



**North Liberty Planning Commission
Tuesday, January 3, 2023, 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. Public Hearing on Zoning Map Amendment: Request of Physicians Building Group, LLC for a zoning map amendment (rezoning) on approximately 33.48 acres from O/RP Office and Research Park District to C-3 Higher Intensity Commercial District. The property is located on the west side of South Kansas Avenue approximately .23 miles north of West Forevergreen Road.

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

4. Public Hearing on Ordinance: Request of the City of North Liberty for an Ordinance amending Chapter 180: Subdivision Ordinance, Chapter 165: Zoning Code - Administrative, and Chapter 173: Zoning Code - Sign Regulations, of the Municipal Code of the City Of North Liberty, Iowa

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

5. Approval of Previous Minutes

6. Old Business

7. New Business

8. Adjournment



To **City of North Liberty Planning Commission**
 From **Ryan Rusnak, AICP**
 Date **December 30, 2022**
 Re **Request of Physicians Building Group, LLC for a zoning map amendment (rezoning) on approximately 33.48 acres from O/RP Office and Research Park District to C-3 Higher Intensity Commercial District. The property is located on the west side of South Kansas Avenue approximately .23 miles north of West 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:

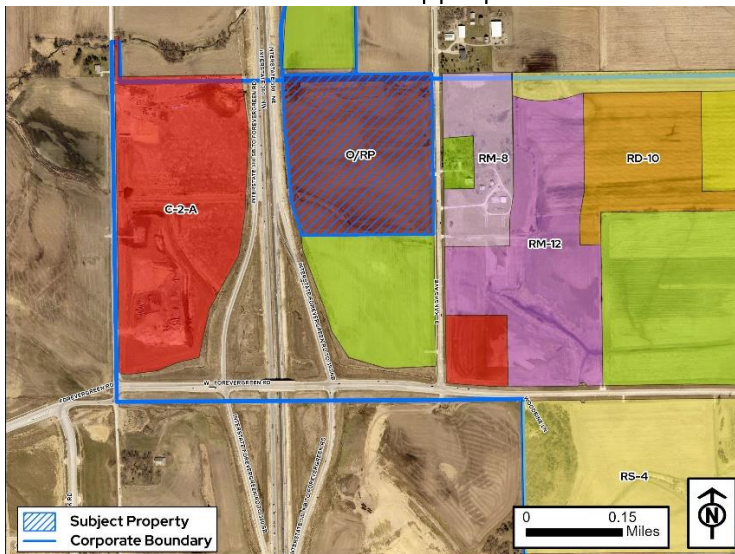
- Ryan Heiar, City Administrator
- Tracey Mulcahey, Assistant City Administrator
- Grant Lientz, City Attorney
- Tom Palmer, City Building Official
- Kevin Trom, City Engineer
- Ryan Rusnak, Planning Director

1. Request Summary:

Steindler Orthopedic Clinic still intends to construct its medical facility in this location. However, the C-3 District would allow for greater flexibility with respect to lot sizes and commercial 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 December 22, 2022. One person 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 adjacent to 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 Foot, ' = 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 approximately 33.48 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.



To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **December 30, 2022**
Re **Request of the City of North Liberty for an Ordinance amending the City of North Liberty, Iowa Code of Ordinances, by amending Chapter 165, Zoning Code – Administrative regarding extension of public utilities and moratorium, Chapter 173, Zoning Code – Sign Regulations regarding signs in residential zones and Chapter 180 - Subdivision Ordinance regarding subdivision plat preparation, review and submittal process 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:

- Removes some procedural requirements articulated in the Subdivision Ordinance, which should be policy. Additionally, removes the phrase “performance bond” from the section of the Subdivision Ordinance pertaining to options for constructing improvements. The change would mean the City may allow for a performance bond, it just isn’t compelled to accept it as a financial instrument in lieu of constructing improvements.
- Clarifies that right-of-way may need to be dedicated during the site plan review process. Additionally, it changes that multi-family in areas designated Commercial on the North Liberty Comprehensive Plan 2014 Land Use Map are not subject to the moratorium for submitting preliminary site plans.
- Increases the amount of sign area from 25 to 50 square feet for freestanding monument signs.

2. Public Input:

No public input has been received.

