

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
JUNE 15, 2016
5:30 P.M.

The Planning and Zoning Commission meeting of June 15, 2016, 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, Kappeler, Peters, Stoltenberg, Wennlund

MEMBERS ABSENT: Rafferty

STAFF PRESENT: Greg Beck, City Planner; John Soenksen, City Planner; Bill Connors, Community Development Director; Lisa Fuhrman, Secretary; Kristine Stone, City Attorney; Steve Knorre, Fire Marshal; Brent Morlok, City Engineer

2. Approval of the minutes of the meeting of May 18, 2016.

On motion by Bennett, seconded by Kappeler, that the minutes of the meeting of May 18, 2016 be approved as submitted.

ALL AYES

Motion carried.

3. Review of Commission procedures.

Rezoning/Final Plat/Development Plan

4. Case 16-042; Lots 2 – 25, Preliminary plat of Haley Heights Additions – Phase II (Proposed Lots 1 – 21, Haley Heights Fourth Addition), R-3, Single- and Two-family Residence District to PR-3 Overlay District, submitted by Middle Road Developers, LC. (Rezoning)
5. Case 16-043; Haley Heights Fourth Addition, submitted by Middle Road Developers, LC. (Final Plat)

6. Case 16-046; Proposed Haley Heights Fourth Addition, submitted by Middle Road Developers, LC. (Development Plan)

Beck reviewed the staff reports. He stated that staff has determined a connection to Middle Road is not necessary and Condition #5 should be deleted.

Wennlund commented that there appears as though the proposed structure on Lot 14 encroaches into the required setback. Beck stated that the footprint indicated on the plan would have to be revised.

Wennlund asked for clarification regarding the deletion of Condition #5. Connors explained that when making their decision to allow the cul-de-sac, staff considered the fact that there are wetlands issues in the area, that the property on which the cul-de-sac will be located is zoned C-2 and should be isolated from the residential portion of the subdivision, and that it was redesigned with a teardrop shape that will accommodate the city's larger snow removal equipment.

Wennlund asked if Outlot A in Haley Heights Third Addition is meant to serve as a detention area which can't be developed. Connors confirmed this. Wennlund commented that the detention area would serve as a natural buffer from the commercial area.

Wennlund asked if the appropriate verbiage is noted on the plat with regard to the buffer requirements. Connors stated that when the developer submits a site development plan for the commercial area, those buffer requirements will be considered.

Kappeler commented that several of the documents refer to 1 percent annual chance flood boundary. Soenksen explained that it is just another way to indicate the 100-year flood plain.

On motion by Bennett, seconded by Stoltenberg, that the rezoning of Lots 2 – 25 of the preliminary plat of Haley Heights Additions – Phase II (Proposed Lots 1 – 21, Haley Heights Fourth Addition), R-3 to PR-3 Overlay District, be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

On motion by Bennett, seconded by Kappeler, that the final plat of Haley Heights Fourth Addition be recommended for approval subject to staff recommendations with the exception of Condition #5 which is to be deleted.

ALL AYES

Motion carried.

On motion by Bennett, seconded by Stoltenberg, that the development plan for the proposed Haley Heights Fourth Addition be recommended for approval subject to staff recommendations with the exception of Condition #5 which is to be deleted.

ALL AYES

Motion carried.

Final Plat

7. Case 16-044; Old Hunters Woods Sixth Addition, submitted by Old Hunters Woods Development Co., LC.

Beck reviewed the staff report.

Kappeler commented that it appears as though no changes have been made from the preliminary plat. Beck confirmed this.

Wennlund asked if there would be a hammerhead that would accommodate large city vehicles. Connors stated that when there is only one lot beyond an intersection, a hammerhead is not necessary.

On motion by Stoltenberg, seconded by Peters, that the final plat of Old Hunters Woods Sixth Addition be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

7. Case 16-045; Creek Ridge Estates Second Addition (Replat), submitted by Creek Ridge, LLC.

Beck reviewed the staff report. He indicated that he had received a letter in support of the request. Wennlund stated that the letter was written by Bruce A. Logan of 4114 State Street who expressed his support as he has plans to expand his facility to include the vacant property in question. Logan indicated that he would like to use the property for additional storage and employee parking and would pave approximately half of the lot during the first phase of his expansion project. Logan stated that the second phase of the project would include more pavement on the lot and the construction of a storage facility.

