

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
OCTOBER 19, 2016
5:30 P.M.

The Planning and Zoning Commission meeting of October 19, 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, Rafferty, Stoltenberg, Wennlund

MEMBERS ABSENT: None

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

2. Approval of the minutes of the meeting of September 21, 2016.

On motion by Bennett, seconded by Stoltenberg, that the minutes of the meeting of September 21, 2016 be approved as submitted.

ALL AYES

Motion carried.

3. Review of Commission procedures.

Final Plat

4. Case 16-096; Bettendorf Industrial Park 2nd Addition, submitted by Kevin Koellner.

Beck reviewed the staff report.

Bennett asked if staff has any concerns about ease of movement in the subdivision if the proposed connection to Fields Development 1st Addition does not take place. Beck stated that this is not the case.

Kappeler asked if staff has any concerns about the disposition of Outlot C if the connection is not made. Beck stated that staff would require that access be provided to proposed Lot 1, adding that Outlot C could remain as an outlot if the purchase of Lot 11 in the adjacent subdivision does not take place facilitating the connection. Kappeler commented that it appears as though the developer is willing to take that risk.

Wennlund asked if the primary difference between the preliminary plat and the final plat is the proposed connection to the adjacent subdivision. Beck confirmed this, adding that if the developer purchases Lot 11 in Fields Development 1st Addition and connects to the proposed subdivision, a replat would be required. He added that the configuration of the lot was changed slightly to accommodate a wetland area on Lot A and that one lot of record was eliminated for the storm water detention area. Connors suggested that a condition be imposed on approval of the final plat providing access to Lot 1 if no connection is made to Fields Development 1st Addition.

On motion by Rafferty, seconded by Bennett, that the final plat of Bettendorf Industrial Park 2nd Addition be approved subject to staff recommendations and the requirement that access be provided to Lot 1 regardless of whether a connection is made to Fields Development 1st Addition.

ALL AYES

Motion carried.

Final Plat/Site Development Plan

5. Case 16-072; The Fountains 6th Addition, submitted by Russell Construction.
(Deferred to meeting of November 16, 2016)
6. Case 16-073; 3726 and 3728 Thunder Ridge Road, submitted Russell Construction.
(Deferred to meeting of November 16, 2016)

Final Plat/Site Development Plan

7. Case 16-082; Wyndham Town Center, submitted by AMF Real Estate, LLC.

8. Case 16-083; Southeast corner of Middle Road and Crow Creek Road, submitted by AMF Real Estate, LLC.

Beck reviewed the staff reports.

Wennlund asked if the queue for a drive-up window at the proposed bank building would be only one lane. Beck confirmed this. Kappeler asked for clarification of where bank customers would exit the development. Beck explained that patrons could exit directly from the bank drive-up queue to Middle Road or turn north and exit onto Wyndham Drive. Wennlund asked if the only means to access the proposed bank is at the right-in only on Wyndham Drive. Beck confirmed this, adding that the applicant was granted a special use permit for the drive-up window at the last Board of Adjustment meeting.

Bert asked if the restaurants proposed on the north side of the development would be in two separate buildings or would share a building. Beck explained that the restaurant would share a common wall in one building.

Bert asked if there is a shared parking agreement for the entire development. Beck confirmed this. Bert commented that it seems as though the number of parking spaces is not adequate for the proposed uses. Beck reiterated that the parking requirements are met, adding that the plan indicates an excess of 2-3 spaces.

Wennlund asked why the development is to be located on one lot and why a shared parking agreement is necessary. Beck explained that this type of configuration has been used in the past, adding that typically a shared parking agreement is intended to inform customers that there are no spaces for the exclusive use of one business. Wennlund asked which parties would be included in the parking agreement. Beck explained that the developer would likely require the business owners to sign the agreement for each leasing period.

