



**North Liberty Planning Commission
Wednesday, October 4, 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. Preliminary Subdivision Plat:** Request of CMW Properties, LLC. to approve a Preliminary Subdivision Plat revision for a 7-lot subdivision on approximately 10.30 acres. The property is located at the southeast corner of North Liberty Road and South Dubuque Street.
 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments
 - d. Questions and Comments
 - e. Recommendation to the City Council
- 4. Approval of Previous Minutes**
- 5. Old Business**
- 6. New Business**
- 7. Adjournment**



To **City of North Liberty Planning Commission**
 From **Ryan Rusnak, AICP**
 Date **September 29, 2023**
 Re **Request of CMW Properties, LLC. to approve a Preliminary Subdivision Plat revision for a 7-lot subdivision on approximately 10.30 acres. The property is located at the southeast corner of North Liberty Road and South Dubuque Street.**

North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo. The staff review team includes the following personnel:
 Ryan Heiar, City Administrator
 Tracey Mulcahey, Assistant City Administrator
 Grant Lientz, City Attorney
 Tom Palmer, City Building Official
 Kevin Trom, City Engineer
 Ryan Rusnak, Planning Director

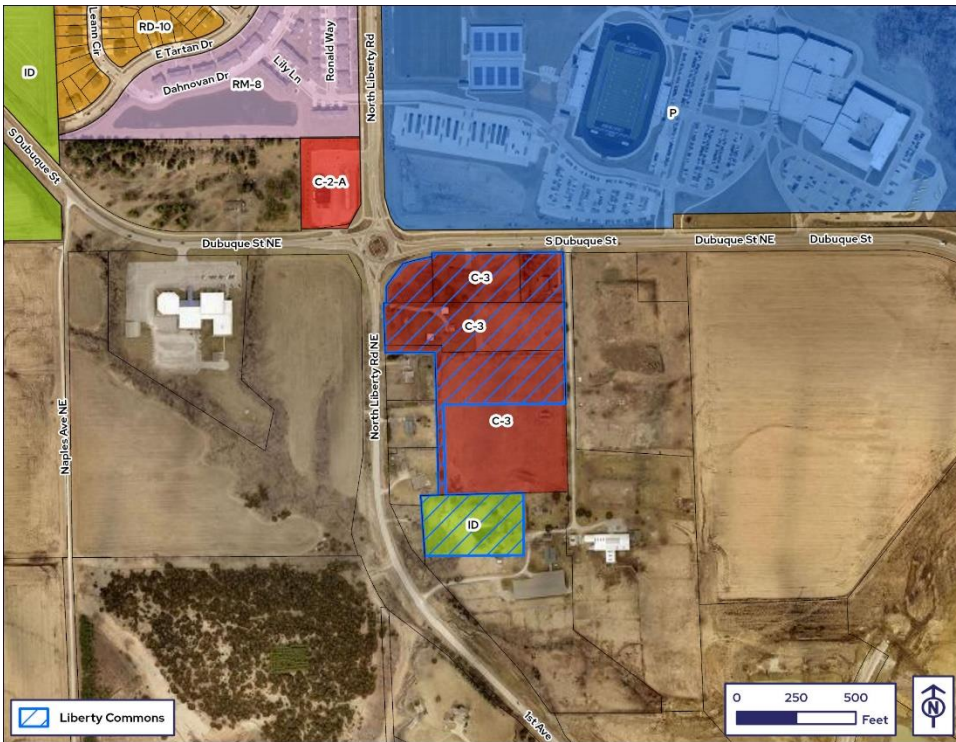
1. Request Summary:

The Preliminary Plat proposes seven lots and related infrastructure on approximately 10.30 acres.



