



**North Liberty Planning Commission
Tuesday, November 1, 2022, 6:30 PM
North Liberty City Council Chambers
1 Quail Creek Circle, North Liberty, Iowa 52317**

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/northliberty. Meetings are rebroadcast on cable and available on-demand on northlibertyiowa.org.

Call to Order

1. Roll Call

2. Approval of the Agenda

3. Water Tower Place Preliminary Subdivision Plat: Request of Dahnovan Holdings, LLC for a to approve a Preliminary Subdivision Plat for an 11 lot subdivision on approximately 41.48 acres. The property is located at the west side of North Kansas Avenue approximately 150 feet south of West Lake Road.

- a. Staff Presentation
- b. Applicant Presentation
- c. Public Comments
- d. Questions and Comments
- e. Recommendation to the City Council

4. Public Hearing on Zoning Map Amendment: Request of A & M Development, LLC for a zoning map amendment (rezoning) from O-RP Office and Research Park District to C-3 Higher-Intensity Commercial District on 6.57 acres. The property located on the west side of Landon Road approximately 1,000 feet west of North Kansas Avenue.

- a. Staff Presentation
- b. Applicant Presentation
- c. Public Comments
- d. Questions and Comments
- e. Recommendation to the City Council

- 5. Public Hearing on Zoning Map Amendment:** Request of A & M Development, LLC for a zoning map amendment (rezoning) from O-RP Office and Research Park District to C-3 Higher-Intensity Commercial District on 5.94 acres. The property is located on the west side of Landon Road approximately 1,000 feet west of North Kansas Avenue.

 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments
 - d. Questions and Comments
 - e. Recommendation to the City Council

- 6. Public Hearing on Zoning Map Amendment:** Request of Scanlon Family, LLC for a zoning map amendment (rezoning) from RS-6 Single-Unit Residence District to RD-10 Two-Unit Residence District on approximately 5.28 acres. The property is located at the north side of Berkshire Lane as extended westerly 85' from its current terminus in Greenbelt Trail, Part 2 Subdivision.

 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments
 - d. Questions and Comments
 - e. Recommendation to the City Council

- 7. Public Hearing on Ordinance:** Request of the City of North Liberty for an Ordinance amending Chapter 168 (Zoning Code – Development Regulations) and Chapter 169 (Zoning Code – Zoning District Regulations) of the North Liberty Code of Ordinances of the North Liberty Code of Ordinances by amending the use matrix and a use definition, by amending off-street parking and loading setbacks and off-street parking requirements.

 - a. Staff Presentation
 - b. Public Comments
 - c. Questions and Comments
 - d. Recommendation to the City Council

- 8. Approval of Previous Minutes**

- 9. Old Business**

- 10. New Business**

- 11. Adjournment**



To **City of North Liberty Planning Commission**
 From **Ryan Rusnak, AICP**
 Date **October 28, 2022**
 Re **Request of Dahnovan Holdings, LLC for a to approve a Preliminary Subdivision Plat for an 11 lot subdivision on approximately 41.48 acres. The property is located at the west side of North Kansas Avenue approximately 150 feet south of West Lake 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 Preliminary Subdivision Plat proposes 6 C-3 Higher Intensity Commercial District lots and 5 RM-12 Multi-Unit Residence District lots.

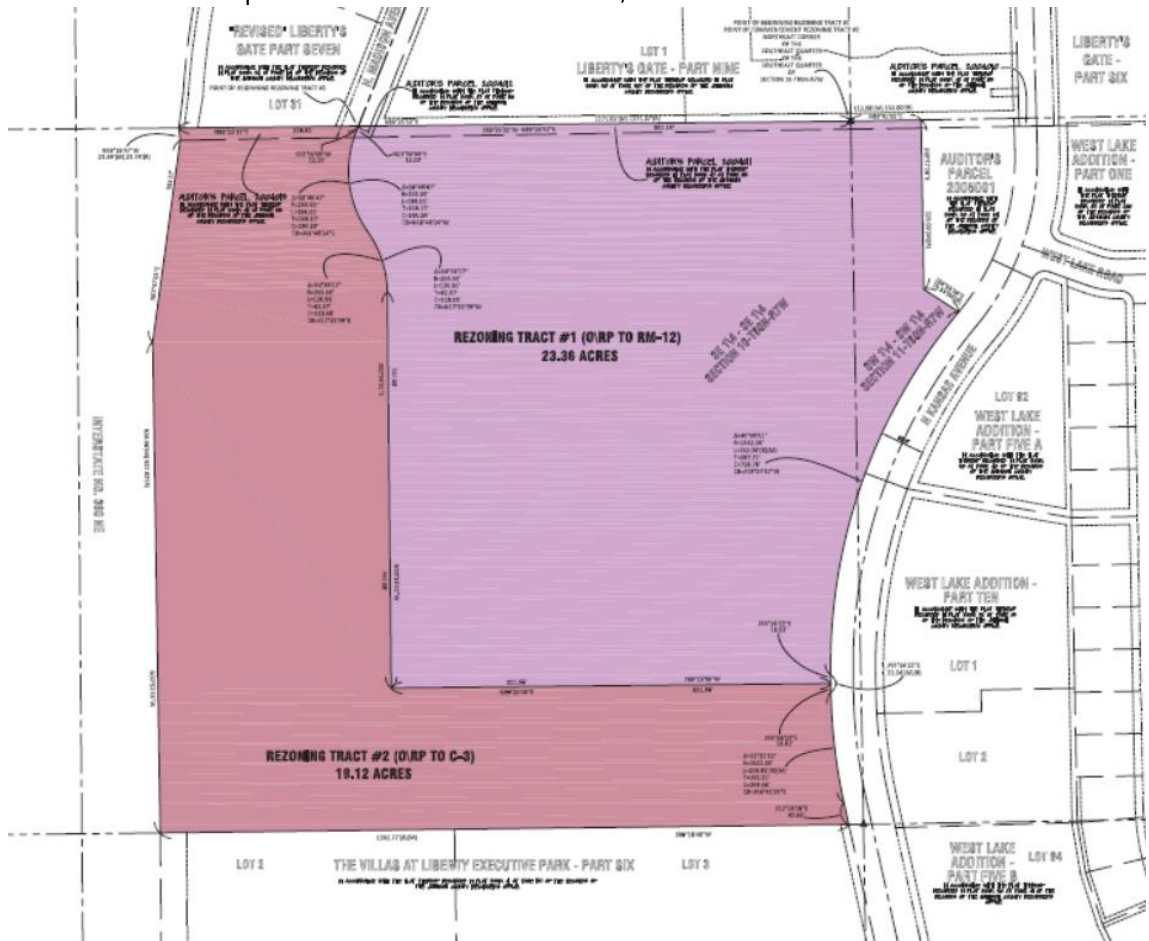


2. Proposed Zoning:

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.

RM-12 Multi-Unit Residence District lots. The RM-12 District is intended to provide and maintain medium-density, multiple-unit housing residential neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RM-12 District.

The rezoning is currently being considered by City Council. Third and final reading of the Ordinance is anticipated to be on November 22, 2022.