Rafferty asked if the drive-up window proposed for Building 3 would be for retail. Beck explained that the developer plans lease the space for a coffee shop. Rafferty asked if the dumpster locations would be screened. Beck confirmed this, adding that they would be fenced.

Wennlund asked how many dumpsters would be on the site. Jason Holdorf, engineer representing the applicant, indicated that there would be two dumpsters on the site. Wennlund asked if there would be some sort of indoor storage space for trash in the bank as it quite far from the dumpster location. Holdorf confirmed this.

Stoltenberg asked if there is a dedicated space on the site for snow storage which would prevent parking spaces from being used for that purpose. Holdorf explained that there is a storm water detention area located on the east side of development and a greenspace area in the building setback area on the west side which could be used for snow storage.

Scott Awkerman, 4550 Middle Road, asked if there would be a landscape buffer on the west side of the development to protect his property from headlights shining in his windows. Beck explained that plantings cannot be placed in the easement area adjacent to the drive-up window for the coffee shop. He added that as motorists enter the drive-up queue they would be facing Awkerman's home.

Awkerman asked if the exit from the development to Middle Road is directly across from his driveway. Beck stated that the Middle Road egress is further south.

Awkerman asked for clarification of the hours of operation for the restaurants and expressed concern that they would be open 24 hours per day.

Holdorf stated that even though the developer is not allowed to plant trees in the easement area, he would not be opposed to planting some ornamental grasses to provide a softer screening for the headlights.

Linda Larson, 4422 West Kingston Circle, stated that she was misled about what would be built on the commercial site. She indicated that she was told small office buildings would be built there. She added that the proposed development would likely reduce her property values by 10-20 percent. Larson stated that the dumpster would be placed 10 feet from her property with no barrier, adding that there is no landscaping along the fence. She indicated that the entrance to the development, the headlights from the customers in the drive-up queue, and the dumpster would all negatively impact her back yard. She questioned how the developer would be landscaping near her property to prevent headlights from shining into her windows at night. Larson expressed concern about the odor, noise, stray animals, and additional traffic that will be generated by the development.

Beck explained that arborvitae would be planted in a solid line along much of the southern property line. He added that 5 deciduous, overstory trees would be planted near the dumpster.

Wennlund asked if there is an existing solid, white fence along the rear property line. Adam Seitz, the developer, confirmed this, adding that there is an existing 4-5 foot tall berm behind the houses on West Kingston Circle.

Wennlund asked for clarification of the elevation changes that take place in the area. Beck commented that there is a grade change between the street and the rear yards of those properties. Wennlund commented that it appears as though the existing fence is quite a bit higher relative to the street grade.

Kappeler explained that the original preliminary plat was presented to the Commission several years ago with the current zoning classifications already in place. She asked if the C-1 Local Shopping District classification has been in place since the beginning of the development. Beck explained that the property was rezoned approximately 10 years ago, adding that at that time an agreement was reached restricting the types of uses that would be allowed there. Kappeler asked if in staff's opinion there is a significant change between what was proposed 10 years ago and what the developer has now presented. Beck stated that there is no significant change between the current development and what was originally intended.

Dennis Houglin, 5183 South Richmond Circle, stated that he always knew that the property in question was destined for commercial development. He indicated that he and his wife were pleased to find out that it is the Seitz family who will be developing the property as is their right, as it is the best possible outcome for the neighborhood. He stated that he believes that the Seitz family will develop the property with regard for the neighborhood.

Seitz explained that the commercial development will carry the theme of the residential areas including buildings constructed with all sides finished. He stated that no one has ever been misled with regard to the proposed development. He explained that the current site plan is substantially the same as the one presented at the neighborhood meeting with the exception of the incorporation of changes required by city staff.

Seitz stated that his firm has the right to orient the buildings so that they are visible from Middle Road, adding that the development is adequately buffered. He added that the homeowner at 4422 West Kingston Circle was aware of the coming development and reiterated that there is an existing fence which was installed at his expense. Seitz explained that the fence was placed on a 4-5 foot high berm which provides additional screening from headlights. He indicated that the development will provide an amenity for the neighborhood, adding that his company has hundreds of lots still to be sold in the area and does not wish to create a deterrent to those sales.

