

The following are minutes of the Bettendorf Planning and Zoning Commission and are a synopsis of the discussion that took place at this meeting and as such may not include the entirety of each statement made. The minutes of each meeting do not become official until approved at the next meeting.

**MINUTES
PLANNING AND ZONING COMMISSION
MARCH 16, 2011
5:30 P.M.**

The Planning and Zoning Commission meeting of March 16, 2011, was called to order by Chairman Gallagher at 5:30 p.m. at the City Hall Council Chambers, 1609 State Street.

1. Roll Call

MEMBERS PRESENT: Gallagher, Kappeler, Laas, Rafferty, Stoltenberg, Wennlund

MEMBERS ABSENT: Bennett

STAFF PRESENT: Greg Beck, City Planner; Bill Connors, Community Development Director; Greg Jager, City Attorney; John Soenksen, City Planner; Steve Knorrek, Fire Captain; Lisa Fuhrman, Community Development Secretary; Denny Snyder, City Engineer

2. Approval of the minutes of the meeting of February 16, 2011.

On motion by Laas, seconded by Stoltenberg, that the minutes of the meeting of February 16, 2011 be approved as submitted.

ALL AYES

Motion carried.

3. Review of Commission procedures.

4. Election of Officers.

On motion by Kappeler, seconded by Wennlund, that Gallagher remain in the office of Chairman.

ALL AYES

Motion carried.

On motion by Kappeler, seconded by Rafferty, that Wennlund be nominated for the office of Chairman Pro Tem per the Commission's policy to rotate the position annually by seniority.

ALL AYES

Motion carried.

Preliminary Plat

5. Case 11-011; Schutter Farm Addition, submitted by Joy Development Properties, L.L.C.

Beck reviewed the staff report.

Gallagher asked who would be responsible for outlot maintenance. Beck explained that it would be the responsibility of the corresponding lot owners as indicated on the plat.

Laas asked if the subdivision would be served by a well and septic systems. Beck stated that water would be provided by Iowa American Water Company and that each lot would have a septic system.

Kappeler asked if the development would be completed in more than one stage. Beck stated that it is unlikely, adding that the applicant intends to include the entire area in the final plat.

Wennlund asked if the streets in the subdivision would be concrete. Beck confirmed this.

Rafferty asked for clarification of the purpose of what appear to be dead ends on the plat. Beck explained that the stubs are for use as emergency vehicle turnarounds.

Gallagher asked if the street would be constructed to County specs. Beck stated that Bettendorf city specifications would be followed.

Laas asked if the subdivision would be served by the Pleasant Valley Fire Department. Beck stated that the subdivision is located in the Bettendorf fire district.

Rafferty asked if Lot 1 is configured for the existing house. Beck stated that it is not. Rafferty asked if Lot 1 is considered buildable if setback requirements are taken into consideration. Beck stated that the developer has indicated that this is the case. Mike Petersen, the applicant, explained that he has requested a 10-foot setback variance from the County for Lot 1. He added that staff at the County has expressed no objections to the request.

Jager asked if the planned 25-foot wide street is adequate for fire access. Knorrek explained that the gravel shoulders are of sufficient depth to support fire apparatus if their use is required in addition to the paved street.

Jager asked if there would be on-street parking restrictions. Knorrek stated that he would prefer that parking be restricted to one side of the street.

Gallagher asked what the minimum street width is in Bettendorf. Jager explained that new streets are required to be 31 feet wide, adding that narrower reconstructed streets are allowed to be 27 feet wide.

Kappeler asked who would be responsible for street maintenance. Jager stated that as long as the subdivision is outside city limits, the county would be responsible. Petersen explained that the street would be privately owned and maintained as the county does not wish to take it over.

Rafferty commented that the staff recommendations indicate that no on-street parking should be allowed. Petersen stated that he is amenable to restricting on-street parking as the lots are large enough and will have long enough driveways that it won't be necessary.

Petersen indicated that at some point in the future access from Lot 9 to Valley Drive would likely be required and requested that the Commission approve such access. Wennlund commented that one of the conditions listed in the staff report prohibits access from Lot 9 to Valley Drive.

Gallagher asked if staff would be opposed to granting the applicant access to Valley Drive from Lot 9. Beck explained that it would be dependent upon line of sight issues, adding that the county may have considerations as well. Snyder stated that he has never considered the ramifications of a street entrance on Valley Drive, adding that he does not see any particular problem with it.