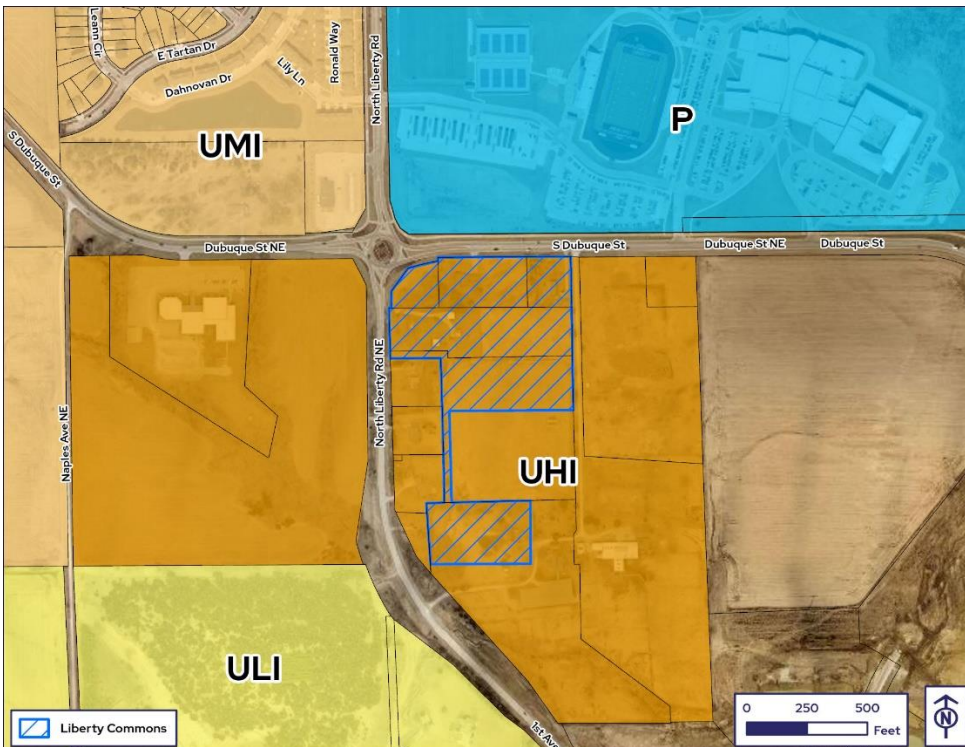
2. Current Zoning:

The property is currently zoned C-3 Higher-Intensity Commercial District and ID Interim Development District.



3. Comprehensive Plan Future Land Use Map Designation:

Land Use Plan designation: Urban High Intensity. The proposed preliminary plat would achieve consistency with the Future Land Use Map.



4. Public Input:

A virtual good neighbor meeting was held on July 18, 2023. City staff, one surrounding property owner and the applicant attended the meeting. There are no objections 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**).

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 information:

None.

7. Staff Recommendation:

Findings:

1. The preliminary plat, which proposes a mixed-use development, would achieve consistency with the Comprehensive Plan Future Land Map designation of Urban High Intensity; 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 of CMW Properties, LLC. to approve a Preliminary Subdivision Plat for a 7-lot subdivision on approximately 10.30 acres. The property is located at the southeast corner of North Liberty Road and South Dubuque Street.

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.

PRELIMINARY PLAT

LIBERTY COMMONS

NORTH LIBERTY, IOWA

LEGAL DESCRIPTION

A PORTION OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 79 NORTH, RANGE 6 WEST OF THE 5TH P.M., DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 1 OF FREE REIN SUBDIVISION AS RECORDED IN BOOK 40, PAGE 151 OF THE JOHNSON COUNTY RECORDER'S OFFICE, IN THE CITY OF IOWA CITY, JOHNSON COUNTY, IOWA, THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF S. DUBUQUE STREET S89°32'17"W, 590.73 FEET; THENCE ALONG SAID SOUTH LINE S01°39'18"E, 15.32 FEET; THENCE 126.89 FEET ALONG SAID SOUTH LINE ON A 862.50 FOOT RADIUS CURVE CONCAVE SOUTHERLY (CHORD BEARING S59°30'52"W, 126.89 FEET); THENCE ALONG SAID SOUTH LINE S55°55'49"W, 118.59 FEET TO THE EAST RIGHT OF WAY LINE OF NORTH LIBERTY ROAD; THENCE ALONG SAID EAST LINE S00°26'09"E, 68.87 FEET; THENCE ALONG SAID EAST LINE S89°36'16"W, 10.77 FEET; THENCE ALONG SAID EAST LINE S01°54'10"E, 208.68 FEET; THENCE S89°37'20", 209.03 FEET; THENCE S01°42'07"E, 219.00 FEET; THENCE N89°32'37"E, 586.36 FEET; THENCE N01°23'06"W, 636.00 FEET TO THE POINT OF BEGINNING. THE DESCRIBED AREA CONTAINS 10.30 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

ZONING INFORMATION

MIN. ZONING	MIN. FRONTAGE	MIN. WIDTH	MIN. AREA	MIN. F	MIN. S	MIN. R	REQUIRED SETBACKS
C-3 - INTENSIVE COMMERCIAL	35'	35'	20,000 SF	25'	10'	10'	

SIDE AND REAR BUILDING SETBACKS INCREASE TO 20' AND 25', RESPECTIVELY IF ABUTTING A RESIDENTIAL DISTRICT.