3. Consistency with Comprehensive Plan:

Land Use Plan designation: Commercial.

4. Public Input:

Good neighbor meetings were held on October 18, 2022. A couple people outside of City staff and the applicant attended and just had general questions. There are no formal objection to the request.

5. Approval Standards:

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

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

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

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

This has been provided on the Preliminary Plat.

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

This has been provided on the Preliminary Plat.

(3) *Legal description and acreage;*

This has been provided on the Preliminary Plat.

(4) *Name and address of owner;*

This has been provided on the Preliminary Plat.

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

This has been provided on the Preliminary Plat.

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

Staff is not requiring this information on the Preliminary Plat.

(7) *North point and graphic scale;*

This has been provided on the Preliminary Plat.

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

This has been provided on the Preliminary Plat.

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

This has been provided on the Preliminary Plat.

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

This has been provided on the Preliminary Plat.

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

This has been provided on the Preliminary Plat.

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

This has been provided on the Preliminary Plat.

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

This has been provided on the Preliminary Plat.

(14) *Grades of proposed streets and alleys;*

This has been provided on the Preliminary Plat.

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

This has been provided on the Preliminary Plat.

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

This has been provided on the Preliminary Plat.

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

This has been provided on the Preliminary Plat.

(18) *Stormwater management facilities when applicable;*

This has been provided on the Preliminary Plat.

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

This information has been provided.

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

6. Additional Considerations:

None.

7. Staff Recommendation:

Findings:

1. The preliminary plat would achieve consistency with the Comprehensive Plan Future Land Map designation; and
2. The preliminary plat would achieve consistency with Section 180.11(3)(A) and 180.12 of the North Liberty Code of Ordinances, which sets forth the preliminary subdivision plat submittal requirements and design standards, respectively.

Recommendation:

Staff recommends the Planning Commission accept the two listed findings and forward the request to approve a Preliminary Subdivision Plat for an 11 lot subdivision on approximately 41.48 acres 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 Preliminary Subdivision Plat to the City Council with a recommendation for approval.

STANDARD LEGEND AND NOTES

PROPERTY &/or BOUNDARY LINES
 CONDOMINIUM SECTION LINES
 RIGHT-OF-WAY LINES
 EXISTING RIGHT-OF-WAY LINES
 CENTER LINES
 EXISTING CENTER LINES
 LOT LINES, PLATTED OR BY DEED
 PLANNED EASEMENT LINES
 EXISTING EASEMENT LINES

EXISTING UTILITIES

POWER POLE W/DROP
 POWER POLE W/TRANS
 POWER POLE W/LIGHT
 GUY POLE
 LIGHT POLE
 SANITARY MANHOLE
 FIRE HYDRANT
 WATER VALVE
 DRAINAGE MANHOLE
 CURB INLET
 EVIDENCE LINE

EXISTING SANITARY SEWER
 PROPOSED SANITARY SEWER
 EXISTING STORM SEWER
 PROPOSED STORM SEWER
 WATER LINES
 ELECTRICAL LINES
 TELEPHONE LINES
 GAS LINES
 CENTER LINES (INTERVAL)
 EXISTING TREE LINE
 EXISTING DECIDUOUS TREE & SHRUBS
 EXISTING EVERGREEN TREES & SHRUBS

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

PRELIMINARY PLAT

WATER TOWER PLACE

NORTH LIBERTY, IOWA

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

APPLICANT: JOHNSON HOLDINGS
 1650 LINCOLN LANE
 NORTH LIBERTY, IOWA 52317

OWNER: MAX PROPERTIES, L.L.C.
 801 N. KANSAS AVE.
 NORTH LIBERTY, IOWA 52317

APPLICANT'S ATTORNEY: DANIEL JUNGCLAUS
 44 E. URBAN CORNER DRIVE
 IOWA CITY, IOWA 52246

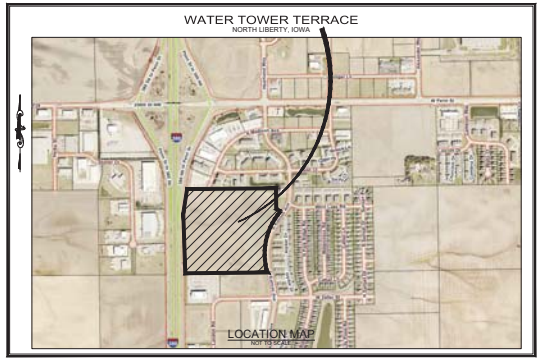
LOTS	ZONING	SETBACKS
LOTS 6-11	C-3	FRONT -20 FEET SIDE (CORNER) -10 FEET REAR -10 FEET
LOTS 1-5	RM-12	FRONT -25 FEET SIDE (CORNER) -20 FEET REAR -10 FEET SIDE -10 FEET

- NOTES:**
- ALL EASEMENTS ARE 15 FOOT PUBLIC UTILITY EASEMENTS UNLESS NOTED OTHERWISE.
 - NO PARKING SIGNAGE SHALL BE PROVIDED ALONG THE NORTH SIDE OF TOWER DRIVE, THE WEST SIDE OF N. MADISON AVENUE, AND THE SOUTH SIDE OF FOUNDARY LANE AS REQUIRED BY CITY OF NORTH LIBERTY.
 - NO LOTS SHALL HAVE DIRECT ACCESS TO N. KANSAS AVENUE.

PLAT/PLAN APPROVED
 by the
 City of North Liberty

City Clerk _____ Date _____

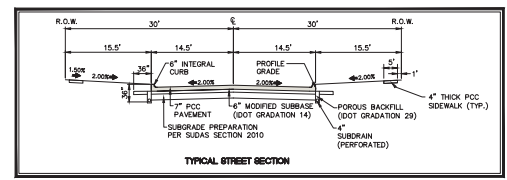
UTILITY EASEMENTS, AS SHOWN HEREON, MAY OR MAY NOT, INCLUDE SANITARY SEWER LINES, AND/OR STORM SEWER LINES, AND/OR WATER LINES; SEE CONSTRUCTION PLANS FOR DETAILS.