Gallagher asked if staff had discussed the issue with county staff. Beck stated that he had not, adding that the plat also must be approved by the Scott County Planning and Zoning Commission.

Gallagher questioned whether or not the condition restricting access from Valley Drive to Lot 9 is necessary, especially light of the fact that staff is not necessarily opposed to granting it. He indicated that there might be a future problem if the City Council approves the resolution which includes the condition as Scott County may hold the applicant to it. Petersen stated that county staff had verbally expressed no objections to another access from Valley Drive, but is in opposition to having a number of driveways along Valley Drive. He added that there are no current plans for development of Lot 9.

Connors stated that staff would have no objections to eliminating the restriction on access to Valley Drive from Lot 9 and leaving the decision to the County at some future point.

On motion by Rafferty, seconded by Wennlund, that the preliminary plat of Schutter Farm Addition be approved subject to staff recommendations and the elimination of Condition #2 restricting access to Valley Drive from Lot 9.

ALL AYES

Motion carried.

Final Plat/Site Development Plan

6. Case 11-012; Marolf's Second Addition, submitted by Crapnell Land Surveying Company.
9. Case 11-014; 3017 State Street, submitted by Vizient II, LLC.

Beck reviewed the staff reports.

Kappeler asked if any parking spaces would be lost as a result of the parking lot addition because of the proposed configuration. Beck explained that there would be a net gain of available parking spaces.

Wennlund asked if the parking lot is being installed as a result of the proposed building addition which will eliminate several spaces. Beck confirmed this.

Wennlund asked for clarification of the purpose for replatting the property. Beck explained that the owner of the property, Foster Family Music, wishes to maintain that ownership. He added that in order to delineate the new boundaries according to ownership, the replat is necessary. Beck stated that the proposed parking lot will encroach onto the lot where the music store is located. Connors explained that the applicant plans to purchase a portion of the property owned by Foster Family Music.

Rafferty asked if storm water detention would be required or if existing detention would be used. Beck stated that there is a new detention pond to be located at the southwest corner of the property. Rafferty asked where the detention area serving Foster Family Music is located. Beck stated there is no detention pond as storm water detention measures were not required as the building was constructed prior to implementation of the ordinance. Wennlund commented that it appears as though there is a detention area shown along the rear of the property owned by Foster Family Music. Beck explained that he does not believe that it extends to the property line as shown.

On motion by Kappeler, seconded by Stoltenberg, that the final plat of Marolf's Second Addition be approved subject to staff recommendations.

ALL AYES

Motion carried.

On motion by Stoltenberg, seconded by Rafferty, that the site development plan for 3017 State Street be approved subject to staff recommendations.

ALL AYES

Motion carried.

Site Development Plan

7. Case 10-066; Lot 2, LeClaire Manufacturing 1st Addition, submitted by Rob and Ralph Zimmerman. (Withdrawn)
8. Case 11-013; Lot 4, Shoppes at Duck Creek First Addition, submitted by McDonald Properties East, LLC.

Beck reviewed the staff report.

Rafferty expressed concern about the configuration of the parking area as it relates to the adjacent lot where a restaurant will be located in the future and the existing access from Lincoln Road. Beck explained that there would be cross access easements between the lots, adding that the existing access to Lincoln Road would be closed.

Kappeler asked if the only means of access to the school parking lot would be from the north. Beck confirmed this, adding that access could be gained indirectly from the adjacent lot.

Laas asked how staff had determined the number of required spaces for the college and whether it is a private institution. Beck explained that the college is private, adding that the required number of parking spaces is calculated by using the formula indicated in the ordinance. He stated that one space is required per every two students and faculty members. Beck indicated that the number of proposed spaces exceeds the required number, reiterating that the proposed restaurant will share parking spaces in the future.

Wennlund asked what would happen if a different use located on the site. Beck explained that a future owner must provide the required number of spaces as determined by the ordinance.

Wennlund stated that from a practical standpoint, it is likely that each student will have a vehicle. Beck commented that staff cannot compel an applicant to provide more than the required number of parking spaces according to the ordinance. He added that it is desirable to have as little impervious surface as possible.

Gallagher asked how many total spaces are provided on site. Beck stated that there are approximately 65 spaces. Connors stated that Brown Mackie College has not experienced any parking issues. Laas commented that the parking lot there is much larger.

Laas expressed concern that configuration of the parking area will create traffic flow and congestion issues as have been experienced at Duck Creek Plaza.

