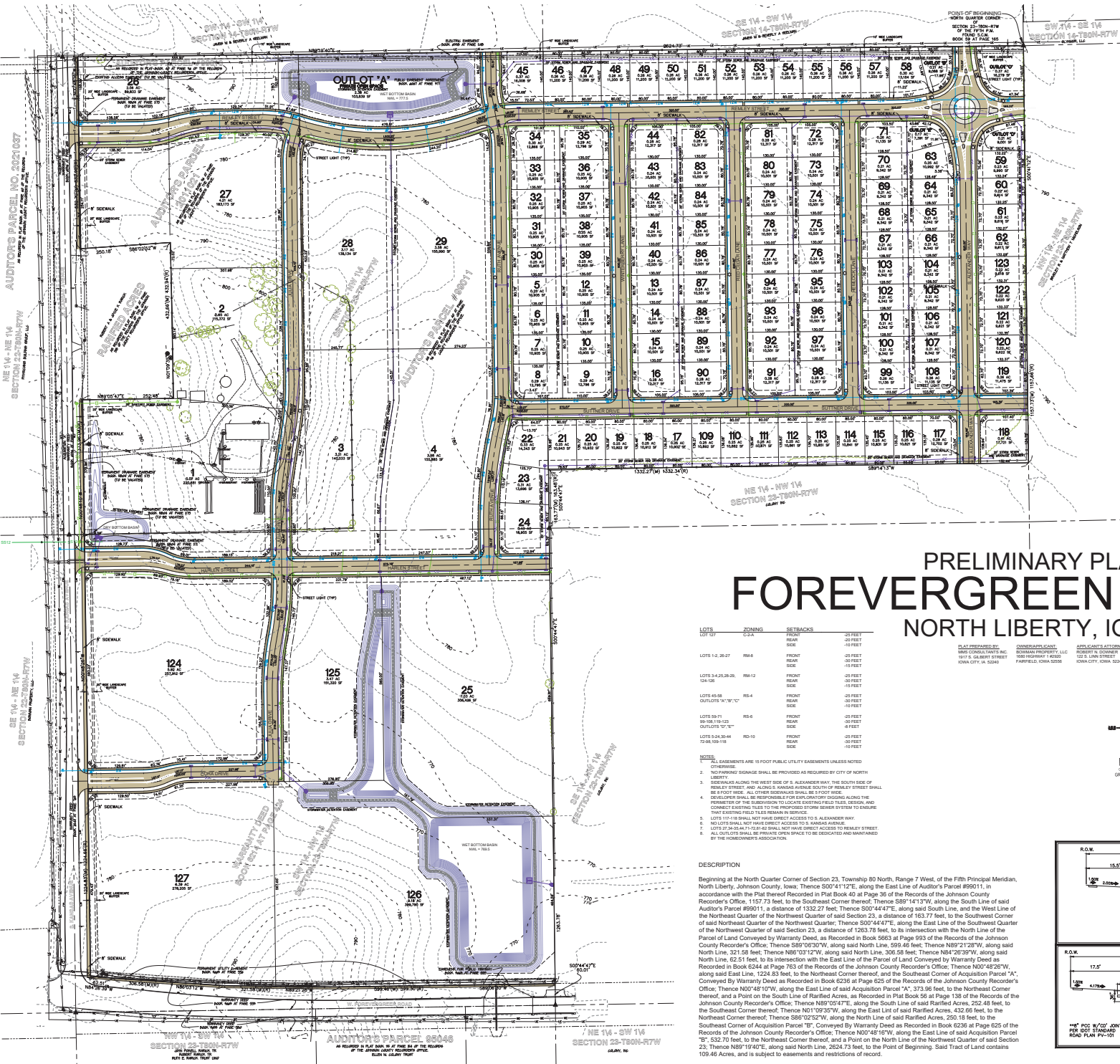
MMS ENGINEERS
LAND PLANNERS
LANDSCAPE ARCHITECTS
ENVIRONMENTAL SPECIALISTS
1917 S. GILBERT ST.
IOWA CITY, IOWA 52242
(319) 351-6262
www.mmsconsultants.com

Table with 2 columns: Date, Revision. Row 1: 03/01/2022, PER CITY COMMENT - JCM. Row 2: 04/01/2022, PER CITY COMMENT - JCM. Row 3: 04/02/2022, PER CITY REVIEW - JCM.

PRELIMINARY PLAT



STANDARD LEGEND AND NOTES. A detailed key for symbols used in the plat, including property lines, easements, utility lines, and proposed features like sidewalks and parking areas.



PRELIMINARY PLAT FOR FOREVERGREEN ESTATES NORTH LIBERTY, IOWA

PLAT PREPARED BY:
MMS CONSULTANTS, INC.
1917 S. GILBERT STREET
IOWA CITY, IA 52242

OWNER/PROPERTY CLERK:
DOMINION ENERGY
122 S. LINE STREET
FAIRFIELD, IOWA 52506

APPLICANT'S ATTORNEY:
ROBERT S. DONNER
122 S. LINE STREET
IOWA CITY, IOWA 52242

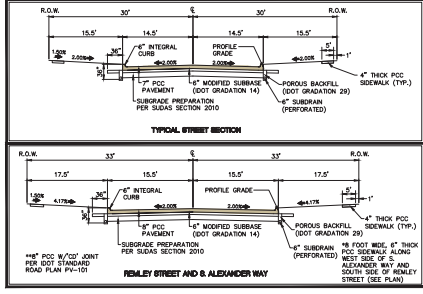
Table with 4 columns: LOTS, ZONING, SETBACKS, and NOTES. It lists zoning requirements and setback specifications for various lots.

- NOTES: 1. ALL EASEMENTS ARE 10 FOOT PUBLIC UTILITY EASEMENTS UNLESS NOTED OTHERWISE. 2. NO PARKING SIGNAGE SHALL BE PROVIDED AS REQUIRED BY CITY OF NORTH LIBERTY. 3. SIDEWALKS ALONG THE WEST SIDE OF S. ALEXANDER WAY, THE SOUTH SIDE OF REMLEY STREET, AND ALONG S. HANCOCK AVENUE SOUTH OF REMLEY STREET SHALL BE 10 FOOT WIDE. ALL OTHER SIDEWALKS SHALL BE 5 FOOT WIDE. 4. DEVELOPER SHALL BE RESPONSIBLE FOR SUBMITTING DESIGN AND LANDSCAPE ARCHITECTURE TO LOCATE EXISTING FIELD PILES, DESIGN, AND CONSTRUCT A NEW OR EXISTING OPEN SPACE WITHIN THE PROPERTY. THIS EXISTING FIELD PILES REMAIN IN SERVICE. 5. LOTS 114-118 SHALL NOT HAVE DIRECT ACCESS TO S. ALEXANDER WAY. 6. NO LOTS SHALL NOT HAVE DIRECT ACCESS TO S. HANCOCK AVENUE. 7. LOTS 23 AND 24 SHALL NOT HAVE DIRECT ACCESS TO REMLEY STREET. 8. ALL OUTLOTS SHALL BE PRIVATE OPEN SPACE TO BE DESIGNATED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

DESCRIPTION
Beginning at the North Quarter Corner of Section 23, Township 80 North, Range 7 West, of the Fifth Principal Meridian, North Liberty, Johnson County, Iowa; Thence S00°41'12"E, along the East Line of Auditor's Parcel #80911, in accordance with the Plat thereof Recorded in Plat Book 40 at Page 36 of the Records of the Johnson County Recorder's Office, 1157.73 feet, to the Southwest Corner thereof; Thence S89°14'13"W, along the South Line of said Auditor's Parcel #80911, a distance of 1332.27 feet; Thence S00°44'47"E, along said South Line, and the West Line of the Northeast Quarter of the Northwest Quarter of said Section 23, a distance of 163.77 feet, to the Southwest Corner of said Northeast Quarter of the Northwest Quarter; Thence S00°44'47"E, along the East Line of the Southwest Quarter of the Northwest Quarter of said Section 23, a distance of 1263.78 feet, to its intersection with the North Line of the Parcel of Land Conveyed by Warranty Deed, as Recorded in Book 5663 at Page 593 of the Records of the Johnson County Recorder's Office; Thence N89°09'30"W, along said North Line, 559.46 feet; Thence N85°21'28"W, along said North Line, 321.58 feet; Thence N86°03'12"W, along said North Line, 306.58 feet; Thence N84°26'39"W, along said North Line, 62.51 feet, to its intersection with the East Line of the Parcel of Land Conveyed by Warranty Deed as Recorded in Book 6244 at Page 763 of the Records of the Johnson County Recorder's Office; Thence N00°48'16"W, along said East Line, 1224.83 feet, to the Northeast Corner thereof, and the Southeast Corner of Acquisition Parcel "A", conveyed by Warranty Deed as Recorded in Book 6236 at Page 625 of the Records of the Johnson County Recorder's Office; Thence N00°48'16"W, along the East Line of said Acquisition Parcel "A", to a Point on the South Line of said Acquisition Parcel "A", as Recorded in Plat Book 56 at Page 138 of the Records of the Johnson County Recorder's Office; Thence N89°05'47"E, along the South Line of said Acquisition Parcel "A", 252.48 feet, to the Southeast Corner thereof; Thence N01°09'35"W, along the East Line of said Acquisition Parcel "A", 452.66 feet, to the Northeast Corner thereof; Thence S88°02'52"W, along the North Line of said Acquisition Parcel "A", 250.18 feet, to the Southeast Corner of Acquisition Parcel "B", conveyed by Warranty Deed as Recorded in Book 6236 at Page 625 of the Records of the Johnson County Recorder's Office; Thence N00°48'16"W, along the East Line of said Acquisition Parcel "B", 532.70 feet, to the Northeast Corner thereof, and a Point on the North Line of the Northwest Quarter of said Section 23; Thence N89°19'04"E, along said North Line, 2024.73 feet, to the Point of Beginning. Said Tract of Land contains 108.46 Acres, and is subject to assessments and restrictions of record.



PLAT/PLAN APPROVED
by the
City of North Liberty



FOREVERGREEN ESTATES
NORTH LIBERTY, IOWA
JOHNSON COUNTY

MMS CONSULTANTS, INC.
Date: 03-01-2022
Designed by: JCM
Checked by: JCM
Project No.: 1
9828-002



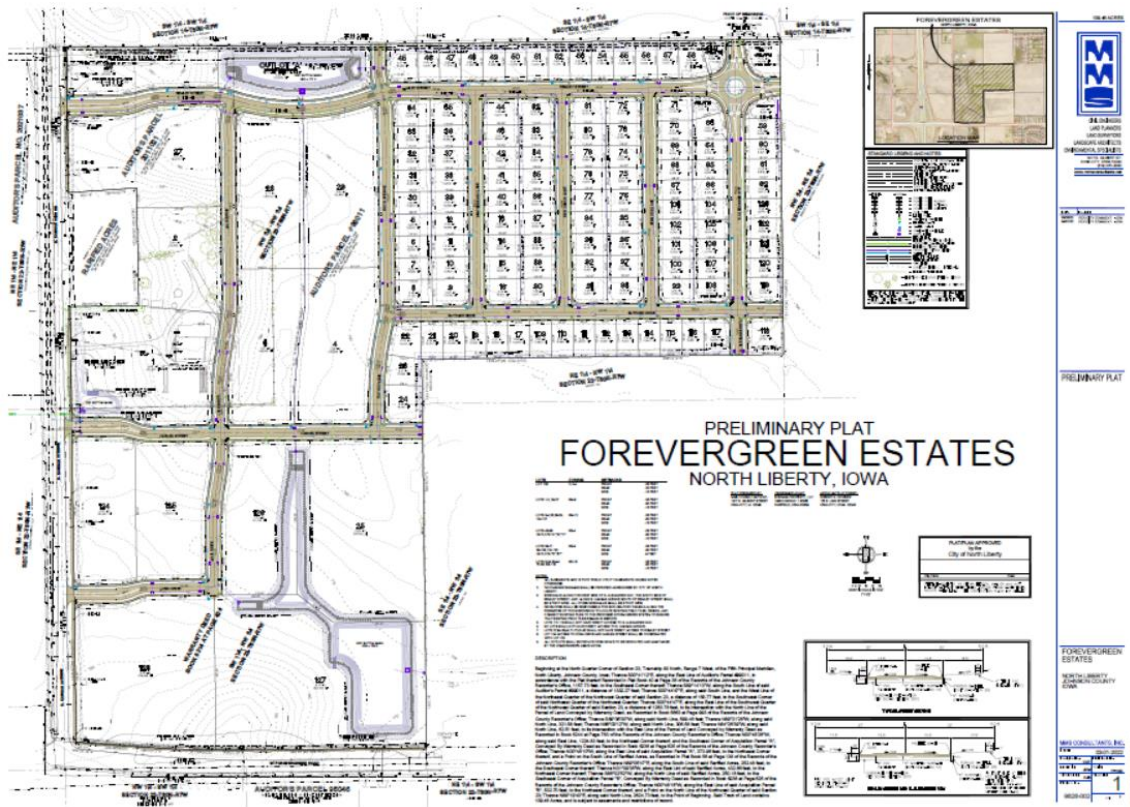
To **City of North Liberty Planning Commission**
 From **Ryan Rusnak, AICP**
 Date **April 1, 2022**
 Re **Request of Bowman Property, LLC to approve a Preliminary Subdivision Plat for a 129 lot subdivision on 109.46 acres, more or less, on property located at the northeast corner of West Forevergreen Road and South Kansas Avenue.**

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
- Grant Lientz, City Attorney
- Tom Palmer, City Building Official
- Kevin Trom, City Engineer
- Ryan Rusnak, Planning Director

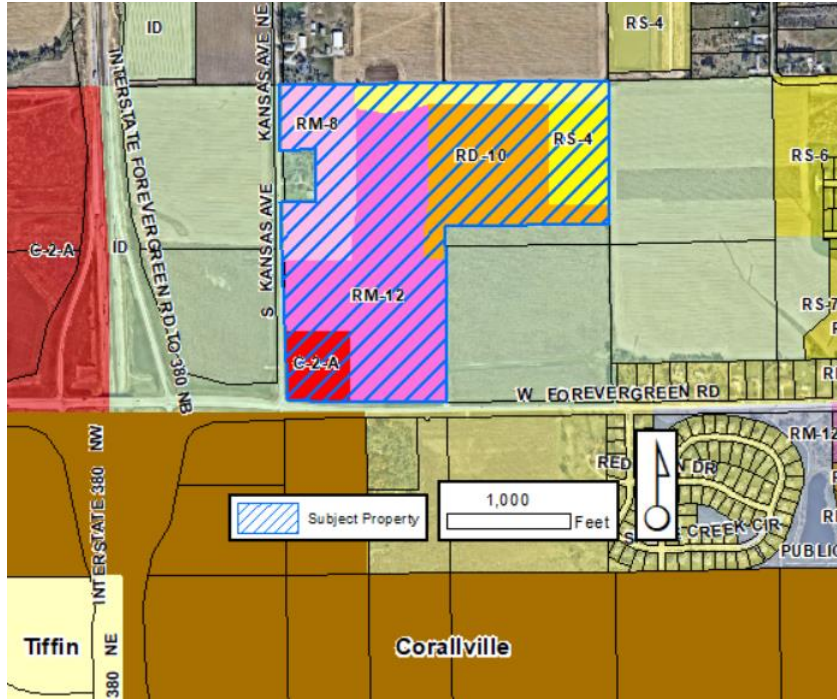
1. Request Summary:

The Preliminary Plat proposes 129 lots and related infrastructure on 109.46 acres.



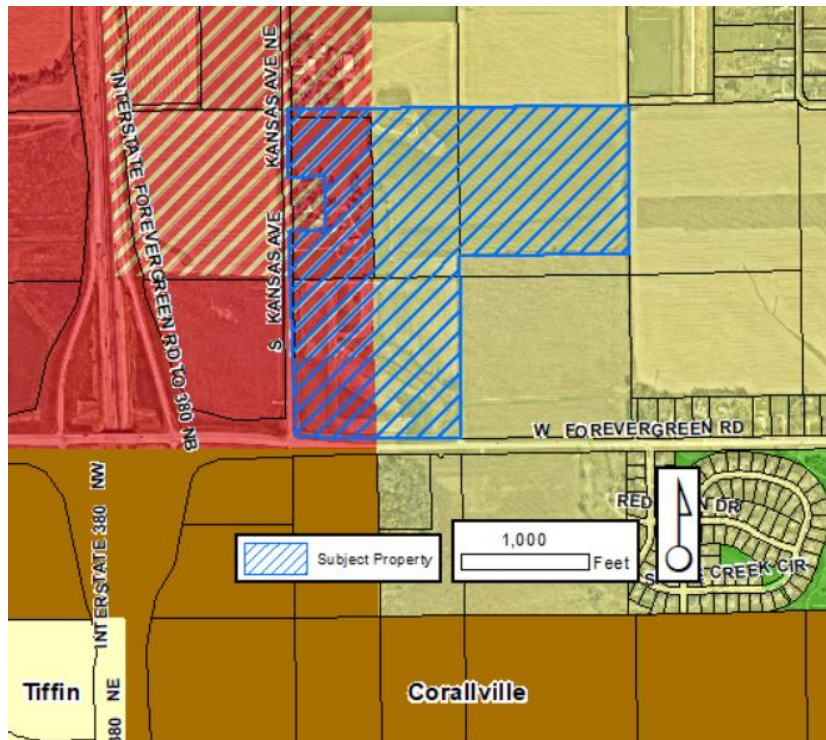
2. Current Zoning:

The property is currently zoned RS-4 – Single-Unit Residence District, RS-6 – Single-Unit Residence District, RD-10 – Two-Unit Residence District, RM-8, Multi-Unit Residence District, RM-12 Multi-Unit Residence District and C-2-A Highway Commercial District.



3. Comprehensive Plan Future Land Use Map Designation:

Residential, Commercial and Commercial with Residential.



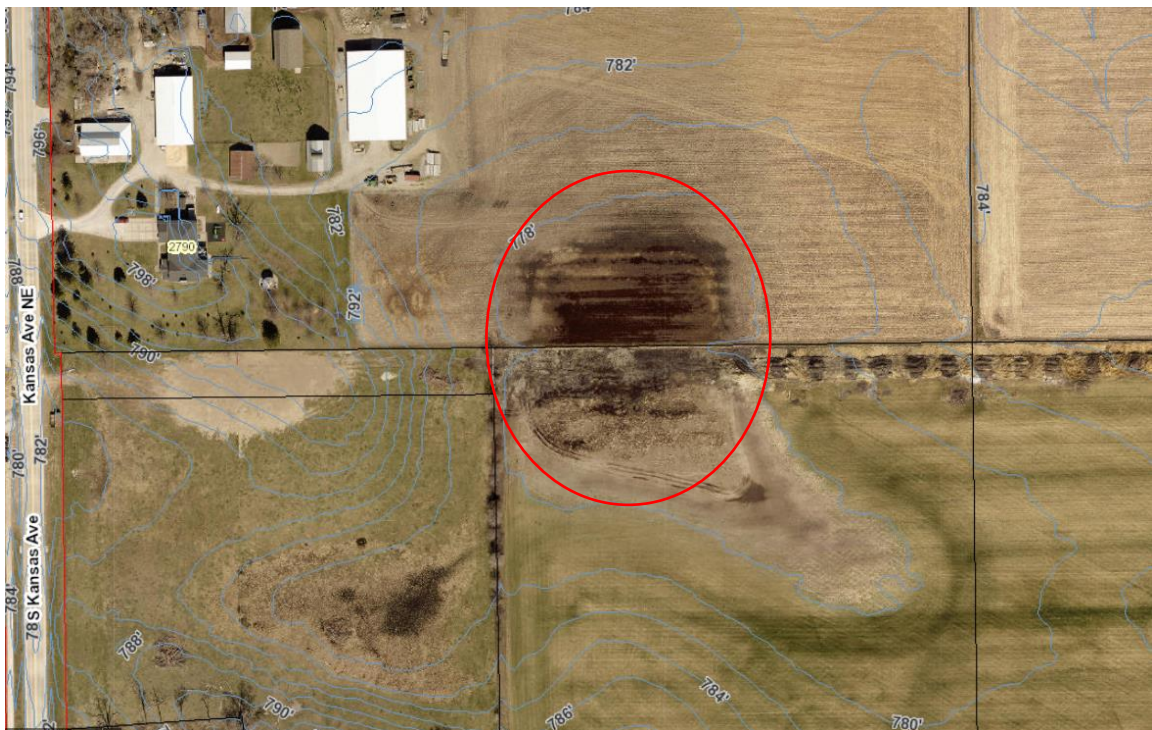
It appears that the Commercial with Residential designation was part of a more recent Future Land Use Map update. It is staff's understanding that the designation was to encourage mixed commercial/residential development.

It is staff's opinion that the preliminary plat, which proposes residential and commercial development would achieve consistency with the Future Land Use designations, which are Residential, Commercial and Residential with Commercial. If approved, staff would initiate a Land Use amendment for the portion of the property designated Commercial with Residential so that the Land Use Map reflects entirely residential development.

4. Public Input:

Letters were sent to property owners within 200 feet of the subject property and notice was posted on the City's website regarding the March 21, 2022 good neighbor meeting, which has held in person. Four area residents attended and there general concerns about the proposed development.

The adjacent property owners to the north expressed an important concern regarding drainage. There is a low spot between the two properties, which does not have an immediate outfall. Please see discussion regarding this concern in the approval standards section.



The other concern expressed by the property owners to the north was maintenance of the fence along the common property line. It is staff's opinion that the 10' landscape easement (and the sanitary sewer force main easement) should be unobstructed by homeowner fences and that the homeowners' association should be given free access

and maintenance responsibilities to the south side of the fence. This would need to be articulated in a future recorded landscape easement.

5. Approval Standards:

Section 180.11(3)(A) of the North Liberty Code of Ordinances sets forth the preliminary subdivision plat submittal requirements and review (Ordinance language in *italics* and staff analysis in **bold**).

3. *Preliminary Subdivision Plat Submittal Requirements and Review. The preliminary plat, in general, contains more information than the final plat, so that the subdivider and the City can ensure conformance with codes, master facility plans, and good planning and engineering practices. Though the preliminary plat is not recorded, it is approved by resolution of the City Council, and conditions for approval of the plat shall be addressed on any final plats of the same area.*

A. *Preliminary Plat Contents. The application shall include a preliminary plat of the subdivision drawn to a scale of one inch to one hundred feet minimum, and shall show:*

(1) *A location map to provide spatial reference, showing the outline of the area to be subdivided, existing streets and corporate limits in the vicinity, a north arrow and scale or note stating "not to scale," and other information that might help clarify where the plat is located as well as its surroundings and size relative to other City features;*

This has been provided on the Preliminary Plat.

(2) *Name of proposed subdivision and date;*

This has been provided on the Preliminary Plat.

(3) *Legal description and acreage;*

This has been provided on the Preliminary Plat.

(4) *Name and address of owner;*

This has been provided on the Preliminary Plat.

(5) *Names of the persons preparing the plat, owner's attorney, representative or agent, if any;*

This has been provided on the Preliminary Plat.

(6) *Existing and proposed zoning district classification of all land within the proposed subdivision and within about 200 feet of the subdivision;*

Staff is not requiring this information on the Preliminary Plat.

(7) *North point and graphic scale;*

This has been provided on the Preliminary Plat.

(8) Contours at two-foot intervals or less, both existing and as generally proposed (subject to more refinement in subsequent construction plans);

This has been provided on the Preliminary Plat.

(9) Building setback lines as required by the current or proposed zoning district classifications;

This has been provided on the Preliminary Plat.

(10) The approximate boundaries of areas of known flood levels or floodplains, areas covered by water, wooded areas, floodways, and all open channel drainage ways;

This has been provided on the Preliminary Plat.

(11) Locations, names, and dimensions of existing lot lines, streets, public utilities, water mains, sewers, drainpipes, culverts, watercourses, bridges, railroads and buildings within in the proposed subdivision and within about 200 feet of the subdivision;

This has been provided on the Preliminary Plat.

(12) Layout of proposed blocks, if used, and lots, including the dimension of each lot, and the lot and block number in numerical order;

This has been provided on the Preliminary Plat.

(13) Layout and dimensions of proposed streets, sidewalks, trails, alleys, utility and other easements, parks and other open spaces or reserved areas;

This has been provided on the Preliminary Plat.

(14) Grades of proposed streets and alleys;

This has been provided on the Preliminary Plat.

(15) A cross-section of the proposed streets showing the roadway locations, the type of curb and gutter, the paving, and sidewalks to be installed;

This has been provided on the Preliminary Plat.

(16) The layout of proposed water mains and sanitary sewer systems;

This has been provided on the Preliminary Plat.

(17) The drainage of the land, including proposed storm sewers, ditches, culverts, bridges and other structures;

This has been provided on the Preliminary Plat.

(18) Stormwater management facilities when applicable;

This has been provided on the Preliminary Plat.

(19) A signed certificate of the Johnson County Auditor for the subdivision name;

This information has been provided.

(20) Other special details or features that may be proposed or required.
None required.

6. Additional Considerations:

Proposed Transportation Network.

Remley Street (northernmost east/west street in the concept plan) is ultimately planned from South Jones Boulevard to South Kansas Avenue. This is a planned collector street and would have an 8' wide path.

Alexander Way (easternmost north/south street in the concept plan) is ultimately planned from West Forevergreen Road to West Penn Street. This is a planned collector street and would have an 8' wide path.

Staff requested and the applicant agreed to provide a at the intersection of these two collector streets. This would be a compact roundabout similar to Penn and Front Streets.

The rest of the development is generally laid out on a grid with the exception of the multi-family family development adjacent to South Kansas Avenue.

There would be an 8' wide path along the east side of South Kansas Avenue to West Forevergreen Road. It is staff's opinion the future signalized intersection in this location would be much safer to cross.

Notably, street names were chosen to pay homage to the members of the Sentman/Rarick family who, until recently, farmed the property since the latter part of the 1800s.

Stormwater Management

As mentioned, there is a low spot between the subject property and the abutting property the north, which does not have an immediate outfall. The applicant is proposing to provide more detention than what would be normally required in order to send its stormwater to the south basin. A storm event above the 1% annual storm would overflow onto the property to the north.

Staff generally agrees with this solution, but will need to review construction plans to ensure the solution is adequate.

The development would be required to explore for and address any underground field tiles along this and adjacent property lines under common ownership.

Other Concerns

It is staff that there should be no direct access from Lot 124 to South Kansas Avenue. Staff shares draws attention to Lot 127, however, does not wish to restrict access without knowing the future development of the lot.

The outlots adjacent to the roundabout would be a concern if not properly maintained. However, this the homeowners' association would be maintaining the landscaping easement and fence along the north perimeter property line, this is less of a concern.

7. Staff Recommendation:

Findings:

1. The preliminary plat, which proposes residential and commercial development would achieve consistency with the Future Land Use designations, which are Residential, Commercial and Residential with Commercial (staff will initiate a Land Use amendment for the portion of the property designated Commercial with Residential so that the Land Use Map reflects entirely residential development).
2. The preliminary plat, with conditional recommended by City staff, would achieve consistency with Section 180.11(3)(A) and 180.12 of the North Liberty Code of Ordinances, which sets forth the preliminary subdivision plat submittal requirements and design standards, respectively.

Recommendation:

Staff recommends the Planning Commission accept the two listed findings and forward the request of Bowman Property, LLC to approve a Preliminary Subdivision Plat for a 129 lot subdivision on 109.46 acres, more or less, on property located at the northeast corner of West Forevergreen Road and South Kansas Avenue to the City Council with a recommendation for approval subject to the following conditions:

1. That the 10' landscape easement and the sanitary sewer force main easement be left unobstructed by fences (other than the fence along the north perimeter property line) and that the homeowners' association be responsible for maintenance of the area within the landscape easement and the south side of the north perimeter fence and that said maintenance responsibilities be articulated in a recorded landscape easement at the time of final plat; and
2. That the preliminary plat be revised to include the restriction that Lot 124 shall have no direct access to South Kansas Avenue.

Suggested motion:

I move that the Planning Commission accept the two listed findings and forward the Preliminary Plat to the City Council with a recommendation for approval subject to the two conditions listed by City Staff.

Resolution No. 2022-30

**RESOLUTION APPROVING THE PRELIMINARY PLAT
FOR FOREVERGREEN ESTATES, NORTH LIBERTY, IOWA**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY,
IOWA:**

WHEREAS, the owner and applicant, Bowman Property, LLC, has filed with the City Clerk a preliminary plat described in Exhibit A which is attached hereto;

WHEREAS, the property is described as:

Beginning at the North Quarter Corner of Section 23, Township 80 North, Range 7 West, of the Fifth Principal Meridian, North Liberty, Johnson County, Iowa; Thence $S00^{\circ}41'12''E$, along the East Line of Auditor's Parcel #99011, in accordance with the Plat thereof Recorded in Plat Book 40 at Page 36 of the Records of the Johnson County Recorder's Office, 1157.73 feet, to the Southeast Corner thereof; Thence $S89^{\circ}14'13''W$, along the South Line of said Auditor's Parcel #99011, a distance of 1332.27 feet; Thence $S00^{\circ}44'47''E$, along said South Line, and the West Line of the Northeast Quarter of the Northwest Quarter of said Section 23, a distance of 163.77 feet, to the Southwest Corner of said Northeast Quarter of the Northwest Quarter; Thence $S00^{\circ}44'47''E$, along the East Line of the Southwest Quarter of the Northwest Quarter of said Section 23, a distance of 1263.78 feet, to its intersection with the North Line of the Parcel of Land Conveyed by Warranty Deed, as Recorded in Book 5663 at Page 993 of the Records of the Johnson County Recorder's Office; Thence $S89^{\circ}06'30''W$, along said North Line, 599.46 feet; Thence $N89^{\circ}21'28''W$, along said North Line, 321.58 feet; Thence $N86^{\circ}03'12''W$, along said North Line, 306.58 feet; Thence $N84^{\circ}26'39''W$, along said North Line, 62.51 feet, to its intersection with the East Line of the Parcel of Land Conveyed by Warranty Deed as Recorded in Book 6244 at Page 763 of the Records of the Johnson County Recorder's Office; Thence $N00^{\circ}48'26''W$, along said East Line, 1224.83 feet, to the Northeast Corner thereof, and the Southeast Corner of Acquisition Parcel "A", Conveyed By Warranty Deed as Recorded in Book 6236 at Page 625 of the Records of the Johnson County Recorder's Office; Thence $N00^{\circ}48'10''W$, along the East Line of said Acquisition Parcel "A", 373.96 feet, to the Northeast Corner thereof, and a Point on the South Line of Rarified Acres, as Recorded in Plat Book 56 at Page 138 of the Records of the Johnson County Recorder's Office; Thence $N89^{\circ}05'47''E$, along the South Line of said Rarified Acres, 252.48 feet, to the Southeast Corner thereof; Thence $N01^{\circ}09'35''W$, along the East Line of said Rarified Acres, 432.66 feet, to the Northeast Corner thereof;

Thence S86°02'52"W, along the North Line of said Rarified Acres, 250.18 feet, to the Southeast Corner of Acquisition Parcel "B", Conveyed By Warranty Deed as Recorded in Book 6236 at Page 625 of the Records of the Johnson County Recorder's Office; Thence N00°48'16"W, along the East Line of said Acquisition Parcel "B", 532.70 feet, to the Northeast Corner thereof, and a Point on the North Line of the Northwest Quarter of said Section 23; Thence N89°19'40"E, along said North Line, 2624.73 feet, to the Point of Beginning. Said Tract of Land contains 109.46 Acres, and is subject to easements and restrictions of record.

WHEREAS, said real estate is owned by the above-named party and the subdivision is being made with free consent and in accordance with the desires of the owner;

WHEREAS, said preliminary plat has been examined by the North Liberty Planning and Zoning Commission which found:

1. The preliminary plat which proposes residential and commercial development would achieve consistency with the Future Land Use designations, which are Residential, Commercial and Residential with Commercial (staff will initiate a Land Use amendment for the portion of the property designated Commercial with Residential so that the Land Use Map reflects residential development).
2. The preliminary plat, with conditions recommended by City staff, would achieve consistency with Section 180.11(3)(A) and 180.12 of the North Liberty Code of Ordinances, which sets forth the preliminary subdivision plat submittal requirements and design standards, respectively;

and did recommend that the preliminary plat described as Forevergreen Estates be approved with the following condition:

1. That the 10-foot landscape easement and the sanitary sewer force main easement be left unobstructed by fences (other than the fence along the north perimeter property line) and that the homeowners' association be responsible for maintenance of the area within the landscape easement and the south side of the north perimeter fence and that said maintenance responsibilities be articulated in a recorded landscape easement at the time of final plat; and

WHEREAS, said preliminary plat are found to conform with Chapter 354 of the Code of Iowa and ordinances of the City of North Liberty.

NOW, THEREFORE, BE IT RESOLVED that the Preliminary Plat for Forevergreen Estates is approved.

APPROVED AND ADOPTED this 12th day of April, 2022.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK



Colony Annexation

Resolution No. 2022-08

**A RESOLUTION APPROVING ANNEXATION OF CERTAIN
PROPERTY TO THE CITY OF NORTH LIBERTY, IOWA**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH
LIBERTY, IOWA:**

WHEREAS, the owner of property generally located on the east side of Front Street south of Broadmoor Estates and north of Windsor Farms Subdivision in the southeast part of the City has applied for annexation to the City of North Liberty;

WHEREAS, the total property to be annexed is legally described in Exhibit A, which includes all county roadways adjacent to the annexation area; and

WHEREAS, it is in the best interest of the City of North Liberty that said property be annexed to the City at this time.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of North Liberty, Iowa, that the property referred to herein and shown and mapped in Exhibit A shall hereinafter be and become a part of the City of North Liberty, Iowa.

BE IT FURTHER RESOLVED that the Planning Director is hereby directed to file the appropriate documentation with the City Development Board in order to proceed with the finalization of this annexation.

APPROVED AND ADOPTED this 12th day of April, 2022.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK

Exhibit A – Legal Description of Property

The South fractional Half of Southwest Quarter of Section 18, Township 80 North, Range 6 West of the 5th P.M., Johnson County, Iowa.

AND

The East Half of South Front Street lying contiguous to the South fractional Half of Southwest Quarter of Section 18, Township 80 North, Range 6 West of the 5th P.M., Johnson County, Iowa.

All county roadways adjacent to the annexation area are included in this legal description.

Total land area is 64.18 acres, more or less.

Map of Proposed Annexation:



Resolution No. 2022-09

**A RESOLUTION APPROVING THE WILDLIFE CONSERVATION
AND DEPREDATION AGREEMENT BETWEEN THE CITY OF
NORTH LIBERTY AND COLONY 1927, LLC**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY, IOWA:

WHEREAS, the owner, Colony 1927, LLC of property identified as Johnson County Parcel Numbers 0718351001 and 0718376001 that is being annexed to the City of North Liberty is enrolled in the Iowa Department of Natural Resources Deer Depredation Program;

WHEREAS, the North Liberty Code of Ordinances prohibits discharge of firearms, or the shooting of arrows or similar instruments within City limits except by written consent of the City Council;

WHEREAS, the parties wish to allow the safe and humane depredation of deer and other wildlife on the subject property, consistent with the requirements of the DNR Deer Depredation Program and sound wildlife conservation practices; and

WHEREAS, it is the parties' desire to agree and establish, in writing, their understanding regarding depredation as in the attached agreement.

NOW, THEREFORE, BE IT RESOLVED that that Wildlife Conservation and Depredation Agreement between the City of North Liberty and the Colony 1927, LLC is approved for a term of three years from the date the annexation is finalized.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute said agreement.

APPROVED AND ADOPTED this 12th day of April, 2022.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK

WILDLIFE CONSERVATION AND DEPREDATION AGREEMENT

This Wildlife Conservation and Depredation Agreement (“Agreement”) is entered into by and between Colony 1927, LLC, (hereinafter referred to as “Owner,” which expression shall include its, agents, successors and assigns) and the City of North Liberty, Iowa (hereinafter “the City”). Owner and the City are collectively referred to as “the Parties.”

I. RECITALS

A. Owner is the titleholder of agricultural real property in unincorporated Johnson County, adjacent to Front Street in North Liberty, identified as Johnson County Parcel Nos. 0718351001 and 0718376001 (the “Subject Property”).

B. Owner’s agricultural crops on the Subject Property have suffered sufficient damage from deer and other wildlife such that Owner has qualified for and is currently enrolled in the Iowa Department of Natural Resources (“DNR”) Deer Depredation Program.

C. Owner has applied to the City for voluntary annexation of the Subject Property into the City of North Liberty, with such application conditioned upon receiving permission from the City to hunt from time to time on the Subject Property.

D. Chapter 41.05 of the North Liberty Code of Ordinances prohibits discharge of firearms, or the shooting of arrows or similar instruments within City limits, except by written consent of the Council. Iowa Code §481A.123 further prohibits discharging firearms within two hundred yards of a building inhabited by people unless the owner or tenant has given consent to do so.

E. The Parties wish to allow the safe and humane depredation of deer and other wildlife on the Subject Property, consistent with the requirements of the DNR Deer Depredation Program and sound wildlife conservation practices.

II. TERMS

1. **Recitals.** By this reference, the Recitals set forth above are incorporated into and made part of this Agreement.

2. **Consideration.** Owner agrees to voluntarily apply for annexation of the Subject Property into the City of North Liberty as soon as is practicable. In exchange for the successful voluntary annexation of the Subject Property into the City of North Liberty, the City Council consents to the Owner’s use of firearms and arrows or other similar instruments on those portions of the Subject Property depicted in the attached Exhibit A, for the limiting purpose of controlling deer and other wildlife populations which may damage crops on the Subject Property, to the extent such firearms, arrows, or similar instruments are permitted to be used for such purposes by the Iowa DNR Deer Depredation program. Such consent is granted for the term of this Agreement. Consent by the City of North Liberty does not abrogate any of Owner’s other obligations to abide by applicable state and federal laws and regulations.

3. **Term and Renewal.** The term of this Agreement shall be three (3) years from the date the annexation of the Subject Property into the City of North Liberty is finalized in accordance with the provisions of Iowa Code Chapter 368.7 et. seq., after which time the Agreement shall be of no further force or effect, unless renewed by the Parties. The Agreement may be renewed for additional, subsequent terms by written consent of the Owner and an accompanying resolution by the City Council.

4. **Severability.** Should any provision of this Agreement be declared or be determined by any court to be illegal or invalid, the validity of the remaining parts, terms, or provisions shall not be affected thereby and said illegal or invalid part, term, or provision shall be deemed not to be a part of this Agreement.

5. **Entire Agreement.** This Agreement sets forth the entire agreement between the Parties hereto and fully supersedes any and all prior agreements or understanding between the Parties hereto pertaining to the subject matter hereof.

6. **Counterparts.** This Agreement shall be executed in one or more counterparts and by facsimile or other electronic means, each counterpart shall, for all purposes, be deemed an original, and all counterparts shall constitute the same instrument.

7. **Careful Review and Understanding.** All Parties represent and certify they have carefully read and fully understand all of the provisions and effects of this Agreement, that they have had the opportunity to thoroughly discuss all aspects of this Agreement with an attorney, that they are voluntarily entering into this Agreement, and that neither the opposing party nor any agents, representatives, or attorneys made any representations concerning the terms or effects of this Agreement other than those contained herein.

8. **Authority to Sign.** The undersigned individuals represent and warrant that they have authority to execute the Agreement on behalf of their respective parties. The undersigned individuals represent and warrant that all necessary corporate actions or resolutions have been taken to authorize the execution of this Agreement.

9. **Attorney's Fees.** If any dispute arises over this Agreement, including the resort to litigation, the prevailing party shall be entitled to recover the reasonable and necessary attorney's fees and expenses incurred in enforcing this Agreement.

10. **No Assignment.** The Parties warrant and represent that they have not made any assignment or transfer of any contract, right, claim, demand, cause of action, or other matter covered by the releases set forth herein.

11. **Right to Enforce This Agreement.** Notwithstanding any provision set forth in this Agreement, the Parties to this Agreement retain the right to enforce this Agreement.

12. **Drafting.** This Agreement was negotiated at arm's-length and entered into freely by the Parties, who have had opportunity to seek the advice of counsel. In the event an ambiguity exists in any provision of this Agreement, such ambiguity is not to be construed by reference to any doctrine or statute calling for ambiguities to be construed against the drafter of the document.

13. **Captions.** The captions or headings of the sections in this Agreement are for the convenience of reference only and in no way define, limit, or affect the scope or substance of any section of this Agreement.

14. **Scope of Promises, Representations, and Inducements.** Parties acknowledge, warrant and represent that no promises, representation or inducements, except as herein set forth, have been offered or made by a party hereto or to any other party hereto to secure the execution of any provision of this Agreement and that the releases above in this Agreement are executed without reliance on any statements or any representations not contained herein. Each of the Parties knowingly waives:

- a. Any claim that this Agreement was induced by any misrepresentation or nondisclosure, and
- b. Any right to rescind or void this Agreement based upon presently existing facts, known or unknown.

15. **Survival.** The provisions of this Agreement, including without limitation to, the representations, warranties, covenants and releases made herein shall survive the execution of this Agreement and the performances by the Parties of their respective obligations under this Agreement.

16. **Successors and Assigns.** This Agreement shall be binding upon and inure to the benefit of each Party's successors and assigns.

17. **Modifications.** No part or provision of this Agreement may be changed, modified, waived, discharged or terminated except by an instrument in writing signed by the Party against whom enforcement of such change, modification, waiver, discharge or termination is sought. The failure of a party to seek redress for violation of, or to insist upon strict performance of, any provision of this Agreement shall not be a waiver of that provision by the party to estop that party from asserting fully any and all of its rights under this Agreement.