Sharon Andresen, 4923 Brookview Court, expressed concern about the additional traffic which will be generated by the development which would exacerbate an existing problem. Connors explained that as part of the original development agreement, AMF

Real Estate contributed \$62,500 toward the cost of a traffic signal at Crow Creek Road and Middle Road. He indicated that the traffic signal is expected to be operational by the first of the year and will improve the traffic pattern.

Andresen asked if there is adequate parking for the proposed development. Wennlund reiterated that the parking spaces provided are in excess of what is required. Beck added that the formula used by staff takes into account the building square footage, number of employees, and anticipated number of customers.

Karen Wilson, 5080 Charter Oaks Drive, requested that the developer improve the hammerhead at the end of her street so motorists don't drive over the yard area adjacent to Wyndham Drive. She suggested that a better distinction be made between the end of the pavement of Charter Oaks Drive and the beginning of pavement on Wyndham Drive. Connors explained that when Wyndham Hills was originally developed, the neighbors on Charter Oaks Drive did not want their subdivision connected to it. He stated that in his opinion, this was not a good planning decision. He indicated that he does not believe that the current proposed development has anything to do with a decision that was made 10 years ago but that he would leave it up to the developer to decide whether or not he wishes to accede. Wilson stated that 45th Avenue also has a hammerhead at the end of it but which is much better distinguished from Wyndham Drive. Wennlund commented that there is a larger grade change there. Wilson stated that there are large rocks which also help, adding that she and her neighbors fought very hard for the hammerhead. She stated that it is very dangerous for cars to drive over the sidewalk to reach Wyndham Drive. She requested that either a berm, large rocks, or additional signage be placed there. Wennlund commented that the resolution of the issue would likely involve the Street Department rather than the developer of the adjacent property. He indicated that there is not enough space to install an effective berm between the sidewalk and the street. Wilson stated that she would be happy if the developer would place two large rocks there. Connors stated that the developer has indicated that he will accede to Wilson's request.

Harvey Reitinger, 4895 Brookview Court, asked for clarification of the definition of 'soft' commercial, if there would be outdoor eating at the restaurants, and what the hours of operation would be. Connors stated that there is no definition of soft commercial in the Code. Beck explained that the C-1 zoning district is the least intense of the commercial districts and includes uses such as a drugstore, restaurant, grocery store, and liquor store. He stated that the district allows uses which are not intended to draw customers from a regional area, adding that typically customers will reside in the adjacent neighborhoods.

Rafferty asked if there are any other C-1 areas nearby. Beck stated that some of the properties in the Middle Road and Devils Glen Road area are zoned C-1. Rafferty asked if the uses in the C-1 district are mostly intended to be local. Beck confirmed this.

Seitz explained that there will be outdoor seating at the restaurants in Building 1 which will be placed under a pergola. He stated that while he has no commitments for specific restaurants, his family's management company will own and manage the entire development. He added that their intent is to lease the space for a deli-type restaurant rather than a bar that is open late at night.

A brief discussion was held regarding the proposed arborvitae plantings and berm that has been installed.

Joe Ven Horst, 4825 Brookview Court, stated that a number of years ago he owned a house that was located on the property in question. He explained that he told at the time that it would have to be torn down to accommodate the Middle Road widening project, but that in fact this was not the case. He stated that his house was torn down for no reason. Ven Horst stated that he has been asking for an explanation for years of why he was misled by city staff about the necessity of demolishing his house. Stone explained that she had researched the history of the demolition after receiving a voice mail from Ven Horst. She indicated that the Ven Horst family was paid for the value of the property involved and that she had written a letter explaining the transaction and had included the deeds showing the transfer of property. Wennlund commented that unfortunately Ven Horst's issue is not within the purview of the Planning and Zoning Commission. Stone offered to meet with Ven Horst to further discuss the issue.