3. Staff Recommendation:

Finding:

1. The proposed Ordinance would implement desired practices 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.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 180: SUBDIVISION ORDINANCE, CHAPTER 165: ZONING CODE - ADMINISTRATIVE, AND CHAPTER 173: ZONING CODE - SIGN REGULATIONS, OF THE MUNICIPAL CODE OF THE CITY OF NORTH LIBERTY, IOWA

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

SECTION 1. AMENDMENT OF SUBDIVISION ORDINANCE. That Paragraph 5 of Section 180.11 of the North Liberty Code of Ordinances, entitled Subdivision Plat Preparation, Review and Submittal Process Requirements, is amended to read as follows:

5. Review and Approval Procedure. The City process for preliminary plat review and approval is generally as follows:
 - A. Submittal ~~of a proposed preliminary plat~~ is made to the City Clerk ~~by noon of the first working day of the month~~, and copies are distributed to the staff review team.
 - B. ~~Near the middle of the month, t~~he staff review team meets to ~~discuss cases, and review preliminary plat submissions and sends~~ a preliminary memorandum ~~is prepared and forwarded~~ to the ~~contact person applicant~~. The preliminary memorandum outlines deficiencies in the plat, recommendations for improving the plat, and a due date for resubmission of the corrected or modified plat, if necessary. The ~~review memorandum~~ may also identify the need for additional studies to be completed by the applicant, including but not limited to traffic impact studies and utility investigations.
 - C. ~~Near the end of the month, t~~he plat is resubmitted with corrections and changes, ~~and the process outlined in paragraph B is repeated as necessary. If Once~~ ordinance and regulatory provisions are met, the plat is placed on the next Planning Commission agenda, ~~subject to statutory requirements for publication of notice~~.
 - D. The Planning Commission receives the plat, along with a final staff report containing any recommendations, and makes a formal recommendation to City Council for approval, approval with conditions, or denial. The Planning Commission may also table action on a preliminary plat if the Commission feels additional information is needed to make a recommendation.

- E. City Council receives the plat, along with the final staff report and recommendation from the Planning Commission, and formally acts by resolution on the plat to approve, approve with conditions, or deny. The City Council may also table action on a preliminary plat if the Council feels additional information is needed to reach a decision. If a Preliminary Plat Agreement has been prepared, the City Council also acts to approve the agreement.

SECTION 2. AMENDMENT OF SUBDIVISION ORDINANCE. That Paragraph 8(A) of Section 180.11 of the North Liberty Code of Ordinances, entitled Subdivision Plat Preparation, Review and Submittal Process Requirements, is amended to read as follows:

- A. Options for Improvements. Installation or provisions for the installation of public infrastructure such as streets, street lights, and sanitary sewer and water mains are to be completed prior to acceptance of any final plat. Improvements may be provided for in one of the following two means by an owner:
 - (1) Construction of all improvements and installations in the subdivision as approved by the City Engineer, or construction of all improvements and installations in the subdivision as approved by the City Engineer with the exception of sidewalks. In the latter case, the owner shall execute an agreement as a covenant running with the land providing that the sidewalks shall be installed in accordance with the developer's agreement, and in the event that installation has not been made, that the owner waives all statutory requirements of notice of time and place and hearing, waives statutory protections and limitations as to cost and assessment, and agrees that the City may install the sidewalks and assess the costs thereof against the real estate; or
 - (2) A letter of credit, escrow, ~~performance bond~~, or other financial instrument in a form approved by the City, filed with the City Clerk that guarantees to the City that the improvements, as approved by the City Engineer, will be completed by the subdivider or property owner within two years after official acceptance of the final plat. The form and type of instrument shall be approved by the City Attorney and City Council, and shall be equal to 110% of the amount of the estimated costs. If the improvements are not complete within the specified time, the City may use the instrument or any necessary portion thereof to complete the improvements.

SECTION 3. AMENDMENT OF ZONING ORDINANCE. That Paragraph 3(D) of Section 165.05 of the North Liberty Code of Ordinances, entitled Extension of Public Utilities, is amended to read as follows:

- D. Extension of public utilities, [dedication of right-of-way](#). 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, [and to dedicate right-of-way to accommodate motorized and nonmotorized transportation, parking, and utility requirements](#). 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.