18. **Further Assurances.** Each party shall execute such other and further documents, and take such other and further actions as may be reasonably requested by a Party hereto for the purpose effectuating the agreements herein.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement effective on the last date set forth below.

[SIGNATURE PAGE FOLLOWS]

COLONY 1927, LLC

By: _____
Dean Colony, Manager

Date of Signature: _____

By: _____
Katie Colony, Manager

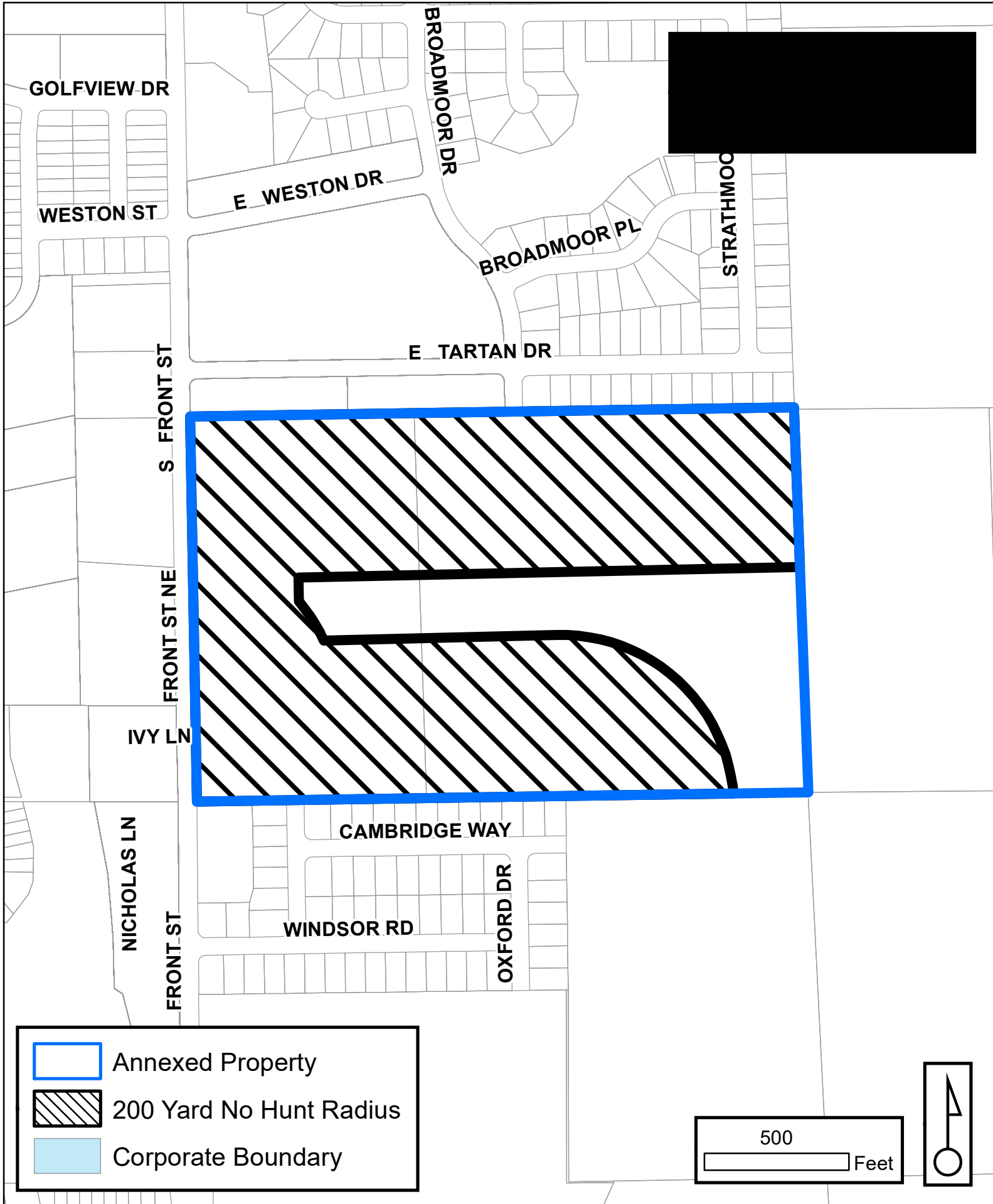
Date of Signature: _____




THE CITY OF NORTH LIBERTY, IOWA

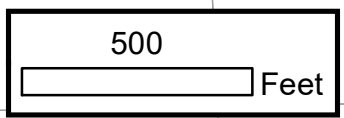
By: _____
Chris Hoffman, Mayor

Date of Signature: _____

Exhibit A



	Annexed Property
	200 Yard No Hunt Radius
	Corporate Boundary



Resolution No. 2022-09

**A RESOLUTION APPROVING THE WILDLIFE CONSERVATION
AND DEPREDATION AGREEMENT BETWEEN THE CITY OF
NORTH LIBERTY AND COLONY 1927, LLC**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY, IOWA:

WHEREAS, the owner, Colony 1927, LLC of property identified as Johnson County Parcel Numbers 0718351001 and 0718376001 that is being annexed to the City of North Liberty is enrolled in the Iowa Department of Natural Resources Deer Depredation Program;

WHEREAS, the North Liberty Code of Ordinances prohibits discharge of firearms, or the shooting of arrows or similar instruments within City limits except by written consent of the City Council;

WHEREAS, the parties wish to allow the safe and humane depredation of deer and other wildlife on the subject property, consistent with the requirements of the DNR Deer Depredation Program and sound wildlife conservation practices; and

WHEREAS, it is the parties' desire to agree and establish, in writing, their understanding regarding depredation as in the attached agreement.

NOW, THEREFORE, BE IT RESOLVED that that Wildlife Conservation and Depredation Agreement between the City of North Liberty and the Colony 1927, LLC is approved for a term of three years from the date the annexation is finalized.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute said agreement.

APPROVED AND ADOPTED this 12th day of April, 2022.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK



CMW Properties, LLC

Annexation

Resolution No. 2022-31

**A RESOLUTION APPROVING ANNEXATION OF CERTAIN
PROPERTY TO THE CITY OF NORTH LIBERTY, IOWA**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH
LIBERTY, IOWA:**

WHEREAS, the owner of property generally located on the south side of South Dubuque Street and east of North Liberty Road NE in the southeast part of the City has applied for annexation to the City of North Liberty;

WHEREAS, the total property to be annexed is legally described in Exhibit A, which includes all county roadways adjacent to the annexation area; and

WHEREAS, it is in the best interest of the City of North Liberty that said property be annexed to the City at this time.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of North Liberty, Iowa, that the property referred to herein and shown and mapped in Exhibit A shall hereinafter be and become a part of the City of North Liberty, Iowa.

BE IT FURTHER RESOLVED that the Planning Director is hereby directed to file the appropriate documentation with the City Development Board in order to proceed with the finalization of this annexation.

APPROVED AND ADOPTED this 12th day of April, 2022.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK

Exhibit A – Legal Description of Property

That part of the Southeast Quarter of the Southwest Quarter of Section 17, Township 80 North, Range 6 West of the Fifth Principal Meridian, Johnson County, Iowa and being more particular described as follows:

Commencing at the Northwest corner of said Southeast Quarter of the Southwest Quarter; thence S 00°07'49" W 269.02 feet to the point of beginning; thence S 89°14'54" E 241.30 feet; thence S 89°09'30" E 549.74 feet; thence S 00°06'53" E 201.28 feet; thence N 89°59'16" W 517.74 feet; thence N 00°31'40" W 30.00 feet; thence N 89°09'20" W 271.73 feet; thence N 00°31'40" w 178.41 feet to the point of beginning.

The aforementioned description includes a portion of the North Liberty Road NE right-of-way east of the centerline.

AND

That portion of the North Liberty Road NE right-of-way east of the centerline in the Southwest Quarter of the Southwest Quarter of section 17, Township 80 North, Range 6 west of the Fifth Principal Meridian, Johnson County, Iowa lying adjacent to and contiguous the following:

Commencing at the Northwest corner of said Southeast Quarter of the Southwest Quarter; thence S 00°07'49" W 269.02 feet to the point of beginning; thence S 89°14'54" E 241.30 feet; thence S 89°09'30" E 549.74 feet; thence S 00°06'53" E 201.28 feet; thence N 89°59'16" W 517.74 feet; thence N 00°31'40" W 30.00 feet; thence N 89°09'20" W 271.73 feet; thence N 00°31'40" w 178.41 feet to the point of beginning.

All county roadways adjacent to the annexation area are included in this legal description.

Map of Proposed Annexation:





Commercial Drive Extension Project

RESOLUTION NO. 2022-32

RESOLUTION RELATING TO THE FINANCING OF CERTAIN PROPOSED PROJECTS TO BE UNDERTAKEN BY THE CITY OF NORTH LIBERTY, IOWA; ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY, IOWA:

Section 1. Recitals.

(a) The Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the "Regulations") dealing with the issuance of bonds, all or a portion of the proceeds of which are to be used to reimburse the City for project expenditures made by the City prior to the date of issuance.

(b) The Regulations generally require that the City make a prior declaration of its official intent to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued borrowing and that the borrowing occur and the reimbursement allocation be made from the proceeds of such borrowing within a certain period after the payment of the expenditure or the date the projects are placed in service; and

(c) The City desires to comply with requirements of the Regulations with respect to certain projects hereinafter identified.

Section 2. Official Intent Declaration.

(a) The City proposes to undertake the following projects and to make original expenditures with respect thereto prior to the issuance of bonds, notes or other obligations (the "Bonds") and reasonably expects to issue the Bonds for such projects in the maximum principal amount shown below:

<u>Projects</u>	<u>Maximum Amount of Bonds Expected to be Issued for Projects</u>
Commercial Drive Extension	\$400,000

Other than (i) expenditures to be paid or reimbursed from sources other than the Bonds or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the projects have heretofore been made by the City for which the City will seek reimbursement from the proceeds of the Bonds.

(b) This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 3. Budgetary Matters.

As of the date hereof, there are no City funds reserved, allocated on a long term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long term basis or otherwise set aside) to provide permanent financing for the expenditures related to the projects, other than pursuant to the issuance of the Bonds. This resolution, therefore, is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof, all within the meaning and content of the Regulations.

Section 4. Reimbursement Allocations.

The City's financial officer shall be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the Bonds to reimburse the source of temporary financing used by the City to make payment of the prior costs of the projects. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the Bonds, shall specifically identify the actual prior expenditure being reimbursed or, in the case of reimbursement of a fund or account, the fund or account from which the expenditure was paid, and shall be effective to relieve the proceeds of the Bonds from any restriction under the bond resolution or other relevant legal documents for the Bonds, and under any applicable state statute, which would apply to the unspent proceeds of the Bonds.

Section 5. Repealer.

All resolutions, parts of resolutions, or actions of the Council in conflict herewith are hereby repealed, to the extent of such conflict.

APPROVED AND ADOPTED this 12th day of April, 2022.

CITY OF NORTH LIBERTY:

Chris Hoffman, Mayor

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

Tracey Mulcahey, City Clerk



Jones Boulevard Extension Project

Resolution No. 2022-33

RESOLUTION FINALLY APPROVING AND CONFIRMING PLANS, SPECIFICATIONS, AND ESTIMATE OF COST FOR THE JONES BOULEVARD EXTENSION PROJECT

WHEREAS, the City Council of the City of North Liberty, Iowa, has heretofore given preliminary approval to the plans, specifications, and estimate of cost (the "Contract Documents") for the proposed Jones Boulevard Extension Project (the "Project"), as described in the notice of hearing on the Contract Documents for the Project and the taking of bids therefor; and

WHEREAS, a hearing has been held on the Contract Documents on April 12, 2022;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of North Liberty, Iowa, as follows:

Section 1. The City Council will receive bids for the Project on April 19, 2022 at 10:00 a.m. At such time and place the City Clerk will open such bids received and announce the results thereof. The City Council will consider bids received at the City Council meeting to be held on April 26, 2022 at 6:30 p.m. in Council Chambers at 1 Quail Creek Circle, North Liberty, Iowa.

Section 2. The City Clerk is hereby authorized and directed to give notice of the hearing and taking of bids by publication as required by law, which publication shall be made not less than 4 and not more than 45 days prior to the date for receipt of bids and not less than 4 and not more than 20 days prior to the date of the said hearing.

Section 3. "Pursuant to Section 1.150-2 of the Income Tax Regulations (the "Regulations") of the Internal Revenue Service, the City declares (a) that it intends to undertake the Project, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the "Bonds"), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the City, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Project have heretofore been made by the City and no expenditures will be made by the City until after the date of this Resolution or a prior intent resolution of the City, and (c) that the City reasonably expects to reimburse the expenditures made for costs of the City out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 4. The Contract Documents referred to in the preamble hereof are hereby finally approved, and the prior action of the City Council giving preliminary approval is hereby finally confirmed, and the Project, as provided for in the Contract Documents, is necessary and desirable.

Section 5. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

APPROVED AND ADOPTED this 12th day of April, 2022.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK



Waste Water Treatment Plant Facility Plan Update

Task Order

In accordance with paragraph 1.01 of the Master Agreement between Owner and Engineer for Professional Services dated December 1, 2013 ("Agreement"), Owner and Engineer agree as follows:

Specific Project Data

- A. Title:** 2022 Wastewater Treatment Plant Facility Plan - North Liberty, Iowa
- B. Description:** The City of North Liberty is planning for continued growth in the community. To allow for continued growth, the City wishes to prepare a wastewater treatment plant facility plan. A facility plan was completed in June 2013 (revised January 2014), titled "Wastewater Treatment Plant Facility Plan Update, City of North Liberty". The improvements identified in that plan were completed in 2018 and are intended to serve a population of around 27,800. With current population estimates pushing 21,000, city leaders would like to update the facility plan to determine the appropriate timing, associated costs, and plan for implementing the next phase of expansion.
- 1. Services of Engineer -** Services of Engineer for this Task Order No. 7037.011 shall be as per Exhibit A of the Master Agreement except as modified below (*Paragraph and Sub-paragraph numbering below coincides with the particular Paragraph and Sub-paragraph numbering of Exhibit A of the Master Agreement for which modifications are hereby made*):

Part 1 -- Basic Services

A1.01 Study and Report Phase – As per Exhibit A, with the following additions or modifications:

- A.1. Our Basic Services will generally consist of:
- a. Providing civil and environmental engineering services to conduct a study and prepare a report addressing capacity and improvement needs for the existing municipal wastewater treatment plant.
 - b. In conjunction with the facility plan, complete a feasibility study evaluating nutrient reduction as required by the city's NPDES permit. This is anticipated to involve submitting data to IDNR showing the North Liberty WWTP is meeting the requirements of the Iowa Nutrient Reduction Strategy (NRS).
 - c. Evaluate the existing condition and capacity of three remote lift stations including the condition of the existing electrical equipment: Cedar Springs Lift Station, 230th St. Lift Station, and Progress Park Lift Station.
 - d. Evaluate the capacity of the existing activated sludge/membrane bioreactor (MBR) system, preliminary treatment, equalization basin/pumping, disinfection, and solids handling and storage facilities based on plant operational data and updated design flows and loads (described below).
 - e. Electrical equipment and controls evaluation shall include:
 - i. Evaluate condition of major electrical and control equipment, estimate remaining service life of equipment.
 - ii. Review existing power distribution methods and capacities, including emergency generator capacities and conditions.
 - iii. Review with the City current operational inadequacies.
 - f. Update the phased approach for expanding treatment plant capacity to meet anticipated future needs. It's assumed that the MBR technology will continue to be utilized for plant expansions.

- g. Develop new and revised construction cost opinions for the future phases.
 - h. Develop a schedule for implementation of the various phases based on projected population growth.
 - i. Prepare and present a report to the Council regarding the findings of the study and make recommendations regarding project and project schedule.
- A.2. Data and Information Collection:
- a. Collect and review plant influent, effluent, and plant operational data for the past five years. Historical data will be reviewed and analyzed to compare plant performance to permit requirements and to establish current design flows and loads.
 - b. Schedule and participate in a kickoff meeting with City Staff to identify operational concerns, expansion issues, and projected population growth. A site visit to the existing lift stations included in the evaluation will also be made.
 - c. Flows and Loads memo: Develop current and future design flows and loadings based on existing values and allowances allocated for anticipated growth. This will be submitted to IDNR for their review and comment.
- A.3. Project Initiation Conference: After the design flows and loadings are developed, we will attend the required Project Initiation Conference with IDNR. The purpose of the meeting is to identify the anticipated project scope and design assumptions so that any disagreements can be dealt with before a detailed evaluation of alternatives is completed. Alternatives that are expected to be included in the Facility Plan evaluation will also be discussed.
- A.4. Alternative Development and Evaluation:
- a. Project Workshop: Attend a project workshop meeting with City Staff to discuss the study, alternatives to consider, and projected growth.
 - b. Treatment Plant & Lift Station Evaluation: Prepare unit process descriptions and evaluations to reflect current conditions of the plant and the three identified lift stations. Determine the hydraulic and loading capacities of the treatment plant based on current effluent limitations. The evaluation will also summarize nutrient removal performance of the existing plant for the Nutrient Feasibility Study.
 - c. Develop conceptual, planning-level schematics and layouts for report illustrations.
 - d. Develop alternatives for expanding plant capacity for anticipated growth, including preliminary treatment, membrane bioreactor facilities, disinfection and solids handling facilities. Recommendation of necessary improvements to the lift stations will also be included.
 - e. Identify changes or upgrades required for the electrical power and controls system as required for proposed changes to process equipment.
 - f. The evaluation will include capital and life-cycle costs, a description of operational issues, and financing options. (The cost estimates will be preliminary and approximate in nature intended for use in comparing the options. To the extent practical, estimates will be prepared using published cost estimating data, preliminary estimates from equipment and chemical suppliers, and information from our own project files.)
 - g. Evaluate options based on monetary and non-monetary considerations, including factors such as: reliability, feasibility, safety, ease of operation, space constraints, implementation issues, and other consideration deemed appropriate during the study.
- A.5. Preliminary Facility Plan and Nutrient Reduction Strategy:
- a. The preliminary findings will be summarized in the Preliminary Facility Plan, which will be submitted to the City for review and comment. FOX Strand will then meet with City Staff to present and review the findings of the report, address any questions and discuss any changes that may be requested.
 - b. A separate Nutrient Reduction Feasibility report will be concurrently developed that will have a narrower focus to comply with the requirements of the City's NPDES permit. The report will include summary data for nutrient reduction at the WWTP, anticipated to show compliance with the goals of the Iowa NRS.
- A.6. Furnish up to five (5) copies and one electronic copy of the preliminary reports.

- A.7. Final Facility Plan and Nutrient Reduction Strategy:
 - a. Comments received during the review of the Preliminary Facility Plan would be incorporated in a Final Facility Plan, and up to five (5) copies and one electronic copy will be delivered to the City for distribution. FOX Strand will meet with the City to present and review the findings of the report and address any questions. When approved by the City, the Final Plan would be submitted to IDNR for their review along with the Nutrient Reduction Strategy report.
- A.8. Anti-Degradation Analysis: One of the goals of this project is to increase the IDNR's official loading capacity for the treatment plant for future growth. It is anticipated that IDNR will require that the Anti-Degradation process be followed for this change to be made. Scope includes preparation of the Anti-Degradation Alternatives Analysis associated with this requirement.
 - a. A draft Antidegradation Alternatives Analysis will be prepared and distributed for a 30-day Public Comment Period. Verbiage for the Notice will be provided to the Owner. It will be the Owner's responsibility to have the Notice published in a local newspaper and post it in a public location (e.g. the library or post office). Any comments from the public will be collected and compiled by the Owner and forwarded to FOX Strand at the end of the public comment period.
 - b. FOX Strand will address and incorporate any comments received into the report(s) and will prepare a Final Antidegradation Alternatives Analysis. This report(s) will be submitted to IDNR with the Facility Plan.

A1.02 Preliminary Design Phase – Not applicable.

A1.03 Final Design Phase – Not applicable.

A1.04 Bidding or Negotiating Phase – Not applicable.

A1.05 Construction Phase – Not applicable

A1.06 Commissioning and Post-Construction Phase – Not applicable.

Part 2 -- Additional Services

A2.01 Additional Services Requiring Owner's Authorization in Advance - As per Exhibit A of the Master Agreement, except for services specifically identified in this document as part of the Basic Services, and with the following clarifications:

- A.1. Funding Assistance as described in the Master Agreement under A2.01.A.1 and other services required to comply with funding requirements as requested by the Owner (e.g., Applications, Environmental Information Documents, and assistance with archaeological and historical investigations). Other work could include assistance with applying for a SRF Planning and Design Loan, applying for an SRF loan via the submittal of an Intended Use Plan application, or SRF sponsored project evaluation or application.
- A.7.
 - a. Pilot Testing
 - b. Flow monitoring or detailed investigations of the condition or capacity of the collection system. This includes review of televising records or development of an I&I reduction plan.

2. Owner's Responsibilities - Owner Responsibilities for this Task Order shall be as per Exhibit B of the Master Agreement and as modified below:

B.2.01. As per Exhibit B, but with the following additional responsibilities:

- C.7. Should any sampling or testing of raw or treated wastewater, soil borings or other special testing services be required for completion of the study, FOX Strand will recommend those to the Owner. The costs of such sampling and testing are beyond the scope of this study and will be the Owner’s responsibility.

- H. The Owner shall pay for all permit fees associated with the project. Such fees are not included in this contract.

3. Times for Rendering Services

Engineer and Owner are aware that there are factors outside the Engineer’s control that may affect the Engineer’s schedule for completing the services to be provided under this Agreement. The Engineer shall perform these services with reasonable diligence and expediency consistent with sound professional practices.

<u>Phase</u>	<u>Anticipated Completion Date</u>
Preliminary Facility Plan	Deliver to Owner within 270 days of authorization to proceed
Final Facility Plan	Deliver to Owner within 30 days after receipt of review comments
Preliminary Nutrient Reduction Feasibility Study	Deliver to Owner within 210 days of authorization to proceed
Final Nutrient Reduction Feasibility Study	Deliver to Owner within 30 days after receipt of review comments

4. Payments to Engineer for Services and Reimbursable Expenses

Payments to Engineer shall be in accordance with Exhibit C of the Master Agreement. Specifically, Owner shall pay Engineer for services as follows:

	Fee Basis	Amount
Basic Services – (note 1 & 2)		
Wastewater Treatment Plant Facility Plan, Nutrient Reduction Feasibility Study, and Antidegradation Alternatives Analysis	Method A. Lump Sum	\$115,400
Additional Services –		To Be Determined, if needed

Notes:

- (1) Method A Lump Sum fees noted above include appropriate amounts for direct expenses for each item.

5. Engineer’s Consultants:

- (1) Shive Hattery – City engineering review and consultation.
- (2) Riesberg Engineering Company – Evaluation of electrical components related to the facility plan.

6. Other Modifications to Master Agreement:

The term of the Master Agreement is hereby extended to the completion date of the work under this Task Order if that should extend beyond the current term of the Agreement.

7. **Attachments:** None

8. **Documents Incorporated By Reference:** None

Approval and Acceptance: Approval and Acceptance of this Task Order, including the attachments listed above, shall incorporate this document as part of the Agreement. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is _____, 2022.

Engineer

Steven J. Troyer 3-11-2022
Signature Date

Steven J. Troyer, P.E.
Name

Project Manager
Title

Authorized Representative for Task Order:

Steven J. Troyer, P.E.
Name

Project Manager
Title

414 South 17th Street, Suite 107, Ames, IA 50010
Address

steve.troyer@strand.com
E-Mail Address

515-233-0000
Phone

515-233-0103
Fax

Owner

Signature Date

Name

Title

Authorized Representative for Task Order:

Name

Title

Address

E-Mail Address

Phone

Fax

Resolution No. 2022-34

**RESOLUTION APPROVING TASK ORDER NUMBER
7037.011 BETWEEN THE CITY OF NORTH LIBERTY AND
FOX STRAND ENGINEERING FOR THE 2022
WASTEWATER TREATMENT PLANT FACILITY PLAN**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY,
IOWA:**

WHEREAS, the City Council desires to assess the status of the current Wastewater Treatment Plant in relation to the increasing population;

WHEREAS, Fox Strand Engineering has presented a proposal for services relating to the plan; and

NOW, THEREFORE, BE IT RESOLVED that Task Order presented by Fox Strand Engineering is approved for the 2022 Wastewater Treatment Plant Facility Plan at a lump sum fee of \$115,400.00 is hereby approved as set forth therein.

BE IT FURTHER RESOLVED that the City Administrator is hereby authorized and ordered to execute the agreement with said engineering firm for the scope of work.

APPROVED AND ADOPTED this 12th day of April, 2022.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK



Goose Lake Owners Association Agreement

INDEMNIFICATION AGREEMENT AND CONSENT

This Indemnification Agreement and Consent (“Agreement”) is entered into by and between Goose Lake Estates Condominiums Owners Association, Inc. (hereinafter the “HOA” which expression shall include, its agents, successors or assigns) and the City of North Liberty, Iowa (hereinafter “the City”). HOA and the City are collectively referred to as “the Parties.”

I. RECITALS

A. The City is the owner of real property situated at 1101 Alexander Way, North Liberty, Iowa, and otherwise identified as Johnson County Iowa Parcel No. 0611228001 (the “Property”), said Property largely adhering to the contours of Goose Lake Pond (the “Pond”).

B. The HOA administers and maintains a condominium regime adjacent to the Property, and wishes to perform certain maintenance activity along the perimeter of the Pond to limit erosion (the “Project”) at its own expense.

C. The City wishes to allow HOA to proceed with the Project subject to certain limitations and conditions.

D. The Parties wish to reduce their agreement to writing as described herein.

II. TERMS

1. **Recitals.** By this reference, the Recitals set forth above are incorporated into and made part of this Agreement.
2. **Authorization.** Upon execution of this Agreement by all Parties and upon approval of the Agreement by the City’s council, the HOA is authorized to perform such work as may be required by the Project, entirely at the HOA’s expense, and subject to the conditions herein.
3. **Project Oversight.** In exchange for the authorization to proceed with the Project, HOA agrees that the plans for the Project are subject to review and approval by the City Engineer, and that the Project shall be subject to inspection and final approval by City Staff, which final approval shall not be unreasonably withheld.
4. **Relationship of the Parties.** Notwithstanding said review, inspection and approval by City of the Project in Paragraph 3 above, the parties shall be independent contractors in their performance under this Agreement, and nothing contained in this Agreement shall be deemed to constitute any party as the employer, employee, agent or representative of any other party, or the parties as joint venturers or partners for any purpose.
5. **Compliance with Laws; Assumption of Risk.** At all times during the construction of the Project, HOA shall comply with all applicable federal, state, or local laws, ordinances, rules, regulations, and notices. Notwithstanding the issuance of a permit or license, HOA assumes all risks associated with the construction of the Project.
6. **Indemnification.** HOA agrees to defend, indemnify, and hold harmless the City and its directors, officers, employees, subcontractors, and agents from and against all third-party claims, suits, causes of action, damages, costs (including reasonable and documented attorneys’ fees),

judgments, and other expenses arising out of or related to (i) HOA's breach of this Agreement; (ii) allegations of negligence or misconduct of HOA and its employees or agents; and (iii) HOA's violation of applicable law.

7. **Insurance.** During the construction of the Project, HOA shall maintain in force, at HOA's own expense, at least the following insurance coverages, placed with insurers authorized to do business in the State of Iowa and that have an A.M. Best's Rating of no less than A-:
 - a. Workers' Compensation Insurance in accordance with state statutory laws, including Employers' Liability with minimum limits of \$1,000,000 each Accident.
 - b. Commercial General Liability Insurance with coverages including, but not limited to: bodily injury and death; assault; personal injury; property damage liability; product and completed operations; and contractual liability coverage with minimum limits of \$1,000,000 Each Occurrence and \$2,000,000 General Aggregate.

All insurance policies, with the exception of Workers' Compensation insurance, shall name the City, its officers, elected officials, employees, agents, and volunteers as additional insured(s) via blanket endorsement for the liability policies noted above, and HOA shall provide to the City a copy of all Additional Insured endorsements. All policies maintained shall be written as primary policies, not contributing with coverage the City may carry, and will contain a waiver of any subrogation claims against the City and its insurance carrier(s) with respect to all obligations assumed by HOA under this agreement. The insurance policies listed herein shall not be cancelled or materially reduced without thirty (30) days' prior written notice to the City. In no event shall the limits of any policy be considered as limiting the liability of the HOA under the Agreement. The fact that HOA has obtained the insurance required hereunder shall in no manner lessen or otherwise affect such HOA's other obligations or liabilities set forth in this Agreement.

It is understood that HOA intends to contract with an independent contractor to perform the work for the Project. For so long as HOA has no employees which perform any function pursuant to this agreement in furtherance of the Project, HOA shall be exempted from the requirements of Subparagraph 7(a) above.

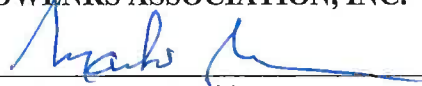
8. **Limitation of Liability.** TO THE FULLEST EXTENT PERMITTED BY LAW, IN NO EVENT SHALL ANY PARTY BE LIABLE FOR ANY CLAIM FOR ANY INDIRECT, WILLFUL, PUNITIVE, INCIDENTAL, EXEMPLARY, SPECIAL, OR CONSEQUENTIAL DAMAGES, FOR LOSS OF GOODWILL, FOR LOSS OF BUSINESS PROFITS, FOR DAMAGES FOR LOSS OF BUSINESS, FOR LOSS OR INACCURACY OF DATA OF ANY KIND, OR OTHER INDIRECT ECONOMIC DAMAGES, WHETHER BASED ON CONTRACT, NEGLIGENCE, TORT (INCLUDING STRICT LIABILITY) OR ANY OTHER LEGAL THEORY, EVEN IF SUCH PARTY HAS BEEN ADVISED OR HAD REASON TO KNOW OF THE POSSIBILITY OF SUCH DAMAGES IN ADVANCE.
9. **Interpretation.** The language of all parts of this Agreement shall in all cases be construed as a whole, according to its fair meaning, and not strictly for or against any of the Parties. This Agreement is made and entered into, and shall be subject to, governed by, and interpreted in accordance with, the laws of the State of Iowa.

10. **Severability.** Should any provision of this Agreement be declared or be determined by any court to be illegal or invalid, the validity of the remaining parts, terms, or provisions shall not be affected thereby and said illegal or invalid part, term, or provision shall be deemed not to be a part of this Agreement.
11. **Entire Agreement.** This Agreement sets forth the entire agreement between the Parties hereto and fully supersedes any and all prior agreements or understanding between the Parties hereto pertaining to the subject matter hereof.
12. **Counterparts.** This Agreement shall be executed in one or more counterparts and by facsimile or other electronic means, each counterpart shall, for all purposes, be deemed an original, and all counterparts shall constitute the same instrument.
13. **Careful Review and Understanding.** All Parties represent and certify they have carefully read and fully understand all of the provisions and effects of this Agreement, that they have had the opportunity to thoroughly discuss all aspects of this Agreement with an attorney, that they are voluntarily entering into this Agreement, and that neither the opposing party nor any agents, representatives, or attorneys made any representations concerning the terms or effects of this Agreement other than those contained herein.
14. **Authority to Sign.** The undersigned individuals represent and warrant that they have authority to execute the Agreement on behalf of their respective parties. The undersigned individuals represent and warrant that all necessary corporate actions or resolutions have been taken to authorize the execution of this Agreement.
15. **Right to Enforce This Agreement.** Notwithstanding any provision set forth in this Agreement, the Parties to this Agreement retain the right to enforce this Agreement.
16. **Drafting.** This Agreement was negotiated at arm's-length and entered into freely by the Parties, who have had opportunity to seek the advice of counsel. In the event an ambiguity exists in any provision of this Agreement, such ambiguity is not to be construed by reference to any doctrine or statute calling for ambiguities to be construed against the drafter of the document.
17. **Captions.** The captions or headings of the sections in this Agreement are for the convenience of reference only and in no way define, limit, or affect the scope or substance of any section of this Agreement.
18. **Successors and Assigns.** This Agreement shall be binding upon and inure to the benefit of each Party's successors and assigns.
19. **Modifications.** No part or provision of this Agreement may be changed, modified, waived, discharged or terminated except by an instrument in writing signed by the Party against whom enforcement of such change, modification, waiver, discharge or termination is sought. The failure of a party to seek redress for violation of, or to insist upon strict performance of, any provision of this Agreement shall not be a waiver of that provision by the party to estop that party from asserting fully any and all of its rights under this Agreement.

20. **Further Assurances.** Each party shall execute such other and further documents, and take such other and further actions as may be reasonably requested by a Party hereto for the purpose effectuating the agreements herein.

IN WITNESS WHEREOF, the Parties hereto have executed this Indemnification Agreement and Consent effective on the last date set forth below.

**GOOSE LAKE ESTATES CONDOMINIUMS
OWENRS ASSOCIATION, INC.**



Mark Iverson, President

Date of Signature: 4/5/2022

THE CITY OF NORTH LIBERTY, IOWA

Chris Hoffman, Mayor

Date of Signature: _____

Resolution No. 2022-35

A RESOLUTION APPROVING THE INDEMNIFICATION AGREEMENT AND CONSENT BETWEEN THE CITY OF NORTH LIBERTY AND GOOSE LAKE ESTATES CONDOMINIUMS OWNERS ASSOCIATION, INC.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY, IOWA:

WHEREAS, the Goose Lake Estates Condominiums Owners Association, LLC are concerned about erosion of Goose Lake near their condominium complex;

WHEREAS, the Association wants to install riprap to prevent additional erosion of the bank;

WHEREAS, the City of North Liberty owns Goose Lake; and

WHEREAS, it is the parties' desire to agree and establish, in writing, their understanding as in the attached agreement.

NOW, THEREFORE, BE IT RESOLVED that the Indemnification Agreement and Consent between the City of North Liberty and Goose Lake Estates Condominiums Owners Association, Inc. is approved.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute said agreement.

APPROVED AND ADOPTED this 12th day of April, 2022.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK



Zoning Ordinance Amendment



April 5, 2022

Chris Hoffman, Mayor
City of North Liberty
3 Quail Creek Circle
North Liberty IA 52317

Re: Request of the City of North Liberty for an Ordinance for an Ordinance amending Section 167.01 regarding the definition of "Masonry, Required" and Section 168.07 regarding use standards for garages attached to dwellings and scrivener errors in use standards for vehicle dealerships.

Mayor Hoffman:

The North Liberty Planning Commission considered the above-referenced request at its April 5, 2022 meeting. The Planning Commission took the following action:

Finding:

1. The proposed Ordinance would revise oversights in the recently adopted Zoning Ordinance amendment.

Recommendation:

The Planning Commission accepted the two listed finding and forwards the Ordinance amendment to the City Council with a recommendation for approval.

The vote for approval was 6-0.

Josey Bathke, Vice Chairperson
City of North Liberty Planning Commission



To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **April 1, 2022**
Re **Request of the City of North Liberty for an Ordinance for an Ordinance amending Section 167.01 regarding the definition of “Masonry, Required” and Section 168.07 regarding use standards for garages attached to dwellings and scrivener errors in use standards for vehicle dealerships.**

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
Grant Lientz, City Attorney
Tom Palmer, City Building Official
Kevin Trom, City Engineer
Ryan Rusnak, Planning Director

Discussion:

This Ordinance cleans up oversights in the large Zoning Ordinance amendment, which was recently amended. As mentioned during the initial amendment, staff is committed to making amendments to achieve the desired community standard.

1. Section 167.01 General Definitions.

It was realized that an outright prohibition on overhead doors was onerous when transparency in the overhead door could provide visual interest to a building. In that light, it is staff’s opinion that credit should not be given to solid doors.

“Masonry, required” means the total area of a building elevation measured between grade and the highest point of the coping of a flat roof or the eaves for gable, hip, gambrel or mansard roof. The transparency from windows ~~Windows~~ and doors may be subtracted out of the total area ~~with the exception of overhead doors~~ in non-residential (including mixed use) buildings.

2. Section 168.07 Uses Defined And Use Standards.

A. Section 168.07(27)(B)(9) - Dwelling - Single-Unit.

It was realized that 50% was too restrictive and actually made homes non-conforming, which was not the goal of the amendment. 60% is much more reasonable standard.

(9) Front-facing garages shall not exceed 16' or ~~50~~60% the width of the front building line, whichever is greater. Garage width is measured between the edges of the garage door; in the case of garages designed with multiple garage doors, the distance is measured between the edges of the outermost doors.

B. Section 168.07(76)(B)(1) - Vehicle Dealership, New and Used

This corrects and outdated code reference.

(1) The number and location of vehicles shall be designated on an approved site plan. The vehicle display area shall be designed in accordance with the provisions of Section 169.01 and ~~169.13~~169.02 with the exception that display areas do not need to be delineated with paint or other permanent materials.

C. Section 168.07(77)(B)(1) - Vehicle Dealership, Used

This corrects and outdated code reference.

(1) The number and location of vehicles shall be designated on an approved site plan. The vehicle display area shall be designed in accordance with the provisions of Section 169.01 and ~~169.13~~169.02 with the exception that display areas do not need to be delineated with paint or other permanent materials.

Public Input:

No public input has been received. However, these amendments are the result of applications of the Zoning Ordinance on real projects.

Staff Recommendation:

Finding:

1. The proposed Ordinance would revise oversights in the recently adopted Zoning Ordinance amendment.

Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the Ordinance amendment to the City Council with a recommendation for approval.

Suggested Motion:

I move that the Planning Commission accept the listed finding and forwards the Ordinance amendment to the City Council with a recommendation for approval.

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 167.01 REGARDING THE DEFINITION OF "MASONRY, REQUIRED", SECTION 168.07(27)(9) REGARDING DESIGN STANDARDS FOR ATTACHED GARAGES AND SECTIONS 168.07(76) AND 168.07(77) CORRECTING SCRIVENER'S ERRORS.

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

SECTION 1. AMENDMENT OF SECTION 167.01. Section 167.01 (definition of "Masonry, required" only) of the Code of Ordinances is amended to read as follows:

"Masonry, required" means the total area of a building elevation measured between grade and the highest point of the coping of a flat roof or the eaves for gable, hip, gambrel or mansard roof. ~~The transparency from~~ ~~W~~indows and doors may be subtracted out of the total area ~~with the exception of overhead doors~~ in non-residential (including mixed use) buildings.

SECTION 2. AMENDMENT OF SECTION 168.07(27). Section 168.07(27)(B)(9) of the Code of Ordinances is amended to read as follows:

27. Dwelling - Single-Unit.
- A. Defined. Single-Unit Dwelling means a structure containing only one dwelling unit on a single lot.
 - B. Use Standards.
 - (1) The structure must contain 24 feet of width at its largest dimension.
 - (2) The structure must contain a minimum living area of 660 square feet.
 - (3) The structure must be located on a frost-protected perimeter foundation.
 - (4) Every room within a dwelling unit must be accessible from every other room within the dwelling via a completely internal route within the envelope of the dwelling structure.
 - (5) Minimum required masonry on front and corner side yard building elevations is 25%, with the following exceptions:
 - (a) No masonry is required in the RS-7 and RS-8 districts.

- (b) In lieu of the required masonry on the façade facing the corner side yard, one of the two following options may be selected:
 - (i) Two, two-inch caliper trees planted in the corner side yard. Existing trees of adequate size in the corner side yard may satisfy this requirement.
 - (ii) Architectural relief on the façade facing the corner side yard, such that the wall contains more than two offsets, which may consist of wall corners, bay or bowed windows, or other means approved by the Code Official.
- (6) The front entry must be an integral part of the structure, using features such as porches, raised steps and stoops with roof overhangs, or decorative railings to articulate the front facade.
- (7) A 5% minimum transparency requirement applies to the front facade and is calculated on the basis of the area of the facade below the roofline.
- (8) A dwelling with a front-facing attached three-car garage shall have one of the garages offset one foot from the other garages.
- (9) Front-facing garages shall not exceed 16' or ~~50~~60% the width of the front building line, whichever is greater. Garage width is measured between the edges of the garage door; in the case of garages designed with multiple garage doors, the distance is measured between the edges of the outermost doors.

SECTION 3. AMENDMENT OF SECTIONS 168.07(76) and 168.07(77). Sections 168.07(76) and 168.07(77) are amended to read as follows:

76. Vehicle Dealership, New and Used

- A. Defined. New and Used Vehicle dealership means an establishment that sells or leases new or primarily new automobiles, vans, motorcycles, and/or all-terrain vehicles (ATV) vehicles, or other similar motorized transportation vehicles. Vehicle dealerships do not include medium duty trucks (with the exception of pickup trucks), heavy duty trucks, trailers, boats, or heavy equipment sales, which are considered heavy retail, rental, and service. A dealership may provide ancillary on-site facilities for the repair (minor or major) and service of the vehicles sold or leased by the dealership.

- B. Use Standards.
 - (1) The number and location of vehicles shall be designated on an approved site plan. The vehicle display area shall be designed in accordance with the provisions of Sections 169.01 and 169.~~13-02~~ with the exception that display areas do not need to be delineated with paint or other permanent materials.
 - (2) All vehicles offered for sale shall be operational and roadworthy as provided in the applicable sections of the Code of Iowa and the Iowa Administrative Code.

