



September 10, 2025, Planning Commission Meeting

Title

Consider Rezoning at 910 North Liberty Street — Nyrma Soffel, Community Development

Summary

Project name	N/A
Address/Location	910 N Liberty Street
Tax Map Parcels	40-B-2
Total Land Area	+/- 26,800 sq.ft.
Property Owner	Anicira Veterinary Center
Owner's Representative	Erin E. Layman, Esq.
Present Zoning	M-1, General Industrial District
Proposed Zoning	B-2C, General Business District Conditional
Planning Commission	September 10, 2025 (Public Hearing)
City Council	Anticipated October 14, 2025 (First Reading/Public Hearing) Anticipated October 28, 2025 (Second Reading)

Recommendation

Option 1. Recommend approval of the rezoning request.

Fiscal Impact

N/A

Context & Analysis

The following land uses are located on and adjacent to the property:

Site: Anicira Veterinary Center; zoned M-1

North: Vehicle repair shop, zoned M-1

East: Duplexes, zoned R-7

South: Office building, zoned M-1

West: Across North Liberty Street, truck fueling station, zoned M-1

The applicant is requesting to rezone a +/- 26,800 square foot parcel from M-1, General Industrial District, to B-2C, General Business District Conditional. The property is addressed as 910 North Liberty Street and is identified as tax map parcel 40-B-2. Anicira Veterinary Center currently

operates on the site. If the rezoning request is approved, the applicant intends to lease the property to Little Roots Early Learning Center, a childcare center.

The applicant plans to remodel the 2,300-square-foot facility to accommodate childcare for a maximum of 30 children ranging from 12 weeks of age to 6 years old. They plan to operate from 6:45 a.m. to 6:00 p.m., Monday through Friday, with staggered drop-off and pick-up times.

Proffers

The applicant has offered the following proffers (written verbatim):

1. In accordance with the B-2 zoning restrictions and guidelines, the following uses are prohibited on the Property:
 - a. Funeral homes.
 - b. Vehicle fuel stations, bus terminals or facilities designed for vehicular convenience.
 - c. Drive through facilities.
2. All traffic generating uses shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis approved by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.

The conceptual site layout is not proffered.

Land Use

The Comprehensive Plan designates this site as Commercial and states:

Commercial uses include retail, office, professional service functions, restaurants, and lodging uses. Commercial areas should offer connecting streets, biking and walking facilities, and public transit services. Interparcel access and connections are essential to maintaining traffic safety and flow along arterials. Parking should be located to the sides or rear of buildings.

The proposed rezoning from M-1 to B-2 conforms with the Comprehensive Plan's Land Use Guide.

Property Entrance and Parking Lot

The existing entrance width is about 100 feet, which exceeds the City's allowable maximum of 50 feet in width for commercial entrances per the Design and Construction Standards Manual (DCSM). Reducing the single access width or reconfiguring the access to create one-way ingress and egress can enhance safety for vehicle maneuvers and decrease potential conflict points. In addition, if the current configuration of the parking lot utilizes 90-degree parking space design perpendicular to the public street, such a layout appears to use public street right-of-way in order

to back out of the parking spaces. The Zoning Ordinance (ZO) Section 10-3-25(5) does not allow on-site parking to depend on the public right-of-way to maneuver into or out of parking spaces.

With regard to off-street parking, the ZO requires a childcare center to provide one (1) off-street parking space for every 300 square feet of gross floor area. For the existing 2,300 square-foot facility, a minimum of nine (9) parking spaces would be required. The applicant expects to have four to five staff on-site during a typical day, and they plan to have contractual drop-off and pick-up times to control the traffic and number of vehicles in the parking lot at any given time.

At staff's request, the applicant submitted a conceptual parking layout demonstrating how the property might accommodate the required entrance and parking requirements. During staff's review of the layout, staff identified several matters that will need to be addressed prior to any redevelopment or change of use on the property. While the existing parking lot is presumed to be nonconforming to parking lot landscaping regulations, any expansion of the parking lot will require compliance with parking lot landscaping regulations per ZO Section 10-3-30.1, which has not been accounted for in the layout. Additionally, it appears that a passenger vehicle would not be able to make the righthand turn from northbound North Liberty Street into the proposed one-way drive aisle in front of the building. Section 10-3-29 of the ZO requires "all off-street parking spaces, loading areas, driveways, travelways, parking bays and entrances shall comply with the city design and construction standards manual." The conceptual layout shows the separation between the two entrances as divided by a fence or chain. Staff is concerned that post and chain is not sufficient. Furthermore, installing a fence in this location presents concerns due to the floodplain because a fence can obstruct the flow of water, can trap debris, and can lead to increased damage of properties. A raised concrete or landscaped island is one option that could better delineate the entrances and potentially prevent issues related to developing in the floodplain.

Upon submission of an engineered comprehensive site plan and/or building permit application that results in a change of use, the property owner will be required to bring the entrances and parking lot into compliance with the ZO and DCSM. If necessary, the applicant is aware that they have the option of meeting minimum parking requirements by entering into a recorded shared parking agreement with an adjacent property owner per ZO Section 10-3-26(b).

Floodplain/Floodway

The building and entire property is located within the floodplain and a portion of the property is in the floodway. Several floodway and floodplain concerns have been identified on the property:

- According to the elevation certificate dated August 6, 2025, the top of the bottom floor is not fully elevated above the Base Flood Elevation (BFE), which may require floodproofing.
- There are fences on the property that were installed without a floodplain development permit. The existing fencing may need to be removed or replaced, and the applicant will have to obtain a flood development permit for the existing and any future fencing.
- In addition, any changes to the parking and entrance configurations, including landscaping barriers and other traffic control installations, must comply with floodplain regulations and may require floodplain development permits.

The applicant should be aware that floodplain development permits may require engineering analysis.

In general, staff does not endorse the idea of locating a childcare center on this parcel due to the flooding risks and knowledge that this area of North Liberty Street is prone to flooding. However, staff recognizes the great need for childcare in our community and further acknowledges that providing childcare in the City works toward the following Goal, Objective, and Strategy within the City's Comprehensive Plan:

Goal 7. To provide a wide, accessible, and equitably distributed range of educational opportunities for all.

Objective 7.1 To adopt a holistic approach to education that considers the academic, social, emotional, intellectual, and physical needs of individual children.

Strategy 7.1.2 To support quality and affordable public and privately-run child care and education for children under 5 years old.

The applicant has engaged in discussions with the City's Deputy Emergency Coordinator regarding flood alert systems and intends to implement safety procedures.

Transportation and Traffic

The Determination of Need for a Traffic Impact Analysis (TIA) form ("TIA determination form") for the proposed rezoning is attached. The TIA determination form indicated that the project would not generate 100 or more new peak hour trips, which is the threshold for staff to require a TIA. Therefore, a TIA was not required for the rezoning request.

Public Water and Sanitary Sewer

Staff has no concerns with the requested rezoning regarding water and sewer matters.

Conclusion

While staff does not endorse the idea of operating a childcare center within the floodplain and floodway due to the flooding risks, the proposed rezoning of the property from the M-1, General Industrial District, to the B-2, General Business District, aligns with the Comprehensive Plan's Land Use Guide. Staff recommends approval of the rezoning request to B-2C.

Options

1. Recommend approval of the rezoning request.
2. Recommend denial of the rezoning request.

Attachments

- Site maps
- Application and supporting documents
- Public comment