SECTION 4. AMENDMENT OF ZONING ORDINANCE. That Paragraph 1 of Section 165.10 of the North Liberty Code of Ordinances, entitled Moratorium, is amended to read as follows:

- 1. The Code Official shall utilize the following for determination of current zoning designation conformity.
 - A. North Liberty Comprehensive Plan 2014 Land Use Map.

Land Use	Zoning District
Residential	ID, RS-3, RS-4, RS-6, RS-7, RS-8, RS-9, RD-8, RD-10, RM-8, RM-12, RM-21, R-MH
Commercial	RM-8, RM-12, RM-21 , C-1-A, C-1-B, C-2-A, C-2-B, C-3, O-RP
Commercial with Residential	RM-8, RM-12, RM-21, C-1-A, C-1-B, C-2-A, C-2-B, C-3, O-RP
Industrial	I-1, I-2, I-P
Public	P
Parks and Recreation	P

B. Proposed Future Land Use Map

Land Use	Zoning District
Urban Low Intensity	RS-3, RS-4, RS-6
Urban Medium Intensity	RS-6, RS-7, RS-8, RS-9, RD-8, RD-10, RM-8, RM-12, RM-21, R-MH, C-1-A
Urban High Intensity	RD-10, RM-12, RM-21, C-1-B, C-2-A, C-2-B, C-3, O-RP
Commercial/Industrial/Flex	I-1
Public and Semi-Public	P
Parks and Open Space	P

SECTION 5. AMENDMENT OF ZONING ORDINANCE. That Section 173.06 of the North Liberty Code of Ordinances, entitled Signs in Residential Zones, is amended to read as follows:

1. Neighborhood or Development Signs. Residential developments or neighborhoods of four or more dwelling units shall be permitted one freestanding monument sign for each public street frontage or each entrance. Such signs may be placed in any location on private property provided the sign complies with the same height limitations specified for fences. Maximum sign area for each sign shall be two square feet, plus one square foot for each dwelling unit or lot, but shall not exceed ~~2550~~ square feet in area per sign face.
2. Non-residential Uses. Each non-residential principal use shall be permitted wall signs and one freestanding monument sign per public street frontage, subject to the following size requirements.
 - A. Maximum Wall Sign Area. The total area of wall signage shall not exceed one square foot for each lineal foot of building wall when viewed in elevation, not to exceed ~~4050~~ square feet.
 - B. Maximum Freestanding Sign Area. One sign is permitted per public street access. The surface area for each sign shall not exceed ~~2550~~ square feet and the height shall not exceed 5 feet.

SECTION 6. REPEALER. All Ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 7. 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 8. 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 9. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on _____, 2023.

Second reading on _____, 2023.

Third and final reading on _____, 2023.

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 _____, 2023.

TRACEY MULCAHEY, CITY CLERK

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 180: SUBDIVISION ORDINANCE, CHAPTER 165: ZONING CODE - ADMINISTRATIVE, AND CHAPTER 173: ZONING CODE - SIGN REGULATIONS, OF THE MUNICIPAL CODE OF THE CITY OF NORTH LIBERTY, IOWA

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 - A. Submittal of a proposed preliminary plat is made to the City Clerk, and copies are distributed to the staff review team.
 - B. The staff review team meets to review preliminary plat submissions and sends a preliminary memorandum to the applicant. The preliminary memorandum outlines deficiencies in the plat, recommendations for improving the plat, and a due date for resubmission of the corrected or modified plat, if necessary. The memorandum may also identify the need for additional studies to be completed by the applicant, including but not limited to traffic impact studies and utility investigations.
 - C. The plat is resubmitted with corrections and changes, and the process outlined in paragraph B is repeated as necessary. Once ordinance and regulatory provisions are met, the plat is placed on the next Planning Commission agenda, subject to statutory requirements for publication of notice.
 - D. The Planning Commission receives the plat, along with a final staff report containing any recommendations, and makes a formal recommendation to City Council for approval, approval with conditions, or denial. The Planning Commission may also table action on a preliminary plat if the Commission feels additional information is needed to make a recommendation.

- E. City Council receives the plat, along with the final staff report and recommendation from the Planning Commission, and formally acts by resolution on the plat to approve, approve with conditions, or deny. The City Council may also table action on a preliminary plat if the Council feels additional information is needed to reach a decision. If a Preliminary Plat Agreement has been prepared, the City Council also acts to approve the agreement.

