

City of Moline

PLAN COMMISSION

Wednesday, April 9, 2014
4:00 p.m.
Council Chambers, 619 16th Street

AGENDA

1. PC 14-02: Public hearing for a request from the City of Moline to amend the Official Comprehensive Plan 2001 by adopting new elements entitled "Moline Centre Master Plan Update, Floreciente Neighborhood Plan Update, and the Edgewater Neighborhood Plan Update." (Jeff Anderson, City Planner)
2. Approval of Minutes-February 26, 2014
3. Consideration: PC 14-02
4. Review upcoming meetings
5. Other

Any person with disabilities who wishes to attend the meeting who requires a special accommodation or any other person requiring a special accommodation in attending the meeting should notify Holly K. Jackson, Department of Planning & Development, 524-2030.

**PLAN COMMISSION
MINUTES**
Wednesday, February 26, 2014

Present: Dan McConaghy (Chairman), Cindy Wermuth (Vice Chairman), Butch Trevor, Mike Wendt, Dennis Kelly, Bill Fitzsimmons, Mike Crotty, Pete McDermott

Absent: Matt Puck, John Wetzel, Jeff Nelson

Staff: Shawn Christ, Jeff Anderson, Holly Jackson

Others: Jon Mooney, Senior Engineer, KJWW

Chairman McConaghy called the meeting to order at 4:00 pm in the Moline Committee-of-the-Whole Room.

1. PC 14-01: Request from the City of Moline to amend Section 35-5409, "NOISE", of the Zoning and Land Development Code, Chapter 35 of the Moline Code of Ordinances. (Shawn Christ, Land Development Manager)

At its February 12, meeting, the Plan Commission closed the public hearing but tabled the discussion and decision on PC 14-01 to allow more time for staff to research proposed amendments to Moline's noise standards. A supplement was distributed to commissioners with additional information. In the Quad City area, Davenport and Bettendorf adopted their own noise standards but regulations differ significantly. Rock Island has the same outdated noise standards as Moline. In Illinois, most communities have noise standards but many codes remain outdated. Several larger communities in metro areas have updated their local standards, but others have adopted the State of Illinois standards which were overhauled in 2003. The supplement also clarified earlier confusion regarding the location of noise readings; measurements always occur on the receiving property, not on an emitting property, unless there are difficulties taking an accurate measurement off-site. Mr. Christ explained many communities who have their own noise limits, including Moline, have no idea where the figures came from. They don't know what the standards are based on, and simply converting numbers for use with a new meter doesn't resolve this issue. Mr. Mooney recommends additional study over a course of at least one year to gather and analyze noise complaints. Mr. Christ proposed two options to the Commissioners. OPTION 1- Retain our local noise limits with modifications and exemptions discussed at the last meeting. However, postpone the vote and delay any formal adoption for 1-2 years to allow time to gather and analyze data as recommended by our consultant and optimize octave bands levels. This would create a rational basis for our local standards. OPTION 2-Adopt the Illinois noise standards by reference and include local modifications, primarily exemptions. Mr. Christ recommends Option 2.

Staff Recommendation: Option 1 seems to be an ideal scenario but would be time-consuming and require additional expense for a consultant to analyze data and propose new levels. Staff prefers option 2 and recommends Plan Commission support in a form of a recommendation to the City Council.

Commissioners Kelly and Wendt asked about the Illinois standards. They are state law, so can home rule communities modify them as long as local standards are no less restrictive than state standards? Mr. Christ replied he believes that is correct but would want legal review prior to adoption. Commissioner Kelly commented it would be hard for someone to argue against these standards if they are also state law. Commissioner Wermuth mentioned Option 1 seems costly to keep staff and outsourcing involved. Commissioner Fitzsimmons asked if these standards reflect what Jon Mooney communicated to the

Commission at the last meeting and if they've been challenged in court. Mr. Mooney replied yes, challenges and exemptions have gone to the EPA board for review.

Commissioner Wendt said he is in favor of the state standard and we can revisit how this is working later; there are only a couple of complaints per year and there is no need be overly restrictive at this time. The group discussed anticipated enforcement proceedings and the proposed list of exemptions. Commissioner Wendt asked if the exemptions would make Moline less restrictive; Commissioner said as a home rule community there must be a way for us to modify the standards and add exemptions. Mr. Christ said legal staff will verify.