77. Vehicle Dealership, Used.

- A. Defined. Used Vehicle dealership means an establishment that sells or leases used automobiles, vans, motorcycles, and/or all-terrain vehicles (ATV) vehicles, or other similar motorized transportation vehicles. Vehicle dealerships do not include medium duty trucks (with the exception of pickup trucks), heavy duty trucks, trailers, boats, or heavy equipment sales, which are considered heavy retail, rental, and service. A dealership may provide ancillary on-site facilities for the minor repair and service of the vehicles sold or leased by the dealership.
- B. Use Standards.
 - (1) The number and location of vehicles shall be designated on an approved site plan. The vehicle display area shall be designed in accordance with the provisions of Sections 169.01 and 169.~~13-02~~ with the exception that display areas do not need to be delineated with paint or other permanent materials.
 - (2) All vehicles offered for sale shall be operational and roadworthy as provided in the applicable sections of the Code of Iowa and the Iowa Administrative Code.

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

SECTION 5. SCRIVENER'S ERROR. The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Clerk or the Clerk's designee without further public hearing.

SECTION 6. SEVERABILITY. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the

Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 7. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on _____, 2022.

Second reading on _____, 2022.

Third and final reading on _____, 2022.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK

I certify that the forgoing was published as Ordinance No. _____ in the *Cedar Rapids Gazette* on the ____ day of _____, 2022.

TRACEY MULCAHEY, CITY CLERK

Ordinance No. 2022-09

AN ORDINANCE AMENDING SECTION 167.01 REGARDING THE DEFINITION OF "MASONRY, REQUIRED", SECTION 168.07(27)(9) REGARDING DESIGN STANDARDS FOR ATTACHED GARAGES AND SECTIONS 168.07(76) AND 168.07(77) CORRECTING SCRIVENER'S ERRORS.

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

SECTION 1. AMENDMENT OF SECTION 167.01. Section 167.01 (definition of "Masonry, required" only) of the Code of Ordinances is amended to read as follows:

"Masonry, required" means the total area of a building elevation measured between grade and the highest point of the coping of a flat roof or the eaves for gable, hip, gambrel or mansard roof. The transparency from windows and doors may be subtracted out of the total area in non-residential (including mixed use) buildings.

SECTION 2. AMENDMENT OF SECTION 168.07(27). Section 168.07(27)(B)(9) of the Code of Ordinances is amended to read as follows:

27. Dwelling - Single-Unit.
- A. Defined. Single-Unit Dwelling means a structure containing only one dwelling unit on a single lot.
 - B. Use Standards.
 - (1) The structure must contain 24 feet of width at its largest dimension.
 - (2) The structure must contain a minimum living area of 660 square feet.
 - (3) The structure must be located on a frost-protected perimeter foundation.
 - (4) Every room within a dwelling unit must be accessible from every other room within the dwelling via a completely internal route within the envelope of the dwelling structure.
 - (5) Minimum required masonry on front and corner side yard building elevations is 25%, with the following exceptions:
 - (a) No masonry is required in the RS-7 and RS-8 districts.
 - (b) In lieu of the required masonry on the façade facing the corner side yard, one of the two following options may be selected:

- (i) Two, two-inch caliper trees planted in the corner side yard. Existing trees of adequate size in the corner side yard may satisfy this requirement.
 - (ii) Architectural relief on the façade facing the corner side yard, such that the wall contains more than two offsets, which may consist of wall corners, bay or bowed windows, or other means approved by the Code Official.
- (6) The front entry must be an integral part of the structure, using features such as porches, raised steps and stoops with roof overhangs, or decorative railings to articulate the front facade.
- (7) A 5% minimum transparency requirement applies to the front facade and is calculated on the basis of the area of the facade below the roofline.
- (8) A dwelling with a front-facing attached three-car garage shall have one of the garages offset one foot from the other garages.
- (9) Front-facing garages shall not exceed 16' or 60% the width of the front building line, whichever is greater. Garage width is measured between the edges of the garage door; in the case of garages designed with multiple garage doors, the distance is measured between the edges of the outermost doors.

SECTION 3. AMENDMENT OF SECTIONS 168.07(76) and 168.07(77). Sections 168.07(76) and 168.07(77) are amended to read as follows:

76. Vehicle Dealership, New and Used

- A. Defined. New and Used Vehicle dealership means an establishment that sells or leases new or primarily new automobiles, vans, motorcycles, and/or all-terrain vehicles (ATV) vehicles, or other similar motorized transportation vehicles. Vehicle dealerships do not include medium duty trucks (with the exception of pickup trucks), heavy duty trucks, trailers, boats, or heavy equipment sales, which are considered heavy retail, rental, and service. A dealership may provide ancillary on-site facilities for the repair (minor or major) and service of the vehicles sold or leased by the dealership.

- B. Use Standards.
 - (1) The number and location of vehicles shall be designated on an approved site plan. The vehicle display area shall be designed in accordance with the provisions of Sections 169.01 and 169.02 with the exception that display areas do not need to be delineated with paint or other permanent materials.
 - (2) All vehicles offered for sale shall be operational and roadworthy as provided in the applicable sections of the Code of Iowa and the Iowa Administrative Code.

77. Vehicle Dealership, Used.

- A. Defined. Used Vehicle dealership means an establishment that sells or leases used automobiles, vans, motorcycles, and/or all-terrain vehicles (ATV) vehicles, or other similar motorized transportation vehicles. Vehicle dealerships do not include medium duty trucks (with the exception of pickup trucks), heavy duty trucks, trailers, boats, or heavy equipment sales, which are considered heavy retail, rental, and service. A dealership may provide ancillary on-site facilities for the minor repair and service of the vehicles sold or leased by the dealership.
- B. Use Standards.
 - (1) The number and location of vehicles shall be designated on an approved site plan. The vehicle display area shall be designed in accordance with the provisions of Sections 169.01 and 169.02 with the exception that display areas do not need to be delineated with paint or other permanent materials.
 - (2) All vehicles offered for sale shall be operational and roadworthy as provided in the applicable sections of the Code of Iowa and the Iowa Administrative Code.

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

SECTION 5. SCRIVENER'S ERROR. The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Clerk or the Clerk's designee without further public hearing.

SECTION 6. SEVERABILITY. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the

Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 7. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on _____, 2022.

Second reading on _____, 2022.

Third and final reading on _____, 2022.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK

I certify that the forgoing was published as Ordinance No. 2022-09 in the *Cedar Rapids Gazette* on the ____ day of _____, 2022.

TRACEY MULCAHEY, CITY CLERK



Solomon Holdings LLC



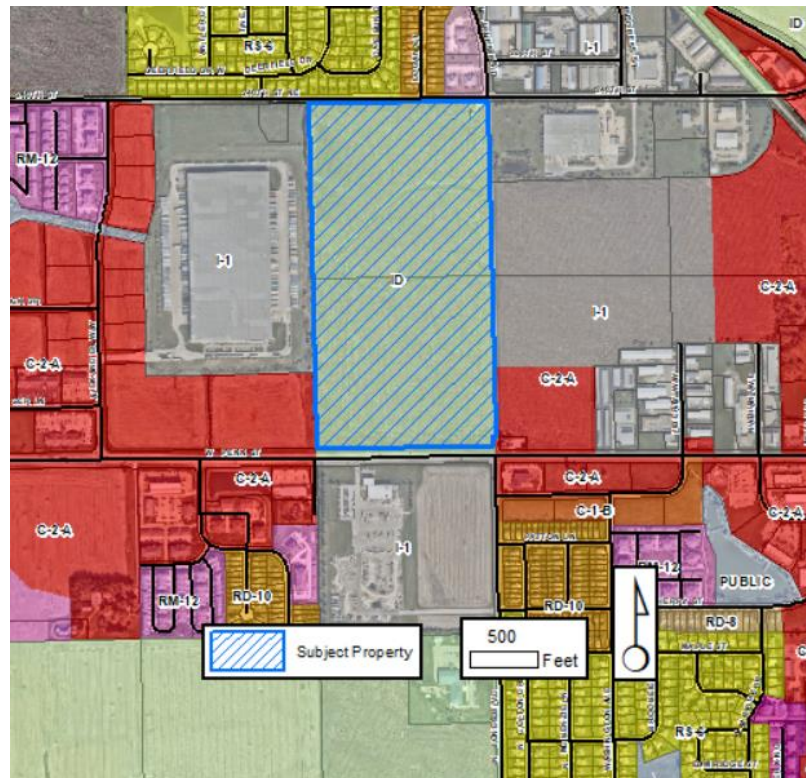
To **City of North Liberty Planning Commission**
 From **Ryan Rusnak, AICP**
 Date **February 25, 2022**
 Re **Request of Solomon Holdings, LLC for a zoning map amendment (rezoning) on approximately 71.48 acres from ID Interim Development District to RS-9 Single-Unit Residence District, RM-21 Multiple-Unit Residence District and C-2-A Highway Commercial District. The property is located on the north side of West Penn Street west of North Jones Boulevard as extended northerly from West Penn Street to 240th Street.**

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
- Grant Lientz, City Attorney
- Tom Palmer, City Building Official
- Kevin Trom, City Engineer
- Ryan Rusnak, Planning Director

1. Current Zoning:

The property is currently zoned ID Interim Development District.



2. Proposed Zoning:

The applicant is requesting a rezoning to RS-9 Single-Unit Residence District on 34.56 acres, RM-21 Multiple-Unit Residence District on 26.85 acres and C-2-A Highway Commercial District on 24.87 acres

The RS-9 District is intended to provide for and maintain high-density single-unit residential neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RS-9 District.

RM-21 Multi-Unit Residence District. The RM-21 District is intended to provide and maintain high-density, multiple-unit housing residential neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RM-21 District.

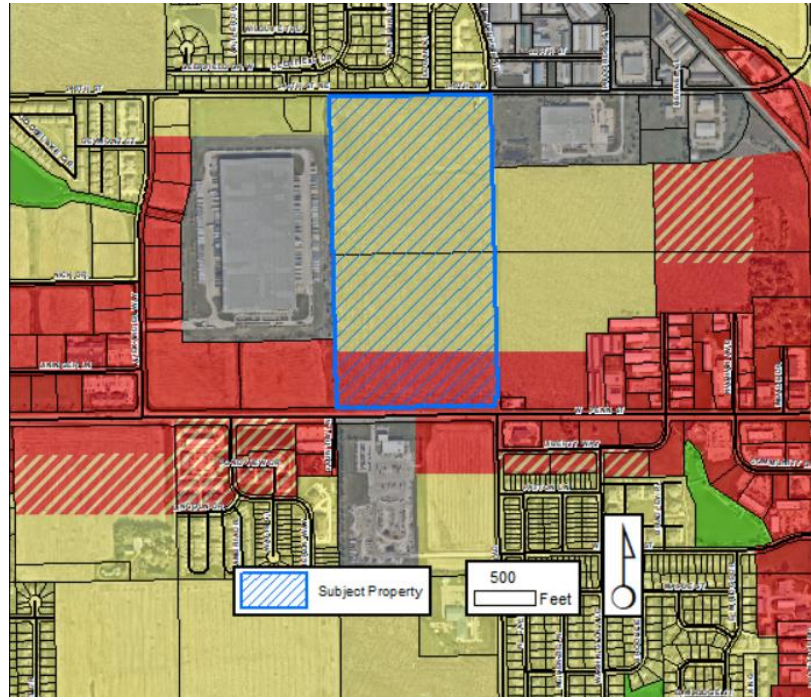
C-2-A Highway Commercial District. The C-2-A District is intended to provide for those commercial uses which may take particular advantage of a highway location and/or due to size or other nuisance constraints may be incompatible with the predominantly retail uses permitted in the C-1-A and C-1-B Commercial Districts, and whose service area is not confined to any one neighborhood or community.

The northeast portion of the property (6 acres) would remain as ID Interim Development as there are no imminent development plans.



Preliminary concept plan with the location of proposed zoning districts.

3. Comprehensive Plan Future Land Use Map Designation: Residential and Commercial.



The North Liberty Comprehensive Plan articulates the following regarding residential uses:

The plan promotes the development of a diversified housing stock that is affordable to a wide range of incomes. Even though general planning goals include limiting residential uses along arterials and in some cases even collector streets, the miles of such frontages within the City make strict adherence to those goals impractical, and landscape buffers, limited access, and smart neighborhood street layouts are utilized to minimize traffic impacts. Higher density residential development is considered to be somewhat of a transitional buffer between office/commercial development and lower density residential neighborhoods, in part because it is practical to locate the greater numbers of residents found in the higher density developments closer to the commercial services they need.

The North Liberty Comprehensive Plan articulates the following regarding commercial uses:

The highest densities of more locally-oriented commercial uses are generally planned along Penn Street and along Highway 965. Interstate-related large scale office and mixed-use developments are planned for the Kansas Avenue corridor, especially between Kansas and I-380 and near the planned Forevergreen Road interchange. High visibility from the I-380 corridor presents an excellent opportunity to introduce high-quality office and commercial uses in this "front door" area that may serve both the external demand associated with the I-380 proximity and access and the internal demand generated by substantial recent and planned residential development in the area.

Relevant Comprehensive Plan Policies Related to Land Use:

- Establish and maintain an advantageous property tax situation and pursue a strengthened and sound tax base through a diversification of land uses, including commercial and industrial development, as well as a variety of residential options.
- Support high density and medium density housing in close proximity to commercial and service centers to provide intensity-of-use buffers for low density residential uses.
- Concentrate higher density, apartment-type housing in proximity to areas that offer a wide range of existing supportive services, commercial and recreational facilities.

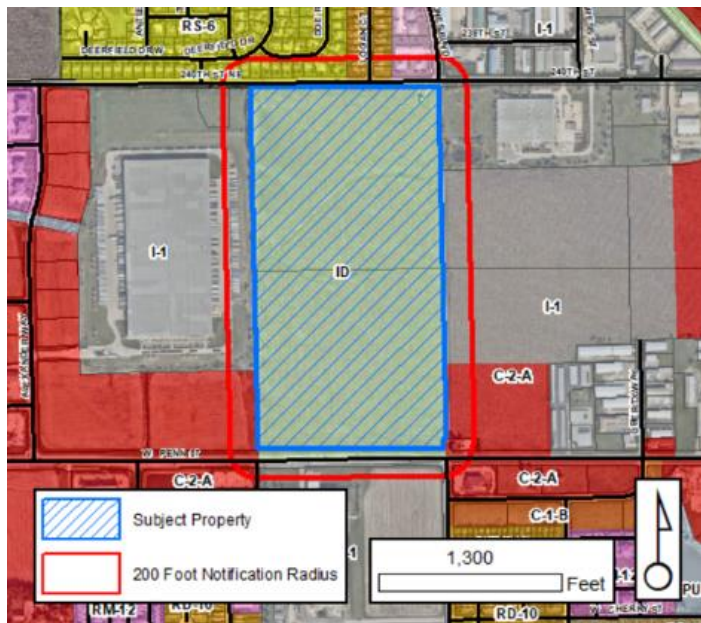
It is staff's opinion that the proposed zoning districts would be consistent with the Future Land Use Map. The Commercial Land Use Designation will need to be adjusted from a depth of 450' to 330'. If approved, staff would propose a "clean-up" Land Use Map amendment at a later date.

4. Public Input:

Letters were sent to property owners within 200 feet of the subject property notifying them of the January 27, 2022 good neighbor meeting. The map below shows the notice boundary.

Approximately 15 people attended the meeting and had general questions about the proposed development. The applicant did not request a rezoning at the northeast corner of the property due to the concerns about compatibility and not having a potential end-user at that location. Also, one user of the City's multi-use trail networks expressed a concern over the number of vehicular access points to North Jones Boulevard.

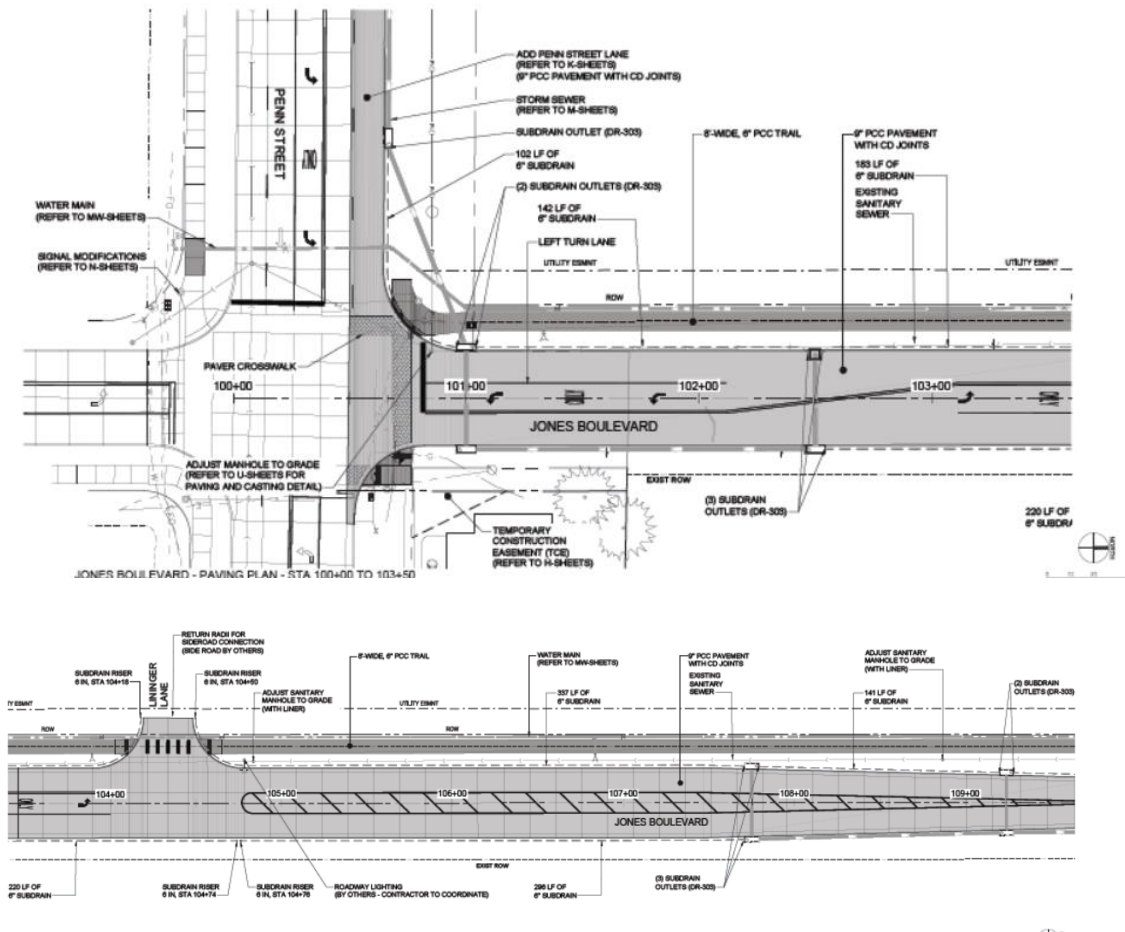
To date, staff has not received any objections to the request.



5. Analysis of the Request:

In General:

Staff has been working with the applicant for approximately two years in regards to developing this property. Now that development of the property is anticipated, the City has authorized the design of North Jones Boulevard. This will be a two-lane urban road with turn lanes onto West Penn Street and the planned street between the commercial and multi-family developments. Westbound West Penn Street will be widened to two full lanes west of the North Jones Boulevard intersection and there will be a left turn onto North Jones Boulevard. Also planned is an 8-foot wide multi-use path along the west side of the street. Overhead utilities in the area of the proposed road and along 240th Street would be relocated underground. Construction is anticipated to begin in the spring.



There is a need for park space in the northwest portion of the City. The City had initially hoped to acquire some park space within this development. However, the amount of land available for a park was not adequate for the City's needs. Staff is working with the land owner on the east side of future North Jones Boulevard to acquire 40+ acres for a City park.

RS-9 Single-Unit Residence District on 34.56 acres:

The preliminary concept plan depicts 110 single-unit dwelling lots. The RS-9 District allows for 40' wide lots and a lot area of 4,500 square feet. The RS-9 District was created in 2017 to allow for some additional flexibility for development. If approved, this would be the first RS-9 zoned development in the City. The preliminary concept plan depicts 50' wide lots at the north end of the property and 65' wide lots toward the interior. Considering the price of new construction, the applicant is intending to facilitate the availability of more affordable homes.

Initially, the applicant planned for the preliminary plat to be considered at the same meeting as the rezoning. However, staff ask that it be delayed to the April 1, 2022 meeting as technical details are still being worked on. It is anticipated that the preliminary plat will be very similar to the preliminary concept plan.

One concern staff had with smaller lots is that the front elevation can be dominated by front-facing car garages. The large Zoning Code amendment recently reviewed by the Planning Commission and approved by City Council in part addresses this concern. Approved design standards for single-unit dwelling are as follows (underlined text are additional regulations):

- (1) The structure must contain 24 feet of width at its largest dimension.
- (2) The structure must contain a minimum living area of 660 square feet.
- (3) The structure must be located on a frost-protected perimeter foundation.
- (4) Every room within a dwelling unit must be accessible from every other room within the dwelling via a completely internal route within the envelope of the dwelling structure.
- (5) Minimum required masonry on front and corner side yard building elevations is 25%, with the following exceptions:
 - (a) No masonry is required in the RS-7 and RS-8 districts.
 - (b) In lieu of the required masonry on the façade facing the corner side yard, one of the two following options may be selected:
 - (i) Two, two-inch caliper trees planted in the corner side yard. Existing trees of adequate size in the corner side yard may satisfy this requirement.
 - (ii) Architectural relief on the façade facing the corner side yard, such that the wall contains more than two offsets, which may consist of wall corners, bay or bowed windows, or other means approved by the Code Official.
- (6) The front entry must be an integral part of the structure, using features such as porches, raised steps and stoops with roof overhangs, or decorative railings to articulate the front facade.
- (7) A 5% minimum transparency requirement applies to the front facade and is calculated on the basis of the area of the facade below the roofline.
- (8) A dwelling with a front-facing attached three-car garage shall have one of the garages offset one foot from the other garages.

- (9) Front-facing garages shall not exceed 16' or 50% the width of the front building line, whichever is greater. Garage width is measured between the edges of the garage door; in the case of garages designed with multiple garage doors, the distance is measured between the edges of the outermost doors.

RM-21 Multi-Unit Residence District on 26.85 acres:

The preliminary concept plan depicts 420 multi-units in nine buildings with surface and garage parking. Staff has been in discussions with a higher-end multi-family developer. Considering the number of units, this would be a phased development. It is anticipated that the preliminary site plan will be considered by the Planning Commission at its April 1, 2022 meeting.



The proposed development would be similar in style to this development in Altoona.



Staff recognizes that the proposed development is on the higher end of residential density for North Liberty. Certainly, this density wouldn't be appropriate in all locations within the City. However, staff advocates that the proposed development would be appropriate for this location. Considering the surrounding zoning districts (I-1 Light Industrial to the west and east, proposed C-2-A Highway Commercial to the south and proposed RS-9 Single-Unit Residence District to the north), the proposed multi-family development would be compatible with the area.

It's worth repeating that one Comprehensive Plan policy is to concentrate higher density, apartment-type housing in proximity to areas that offer a wide range of existing supportive services, commercial and recreational facilities. The proposed development would have direct access to the City's multi-use trail network and would be in close proximity to commercial development, the Liberty Centre Pond and the Community Center.

City design standards for multi-family development are as follows:

- (1) Buildings must be designed with consistent materials and treatments that wrap around all building elevations. There must be a unifying architectural theme for the entire multi-unit development, utilizing a common vocabulary of architectural forms, elements, materials, or colors in the entire structure.
- (2) Building facades must include windows, projected or recessed entrances, overhangs, and other architectural features. Three-dimensional elements, such as balconies and bay windows, are encouraged to provide dimensional elements on a facade.
- (3) Minimum required masonry on front and corner side yard building elevations is 25%,
- (4) A 15% minimum transparency requirement applies to any facade facing a street and is calculated on the basis of the entire area of the facade.

Additionally, garages are not permitted to be located between the building and a public street.

The City is requiring traffic study to provide trip generation and distribution assumptions for the proposed development and to determine what intersection geometric and traffic control improvements would be anticipated to be needed for the various phased construction of the Quarter Moon development. The study will also determine any anticipated impacts to the West Penn Street & North Jones Boulevard intersection based on the traffic generated from the proposed development.

The following is vehicular traffic data collected on February 16, 2022:

West Penn Street & Country Lane (2022 Volumes)

West Approach = 12,200 vehicles/day

East Approach = 12,200 vehicles/day

South Approach = 260 vehicles/day

West Penn Street & North Jones Boulevard (2022 Volumes)

West Approach = 12,300 vehicles/day

East Approach = 10,800 vehicles/day

South Approach = 3,700 vehicles/day

ITE’s Trip Generation Manual for mid-rise multi-family is 5.44 average vehicle trips per day per dwelling unit. The proposed development would generate approximately 2,284 vehicle trips per day. This would be spread out over the four access points and throughout the day. It is not anticipated that the proposed development would cause any capacity deficiencies to West Penn Street or North Jones Boulevard.

Recommendations provided in the traffic study will help finalize the forthcoming preliminary plat and preliminary site plan.

C-2-A Highway Commercial District on 24.87 acres:

It is staff’s opinion that the location of the proposed commercial zoning is in the proper location. The traffic study will provide a recommendation on the driveway access (if allowed) to West Penn Street.

6. Additional Considerations:

Below is the residential unit count in North Liberty, which does not include the proposed development.

SFR	2FR	MFR	MFR w/Comm	MH	Total
3224	1598	2896	230	470	8418
38.30%	18.98%	34.40%	2.73%	5.58%	

As part of the Comprehensive Plan update data collection, staff documented the housing construction over the past 11 years:

SFR	2FR	TH	MF	MFR w/Comm	MH	Total
1,127	568	513	602	72	0*	8418
39.88%	20.10%	18.15%	21.30%	2.55%		

* Not included as there haven’t been any manufactured housing park expansions, just replacement units.

It is staff’s opinion that the residential unit count data should be further broken down to have townhouses separate from multi-family (apartment style). In that light, staff anticipates the amount of apartment style multi-family units to be relatively low.

7. Recommendation:

Findings:

1. The proposed zonings would be consistent the North Liberty Comprehensive Plan Land Use Plan; and
2. The proposed use and density of the development would be compatible with the area.

Staff recommends the Planning Commission accept the two listed findings and forward the request of Solomon Holdings, LLC for a zoning map amendment (rezoning) 71.48 acres from ID Interim Development District to RS-9 Single-Unit Residence District, RM-21 Multiple-Unit Residence District and C-2-A Highway Commercial District to the City Council with a recommendation for approval subject to the following conditions:

1. That the preliminary plat be approved at the time of the rezoning.
2. The preliminary site plan for the RM-21 portion of the development be approved at the time of the rezoning.

Suggested motion:

I move that the Planning Commission accept the two listed findings and forward the zoning map amendment with the two listed conditions recommended by City staff to the City Council with a recommendation for approval.

Ordinance No. 2022-06

AN ORDINANCE AMENDING CHAPTER 167 OF THE NORTH LIBERTY CODE OF ORDINANCES BY AMENDING THE USE REGULATIONS ON PROPERTY LOCATED ON THE NORTH SIDE OF WEST PENN STREET WEST OF NORTH JONES BOULEVARD AS EXTENDED NORTHERLY FROM WEST PENN STREET TO 240TH STREET LOCATED IN NORTH LIBERTY, IOWA TO THOSE SET FORTH IN THE MUNICIPAL CODE FOR THE RS-9 SINGLE-UNIT RESIDENCE DISTRICT, RM-21 MULTIPLE-UNIT RESIDENCE DISTRICT AND C-2-A HIGHWAY COMMERCIAL DISTRICT

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

SECTION 1. AMENDMENT. Chapter 167 of the North Liberty Code of Ordinances (2013) is hereby amended by amending the zoning for 71.48 acres, more or less, of property located on the north side of West Penn Street west of North Jones Boulevard as extended northerly from West Penn Street to 240th Street. The property is more particularly described as follows:

- A. ID Interim Development District to RS-9 Single-Unit Residence District on 34.56 acres. The property is more particularly described as follows:

THAT PART OF AUDITOR'S PARCEL 2021009 ACCORDING TO THE PLAT OF SURVEY RECORDED IN BOOK 64, PAGE 285 AT JOHNSON COUNTY RECORDER'S OFFICE, DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE EAST QUARTER CORNER OF SECTION 11, TOWNSHIP 80 NORTH, RANGE 7 WEST OF THE 5TH P.M.; THENCE NORTH 89° 34' 14" WEST 20.00 FEET (ASSUMED BEARING FOR THIS DESCRIPTION ONLY) ALONG THE SOUTH LINE OF SAID AUDITOR'S PARCEL; THENCE NORTH 0° 02' 23" WEST 132.00 FEET ALONG A EAST LINE OF SAID AUDITOR'S PARCEL; THENCE SOUTH 89° 22' 53" WEST 20.00 FEET ALONG A LINE OF SAID AUDITOR'S PARCEL; THENCE NORTH 0° 02' 23" WEST 1,186.76 FEET ALONG A EAST LINE OF SAID AUDITOR'S PARCEL TO THE POINT OF BEGINNING; THENCE SOUTH 89° 57' 37" WEST 515.00 FEET; THENCE NORTH 80° 55' 04" WEST 101.46 FEET; THENCE NORTH 68° 08' 49" WEST 51.76 FEET; THENCE SOUTH 18° 07' 42" WEST 88.07 FEET; THENCE SOUTH 83° 29' 06" WEST 646.39 FEET TO THE WEST LINE OF SAID AUDITOR'S PARCEL; THENCE NORTH 00° 04' 56" WEST 1,443.20 FEET ALONG SAID WEST LINE TO THE SOUTH RIGHT-OF-WAY OF 240TH STREET; THENCE SOUTH 89° 16' 53" EAST 499.72 FEET ALONG SAID SOUTH RIGHT-OF-WAY OF 240TH STREET; THENCE SOUTH 58° 32' 35" EAST 151.33 FEET; THENCE SOUTH 34° 13' 05" EAST 151.44 FEET; THENCE SOUTH 00° 05' 52" WEST 141.00 FEET; THENCE NORTH 89° 58' 00" EAST 100.00 FEET; THENCE SOUTH 00° 02' 00" EAST 130.00 FEET; THENCE NORTH 89° 57' 36" EAST 520.57 FEET TO THE EAST LINE OF SAID AUDITOR'S PARCEL; THENCE SOUTH 00° 02' 23" EAST 840.05 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING AND CONTAINING 34.56 ACRES MORE OR LESS.

- B. ID Interim Development District to RM-21 Multi-Unit Residence District on 26.85 acres. The property is more particularly described as follows:

THAT PART OF AUDITOR'S PARCEL 2021009 ACCORDING TO THE PLAT OF SURVEY RECORDED IN BOOK 64, PAGE 285 AT JOHNSON COUNTY RECORDER'S OFFICE, DESCRIBED AS FOLLOWS: COMMENCING AS A POINT OF REFERENCE AT THE EAST QUARTER CORNER OF SECTION 11, TOWNSHIP 80 NORTH, RANGE 7 WEST OF THE 5TH P.M.; THENCE NORTH 89° 34' 14" WEST 20.00 FEET (ASSUMED BEARING FOR THIS DESCRIPTION ONLY) ALONG THE SOUTH LINE OF SAID AUDITOR'S PARCEL; THENCE NORTH 0° 02' 23" WEST 132.00 FEET ALONG A EAST LINE OF SAID AUDITOR'S PARCEL; THENCE SOUTH 89° 22' 53" WEST 20.00 FEET ALONG A LINE OF SAID AUDITOR'S PARCEL; THENCE NORTH 0° 02' 23" WEST 263.49 FEET ALONG A EAST LINE OF SAID AUDITOR'S PARCEL TO THE POINT OF BEGINNING; THENCE NORTH 89° 30' 05" WEST 1,332.41 FEET TO THE WEST LINE OF SAID AUDITOR'S PARCEL; THENCE NORTH 00° 04' 56" WEST 789.57 FEET ALONG SAID WEST LINE; THENCE NORTH 83° 29' 06" EAST 646.39 FEET; THENCE NORTH 18° 07' 42" EAST 88.07 FEET; THENCE SOUTH 68° 08' 49" EAST 51.76 FEET; THENCE SOUTH 80° 55' 04" EAST 101.46 FEET; THENCE NORTH 89° 57' 37" EAST 515.00 FEET TO THE EAST LINE OF SAID AUDITOR'S PARCEL; THENCE SOUTH 00° 02' 23" EAST 923.27 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING AND CONTAINING 26.85 ACRES MORE OR LESS.

- C. ID Interim Development District to C-2-A Highway Commercial District on 24.87 acres. The property is more particularly described as follows:

THAT PART OF AUDITOR'S PARCEL 2021009 ACCORDING TO THE PLAT OF SURVEY RECORDED IN BOOK 64, PAGE 285 AT JOHNSON COUNTY RECORDER'S OFFICE, DESCRIBED AS FOLLOWS: COMMENCING AS A POINT OF REFERENCE AT THE EAST QUARTER CORNER OF SECTION 11, TOWNSHIP 80 NORTH, RANGE 7 WEST OF THE 5TH P.M.; THENCE NORTH 89° 34' 14" WEST 20.00 FEET (ASSUMED BEARING FOR THIS DESCRIPTION ONLY) ALONG THE SOUTH LINE OF SAID AUDITOR'S PARCEL; THENCE NORTH 0° 02' 23" WEST 65.03 FEET ALONG A EAST LINE OF SAID AUDITOR'S PARCEL TO THE NORTH RIGHT-OF-WAY OF PENN STREET, SAID POINT BEING THE POINT OF BEGINNING; THENCE NORTH 89° 29' 08" WEST 1,312.17 FEET ALONG SAID NORTH RIGHT-OF-WAY OF PENN STREET TO THE WEST LINE OF SAID AUDITOR'S PARCEL; THENCE NORTH 00° 04' 56" WEST 330.05 FEET ALONG SAID WEST LINE; THENCE SOUTH 89° 30' 05" EAST 1,332.41 FEET TO THE EAST LINE OF SAID AUDITOR'S PARCEL; THENCE SOUTH 00° 02' 23" EAST 263.49 FEET ALONG SAID EAST LINE; THENCE NORTH 89° 22' 53" WEST 20.00 FEET ALONG A LINE OF SAID AUDITOR'S PARCEL; THENCE SOUTH 00° 02' 23" EAST 66.97 FEET ALONG A EAST LINE OF SAID AUDITOR'S PARCEL TO THE POINT OF BEGINNING AND CONTAINING 10.07 ACRES MORE OR LESS.

SECTION 2. CONDITIONS IMPOSED. At the March 1, 2022 meeting the Planning Commission accepted the two listed findings (1. That the preliminary plat be approved at the time of the rezoning and 2. The preliminary site plan for the RM-21 portion of the

development be approved at the time of rezoning.) and forwards the request for a zoning map amendment to the City Council with a recommendation for approval with no conditions.

SECTION 3. ZONING MAP. It is hereby authorized and directed that the Zoning Map of the City of North Liberty, Iowa, be changed to conform to this amendment upon final passage, approval and publication of this ordinance as provided by law.

SECTION 4. RECORDATION. The City Clerk is hereby authorized and directed to record this ordinance at the Johnson County Recorder's office upon final passage and approval.

SECTION 5. REPEALER. All Ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 6. SCRIVENER'S ERROR. The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Clerk or the Clerk's designee without further public hearing.

SECTION 7. SEVERABILITY. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 8. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on March 8, 2022.

Second reading on March 22, 2022.

Third and final reading on _____.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK

I certify that the forgoing was published as Ordinance No. 2022-06 in *The Gazette* on the ____ of _____, 2022.

TRACEY MULCAHEY, CITY CLERK



April 5, 2022

Chris Hoffman, Mayor
City of North Liberty
3 Quail Creek Circle
North Liberty IA 52317

Staff Note: The revised traffic study has been submitted. Staff is requesting that conditions 2 and 3 be modified to reflect new information and/or clarifications received subject to the Planning Commission meeting.

Re: Request of Solomon Holdings, LLC to approve a Preliminary Subdivision Plat for a 118 lot subdivision on 76.97 acres, more or less, on property located on the north side of West Penn Street west of the North Jones Boulevard as extended northerly from West Penn Street to 240th Street.

Mayor Hoffman:

The North Liberty Planning Commission considered the above-referenced request at its April 5, 2022 meeting. The Planning Commission took the following action:

Findings:

1. The preliminary plat, which proposes commercial and residential development, would consistency with the Comprehensive Plan Future Land Map designation, which are Commercial and Residential, respectively; and
2. The preliminary plat, with conditions recommended by City staff, would achieve consistency with Section 180.11(3)(A) and 180.12 of the North Liberty Code of Ordinances, which sets forth the preliminary subdivision plat submittal requirements and design standards, respectively.

Recommendation:

The Planning Commission accepted the two listed findings and forwards the request to approve the preliminary plat to the City Council with a recommendation for approval subject to the following conditions:

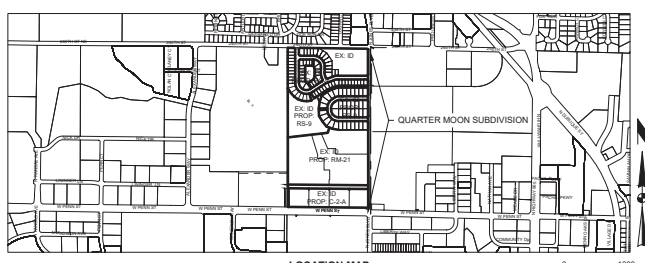
1. That the traffic study be updated to incorporate review comments by Johnson County Metropolitan Planning Organization;
2. That the right-of-way for Saratoga Place be dedicated to the City of North Liberty and roadway and infrastructure improvements constructed thereon by the owner, and accepted by the City prior to the issuance of buildings permits for Lots 116, 117 and 118 if the type of development warrants the additional access in the sole discretion of the City. The City may require an additional traffic study to determine whether the additional access in warranted; and

3. That the right-of-way for Saratoga Place be dedicated to the City of North Liberty, roadway and infrastructure improvements constructed thereon and the traffic signal adjacent to Saratoga Place shall be installed by the owner, and accepted by the City prior to the issuance of buildings permits for Lot 114. All of the aforementioned improvements may be required if the type of development on Lots 116, 117 and 118 warrants the improvements, in the sole discretion of the City. The City reserves the right to require a traffic study to determine whether any or all of the improvements are warranted.

The vote for approval was 6-0.

Josey Bathke, Vice Chairperson
City of North Liberty Planning Commission

LEGEND		FOUND	SET	EXISTING	PROPOSED
FEATURES					
Water Main with Size					
Sanitary Sewer with Size					
Duct Bank					
Test Hole Location for SUE w/ID					
(*) Denotes the survey quality service level for utilities					
Sanitary Manhole					
Storm Sewer with Size					
Storm Manhole					
Single Storm Sewer Intake					
Double Storm Sewer Intake					
Fire Hydrant					
Fire Hydrant on Building					
Water Main Valve					
Water Service Valve					
Well					
Utility Pole					
Guy Anchor					
Utility Pole with Light					
Utility Pole with Transformer					
Street Light					
Yard Light					
Electric Pole					
Electric Transformer					
Traffic Sign					
Communication Pedestal					
Communication Manhole					
Communication Handhole					
Fluor Optic Handhole					
Gas Valve					
Gas Manhole					
Gas Appurtenance					
Fence Post or Guard Post					
Underground Storage Tank					
Above Ground Storage Tank					
Basin					
Manhole					
Sprinkler Head					
Irrigation Control Valve					
Street Light - 100W					
Street Light - 250W					
FEATURES					
Spot Elevation					
Contour Elevation					
Fence (Barbed Field, Hog)					
Fence (Chain Link)					
Fence (Wood)					
Fence (Stl)					
Tree Line					
Tree Stump					
Deciduous Tree 1/2 Shrub					
Coniferous Tree 1/2 Shrub					
Communication					
Overhead Communication					
Fluor Optic					
Underground Electric					
Overhead Electric					
Gas Main with Size					
High Pressure Gas Main with Size					



CONTROL POINTS
 IOWA REGIONAL COORDINATE SYSTEM ZONE 10 (CEDAR RAPIDS)
 NAD83(2011) (EPOCH 2010.00) IARTN DERIVED - US SURVEY FEET

DATE OF SURVEY
 SEPTEMBER 15, 2021

BENCHMARKS
 NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD83 - GEOID12A)
 IARTN DERIVED - US SURVEY FEET

BM100	ELEV-791.83	CHISELED SQUARE IN SIGNAL POLE BASE
BM101	ELEV-789.15	BURY BOLD ON FIRE HYDRANT NE OF PELLING
BM102	ELEV-787.18	BURY BOLD ON FIRE HYDRANT NW OF PELLING
BM103	ELEV-793.33	BOLD ON FIRE HYDRANT BETWEEN MUELLER STAMP

UTILITY CONTACT INFORMATION
 UTILITY CONTACT FOR SUPPLY INFORMATION SHOWN AS RECEIVED FROM THE IOWA ONE CALL DESIGN REQUEST SYSTEM. TICKET NUMBER 552105265, 552105266, 552105267 & 552105268.

