



**North Liberty City Council
Regular Session
August 9, 2022**



City Administrator Memo



To **Mayor and City Council**
 From **Ryan Heiar, City Administrator**
 Date **August 5, 2022**
 Re **City Council Agenda August 9, 2022**

Consent Agenda

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

- City Council Minutes (07/26/22)
- Claims
- Liquor Licenses
 - Micky’s Irish Pub (new)
 - Liberty View Wine & Spirits (renewal)
 - Tin Roost (renewal)
- Change Order #1, Jones Boulevard Improvements Project, Schrader Excavating and Grading, \$50,811.42*
- Pay Application #3, Jones Boulevard Improvements Project, Schrader Excavating and Grading, \$170,196.23
- Pay Application #19, Ranshaw Way Phase 5 Improvements, Peterson Contractors, Inc., \$15,288.92

**\$25,035.42 of Change Order #1 will be reimbursed by the developer of Solomon’s Landing through the developer’s agreement, which is anticipated to be on the 8/23 agenda*

Meetings & Events

Tuesday, Aug 9 at 6:30p.m.
City Council

Monday, Aug 15 at 7:00p.m.
Library Board

Tuesday, Aug 23 at 6:30p.m.
City Council

North Central Junior High Site Plan

This site plan proposes a 26,110 square foot addition and an off-street parking addition/reconfiguration at North Central Junior High. The improvements are to accommodate the addition of the 6th grade class to the school. The building additions would match the existing design of the school, which is primarily masonry. The reconfigured parking lot would add 30 parking spaces to the current total and provide a separated drop-off/pick-up area for the 6th grade wing. The Planning Commission unanimously recommended approval of the site plan at its August 2 meeting. Staff also recommends approval.

Forevergreen Estates, Part One Developers Agreement

The developer for Forevergreen Estates is eager to begin construction of public improvements and this agreement will allow them to proceed. In addition to defining the responsibilities of the City and developer, this agreement also requires the developer to pay approximately \$385k for infrastructure improvements already in the ground, the bulk

of which will benefit the SW Growth Utility Project. Staff recommends approval of the agreement with developer, Bowman Property, LLC.

Forevergreen Estates, Lot 25 Site Plan

This site plan – east of South Kansas Avenue and north of West Forevergreen Road – proposes 62 townhouses and related site improvements. The development would be within the Forevergreen Estates Subdivision, which is about to commence installation of public infrastructure. The internal street would be private, and the site would be landscaped in accordance with updated standards. The Planning Commission unanimously recommended approval of the site plan at its August 2 meeting. Staff recommends approval as well.

Greenbelt Trail Parking

Greenbelt Trail – Part 2 subdivision improvements have been completed and accepted by the City. The construction plans include no on-street parking signs on one side of Berkshire Lane and Osage Lane, as is typical with all new subdivisions. This would only be for the new section of Berkshire Lane, not the existing section in the Arlington Ridge subdivision. The City code requires that this restriction be established by resolution of the City Council. Staff recommends approval of the parking restriction.

MLDC, Inc. Rezoning, Second Reading

The second reading of this ordinance is consistent with the City Council's revisions at the July 26 Council meeting, eliminating the RS-9 Single-Unit Residence District on 2.29 acres and keeping the RD-10 Two-Unit Residence District on 7.06 acres. Staff recommends approval of the second reading of this ordinance.

CMW Properties Rezoning, Second Reading

CMW Properties, LLC is requesting a zoning map amendment from ID Interim Development District to C-3 Higher-Intensity Commercial District on approximately 6.76 acres– southeast corner of South Dubuque Street and North Liberty Road – to facilitate a horizontal mixed-use development, which means a mixture of residential and commercial development in separate buildings. Considering the properties are located at the intersection of major arterial road (North Liberty Road) and minor arterial road (South Dubuque Street), it is staff's opinion that this is an appropriate location for a higher-intensity commercial district. A good neighbor meeting was held on June 15 and no one outside of City staff and the applicant attended. The Planning Commission unanimously recommended approval of the rezoning at its July 5 meeting. Staff recommends approval as well.

Scanlon Rezoning, Second Reading

Scanlon Family, LLC and Trustees of Penn Township are requesting a zoning map amendment from ID Interim Development District to RS-4 Single-Unit Residence District on 36.32 acres – southeast corner of North Liberty Road and Oak Lane NE – to facilitate development of up to 37 residential lots. The Scanlon Family, LLC has been working with Penn Township about developing in a sensitive manner around the existing cemetery. A good neighbor meeting was held on June 15 and there were objections expressed about stormwater runoff and the use of Oak Lane NE, which would remain a private street in unincorporated Johnson County. These are technical issues related to the actual development of the property. Notably, the Planning Commission tabled the Preliminary Plat request at its July 5 and August 2 meetings to provide the developer additional time to work with the Fjords North HOA to resolve these issues. Staff is unaware of any objection to the proposed RS-4 zoning. The Planning Commission unanimously recommended approval of the rezoning at its July 5 meeting. Staff also recommends approval.

ITC Midwest Franchise Agreement Ordinance, Second Reading

ITC has taken over ownership of Alliant Energy's transmission lines and is seeking a franchise with the City of North Liberty. The franchise agreement as proposed is for a ten-year term, which automatically renews for an additional ten years unless the City opts not to renew the franchise at least six months prior to the end of the initial term. It allows ITC to manage its existing equipment in town, and to notify and work with the City to avoid damage to any landscaping during that maintenance. Most importantly, the agreement requires City Council approval prior to the installation of any new lines. There is no franchise fee associated with this agreement, as transmission lines do not directly serve individual residences, but rather supply power to the substations which do. Staff recommends approval.

Zoning Ordinance Update, Second 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 the inadvertent exclusion of the use "Building Trades and Services", clarifying requirements in the construction plan review process and clarifying landscaping requirements. Staff has also taken the opportunity to rewrite the trash enclosure regulations after it was discovered that the legacy ordinance did not actually articulate that dumpsters had to be located within an enclosure. Trash enclosure

regulations would apply retroactively to June 27, 2000, which was when they were first required. The Planning Commission unanimously recommended approval of the Ordinance at its July 5 meeting. Staff recommends approval as well.



Agenda



City Council

August 9, 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, July 26, 2022
 - B. Claims
 - C. Liquor License Application, Micky's Irish Pub
 - D. Liquor License Renewal, Liberty View Wine & Spirits
 - E. Liquor License Renewal, Tin Roost
 - F. Jones Boulevard Improvements Project, Change Order Number 1, Schrader Excavating and Grading, \$50,811.42
 - G. Jones Boulevard Improvements Project, Pay Application Number 3, Schrader Excavating and Grading, \$170,196.23
 - H. Ranshaw Way Phase 5 Improvements, Pay Application Number 19, Peterson Contractors, Inc., \$15,288.92
5. Public Comment
6. City Administrator Report
7. Mayor Report
8. Council Reports
9. North Central Junior High School
 - A. Resolution Number 2022- 85, A Resolution approving the Development Site Plan for 180 East Forevergreen Road, North Liberty, Iowa
10. Forevergreen Estates Part One
 - A. Resolution Number 2022-86, A Resolution approving the Developer's Agreement for Forevergreen Estates Part One, North Liberty, Iowa

11. Forevergreen Estates Lot 25
 - A. Resolution Number 2022-87, A Resolution approving the Development Site Plan for Lot 25, Forevergreen Estates, North Liberty, Iowa

12. Greenbelt Trail Parking
 - A. Resolution Number 2022-88, A Resolution approving Parking Control Devices in the City of North Liberty, Iowa

13. Mickelson Rezoning
 - A. Second consideration of Ordinance Number 2022-16, An Ordinance amending the Zoning Map District Designation for property located in North Liberty, Iowa from the RS-6 Single-Unit Residence District to those set forth in the Municipal Code for the RD-10 Two-Unit Residence District

14. CMW Properties Rezoning
 - A. Second consideration of Ordinance Number 2022-17, An Ordinance amending the Zoning Map District Designation for certain property located in North Liberty, Iowa from the ID-Interim Development District to the C-3 Higher-Intensity Commercial District

15. Scanlon and Trustees of Penn Township Rezoning
 - A. Second consideration of Ordinance Number 2022-18, An Ordinance amending the Zoning Map District Designation for certain property located in North Liberty, Iowa from the ID-Interim Development District to the RS-4 Single-Unit Residence District

16. ITC Midwest Franchise
 - A. Second consideration of Ordinance Number 2022-19, An Ordinance granting to ITC Midwest LLC, a wholly owned subsidiary of ITC Holdings Corp., its successors and assigns (The "Company"), the right and franchise to acquire, construct, reconstruct, erect, maintain, operate and remove in the City of North Liberty, Johnson County, Iowa, a transmission system for electric Power and Energy and the right to erect and maintain the necessary poles, lines, wires, conduits and other appliances, equipment and substations for the transmission of electric current and telecommunications along, under and upon the streets, avenues, alleys and public places in the City of North Liberty, Johnson County, Iowa, for the period of ten (10) years; and granting the right of eminent domain

17. Zoning Ordinance Amendment
 - A. Second consideration of Ordinance Number 2022-20, An Ordinance amending Chapters 165, 168, 169, and 180 of the North Liberty Code of

Ordinances regarding the Construction Plan Approval Process and Standards, Surface and Subsurface Drainage Requirements, Restoring Building Trades and Services to Use Matrix and adding and relocating certain uses within the Use Matrix, clarifying Landscaping Plan Requirements and amending Dumpster Enclosure Requirements

18. Old Business

19. New Business

20. Adjournment



Consent Agenda



City Council
July 26, 2022
Regular Session

Call to order

Mayor Chris Hoffman called the July 26, 2022, Regular Session of the North Liberty City Council to order at 6:30 p.m. Councilors present: Ashley Bermel, RaQuishia Harrington, Erek Sittig, Brian Wayson; absent: Brent Smith.

Others present: Ryan Heiar, Grant Lientz, Ryan Rusnak, Kevin Trom, Mary Byers, Tionna Pooler, Molly Parker, Harold Cameron, Brad Cummings, Jon Marner, Guy Goldsmith and other interested parties.

Approval of the Agenda

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

Consent Agenda

Harrington moved, seconded by Wayson to approve the Consent Agenda including the City Council Minutes, Regular Session, July 12, 2022; Claims; Liquor License Renewal, Smokin' Joes; Liquor License Renewal, Casey's #2788; Dubuque Street Phase 1 Project, Pay Application Number 4, All American Concrete, Inc., \$228,082.75; Ranshaw Way Phase 5 Project, Change Order Number 12, Peterson Contractors, Inc., \$2,909.50; Ranshaw Way Phase 5 Project, Pay Application Number 18, Peterson Contractors, Inc., \$210,885.28. The vote was all ayes. Consent agenda approved.

Public Comment

No public comment was offered.

City Engineer Report

City Engineer Trom reported on the progress of the Dubuque Street Phase 1 Project. Trom reported that the Plans and Specifications to be released for the City Hall Project on August 2, the prebid meeting is August 16, the Public Hearing is August 23, the Bid Opening is August 30 and bids will be considered by Council on September 13. Trom updated the Council on the Centennial Park concept plan for the event structure and splash pad.

City Administrator Report

Ryan Heiar report that the International City Managers Association has recognize North Liberty's Ambassadors program and the city will receive a Community Partnership Award in September.

Mayor Report

Hoffman thanked Mayor Pro Tem, Brian Wayson for filling in for him at the July 12, 2022, Council meeting. Hoffman thanked South Slope Cooperative for completing their project of getting fiber optic lines to all North Liberty homes.

Council Reports

Harrington, Sittig, and Bermel attended a joint Council meeting with Iowa City, Coralville and North Liberty. Wayson attended the MPO meeting this month. Sittig congratulated all the North Liberty kids that had participated at the Johnson County Fair.

Solomon's Landing

Sittig moved, seconded by Wayson to approve Resolution Number 2022-66, A Resolution modifying conditions for the Preliminary Plat for Solomon's Landing, North Liberty, Iowa. After discussion, the vote was: ayes--Bermel, Harrington, Sittig, Wayson; nays--none; absent--Smith.

2022A Bond Sale

Tionna Pooler, Independent Public Advisors, reviewed the results with the Council on the bond sale and recommended awarding the bid to Robert W Baird.

Harrington moved, seconded by Wayson to approve Resolution Number 2022-77, A Resolution authorizing and approving a Loan Agreement, providing for the sale and issuance of General Obligation Corporate Purpose Bonds, Series 2022A, and providing for the levy of taxes to pay the same. The vote was: ayes--Harrington, Sittig, Wayson, Bermel; nays--none; absent--Smith. Motion carried.

West Side Fire Station Project

The public hearing regarding proposed West Side Fire Station Project was opened at 6:45p.m. Harold Cameron, the owner of the proposed site, challenged City Staff on selecting his property of approximately four acres. The public hearing was closed at 7:10 p.m.

Harrington moved, seconded by Wayson, to approve Resolution Number 2022-78, A Resolution of Approval to Proceed with a Public Improvement, the West Side Fire Station Project. After discussion, the vote was: ayes--Sittig, Bermel, Harrington, Wayson; nays--none; absent--Smith. Motion carried.

North Side Park

The public Hearing regarding proposed North Side Community Park Project was opened was opened at 7:10 pm. Molly Parker, Shuttleworth and Ingersoll, P.L.C, addressed the Council on the proposed site of the park and asked the Council to consider tabling this item for two month. Parker represents two of the members of the entity which owns of the property, but not the entity itself. Parker stated they would like to talk to the city informally about the location and the significant commercial potential of this property located near Ranshaw Way. The public hearing was closed at 7:20 p.m.

Sittig moved, seconded by Harrington to approve Resolution Number 2022-79, A Resolution of Approval to Proceed with a Public Improvement, the North Side Community Park Project. After discussion, the vote was: ayes--Wayson, Bermel, Sittig, Harrington; nays--none; absent--Smith. Motion carried.

Employee Handbook

Harrington moved, seconded by Sittig to approve Resolution Number 2022-80, A Resolution approving the Updated Employee Handbook. The vote was: ayes-- Bermel, Wayson, Harrington, Sittig; nays--none; absent--Smith. Motion carried.

DOT Drug and Alcohol Policy

Wayson moved, seconded by Bermel to approve Resolution Number 2022-81, A Resolution approving the DOT Drug and Alcohol Policy. The vote was: ayes --Sittig, Wayson, Bermel, Harrington; nays--none; absent--Smith. Motion carried.

Surplus Property Disposal Policy

Harrington moved, seconded by Sittig to approve Resolution Number 2022-82, A Resolution Approving the Surplus Property Disposal Policy. The vote was: ayes--Harrington, Sittig, Bermel, Wayson; nays--none; absent--Smith. Motion carried.

Assessment Resolution

Harrington moved, seconded by Wayson, to approve Resolution Number 2022-83, A Resolution assessing delinquent amounts owed to the City of North Liberty, Iowa to individual property taxes. The vote was: ayes--Wayson, Harrington, Sittig, Bermel; nays--none; absent--Smith. Motion carried.

Buck Moon Preliminary Plat

Rusnak presented the Preliminary Plat to the Council. Staff and the Planning Commission recommend approval.

Brad Cummins was available for questions on behalf of the applicant.

Wayson moved, seconded by Harrington to approve Resolution Number 2022-84, A Resolution approving the Preliminary Plat for Buck Moon Villas, North Liberty, Iowa. The vote was: ayes--Bermel, Wayson, Harrington, Sittig; nays--none; absent--Smith. Motion carried.

Mickelson Rezoning

The public hearing regarding proposed rezoning application was opened at 7:40 p.m. No oral comments were received at the Council Meeting. Eight written complaints were received by City Staff. The public hearing was closed.

Rusnak presented the request with the RS-9 proposed zone which is a higher density zone. Staff has been seeing denser development requests due to the increase in construction costs and interest rates. A good neighbor meeting was held on May 12 and there were objections expressed

at the meeting. The objections pertained to wanting the RS-6 zoned in this area to maintain a homogeneous neighborhood and have concerns of increase traffic due to the additional home sites that the RS-9 would allow. The Planning Commission recommended approval with one Commissioner voting no due to the inclusion of two-unit homes lots.

Jon Marner, MMS Consultants, addressed the Council on the RS-9 rezoning request and agreed with the comments from City Planner Rusnak.

Wayson moved, seconded by Bermel to amend the First consideration of Ordinance Number 2022-16, An Ordinance amending Chapter 167 of the North Liberty Code of Ordinances by amending use regulations on property located in North Liberty, Iowa to those set forth in the Municipal Code to remove the proposed RS-9 Single-Unit Residence District. The vote was—ayes—Bermel, Wayson, Harrington; nays—Sittig; absent—Smith. Motion carried.

Wayson moved, seconded by Bermel to approve the First consideration of Ordinance Number 2022-16, as amended, An Ordinance amending Chapter 167 of the North Liberty Code of Ordinances by amending use regulation of the property located in North Liberty, Iowa to those set forth in the Municipal Code for the RS-6 Single-Unit Residence District and RD-10 Two-Unit Residential District. The vote was- ayes—Bermel, Wayson, Harrington; nays—Sittig; absent—Smith. Motion carried.

CMW Properties Rezoning

The public hearing regarding the proposed rezoning application was open at 7:55 p.m. There were no oral or written comments received. The public hearing was closed.

Rusnak presented the information on the rezoning and the staff and Commission recommendations. A Good Neighbor Meeting was held on June 15 and no one outside City Staff and the applicant attended. The Planning Commission recommended approval.

Mike Welch, Welsh Design and Development, was available for questions from the Council.

Wayson moved, seconded by Bermel to approve the first consideration of Ordinance Number 2022-17, An Ordinance amending Chapter 167 of the North Liberty Code of Ordinances by amending the use regulations on property located in North Liberty, Iowa to those set forth in North Liberty, Iowa to those set forth in the Municipal Code for the C-3 Higher-Intensity Commercial District. The vote was: ayes--Sittig, Wayson, Harrington, Bermel; nays—none; absent—Smith. Motion carried.

Scanlon and Trustees of Penn Township Rezoning

The public hearing regarding proposed rezoning application was opened at 7:55 p.m. There were no oral or written comments received. The public hearing was closed.

Rusnak presented the information on the rezoning and the staff and Commission recommendations. A Good Neighbor Meeting was held on June 15 and there were objections

expressed about the stormwater runoff and the use of Oak Lane NE, which would remain a private street in unincorporated Johnson County. Planning Commission recommended approval of the rezoning.

Harrington moved, seconded by Sittig to approve the First consideration of Ordinance Number 2022-18, An Ordinance amending Chapter 167 of the North Liberty Code of Ordinances by amending the use regulations on property located in North Liberty, Iowa to those set forth in the Municipal Code for the RS-4 Single-Unit Residence District. The vote was: ayes--Wayson, Bermel, Harrington, Sittig; nays--none; absent--Smith. Motion carried.

ITC Midwest Franchise

The public hearing regarding proposed franchise with ITC Midwest was opened at 8:00 p.m. There were no oral or written comments received. The public hearing was closed.

Harrington moved, seconded by Sittig, to approve the first consideration of Ordinance Number 2022-19, An Ordinance granting to ITC Midwest LLC, a wholly owned subsidiary of ITF Holdings Corp., its successors and assigns (The "Company"), the right and franchise to acquire, construct, reconstruct, erect, maintain, operate and remove in the City of North Liberty, Johnson County, Iowa, a transmission system for electric Power and Energy and the right to erect and maintain the necessary poles, lines, wires, conduits and other appliances, equipment and substations for the transmission of electric current and telecommunications along, under and upon the streets, avenues, alleys and public places in the City of North Liberty, Johnson County, Iowa, for the period of ten (10) years; and granting the right of eminent domain. The vote was: ayes--Harrington, Wayson, Sittig, Bermel; nays--none; absent--Smith. Motion carried.

Zoning Ordinance Amendment

The public hearing regarding proposed ordinance amendments was opened at 8:05 p.m. There were no oral or written comments received. The public hearing was closed.

Harrington moved, seconded by Wayson, to approve the first consideration of Ordinance Number 2022-20, An Ordinance amending Chapters 165, 168, 169, and 180 of the North Liberty Code of Ordinances regarding the Construction Plan Approval Process and Standards, Surface and Subsurface Drainage Requirements, Restoring Building Trades and Services to Use Matrix and adding and relocating certain uses within the Use Matrix, clarifying Landscaping Plan Requirements and amending Dumpster Enclosure Requirements. The vote was: ayes--Bermel, Harrington, Wayson, Sittig; nays--none; absent--Smith. Motion carried.

Park Speed Limits

Harrington moved, seconded by Sittig, to approve the Third consideration and adoption of Ordinance Number 2022-13, An Ordinance amending the Traffic Speed Regulations for Parks, Cemeteries and Parking Lots. The vote was: Wayson, Sittig, Harrington, Bermel; nays--none; absent--Smith. Motion carried.

Closed Session

At 8:07 p.m. Sittig moved, and Wayson seconded, to enter in to Proposed Closed Session according to Iowa Code Section 21.5(1)(j) To discuss the purchase of real estate where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property. The vote was: ayes–Wayson, Sittig, Harrington, Bermel; nays–none; absent–Smith. Motion carried.

At 8:25 pm Sittig moved, seconded by Harrington to return to open session. The vote was–ayes–Wayson, Sittig, Harrington, Bermel; nays–none; absent–Smith. Motion carried.

Old Business

No old business was offered.

New Business

No new business was offered.

Adjournment

Bermel moved, seconded by Sittig, to adjourn at 8:30 p.m. The vote was all ayes. Meeting was adjourned.

CITY OF NORTH LIBERTY

By: _____
Chris Hoffman, Mayor

Attest: _____
Mary Byers, Deputy Clerk



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
UTAH GET ME TWO LLC	Micky's Irish Pub North Liberty	(319) 338-6860		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
720 Pacha ParkwayPenn	#8	North Liberty	Johnson	52317
MAILING ADDRESS	CITY	STATE	ZIP	
11 South Dubuque Street	Iowa City	Iowa	52240	

Contact Person

NAME	PHONE	EMAIL
David Stein	(303) 815-3557	david@mickysirishpub.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
	Class C Liquor License	12 Month	Submitted to Local Authority

EFFECTIVE DATE	EXPIRATION DATE	LAST DAY OF BUSINESS
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SUB-PERMITS

Class C Liquor License

PRIVILEGES

Outdoor Service, Sunday Service



Status of Business

BUSINESS TYPE

Limited Liability Company

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
SARAH ANDERSON	Iowa City	Iowa	52240	CO OWNER	22.00	Yes
David Stein	Iowa City	Iowa	52240	CO OWNER	39.00	Yes
Aaron Jennings	Iowa City	Iowa	52240	CO OWNER	39.00	Yes

Insurance Company Information

INSURANCE COMPANY

Society Insurance

POLICY EFFECTIVE DATE

July 7, 2022

POLICY EXPIRATION DATE

July 7, 2023

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

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

June 27, 2022

Liquor License Check

Business: Mickey's Irish Pub
720 Pacha Pkwy Ste 8
North Liberty, IA 52317

Owners:	Sarah Anderson	(DOB: 1990)
	Aaron Jennings	(DOB: 1978)
	David Stein	(DOB: 1978)

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): Mickey's Irish Pub

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 Laeina

Title: Env. Health Spec. II **Date:** 6/27/22

Signature: 

North Liberty Fire Department



Occupancy: **Micky's Irish Pub**
Occupancy ID: **ROAD01**
Address: **720 Pacha PKY Apt/Suite #7/8**
North Liberty IA 52317

Inspection Type: **Liquor License Inspection**

Inspection Date: **8/1/2022** By: **Hardin, Bryan E (01-1022)**

Time In: **11:00** Time Out: **12:05**

Authorized Date: **08/01/2022** By: **Hardin, Bryan E (01-1022)**

Next Inspection Date: **08/31/2022 Reinspection**

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:

Site

Address Posted & Visible

505.1 Address identification. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. From 100-199 ft from the street the number shall be a minimum of 6 inches high with a minimum stroke of 0.5 inches. From 200-299 ft from the street the number shall be a minimum of 8 inches high with a minimum stroke of 0.5 inches. For each additional 100 ft from the street, the number shall increase by an additional 2 inches in height. Measurements to determine the minimum number size shall be measured from the approved address location to the center line of the street for which the premises is addressed. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure.

Status: FAIL

Notes: Suite number needed on back door



Assembly Occupancies

Occupant Load Posted

1004.3 Posting of occupant load. Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent. Approved occupant load signs can be obtained from the North Liberty Building Department (319-626-5713).

Status: FAIL

Notes: Post occupant load near main entrance.

Fire Extinguishers

Fire Extinguisher Annual Inspection - Current Inspection Tag

901.6.1 Standards. Fire detection, alarm, and extinguishing systems, mechanical smoke exhaust systems, and smoke and heat vents shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Non-required fire protection systems and equipment shall be inspected, tested and maintained or removed. Fire Alarm System, Fire Sprinkler System and Fire Extinguishers are required to be inspected annually.

Status: FAIL

Notes: Fire extinguishers are past due for annual inspection.



Fire Extinguisher Monthly Inspection - Initial & Date Tag

NFPA 10: Standard for Portable Fire Extinguishers, 2013 Edition, Section 7.2.1.2 Fire extinguishers and Class D extinguishing agents shall be visually inspected at intervals not exceeding 31 days. Documentation of the visual inspection shall be recorded on the backside of the inspection tag (Date & Initials) or on a log book.

Status: FAIL

Notes: Once fire extinguishers have had their annual inspection, complete monthly check and date/initial back of tag.



Emergency Lights & Exit Signs

Emergency Lighting - Illumination

1008.3.4 Duration. The emergency power system shall provide power for a duration of not less than 90 minutes and shall consist of storage batteries, unit equipment or an on-site generator.

Status: FAIL

Notes: Due to mounting height, not all emergency lights and exit sign were checked during the inspection. Check all emergency lights and exit signs via test button. Replace batteries if they do not illuminate.

Exit Signs - Illumination

1013.3 Illumination. Exit signs shall be internally or externally illuminated. 1013.5 Internally illuminated exit signs. Electrically powered, self-luminous and photoluminescent exit signs shall be listed and labeled in accordance with UL 924 and shall be installed in accordance with the manufacturer's instructions and Section 604. Exit signs shall be illuminated at all times.

Status: FAIL

Notes: Due to mounting height, not all emergency lights and exit sign were checked during the inspection. Check all emergency lights and exit signs via test button. Replace batteries if they do not illuminate.



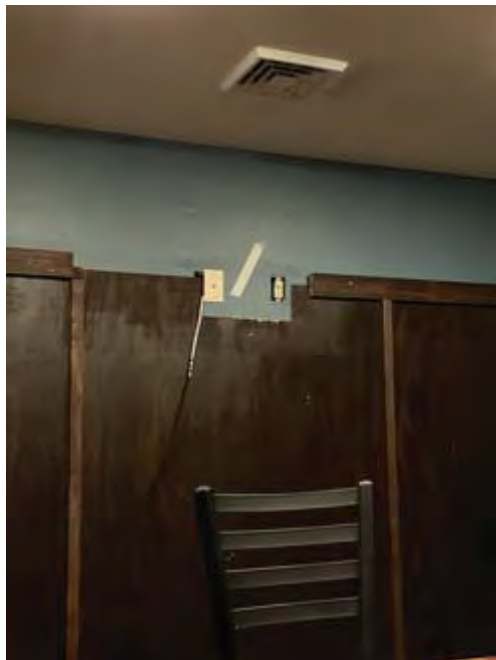
Electrical Rooms / Electrical Wiring

Electrical Panels, Junction Boxes & Outlet Boxes - No Openings or Exposed Wiring

605.6 Unapproved conditions. Open junction boxes and open-wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlet boxes.

Status: FAIL

Notes: Replace all light switch and electrical outlet covers after painting is completed.



Kitchen Hood System

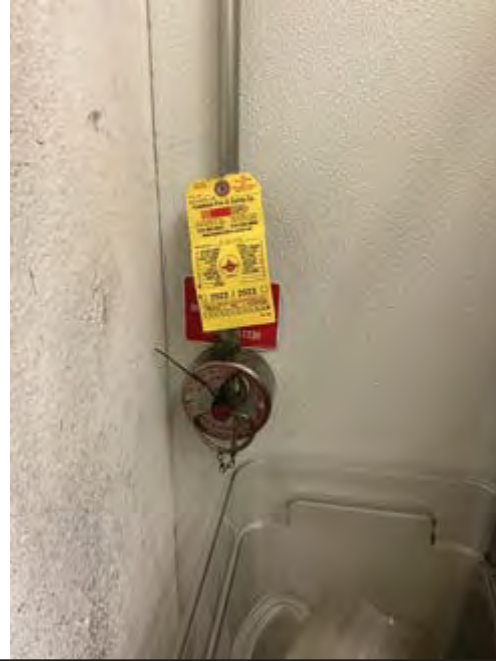
Kitchen Hood System Inspection- Current Bi-Annual Inspection Tag

904.12.6.2 Extinguishing system service. Automatic fire-extinguishing systems shall be serviced at least every six months and after activation of the system. Inspection shall be by qualified individuals, and a certificate of inspection shall be forwarded to the fire code official upon completion.

Status: FAIL

Notes: Kitchen hood suppression system is past due for bi-annual inspection.

All of the cooking equipment has shifted and do not align with suppression nozzles. Relocate cooking equipment so they are at least six inches inside of the exhaust hood and the suppression nozzle are aligned with the cooking equipment.



Kitchen Hood System Pull Station Accessible, 10-20 Feet from Hood

904.12.1 Manual system operation. A manual actuation device shall be located at or near a means of egress from the cooking area not less than 10 feet and not more than 20 feet from the kitchen exhaust system.

Status: FAIL

Notes: Remove all storage below manual pull station.



Kitchen Hood All Grease Filters in Place

609.3.1 Ventilation system. The ventilation system in connection with hoods shall be operated at the required rate of air movement, and classified grease filters shall be in place when equipment under a kitchen grease hood is used.

Status: FAIL

Notes: Check filter alignment, there is a gap on both sides of the far left filter.



Cooking Equipment with Casters Have Approved Flexible Gas Connector

Section 609.4 Movement of new and existing cooking appliances with caster(s) under a Type I hood shall be limited by an approved floor mounted restraining device and flexible gas connector installed in accordance with the connector and appliance manufacturer's instructions.

Status: FAIL

Notes: 1) Install floor mounted caster wheel cradle to the back two caster wheels of the cooler/freezer. The fire department will provide additional information.
2) Attach restraining cable from wall to cooking equipment.



Compressed Gas Cylinders / LPG

Compressed Gas Cylinders Secured or Chained

5303.5.3 Securing compressed gas containers, cylinders and tanks. Compressed gas containers, cylinders and tanks shall be secured to prevent falling caused by contact, vibration or seismic activity. Securing of compressed gas containers, cylinders and tanks shall be by one of the following methods: 1. Securing containers, cylinders and tanks to a fixed object with one or more restraints. 2. Securing containers, cylinders and tanks on a cart or other mobile device designed for the movement of compressed gas containers, cylinders or tanks. 3. Nesting of compressed gas containers, cylinders and tanks at container filling or servicing facilities or in sellers' warehouses not accessible to the public. Nesting shall be allowed provided the nested containers, cylinders or tanks, if dislodged, do not obstruct the required means of egress. 4. Securing of compressed gas containers, cylinders and tanks to or within a rack, framework, cabinet or similar assembly designed for such use. Exception: Compressed gas containers, cylinders and tanks in the process of examination, filling, transport or servicing.

Status: FAIL

Notes: 1) Remove or secure Freon cylinder.
2) Secure CO2 cylinders with chain.



Additional Time Spent on Inspection:

Category	Start Date / Time	End Date / Time
Notes: No Additional time recorded		

Total Additional Time: 0 minutes

Inspection Time: 65 minutes

Total Time: 65 minutes

Summary:

Overall Result: Correction Notice Issued

Inspector Notes:

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): 319-626-5709
Email(s): bhardin@northlibertyiowa.org
Hardin, Bryan E:



Signed on: 08/01/2022 11:42

Signature

Date

Representative Signature:

Signature of: Aaron Jennings on 08/01/2022 11:43



Signature

Date



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
Liberty View Wine & Spirit Inc.	Liberty View Wine & Spirits	(319) 459-1408		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
595 Country Lane, Suite 1		North Liberty	Johnson	52317
MAILING ADDRESS	CITY	STATE	ZIP	
512 Redbird Run	Tiffin	Iowa	52340	

Contact Person

NAME	PHONE	EMAIL
Nga T. Dao	(319) 331-1272	angie.dao1991@gmail.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
LE0003567	Class E Liquor License	12 Month	Submitted to Local Authority

EFFECTIVE DATE	EXPIRATION DATE	LAST DAY OF BUSINESS
Aug 18, 2022	Aug 17, 2023	

SUB-PERMITS

Class E Liquor License, Class C Beer Permit, Class B Wine Permit



State of Iowa

Alcoholic Beverages Division

PRIVILEGES

Sunday Service

Status of Business

BUSINESS TYPE

Privately Held Corporation

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Nga Dao	Tiffin	Iowa	52340	Owner	100.00	Yes

Insurance Company Information

INSURANCE COMPANY

POLICY EFFECTIVE DATE

POLICY EXPIRATION DATE

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

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

June 27, 2022

Liquor License Check

Business: Liberty View Wine & Spirits
595 Country Lane
North Liberty, IA 52317

Owners: Nga Dao (DOB: 1963)

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):

Liberty View Wine + Spirits Inc.

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 Lachina

Title: Environmental Health Spec. II

Date: 6/27/22

Signature: _____

James Lachina



North Liberty Fire Department

Occupancy: **Liberty View Wine & Spirits**
Occupancy ID: **995237**
Address: **595 Country LN Apt/Suite #1**
North Liberty IA 52317

Inspection Type: **Liquor License Inspection**

Inspection Date: **8/1/2022** By: **Hardin, Bryan E (01-1022)**

Time In: **10:16** Time Out: **10:35**

Authorized Date: **08/01/2022** By: **Hardin, Bryan E (01-1022)**

Next Inspection Date: **08/31/2022 Reinspection**

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:

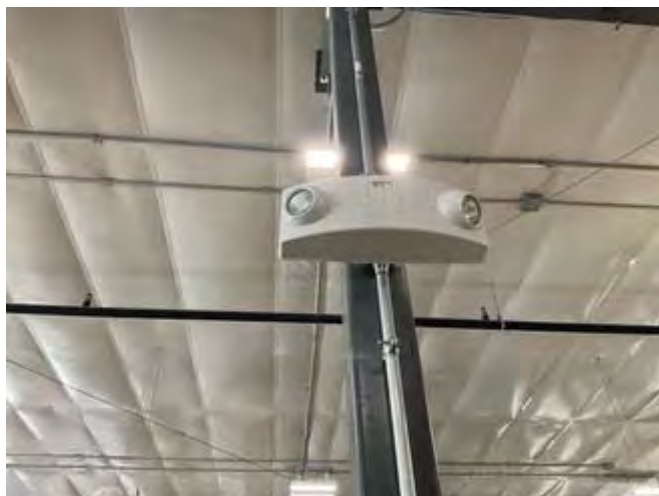
Emergency Lights & Exit Signs

Emergency Lighting - Illumination

1008.3.4 Duration. The emergency power system shall provide power for a duration of not less than 90 minutes and shall consist of storage batteries, unit equipment or an on-site generator.

Status: FAIL

Notes: Both Aisle emergency lights are flashing red error condition. Check batteries.



