



**Planning Commission
April 18, 2023
Council Chambers, 1 Quail Creek Circle**

Call to Order

Chair Josey Bathke called the April 18, 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, Josey Bathke, Sheila Geneser, Jason Heisler; absent: Patrick Staber, Brian Vincent, and Dave Willer.

Others present: Ryan Rusnak, Ryan Heiar, Grant Lientz, Josiah Bilskemper, Tracey Mulcahey, Jeff Mekota, Brandon Pratt, Will Downing, Cory Hodapp, John Lohman, Sloane Tyler, Angie Maddux, Chad Meacham, Lovie Anderson, Monica Brockway, Jeff Schweitzer, Brad Houser, and other interested parties.

Approval of the Agenda

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

Water Tower Place Preliminary Site Plan*Staff Presentation*

Rusnak presented the request of Dahnovan Holdings to approve a Preliminary Site Plan for 44 townhouse units on approximately 5.31 acres. The property is located on the west side of North Kansas Avenue approximately 175 feet south of West Lake Road. Staff recommends the Planning Commission accept the two listed findings:

1. The townhouse dwelling use of the property would be consistent with the current RM-12 District and the Comprehensive Plan Future Land Use Map; 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 Subdivision plat for 44 townhouse units on approximately 5.31 acres to the City Council with a recommendation for approval.

Applicant Presentation

Jeff Mekota, the applicant, was present and offered to answer questions.

Public Comments

No public comments were offered.

Questions and Comments

The Commission had no questions or comments on the application.

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

Solomons Entertainment District Preliminary Site Plan

Staff Presentation

Rusnak presented the request of Pratt Real Estate Management, Inc. to approve a Preliminary Site Plan for two commercial buildings on approximately 6.28 acres. The property is located on the north side of West Penn Street approximately 350 feet west of North Jones Boulevard. Staff recommends the Planning Commission accept the two listed 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 Urban High Intensity
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 for a 34,359 square foot private recreation building and a 33,528 square foot restaurant/bowling alley on approximately 6.28 acres to the City Council with a recommendation for approval.

Applicant Presentation

Brandon Pratt, the applicant, was present and offered additional information and to answer questions.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including anticipation of this development, the diversity of the façade design, the actual look of the building, adjacency to the residential neighborhood, and adequacy of proposed parking.

Recommendation to the City Council

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

Steindler Orthopedic Clinic Preliminary Plat

Staff Presentation

Rusnak presented the request of Physician's Building Group, LLC to approve a Preliminary Subdivision Plat for a 2-lot subdivision on approximately 36.22 acres. The property is located on the west side of South Kansas Avenue approximately ¼ mile north of West Forevergreen Road. Staff recommends the Planning Commission accept the two listed findings:

1. The preliminary plat, which proposes commercial development, would achieve consistency with the Comprehensive Plan Future Land Use map designation, which is Urban High Intensity
2. The preliminary plat, with conditions recommended by City staff, 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 of Physician's Building Group, LLC to approve a Preliminary Subdivision Plat for a 2-lot subdivision on approximately 36.22 acres to the City Council with a recommendation for approval.

Applicant Presentation

Will Downing, RDG Planning & Design was present on behalf of the applicant and offered to answer questions.

Public Comments

No public comments were offered.

Questions and Comments

The Commission had no questions or comments on the application.

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

Steindler Orthopedic Clinic Preliminary Site Plan

Staff Presentation

Rusnak presented the request of Physician's Building Group, LLC to approve a Preliminary Site Plan for 82,894 square foot medical office on approximately 8.93 acres. The property is located on the west side of South Kansas Avenue approximately ¼ mile north of West Forevergreen Road. Staff recommends the Planning Commission accept the two listed findings:

1. The commercial use of the property would be consistent with the current C-3 District and the Comprehensive Plan Future Land Use Map designation of Urban High Intensity.
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 an 82,894 square foot medical office on approximately 8.93 acres to the City Council with a recommendation for approval.