UE1 - UNDERGROUND ELECTRIC	ALLIANT ENERGY Contact Name: Robert Energy Field Engineer Contact Phone: 8002542488 Contact Email: robert.energy@alliantenergy.com	CO2 - COMMUNICATION	MEDIACOM IOWA CITY Contact Name: Carl Nelson Contact Phone: 3195946201 Contact Email: carl.nelson@media.com
UE2 - UNDERGROUND ELECTRIC	LINN COUNTY REC Contact Name: Jolene Nungesser Contact Phone: 3193771587 Contact Email: jolene.nungesser@linncountyrec.com	CO3 - COMMUNICATION	UNIVERSITY OF IOWA Contact Name: Chris Hattard Contact Phone: Contact Email: chris.hattard@uiowa.edu
G - GAS	MDMAMER-GAS Contact Name: Carlos Hoppert Contact Phone: 3193414461 Contact Email: carlos.hoppert@mdmamer.com	CO4 - COMMUNICATION	WINDSTREAM COMMUNICATIONS Contact Name: LOCATE SERV Contact Phone: 8002891901 Contact Email: LOCATE.SERV@WINDSTREAM.COM
UE3 - UNDERGROUND ELECTRIC	NORTH LIBERTY, CITY OF W - WATER Contact Name: Tom Palmer Contact Phone: 3196927376 Contact Email: tom.palmer@northliberty.org	CO5 - COMMUNICATION	UNITE PRIVATE NETWORKS, LLC Contact Name: Joe Kilby Contact Phone: 8164232556 Contact Email: joe.kilby@unite.net
S - SANITARY SEWER	SOUTH BLUE TELEPHONE Contact Name: Brian Fries Contact Phone: 3192771171 Contact Email: brian.fries@southblue.com		
ST - STORM SEWER			
CO1 - COMMUNICATION	CLEAR		

SOLOMON'S LANDING PRELIMINARY PLAT NOTES

3/25/22

LEGAL DESCRIPTION
 AUDITOR'S PARCEL 3021809. PLAT OF SURVEY RECORDED IN BOOK 64, PAGE 285 AT THE JOHNSON COUNTY RECORDER'S OFFICE, JOHNSON COUNTY, IOWA

SUBDIVISION ACREAGE: 76.97 AC.

PLAT PREPARED BY:
 SNYDER & ASSOCIATES, INC.
 320 E. PRENTISS ST.
 IOWA CITY, IA 52240
 1-(319) 359-7676

OWNER APPLICANT:
 BRANDON PRATT
 SOLOMON HOLDINGS, LLC
 75 COMMERCIAL DRIVE, #916
 NORTH LIBERTY, IA 52317
 407.276.5322

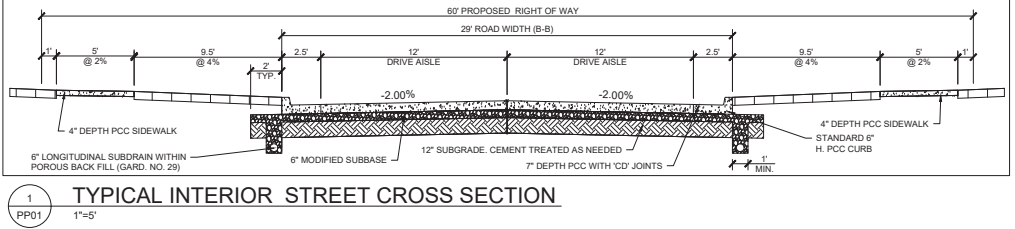
OWNER'S ATTORNEY:
 RYAN J. PRAHM, ATTORNEY
 PUGH HAGAN PRAHM PLC
 425 E. CARDALE BLVD.
 SUITE 201
 CORALVILLE, IA 52241-1755
 OFFICE: (319) 351-2028
 FAX: (319) 351-1102

Sheet List Table

Sheet Number	Sheet Title
PP-01	PRELIMINARY PLAT NOTES
PP-02	PRELIMINARY PLAT
PP-03	PRELIMINARY PLAT GRADING

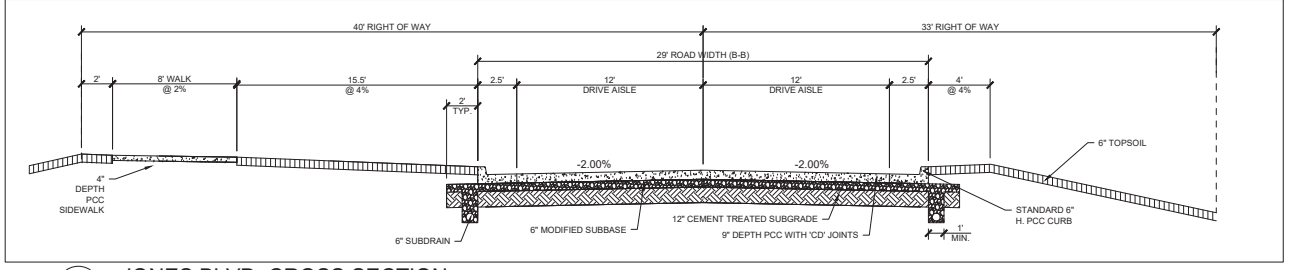
- NOTES:**
- DEVELOPER SHALL BE RESPONSIBLE FOR EXPLORATORY DIGGING ALONG THE PERIMETER OF THE SUBDIVISION TO LOCATE EXISTING FIELD TILES, DESIGN, AND CONNECT EXISTING TILES TO THE PROPOSED STORM SEWER SYSTEM TO ENSURE THAT EXISTING FIELD TILES REMAIN IN SERVICE.
 - FINAL EASEMENT LOCATIONS & WIDTHS ARE CONCEPTUAL AND ARE SUBJECT TO CHANGE DURING FINAL DESIGN TO ACCOMMODATE MAINTENANCE VEHICLE TRAFFIC.
 - MAINTAIN 10' HORIZONTAL SEPARATION BETWEEN SANITARY AND WATER.
 - MAINTAIN 5' CLEARANCE BETWEEN SANITARY AND STORM STRUCTURES.
 - NO DIRECT LOT ACCESS SHALL BE ALLOWED TO PENN STREET FOR LOTS 115-118.
 - NO DIRECT LOT ACCESS SHALL BE ALLOWED TO N JONES BLVD. FOR LOTS 36, 71, 94, 95, 110, & 115.
 - NO DIRECT LOT ACCESS SHALL BE ALLOWED TO 24TH STREET FOR LOTS 1, 47 - 51.
- OUTLET NOTES:**
- OUTLET 1: HOA-MANAGED NEIGHBORHOOD PARK.
 - OUTLET 2: PRIVATELY OWNED HOA-MANAGED STORMWATER MANAGEMENT BASIN.
 - OUTLET 3: HOA-MANAGED DRAINAGEWAY.
 - OUTLET 4: HOA-MANAGED DRAINAGEWAY.
 - OUTLET 5: HOA-MANAGED DRAINAGEWAY.

ZONING	FRONT YARD SETBACK	REAR YARD SETBACK	SIDEYARD SETBACK
RS-9	25'	25'	5'
RM-21	25'	30'	10'
ID	50'	50'	10'
C-2-A	25'	25'	5'



1
PP01
1"=5'

TYPICAL INTERIOR STREET CROSS SECTION



2
PP01
1"=5'

JONES BLVD. CROSS SECTION

MARK	REVISION	DATE	BY
	Checked By: TC	3/25/22	
	Engineer: BCA		
	Technician: MS		
	Scale: 1"=40.00'		
	Project No: 120.1100.07		

NORTH LIBERTY, IA
 320 E. PRENTISS STREET
 IOWA CITY, IOWA 52240
 1-(319) 359-7676 | www.snyder-as.com

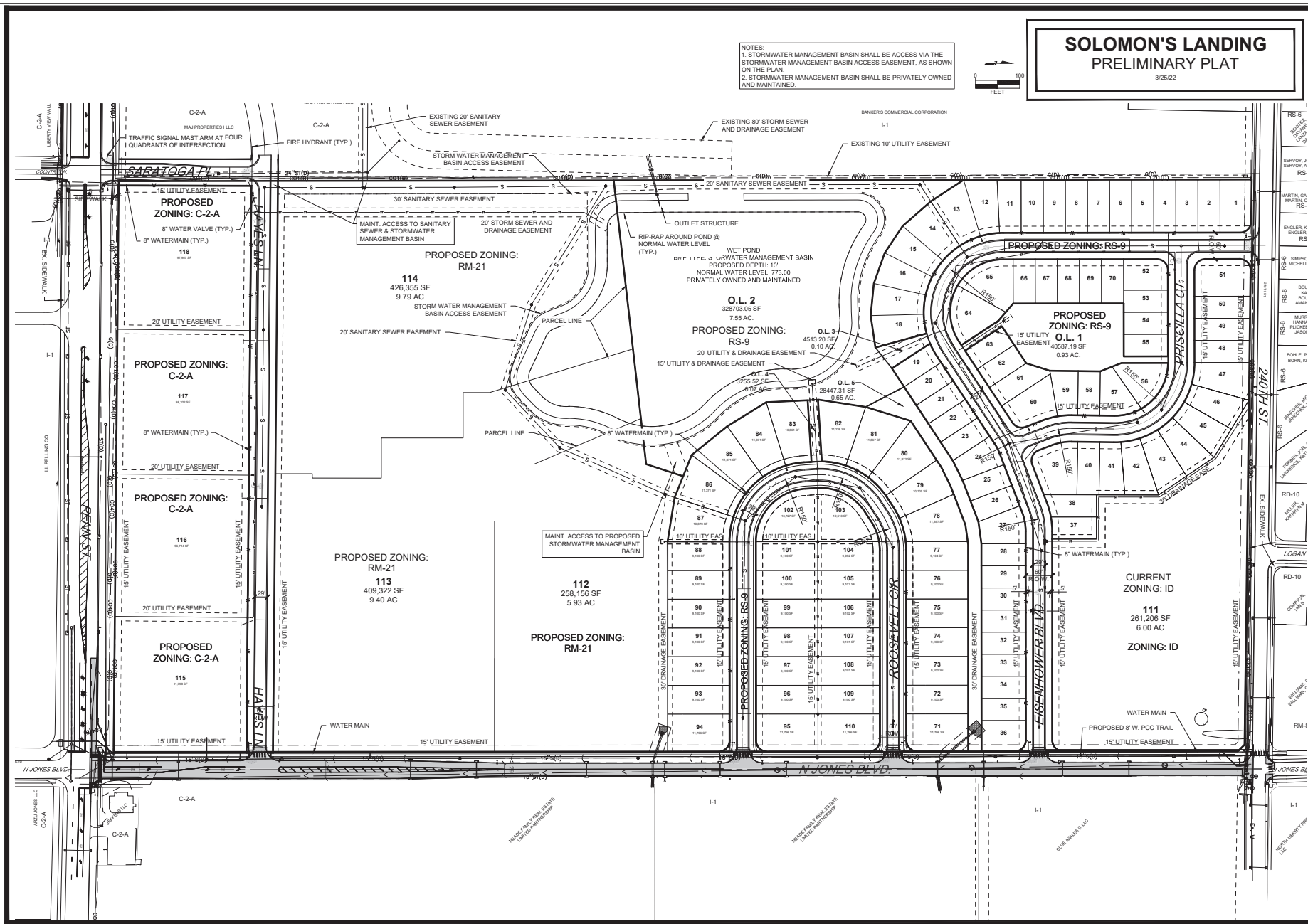
SOLOMON'S LANDING PRELIMINARY PLAT NOTES SNYDER & ASSOCIATES, INC.



SOLOMON'S LANDING PRELIMINARY PLAT

3/25/22

- NOTES:
 1. STORMWATER MANAGEMENT BASIN SHALL BE ACCESS VIA THE STORMWATER MANAGEMENT BASIN ACCESS EASEMENT, AS SHOWN ON THE PLAN.
 2. STORMWATER MANAGEMENT BASIN SHALL BE PRIVATELY OWNED AND MAINTAINED.



NO.	DATE	BY
1		

MARK REVISION
 Engineer: BCA
 Technician: MJS
 Checked By: TC
 Date: 3/25/22

PROJECT INFORMATION
 PROJECT: NORTH LIBERTY, IA
 320 E. PRENTISS STREET
 IOWA CITY, IOWA 52240
 319-359-7676 | www.snyder-as-associates.com

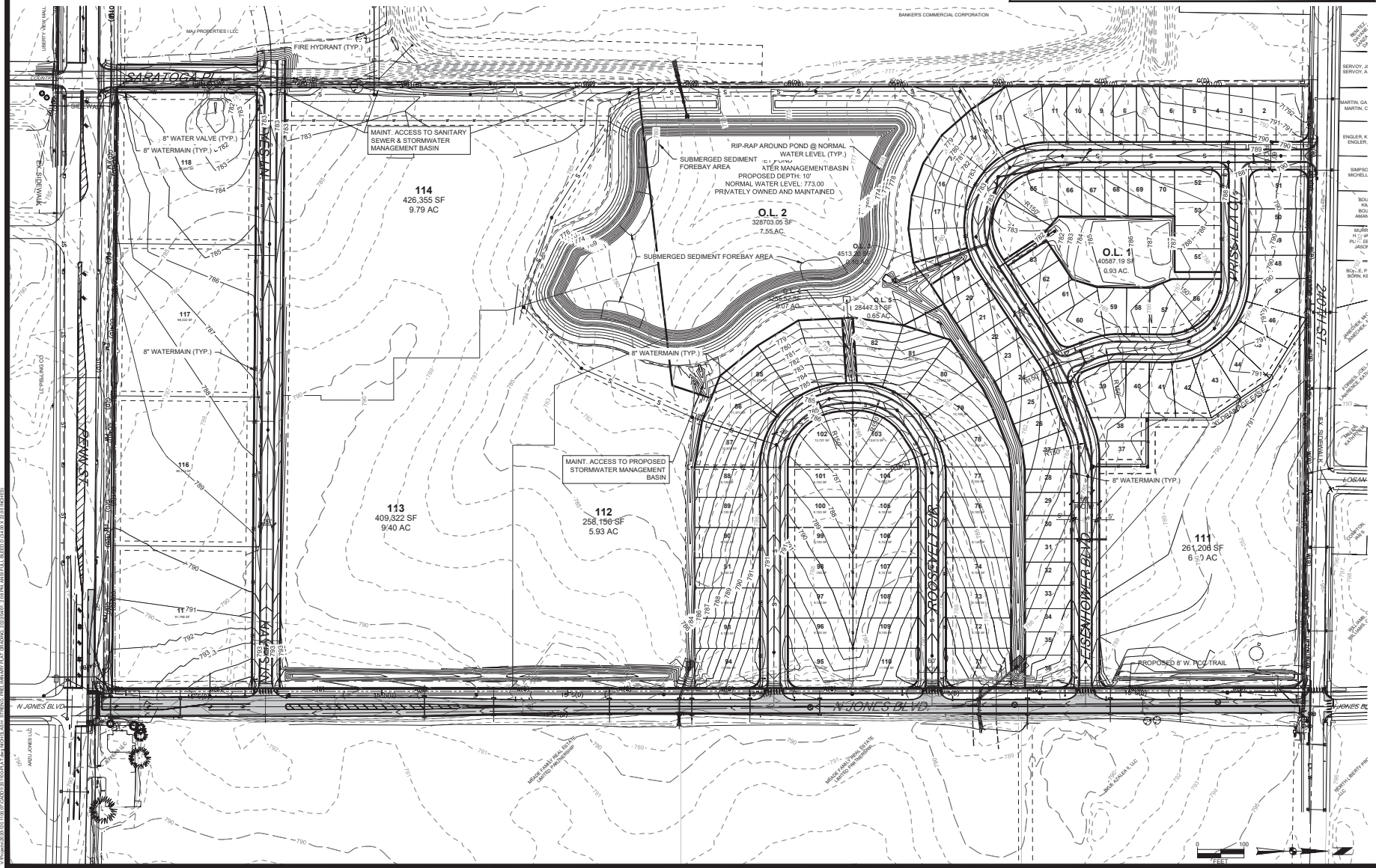
SOLOMON'S LANDING
 PRELIMINARY PLAT
 SNYDER & ASSOCIATES, INC.



Project No: 120.1100.07
 Sheet PP02

NOTES:
 1. SUBMERGED SEDIMENT FOREBAY AREA SIZING WILL BE INCLUDED IN THE FINAL SWMP AND SWPPP.
 2. SUBMERGED SEDIMENT FOREBAY AREAS FINAL LOCATION, SIZING AND DEPTH WILL BE FINALIZED IN FUTURE FINAL PLAT AND CONSTRUCTION PLANS.

SOLOMON'S LANDING
 PRELIMINARY PLAT GRADING
 3/25/22



MARK	REVISION	DATE	BY
1	ISSUED FOR PERMIT	3/25/22	TC
2	REVISED	3/25/22	TC

MARK
 Engineer: B.C.A.
 Technician: M.S.

REVISION
 Checked By: TC
 Date: 3/25/22

PROJECT
 Project No: 120.1100.07

SOLOMON'S LANDING
 PRELIMINARY PLAT GRADING
SNYDER & ASSOCIATES, INC.

NORTH LIBERTY, IA
 320 E. PRENTISS STREET
 IOWA CITY, IOWA 52240
 319-359-7676 | www.snyder-as.com

SNYDER & ASSOCIATES

Project No: 120.1100.07
 Sheet PP03



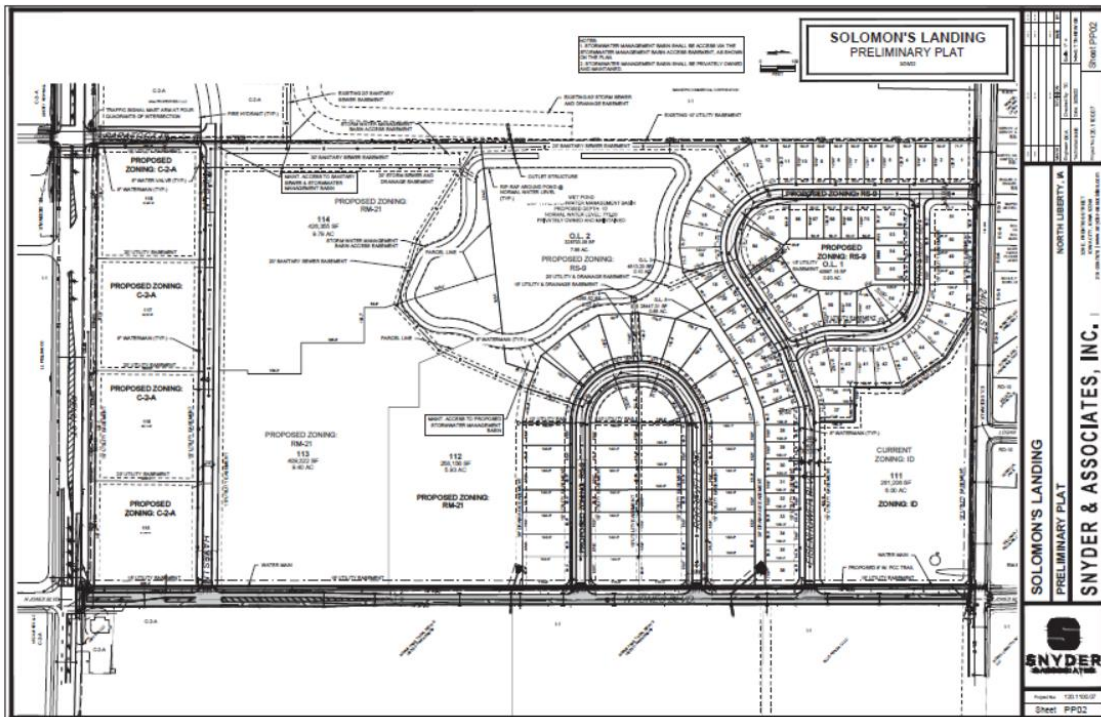
To **City of North Liberty Planning Commission**
 From **Ryan Rusnak, AICP**
 Date **April 1, 2022**
 Re **Request of Solomon Holdings, LLC to approve a Preliminary Subdivision Plat for a 118 lot subdivision on 76.97 acres, more or less, on property located on the north side of West Penn Street west of the North Jones Boulevard as extended northerly from West Penn Street to 240th Street.**

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
- Grant Lientz, City Attorney
- Tom Palmer, City Building Official
- Kevin Trom, City Engineer
- Ryan Rusnak, Planning Director

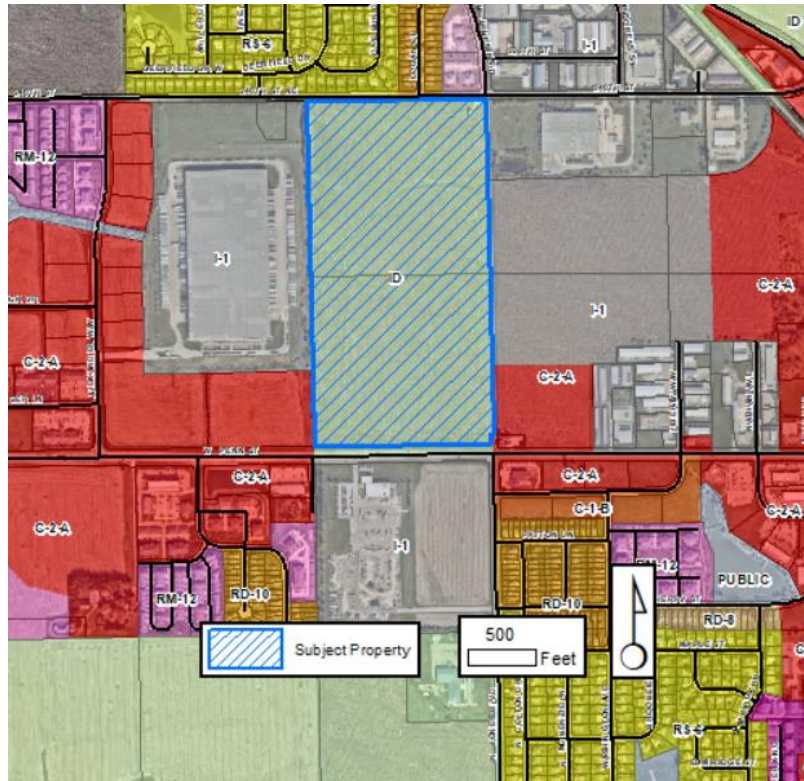
1. Request Summary:

The Preliminary Plat proposes 118 lots and related infrastructure on 76.97 acres.



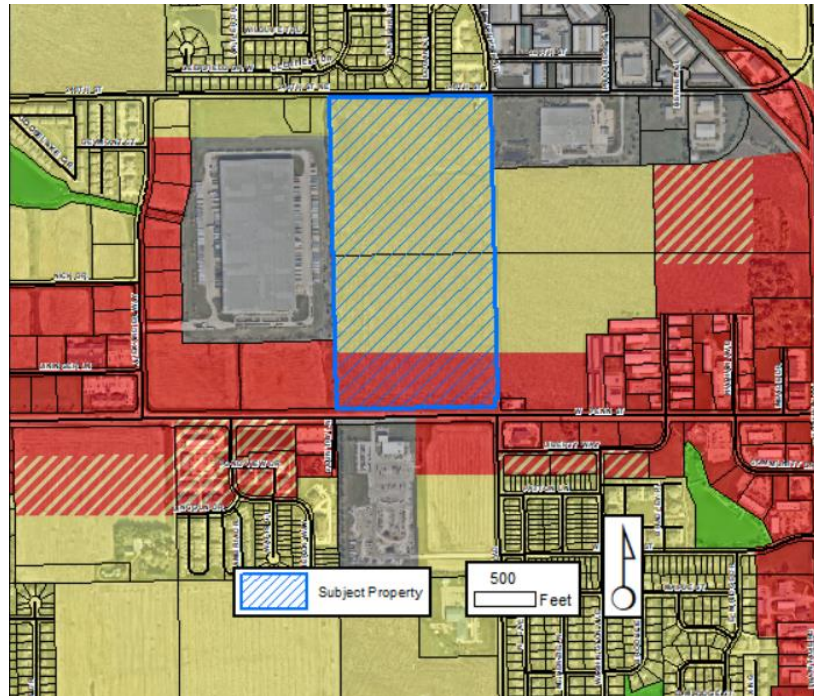
2. Current Zoning:

The property is currently zoned ID Interim Development District. The applicant is requesting a rezoning to RS-9 Single-Unit Residence District on 34.56 acres, RM-21 Multiple-Unit Residence District on 26.85 acres and C-2-A Highway Commercial District on 24.87 acres. It is anticipated that the preliminary plat would be considered at the same meeting as City Council's final approval of the rezoning.



Proposed zoning districts.

3. Comprehensive Plan Future Land Use Map Designation: Residential and Commercial.



The proposed preliminary plat would achieve consistency with the Future Land Use Map.

4. Public Input:

The January 27, 2022 good neighbor meeting was held in conjunction with the rezoning request.

Approximately 15 people attended the meeting and had general questions about the proposed development. The applicant did not request a rezoning at the northeast corner of the property due to the concerns about compatibility and not having a potential end-user at that location. Also, one user of the City's multi-use trail networks expressed a concern over the number of vehicular access points to North Jones Boulevard.

5. Approval Standards:

Section 180.11(3)(A) of the North Liberty Code of Ordinances sets forth the preliminary subdivision plat submittal requirements and review (Ordinance language in *italics* and staff analysis in **bold**).

- 3. Preliminary Subdivision Plat Submittal Requirements and Review. The preliminary plat, in general, contains more information than the final plat, so that the subdivider and the City can ensure conformance with codes, master facility plans, and good planning and engineering practices. Though the preliminary plat is not recorded, it is approved by resolution of the City Council, and conditions for approval of the plat shall be addressed on any final plats of the same area.*

A. *Preliminary Plat Contents. The application shall include a preliminary plat of the subdivision drawn to a scale of one inch to one hundred feet minimum, and shall show:*

(1) *A location map to provide spatial reference, showing the outline of the area to be subdivided, existing streets and corporate limits in the vicinity, a north arrow and scale or note stating "not to scale," and other information that might help clarify where the plat is located as well as its surroundings and size relative to other City features;*

This has been provided on the Preliminary Plat.

(2) *Name of proposed subdivision and date;*

This has been provided on the Preliminary Plat.

(3) *Legal description and acreage;*

This has been provided on the Preliminary Plat.

(4) *Name and address of owner;*

This has been provided on the Preliminary Plat.

(5) *Names of the persons preparing the plat, owner's attorney, representative or agent, if any;*

This has been provided on the Preliminary Plat.

(6) *Existing and proposed zoning district classification of all land within the proposed subdivision and within about 200 feet of the subdivision;*

Staff is not requiring this information on the Preliminary Plat.

(7) *North point and graphic scale;*

This has been provided on the Preliminary Plat.

(8) *Contours at two-foot intervals or less, both existing and as generally proposed (subject to more refinement in subsequent construction plans);*

This has been provided on the Preliminary Plat.

(9) *Building setback lines as required by the current or proposed zoning district classifications;*

This has been provided on the Preliminary Plat.

(10) *The approximate boundaries of areas of known flood levels or floodplains, areas covered by water, wooded areas, floodways, and all open channel drainage ways;*

This has been provided on the Preliminary Plat.

(11) Locations, names, and dimensions of existing lot lines, streets, public utilities, water mains, sewers, drainpipes, culverts, watercourses, bridges, railroads and buildings within in the proposed subdivision and within about 200 feet of the subdivision;

This has been provided on the Preliminary Plat.

(12) Layout of proposed blocks, if used, and lots, including the dimension of each lot, and the lot and block number in numerical order;

This has been provided on the Preliminary Plat.

(13) Layout and dimensions of proposed streets, sidewalks, trails, alleys, utility and other easements, parks and other open spaces or reserved areas;

This has been provided on the Preliminary Plat.

(14) Grades of proposed streets and alleys;

This has been provided on the Preliminary Plat.

(15) A cross-section of the proposed streets showing the roadway locations, the type of curb and gutter, the paving, and sidewalks to be installed;

This has been provided on the Preliminary Plat.

(16) The layout of proposed water mains and sanitary sewer systems;

This has been provided on the Preliminary Plat.

(17) The drainage of the land, including proposed storm sewers, ditches, culverts, bridges and other structures;

This has been provided on the Preliminary Plat.

(18) Stormwater management facilities when applicable;

This has been provided on the Preliminary Plat.

(19) A signed certificate of the Johnson County Auditor for the subdivision name;

This information has been provided.

(20) Other special details or features that may be proposed or required.

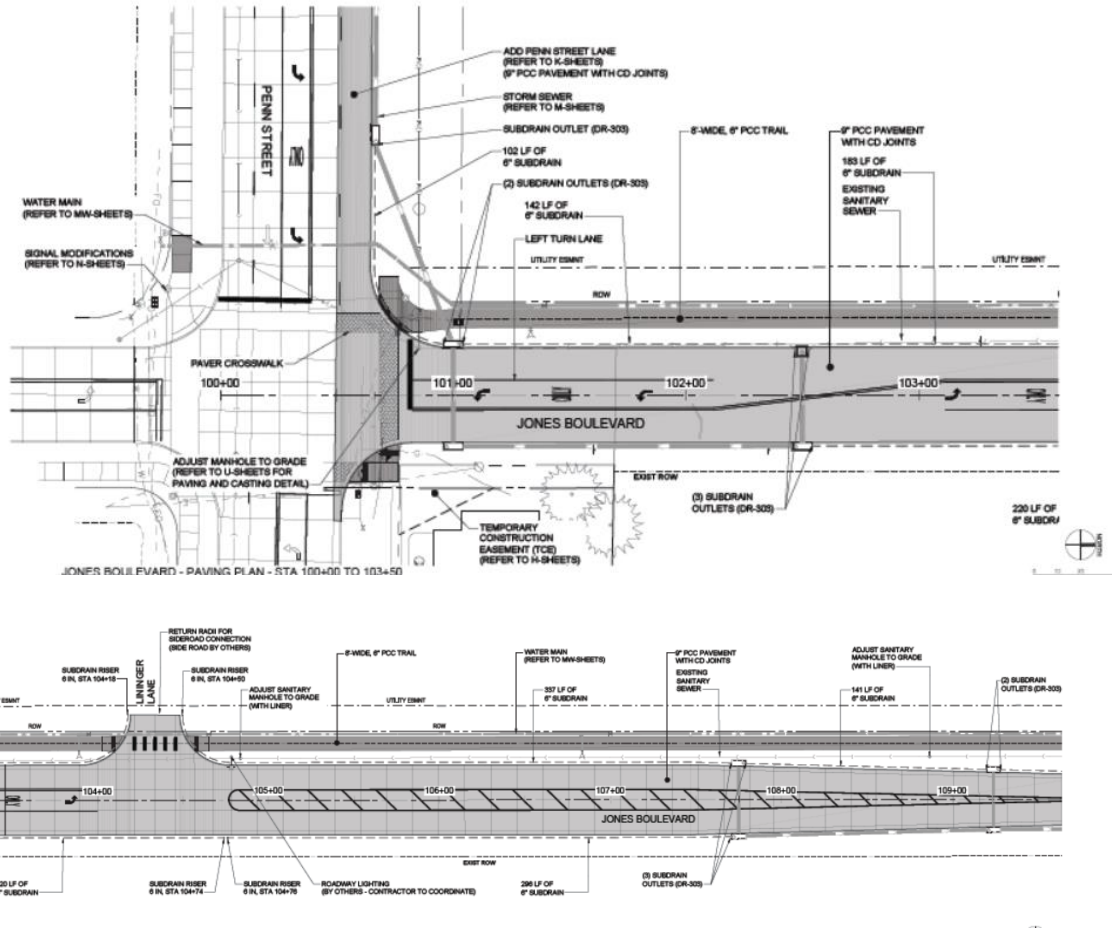
None required.

6. Additional Considerations:

Transportation Network.

Staff has been working with the applicant for approximately two years in regards to developing this property. Now that development of the property is anticipated, the City has authorized the design of North Jones Boulevard. This will be a two-lane urban road with turn lanes onto West Penn Street and the planned street between the commercial and multi-family developments. Westbound West Penn Street will be widened to two full lanes west of the North Jones Boulevard intersection and there will be a left turn onto North Jones Boulevard. Also planned is an 8-foot wide multi-use path along the west

side of the street. Overhead utilities in the area of the proposed road and along 240th Street would be relocated underground. Construction is anticipated to begin in the spring.



Traffic Study.

The City required a traffic study to provide trip generation and distribution assumptions for the proposed development and to determine what intersection geometric and traffic control improvements would be anticipated to be needed for the various phased construction of the proposed development.

The Johnson County Metropolitan Planning Organization staff reviewed the traffic study. It generally agrees with the traffic study, but did provide review comments for amendments.

The traffic study recommends that the intersection of West Penn Street and Country Lane/Saratoga Place. The timing depends on the timing of the second phase of the multi-family development and or the timing and type of commercial development. The recommended location is due to the spacing of the existing signal at West Penn Street and North Jones Boulevard and the lack of turn lane queuing if the proposed signal were to line up with the driveway entrance at LL Pelling Co.

Notably, Saratoga Place is an off-site improvement and will need cooperation from the adjacent property owner to the west. The applicant has been in discussions with the adjacent property owner. The development of the subject property will be subject to the installation of this roadway and traffic signal at some phase of the development. The timing of Saratoga Place and the signal will be articulated in the conditional recommended by City staff and Developer's Agreement for subdivision improvements.

7. Staff Recommendation:

Findings:

1. The preliminary plat, which proposes commercial and residential development, would consistency with the Comprehensive Plan Future Land Map designation, which are Commercial and Residential, respectively; and
2. The preliminary plat, with conditions recommended by City staff, would achieve consistency with Section 180.11(3)(A) and 180.12 of the North Liberty Code of Ordinances, which sets forth the preliminary subdivision plat submittal requirements and design standards, respectively.

Recommendation:

Staff recommends the Planning Commission accept the two listed findings and forward the request of Solomon Holdings, LLC to approve a Preliminary Subdivision Plat for a 118 lot subdivision on 76.97 acres, more or less, on property located on the north side of West Penn Street west of the North Jones Boulevard as extended northerly from West Penn Street to 240th Street to the City Council with a recommendation for approval subject to the following conditions:

1. That the traffic study be updated to incorporate review comments by Johnson County Metropolitan Planning Organization;
2. That the right-of-way for Saratoga Place be dedicated to the City of North Liberty and roadway and infrastructure improvements constructed thereon by the owner, and accepted by the City prior to the issuance of buildings permits for Lots 116, 117 and 118 if the type of development warrants the additional access in the sole discretion of the City. The City may require an additional traffic study to determine whether the additional access in warranted; and
3. That the right-of-way for Saratoga Place be dedicated to the City of North Liberty, roadway and infrastructure improvements constructed thereon and the traffic signal adjacent to Saratoga Place shall be installed by the owner, and accepted by the City prior to the issuance of buildings permits for Lot 114. All of the aforementioned improvements may be required if the type of development on Lots 116, 117 and 118 warrants the improvements, in the sole discretion of the City. The City reserves the right to require a traffic study to determine whether any or all of the improvements are warranted.

Suggested motion:

I move that the Planning Commission accept the two listed findings and forward the preliminary plat to the City Council with a recommendation for approval subject to the conditions recommended by City staff.

development is planned to be constructed in three phases, with full site construction to be completed within an eight year period. An illustrative site plan may be found in the appendix.

Due to this quick construction schedule, expected facilities constructed during the first phase (Phase 1) will be considered for Opening Year traffic impacts, Phases 1, 2, & 3 will be considered for cumulative traffic impacts (Phase 3), and a future conditions period including potential adjacent development will be considered for 2045 impacts (2045).

The site is proposed to include the construction of several new roads including adding north approach legs to the existing West Penn Street & Country Lane and West Penn Street & North Jones Boulevard intersections.

4. ANALYSIS OF FUTURE CONDITIONS

a. Background Traffic Growth

Background traffic growth assumptions were obtained from the MPOJC and in combination with the historic traffic volumes recorded by the Iowa DOT (**Table 1**) were used to calculate an annual traffic growth rate of 2 percent. This growth factor was applied to existing traffic volumes observed by Snyder & Associates (**Table 2**) to generate a background traffic growth estimate for reviewed future project phases. A multiplier of 1.04, 1.13 and 1.58 was applied to existing traffic values to generate background traffic growth estimates for the Phase 1, Phase 3, and 2045 periods, respectively. These background traffic volumes were combined with site and offsite traffic generation volumes and passby reduction rates to obtain projected traffic volumes in each period.

b. Trip Generation

Estimated trip generation for the proposed development was calculated according to the 11th Edition of the ITE *Trip Generation Manual* for weekday AM and PM peak hours for each analysis period. The following ITE Land Use Codes with the relevant independent variable were used for anticipated land uses:

- LU 210 – Single-Family Detached Housing.
 - Variable: Dwelling Units.
- LU 221 – Multi-family Housing (Mid-Rise).
 - Variable: Dwelling Units.
- LU 254 – Assisted Living Facility.
 - Variable: Dwelling Units.
- LU 945– Convenience Store/Gas Station.
 - Variable: Vehicle Fuel Positions.
- LU 822 Strip Retail (<40k Square Feet).
 - Variable: Square footage.
 - 821 – Shopping Plaza 40-150k sq ft passby traffic rates were used for the PM period.
- LU 712 – Small Office Building.
 - Variable: Square Footage.

Due to the development's anticipated construction phasing, Trip Generation Rates were modeled for 3 distinct periods: Phase 1, Phase 3 (which includes all construction planned for the development and the potential

assisted living facility), and 2045 (which includes the full site, potential assisted living facility, assumed commercial development to the west of the site, and background traffic growth).

Table 4. Anticipated Site Build Quantities – Phase 1

ITE Code	Land Use Type	Variable
210	Single-Family Detached Housing	20 DU
221	Multifamily Housing (Mid-Rise)	156 DU
945	Convenience Store/Gas Station	16 VFP
822	Strip Retail <40K	0 K SQ FT
712	Small Office Building	0 K SQ FT
254	Assisted Living	0 DU

Table 5. Anticipated Site Build Quantities – Phase 3, Cumulative

ITE Code	Land Use Type	Variable
210	Single-Family Detached Housing	110 DU
221	Multifamily Housing (Mid-Rise)	428 DU
945	Convenience Store/Gas Station	16 VFP
822	Strip Retail <40K	24 K SQ FT
712	Small Office Building	7 K SQ FT
254	Assisted Living	100 DU

Table 6. Anticipated Offsite Build Quantities, west of Solomon's Landing, 2045

ITE Code	Land Use Type	K SQ FT
821	Shopping Plaza	55

Site traffic consists of three parts: site generated traffic, internally captured traffic, and site passby traffic. Site generated traffic consists of new trips generated by land uses; internally captured traffic occurs when multiple site uses are combined into a single entering/exiting trip, thereby reducing the travel load on the adjacent streets; and passby trips are more trips of opportunity as existing background traffic users divert their travel patterns to take advantage of the new land use.

See the appendix for the more fulsome trip generation tables for each phase of development with Gross, Internal Capture, and Net Trip Generation tables for each predicted land use.

Table 7: Net Site Trip Generation – Phase 1

ITE Code	Quantity	Variable	Land Use	Daily				AM Peak				PM Peak			
				Rate	Total Trips	Entering	Exiting	Rate	Total Trip	Entering	Exiting	Rate	Total Trip	Entering	Exiting
210	20	DU	Single-Family Detached Housing	9.43	189	94	94	0.75	15	4	11	0.99	20	13	7
221	156	DU	Multifamily Housing (Mid-Rise)	4.54	708	354	354	0.35	55	14	40	0.39	61	37	24
254	0	DU	Assisted Living	2.6	-	-	-	0.22	-	-	-	0.33	-	-	-
945	16	VFP	Convenience Store/Gas Station	257.13	4,114	2,057	2,057	27.04	424	208	216	23.88	376	191	185
822	0	1k SQ Ft	Strip Retail <40K	54.45	-	-	-	7.6	-	-	-	13.24	-	-	-
712	0	1k SQ Ft	Small Office Building	14.39	-	-	-	2.61	-	-	-	3.15	-	-	-
Total				-	5,011	2,505	2,505	-	493	226	268	-	456	240	216

Table 8: Net Site Trip Generation – Phase 3

ITE Code	Quantity	Unit	Land Use	Daily				AM Peak				PM Peak			
				Rate	Total Trips	Entering	Exiting	Rate	Total Trip	Entering	Exiting	Rate	Total Trip	Entering	Exiting
210	110	DU	Single-Family Detached Housing	9.43	1,037	519	519	0.75	83	21	61	0.99	109	70	39
221	420	DU	Multifamily Housing (Mid-Rise)	4.54	1,943	972	972	0.35	150	39	111	0.39	167	100	67
251	100	DU	Senior Adult Housing - Single Family	2.6	260	130	130	0.22	22	15	7	0.33	33	15	18
945	16	VFP	Convenience Store/Gas Station	257.13	4,114	2,057	2,057	27.04	403	187	216	23.88	403	191	170
822	24	1k SQ Ft	Strip Retail <40K	54.45	1,307	653	653	7.6	153	62	91	13.24	345	172	119
712	7	1k SQ Ft	Small Office Building	14.39	101	50	50	2.61	18	11	7	3.15	22	9	13
Total				-	8,762	4,381	4,381	-	829	335	494	-	1,079	557	425

Table 9. Net Site Trip Generation – Offsite

ITE Code	Quantity	Variable	Land Use	Daily				AM Peak				PM Peak			
				Rate	Total Trips	Entering	Exiting	Rate	Total Trip	Entering	Exiting	Rate	Total Trip	Entering	Exiting
821	55	1k SQ Ft	Shopping Plaza	94.49	5,197	2,598	2,598	7.06	388	202	186	9.72	535	262	273
Total				-	5,197	2,598	2,598	-	388	202	186	-	535	262	273

***See the appendix for the Gross-Internal-Net Trip Generation tables for 2045**

c. Trip Distribution

Several distribution assumptions were made to assign site generated trips to the local road network. These assumptions include:

- As West Penn Street provides a direct link to I-380 and is classified as a minor arterial, all commercial site traffic and most of the residential site traffic will use West Penn Street rather than West 240th Street NE.
- Due to intersection proximity, all multi-family dwelling unit trips are assumed to use West Penn Street.
- 50 percent of the trips generated by 20 single family dwelling units constructed during Phases 1 and 2 are assumed to use West Penn Street.
- 50 percent of the trips generated by the 50 single family dwelling units constructed during Phase 3 are assumed to use West Penn Street.
- 90 percent of the 40 single family dwelling units constructed during Phase 3 are assumed to use West Penn Street.
- 50 percent of the senior living center generated trips are assumed to use West Penn Street.
- Residential trips are assumed to have different access point splits, with multi-family dwelling unit trips to be split evenly across both intersections while single family dwelling unit trips and senior living facility trips are assumed to access the site via West Penn Street & North Jones Boulevard.
- Commercial trips are assumed to split evenly across both study intersections.
- Site travel will mimic existing observed travel flow for AM and PM peak periods. As the two study intersections are without a north approach leg, existing south approach traffic travel flows percentages will be used to approximate site exiting traffic flows.
- A small amount of additional traffic was added to the background traffic volumes for the intersection of West Penn Street & North Jones Boulevard to reflect anticipated use of the collector street by individuals traveling southbound. This additional volume, 75 vehicles entering and 75 vehicles exiting, was applied equally across the SBL/T/R, NBT, EBL, and WBR turning movements in the AM & PM peak periods and increased in line other background traffic volumes in Phase 3 and 2045.