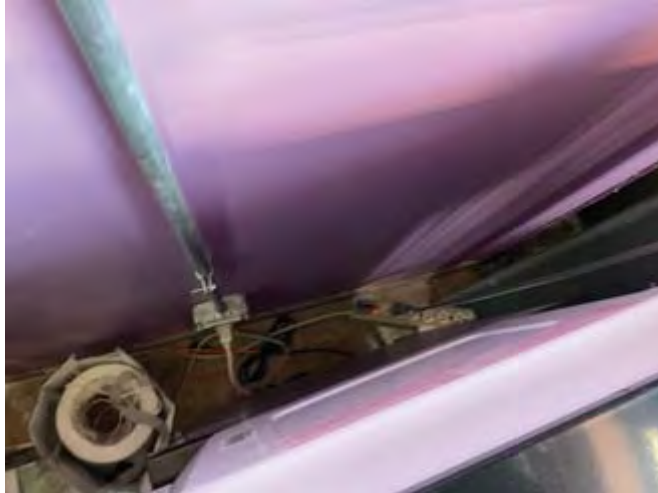
Electrical Rooms / Electrical Wiring

Surge Protector - Proper Installation

605.4.1 Power tap design. Relocatable power taps shall be of the polarized or grounded type, equipped with overcurrent protection, and shall be listed in accordance with UL 1363. 605.4.2 Power supply. Relocatable power taps shall be directly connected to a permanently installed receptacle. 605.4.3 Installation. Relocatable power tap cords shall not extend through walls, ceilings, floors, under doors or floor coverings, or be subject to environmental or physical damage.

Status: FAIL

Notes: Behind microwave. Mount surge protector or plug microwave directly into the outlet receptacle.



Additional Time Spent on Inspection:

Category	Start Date / Time	End Date / Time
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Notes: No Additional time recorded

Total Additional Time: 0 minutes
Inspection Time: 19 minutes
Total Time: 19 minutes

Summary:

Overall Result: Correction Notice Issued

Inspector Notes:

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): 319-626-5709
Email(s): bhardin@northlibertyiowa.org
Hardin, Bryan E:

Signed on: 08/01/2022 10:30

Signature

Date

Representative Signature:

Signature of: Dao on 08/01/2022 10:31

A handwritten signature in black ink that reads "Nga Dao". The letters are cursive and somewhat stylized.

Signature

Date



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
TRNL, LLC	Tin Roost	(319) 626-2331		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
840 W Penn St		North Liberty	Johnson	52317
MAILING ADDRESS	CITY	STATE	ZIP	
840 W Penn St	North Liberty	Iowa	52317	

Contact Person

NAME	PHONE	EMAIL
Erik Shewmaker	(319) 626-2331	erikshewmaker@gmail.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
LC0043624	Class C Liquor License	12 Month	Submitted to Local Authority
EFFECTIVE DATE	EXPIRATION DATE	LAST DAY OF BUSINESS	
July 21, 2022	July 20, 2023		
SUB-PERMITS			
Class C Liquor License			



State of Iowa

Alcoholic Beverages Division

PRIVILEGES

Catering, Outdoor Service, Sunday Service

Status of Business

BUSINESS TYPE

Limited Liability Company

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Brandon Pratt	North Liberty	Iowa	52317	Partner	25.00	Yes
Joe Selix	North Liberty	Iowa	52317	Partner	25.00	Yes
Lane Shewmaker	Iowa City	Iowa	52245	Partner	25.00	Yes
Brian Flynn	Iowa City	Iowa	52240	Partner	25.00	Yes

Insurance Company Information

INSURANCE COMPANY

Integrity Insurance

POLICY EFFECTIVE DATE

June 21, 2022

POLICY EXPIRATION DATE

July 21, 2023

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE



State of Iowa

Alcoholic Beverages Division

BOND EFFECTIVE DATE

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

June 3, 2022

Liquor License Check

Business: Tin Roost Restaurant
840 W. Penn Street
North Liberty, IA 52317

Owners: Lane Shewmaker (DOB: 1983)
Brian Flynn (DOB: 1975)
Brandon Pratt (DOB: 1981)
Joseph Selix (DOB: 1985)

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): Tin Roost

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 Gaciv

Title: Env. Health Manager Date: 6/3/22

Signature: 

North Liberty Fire Department

Occupancy: **TIN ROOST**

Occupancy ID: **995218**

Address: **840 W Penn ST
North Liberty IA 52317**

Inspection Type: **Liquor License Inspection**

Inspection Date: **8/3/2022** By: Humston, Tina (01-2406)

Time In: **10:47** Time Out: **11:45**

Authorized Date: **08/03/2022** By: Humston, Tina (01-2406)

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:

Fire Extinguishers

Fire Extinguisher Monthly Inspection - Initial & Date Tag

NFPA 10: Standard for Portable Fire Extinguishers, 2013 Edition, Section 7.2.1.2 Fire extinguishers and Class D extinguishing agents shall be visually inspected at intervals not exceeding 31 days. Documentation of the visual inspection shall be recorded on the backside of the inspection tag (Date & Initials) or on a log book.

Status: **FAIL**

Notes: **Proof of visual inspection on a monthly basis.**



Electrical Rooms / Electrical Wiring

Electrical Equipment - 3 Feet Clearance in Front of Panel

605.3 Working space and clearance. A working space of not less than 30 inches in width, 36 inches in depth and 78 inches in height shall be provided in front of electrical service equipment. Where the electrical service equipment is wider than 30 inches, the working space shall be not less than the width of the equipment. Storage of materials shall not be located within the designated working space.

Status: FAIL

Notes: Need to clear items in front of electrical panels and alarm panel.

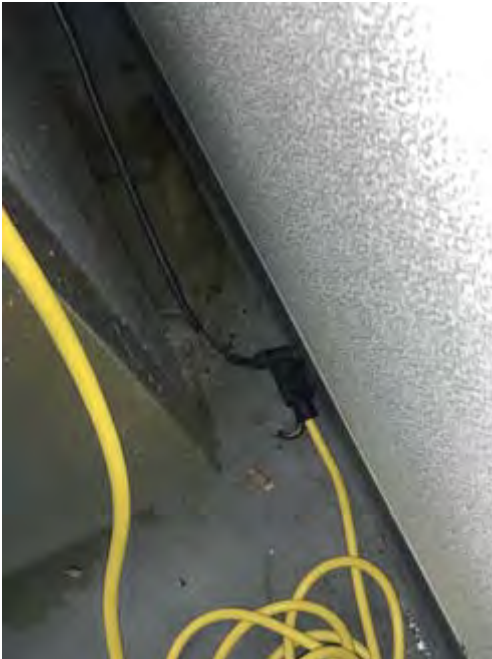


No Extension Cords

605.5 Extension cords. Extension cords and flexible cords shall not be a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. Extension cords shall be used only with portable appliances.

Status: FAIL

Notes: Extension cord behind sauce fridge and extension cord from chip warmer to a power strip. Power strips should only be used and should go directly into wall outlet.



Surge Protector - Proper Installation

605.4.1 Power tap design. Relocatable power taps shall be of the polarized or grounded type, equipped with overcurrent protection, and shall be listed in accordance with UL 1363. 605.4.2 Power supply. Relocatable power taps shall be directly connected to a permanently installed receptacle. 605.4.3 Installation. Relocatable power tap cords shall not extend through walls, ceilings, floors, under doors or floor coverings, or be subject to environmental or physical damage.

Status: FAIL

Notes: Surge protector and other cords extending down through ceiling tiles. Surge protector behind computer screen not properly mounted or secured.



Fire Alarm System

Fire Alarm System Annual Inspection - Current Inspection Tag

901.6.1 Standards. Fire protection systems shall be inspected, tested and maintained in accordance with the referenced standards listed in Table 901.6.1. Fire Alarm Systems shall be inspected annually. A written copy of the inspection report shall be kept on-site and an electronic copy on file with the North Liberty Fire Department through <http://www.thecompliancengine.com/>.

Status: FAIL

Notes: Fire alarm system was due for annual inspection on 7/21/2022. If this has been completed, contact your fire alarm company and have them submit the inspection report to www.thecompliancengine.com.



Fire Sprinkler System

Fire Sprinkler System Annual Inspection - Current Inspection Tag

901.6.1 Standards. Fire protection systems shall be inspected, tested and maintained in accordance with the referenced standards listed in Table 901.6.1. Fire Sprinkler System is required to be inspected annually. A current inspection tag shall be placed on the sprinkler system riser. A written copy of the inspection report shall be kept on-site and an electronic copy on file with the North Liberty Fire Department through <http://www.thecomplianceengine.com/>.

Status: FAIL

Notes: Sprinkler 5-Year obstruction investigation was due July 19th, 2022. Please contact your sprinkler company to schedule inspection.

Kitchen Hood System

Kitchen Hood and Duct Cleaned- Current Inspection Tag on Hood

609.3.3.1 Inspection. Hoods, grease-removal devices, fans, ducts and other appurtenances shall be inspected at intervals specified in Table 609.3.3.1 or as approved by the fire code official. Inspections shall be completed by qualified individuals.

Status: FAIL

Notes: Our records indicate that the kitchen hood and exhaust system was due to be inspected/cleaned on April 18th, 2022. If this has been completed, contact your kitchen hood company and have them submit the inspection report to www.thecomplianceengine.com.

Grease filters and area around filters needs to be cleaned.



Cooking Equipment with Casters Have Approved Flexible Gas Connector

Section 609.4 Movement of new and existing cooking appliances with caster(s) under a Type I hood shall be limited by an approved floor mounted restraining device and flexible gas connector installed in accordance with the connector and appliance manufacturer's instructions.

Status: FAIL

Notes: See additional document for more detailed information. Steel restraining cables need to be attached to the wall and the movable appliance.



Cooking Equipment with Casters in Approved Floor Mounted Restraining Device

Section 609.4 Movement of new and existing cooking appliances with caster(s) under a Type I hood shall be limited by an approved floor mounted restraining device and flexible gas connector installed in accordance with the connector and appliance manufacturer's instructions.

Status: FAIL

Notes: See additional document for more detailed information. Caster wheels need secure floor stops for proper location.



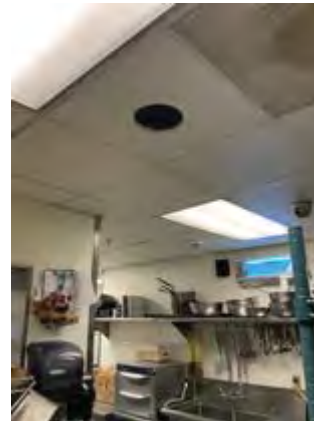
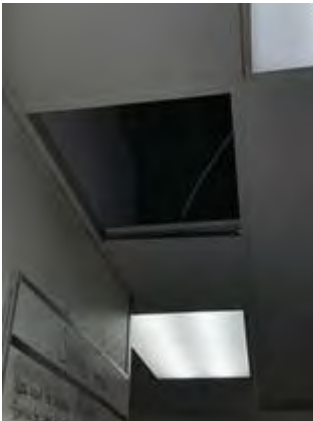
Interior Finish/Flame Spread

Suspended Ceiling Tiles/Panels in Place

703.1 Maintenance. The required fire-resistance rating of fire-resistance-rated construction, including, but not limited to, walls, firestops, shaft enclosures, partitions, smoke barriers, floors, fire-resistive coatings and sprayed fire-resistant materials applied to structural members and fire-resistant joint systems, shall be maintained. Such elements shall be visually inspected by the owner annually and properly repaired, restored or replaced where damaged, altered, breached or penetrated. All suspend ceiling panels/tiles shall be in place and in good condition.

Status: FAIL

Notes: Missing ceiling tiles need to be replaced and openings in ceiling tiles need to be remedied.



Combustible, General & Outside Storage

Exits Clear of Combustible Storage

315.3.2 Means of egress. Combustible materials shall not be stored in exits or enclosures for stairways and ramps.

Status: FAIL

Notes: Plastic gas can near means of egress outside.



Proper Ceiling Clearance - 18"/24"

315.3.1 Ceiling clearance. Storage shall be maintained 2 feet or more below the ceiling in non-sprinklered areas of buildings or not less than 18 inches below sprinkler head deflectors in sprinklered areas of buildings.

Status: FAIL

Notes: Storage on middle rack too close to the ceiling, proper clearance needs to be maintained.



Compressed Gas Cylinders / LPG

Compressed Gas Cylinders Secured or Chained

5303.5.3 Securing compressed gas containers, cylinders and tanks. Compressed gas containers, cylinders and tanks shall be secured to prevent falling caused by contact, vibration or seismic activity. Securing of compressed gas containers, cylinders and tanks shall be by one of the following methods: 1. Securing containers, cylinders and tanks to a fixed object with one or more restraints. 2. Securing containers, cylinders and tanks on a cart or other mobile device designed for the movement of compressed gas containers, cylinders or tanks. 3. Nesting of compressed gas containers, cylinders and tanks at container filling or servicing facilities or in sellers' warehouses not accessible to the public. Nesting shall be allowed provided the nested containers, cylinders or tanks, if dislodged, do not obstruct the required means of egress. 4. Securing of compressed gas containers, cylinders and tanks to or within a rack, framework, cabinet or similar assembly designed for such use. Exception: Compressed gas containers, cylinders and tanks in the process of examination, filling, transport or servicing.

Status: FAIL

Notes: Not all cylinders are secured and the ones that are secured are not secured in a manner that is sufficient. Chain needs to be around the tank, not just at the neck of the cylinder.



Additional Time Spent on Inspection:

Category	Start Date / Time	End Date / Time
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Notes: No Additional time recorded

Total Additional Time: 0 minutes

Inspection Time: 58 minutes

Total Time: 58 minutes

Summary:

Overall Result: Correction Notice Issued

Inspector Notes:

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: Humston, Tina
Rank: Captain
Work Phone(s): None on file
Email(s): thumston@northlibertyiowa.org
Humston, Tina:



Signed on: 08/03/2022 11:46

Signature

Date

Representative Signature:

Signature of: Jack kallenberger on 08/03/2022 11:46



Signature

Date

Date of Issuance:	Effective Date: 8/9/22
Owner: City of North Liberty	Owner's Contract No.: N/A
Contractor: Schrader Excavating and Grading	Contractor's Project No.: N/A
Engineer: Shive-Hattery, Inc.	Engineer's Project No.: 1219850
Project: Jones Boulevard Improvements	Contract Name: -



The Contract is modified as follows upon execution of this Change Order:

Description:

- 1) As described in ITC 01, associated connection stubs were requested to be included with the roadway project for sanitary and water main associated with the adjacent development in order to avoid removing newly placed utilities and roadway. **1 LS at \$25,035.42**
- 2) As described in ITC 03, an additional sanitary manhole and sanitary alignment shift are necessary to avoid impacting the Penn St traffic signal. **1 LS at \$25,776.00**

Attachments: *Schrader COR 01, COR 02,*

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price: \$ <u>2,238,571.48</u>	Original Contract Times: Substantial Completion: <u>90 Working Days</u> Ready for Final Payment: <u>15 Working Days</u>
Increase from previously approved Change Order No.:(n/a) \$0	Increase from previously approved Change Orders: Substantial Completion: <u>N/A</u> Ready for Final Payment: _____
Contract Price prior to this Change Order: \$ <u>2,238,571.48</u>	Contract Times prior to this Change Order: Substantial Completion: <u>90 Working Days</u> Ready for Final Payment: <u>15 Working Days</u>
Increase of this Change Order: \$ <u>50,811.42</u>	Increase of this Change Order: Substantial Completion: <u>0</u> Ready for Final Payment: <u>0</u>
Contract Price incorporating this Change Order: \$ <u>2,289,382.90</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>90 Working Days</u> Ready for Final Payment: <u>15 Working Days</u>

<p style="text-align: center;">RECOMMENDED:</p> <p>By:  _____</p> <p style="text-align: center;">Engineer</p> <p>Title: <u>Project Engineer</u></p> <p>Date: <u>8/1/2022</u></p>	<p style="text-align: center;">ACCEPTED:</p> <p>By: _____ _____</p> <p style="text-align: center;">Owner (Authorized Signature)</p> <p>Title: _____</p> <p>Date: _____</p>	<p style="text-align: center;">ACCEPTED:</p> <p>By:  _____</p> <p style="text-align: center;">Contractor (Authorized Signature)</p> <p>Title: <u>Vice President</u></p> <p>Date: <u>8/01/2022</u></p>
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TO (OWNER): City of North Liberty
3 Quail Creek Circle
North Liberty, IA 52317

PROJECT: Jones Boulevard Improvements

APPLICATION NO: 3
PERIOD TO: 7/31/2022

DISTRIBUTION
TO:
_ OWNER
_ ARCHITECT
_ CONTRACTOR

FROM (CONTRACTOR): Schrader Excavating & Grading
300 Hwy 151 E
P.O. Box 270
Walford, IA 52351

VIA (ARCHITECT):

ARCHITECT'S
PROJECT NO: 1219850

CONTRACT FOR:

CONTRACT DATE:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Type Document is attached.

1. ORIGINAL CONTRACT SUM	\$	<u>2,238,571.48</u>
2. Net Change by Change Orders	\$	<u>50,811.42</u>
3. CONTRACT SUM TO DATE (Line 1 + 2)	\$	<u>2,289,382.90</u>
4. TOTAL COMPLETED AND STORED TO DATE	\$	<u>590,039.20</u>
5. RETAINAGE:		
a. <u>5.00</u> % of Completed Work	\$	<u>26,749.65</u>
b. <u>5.00</u> % of Stored Material	\$	<u>2,752.32</u>
Total retainage (Line 5a + 5b)	\$	<u>29,501.97</u>
6. TOTAL EARNED LESS RETAINAGE	\$	<u>560,537.23</u>
(Line 4 less Line 5 Total)		
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	<u>390,341.00</u>
8. CURRENT PAYMENT DUE	\$	<u>170,196.23</u>
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$	<u>1,728,845.67</u>

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	0.00	0.00
Total approved this Month	50,811.42	0.00
TOTALS	50,811.42	0.00
NET CHANGES by Change Order	50,811.42	

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: Schrader Excavating & Grading
300 Hwy 151 E P.O. Box 270
Walford, IA 52351

By: Kyle Nordman
Kyle Nordman / Project Manager

Date: 8/01/2022

State of: IA

County of: Linn

Subscribed and Sworn to before me this 1st Day of August 20 22

Notary Public: [Signature]
My Commission Expires: 3-23-24



ARCHITECT'S CERTIFICATE FOR PAYMENT

In Accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to owner that to the best of the Architect'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..... \$ 170,196.23

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

ARCHITECT: [Signature]
By: _____ Date: 8/2/2022

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.

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:	19	Distribution to: <input type="checkbox"/> OWNER <input type="checkbox"/> ARCHITECT <input type="checkbox"/> CONTRACTOR <input type="checkbox"/> ENGINEER
				PERIOD TO:	7/30/22	
				PROJECT NO.:	STP-U-5557(622)--70-52	
				CONTRACT ID:	52-5557-622	
FROM 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	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>193,770.63</u>	
3. CONTRACT SUM TO DATE	\$	<u>8,076,649.21</u>	
4. TOTAL COMPLETED & STORED TO DATE	\$	<u>7,621,552.74</u>	
5. RETAINAGE 3 % of Completed Work & Stored Material	\$	<u>30,000.00</u>	
6. TOTAL EARNED LESS RETAINAGE	\$	<u>7,591,552.74</u>	
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$	<u>7,576,263.82</u>	
8. CURRENT PAYMENT DUE	\$	<u>15,288.92</u>	

9. BALANCE TO FINISH, INCLUDING RETAINAGE \$ 485,096.47
(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	\$ 534,565.25	\$ 340,794.62
Total approved this Month	\$ -	\$ -
TOTALS	\$ 534,565.25	\$ 340,794.62
NET CHANGES by Change Order	\$ 193,770.63	\$ -

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: 8/2/22

State of: _____
 County of: _____
 Subscribed and sworn to before me this 2nd day of August, 2022.

Notary Public: *Jennifer R Wissler*
 My Commission expires: 1/4/25



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.)

ENGINEER: *Josiah D. Bulstemper*
 By: _____ Date: 08 / 03 / 22

\$ 15,288.92

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.



North Central Junior High School Site Plan



August 2, 2022

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

Re: Request of Iowa City Community School District to approve a Site Plan for a building addition and related site improvements on approximately 39.8 acres. The property is located at 180 East Forevergreen Road.

Mayor Hoffman:

The North Liberty Planning Commission considered the above-referenced request at its August 2, 2022 meeting. The Planning Commission took the following action:

Findings:

1. The educational use of the property of the property would be consistent with the current P District and the Comprehensive Plan Future Land Use Map designation of Public; 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 Preliminary Site Plan to the City Council with a recommendation for approval.

The vote for approval was 4-0.

Jason Heisler, Vice Chairperson
City of North Liberty Planning Commission



To **City of North Liberty Planning Commission**
 From **Ryan Rusnak, AICP**
 Date **July 29, 2022**
 Re **Request of Iowa City Community School District to approve a Site Plan for a building addition and related site improvements on approximately 39.8 acres. The property is located at 180 East Forevergreen Road.**

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 a building addition and related infrastructure.

2. Existing Zoning:

The property is currently zoned P Public District. "Primary Educational Facility" is listed as a permitted use in the P District.



3. Comprehensive Plan Future Land Use Map Designation: Public. The P District is consistent with the Public Land Use Designation.



4. Public Input:

No public comments have been received.

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 1.**
- *The property owner's name and description of proposed development.* **Provided on Sheet 1**
- *A vicinity sketch showing the location of the property and other properties within 1,000 feet of it.* **Provided on Sheet 1.**
- *Property boundary lines, dimensions, and total area.* **Provided on Sheet 1.**
- *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 1.**
- *The location of existing streets, sidewalks, easements, utilities, drainage courses.* **Provided on Sheets 1 and 2.**
- *The total square feet of building floor area, both individually and collectively.* **Provided on Sheet 1.**

- *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 1 and architectural rendering.**
- *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 sheet 1.**
- *Pedestrian walkways with special consideration given to pedestrian safety.* **Provided on sheet 1.**
- *Trash and refuse enclosures.* **N/A.**
- *The general drainage pattern and location of storm water detention features.* **Provided on Sheets 1 and 2.**
- *The general location, type and size of landscaping and ground cover illustrated in color perspective.* **Provided on Sheet 1.**
- *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 the Public District. The following requirements shall be observed for development in the public district:

- A. Minimum required masonry on front and corner side yard building elevations is 25%. Notwithstanding the foregoing, buildings on public works campuses screened from public view are not subject to the 25% required masonry.
- B. For exterior walls not composed of masonry products, stucco, wood siding, premium-grade vinyl siding if installed horizontally, or other materials similar in appearance are preferred.

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

6. Staff Recommendation:

Findings:

1. The educational use of the property of the property would be consistent with the current P District and the Comprehensive Plan Future Land Use Map designation of Public; 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 building addition and related infrastructure. 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.



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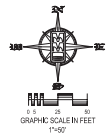
PRELIMINARY SITE PLAN

NORTH CENTRAL
JUNIOR HIGH
SCHOOL, ICCSD,
180 EAST
FOREVERGREEN
ROAD

NORTH LIBERTY,
JOHNSON COUNTY,
IOWA

MMS CONSULTANTS, INC.

Date: 07-01-22
Designed by: LCN
Drawn by: TAV
Checked by: LCN
Field Book No: FIELDBOOK
Scale: 1"=50'
Sheet No: 1
Project No: 9500-007



LEGAL DESCRIPTION
LOT 11 OF NORTH CORRIDOR SCHOOL ADDITION, TO THE CITY OF NORTH LIBERTY, JOHNSON COUNTY, IOWA, IN ACCORDANCE WITH THE RECORDED PLAT THEREOF, IN THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE, CONTAINING 59.84 ACRES AND SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

NOTE
NO REINTERMENT OF BOUNDARY SURVEY HAS BEEN PERFORMED AT THIS TIME FOR THIS PROJECT AND ALL DIMENSIONS TO PROPERTY LINES AND AREAS OF THE PARCELS ARE BASED ON RECORDING. SINCE THE PARCELS OF LAND THAT IS DESCRIBED IN THE LEGAL LISTED ABOVE, INCLUDES BOTH VAN ALLEN ELEMENTARY SCHOOL AND NORTH CENTRAL JUNIOR HIGH SCHOOL, THE SOUTH LINE OF THE ACCESS EASEMENT FOR ARBIALE AVENUE, RECORDED IN SAID PLAT OF NORTH CORRIDOR SCHOOL ADDITION, WAS USED AS A DIVIDING LINE FOR THE PURPOSES OF THE AREA TABULATION LISTED ABOVE. IT IS UNKNOWN IF THE AREA FOR ARBIALE AVENUE HAS BEEN EITHER BEING DEEDED TO THE CITY OF NORTH LIBERTY FOR THE PURPOSES OF PUBLIC RIGHT-OF-WAY OR THAT THE CITY OF NORTH LIBERTY HAS ACQUIRED THE RIGHTS TO THE SOUTH OR ANY PORTION THEREOF. A FURTHER SURVEY AND UNDEVELOPED ACCESS EASEMENT FOR THE ROUNDABOUT AT THE INTERSECTION OF 12TH AVENUE AND FOREVERGREEN ROAD HAS ALSO BEEN REMOVED FROM THE AREA TABULATION.

APPLICANT
IOWA CITY COMMUNITY SCHOOL DISTRICT
1725 NORTH OGDEN STREET
IOWA CITY, IOWA 52245

DEVELOPMENT CHARACTERISTICS
CURRENT ZONING: PUBLIC LOT AREA 1,885,040 SF (42.9 ACRES) (~SEE NOTE ABOVE)

SETBACK REQUIREMENTS

REQUIREMENTS	REQUIRED
BUILDING SETBACKS	25 FEET
FRONT YARD	10 FEET
SIDE YARD	30 FEET
REAR YARD	30 FEET

PARKING SETBACKS

REQUIREMENTS	REQUIRED
FRONT	25 FEET
SIDE	3 FEET
REAR	3 FEET

BUILDING CHARACTERISTICS
1 - PROPOSED CAFETERIA AND KITCHEN EXPANSION
2 - PROPOSED TWO STORY 6TH GRADE CLASSROOM WING.

PARKING REQUIREMENTS
1 SPACE FOR EVERY 3.5 SEATS IN LARGEST ASSEMBLY ROOM (GYMNASIUM) 44/23.5 x 124
1 SPACE FOR EACH FACILITY MEMBER 95 MEMBERS = 95 SPACES REQUIRED.
TOTAL SPACES REQUIRED = 219 SPACES
219 SPACES PROVIDED (INCLUDED 7 ACCESSIBLE SPACES)

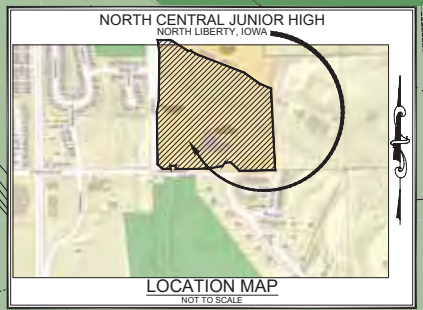
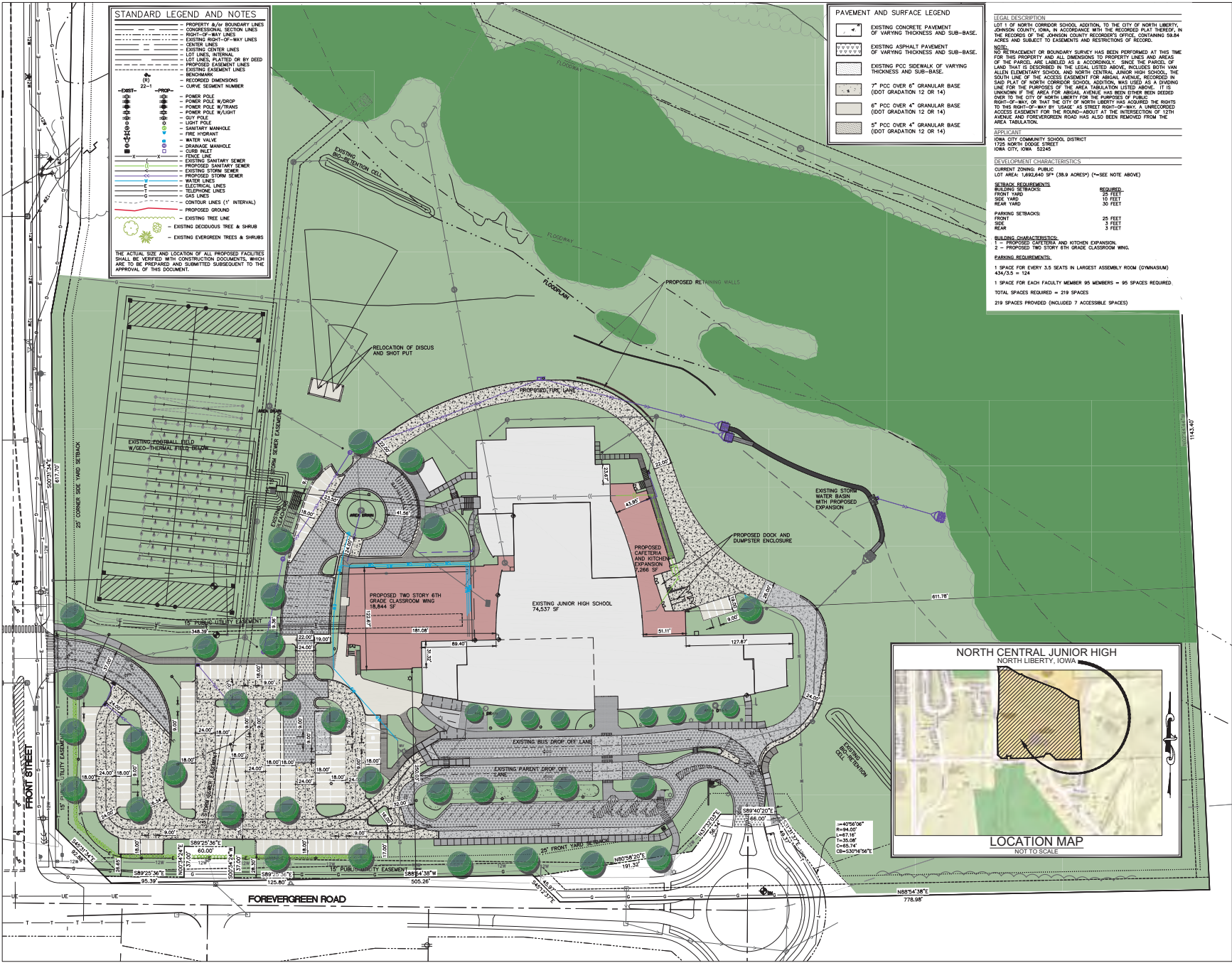
PAVEMENT AND SURFACE LEGEND

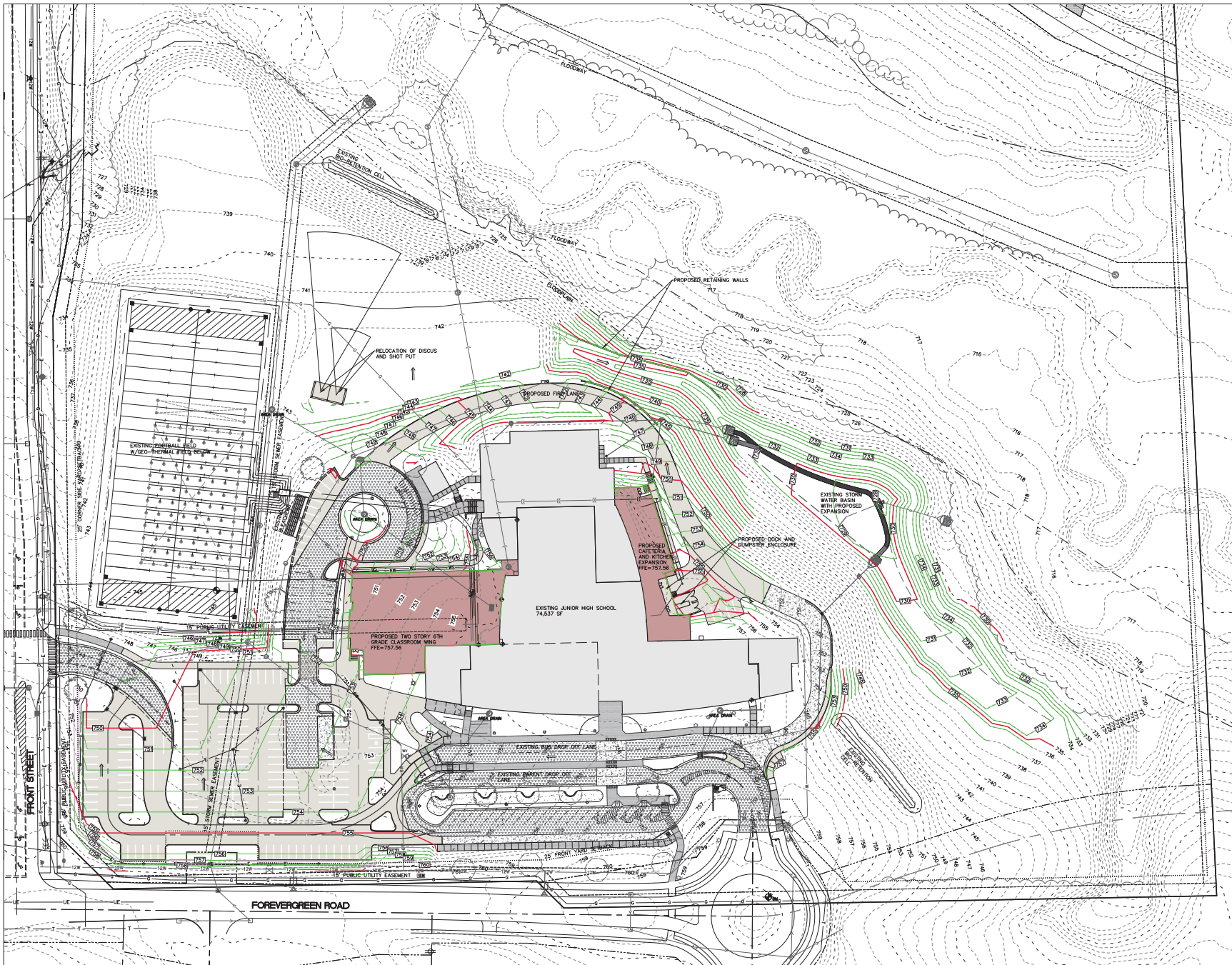
	EXISTING CONCRETE PAVEMENT OF VARYING THICKNESS AND SUB-BASE.
	EXISTING ASPHALT PAVEMENT OF VARYING THICKNESS AND SUB-BASE.
	EXISTING PCC SIDEWALK OF VARYING THICKNESS AND SUB-BASE.
	7" PCC OVER 6" GRANULAR BASE (DOT GRADATION 12 OR 14)
	6" PCC OVER 4" GRANULAR BASE (DOT GRADATION 12 OR 14)
	5" PCC OVER 4" GRANULAR BASE (DOT GRADATION 12 OR 14)

STANDARD LEGEND AND NOTES

	PROPERTY &/OR BOUNDARY LINES
	CONGRESSIONAL SECTION LINES
	RIGHT-OF-WAY LINES
	CENTER LINES
	EXISTING CENTER LINES
	LOT LINES, INTERNAL
	LOT LINES, PLATTED OR BY DEED
	PROPOSED EASEMENT LINES
	EXISTING EASEMENT LINES
	BENCHMARK
	RECORDED DIMENSIONS
	CURVE SEGMENT NUMBER
	POWER POLE
	POWER POLE W/DROP
	POWER POLE W/TRANSFORMER
	POWER POLE W/LIGHT
	UTILITY POLE
	SANITARY MANHOLE
	FIRE HYDRANT
	WATER VALVE
	DRAINAGE MANHOLE
	CURB PILE
	FENCE LINE
	PROPOSED SANITARY SEWER
	EXISTING SANITARY SEWER
	PROPOSED STORM SEWER
	EXISTING STORM SEWER
	WATER LINES
	ELECTRONIC LINES
	TELEPHONE LINES
	GAS LINES
	CONTOUR LINES (1' INTERVAL)
	PROPOSED GROUND
	EXISTING TREE LINE
	EXISTING DECIDUOUS TREE & SHRUB
	EXISTING EVERGREEN TREES & SHRUBS

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





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Date	Revision
07/22/22	REVISED PER CITY - LSS

PRELIMINARY GRADING PLAN

NORTH CENTRAL
 JUNIOR HIGH
 SCHOOL, ICCSD,
 180 EAST
 FOREVERGREEN
 ROAD

NORTH LIBERTY,
 JOHNSON COUNTY,
 IOWA

MMS CONSULTANTS, INC.