SECTION 2. AMENDMENT OF SUBDIVISION ORDINANCE. That Paragraph 8(A) of Section 180.11 of the North Liberty Code of Ordinances, entitled Subdivision Plat Preparation, Review and Submittal Process Requirements, is amended to read as follows:

- A. Options for Improvements. Installation or provisions for the installation of public infrastructure such as streets, street lights, and sanitary sewer and water mains are to be completed prior to acceptance of any final plat. Improvements may be provided for in one of the following two means by an owner:
 - (1) Construction of all improvements and installations in the subdivision as approved by the City Engineer, or construction of all improvements and installations in the subdivision as approved by the City Engineer with the exception of sidewalks. In the latter case, the owner shall execute an agreement as a covenant running with the land providing that the sidewalks shall be installed in accordance with the developer's agreement, and in the event that installation has not been made, that the owner waives all statutory requirements of notice of time and place and hearing, waives statutory protections and limitations as to cost and assessment, and agrees that the City may install the sidewalks and assess the costs thereof against the real estate; or
 - (2) A letter of credit, escrow, or other financial instrument in a form approved by the City, filed with the City Clerk that guarantees to the City that the improvements, as approved by the City Engineer, will be completed by the subdivider or property owner within two years after official acceptance of the final plat. The form and type of instrument shall be approved by the City Attorney and City Council, and shall be equal to 110% of the amount of the estimated costs. If the improvements are not complete within the specified time, the City may use the instrument or any necessary portion thereof to complete the improvements.

SECTION 3. AMENDMENT OF ZONING ORDINANCE. That Paragraph 3(D) of Section 165.05 of the North Liberty Code of Ordinances, entitled Extension of Public Utilities, is amended to read as follows:

- D. Extension of public utilities, dedication of right-of-way. 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, and to dedicate right-of-way to accommodate motorized and nonmotorized transportation, parking, and utility requirements. 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.

SECTION 4. AMENDMENT OF ZONING ORDINANCE. That Paragraph 1 of Section 165.10 of the North Liberty Code of Ordinances, entitled Moratorium, is amended to read as follows:

- 1. The Code Official shall utilize the following for determination of current zoning designation conformity.
 - A. North Liberty Comprehensive Plan 2014 Land Use Map.

Land Use	Zoning District
Residential	ID, RS-3, RS-4, RS-6, RS-7, RS-8, RS-9, RD-8, RD-10, RM-8, RM-12, RM-21, R-MH
Commercial	RM-8, RM-12, RM-21, C-1-A, C-1-B, C-2-A, C-2-B, C-3, O-RP
Commercial with Residential	RM-8, RM-12, RM-21, C-1-A, C-1-B, C-2-A, C-2-B, C-3, O-RP
Industrial	I-1, I-2, I-P
Public	P
Parks and Recreation	P

B. Proposed Future Land Use Map

Land Use	Zoning District
Urban Low Intensity	RS-3, RS-4, RS-6
Urban Medium Intensity	RS-6, RS-7, RS-8, RS-9, RD-8, RD-10, RM-8, RM-12, RM-21, R-MH, C-1-A
Urban High Intensity	RD-10, RM-12, RM-21, C-1-B, C-2-A, C-2-B, C-3, O-RP
Commercial/Industrial/Flex	I-1
Public and Semi-Public	P
Parks and Open Space	P

SECTION 5. AMENDMENT OF ZONING ORDINANCE. That Section 173.06 of the North Liberty Code of Ordinances, entitled Signs in Residential Zones, is amended to read as follows:

1. Neighborhood or Development Signs. Residential developments or neighborhoods of four or more dwelling units shall be permitted one freestanding monument sign for each public street frontage or each entrance. Such signs may be placed in any location on private property provided the sign complies with the same height limitations specified for fences. Maximum sign area for each sign shall be two square feet, plus one square foot for each dwelling unit or lot, but shall not exceed 50 square feet in area per sign face.
2. Non-residential Uses. Each non-residential principal use shall be permitted wall signs and one freestanding monument sign per public street frontage, subject to the following size requirements.
 - A. Maximum Wall Sign Area. The total area of wall signage shall not exceed one square foot for each lineal foot of building wall when viewed in elevation, not to exceed 50 square feet.
 - B. Maximum Freestanding Sign Area. One sign is permitted per public street access. The surface area for each sign shall not exceed 50 square feet and the height shall not exceed 5 feet.

