

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
JULY 15, 2015
5:30 P.M.**

The Planning and Zoning Commission meeting of July 15, 2015, 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 May 20, 2015.

On motion by Kappeler, seconded by Bennett, that the minutes of the meeting of May 20, 2015 be approved as submitted.

ALL AYES

Motion carried.

3. Review of Commission procedures.

Land Use Amendment/Rezoning/Final Plat/Site Development Plan

4. Case 15-042; 3885 Middle Road and 4105 Belmont Road, Office/transitional to Commercial, submitted by Blackhawk Bank & Trust.

5. Case 15-043; 3885 Middle Road, C-5 Office/transitional District to C-1 Local Shopping District, submitted by Blackhawk Bank & Trust.

6. Case 15-044; Blackhawk Bank Addition, submitted by Blackhawk Bank & Trust.

7. Case 15-052; 3885 Middle Road, submitted by Blackhawk Bank & Trust.

Beck reviewed the staff reports.

Kappeler asked if there are any plans to install a traffic signal light near the new access on the west side of the development and if left turns westbound will be allowed there. Fries stated that there are no plans to install a signal and that westbound turns would be permitted.

Rafferty asked if the two sections of Old Belmont Road would be connected. Beck explained that they would not.

Rafferty commented that it appears as though the easternmost entrance on Old Belmont Road was located as far east as possible. Beck confirmed this, adding that placing a shared entrance to the bank as far west as possible makes Lot 2 more usable.

Wennlund asked if the queue for the drive-up windows would be from the west with motorists exiting at the eastern access to the property and if it would be shared with Lot 2. Beck confirmed this.

Wennlund asked if a separate storm water detention area would be required to serve Lot 2. Beck explained that it would depend upon the use, adding that storm water detention calculations would be required before any waiver is granted.

Wennlund asked if the zoning classification of Lot 2 would remain C-1. Beck confirmed this.

Wennlund asked for clarification of the difference between permitted uses in the C-1 and C-5 districts. Beck explained that the C-5 district is more of an office district, adding that retail uses are rarely found in a C-5 district. He indicated that while more traditional retail is allowed in the C-1 district, Lot 2 is likely too small to accommodate an intense use.

Wennlund asked where the dumpster would be located. Beck explained that currently it is located on the western side of the lot but that staff would prefer that it be moved nearer the building on the eastern lot line. Wennlund commented that he would prefer that the dumpster not be so visible from Middle Road.

Rafferty asked if a traffic count in the area had been made and if staff is aware of how many vehicles would be added to the traffic pattern in the Old Belmont Road area. Beck explained that no traffic study had been required. Chris Townsend, the applicant's engineer, reiterated that he had not completed a traffic study because it was not required by the city. He stated that it is likely that most of the bank's customers will use the Middle Road access so that traffic on Old Belmont Road near the residential houses would be minimal. He added that perhaps the owner would have more specific information regarding how many customers are likely to use the bank during business hours.

Rafferty asked for clarification of the proposed hours of operation. Townsend explained that the bank would be closed on Sundays and that the bank would close at 5:30 p.m. during the week.

Peters asked for clarification of the ATM location. Townsend explained that the original location for the ATM was at the end of the drive-up lanes but that it had been moved to just south of the detention basin in order for it to be as far from the neighbors as possible.

Jim Huiskamp, the applicant, explained that he expects between 20-40 customers per hour during the bank's busiest times. He stated that the most recent trend is toward smaller bank buildings because of the popularity of internet banking and indicated that in-person bank traffic is shrinking considerably.

Kappeler asked if the applicant had considered locating the drive-up lanes further from the residential homes. Huiskamp explained that he had not, adding that most cities prefer that drive-up lanes not be located in front of the building itself. Connors explained that city staff had met with the applicant during the design phase, adding that the reason the drive-up lanes run east-west is so that the headlights would not bother the nearby residents.

Wennlund stated that if the building and drive-up lanes were rotated 90 degrees counterclockwise, there would still be adequate stacking space and the headlights would face toward the Middle Road and Belmont Road intersection.