Date:	07-01-22
Designed by:	LCN FIELDBOOK
Drawn by:	TAV Scale: 1"=50'
Checked by:	LCN Sheet No:
Project No:	9500-007

2



North Central Junior High:
Proposed 6th Grade Classrooms Addition

--- VIEW FROM SOUTHWEST ---



North Central Junior High:
Proposed 6th Grade Classrooms Addition

--- VIEW FROM SOUTHWEST ---



North Central Junior High:
Proposed 6th Grade Classrooms Addition

--- VIEW FROM SOUTH ---



North Central Junior High:
Proposed 6th Grade Classrooms Addition
--- VIEW FROM NORTHWEST ---



North Central Junior High:
Proposed 6th Grade Classrooms Addition

--- VIEW FROM NORTH ---



North Central Junior High:
Proposed Kitchen & Cafeteria Addition

--- VIEW FROM NORTHEAST ---



North Central Junior High:
Proposed Kitchen & Cafeteria Addition

--- VIEW FROM NORTH ---



North Central Junior High:
Proposed Kitchen & Cafeteria Addition

--- VIEW FROM EAST ---

Resolution No. 2022-85

**RESOLUTION APPROVING THE DEVELOPMENT SITE
PLAN FOR 180 EAST FOREVERGREEN ROAD, NORTH
LIBERTY, IOWA**

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

WHEREAS, the applicant, Iowa City Community School District, has filed with the City Clerk a development site plan;

WHEREAS, the property is described as:

Lot 1, of North Corridor School Addition, to the City of North Liberty, Johnson County, Iowa, in accordance with the recorded plat thereof, in the records of the Johnson County Recorder's Office, containing 59.84 acres and subject to easements and restrictions of record;

WHEREAS, said site plan is found to:

1. The educational use of the property would be consistent with the current P District and the Comprehensive Plan Future Land Use Map designation of Public; 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.

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of North Liberty, Iowa, does hereby approve the development site plan 180 East Forevergreen Road, North Liberty, Iowa.

APPROVED AND ADOPTED this 9th day of August, 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

Prepared by and Return to:
Grant D. Lientz, 3 Quail Creek Circle, P.O. Box 77, North Liberty, IA 52317 319-626-5767

**DEVELOPER'S AGREEMENT
FOREVERGREEN ESTATES PART ONE**

THIS AGREEMENT, made by and between the City of North Liberty, Iowa, a municipal corporation, hereinafter referred to as "City," and Bowman Property, L.L.C., hereinafter referred to as "Developer."

SECTION 1. REQUEST FOR PLAT APPROVAL.

Developer has requested that the City approve the proposed final plat, attached hereto as Exhibit A and incorporated herein by reference, for the subdivisions known as Forevergreen Estates Part One (referred to herein as the "plat") for the real estate situated in North Liberty, Johnson County, Iowa, legally described as follows:

BEGINNING at the Southwest Corner of the Northeast Quarter of the Northwest Quarter of Section 23, Township 80 North, Range 7 West of the Fifth Principal Meridian; Thence S00°44'47"E, along the East Line of the Southwest Quarter of the Northwest Quarter of said Section 23, a distance of 799.20 feet; Thence S89°15'13"W, 377.31 feet; Thence N51°49'29"W, 167.79 feet; Thence N00°40'20"W, 565.00 feet; Thence S89°19'40"W, 221.79 feet; Thence Southwesterly, 38.85 feet, along a 25.00 foot radius curve, concave Southeasterly, whose 35.06 foot chord bears S44°48'30"W; Thence S88°27'57"W, 60.03 feet; Thence Northwesterly, 39.75 feet, along a 25.00 foot radius curve, concave Southwesterly, whose 35.70 foot chord bears N45°07'06"W; Thence S89°19'40"W, 189.20 feet; Thence Northwesterly, 78.98 feet, along a 265.50 foot radius curve, concave Northeasterly, whose 78.69 foot chord bears N82°09'02"W; Thence Northwesterly, 70.24 feet, along a 234.49 foot radius curve, concave Southwesterly, whose 69.98 foot chord bears N82°12'37"W; Thence S89°12'30"W, 129.66 feet; Thence Southwesterly, 39.28

feet, along a 25.00 foot radius curve, concave Southwesterly, whose 35.36 foot chord bears S44°12'02"W, to a Point on 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°48'26"W, along said East Line, 130.35 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°48'10"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°05'47"E, along the South Line of said Rarified Acres, 252.48 feet, to the Southeast Corner thereof; Thence N01°09'35"W, along the East Line of said Rarified Acres, 360.52 feet; Thence N89°19'40"E, 367.98 feet; Thence S00°40'20"E, 230.26 feet; Thence N89°19'40"E, 520.00 feet; Thence N00°40'20"W, 196.28 feet; Thence N89°19'40"E, 520.00 feet; Thence S00°40'20"E, 338.11 feet; Thence N89°19'40"E, 32.00 feet; Thence S00°40'20"E, 196.21 feet, to a Point on the South 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; Thence S89°14'13"W, along said South Line 398.83 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 POINT OF BEGINNING. Said Forevergreen Estates - Part One contains 32.20 Acres, and is subject to easements and restrictions of record.

As part of this request, Developer acknowledges full ownership of the real estate described above.

SECTION 2. CONDITIONS OF PLAT APPROVAL AND RIGHT TO PROCEED.

A. The City agrees that it will approve the final plat of this subdivision upon the conditions that:

1. The final plat conforms to the preliminary plat;
2. The construction plans have been submitted and approved;
3. The public improvements have been constructed and accepted by the City or, in the event the Developer requests and the City agrees to the construction of the public improvements after final plat approval, the Developer has complied

with the security requirements set forth in Section 180.11(8) of the Code of Ordinances and Section 7 of this Agreement; and

4. The Developer enters into and abides by this Agreement.

B. The Developer further agrees that this Agreement shall be a covenant running with the land and shall be binding on the present and future owners of the property.

C. The Developer may not construct sanitary sewer mains, storm sewer mains, water mains, streets, utilities, public or private improvements or any buildings until the following conditions have been satisfied:

1. This Agreement has been fully executed by the Developer, filed with the City Clerk, and approved by the City Council;

2. All permits required by local, state, and federal law have been applied for and issued by the appropriate authority; and

3. Contingent upon the permitting requirements set forth in Paragraph 3 of this section being met, all necessary construction permits have been applied for and issued by the City.

D. The Developer may not grade or otherwise disturb the earth, remove trees until the Developer has complied with the erosion control and grading provisions set forth in Section 5 of this agreement.

SECTION 3. DEVELOPMENT REQUIREMENTS AND PROPERTY IMPROVEMENTS.

A. Development Standards. The subdivision shall be developed according to the preliminary and final subdivision plats as approved by the City and according to the plans and specifications as approved by the City. All plans shall be approved before the commencement of any work in accordance with the subdivision plat. There shall be no variance from the subdivision plats, or from the construction plans and specifications, unless approved in writing by the City.

B. Public Improvement Standards.

1. All improvements and facilities described in this Agreement shall be constructed and installed by the Developer according to the plans, specifications, ordinances and standards of the City and in accordance with all applicable federal and state laws and regulations. All required inspections shall be performed by the City Engineer or designate. Said inspections shall consist of inspection of the work in progress but shall not relieve or release the Developer from its responsibility to construct said improvements and facilities pursuant to the agreed upon plans and specifications. These improvements and facilities include but are not limited to public water system; sanitary sewer system; storm sewer and drainageway system; site grading; underground utilities; setting for lot and block monuments; and surveying and staking.

2. The Developer acknowledges that it and its successors and assigns, including but not limited to builders and contractors, are responsible for meeting all requirements set out in approved plans, engineering specifications, City ordinances, City policies, other City standards, applicable state laws and regulations, and applicable federal laws and regulations. More specifically, the Developer and its successors and assigns waive as a defense to any claims of negligence that the City failed to discover or identify to the Developer any act or omission that does not meet the standards set out in approved plans, engineering specifications, City ordinances, City policies, other City standards, applicable state laws and regulations, and applicable federal laws and regulations.

C. Standard Requirements. Further, the Developer agrees that:

1. All streets shown on the plat will be constructed of concrete paving with concrete curb and gutter as shown on the approved construction plans and will be dedicated to the City.

2. The Developer shall provide for the installation of all electric lines, street lights, gas mains, telephone lines and other utility facilities that are necessary at the Developer's sole cost. Developer further agrees that all utilities shall be installed underground.

3. Any decorative street lighting must be approved by the City and installed at the Developer's sole cost.

4. At such time as building construction occurs on a lot, but in no event later than five (5) years from the date the subdivision plat is recorded, the Developer shall install sidewalks in said subdivision abutting said lots per the

widths approved on the preliminary plat, in accordance with the plans and specifications of the City, and subject to inspections by the City Engineer or designate, unless otherwise shown on the plat or otherwise specified in this agreement. Notwithstanding this provision, any ADA-required ramps shall to be installed at the time other public improvements are installed.

5. The Developer shall submit a storm water management plan that will identify the drainage of this development and specify the manner in which storm water, drainage and runoff will be accommodated. The Developer agrees to dispose of all storm water through the approved storm water and drainageway system as set forth in the storm water management plan. The design and construction of a storm water detention basin, if required by the City for this development, shall comply with the City's current storm water management ordinances and policies. The Developer shall have a duty to continue the drainage across the property, and, in no event shall the Developer create an undue hardship on the adjoining property owners in the manner in which storm water runoff and drainage is managed. The Developer may reserve a drainage easement across all or a portion of the outlots within the subdivision for management of storm water runoff and drainage from the subdivision and other areas whose storm water may be more efficiently detained and drained by the utilization of such easement.

6. The Developer shall provide water, sewer, utility and drainage easements as shown on the plat.

7. Any wells shall be abandoned in accordance with applicable local, state and federal laws and regulations.

8. A Stormwater Management Facility Maintenance Agreement (or BMP Agreement) shall be required to be approved before or at the time of final plat approval.

D. Additional Requirements. Further, the Developer agrees that:

1. The Developer shall pay the following costs:

a) Southwest Growth Utilities: \$275,230.00 (\$8,548 per acre x 32.20 acres).

b) West Trunk Sewer tap-on: \$39,574.00 (\$1,229 per acre x 32.20 acres).

- c) Kansas Avenue Water Main tap-on: \$15,220.00 (\$24.27 per linear foot x 504.31 feet).
- d) Kansas Ave construction fees: \$36,976.00 (29.42% of total costs allocated to subdivision)
- e) Forevergreen Road construction fees: \$15,464.00 (29.42% of total costs allocated to subdivision)

It is understood that these figures are derived from accounting that has been rounded to the nearest whole dollar. All costs shall be submitted to the City in full prior to Council approval of the final plat. Said payment shall be deemed fully released by the Developer and accepted by the City upon approval of the final plat.

2. Apportionment of Fees. This Subdivision is a part of a multi-phased project. The development fees set out above represent the proportionate costs based on the acreage of this phase relative to the total acreage of all phases of Forevergreen Estates (32.20 acres out of a total 109.46 acres, or 29.42% of the final costs).

3. Off-site easements will need to be provided prior to construction plan approval.

4. The Developer agrees to explore for existing tile lines, and to cap or connect any tile lines to the City's storm sewer system as directed by the engineer for the Forevergreen Estates subdivision, and as approved by the City. The location and depth of the digging and the required action upon completion of the digging shall be subject to review and approval of the City Engineer. For any capping or connecting activities required under this section, standard plastic tile and connectors are acceptable materials.

5. Developer acknowledges that the proposed stormwater management plan for this subdivision does not provide for the water quality volume component (capture and treatment of 1.25 inches rainfall) set forth in Chapter 156 of the City Code with respect to Lot 1 and Lot 2. No building permits shall be issued for Lot 1 or Lot 2 until such facilities are installed which satisfy said water quality volume requirements for the respective lot.

6. Developer agrees to construct and maintain (including snow removal) a temporary fire access from Julia Drive over and across Auditor's Parcel # 2011021

to Kansas Avenue prior to final plat approval. That temporary fire access may be gravel, but must be designed to support a fire apparatus weight of at least 75,000 pounds. Notwithstanding any other provision in this Agreement, if additional means for ingress and egress for fire apparatus vehicles as contemplated by Section D107.1 of the International Fire Code does not become open and available to the subdivision on or before November 1, 2025, then Developer shall cause the temporary fire access to be converted to pavement. Such modification shall be made at the Developer's sole expense. Developer agrees that the obligations arising from this Section 3(D)(6) are not assignable to a homeowners association. After such additional means of ingress and egress shall have been constructed and accepted by the City, such temporary fire access may be removed.

E. Homeowners Association. The Developer agrees that a homeowners association, hereinafter referred to as "HOA," shall be created prior to approval of any final plats and subject to the following requirements.

1. The City shall have the opportunity to review and approve all documentation related to the initial formation and organization of the HOA, which shall then be recorded at the Developer's expense. The City shall thereafter be provided notices concerning any reorganization of the HOA, dissolution of the HOA, changes in membership in the HOA, or proposed changes in any duties or responsibilities of the HOA that directly affect the City.

2. Said HOA shall include as members the owners of all buildable lots within the underlying preliminary plat.

3. After the final plat is approved and recorded, the Developer shall transfer all outlots to the HOA.

4. The HOA shall own in perpetuity and be responsible for the maintenance of all outlots within the boundaries of the preliminary plat, including but not limited to stormwater management facilities and landscape buffers, consistent with all terms and conditions set out in this Agreement.

5. No signs may be erected or maintained on any outlot within the boundaries of the preliminary plat. The HOA shall promptly remove any signs placed on any outlot. The City is empowered to remove and dispose of any such signs, without prior notice or reimbursement.

6. The Developer acknowledges and agrees that the all lots within the jurisdiction of the HOA will be specifically benefited by the maintenance of all outlots, and the cost of such maintenance need not meet the requirements of notice, benefit or value as provided by the law of the State of Iowa for assessing such improvements and facilities, if necessary, in the event the City incurs costs due to the failure of the HOA or its members to maintain the outlots.

F. Developer's Obligations. Nothing in this Agreement shall be construed to impose a requirement on the City to install the original public improvements at issue herein, nor shall the Developer be deemed to be acting as the City's agent during the original construction and installation of the above-described improvements. The parties agree that the obligation to install the above-described public improvements herein shall be in accordance with the plans and specifications drafted by the Developer and subject to the approval of the City. Furthermore, the obligations shall remain on the Developer until completion by the Developer and until acceptance by the City, as provided by law.

SECTION 4. PUBLIC UTILITIES.

Developer agrees that it will obtain any necessary concurrence of utility or other easements from appropriate utility companies. Developer agrees that it will provide for the continuation of all required water, sanitary sewer and storm drainage facilities. The Developer agrees that it will connect and use existing public water supplies in accordance with the North Liberty Municipal Code and that the Developer will provide a plan outlining the drainage of the land and indicating the manner in which the drainage will be accommodated and will connect to the existing storm water sewer systems when available in accordance with the plan approved by the City Engineer.

SECTION 5. EROSION CONTROL AND GRADING.

A. Erosion Control. Before any grading or utility construction is commenced or building permits are issued, the Developer shall design and implement an erosion control plan which shall be reviewed and approved by the City. All areas disturbed by the excavation and backfilling operations shall be reseeded forthwith after the completion of the work in that area. All seeded areas shall be fertilized, mulched and disc anchored as necessary for seed retention. The parties recognize that time is of the essence in controlling erosion. If the Developer does not comply with the erosion control plan or any supplementary instructions received from the City, the City may take such action as it deems appropriate to control erosion and assess the costs of such action to the Developer or to the property, or both. The City will endeavor to notify the Developer in advance of any proposed action, but failure of the City to do so will not affect the Developer's and City's rights or obligations hereunder. It is

anticipated that all of such areas shall be seeded with prairie grasses and/or other natural plantings so as to minimize the need for frequent mowing and other maintenance.

B. Grading. No grading of any nature may occur on this property until a grading plan is implemented by the Developer and approved by the City. Within ninety (90) days after the completion of any grading, the Developer shall provide the City with an "as-constructed" grading plan and a certification by registered land surveyor or engineer that all ponds, swales and ditches, if any, have been constructed in accordance with the plans approved by the City.

SECTION 6. PHASED DEVELOPMENT.

If the plat is a phase of a multi-phased preliminary plat, the City may refuse to approve final plats of subsequent phases if the Developer has breached this Agreement and the breach has not been remedied. Development of subsequent phases will not be allowed to proceed until Developer's Agreements for such phases are approved by the City.

SECTION 7. PUBLIC IMPROVEMENTS AND ASSESSMENT WAIVER.

A. If all the public improvements and facilities as provided in this agreement are not installed and accepted by the City prior to approval of the final plat, the Developer is required to either deposit in escrow or file a surety bond with the City in the amount equal to the estimated costs of the public improvements and facilities plus ten percent prior to the approval of the final plat, as set forth in Section 180.11(8)(A)(2) of the Code of Ordinances. In any event, no certificates of occupancy will be issued until all the public improvements and facilities are constructed and accepted by the City.

B. In the event the Developer, its assigns or successors in interest, should sell or convey lots in said subdivision without having constructed the public improvements and facilities as provided in this Agreement or without the City having accepted all public improvements and facilities; or the Developer, its assigns or successors in interest in said subdivision, shall fail to construct sidewalks as set forth in Section 3(C)(4), the City shall have the right to install and construct said improvements, facilities and sidewalks. Unless City is fully reimbursed for these costs from the escrowed money or surety bond held by the City, the costs of said public improvements, facilities and sidewalks shall be a lien and charge against all of the lots adjacent to or in front of the improvements, facilities and sidewalks that are constructed and any lots which may be assessed for public improvements, facilities and sidewalks under the provisions of Chapters 364 and 384 of the Iowa Code. It is further provided that this requirement to construct said public improvements, facilities and sidewalks is and shall remain a lien from the date of execution until properly released as hereinafter provided.

C. The Developer acknowledges and agrees that all lots of the subdivision are specifically benefited by the public improvements, facilities and sidewalks, and the cost of such public improvements, facilities and sidewalks need not meet the requirements of notice, benefit or value as provided by the law of the State of Iowa for assessing such improvements and facilities.

SECTION 8. ENGINEERING ADMINISTRATION AND CONSTRUCTION OBSERVATION.

A. The Developer shall submit to the City, for approval by the City Engineer, plans and specifications for the construction of improvements in the subdivision which have been prepared by a registered professional civil engineer. The Developer shall obtain approval of the construction plans and all necessary permits from the appropriate city, state and federal agencies before proceeding with construction. In addition, the Developer shall cause to have its engineer provide adequate field inspection personnel to ensure that an acceptable level of quality control is maintained.

B. The Developer shall pay all costs of engineering administration, which will include review of the Developer's final construction plans and specifications, monitoring of construction, and consultation with the Developer and its engineer on the status, progress or other issues regarding the project. The Developer shall pay for the reasonable construction observation performed by the City staff or consulting City Engineer. Construction observation will consist of examination of proposed public utilities, street construction and other infrastructure improvements. The engineering administrative fee and construction observation fees to be paid by the Developer shall be determined by the City, in part based on the standard hourly fee schedule in effect between the City Engineer and the City on file at City Hall and in part based on standard fees for other staff members that perform the duties noted above. The City shall provide the appropriate supporting documentation for these fees upon request by the Developer.

SECTION 9. RELEASE.

The City agrees that when the public improvements, facilities and sidewalks required by Section 3 of this Agreement have been installed to the satisfaction of the City, it will promptly issue appropriate releases of various lots of the subdivision for recording in the Johnson County Recorder's Office so that this Agreement, or applicable portions thereof, will no longer constitute a cloud on the title of the lots in said subdivision.

SECTION 10. DEVELOPER'S OBLIGATION AND DEFAULT.

A. The Developer agrees and is fully obligated to perform as provided in this Agreement. The Developer is liable and responsible for each and every obligation agreed to be undertaken pursuant to this Agreement. Failure of the Developer, its employees, agents or assigns, to perform is not a defense for the Developer against any action to be taken by the City.

B. In the event of default by the Developer regarding any work to be performed by the Developer under this Agreement, the City may, at its option, perform the work and bill the Developer for said work. The Developer shall promptly reimburse the City for any expense incurred by the City, provided the Developer, except in an emergency as determined by the City, is first given written notice of the work in default, and has not cured such default within fourteen (14) days of such notice. This Agreement is an authorization for the City to act, and it shall not be necessary for the City to seek a court order for permission to enter upon the property. When the City does any such work, the City may, in addition to its other remedies, assess the cost in whole or in part against all of the property located in the subdivision.

SECTION 11. AUTHORIZATION TO ENTER PREMISES.

Developer grants the City, its agents, employees, officers and contractors, authorization to enter the subdivision area to perform all work and inspections deemed appropriate and necessary by the City in conjunction with this development.

SECTION 12. FEES.

The Developer agrees to record this Agreement and to pay all necessary recording and filing fees that accrue as a result of any work that is performed under this Agreement or made necessary as a result of this subdivision project. A copy of this recorded Agreement will be provided to the City.

SECTION 13. TIME OF PERFORMANCE.

Developer shall install all required public improvements, except for sidewalk construction deferred in accordance with Section 3(C)(4), within two (2) years from the date of City approval of this Agreement. In the event that the Developer fails to install the required public improvements within the above-referenced time, authorization to proceed with the development shall cease, and the Developer shall be required to seek reauthorization and approval of this development. Developer may, however, request an extension of time from the City. If an extension is granted, it may be conditioned upon updating any security posted by the Developer or requiring the Developer to provide security to reflect cost increases and extended completion date.

SECTION 14. MISCELLANEOUS.

A. The Developer represents and states that the plat complies with all city, state and federal laws and regulations, including but not limited to subdivision ordinances, zoning ordinances and environmental regulations. The City may, at its option, refuse to allow construction or development work in the subdivision until the Developer complies with the appropriate law or regulation. Upon the City's demand, the Developer shall cease work until there is compliance.

B. Third parties shall have no recourse against the City under this Agreement.

C. Breach of the terms of this Agreement by the Developer shall be grounds for denial of building permits, occupancy permits or other permits.

D. If any portion, section, subsection, sentence, clause, paragraph or phrase of this Agreement is for any reason held invalid, such decision shall not affect the validity of the remaining portion of this Agreement.

E. The action or inaction of the City shall not constitute a waiver or amendment to the provisions of this Agreement. To be binding, amendments or waivers must be in writing, signed by both parties and approved by written resolution of the City Council. The City's failure to promptly take legal action to enforce this Agreement shall not be a waiver or a release.

F. Except as hereinafter provided, the Developer may not assign this Agreement or the obligations imposed by this Agreement without the written permission of the City Council or as otherwise provided in this Agreement. This restriction shall not apply to another entity solely owned and controlled by the members of the Developer, which assignment shall not serve to release Developer from the obligations undertaken hereunder.

G. The Developer's obligations under this Agreement shall continue in full force and effect even if the Developer sells a portion of the subdivision, the entire platted area, or any part thereof.

H. No building or occupancy permits will be issued until all public improvements have been constructed in accordance with applicable standards and formally accepted by the City. Notwithstanding the foregoing, the Developer may transfer the ownership of all outlots within the subdivision to a homeowners association, which shall assume the obligation to maintain and repair the stormwater detention facility and other infrastructure on said outlots

located thereon, and Developer shall be released from any further liability or responsibility to repair or maintain the infrastructure on said outlots.

I. The Developer shall take out and maintain a public liability and property damage insurance policy covering personal injury, including death, and claims for property damage which may arise out of the Developer's work or the work of its subcontractors or by one directly or indirectly employed by any of them.

J. The Developer shall record any restrictive or protective covenants for the subdivision. A copy of the recorded restrictive or protective covenants will be provided to the City.

K. The Developer shall record the original copy of this agreement, with all requisite signatures, at the time the other final plat documents are recorded as required by law.

SECTION 15. NOTICES.

Required notices to the Developer shall be in writing and shall either be hand delivered to the Developer, its agents or employees, or mailed to the Developer by registered mail at the following address:

Bowman Property, LLC
c/o Robert N. Downer
122 S. Linn Street
Iowa City, IA 52240

Notices to the City shall be in writing and shall be either hand delivered to the City Administrator or mailed to the City by registered mail in care of the City Administrator at the following address:

North Liberty City Administrator
P.O. Box 77
North Liberty, IA 52317

Notices mailed in conformance with this section shall be deemed properly given.

SECTION 16. SUCCESSORS AND ASSIGNS.

This Agreement shall be a covenant running with the land and inure to the benefit of and be binding upon the parties, their successors and assigns.

DATED this 28th day of July, 2022.

CITY OF NORTH LIBERTY, IOWA

BOWMAN PROPERTY, LLC

By: _____
Chris Hoffman, Mayor

By:  _____
Alan Marks, Manager

ATTEST: _____
Tracey Mulcahey, City Clerk

STATE OF IOWA, JOHNSON COUNTY: ss

On this ____ day of _____, 2022, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Chris Hoffman and Tracey Mulcahey, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of North Liberty, Iowa, a municipal corporation; that the seal affixed to the foregoing instrument is the corporate seal of the municipal corporation; and that the instrument was signed and sealed on behalf of the municipal corporation by the authority of its City Council, as contained in Resolution No. _____ of the City Council on the ____ day of _____, 2022; and that Chris Hoffman and Tracey Mulcahey acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it and by them voluntarily executed.

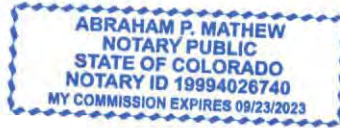
Notary Public in and for the State of Iowa

STATE OF Colorado
COUNTY OF Jefferson: ss

This instrument was acknowledged before me on this 28th day of July, 2022, by Alan Marks as President of Bowman Property, LLC, Developer.



Notary Public in and for said State



[EXHIBIT "A" - MARK AND ATTACH FINAL PLAT]

Resolution No. 2022-86

A RESOLUTION APPROVING THE DEVELOPER'S AGREEMENT FOR FOREVERGREEN ESTATES PART ONE, NORTH LIBERTY, IOWA

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

WHEREAS, the terms and conditions for the development of Forevergreen Estates Part One have been set forth in an Agreement between the City of North Liberty and Bowman Property, L.L.C. and

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

NOW, THEREFORE, BE IT RESOLVED that that the Development Agreement between the City of North Liberty and Bowman Property, L.L.C. is approved for Forevergreen Estates Part One, North Liberty, Iowa

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

APPROVED AND ADOPTED this 9th day of August, 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
Lot 25



August 2, 2022

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

Re: Request of Dahnovan Holdings to approve a Site Plan for 62 unit townhouses and related site improvements on approximately 7.03 acres. The property is located on the south side of future Harlen Street approximately .17 miles east of South Kansas Avenue.

Mayor Hoffman:

The North Liberty Planning Commission considered the above-referenced request at its August 2, 2022 meeting. The Planning Commission took the following action:

Findings:

1. The residential use of the property of the property would be consistent with the current RM-12 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 entitled, "Uses Defined and Use Standards", 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 Preliminary Site Plan to the City Council with a recommendation for approval.

The vote for approval was 4-0.

Jason Heisler, Vice Chairperson
City of North Liberty Planning Commission

PRELIMINARY SITE PLAN LOT 25, FOREVERGREEN ESTATES NORTH LIBERTY, IOWA



SYMBOL	DESCRIPTION	NOTES
[Symbol]	[Description]	[Notes]
[Symbol]	[Description]	[Notes]
[Symbol]	[Description]	[Notes]

STANDARD LEGEND AND NOTES	
[Symbol]	[Description]
[Symbol]	[Description]
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LANDSCAPE REQUIREMENTS

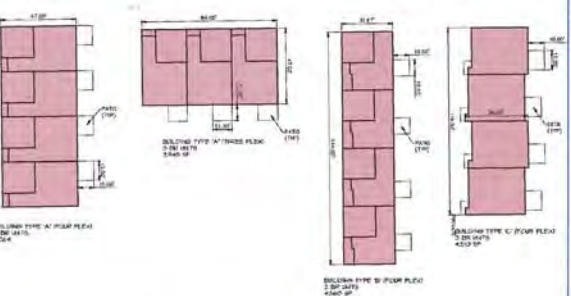
1. ALL PLANTINGS SHALL BE PERMANENTLY ESTABLISHED AND MAINTAINED THROUGHOUT THE LIFE OF THE DEVELOPMENT.

2. PLANTINGS SHALL BE SELECTED BASED ON LOCAL AVAILABILITY AND SUITABILITY TO THE CLIMATE AND SOIL CONDITIONS.

3. PLANTINGS SHALL BE INSTALLED AT THE TIME OF CONSTRUCTION.

4. PLANTINGS SHALL BE MAINTAINED THROUGHOUT THE LIFE OF THE DEVELOPMENT.

5. PLANTINGS SHALL BE REPLACED AS NECESSARY.



LANDSCAPE REQUIREMENTS

- LANDSCAPE LEGEND**
- [Symbol] PLANTING
 - [Symbol] PLANTING
 - [Symbol] PLANTING



MMS
ENVIRONMENTAL SPECIALISTS
INC.

100 S. GILBERT ST.
IOWA CITY, IOWA 52242
319.333.4242
WWW.MMSDESIGNS.COM

DATE: 06/11/2022
PROJECT: FOREVERGREEN ESTATES - LOT 25

PRELIMINARY SITE PLAN

LOT 4
FOREVERGREEN ESTATES
NORTH LIBERTY
JOHNSON COUNTY
IOWA

DRAFT

Prepared by: **CAT**
Checked by: **JBH**
Reviewed by: **CAT**

Scale: **AS SHOWN**
Project No.: **22170-14-25a**

1
11030-004

MMS CONSULTANTS, INC.
06-01-2022
1100, 1330, 1390
10/30



FRONT ELEVATION



REAR ELEVATION

REVISIONS

• DESIGN ELEMENTS •
 RESIDENTIAL LIGHT COMMERCIAL EXTERIOR
 LANE TICLE - DVA - 1302755
 897-658-4579
 CLE@STANAGROUP.COM

DAHNOVAN BUILDERS
 4-PLEX

SCALE: 1/8" = 1'-0"
 DATE: 06/27/2022
 DRAWN BY: CDM
 CHECKED BY: CDM
 PROJECT NUMBER: 0711868

DESIGN ELEMENTS IS NOT AN ARCHITECT OR ENGINEER AND CONSTRUCTION FROM THESE PLANS SHOULD FIRST BE REVIEWED BY A CONSTRUCTION PROFESSIONAL. THE CLIENT AND BUILDER OF THIS PLAN RELEASES DESIGN ELEMENTS FROM ANY CLAIMS OR LAISSES THAT COULD ARISE ARISING OR IN CONNECTION WITH THE CONSTRUCTION OF THIS HOME OR BUILDING. IN CONCLUSION, ALL STRUCTURAL MEMBERS, DIMENSIONS AND DETAILS MUST BE CAREFULLY REVIEWED BY A STRUCTURAL DESIGN PROFESSIONAL.

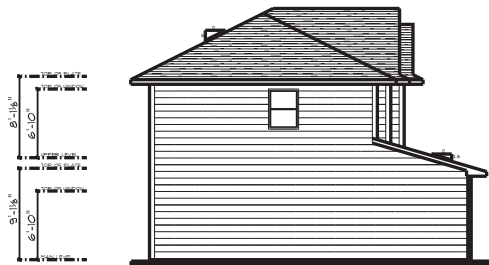




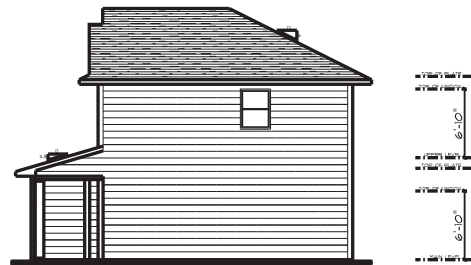
FRONT ELEVATION



REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION

PRELIMINARY PLAN ONLY NOT FOR CONSTRUCTION

REVISIONS

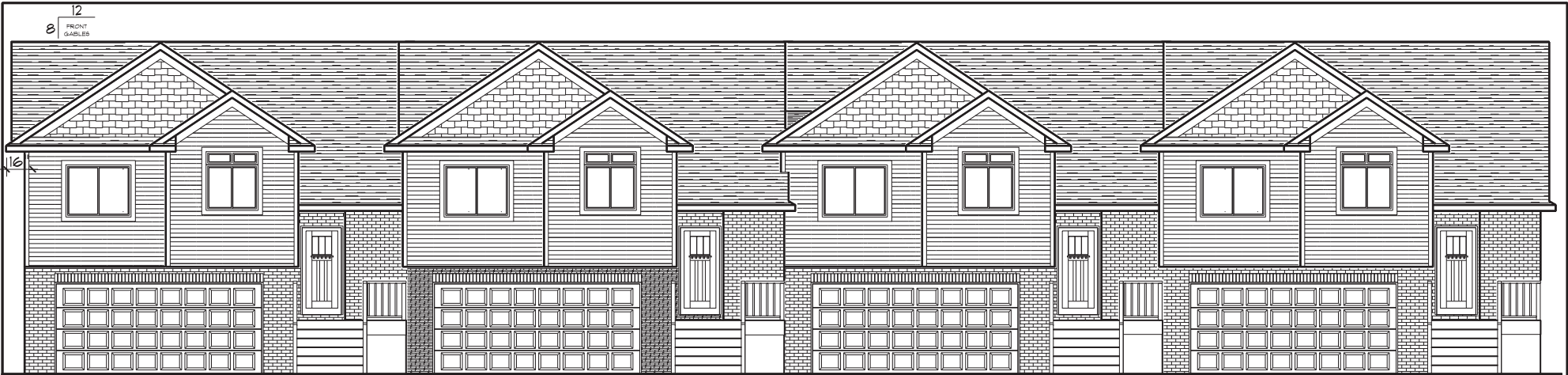
DESIGN ELEMENTS
 RESIDENTIAL LIGHT COMMERCIAL DRAWING
 LINE TITLE: 4/14A + 5/27/20
 30-469-4448
 DESIGNELEMENTS.NET

DAHNOVAN BUILDERS
 SLAB 4-PLEX

SCALE: 1/8" = 1'-0"
 DATE: 06/27/2022
 DRAWN BY: JAC
 CHECKED BY: GCM
 PROJECT NUMBER: 22N 2236

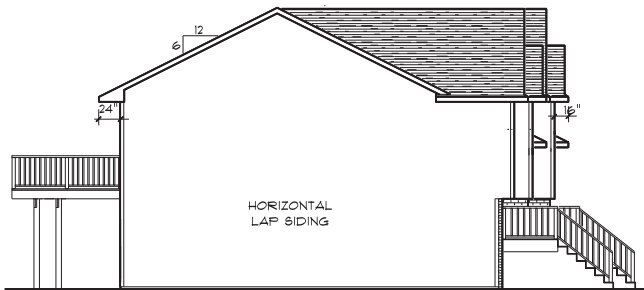
DESIGN ELEMENTS IS NOT AN ARCHITECT
 IN IOWA AND CONSTRUCTION FROM
 THESE PLANS SHALL FIRST BE
 REVIEWED BY A CONSTRUCTION
 PROFESSIONAL. THE CLIENT AND
 HOLDER OF THESE PLANS RELEASES
 DESIGN ELEMENTS FROM ANY CLAIMS OR
 DAMAGES THAT COULD ARISE THERE
 OR AFTER THE CONSTRUCTION OF THIS
 HOME OR BUILDING. IN CONNECTION ALL
 STRUCTURAL MEMBERS, FOUNDATIONS AND
 UTILITIES MUST BE CAREFULLY
 REVIEWED BY A STRUCTURAL DESIGN
 PROFESSIONAL.