Jim Roberts, 5257 South Richmond Circle, stated that he believes that the proposed development will be a great asset for the neighborhood. He indicated that when he purchased his property the Seitz family explained in detail what was proposed for the area. He commented that it is likely that many of the residents will walk to the restaurants, coffee shop, and shopping areas.

Wennlund commented that appears from the artist's rendering that the development will fit well into the neighborhood.

On motion by Kappeler, seconded by Stoltenberg, that the final plat of Wyndham Town Center be approved subject to staff recommendations.
(16-082)

ALL AYES

Motion carried.

On motion by Kappeler, seconded by Stoltenberg, that the site development plan for the southeast corner of Crow Creek Road and Middle Road be approved subject to staff recommendations. (16-083)

ALL AYES

Motion carried.

Final Plat/Site Development Plan

9. Case 16-097; Crowne Pointe Twelfth Addition, submitted by Clyde Mayfield and Julie Martens.
10. Case 16-098; North side of Middle Road between Towne Pointe Drive and Woodfield Drive, submitted by Clyde Mayfield and Julie Martens.

Beck reviewed the staff reports, adding that a neighborhood meeting had been held Tuesday night to discuss the project.

Kappeler asked if her impression that there would be 3-4 truck deliveries per week is accurate. Beck stated that while he is unsure of the exact number, deliveries would be limited.

Wennlund asked if the unused access easement will remain. Beck explained that it could remain as platted, adding that the original intent was to serve Lot 2 of the original plat. Wennlund asked if staff has any concerns about the additional curb cut on Middle Road. Beck stated that staff has reviewed the proposed configuration and has no concerns.

Peters asked for clarification of the location of the proposed gate at the service driveway. Beck explained that it would have to be at least one semi-length from Woodfield Drive. Peters commented that it should be far enough from Woodfield Drive so that idling trucks do not negatively impact the residential area.

Patricia Herzberg, 3310 Silver Spur Court, asked if the truck traffic would exit onto Middle Road or if they would use Woodfield Drive. Connors stated that the trucks would use Middle Road to exit the property. Herzberg asked if there would still be one vacant lot adjacent to the proposed development. Wennlund confirmed this. Herzberg requests that sidewalk could be installed along Middle Road all the way to Woodfield

Drive instead of leaving a gap. Connors explained that it is likely that a site development plan will be submitted for the property for the November meeting which would resolve that issue.

Tim Scott, Pastor at Bettendorf Christian Church, explained that his church has been very protective of the service road leading to Woodfield Drive on their property in order to protect the neighbors. He indicated that access is limited to their service road and asked if the city requires businesses like Greatest Grains to install a service road in addition to the main entrance. Morlok explained that the service driveway was included at the developer's request to facilitate truck deliveries. Scott asked if when the adjacent lot is developed it might be possible to extend and connect their service entrance directly to Middle Road. Connors explained that the lot is privately owned. Scott asked if that type of conversation would be held directly with the owner. Connors confirmed this.

Max Mayfield, the applicant, explained that the store would have approximately 4 full-size semi-truck deliveries per week in addition to some smaller truck deliveries. He indicated that Greatest Grains is a local, family-owned business, adding that he is very excited for the opportunity to locate in Bettendorf.

On motion by Bennett, seconded by Peters, that the final plat of Crowne Pointe Twelfth Addition be recommended for approval subject to staff recommendations. (Case 16-097)

ALL AYES

Motion carried.

On motion by Bennett, seconded by Peters, that the site development plan for property located on the north side of Middle Road between Towne Pointe Drive and Woodfield Drive be recommended for approval subject to staff recommendations. (Case 16-098)

ALL AYES

Motion carried.