Applicant Presentation

Will Downing, RDG Planning & Design, 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 varying heights and depths in the façade, compatible neighboring developments, and additional traffic signalization.

Recommendation to the City Council

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

Public Hearing on Zoning Map Amendment

Staff Presentation

Rusnak presented the request of Modern Horizons, LLC for a zoning map amendment (rezoning) on 9.83 acres of property located on the east side of Scales Bend Road approximately 170 feet south of Fox Run Drive. The rezoning would be from ID Interim Development to RS-4 PAD Single-Unit Residence District Planned Area Development. The purpose of the request is to redevelop the property as an age restricted community (55+) with single-unit residences and a clubhouse/common area on one lot. Staff recommends the Planning Commission accept the two listed findings:

1. The rezoning request from ID Interim Development to RS-4 PAD Single-Unit Residence Planned Area Development would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.
2. The site plan would achieve consistency with North Liberty Code of Ordinances Section 165.05(2) entitled, "Preliminary Site Plan Review," and other Code of Ordinance requirements.

and forward the request for zoning map amendment (rezoning) from ID Interim Development to RS-4 PAD Single-Unit Residence Planned Area Development on approximately 9.83 acres to the City Council with a recommendation for approval.

Applicant Presentation

Cory Hodapp, the applicant, was present and offered to answer questions.

Public Comments

John Lohman, 562 Fox Run Drive, expressed concerns and objections regarding the application. Sloane Tyler, 45 Vixen Lane, spoke regarding objections to the rezoning. Chad Meacham, 1570 Otter Lane, offered his opposition to the development. Angie Maddux, 482 Fox Run Drive, spoke regarding her objections to this application. Lovie Anderson, 35 Vixen Lane, spoke regarding concerns with the proposed development. Monica Brockway, 1520 Otter Lane, expressed her concerns regarding the development.

Questions and Comments

The Commission discussed the application including design standards, comparison with other neighborhoods, compliance with code, meeting character of the neighborhood, living adjacent to construction, integration of accessible housing into the community, adding value to the city, change of neighborhoods, sympathy for concerns, traffic counts, increase in traffic, and overall change in the community.

Recommendation to the City Council

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

Public Hearing on Zoning Map Amendment

Staff Presentation

Rusnak presented the request of Twopoint2, LLC and Vantage Point Properties, LLC for a zoning map amendment (rezoning) on approximately 5.23 acres on property located on the west side of

North Highway 965/Ranshaw Way approximately 280 feet south of West Cherry Street. The rezoning would be from C-2-A Highway Commercial District to C-2-A PAD Highway Commercial District Planned Area Development. The purpose of the request is to rehabilitate the southeast portion of the property and waive some of the Zoning Ordinance design standards. Staff recommends the Planning Commission accept the two listed findings:

1. The rezoning request from C-2-A Highway Commercial District to C-2-A PAD Highway Commercial District Planned Area Development would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.
2. The site plan would achieve consistency with North Liberty Code of Ordinances Section 165.05(2) entitled, "Preliminary Site Plan Review," and other Code of Ordinance requirements.

and forward the request for zoning map amendment (rezoning) from C-2-A Highway Commercial District to C-2-A PAD Highway Commercial District Planned Area Development on approximately 5.23 acres to the City Council with a recommendation for approval.

Applicant Presentation

Jeff Schweitzer, the applicant, offered to answer questions on the application.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including thoughts on what was going to happen on the property, extension of the access road, parking, and the refacing on other side of the property.

Recommendation to the City Council

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

Public Hearing on Zoning Map Amendment

Staff Presentation

Rusnak presented the request of the City of North Liberty for a zoning map amendment (rezoning) on approximately .40 acres, from RM-21 Multi-Unit Residence District to RM-12 Multi-Unit Residence District on property located at the northwest corner of North Front Street and West Zeller Street (Also Known As 20 West Zeller Street). Staff recommends the Planning Commission accept the listed finding, the rezoning request from RM-21 Multi-Unit Residence District to RM-12 Multi-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 RM-21 Multi-Unit Residence on .40 acres to the City Council with a recommendation for approval. Lientz presented information on the process for city-initiated rezoning and allowed uses on property.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including right sizing this zoning.