PLAT NOTES:

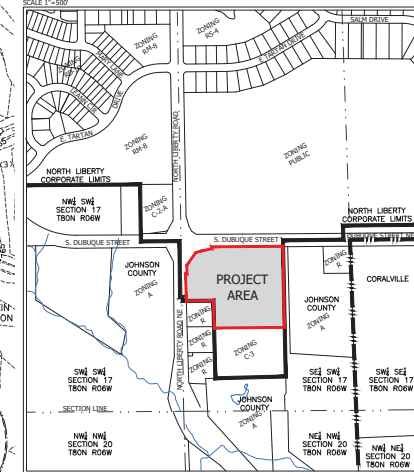
- ALL PROPOSED SANITARY SEWERS ARE 6" UNLESS NOTED OTHERWISE. ALL PROPOSED WATER MAINS ARE 12" UNLESS NOTED OTHERWISE.
 - NO LOT SHALL BE ALLOWED DIRECT ACCESS TO NORTH LIBERTY ROAD.
 - NO LOT SHALL BE ALLOWED DIRECT ACCESS TO S. DUBUQUE STREET OTHER THAN THE SHARED ACCESS SHOWN BETWEEN LOT 1 AND LOT 2.
 - EXISTING PAVEMENT MARKINGS ON S. DUBUQUE STREET TO BE REMOVED BY WATER BLASTING ONLY. NEW PAVEMENT MARKINGS TO BE DURABLE EPOXY AND GROOVED INTO THE PAVEMENT PRIOR TO PAINTING.
- LOT A IS TO BE DEDICATED AS RIGHT-OF-WAY TO THE CITY OF NORTH LIBERTY. 84,630 SF
 LOT B IS TO BE DEDICATED AS RIGHT-OF-WAY TO THE CITY OF NORTH LIBERTY. 1,659 SF

CITY APPROVAL

APPROVED BY THE CITY OF NORTH LIBERTY, IOWA

CITY CLERK _____ DATE _____

LOCATION MAP



APPLICANT INFORMATION

PROPERTY OWNERS
 CMW PROPERTIES, LLC
 221 E BURLINGTON ST
 IOWA CITY, IA 52240

DEVELOPER
 CMW PROPERTIES, LLC
 221 E BURLINGTON ST
 IOWA CITY, IA 52240

DEVELOPER'S ATTORNEY
 PUGH HAGAN PRAHM, P.L.C.
 RYAN PRAHM
 425 E OAKDALE BLVD, SUITE 201
 CORALVILLE, IA 52241

CIVIL ENGINEER
 WELCH DESIGN AND DEVELOPMENT
 MICHAEL J. WELCH, PE
 PO BOX 679
 NORTH LIBERTY, IA 52317
 (319) 214-7501

KEY NOTES:

- (A.1) RAZE EXISTING STRUCTURE
- (A.2) REMOVE EXISTING SEPTIC SYSTEM
- (A.3) ABANDON EXISTING WELL
- (A.4) REMOVE EXISTING DRIVEWAY
- (A.5) PROTECT EXISTING UTILITY POLE
- (B.1) SIDEWALK TO BE INSTALLED WITH PUBLIC IMPROVEMENTS
- (B.2) SIDEWALK TO BE INSTALLED BY INDIVIDUAL LOT OWNER
- (C.1) 15' UTILITY EASEMENT
- (C.2) 40' ACCESS EASEMENT
- (C.3) 20' STORM AND DRAINAGE EASEMENT
- (C.4) 25' STORM AND DRAINAGE EASEMENT
- (C.5) 25' SANITARY AND STORM SEWER AND DRAINAGE EASEMENT
- (C.6) 25' SANITARY SEWER EASEMENT
- (C.7) 30' SANITARY AND STORM SEWER EASE.
- (C.8) TEMPORARY GRADING EASEMENT
- (D.1) 25' FRONT SETBACK
- (D.2) 10' SIDE SETBACK
- (D.3) 20' REAR SETBACK
- (E.1) PROPOSED LIGHT POLE