Final Plat/Site Development Plan

11. Case 16-099; Interstate 74 Technology Park Fifth Addition, submitted by Tanglefoot Investors, LLC/Kevin Koellner.

12. Case 16-100; Lot 1 of proposed Interstate 74 Technology Park Fifth Addition, submitted Build to Suit, Inc.

Beck reviewed the staff reports.

Kappeler asked for clarification of where in the process the land use amendment and rezoning requests are. Beck explained that the public hearings and first readings of the ordinances have been held, adding that three readings are required.

On motion by Kappeler, seconded by Bennett, that the final plat of Interstate 74 Technology Park Fifth Addition be approved subject to staff recommendations. (Case 16-099)

ALL AYES

Motion carried.

On motion by Kappeler, seconded by Bennett, that the site development plan for Lot 1 of proposed Interstate 74 Technology Park Fifth Addition be approved subject to staff recommendations. (Case 16-100)

ALL AYES

Motion carried.

Other

13. Case 16-101; Establishment of the Utica Ridge Overlay District (UROD).

Connors reviewed the staff report. He added that the Code section for the Middle Road Corridor Overlay District (MRCOD) will be eliminated as staff feels that in the Comprehensive Plan and revised Zoning Ordinance there are enough details to provide design standards for development there. He indicated that in order to provide design standards for the new Utica Ridge Overlay District, the architectural standards for MRCOD would be repealed and moved to a new UROD Code section.

Kappeler asked why new standards are required for UROD if they are not necessary for MRCOD. Connors explained that the City Council would like some sort of assurance that any development that occurs on The Lodge property will be compatible with the existing structures in the area. He added that because the developer has been unable to

provide the City with any specific plans for the area, the City Council feels design standards are necessary.

Kappeler asked what would ensure that the Middle Road corridor develops according to the design standards that are now being repealed. Connors explained that the Comprehensive Plan and new urban zoning districts include standards for design, scale, landscaping, and building materials. He added that because the property in the UROD already has a specific zoning district classification, design standards are necessary.

Rafferty asked if it is appropriate to include properties that have already been developed in the UROD. Stone explained that the standards would apply to existing structures only upon redevelopment.

Rafferty suggested that perhaps some sort of verbiage be included ensuring a uniform style or overarching design. He added that some sort of uniformity of design standard could be used by the Commission when evaluating future site development plans. Connors stated that verbiage could be added to that effect. Kappeler commented that the Commission has been fortunate in that developers have recently been submitting plans for developments for large parcels rather than in a piecemeal fashion. She added that this may be in response to the requirements of the new Comprehensive Plan. She stated that she would prefer that any development at The Lodge property include the entirety of the area rather than one small parcel at a time. Kappeler stated that a development which includes the entire area would allow the structures to have the same general appearance. Rafferty concurred, adding that several times in the past developers have had the intention of creating an overall theme but failed because no specific design standards were in place to ensure a unified design for the entire area. He indicated that he would be more comfortable if verbiage were added that would ensure a theme. Kappeler and Wennlund concurred. Connors stated that he and Stone would include that verbiage in the ordinance, adding that the Commission serves as the design review committee for new developments.

14. Commission update.

Connors stated that subsequent to the last P & Z meeting the City Council approved the following cases:

Creek View Second Addition, land use amendment and rezoning
Interstate 74 Technology Park Third Addition, land use amendment and rezoning
Villas at Glengevin Second Addition, amended final plat
Villas at Glengevin Third Addition, amended final plat
Villas at Glengevin Fourth Addition, amended final plat

City Hall First Addition, final plat
1609 State Street, site development plan
Crowne Pointe Eleventh Addition, final plat
3048 Victoria Street, site development plan
879 – 40th Avenue, site development plan
Downtown Master Plan

Connors commented that the cases regarding The Fountains project have been deferred.

There being no further business, the meeting adjourned at approximately 6:45 p.m.

These minutes approved

Gregory W. Beck, City Planner