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

Public Hearing on Zoning Map Amendment

Staff Presentation

Rusnak presented the request of the City of North Liberty for a zoning map amendment (rezoning) on approximately .37 acres, from I-1 Light Industrial District to C-1-B General Commercial District on property located south of West Cherry Street approximately 300 feet east of North Highway 965/Ranshaw Way (Also Known As 445 West Cherry Street). Staff recommends the Planning Commission accept the listed finding, the rezoning request from I-1 Light Industrial District to C-1-B General 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 I-1 Light Industrial District to C-1-B General Commercial District on .37 acres to the City Council with a recommendation for approval.

Public Comments

No public comments were received.

Questions and Comments

The Commission discussed the application including notices to landowners with no objections.

Recommendation to the City Council

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

Public Hearing on Zoning Map Amendment

Staff Presentation

Rusnak presented the request of the City of North Liberty for a zoning map amendment (rezoning) on approximately 4.0 acres, from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District on property located on the east side of North Highway 965/Ranshaw Way approximately 275 feet south of West Cherry Street (Also Known As 250 North Highway 965/Ranshaw Way). Staff recommends the Planning Commission accept the listed finding, the rezoning request from I-1 Light Industrial District 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 I-1 Light Industrial District to C-3 Higher-Intensity Commercial District on 4.0 acres to the City Council with a recommendation for approval.

Public Comments

Brad Houser, the property owner, spoke regarding his objections regarding the proposed rezoning.

Questions and Comments

The Commission discussed the application including the current uses on the property, highest and best use as industrial on that property, comprehensive plan, land use map, vision along Ranshaw

Way/965, allowance of the fireworks tent, current use can be maintained, legal non-conforming uses are allowed, owner can't add on to what's there, lack of masonry requirement in industrial zone, development and change of the city, difficulty in commercial development, review of commercial zone, and looking at market conditions to fit in a district with certain design standards.

Recommendation to the City Council

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

Public Hearing on Zoning Map Amendment

Staff Presentation

Rusnak presented the request of the City of North Liberty for a zoning map amendment (rezoning) on approximately 3.69 acres, from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District on property located at the northeast corner of North Highway 965/Ranshaw Way and Commercial Drive (Also Known As 160 North Highway 965/Ranshaw Way). Staff recommends the Planning Commission accept the listed finding, the rezoning request from I-1 Light Industrial District 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 I-1 Light Industrial District to C-3 Higher-Intensity Commercial District on 3.69 acres 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 consistency with the previous agenda item and community feedback for development along Ranshaw Way/965.

Recommendation to the City Council

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

Public Hearing on Ordinance to Zoning Code

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 regarding preliminary site plan approval standards and access easement requirements for utility and emergency vehicles. Staff recommends the Planning Commission accept the listed finding, the proposed ordinance would create clear approval standards for preliminary site plans and add a requirement for necessary easements during the construction review process 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 had no questions or comments on the ordinance.

Recommendation to the City Council

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

Approval of Previous Minutes

A'Hearn moved, Geneser seconded to approve the minutes of the March 7, 2023 meeting. The vote was all ayes. Minutes approved.

Old Business

Rusnak reported that he is receiving positive feedback on the new Comprehensive Plan.

New Business

Rusnak reported that an Aldi site plan could be on the agenda in June. Bathke spoke regarding support for the cancellation of the meeting due to poor weather.

Adjournment

At 8:11 p.m., Heisler moved, A'Hearn seconded to adjourn. The vote was all ayes. Meeting adjourned.

Signed:

Tracey Mulcahey, City Clerk