Rafferty stated that if the entrances were moved from Old Belmont Road to Middle Road and Belmont Road, it would buffer the impact of the proposed bank on the neighborhood. Townsend concurred, adding that city staff indicated that curb cuts on Middle Road and Belmont Road would not be allowed. He stated that the platted lots must be granted access. He explained that the property was previously owned by a bank, adding that it was zoned commercially long before the lots in Belmont Meadows were platted and homes were built. Connors stated that traditionally the C-5 district has been considered to be a buffer between residential and more intense commercial districts.

Rafferty stated that there is enough room to move the entrances to Middle Road and Belmont Road rather than have them be on Old Belmont Road. He indicated that moving the entrances would make the project more acceptable to him. Connors explained that there had been a consensus at the development review committee meeting that no entrances should be allowed on major arterials such as Belmont and Middle Roads. He added that it may be inadvisable to add access points so close to a major intersection. Fries concurred, adding that he would not recommend placing an access point on Belmont Road so close to Katie Lane.

Stoltenberg asked if the easternmost entrance on Old Belmont Road could be moved to Katie Lane if there were only one lot. Connors confirmed this.

Huiskamp commented that given the difficulty of turning left onto Middle Road, the best option would likely be to exit through Katie Lane and turn left at the traffic signal. Kappeler added that it will also be difficult for a motorist to turn from Middle Road left into the bank property.

Stoltenberg asked why the property is being proposed to be rezoned to C-1 rather than C-5. Huiskamp explained that the C-1 zoning district allows Lot 2 to be more marketable because that district allows some retail uses.

Rafferty expressed concern about the proposed shared entrance to the bank which is located directly across the street from residential homes. He indicated that it would be preferable to him to relocate that entrance further east. Huiskamp stated that relocating that entrance

would render Lot 2 basically unusable and would likely not resolve the concerns the neighbors have about the location.

Dave Smith, 2908 Grandview Drive, asked how large Lot 2 is. Beck explained that Lot 2 is approximately 34,000 square feet. Smith stated that he does not believe Lot 2 is large enough to develop. He indicated that he feels that the entrance to Lot 2 should be moved to Katie Lane where there are no residential homes. Smith stated that he does not understand why the entrance cannot be on Belmont Road, adding that the residents have been told for years that a traffic signal would be installed there.

Smith asked what the hours of operation of the bank would be. Huiskamp reiterated that the bank would be open on weekdays from 7:30 a.m. to 5:30 p.m. and from 7:30 a.m. to noon on Saturdays. Smith stated that no customers would be able to enter the bank property at that time of the morning because of the school traffic. He indicated that the traffic is very heavy because the schools have refused to stagger their start times. He asked if the ATM would be open 24 hours per day. Huiskamp confirmed this, reiterating that the trend in banking is more to electronic and mobile transactions and that ATM usage is down overall.

Anna Pagnucci, 2956 Church Street, expressed concern about the safety of the children in the neighborhood which could be endangered as a result of the additional traffic. She indicated that the neighbors are aware of the heights and sizes of the children and their developmental understanding of cars. Pagnucci explained that the rezoning of the property will create a hazardous situation for this plethora of children, adding that a bank customer who is in a rush could exit the bank and hit and kill a child getting off the bus or walking home from school. She indicated that an elderly driver could miss a mother who is pushing her child in a stroller. She stated that drivers may see that the traffic signal at Belmont and Middle Roads is red and cut through the bank property to avoid the delay. Pagnucci stated that if the proposal is approved, the property values in Belmont Meadows would be reduced along with tax revenue. She indicated that at a minimum the entrances need to be moved to the major streets and additional landscaping and buffering installed to protect the residents.

Tina Ervin, 3914 Sparrow Court, stated that many of her neighbors have young children and that she does not want to lose the homey feel of her neighborhood because of the development of the property involved. She indicated that while she is not necessarily opposed to the location of a bank, she is concerned about the volume of traffic it could generate on Old Belmont Road. Ervin stated that students will find a way to cut through the bank property to avoid the light at Belmont and Middle Roads. She suggested that the property not be divided into two lots.

