

City of Moline

PLAN COMMISSION

Wednesday, November 9, 2016
4:00 p.m.
Council Chambers, 619 16th Street

AGENDA

1. Call to order
2. Reading and approval of minutes from August 24, 2016
3. Public hearings
 - a. PC 16-04 – Request from the City of Moline (Moline City Council) to amend Section 35-2200 “REVIEW AND APPROVAL REQUIRED” and Section 35-2211 “WAIVERS AND MODIFICATIONS” of the Zoning and Land Development Code to establish the City Council as the decision maker, and zoning administrator and city engineer as review bodies, for all waivers and modifications to infrastructure and public improvement standards, including sidewalks. *(Shawn Christ, Land Development Manager)*
 - b. PC 16-05 – Request from Cardiovascular Properties LLC and Ryan Companies US Inc for a special use permit to increase the maximum allowable building size from 20,000 square feet to 24,000 square feet in an O-1 Office District. *(Shawn Christ, Land Development Manager)*
4. Other business
 - a. Presentation on development activity *(Shawn Christ, Land Development Manager)*
 - b. Election of officers for 2017
5. Review of upcoming meetings
6. Public comment
7. Adjournment

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 Anamaria Vera, Department of Planning & Development, 524-2053.



Planning & Development
619 – 16th Street
Moline, Illinois 61265

309-524-2036
309-524-2031 fax

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Divisions

Planning & Administration
524-2030

Community Development
524-2040

Economic Development
524-2036

Land Development
524-2050

MEMORANDUM

TO: Plan Commission
FROM: Shawn Christ
SUBJECT: PC 16-04: Zoning Text Amendment – Approval procedure for waivers or modifications to public improvement standards.
DATE: November 3, 2016

I've attached a redlined draft of a proposed amendment to the Zoning and Land Development Code. The City Council recently reviewed and updated its sidewalk variance policy which was adopted in 2000. As part of that review, a discrepancy was discovered in the review and approval procedure. The zoning ordinance, which received updated subdivision standards in 2014, called for Plan Commission review of any waiver or modification to the infrastructure and public improvement standards. Past practice has held that the Plan Commission would review and provide recommendations on public improvements only when included with a subdivision plat. Considerations without a subdivision plat, such as sidewalk variances, have not been reviewed by the Plan Commission and would be sent directly to the City Council for decision.

The proposal is to amend the ordinance to be consistent with past practice. This request is forwarded to the Plan Commission by the City Council for a public hearing and consideration.

The proposed amendments are as follows:

Revising text in Table 35-2200.1 by adding a review procedure summary for Waivers and Modifications. Note that "waivers" and "modifications" apply to public improvement and infrastructure standards, formerly in the subdivision code but now found in the zoning code, as compared to traditional "variances" for zoning standards.

Revising text at Sec. 35-2211(c) to clarify and specify the approval procedure for waivers and modifications. Preliminary subdivision plats that include requests for waivers or modifications will be reviewed and recommended by the zoning administrator, city engineer, and Plan Commission with final decision by the City Council. If plat approval is not required, the waiver or modification will be reviewed by zoning administrator and city engineer and decided by the City Council.

Section 35-2203(c) lists the approval criteria for zoning code amendments and rezonings. Most of these criteria are specific to rezoning requests, however, the following criteria may be evaluated for this proposed text amendment:

- Whether the existing text was in error at the time of adoption. Staff does not recall a desire to have the Plan Commission review every waiver or modification to the public improvement and infrastructure standards. It is our understanding the Plan Commission's involvement should continue with subdivision plats.
- Whether the proposal is in conformance with and in furtherance of the implementation of the goals and policies of the Comprehensive Plan, other adopted plans, and the policies, intents, and requirements of the Zoning Code and other City regulations and guidelines. Staff believes the proposal conforms and finds no conflicts with adopted plans and policies.
- Whether there is a need in the community for the proposal. The proposal seems consistent with our desire to have a streamlined review process for developers.

Staff recommends Plan Commission support of the proposed amendment.

Attachment: Redlined amendment sheet

ZONING AND LAND DEVELOPMENT

DIVISION 2. NON-ADMINISTRATIVE DEVELOPMENT REVIEW

SEC. 35-2200. REVIEW AND APPROVAL REQUIRED.