Table 10. Observed Traffic Directional Flow

Traffic Directional Flow	AM Peak Period		PM Peak Period	
	West Penn Street & Country Lane	West Penn Street & North Jones Boulevard	West Penn Street & Country Lane	West Penn Street & North Jones Boulevard
EB	38%	37%	55%	52%
WB	61%	45%	44%	33%
NB	0%	18%	0%	15%

Turning moment percentages and volumes for all studied periods are available in the appendix as is a site diagram with assumed dwelling unit and commercial property directional flows.

d. Signal Warrant Analysis

Traffic signal warrants for the proposed intersection of West Penn Street & Saratoga/Country Lane were reviewed for existing and projected future traffic volumes. The planning-level signal warrant analysis uses a typical hourly traffic distribution to evaluate Warrant 1 (8-hour volume warrant) and peak hour traffic volumes to evaluate Warrant 3 (peak hour warrant) from the *Manual on Uniform Traffic Control Devices* (MUTCD).

Warrant 1 was evaluated because it is typically the strongest indicator of a potential signal need. Warrant 3 was evaluated where traffic conditions may create undue delay on minor streets due to major street traffic.

Upon review, Warrant 1 (condition B) and Warrant 3 were both met under projected volume conditions during Phases 1 & 3 and 2045 traffic volume conditions.

Refer to the appendix for the planning-level signal warrant calculations.

e. Capacity Analysis

Intersection capacity analysis was completed using the Highway Capacity Manual 6th Edition (HCM 6) and signalized intersection capacity analysis methodology incorporated into the traffic analysis software Synchro 11. Intersection delay is a function of traffic factors such as traffic volume, turning vehicles, vehicle types and arrival patterns, as well as geometric factors such as number of lanes, and traffic control. Intersection operations are categorized by equating average vehicular delay to level of service (LOS) criteria.

LOS A is considered the most desirable level, with the least delay, while LOS F experiences the most delay. Typically, LOS D is the minimum acceptable LOS for urban intersections with LOS E occurring at non-signalized side-street approaches to arterials. LOS criteria defined by the HCM for unsignalized and signalized intersections are shown in the Table below.

Table 11: Level Service (LOS) Definition

LOS	Average Delay per Vehicle (sec)	
	Unsignalized Intersection	Signalized Intersection
A	Less than 10	Less than 10
B	10-15	10-20
C	15-25	20-35
D	25-35	35-55
E	35-50	55-80
F	Greater than 50	Greater than 80

Capacity Analysis for each study intersection were initially reviewed with both study intersections. For each intersection, a north approach with a dedicated left-turn lane with 150 of storage space and a through/right turn lane was included. EB left turn lanes with 200 ft of storage space were also added to the West Penn Street & Saratoga/Country Lane intersection and West Penn Street & N Jones Boulevard intersection.

Existing Traffic Control Conditions

West Penn Street & Saratoga/Country Lane

Phase 1

In projected Phase 1 conditions, SBL turning movements from West Penn Street & Saratoga/Country Lane exhibited an unacceptable LOS of “F” for the SBL movement during the PM peak period. The SBL movement during the AM peak period exhibited a projected LOS of “E”. Queue lengths for all peak periods at all movements were within the provided queue space.

Phase 3

In projected Phase 3 conditions, SBL turning movements from West Penn Street & Saratoga/Country Lane exhibited an unacceptable LOS of “F” during the AM and PM peak periods, with SBL queue lengths exceeding the provided storage space (150 ft) in the PM peak period.

2045

In projected 2045 conditions, SBL turning movements from West Penn Street & Saratoga/Country Lane exhibited an unacceptable LOS of “F” during the AM and PM peak periods, with SBL queue lengths exceeding the provided storage space (150 ft) in the PM peak period. The NBL movement also exhibited an unacceptable LOS of “F” during the PM period.

West Penn Street & North Jones Boulevard

Phase 1

In projected Phase 1 conditions, existing intersection control (signalized) and proposed turn lane configuration conditions were adequate to manage projected traffic volumes and queue lengths.

Phase 3

In projected Phase 3 conditions, existing intersection control (signalized) and proposed turn lane configuration conditions were adequate to manage projected traffic volumes and queue lengths. Traffic signal timing will need to be adjusted to accommodate the new traffic patterns and volumes.

2045

In projected 2045 conditions, the NBL movement exhibited an unacceptable LOS of “F” in the PM peak period. The WBT through movement also exhibited an unacceptable LOS of “F” in the AM peak period.

Alternative Conditions Reviewed

To address the projected unacceptable LOS and queue lengths projected under the original configuration criteria, alternative traffic controls and lane configurations were reviewed.

*West Penn Street & Saratoga/Country Lane*Phase 1

Adding a traffic signal resulted in an acceptable LOS level and projected queue lengths below provided for storage space for all intersection movements.

Phase 3

Adding a traffic signal resulted in an acceptable LOS level and projected queue lengths below provided for storage space for all intersection movements.

2045

Adding a traffic signal resulted in acceptable LOS levels and projected queue lengths below provided for storage space for all intersection movements.

*West Penn Street & North Jones Boulevard*2045

Adding an additional WB through lane to the West Penn Street & North Jones Boulevard intersection for the 2045 scenario restored acceptable LOS levels for all modeled movements, not just the through movement. The additional throughput on the WB lanes allows for the previously noted NBL LOS concern to be corrected as more signal time is allocated for that movement.

f. Access Spacing

As described by the Federal Highway Administration, access management refers to the design, application and control of entry and exist points along a road.” This includes intersections with other roads and driveways that serve adjacent properties. Thoughtful access management along a corridor can simultaneously enhance safety for all modes, facilitate walking and biking, and reduce trip delay and congestions.

The upstream functional distance (UFD) of full access intersections is based on motorist perception/reaction time (based on urban/rural character), deceleration distance (based on travel speed), and queue storage length for waiting vehicles (differs based on traffic control method).

Along West Penn Street, the UFD for unsignalized intersections is 415 ft at minimum and for signalized intersections is 515 ft at minimum. Conservatively, 600 ft should be assumed to be an acceptable distance.

The two existing intersections are approximately 1,350 feet apart from each other and are in conformance with SUDAS spacing recommendations.

5. CONCLUSIONS & RECOMMENDATIONS

The proposed Solomon's Landing Development will entail the construction of new north approaches for existing intersections along West Penn Street at Country Lane and North Jones Boulevard.

The West Penn Street & Saratoga/Country Lane intersection is anticipated to have unacceptable performance during reviewed AM periods in Phase 3 and 2045 periods and during all PM periods. This deficiency is primarily due to the expected trip generation potential of the proposed convenience store/gas station in Phase 1 of construction and this report's distribution assumptions.

If the convenience store/gas station is in the commercial parcels close to Saratoga, it is anticipated that a signal will be needed prior to the completion of Phase 1 of development, as was shown in our modeling. If the convenience store/gas station is located adjacent to North Jones Boulevard, motorists will likely depart from our distribution assumptions by prioritizing the existing West Penn Street & North Jones Boulevard intersection, likely delaying the need for a traffic signal until Phase 3 of development.

With the inclusion of a traffic signal, projected LOS levels are acceptable and queue lengths are within modeled lengths⁴, including the critical SBL movement that was resulted in unacceptable LOS delays in a TWSC configuration.

The use of the existing West Penn Street & Country Lane as the new full access intersection for the west side of the Solomon's Landing Development conforms with established SUDAS spacing guidance. The intersection location also provides safe and efficient access to the future development to the west of Solomon's Landing as well as the existing retail south of West Penn Street.

The West Penn Street & North Jones Boulevard intersection is anticipated to have acceptable performance through Phase 3 of the Solomon's Landing Development but is anticipated to have unacceptable performance for the NBL movement and the WBT movement in 2045. As reported in their 2017 Long Range Transportation Plan "Future Forward", MPOJC anticipates that West Penn Street will experience significant congestion during peak hours (LOS of E or F) in 2045 scenarios⁵ due to general traffic volume increases, and not specifically attributable to this development. This report's traffic modeling conforms with the MPOJC's traffic projections.

This report's modeling suggests that adding a second WBT lane at the West Penn Street & North Jones Boulevard intersection will address these conditions. The inclusion of the additional through lane, reducing the required green time to service the future WB through volumes, will allow for a more efficient traffic signal pattern, alleviating the NBL delay and queue concerns projected for the 2045 scenario. The addition

⁴ Modeled storage lengths include 200 ft for the EBL, 150 ft for the SBL, and 50 ft for the WBL.

⁵ Metropolitan Planning Organization of Johnson County. Future Forward: 2045 Long Range Transportation Plan, p. 76. May, 2017. Online Available at: <https://www8.iowa-city.org/WebLink/ElectronicFile.aspx?dbid=0&docid=1786006&>

of the second WBT lane would likely significantly impact the existing property at 1180 West Penn Street (northeast quadrant of the intersection) due to the proximity of the building to the right of way line. There is approximately 25' between the existing back of curb and right of way line. It is recommended that the City of North Liberty (if not already in process) begin to work with the property owner on improvement concepts to accommodate the additional travel lane.

The following intersection configurations are recommended for both study intersections:

West Penn Street & Saratoga/Country Lane

Prior to the completion of Phase 1 construction

- The installation of a traffic signal (if the convenience store/gas station is proximate to this intersection).
- The construction of a North approach with a dedicated left-turn lane with 150 ft of storage space and a through/right turn lane.

Prior to the completion of Phase 3 construction

- The installation of a traffic signal, if not installed during Phase 1 of construction.

West Penn Street & North Jones Boulevard

Prior to the completion of Phase 1 construction

- The construction of a North approach with a dedicated left-turn lane with 150 ft of storage space and a through/right turn lane.
- The construction of a EB left-turn lane with 200 ft of storage space.

Prior to the 2045 Design Year

- The addition of a second WB through lane.

Appendix

Study Area

Site Plan

Site Distribution

Capacity Analysis Summary Tables

Trip Generation Tables

Trip Distribution Diagrams

Crash History Reports, Iowa DOT

Planning-Level Signal Warrant Analysis

Synchro Capacity Analysis and Queue Reports

Resolution No. 2022-36

**RESOLUTION APPROVING THE PRELIMINARY PLAT
FOR SOLOMON'S LANDING, NORTH LIBERTY, IOWA**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY,
IOWA:**

WHEREAS, the owner and applicant, Solomon Holdings, LLC, has filed with the City Clerk a preliminary plat described in Exhibit A which is attached hereto;

WHEREAS, the property is legally described as:

Auditor's Parcel 2021009, Plat of Survey recorded in Book 64, Page 285 at the Johnson County Recorder's Office, Johnson County, Iowa

WHEREAS, said real estate is owned by the above-named party and the subdivision is being made with free consent and in accordance with the desires of the owner;

WHEREAS, said preliminary plat has been examined by the North Liberty Planning and Zoning Commission which found:

1. The preliminary plat, which proposes commercial and residential development, would consistency with the Comprehensive Plan Future Land Map designation, which are Commercial and Residential, respectively; and
2. The preliminary plat, with conditions recommended by City staff, would achieve consistency with Section 180.11(3)(A) and 180.12 of the North Liberty Code of Ordinances, which sets forth the preliminary subdivision plat submittal requirements and design standards, respectively.

and did recommend that the preliminary plat described as Solomon's Landing be approved with the following conditions:

1. That the right-of-way for Saratoga Place be dedicated to the City of North Liberty and roadway and infrastructure improvements constructed thereon by the Developer, and accepted by the City prior to approval of the final plat for lots 112-118; and
2. That the traffic signal at the Saratoga Place/West Penn Street intersection be installed by the Developer, and accepted by the City prior to occupancy permits

issued for lots 112 and 114. Notwithstanding the foregoing, the traffic signal shall be installed prior to issuance of building permits for 115, 116, 117 and/or 118 if the type of development for said lots 115, 116, 117 and/or 118 warrants signalization, in the sole discretion of the City. The City reserves the right to require an additional traffic study to determine if signalization is warranted with respect to issuance of building permits for Lots 115, 116, 117 and/or 118.

WHEREAS, said preliminary plat are found to conform with Chapter 354 of the Code of Iowa and ordinances of the City of North Liberty.

NOW, THEREFORE, BE IT RESOLVED that the Preliminary Plat for Solomon's Landing is approved.

APPROVED AND ADOPTED this 12th day of April, 2022.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK



April 5, 2022

Chris Hoffman, Mayor
City of North Liberty
3 Quail Creek Circle
North Liberty IA 52317

Re: Request of Insite Construction to approve a Site Plan for 352 multi-unit residences in eight buildings and related recreational amenities and site improvements on approximately 25.11 acres of property located on the west side of North Jones Boulevard as extended northerly from West Penn Street to 240th Street.

Mayor Hoffman:

The North Liberty Planning Commission considered the above-referenced request at its April 5, 2022 meeting. The Planning Commission took the following action:

Findings:

1. The multi-unit residence use of the property would be consistent with the current RM-21 District and the Comprehensive Plan Future Land Use Map designation of Residential; and
2. The site plan would achieve consistency with North Liberty Code of Ordinances Section 165.05(2) entitled, "Preliminary Site Plan Review", Section 168.07(26)(B) and Section 169.10 entitled "Design Standards" and other Code of Ordinance requirements.

Recommendation:

The Planning Commission accepted the two listed findings and forwards the request to approve the site plan to the City Council with a recommendation for approval subject to the following condition:

1. That the northernmost driveway entrance in conflict and the North Jones Boulevard storm intake be addressed during design on the construction site plan approval.

The vote for approval was 6-0.

Josey Bathke, Vice Chairperson
City of North Liberty Planning Commission



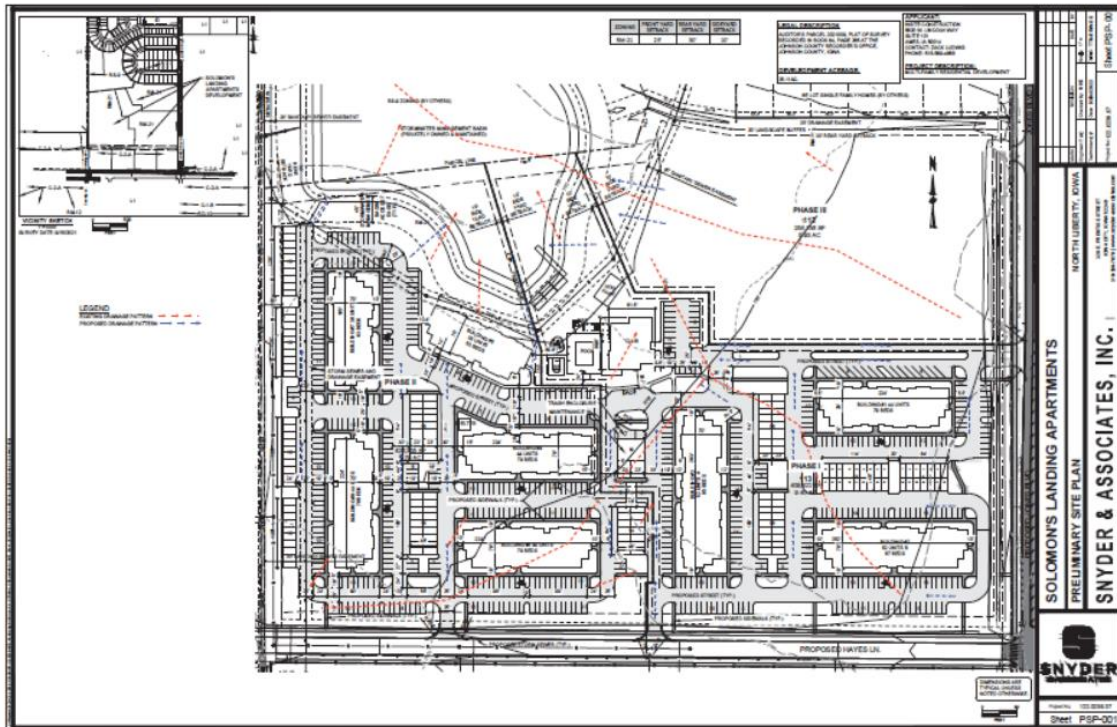
To **City of North Liberty Planning Commission**
 From **Ryan Rusnak, AICP**
 Date **April 1, 2022**
 Re **Request of Insite Construction to approve a Site Plan for 352 multi-unit residences in eight buildings and related recreational amenities and site improvements on approximately 25.11 acres of property located on the west side of North Jones Boulevard as extended northerly from West Penn Street to 240th Street.**

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
- Grant Lientz, City Attorney
- Tom Palmer, City Building Official
- Kevin Trom, City Engineer
- Ryan Rusnak, Planning Director

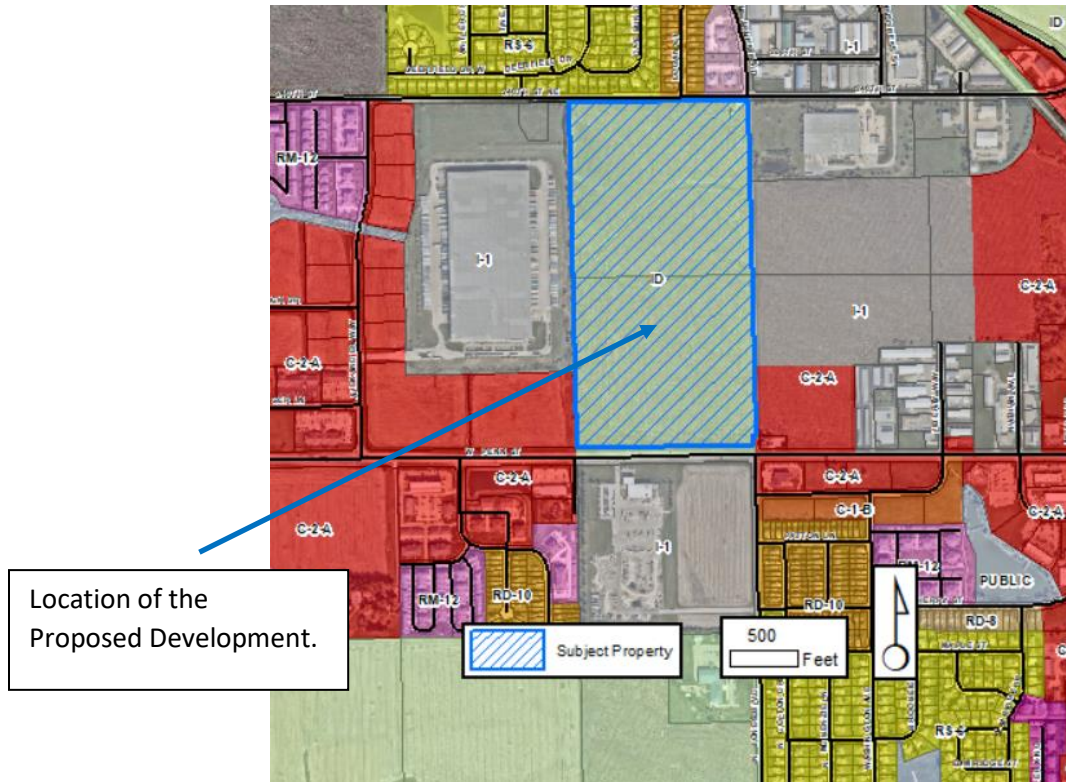
1. Request Summary:

The site plan proposes to construct a 352 multi-unit residences in eight buildings and related recreational amenities and site improvements on approximately 25.11 acres of property.



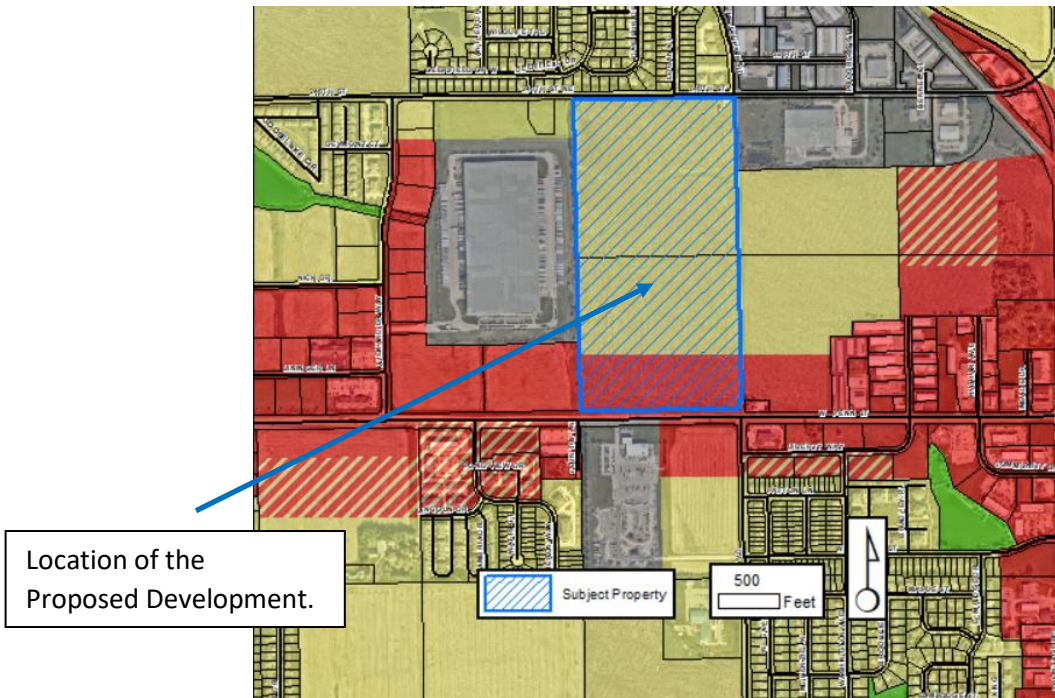
2. Existing Zoning:

The property is currently zoned ID Interim Development District. The property owner is requesting a rezoning to RM-21 Multiple-Unit Residence District on 26.85 acres. It is anticipated that the preliminary site plan would be considered at the same meeting as City Council's final approval of the rezoning.



Proposed zoning districts.

3. Comprehensive Plan Future Land Use Map Designation: Residential.



The proposed zoning and site plan would be consistent with the Future Land Use Map

4. Public Input:

No public comments have been received.

5. Approval Standards:

Section 165.05(2) of the North Liberty Code of Ordinances entitled, "Preliminary Site Review" sets forth the approval standards (Ordinance language in *italics* and staff analysis in **bold**).

- *Date, north arrow and graphic scale.* **This information has been provided on the preliminary site plan.**
- *The property owner's name and description of proposed development.* **This information has been provided on the preliminary site plan.**
- *A vicinity sketch showing the location of the property and other properties within 1,000 feet of it.* **This information has been provided on the preliminary site plan.**
- *Property boundary lines, dimensions, and total area.* **This information has been provided on the preliminary site plan.**
- *Contour lines at intervals of not more than five feet, City datum. If substantial topographic change is proposed, the existing topography shall be illustrated on a separate map and the proposed finished topography shown on the site plan.* **This information has been provided on the preliminary site plan.**
- *The location of existing streets, sidewalks, easements, utilities, drainage courses.* **This information has been provided on the preliminary site plan.**
- *The total square feet of building floor area, both individually and collectively.* **This information has been provided on the preliminary site plan.**

- *All structures and major features shall be fully dimensioned including distance between structures, distance between driveways, parking areas, property lines and building height. **This information has been provided on the preliminary site plan and the architectural renderings.***
- *Off-street parking areas, ingress and egress to the property, number of parking spaces proposed, number of parking spaces required by this code and type of surfacing. **This information has been provided on the preliminary site plan.***
- *Pedestrian walkways with special consideration given to pedestrian safety. **This information has been provided on the preliminary site plan. There are several dedicated pedestrian walkways along internal pedestrian circulation within the development and the public sidewalks.***
- *Trash and refuse enclosures. **This information has been provided on the preliminary site plan.***
- *The general drainage pattern and location of storm water detention features. **This information has been provided on the preliminary site plan.***
- *The general location, type and size of landscaping and ground cover illustrated in color perspective. **This information has been provided on the preliminary site plan and the landscape rendering.***
- *A rendering, elevation or photo of the proposed development. **This information has been provided on the architectural rendering.***

There proposed site plan depicts the northernmost driveway entrance in conflict with the proposed North Jones Boulevard storm intake. The City Engineer has indicated to the applicant on several occasions that this is not acceptable. This will need to be addressed during design on the construction site plan approval.

North Liberty Code of Ordinance Section 168.07(26)(B) sets forth the design standards for multi-unit residences.

B. Use Standards.

- (1) Buildings must be designed with consistent materials and treatments that wrap around all building elevations. There must be a unifying architectural theme for the entire multi-unit development, utilizing a common vocabulary of architectural forms, elements, materials, or colors in the entire structure.
- (2) Building facades must include windows, projected or recessed entrances, overhangs, and other architectural features. Three-dimensional elements, such as balconies and bay windows, are encouraged to provide dimensional elements on a facade.
- (3) Minimum required masonry on front and corner side yard building elevations is 25%.
- (4) A 15% minimum transparency requirement applies to any facade facing a street and is calculated on the basis of the entire area of the facade.

It is staff's opinion that the proposed buildings would achieve consistency with the aforementioned use standards.

North Liberty Code of Ordinances Section 169.10 entitled, "Design Standards" sets forth certain design standards (applicable Ordinance language in italics and staff analysis in bold).

Requirements for All Districts.

- Building design shall be visually harmonious and compatible with the neighborhood character.
- Buildings located on property with double frontages shall have similar wall design facing both streets.
- Except for RS RD, R-MH and ID districts, color schemes shall be primarily based on earth tones. Earth tone colors include colors from the palette of browns, tans, greys, greens, and red. Earth tone colors shall be flat or muted. Building trim and accent areas may feature non-earth tone and brighter colors. In any district, the use of high intensity colors, neon or fluorescent color and neon tubing is prohibited.
- Except in the R-MH district, a minimum roof pitch of 5:12 shall apply to gable, hip, or shed roofs and there shall be a minimum roof overhang at the eaves of 12 inches. This does not apply to portions of a roof that are separate from the structure's primary roof. Metal roofs shall not be corrugated or similar appearance. The color of the roof shall be visually harmonious and compatible with the building color scheme.

It is staff's opinion that the proposed buildings would achieve consistency with the aforementioned use standards.

6. Staff Recommendation:

Findings:

1. The multi-unit residence use of the property would be consistent with the current RM-21 District and the Comprehensive Plan Future Land Use Map designation of Residential; and
2. The site plan would achieve consistency with North Liberty Code of Ordinances Section 165.05(2) entitled, "Preliminary Site Plan Review", Section 168.07(26)(B) and Section 169.10 entitled "Design Standards" and other Code of Ordinance requirements.

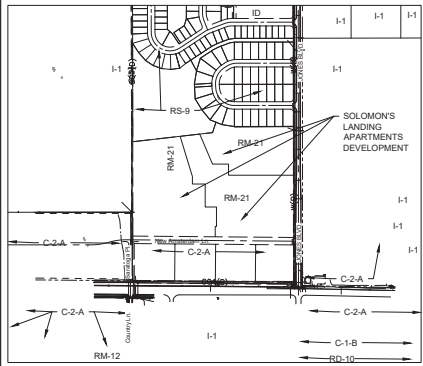
Recommendation:

Staff recommends the Planning Commission accept the two listed findings and forward the request to approve a site plan for 352 multi-unit residences in eight buildings and related recreational amenities and site improvements on approximately 25.11 acres of property located on the west side of North Jones Boulevard as extended northerly from West Penn Street to 240th Street to the City Council with a recommendation for approval subject to the condition recommended by City staff.

1. That the northernmost driveway entrance in conflict and the North Jones Boulevard storm intake be addressed during design on the construction site plan approval.

Suggested motion:

I move that the Planning Commission accept the two listed findings and forward the site plan to the City Council with a recommendation for approval with one condition recommended by City staff.



VICINITY SKETCH
1"=100'
SURVEY DATE: 9/15/2021

LEGEND
EXISTING DRAINAGE PATTERN
PROPOSED DRAINAGE PATTERN

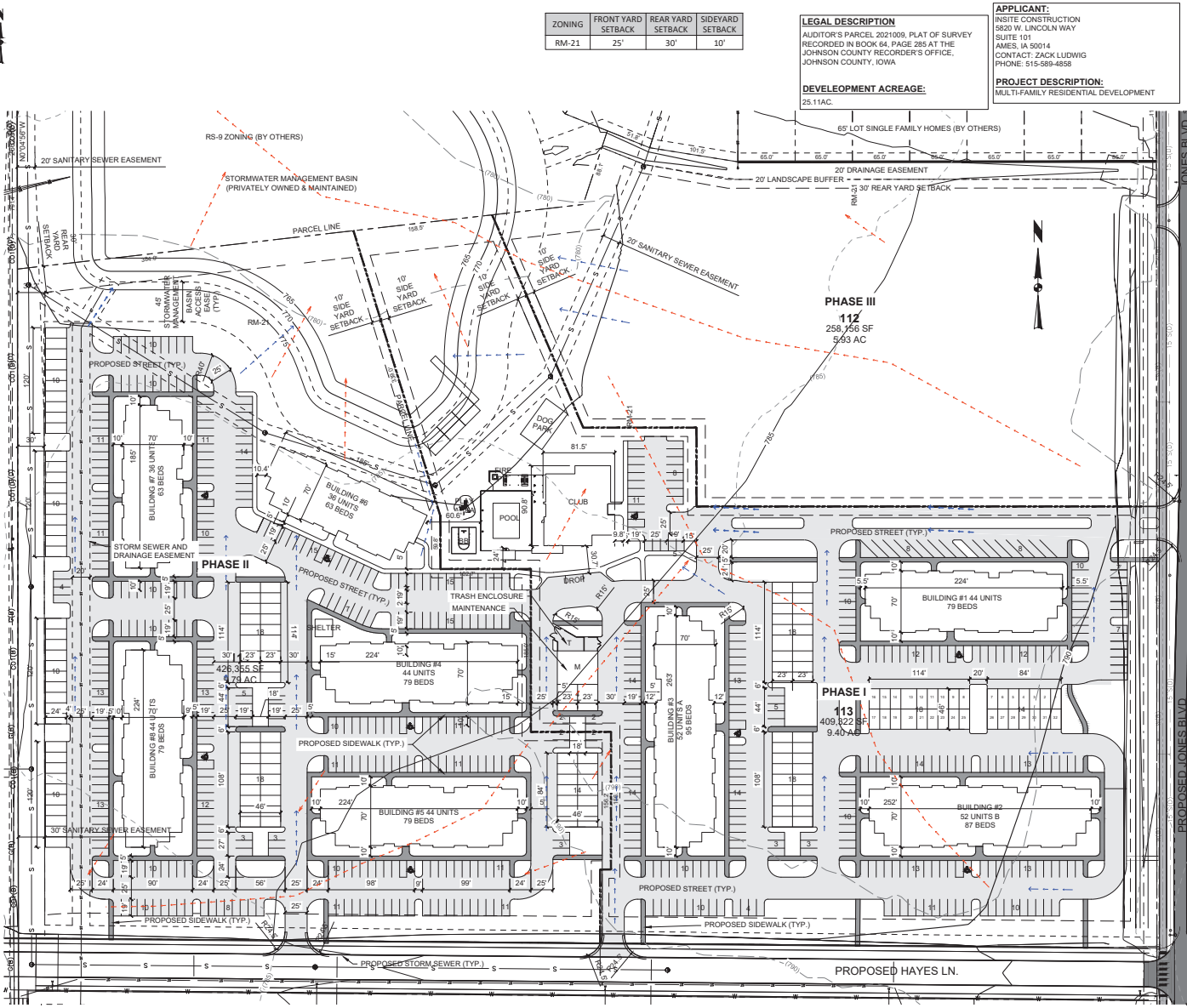
ZONING	FRONT YARD SETBACK	REAR YARD SETBACK	SIDEYARD SETBACK
RM-21	25'	30'	10'

LEGAL DESCRIPTION
AUDITOR'S PARCEL 2021009, PLAT OF SURVEY RECORDED IN BOOK 84, PAGE 285 AT THE JOHNSON COUNTY RECORDER'S OFFICE, JOHNSON COUNTY, IOWA

DEVELOPMENT ACREAGE:
25.11AC.

APPLICANT:
INSITE CONSTRUCTION
5820 W. LINCOLN WAY
SUITE 101
AMES, IA 50014
CONTACT: ZACK LUDWIG
PHONE: 515-681-6585

PROJECT DESCRIPTION:
MULTI-FAMILY RESIDENTIAL DEVELOPMENT



DIMENSIONS ARE TYPICAL UNLESS NOTED OTHERWISE



MARK	REVISION	DATE	BY
Engineer TAC	Checked By: NMS		
Terminator CP	Date: 03/04/2022		

NORTH LIBERTY, IOWA
330 E. PRESIDENTS ST. #202
LOWA CITY, IOWA 52640
319-359-7676 | www.snyder-as-associates.com

SOLOMON'S LANDING APARTMENTS
PRELIMINARY SITE PLAN
SNYDER & ASSOCIATES, INC.



PROJECT INFORMATION

PHASE I UNIT ESTIMATES
 PHASE I ACREAGE: 9.49 AC
 TOTAL UNITS: 148
 UNITS/ACRE: 15.7 = 15
 TOTAL BEDROOMS: 261
 (1) CLUBHOUSE (6,576 SF) : 1
 (1) MAINTENANCE / 4 STALL GARAGE (3,128 SF) : 1
 (1) 44 UNIT 4-STORY BUILDING (13,030 SF) PER STORY=52,120 SF TOTAL PER BUILDING; (52,120 SF TOTAL)
 (1) 52 UNIT A 4-STORY BUILDING (15,316 SF PER STORY=61,264 SF TOTAL PER BUILDING); (61,264 SF TOTAL)
 (1) 52 UNIT B 4-STORY BUILDING (14,737 SF PER STORY=58,948 SF TOTAL PER BUILDING); (58,948 SF TOTAL)
 (1) 14 STALL GARAGE (3,864 SF) : 1 GARAGE
 (1) 18 STALL GARAGE (4,968 SF) : 1 GARAGE
 (2) 18 STALL ADA GARAGE (5,244 SF) : 2 GARAGES (10,488 SF TOTAL)
 TOTAL GARAGE STALLS: 72
 SURFACE PARKING STALLS: 241
 CLUBHOUSE PARKING STALLS: 24
 TOTAL RESIDENTIAL BUILDING SF (INCLUDES CLUBHOUSE)= **189,656 SF**
 TOTAL PHASE I BUILDING FOOTPRINT: 51,407 SF
 TOTAL GARAGE SF= **29,700 SF**

PHASE II UNIT CALCULATIONS
 PHASE II ACREAGE: 9.79 AC
 TOTAL UNITS: 204
 UNITS PER ACRE: 20.8 = 21
 TOTAL BEDROOMS: 363
 (2) 36 UNIT 4-STORY BUILDING (10,696 SF PER STORY=42,784 SF TOTAL PER BUILDING); (85,568 SF TOTAL)
 (3) 44 UNIT A 4-STORY BUILDING (13,030 SF) PER STORY=52,120 SF TOTAL PER BUILDING; (156,360 SF TOTAL)
 (1) 14 STALL GARAGE (3,864 SF) : 1 GARAGE
 (1) 18 STALL GARAGE (4,968 SF) : 1 GARAGE
 (1) 18 STALL ADA GARAGE (5,244 SF) : 1 GARAGE
 (4) 10 STALL GARAGE (2,880 SF) : 4 GARAGES (11,520 SF)
 TOTAL GARAGES: 80
 SURFACE PARKING STALLS: 345
 TOTAL RESIDENTIAL BUILDING SF: **241,928 SF**
 PHASE II RESIDENTIAL BUILDING FOOTPRINT: 60,482 SF
 TOTAL GARAGE SF= **25,996 SF**

PROJECT TOTALS
 UNIT COUNT: 352
 BEDROOM COUNT : 624
 GARAGE COUNT : 162
 DOG PARK
 OUTDOOR BASKETBALL COURT
 PARKING STALL COUNT : 586+ 24 (CLUB)= 610
 OVERALL TOTAL RESIDENTIAL BUILDING SF (INCLUDES CLUBHOUSE)= **422,584 SF**
 OVERALL TOTAL GARAGE SF= **46,296 SF**
 PHASE I RESIDENTIAL BUILDING FOOTPRINT: 111,889 SF
 MAXIMUM BUILDING HEIGHT: 50'

PROJECT AMENITIES
 - CLUBHOUSE WITH POOL
 - DOG PARK
 - OUTDOOR BASKETBALL COURT
 - PIER
 - FIRE PIT
 - PLAY AREA

NOTE:
 CONSTRUCTION SITE PLAN SHALL BE SUBSTANTIALLY IN CONFORMANCE WITH APPROVED PRELIMINARY SITE PLAN.

LANDSCAPE REQUIREMENT CALCULATIONS

A	BUFFERYARD	EVERGREEN TREES SPACED @ 30' O. C. OF LENGTH OF BUFFERYARD. EVERGREEN SHRUBS SPACED @ 3' O.C. ALONG LENGTH OF BUFFERYARD		
	LENGTH (IN FEET)	EVERGREEN TREES @ 30' O. C.	SHRUBS @ 3' O.C.	
	634	22	212	
				TOTAL EVERGREEN TREES REQ'D.: 22
				TOTAL EVERGREEN SHRUBS PROVIDED 212
				TOTAL EVERGREEN TREES PROVIDED 212
B	PERIMETER SHADE TREES & SHRUBS	TREES TO BE 50' O. C. OF FRONTAGE LENGTH		
	STREET	FRONTAGE LENGTH	DRIVE WIDTH (COMBINED)	REMAINING LENGTH
	LINGER	1,292.4	50	1,242.4
	JONES	486.3	38	448.3
				TOTAL PERIMETER SHADE TREES REQ'D. 34
				TOTAL PERIMETER SHRUBS PROVIDED TO SCREEN PARKING 258
C	PARKING LOT SHADE TREES	1 parking island per 15 spaces= 1 Tree per parking island		
		PARKING SPACES	SPACES @ CLUBHOUSE	PARKING ISLANDS
	Phase I	241	24	18
	Phase II	345	0	23
				TOTAL PARKING LOT SHADE TREES REQ'D. 41
D	ON-SITE SHADE TREES	1 TREE per 750 SF FOOTPRINT		
		BUILDING AREA (SF) (INCLUDE CLUBHOUSE & MAINT.	GARAGE AREA (SF)	TOTL Trees
	Phase I	51407	20700	97
	Phase II	60482	25596	115
				TOTAL 212
				ON-SITE TREES - PARKING TREES= TOTAL ON-SITE TREES REQ'D. 171
				TOTAL SHADE TREES REQ'D. (B+(D-C)) 205
				SHADE TREES PROVIDED 205

PARKING RATIO CALCULATIONS

PHASE I	PARKING				
	SURFACE	GARAGES	CLUB	TOTAL	TTL W/O CLUB
	241	72	24	337	313
PHASE II	PARKING				
	SURFACE	GARAGES		TOTAL	
	345	90		435	
BOTH PHASES	OVERALL				
	SURFACE	CLUB	GARAGES	TOTAL	TTL W/O CLUB
	586	24	162	772	748
PHASE I	QTY	PARKING UNIT (PU) RATIO	PU REQ.	PU PROVIDED	PU RATIO AS PROVIDED
1 Bedroom	59	1.5	89		
2 Bedroom	65	1.5	98		
3 Bedroom	24	2.5	60		
PHASE I TOTALS	148		247	313	2.1
PHASE II	QTY	PARKING UNIT (PU) RATIO	PU REQ.	PU PROVIDED	PU RATIO AS PROVIDED
1 Bedroom	85	1.5	128		
2 Bedroom	79	1.5	119		
3 Bedroom	40	2.5	100		
PHASE II TOTALS	204		347	435	2.1
OVERALL TOTALS	352		594	748	2.1

MARK	REVISION	DATE	BY
Engineer: TAC	Checked By: NMS	Date: 03/04/2022	
Technician: CP			
Scale: 1"=10'-0"	Scale: 1/8"=1'-0"		
			Sheet PSP-00

NORTH LIBERTY, IOWA
 320 E. PRENTISS STREET
 IOWA CITY, IOWA 52240
 319-39-1676 | www.snyder-as-associates.com

SOLOMON'S LANDING APARTMENTS
PRELIMINARY SITE PLAN
SNYDER & ASSOCIATES, INC.