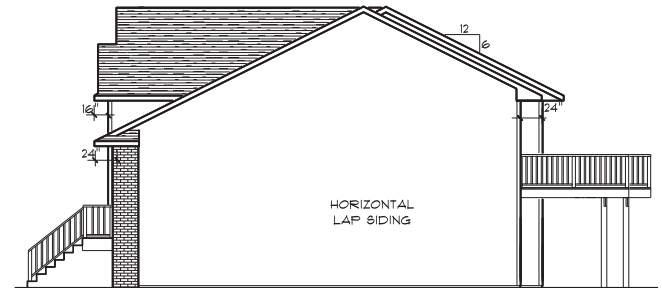
FRONT ELEVATION

3/16"=1'0"



LEFT ELEVATION

1/8"=1'0"



RIGHT ELEVATION

1/8"=1'0"



REAR ELEVATION

1/8"=1'0"

FOUR PLEX		
SCALE	NOTED	DRAWN BY: B. R. BOCK
DATE	3-12-14	REVIEWED:
		DRAWING NUMBER
		1 OF 5





To **City of North Liberty Planning Commission**
 From **Ryan Rusnak, AICP**
 Date **July 29, 2022**
 Re **Request of Dahnovan Holdings to approve a Site Plan for 62 unit townhouses and related site improvements on approximately 7.03 acres. The property is located on the south side of future Harlen Street approximately .17 miles east of 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:

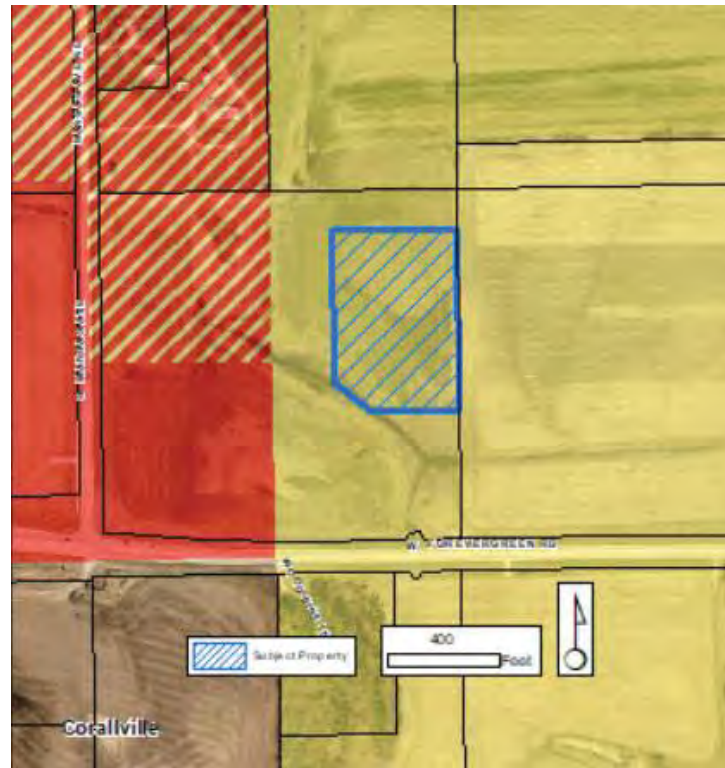
The site plan proposes 62 townhouses and related infrastructure on proposed Lot 25 of Forevergreen Estates subdivision.

2. Existing Zoning:

The property is currently zoned RM-12 Multi-Unit Residence District. "Townhouse Dwellings" is listed as a permitted use in the RM-12 District. RM-12 permits up to 12 units per acre, which would allow up to 84 units on the subject property.



3. **Comprehensive Plan Future Land Use Map Designation:** Residential. The RM-12 District is consistent with the Residential Land Use Designation.



4. Public Input:

No public comments have been received.

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 1.**
- *The property owner's name and description of proposed development.* **Provided on Sheet 1**
- *A vicinity sketch showing the location of the property and other properties within 1,000 feet of it.* **Provided on Sheet 1.**
- *Property boundary lines, dimensions, and total area.* **Provided on Sheet 1.**
- *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 1.**
- *The location of existing streets, sidewalks, easements, utilities, drainage courses.* **Provided on Sheet 1.**
- *The total square feet of building floor area, both individually and collectively.* **Provided on Sheet 1.**

- *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 1 and architectural rendering.**
- *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 sheet 1.**
- *Pedestrian walkways with special consideration given to pedestrian safety.* **This is a residential development with a private street. One sidewalk on the east side of the private drive connecting to future Harlen Street is proposed.**
- *Trash and refuse enclosures.* **Curb side pickup is being proposed.**
- *The general drainage pattern and location of storm water detention features.* **Provided on Sheet 1.**
- *The general location, type and size of landscaping and ground cover illustrated in color perspective.* **Provided on Sheet 1.**
- *A rendering, elevation or photo of the proposed development.* **Provided on the architectural rendering.**

North Liberty Code of Ordinances Section 168.07 entitled, "Uses Defined and Use Standards" sets forth certain design standards (applicable Ordinance language in italics and staff analysis in bold).

Section 168.07(29)(B)

B. Use Standards.

- (1) The interior side yard is not applicable to the side of the unit located on the lot line (shared wall attachment to another unit).
- (2) Each unit must have an approved one-hour fire-resistive wall between them that is built in such a manner as to allow no connections other than the wall itself between the units
- (3) 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.
- (4) Minimum required masonry on front and corner side yard building elevations is 25%,
- (5) 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.

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

6. Staff Recommendation:

Findings:

1. The residential use of the property of the property would be consistent with the current RM-12 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 entitled, "Uses Defined and Use Standards", 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 62-unit townhouses and related infrastructure 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.

Resolution No. 2022-87

**RESOLUTION APPROVING THE DEVELOPMENT SITE
PLAN FOR LOT 25, FOREVERGREEN ESTATES, NORTH
LIBERTY, IOWA**

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

WHEREAS, the applicant, Dahnovan Holdings, has filed with the City Clerk a development site plan;

WHEREAS, the property is described as:

Lot 25, Forevergreen Estates, North Liberty, Johnson County, Iowa, said tract of land contains 7.03 acres;

WHEREAS, said site plan is found to:

1. The residential use of the property would be consistent with the current RM-12 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 entitled, "Uses Defined and Use Standards, 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 no conditions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of North Liberty, Iowa, does hereby approve the development site plan for Lot 25, Forevergreen Estates, North Liberty, Iowa.

APPROVED AND ADOPTED this 9th day of August, 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



Greenbelt Trail Parking

Resolution No. 2022-88

**A RESOLUTION APPROVING PARKING CONTROL DEVICES IN
THE CITY OF NORTH LIBERTY, IOWA**

WHEREAS, Section 69.08 of the North Liberty Code of Ordinances authorizes the City Council to establish by resolution and cause to be placed parking control devices that prohibit or limit parking at designated locations in accordance with Chapter 69 of the City's Code; and

WHEREAS, the City Council has previously prohibited or limited parking throughout the City and has now reviewed the same.

BE IT THEREFORE NOW RESOLVED BY THE CITY COUNCIL OF NORTH LIBERTY, IOWA, that the City of North Liberty, Iowa, hereby establishes the placement of parking control devices to prohibit or limit parking for the City's street system as follows in the attached chart.

APPROVED AND ADOPTED this 9th day August, 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

Street Name	Side of Street Parking is Prohibited	Times
236th Street	North side from Progress Street to the west 140 feet	at all times
236th Street	South side between Progress Street and North Jones Boulevard	at all times
238th Street	Both sides between Progress Street and North Jones Boulevard	at all times
240th Street	Both sides	at all times
Alderwood Road	West side	at all times
Alexander Way	Both sides	at all times
Ashley Court	South side from the intersection with Highway 965 to the eastern end, at the railroad property	at all times
Berkshire Lane	North side from a point 330' west of centerline of its intersection with Osage Lane to its east terminus	at all times
Birch Street	From Front Street west approximately 320 feet to the first Stewart Street intersection	at all times
Brook Ridge Avenue	West side	at all times
Cherry Street	Both sides from the CRANDIC railroad crossing west to the intersection of Highway 965	at all times
Cherry Street	South side from Highway 965 to its westerly termination	at all times
Commercial Drive	Both sides	at all times
Community Drive	Both sides	at all times
Cook Circle	West side	at all times
Cypress Ridge	West side	at all times
Denison Ave	North side	at all times
Devmont Court	South side	at all times
Dickinson Drive	North side from Dubuque Street east to the intersection with Whitman Avenue	at all times
Dubuque Street	Both sides from a point one hundred feet south of the intersection with Cherry Street south to the city limits	at all times
Dubuque Street	Both sides from Main Street north to the city limits	at all times
East Hickory Street	North side between posted signs	at all times
East Hickory Street	South side where posted at the inside corner approximately two hundred feet east of Front Street	at all times
East Jefferson Street	South side	at all times
Elm Grove Avenue	North side	at all times
Elm Ridge Court	Adjacent to properties with odd-numbered addresses (south side)	at all times
Elm Ridge Drive	Side adjacent to the properties with even-numbered addresses.	at all times
Emily Street	East side	at all times
Front Street	Both sides from Dubuque Street north to the city limits	at all times
Front Street	Both sides from Zeller Street south to the city limits	at all times
Front Street	East side between Cherry Street south to Zeller Street on even-numbered days	6:00 a.m. to 6:00 p.m.
Front Street	West side between Cherry Street south to Zeller Street on odd-numbered days	6:00 a.m. to 6:00 p.m.
Hackberry Street	North side	at all times
Hawkeye Drive	Both sides	at all times
Hawkeye Drive	Both sides between Highway 965 and Spartan Drive	at all times
Hawthorne Place	Side adjacent to the properties with odd-numbered addresses	at all times
Hedgwood Circle	West side	at all times
Heritage Drive	North and East side of 10 - 100 block (street curves) South and East side of 100 - 200 block (street curves)	6:00 a.m. to 6:00 p.m. Even-numbered days
Heritage Drive	South and West side of 10 - 100 block (street curves) North and West side of 100 - 200 block (street curves)	6:00 a.m. to 6:00 p.m. Odd-numbered days
Heritage Place	North side of the street on even-numbered days	6:00 a.m. to 6:00 p.m.
Heritage Place	South side of the street on odd-numbered days	6:00 a.m. to 6:00 p.m.
Herky Street	Both sides from its intersection with Penn Street south a distance of nine hundred and ten feet	at all times
Highway 965	Both sides	at all times

Street Name	Side of Street Parking is Prohibited	Times
Jessie Street	West side and anywhere on the two extensions on the east side and west side of Jessie Street	at all times
Jones Boulevard	Both sides	at all times
Juniper Court	Both sides from Hackberry Street to Juniper Street	at all times
Juniper Street	North side from the intersection with Dubuque Street for 228 feet to the west	at all times
Juniper Street	South side	at all times
Kansas Avenue	Both sides	at all times
Liberty Way	Both sides	at all times
Lincoln Drive	South side from Cameron Way to the west termination	at all times
Lining Lane	Both sides	at all times
Linder Lane	East side	at all times
Lions Drive	Both sides	at all times
Main Street	West side	at all times
Maple Street	Adjacent to properties with even-numbered addresses	at all times
Mark Twain Court	East side abutting Lots 14 and 16 on even-numbered days	6:00 a.m. to 6:00 p.m.
Mark Twain Court	South and west side abutting Lots 13 through 19 on odd-numbered days	6:00 a.m. to 6:00 p.m.
North Stewart Street	East side from the intersection of Penn Street to a point three hundred feet south	at all times
Oak Terrace Avenue	East and north sides (street curves)	at all times
Osage Lane	East and north sides (street curves)	at all times
Park View Court	West side from the intersection of Zeller Street to a point five hundred feet south	at all times
Penn Court	Both sides on both the North and West parts of the street	at all times
Penn Street	Both sides	at all times
Pheasant Lane	North side from Scales Bend Road to Timber Wolf Drive through the duration of the Highway 965 Project	at all times
Pheasant Lane	South side from Scales Bend Road to Highway 965	at all times
Prairie Ridge Road	North and east sides between Sugar Creek Lane and Zeller Street	at all times
Prairie Ridge Road	South side of Prairie Ridge Road from a point one hundred eighty-five feet west of the intersection with Sugar Creek Lane east to the intersection with Sugar Creek Lane	at all times
Progress Street	Both sides	at all times
Rachael Street	West side from the intersection of Blue Sky Drive to the south to the end of the street	at all times
Redbud Circle	East side	at all times
River Bend Lane	West side	at all times
Sara Courth	South and west side	at all times
Scarlet Oak Circle	West side	at all times
Silver Maple Trail	South side east of Cypress Ridge	at all times
Stoner Court	Both sides	at all times
Sugar Creek Lane	Both sides from Zeller Street south to the intersection with Fairview Lane, except that parking is permitted on the east side of Sugar Creek Lane from Westwood Drive to Fairview Lane	at all times
Tupelo Drive	West side	at all times
Vandello Circle	North side around the entire curve to the south	at all times
Vandello Drive	Both sides between Front Street and Cook Circle	at all times
Vandello Drive	North side between Cook Circle and Sadler Drive	at all times
Vandello Drive	Both sides 60 feet from its intersection with Sadler Drive	at all times
Westwood Drive	Both sides	at all times
Zeller Street	North side of the street on even-numbered days	6:00 a.m. to 6:00 p.m.

Street Name	Side of Street Parking is Prohibited	Times
Zeller Street	South side of the street on odd-numbered days	6:00 a.m. to 6:00 p.m.



Mickelson Rezoning



July 5, 2022

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

Re: Request of MLDC, Inc. for a zoning map amendment (rezoning) from RS-6 Single-Unit Residence District to RS-9 Single-Unit Residence District on approximately 2.29 acres and from RS-6 Single-Unit Residence District to RD-10 Two-Unit Residence District on 7.06 acres. The property is located at the north terminus of Morrison Street.

Mayor Hoffman:

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

Finding:

1. The rezoning request from RS-4 Single-Unit Residence District to RS-9 Single-Unit Residence District and RD-10 Two-Unit Residence District achieves consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

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

The vote for approval was 6-1.

Josey Bathke, Chairperson
City of North Liberty Planning Commission



To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **June 30, 2022**
Re **Request of MLDC, Inc. for a zoning map amendment (rezoning) from RS-6 Single-Unit Residence District to RS-9 Single-Unit Residence District on approximately 2.29 acres and from RS-6 Single-Unit Residence District to RD-10 Two-Unit Residence District on 7.06 acres. The property is located at the north terminus of Morrison 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:

This rezoning request is to facilitate development of the property with smaller single-unit residence and single-unit zero lot line residences. If approved, the request would allow for the construction of 22 additional homes (six single-unit residences and 16 single-unit zero lot line residences).

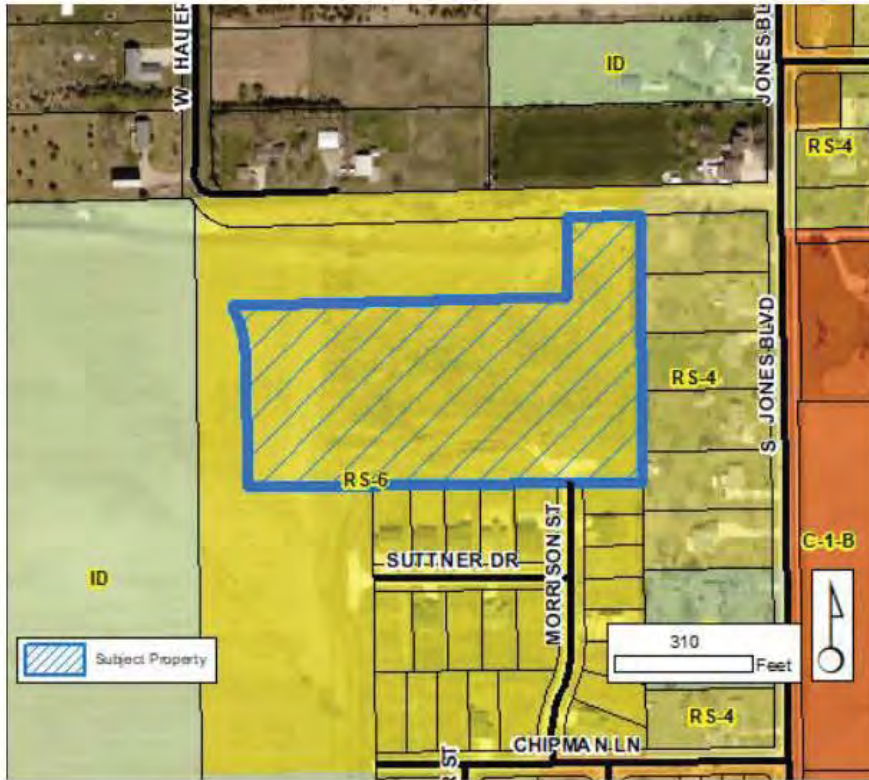
2. Proposed Zoning:

RS-9 Single-Unit Dwelling District.

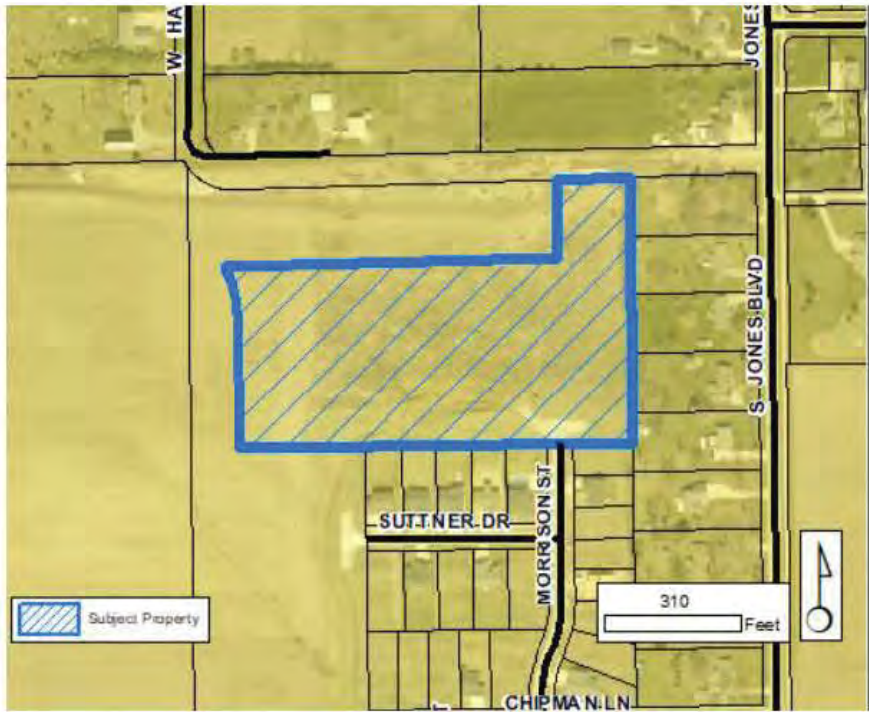
The RS-9 District is intended to provide for and maintain high-density single-unit residential neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RS-9 District.

RD-10 Two-Unit Residence District.

The RD-10 District is intended to allow for attached single-unit dwellings joined together on a common boundary line with a common wall between the units. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RD-10 District.



3. Consistency with Comprehensive Plan:
 Land Use Plan 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:

- Protect residential neighborhoods from encroachment or intrusion of incompatible higher use types by adequate buffering and separation. This policy is not to be interpreted to imply that new development must match existing development in cost, density, or character; but instead to mean that gross incompatibilities shall be minimized and mitigated where unavoidable.

4. Public Input:

A good neighbor meeting was held on May 12, 2022. Approximately five people outside of City staff and the applicant attended the virtual meeting. There were some objections expressed at the meeting. The objections pertained to the different style of housing types than the developed RS-6 lots and the additional traffic generated by the additional units. To date, staff has received eight formal objections.

5. Approval Standards:

Section 165.09 of the Zoning Ordinance sets for the approval standards for zoning maps amendments.

- D. Approval Standards. The Planning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards (staff commentary in italics).

(1) Map Amendments.

- (a) The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

It is staff's opinion that the zoning map amendment would achieve consistency with the Comprehensive Plan and adopted land use policies. The RS-6 zoning would be maintained along Chipman Lane and Suttner Lane, which would allow continuity along the block faces. RS-6 zoning would also be maintained along future Remley Street, which is a planned collector street. It is the City's policy to limit the number of driveway accesses on a collector street. It is staff's opinion that the location of the RS-9 zoning would be appropriate due to the adjacency of the higher density RD-10 zoning.



- (b) The compatibility with the zoning of nearby property.

It is staff's opinion that the proposed zonings would be compatible with adjacent RS-4 and RS-6 zoning.

- (c) The compatibility with established neighborhood character.

It is staff's opinion that the proposed zonings would be compatible with established neighborhood character. A mix of housing types in a logical manner is appropriate.

- (d) The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.

It is staff's opinion that the proposed zonings would promote the public health, safety, and welfare of the City.

- (e) The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

As construction costs and interest rates increase, staff expects denser development requests such as this one. Staff is generally in favor of increasing density in areas where utilities are available if the development would be compatible with the surrounding area.

- (f) The extent to which the proposed amendment creates nonconformities.

This is not applicable.

6. Additional Considerations:

There are several examples of a mix of housing types within a residential subdivision within North Liberty. The Planning Commission unanimously recommended approval of the Watts Development Group's recent requests for RS-9 and RD-10 zoning in The Preserve subdivision. If approved, The Preserve would have RS-4, RS-6, RS-9, RD-8, RD-10 and RM-8 zoning within a relatively small geographic location. This would allow The Preserve to offer a good range of housing types. Another example includes Cedar Springs, which has six different residential zoning districts.

Staff disagrees that 22 additional homes would create a significant increase in traffic. Generally, home sites generate on average 9.5 vehicle trips per day, which equates to 209 vehicles spread out throughout the day with part traveling north to Remley Street and part traveling south to Chipman Lane.

7. Staff Recommendation:

Finding:

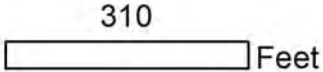
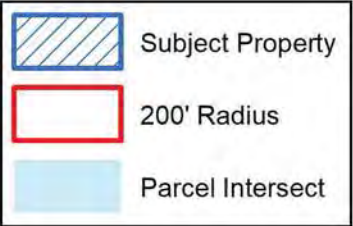
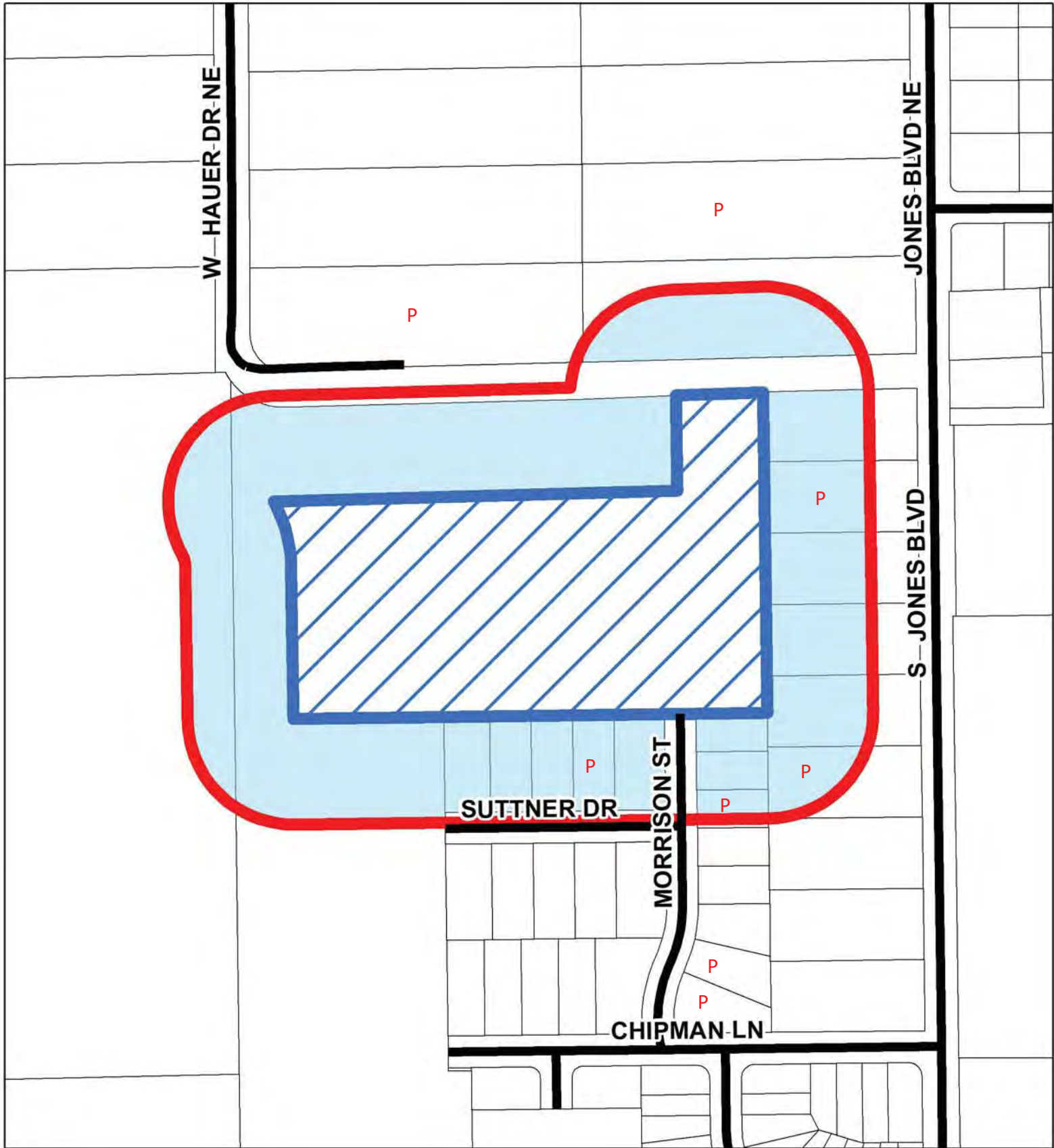
1. The rezoning request from RS-4 Single-Unit Residence District to RS-9 Single-Unit Residence District and RD-10 Two-Unit Residence District achieves consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the request for zoning map amendment from RS-6 Single-Unit Dwelling District to RS-9 Single-Unit Dwelling District and RD-10 Two-Unit Residence District to the City Council with a recommendation for approval.

Suggested motion:

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



FID	PPN	MailingNam	MailingA_1	MailingA_2	MailingZip	Area	Protest?	Protest %
1	623102003	SEAN & BRANDY GREENE	1367 S JONES BLVD	NORTH LIBERTY IA	52317	18499.16	No	0
2	623101002	SCOTT D CLEMONS	1275 S JONES BLVD	NORTH LIBERTY IA	52317	26999.27	Yes	0.037377
3	623101003	KELLY & LINDA WHITE	1295 S JONES BLVD	NORTH LIBERTY IA	52317	26999.21	No	0
4	623101004	RAMONA I WALKER	7 POND RIDGE CIR	CORALVILLE IA	52241	26999.45	No	0
5	623102002	JEFFREY O POTTER	1365 S JONES BLVD	NORTH LIBERTY IA	52317	26744.87	Yes	0.037025
6	614477009	LEROY GREGORY KRIENER	2793 JONES BLVD NE	NORTH LIBERTY IA	52317	58171.65	No	0
7	614477010	KEVIN P WATTS	PO BOX 218	NORTH LIBERTY IA	52317-0218	251.49	Yes	0.000348
8	623126001	BRADLEY R MICKELSON	7429 MALLARD CT NE	CEDAR RAPIDS IA	52402	65807.22	No	0
9	623101001	DOUGLAS WAYNE BROWN	1255 S JONES BLVD	NORTH LIBERTY IA	52317	26632.01	No	0
10	623102009	MLDC INC	711 S GILBERT ST	IOWA CITY IA	52240	272369.9	No	0
11	623103003	H & H HOME BUILDERS INC	960 GROUSE CT	NORTH LIBERTY IA	52317	7504.35	No	0
12	623103002	PAUL J & JODY A HEID	1370 MORRISON ST	NORTH LIBERTY IA	52317	9742.93	No	0
13	623104005	ADAM J & BRIANNA M JARR	1360 SUTTNER DR	NORTH LIBERTY IA	52317	15612.88	No	0
14	623104004	RANDI L JELINEK & JEREMY D JEL	1350 SUTTNER DR	NORTH LIBERTY IA	52317	14188.92	No	0
15	623104003	TERESA L & EDWARD H HU	1340 SUTTNER DR	NORTH LIBERTY IA	52317	14193.93	Yes	0.01965
16	623104002	THOMAS M ERENBERGER & KRYSTIN	1330 SUTTNER DRIVE	NORTH LIBERTY IA	52317	14198.8	Yes	0.019657
17	623104001	BLAKE EDWARDS	1320 SUTTNER DR	NORTH LIBERTY IA	52317	17186.01	No	0
18	623103001	DR HORTON IOWA LLC	1910 SW PLAZA SHOPS LN	ANKENY IA	50023	9744.26	No	0

Total Land Area 651846.3
Total ROW Area 70494.63
Total Area within 200' Radius 722340.9
Total Protest Area* 11.41%

*20% Protest area rate requires 3/4 majority of City Council to approve the Zoning Map Amendment.

Ryan Rusnak

From: jpottero@southslope.net
Sent: Thursday, June 09, 2022 4:33 PM
To: Ryan Rusnak
Subject: [EXTERNAL] rezoning

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.

Dear Ryan

I am opposed to the zoning change proposal for the property located at the north terminus of Morrison st.. I live at 1365 S. Jones Blvd. and the rezoning of the property behind me already devalued my property values because of the lots being so small. The rezoning of that property would make the population more dense meaning more traffic and devaluing other single-family homes in the area.

Thank you A 33 year concerned resident Jeff Potter

Ryan Rusnak

From: Scott Clemons <scott_clemons@southslope.net>
Sent: Thursday, June 09, 2022 3:19 PM
To: Ryan Rusnak
Cc: nancy_hale@southslope.net
Subject: [EXTERNAL] In opposition to rezoning North Terminus Morrison Street

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.

Hello Director Rusnak,
My name is Scott Clemons. My wife, Nancy Hale, and I live at 1275 South Jones Boulevard, North Liberty, Iowa. We are opposed to the zoning change proposal for the property at the North Terminus of Morrison Street.
Respectfully - Scott

Ryan Rusnak

From: Alex Rickels <rickels.alex@iowacityschools.org>
Sent: Saturday, June 04, 2022 9:30 AM
To: Ryan Rusnak
Subject: [EXTERNAL] Morrison St Rezoning

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.

Hi Ryan,

Please add Keaton and Alex Rickels to the list of those in formal objection to the rezoning change for the property located at the North Terminus of Morrison St. Thank you!

Alex and Keaton Rickels
1460 Morrison St.

From: Paige Prior <paigepriorphotography@gmail.com>
Sent: Monday, June 06, 2022 4:44 PM
To: Ryan Rusnak
Subject: [EXTERNAL] opposed rezoning

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.

I am writing to you today because I am opposed to the zoning change proposal for the property located at the north terminus of Morrison st. in North Liberty.

Concern number 1:

Morrison st. will become a main traffic hub whether you create another street off of Jones or not. Traffic will come from both sides, as we are located between two interstate exits (Penn & Forevergreen) Almost every single home in this neighborhood has SMALL children, under the age of 8. Traffic will double, people WILL speed out of the neighborhood (This is coming from someone who used to live on a duplex street.) On street parking/snow removal is also going to be a nightmare. Overall though, my main concern is for the safety of our children. We are located right on Morrison, and am absolutely worried about the increase of traffic.

Concern(s) number 2:

One year ago my husband and I decided it was time to move out of our duplex (whipple ct). We had grown out of it, and grown tired of the neighborhood. We shopped around North Liberty for the perfect lot in a family friendly, quiet neighborhood. We knew we HAD TO stay in the CCA district, specifically zoned within North Bend Elementary school. In North Liberty if you want to build a home, you basically have two options for single family neighborhoods in the North Bend Elementary district. Harvest estates (where we used to live), or Mickelson.. Slim pickins. We chose Mickleson for the lure of the larger single family homes, the neighborhood was secluded, private, and very quiet. It reminded me of Aspen Ridge/Liberty farms. It feels very safe here! H&H home builders recommended Mickleson because there was more value in the land over here, and the homes were larger than Harvest Estates. It was zoned as a single family neighborhood, therefore perfect!

If we would have known that the City of North Liberty was even entertaining the thought of rezoning to smaller single family/ duplexes in Mickelson we would have decided against building here. I can tell you that 100% of the neighbors on Chipman/Morrison/Suttner would have to agree.

North Liberty has an abundance of zero lot/duplexes, triplexes, condos on this side of town. There are even some at the entrance of Mickelson Estates. It makes no sense to totally sandwich \$460,000-\$600,000 dollar homes in between TWO duplex neighborhoods. Keep the duplexes closer to the interstate over by North Bend Elementary. No one who lives here wants to drive down the appeal and value of their home by having duplexes directly in their backyard.

Please reconsider, it makes the current residents very sad and worried. We will not live here for more than a few years if duplexes are built. That's not what sold us when we bought our lot in Mickelson-- a new single family home neighborhood within NL & the CCA district, tucked away in a quiet/safe area sold us.

Thank you for your time.
1390 Morrison st.
Paige Prior

From: Tammy Kahler <tammy@kahlercollision.com>
Sent: Thursday, May 19, 2022 8:39 AM
To: Ryan Rusnak
Subject: [EXTERNAL]

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.

Hi Ryan,

Would you please add Mick and Tammy Kahler to the list of those in formal objection to the rezoning of the property south of Morrison Street from RS6 to RS9 and RD10.

We would prefer our neighborhood to remain single family, with large to moderate size lots as had already been established and previously zoned for.

We feel there are other more suitable places for zero lots and small lots.

Thank you,
Mick and Tammy Kahler

Ryan Rusnak

From: Krystin Erenberger <krystin.erenberger@gmail.com>
Sent: Friday, June 03, 2022 9:31 AM
To: Ryan Rusnak
Subject: Re: [EXTERNAL] 5/12 Good Neighbor Follow-Up

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.

Hi, Ryan -

Thanks for the email! Coincidentally I was just thinking of this, this morning, and how I had not sent you an official email so I appreciate your follow up. Yes, please mark us down as opposing the zoning change.

In reading the 414.5 code it states the 20% threshold must be met before the public hearing: "The protest, if filed, must be filed before or at the public hearing." Is this referring to the first city council public hearing or the zoning meeting on the 7th?

Krystin

On Fri, Jun 3, 2022 at 8:30 AM Ryan Rusnak <rrusnak@northlibertyiowa.org> wrote:

Krystin,

I have not seen a formal objection from you. Would you like to provide one so I can include it in the information packet?



RYAN RUSNAK, AICP
PLANNING DIRECTOR
(319) 626-5747 office

Messages to and from this account are subject to public disclosure unless otherwise provided by law.

Please let me know if I can be of further assistance.

414.5 Changes — protest.

The regulations, restrictions, and boundaries may, from time to time, be amended, supplemented, changed, modified, or repealed. Notwithstanding section 414.2, as a part of an ordinance changing land from one zoning district to another zoning district or an ordinance approving a site development plan, a council may impose conditions on a property owner which are in addition to existing regulations if the additional conditions have been agreed to in writing by the property owner before the public hearing required under this section or any adjournment of the hearing. The conditions must be reasonable and imposed to satisfy public needs which are directly caused by the requested change. In case, however, of a written protest against a change or repeal which is filed with the city clerk and signed by the owners of twenty percent or more of the area of the lots included in the proposed change or repeal, or by the owners of twenty percent or more of the property which is located within two hundred feet of the exterior boundaries of the property for which the change or repeal is proposed, the change or repeal shall not become effective except by the favorable vote of at least three-fourths of all the members of the council. The protest, if filed, must be filed before or at the public hearing. The provisions of section 414.4 relative to public hearings and official notice apply equally to all changes or amendments.