Wennlund asked for clarification of how motorists would cut through the neighborhood as the residents have indicated. Beck explained that the only way would be to go through the bank property itself. He added that the drive-up lanes would likely preclude this as only one lane width at the end would be open.

Angela Stagg, 2991 Katie Lane, stated that if the entrance is moved to Katie Lane it would be located directly across the street from her home. She suggested that the site plan be flipped so that the entrances are on Belmont and Middle Roads, not Old Belmont Road. She reiterated that the traffic in the area is very heavy during certain times of the day. She questioned why the right turn-only lane on Middle Road could not be extended for the use of

the bank. She explained that the church located across the street on Middle Road has evening activities which generate traffic that must also be taken into consideration.

Barb Welsch, 2935 Katie Lane, expressed concern about the traffic that the proposed bank would generate that would exacerbate the existing problems. She also suggested that the entrances be moved.

Ryan Melbard, 2956 Church Street, asked why a driveway easement along the southern edge of the property could not be added that would carry traffic on property rather than on Old Belmont Road. He indicated that it is likely that motorists might cut through the bank property to avoid the light as he has seen similar occurrences at the parking lot at Devils Glen and Middle Roads.

Chad Behnke, 3957 Old Belmont Road, expressed concern about the safety of backing out of his driveway which is located directly across from the proposed eastern entrance. He indicated that because of the motorists exiting the property from the drive-up lanes or the ATM, it would be very difficult to leave his driveway safely.

Smith asked why the detention facility could not be moved and replaced with a turn lane into the property from Middle Road. Fries stated that while he would check into that, entrances must be spaced appropriately to avoid conflicts with traffic along arterials. He explained that if the entrance is moved nearer Katie Lane, there is the potential that the entrance could be blocked because there is not enough space in addition to the fact that the relocated access would be too close to the intersection at Middle and Belmont Roads.

Welsch asked if the tax revenue from the proposed Lot 2 is so great that the city would insist upon its development. Connors stated that tax revenue is not a criteria which the city considers when making such decisions.

Melbard questioned why the exit could not be relocated to align with that of the office building across the street on Middle Road and have a secondary entrance on the west end of Old Belmont Road. He asked why the proposed bank must have two entrances when many other businesses only have one. He suggested that the entrance/exit to the bank be located at the west end of Old Belmont Road and a second shared entrance added after Lot 2 is developed. Connors reiterated that it is staff's opinion that there should be no more access points located between Old Belmont Road and Katie Lane or between the intersection of Belmont and Middle Roads.

Stoltenberg asked if there is a need for there to be more than one entrance/exit to serve the proposed bank. Connors stated that the advantage of having two entrances is that the traffic load would be split, adding that it is the developer's decision as to the number of entrances he feels are necessary. Stone added that there could be a public safety concern if there is only one entrance and it becomes blocked for some reason.

Ellyonia Yenney, 2944 Church Street, indicated that she is not opposed to the proposed rezoning but does not believe that the plat should be approved. She stated that she does not feel that the lots should be merged and then split again. Stone explained that only the lot lines are being moved, adding that currently the parcels are split. Yenney stated that even though she would be the most affected, she would prefer that the main entrance be located

on the west end of Old Belmont Road and that no bank traffic use the eastern end of Old Belmont Road.

Ervin stated that she does not want to have to keep herself informed of any future activity that may occur on Lot 2. Connors commented that it is likely that the only entrance for Lot 2 would be the shared one with the proposed bank. Ervin stated that the more traffic that is brought into the neighborhood, the less safe it is. She indicated that it is inappropriate to allow commercial traffic near a residential neighborhood.

Huiskamp stated that there had been discussions of the possibility that the residents could purchase Lot 2 to guarantee that there would be no future development. He indicated that while he understands that the price would be unaffordable for them, he does not understand why the residents feels that the bank should absorb the costs associated with not developing the lot.