LEGEND

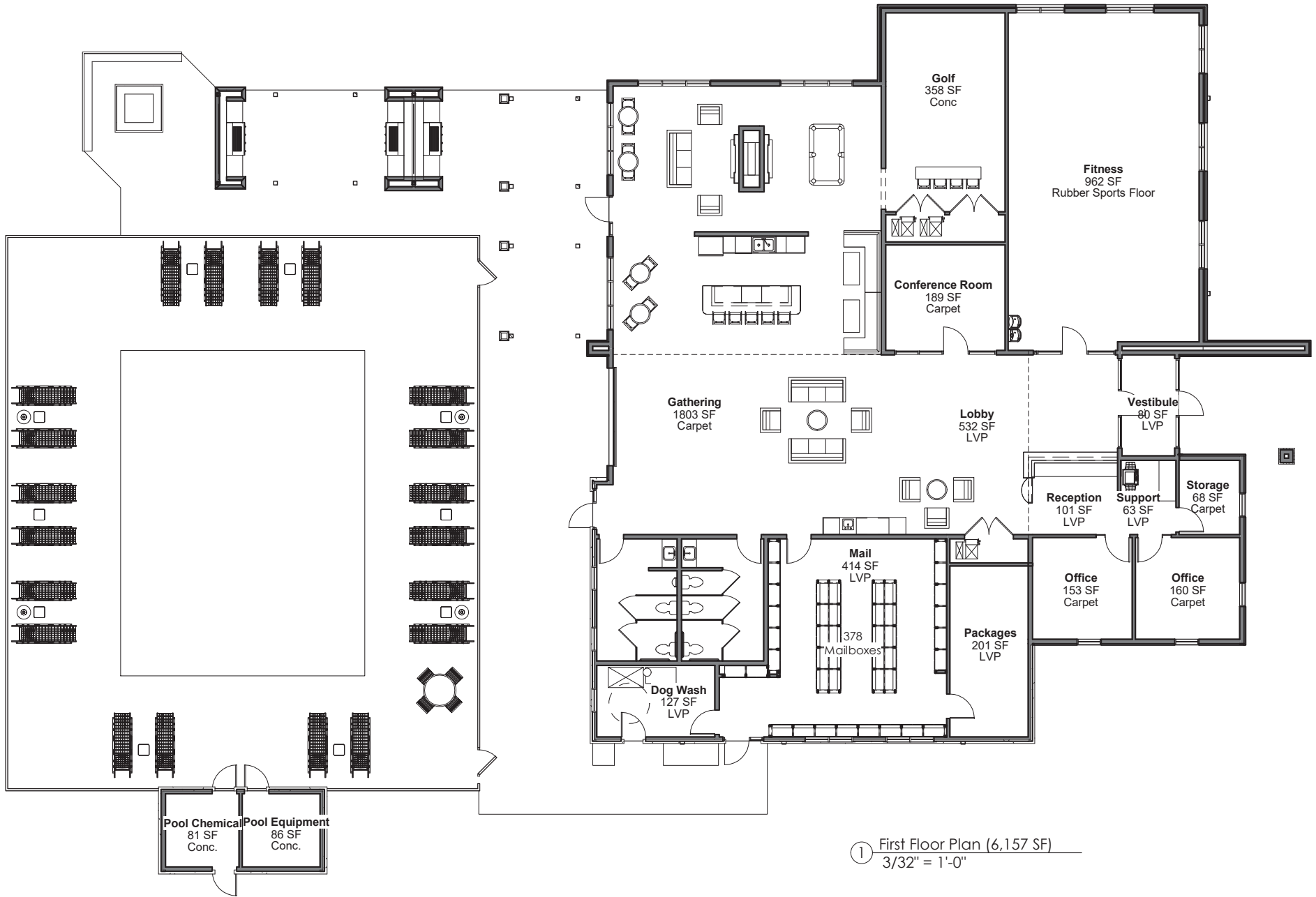
- DECIDUOUS SHADE TREE: 2" DBH.
- EVERGREEN TREE: 6' H. MIN.
EVERGREEN SHRUB: 18" H. MIN.
- DECIDUOUS SHRUB: 18" H. MIN.



SOLOMON'S LANDING APARTMENTS

RENDERED PLAN

NORTH LIBERTY, IOWA | 3/25/22



① First Floor Plan (6,157 SF)
3/32" = 1'-0"

North Liberty Clubhouse

Clubhouse Floor Plan

2022-03-18
22-001



PRACTIC
DESIGN

Wall Schedule

Type	Area	Percentage
Veneer - 2 1/4" Cultured Stone	2533 SF	39%
Veneer - 3 5/8" Brick Red	1050 SF	16%
Veneer - Siding Tan	1090 SF	17%
Veneer - Vertical Charcoal	1741 SF	27%



④ South Elevation
1/16" = 1'-0"



③ North Elevation
1/16" = 1'-0"



② East Elevation
1/16" = 1'-0"



① West Elevation
1/16" = 1'-0"





④ 3D View



② 3D View



③ 3D View



① 3D View

North Liberty Clubhouse

Clubhouse 3D Views

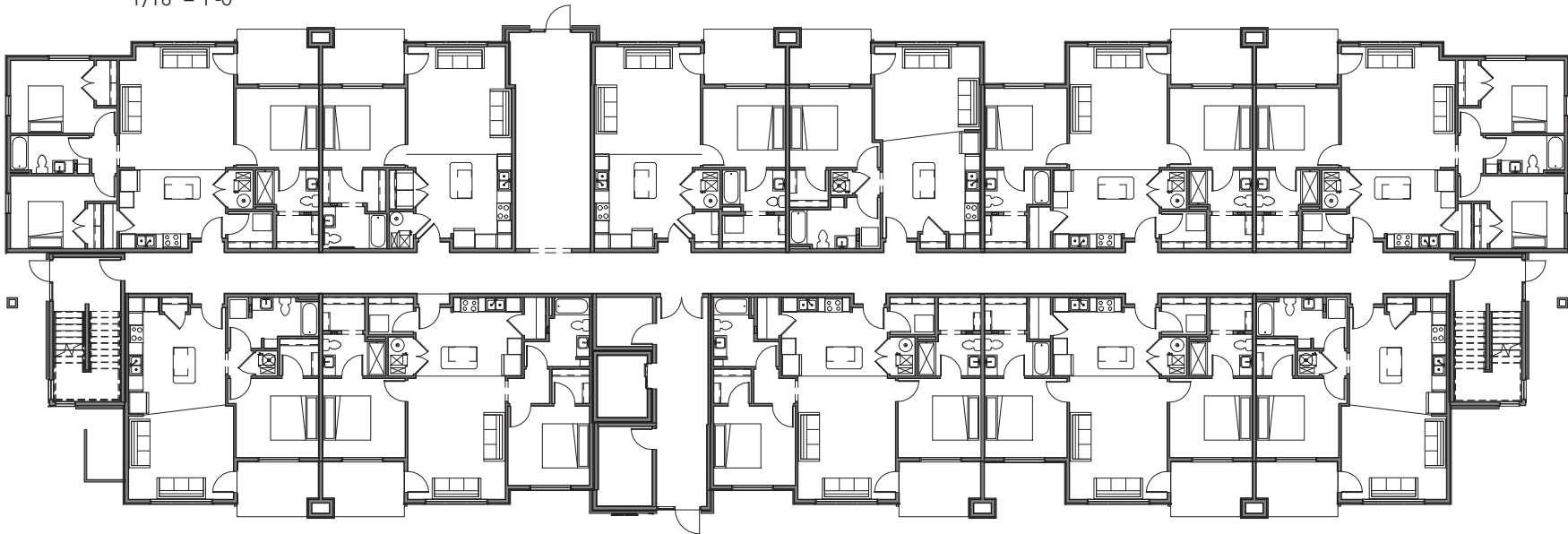
2022-03-18
22-001



PRACTIC
DESIGN



② Second Floor Plan
1/16" = 1'-0"



① First Floor Plan
1/16" = 1'-0"

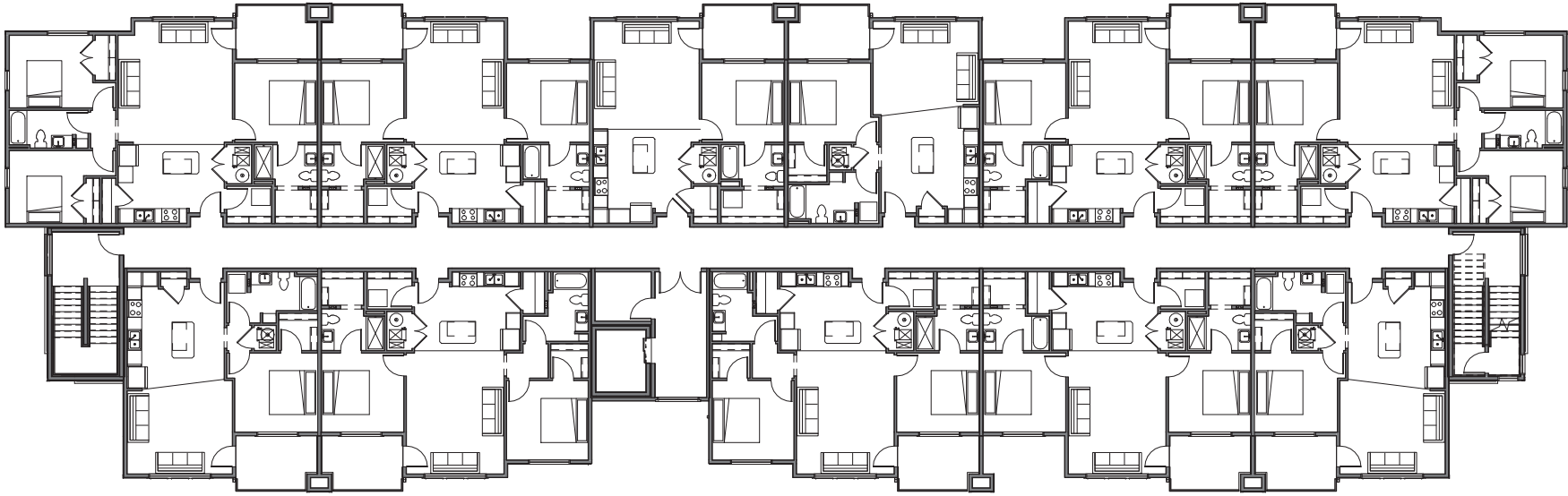
North Liberty Multifamily

44 Unit First & Second Floor Plans

2022-03-18
22-001



PRACTIC
DESIGN



② Fourth Floor Plan
1/16" = 1'-0"



① Third Floor Plan
1/16" = 1'-0"

North Liberty Multifamily

44 Unit Third and Fourth Floor Plans

2022-03-18
22-001



PRACTIC
DESIGN



North Liberty Multifamily

44 Unit 3D

2022-03-18
22-001



PRACTIC
DESIGN



Wall Schedule

Veneer Type	Area	Percentage
Brick	1979 SF	7%
Cultured Stone	6923 SF	25%
Siding Dark	5684 SF	20%
Siding Light	7657 SF	27%
Siding Vertical Dark	5608 SF	20%



① Side Elevation
1" = 20'-0"



④ Side Elevation
1" = 20'-0"

36 Unit Summary

10,627 SF	First Floor
10,014 SF	Second Floor
10,014 SF	Third Floor
+10,014 SF	Fourth Floor
<hr/>	
=40,699 SF	Building Total

44 Unit Summary

12,913 SF	First Floor
12,300 SF	Second Floor
12,300 SF	Third Floor
+12,300 SF	Fourth Floor
<hr/>	
=49,813 SF	Building Total

52 Unit Summary

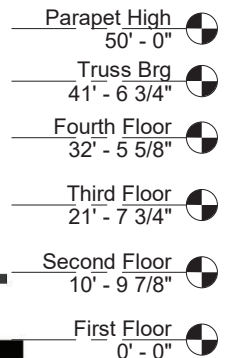
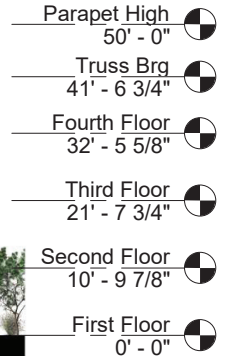
16,416 SF	First Floor
15,803 SF	Second Floor
15,803 SF	Third Floor
+15,803 SF	Fourth Floor
<hr/>	
=63,825 SF	Building Total



② Back Elevation
1" = 20'-0"



③ Front Elevation
1" = 20'-0"



North Liberty Multifamily

44 Unit Elevations

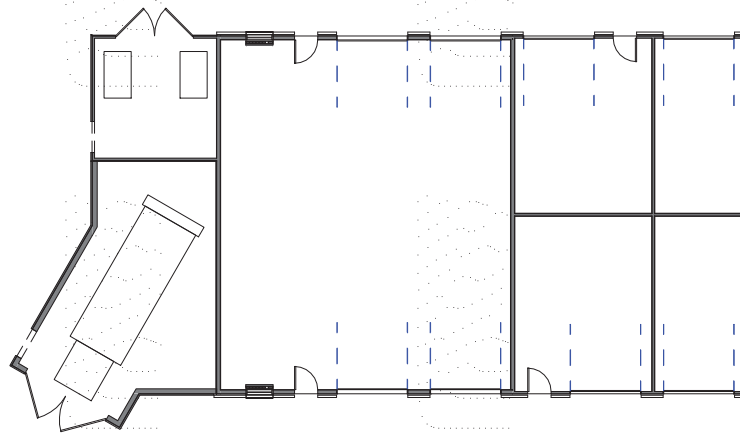
2022-03-18
22-001



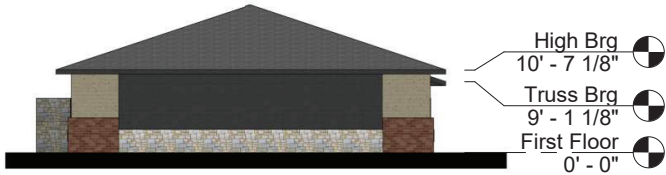
PRACTIC
DESIGN

Wall Schedule

Type	Area	Percentage
Veneer - 2 1/4" Cultured Stone	467 SF	23%
Veneer - 3 5/8" Brick Red	279 SF	14%
Veneer - Siding Charcoal	528 SF	26%
Veneer - Siding Tan	795 SF	38%



① First Floor (3,128 SF)
1/16" = 1'-0"



⑤ Side Elevation
1/16" = 1'-0"



③ Back Elevation
1/16" = 1'-0"



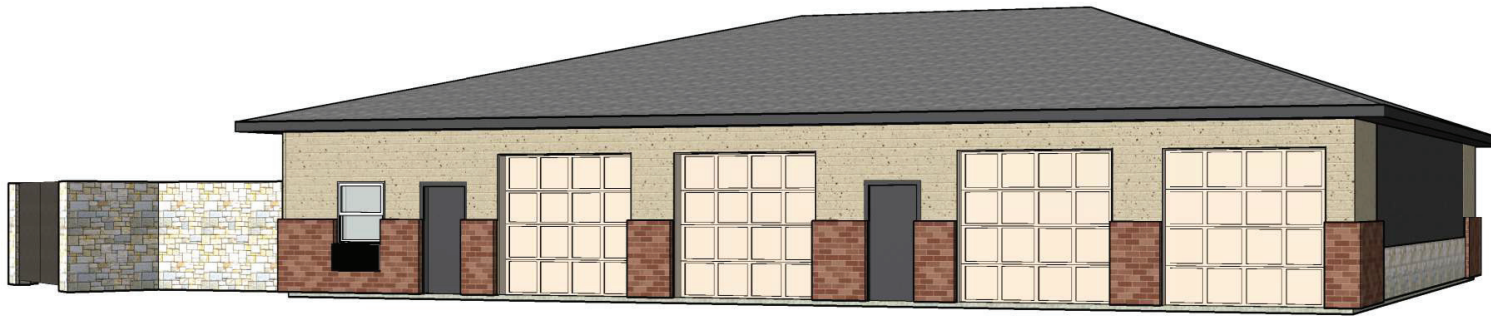
④ Side Elevation
1/16" = 1'-0"



② Front Elevation
1/16" = 1'-0"



③ 3D View



② 3D View

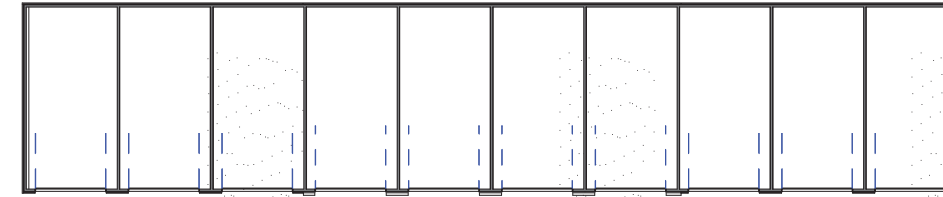


① 3D View

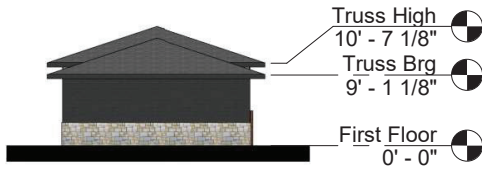


Wall Schedule

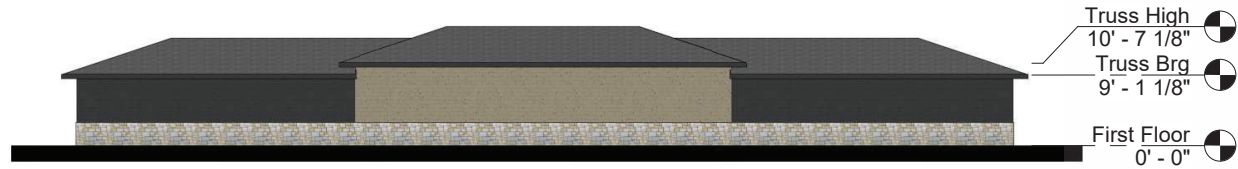
Type	Area	Percentage
Veneer - 2 1/4" Cultured Stone	557 SF	28%
Veneer - 3 5/8" Brick Red	54 SF	3%
Veneer - Siding Charcoal	846 SF	43%
Veneer - Siding Tan	499 SF	26%



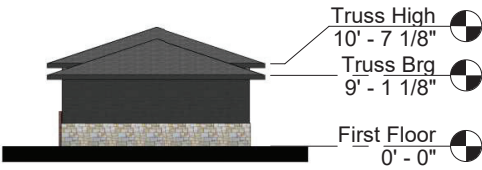
① First Floor (2,880 SF)
1/16" = 1'-0"



⑤ Side Elevation
1/16" = 1'-0"



③ Back Elevation
1/16" = 1'-0"

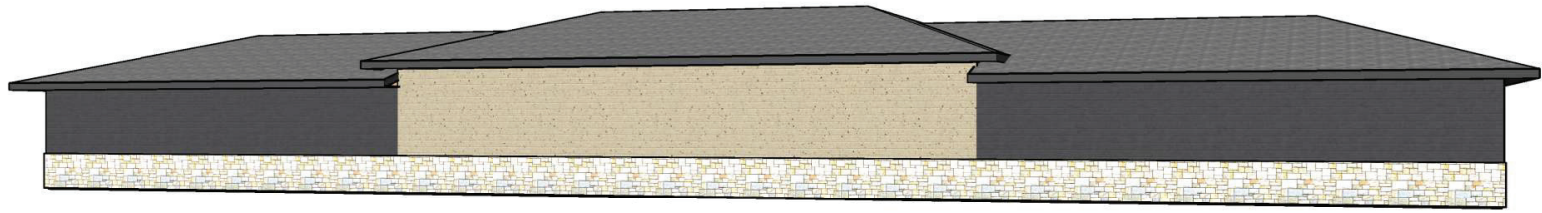


④ Side Elevation
1/16" = 1'-0"



② Front Elevation
1/16" = 1'-0"

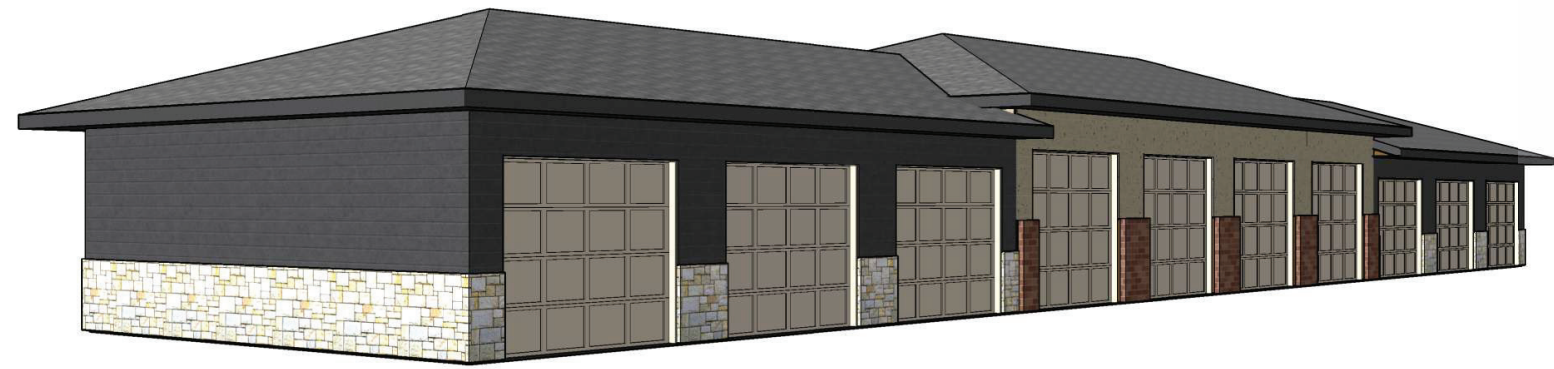




③ 3D View



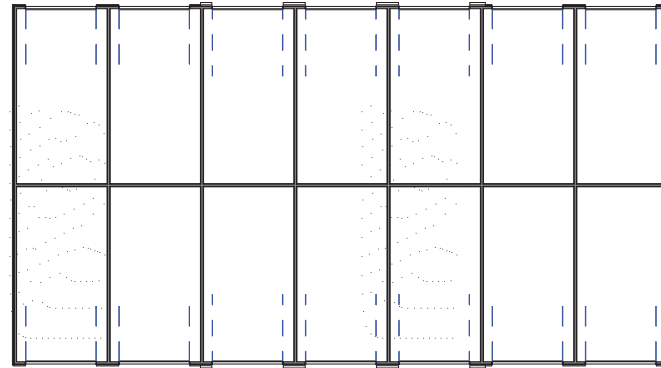
② 3D View



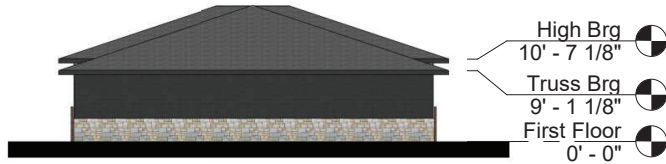
① 3D View

Wall Schedule

Type	Area	Percentage
Veneer - 2 1/4" Cultured Stone	343 SF	25%
Veneer - 3 5/8" Brick Red	82 SF	6%
Veneer - Siding Charcoal	748 SF	55%
Veneer - Siding Tan	199 SF	14%



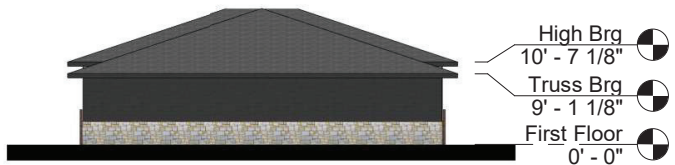
① First Floor (3,864 SF)
1/16" = 1'-0"



⑤ Side Elevation
1/16" = 1'-0"



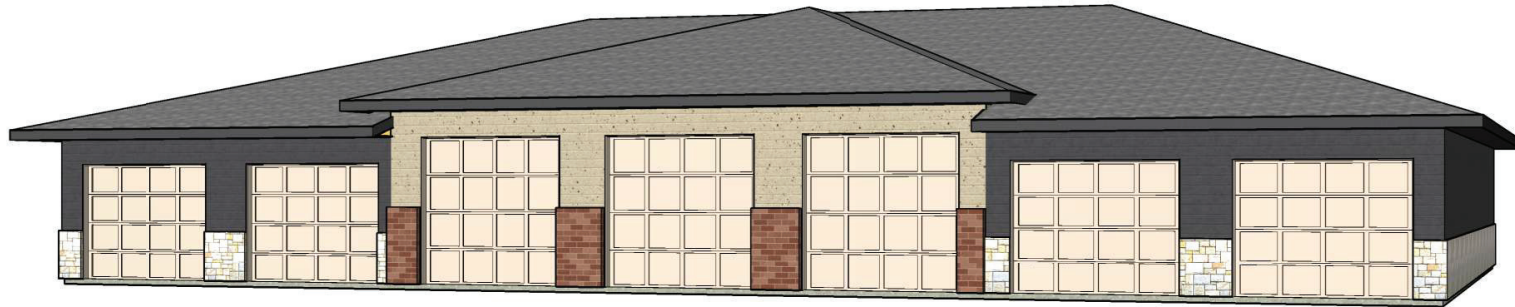
③ Back Elevation
1/16" = 1'-0"



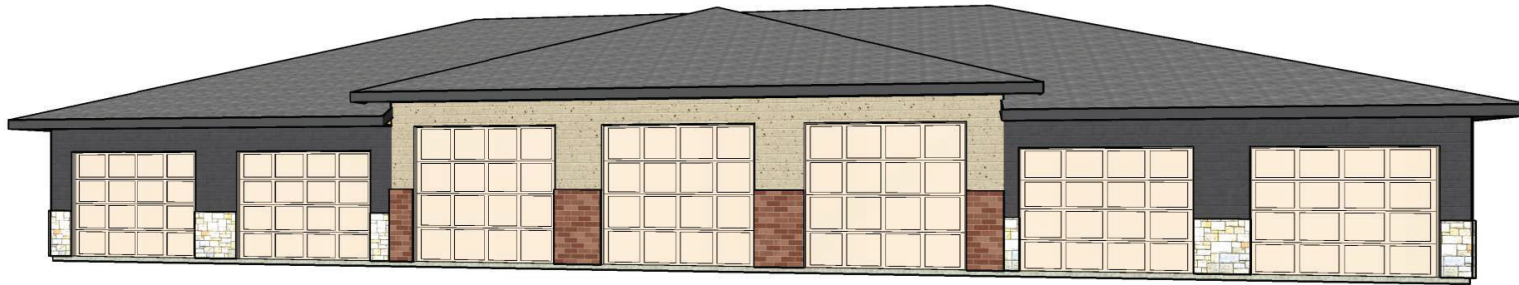
④ Side Elevation
1/16" = 1'-0"



② Front Elevation
1/16" = 1'-0"



③ 3D View



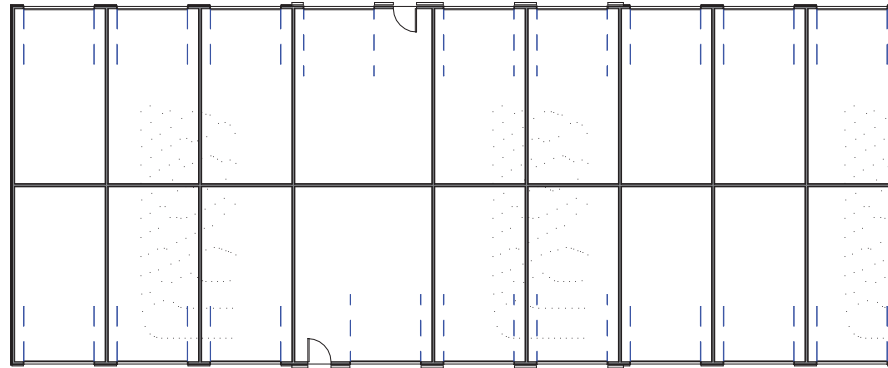
② 3D View



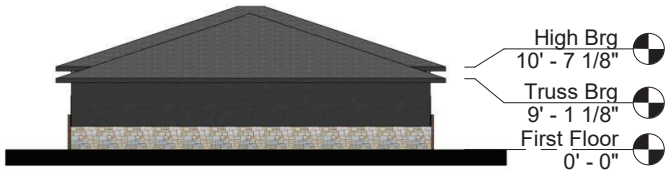
① 3D View

Wall Schedule

Type	Area	Percentage
Veneer - 2 1/4" Cultured Stone	377 SF	23%
Veneer - 3 5/8" Brick Red	109 SF	7%
Veneer - Siding Charcoal	867 SF	54%
Veneer - Siding Tan	253 SF	16%



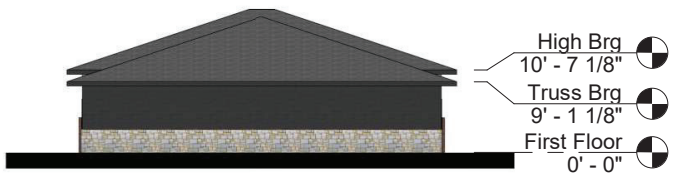
① First Floor (5,244 SF)
1/16" = 1'-0"



⑤ Side Elevation
1/16" = 1'-0"



④ Back Elevation
1/16" = 1'-0"



② Side Elevation
1/16" = 1'-0"



③ Front Elevation
1/16" = 1'-0"

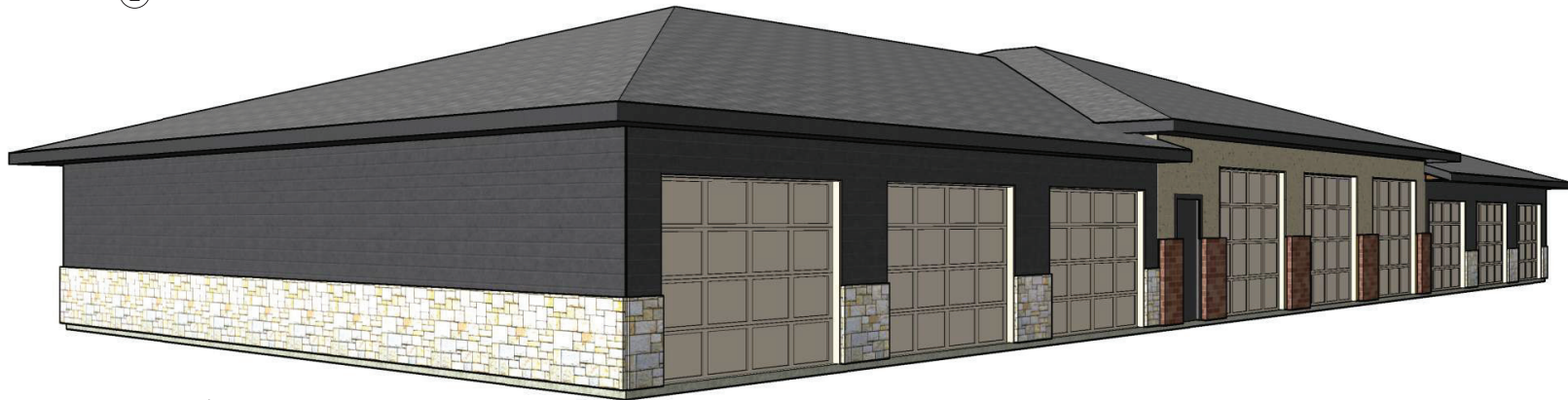




③ 3D View



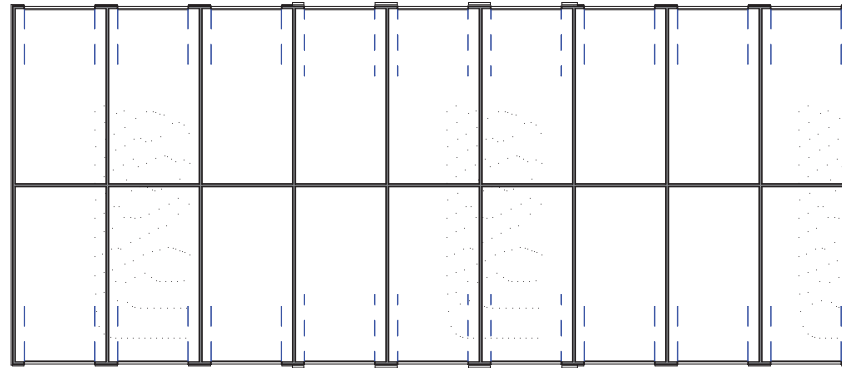
② 3D View



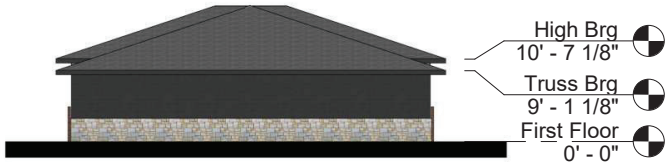
① 3D View

Wall Schedule

Type	Area	Percentage
Veneer - 2 1/4" Cultured Stone	377 SF	25%
Veneer - 3 5/8" Brick Red	82 SF	5%
Veneer - Siding Charcoal	867 SF	57%
Veneer - Siding Tan	199 SF	13%



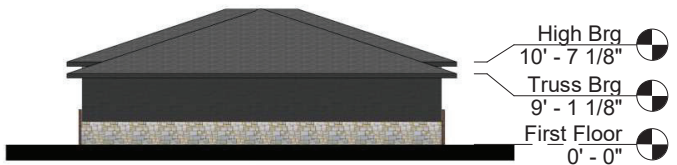
① First Floor (4,968 SF)
1/16" = 1'-0"



⑤ Side Elevation
1/16" = 1'-0"



③ Back Elevation
1/16" = 1'-0"

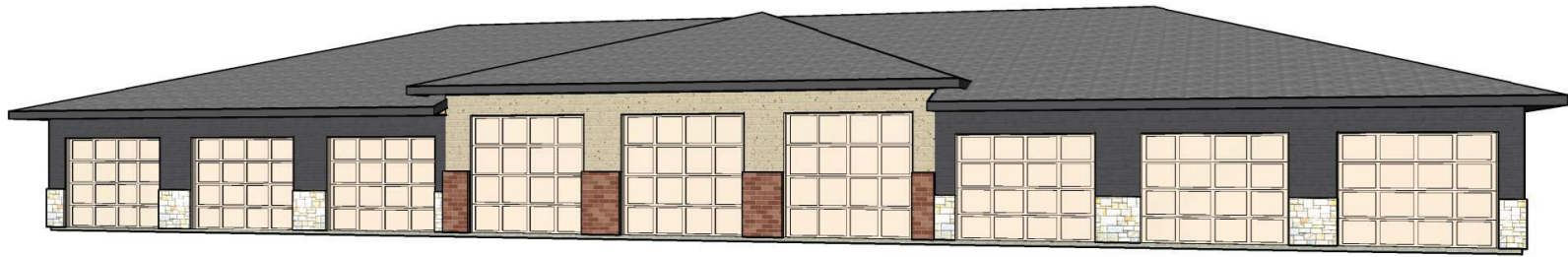


④ Side Elevation
1/16" = 1'-0"

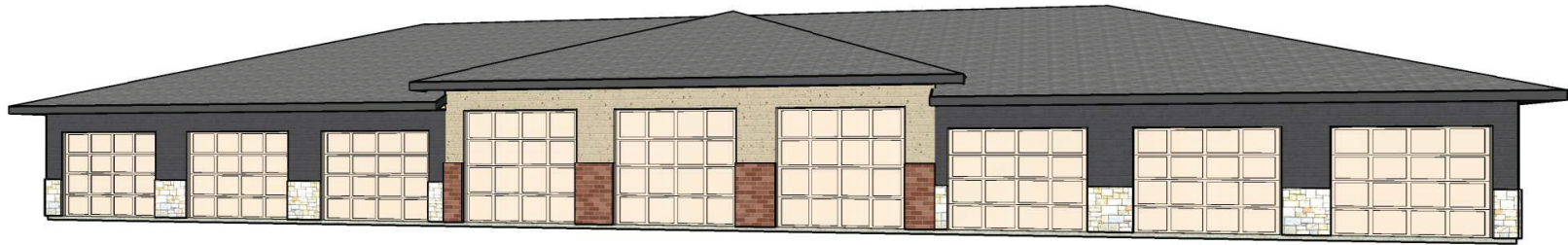


② Front Elevation
1/16" = 1'-0"





③ 3D View



② 3D View



① 3D View

North Liberty Garages

18 Stall Garage 3D Views

2022-03-18
22-001



PRACTIC
DESIGN

Resolution No. 2022-37

**RESOLUTION APPROVING THE DEVELOPMENT SITE
PLAN FOR SOLOMON'S LANDING APARTMENTS,
NORTH LIBERTY, IOWA**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY,
IOWA:**

WHEREAS, the applicant, Archies Rent a Ride, has filed with the City Clerk a development site plan;

WHEREAS, the property is described as:

Auditor's Parcel 2021009, Plat of Survey recorded in Book 64, Page 285 at the Johnson County Recorder's Office, Johnson County, Iowa;

WHEREAS, said site plan is found to:

1. The multi-unit residence use of the property would be consistent with the current RM-21 District and the Comprehensive Plan Future Land Use Map designation of Residential; and
2. The site plan would achieve consistency with North Liberty Code of Ordinances Section 165.05(2) entitled, "Preliminary Site Plan Review", Section 168.07(26)(B) and Section 169.10 entitled "Design Standards" and other Code of Ordinance requirements.

WHEREAS, said site plan has been examined by the North Liberty Planning and Zoning Commission, which recommended that the site plan be approved with the following condition:

1. That the northernmost driveway entrance in conflict and the North Jones Boulevard storm intake be addressed during the design on the construction site plan approval.

NOW, THEREFORE, BE IT RESOLVED that the City Council of North Liberty, Iowa, does hereby approve the development site plan for Solomon's Landing Apartments, North Liberty, Iowa.

APPROVED AND ADOPTED this 12th day of April, 2022.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK



Nicotine Free Product Places

From: [Kelly Sittig](#)
To: [City Council](#)
Subject: [EXTERNAL] Tobacco- and nicotine-free parks and trails
Date: Tuesday, February 22, 2022 7:49:36 PM

WARNING: This email originated from outside of this organization. Do not click links or open attachments unless you know the contents are safe. Never provide your user ID or password to anyone.

Please consider Iowa's Open Meetings laws, and contact other council members by means other than email. Remember to use discretion when receiving emails from outside the City, and to never share personal or business information with an unknown source. Thank you.

Hi, Councilors,

Reaching out today to express my support and enthusiasm for a comprehensive tobacco- and nicotine-free policy for our city parks and our trails. As I'm sure you know, [cigarette smoking is the leading cause of preventable death in the U.S.](#) If we also consider the [alarming rates at which young people use e-cigarettes/vape products](#) and the [risks associated](#), it's pretty clear that establishing a *comprehensive* (tobacco- AND nicotine-free for parks AND trails) policy is the right thing to do for North Libertarians.

Thank you so much!

Kelly W. Sittig
Call or text: 319-321-9390

ORDINANCE NO. _____

AMENDING CHAPTER 49 OF THE NORTH LIBERTY CODE OF
ORDINANCES TO PROHIBIT CERTAIN NICOTINE PRODUCTS IN PARKS AND
ON TRAILS

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

SECTION 1. AMENDMENT. Chapter 49.03 of the North Liberty Code of Ordinances is amended to read as follows:

49.03 DEFINITIONS.

For the purposes of this chapter:

1. ~~1.~~ All definitions set out in Section 142D.2, Code of Iowa are incorporated herein.
2. "Park" means any City-owned property primarily adapted for public recreation, including, but not limited to, any area identified as a park in the City of North Liberty Parks Plan, as adopted by the City Council.
3. "Prohibited Nicotine Product" means all types of tobacco, nicotine, vape, and electronic smoking device products, except nicotine products approved by the Food and Drug Administration for the cessation of nicotine intake.
- 1.4. "Trail" means any off-road trail or wide sidewalk dedicated for public use and maintained by the City of North Liberty, measuring 8 feet or wider, including, but not limited to, trails and 8-foot sidewalks identified in the City of North Liberty Trails Network Plan, as adopted by the City Council.
25. "Vapor product" means any noncombustible product, which may or may not contain nicotine, that employs a heating element, power source, electronic circuit, or other electrical, chemical or mechanical means, regardless of shape or size, that can be used to produce vapor from a solution of other substance. "Vapor Product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device, and any cartridge or other container of a solution or other substance, which may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or similar product or device. "Vapor Product" does not include any product regulated as a drug or device by the United States Food and Drug Administration, under Chapter V of the federal Food, Drug and Cosmetic Act.

SECTION 2. AMENDMENT. Chapter 49.04 of the North Liberty Code of Ordinances is amended to read as follows:

49.04 PROHIBITION.

It shall be unlawful for any person to use any vapor product in any place where ~~cigarettes are smoking is~~ prohibited ~~to be used~~ pursuant to ~~Section Chapter~~ 142D:2 of the Smokefree Air Act, Code of Iowa.

SECTION 3. NEW SECTION. Chapter 49.06 of the North Liberty Code of Ordinances is enacted as follows:

49.06 PARKS AND TRAILS PROTECTED.

It shall be unlawful for any person to smoke or use any Prohibited Nicotine Product on the grounds of any City park or trail at any time. There shall be no designated areas for the use of Prohibited Nicotine Products on the grounds of any City park or trail.

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

SECTION 5. SCRIVENER'S ERROR. The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Clerk or the Clerk's designee without further public hearing.

SECTION 6. SEVERABILITY. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 7. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on _____, 2022.

Second reading on _____, 2022.

Third and final reading on _____, 2022.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK

I certify that the forgoing was published as Ordinance No. _____ in the North Liberty *Leader* on the ____ day of _____, 2022.