Wennlund asked for clarification of Logan's proposed project. Connors explained that the original developer of the condo development has passed away. He added that the homeowner's association has no interest in constructing the final buildings as indicated on the original plan. He stated that the association wishes to ultimately divest itself of the lot so that they are no longer responsible for maintenance or property taxes. Connors stated that Logan has spoken to him in the past about his plans, but that he had informed him that the city does not make a practice of expanding industrial uses into existing residential areas.

Wennlund commented that there are some significant grade changes between the two lots.

Kappeler asked why the association feels it necessary to replat the property when there are no specific plans for its development. Connors explained that the association is responsible for paying the property taxes and maintaining the property and would no longer like to do so. He added that the members of the association voted by a more than 75% majority to sell the property.

Wennlund commented that the issue before the Commission members is merely to replat the property, not to rezone it or approve a site development plan. Connors stated that he is unsure of why Logan sent a letter of opposition at this time. Wennlund stated that allowing the replat is not tacit approval of any of the proposed plans for Logan Contractors. Connors commented that a rezoning would be required for those plans to go forward.

Kappeler asked for clarification of Condition #4 regarding a dimension on one of the lots. Beck explained that there is a measurement error of approximately 35 feet on the plat which will need to be corrected by staff at the engineering firm who submitted it. He indicated that he believes the surveyor mistakenly used the same number for two separate dimensions on the plat.

Wennlund asked if the property adjacent to the proposed Lot 1 is under separate ownership. Beck confirmed this, adding that there is a building on the property. Connors stated that he believes it is owned by Dave Delvichio.

Jered Popowski, 4127 Creek Hill Drive, expressed opposition to the request, adding that he believes that doing so will encourage the Logan Contractors expansion and thus lower his property values. He commented that if Logan's plans come to fruition and outdoor industrial storage takes place on the lot, the proximity to the pool will be detrimental. Popowski stated that an industrial expansion would be dangerous for the children who live in the area.

Doreen Youngberg, representing the homeowner's association, stated that she has been working with city staff and has also met with Bruce Logan. She indicated that her primary purpose is not to further Logan's agenda but to help the homeowners who voted nearly unanimously to go forward with the replat. She reiterated that the members of the association no longer want responsibility for the lot, adding that she does not believe that the city would ever rezone the property to industrial from multi-family. Youngberg indicated that she believes that eventually there will be additional multi-family housing located there.

Wennlund asked if the impression of the 63 of 64 owners who voted to approve the replat is that it would be developed as residential not commercial or industrial. Youngberg explained that those owners were present at a special meeting at which Logan outlined his plans. She indicated that some of those homeowners would prefer the expansion of Logan to possibly a lesser quality of housing as exists along 39th Street. She added that their understanding is that there would be a large amount of landscape buffering and greenspace between the pool and the proposed expansion.

William Patterson, 3812 Creek Hill Drive, stated that he would be opposed to any expansion of an industrial use on the property. He added that he is sympathetic to the association's wanting to divest itself of the property in question. He indicated that he believes that an industrial expansion would lower the property values of the homeowners in the area.

A brief discussion was held regarding what would need to occur in order for any expansion of the industrial use. Connors explained that the property would need to be rezoned to at least an I-1 zoning district, adding that the city would not support expanding light industrial into a residential neighborhood. He reiterated that Logan is aware of the city's position. Bennett commented that any of the steps required in the future would be presented at both the Planning and Zoning Commission and City Council levels at which residents would have the opportunity to comment. Connors commented that a site development plan would also be required.

Kappeler commented that even if the property is developed as residential, it would be directly adjacent to an industrial district. Peters indicated that a more intense residential use would be more useful as a buffer.

On motion by Stoltenberg, seconded by Bennett, that the final plat of Creek Ridge Estates Second Addition be recommended for approval subject to staff recommendations.

Wennlund commented that he understands the association's wish to no longer be responsible for the lot in question, adding that he believes that the chance of the Commission's approving the extension of an industrial use further into a residential area is slim to none. He stated that while there are areas in the city where this occurs, he would not be in favor of creating a new problem.

ROLL CALL ON MOTION

ALL AYES

Motion carried.

Other

6. Commission update.

Connors stated that subsequent to the last Planning and Zoning Commission meeting the preliminary plat of Old Hunters Woods Sixth Addition was approved. He indicated that site development plan for 2255 Falcon Avenue for which a parking variance was required, will be presented at the next City Council meeting.

There being no further business, the meeting adjourned at approximately 6:00 p.m.

These minutes approved _____

Gregory W. Beck, City Planner