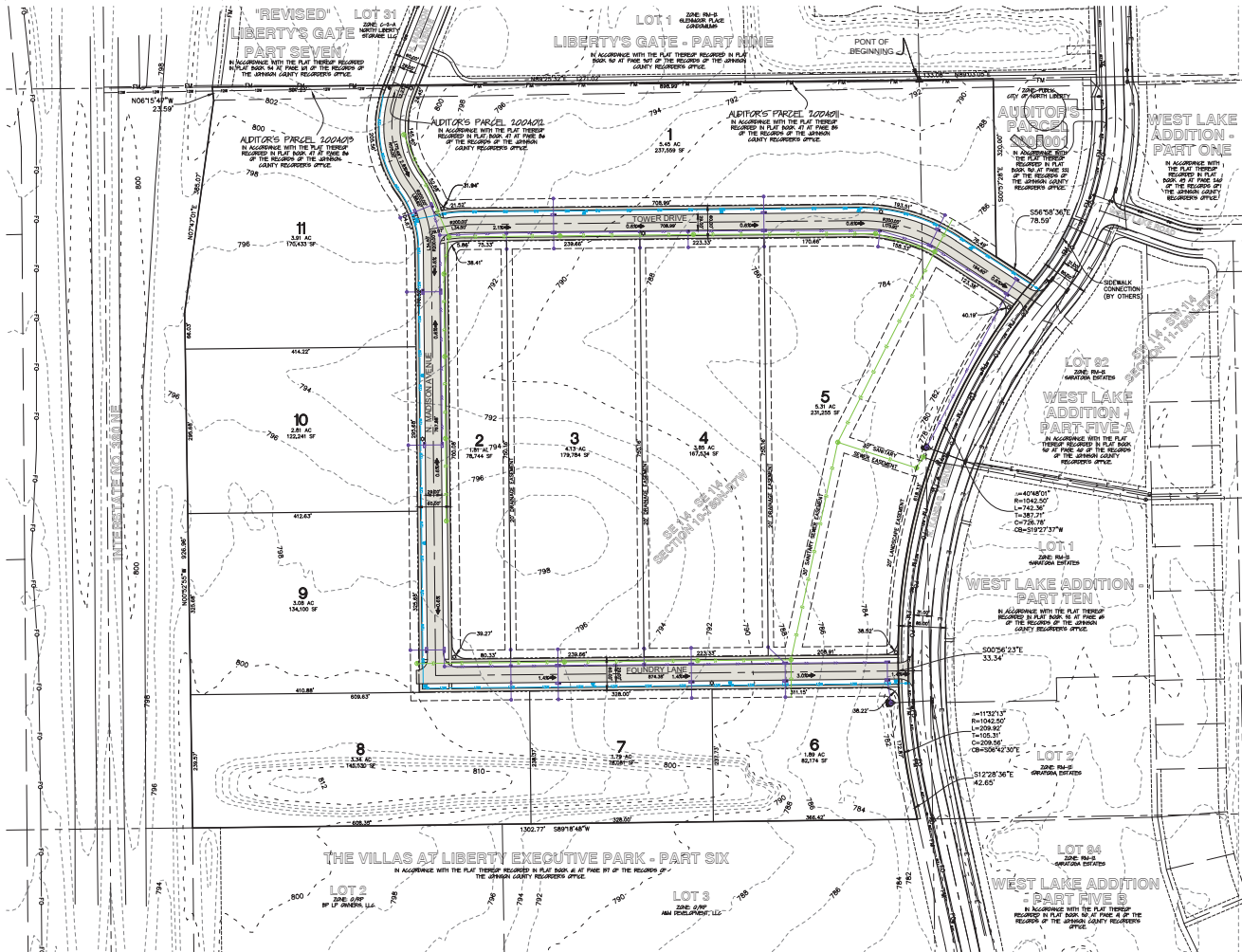
41.48 ACRES

CIVIL ENGINEERS
 LAND PLANNERS
 LAND SURVEYORS
 LANDSCAPE ARCHITECTS
 ENVIRONMENTAL SPECIALISTS

1917 S. GILBERT ST.
 IOWA CITY, IOWA 52240
 (319) 251-8282
 www.mmsconsultants.net



Date: 10-24-22
 Revision: PER CITY COMMENTS -JDM



DESCRIPTION - WATER TOWER PLACE

Beginning at the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 10, Township 80 North, Range 7 West, of the Fifth Principal Meridian, North Liberty, Iowa; Thence N89°03'05"E, along the South Line of Liberty's Gate - Part Nine, in accordance with the Plat thereof Recorded in Plat Book 50 at Page 307 of the Records of the Johnson County Recorder's Office, 133.08 feet, to the Northwest Corner of Auditor's Parcel 2005001, in accordance with the Plat thereof Recorded in Plat Book 50 at Page 221 of the Records of the Johnson County Recorder's Office; Thence S00°57'28"E, along the West Line of said Auditor's Parcel 2005001, a distance of 320.00 feet, to the Southwest Corner thereof; Thence S56°58'36"E, along the South Line of said Auditor's Parcel 2005001, a distance of 78.59 feet, to the Southeast Corner thereof; and a Point on the West Line of West Lake Addition - Part Five A, in accordance with the Plat thereof Recorded in Plat Book 50 at Page 40 of the Records of the Johnson County Recorder's Office; Thence Southwesterly, 742.36 feet, along said West Line, and the West Line of West Lake Addition - Part Five B, in accordance with the Plat thereof Recorded in Plat Book 50 at Page 41 of the Records of the Johnson County Recorder's Office, on a 1042.50 foot radius curve, concave Southeasterly, whose 726.78 foot chord bears S19°27'37"W; Thence S00°56'23"E, along said West Line of West Lake Addition - Part Five B, 33.34 feet; Thence Southeasterly, 209.92 feet, along said West Line, on a 1042.50 foot radius curve, concave Northeastly, whose 209.56 foot chord bears S06°42'30"E; Thence S12°26'36"E, along said West Line, 42.65 feet, to the Northeast Corner of The Villas at Liberty Executive Park - Part Six, in accordance with the Plat thereof Recorded in Plat Book 51 at Page 157 of the Records of the Johnson County Recorder's Office; Thence S89°18'48"W, along the North Line of said The Villas at Liberty Executive Park - Part Six, a distance of 1302.77 feet, to the Northwest Corner thereof, and a Point on the East Right-of-Way Line of Interstate No. 380 NE; Thence N00°52'55"W, along said East Right-of-Way Line, 925.86 feet; Thence N07°47'01"E, along said East Right-of-Way Line, 385.07 feet, to the Southwest Corner of Auditor's Parcel 2004013, in accordance with the Plat thereof Recorded in Plat Book 47 at Page 86 of the Records of the Johnson County Recorder's Office; Thence N06°15'47"W, along the West Line of said Auditor's Parcel 2004013, a distance of 23.59 feet, to the Northwest Corner thereof, and the Southwest Corner of said "Revised" Liberty's Gate Part Seven; Thence N89°25'32"E, along the South Line of said "Revised" Liberty's Gate Part Seven, and the South Line of said Liberty's Gate - Part Nine, 1270.02 feet, to the Point of Beginning, containing 41.48 acres, and subject to easements and restrictions of record.

PRELIMINARY PLAT

WATER TOWER PLACE
 NORTH LIBERTY
 JOHNSON COUNTY
 IOWA

MMS CONSULTANTS, INC.