welch
 design + development

CLIENT: CMW PROPERTIES, LLC

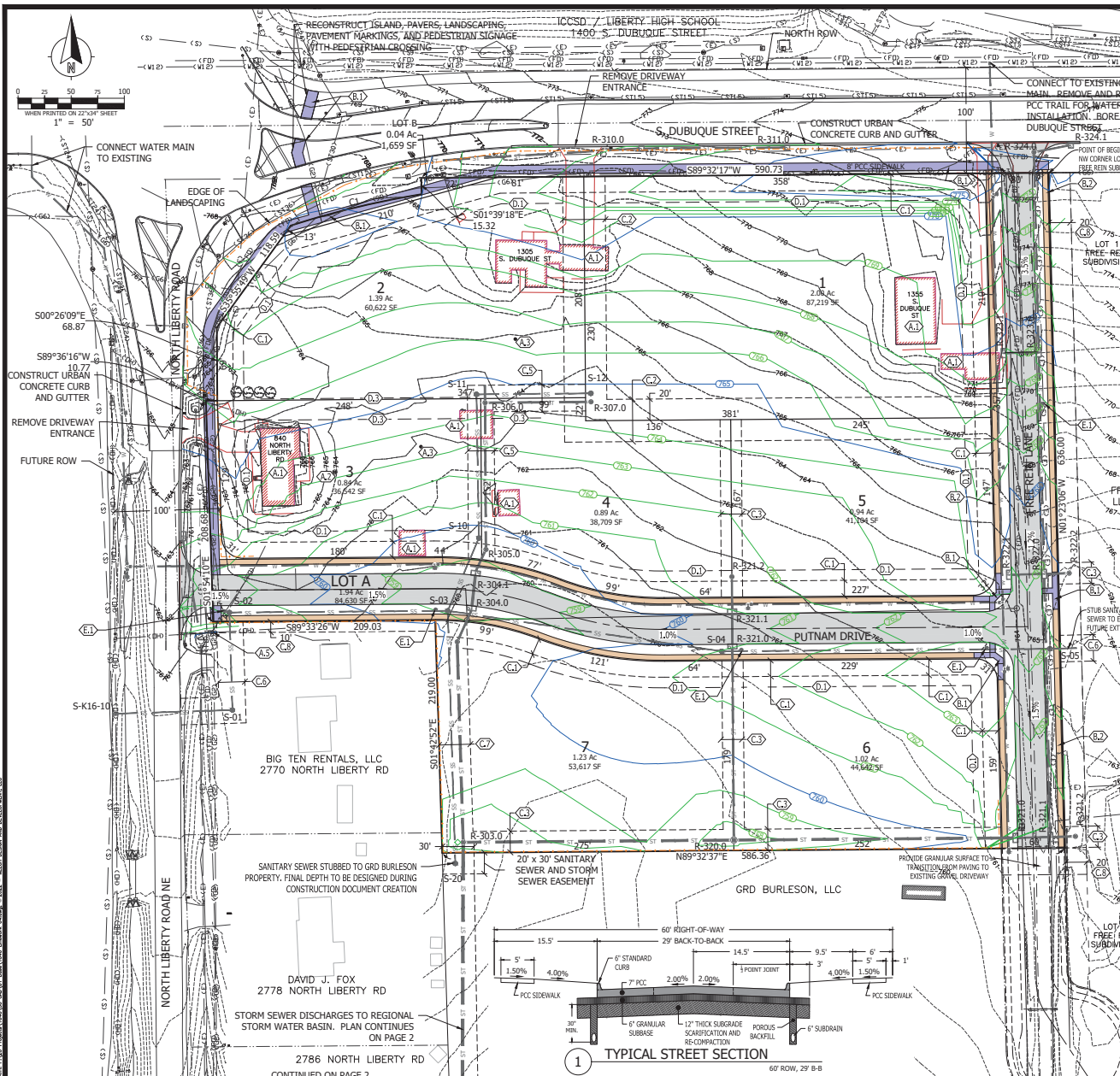
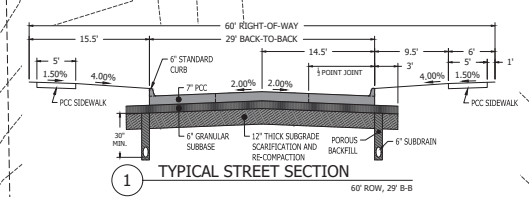
PROJECT NAME: NORTH LIBERTY DEVELOPMENT

REVISION LOG:

REV	DESCRIPTION	DATE
1	CITY SUBMITTAL #1	07-03-23
A	CITY SUBMITTAL #2	09-07-23
B	CITY SUBMITTAL #3	09-27-23

SHEET NAME: PRELIMINARY PLAT

PROJECT NO: 1040 PROJECT MANAGER: WELCH SHEET NUMBER: 1 OF 2
 REVISION: B SUBMITTAL DATE: 09-27-2023



PLATTED: 04/26/2024 8:12 AM
 FILED: 04/26/2024 8:12 AM
 COUNTY: JOHNSON COUNTY, IOWA
 REVISION: 09-27-2023
 WELCH DESIGN AND DEVELOPMENT, LLC



**North Liberty Planning Commission
Tuesday, September 5, 2023, 6:30 PM
North Liberty City Council Chambers
1 Quail Creek Circle, North Liberty, Iowa 52317**

Call to Order

Jason Heisler called the September 5, 2023, 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, Dave Willer, and Patrick Staber. Absent was Josey Bathke and Amy Yotty.

Others present: Ryan Rusnak, Ryan Heiar, Grant Lientz, Josiah Bilskemper, Stacey House, Mike Bails, John Marlow, Bob Downer, Jason Stone, and other interested parties.

Approval of the Agenda

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

Private Street name

Staff Presentation

Rusnak presented the request of the City of North Liberty to establish "1 Steindler Way" as a private street name to the City Council with a recommendation for approval.

Public Comments

No public comments were offered.

Questions and Comments

There were none.

Recommendation to the City Council

A' Hearn moved, Staber seconded that the Planning Commission accept the request and forward to the City Council with a recommendation for approval. The vote was ayes-A' Hearn, Heisler Staber, Geneser Willer; nays - none; absent - Bathke, Yotty. Motion carried.

Private Street name

Staff Presentation

Rusnak presented the request of the City of North Liberty to establish "Sweetwater Lane" as a private street name to the City Council with a recommendation for approval.

Public Comments

No public comments were offered.

Questions and Comments

Staber questioned the process of which we can name streets.

Recommendation to the City Council

Geneser moved, A' Hearn seconded that the Planning Commission accept the request and forward to the City Council with a recommendation for approval. The vote was ayes-

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

Preliminary Site Plan

Staff Presentation

Rusnak presented the request of North Liberty Storage LLC to approve a Preliminary Site Plan for an outdoor self-storage facility on 2.7 acres. The property is located at the southern terminus of North Madison Avenue (Proposed Lot 11 of Water Tower Place Subdivision).

Applicant Presentation

Mike Bailes offered to answer questions if anyone had any.

Public Comments

No public comments were offered.

Questions and Comments

Willer questions the 60% masonry requirements. Staber voiced concerns with having more self-storage units together. A' Hearn gave kudos to developers for meeting these requirements/accommodations.

Recommendation to the Board of Adjustment

Geneser moved, A' Hearn seconded that the Planning Commission accept the request and forward to the Board of adjustment with a recommendation for conditional use for approval. The vote was ayes-A'

Hearn, Heisler, Geneser, Willer; nays – Staber; absent – Bathke, Yotty.

Motion carried.

Recommendation to the City Council

A' Hearn moved, Willer seconded that the Planning Commission accept the request and forward to the City Council with a recommendation for approval. The vote was ayes-

A' Hearn, Heisler, Geneser, Willer; nays – Staber; absent – Bathke, Yotty.

Motion carried.

Public Hearing on Zoning Map Amendment

Staff Presentation

Rusnak presented the request of Pratt Real Estate Management, Inc. for a zoning map amendment (rezoning) on approximately 1.59 acres from RS-9 Single -Unit Residence District. The property is located on the west side of North Jones Boulevard approximately 465 feet south of 240th street.

Applicant Presentation

John Marlow presented additional information.

Public Comment

No public comments were offered.

Questions and Comments

Staber questioned how much RS9 is zoned in this area.

Recommendation to the City Council

Willer moved, A' Hearn seconded that the Planning Commission accept the request and forward to the City Council with a recommendation for approval. The vote was ayes-

A' Hearn, Heisler, Geneser, Willer, Staber; nays - none; absent - Bathke, Yotty. Motion carried.

Public Hearing on Zoning Map Amendment and Preliminary Subdivision Plat

Staff Presentation

Rusnak presented the request of Pratt Real Estate Management, Inc. for a zoning map amendment (rezoning) on approximately 6.24 acres from ID Interim Development District and RS-9 Single-Unit Residence District to RD-10 PAD Two-Unit Residence District Planned Area Development and a Preliminary Subdivision Plat for a 24-lot subdivision on approximately 6.24 acres. The property is located at the southwest corner of North Jones Boulevard 240th Street.

