

NOTICE TO THE AUDIENCE: Please remember that if you are interested in matters on the agenda that will have subsequent meetings, it is your responsibility to note their dates, times, and places. No further letters or reminders will be sent. Of course, if you have any questions about any given matter, do not hesitate to contact the Planning Department in the City Hall Annex, 4403 Devils Glen Road, Bettendorf, Iowa 52722 or phone (563) 344-4100.

MINUTES
PLANNING AND ZONING COMMISSION
MAY 17, 2023
5:30 P.M.

The Planning and Zoning Commission meeting of May 17, 2023, was called to order by Stoltenberg at 5:30 p.m. in the City Hall Council Chambers, 1609 State Street.

1. Roll Call

MEMBERS PRESENT: Gibson, Kappeler, Ormsby, Satterfield, Stoltenberg, Wennlund

MEMBERS ABSENT: None

STAFF PRESENT: Greg Beck, City Planner; Taylor Beswick, City Planner; Mark Hunt, Community Development Director; Brent Morlok, City Engineer; Chris Curran, City Attorney; Lisa Fuhrman, Secretary; Jeremy Petersen, Chief Building Official

2. Approval of the minutes of the meeting of April 19, 2023.

On motion by Kappeler, seconded by Gibson, that the minutes of the meeting of April 19, 2023 be approved as submitted.

ALL AYES

Motion carried.

3. Review of Commission procedures.

4. Case 22-097 – Site Development Plan (UMI DCA District); 3150 Glenbrook Circle South, submitted by Nelson Construction and Development. (Staff: Hunt) (Deferred from meeting of April 19, 2023)

Hunt reviewed the staff report.

Gibson asked for clarification of whether or not the existing storm water detention area on Lot 2 is necessary and what would happen if future construction displaced it. Morlok explained that even if the Commission recommends approval of the major change to the current site development plan, the developer would not be allowed to simply fill in the existing detention area. He stated that the issue before the Commission is a procedural one to decide whether or not to allow the developer to submit a new site development plan. Morlok added that if the developer is allowed to bring forward a new site

concept it would need to be code-compliant as is the case with every site development plan. Curran commented that if the change to the existing site development plan is recommended for approval, it will allow for the developer to submit a full site development plan. He added that at such time as a new concept is submitted issues such as storm water detention and buffering would be addressed.

Ormsby asked why the developer has not submitted a revised concept plan yet. Curran explained that the timing of the new site development plan is up to the developer and that staff had not stipulated that it be submitted at this time. He added that he believes that the 2-step process that is underway is the best and most efficient way to move forward with the goal of reviewing a new concept plan. Gibson commented that recommending approval of the major change does not necessarily guarantee approval of a new site development plan. Curran confirmed this, adding that staff is recommending a condition that the property will revert to the original site development plan if a new one is not approved.

Kappeler asked for clarification of what staff considers to be a reasonable time to be allowed for the developer to submit a new site development plan if the Commission chooses to recommend approval of the major change. She commented that she would not be favor of allowing an extremely long time because the project has been under consideration for such a long time already. Curran stated that he believes that 6 months would be enough time for the developer to gain approval by City Council of a full site development plan. Brian Boelk, engineer representing the developer, stated that he believes that a 6-month time period would be appropriate.

On motion by Kappeler, second by Satterfield, that a major change to a site development plan in a UMI DCA District at 3150 Glenbrook Circle South be recommended for approval subject to staff recommendations and conditioned on approval by City Council of a new site development plan for Lot 2 and potentially Outlot F within 6 months of today's date and in the absence of such approval, the amended site development plan will revert to the previously-approved site development plan.

ALL AYES

Motion carried.

5. Case 23-038 – Final Plat; Wilderness Pointe Second Addition, submitted by Wilderness Pointe, LLC. (Staff: Beswick)

Beswick reviewed the staff report.

On motion by Kappeler, second by Stoltenberg, that the final plat of Wilderness Pointe Second Addition be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

6. Case 23-031 – Site Development Plan; Lot 7, Bettplex First Addition, submitted by Paul Bofelli/Build to Suit, Inc. (Staff: Beswick)

Beswick reviewed the staff report.

Kappeler asked for clarification of the method by which required park is calculated. Beswick explained that in this case, the required parking for the medical office buildings is based on the number of exam rooms, nursing stations, etc. and not on square footage. He added the floor plans were submitted with the application and were used to determine the required number of parking spaces which has been met.

