

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
NOVEMBER 19, 2014
5:30 P.M.**

The Planning and Zoning Commission meeting of November 19, 2014, was called to order by Wennlund at 5:30 p.m. in the City Hall Council Chambers, 1609 State Street.

1. Roll Call

MEMBERS PRESENT: Bennett, Bert, Rafferty, Stoltenberg, Wennlund

MEMBERS ABSENT: Kappeler, Peters

STAFF PRESENT: Greg Beck, City Planner; Bill Connors, Community Development Director; Lisa Fuhrman, Secretary; Kristine Stone, City Attorney; Brian Fries, Assistant City Engineer; Steve Knorrek, Fire Marshal

2. Approval of the minutes of the meeting of October 15, 2014.

On motion by Bennett, seconded by Stoltenberg, that the minutes of the meeting of October 15, 2014 be approved as submitted.

ALL AYES

Motion carried.

3. Review of Commission procedures.

Rezoning

4. Case 14-083; 2123 - 53rd Avenue, A-1 to C-5, submitted by KGRD Green Bay, LLC.

Beck reviewed the staff report.

Rafferty asked why the applicant has requested a C-5 zoning classification rather than C-2 which the majority of the nearby properties are zoned. Connors stated that the proposed zoning classification is the least intense district that would still meet the applicant's needs. He added that staff feels that if the proposed credit union building is not built for some reason, a less intense zoning classification would be beneficial.

On motion by Rafferty, seconded by Bert, that the rezoning of 2123 - 53rd Avenue, A-1 to C-5, be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

Final Plat/Site Development Plan

5. Case 14-089; Interstate 74 Technology Park Third Addition, submitted by Plantation Development, LTD.
8. Case 14-090; Lot 2, Proposed Interstate 74 Technology Park Third Addition, submitted by Plantation Development, LTD.

Beck reviewed the staff reports.

On motion by Bennett, seconded by Stoltenberg, that the final plat of Interstate 74 Technology Park Third Addition be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

On motion by Bennett, seconded by Stoltenberg, that a site development plan for Lot 2 of the proposed Interstate 74 Technology Park Third Addition be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

Site Development Plan

6. Case 14-087; 931 State Street, submitted by Dev Bastola.

Beck reviewed the staff report.

Connors added that the Board of Adjustment granted a variance to reduce the required front yard setback because the Iowa Department of Transportation is in the process of acquiring 5 feet of additional right-of-way from the property to facilitate the realignment of the street in connection with the I-74 bridge construction.

Rafferty asked if the proposed structure is located far enough away from the overhead electrical lines that are located at the rear of the lot to meet code requirements. Beck explained that there is at least a 10-foot distance between the building and the power lines. He added that in some locations the distance is substantially greater. Beck stated that staff will ensure that the required separation is maintained.

Stoltenberg asked if the number of parking spaces provided is adequate to meet ordinance requirements given that the tenant who will occupy the open space is unknown. Connors stated that he included the space adjacent to each pump toward the required number.

Bennett stated that the traffic pattern seems to be very congested and questioned whether the turning radius is too sharp. She asked if the traffic pattern has been evaluated yet. Beck explained that the radius had been reviewed by the Fire Department who had indicated that there is enough maneuverability for almost any vehicle.

Bert expressed concern about the traffic flow and stated that the access points to the site appear to be very narrow. He asked if the entrances could be designated as a dedicated entrance and exit. Beck stated that the driveways are both 25 feet wide and should be wide enough for maneuverability but that the Commission could stipulate a different traffic pattern. He added that if it becomes necessary arrows could be painted on the pavement to indicate traffic lanes. Bert commented that depending upon how many customers are on site, there could be an increased possibility of traffic accidents. Connors stated that staff could monitor how many accidents occur and have a discussion with the owner about the issue.

Wennlund asked if there is an adequate amount of space for motorists to maneuver between the pump islands and the parking spaces in front of the store. He commented that the designated parking spaces do not seem to be very deep given the increasing number of driver who own SUVs. Bennett asked where motorists who have to wait to use the gas pumps would be staged. Beck commented that there is a 25-foot space between the parking spaces and the pump islands which is typical of the configuration of other convenience stores/gas stations in the city. Rafferty commented that almost every driver would have to pull up past the pump island because the gas tank is at the rear of the car and that this would force a driver to encroach into the travel lane. Wennlund concurred.