165.09 ZONING TEXT AND MAP AMENDMENTS.

1. Purpose. The regulations imposed and the districts created by this Ordinance may be amended from time to time in accordance with this section. This process for amending the Zoning Ordinance text or the Zoning Map is intended to allow modifications in response to omissions or errors, changed conditions, or changes in City policy. Amendments are not intended to relieve particular hardships or confer special privileges or rights upon any person or party. Zoning map amendments are also called rezonings.

(2) The Planning Commission must evaluate the application in accordance with the approval standards of this section and evidence and/or testimony provided at the public hearing.

(3) The Planning Commission shall, with due diligence, prepare a preliminary report and hold public hearings thereon before submitting its final report; and such council shall not hold its public hearings or take action until it has received the final report of such commission.

C. Action by the City Council.

(1) The City Council must hold a public hearing on the application within 60 days of receipt of the Planning Commission recommendation.

(2) Following the public hearing, the City Council must take action in the form of approval, approval with conditions, or denial of applications. The City Council may also refer the application back to the Planning Commission for further consideration if it has deemed there are substantive changes and/or new relevant evidence and/or testimony has been provided.

(3) If the Planning Commission recommends denial of the application or if a protest against the rezoning is signed by 20% or more of the area of the lots included in such proposed change or by owners within 200 feet of the exterior boundaries of such proposed map amendment, it may only be approved by a favorable 3/4 vote of the City Council.

D. Approval Standards. The Planning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards.

(1) Map Amendments.

(a) The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

(b) The compatibility with the zoning of nearby property

(c) The compatibility with established neighborhood character.

(d) The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.

(e) The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

(f) The extent to which the proposed amendment creates nonconformities.

(2) Zoning Text Amendments.

(a) The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

1. Are you able to send me the verbiage or information (or direct me where to get it) on the 20% legal rule that applies to the residents in the 200ft boundary of the development in question? You had stated it in the meeting but I didn't catch all of it and I just want to make sure I am interpreting it correctly and having it in writing would help.
2. Regarding the residents in the 200ft boundary: am I able to get a list of the residents that you included in this? Not sure if that is overreaching but thought I would ask.
3. We (myself and fellow neighbors) will be attempting to achieve this 20% by talking to all the residents in the 200ft boundary. Does each household have to write/email to the City individually or are we able to obtain signatures supporting objection in a petition format?

I will plan to send a separate email to you at a later date stating my specific concerns and formal objection, so you have them in writing, but I wanted to get the above requests to you first. Let me know your thoughts and thank you for your time.

Krystin Erenberger

1330 Suttner Dr

319-430-4863

From: Doris Vaske <dorisvaske@icloud.com>
Sent: Monday, May 23, 2022 8:49 PM
To: Ryan Rusnak
Subject: [EXTERNAL] Opposed to rezoning property located at North Terminus of Morrison Street

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.

Hi Ryan,

We are opposed to the zoning change proposal for the property located at North Terminus of Morrison Street in North Liberty from single family zoning to smaller single family and/or zero lot residences.

Doris and Mark Vaske
1480 Morrison Street
North Liberty, IA. 52317

From: Kevin P Watts <kevinpaulwatts@gmail.com>
Sent: Thursday, May 19, 2022 6:50 AM
To: Ryan Rusnak
Subject: [EXTERNAL] Hodge Rezoning Objection

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.

Hi Ryan,

Would you please add my name to the list of those in formal objection to the rezoning of the property south of me described as the north terminus of Morrison St.

I have no issue with the development as it was originally zoned and platted. However, I believe our neighborhood should remain single family, moderate size lots as has been established and previously zoned. There are other more suitable places for zero lots and small lots.

Thanks, Kevin Watts

Ordinance No. 2022-16

AN ORDINANCE AMENDING THE ZONING MAP DISTRICT DESIGNATION FOR CERTAIN PROPERTY LOCATED IN NORTH LIBERTY, IOWA FROM THE RS-6 SINGLE-UNIT RESIDENCE DISTRICT TO THE RD-10 TWO-UNIT RESIDENCE DISTRICT

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

SECTION 1. AMENDMENT. The Official Zoning Map incorporated in Chapter 168.01(2) of the North Liberty Code of Ordinances is hereby amended by designating the zoning district for 7.06 acres, more or less, as RD-10 Two Unit Residence District for property located at the north terminus of Morrison Street. The property is more particularly described as follows:

Commencing at the Northeast Corner of Auditor's Parcel 2017115 in the City of North Liberty, Iowa, in accordance with the Plat thereof Recorded in Plat Book 61 at Page 274 of the Records of the Johnson County Recorder's Office; Thence S00°46'27"E, along the East Line of said Auditor's Parcel 2017115, a distance of 66.00 feet; Thence S88°28'17"W, along said East Line, 323.35 feet; Thence continuing S88°28'17"W, 165.01 feet; Thence S00°46'17"E, 183.30 feet; to the POINT OF BEGINNING; Thence continuing S00°46'17"E, 420.90 feet, to a Point on the North Line of Mickelson First Addition, in accordance with the Plat thereof Recorded in Plat Book 61 at Page 394 of the Records of the Johnson County Recorder's Office; Thence S89°13'43"W, along said North Line, and the Westerly Projection thereof, 731.83 feet; Thence N00°43'53"W, 276.95 feet; Thence Northwesterly, 144.36 feet, along a 300.00 foot radius curve, concave Southwesterly, whose 142.97 foot chord bears N14°31'02"W; Thence N88°50'55"E, 765.63 feet, to the POINT OF BEGINNING. Said Rezoning Tract contains 7.06 acres, and is subject to easements and restrictions of record.

SECTION 2. CONDITIONS IMPOSED. At the July 5, 2022, meeting the Planning Commission accepted the listed finding and forwarded 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 July 26, 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. 2022-16 in *The Gazette* on the ___ of _____, 2022.

TRACEY MULCAHEY, CITY CLERK



CMW Properties Rezoning



July 5, 2022

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

Re: Request of CMW Properties, LLC. for a zoning map amendment (rezoning) from ID Interim Development District to C-3 Higher-Intensity Commercial District on approximately 6.76 acres. The properties are located at the southeast corner of South Dubuque Street and North Liberty Road.

Mayor Hoffman:

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

Finding:

1. The rezoning request from ID Interim Development District to C-3 Higher-Intensity Commercial District achieves consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

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

The vote for approval was 7-0.

Josey Bathke, Chairperson
City of North Liberty Planning Commission



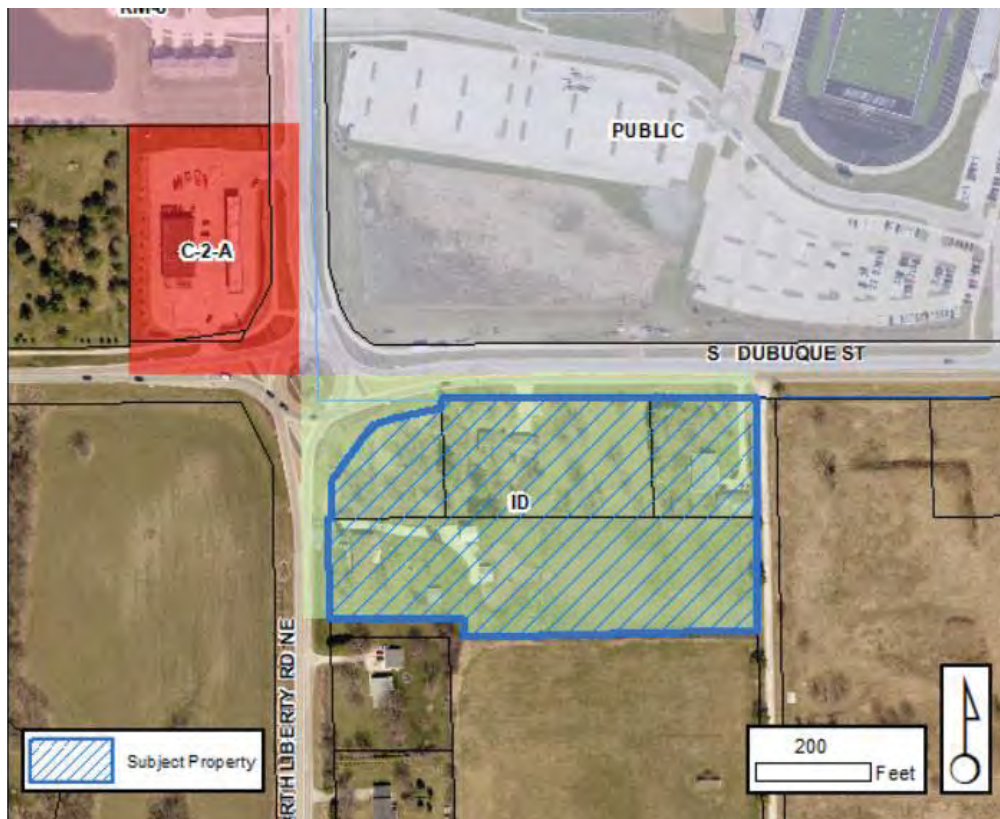
To **City of North Liberty Planning Commission**
 From **Ryan Rusnak, AICP**
 Date **June 30, 2022**
 Re **Request of CMW Properties, LLC. for a zoning map amendment (rezoning) from ID Interim Development District to C-3 Higher-Intensity Commercial District on approximately 6.76 acres. The properties are located at the southeast corner of South Dubuque Street and North Liberty Road.**

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:

This rezoning request is to facilitate development of the properties with horizontal mixed-use development, which means there is a mixture of residential and commercial development in separate buildings.



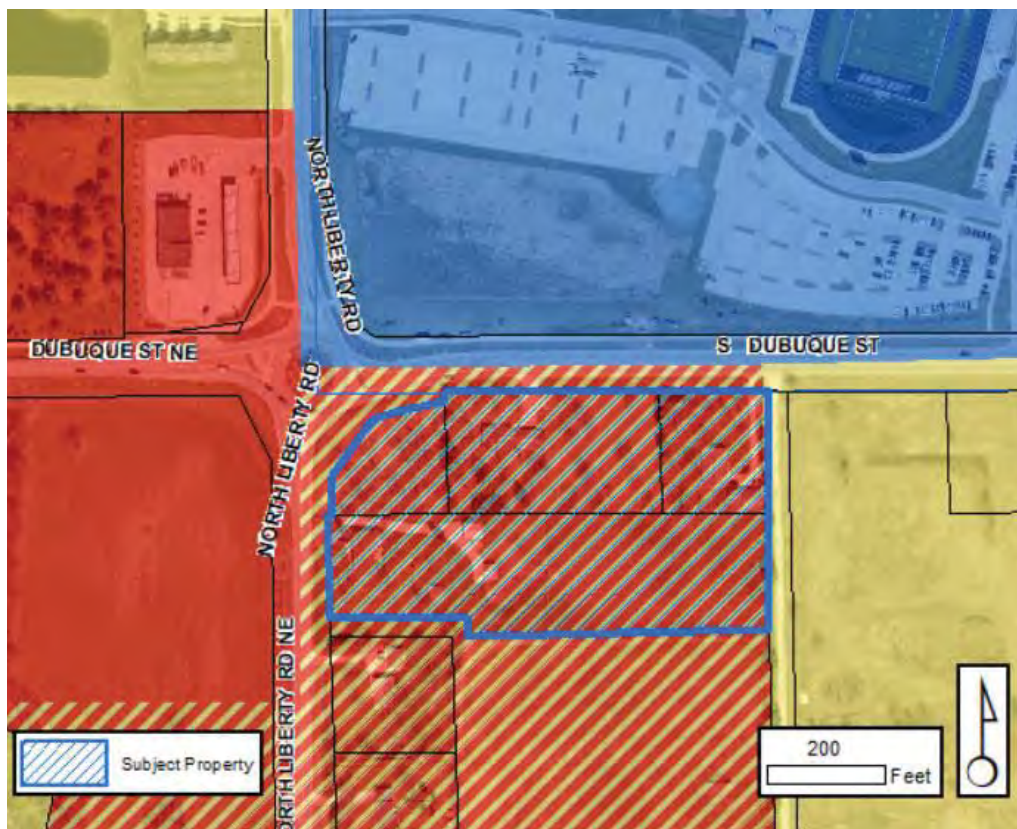
2. Proposed Zoning:

C-3 Higher-Intensity Commercial District.

The C-3 District is intended to accommodate higher-intensity commercial development that serves both local and regional markets. The C-3 District addresses medium and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.

3. Consistency with Comprehensive Plan:

Land Use Plan designation: 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.

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.

4. Public Input:

A good neighbor meeting was held on June 15, 2022. No one outside of City staff and the applicant attended the meeting. To date, staff has received no formal objections.

5. Analysis of the Request

Section 165.09 of the Zoning Ordinance sets for the approval standards for zoning maps amendments.

D. Approval Standards. The Planning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards (staff commentary in italics).

(1) Map Amendments.

(a) The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

It is staff's opinion that the zoning map amendment would achieve consistency with the Comprehensive Plan and adopted land use policies. The C-3 District allows a mix of commercial and residential uses, both horizontally and vertically.

(b) The compatibility with the zoning of nearby property.

This is an emerging part of the City. Staff has spoken with representatives of adjacent properties about developing in a similar manner.

(c) The compatibility with established neighborhood character.

This is an emerging part of the City. It is staff's opinion that this development will establish the character of the area.

(d) The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.

It is staff's opinion that the proposed zonings would promote the public health, safety, and welfare of the City.

- (e) The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

This is not applicable. The City expects this property to be redeveloped.

- (f) The extent to which the proposed amendment creates nonconformities.

This is not applicable.

6. Additional Considerations:

The subject property is located at the intersection of major arterial road (North Liberty Road) and minor arterial road (South Dubuque Street). This is an appropriate location for a higher-intensity commercial district.

Please recall that the C-3 District was re-written during the large Zoning Code amendment.

Table 168.03 Dimensional Standards SF = Square Feet, ' = Feet	
	C-3
Bulk	
Minimum Lot Area	20,000 SF
Minimum Frontage	35
Minimum Lot Width	35'
Maximum Building Height	75'
Setbacks	
Minimum Required Front Yard	25'
Minimum Required Corner Side Yard	25'
Minimum Required Side Yard	10', unless abutting a residential district then 20'
Minimum Required Rear Yard	10' unless abutting a residential district then 25'

7. Staff Recommendation:

Finding:

1. The rezoning request from ID Interim Development District to C-3 Higher-Intensity Commercial District achieves consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the request for zoning map amendment from ID Interim Development District to C-3 Higher-Intensity Commercial District on approximately 6.76 acres to the City Council with a recommendation for approval.

Suggested motion:

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

Ordinance No. 2022-17

AN ORDINANCE AMENDING THE ZONING MAP DISTRICT DESIGNATION FOR CERTAIN PROPERTY LOCATED IN NORTH LIBERTY, IOWA FROM THE ID INTERIM DEVELOPMENT DISTRICT TO THE C-3 HIGHER-INTENSITY COMMERCIAL DISTRICT

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

SECTION 1. AMENDMENT. The Official Zoning Map incorporated in Chapter 168.01(2) of the North Liberty Code of Ordinances is hereby amended by designating the zoning district for 6.76, more or less, of property located at the southeast corner of South Dubuque Street and North Liberty Road to C-3 Higher-Intensity Commercial. The property is more particularly described as follows:

That part of the Southwest Quarter of Section 17, Township 80 North, Range 6 West of the 5th Principal Meridian, Johnson County, Iowa and being more particular described as follows:

Commencing at the Southwest corner of said Section 17; Thence north 1037.92; thence east 1328.89 to the centerline of county road and the point of beginning; thence north 258.72 feet along said centerline of county road to the centerline of Old Highway 218; thence south 88°37'30" east 241.72 feet along the centerline of said Old Highway 218; thence south 258.72 feet along the west line of Lot 1, Wayne Phillips Subdivision, Johnson County, Iowa, according the plat recorded in Book 19, Page 50, Plat Records of Johnson County, as extended northly to the centerline of Old Highway 218; thence north 88°37'30" west 241.72 feet to the point of beginning, excepting therefrom that portion conveyed to the City of North Liberty, Iowa, for right-of-way purposes, described in Warranty Deed recorded in Deed Book 5725 Page 759, records of the Recorder of Johnson County Iowa.

AND

Lot 1, Wayne Phillips Subdivision, Johnson County, Iowa, according the plat recorded in Book 19, Page 50, Plat Records of Johnson County.

AND

Commencing at the Southwest corner of said Section 17; Thence north 1037.92; thence east 1328.89 to the centerline of county road; thence south 88°37'30" east 608.06 to the point of beginning; thence north 0°21'15" east 208.71 feet to a point on the south line of Old Highway 218; thence south 88°37'30" east 183.17 along said south line of Old Highway 218; thence south 0°21'15" west 208.71; thence north 88°37'30" west 183.17 feet to the point of beginning.

SECTION 2. CONDITIONS IMPOSED. At the July 5, 2022, meeting the Planning Commission accepted the listed finding and forwarded 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 July 26, 2022.

Second reading on August 11, 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. 2022-17 in *The Gazette* on the ___ of _____, 2022.

TRACEY MULCAHEY, CITY CLERK



Scanlon and Trustees of Penn Township Rezoning



July 5, 2022

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

Re: Request of Scanlon Family, LLC. And The Trustees of Penn Township for a zoning map amendment (rezoning) from ID Interim Development District to R-4 Single-Unit Residence District on approximately 36.32 acres. The property is located at the southeast corner of North Liberty Road and Oak Lane NE.

Mayor Hoffman:

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

Finding:

1. The rezoning request from ID Interim Development District to RS-4 Single-Unit Residence District achieves consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

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

The vote for approval was 7-0.

Josey Bathke, Chairperson
City of North Liberty Planning Commission



To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **June 30, 2022**
Re **Request of Scanlon Family, LLC. And The Trustees of Penn Township for a zoning map amendment (rezoning) from ID Interim Development District to R-4 Single-Unit Residence District on approximately 36.32 acres. The property is located at the southeast corner of North Liberty Road and Oak Lane NE.**

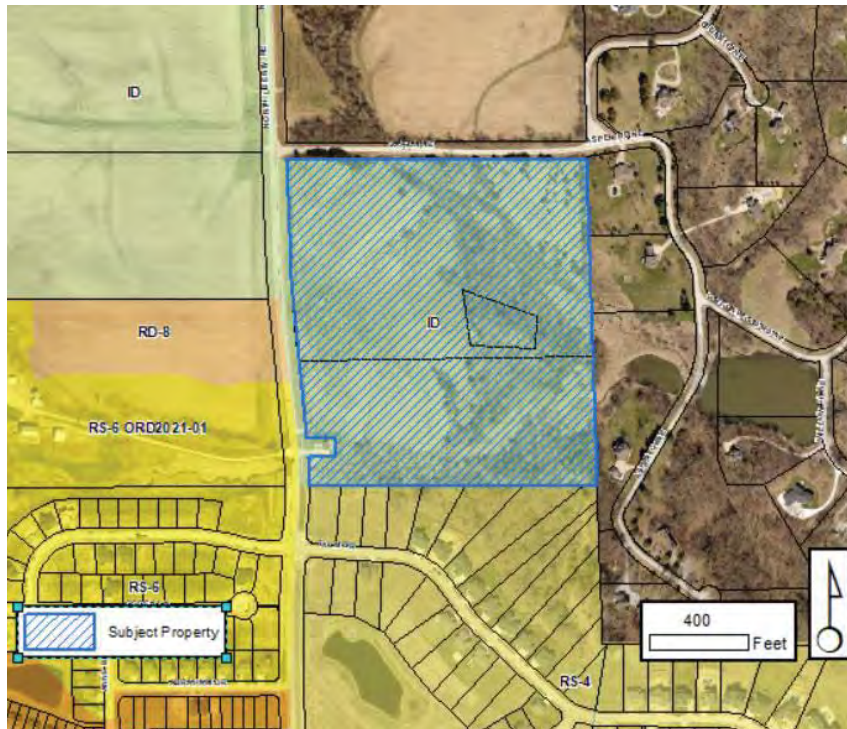
North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo. The staff review team includes the following personnel:

- 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. Proposed Zoning:

RS-4 Single-Unit Dwelling District.

RS-4 Single-Unit Residence District. The RS-4 District is intended to provide and maintain low-density single-unit residential neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RS-4 District.



2. Consistency with Comprehensive Plan:

Land Use Plan 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:

- Protect residential neighborhoods from encroachment or intrusion of incompatible higher use types by adequate buffering and separation. This policy is not to be interpreted to imply that new development must match existing development in cost, density, or character; but instead to mean that gross incompatibilities shall be minimized and mitigated where unavoidable.

3. Public Input:

A good neighbor meeting was held on June 15, 2022. Approximately eleven people outside of City staff and the applicant attended the virtual meeting. There were some concerns expressed at the meeting. Concerns expressed pertained to the use of Oak Lane NE (which will remain private and in unincorporated Johnson County), stormwater runoff and erosion control and the removal of trees to accommodate the development. To date, staff has received four formal objections.

4. Approval Standards:

Section 165.09 of the Zoning Code sets for the approval standards for zoning maps amendments.

D. Approval Standards. The Planning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards (staff commentary in italics).

(1) Map Amendments.

(a) The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

It is staff's opinion that the zoning map amendment would achieve consistency with the Comprehensive Plan and adopted land use policies.

(b) The compatibility with the zoning of nearby property.

It is staff's opinion that the proposed zonings would be compatible with the zoning of nearby property. The property to the south is currently zoned RS-4 and the property to the east is zoned R (unincorporated Johnson County).

(c) The compatibility with established neighborhood character.

It is staff's opinion that the proposed zonings would be compatible with established neighborhood character.

(d) The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.

It is staff's opinion that the proposed zonings would promote the public health, safety, and welfare of the City.

(e) The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

This is not applicable. The City expects this property to be developed.

(f) The extent to which the proposed amendment creates nonconformities.

This is not applicable.

6. Additional Considerations:

The northern parcel and the Alt/Wein Cemetery property were recently annexed into the corporate limits of North Liberty. The following is from the Find a Grave website:

The first burial in the Alt/Wein Cemetery was on Nov 15 1842, Louisa, dau of Alonzo and Maria Denison. The people buried in this cemetery are pioneer settlers of Penn Twp. Based on the stones in the cemetery, thirty were buried before the end of the Civil War, fourteen before the end of the century and three at the beginning of the 20th Century. No more burials were allowed after 1920. Two Civil War Veterans are buried there. On Apr 3 1922, the trustees of Penn Twp accepted a quit claim deed from the Alts for the cemetery and agreed to maintain it. The cemetery is east of a gravel road. Currently one must access the cemetery through a cow pasture. Access can only be made with permission of the pasture owner who lives on a farm on the other side of the road.

The Scanlon Family, LLC has been working with The Trustees of Penn Township about developing in a sensitive manner around the cemetery.

There are two drainage courses through the property. The direction of the drainage flow is show in red on the map below. The area in green are the two high points of the property.



Oak Lane NE is a private access to the Fjords North Subdivision and is planned to remain in unincorporated Johnson County. This is more of a discussion with the preliminary subdivision plat, but three of the lots would have access to the Oak Lane NE due to the topography of the site.

7. Staff Recommendation:

Finding:

1. The rezoning request from ID Interim Development District to RS-4 Single-Unit Residence District achieves consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the request for zoning map amendment from ID Interim Development District to RS-4 Single-Unit Residence District to the City Council with a recommendation for approval.

Suggested motion:

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

Ordinance No. 2022-18

AN ORDINANCE AMENDING THE ZONING MAP DISTRICT DESIGNATION FOR CERTAIN PROPERTY LOCATED IN NORTH LIBERTY, IOWA FROM THE ID ITEMIM DEVELOPMENT DISTRICT TO THE RS-4 SINGLE-UNIT RESIDENCE DISTRICT

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

SECTION 1. AMENDMENT. The Official Zoning Map incorporated in Chapter 168.01(2) of the North Liberty Code of Ordinances is hereby amended by designating the zoning district for 36.32, more or less, of property located at the southeast corner of North Liberty Road and Oak Lane NE to R-4 Single-Unit Residence District. The property is more particularly described as follows:

The Northeast Quarter of the Northwest Quarter of section 17, township 80 north, range 6 west of the 5th principal meridian, Johnson County, Iowa.

EXCEPT

That part of Auditor's Parcel No. 2021024 lying within the Northeast Quarter of the Northwest Quarter of Section 17, Township 80 North, Range 6 West of the 5th Principal Meridian as recorded in Book 64, Page 353 in the Office of the Johnson County, Iowa recorder.

AND EXCEPT

That part of North Liberty Road right-of-way in the Northeast Quarter of the Northwest Quarter of Section 17, Township 80 North, Range 6 West of the 5th Principal Meridian as recorded in Book 5351, Page 996 in the office of the Johnson County, Iowa Recorder.

AND EXCEPT

That part of North Liberty Road right-of-way in the Northeast Quarter of the Northwest Quarter of Section 17, Township 80 north, range 6 west of the 5th Principal Meridian as recorded in Book 5479, Page 466 in the Office of the Johnson County, Iowa Recorder.

SECTION 2. CONDITIONS IMPOSED. At the July 5, 2022, meeting the Planning Commission accepted the listed finding and forwarded 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 July 26, 2022.
Second reading on August 11, 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. 2022-18 in *The Gazette* on the ___ of _____, 2022.

TRACEY MULCAHEY, CITY CLERK

TRACEY MULCAHEY, CITY CLERK



ITC Midwest Franchise

Ordinance No. 2022-19

AN ORDINANCE GRANTING TO ITC MIDWEST LLC, A WHOLLY OWNED SUBSIDIARY OF ITC HOLDINGS CORP., ITS SUCCESSORS AND ASSIGNS (THE "COMPANY"), THE RIGHT AND FRANCHISE TO ACQUIRE, CONSTRUCT, RECONSTRUCT, ERECT, MAINTAIN, OPERATE AND REMOVE IN THE CITY OF NORTH LIBERTY, JOHNSON COUNTY, IOWA, A TRANSMISSION SYSTEM FOR ELECTRIC POWER AND ENERGY AND THE RIGHT TO ERECT AND MAINTAIN THE NECESSARY POLES, LINES, WIRES, CONDUITS AND OTHER APPLIANCES, EQUIPMENT AND SUBSTATIONS FOR THE TRANSMISSION OF ELECTRIC CURRENT AND TELECOMMUNICATIONS ALONG, UNDER AND UPON THE STREETS, AVENUES, ALLEYS AND PUBLIC PLACES IN THE CITY OF NORTH LIBERTY, JOHNSON COUNTY, IOWA; GRANTING THE RIGHT TO ERECT AND MAINTAIN UPON THE STREETS, AVENUES, ALLEYS AND PUBLIC PLACES, TRANSMISSION LINES THROUGH THE CITY OF NORTH LIBERTY, JOHNSON COUNTY, IOWA, FOR THE PERIOD OF TEN (10) YEARS; AND GRANTING THE RIGHT OF EMINENT DOMAIN

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

SECTION 1. NEW CHAPTER. Chapter 118 of the North Liberty Code of Ordinances is hereby created, entitled "ITC Electric Transmission Franchise," and reading as follows:

118.01. Grant.

There is hereby granted to the Company the right and franchise to acquire, construct, reconstruct, erect, maintain, operate and remove in the City a transmission system for electric power and the right to erect and maintain the necessary poles, lines, wires, conduits, and other appliances, equipment and substations for the transmission of electric power and energy and telecommunications (collectively, the "Facilities") along, under and upon the streets, avenues, alleys and public places in the City; also the right to erect and maintain upon the streets, avenues, alleys and public places, transmission lines through the City for the period of ten (10) years; also the right of eminent domain as provided in Section 364.2 of the Code of Iowa.

118.02. Indemnification.

The Facilities shall be placed and maintained so as not to unnecessarily interfere with the travel on the streets, avenues, alleys, and public places in the City nor unnecessarily interfere with the proper use of the same, including ordinary drainage, or with the sewers, underground pipe and other property of the City, and the Company shall hold the City free and harmless from all damages arising from the negligent acts or omissions of the Company in the erection or maintenance of the transmission system.

118.03. Relocation.

Except as provided herein below, the Company shall, at its cost and expense, locate and relocate its Facilities in, on or over any public street or alley in the City in such a manner as the City may at any time reasonably require for the purposes of facilitating the construction, reconstruction, maintenance or repair of the street or alley or any public improvement of, in or about any such street or alley or reasonably promoting the efficient operation of any such improvement. If the City orders or requests the Company to relocate its Facilities for the primary benefit of a commercial or private project, or as the result of the initial request of a commercial or private developer or other non-public entity, the Company shall receive payment for the cost of such relocation as a precondition to relocating its Facilities. The City shall consider reasonable alternatives in designing its public works projects so as not arbitrarily to cause the Company unreasonable additional expense in exercising its authority under this section. The City shall also provide a reasonable alternate location for the Company's Facilities. The City shall give the Company reasonable advance written notice to vacate a public right-of-way. Vacating a public right-of-way shall not deprive the Company of its right to operate and maintain existing Facilities until the reasonable cost of relocating the same are paid to the Company.

118.04. Modern System.

The system authorized by this Ordinance shall be designed, operated, and kept in an operable condition consistent with good utility practice and applicable codes, rules, regulations, and standards of the Company and its interconnection customers and any applicable reliability standards of the North American Electric Reliability Council (NERC).

118.05. Future System Plans; City-Company Partnership for Joint Planning.

The Company recognizes the importance of community input when siting new projects to serve the community and electricity distribution as well as the authority of the City to permit and otherwise regulate siting activity. The Company will work jointly with the City to plan each new route involving the

exercise of the rights granted in Section 1. Each party shall work together in planning and approving such routes to balance the City's interests in promoting orderly growth and economic development with the Company's interests in provide electric power and energy safely and efficiently to the community. Notwithstanding any other provision herein, no new project shall be sited, and none of the powers described in Section 1 of this Agreement shall attain to the Company with respect to any new project without prior written approval from the City. The Company will not pursue any route that the City denies approval. However, such route approvals will not be unreasonably withheld. At the request of the City, mapping information will be reviewed with the City staff. All such reviews will be in compliance with the Federal Energy Regulatory Commission regulations or the regulations of other agencies with authority over the review and dissemination of critical infrastructure information, and infrastructure security and subject to all protective provisions for critical infrastructure under the Open Records Act, Iowa Code §21.1, et seq., as amended. Prior to any excavating in the rights-of-way, both parties shall follow the procedures set forth in Iowa Code Chapter 480 or an entity with a similar function utilized by both the City and the Company, currently the Iowa One Call System.

The Company will apply to the City for a permit for work performed in City rights-of-way in accordance with City regulations and provide project-specific mapping, which shall be deemed protected under the Open Records Act, Iowa Code §21.1, et seq., as amended, to wit, §50, et al., to be used solely and exclusively by the City in administering the use and occupancy of the public right-of-way and not otherwise to be relied upon for any other purpose.

For emergencies, the Company may proceed with the work without first applying for a permit, provided, however, that the Company shall apply for and obtain a permit as soon as commercially practicable after commencing such work.

118.06. Vegetation Management.

To promote public safety in proximity to its Facilities and to maintain electric reliability, the Company may, with prior notice to the City, , remove, cut, trim, or otherwise control any tree, shrub, brush, bush or any parts thereof located within or extending into any street, alley, right-of-way or public grounds. Upon notice, Company or its duly authorized agent of vegetation management will meet and discuss with the City the planned routes of vegetation management and planned vegetation management activities thereon to mutually identify and remedy any concerns City may have as to City-owned vegetation. No such prior notice shall be required in the event of an emergency necessitating the immediate management of such vegetation to restore or prevent an imminent loss of electric service. The foregoing vegetation management shall be completed in

accordance with the most current nationally accepted safety and utility industry standards, as revised and updated from time to time.

118.07. Continuous Service.

Service to be rendered by the Company under this franchise shall be continuous unless prevented from doing so by fire, Acts of God, unavoidable accidents or casualties, customer outages or interruptions on the electric transmission system to no fault of Company or interruptions necessary to properly service the Company's equipment, and in such event service shall be resumed as quickly as is commercially practicable.

118.08. Non-exclusivity.

The franchise granted by this Ordinance shall not be exclusive.

118.09. Undergrounding.

The City may request estimates for the undergrounding of replacement lines, upgrades or new lines, including lines to be adjusted for road moves or for other specific projects. When requested, the Company will provide to the City two estimates: 1) An estimate for the cost of the project with overhead construction, and 2) An estimate for the cost of the project with underground construction. The City will have no more than 60 days from the estimate date to determine if it wants the line built overhead or placed underground. If the City chooses underground construction for such project, the City will be responsible for the incremental cost of undergrounding, if and to the extent, such costs are not already part of or included in a precondition payment for relocation pursuant to Section 3. The incremental cost of undergrounding is defined as the differential between the estimate for underground construction and the estimate for overhead construction. Upon receipt of the City's payment for the incremental cost of undergrounding, the Company will install the underground facilities. The Company reserves the right to bill City for the amount that the incremental cost associated with installation exceeds its estimate. The City reserves the right to a refund of overpayment if the incremental costs are less than the amount billed in the estimate. If the City wishes to have a line not scheduled for replacement or upgrade placed underground, the City shall contact the Company to make such a request. The City shall cover all costs related to this work. If undergrounding of transmission lines requires entities interconnecting with the Company to make adjustments to their electrical systems, the City bears the responsibility of communication with those entities and, if it chooses, the cost of converting their facilities from overhead to underground. The Company reserves the right to review all the City's communications with the affected entities.

118.10. Severability.

If any section, provision, or part of this Ordinance shall be adjudged to be 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.

118.11. Term of Agreement.

The term of the franchise granted by this Ordinance and the rights granted thereunder shall continue for the period of ten (10) years from and after written acceptance by the Company, and shall thereafter automatically be renewed for an additional single ten (10) year term, unless the City notifies the Company in writing of its intent not to renew the franchise not later than 180 days prior to the expiration of the initial term.

118.12. Publication Expenses.

The expense of the publication of this Ordinance shall be paid by the Company.

118.13. Repeal of Conflicting Ordinances.

All ordinances, or parts of ordinances, insofar as they are in direct conflict herewith, are hereby repealed.

118.14. Acceptance.

The franchise granted by this Ordinance shall be conditioned upon acceptance by the Company in writing. The acceptance shall be filed with the City Clerk within ninety (90) days from the passage of this Ordinance.

118.15. Future Developments.

The City agrees it will not permit or grant approval for any development, construction or land uses in the City that would result in or cause the Company's Facilities to violate setback requirements, safety requirements or any other provision of the National Electric Safety Code or any law, regulation or ordinance of the State of Iowa, Johnson County or the City.

118.16. Closing.

This Ordinance sets forth and constitutes the entire agreement between the Company and the City with respect to the rights contained herein, and may not be superseded, modified or otherwise amended without the approval and

acceptance of the Company. Upon acceptance by the Company, this Ordinance shall supersede, abrogate and repeal any prior electric system ordinance between the Company and the City as of the date this Ordinance is accepted by the Company. Notwithstanding the foregoing, in no event shall the City enact any ordinance or place any limitations, either operationally or through the assessment of fees, that create additional burdens upon the Company, or that delay utility operations.

SECTION 2. REPEALER. All Ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3. 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 4. 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 5. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on July 26, 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. 2022-19 in the North Liberty *Leader* on the ____ day of _____, 2022.