On motion by Wennlund, second by Kappeler, that a site development plan for Lot 7, Bettplex First Addition be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

7. Case 23-028 – Final Plat; Hopewell Farm Second Addition, submitted by CT Creek. (Staff: Beck)
8. Case 23-029 – Site Development Plan; 5019 Hopewell Avenue, submitted by First Assembly of God/Hope Church. (Staff: Beck)

Beck reviewed the staff reports.

A brief discussion was held regarding the timing of the submittal of a site development plan for the townhomes proposed for the east side of the proposed subdivision.

Tim Cernin, 5213 Hopewell Court, requested that a 10-foot high berm be required along the eastern boundary of the proposed subdivision rather than trees that are proposed. Morlok stated that that type of issue would be addressed during the review of the site development plan, adding that the final plat only specifies the legal division of the lots.

Glenn Dugan, 5736 Butterfield Court, suggested that the best way to continue development north of Fieldstone Pointe is to develop the property with high-end single-family homes. He requested that Butterfield Court not be extended into the new subdivision.

Wendie Clifton, 5323 Hopewell Court, asked how the residents can become a part of the process of creating the site development plan for the townhomes. Stoltenberg stated that developers typically hold neighborhood meetings during which they take input from the residents. Hunt explained that while the code does not require developers to hold neighborhood meetings, the developer did hold one that he attended. He suggested that citizens could contact the developer directly to make suggestions. Gibson concurred, adding that residents should bring new ideas and suggestions without rehashing questions that have been asked and answered.

Tony Clifton, 5323 Hopewell Court, asked if the only thing on the west side of the subdivision would be the church and associated parking lot. Morlok confirmed this.

On motion by Kappeler, second by Gibson, that the final plat of Hopewell Farm Second Addition be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

On motion by Kappeler, second by Satterfield, that a site development plan for 5019 Hopewell Avenue be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

9. Case 23-036 – Site Development Plan; Lot 1, Creek Ridge Estates Third Addition, submitted by Silverthorne Homes. (Staff: Beck)

Beck reviewed the staff report.

Kappeler asked how allowable density could be calculated based on an unknown square footage given that the developer has decided to build 2-story units rather than 3 stories. Beck explained that the square footage refers to the footprint of the structure which will not change.

Wennlund asked why no parking is allowed on the private drive and why there is not a larger number of parking spaces in the center of it. Beck stated that each unit will have a single-car driveway and a garage which is adequate to meet the required number of parking spaces. Kappeler asked how many spaces are located in the center of the drive. Beck stated that there are 3-4 spaces there, adding that the dumpster is located there as well. Wennlund commented that it seems that the dumpster is located in an awkward spot and asked if the developer is precluded from adding parking inside the drive area. Hunt stated that the developer would be allowed to add parking spaces in the center island and reiterated that parking will not be allowed on the drive lane to allow maneuverability for emergency vehicles if needed.

Kappeler asked if the proposed housing is more in line with the existing condominiums or with the nearby apartment buildings. Beck commented that the proposed townhomes will be less dense than either of those nearby residential developments. Hunt commented that he believes the proposed development is compatible with the surrounding ones.

Ormsby asked if the developer has any comments regarding the addition of parking spaces in the center island. Boelk explained that there had been some confusion regarding staff's comments prior the meeting related to the restriction on parking in the drive lane. He added that he would not have any problem with adding more parking spaces nor does he believe the developer will, either. He stated that he will revise the site plan to more clearly delineate the overflow parking spaces and integrate the trash enclosure.

Brian Dugan, 4102 Creek Hill Drive, expressed concern about the allowable density and questioned if there is a limit on the number of people who can live in such a small area. He stated that traffic congestion is an important issue.

Audrey Dugan, 4102 Creek Hill Drive, expressed concern about the increased traffic congestion generated by new residents, the narrowness of the street, and the ability of emergency service vehicles to navigate through the area.

Mary Jo Retherford, 4012 Creek Hill Drive, expressed concern about safety, increased traffic, lack of available parking, and the fact that there is only one way in and one way out of the neighborhood.

Ron Leiby, 4024 Creek Hill Drive, expressed concern about the increased number of vehicles that will require parking on the new development site, the lack of navigability for school buses, emergency vehicles, and contractor vehicles given the narrowness of the street, increased traffic, density of the project, and the fact that there is only way one way in and one way out.