Stoltenberg commented that the layout is very similar to the one at the BP station at 53rd Avenue and 18th Street which is very difficult to navigate and leaves very little room to maneuver. Rafferty asked if there is any way to determine if the site plan as submitted would provide adequate room to maneuver and enough stacking space in practice. He suggested that perhaps the number of pumps could be reduced or they could be rotated to facilitate a better traffic flow. Stoltenberg added that other options would be to build a narrower building and/or eliminate the open space. Rafferty stated that the Commission has the responsibility to ensure that the site development plan is workable. Bennett commented that none of the drivers of the north-facing cars in the gas pump area would be able to back out because of the proposed configuration. Rafferty suggested deferring the case until such time as staff can provide relative comparisons of lot size and configuration to other convenience stores with gas pumps in Bettendorf.

Wennlund asked for clarification of where the dumpster would be located as there appear to be differing versions of the site plan. He expressed opposition to the dumpster's being located at the northwest corner of the lot. Beck explained that it is his impression that the applicant had agreed to locate the dumpster on the southeast

corner of the lot near the edge of the building. Wennlund commented that locating the dumpster so near State Street would not be a very welcoming sight for motorists entering the city. He added that he is in favor of the applicant's demolishing the old building and thus removing an eyesore.

Italo Milani, the applicant's architect, explained that the layout and dimensions of the site are in accordance with the recommendations of the installers of the tanks, pumps, and canopy. He indicated that the site is very narrow but that the 25-foot space between the pumps is adequate for one-way traffic and maneuverability even if motorists pull past the pumps. Milani stated that he believes that the large billboard on the western property line is more of an eyesore than a dumpster located at the northwest corner of the site would be. He indicated that the billboard blocks most of the view of the proposed convenience store until a driver is almost to the site. He explained that he is working with an engineer to determine what steps are necessary for the applicant to build in the flood plain. Milani stated that the applicant plans to install new trees but that their locations would not be definite until the final site plan is complete. He explained that the applicant would like to locate the dumpster near the street so that the driver of the waste hauler truck does not block traffic and can easily access it. He stated that the power lines to the rear of the property are standard residential size that can be found in any neighborhood and that the required separation would be observed.

Wennlund stated that while he understands the practicality of placing the dumpster near the street, he would prefer the applicant to locate it at the rear of the lot. He asked if there is a way that it could be located nearer the rear of the property. Milani explained that the dumpster would be screened with an opaque fence which would make it fairly unobtrusive. He stated that it could be placed further from the street but reiterated that it would be more practical to locate it near the front of the lot. Wennlund commented that it is not uncommon for dumpster enclosures to fall into disrepair allowing debris and refuse to escape. Milani stated that the developer has another store in Davenport which is a very attractive building, adding that it is kept very clean. Wennlund commented that he does not believe that the dumpster for that store is located at the front of the lot.

Valerie Search, 943 State Street, questioned whether there would be enough available parking for the employees as well as the customers. She expressed concern that the dumpster may be located adjacent to her property and asked what, if anything, is allowed in the 10-foot setback indicated on the site plan. She added that depending on what is allowed in the 10-foot setback, it could affect the only access to her parking lot via the driveway along the property line. Wennlund explained that no development would occur beyond the property line, adding that if access is currently adequate, the proposed development should not change that. Search stated that if employees are allowed to park on that line, there is a very real possibility that their vehicles will encroach onto her driveway without their even realizing it. Connors explained that the parking spaces shown include those required for employees and customers. He added that the number of parking spaces provided is in accordance with the ordinance.

Search asked if anything permanent such as the dumpster would be allowed to be placed within the 10-foot setback. Connors stated that technically nothing permanent

would be allowed there, including the dumpster. He added that landscaping would be allowed to be installed in that required setback.

Wennlund asked what type of use would be allowed in the open retail space. Connors explained that the property is zoned C-3 which allows a variety of uses. He indicated that practically speaking the developer would be limited because of the small size of the unit. Milani explained that the larger space will be a convenience store which will sell food items and possibly beer and wine. He indicated that while the developer is unsure as to exactly what business will be located there, it could be a small laundromat or a small fast food restaurant. He explained that there is no access to 943 State Street from the front to the rear of the property because of the concrete curbing along the property line. He added that a sea wall will be built at the rear of the property to contain the expansion and the fill that will allow the construction in the flood plain.