Gary Bitner, 2993 Church Street, stated that he has always been aware that a bank would likely locate on the property but that he did not know that the proposed Lot 2 is zoned commercially. He explained that oftentimes there are children playing in his yard whose safety would be affected by the development. He suggested that the entire parcel be rezoned to C-5 and the bank could then sell Lot 2. He indicated that he is not at all concerned about the bank's loss of revenue.

Smith asked if the city could rezone Lot 2 to agricultural so that the tax burden would not be high. Stone explained that the Commission members must consider only the proposal that has been submitted by the applicant. She added that while the applicant may choose to revise the site plan, it is not in the Commission's purview to require that.

Ervin commented that the C-1 district allows drive-up windows but that they are not allowed in a C-5 district. She indicated that a drive-up window would be allowed on Lot 2. Beck explained that this is not correct, adding that a special use permit is required for a drive-in banking facility and drive-up window in both the C-1 and C-5 districts. Bennett stated that Lot 2 is currently zoned C-1.

Kappeler asked if the proposed bank would be allowed in both the C-1 and C-5 districts. Connors confirmed this.

Pagnucci commented that the Vibrant Credit Union located across the street from the proposed bank location has only one entrance/exit. She questioned why the proposed bank is required to have two access points. She stated that it is not an appropriate comparison to consider the feasibility of residents purchasing Lot 2 versus the bank because a corporation has more funds.

Rafferty stated that he is not supportive of the requests as submitted and asked if it would be possible for the applicant to meet with staff to possibly revise the site plan such that the entrances on to Old Belmont Road are eliminated. He indicated that he believes that there is adequate space along both Middle and Belmont Roads to allow for access points. He commented that the new McDonald's restaurant on 53rd Avenue has only one entrance and does not believe that the proposed bank requires two. Kappeler concurred. She stated that while she understands that the bank is a profit-making enterprise and respects their right to

do so, she believes that further revision of the site plan would make it more palatable to the Commission and residents.

On motion by Rafferty, seconded by Kappeler, that Cases 15-042, 15-043, 15-044, and 15-052 be deferred until such time as staff has had the opportunity to meet with the applicant to discuss revisions to the proposed development that address the concerns of the Commission members and residents.

Stoltenberg expressed his appreciation of the acknowledgement of the neighbors that the property will indeed be developed in the future. He added that he does not believe that the access points should be located on Old Belmont Road. He stated that the location is ideal for a bank, but indicated that he is not comfortable with an intense retail use being located on Lot 2. Bennett concurred. She expressed concern about the problems that may be created by the additional traffic generated by the development. Peters and Wennlund agreed. Wennlund stated that many of the developments referred back to developers in the past for revision have been very successful.

A brief discussion was held regarding the appropriate procedure for deferring the cases or voting to deny them as submitted. Kappeler commented that if the members vote to deny the requests as submitted, the threshold for Council approval is changed. Wennlund asked if the applicant would like to vote on the cases as submitted or defer them until such time as the site plan could possibly be revised. Huiskamp requested that the cases be deferred.

ROLL CALL ON MOTION

ALL AYES

Motion carried.

Final Plat

8. Case 15-045; ValleyWynds 8th Addition, submitted by Highland Green I, LC.

Beck reviewed the staff report.

Kappeler asked if the streets would end in a stub street. Beck explained that there would be a hammerhead. Kappeler asked if the current configuration includes hammerheads and if they would be relocated further north. Beck confirmed this.

Kappeler asked if staff is comfortable with adding 20 more lots with only one access point into the subdivision. Connors explained that once the Forest Grove Drive reconstruction is complete in approximately two years, the developer plans to complete the remainder of the subdivision by connecting to that street.

On motion by Rafferty, seconded by Stoltenberg, that the final plat of ValleyWynds 8th Addition be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

Other

7. Case 15-047; Section 11-11-11, Permitted Use Sites, submitted by Scott Rubins.

Beck reviewed the staff report.

On motion by Kappeler, seconded by Bennett, that the ordinance amendment of Section 11-11-11, Permitted Use Sites, be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

8. Commission update.

There being no further business, the meeting adjourned at approximately 7:00 p.m.

These minutes approved _____

Gregory W. Beck, City Planner