

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
DECEMBER 17, 2014
5:30 P.M.**

The Planning and Zoning Commission meeting of December 17, 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, Kappeler, Peters, Rafferty, Stoltenberg, Wennlund

MEMBERS ABSENT: Bert

STAFF PRESENT: Greg Beck, City Planner; Bill Connors, Community Development Director; John Soenksen, City Planner; 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 November 19, 2014.

On motion by Rafferty, seconded by Kappeler, that the minutes of the meeting of November 19, 2014 be approved as submitted.

ALL AYES

Motion carried.

3. Review of Commission procedures.

Preliminary Plat

4. Case 14-093; Everest Summit, submitted by Rad Pandit.

Beck reviewed the staff report.

Kappeler asked if there would be an easement on the plat that would permit access to the southernmost snow storage area without using residential property. Beck explained that there is a very narrow space between the driveways that could be used for access. He indicated that the space is 10 feet or less in width. She stated that while the idea of designating a specific area to be used for snow storage is a good one because of the large number of driveways and paved areas, the proposed location and design are not practicable.

Connors stated that while the space from the edges of the driveways is only 10 feet, there is a significantly greater distance between structures. He stated that the design of the driveways will allow the snow removal vehicles to push snow over them to the snow storage area.

Wennlund asked if there would be a suppressed curb to make it easier for vehicles to drive over them to deposit the snow. Connors confirmed this.

Wennlund asked if the snow storage area would be paved as it would be difficult to drive over grass to deposit snow. Connors explained that the pavement of the snow storage area is a decision the developer must make.

Rafferty commented that it appears as though there is a snow storage area between each building. Wennlund asked how the city would ensure that the fire truck apparatus turnaround areas that are located between the buildings are kept free of snow. Connors explained that the snow could be pushed through the turnarounds to the designated snow storage areas, adding that there is a significant amount of greenspace where snow can be deposited and stored.

Kappeler commented that the drivers of snow removal vehicles would likely be forced to drive over the property of a resident who lives immediately adjacent to a snow storage area. Beck stated that the snow will be potentially be loaded onto a vehicle and hauled to the snow storage areas. Kappeler stated that if she were in the market for one of these units she would want to be made aware that snow removal vehicle drivers would likely be using her private property for their operations. She asked if a note could be added to the plat informing potential homebuyers of the possibility that their private property would be used for access to the snow storage areas. Beck confirmed this. Peters asked if snow removal would be part of the homeowner's association cost. Beck confirmed this.

Peters asked if the street would be public or private. Connors stated that Pandit Drive will be a public street. Peters asked if the snow that will be removed by a private contractor is only that which falls onto the driveways. Connors explained that staff is concerned that once the city plows the street the individual homeowners will then use their snow blowers and deposit it into the street.

Wennlund asked who would deposit the snow into the snow storage areas and what method would be used. Greg Jager, attorney representing the applicant, explained that the City Council had expressed concerns about the proposed snow storage method and had requested that the applicant approach the owner of the property to the east to determine if he could acquire some additional land where snow could be deposited. He indicated that the applicant and the owner of that property had not been able to come to an agreement. He stated that while the property is challenging, it is suitable for development. Jager explained that a homeowner's association will be established and that restrictive covenants would require that snow removal operations be undertaken by a private contractor. He indicated that once the city has plowed the public street, contractors would then remove the snow from the private driveways, load it into their vehicles, and transport it to the designated snow storage areas. He stated that while the applicant is willing to install concrete pads in the snow storage areas, he would prefer to

wait until such time as the most practical solution can be determined. He commented that it is possible that installing a concrete pad may negatively impact the adjacent homeowners but if the snow storage area becomes rutted, it may be the only option. Wennlund suggested that enough space needs to be paved to allow a snow removal vehicle to push the snow back into the snow storage areas.

*Bennett arrived.

Wennlund asked if there would be street parking. Beck explained that a decision regarding street parking would be the City Council's but that it is likely that parking would be restricted to the east side of the street because of the large number of curb cuts on the west side. Connors stated that typically a street with a 31-foot wide right-of-way allows for parking on both sides of the street, adding that given the configuration of the subdivision it is impractical to have street parking on the west side.

Wennlund commented that there is a note on the plat indicating that on-street parking would be regulated by city ordinance. He asked if that ordinance would be determined as a part of the preliminary plat approval process. Connors explained that this residential subdivision is unique in that approval of a site development plan as well as a final plat will be required. He added that he and the city attorney plan to address some of these issues via a development agreement to be approved concurrently with the final plat.