TRACEY MULCAHEY, CITY CLERK



Zoning Ordinance Amendment

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTERS 165, 168, 169 AND 180 OF THE NORTH LIBERTY CODE OF ORDINANCES REGARDING THE CONSTRUCTION PLAN APPROVAL PROCESS AND STANDARDS, SURFACE AND SUBSURFACE DRAINAGE REQUIREMENTS, RESTORING BUILDING TRADES AND SERVICES TO USE MATRIX AND ADDING AND RELOCATING CERTAIN USES WITHIN THE USE MATRIX, CLARIFYING LANDSCAPING PLAN REQUIREMENTS AND AMENDING DUMPSTER ENCLOSURE REQUIREMENTS

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

SECTION 1. AMENDMENT OF ORDINANCE. Paragraph 3 of Chapter 165.05 of the North Liberty Code of Ordinances, entitled Permit Requirements, is amended to read as follows:

3. Construction Site Plans Review. The construction site plan review process ensures consistency with the approved preliminary site plan, ~~and~~ all applicable municipal regulations, and adopted construction standards.
 - A. Authority. The Code Official reviews and issues final approval of construction site plans. When a subdivision plat is required by any provision of this Code of Ordinances, and such plat creates the need for extension of streets, utilities or any other new public improvements, no construction site plan approval shall be issued for any lot, parcel or tract within the proposed development until a final plat is approved and recorded.
 - B. Required Construction Site Plan Review. Construction site plan approval is required for any development requiring preliminary site plan approval, and development of any utility (sub)stations.
 - C. Construction Site Plan Submittal Requirements. All applications for construction site plan review shall include the following:
 - (1) The completed application form.
 - (2) A scaled and dimensioned site plan drawn to a scale not less than one inch to one hundred feet, prepared by a licensed engineer, landscape architect and/or architect. The site plan shall include the following:
 - (a) Date, north arrow and graphic scale.
 - (b) The property owner's name and description of proposed development.
 - (c) A vicinity sketch showing the location of the property and other properties within 1,000 feet of it.
 - (d) Property boundary lines, dimensions, and total area.
 - (e) 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.

- (f) The location of existing streets, sidewalks, easements, utilities, drainage courses.
- (g) The total square feet of building floor area, both individually and collectively.
- (h) Total number of dwelling units and the density of the development.
- (i) All structures and major features shall be fully dimensioned including distance between structures, distance between driveways, parking areas, property lines and building height.
- (j) 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.
- (k) Pedestrian walkways with special consideration given to pedestrian safety.
- (l) Recreation and open spaces, with special consideration given to the location, size and development of the areas in regard to adequacy, effect on privacy of adjacent living areas, and relationship to community wide open spaces and recreation facilities.
- (m) Walls, fences or other artificial features.
- (n) Trash and refuse enclosures.
- (o) Documentation demonstrating compliance with Chapter 155, entitled Construction Site Erosion and Sediment Control.
- (p) Documentation demonstrating compliance with Chapter 156, entitled Post-Construction Storm Water Runoff Control.
- (q) A lighting plan depicting the location, height, and type of lighting fixtures on the site and proposed buildings and a photometric plan depicting the lighting fixture locations and illumination levels.
- (r) The location, type and size of all plants, shrubs, trees, and ground cover.

- D. Extension of public utilities. The petitioner may, as parta condition of the construction site plan approval, be required to install public utilities, including (but not limited to) water lines, storm sewer, sanitary sewer, street paving, fire hydrants, and such other utilities as applicable to properly serve the proposed development. Where required as parta condition of a construction site plan approval, utilities shall be constructed in accordance with ~~City~~ construction standards as referred to in the subdivisions ordinance established by resolution of the City Council for those portions within the public right-of-way and to be dedicated to the City, and may be required to be constructed to the same specifications for those undedicated portions where said utilities may have a direct effect on the future safety, proper functioning, and maintenance of those portions to be dedicated.

E. Surface water drainage management. The petitioner may, as a condition of construction site plan approval, be required to perform such work as may be necessary to ensure the proper drainage of surface water over and across the property, in accordance with construction standards established by resolution of the City Council.

E.F. Modifications. The development shall be substantially in conformance with the approved construction site plan. Amended construction site plans shall be submitted to the Code Official for determination if the amendment can be approved administratively or if the amendment requires review by the Planning Commission and approval by City Council in accordance with Section 165.05(2)(E).

F.G Once a site plan is approved, the petitioner has eighteen (18) months to commence the development of the property consistent with the approved site plan and any related conditions and agreements. The development of the property shall be substantially completed within thirty-six (36) months from the date of City approval of the site plan. In the event that the petitioner fails to either commence or complete the development of the property within these timeframes, authorization to proceed with the development shall cease, and the petitioner shall be required to seek reauthorization and approval of the construction site plan. The petitioner may, however, request an extension of time from the City. If an extension is granted, it may be conditioned upon updating any security posted by the petitioner or requiring the petitioner to provide security to reflect cost increases and extended completion date.

SECTION 2. AMENDMENT OF ORDINANCE. Table 168.06 of Chapter 168.06 of the North Liberty Code of Ordinances, entitled Use Matrix, is amended to read as follows:

Table 168:06: Use Matrix															
See Section 168.07 for Use Definitions and Use Standards															
Use	ID	RS	RD	RM	R-MH	C-1-A	C-1-B	C-2-A	C-2-B	C-3	OR/P	I-1	I-2	I-P	P
1. Adult Entertainment													C		
2. Agricultural Experience	C														
3. Agriculture	P														
4. Amusement Facility – Indoor						C	P	P	P	P					
5. Amusement Facility – Outdoor										C					
6. Animal Care Facility						P	P	P	P			P			
7. Animal Shelter												C			C
8. Art Gallery						P	P	P	P	P					
9. Arts and Fitness Studio						P	P	P	P	P					
10. Bar						P	P	P	P	P		P		P	
11. Bed and Breakfast Home		C													
12. Body Art Establishment								P	P						
13. Brewery-Micro						P	P	P	P	P				P	
14. Broadcasting Studio								P	P	P				P	P
15. Building Trades and Services								P	P	P		P		P	
15.16. Car Wash								P	P						
16.17. Child Care Center						P	P	P	P	P	P			P	P
17.18. Child Care Home		P			P										
18.19. Child Development Home		P													
19.20. Community Center						P	P	P	P	P				P	P
20.21. Community Pantry	C	C	C	C		C	P	P	P						
21.22. Cultural Facility						P	P	P	P	P					P
22.23. Distillery, Micro						P	P	P	P	P				P	
23.24. Drive-Through Facility						C	P	P	P	P	P			P	

Table 168.06: Use Matrix
See Section 168.07 for Use Definitions and Use Standards

Use	ID	RS	RD	RM	R-MH	C-1-A	C-1-B	C-2-A	C-2-B	C-3	OR/P	I-1	I-2	I-P	P
<u>24.25. Dwelling – Manufactured Home</u>					P										
<u>25.26. Dwelling – Mixed Use</u>						P	P	P	P	P					
<u>26.27. Dwelling – Multiple-Unit</u>				P						P					
<u>27.28. Dwelling – Single-Unit</u>	P	P													
<u>28.29. Dwelling – Single-Unit Zero Lot Line</u>			P												
<u>29.30. Dwelling – Townhouse</u>				P											
<u>30.31. Dwelling – Two Unit</u>			P	P											
<u>31.32. Educational Facility – Primary</u>	P	P	P	P		P	P	P	P	P					P
<u>32.33. Educational Facility – Secondary</u>	P	P	P	P		P	P	P	P	P					P
<u>33.34. Educational Facility – University or College</u>											P			P	P
<u>34.35. Educational Facility – Vocational</u>						C	P	P	P	P		P		P	
<u>35.36. Financial Institution</u>						P	P	P	P	P				P	
<u>36.37. Fireworks, Retail Sales of</u>												P			
<u>37.38. Food Bank</u>												P			
<u>38.39. Fueling Station</u>							P	P	P			P		P	
<u>39.40. _____ Fulfillment Center, Micro</u>								C	C	C		P			
<u>40.41. Funeral Home</u>								P	P						
<u>41.42. Golf Course/Driving Range</u>							P								P
<u>42.43. Greenhouse/Nursery – Retail</u>												P			
<u>43.44. _____ Group Home</u>	P	P	P		P										
<u>44.45. _____ Healthcare Institution</u>										P				P	P

Table 168.06: Use Matrix
See Section 168.07 for Use Definitions and Use Standards

Use	ID	RS	RD	RM	R-MH	C-1-A	C-1-B	C-2-A	C-2-B	C-3	OR/P	I-1	I-2	I-P	P
<u>45.46.</u> Heavy Rental and Service Establishment												P			
<u>46.47.</u> Heavy Retail Establishment										P		P			
<u>47.48.</u> Hotel						C	P	P	P	P	P			P	
<u>48.49.</u> Industrial - General												P	P		
<u>49.50.</u> Industrial - Light												P	P	P	
<u>50.51.</u> Industrial Design							P	P	P	P		P		P	
<u>51.52.</u> Live Performance Venue						P	P	P	P	P				P	
<u>52.53.</u> Manufactured Home Park					P										
<u>53.54.</u> Medical/Dental Office						P	P	P	P	P		P			
<u>54.55.</u> Office						P	P	P	P	P	P	P		P	P
<u>55.56.</u> Outdoor Seating						P	P	P	P	P				P	P
<u>56.57.</u> Park, Private	P	P	P	P	P	P	P	P	P	P	P			P	
<u>57.58.</u> Park, Public															P
<u>58.59.</u> Parking Lot (Principal Use)						C	P	P	P	P		P		P	P
<u>59.60.</u> Parking Structure (Principal Use)						C	P	P	P	P		P		P	P
<u>60.61.</u> Personal Services Establishment						P	P	P	P	P					
<u>61.62.</u> Place of Worship	P	P	P	P		P	P	P	P	P					
<u>62.63.</u> Private Club						P	P	P	P	P					
<u>63.64.</u> Public Safety Facility															P
<u>64.65.</u> Public Works Facility															P
<u>65.66.</u> Research and Development											P	P		P	
<u>66.67.</u> Residential Care Facility				P			P	P	P	P					
<u>67.68.</u> Restaurant						P	P	P	P	P		P		P	P
<u>68.69.</u> Retail Good Establishment						P	P	P	P	P		P		P	

Table 168:06: Use Matrix
See Section 168.07 for Use Definitions and Use Standards

Use	ID	RS	RD	RM	R-MH	C-1-A	C-1-B	C-2-A	C-2-B	C-3	OR/P	I-1	I-2	I-P	P
<u>69:70. Salvage Yard</u>													C		
<u>70:71. Self-Storage – Enclosed</u>								P	P	P		P			
<u>71:72. Self-Storage – Outdoor</u>								C	C	C		P			
<u>72:73. Specialty Food Service</u>						P	P	P	P	P		P		P	
<u>73:74. Storage – Outdoor (Principal Use)</u>												C	P		
<u>74:75. Truck Stop</u>												C	P		
<u>75:76. Utility (Sub) Stations</u>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
<u>76:77. Vehicle Dealership, New and Used</u>								P	P	P					
<u>77:78. Vehicle Dealership, Used</u>								C	C						
<u>78:79. Vehicle Operations Facility</u>												P			P
<u>79:80. Vehicle Rental</u>												P			
<u>80:81. Vehicle Repair – Major</u>								C	C			P			
<u>81:82. Vehicle Repair – Minor</u>								P	P			P			
<u>82:83. Warehouse</u>												P			
<u>83:84. Wholesale Establishment</u>												P			
<u>84:85. Winery, Micro</u>						P	P	P	P	P				P	

SECTION 3. RENUMBERING OF ORDINANCE. Paragraphs 15 through 84 of Chapter 168.07 of the North Liberty Code of Ordinances, entitled Uses Defined and Use Standards, are renumbered as Paragraphs 16 through 85.

SECTION 4. AMENDMENT OF ORDINANCE. Chapter 168.07 of the North Liberty Code of Ordinances, entitled Uses Defined and Use Standards, is amended to insert the following new Paragraph 15 before renumbered Paragraph 16.

15. Building Trades and Services

A. Defined. Building Trades and Services means an establishment that undertakes activities related to building construction projects, as well as those that provide repair and maintenance services to buildings, including building systems, home appliances, and the like. These specialized trade contractors may work on subcontract from a general contractor, performing only part of the work covered by the general contract, or they may work directly for the owner of the building or project. Building and Trade Services uses primarily perform their work at the site of the structure being constructed or serviced, although they also may have shops where they perform work incidental to the job site. Examples of building trades and services include electrical, plumbing, heating, and air conditioning contractors, painting, masons, stone and tile setters, glass and glazing services.

B. Use Standards.

- (1) Building area shall be limited to 7,500 square feet in the C-2-A, C-2-B and C-3 Districts.
- (2) Vehicles such as cars, vans and pickup trucks shall be permitted in designated parking spaces in any location. Box trucks, and other similar vehicles, along with trailers which may be pulled by permitted vehicles, shall also be permitted in designated parking spaces, but shall not be located within a front or corner side yard. Smaller equipment such as skid loaders, forklifts, etc. may be permitted, provided they are stored indoors or inside enclosed trailers. Heavy vehicles and equipment such as tractor trailers, semi-trucks, construction equipment, and other large specialty vehicles as determined by Code Official shall be prohibited.
- (3) Outdoor storage shall only be permitted in the I-1 District.
 - (a) Outdoor storage or display areas shall be screened with landscaping consisting of shade trees and evergreen trees and shrubs. Such landscaped area shall be of sufficient width and density to provide an effective and aesthetically pleasing screen with trees and shrubs not less than five feet in height when planted. In lieu of planting strips, a six-foot tall solid vertical fence or masonry, heavy wood construction, or other similar material approved by the Code Official may be used as a screen.
 - (b) Outdoor storage or display shall be allowed only on hard-surface areas paved to parking lot specifications with asphalt or concrete.
- (4) See Section 169.05(B) for outdoor storage areas as an accessory use.

SECTION 5. AMENDMENT OF ORDINANCE. Paragraph 28 of Chapter 168.07 of the North Liberty Code of Ordinances, entitled Uses Defined and Use Standards, is amended to read as follows:

- 28 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 a minimum of 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 6. AMENDMENT OF ORDINANCE. Chapter 169.02 of the North Liberty Code of Ordinances, entitled Landscaping Requirements, is amended to read as follows:

169.02 LANDSCAPE REQUIREMENTS.

1. Landscape Plan Required. A landscaping plan is required for development within the multi-unit residence, residential manufactured home park commercial, industrial and public districts and for non-residential development in residential and interim development districts.
2. Selection, Installation and Maintenance.
 - A. Selection.
 - (1) All plant materials must be of good quality and meet American Horticulture Industry Association (AmericanHort) or its ANSI accredited successor's standards for minimum acceptable form, quality, and size for species selected.
 - (2) All species must be capable to withstand the seasonal temperature variations of USDA Hardiness Zone 5b (the plant zone for North Liberty). A hardiness zone is a geographically defined area in which a specific category of plant life is capable of growing, as defined by climatic conditions, including its ability to withstand the minimum temperatures of the zone.
 - (3) The use of species native or naturalized is required. Drought tolerant species are encouraged.
 - (4) Invasive species are prohibited.
 - B. Installation.
 - (1) All landscape materials must be installed in accordance with current nursery industry standards, and must be properly supported to ensure survival. Support devices such as guy wires or stakes must not interfere with pedestrian or vehicular movement.
 - (2) If landscape material is located within a utility easement and repair or replacement of the utility is needed, the City or utility is not responsible for the replacement of any landscape that may be damaged.
 - (3) All plant materials must be free of disease and installed so that soil of sufficient volume, composition, and nutrient balance are available to sustain healthy growth.

- (4) Landscaping materials shall be planted as each phase of a site is developed.
 - (5) If weather prohibits the installation of landscape materials, a security bond for 125% in favor of the City of the estimated amount of landscape materials and installation cost. The cost of landscape materials and installation must be determined by a landscape architect or other landscape business professional.
 - C. Maintenance.
 - (1) Landscape materials depicted on approved landscape plans are considered a required site element. As such, the owner of record or the business or homeowner's association is responsible for the maintenance, repair, and replacement of all landscape materials and elements
3. Minimum Planting Sizes. Minimum planting sizes are as follows. For the purposes of determining trunk size, the diameter/caliper is measured at six inches above ground level, unless otherwise specified in current ANSI accredited Horticultural Standards.
 - A. Evergreen trees must have a minimum height of six feet.
 - B. Shade trees must have a minimum clear trunk height of four feet above the ground with a two-inch caliper.
 - C. Single stem ornamental trees must have a minimum trunk size of two inches in caliper. Multiple stem ornamental trees must have a minimum height of eight feet.
 - D. Evergreen or deciduous shrubs must have a minimum height of 18 inches.
4. Berming. If berms are included on a landscape plan, they must comply with the following:
 - A. Berms must be stabilized to prevent erosion.
 - B. Berms must be a minimum of two feet in height.
 - C. Berms of two feet in height and up to six feet in height are limited to a maximum slope of 3:1, as measured from the lot line.
 - D. Berms of six feet in height or more are limited to a maximum slope of 4:1, as measured from the lot line.
 - E. Berms must undulate by height and/or width for visual interest.
5. Parking Lot Landscape. A perimeter landscape area is required for all parking lots adjacent to streets and public spaces such as a plaza, public seating area, or park. The landscape treatment must run the full length of the parking lot perimeter and must be located between the lot line and the edge of the parking lot, with the exception of pedestrian walkways. The landscaped area must be improved as follows:
 - ~~A. Berming shall be installed between the parking lot and a street and/or public space.~~

- ~~B.A.~~ Shrubs must be planted and spaced sufficiently to form a continuous linear hedgerow at plant maturity.
- ~~C.B.~~ A minimum of one shade tree must be provided for every 50 linear feet of perimeter landscape yard. Two ornamental trees may be substituted for one shade tree and must be spaced one ornamental tree every 25 feet. Trees may be spaced linearly on-center, or grouped to complement an overall design concept.
- C. Trees within parking lot islands adjacent to parking lot landscaping areas may be included in the calculation for minimum number of required trees.

6. Parking Lot Interior Landscape. All parking lots consisting of 15 or more spaces require interior parking lot landscape as described in this section.
 - A. All rows of parking stalls must terminate in a parking lot island or landscape area.
 - B. Where more than 15 parking stalls are provided in a row, one parking lot island must be provided between every 15 parking spaces. As part of the landscape plan approval, parking lot island locations may be varied based on specific site requirements or design scheme, but the total number of islands must be no less than the amount required of one island for every 15 spaces.
 - C. Parking lot islands must be at least the same dimension as the parking stall. Double rows of parking must provide parking lot islands that are the same dimension as the double row.
 - D. A minimum of one shade tree must be provided in every parking lot island or landscape area. If a parking lot island extends the width of a double row, then two shade trees are required.
7. On-Site Trees. In addition to trees in required ~~perimeter areas~~buffer yards, on-site shade trees must be installed as follows:
 - A. Multi-Unit Residence District. One tree for each 750 square feet of building footprint.
 - B. Residential Manufactured Home Park District. One tree for every four acres.
 - C. Commercial, Industrial and Public Districts. One tree for every 2,000 square feet of building footprint.
 - D. Trees within parking lot landscape and parking lot islands adjacent to parking lot landscape may be included in the calculation for minimum number of required trees.
8. Buffer Yards.
 - A. Buffer yards are required for new construction along interior side and rear yards in the following cases:
 1. Where the lot line of a multi-unit residence development is adjacent to the lot line of a single-unit residence or two-family residence district.

2. Where a non-residential use is located within a residential or interim development district.
 3. Where the lot line of a non-residential district is adjacent to the lot line of a residential district. This does not include private or public parks.
- B. The required design for buffer yards is as follows:
1. A buffer yard must be a minimum of 10 feet in width.
 2. One shade or evergreen tree must be planted for every 30 linear feet of buffer yard length. As part of the landscape plan approval, trees may be spaced at various intervals based on specific site requirements, but the total number of trees planted must be no less than one per 30 linear feet of buffer yard length.
 3. Existing trees in the buffer yard may count toward the buffer yard tree requirement. This credit is a 1:1 ratio (one existing tree for one proposed tree) regardless of the size of the existing tree.
 4. Evergreen shrubs must be planted and spaced sufficiently to form a continuous linear hedgerow at plant maturity. As part of the landscape plan approval, shrubs may be spaced at various intervals based on specific site requirements, but the total number of shrubs planted must be no less than one per three linear feet of buffer yard length.
 5. A fence may be required at the discretion of City staff.
8. Site Landscape. Areas of any lot that are not covered by structures or pavement must be planted with live landscaping. Stone, mulch, or other permeable landscape materials may be used to satisfy this requirement, but must not cover more than 40% of such area and must be designed so such materials are placed so that they are no higher than the height of the curb to prevent spill.

SECTION 7. AMENDMENT OF ORDINANCE. Chapter 169.03 of the North Liberty Code of Ordinances, entitled Trash and Recycling Enclosures, amended to read as follows:

169.03 ~~TRASH DUMPSTER, AND RECYCLING AND TRASH COMPACTOR ENCLOSURES.~~

~~Trash Dumpster and recycling enclosures are required for commercial, industrial, and multi-family zoned areas except that side-by-side, or townhouse style multi-family developments may be approved for curb-side individual pickup by Council resolution upon recommendation by the Code Official that the developer or owner has demonstrated the following: in multi-unit residence (except for townhouse developments), commercial, industrial and public districts and for non-residential development in residential and interim development districts.~~

1. Performance Standards.

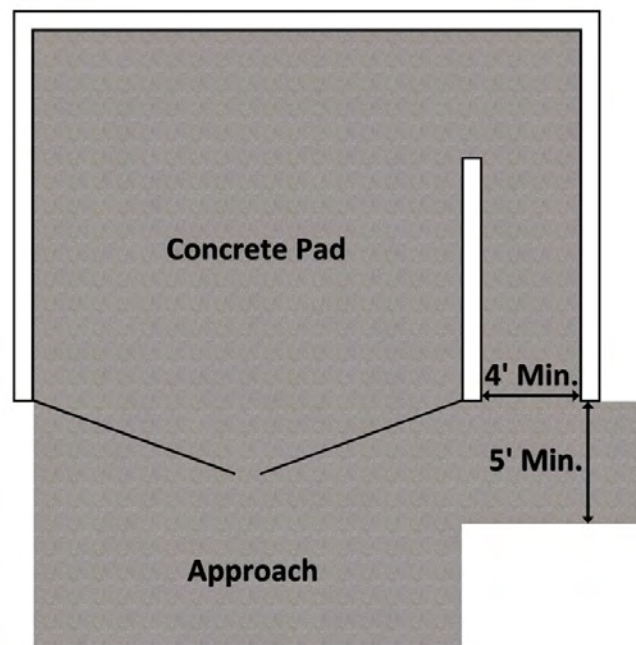
A. Dumpsters, trash compactors and/or other such solid waste containers shall be stored in the enclosure at all times.

- B. Enclosures, gates, doors, etc. shall be kept in good working condition at all times.
- C. The area within and around the enclosure shall be kept in a clean condition at all times.
- D. Gates shall remain closed at all times except when the dumpster, trash compactor and/or other such solid waste container is being serviced.

2. Design Standards.

- A. Enclosures shall not be located in the required front or corner side yard area and should be located out of public view to the greatest degree possible.
- B. Access to the enclosure shall remain unobstructed with a clear approach.
- C. The area within the enclosure and apron shall be improved with a hard surfaced, all-weather dustless material.
- D. Enclosure shall be a minimum of six feet in height but must be of sufficient height to effectively screen the view of dumpsters, trash compactors and/or other such solid waste containers.
- E. Enclosures shall be constructed of split faced block, decorative stone or brick to match the principle building to the maximum extent possible.
- F. For multiple-unit residence developments utilizing a dumpster, there shall be an accessible pedestrian entrance. See figure 169.03-A.
- G. Gates shall not open onto sidewalks, parking spaces or a right-of-way.
- H. The exterior face of gates shall be metal or wood. Non-solid gates shall be a minimum 90% opaque. Gate supports shall be metal with the appropriate diameter to support the gate(s). Hardware must be of sufficient strength to accommodate repetitive swinging.

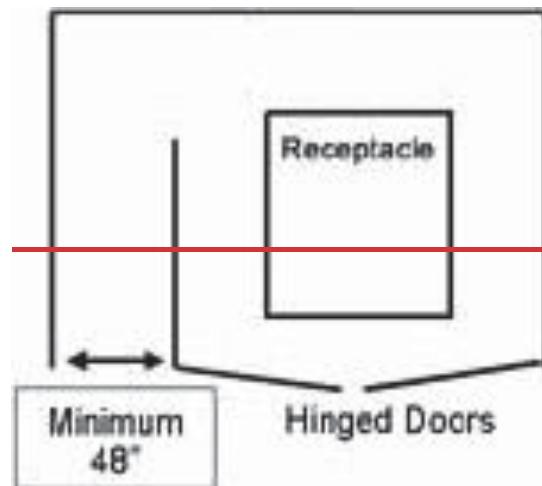
Figure 169.03



1. Adequate maneuverability for garbage truck access; and
2. Practical and adequate frontage for each dwelling unit so that placement of garbage and recycle materials does not impede pedestrians or drivers on public or private sidewalks, driveways, or streets.

If curb-side pickup is approved, the developer shall provide a recorded document releasing the City from any and all damage or injury liability arising from garbage collection activities, and notifying future owners of that release. Enclosures shall not be located in the required front or corner side yard area and should be located out of public view to the greatest degree possible. Openings shall be oriented so that gates do not open toward public streets whenever practical. Enclosures shall be constructed of decorative block or brick to match the principle building to the maximum extent possible, to minimize its visual impact. Gates shall be constructed with commercial-grade hinges, pulls, and hasps, and gate supports shall be metal with an appropriate diameter to support the gates. The gates themselves shall be constructed to present a decorative solid façade. Class 2B fused and bonded vinyl coated-gauge chain link fence panels with minimum 9-gauge core, with 2" mesh, and winged type slats installed to obtain a Privacy factor of 90% or greater may be used as a substitute for a solid façade. Protective bollards should be provided. See Figure 169.03 for access requirements for multi-family uses.

Figure 169.03



SECTION 8. AMENDMENT OF ORDINANCE. Chapter 180.06 of the North Liberty Code of Ordinances is amended to read as follows:

180.06 BUILDING PERMITS ~~AND CERTIFICATES OF OCCUPANCY~~ RESTRICTED.

1. When a plat is required by provisions of this ~~Code of ordinance~~Ordinances, the City shall not issue any building permit for construction on any lot, parcel, or tract until a plat is approved and recorded.
2. ~~When construction of public improvements is required by the provisions of this Code of Ordinances, the City shall not issue any certificate of occupancy for any structure on any lot, parcel or tract until the public improvements for the plat on which such lot, parcel or tract is located are accepted by the City. Notwithstanding the above, a certificate of occupancy may be issued for structures where sidewalks and erosion control improvements have not yet been accepted, provided that the obligation to install sidewalks and erosion control improvements remains a lien upon the upon the property where the structure is situated until installed and accepted.~~

SECTION 9. AMENDMENT OF ORDINANCE. Paragraph 1(B) of Chapter 180.12 of the North Liberty Code of Ordinances, entitled General Requirements, is amended to read as follows:

- B. The subdivider of property shall be responsible for constructing all ~~public~~ improvements associated with the proposed subdivision according to ~~construction and~~ design standards established by ~~resolution of~~ the City Council;
~~except for special circumstances such as oversizing facilities, as determined by the City.~~

SECTION 10. REPEALER. All Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 11. 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 12. 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 13. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law, except for that portion of Section 8, which amends Chapter 169.03, new Paragraph 1, entitled Performance Standards, takes effect upon enactment and applies retroactively to June 27, 2000.

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. 2022-20

AN ORDINANCE AMENDING CHAPTERS 165, 168, 169 AND 180 OF THE NORTH LIBERTY CODE OF ORDINANCES REGARDING THE CONSTRUCTION PLAN APPROVAL PROCESS AND STANDARDS, SURFACE AND SUBSURFACE DRAINAGE REQUIREMENTS, RESTORING BUILDING TRADES AND SERVICES TO USE MATRIX AND ADDING AND RELOCATING CERTAIN USES WITHIN THE USE MATRIX, CLARIFYING LANDSCAPING PLAN REQUIREMENTS AND AMENDING DUMPSTER ENCLOSURE REQUIREMENTS

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

SECTION 1. AMENDMENT OF ORDINANCE. Paragraph 3 of Chapter 165.05 of the North Liberty Code of Ordinances, entitled Permit Requirements, is amended to read as follows:

3. Construction Site Plans Review. The construction site plan review process ensures consistency with the approved preliminary site plan, all applicable municipal regulations, and adopted construction standards.
 - A. Authority. The Code Official reviews and issues final approval of construction site plans. When a subdivision plat is required by any provision of this Code of Ordinances, and such plat creates the need for extension of streets, utilities or any other new public improvements, no construction site plan approval shall be issued for any lot, parcel or tract within the proposed development until a final plat is approved and recorded.
 - B. Required Construction Site Plan Review. Construction site plan approval is required for any development requiring preliminary site plan approval, and development of any utility (sub)stations.
 - C. Construction Site Plan Submittal Requirements. All applications for construction site plan review shall include the following:
 - (1) The completed application form.
 - (2) A scaled and dimensioned site plan drawn to a scale not less than one inch to one hundred feet, prepared by a licensed engineer, landscape architect and/or architect. The site plan shall include the following:
 - (a) Date, north arrow and graphic scale.
 - (b) The property owner's name and description of proposed development.
 - (c) A vicinity sketch showing the location of the property and other properties within 1,000 feet of it.
 - (d) Property boundary lines, dimensions, and total area.
 - (e) 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.

- (f) The location of existing streets, sidewalks, easements, utilities, drainage courses.
 - (g) The total square feet of building floor area, both individually and collectively.
 - (h) Total number of dwelling units and the density of the development.
 - (i) All structures and major features shall be fully dimensioned including distance between structures, distance between driveways, parking areas, property lines and building height.
 - (j) 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.
 - (k) Pedestrian walkways with special consideration given to pedestrian safety.
 - (l) Recreation and open spaces, with special consideration given to the location, size and development of the areas in regard to adequacy, effect on privacy of adjacent living areas, and relationship to community wide open spaces and recreation facilities.
 - (m) Walls, fences or other artificial features.
 - (n) Trash and refuse enclosures.
 - (o) Documentation demonstrating compliance with Chapter 155, entitled Construction Site Erosion and Sediment Control.
 - (p) Documentation demonstrating compliance with Chapter 156, entitled Post-Construction Storm Water Runoff Control.
 - (q) A lighting plan depicting the location, height, and type of lighting fixtures on the site and proposed buildings and a photometric plan depicting the lighting fixture locations and illumination levels.
 - (r) The location, type and size of all plants, shrubs, trees, and ground cover.
- D. Extension of public utilities. The petitioner may, as a condition of the construction site plan approval, be required to install public utilities, including (but not limited to) water lines, storm sewer, sanitary sewer, street paving, fire hydrants, and such other utilities as applicable to properly serve the proposed development. Where required as a condition of a construction site plan approval, utilities shall be constructed in accordance with construction standards as established by resolution of the City Council for those portions within the public right-of-way and to be dedicated to the City, and may be required to be constructed to the same specifications for those undedicated portions where said utilities may have a direct effect on the future safety, proper functioning, and maintenance of those portions to be dedicated.

- E. Surface water drainage management. The petitioner may, as a condition of construction site plan approval, be required to perform such work as may be necessary to ensure the proper drainage of surface water over and across the property, in accordance with construction standards established by resolution of the City Council.
- F. Modifications. The development shall be substantially in conformance with the approved construction site plan. Amended construction site plans shall be submitted to the Code Official for determination if the amendment can be approved administratively or if the amendment requires review by the Planning Commission and approval by City Council in accordance with Section 165.05(2)(E).
- G. Once a site plan is approved, the petitioner has eighteen (18) months to commence the development of the property consistent with the approved site plan and any related conditions and agreements. The development of the property shall be substantially completed within thirty-six (36) months from the date of City approval of the site plan. In the event that the petitioner fails to either commence or complete the development of the property within these timeframes, authorization to proceed with the development shall cease, and the petitioner shall be required to seek reauthorization and approval of the construction site plan. The petitioner may, however, request an extension of time from the City. If an extension is granted, it may be conditioned upon updating any security posted by the petitioner or requiring the petitioner to provide security to reflect cost increases and extended completion date.

SECTION 2. AMENDMENT OF ORDINANCE. Table 168.06 of Chapter 168.06 of the North Liberty Code of Ordinances, entitled Use Matrix, is amended to read as follows:

Table 168:06: Use Matrix															
See Section 168.07 for Use Definitions and Use Standards															
Use	ID	RS	RD	RM	R-MH	C-1-A	C-1-B	C-2-A	C-2-B	C-3	OR/P	I-1	I-2	I-P	P
1. <u>Adult Entertainment</u>													<u>C</u>		
2. <u>Agricultural Experience</u>	<u>C</u>														
3. <u>Agriculture</u>	<u>P</u>														
4. <u>Amusement Facility – Indoor</u>						<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>					
5. <u>Amusement Facility – Outdoor</u>										<u>C</u>					
6. <u>Animal Care Facility</u>						<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>			
7. <u>Animal Shelter</u>												<u>C</u>			<u>C</u>
8. <u>Art Gallery</u>						<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>					
9. <u>Arts and Fitness Studio</u>						<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>					
10. <u>Bar</u>						<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>		<u>P</u>	
11. <u>Bed and Breakfast Home</u>		<u>C</u>													
12. <u>Body Art Establishment</u>								<u>P</u>	<u>P</u>						
13. <u>Brewery-Micro</u>						<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>				<u>P</u>	
14. <u>Broadcasting Studio</u>								<u>P</u>	<u>P</u>	<u>P</u>				<u>P</u>	<u>P</u>
15. <u>Building Trades and Services</u>								<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>		<u>P</u>	
16. <u>Car Wash</u>								<u>P</u>	<u>P</u>						
17. <u>Child Care Center</u>						<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>	<u>P</u>
18. <u>Child Care Home</u>		<u>P</u>			<u>P</u>										
19. <u>Child Development Home</u>		<u>P</u>													
20. <u>Community Center</u>						<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>				<u>P</u>	<u>P</u>
21. <u>Community Pantry</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>						
22. <u>Cultural Facility</u>						<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>					<u>P</u>
23. <u>Distillery, Micro</u>						<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>				<u>P</u>	
24. <u>Drive-Through Facility</u>						<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>	

Table 168:06: Use Matrix
See Section 168.07 for Use Definitions and Use Standards

<u>Use</u>	<u>ID</u>	<u>RS</u>	<u>RD</u>	<u>RM</u>	<u>R-MH</u>	<u>C-1-A</u>	<u>C-1-B</u>	<u>C-2-A</u>	<u>C-2-B</u>	<u>C-3</u>	<u>OR/P</u>	<u>I-1</u>	<u>I-2</u>	<u>I-P</u>	<u>P</u>
25. Dwelling – Manufactured Home					P										
26. Dwelling – Mixed Use						P	P	P	P	P					
27. Dwelling – Multiple-Unit				P						P					
28. Dwelling – Single-Unit	P	P													
29. Dwelling – Single-Unit Zero Lot Line			P												
30. Dwelling – Townhouse				P											
31. Dwelling – Two Unit			P	P											
32. Educational Facility – Primary	P	P	P	P		P	P	P	P	P					P
33. Educational Facility – Secondary	P	P	P	P		P	P	P	P	P					P
34. Educational Facility – University or College											P			P	P
35. Educational Facility – Vocational						C	P	P	P	P		P		P	
36. Financial Institution						P	P	P	P	P				P	
37. Fireworks, Retail Sales of												P			
38. Food Bank												P			
39. Fueling Station							P	P	P			P		P	
40. Fulfillment Center, Micro								C	C	C		P			
41. Funeral Home								P	P						
42. Golf Course/Driving Range							P								P
43. Greenhouse/Nursery - Retail												P			
44. Group Home	P	P	P		P										
45. Healthcare Institution										P				P	P
46. Heavy Rental and Service Establishment												P			
47. Heavy Retail Establishment										P		P			
48. Hotel						C	P	P	P	P	P			P	

Table 168:06: Use Matrix
See Section 168.07 for Use Definitions and Use Standards

<u>Use</u>	<u>ID</u>	<u>RS</u>	<u>RD</u>	<u>RM</u>	<u>R-MH</u>	<u>C-1-A</u>	<u>C-1-B</u>	<u>C-2-A</u>	<u>C-2-B</u>	<u>C-3</u>	<u>OR/P</u>	<u>I-1</u>	<u>I-2</u>	<u>I-P</u>	<u>P</u>
49. Industrial - General												P	P		
50. Industrial - Light												P	P	P	
51. Industrial Design							P	P	P	P		P		P	
52. Live Performance Venue						P	P	P	P	P				P	
53. Manufactured Home Park					P										
54. Medical/Dental Office						P	P	P	P	P					
55. Office						P	P	P	P	P	P	P		P	P
56. Outdoor Seating						P	P	P	P	P				P	P
57. Park, Private	P	P	P	P	P	P	P	P	P	P	P			P	
58. Park, Public															P
59. Parking Lot (Principal Use)						C	P	P	P	P		P		P	P
60. Parking Structure (Principal Use)						C	P	P	P	P		P		P	P
61. Personal Services Establishment						P	P	P	P	P					
62. Place of Worship	P	P	P	P		P	P	P	P	P					
63. Private Club						P	P	P	P	P					
64. Public Safety Facility															P
65. Public Works Facility															P
66. Research and Development											P	P		P	
67. Residential Care Facility				P			P	P	P	P					
68. Restaurant						P	P	P	P	P		P		P	P
69. Retail Good Establishment						P	P	P	P	P		P		P	
70. Salvage Yard													C		
71. Self-Storage - Enclosed								P	P	P		P			
72. Self-Storage - Outdoor								C	C	C		P			
73. Specialty Food Service						P	P	P	P	P		P		P	

Table 168:06: Use Matrix
See Section 168.07 for Use Definitions and Use Standards

<u>Use</u>	<u>ID</u>	<u>RS</u>	<u>RD</u>	<u>RM</u>	<u>R-MH</u>	<u>C-1-A</u>	<u>C-1-B</u>	<u>C-2-A</u>	<u>C-2-B</u>	<u>C-3</u>	<u>OR/P</u>	<u>I-1</u>	<u>I-2</u>	<u>I-P</u>	<u>P</u>
74. Storage – Outdoor (Principal Use)												<u>C</u>	<u>P</u>		
75. Truck Stop												<u>C</u>	<u>P</u>		
76. Utility (Sub)Stations	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
77. Vehicle Dealership, New and Used								<u>P</u>	<u>P</u>	<u>P</u>					
78. Vehicle Dealership, Used								<u>C</u>	<u>C</u>						
79. Vehicle Operations Facility												<u>P</u>			<u>P</u>
80. Vehicle Rental												<u>P</u>			
81. Vehicle Repair - Major								<u>C</u>	<u>C</u>			<u>P</u>			
82. Vehicle Repair - Minor								<u>P</u>	<u>P</u>			<u>P</u>			
83. Warehouse												<u>P</u>			
84. Wholesale Establishment												<u>P</u>			
85. Winery, Micro						<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>				<u>P</u>	

SECTION 3. RENUMBERING OF ORDINANCE. Paragraphs 15 through 84 of Chapter 168.07 of the North Liberty Code of Ordinances, entitled Uses Defined and Use Standards, are renumbered as Paragraphs 16 through 85.