Commissioner Fitzsimmons asked if we should look at other performance standards, such as vibration or odor, and how those are measured. Mr. Christ said we've never used those standards but it's possible; and any changes to those sections should be considered separately under a new hearing notice.

The group again discussed anticipated enforcement proceedings, recent noise complaints, and examples of possible exemptions. The group also discussed the form of the amendment and reference to the state standards.

2. Approval of Minutes – February 12, 2014

Motion by Crotty, seconded by Trevor, to approve the minutes as presented for February 12, 2014. Motion carried unanimously.

3. Consideration: PC 14-01

Motion by Wendt, seconded by McDermott, to recommend approval of Option #2 as proposed. Commissioner Fitzsimmons asked if the option also includes removal of the current section. Mr. Christ stated yes, that was part of his recommendation. Chairman McConaghy asked if the motion was also subject to City Attorney review and approval. Commissioner Wendt yes that is correct. Motion carried unanimously.

4. Review upcoming meetings

Mr. Christ stated there is no business for March 12 so that meeting is cancelled. Next meeting will be March 26 at 4:00p.m.

5. Other Discussion

Mrs. Wermuth asked about the renovations at South Park Mall. Mr. Christ informed them Council approved the development agreement and the developer applied for a demolition permit today for the Sears wing. Commissioner Kelly asked if the rendering was available. Mr. Christ replied it should be available on the City's website or WQAD's website. The mall wants an entrance/exit at John Deere Road.

The group also discussed Sam's Club construction and improvements to John Deere Road. Commissioner Wendt asked what projects are on the horizon. Mr. Christ reported the developer at the old Menards wants to split off the outlot south of Hobby Lobby, possibly for a restaurant. The group said more restaurants are needed on John Deere Road between 60th and 70th Streets.

There being no further business, the meeting adjourned at 4:47p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Holly K. Jackson". The signature is written in a cursive style with a large initial "H" and a long, sweeping underline.

Holly K. Jackson,
Administrative Secretary-Planning/Recording Secretary

MEMORANDUM

To: Moline Plan Commission
From: Jeff Anderson, AICP, City Planner
Date: April 3, 2014

Re: *Moline Centre Plan, Edgewater Neighborhood Plan, and Florecente Neighborhood Plan Updates*

As per the agenda for your April 9, 2014 meeting, a public hearing has been scheduled in regards to the above-mentioned plan updates being considered as amendments to the City's Official Comprehensive Plan. A copy of the draft plan can be downloaded from the City's website by clicking on, copying, or typing the following link into your web browser: <http://www.moline.il.us/archive.aspx>. Should you prefer, I can provide you with a hard copy of the draft plan if you let our office know at your earliest convenience.

The plan updates have been made possible by a grant from the Illinois Department Commerce and Economic Opportunity (DCEO). This planning project has been a joint effort between the City of Moline and Renew Moline with additional support and guidance provided by the project Advisory Committee, which has included John Wetzell and Mike Wendt from the Plan Commission as well as City staff, Renew Moline staff and Board members, MetroLink, and the Quad Cities Chamber of Commerce.

Prior to the public hearing for the plan updates, a presentation on the specific plan elements will be provided. Upon conclusion of the public hearing, it is staff's recommendation that the Plan Commission approve a motion recommending that the City Council adopt the plan updates as amendments to the City's Official Comprehensive Plan at their April 15 and April 22 Committee-of-the-Whole and City Council meetings.

I would like to thank all of you for your participation in and support of this important project. I firmly believe that the significant level of public participation, the expertise of the project consulting team, and support and guidance afforded by the project Advisory Committee have all contributed to the development of a set of plans that will serve the community well.

You may recall from previous review and discussion of the plan updates that the City is obliged to provide DCEO with a copy of the Council Bill adopting the plan updates by April 30, 2014. With this in mind, please do not hesitate to contact me if you have any questions regarding the plan updates that

you would like answered or reviewed prior to Wednesday's Plan Commission meeting. I can be reached at 309-524-2038 or janderson@moline.il.us.