Rad Pandit, the applicant, explained that there is additional space for snow storage between each building and between the individual driveways of each building. He added that if there is an especially big storm, snow could be deposited on the west side of the development where there will be a curb cut intended for future connection to the adjacent property. Pandit stated that on the east side of the property there is a 25-foot wide greenspace where snow could be deposited as well.

On motion by Kappeler, seconded by Rafferty, that the preliminary plat of Everest Summit First Addition be recommended for approval subject to staff recommendations and the incorporation of a development agreement as described by staff.

ALL AYES

Motion carried.

Final Plat

5. Case 14-094; Advantage 242, submitted by Jeremy and Rachel Bowling.

Beck reviewed the staff report.

Wennlund asked for clarification of what type of structure would be built on the new lot. Beck explained that it would be a single-family home.

On motion by Bennett, seconded by Kappeler, that the final plat of Advantage 242 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. (Deferred from meeting of November 19, 2014)

Beck reviewed the staff report.

Wennlund commented that the revised site plan is very much an improvement over the original layout.

Wennlund asked if the billboard is located on the applicant's lot or the one adjacent. Beck stated that the sign is located on the adjacent lot to the west.

Kappeler asked for clarification of the applicant's plans for signage as the billboard partially obstructs vision along State Street. Connors explained that there would be a pole sign located in the northwest corner of the property directly adjacent to the billboard.

Wennlund asked if the loop indicated on the original plat at the southern edge of the lot is some type of easement. Beck explained that the portion of the property in question was originally intended for use as some type of driveway easement but that it has since been vacated. He indicated that this type of easement is not uncommon in the city.

Wennlund asked where the storm water runoff from the newly-created buildable area would drain. Beck explained that most of the site is already an impervious surface. He stated that from the front of the building to the north the runoff would drain to the street and that the runoff from the new building would drain to the river.

On motion by Stoltenberg, seconded by Peters, that a site development plan for 931 State Street be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

7. Case 14-087; 2211 Kimberly Road, submitted by Hong Le.

Beck reviewed the staff report.

Rafferty asked for clarification of what portion of the lot would be raised out of the designated flood plain for construction of the building. Beck explained that the property from Kimberly Road to the rear of the building would be raised so that construction can take place. He added that the parking lot and house will still be in the flood plain after the project is complete. He stated that the new building and the existing house are under the same ownership. Kappeler asked if they are located on two separate lots. Beck confirmed this.

Rafferty asked what impact elevating the new building out of the flood plain would have on the existing house. Beck explained that the runoff from the new construction would be directed to the east, adding that the engineer must certify that the runoff will not be directed toward the house.

Rafferty asked if the proposed storm water detention plan would exacerbate the severity of damage done to the house if flooding occurs. Connors explained that the flood water that affects this property comes from Duck Creek, adding that the building will be constructed using partial foundation walls. He indicated that the finished floor will be elevated but that flood water will be able to flow underneath the structure if necessary. Connors stated that given the minimal amount of fill that will be used there will be no impact on the house if any flooding occurs. Rafferty stated that his concern is that the house will be left as the only low spot where flood water would naturally go.

Wennlund stated that it appears as though the detention pond is only 10 feet deep and asked if it would be adequate to contain the runoff from the new construction. Connors stated that the pond in question is merely a reflecting pond. Wennlund indicated that his understanding had been that it would be used as a storm water detention measure. Connors confirmed this, adding that the pond is actually located in the 100 year flood plain and so technically cannot be considered a detention area.

Wennlund asked if there would be garages on the lower level. Connors explained that Code would allow storage underneath the building, adding that flow through provisions will be required per FEMA regulations.

Peters commented that it appears as though there are decks on the rear of the building. Connors stated that the structures in question are balconies.

Wennlund asked if the building would house a single user. Connors explained that there would be a nail salon and the office of a sewer cleaning business in two of the units but that a third tenant has not yet been named. Wennlund commented that there appears to be sufficient parking space available.

On motion by Kappeler, seconded by Bennett, that the site development plan for 2211 Kimberly Road be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

Other

6. Commission update.

Connors stated that subsequent to the last Commission meeting the following were approved:

Interstate 74 Technology Park Third Addition, final plat
Lot 1, Interstate Technology Park Third Addition, site development plan
2395 Spruce Hills Drive, site development plan
2123 - 53rd Avenue, A-2 to C-5, public hearing and first reading of rezoning ordinance

Connors commented that the site development plan for 2241 and 2283 - 53rd Avenue would be submitted to City Council along with the request for a traffic signal light at 53rd Avenue and Falcon Drive at the first meeting in January.

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

These minutes approved _____

Gregory W. Beck, City Planner