Date: 10-03-2022
 Designed by: KJB Field Book No:
 Drawn by: JEM Scale:
 Checked by: KJB Sheet No: 1 of 1
 Project No: 11030-005



To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **October 28, 2022**
Re **Request of A & M Development, LLC for a zoning map amendment (rezoning) from O-RP Office and Research Park District to C-3 Higher-Intensity Commercial District on 6.57 acres. The property located on the west side of Landon Road approximately 1,000 feet west of North 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:

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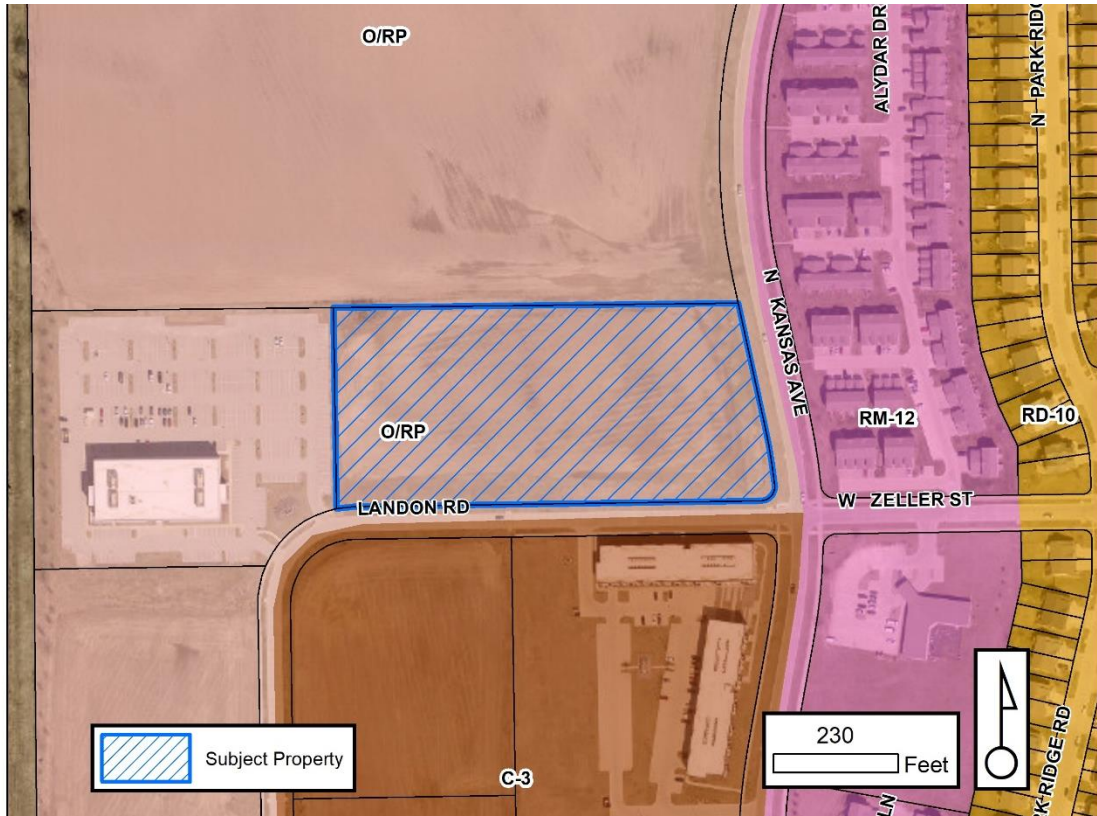
1. Request Summary:

This rezoning request would facilitate development of the property with multi-unit residences and higher-intensity commercial/residential uses.

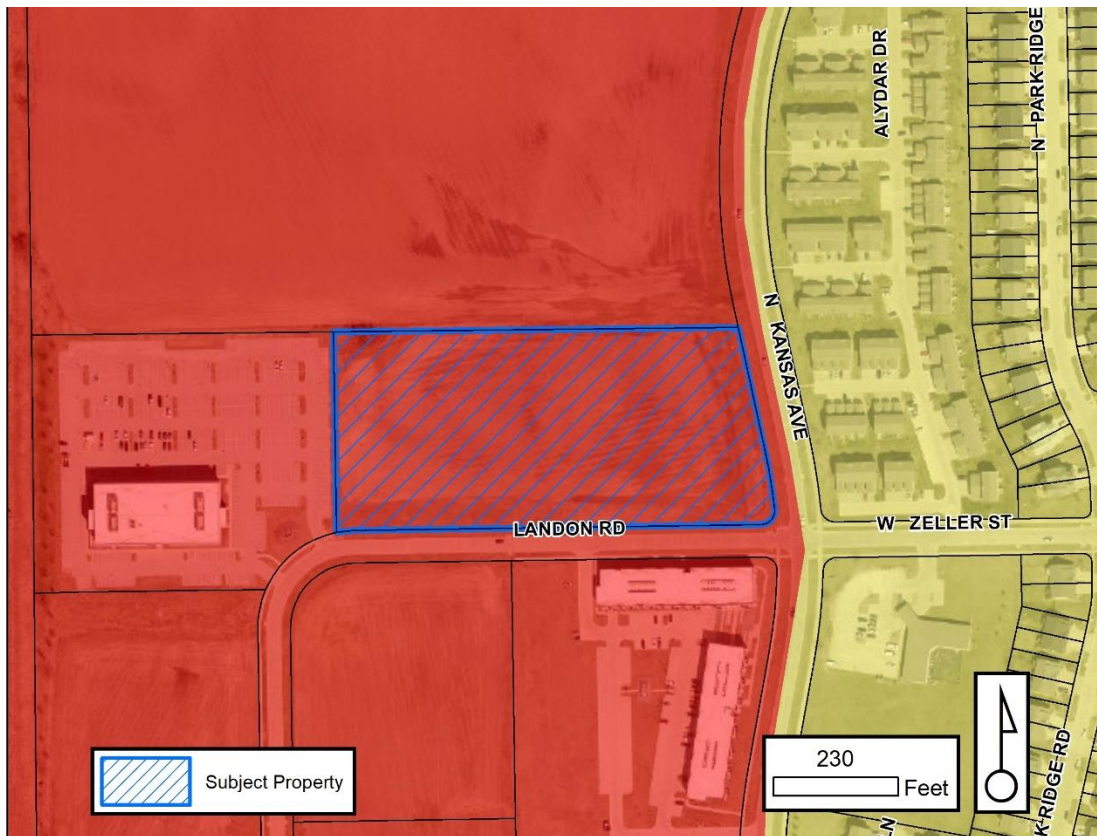
2. Proposed Zoning:

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.



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

Relevant Comprehensive Plan Policies Related to Land Use:

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

4. Public Input:

Good neighbor meetings were held on October 18, 2022. A couple people outside of City staff and the applicant attended the virtual meeting and just had general questions. There are no formal objection to the request.

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.

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

It is staff’s opinion that the proposed zonings would be compatible with the area.

(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.

Office research parks have been a declining trend, which has been exasperated by Covid-19. Staff envisions the O-RP zoning being deleted as a zoning district and being replaced with other relevant zoning districts.

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

This is not applicable.

(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 along North Kansas Avenue, which is a minor arterial road. 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 O-RP Office and Research Park to C-3 Higher-Intensity Commercial District would achieve 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 (rezoning) from O-RP Office and Research Park District to C-3 Higher-Intensity Commercial District on 6.57 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.



