

City of Moline

PLAN COMMISSION

Wednesday, November 12, 2014

4:00 p.m.

Council Chambers

AGENDA

1. PC 14-05 Public Hearing to consider a request from Vickie Sanders for a Special Use Permit to establish an Animal Boarding Service at 4701 41st Street. (Shawn Christ, Land Development Manager)
2. PC 14-06 Public Hearing to consider a request from RWE Management Company to amend the Zoning and Land Development Code by revising text at Chapter 35, Article III, Division 4, Table 35-3401.1, "Permitted Land Uses"; and Section 35-3408, "Principal Commercial Land Uses." (Shawn Christ, Land Development Manager)
3. Approval of Minutes – September 17, 2014
4. Consideration: PC 14-05 and PC 14-06
5. Review upcoming meetings
6. 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, September 17, 2014

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

Absent: Jeff Nelson, Matt Puck

Staff: Shawn Christ, Amy Keys, Jeff Anderson, Anamaria Vera

Others: None.

Chairman McConaghy called the meeting to order at 4:02 pm in the Moline City Council Chamber.

1. **PC 14-04: Public hearing for a request from the City of Moline to amend Table 35-3401.1, "Permitted Land Uses"; Section 35-3408, "PRINCIPAL COMMERCIAL LAND USES"; "PRINCIPAL STORAGE, WHOLESALING AND INDUSTRIAL LAND USES" of the Zoning and Land Development Code, Chapter 35 of the Moline Code of Ordinances in response to the Illinois Compassionate Use of Medical Cannabis Pilot Program Act.**

Mr. Christ acknowledged that publication for Hearing Notice PC 14-04 was published in the Dispatch on August 31. He requested that the Secretary enter the Memo with all attachments into the record. Mr. Christ presented the amended text to Section 35-3406(a): "Cultivation" under "PRINCIPAL AGRICULTURAL LAND USES", of the Zoning and Land Development Code, Chapter 35 of the Moline Code of Ordinances (see attached) to incorporate "Such land uses do not include cultivation centers registered by the State of Illinois to produce medical cannabis (see Sec. 35-3410(h))" pursuant to the recommendations of the Plan Commission. Mr. Christ stated that the City of Moline has not received any applications for a cultivation center, noting the State of Illinois began accepting applications on September 8 and will close the application window on September 22. Mr. McDermott inquired as to whether the State processed applications for the cultivation centers on a first-come, first-serve basis. Deputy City Attorney Keys clarified that the State of Illinois has created a ranking/scoring system for processing all cultivation center applications.

Mr. Christ continued his presentation of the additional proposed amendments to Chapter 35 of the Moline Code of Ordinances, explaining the amendments to Table 35-3401.1 "Permitted Land Uses", the incorporation of Section 35-3408(f): "Sales and Service, Cannabis Dispensing" under "PRINCIPAL COMMERCIAL LAND USES", the proposed amendments to Table 35-3410 "Principal Storage, Wholesaling & Industrial Land Uses", as well as the incorporation of Section 35-3410(h): "Industrial, Cannabis Cultivation" under "PRINCIPAL STORAGE, WHOLESALING AND INDUSTRIAL LAND USES", respectively (see attached). Mr. Christ noted that all incorporated subsections to Section 35-3406 have an added subdivision highlighting that all regulations "must be in full compliance with all applicable state statutes and regulations".

Staff Recommendation: Mr. Christ relayed that the staff recommended the amendments to Chapter 35 of the Moline Code of Ordinances be approved as submitted, without conditions.

Mr. Christ conveyed that the City of Rock Island has currently received two applications for cultivation centers and the City of Colona has seen one application, further noting the City of Moline has not received any applications. Mr. Wetzel inquired whether all of the proposed amendments to Chapter 35

align with the recommended direction of the Plan Commission with regard to the Ordinance. Mr. Christ confirmed the proposed amendments were produced by Deputy City Attorney Keys following all of the recommendations of the Plan Commission.

Mr. Fitzsimmons requested clarification as to whether a cultivation center and a dispensary are two different organizations and whether the application process falls within the same timeframe. Deputy City Attorney Keys confirmed the application process for both organizations fall within the same timeframe further clarifying that a separate application must be filed for each organization type.

Mr. Kelly questioned whether both organizations are able to operate within the same location. Mr. Christ confirmed a cultivation center must be separate from a dispensary pursuant to zoning requirements. Mr. Crotty then requested clarification as to whether a dispensary is taxable. Mr. Christ and Deputy City Attorney Keys confirmed only 1% of State is taxable.