TRACEY MULCAHEY, CITY CLERK

ORDINANCE NO. 2022-07

**AMENDING CHAPTER 49 OF THE NORTH LIBERTY CODE OF
ORDINANCES TO PROHIBIT CERTAIN NICOTINE PRODUCTS
IN PARKS AND ON TRAILS**

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

SECTION 1. AMENDMENT. Chapter 49.03 of the North Liberty Code of Ordinances is amended to read as follows:

49.03 DEFINITIONS.

For the purposes of this chapter:

1. All definitions set out in Section 142D.2, Code of Iowa are incorporated herein.
2. "Park" means any City-owned property primarily adapted for public recreation, including, but not limited to, any area identified as a park in the City of North Liberty Parks Plan, as adopted by the City Council.
3. "Prohibited Nicotine Product" means all types of tobacco, nicotine, vape, and electronic smoking device products, except nicotine products approved by the Food and Drug Administration for the cessation of nicotine intake.
4. "Trail" means any off-road trail or wide sidewalk dedicated for public use and maintained by the City of North Liberty, measuring 8 feet or wider, including, but not limited to, trails and 8-foot sidewalks identified in the City of North Liberty Trails Network Plan, as adopted by the City Council.
5. "Vapor product" means any noncombustible product, which may or may not contain nicotine, that employs a heating element, power source, electronic circuit, or other electrical, chemical or mechanical means, regardless of shape or size, that can be used to produce vapor from a solution of other substance. "Vapor Product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device, and any cartridge or other container of a solution or other substance, which may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or similar product or device. "Vapor Product" does not include any product regulated as a drug or device by the United States Food and Drug Administration, under Chapter V of the federal Food, Drug and Cosmetic Act.

SECTION 2. AMENDMENT. Chapter 49.04 of the North Liberty Code of Ordinances is amended to read as follows:

49.04 PROHIBITION.

It shall be unlawful for any person to use any vapor product in any place where smoking is prohibited pursuant to Chapter 142D of the Smokefree Air Act, Code of Iowa.

SECTION 3. NEW SECTION. Chapter 49.06 of the North Liberty Code of Ordinances is enacted as follows:

49.06 PARKS AND TRAILS PROTECTED.

It shall be unlawful for any person to smoke or use any Prohibited Nicotine Product on the grounds of any City park or trail at any time. There shall be no designated areas for the use of Prohibited Nicotine Products on the grounds of any City park or trail.

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

SECTION 5. SCRIVENER’S ERROR. The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Clerk or the Clerk’s designee without further public hearing.

SECTION 6. SEVERABILITY. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 7. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on March 8, 2022.

Second reading on March 22, 2022.

Third and final reading on _____, 2022.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK

I certify that the forgoing was published as Ordinance No. 2022-07 in the *Cedar Rapids Gazette* on the ____ day of _____, 2022.

TRACEY MULCAHEY, CITY CLERK



Matnic Rezoning

Ordinance No. 2022-08

AN ORDINANCE AMENDING CHAPTER 167 OF THE NORTH LIBERTY CODE OF ORDINANCES BY AMENDING THE USE REGULATIONS ON PROPERTY LOCATED AT 10 JARO WAY LOCATED IN NORTH LIBERTY, IOWA TO THOSE SET FORTH IN THE MUNICIPAL CODE FOR THE RM-21 MULTIPLE-UNIT RESIDENTIAL DISTRICT

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

SECTION 1. AMENDMENT. Chapter 167 of the North Liberty Code of Ordinances (2013) is hereby amended by amending the zoning for 1.48 acres, more or less, of property located at 10 Jaro Way. The property is more particularly described as follows:

Lot 1, Front Street Place, North Liberty, Iowa, according to the plat thereof recorded in Book 59, Page 102, Plat Records of Johnson County, Iowa. Said tract of land contains 1.48 acres, and is subject to easements and restrictions of record.

SECTION 2. CONDITIONS IMPOSED. At the March 1, 2022 meeting the Planning Commission accepted the two listed findings (1. The proposed zoning would be consistent with the North Liberty Comprehensive Plan Land Use Plan and 2. The proposed use and density of the development would be compatible with the area.) and forwards the request for a zoning map amendment to the City Council with a recommendation for approval with no conditions.

SECTION 3. ZONING MAP. It is hereby authorized and directed that the Zoning Map of the City of North Liberty, Iowa, be changed to conform to this amendment upon final passage, approval and publication of this ordinance as provided by law.

SECTION 4. RECORDATION. The City Clerk is hereby authorized and directed to record this ordinance at the Johnson County Recorder's office upon final passage and approval.

SECTION 5. REPEALER. All Ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 6. SCRIVENER'S ERROR. The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Clerk or the Clerk's designee without further public hearing.

SECTION 7. SEVERABILITY. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 8. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on March 22, 2022.

Second reading on _____.

Third and final reading on _____.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK

I certify that the forgoing was published as Ordinance No. 2022-08 in *The Gazette* on the ____ of _____, 2022.

TRACEY MULCAHEY, CITY CLERK



March 1, 2022

Chris Hoffman, Mayor
City of North Liberty
3 Quail Creek Circle
North Liberty IA 52317

Re: Request of Matnic, LLC for a zoning map amendment (rezoning) on approximately 1.48 acres from RS-3 Single-Unit Residence District to RM-21 Multiple-Unit Residence District on property located at 10 Jaro Way.

Mayor Hoffman:

The North Liberty Planning Commission considered the above-reference request at its March 1, 2022 meeting. The Planning Commission took the following action:

Findings:

1. The proposed zonings would be consistent the North Liberty Comprehensive Plan Land Use Plan; and
2. The proposed use and density of the development would be compatible with the area.

Recommendation:

The Planning Commission accept the two listed findings and forward the request of Matnic, LLC for a zoning map amendment (rezoning) 1.48 acres from RS-3 Single-Unit Residence District to RM-21 Multiple-Unit Residence District to the City Council with a recommendation for approval.

The vote for approval was 6-0.

Becky Keogh, Chairperson
City of North Liberty Planning Commission

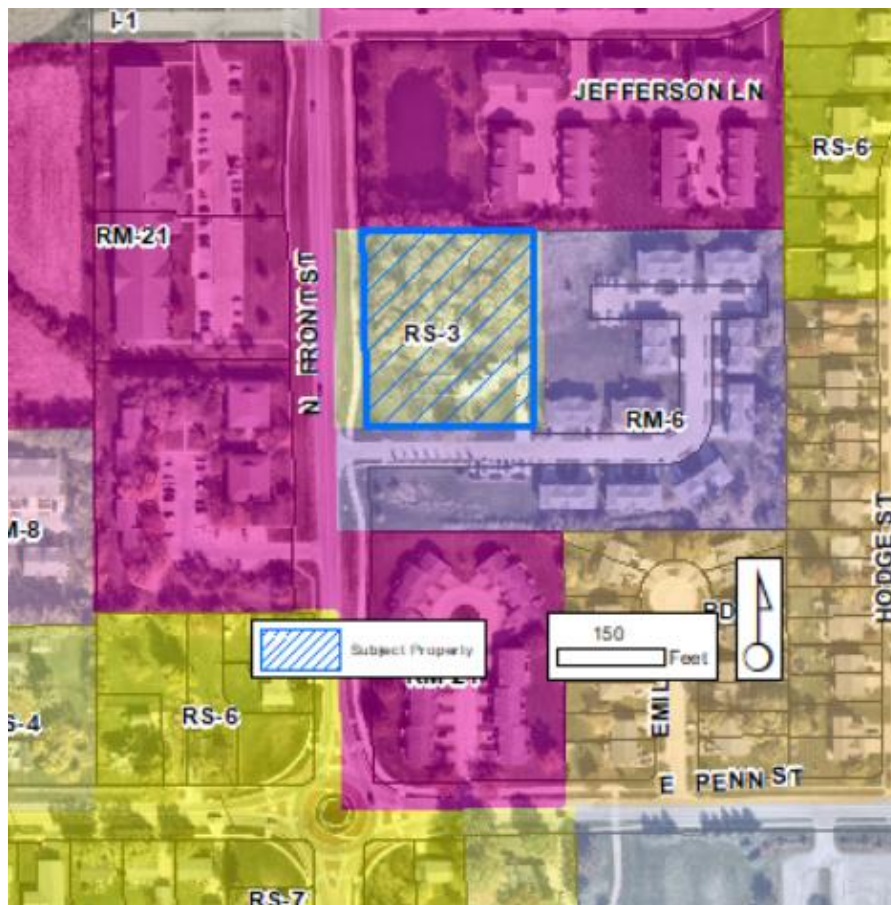


To **City of North Liberty Planning Commission**
 From **Ryan Rusnak, AICP**
 Date **February 25, 2022**
 Re **Request of Matnic, LLC for a zoning map amendment (rezoning) on approximately 1.48 acres from RS-3 Single-Unit Residence District to RM-21 Multiple-Unit Residence District on property located at 10 Jaro Way.**

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
 Grant Lientz, City Attorney
 Tom Palmer, City Building Official
 Kevin Trom, City Engineer
 Ryan Rusnak, Planning Director

1. Current Zoning:

The property is currently zoned RS-3 Single-Unit Residence District.



2. Proposed Zoning:

The applicant is requesting a rezoning to the RM-21 Multi-Unit Residence District. The RM-21 District is intended to provide and maintain high-density, multiple-unit housing residential neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RM-21 District.

3. Comprehensive Plan Future Land Use Map Designation: Residential.



The North Liberty Comprehensive Plan articulates the following regarding residential uses:

The plan promotes the development of a diversified housing stock that is affordable to a wide range of incomes. Even though general planning goals include limiting residential uses along arterials and in some cases even collector streets, the miles of such frontages within the City make strict adherence to those goals impractical, and landscape buffers, limited access, and smart neighborhood street layouts are utilized to minimize traffic impacts. Higher density residential development is considered to be somewhat of a transitional buffer between office/commercial development and lower density residential neighborhoods, in part because it is practical to locate the greater numbers of residents found in the higher density developments closer to the commercial services they need.

Relevant Comprehensive Plan Policies Related to Land Use:

- Establish and maintain an advantageous property tax situation and pursue a strengthened and sound tax base through a diversification of land uses, including commercial and industrial development, as well as a variety of residential options.
- Concentrate higher density, apartment-type housing in proximity to areas that offer a wide range of existing supportive services, commercial and recreational facilities.

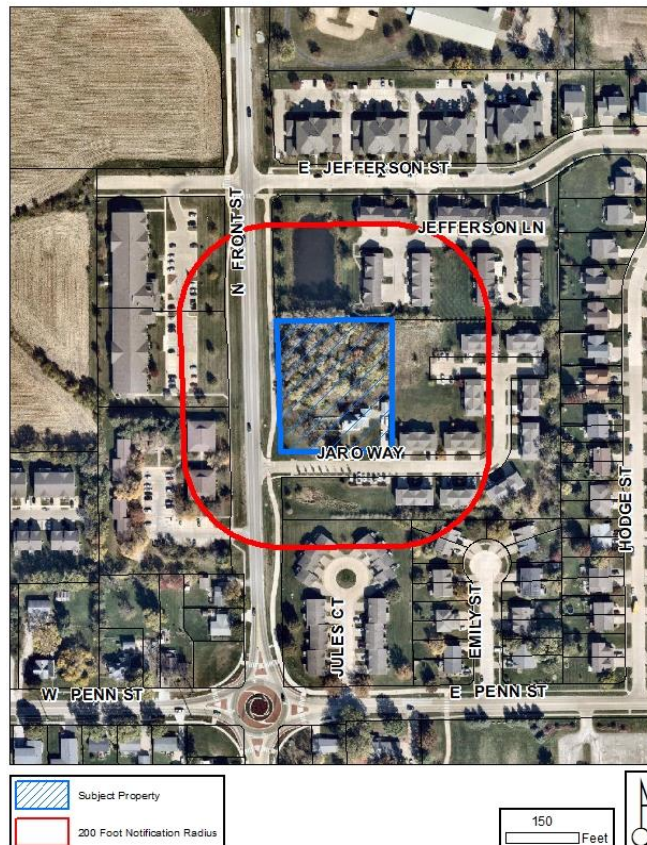
It is staff's opinion that the proposed zoning would be consistent with the Future Land Use Map.

4. Public Input:

Letters were sent to property owners within 200 feet of the subject property notifying them of the February 10, 2022 good neighbor meeting. The map below shows the notice boundary.

Two people attended the meeting and just had general questions about the proposed development.

To date, staff has received one objection from the property owner located at 110 Jefferson Lane. The property owner expressed that he would like for the property to development with single-unit residences.



5. Analysis of the Request:

The applicant has indicated that the rezoning is to facilitate redevelopment of the property with two 12-unit multi-family buildings and a detached garage. Below is a concept of how the development could be arranged. Please note that preliminary site plan approval (reviewed by Planning Commission, approved by City Council) would be required prior to development of the property.



City design standards for multi-family development are as follows:

- (1) Buildings must be designed with consistent materials and treatments that wrap around all building elevations. There must be a unifying architectural theme for the entire multi-unit development, utilizing a common vocabulary of architectural forms, elements, materials, or colors in the entire structure.
- (2) Building facades must include windows, projected or recessed entrances, overhangs, and other architectural features. Three-dimensional elements, such as balconies and bay windows, are encouraged to provide dimensional elements on a facade.
- (3) Minimum required masonry on front and corner side yard building elevations is 25%.
- (4) A 15% minimum transparency requirement applies to any facade facing a street and is calculated on the basis of the entire area of the facade.

Additionally, the garage would not be permitted to be located between the building and the street.

There is RM-21 zoning to the north and west and RM-8 to the east and south. The RM-8 was recently approved by the City Council for the property to the east and south. The RM-8 zoned development contains 20 units on 4.10 acres. The applicant is part owner of this development and is not able to combine this and subject property due to the ownership structure. However, when analyzed from a density perspective, the density of the two developments would be 44 units on 5.58 acres or 7.89 units to the acre.

Therefore, it is staff’s opinion that the proposed RM-21 zoning would be compatible with the area.

6. Additional Considerations:

Staff recognizes that the existing Victorian home on the property would be demolished to accommodate the proposed development. While this would be a loss the historical fabric of North Liberty, there is no effective barrier to preventing its demolition.

Below is the residential unit count in North Liberty, which does not include the proposed development.

SFR	2FR	MFR	MFR w/Comm	MH	Total
3224	1598	2896	230	470	8418
38.30%	18.98%	34.40%	2.73%	5.58%	

As part of the Comprehensive Plan update data collection, staff documented the housing construction over the past 11 years:

SFR	2FR	TH	MF	MFR w/Comm	MH	Total
1,127	568	513	602	72	0*	8418
39.88%	20.10%	18.15%	21.30%	2.55%		

* Not included as there haven’t been any manufactured housing park expansions, just replacement units.

It is staff’s opinion that the residential unit count data should be further broken down to have townhouses separate from multi-family (apartment style). In that light, staff anticipates the amount of apartment style multi-family units to be relatively low.

7. Recommendation:

Findings:

1. The proposed zonings would be consistent the North Liberty Comprehensive Plan Land Use Plan; and
2. The proposed use and density of the development would be compatible with the area.

Staff recommends the Planning Commission accept the two listed findings and forward the request of Matnic, LLC for a zoning map amendment (rezoning) on approximately 1.48 acres from RS-3 Single-Unit Residence District to RM-21 Multiple-Unit Residence District on property located at 10 Jaro Way to the City Council with a recommendation for approval.

Suggested motion:

I move that the Planning Commission accept the two listed findings and forward the zoning map amendment with the two listed conditions recommended by City staff to the City Council with a recommendation for approval.



Additional Information



To **Mayor and City Council**
CC **City Administrator**
From **Tom Palmer, Building Official**
Date **4/5/2022**
Re **Monthly Report**

March Permits:

49 permits were issued in March with estimated construction value of 2.5 million dollars. Eight new housing permits were issued with construction value of 2 million dollars. Staff completed 279 inspections during the month of March.

Rental/Code Compliance Cases:

Two new rental permit applications received in March. A total of ten code compliance cases were processed in March.

Penn Street Place Project:

Construction started on the 52-unit multi-family project last September. The contractor has completed the foundation, elevator shaft and interior plumbing. Framing crews will begin building the structural shell over next several weeks.





March Permit Tally Report

Permit Type				Construction Value	Total Fees
Group: Accessory Structure					
				\$15,000.00	\$251.25
Group Total: 1					
Group: Construction Site Runoff					
				\$0.00	\$150.00
Group Total: 1					
Group: Deck					
				\$46,900.00	\$922.25
Group Total: 7					
Group: Demolition Structure(s)					
				\$0.00	\$75.00
Group Total: 1					
Group: Fence					
				\$17,135.77	\$175.00
Group Total: 7					
Group: Mechanical Electrical Plumbing (MEP)					
				\$41,907.00	\$393.88
Group Total: 6					
Group: New Single Family Dwelling					
				\$1,021,404.00	\$9,563.61
Group Total: 3					
Group: New Townhouse					
				\$1,063,469.50	\$11,861.68
Group Total: 5					
Group: Rental					
				\$0.00	\$200.00
Group Total: 2					
Group: Residential Addition					
				\$174,717.00	\$2,162.79
Group Total: 5					
Group: Residential Alteration					
				\$99,604.00	\$1,362.30
Group Total: 3					
Group: Right of Way					
				\$0.00	\$25.00
Group Total: 1					

Group: Swimming pools, spas and hot tubs

				\$89,735.00	\$921.90
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Group Total: 1

Group: Utility Service

				\$0.00	\$1,335.50
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Group Total: 2

Group: Zoning Certificate

				\$0.00	\$25.00
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Group Total: 1

Total				\$2,569,872.27	\$29,425.16
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Certificate of Occupancy Monthly Report

Applicant	Parcel Address	Project Description	Permit Type	Date C.O. Issued
Gabe Bark	780 Community Dr Ste 9	Happy Joe's	Zoning	3/25/2022
Benjamin Hagedorn	1865 Goose Lake Cir	2022 Rental Permit	Residential Rental	3/10/2022
Ajai & Maureen Prakash	647 Rebecca St	2022 Rental Permit	Residential Rental	3/4/2022
Caleb Shield	767 Brook Ridge Ave	New Zero Lot Line	Building	3/11/2022
Caleb Shield	765 Brook Ridge Ave	New Zero Lot Line	Building	3/11/2022
Barry Frantz Construction, Inc.	1257 Abraham Dr	SFC. Zero Lot . JACKSON plan	Building	3/15/2022
Barry Frantz Construction, Inc.	1255 Abraham Dr	SFC. Zero Lot . JACKSON plan	Building	3/15/2022
Caleb Shield	785 S Alexander Way	New split level single family home with a two car attached	Building	3/22/2022
Caleb Shield	710 S Alexander Way	New Ranch Style Home	Building	3/7/2022
Caleb Shield	780 S Alexander Way	New Ranch Style Home	Building	3/11/2022
Caleb Shield	2226 Eversull Lane	New 2 story, 5 plex townhome	Building	3/11/2022
Caleb Shield	2247 St. Andrews Drive	New 2 story, 4 plex townhome	Building	3/25/2022
Caleb Shield	2245 St. Andrews Drive	New 2 story, 4 plex townhome	Building	3/30/2022
Caleb Shield	2243 St. Andrews Drive	New 2 story, 4 plex townhome	Building	3/16/2022
Caleb Shield	2241 St. Andrews Drive	New 2 story, 4 plex townhome	Building	3/11/2022
Caleb Shield	767 River Bend Lane	New Zero Lot Line	Building	3/10/2022
Amy Pretorius	1325 Suttner Drive	single family home, one level, 2-car	Building	3/2/2022

Hodge Construction	270 Adams Street	New construction townhouse	Building	3/30/2022
Hodge Construction	260 Adams Street	New construction townhouse	Building	3/31/2022
Grand Rail Development	2905 Stoner Court	New Commercial baseball complex-	Building	3/29/2022

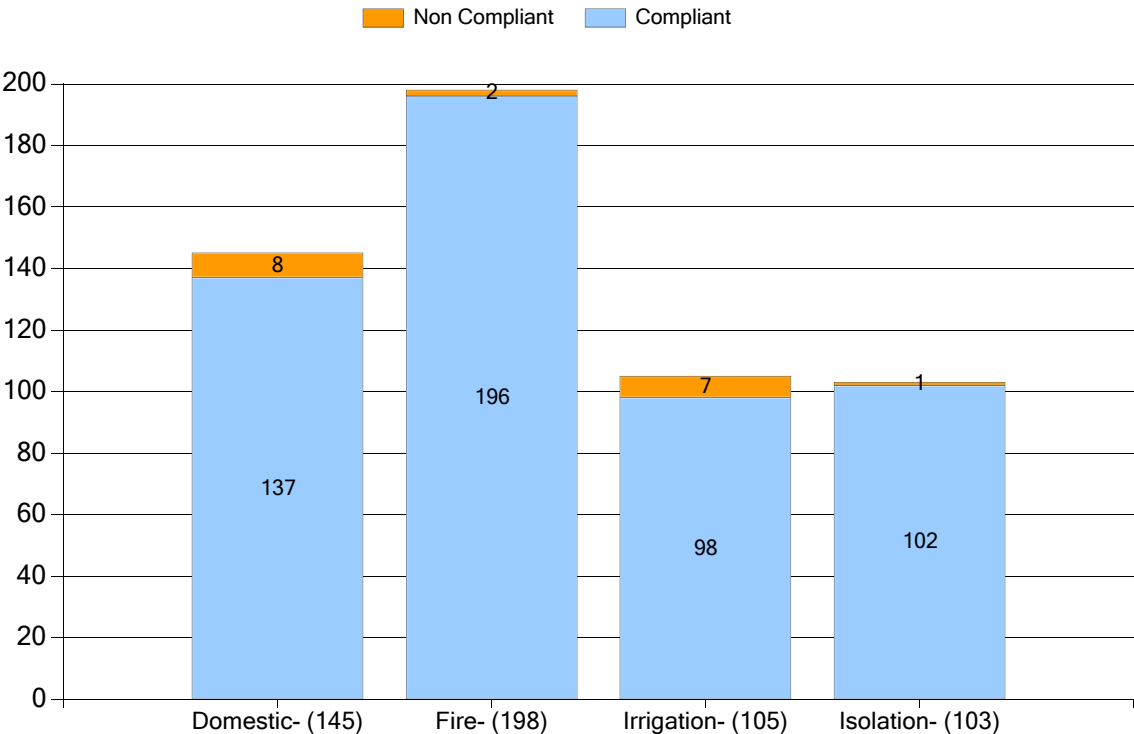
Total Records: 20

Code Compliance Report

03/01/2022 - 03/31/2022

Case Date	Case #	Status	Complaint	Reporting Code
3/2/2022	20220093	Closed	past due annual backflow preventer test report	Building Code
3/2/2022	20220094	Closed	past due annual backflow preventer test report	Building Code
3/16/2022	20220095	Open	past due annual backflow preventer test report	Building Code
3/16/2022	20220096	Open	past due annual backflow preventer test report	Building Code
3/16/2022	20220097	Open	past due annual backflow preventer test report	Building Code
3/16/2022	20220098	Open	past due annual backflow preventer test report	Building Code
3/16/2022	20220099	Open	past due annual backflow preventer test report	Building Code
3/16/2022	20220100	Open	Storage of Junk	Zoning Code
3/21/2022	20220101	Open	Improperly located dumpsters	Zoning Code
3/23/2022	20220102	Open	Improper Parking	Zoning Code

Breakdown of Backflow Preventer Compliance



- Fire = Fire Protection / Fire Detector Bypass
- Domestic = Domestic / Domestic Bypass
- Irrigation = Lawn Irrigation
- Isolation = All Others



To **Mayor, City Council, Communications Advisory Commission**
CC **City Administrator Ryan Heiar**
From **Communications Director Nick Bergus**
Date **April 7, 2022**
Re **Communications Staff Report**

City Slate

North Liberty's City Slate is a collection of our largest special events planned by city staff. Every event on the slate is free to attend, and our team has over 40 events in store in 2022. Programmers have a half dozen City Slate events completed so far, and in April we announced dates and teasers for all City Slate events through August at northlibertyiowa.org/cityslate. Highlights include a hunt for hidden items on the Bunny Clue Trail this Saturday, April 9, the opportunity to meet the trucks and drivers that keep the city going at Remarkable Rigs on May 14, the return of mega kites to Centennial Park for Let Love Fly on June 4, the library's Summer Reading Program, tasty barbecue, craft beer and live music at Blues & BBQ on July 9, a magical experience swimming with Disney princesses on July 17, a weekly Friday night concert series on the Ranshaw House lawn, a summer sendoff complete with fireworks on Aug. 20 and more. Full details will be released as each event date approaches.

Blues & BBQ

We're three months away from the return of North Liberty Blues & BBQ. We have reached \$71,000 in local business support – surpassing our goal of at least \$70,000 in sponsorship in addition to \$15,000 from the City of North Liberty. We're in the final stages of securing our headliner and expect to announce our stage lineup by mid-May. We have also made a lot of progress arranging food vendors for July 9. We received 23 food vendor applications – more than any other year – and have selected 15. Over the next month we will be finalizing a marketing plan for the festival, begin recruiting festival volunteers, booking remaining stage acts with our partners at The Englert Theatre and drafting a layout of the event.

Ranshaw House

Micah and Nick are continuing efforts to bring programming and social services to the Ranshaw House. They recently met with staff from United Action for Youth to discuss plans to host youth programming in the space. A pilot program that will engage local youth in developing the Ranshaw House as a welcoming and engaging space for youth is slated to launch later this spring. Micah has also begun connecting with other non-profits who have expressed interest in using the space.

Planning for the new Ranshaw House Concert Series is also well under way. The series will feature a free performance each Friday evening in June and July (except July 8) and Micah has been coordinating the series' planning committee and securing ICR-based artists for the series. The line-up is scheduled to be announced in late April. The series will also feature one night of performances by young artists from our community, which will be presented in partnership with United Action for Youth in late July.

Projects

Nick and project staff hosted three online open houses to help folks learn about coming construction projects. The online format which we started in 2021 offers more flexibility for attendees, and we intend to continue the format into the future. This year we covered Dubuque Street Phase 1, City Hall and Civic Campus, and Jones Boulevard and the Comprehensive Plan. We've posted updates, including the presentations, at northlibertyiowa.org/projects.

Other Items

Staff represented the city with Welcoming America, at a Iowa State Learning Exchange, in the Business Partnership's Community Leadership Program and in the United Way's Community Impact Council grant funding.

We produced City Council meetings and submitted them to the Iowa City government channel.

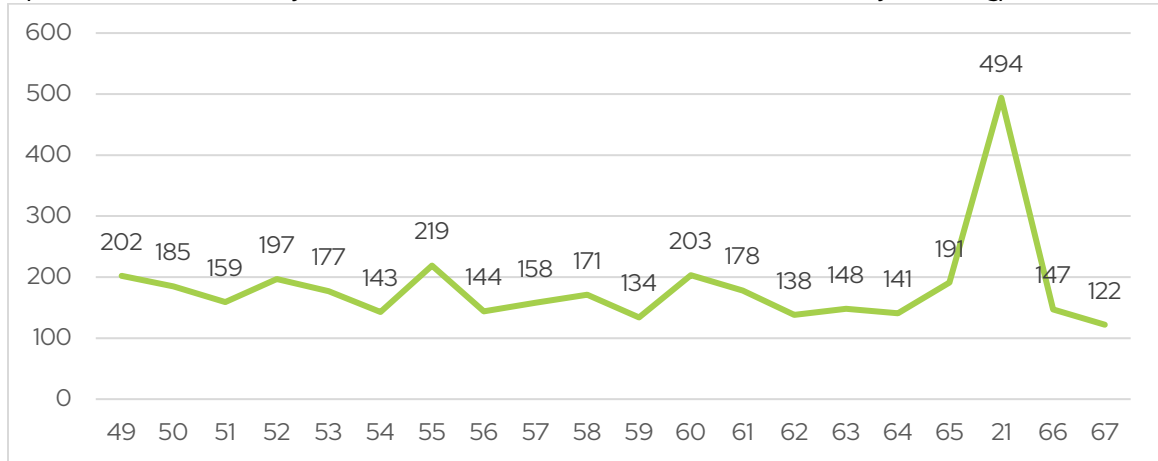
We posted news releases about projects, City Slate events, good neighbor meetings, Severe Weather Awareness, cleanup opportunities, inclusive economic development and more.

Completed Videos

Title	Requested By	Completed	Duration
Planning and Zoning Commission	Administration	March 1	0:52
Agency Spotlight: CommUnity	Library	March 2	0:11
Agency Spotlight: Horizon	Library	March 2	0:05
Agency Spotlight: NLCP	Library	March 2	0:06
Librarians in the Wild	Library	March 2	0:14
Parks & Recreation	Library	March 3	1:02
City Council	Administration	March 8	0:52
Training: Ice Rescue	Fire	March 9	0:46
Library Board of Trustees	Administration	March 14	0:52
Eye on: Chief Bill	Communications	March 17	0:16
Projects 2022: Dubuque Street	Communications	March 17	0:41
GNM: Liberty Villas	Planning	March 22	0:18
GNM: Forevergreen Estates	Planning	March 22	0:40
City Council	Administration	March 22	1:04
Agency Spotlight: NAMI	Library	March 25	0:05
Agency Spotlight: Senior Center	Library	March 29	0:16
Projects 2022: City Hall	Communications	March 24	0:39
Projects 2022: Comp Plan	Communications	March 31	0:22
Total completed productions: 18	Duration of new video: 9.35 hours		

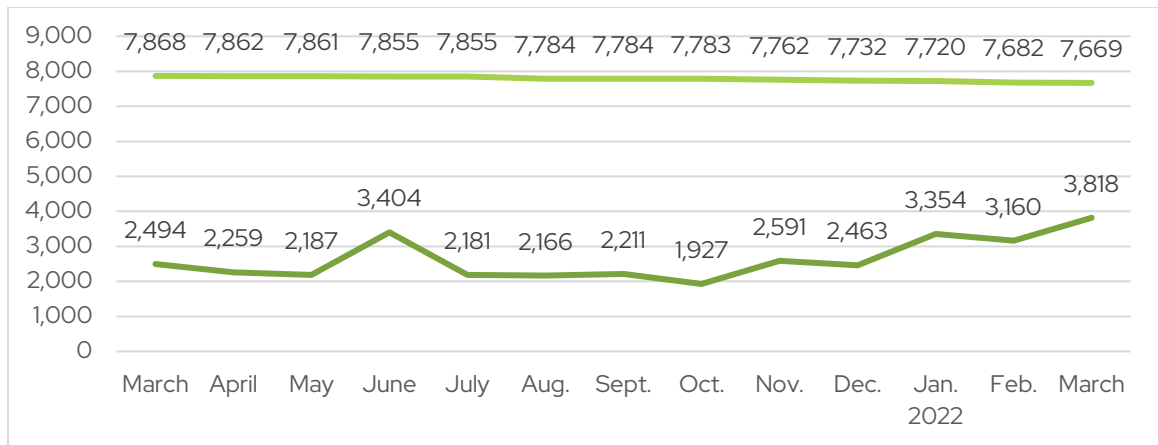
52317 Podcast

Episodes release every three weeks and can be found at northlibertyiowa.org/52317.



Downloads is the number times the podcast file was downloaded to a player, including a podcast client, webpage-embedded player or other device since its publication. Numbers are as reported by service provider LibSyn as of the date of this report. **Episodes** 67: Soiree; 66: Illuminate; 21: Heyn's; 65: LaLa Boutique; 64: Kirkwood Workplace Learning Connection; 63: Leash on Life; 62: Chomp Delivery; 61: Speedy Mike's Carwash; 60: Flip Salon & Spa; 59: Rock Valley Physical Therapy; 58: NASA; 57: Animal Kingdom; 56: Concha Audiology; 55: Silver Rooster Tattoo; 54: Aero Performance and Physical Therapy; 53: Beathe; 52: Meadowlark Psychiatric Services; 51: Psychiatric Associates; 50: Letter B; 49: Fryvecind Voice Studio

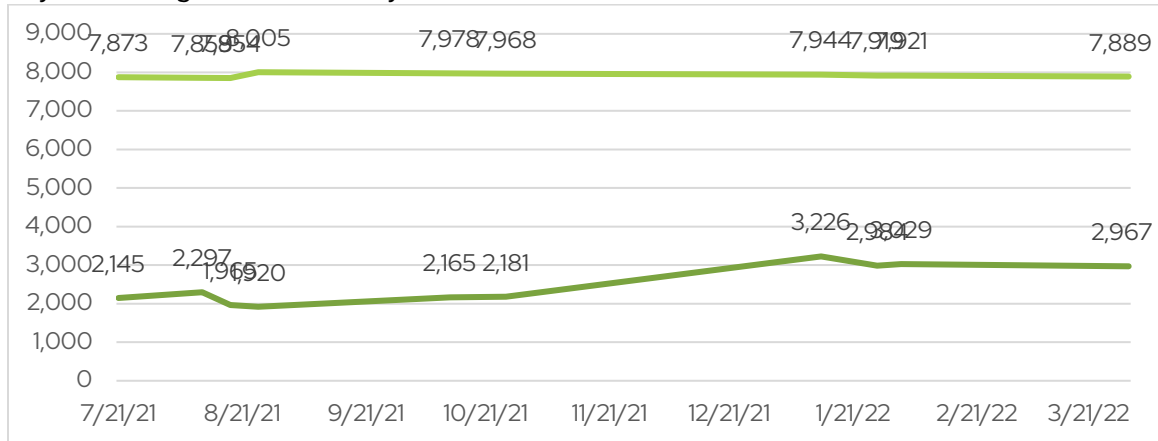
North Liberty Bulletin Email Newsletters



Recipients is the number of email addresses to which an issue of the Bulletin was sent and is represented by the top line. **Opens** is the number of unique recipients who opened the Bulletin and is represented by the bottom line; the standard open rate for government is 25.4%. Numbers are as reported by service provider Mailchimp. **Subject lines** March: The Thaw; Feb: Save the dates; Jan: Tomorrowland; Dec: Conspiring, to eat cookies, by the fire; Nov: Not sure you know how psychologically healthy that actually is; Oct: Pumpkin spice spooky decorative gourd season; Sept: My fall plans vs; Aug: Summer send-off 🍁 July: My dog hates fireworks; June: Magical world of normal-ism; May: It's no walk in the park; April: Anything dirty or dingy or dusty; March: A really weird lion

Know Before You Go Emails

These emails focus on free, large-scale community and leverage the city's email list. It is a key marketing channel for City Slate events.



Recipients is the number of email addresses to which an issue of the Bulletin was sent and is represented by the top line. **Opens** is the number of unique recipients who opened the Bulletin and is represented by the bottom line; the standard open rate for government is 25.4%. Numbers are as reported by service provider Mailchimp. **Events:** Inflatables Day; Eastern Iowa Circus; Concert in the Park and fireworks; Playground Crawl; Moonlight Walk; Haunted Happenings; Lighthouse in the Library (Jan.), Fire & Ice; Ice Fishing with TAKO; Kites for Kids Festival

Social Media

Month	Facebook		Twitter		Instagram	Nextdoor
	New likes	Reach	New follows	Impressions	Followers	Members
March	62	47,317	22	19,500	2,648	5,497
Feb	47	47,939	17	18,100	2,620	5,448
Jan 2022	139	209,293	7	40,500	2,600	5,411
Dec	32	19,971	11	23,500	2,575	5,383
Nov	14	20,182	9	30,400	2,570	5,361
Oct	50	35,617	2	20,600	2,537	5,279
Sept	60	26,516	11	21,900	2,521	5,237
Aug	59	26,710	15	40,100	2,497	5,178
July	80	21,523	3	34,600	2,471	5,114
June	72	25,066	-4	45,400	2,456	5,076
May	73	23,940	-19	42,200	2,418	5,018
April	33	24,980	19	49,800	2,381	4,959
March	72	100,455	18	61,600	2,342	4,900

Facebook new likes is the net number of new users following the city's Facebook page; it does not include new *followers*. **Facebook reach** is the number of unique users who saw any of the city's Facebook content, reported on a 28-day period. **Twitter new follows** is the net number of new users following the city on Twitter. **Twitter impressions** is the total number of times a tweet from the city was shown to a user. **Instagram new follows** is the net number of new users liking the city's Instagram account. **Nextdoor members** is the number of verified North Liberty residents who are users and able to receive our agency messages.

Website Statistics

Month	Sessions	Users	Pageviews
March 2022	25,815	19,113	49,629
Feb 2022	22,876	16,286	41,437
Jan 2022	26,218	20,351	47,444
Dec 2021	17,011	13,056	33,502
Nov 2021	20,196	15,122	39,415
Oct 2021	17,041	13,190	32,858
Sept 2021	22,849	14,800	44,285
Aug 2021	29,557	21,990	54,762
July 2021	32,559	24,967	63,686
June 2021	22,840	19,955	64,284
May 2021	24,221	17,537	49,636
April 2021	22,452	13,855	44,847
March 2021	23,993	14,861	46,159

Sessions is the number of time-bound user interactions with the website. **Users** is the number of unique devices loading the site in that month. **Pageviews** is the total number of pages loaded or reloaded. All stats are monthly.



TO: City Administrator and City Council
FROM: Jennie Garner, Library Director
DATE: April 7, 2022
SUBJECT: Monthly Library Report

Library News

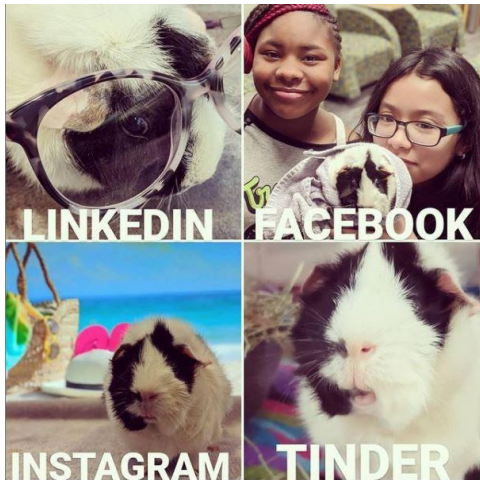
The library is adding a new community engagement tool and we're excited to launch it in the next few weeks. It's called Biblioboard and has been a longtime goal of ours for offer to our citizens. The platform will allow authors to publish their own ebooks (design the cover and appearance) and make those available to our patrons. Additionally, it provides space for us to create community collections and collaboration and opportunities for archiving digital creative content – artwork for local artists, music and video options, and more. I'll share more on this as it unfolds.

Library staff (and some board members) will spend the day tomorrow (April 8) immersed in strategic planning. We are excited to update our plan, which is out of date and has been on hold as I wanted to wait until we returned to regular operations after the pandemic to launch a new plan. I know some libraries took time during the pandemic to create plans but I truly felt that our experience during the pandemic could skew some of our ideas and that by waiting, we can take what we learned from our adapted services and changes made and build on it to help map our future path.

The library hosted an adult program in March called Planning for Peace of Mind: Powers of Attorney & Living Wills. Presented by University of Iowa professor Len Sandler and some clinical law students, they covered a variety of topics regarding estate planning, including power of attorney, advance directive, living will and provide a resource guide, forms and other materials for all attendees. The meeting rooms were filled to capacity with over 40 people in attendance.

Additionally, our current social work practicum student hosted a three-part podcast discussion series in March to talk about specific episodes of the Ear Hustle Podcast. Ear Hustle launched in 2017 as the first podcast created and produced in prison, featuring stories of the daily realities of life inside California's San Quentin State Prison, shared by those living it and stories of post-incarceration. We had ____ people attend and the last two episodes were recorded. The link to the recording is available by request. If you are interested in viewing/listening, please contact me at jgarner@northlibertyiowa.org and I'd be happy to send information and the link.

As part of the city's bi-monthly management meetings, I recently had the honor of hosting City of North Liberty department heads at the library to showcase just what we do every day here at the library. I recruited some of the library staff and some colleagues across the US to share some of their thoughts and our fabulous communications staff person, Derek, helped pull it all together. Watch that video [here](#). The last slide of my presentation featured this fun promo (we don't really have Tinder 😊) created by our marketing folks and this list:



- 1 library**
- 2 information desks**
- 4 podcasts**
- 14 digital subscription services**
- 19 staff (plus IT Chris and one guinea pig)**
- 67 service hours a week and online 24/7**
- 80+ community partners**
- 47,506+ downloadable e-Books and e-Audios**
- 48,138+ physical items**
- = Priceless Experiences**

If you don't follow us on social media, we have a presence on all of these platforms and those are linked on our website:



Scroll for more Program Highlights

Super Tuesday Lego Fun – Super Tuesdays are weekly programs held weekly during the school year as part of our out of school activities.



This March kids' program featuring the Cold-Blooded Redhead and their reptiles was very popular.



Cookie-decorating with our youth and teen services staff and library science practicum student. Because who doesn't love a good cookie?



To **Mayor and City Council**
Parks and Recreation Commission
City Administrator

From **Guy Goldsmith, Director of Parks, Building and Grounds**

Date **April 5, 2022**

Re **Monthly Report**

We performed various building maintenance tasks as needed this month. We repaired a defective parking lot light electrical wire at the Community Center.

We maintained equipment as needed this month.

We surveyed all of our trails for hazards, prioritized and documented future repairs.

We removed snow from city parking lots, sidewalks and trails on March 7th. Hopefully we are done with snow removal for the season. We removed and put away our snow removal equipment in preparation of the upcoming growing season.

Park staff disassembled and removed the ice-skating rink from the tennis/pickleball courts. The courts are now open for tennis and pickleball users to enjoy during the spring/summer season.

Park staff completed additional training requirements through Target Solutions.

March 3rd - I attended the Community Center Facility Plan kickoff meeting with Rec Staff and Shive Hattery. This comprehensive plan will help identify present and future problems as well as to determine future projects. This will ultimately help with Community Center budget planning.

March 4th - I attended the "Run Crandic" planning meeting along with City staff members. The run will make its way through North Liberty on Sunday, April 24th.

March 7th - I met with Charlie Cowell of RDG Consulting regarding the City Comprehensive Master Plan. We talked about what is working and what is not. We also discussed Parks & Trail improvements as well as future park additions and locations.

