



**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