



**Planning Commission
July 5, 2022**

Call to Order

Vice Chair Josey Bathke called the July 5, 2022 Planning Commission to order at 6:30 p.m. in the Council Chambers at 1 Quail Creek Circle. Commission members present: Barry A'Hearn, Josey Bathke, Sheila Geneser, Jason Heisler, Patrick Staber, Brian Vincent, Dave Willer; absent: none.

Others present: Ryan Rusnak, Ryan Heiar, Tracey Mulcahey, Grant Lientz, Kevin Trom, Jon Marner, Kevin Digmann, Mike Welch, Loren Hoffman, Brian Dennis, Tim Conklin, Jeff Quinlan, Brad Cummins, and other interested parties.

Approval of the Agenda

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

Election of Chairperson

A'Hearn moved, Heisler seconded to appoint Josey Bathke as Chair. The vote was all ayes. Motion carried.

Election of Vice-Chairperson

Staber moved, A'Hearn seconded to appoint Jason Heisler as Vice-Chair. The vote was all ayes. Motion carried.

The Preserve Part 3 Preliminary Subdivision Plat

Staff Presentation

Rusnak presented the request of Watts Development Group, Inc. to approve a Preliminary Subdivision Plat for a 39-lot subdivision on 9.79 acres, more or less, on property located on the south side of Denison Avenue approximately 450 feet east of Brook Ridge Avenue. Staff recommends that the Planning Commission accept the two findings:

1. The preliminary plat is consistent 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;

and forward the request to approve a Preliminary Subdivision Plat for a 39-lot subdivision on 9.79 acres, more or less, on property located on the south side of Denison Avenue approximately 450 feet east of Brook Ridge Avenue.

Applicant Presentation

Jon Marner, MMS Consultants, 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 clarification on the zoning type.

Recommendation to the City Council

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

Public Hearing on Zoning Map Amendment

Staff Presentation

Rusnak presented the request of MLDC, Inc. for a zoning map amendment (rezoning) from RS-6 Single-Unit Residence District to RS-9 Single-Unit Residence District on approximately 2.29 acres and from RS-6 Single-Unit Residence District to RD-10 Two-Unit Residence District on 7.06 acres. The property is located at the north terminus of Morrison Street. Staff recommends that the Planning Commission accept the listed finding:

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

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

Applicant Presentation

Jon Marner, MMS Consultants, and Kevin Digmann were present on behalf of the applicant and offered additional information on the application.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including the layout of the density types, the availability of the varied zoning types in the nearby area, impact on adjacent property values, the variety of price points throughout the neighborhood and whether the neighborhood would have an association.

Recommendation to the City Council

A’Hearn moved, Willer 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, Willer, A’Hearn, Bathke, Heisler, Vincent; nays – Staber. Motion carried.

Public Hearing on Zoning Map Amendment

Staff Presentation

Rusnak presented the request of CMW Properties, LLC. for a zoning map amendment (rezoning) from ID Interim Development District to C-3 Higher-Intensity Commercial District on approximately 6.76 acres. The properties are located at the southeast corner of South Dubuque Street and North Liberty Road. Staff recommends the Planning Commission accept the listed 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 District to C-3 Higher Intensity Commercial District on approximately 6.76 acres to the City Council with a recommendation for approval.

Applicant Presentation

Mike Welch, Welch Design and Development, was present on behalf of the applicant and offered additional information on the application.

Public Comments

No public comments were offered.

Questions and Comments

There was no discussion by the Commission on the application.

Recommendation to the City Council

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

Public Hearing on Zoning Map Amendment

Staff Presentation

Rusnak presented the request of Scanlon Family, LLC. and The Trustees of Penn Township for a zoning map amendment (rezoning) from ID Interim Development District to R-4 Single-Unit Residence District on approximately 36.32 acres. The property is located at the southeast corner of North Liberty Road and Oak Lane NE. Staff recommends the Planning Commission accept the listed 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

Loren Hoffman, 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 appropriateness of the development.

Recommendation to the City Council

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

North Ridge Parts 2 & 3 Preliminary Subdivision Plat

Staff Presentation

Rusnak presented the request of Scanlon Family, LLC. And The Trustees of Penn Township to approve a Preliminary Subdivision Plat for a 37-lot subdivision on approximately 36.32 acres. The property is located at the southeast corner of North Liberty Road and Oak Lane NE. Staff recommends tabling this item to allow for further conversation between the applicant and the Fjords HOA.

Applicant Presentation

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

Public Comments

Brian Dennis who owns property next to a private pond in the Fjords offered concerns that the development is not adequate to prevent silting and other issues with the pond. Tim Conklin, Board member on the Fjords HOA, realized development was going to happen, just didn't think it would be located where this is proposed. The road does not have enough space for vehicles. He is concerned about the installation of the sewer line with the width of the road. Jeff Quinlan, Cottonwood Court, spoke regarding Oak Lane. Scanlons own the land and the easement, but the neighborhood has always maintained it. He stated it is a private road because the subdivision has always maintained it.

Questions and Comments

The Commission did not discuss the application.

Recommendation to the City Council

Heisler moved, Staber seconded to table this item to the August Commission meeting. The vote was: ayes – Geneser, Staber, Bathke, Willer, Vincent, Heisler, A'Hearn; nays – none. Motion carried.

Liberty Villas Preliminary Subdivision Plat

Staff Presentation

Rusnak presented the request of Daniel & Rhonda Bernacki Revocable Trust to approve a Preliminary Subdivision Plat for a 68-lot subdivision on approximately 36.32 acres. The property is located on the east side of North Dubuque Street approximately 185' south of Scales Bend Road. Staff recommends that the Planning Commission accept the two listed 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 61 single-unit residence lots, 7 townhouse lots and related infrastructure on approximately 36.32 acres to the City Council with a recommendation for approval.

Applicant Presentation

Brad Cummins 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 trail width and maintenance.

Recommendation to the City Council

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

Public Hearing on Ordinance

Staff Presentation

Rusnak presented the request of the City of North Liberty for an Ordinance amending Chapters 165, 168, 169 And 180 of the North Liberty Code of Ordinances Regarding the Construction Plan Approval Process and Standards, Surface and Subsurface Drainage Requirements, Restoring Building Trades and Services to Use Matrix and Adding and Relocating Certain Uses within the Use Matrix, Clarifying Landscaping Plan Requirements and Amending Dumpster Enclosure Requirements. Staff recommends that the Planning Commission accept the listed finding, the proposed ordinance would revise oversights and provide greater clarification to the recently adopted Zoning Ordinance amendment 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 amendments including berming in utility easements.

Recommendation to the City Council

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

Approval of Previous Minutes

A'Hearn moved, Willer seconded to approve the minutes of the May 3, 2022 meeting. The vote was all ayes. Minutes approved.

Old Business

No old business was presented.

New Business

No new business was presented.

Adjournment

At 7:22 p.m., A'Hearn moved, Staber seconded to adjourn. The vote was all ayes. Meeting adjourned.

Signed:

Tracey Mulcahey, City Clerk