March 8th - We met with Hodge Construction and Axiom Consultants, LLC from Iowa City regarding the storm water plan at 945 & 925 Liberty Way. This is the future site of Field Day Brewery. The storm water project consists of connecting a large storm water pipe into Liberty Centre Pond. This meeting was held to help determine the best location of the pipe and to help lessen the impact of construction on and near Liberty Centre Pond.

March 9th - I met with Shive Hattery and City staff to review plans for the upcoming Community Center Roof Replacement Project.

March 16th - I met with Shive Hattery and contractors to review Ranshaw Way pedestrian tunnel aesthetic wall samples that will be placed on the walls leading up to the tunnel.

March 22nd - We attended the Blues & BBQ kick off meeting along with City staff and volunteer Committee members. This year, "Blues & BBQ" will be held on Saturday, July 9th.

March 23rd - We assisted the IDNR Fishery Management team with the release of 2000 rainbow trout at Liberty Centre Pond. The trout arrived from the state hatchery near Manchester, Iowa. The trout stocking will give anglers local fishing opportunities at Liberty Centre Pond this spring. All IDNR fishing regulations will be enforced.

March 27th - Park Staff assisted with the ball field clean-up and enhancements day at Penn Meadows Park along with NLCBS parents and youth ball players. There were three dump truck loads of trash and leaves collected. Thank you to all that helped out.

March 28th - I attended the first Dubuque Street Phase 1 progress meeting with Shive Hattery, All American Concrete and City staff. The improvement project is now under way so we will be seeing a big change in the area of Dubuque Street and Cherry Street soon.

March 31st - I attended the Ranshaw Way Improvements Project season kick off meeting with Shive Hattery, Contractors and City Staff. Ranshaw Way construction started back up on April 1st.

Parks staff removed the flag pole and the Old Town Park clock at the south Penn Meadows Park parking lot in preparation of the Dubuque Street Phase 1 project.

We have begun aerating, fertilizing and seeding turf grass areas in need of maintenance. Fertilizer costs have doubled this year so we are researching other management options.

Our sports field maintenance crew has now begun weekly field maintenance. Ball fields will be maintained on a daily basis as well as soccer fields.

We conducted seasonal employee interviews this past month. Right now, we have 5 of our 12 seasonal employees hired for the season. We hope to see a few more applications submitted this upcoming month.

Parks Staff built a new ball field maintenance surfacing machine. This particular machine is no longer commercially manufactured so the next best option was to build one. This will allow us to effectively provide ball field maintenance on a timely basis as well as

performing small grading projects that coincide with our sports field maintenance schedule. It is now at the Powder Shop to be painted.



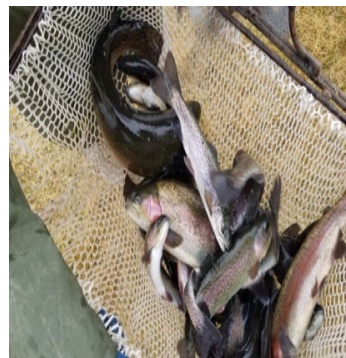
Ranshaw Way pedestrian tunnel
Town
aesthetic wall samples reviewed
of the
by City staff and Shive Hattery.
project.



Park staff removing the flagpole at
Penn Meadows Park in preparation
of the Dubuque St. Phase 1 project.



Park Staff removing the Old
clock footing in preparation
Dubuque St. Phase 1



Iowa DNR along with Parks staff stocked 2000 rainbow trout at Liberty Centre Pond on March 23rd. This event takes place spring and fall giving anglers an opportunity to fish rainbow trout locally.



It's been cold out but ball field
Sunday
maintenance has begun.
turn



Parks new ball field maintenance
machine. It's now at the paint shop.



Ball field clean-up day on
March 27th. We had a great
out of volunteer workers.



North Liberty Police Monthly Report March 2022

Training:

- Members attended monthly Canine, Bomb Squad, Tactical Team, and Dive team (64 hours)
- Officer Jacobi completed his Field Training and was released to solo patrol. He will be going to night shift.
- Two officers attended tactical medical training in Des Moines. (16 hours)
- Officer Rockafellow attended the National Life Saver's Conference in Chicago. This is also funded by GTSB and he completed the annual grant and represented NLPD at these events. (32 hours)
- Chief attended part one of the FBI-LEEDA Supervisor Trilogy in Cedar Rapids (40 hours)
- An officer attended the online Understanding Implicit Racial Bias Learning Exchange virtually (6 hours)

Public Relations:

- An officer completed 2 child safety seat inspections.
- NLPD is assisting with the Community Police Academy that meets every Wednesday. 7 out of the 20 participants are from North Liberty.
- We hosted a Cub Scout tour at the station.
- Several officers attended the North Liberty Optimist Pancake Breakfast.
- We continue to work the school events at their request. This included dances and sporting events.

Equipment:

- We demoed two additional virtual reality judgement simulators. We are researching which one will be the best for this department.
- We provided 54 terabytes of storage to the metro-cybercrimes team. This hardware is in exchange for us to use their services.

Enforcement/Crime:

- We had cars broken into at Penn Meadows Park. Cars are targeted that have visible bags and purses to steal. Investigations is still reviewing video to try to identify the individuals.
- We had a report of an armed robbery at the Verizon store. The clerk was assaulted, but nothing was taken. The case is still under investigation.
- We had a report of a theft from LD express where a group distracted the clerk and then stole several power tools. This is also under investigation as we continue to follow leads.
- A catalytic converter was stolen from a vehicle in the parking lot of Village Drive.

Traffic Contacts	302
Parking Contacts	15
Vehicle Inspections	24
Vehicle Unlocks	15
Crash Investigations	8
Public Assists	353
Assist other Agency	115
Crimes Against Persons Report	12
Crimes Against Property Report	16
Other Reports	28
Arrests	22
Warrants	6
Alcohol/Narcotics Charges	8
Crimes Against Persons Charges	7
4Crimes Against Property Charges	3
Other Charges	11
Animal Calls	49
Total Calls for Service	1741
*Total Calls for Service for the year	5298

Department Admin:

- Our DMACC Criminal Justice unpaid college intern continues observing and helping records. She has around 20 hours to complete for her college credit.
- Officer Rhonda Hayes started with the department. She is a 9.5-year veteran officer that moved here from Storm Lake. She is starting her Field Training to get acclimated to our culture here at NLPD.
- One unpaid college intern was selected from the applications we received. We usually host only one at a time, so this intern will be for the summer session.
- Former Officer Cade Burma resigned and his remaining \$20,000 contract was reimbursed by ICPD.
- Had a meeting with JC Sheriff, CV Police Chief and Community Health about sharing a mental health liaison between the three departments. We are working on the logistics, an MOU and a job description. We are excited for this opportunity coming to fruition. The 4 entities will share costs and the region has given us the go ahead to start this planning process. It is 100% funded the first year and then steps down a quarter each year, until it is 25% funded by the Region. After the 3 years, we will then split the 75% difference 1/3 between JCSO, CVPD and NLPD.
- Gave a conditional offer to a 10-year veteran officer from Marion PD. He accepted and we will work on getting him onboard next month. This will fill any vacancies in the department.
- Had a curriculum review meeting for the ILEA council and what an audit would look like for other academies. These meetings help with the administrative code changes, operating procedures, and setting a clear direction for overseeing all police academies in the State.
- Juan Santiago informed the department of his upcoming retirement date of July 15th. This will be another first for NLPD and we are excited to plan his party and see what the future brings for Juan. There will be more to come on this.
- Data is still being reviewed and validated for the traffic stop study analysis from Dr Barnum.
- Bryan Davis was appointed to the Johnson County Juvenile Justice Committee. He will represent law enforcement in the county with this position.
- Records is working on the 2021 yearend report.
- Chief, Records Supervisor, and a Sergeant met with the CAD consultants about our Record Management System (RMS), in car mobile computers, and the dispatching software (Computer Automated Dispatching). The purpose was to review our specific needs for the police department and to address issues with have with the system we are currently using. The current system is all under one suite/vendor and is utilized by dispatch, law enforcement, fire, and ambulance in Johnson County. We look forward to the results of the evaluation.

Respectfully Submitted by Chief Diane Venenga and Alisha Ruffcorn 4/5/2022



To **Park & Recreation Commission Board Members**
CC **Mayor, City Council, City Administrator**
From **Shelly Simpson**
Date **April 1, 2022**
Re **Monthly Report – March 2022**

The Community Center experienced its' own March Madness as we saw more patrons using the facility, more inquiries on programs, the re-opening of Kids Campsite and increased drop-in use over Spring Break. The Optimist Club also held their Pancake Breakfast after two-year hiatus. Work on outdoor building maintenance projects resumed and halted dependent upon the weather rollercoaster; ongoing projects include the pool water heaters, roof gas lines, snow rails and "button down" fixes as we plan for roof replacement. We are assisting Ben and other part-time staff with pool operations as Ashley is on maternity leave. The Summer Activity Guide was completed with many planning meetings attended for summer operations and city slate events. We had two staff members, Brian and Matt F attend the IPRA Conference in Dubuque for continued education and sharing of ideas.

Recdesk Database:

Reviewing our Recdesk database; we have 10,271 residents (63%) and 5,919 non-residents (37%) totaling 16,190 individuals. Increase of 275 from last month.

Aqua Programs:

Aqua classes continue to show a strong return in participation. March sessions had approximately 73 registered participants, plus daily drop-ins. Arthritis Aqua, Aqua Zumba, Aqua Bootcamp and Easy Does It had the most attendance. Aqua Program revenues totaled \$1,993.15.

Swim Lessons:

Swim lessons had 122 registered participants. Private lessons continue to be most popular. Swim lesson revenues totaled \$1,531.

Leagues/Sports:

Winter Spring youth and adult sports concluded at the end of the month. Outdoor Soccer begins in April. It is that time of year many register for baseball/softball and tennis lessons begin in June.

Pee Wee Sports (Baseball) totaled 40 participants.

Sport/Leagues revenues, none to report.

BASP: Before School – 16; After School – 50 participants; All Day had 18 participants and Spring camp had 20 participants per day. This month, BASP revenues totaled \$88,192.50 as current participants can register for Summer Camp.

Classes/Programs:

Fitness aerobic classes resumed but participation has not been as high for these classes to date. We had approximately 17 registered participants, plus daily drop-ins. Body Blast, Body Sculpt, Bootcamp, Cardio Pump and Senior CBS continue to be mainstays.

Tippi Toes Dance classes continued with approximately 38 participants. Baby Ballet, Ballet Tap Jazz, and Hip Hop Jazz seem to be most popular.

Senior Connections Lunches, continued this month on Fridays with 63 meals provided. Classes/Programs revenue totaled \$5,452.50.

Pools:

As mentioned in summary, we are assisting Ben and other part-time staff with pool operations as Ashley is on maternity leave. We continue to do our best in meeting various needs of lap swimmers, water fitness classes, open swim time and swim lessons in the Indoor Pool. Work on the new heaters/exchangers continues with some parts on back order. This month, Season Pool Pass revenues totaled \$3,469; Daily Pool Fees totaled \$2,390; Pool Rentals totaled \$450 and Concessions revenues totaled - \$0.

Weight & Exercise Area / Track:

This month; Weight fee revenues totaled - \$14,720; Split membership revenues totaled \$3,517. Active memberships for the month was 2,685. Point of sale transactions for month was 1,409.

Gymnasiums:

This month; Gymnasium Rental revenues totaled \$3,040.

Rentals:

This month; Community Center Rental revenues totaled \$1,880; Shelter rental revenues totaled \$55; Field Rental revenues totaled \$436.

Revenues:

Revenues (March) totaled \$126,995.79

Additional Reports: Recdesk Monthly Revenue, Dashboard Summary, Membership Summary and Organizational Activity.



To **Mayor and City Council**
CC **City Administrator Ryan Heiar**
From **Street Superintendent Michael Pentecost**
Date **April 1, 2022**
Re **Street Department Staff Monthly Report for March**

The following items took place in the month of **March** that involved the Streets Department.

- Locating of City Utilities (277 job tickets) ongoing
 - a. This is a decrease of 11% from March 2021
- Continued animal control services (7 responses to animal issues)
- Cemetery plot locates (2 in total)
- Projects/Meetings
 - a. Ranshaw Way Phase 5
 - i. Seat wall work at multiple locations
 - ii. Contractor back on site on 3-28
 - iii. Bi-weekly progress meetings resumed
 - iv. Closures of different lanes to provide contractor space to continue to work
 - b. Dubuque St Phase 1
 - i. Staff stump ground 15 trees removed for project
 - ii. Met with Penn School and local businesses/organizations to discuss project
 - iii. Message boards moved to this project to inform public of upcoming road closure and also inform the public that local business access is and will remain open
 - iv. Pre-construction meeting held with contractor and their subs
 - v. Weekly progress meetings held
 - c. North Jones Blvd extension
 - i. Continued work on design
- Water, Parks, Streets, and City Hall Administration/HR met to discuss new CDL requirements starting February of this year
- Removal of holiday décor and placement of them into safe storage locations at the shop
- Spring street sweeping routes started
- Traffic signals
 - a. Network repairs made on failed network switch
- Installation and repair of various street signs
- Staff conducted monthly safety inspections for all street equipment and buildings
- Staff conducted monthly warning siren testing in all 8 locations
- Service and maintenance of various equipment

- Cold patch potholes in various locations
- Continued clearing of vegetation, brush, and trees from Muddy Creek surrounding the Public Works Shop
- Gravel shoulder repairs along Ranshaw Way
- Staff reviewed the Run Crandic route and is planning operations needed for traffic control along both full and ½ marathon routes
- Developed building and equipment specs to be bid for FY23 CIP items
- Training
 - a. Active Shooter training for staff by Target Solutions
 - b. Supervisor continued Water Treatment/Distribution training for CEU on-line by ISG
- Sanitary Sewer
 - a. Herky lift station chemical feed project completed
 - i. Testing and monitoring process will begin in April
 - b. Inspected manhole locations that typically have grease built up
- Winter Operations
 - a. Snow event on 3-7-22 that staff and equipment prepped for
 - i. Staff continued to push back blowing and drifting snow for 2 days
 - b. Removal of snow equipment on a few trucks to assist with leaf collection operations as well as pre-spring work
 - c. Preparations made to order remaining salt order and stack pile in salt building



To **City Council, Mayor and City Administrator**
From **Drew Lammers**
Date **April 1, 2022**
Re **March 2022 Water Pollution Control Plant (WPCP) Report**

1. All scheduled preventative maintenance at the plant and lift stations was completed. Staff stayed very busy with numerous operational jobs throughout the month.
2. This month's staff safety meeting was on Person Protective Equipment. Staff completed target solutions online training as well as reviewed safety training topics as a group.
3. Management staff attended IAWEA's Annual Biosolids Conference. State and Federal rules and regulations were key topics as well as pre-emerging pollutant concerns.
4. 2021 Annual Generator Emissions report for all city engines was submitted. Each department tracks individual engine data which is then compiled by WPCP and sent to Shive Hattery's Air Quality Specialist. A report is generated, reviewed and submitted to IDNR.
5. Staff worked on several painting projects throughout the facility. Structural Steel, piping, walls, and equipment are the majority of areas that are repainted.
6. As many of you know the wastewater facility experienced a flood in our secondary treatment building on March 24, 2022. We continue to troubleshoot and identify all possible points of failure that caused the event so they can be addressed to prevent future incidents. The good news is that everyone was safe, the facility was back online after 15 hrs. and the environmental impact was little to none. We continue to sort through equipment and parts and are working with contractors and insurance for repairs and replacements. I'd like to thank everyone for the support and a huge appreciation for all WPCP staff. Everyone has done and continues to do an amazing job in the aftermath of this event.

Drew Lammers - WPCP Superintendent



To **North Liberty Mayor and City Council Members**
CC **City Administrator Ryan Heiar**
From **Water Superintendent Greg Metternich**
Date **April 5, 2022**
Re **Monthly Report – March 2022**

In the month of March, we treated a total of 33,218,000 gallons of water, our average daily flow was 1,072,000 gallons, and our maximum daily flow was 1,321,000 gallons. The total amount of water used in the distribution system was 7.1% lower than March 2021.

We have had a busy month with 8,923 accounts read, 31 re-reads, 135 service orders, 72 shut-offs, 70 re-connects for water service, 149 shut-off notices delivered, 16 new meter set inspections, 13-meter change outs, 35 MIU change outs, assisted 27 customers with data logging information, 80 calls for service, and 10 after hour or emergency calls. Our monthly total service work averaged 26 calls per day.

Kistler Crane and Hoist performed annual inspections on all of our overhead cranes at the treatment plant, and one at the Booster Station. No deficiencies were found.

We had a fire hydrant struck by a semi on Nathan Avenue. This is the second time this hydrant has been hit, the first time it happened the hydrant broke at the break-away flange and only required a traffic repair kit that cost around \$400.00 and took about half an hour to repair, this time the semi pulled the entire hydrant out of the ground and it broke away from the water main. Water ran for about an hour before it could be shut down, we spent the next four hours cleaning mud off of the street and sidewalk. Maxwell Construction installed a new hydrant 12 feet to the south of the intersection, that should give trucks plenty of room if they roll over the curb. We will be billing the truck driver's insurance for the water loss, cleanup, and the repair work.

We spent a couple of days working at the old treatment plant. When the salt storage tank was removed the housekeeping pad underneath the tank was in really bad shape. We removed the pad and poured a new concrete pad in that area.

Our maintenance staff took advantage of some of the warm weather we experienced in March and used our surveying equipment to locate over 2,000 service line curb stops, total to date we have just over 4,000 located on the GIS system, that's almost half of the entire system. He was able to average about 100 locates per day.

Water Superintendent
Greg Metternich



Parks & Recreation Commission
April 7, 2022, 7:00pm
City Council Chambers, 1 Quail Creek Circle, North Liberty, Iowa

This meeting may be accessed live by the public in person or on the internet at northlibertyiowa.org/live, on Facebook at facebook.com/northliberty or on YouTube at youtube.com/c/northliberty. Meetings are rebroadcast on cable and available on-demand on northlibertyiowa.org.

1. Call to Order
2. Approval of Minutes
 - a. March 3, 2022
3. Board Member Terms; expiring 6/30, renewal steps
 - a. Jeremy Parrish
 - b. Laura Olds
4. Reports
 - a. Parks Report
 - b. Recreation/Pool Report
 - c. Questions, Concerns, Updates
5. New Business
6. Old Business
 - a. Community Vision
Keep up to date on community ideas and concerns with City Comprehensive Plan. Visit website at northlibertyiowa.org/connectedtotomorrow.
7. Next Meeting
 - a. Thursday, May 5, 2022 at 7:00pm.
(Shelly absent; questions/concerns to Brian & Guy)
8. Adjourn



Board Meeting Minutes – March 3, 2022

Present: Richard Grugin, Shannon Greene, Gwen Johnson, Kevin Stibal, Laura Olds

Absent: None

Other Present: Brian Modley, Shelly Simpson, Tim Haier, Guy Goldsmith

1. Approval of January 6, 2022 meeting: Richard Grugin
 - a. Move to Approve: Shannon Greene
 - b. Second: Kevin Stibal
2. Welcome: Laura Olds
 - a. Graduate student in Health Administration, University of Iowa
3. Parks Report: Guy Goldsmith
 - a. Working on the roof replacement
 - b. Maintaining Equipment
 - c. Continuing snow/ice removal as needed
 - d. Resurfaced Ice Rink
 - i. Now closed for the season
 - ii. Ice auger vandalization but installing a camera stopped it
 - iii. No numbers on ice skating usage
 - iv. Hockey clubs that practiced on it
 - e. Organized shop
 - f. Ordering summer supplies, including trees
 - g. Conducting annual training and playground safety inspections
 - h. Reviewing plans for Dubuque Street project
 - i. Completed demolition
 - ii. Reconfigured the road
 - iii. Held a March 1, 2022 pre-construction meeting
 - iv. Will build a storage shed by Babe Ruth area
 - v. Will irrigate infield and surface
 - vi. Will maintain access to southeast parking lot
 - i. Built Information Center signs locally
 - i. Saved money from not outsourcing
 - j. Held goal-setting session for city planning
 - i. Tradition to do this biannually with department heads
 - ii. List accomplishments, issues, trends, goals
 - k. Reviewing Dog Park maintenance
 - i. Will try new organic products to enhance turf
 - ii. Will use a deep core aerator to help compaction
 - iii. Could close it due to the conditions but not ideal
 - iv. Not activating the keypad until March/April, code will change annually
 - v. Overuse from non-registered pets
 - vi. Undersized for the size of the community
 - vii. Will try to buy property next to it eventually
 - l. Saturday, April 9, 2022
 - i. Creek Clean-Up Day, meet at Rec Center at 9 AM
 - ii. Volunteer groups also participate

- iii. Bring your own boots, gloves
- 4. Community Center: Shelly Simpson
 - a. Community Center Maintenance
 - i. Gas lines on roof and snow rails stopped due to the weather
 - b. Pool Project nearly complete
 - i. Iowa Public Health wants two water exchangers each on both pools
 - ii. To complete this in the next few months
 - iii. Inspected by Iowa Public Health annually
 - iv. Waiting on parts for the doors too
 - v. Will not close down pools (either after hours or during slow periods)
 - c. Short staffed
 - i. Vacations, President's Day (new city holiday), pandemic
 - ii. February, March, April are anniversary dates for staff (use or lose)
 - iii. Previously had a month after anniversary, but now must be by the employee's anniversary and there's only a two-week rollover
 - d. Pandemic
 - i. Mask mandate relaxed
 - ii. Campground indoor area opened
 - e. Increasing usage numbers
 - i. Increasing monthly, maybe no mask mandate helps
 - ii. 1,500 individuals in database to connect directly
 - iii. 64% of residents plus large number of non-residents
 - iv. Regenerating programming, more programming
 - f. Session Attendance
 - i. High attendance for aqua classes, swim classes, sports
 - ii. Tiffin came to Coralville and North Liberty but allowed to CCA schools
 - iii. Pee wee sports, before and after-school programs, dance, seniors
 - iv. Senior lunches rotate among local vendors
 - v. Land fitness not bouncing back as quickly as aquatics
 - g. Fields rent out to baseball and softball
 - i. 43 teams do a draft: takes about an hour, rented April to June
 - ii. Coralville had 70 teams show up
 - h. New sports equipment now in
 - i. Fall will have a new soccer program
 - i. 70/30 split: hybrid of rec / competitive option
 - ii. Practice on Monday-Thursday, with games on Saturdays
 - iii. Held at Penn Meadows
 - iv. Kindergarten through 6th grade
 - v. Will affect how much use will the field have
 - j. Parking lot extension for Penn Meadows
 - i. Not until after this budget (post-July)
 - ii. No lights
 - iii. Additional concrete cut and by the shelter
 - k. Easter Events returning post-COVID
 - i. April 9, Easter Egg Hunt
 - ii. April 10, Underwater egg in the indoor pool
 - iii. April 10, Egg coloring event
 - l. Summer Brochure (May-August programming)
 - i. Registration starts April 4 (residents), April 6 (non-residents)
 - ii. Publish March 21
 - iii. Previously was published through NoJoCo

- iv. Now primarily online with paper copies in the rec center
 - m. Feedback on previous events
 - i. Pond Lights
 - ii. Beat the Bitter
 - n. Community Vision: Connected to Tomorrow
 - i. Listening Post events and Community Survey
 - ii. Ideal to have a document with all shared ideas
 - iii. Encouragement to contribute to survey
 - iv. Sugar Bottom Bikes met with them 1 on 1
- 5. Motion to Adjourn: Gwen Johnson
 - a. Second: Kevin Stibal

Dashboard Summary; March 2022:

Home
Recent Registrations
Recent Reservations
Recent Memberships
Recent Members
CRM+

Time Period: Last 30 Days

Top 5 Programs - Registrations

Program	Registrations
BASP March PM	49
BASP April PM	46
Recsters Summer	43
Camp WK 7	41
Camp WK 8	38

Top 5 Programs - Revenue

Program	Revenue
BASP March PM	\$9,800
BASP April PM	\$9,400
Recsters Summer	\$8,200
Camp WK 7	\$7,800
Camp WK 8	\$7,500

Total Program Registrations 970

- In-house (In Person) 694
- Online 276

Total Receipts \$155,803.48

- RecDesk Credit Card \$144,126.65
- Cash \$7,549.83
- Check \$3,594.00
- Household Credit \$533.00

Refunds \$3,458.69

Invoices - Balance Due

- Open: \$83,579.86
- Overdue: \$6,526.11

Alerts & Notices

Membership Counts; March 2022:

☰ Summary By Month

	Mar, 2022
New Primaries	283
All New	372
Primary Renewals	138
All Renewals	186
Active Primaries	1917
All Active	2685

Organization Activity; March 2022:

Organization Activity

From 3/2/2022 to 4/1/2022

	Registrations	Reservations	Memberships	Check-Ins	Profiles Created	POS Transactions
All	896	97	570	6400	293	1409
Resident	693	62	407	4324	156	
Non-Resident	203	35	163	2076	137	
No Residency Set	0	0	0	0	0	
Demographics						
< 18	767	2	154	794	89	
18 - 65	49	93	346	3661	183	
65+	80	2	70	1945	21	
Male	489	48	319	3749	125	
Female	407	49	251	2651	168	
Other Genders	0	0	0	0	0	
Online vs In-House						
Online	273	0	46	N/A	190	
In-Person	623	97	524	N/A	103	

Revenue By Period - GL Account Summary

Start Date: **3/1/2022 12:00 AM** End Date: **3/31/2022 11:59 PM**

Payment Methods: **CA, CK, CC, IC, EC, CR**

User(s)/Cashier(s): **- All -**

Regular Revenue

		DEBITS									CREDITS	
<u>**Gross</u>	<u>**Net</u>	<u>Cash</u>	<u>Check</u>	<u>CC (Gross)</u>	<u>CC (Net)</u>	<u>ACH (Gross)</u>	<u>ACH (Net)</u>	<u>Internal CC</u>	<u>Acct Credit</u>	<u>Other</u>	<u>Refunds</u>	<u>Other</u>
000 - Household Credit Account												
-130.00	-130.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	480.25	0.00	-610.25
001-0000-4310-01 - Pool Rentals												
450.00	436.50	0.00	0.00	450.00	436.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00
001-0000-4310-02 - Community Center Rentals (Room Rental)												
1,880.83	1,826.60	263.33	0.00	1,807.50	1,753.27	0.00	0.00	0.00	0.00	0.00	-190.00	0.00
001-0000-4310-03 - Gymnasium Rentals												
3,040.00	2,959.30	0.00	350.00	2,690.00	2,609.30	0.00	0.00	0.00	0.00	0.00	0.00	0.00
001-0000-4310-04 - Shleter Rental												
55.00	53.35	15.00	0.00	55.00	53.35	0.00	0.00	0.00	0.00	0.00	-15.00	0.00
001-0000-4310-05 - Field Rentals/Tennis Courts												
436.25	429.16	0.00	200.00	236.25	229.16	0.00	0.00	0.00	0.00	0.00	0.00	0.00
001-0000-4500-10 - Weight Fees												
14,720.90	14,401.67	3,499.00	741.00	10,640.90	10,321.67	0.00	0.00	0.00	37.00	0.00	-197.00	0.00
001-0000-4500-11 - Class/Programs												
5,452.50	5,283.27	474.50	0.00	5,626.00	5,456.77	0.00	0.00	0.00	104.00	0.00	-752.00	0.00
001-0000-4500-13 - Before/After School												
88,192.50	85,611.88	1,356.00	1,965.00	86,020.25	83,439.63	0.00	0.00	0.00	46.25	0.00	-1,195.00	0.00
001-0000-4500-19 - Season Pool Pass												
3,469.16	3,360.54	2.00	0.00	3,620.50	3,511.88	0.00	0.00	0.00	0.00	0.00	-153.34	0.00

Revenue By Period - GL Account Summary

Start Date: **3/1/2022 12:00 AM** End Date: **3/31/2022 11:59 PM**

Payment Methods: **CA, CK, CC, IC, EC, CR**

User(s)/Cashier(s): **- All -**

001-0000-4500-20 - Daily Pool Fees													
2,390.00	2,352.77	1,154.00	0.00	1,241.00	1,203.77	0.00	0.00	0.00	0.00	0.00	0.00	-5.00	0.00
001-0000-4500-21 - Swim Lessons													
1,531.00	1,475.52	210.00	0.00	1,824.00	1,768.52	0.00	0.00	0.00	25.00	0.00	0.00	-528.00	0.00
001-0000-4500-22 - Aquatic Program/Classes													
1,993.15	1,952.70	679.00	0.00	1,334.00	1,293.55	0.00	0.00	0.00	74.00	0.00	0.00	-93.85	0.00
NONE - Unassigned													
-3.00	-3.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	-3.00	0.00
Split - Membership - Black & Gold													
3,517.50	3,416.04	0.00	338.00	3,382.00	3,280.54	0.00	0.00	0.00	324.00	0.00	0.00	-526.50	0.00
126,995.79	123,426.30	7,652.83	3,594.00	118,927.40	115,357.91	0.00	0.00	\$0.00	610.25	480.25		-3,658.69	-610.25

** Difference between GROSS and NET calculation is that NET uses CC (Net) value instead of CC (Gross) value

Sales Tax

		DEBITS									CREDITS	
<u>**Gross</u>	<u>**Net</u>	<u>Cash</u>	<u>Check</u>	<u>CC (Gross)</u>	<u>CC (Net)</u>	<u>ACH (Gross)</u>	<u>ACH (Net)</u>	<u>Internal CC</u>	<u>Acct Credit</u>	<u>Other</u>	<u>Refunds</u>	<u>Other</u>
		0.00	0.00	0.00	0.00	0.00	0.00	\$0.00	0.00	0.00		0.00

** Difference between GROSS and NET calculation is that NET uses CC (Net) value instead of CC (Gross) value



Planning Commission
April 5, 2022

Call to Order

Josey Bathke called the April 5, 2022 Planning Commission to order at 6:30 p.m. in the Council Chambers at 1 Quail Creek Circle. Commission members present: Barry A'Hearn, Josey Bathke, Jason Heisler, Patrick Staber, Brian Vincent, Dave Willer; absent: Becky Keogh.

Others present: Ryan Rusnak, Ryan Heiar, Tracey Mulcahey, Grant Lientz, Kevin Trom, Carter Kurdre and other interested parties.

Approval of the Agenda

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

Comprehensive Plan Future Land Use Amendment

Staff Presentation

Rusnak presented the request of the City of North Liberty to amend the Future Land Use Map on 25.64 acres, more or less, on property located on the east side of North Dubuque Street approximately 185' south of Scales Bend Road from Commercial and Industrial to Residential. One objection was received during the good neighbor process. Staff had two findings, 1. The Residential Land Use and residential development in this location would be more compatible with the surrounding area; and 2. The Residential Land Use in this location would achieve consistency with adopted Comprehensive Land Use Policies.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including the Comprehensive Plan Advisory Committee's direction.

Recommendation to the City Council

Heisler moved, Willer seconded that the Planning Commission accept the two listed findings and forward the Comprehensive Plan Amendment to the City Council with a recommendation for approval. The vote was: ayes – Heisler, Willer, Staber, A'Hearn, Vincent, Bathke; nays – none; absent – Keogh. Motion carried.

Daniel and Rhonda Bernacki Revocable Trust Public Hearing on Zoning Map Amendment

Staff Presentation

Rusnak presented the request of Daniel & Rhonda Bernacki Revocable Trust for a zoning map amendment (rezoning) on 25.64 acres, more or less, on property located on the east side of North Dubuque Street approximately 185' south of Scales Bend Road from C-2-A Highway Commercial District and I-1 Light Industrial District to RS-6 Single-Unit Residence District (19.73 acres) and RM-

12 PAD Multi-Unit Residence District Planned Area Development (5.91 acres). Two good neighbor meetings were held. Twenty-five to thirty people attended. Rusnak summarized the concerns presented. One objection was received. Staff has one finding, the proposed zonings would achieve consistency with Section 165.09 of the Zoning Ordinance if the Comprehensive Plan Future Land Use Plan Map is amended to Residential.

Applicant Presentation

Brad Cummins & Dan Bernacki were 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 the distance of the separation of the drives on Dubuque Street, preliminary application, two access requirement, traffic studies, intersection of Penn Street and Dubuque Street, pedestrian traffic increase, industrial traffic versus residential traffic, appreciation for walk through concerns, and a trail on the north side.

Recommendation to the City Council

Willer moved, Heisler seconded that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with a recommendation for approval. The vote was: ayes – Willer, A'Hearn, Staber, Bathke, Vincent, Heisler; nays – none; absent – Keogh. Motion carried.

Archie's Brake and Lube Site Plan

Staff Presentation

Rusnak presented the request of Archie's Rent A Ride, LLC to approve a Site Plan for a minor vehicle repair facility and related site improvements on approximately 1.5 acres of property located at 1040 Liberty Way. Staff findings include:

1. The minor vehicle repair use of the property would be consistent with the current C-2-A District and the Comprehensive Plan Future Land Use Map designation of Commercial; and
2. The site plan would achieve consistency with the North Liberty Code of Ordinances Section 165.05(2) entitled, "Preliminary Site Plan Review" and Section 169.10 entitled "Design Standards" and other Code of Ordinance requirements.

Applicant Presentation

Adrienne Bricker, Axiom 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 had no questions or comments on the application.

Recommendation to the City Council

Heisler moved, Willer seconded that the Planning Commission accept the two listed findings and forward the site plan to the City Council with a recommendation for approval. The vote was: ayes – Bathke, Staber, Willer, Heisler, A'Hearn, Vincent; nays – none; absent – Keogh. Motion carried.

Forevergreen Estates Preliminary Subdivision Plat

Staff Presentation

Rusnak presented the request of Bowman Property, LLC to approve a Preliminary Subdivision Plat for a 129-lot subdivision on 109.46 acres, more or less, on property located at the northeast corner of West Forevergreen Road and South Kansas Avenue. Neighborhood meeting was attended by immediate neighbors. Staff recommends approval with two findings:

1. The preliminary plat, which proposes residential and commercial development, would achieve consistency with the Future Land Use designations, which are Residential, Commercial and Residential with Commercial. If approved, staff will initiate a Land Use amendment for the portion of the property designated Commercial with Residential so that the Land Use Map reflects entirely residential development.
2. The preliminary plat, with conditions recommended by City staff, would achieve consistency with Section 180.11(3)(A) and 180.12 of the North Liberty Code of Ordinances, which sets forth the preliminary subdivision plat submittal requirements and design standards, respectively;

and the following conditions:

1. That the 10' landscape easement and the sanitary sewer force main easement be left unobstructed by fences (other than the fence along the north perimeter property line) and that the homeowners' association be responsible for maintenance of the area within the landscape easement and the south side of the north perimeter fence and that said maintenance responsibilities be articulated in a recorded landscape easement at the time of final plat; and
2. That the preliminary plat be revised to include the restriction that Lot 124 shall have no direct access to South Kansas Avenue.

Applicant Presentation

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

Public Comments

Bev Seelman offered comments on the application and provided information on their family farm. She expressed concerns on the buffer, the fence, tile lines, Outlot A, water drainage, proposed open space, density along fence line, Ruth Avenue connection to their property, grade along fence line being raised, streetlights on Remley, potential of a traffic light at Remley, visibility with rise in street on Remley, the corner of their property which still has issues from the Kansas Avenue project, vacation of the existing access easement, vacation of the permanent drainage easement, plans for Outlot B & Outlot C, view of rooftops and yards, maintenance of Outlot A, hydrants on Rarick property, cookie cutter subdivision, setback from fence for sheds, and water being pushed on their property.

Questions and Comments

The Commission discussed the application including requesting that staff respond to Seelman's concerns. Staff reported on Council's change to the zoning, the area along north property line with the sanitary sewer force main and at least 10 foot landscape easement, that many of the concerns will be addressed at the construction plan evaluations, that easements have to be left unobstructed, the fence line will be maintained by HOA, sheds will not be allowed in the easement

adjacent to the fence, streetlights are a code requirement, stormwater updates, the stub street, roundabout vs. traffic signal, vacated easements, and how maintenance will be managed. Adjacent property owners will be able to express concerns at upcoming City Council meeting. Staff will share construction plans with neighbors for help with water, easement and outlot concerns. The Commission discussed how the HOA will function, phasing of the subdivision, and the functionality of storm water ponds.

Recommendation to the City Council

Heisler moved, Staber seconded that the Planning Commission accept the two listed findings and forward the Preliminary Plat to the City Council with a recommendation for approval subject to the two conditions listed by City staff. The vote was: ayes – Willer, Heisler, A’Hearn, Vincent, Bathke, Staber; nays – none; absent – Keogh. Motion carried.

Solomon Landings Preliminary Subdivision Plat

Staff Presentation

Rusnak presented the request of Solomon Holdings, LLC to approve a Preliminary Subdivision Plat for a 118-lot subdivision on 76.97 acres, more or less, on property located on the north side of West Penn Street west of the North Jones Boulevard as extended northerly from West Penn Street to 240th Street. Good neighbor meeting was well attended, but mostly was curiosity. Staff recommends approval with acceptance of the two following findings:

1. The preliminary plat, which proposes commercial and residential development, would be consistent with the Comprehensive Plan Future Land Use Map designation, which are Commercial and Residential, respectively; and
2. The preliminary plat, with conditions recommended by City staff, would achieve consistency with Section 180.11(3)(A) and 180.12 of the North Liberty Code of Ordinances, which sets forth the preliminary subdivision plat submittal requirements and design standards, respectively;

and subject to the following conditions:

1. That the traffic study be updated to incorporate review comments by Johnson County Metropolitan Planning Organization.
2. That the right-of-way for Saratoga Place be dedicated to the City of North Liberty and roadway and infrastructure improvements constructed thereon by the owner, and accepted by the City prior to the issuance of building permits for Lots 116, 117 and 118 if the type of development warrants the additional access in the sole discretion of the City. The City may require an additional traffic study to determine whether the additional access is warranted; and
3. That the right-of-way for Saratoga Place be dedicated to the City of North Liberty, roadway and infrastructure improvements constructed thereon and the traffic signal adjacent to Saratoga Place shall be installed by the owner and accepted by the City prior to the issuance of building permits for Lots 114. All of the aforementioned improvements may be required if the type of development on Lots 116, 117 and 118 warrants the improvements, in the sole discretion of the City. The City reserves the right to require a traffic study to determine whether any or all of the improvements are warranted.

Applicant Presentation

Brandon Pratt, the applicant, was present and offered additional information on the application.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including the site plan application next on the agenda, the location of the proposed road connection to 240th, whether lot 115 should that be included in recommendations, and the phasing of the development.

Recommendation to the City Council

Willer moved, A'Hearn seconded that the Planning Commission accept the two listed conditions and forward the Preliminary Plat to the City Council with a recommendation for approval subject to the conditions recommended by City staff. The vote was: ayes – Willer, Staber, Vincent, A'Hearn, Bathke, Heisler; nays – none; absent – Keogh. Motion carried.

The Emory at North Liberty Site Plan

Staff Presentation

Rusnak presented the request of Insite Construction to approve a Site Plan for 352 multi-unit residences in eight buildings and related recreational amenities and site improvements on approximately 25.11 acres of property located on the west side of North Jones Boulevard as extended northerly from West Penn Street to 240th Street. Staff recommends acceptance of the following findings:

1. The multi-unit residence use of the property would be consistent with the current RM-21 District and the Comprehensive Plan Future Land Use Map designation of Residential; and
2. The site plan would achieve consistency with North Liberty Code of Ordinances Section 165.05(2) entitled, "Preliminary Site Plan Review," Section 168.07(26)(B) and Section 169.10 entitled "Design Standards" and other Code of Ordinance requirements;

and the following condition,

1. The conflict with the northernmost driveway entrance in conflict and the North Jones Boulevard storm intake be addressed during design on the construction site plan approval.

Applicant Presentation

Brent Haverkamp, developer/owner/manager of the site, was present and offered additional information.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including the parking garage locations, that this is the first development of this kind in North Liberty, central location to community amenities, areas of character with connections, higher end development, aging population concerns, samples of other properties in the state of Iowa, ratio of parking spaces per apartment, apartment v. condo, adequacy of parking spaces, central maintenance shop, single trash enclosure, and walkways between the buildings and connections to public streets.

Recommendation to the City Council

A'Hearn moved, Willer seconded that the Planning Commission accept the two listed findings and forward the site plan to the City Council with a recommendation for approval with the one condition recommended by City staff. The vote was: ayes – Bathke, Heisler, Staber, Vincent, Willer, A'Hearn; nays – none; absent – Keogh. Motion carried.

Public Hearing for Zoning Code Amendment

Staff Presentation

Rusnak presented the request of the City of North Liberty for an Ordinance for an Ordinance amending Section 167.01 regarding the definition of “Masonry, Required” and Section 168.07 regarding use standards for garages attached to dwellings and scrivener errors in use standards for vehicle dealerships. Staff recommends approval with one listed finding:

1. The proposed Ordinance would revise oversights in the recently adopted Zoning Ordinance Amendment.

Public Comments

No public comments were offered.

Questions and Comments

The Commission had no questions or comments on the application.

Recommendation to the City Council

Heisler moved, A’Hearn seconded that the Planning Commission accept the listed finding and forward the Ordinance amendment to the City Council with a recommendation for approval. The vote was: ayes – Staber, Bathke, A’Hearn, Heisler, Vincent, Willer; nays – none; absent – Keogh. Motion carried.

Approval of Previous Minutes

Staber moved, Willer seconded to approve the minutes of the March 1, 2022 meeting. The vote was all ayes. Minutes approved.

Old Business

No old business was presented.

New Business

No new business was presented.

Adjournment

At 8:05 p.m., A’Hearn moved, Staber seconded to adjourn. The vote was all ayes. Meeting adjourned.

Signed:

Tracey Mulcahey, City Clerk