SECTION 4. AMENDMENT OF ORDINANCE. Chapter 168.07 of the North Liberty Code of Ordinances, entitled Uses Defined and Use Standards, is amended to insert the following new Paragraph 15 before renumbered Paragraph 16.

15. Building Trades and Services
- A. Defined. Building Trades and Services means an establishment that undertakes activities related to building construction projects, as well as those that provide repair and maintenance services to buildings, including building systems, home appliances, and the like. These specialized trade contractors may work on subcontract from a general contractor, performing only part of the work covered by the general contract, or they may work directly for the owner of the building or project. Building and Trade Services uses primarily perform their work at the site of the structure being constructed or serviced, although they also may have shops where they perform work incidental to the job site. Examples of building trades and services include electrical, plumbing, heating, and air conditioning contractors, painting, masons, stone and tile setters, glass and glazing services.
- B. Use Standards.
- (1) Building area shall be limited to 7,500 square feet in the C-2-A, C-2-B and C-3 Districts.
 - (2) Vehicles such as cars, vans and pickup trucks shall be permitted in designated parking spaces in any location. Box trucks, and other similar vehicles, along with trailers which may be pulled by permitted vehicles, shall also be permitted in designated parking spaces, but shall not be located within a front or corner side yard. Smaller equipment such as skid loaders, forklifts, etc. may be permitted, provided they are stored indoors or inside enclosed trailers. Heavy vehicles and equipment such as tractor trailers, semi-trucks, construction equipment, and other large specialty vehicles as determined by Code Official shall be prohibited.
 - (3) Outdoor storage shall only be permitted in the I-1 District.
 - (a) Outdoor storage or display areas shall be screened with landscaping consisting of shade trees and evergreen trees and shrubs. Such landscaped area shall be of sufficient width and density to provide an effective and aesthetically pleasing screen with trees and shrubs not less than five feet in height when planted. In lieu of planting strips, a six-foot tall solid vertical fence or masonry, heavy wood construction, or other similar material approved by the Code Official may be used as a screen.
 - (b) Outdoor storage or display shall be allowed only on hard-surface areas paved to parking lot specifications with asphalt or concrete.
 - (4) See Section 169.05(B) for outdoor storage areas as an accessory use.

SECTION 5. AMENDMENT OF ORDINANCE. Paragraph 28 of Chapter 168.07 of the North Liberty Code of Ordinances, entitled Uses Defined and Use Standards, is amended to read as follows:

- 28 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 a minimum of 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 6. AMENDMENT OF ORDINANCE. Chapter 169.02 of the North Liberty Code of Ordinances, entitled Landscaping Requirements, is amended to read as follows:

169.02 LANDSCAPE REQUIREMENTS.

1. Landscape Plan Required. A landscaping plan is required for development within the multi-unit residence, residential manufactured home park commercial, industrial and public districts and for non-residential development in residential and interim development districts.
2. Selection, Installation and Maintenance.
 - A. Selection.
 - (1) All plant materials must be of good quality and meet American Horticulture Industry Association (AmericanHort) or its ANSI accredited successor's standards for minimum acceptable form, quality, and size for species selected.
 - (2) All species must be capable to withstand the seasonal temperature variations of USDA Hardiness Zone 5b (the plant zone for North Liberty). A hardiness zone is a geographically defined area in which a specific category of plant life is capable of growing, as defined by climatic conditions, including its ability to withstand the minimum temperatures of the zone.
 - (3) The use of species native or naturalized is required. Drought tolerant species are encouraged.
 - (4) Invasive species are prohibited.
 - B. Installation.
 - (1) All landscape materials must be installed in accordance with current nursery industry standards, and must be properly supported to ensure survival. Support devices such as guy wires or stakes must not interfere with pedestrian or vehicular movement.
 - (2) If landscape material is located within a utility easement and repair or replacement of the utility is needed, the City or utility is not responsible for the replacement of any landscape that may be damaged.
 - (3) All plant materials must be free of disease and installed so that soil of sufficient volume, composition, and nutrient balance are available to sustain healthy growth.

- (4) Landscaping materials shall be planted as each phase of a site is developed.
 - (5) If weather prohibits the installation of landscape materials, a security bond for 125% in favor of the City of the estimated amount of landscape materials and installation cost. The cost of landscape materials and installation must be determined by a landscape architect or other landscape business professional.
 - C. Maintenance.
 - (1) Landscape materials depicted on approved landscape plans are considered a required site element. As such, the owner of record or the business or homeowner's association is responsible for the maintenance, repair, and replacement of all landscape materials and elements
- 3. Minimum Planting Sizes. Minimum planting sizes are as follows. For the purposes of determining trunk size, the diameter/caliper is measured at six inches above ground level, unless otherwise specified in current ANSI accredited Horticultural Standards.
 - A. Evergreen trees must have a minimum height of six feet.
 - B. Shade trees must have a minimum clear trunk height of four feet above the ground with a two-inch caliper.
 - C. Single stem ornamental trees must have a minimum trunk size of two inches in caliper. Multiple stem ornamental trees must have a minimum height of eight feet.
 - D. Evergreen or deciduous shrubs must have a minimum height of 18 inches.
- 4. Berming. If berms are included on a landscape plan, they must comply with the following:
 - A. Berms must be stabilized to prevent erosion.
 - B. Berms must be a minimum of two feet in height.
 - C. Berms of two feet in height and up to six feet in height are limited to a maximum slope of 3:1, as measured from the lot line.
 - D. Berms of six feet in height or more are limited to a maximum slope of 4:1, as measured from the lot line.
 - E. Berms must undulate by height and/or width for visual interest.
- 5. Parking Lot Landscape. A perimeter landscape area is required for all parking lots adjacent to streets and public spaces such as a plaza, public seating area, or park. The landscape treatment must run the full length of the parking lot perimeter and must be located between the lot line and the edge of the parking lot, with the exception of pedestrian walkways. The landscaped area must be improved as follows:
 - A. Shrubs must be planted and spaced sufficiently to form a continuous linear hedgerow at plant maturity.

- B. A minimum of one shade tree must be provided for every 50 linear feet of perimeter landscape yard. Two ornamental trees may be substituted for one shade tree and must be spaced one ornamental tree every 25 feet. Trees may be spaced linearly on-center, or grouped to complement an overall design concept.
 - C. Trees within parking lot islands adjacent to parking lot landscaping areas may be included in the calculation for minimum number of required trees.
6. Parking Lot Interior Landscape. All parking lots consisting of 15 or more spaces require interior parking lot landscape as described in this section.
- A. All rows of parking stalls must terminate in a parking lot island or landscape area.
 - B. Where more than 15 parking stalls are provided in a row, one parking lot island must be provided between every 15 parking spaces. As part of the landscape plan approval, parking lot island locations may be varied based on specific site requirements or design scheme, but the total number of islands must be no less than the amount required of one island for every 15 spaces.
 - C. Parking lot islands must be at least the same dimension as the parking stall. Double rows of parking must provide parking lot islands that are the same dimension as the double row.
 - D. A minimum of one shade tree must be provided in every parking lot island or landscape area. If a parking lot island extends the width of a double row, then two shade trees are required.
7. On-Site Trees. In addition to trees in required buffer yards, on-site shade trees must be installed as follows:
- A. Multi-Unit Residence District. One tree for each 750 square feet of building footprint.
 - B. Residential Manufactured Home Park District. One tree for every four acres.
 - C. Commercial, Industrial and Public Districts. One tree for every 2,000 square feet of building footprint.
 - D. Trees within parking lot landscape and parking lot islands adjacent to parking lot landscape may be included in the calculation for minimum number of required trees.
8. Buffer Yards.
- A. Buffer yards are required for new construction along interior side and rear yards in the following cases:
 - 1. Where the lot line of a multi-unit residence development is adjacent to the lot line of a single-unit residence or two-family residence district.
 - 2. Where a non-residential use is located within a residential or interim development district.

3. Where the lot line of a non-residential district is adjacent to the lot line of a residential district. This does not include private or public parks.
- B. The required design for buffer yards is as follows:
 1. A buffer yard must be a minimum of 10 feet in width.
 2. One shade or evergreen tree must be planted for every 30 linear feet of buffer yard length. As part of the landscape plan approval, trees may be spaced at various intervals based on specific site requirements, but the total number of trees planted must be no less than one per 30 linear feet of buffer yard length.
 3. Existing trees in the buffer yard may count toward the buffer yard tree requirement. This credit is a 1:1 ratio (one existing tree for one proposed tree) regardless of the size of the existing tree.
 4. Evergreen shrubs must be planted and spaced sufficiently to form a continuous linear hedgerow at plant maturity. As part of the landscape plan approval, shrubs may be spaced at various intervals based on specific site requirements, but the total number of shrubs planted must be no less than one per three linear feet of buffer yard length.
 5. A fence may be required at the discretion of City staff.
8. Site Landscape. Areas of any lot that are not covered by structures or pavement must be planted with live landscaping. Stone, mulch, or other permeable landscape materials may be used to satisfy this requirement, but must not cover more than 40% of such area and must be designed so such materials are placed so that they are no higher than the height of the curb to prevent spill.

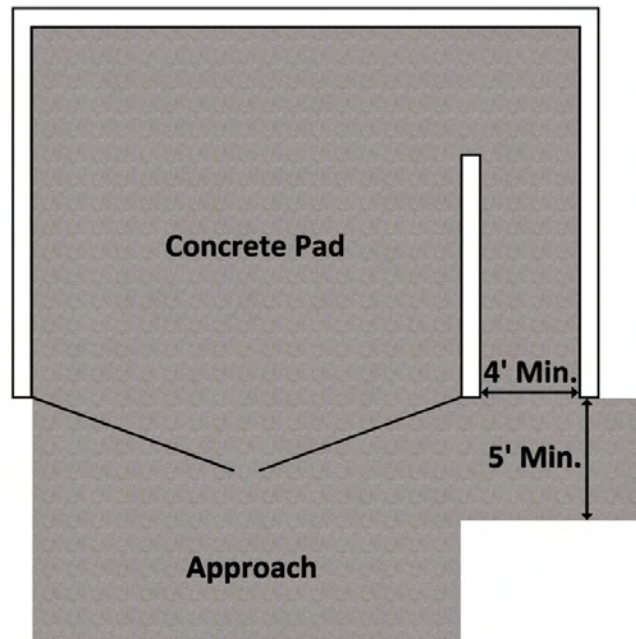
SECTION 7. AMENDMENT OF ORDINANCE. Chapter 169.03 of the North Liberty Code of Ordinances, entitled Trash and Recycling Enclosures, amended to read as follows:

169.03 DUMPSTER, RECYCLING AND TRASH COMPACTOR ENCLOSURES. Dumpster and recycling enclosures are required in multi-unit residence (except for townhouse developments), commercial, industrial and public districts and for non-residential development in residential and interim development districts.

1. Performance Standards.
 - A. Dumpsters, trash compactors and/or other such solid waste containers shall be stored in the enclosure at all times.
 - B. Enclosures, gates, doors, etc. shall be kept in good working condition at all times.
 - C. The area within and around the enclosure shall be kept in a clean condition at all times.
 - D. Gates shall remain closed at all times except when the dumpster, trash compactor and/or other such solid waste container is being serviced.

2. Design Standards.
- A. Enclosures shall not be located in the required front or corner side yard area and should be located out of public view to the greatest degree possible.
 - B. Access to the enclosure shall remain unobstructed with a clear approach.
 - C. The area within the enclosure and apron shall be improved with a hard surfaced, all-weather dustless material.
 - D. Enclosure shall be a minimum of six feet in height but must be of sufficient height to effectively screen the view of dumpsters, trash compactors and/or other such solid waste containers.
 - E. Enclosures shall be constructed of split faced block, decorative stone or brick to match the principle building to the maximum extent possible.
 - F. For multiple-unit residence developments utilizing a dumpster, there shall be an accessible pedestrian entrance. See figure 169.03-A.
 - G. Gates shall not open onto sidewalks, parking spaces or a right-of-way.
 - H. The exterior face of gates shall be metal or wood. Non-solid gates shall be a minimum 90% opaque. Gate supports shall be metal with the appropriate diameter to support the gate(s). Hardware must be of sufficient strength to accommodate repetitive swinging.

Figure 169.03



SECTION 8. AMENDMENT OF ORDINANCE. Chapter 180.06 of the North Liberty Code of Ordinances is amended to read as follows:

180.06 BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY RESTRICTED.

1. When a plat is required by provisions of this Code of Ordinances, the City shall not issue any building permit for construction on any lot, parcel, or tract until a plat is approved and recorded.
2. When construction of public improvements is required by the provisions of this Code of Ordinances, the City shall not issue any certificate of occupancy for any structure on any lot, parcel or tract until the public improvements for the plat on which such lot, parcel or tract is located are accepted by the City. Notwithstanding the above, a certificate of occupancy may be issued for structures where sidewalks and erosion control improvements have not yet been accepted, provided that the obligation to install sidewalks and erosion control improvements remains a lien upon the upon the property where the structure is situated until installed and accepted.

SECTION 9. AMENDMENT OF ORDINANCE. Paragraph 1(B) of Chapter 180.12 of the North Liberty Code of Ordinances, entitled General Requirements, is amended to read as follows:

- B. The subdivider of property shall be responsible for constructing all improvements associated with the proposed subdivision according to construction and design standards established by resolution of the City Council.

SECTION 10. REPEALER. All Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 11. 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 12. 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 13. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law, except for that portion of Section 8, which amends Chapter 169.03, new Paragraph 1, entitled Performance Standards, takes effect upon enactment and applies retroactively to June 27, 2000.

First reading on July 26, 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. 2022-20 in the Cedar Rapids Gazette on the ____ day of _____, 2022.

TRACEY MULCAHEY, CITY CLERK



Additional Information



To **Mayor and City Council**
CC **City Administrator**
From **Tom Palmer, Building Official**
Date **8/3/2022**
Re **Monthly Report**

July Permits:

80 permits were issued in July with estimated construction value of 5.2 million dollars. Twenty new housing permits were issued with construction value of 4.7 million dollars. Staff completed 265 inspections during the month of July.

Rental/Code Compliance Cases:

Nine new rental permit applications received in July. A total of twenty-five compliance cases were processed in July.

Penn Street Place:

Framing crews have completed the roof structure, and in the process of installing doors and windows. Subcontractors are onsite installing electrical, HVAC, plumbing and fire protection system.





July Permit Tally Report

Permit Type	Construction Value	Total Fees
Group: Accessory Structure		
	\$0.00	
		Group Total: 1
Group: Automatic Fire Sprinkler System		
	\$12,850.00	\$1,496.00
		Group Total: 1
Group: Commercial Alteration		
	\$4,562.00	\$23.50
		Group Total: 1
Group: Deck		
	\$21,500.00	\$466.00
		Group Total: 5
Group: Driveway		
	\$1,200.00	\$25.00
		Group Total: 1
Group: Fence		
	\$66,977.21	\$350.00
		Group Total: 14
Group: Fire Alarm & Detection Equipment		
	\$4,000.00	
		Group Total: 2
Group: Fire Protection & Fire Alarm Contractor Operating Permit		
	\$0.00	\$79.00
		Group Total: 1
Group: Fire Protection System		
	\$1,200.00	\$79.00
		Group Total: 1
Group: Manufactured Home		
	\$5,000.00	\$111.25
		Group Total: 1
Group: Mechanical Electrical Plumbing (MEP)		
	\$39,075.00	\$590.54
		Group Total: 11
Group: New Single Family Dwelling		
	\$1,304,000.00	\$11,207.75
		Group Total: 3
Group: New Townhouse		
	\$3,542,932.00	\$39,921.67

Group Total: 17

Group: Parking

	\$8,000.00	\$25.00
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Group Total: 1

Group: Permanent Sign

	\$11,000.00	\$50.00
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Group Total: 1

Group: Rental

	\$0.00	\$850.00
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Group Total: 9

Group: Residential Alteration

	\$20,549.00	\$396.33
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Group Total: 4

Group: Right of Way

	\$30,000.00	\$23.50
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Group Total: 1

Group: Swimming pools, spas and hot tubs

	\$99,810.00	\$1,113.42
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Group Total: 3

Group: Temporary Membrane Structures/Tents

	\$0.00	
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Group Total: 1

Group: Temporary Use

	\$0.00	\$50.00
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Total Group Total: 1

Total # Permits: 80

	\$5,172,655.21	\$56,857.96
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Permit Summary Report Inspection Type

Schedule Date 1/1/2022 TO 07/31/2022

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Row	Total
Inspection request	4	7	6	12	8	20	15	0	0	0	0	0		72
Re-inspection	33	52	54	40	82	43	51	0	0	0	0	0		355
1st SWPPP	0	0	3	7	6	11	3	0	0	0	0	0		30
Above Suspended Ceiling	0	3	0	1	1	0	0	0	0	0	0	0		5
Building Sewer	0	0	0	0	1	1	0	0	0	0	0	0		2
Commercial Final	2	4	1	1	0	1	0	0	0	0	0	0		9
Commercial Rough-In	3	3	0	0	0	2	0	0	0	0	0	0		8
Deck, Porch, Sunroom Footings	9	2	6	15	13	9	6	0	0	0	0	0		60
Final	13	7	14	11	15	10	14	0	0	0	0	0		84
Fire - Automatic Sprinkler System	0	2	3	2	0	0	0	0	0	0	0	0		7
Fire - Automatic Sprinkler System - Preconcealment	0	0	0	1	0	0	0	0	0	0	0	0		1
Fire - Fire Alarm Installation	0	2	3	5	5	0	0	0	0	0	0	0		15
Fire - Fire Alarm Installation (Rough-In)	0	0	0	1	0	0	0	0	0	0	0	0		1
Fire - Fire Dept. Acceptance	2	3	4	8	1	0	1	0	0	0	0	0		19
Fire - Mobile Food Unit	0	0	0	0	0	0	1	0	0	0	0	0		1
Fire - Retail Sales of Fireworks	0	0	0	0	0	2	0	0	0	0	0	0		2
Fire - Vehicle Exhaust Ventilation Equipment	0	0	0	0	1	0	0	0	0	0	0	0		1
Footings/Slabs	1	0	23	14	10	7	12	0	0	0	0	0		67
Foundation Dampproofing	1	0	0	8	7	3	3	0	0	0	0	0		22
Foundation Wall	1	0	14	12	9	5	11	0	0	0	0	0		52
Framing	0	0	0	0	3	2	0	0	0	0	0	0		5
Gas Piping	0	0	0	1	1	0	0	0	0	0	0	0		2
Gas service release	23	18	22	8	1	17	10	0	0	0	0	0		99
Grading	1	0	0	16	10	8	7	0	0	0	0	0		42
Manufactured Home	1	0	0	2	2	4	1	0	0	0	0	0		10
Meeting	0	0	0	1	4	2	1	0	0	0	0	0		8
Non-Compliance Notice	0	0	0	0	0	0	1	0	0	0	0	0		1
Notice of Termination CSR	4	2	3	5	16	6	10	0	0	0	0	0		46
Other	37	3	0	25	0	7	4	0	0	0	0	0		76
Out of the office	0	0	1	1	3	0	2	0	0	0	0	0		7
Permanent Electric Service Release	14	17	26	7	26	20	8	0	0	0	0	0		118
Plumbing below slab	6	0	1	11	11	10	16	0	0	0	0	0		55
Pool Final (residential)	0	0	0	0	0	1	0	0	0	0	0	0		1
Rental	13	3	4	22	5	4	4	0	0	0	0	0		55
Residential final (New Construction)	13	18	17	10	38	13	14	0	0	0	0	0		123
Residential Photovoltaic (PV) Solar System	1	0	4	1	4	4	1	0	0	0	0	0		15
Residential Rough-in (New Construction)	14	18	17	11	15	13	9	0	0	0	0	0		97
Rough-in	2	3	4	5	5	3	5	0	0	0	0	0		27
Sanitary Sewers	0	0	0	0	0	0	1	0	0	0	0	0		1
Sewer & Water Service	0	0	8	14	13	12	18	0	0	0	0	0		65
Sidewalk Release	4	3	4	13	18	6	6	0	0	0	0	0		54
Sump Pump Discharge Line	2	0	17	13	24	7	6	0	0	0	0	0		69
Temporary Electric Service	2	3	4	10	5	8	11	0	0	0	0	0		43
Water Heater	1	0	0	1	1	4	1	0	0	0	0	0		8
Water Service	0	0	0	1	2	1	0	0	0	0	0	0		4
Witness air pressure test and piping inspection	17	19	20	7	19	16	12	0	0	0	0	0		110
Totals:	224	192	283	323	385	282	265	0	0	0	0	0		1954



Certificate of Occupancy Monthly Report

Applicant	Parcel Address	Project Description	Permit Type	Date C.O. Issued
Bri Evans	168 Holiday Lodge Rd	2022 Rental Permit	Residential Rental	7/25/2022
Liyang Zhang	77 N Park Ridge Rd	2022 Rental Permit	Residential Rental	7/27/2022
Richard Redfern	870 W Cherry St #7	2022 Rental Permit	Residential Rental	7/26/2022
Angela Street	2300 West Lake Rd 301A	2022 Rental Permit	Residential Rental	7/14/2022
Angela Street	2270 West Lake Rd 104B	2022 Rental Permit	Residential Rental	7/14/2022
Bryant Nicholson	270 S Park Ridge Rd	2022 Rental Permit	Residential Rental	7/26/2022
Christa Axnix	460 Cambria Dr	2022 Rental Permit	Residential Rental	7/15/2022
H & P, LLC	775 Prospect Ct	2022 Rental Permit	Residential Rental	7/8/2022
Briana Evans	168 Holiday Lodge Road	Placing new home & building deck	Building	7/22/2022
Caleb Shield	2289 Eversull Ln	2 Story Dwelling	Building	7/27/2022
Caleb Shield	720 S Alexander Way	2886SF 5 Bed 3 Bath 3 Car Ranch Home	Building	7/26/2022
Mindy Lybeck	1517 Vandello Cir	2022 Rental Permit	Residential Rental	7/25/2022
Dahnovan Builders LLC	1192 Dahnovan Dr	Two-story townhome with two	Building	7/26/2022
Dahnovan Builders LLC	1190 Dahnovan Dr	Two-story townhome with two	Building	7/26/2022
Dahnovan Builders LLC	1188 Dahnovan Dr	Two-story townhome with two	Building	7/26/2022
Dahnovan Builders LLC	1160 Dahnovan Dr	Two-story townhome with two	Building	7/1/2022
Dahnovan Builders LLC	1158 Dahnovan Dr	Two-story townhome with two	Building	7/13/2022
Dahnovan Builders LLC	1186 Dahnovan Dr	Two-story townhome with two	Building	7/26/2022
K&A Homes	1185 Salm Dr	New Home	Building	7/25/2022
Will Shanahan	1122 Kaiser St	New Construction Residential Zero Lot	Building	7/18/2022
Will Shanahan	1120 Kaiser St	New Construction Residential Zero Lot	Building	7/15/2022

Bi-State Contracting	1204 Vintage Ln	Single Family Home	Building	7/18/2022
Paul Scallon	1250 Salm Dr	New Single Family	Building	7/20/2022
D. R. Horton LLC	1500 Mayer St	New residential construction	Building	7/14/2022
K&A Homes	1190 Ogden Ln	New Home Construction	Building	7/20/2022
Robson Homes Inc.	1125 Harrison Street	New single family dwelling	Building	7/6/2022
Scallon Custom Homes	1210 Salm Dr	New Single Family Dwelling	Building	7/28/2022

Code Compliance Report

07/01/2022 - 07/31/2022

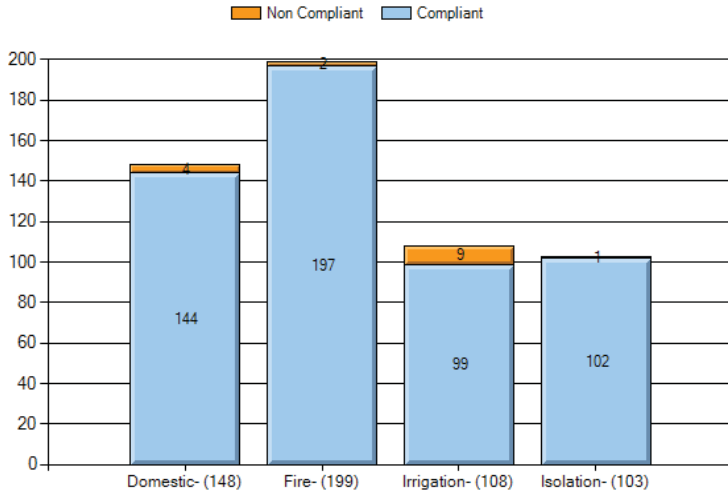
Case Date	Case #	Status	Complaint	Reporting Code
7/5/2022	20220160	Closed	Play in Street, Obstruction of Street	Zoning Code
7/11/2022	20220161	Open	Sidewalk Maintenance	Zoning Code
7/11/2022	20220162	Open	Sidewalk Maintenance	Zoning Code
7/13/2022	20220163	Open	Sidewalk Maintenance	Zoning Code
7/19/2022	20220164	Open	Uncut Grass	Zoning Code
7/19/2022	20220165	Open	Uncut Grass	Zoning Code
7/19/2022	20220166	Closed	Uncut Grass	Zoning Code
7/19/2022	20220167	Closed	Uncut Grass	Zoning Code
7/19/2022	20220168	Closed	Uncut Grass	Zoning Code
7/19/2022	20220169	Closed	Uncut Grass	Zoning Code
7/19/2022	20220170	Closed	Uncut Grass	Zoning Code
7/19/2022	20220171	Open	Trash Enclosure, Inappropriate materials	Zoning Code
7/20/2022	20220172	Open	Storage of junk	Zoning Code
7/21/2022	20220173	Open	Uncut Grass	Zoning Code
7/22/2022	20220174	Open	Junk in ROW	Zoning Code
7/22/2022	20220175	Open	Uncut Grass	Zoning Code
7/25/2022	20220176	Open	Storage of Junk	Zoning Code
7/25/2022	20220177	Open	Trailer parked in grass	Zoning Code
7/26/2022	20220178	Open	Uncut Grass	Zoning Code
7/26/2022	20220179	Open	Uncut Grass	Zoning Code
7/26/2022	20220180	Open	Storage of Junk	Zoning Code
7/26/2022	20220181	Open	Basketball Hoop in ROW	Zoning Code
7/27/2022	20220182	Open	Uncut Grass	Zoning Code
7/27/2022	20220183	Open	Uncut Grass	Zoning Code
7/27/2022	20220184	Open	Uncut Grass	Zoning Code

[< Back](#)

Breakdown of Backflow Preventer Compliance

Utility Water System

Show All ▼



Categories

- Fire = Fire Protection / Fire Detector Bypass
- Domestic = Domestic / Domestic Bypass
- Irrigation = Lawn Irrigation
- Isolation = All Others

Compliance	%	Compliant	Category. Total
Domestic	97%	144	148
Fire	99%	197	199
Irrigation	92%	99	108
Isolation	99%	102	103
Totals	97%	542	558

Click a category in the chart above to view the details for that category or-
 Click one of the buttons below to view the details for all compliant/ non compliant hazards.

*Categories with high counts will take a little longer to view/ download.

[Print Chart](#)
[View All Compliant](#)
[View All Non Compliant](#)
[View All](#)



To **Mayor, City Council, Communications Advisory Commission**
CC **City Administrator Ryan Heiar**
From **Communications Director Nick Bergus**
Date **July 29, 2022**
Re **Communications Staff Report**

Blues & BBQ

We hosted the 14th North Liberty Blues & BBQ on July 9, spending significant staff time planning, setting up, executing, and cleaning up the event along with members of Parks, Police, Fire, Library departments, dedicated community members in key leadership roles, hundreds of volunteers. Blues & BBQ saw 20,000 attendees, ran smoothly and feedback was positive. Centennial Park needed some extra care following heavy rain during Friday morning's set up, and our appreciation to Guy Goldsmith and his team for working so it's ready for the next community event. Blues & BBQ will return – for a 15th (!) time – on July 8, 2023.

City Slate

With July's focus on Blues & BBQ, the number of events slowed from June's deluge, but added seven more in addition to the festival: Ranshaw House Concert Series dates (July 1, 15, 22, 29), Swimming with Princesses (July 17), Tween Night at the Pool (July 23) and Swimming Storytime (July 29). To date, City Slate programming has been attended by more than 36,000 attendees. Meanwhile planning for the Summer Send-Off (Aug. 20) and other fall programs continues. All events on the Slate are free to attend with details available at northlibertyiowa.org/cityslate.

Neighborhood Ambassadors

We were notified that the International City/County Managers Association awarded the Neighborhood Ambassadors program its Community Partnership Award in our population category (there are three and North Liberty falls in the middle). The award will ceremony is at the annual conference in September. The ICMA Local Government Excellence Awards Program highlights creative contributions and are evaluated by an independent, 13-person panel of ICMA members. We're excited to see others recognize the work of our Ambassadors and the work Jillian has put into developing the program. This program helps us build trust, gain insight, share information and strengthen neighborhoods. Additionally, it was cool to see this program highlighted in the Better Together 2030 vision for a shared future. Jillian had recent conversation with Iowa City and Coralville staff about our program as well.

Centennial Park

Nick and Jillian worked with Shive-Hattery and other members of staff to further shape the master plan for Centennial Park and develop costs and renderings for the showcase pavilion, splash pad and events space. Hosting Blues & BBQ in a similar configuration was helpful (and encouraging!).

Ranshaw House

Micah and Nick are working to refine a proposal to furnish the Ranshaw House as it grows to be a social service and community hub, exemplified this year by Summer Lunch & Fun, United Action for Youth's SPARK program and drop-in art workshops and the City Slate concert series. It's exciting to see the house used through the summer, which has helped us better understand what it can be going forward. This month, we have conversations with agencies who were awarded grants in the current fiscal year to learn what opportunities they saw in the space, and what they would need to accommodate their use.

Other Items

Staff met with staff of The Englert to discuss programming opportunities in North Liberty.

We produced City Council meetings and submitted them to the Iowa City government channel.

We posted news releases about Neighborhood Ambassadors, the city's bond rating, ICMA award, City Slate events, recreation programming and more.

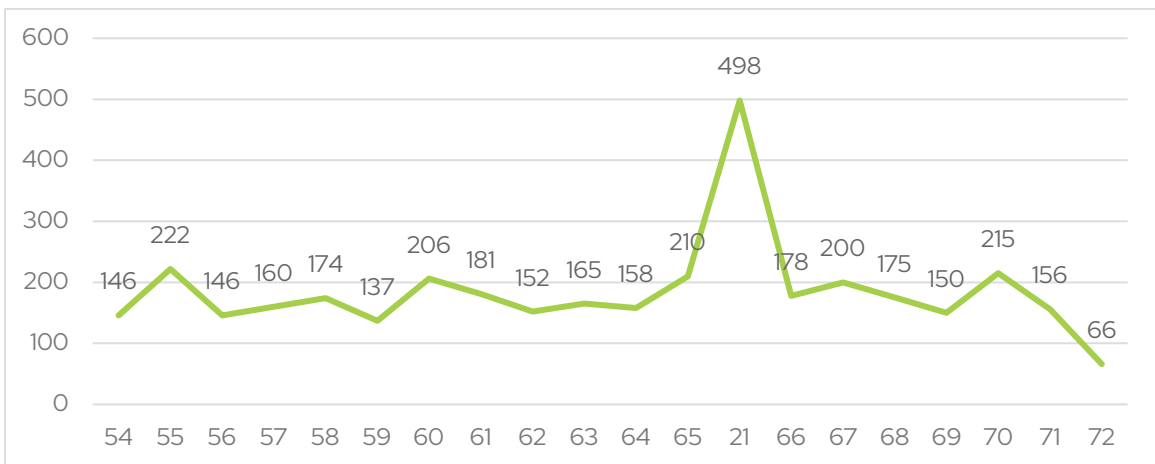
Completed Videos

Title	Requested By	Completed	Duration
Planning & Zoning	Administration	July 5	0:52
Parks & Recreation	Administration	July 7	0:52
City Council	Administration	July 12	0:27
Tree & Stormwater Board	Administration	July 13	0:24
Social: Blues & BBQ	Communications	July 15	0:01
Eye on: Welcome, Colonys	Communications	July 22	0:06
City Council	Administration	July 26	1:59
Total completed productions: 7	Duration of new video: 4.7 hours		

52317 Podcast

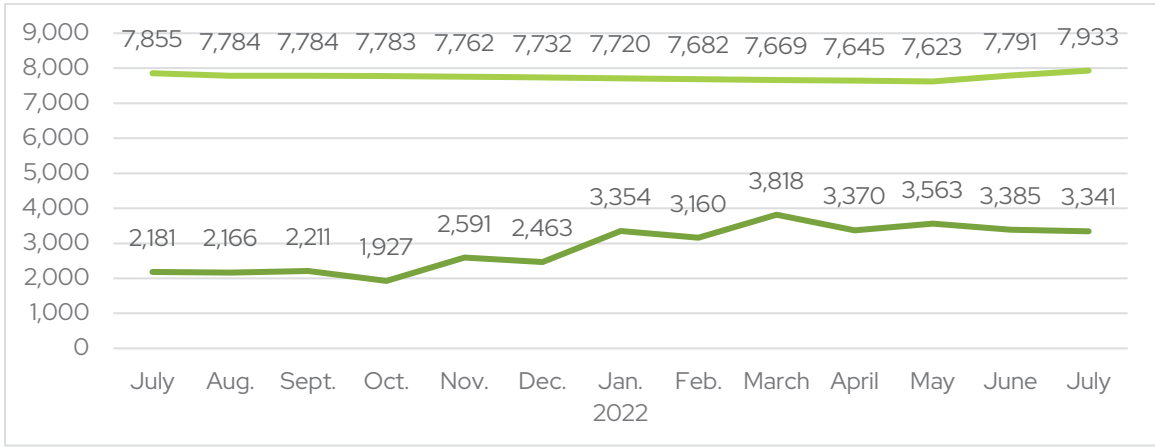
Episodes release every three weeks and can be found at northlibertyiowa.org/52317.