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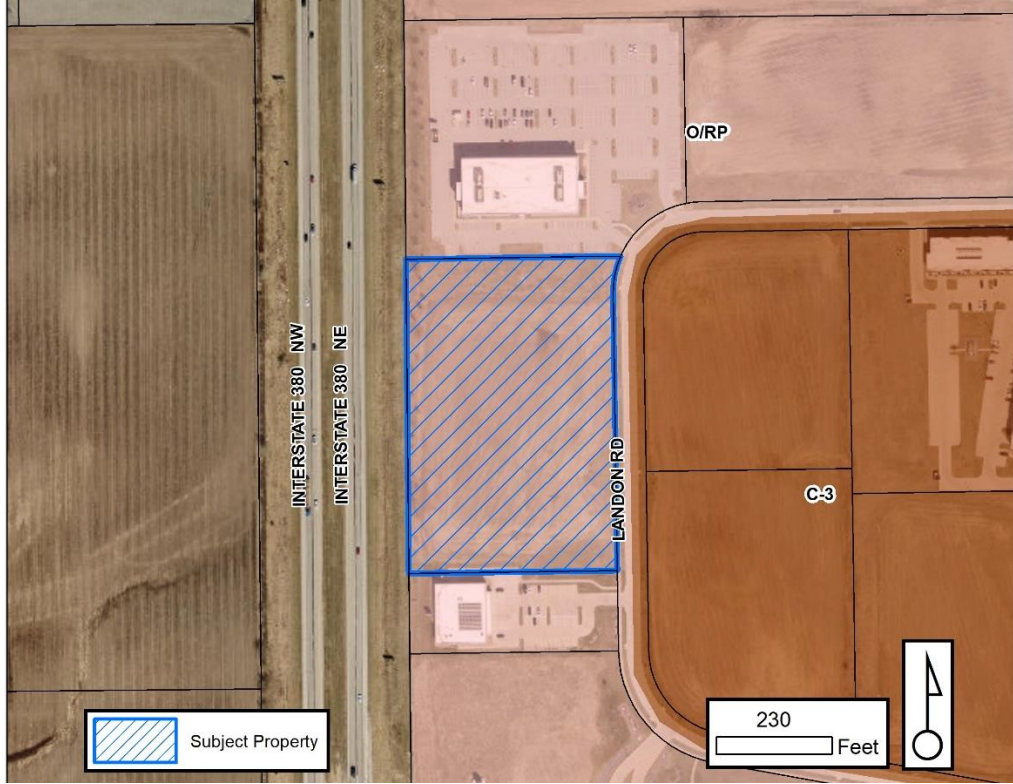
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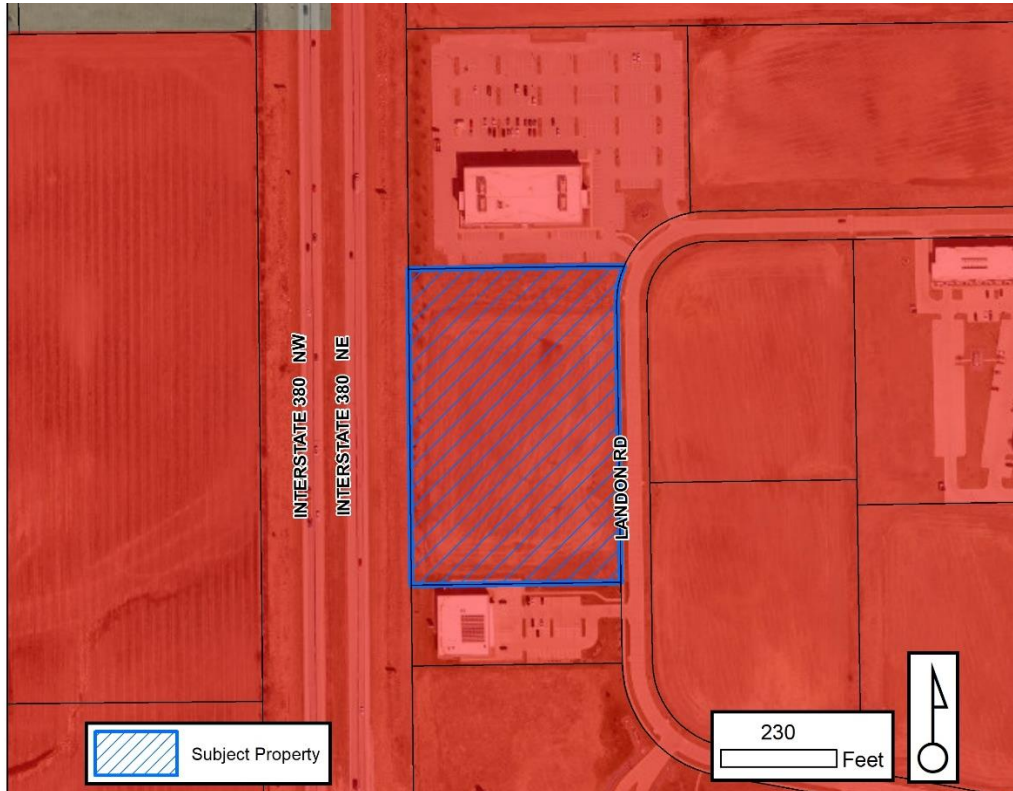
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(f) The extent to which the proposed amendment creates nonconformities.

This is not applicable.

(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.

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7. Staff Recommendation:

Finding:

1. The rezoning request from O-RP Office and Research Park to C-3 Higher-Intensity Commercial District would achieve 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 (rezoning) from O-RP Office and Research Park District to C-3 Higher-Intensity Commercial District on 5.94 acres to the City Council with a recommendation for approval.

Suggested motion:

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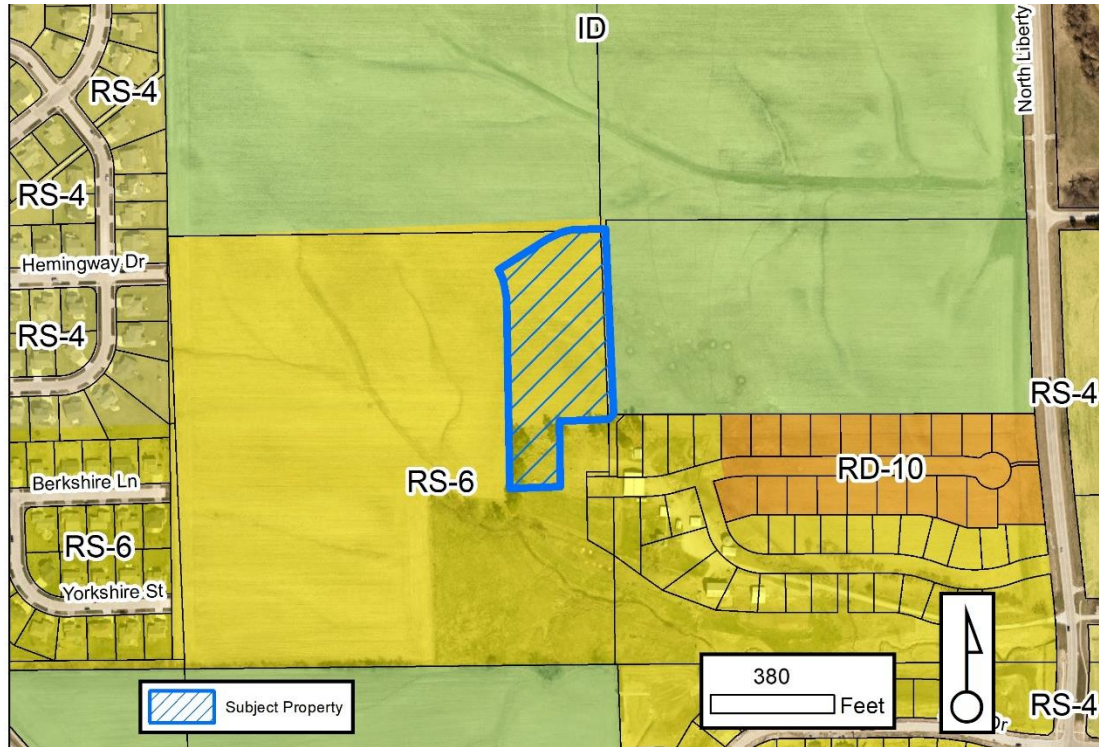
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1. Request Summary:

This rezoning request would facilitate development of the property with two-unit residences.

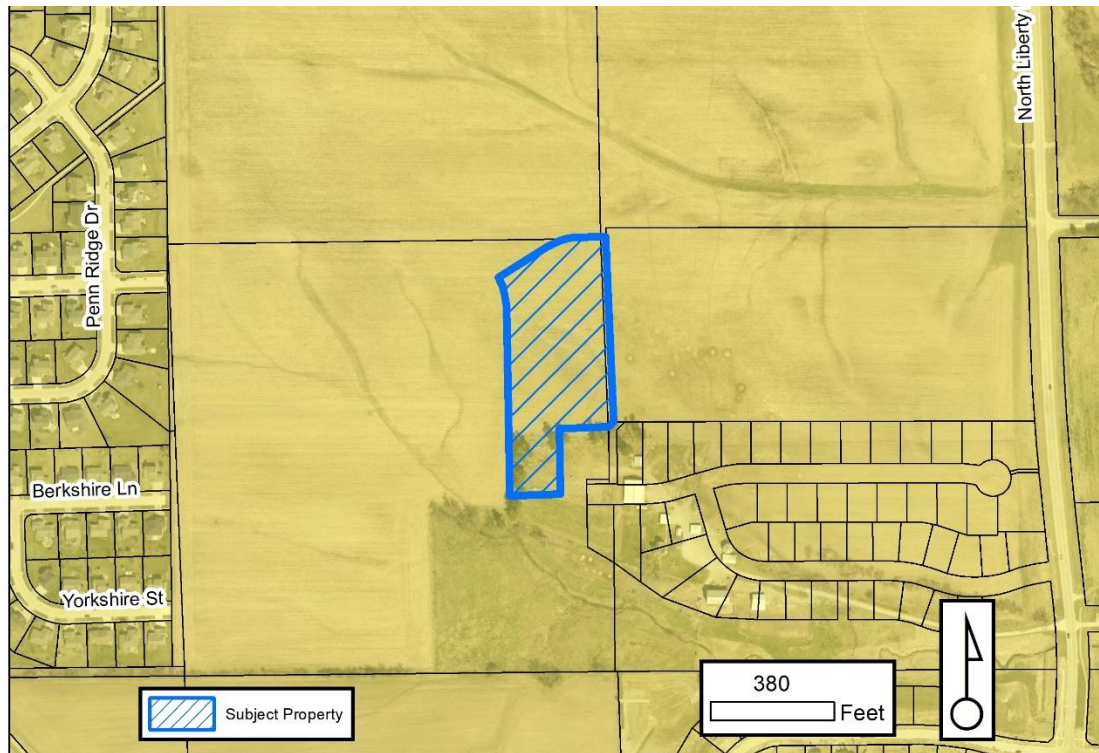
2. Proposed Zoning:

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:

Good neighbor meetings were held on October 18, 2022. No one outside of City staff and the applicant attended the virtual meeting. There are no formal objection to the request.

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.

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

It is staff's opinion that the proposed zonings would be compatible with the area.

(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.

The property is suitable to be developed as RS-6. However, market changes are compelling more affordable housing.

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

This is not applicable.

- (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:

It is staff's opinion that two-unit residences are compatible with single-unit residences. Some communities have eliminated single-unit zonings in favor of single- and two-unit zoning districts.

7. Staff Recommendation:

Finding:

1. The rezoning request from RS-6 Single-Unit Residence District to 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 Residence District to 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 finding and forward the zoning map amendment to the City Council with a recommendation for approval.



To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **October 28, 2022**
Re **Request of the City of North Liberty for an Ordinance amending Chapter 168 (Zoning Code – Development Regulations) and Chapter 169 (Zoning Code – Zoning District Regulations) of the North Liberty Code of Ordinances of the North Liberty Code of Ordinances by amending the use matrix and a use definition, by amending off-street parking and loading setbacks and off-street parking requirements.**

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 Ordinance would correct minor oversights and adapt to changing land use trends.

2. Public Input:

No public input has been received.

3. Staff Recommendation:

Finding:

1. The proposed Ordinance would correct minor oversights and adapt to changing land use trends.

Recommendation:

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

Suggested Motion:

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

Request of the City of North Liberty for an Ordinance amending Chapter 168 of the North Liberty Code of Ordinances (Zoning Code – Zoning District Regulations) by amending Table 168.06 by adding “fueling station” as a permitted use in the C-3 Higher Intensity Commercial District, by amending Section 168.07 by amending the definition of “research and development facility” to include the use testing, by amending Chapter 169 of the North Liberty Code of Ordinances (Zoning Code – Development Regulations) by amending Table 169.01-B by adding and amending off-street parking and Loading setbacks in certain districts and by amending Table 169.01-C by deleting the use “vehicle repair, major or minor” and corresponding minimum regarding parking spaces and adding the use “automotive repair, major or minor” and corresponding minimum regarding parking spaces.

Section 1. 168.06 Table 168.06

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	
16. Car Wash								P	P						
17. Child Care Center						P	P	P	P	P	P			P	P
18. Child Care Home		P			P										
19. Child Development Home		P													
20. Community Center						P	P	P	P	P				P	P
21. Community Pantry	C	C	C	C		C	P	P	P						
22. Cultural Facility						P	P	P	P	P					P
23. Distillery, Micro						P	P	P	P	P				P	
24. Drive-Through Facility						C	P	P	P	P	P			P	
25. Dwelling – Manufactured Home					P										
26. Dwelling – Mixed Use						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	O/R/P	I-1	I-2	I-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		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	
49. Industrial - General												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	O/R/P	I-1	I-2	I-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

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

Section 2. Section 168.07(66)

66. Research and Development Facility.
- A. Defined. Research and development facility means an establishment where research, ~~and~~ development and/or testing is conducted in industries that include, but are not limited to, biotechnology, pharmaceuticals, medical instrumentation or supplies, communication, and information technology, electronics and instrumentation, and computer hardware and software. A research and development establishment may create prototypes of products, but may not manufacture products for direct sale and distribution from the premises.
- B. Use Standards. None.