Search stated that the concrete curb along the property line is not sufficient to prevent vehicles from blocking her driveway. She indicated that there is a 40-50 foot length of the driveway that can be blocked by vehicles overhanging the curb and encroaching on to her property. Connors suggested that Search call him if she has a problem exiting her property because it is blocked. Search stated that by the time her employee discovers that she cannot leave work on time, it would be too late. Milani stated that the owner could install a fence north from the sea wall to the property line which would eliminate that problem.

Stoltenberg asked if there would be any restrictions placed on the type of business that could be located in the vacant space based on the fact that there are so few parking spaces available. He added that a high-traffic business could be disastrous. Connors stated that it is his hope that the owner would be cognizant of the number of spaces that are available and would choose a business for which a large number of spaces are required. Wennlund commented that if the owner chooses to lease the space for a Subway restaurant, for example, it could be very problematic because of the high volume of traffic involved, especially during the lunch time hours.

An unidentified property owner asked if a fence could be placed on the west side of the property to prevent customers from parking in the lot at 917 State Street and walking to the convenience store. Connors stated that the architect had indicated that this would be possible.

Rafferty suggested that the case be deferred until such time as it could be determined if the proposed development is appropriately sized for the lot in question. Wennlund concurred, adding that he would like the dumpster to be moved to a location away from the front of the property. He asked if staff believes that the number of parking spaces indicated on the site plan is code-compliant based on the square footage of the building and if it is standard practice to count the spaces at the pumps toward that required number. Connors confirmed this, adding that it is difficult to determine the required number of spaces in a multi-tenant building when one of the tenants is unknown. He explained that typically staff determines the required number of parking spaces for the entire retail space by assuming that the unknown tenant will be neither a high- nor low-intensity user. He added that he does not believe that it would be fair to

require that the developer provide the number of spaces that would be required for a high-intensity use.

Bert asked if staff applies the same standards during site plan review as the applicant indicated he had used with regard to space required for maneuverability around the site. Connors explained that the proposed site plan seems similar with regard to aisle spacing as the convenience store/gas station at Devils Glen Road and State Street which was recently reconstructed. He indicated that he would review that site plan to determine if that is the case. Wennlund commented that he does not believe that there is as much parking at the front of that building and that there is more space between the pumps and the building. He stated that he believes that the proposed layout is more similar to the development at Middle Road and Devils Glen Road. Rafferty commented that the proposed layout seems even more difficult with regard to maneuverability than the store at Middle Road and Devils Glen Roads which is very problematic. He stated that the current site plan does not appear to have sufficient space for motorists to exit the pump area without interfering with the other traffic on the site. He reiterated that he would like to see some sort of study or justification that indicates that the proposed traffic flow and site design are feasible. Stoltenberg suggested that staff overlay the site plans of other convenience store/gas station developments on this site to determine whether or not the current plan is workable. Connors stated that he would research the issue.

Bennett commented that it is very difficult to maneuver a vehicle at the Shell station on Devils Glen Road, adding that there is not sufficient stacking space available there. Rafferty concurred, adding that the volume of traffic on State Street is even greater than on State Street.

On motion by Rafferty, seconded by Stoltenberg, that a site development plan for 931 State Street be deferred until such time as the site layout as it relates to traffic flow, turning radii between the parking spaces and pump lanes, dumpster location, and congestion is determined to be acceptable to the Commission.

ALL AYES

Motion carried.

7. Case 14-088; 2395 Spruce Hills Drive, submitted by Teske Pet & Garden Center.

Beck reviewed the staff report.

Rafferty asked if storm water detention requirements have been met. Beck explained that most of the site is already impervious area, adding that because the new structure is less than 5,000 square feet in size the storm water detention ordinance requirements do not apply.

On motion by Rafferty, seconded by Bennett, that the site development plan for 2395 Spruce Hills Drive be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

Other

6. Commission update.

Connors stated that the preliminary plat of Everest Summit and the site development plan for Kwik Star at 2241 and 2283 - 53rd Avenue would not be presented to City Council until a later date. He explained that the developer of Everest Summit plans to hold further discussions with the owner of the property to the east of the proposed subdivision in the hopes that further accommodations can be made.

Connors added that a traffic study has been completed for the 53rd Avenue corridor near 18th Street and that it was determined that a traffic signal light is warranted on 53rd Avenue at Falcon Drive.

There being no further business, the meeting adjourned at approximately 6:15 p.m.

These minutes approved

Gregory W. Beck, City Planner