Our podcast host encountered issues with its stats service at the end of July, so stats are inaccurate until the issue is fully resolved.



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** 72: Maryam Thompson Photography; 71: Spotix; 70: Johnsy's Liquor; 69: Vertronic Aerospace; 68: North Liberty Coralville Softball Baseball; 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

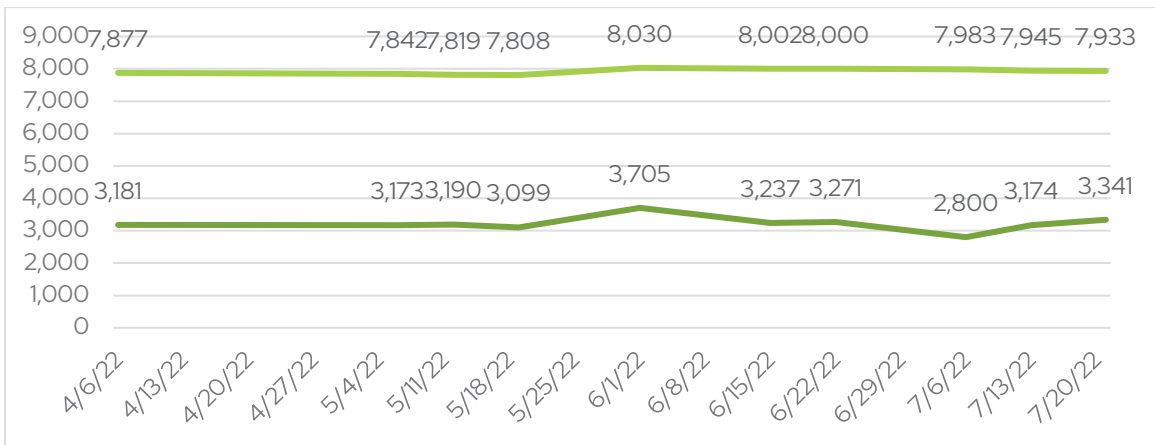
North Liberty Bulletin Email Newsletters



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** July: Years in the making; June: A full slate; May: Taking time for two wheels; April: Mud, trash and poop season; 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

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.

Website Statistics

Month	Sessions	Users	Pageviews
July 2022	26,101	19,342	50,030
June 2022	27,985	20,537	55,721
May 2022	25,781	19,174	48,930
April 2022	27,396	20,578	52,648
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

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.

Social Media

Month	Facebook		Twitter		Instagram	Nextdoor
	New likes	Reach	New follows	Impressions	Followers	Members
July	121	83,190	7	13,100	2,764	5,645
June	114	31,235	-3	14,900	2,738	5,617
May	122	33,811	23	17,700	2,712	5,585
April	57	37,226	-11	17,500	2,667	5,531
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

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.



TO: Ryan Heiar, City Administrator, and City Council
FROM: Jennie Garner, Library Director
DATE: July 6, 2022
SUBJECT: Monthly Library Report

Library News

If you visit the library in coming weeks, be sure to stop to enjoy the art exhibits on our art wall. We are currently featuring two talented local artists – Casey Williams and Chris McMahon. Casey is a photographer and Chris repurposes old paintings by adding fantastical creatures (www.cwcmahon.com).

It's hard to believe that summer is already winding down. The library staff have been busy with summer reading programs and City Slate programming. I know I've written about this before but our partners in the community and our colleagues with the city truly help lay the foundation for our successes. Because pictures really do help capture the moments, this month I just want to share some of those great successes with you through photos.

Please scroll for those highlights:



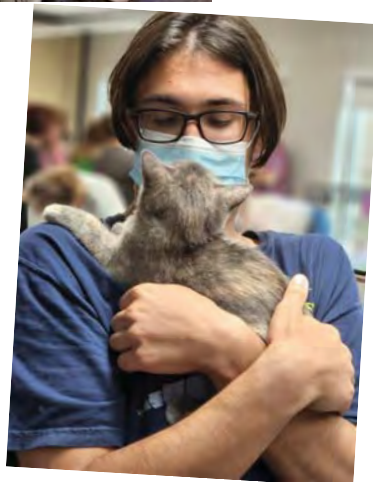
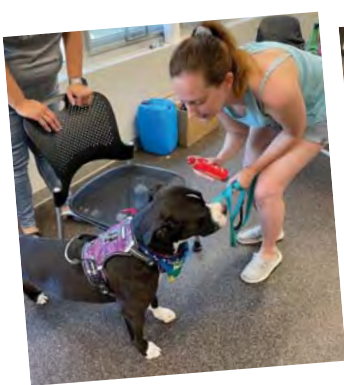
Pokemon is as popular as ever. We offered a Pokemon Terrarium program in July that filled up within minutes so we opened a second time slot and that also filled so the programming team created 100 surprise take home kits for folks who couldn't get in. Sixty-two attended the first program and tally isn't in for the second program held Aug. 1 but estimates are that it was just as many.



Summer Fun with the Before and After School kiddos (Recsters) and the Summer Lunch Program



We all know people love their pets. Pups and Pies and Cats and Cakes drew 150 and 200 people respectively to our pet adoption programs in partnership with Last Hope Rescue Shelter.





To **Mayor and City Council**
Parks and Recreation Commission
City Administrator

From **Guy Goldsmith, Director of Parks, Building and Grounds**

Date **August 1, 2022**

Re **Monthly Report**

We performed various building maintenance tasks as needed this month.

We maintained equipment as needed this month performing preventative maintenance and repairing ball field maintenance, mowing, trimming, and landscaping equipment.

We continue to pick up park/trail trash receptacles and pet waste stations as needed this month. Usage remains high due to residents getting out and utilizing our parks system.

Our sports field maintenance team continues to provide weekly field maintenance.

The Penn Meadows splash pad continues to be very popular. We clean and tidy the area daily.

We continue to mow and trim our parks and grounds. We trimmed the entire length of Ranshaw Way on both sides. The Ranshaw Way construction area took extra time due to the heavy weed pressure.

Our two landscaping crews have been very busy with weeding and watering this past month. We continue to water all new plants and trees daily as well as other landscaping areas that require more frequent watering. We completed landscaping improvement at Liberty Centre by cutting out sod and installing a limestone block edger.

Our forestry crew continues to remove dead and declining trees.

We added new playground safety surface to the Centennial Park rock climbing area.

We removed 10 tree stumps and graded the area adjacent to the tennis & pickle ball courts. We will seed the area in September.

Staff sealed concrete cracks around the Penn Meadows Park concessions building and Liberty Centre Pond trail. We hope to prolong the life span of the concrete.

I continue to attend project progress meetings with City Staff & Shive Hattery. Dubuque Street project Phase 1, Ranshaw Way Phase 5, and the Centennial Park Event Complex Design Concept presentation.

I attended the North Liberty Intranet Team kick-off meeting on July 26th facilitated by North Liberty IT Coordinator, Chris Nelson.

The Tree & Storm Water Advisory Board met on July 13th.

We continue to work on the new storage shed located near the Babe Ruth ball field. The electric service has been installed, water line hooked up, interior walls insulated, and interior sheeting hung.

We replaced the Liberty Centre Pond fountain pump that continued to fail. We replaced with a new pump.

Parks staff performed a monthly playground inspection.

Park staff attended IAMU Bucket Truck training, Personal Protection, Hazard Communications, and Ladder safety this past month.

Parks Staff spent a great deal of time preparing for the July 8th & 9th North Liberty Pig & Pint & Blues & BBQ annual celebration. All Parks Department staff worked the event and most of our time was spent setting up, parking cars, cleanup afterwards and Sunday tear down. I would like to thank everyone who volunteered their time. The day was awesome, and it was nice having the event back. It was a very successful Blues & BBQ celebration this year.



Landscaping improvements at Liberty Centre Pond by Parks Staff.



Concrete crack sealing at Penn Meadows Park.



New playground safety surface installed at Centennial Park prior to Blues & BBQ celebration.



10 tree stumps removed and area graded adjacent to the tennis and pickle ball courts.



The Parks Department Crew working the July 8 & 9 Pig & Pint & Blues & BBQ Celebration.



North Liberty Police Monthly Report July 2022

Training:

- Members attended monthly trainings for Canine, Bomb Squad, Tactical Team, Negotiator, Honor Guard, and Dive Team (80 hours)
- Two officers attended the local drone school to become pilots. One of our current pilots taught the class. (44 hours)
- One officer attended a weeklong training on active shooter emergency response. (40 hours)

Public Relations:

- Two officers assisted with City Service Day for the Summer Lunch Program.
- Four (4) child safety seat checks were completed
- Two officers, two paramedics and a civilian were awarded a life savings award from the city for a fast response and successful CPR on a cardiac patient. Thanks to them, his life was saved, and he was discharged from the hospital.



- Several officers worked Blues and BBQ. We also had children who attended, add their rainbow hand prints on one of our squads.



- Officers attended community events on Shannon Drive and the Free Concert at the Ranshaw House.

Traffic Contacts	432
Parking Contacts	18
Vehicle Inspections	19
Vehicle Unlocks	26
Crash Investigations	28
Public Assists	391
Assist other Agency	128
Crimes Against Persons Report	10
Crimes Against Property Report	12
Other Reports	24
Arrests	22
Warrants	6
Alcohol/Narcotics Charges	7
Crimes Against Persons Charges	6
Crimes Against Property Charges	3
Other Charges	18
Animal Calls	59
Total Calls for Service	2038
*Total Calls for Service for the year	13209

Equipment:

- We worked on getting two new cars up and running.
- Working with the insurance adjuster for damage to a patrol car and to the department's entry gate. The gate was damaged while an officer was exiting the lot.
- Continued problems with our rooftop HVAC unit. Especially on hot days the air conditioner stops working. Working with contractors to pinpoint the problem.

Enforcement/Crime:

- There have been a couple reports in Cedar Springs and Fox Run of young boys (10-13) attempting to kick in front doors after 10pm for the latest Tik Tok Challenge. They were identified, and the parents/boys were made aware of the dangers.
- We have been dealing with a welfare assist of individuals in Holiday. Mainly, what to do with their dog when they went for care at the hospital and a long-term facility. The owners want to claim the dog when they get out. The dog is aggressive and currently at Cedar Valley Humane Society. Due to the circumstances and the temperament of the dog, we served the owners a 7 days' notice to make other arrangements for the care of their dog while they are recovering.
- We assisted ICPD and CVPD on locating suspects in a theft of baby formula from their Hy-Vee Stores. We were able to recover the stolen property and turned over the suspects for their investigations.
- Officers continue to work the GTSB traffic enforcement projects.

Department Admin:

- Our two college interns continue to ride and work around the department for the summer.
- Officer Santiago retired in the middle of July. We wish him well in his retirement.
- Chief assisted Coralville PD with the funeral planning for Sgt John Williams. She is the area Line of Duty Death commander for the Iowa Police Chiefs' Association. This was a team effort with Iowa Cops, CVPD, the Williams family and the Iowa Sheriff's and Deputies Association Honor Guard.
- Chief attended the JECC User Advisory Quarterly Meeting, a Line of Duty Death After Action Review, Guidelink Law Enforcement Meeting, and the Johnson County Chiefs' Meeting.
- Updated several policies for legislation that was passed by the most recent legislative changes for vehicle pursuits, child abuse, officer response to calls, record maintenance and release and the wellness program policy.

Respectfully Submitted by Chief Diane Venenga and Alisha Ruffcorn 8/3/2022



To **Park & Recreation Commission Board Members**
 CC **Mayor, City Council, City Administrator**
 From **Shelly Simpson**
 Date **August 1, 2022**
 Re **Monthly Report – July 2022**

Summer continues to fly by, it is the end of July! Staff worked on Fall programming for Sept – Dec and preparing for registration beginning August 1. Summer Camp, Knight Riders, tennis lessons continued this month, keeping the kiddos busy. The outdoor pool remains busy with swim lessons, open swim times, and pool rentals. The outdoor play feature was repaired and is back operating. The indoor pool remains busy with lap swimmers, aqua fitness classes, and evening swim lessons. We are continuing to have issues with the pool heaters, one year from when project began. Swimming with Princesses was a new program and was a hit. Assisted with the Summer Lunch program on July 18. Have sat in on meetings regarding Centennial Park’s facility and splash pad design to pursue a Destination Iowa grant.

Recdesk Database:

Reviewing our Recdesk database; we have 11,325 residents (63%) and 6,690 non-residents (37%) totaling 18,015 individuals. Increase of 310 from last month.

Aqua Programs:

Aqua classes continue to show a strong return in participation. This session had approximately 40 registered participants, plus daily drop-ins. Arthritis Aqua, Aqua Zumba, Aqua Bootcamp continues to be the most popular. Aqua Program revenues totaled \$734.

Swim Lessons:

Swim lessons continued with 444 participants: 335 in group, 40 in private lessons. Swim lesson revenues totaled \$3,344.50.

Leagues/Sports:

Second session of tennis lessons was offered with 59 participants.
 Pee Wee Soccer continued with 49 participants.
 League fees this month totaled \$3,990.

Recsters Summer Camp: Our summer, all day supervision programs continue this month.

Session	Recsters	JC	Knight Riders	Combined
Week 5	46	5	10	61 participants
Week 6	50	3	15	68 participants
Week 7	45	5	15	65 participants
Week 8	51	5	12	68 participants

Due to changes in summer plans, refunds were offered and BASP was (-) \$2,020 loss.

Classes/Programs:

Fitness aerobic classes continue. We had approximately 15 registered participants, plus daily drop-ins. Body Blast, Body Sculpt, Cardio Pump, Senior CBS and Yoga continue to be mainstays.

Tippi Toes Dance classes totaled 43 participants.

Senior Connections Lunches continued with 115 meals for the month. Rec staff grilled hamburgers & hotdogs with salads on July 15 as our regular meal provided was closed. We may do this again in the Fall.

Classes/Programs revenue totaled \$5,967.25

Pools:

Season Pool Pass revenues totaled \$6,268

Daily Pool Fees totaled \$32,722

Pool Rentals totaled \$500.

Concessions revenues totaled \$17,232.

Weight & Exercise Area / Track:

Weight fee revenues totaled \$9,986.50; Split membership revenues totaled \$5,369.

Active memberships for the month totaled 3,405.

Point of sale transactions for month totaled 10,017.

Gymnasiums:

Gymnasium Rental revenues totaled \$75.

Rentals:

Community Center Rental revenues totaled \$2,318.75; Shelter rental revenues totaled \$370

Field Rental revenues totaled \$5,520

Revenues:

Revenues (June 1-27) totaled \$111,530.45

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 **August 1, 2022**
Re **Street Department Staff Monthly Report for July**

The following items took place in the month of **July** that involved the Streets Department.

- Locating of City Utilities (315 job tickets) ongoing
 - a. This is a decrease of 13% from July 2021
- Continued animal control services (6 responses to animal issues)
- Cemetery plot locates (2 in total)
- Projects/Meetings
 - a. Ranshaw Way Phase 5
 - i. Project at 93% complete
 - ii. Partial depth patch repairs completed
 - iii. Planter edging work installed
 - iv. Bi-weekly progress meetings continue
 - b. Dubuque St
 - i. Project at 50% complete
 - ii. Grading and paving of next phase
 - iii. Weekly progress meetings held
 - c. North Jones Blvd extension
 - i. Project at 23% complete
 - ii. Installation of water main and storm sewer structures
 - iii. Weekly progress meetings held
 - d. Storm Water GPS Data gathering
 - i. Preconstruction meetings held
 - ii. Contractor has begun data collection of system
 - e. I380/Penn St Bridge
 - i. Meeting with staff and IDOT on continued design
 - f. University of Iowa Healthcare Facility
 - i. Meeting with U of I staff and city staff to discuss design of traffic signal system off W Forevergreen Rd and facility drive.
- City staff and contractors have worked with all property and business owners again this month that were affected by these projects to minimize the amount of disruption for each
- Construction Plan Review group meeting to discuss recent submittals
- Traffic Controls Committee meeting to discuss crossing guard shortage and locations
- Street sign repairs and replacement including new No Parking signs install on Sara Ct

- 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
- Staff continued working on mapping City fiber and electric structures to new GPS/GIS system
 - a. Updating various sewer structures in current GIS system to accurately reflect the sewer system
- Street Repairs
 - a. Street replacement/repairs at Eight Point Trail and Deerfield Dr
 - b. Notification sent out ahead of time to affected residents, businesses, and emergency services when travel routes were affected
- Street painting
 - a. Staff continued annual painting of city stop bars, traffic lane markings, crosswalks, and symbols
- Sanitary Sewer
 - a. Routine cleaning, inspection, jetting, vaccing, and maintenance
 - b. Meeting held with Fox, Shive, and Staff on what should be included in future sewer study of system
- Chemical treatment continues at Herky St lift station for H2S gases
- Training
 - a. Staff completed training of the following topics
 - i. Bucket Truck Rescue (by IAMU)
 - ii. PPE (Personal Protective Equipment (by IAMU)
 - iii. HazComm -Right to Know- (by IAMU)
 - iv. Ladder Safety (by IAMU)
- Storm Sewer
 - a. Staff spent a considerable amount of time inspecting and repairing storm structures this month
 - b. Additional work will continue next month on more structures along with restoration
 - c. Beaver dam removal off 240th St of drainage path
 - d. Mowing of city ROW location and utility easements
- Blues and Bar-B-Q
 - a. Message board and other traffic control equipment set up and removed for this event
 - b. Banners removed after event
 - c. Barricaded installed and returned after event
- Assisted North Liberty Police with traffic control during I380 closure on 7-6-22
- Traffic control for funeral of Coralville Police Officer





Storm repair work completed by staff before and after picture



To **City Council, Mayor, and City Administrator**
From **Drew Lammers**
Date **August 1, 2022**
Re **July 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. Additional remaining time this month was spent upkeeping the grounds at the plant and lift stations as well as re-organizing vehicles and equipment setups.
2. This month's staff safety meeting was on Personal Protective Equipment. Staff completed target solutions online training as well as reviewed safety training topics as a group.
3. Staff pulled, inspected, and performed maintenance on all submersible pumps and mixers throughout the treatment facility. One anoxic mixer was sent to a local motor shop for bearing replacement and rebuild.
4. WPCP has assisted and provided several treatment samples to U of I and Iowa State University for various testing studies. U of I is also studying groundwater infiltration downstream of the treatment discharge.
5. Lab staff completed 2nd quarter split samples with contracted State Hygienics Lab. All results were within control limits between our in-house lab and SHL. This indicates proper testing methods as well as quality control.
6. Electrical repairs from the March MBR flood are nearly complete. One variable frequency drive is still on order and will be installed as soon as it arrives. We are also following up with EMC insurance for coverage on all repairs related to 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 **August 1, 2022**
Re **Monthly Report – July 2022**

In the month of July, we treated a total of 42,281,000 gallons of water, our average daily flow was 1,423,000 gallons, and our maximum daily flow was 1,364,000 gallons. The total amount of water used in the distribution system was 3.6% lower than July 2021.

We have had a busy month with 9,057 accounts read, 21 re-reads, 402 service orders, 73 shut-offs, 70 re-connects for water service, 276 shut-off notices delivered, 9 new meter set inspections, 4-meter change outs, 12 MIU change outs, assisted 13 customers with data logging information, 51 calls for service, and 11 after hour or emergency calls. Our monthly total service work averaged 46 service orders per day.

We started another round of Lead and Copper sampling last month. Our new operating permit has us on reduced monitoring and collecting 30 samples every three years. These samples must be a “first draw” meaning the water must sit in the pipe for at least six hours without any movement before the sample can be collected. Lead and Copper samples take a great deal of staff time we must contact all 30 homeowners to evaluate where the sample will be taken, explain how to collect the sample, how to fill out the paperwork, and how to package the sample. Once we receive the results the IDNR has a certification form that must be filled out for each sample and sent to the homeowner within 30 days of receiving the results. We’ve received results for 15 of the 26 samples that have been collected so far.

Earlier this month our maintenance staff finished all our quarterly required maintenance at the treatment plant and the booster station, they changed oil and greased all the pumping equipment, replaced cartridge filters, changed chemical feed tubing on all 11 of our peristaltic chemical feed pumps, re-calibrated pressure switches, chemical feed pressure valves, and online electronic instrumentation equipment.

Staff changed out a fire hydrant located off Randshaw Way just North of Liberty Plaza. This was an older MH hydrant that had been on our list for some time. The water main in that area was over 10 feet deep, we installed three additional fittings to raise the elevation of the hydrant to make it a normal 5.5’ bury.

Staff continues to work on our Lead and Copper inventory (added 180 services to the list), and surveying curb stops to add to our GIS Mapping (297 curb stops last month) (6,651 total).

Water Superintendent
Greg Metternich



Parks & Recreation Commission
August 4, 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. July 7, 2022
3. Reports
 - a. Parks Report
 - b. Recreation/Pool Report
 - c. Questions, Concerns, Updates
4. New Business
5. Old Business
6. Next Meeting
 - a. Thursday, September 1, 2022, at 7:00pm.
7. Adjourn



Board Meeting Minutes – July 7, 2022

Attending: Gwen Johnson, Richard Grugin, Shannon Greene, Kevin Stibal, Jamie Gade

Absent: Jeremy Parrish

Others Present: Guy Goldsmith, Tim Hamer, Shelly Simpson, Brian Motley

Agenda

Call to Order: Richard Grugin

- a. Welcome: Jamie Gade, bought into NL in 2020
- b. Returning: Jeremy Parrish
2. Approval of Minutes
 - a. Motion: Amy Chen
 - b. Section: Gwen Johnson
3. Reports
 - a. Parks (Guy)
 - i. Building maintenance
 - ii. Equipment maintenance
 - iii. Ball field maintenance (ending)
 - iv. Landscaping
 1. Mowing and trimming and weeding and watering
 2. Amended soils helped the roundabouts and medians
 - v. Forestry
 1. Removed 2 large Ash trees, more declining
 2. No policy for replacement for public space
 3. Sometimes good to thin trees
 4. But do plant a certain number annually
 - vi. Meetings
 1. Shive Hattery: Community Center roof, Dubuque Street, St. Andrews Drive (roundabout warranty)
 2. Staff attended Human Trafficking
 - vii. Maintenance
 1. Centennial Park: speed from 15 to 10 miles an hour Loop Road
 2. Babe Ruth Field: add concrete ramp and roof installed
 3. Waterfall cleaned and enhanced stone
 4. Clean and tidy splash pad daily
 5. Monthly playground inspections, few parts replaced
 6. Buckling of concrete trails due to heat
 7. Penn Meadows wood playground: removed and will fill with turf
 8. New benches at playground near library have phone charges
 9. Removed benches from various parks, sand and replace
 10. Treated ponds to fix algae blooms
 11. New locks on dog park = increased registrations
 - a. Interest in visiting passes
 - b. Desire for water but no utilities now
 - c. Signs helpful

12. Planted 12 trees at West Lakes funded by grant
13. Optimist Club: installed flag display, where the veterans memorial will be permanently
14. Kites event and Free Trout weekend
15. Blues and BBQ this Saturday, flipped stage orientation, trying out layout for eventual amphitheater placement, volunteers maybe on Sunday during teardown
16. Filled all staffing spots with younger candidates, will need more help
17. Trout = more street parking in Liberty Centre pond
18. Tennis courts and pickleball courts holding up well, used daily
 - a. Looking at additional park ground
 - b. Before thoughts about what to put in
 - c. Centennial Park other main goal (design now for Amphitheatre/indoor venue + 5,000 ft² splash pad to apply for Destination Iowa grant)
 - d. Non-profit innovation grants: municipalities qualify? For shovel-ready projects, increasing quality of service or more lowans

b. Pool

- i. Mega-Kites event at Centennial Park
- ii. New Program to rent games and equipment
 1. Overview of what is available to rent
 2. One to two-day rental
 3. Program started last year, mostly internal use last year
 4. Joined with Neighborhood Ambassadors to get them involved
- iii. Meetings
 1. Human Trafficking, Centennial Park Design, Roof Replacement
 2. Roof Replacement: T&K roofing not starting until August 1 due to delays, goal to have done within a month or so
- iv. Fall Programming
 1. Fall activity guide: out in middle July, registration in mid-August
- v. Pool Opening
 1. Outdoor: Swim Lessons, pool rentals, outdoor swim times
 2. Indoor: Lap swimmers, aqua fitness, evening swim lessons
 3. June 26: outdoor pool had flooding into electrical, dumping bucket down now as a result (closed June 26-28), may replace next week and will be down for a day to do that work
 4. Staffing is comfortable
 5. Extended hours on July 4
- vi. Numbers
 1. Increase 544 individuals, mostly pool passes
 2. About 56 registers for the aqua programs + drop ins
 3. Summer swim lesson session: 323 participants (private fill more group, wouldn't it be more efficient to offer group)
 4. Addendums shows revenues
- vii. League and Sports
 1. 71 tennis lessons
 2. 49 pee wall
 3. 40 blast ball
- viii. Other
 1. Summer camps for children and teens
 2. Tippy Toes Dance: contract program with steady
 3. Senior Connection Lunches: 120 lunches month
 4. Community New Pi picnic lunch with bingo, first time

4. New Business

- a. Restructure board: Amy Chen

- b. Chair: Richard Grugin
 - i. Motion: Kevin Stibel
 - ii. Second: Shannon Greene
- c. Vice Chair: Shannon Greene
 - i. Motion: Kevin Stibel
 - ii. Second: Gwen Johnson
- d. Secretary: Jamie Gade
 - i. Motion: Shannon Greene
 - ii. Second: Gwen Johnson
 - iii. Amy Chen will serve as replacement if Jamie is gone
- 5. Old Business
 - a. Discussion of ground cover at dog park
 - b. Angela takes the email for dog park
 - c. Gwen thinks it looks good though
 - d. Other dog parks have three areas, where one always closed
 - i. Do not want this but that means that it will be more used
- 6. Next Meeting
 - a. August 4, 2022
- 7. Adjourn
 - a. Motion: Amy Chen
 - b. Section: Gwen Johnson

Revenue By Period - GL Account Summary

Start Date: **7/1/2022 12:00 AM** End Date: **7/31/2022 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												
644.00	644.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,768.00	0.00	-1,124.00
001-0000-4310-01 - Pool Rentals												
500.00	485.00	0.00	0.00	500.00	485.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
001-0000-4310-02 - Community Center Rentals (Room Rental)												
2,318.75	2,256.71	233.75	0.00	2,067.50	2,005.46	0.00	0.00	0.00	17.50	0.00	0.00	0.00
001-0000-4310-03 - Gymnasium Rentals												
75.00	72.75	0.00	0.00	75.00	72.75	0.00	0.00	0.00	0.00	0.00	0.00	0.00
001-0000-4310-04 - Park/Special Event Fees												
20.00	19.40	0.00	0.00	20.00	19.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00
001-0000-4310-04 - Shleter Rental												
370.00	359.35	50.00	0.00	355.00	344.35	0.00	0.00	0.00	0.00	0.00	-35.00	0.00
001-0000-4310-05 - Field Rentals/Tennis Courts												
5,520.00	5,380.43	0.00	867.50	4,652.50	4,512.93	0.00	0.00	0.00	200.00	0.00	-200.00	0.00
001-0000-4500-10 - Weight Fees												
9,986.50	9,757.10	2,208.00	142.00	7,656.50	7,427.10	0.00	0.00	0.00	36.00	0.00	-56.00	0.00
001-0000-4500-11 - Class/Programs												
5,967.25	5,796.43	661.50	0.00	5,694.00	5,523.18	0.00	0.00	0.00	13.00	0.00	-401.25	0.00
001-0000-4500-12 - League Fees												
3,990.00	3,870.30	0.00	0.00	3,952.50	3,832.80	0.00	0.00	0.00	37.50	0.00	0.00	0.00

Revenue By Period - GL Account Summary

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Payment Methods: **CA, CK, CC, IC, EC, CR**

User(s)/Cashier(s): **- All -**

001-0000-4500-13 - Before/After School												
-2,020.00	-2,098.30	0.00	0.00	2,610.00	2,531.70	0.00	0.00	0.00	420.00	0.00	-5,050.00	0.00
001-0000-4500-19 - Season Pool Pass												
6,268.00	6,092.81	126.00	248.00	5,839.50	5,664.31	0.00	0.00	0.00	54.50	0.00	0.00	0.00
001-0000-4500-20 - Daily Pool Fees												
32,722.00	32,254.57	16,254.00	867.00	15,581.00	15,113.57	0.00	0.00	0.00	20.00	0.00	0.00	0.00
001-0000-4500-21 - Swim Lessons												
3,344.50	3,189.93	480.00	0.00	5,144.50	4,989.93	0.00	0.00	0.00	192.50	0.00	-2,472.50	0.00
001-0000-4500-22 - Aquatic Program/Classes												
734.00	699.85	76.00	84.00	1,127.25	1,093.10	0.00	0.00	0.00	87.75	0.00	-641.00	0.00
001-0000-4760 - Pool Concessions												
17,232.00	17,092.52	12,626.00	0.00	4,606.00	4,466.52	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NONE - Unassigned												
-18.00	-18.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	-18.00	0.00
Split - Membership - Black & Gold												
5,369.00	5,194.43	0.00	0.00	5,819.00	5,644.43	0.00	0.00	0.00	0.00	0.00	-450.00	0.00
93,023.00	91,049.27	32,715.25	2,208.50	65,700.25	63,726.52	0.00	0.00	\$0.00	1,078.75	1,768.00	-9,323.75	-1,124.00

*** Difference between GROSS and NET calculation is that NET uses CC (Net) value instead of CC (Gross) value*

Sales Tax

Dashboard Summary; June 2022:

Home
Recent Registrations
Recent Reservations
Recent Memberships
Recent Members
CRM+

Time Period: Last 30 Days

Top 5 Programs - Registrations

Program	Registrations
Breakfast With Santa	~50
Connections	~25
Lunch 2022	~20
07/29 Sug...	~15
Pumpkin Painting/ Carving	~15

Total Program Registrations 1007

- Online 792
- In-house (In Person) 215

Total Receipts \$123,831.00

- RecDesk Credit Card \$88,390.00
- Cash \$31,793.25
- Check \$2,208.50
- Household Credit \$1,439.25
- Refunds \$8,729.75

Invoices - Balance Due

- Open: \$33,488.11
- Overdue: \$8,220.61

Alerts & Notices

Top 5 Programs - Revenue

Program	Revenue
Fall Outdoor Soccer	~\$1,500
K-2nd Boy...	~\$1,100
Supreme Basketball- 1st-2nd Gr...	~\$1,000
Supreme Flag	~\$1,000
Football- N...	~\$1,000

Membership Counts; June 2022:

Membership Counts (By Period)

Time Range	From Date	To Date
Last Month ▼	7/1/2022	7/31/2022

☰ Summary By Month

	Jul, 2022
New Primaries	292
All New	463
Primary Renewals	67
All Renewals	117
Active Primaries	2205
All Active	3405

Organization Activity; June 2022:

Time Period: Last 30 Days ▼

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Organization Activity

From 7/2/2022 to 8/1/2022

	Registrations	Reservations	Memberships	Check-Ins	Profiles Created	POS Transactions
All	1007	57	554	6466	348	10017
Resident	806	38	432	4716	230	
Non-Resident	201	19	122	1750	118	
No Residency Set	0	0	0	0	0	
Demographics						
< 18	760	2	207	1811	127	
18 - 65	71	53	295	3297	195	
65+	176	2	51	1357	25	
Male	445	34	307	3875	165	
Female	562	23	247	2586	182	
Other Genders	0	0	0	5	1	
Online vs In-House						
Online	792	0	33	N/A	233	
In-Person	215	57	521	N/A	115	

Minutes from North Liberty Tree and Storm Water Advisory Board Meeting

April 13, 2022, 7:00 pm

Call to Order by Abdouramane Bila-Chair person. Board members present: Darice Baxter, Kevin McGrane, Doris Vaske, Guy Goldsmith-Parks Director, Mike Wolfe-Stormwater Coordinator, Brian Hamer-Arborist

Approval of Minutes for January 2022 meeting. Motion by Doris Vaske, second by Kevin McGrane. Motion carried

Abdouramane Bila opened the floor for Public Comment with no public comments to address.

Abdouramane Bila discussed board member terms of Michael Burril and Darice Baxter expiring June 30. Encouraged to reapply should they wish to continue to serve on the board.

Guy Goldsmith provided an update that the MidAmerican *Trees Please Grant 2022* was received. The \$1,000 would be used to plant trees at West Lakes. The plan is to fill in between the trees that had been planted previously.

Guy Goldsmith provided an update on that the Tree City USA designation and has been awarded for 2021 and is the 26th year of being awarded this designation.

Guy Goldsmith discussed Muddy Creek clean-up that was held April 9. Good turn out from Boy Scouts, Cub Scouts, Board and Council members. About 2 truckloads of litter was removed. Abdouramane Bila offered a special thanks to the scouts for their help.

Guy Goldsmith provides update that North Liberty will celebrate Arbor Day on April 29th. The proclamation will be signed at the next council meeting. This is done annually and is a requirement for the Tree City designation.

Guy Goldsmith provided an update on a new position for the Parks department of a certified arborist that has been filled by Brian Hamer who is present. He has been with the Parks department for 18 years and his position on the parks department has also been filled. Brian will be tasked with caring for the significant number of trees and plantings in North Liberty.

Guy Goldsmith provided an update on Emerald Ash Borer that has a significant presence in North Liberty. City owned trees have been treated annually for the past few years. The treatments have been updated over time to the most effective and safest products available. Abdouramane Bila questions the number of Ash trees noted on the tree survey and how many trees have been impacted. Brian Hamer offers that only two city trees were lost last year given the effective treatments.

Mike Wolfe provided an update on the receipt of a grant from the Iowa DNR totaling \$125,000 in two separate phases. The first was from Your Best Lawn to promote soil quality restoration. The second was from Love Your Water which will provide T-shirts, sweatshirts, coffee mugs, etc. to have available at home shows and other events to offer to people who come to discuss stormwater practices and city programs available to improve stormwater management.

Mike Wolfe reminds the public of the ordinance to avoid mowing grass onto the streets. The excess grass makes its way into the storm sewer and causes algae blooms in local waters. You may receive a

door hanger notification should you be found to have blown clippings onto the street. Excess fertilizer on lawns and dog waste also contribute to the algae blooms.

Mike Wolfe discussed that storm water drains need to be marked and there will be opportunities for the community to help replace/repair these. Mike will have the markers available as well as safety vests for anyone who wants to participate.

Mike Wolfe also mentions there will be a continuation of the storm water intake painting that has occurred throughout the city. Mike states that there have been numerous applications and designs and he hopes that these will be able to move forward. Abdouramane Bila questions if rain barrels are still available and Mike Wolfe answers in the affirmative that 50% cost share is still available as funding allows.

Doris Vaske asks Mike Wolfe for clarification on the two phases of the DNR grant. Mike Wolfe clarifies that the funds will be used more for education than for the actual storm water projects.

Abdouramane Bila questions if MidAmerican will be having a tree sale as they have in the past. Guy Goldsmith states that he has not heard of any near North Liberty and this event often rotates locations.

Abdouramane Bila opens the floor to old business with none to address.

Abdouramane Bila opened the floor for New Business with none to address.

Next Meeting date: July 13th, 2022 at 7:00 pm

Motion to adjourn by Kevin McGrane, second by Doris Vaske. Motion carried