Frank Marrari, 4001 Creek Hill Drive, requested that the Commission members visit the site before making a recommendation and that they consider building more duplexes similar to his rather than 18 units that are proposed.

Joe Soliz, 4002 Creek Hill Drive, questioned whose interests would be served by approving the project. He expressed concern about the lack of available parking, increased traffic with only one outlet, and accessibility for emergency and commercial vehicles.

Christine Demuynck, 4018 Creek Hill Drive, expressed concern about the safety issues related to emergency vehicle access and the danger that the lack of visibility of vehicles parked along the north side of the curve of 39th Street causes.

Michael Galvin, 4032 Creek Hill Drive, expressed concern about the possibility of new residents using Creek Hill Drive to park rather than the on-site parking spaces.

Hunt stated that while the subdivision design is not ideal, there is little opportunity to make improvements that would address the concerns of the residents. He commented that the addition of more parking spaces in the center island should alleviate some of the concerns about parking. He added that staff will work with the engineer to revise the site development plan. Wennlund commented that while the proposed site development plan meets code requirements and there is no legal basis to say no, that does not mean that it is functional. He added that the more user-friendly the development is, the easier it will be for the developer to sell the units.

Morlok commented that in his opinion, there may be enough space for another 10-12 parking spaces in the center island. He stated that a request was received to prohibit parking on both sides of 39th Street that is in the process of being evaluated.

Stoltenberg asked how construction traffic will be required to be handled. Morlok stated that the street is 31 feet wide as are all new streets but that the difference is the high density of the neighborhood. He indicated that the developer will be required to maintain emergency access unimpeded by any

construction vehicles and that the posted no parking zones must be complied with. He added that the proposed revisions to the site development plan should improve public safety.

Gibson asked if there are any limitations on density for neighborhoods with only one access in and out. Morlok explained that while that amount of density with only one access would not be allowed today, the neighborhood is already platted. He added that there is no way to regulate the number of vehicles allowed per residential unit.

Robert Riedesel, 4185 Creek Hill Drive, stated that the corner at 39th Street and Creek Hill Drive is not wide enough for passing vehicles to navigate safely and expressed concern about the overgrowth of the trees on the north side of Creek Hill Drive that are very close to the right-of-way. Morlok explained that there are code requirements regarding how close overgrowth is allowed to be to the right-of-way, adding that the lot involved is city-owned and will be trimmed back.

On motion by Ormsby, second by Kappeler, that a site development plan for Lot 1, Creek Ridge Estates Third Addition be recommended for approval subject to staff recommendations and that it be revised to add as much additional parking as is feasible.

ALL AYES

Motion carried.

10. Case 23-030 – Site Development Plan; 3230 Ridge Pointe, submitted by Downing Construction, Inc. (Staff: Beck)

Beck reviewed the staff report.

Kappeler asked if the building addition will be located in the same area as the existing banking drive-up lanes. Morlok confirmed this.

Kappeler asked if there will be an outdoor seating area. Beck stated that that was the original plan but that the area will now be an open space, adding that the footprint has been reduced slightly.

A brief discussion was held regarding the potential for increased traffic and stacking issues related to the proposed use. Hunt stated that the number of parking spaces allotted for the new use is code-compliant. Morlok commented that the queue for on-site stacking is very long.

Martha Shafer, 3202 Belmont Place, stated that there is so much traffic at the coffee shop on Ridge Pointe that motorists cannot access the credit union on Saturdays. She expressed concern about the increased traffic, the possibility that adequate parking won't be available, lighting from the credit union that shines on her property, trash that is blown onto her lot, and the possibility that emergency vehicles will not be able to navigate in the area.

On motion by Kappeler, second by Satterfield, that a site development plan for 3230 Ridge Pointe be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

11. Case 23-012 – Site Development Plan; 2570 Middle Road, submitted by Switch Homes of Dubuque. (Staff: Beck) **Deferred to meeting of June 21, 2023)**
12. Commission Update.

Hunt stated that a joint work session for the Comprehensive Plan update involving the Board of Adjustment, Planning & Zoning Commission, and City Council will be held on July 17. He commented that Anne Gannaway has resigned from the Commission and expressed his appreciation for her service.

There being no further business, the meeting adjourned at approximately 7:45 p.m.