Section 3. Section 169.01 Table 169.01-C

Table 169.01-B: Off-Street Parking and Loading Setbacks			
District	Right-Of-Way Line	Side Lot Line	Rear Lot Line
ID, RS, RD	25 feet ¹	3 feet ²	3 feet
R-MH	10 feet ³	5 feet	5 feet
RM, C, <u>L.P.</u>	10 feet	5 feet	5 feet
O/RP	25 feet	10 feet	10 feet
†	10 feet	5 feet	5 feet
1. Off-street parking areas may be within the front yard, but shall not occupy greater than 50 percent of the required front yard and shall not provide greater than one parking space in addition to that provided in the travel portion of the driveway. 2. No setback required on an interior side lot line for two-unit dwelling buildings. 3. Off-street parking areas may be within the front yard. 4. In any district where off-street joint access is provided, the required setback on an interior side lot line may be reduced if a joint access easement agreement is recorded between the two lots.			

Table 169.01-C: Off-Street Vehicle Parking Requirements SF = Square Feet, DU = Dwelling Unit, GFA = Gross Floor Area	
USE	MINIMUM REQUIRED VEHICLE SPACES
Adult Entertainment	1 per 300SF GFA
Amusement Facility, Indoor	1 per 200SF GFA
Amusement Facility, Outdoor	1 per 1000SF GFA
Animal Car Facility	1 per 350SF GFA
Automobile Repair, Major or Minor	2 per service bay
Bar	1 per 200SF GFA
Body Art Establishment	1 per 500SF GFA
Broadcasting Studio	1 per 1,000SF GFA
Car Wash	1 per car wash bay + 3 stacking spaces per bay

Table 169.01-C: Off-Street Vehicle Parking Requirements
SF = Square Feet, DU = Dwelling Unit, GFA = Gross Floor Area

USE	MINIMUM REQUIRED VEHICLE SPACES
Child Care Center	1 per 500SF GFA
Community Building	1 per 350SF GFA
Community Pantry	1 per 500SF GFA
Dwelling, Duplex	2 per DU
Dwelling, Manufactured Home	2 per DU
Dwelling, Multiple-Unit	
Studio and 1 bedroom	1.5 per DU
Two bedroom	1.5 per DU
Over two bedroom	2 per DU + .5 for each bedroom over 2
Dwelling, Single-Unit (Detached and Zero Lot Line)	2 per DU
Dwelling, Townhouse	2 per DU
Dwelling, Two-Unit	2 per DU
Education Facility, Primary or Secondary	
Elementary and/or Junior High	3 per each classroom + 3 per office
High School	6 per classroom + 4 per office
Education Facility, University or College	2 per classroom + 2 per office + 1 per 4 students of maximum enrollment
Education Facility, Vocational	2 per classroom + 2 per office + 1 per 8 students of maximum enrollment
Financial Institution	1 per 350SF GFA
Fireworks, Retail Sales of	1 per 500SF GFA
Fueling Station	1 per pump/charging position + 1 per 500SF GFA of structure
Funeral Home	1 per 200SF GFA of public space
Golf Course/Driving Range	4 per golf hole and/or 4 per tee of driving range
Greenhouse/Nursery - Retail	1 per 500SF GFA of indoor space + 1 per 1,000SF of outdoor space
Group Home	1 per 2 rooms
Healthcare (all uses, unless otherwise specified)	1 per 3 beds + 1 per 250 SF GFA office and administrative area
Heavy Retail, Rental, and Service	1 per 500SF GFA of indoor space + 1 per 1,000SF of outdoor display space
Hotel	1 per room
Industrial	1 per 1,000SF GFA up to 40,000SF, then 1 per 2,500SF for additional GFA above 40,000SF (excludes any outdoor storage)
Industrial Design	1 per 500SF GFA
Live Performance Venue	1 per 5 persons based on maximum capacity
Lodge/Meeting Hall	1 per 500SF GFA
Manufactured Home Park	2 per manufactured home site
Medical/Dental Office	1 per 350SF GFA
Office	1 per 350SF GFA
Parks	

Table 169.01-C: Off-Street Vehicle Parking Requirements
SF = Square Feet, DU = Dwelling Unit, GFA = Gross Floor Area

USE	MINIMUM REQUIRED VEHICLE SPACES
Conservation	None
Community	None
Neighborhood	None
Personal Service Establishment	1 per 500SF GFA
Place of Worship	1 per 10 seats
Private Club	1 per 300 SF GFA
Public Safety Facility	1 per 300SF GFA
Public Works Facility	1 per 500SF GFA
Research and Development	1 per 500SF GFA
Residential Care Facility	To be calculated on the type of facility or combination of facilities provided below
Independent Living Facility	0.75 per DU
Assisted Living Facility	0.5 per DU
Nursing Home or Hospice	0.5 per patient room
Restaurant	1 per 200SF GFA
Retail Goods Establishment	1 per 350SF GFA
Self-Service Storage Facility	1 per 25 storage units
Specialty Food Service	1 per 500SF GFA
Storage - Outdoor	1 per 2,500SF of lot area
Vehicle Dealership (New and Used)	1 per 500SF of indoor sales and display area + 4 per service bay
Vehicle Operation Facility	1 per 2,500SF of lot area
Vehicle Rental	1 per 500SF GFA of indoor area (excluding indoor storage)
<u>Vehicle Repair, Major or Minor</u>	<u>4 per service bay</u>
Warehouse	1 per 500SF of office area + 1 per 30,000SF GFA of warehouse
Wholesale Establishment	1 per 500SF of office area + 1 per 15,000SF GFA of warehouse



Planning Commission
October 4, 2022
Council Chambers, 1 Quail Creek Circle

Call to Order

Chair Josey Bathke called the October 4, 2022 Planning Commission to order at 6:30 p.m. in the Council Chambers at 1 Quail Creek Circle. Commission members present: Barry A'Hearn, Josey Bathke, Sheila Geneser, Jason Heisler, Brian Vincent, Dave Willer; absent: Patrick Staber.

Others present: Ryan Rusnak, Ryan Heiar, Tracey Mulcahey, Grant Lientz, Kevin Trom, and other interested parties.

Approval of the Agenda

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

North Ridge Parts 2 & 3 Preliminary Subdivision Plat

Staff recommends tabling to allow for the parties to come to agreement. Attorney Bob Downer was present on behalf of the applicant and offered an update. Heisler moved, A'Hearn seconded to table North Ridge Parts 2 & 3 Preliminary Subdivision Plat indefinitely. The vote was: ayes – A'Hearn, Heisler, Bathke, Geneser, Willer, Vincent; nays – none; absent – Staber. Motion carried.

Kwik Star Preliminary Site Plan

Staff Presentation

Rusnak presented the request of Kwik Trip, Inc approve a Preliminary Site Plan for a fueling station, retail store and related site improvements on 3.86 acres. The property is located at northeast corner of West Forevergreen Road and Jasper Avenue. Staff recommends acceptance of the two findings:

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

and forward the request to approve a preliminary site plan for a fueling station, retail store and related site improvements on proposed Lot 1 of The Evermore, Part 2 subdivision to the City Council with a recommendation for approval.