Applicant Presentation

John Marner presented information on individual lots and easy access.

Public Comment

No public comments were offered.

Questions and Comments

Willer questioned what would be done with the middle, where the properties meet up.

Recommendation to the City Council

Staber moved, Willer seconded that the Planning Commission accept the request and forward to the City Council with a recommendation for

approval. The vote was ayes- A' Hearn, Heisler, Geneser, Willer, Staber; nays= none; absent Bathke, Yotty. Motion carried.

Public Hearing on Zoning Map Amendment

Staff Presentation

Rusnak presented the request of Scanlon Family, LLC. For a zoning map amendment (rezoning) on approximately 5.28 acres from RS-6 Single-Unit Residence District to RD-8 Two-Unit Residence District. The property is located on the north side of Berkshire Lane as extended westerly 85' from its current terminus in Greenbelt Trail, Part 2 Subdivision.

Application Presentation

Bob Downer presented information about the split zones. Jason Stone presented information on how traffic would be.

Public Comments

No public comments were offered.

Questions and Comments

Staber stated he had concerns about this at first, but really likes the idea of where the school is being placed. Geneser likes the different types of houses available in this area.

Recommendation to the City Council

Staber moved, Geneser seconded that the Planning Commission accept the request and forward to the City Council with a recommendation for approval. The vote was ayes- A' Hearn, Heisler, Geneser, Willer, Staber; nays-none; absent Bathke, Yotty. Motion Carried

Preliminary Subdivision Plat

Staff Presentation

Rusnak presented the request of Scanlon Family, LLC. to approve a Preliminary Subdivision Plat revision for a 22-lot subdivision on approximately 5.28 acres. The property is located on the north side of Berkshire Lane as extended westerly 85' from its current terminus in Greenbelt Trail, Part 2 Subdivision.

Applicant Presentation

Jason Stone proposed the transitions of housing in this area.

Public Comment

No public comments were offered.

Questions and Comments

There were none.

Recommendations to the City Council

Willer moved, Staber seconded that the Planning Commission accept the request and forward to the City Council with a recommendation for approval. The vote was ayes- A' Hearn, Heisler, Geneser, Willer, Staber; nays-none; absent Bathke, Yotty. Motion Carried

Public Hearing on Street Vacation

Staff Presentation

Rusnak presented the request of the City of North Liberty to vacate North Front Street between Cherry Street and North Dubuque Street.

Public Comments

No public comments were offered.

Questions and Comments

A' Hearn is concerned if the current property owners decide to sell in the future.

Recommendation to the City Council

Geneser moved, A' Hearn seconded that the Planning Commission accept the request and forward to the City Council with a recommendation for approval. The vote was ayes- A' Hearn, Heisler, Geneser, Willer, Staber; nays-none; absent Bathke, Yotty. Motion Carried

Public Hearing on Ordinance

Staff Presentation

Rusnak presented the request of the City of North Liberty for an Ordinance amending Chapters 139, 165, 166, 167, 168, 169 and 173 of the North Liberty Code of Ordinances, amending regulations for naming of streets, conditions for construction site plan approval, zoning map amendments, and required comprehensive plan components, adding new and updating definitions, amending certain residential districts and combining the C-2-A and C-2-B Zoning Districts, amending bulk requirements in certain residential and commercial districts, zoning use matrix and zoning use standards, off-street parking regulations, maximum fence height in residential districts, accessory structure standards, and permitted encroachments in required yards.

Public Comment

No public comments were offered.

Questions and Comments

Heisler asked how notifications are handled. Willer asked if there was a size stipulation/maximum. Staber asked how many 8ft tall fences do we currently have in town.

Recommendation to the City Council

A' Hearn moved, Staber seconded that the Planning Commission accept the request and forward to the City Council with a recommendation for approval. The vote was ayes- A' Hearn, Heisler, Geneser, Willer, Staber; nays-none; absent Bathke, Yotty. Motion Carried

Approval of Previous Minutes

A' Hearn moved, Willer seconded to approve the minutes of the June 6, 2023, meeting. The vote was all ayes. Minutes approved.

Old Business

No old business was presented.

New Business

No new business was presented.

Adjournment

At 7:42 p.m., Staber moved, A' Hearn seconded to adjourn. The vote was all ayes. Meeting adjourned.

Signed:

Stacey House, Deputy City Clerk