Brief discussion followed by the Commissioners regarding the specifics of the proposed cultivation center highlighted in local news in the City of Colona.

There being no further comment, the public hearing was closed.

2. Approval of Minutes – August 13, 2014

Motion made by Commissioner Fitzsimmons; seconded by Commissioner Crotty, to approve the minutes for August 13, 2014. Motion carried unanimously.

3. Consideration

PC14-04

Motion made by Commissioner Wetzel, seconded by Commissioner Wermuth, to recommend approval to the City Council amendment of Table 35-3401.1, "Permitted Land Uses"; Section 35-3408, "PRINCIPAL COMMERCIAL LAND USES"; "PRINCIPAL STORAGE, WHOLESALING AND INDUSTRIAL LAND USES" of the Zoning and Land Development Code, Chapter 35 of the Moline Code of Ordinances. Motion carried unanimously.

4. Review upcoming meetings

The next regularly scheduled meeting will be on October 8th.

5. Other Discussion

Chairman McConaghy invited City Planner, Jeff Anderson, to bring the Commission up to date with regard to the Riverfront Center Phase II. Mr. Anderson informed the Commission that responses had been received for the Professional Services Planning and Transportation Consultant Request for Proposals noting that the City had solicited interest from two companies; however, no responses were submitted on their behalf. Mr. Anderson informed the Commission that an Advisory Committee would be required for the final selection process following review of the submitted RFP Responses, suggesting Commissioner Wetzel and Commissioner Wendt may bear an interest to serve on the Committee. Mr. Anderson noted the Committee would meet approximately once a month for an estimated two hours, ideally during the lunch hour. Mr. Wetzel and Mr. Wendt acknowledged their interest to serve on the Advisory Committee.

Mr. Fitzsimmons inquired as to the overall goal of Phase II. Mr. Anderson explained that immediate funding was not acquired to move forward with the initial study as previously outlined, however, additional funding from IDOT was successfully pursued and granted, allowing the original study to move forward with regard to buildings connecting to Western Illinois University's Riverfront Campus, as well as urban development highlighting the multimodal station with continued development throughout the waterfront community. Phase II would also attempt to address the shortcomings of I-92, River Drive issues relating to traffic calming and pushing traffic outside of River Drive, trying to determine I-74's ramps circulation and parking, as well as considering doing work in connection with Rock Island to change the one-ways to two-way streets, in addition to trying to determine what the projected changes to 5th Avenue mean to local traffic.

Mr. Fitzsimmons requested clarification as to whether the projected changes have taken into consideration integrating bike traffic. Mr. Anderson confirmed the Policy Committee is in the process of approving a project for 2016 to connect the existing bike trail along River Drive to go past KONE and follow through to I-74, estimating that project would complete in 2017 prior to the commencement of bridge construction. Mr. Fitzsimmons requested further clarification as to traffic flow from east to west with all of the proposed changes. Mr. Anderson conveyed that Shive Hattery has been working with IDOT to make sure all ramps and streets align and meet to create an efficient flow of traffic with the Riverfront as the main focus.

Mr. Anderson went on to explain that engineering firms will bring in consultants to "drill down" into the specifics of all of the traffic flow changes that will be impacted with the construction of the new I-74 bridge. Mr. Anderson further explained the study for phase II would take approximately twelve months, noting funding was acquired sometime in February or March and an extension for the study could also be requested.

Mr. Wetzel and Mr. Wendt further confirmed their interest to serve on the Advisory Committee for the Riverfront Study. Brief discussion ensued as to the timeline for the I-74 bridge construction as well as the proposed location for the Transportation Depot. Mr. Fitzsimmons acknowledged he would also be interested in serving on the Advisory Committee for the Riverfront Study. Mr. Anderson noted that unless any objections arose, the Advisory Committee would consist of Mr. Wetzel, Mr. Wendt and Mr. Fitzsimmons.

Mr. Christ reminded the Commission no business has been scheduled for the September 24 meeting and suggested the meeting be cancelled. Chairman McConaghy confirmed the meeting for September 24 would be cancelled. Mr. Christ introduced the Commission to Anamaria Vera who will be serving as the new acting secretary for the Plan Commission, as well as the new Administrative Secretary for the Planning and Development Department. The Commission welcomed Ms. Vera.

There being no further business, the meeting adjourned at 4:42p.m.

Respectfully submitted,

Anamaria M. Vera, Administrative Secretary