Kappeler asked if the proposed future restaurant adjacent to the lot in question will have designated parking. Beck stated that he is unsure of the exact configuration, but reiterated that there will be cross access easements for parking. Kappeler commented that the proposed restaurant is indicated in a different location than the previous applicant. Beck stated that depending upon the final configuration of the lot for the restaurant, a new site plan may be required.

Kevin Koellner, representing the applicant, stated that the owner of the proposed restaurant had requested that the site development plan for that lot not be submitted at this time. He indicated that there will be approximately 160 total new spaces created for the college and the restaurant. He added that cross access easements will be in place for the entire development and that there is a lot south of the Burlington Coat Factory that is not currently being utilized. Koellner stated that he believes that the Commission will approve of the new configuration when the details of the restaurant and parking area are available as they relate to the college. He indicated that the college and restaurant will have some hours of operation that do not coincide.

Wennlund asked if there would be parking where the driveway from Lincoln Road is located after the roundabout is modified. Koellner confirmed this.

Wennlund asked if the remainder of the buildings indicated on the site development plan is accurate. Beck stated that he is unsure whether or not the building indicated to the south of Burlington Coat Factory still exists. Connors stated that the building is no longer in existence. Beck explained that one of the buildings indicated on the northwest edge of the development has been built, but that the second building shown has not.

Wennlund asked if all of the parking areas shown on the site development plan are built as shown. Beck confirmed this.

Wennlund asked for clarification regarding the hours of operation for the school. Koellner stated that he believes that the college will be open from approximately 11:00 a.m. to 10:00 p.m.

Wennlund asked if the restaurant would be predominantly a sit-down or drive-up type restaurant. Koellner explained that it would primarily be a sit-down restaurant but may have a window for carry-out.

Kappeler commented that it is likely that many of the hours of operation for the college and restaurant will overlap. Beck explained that the number of required spaces for the restaurant will be determined by taking into account the square footage of the building and the occupancy rating.

Laas asked if both buildings indicated on the site plan will be constructed at the same time. Beck explained that the larger building would be built immediately with the second being constructed in the future. Laas commented that the expansion would increase the need for parking spaces. Connors stated that developments such as this are required to have cross access parking agreements. He indicated that while the available parking spaces at Duck Creek Plaza may not be considered by customers to

be convenient, the number is more than sufficient. Wennlund concurred, adding that the parking area to the south of the Burlington Coat Factory is largely unused.

Rafferty stated that he is not concerned about the number of parking spaces available, but stated that access and flow through the parking lot is an issue. He indicated that he would be more comfortable supporting the request if the restaurant site plan had been made available. Connors stated that he has met with the owner of the proposed restaurant and has reviewed the preliminary concept plan. He indicated that there will be sufficient access and maneuverability available for the site. Connors stated that in practice the access from Middle Road to Lincoln Road is used as a shortcut. He added that removing the southern spoke of the roundabout will like increase traffic safety.

On motion by Stoltenberg, seconded by Wennlund, that the site development plan for Lot 4, Shoppes at Duck Creek First Addition be approved subject to staff recommendations.

Kappeler commented that she does not feel as though all of the pertinent information relative to parking is available. She added that she is confident that once the restaurant site development plan has been submitted she will be more comfortable. She reiterated that there are plenty of parking spaces available but that the configuration is the relevant issue. Gallagher concurred, adding that during the site plan review for the restaurant the Commission will have the opportunity to address their concerns about traffic flow. He indicated that the restaurant owner will likely be concerned about access to the site.

Koellner reiterated that he had not felt comfortable showing the site development plan for the restaurant against the owner's wishes. He indicated that parties from both the college and restaurant have reviewed the overall concept for the site and have approved of it.

Laas commented that while the parking configuration for Duck Creek Plaza appeared feasible on paper, in practice the traffic flow and congestion are a problem. Kappeler concurred.

ROLL CALL ON MOTION

ALL AYES

Motion carried.

Other

10. Commission Update.

Connors stated that at the March Council meetings the following had occurred:

March 1

2540 State Street, C-3 to C-4, first reading of ordinance (second and third readings waived)

JJZ Addition, preliminary plat approval

3129 State Street, site development plan approval

March 15

Section 18.30, Obstructions in required yards, third and final reading of ordinance

Connors commented that article in the newspaper indicating that staff had recommended approval of the rezoning at 2540 State Street was in error.

There being no further business, the meeting adjourned at approximately 6:20 p.m.

These minutes approved _____

Gregory W. Beck, City Planner