SECTION 6. REPEALER. All Ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 7. 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 8. 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 9. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on _____, 2023.

Second reading on _____, 2023.

Third and final reading on _____, 2023.

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 _____, 2023.

TRACEY MULCAHEY, CITY CLERK



Planning Commission
November 1, 2022
Council Chambers, 1 Quail Creek Circle

Call to Order

Vice Chair Jason Heisler called the November 1, 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, Sheila Geneser, Jason Heisler, Patrick Staber, Brian Vincent; absent: Josey Bathke, Dave Willer.

Others present: Ryan Rusnak, Ryan Heiar, Tracey Mulcahey, Grant Lientz, Kevin Trom, Jeff Mekota, Bob Downer, Jason Stone, and other interested parties.

Approval of the Agenda

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

Water Tower Place Preliminary Subdivision Plat

Staff Presentation

Rusnak presented the 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. Staff recommends that the Planning Commission accept the two findings:

1. The preliminary plat would achieve consistency with the Comprehensive Plan Future Land Use 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; 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.

Applicant Presentation

Jeff Mekota was present on behalf of the applicant and offered to answer questions

Public Comments

No public comments were received.

Questions and Comments

The Commission discussed the application including driveway access for units on Lot 2.

Recommendation to the City Council

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

Public Hearing on Zoning Map Amendment

Staff Presentation

Rusnak presented the 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. Staff recommends the Planning Commission accept the listed 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; 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.

Applicant Presentation

Bob Downer, Attorney for A & M Development, was present on behalf of the applicant and offered additional information and to answer questions.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including the remaining additional inventory of O-RP zoned properties.

Recommendation to the City Council

A'Hearn moved, Staber 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, Heisler, Staber, Geneser, Vincent; nays – none; absent – Bathke, Willer. Motion carried.

Public Hearing on Zoning Map Amendment:

Staff Presentation

Rusnak presented the 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. Staff recommends the Planning Commission accept the listed 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; 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.

Applicant Presentation

No further presentation was offered above the previous agenda item presentation.

Public Comments

No public comments were offered.

Questions and Comments

The Commission had no discussion on the application.

Recommendation to the City Council

Geneser moved, Staber 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, A’Hearn, Staber, Vincent, Heisler; nays – none; absent – Bathke, Willer. Motion carried.

Public Hearing on Zoning Map Amendment

Staff Presentation

Rusnak presented the 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. Staff recommends the Planning Commission accept the listed finding:

1. The rezoning request from RS-6 Single-Unit Residence District to RD-10 Two Unit Residence District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code; and

forward the request for zoning map amendment (rezoning) from RS-6 Single-Unit Residence District to RD-10 Two Unit Residence District on 5.28 acres to the City Council with a recommendation for approval.

Applicant Presentation

Jason Stone, Hall and Hall Engineers, was present on behalf of the applicant and offered additional information on the application.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including the mix of housing stock in new developments, and multi-family housing developed close to this application.

Recommendation to the City Council

A’Hearn moved, Vincent 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 – Staber, Geneser, Heisler, A’Hearn, Vincent; nays – none; absent – Bathke, Willer. Motion carried.

Public Hearing on Ordinance

Staff Presentation

Rusnak presented the 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 by amending the use matrix and a use definition, by amending off-street parking and loading setbacks and off-street parking requirements. Staff recommends that the Planning Commission accept the listed finding:

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

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

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including none.

Recommendation to the City Council

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

Approval of Previous Minutes

Staber moved, A'Hearn seconded to approve the minutes of the October 4, 2022 meeting. The vote was all ayes. Minutes approved.

Old Business

No old business was presented.

New Business

Rusnak reported on the open houses for the comprehensive plan. One preliminary site plan is on the agenda for next month.

Adjournment

At 6:52 p.m., Staber moved, A'Hearn seconded to adjourn. The vote was all ayes. Meeting adjourned.

Signed:

Tracey Mulcahey, City Clerk