Applicant Presentation

No applicant was present for the meeting.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including the installation of a roundabout in the future, only allowing one lot to be developed, traffic control at Jasper and Forevergreen, development around this application, and the artery for west side development.

Recommendation to the City Council

Geneser moved, A'Hearn seconded that the Planning Commission accept the two listed findings and forward the preliminary site plan to the City Council with a recommendation for approval. The vote was: ayes – Willer, Vincent, Heisler, Geneser, Bathke, A'Hearn; nays – none; absent – Staber. Motion carried.

A2Z Plumbing Preliminary Site Plan

Staff Presentation

Rusnak presented the request of Galaga Enterprises, LC to approve a Preliminary Site Plan for a building trade and services building and related site improvements on 1.72 acres. The property is located at 625 240th Street. Staff recommends that the Commission accept the two findings:

1. The commercial use of the property would be consistent with the current C-2-A District and the Comprehensive Plan Future Land Use Map designation of Commercial; and
2. The site plan would achieve consistency with North Liberty Code of Ordinances Section 165.05(2) entitled, "Preliminary Site Plan Review," Section 168.07 entitled, "Uses Defined and Use Standards," and Section 169.10 entitled, "Design Standards" and other Code of Ordinance requirements;

and forward the request to approve a preliminary site plan for a building trade and services building and related site improvements on 1.72 acres to the City Council with a recommendation for approval.

Applicant Presentation

No applicant was present.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including the city looking at this area for a park and support for development of the odd shaped lot.

Recommendation to the City Council

Willer moved, Heisler seconded that the Planning Commission accept the two listing findings and forward the preliminary site plan to the City Council with a recommendation for approval. The vote was: ayes – Bathke, Willer, A'Hearn, Geneser, Heisler, Vincent; nays – none; absent – Staber. Motion carried.

Public Hearing on Zoning Map Amendment

Staff Presentation

Rusnak presented the request of Kevin Paul Watts for a zoning map amendment (rezoning) from ID Interim Development to RS-4 Single-Unit Residence District on 2.53 acres. The property is located at property located at 3123 West Hauer Drive NE. Staff recommends that the Planning Commission accept the 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;

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.

Applicant Presentation

Kevin Watts, the applicant was present and offered to answer questions.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including the process for annexation of that area,

Recommendation to the City Council

A'Hearn moved, Willer seconded that the Planning Commission accept the listed findings and forward the zoning map amendment to the City Council with a recommendation for approval. The vote was: ayes – Vincent, A'Hearn, Geneser, Bathke, Willer, Heisler; nays – none; absent – Staber. Motion carried.

Public Hearing on Zoning Map Amendment

Staff Presentation

Rusnak presented the request of Dahnovan Holdings, LLC for a zoning map amendment (rezoning) from O-RP Office and Research Park District to RM-12 Multi-Unit Residence District on 23.36 acres and to C-3 Higher-Intensity Commercial District on 18.12 acres. The property is located at the west side of North Kansas Avenue approximately 150 feet south of West Lake Road. Staff recommends the Planning Commission accept the finding:

1. The rezoning request from O-RP Office and Research Park to RM-12 Multi-Unit Residence and C-3 Higher-Intensity Commercial District achieves consistency with the approval standards enumerated in Section 165.09 of the Zoning Code;

and forward the request for zoning map amendment from O-RP Office and Research Park District to RM-12 12 Multi-Unit Residence District on 23.36 acres and to C-3 Higher-Intensity Commercial District on 18.12 acres to the City Council with a recommendation for approval.

Applicant Presentation

Jeff Mekota, partner with Dahnovan Holdings, was present on behalf of the applicant and offered to answer questions.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including potential uses, consistency with the areas around the amendment, Madison Street orientation,

Recommendation to the City Council

A'Hearn moved, Heisler seconded that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with a recommendation for approval. The vote was: ayes- A'Hearn, Bathke, Heisler, Vincent, Geneser, Willer; nays – none; absent – Staber. Motion carried.

Public Hearing on Zoning Map Amendment

Staff Presentation

Rusnak presented the request of GRD Burleson, LLC for a zoning map amendment (rezoning) from ID Interim Development to C-3 Higher-Intensity Commercial District on 7.64 acres. The property is located on the east side of North Liberty Road approximately 375 feet south of South Dubuque Street. Staff recommends that the Commission accept the 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;

and forward the request for zoning map amendment from ID Interim Development to C-3 Higher-Intensity Commercial District on 7.64 acres to the City Council with a recommendation for approval.

Applicant Presentation

Ben Logsdon was present on behalf of the applicant and offered additional information on the amendment.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including property location of owners with concerns, intersection of two arterials, and the land use map discussion on this area.

Recommendation to the City Council

Willer moved, A'Hearn seconded that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with a recommendation for approval. The vote was: ayes – Geneser, Heisler, Bathke, Willer, Vincent, A'Hearn; nays – none; absent – Staber. Motion carried.

Public Hearing on Ordinance

Staff Presentation

Rusnak presented the request of the City of North Liberty for an Ordinance amending Chapter 165 of the North Liberty Code of Ordinances (Zoning Code – Administrative) to establish a six-and-a-half-month moratorium on submittal and review of preliminary site plan applications for which the current zoning district designation or use is incompatible or inconsistent with the North Liberty Comprehensive Plan 2014 Land Use Map and the proposed future land use map. Staff recommends the Commission accept the three findings:

1. The City expects that the final comprehensive plan submission from RDG will be presented and considered prior to the end of the calendar year 2022, and that the final proposed Plan is likely to substantially conform to RDG's preliminary findings and recommendations; and
2. The City anticipates the prompt review and implementation of all or substantially all of the recommendations contemplated in the proposed final Plan, including modification of the City's future land use map, shortly after its final submission and consideration by the Planning and Zoning Commission; and
3. Approval of preliminary site plans which are in conflict with the modified future land use map prior to its pending implementation would undermine the effectiveness of the comprehensive plan;

and forward the Ordinance amendment to the City Council with a recommendation for approval.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including how controversial this might be, the effect on development, and how applications can still go ahead.

Recommendation to the City Council

Heisler moved, A'Hearn seconded that the Planning Commission accept the three listed findings and forward the Ordinance amendment to the City Council with a recommendation for approval.

The vote was: ayes – A'Hearn, Heisler, Bathke, Willer, Geneser, Vincent; nays – none; absent – Staber. Motion carried.

Approval of Previous Minutes

A'Hearn moved, Willer seconded to approve the minutes of the September 6, 2022 meeting. The vote was all ayes. Minutes approved.

Old Business

The Commission discussed the "Save the Scales Bend Farm" campaign discussion.

New Business

Rusnak reported that rezonings and preliminary plats as well as the Comprehensive Plan presentation are on the November agenda.

Adjournment

At 7:21 p.m., A'Hearn moved, Geneser seconded to adjourn. The vote was all ayes. Meeting adjourned.

Signed:

Tracey Mulcahey, City Clerk