(a) No land development activity requiring review and approval under this Division shall be initiated without having first received such review and approval.

(b) Review procedures differ depending upon the type of proposal. Generally, the procedures for all applications have three common elements: (1) submittal of a complete application, including required fee payment along with appropriate information; (2) review of the submittal by appropriate City staff, agencies and boards; and (3) action to approve, approve with conditions, or deny the application. Submittal dates and review time periods are established as part of the administrative policies and supplemental procedures of the City, copies of which can be obtained from the zoning administrator.

(c) Table 35-2200.1 summarizes the procedures, agencies and review bodies involved in the non-administrative development review process. Detailed information about the general procedures and applications and the agencies and review bodies involved in the process, and methods of appeal, are further discussed in Sec. 35-2201.

**Table 35-2200.1.
Non-Administrative Development Review Procedures Summary**

Procedure	Pre-app. Conference	ZA	CE	PC	CC	ZHO	Public Notice
Comprehensive Plan Text Amendment	Mandatory	RB	RB	RB/PH	DM	-	R
Comprehensive Plan Map Amendment	Mandatory	RB	RB	RB/PH	DM	-	R
Zoning Map Amendment	Mandatory	RB	RB	RB/PH	DM	-	R
Zoning and Land Development Code Text Amendment	Mandatory	RB	RB	RB/PH	DM	-	R
Planned Unit Development (PUD):							
ODP (optional)	Mandatory	RB	RB	RB/PH	DM	-	R
Preliminary Plan	Mandatory	RB	RB	RB/PH	DM	-	R
Final Plan	Mandatory	RB	RB	DM/PH	A	-	R
Plan Amendment							
Major	Mandatory	RB	RB	DM/PH	A	-	R
Minor	Mandatory	DM	RB	A	-	-	-
Special Use Permit	Mandatory	RB	RB	DM/PH	A	-	R
Variance	Mandatory	(See Sec. 35-2207)					R
Appeal of Administrative Decision	Optional	(See Table 35-2100.1 and Sec. 35-2208)					-
Major Subdivision:							
Preliminary Subdivision Plat							
Consistent w/ Plan; No Waivers or Modifications	Mandatory	RB	RB	DM	A	-	-
Requires Plan Amend; Waivers/Modifications	Mandatory	RB	RB	RB	DM	-	-
Final Subdivision Plat							
With Dedication of Land or Improvements	Mandatory	RB	RB	-	DM	-	-
No Dedication of Land or Improvements	See Table 35-2100.1						
Waiver or Modification	Mandatory	RB	RB	-	DM	-	-

Table Legend:

A = Appeal Body	CC = City Council	DM = Decision-Making Body
PC = Plan Commission	PH = Public Hearing	RB = Review Body
ZA = Zoning Administrator	CE = City Engineer	ZHO = Zoning Hearing Officer
R = Required	- = Not applicable	

(Ord. No. 3034-2006, deleted in its entirety "Notices Mailed" column, 8/15/06)

ZONING AND LAND DEVELOPMENT

(c) **APPROVAL CRITERIA.** In order to be approved, the applicant must demonstrate that the proposed preliminary subdivision plat:

- (1) Is consistent with the Comprehensive Plan and the purposes of this Code;
- (2) Complies with all applicable regulations of this Code and other laws and ordinances, unless previously waived or modified by the entity with jurisdiction;
- (3) Will not make any existing lot or structure nonconforming; and
- (4) Will not impede motorized or nonmotorized transportation access for any abutting properties.

(d) **DECISION-MAKER.**

- (1) The zoning administrator shall make recommendations and the plan commission shall approve, conditionally approve, or deny all applications for preliminary subdivision plat approval, in accordance with 65 ILCS 5/11-12-8, except in cases where approval of the preliminary plat requires approval of an amendment to the Comprehensive Plan or the approval of waivers or modifications of the infrastructure and public improvement standards of Article IV, Division 2.
- (2) If an amendment to the Comprehensive Plan or waivers or modifications of infrastructure and improvement standards is required, the City Council shall be the final decision-making body on the preliminary subdivision plat. In such cases, the zoning administrator and plan commission serve as review bodies. City Council action is not required on preliminary subdivision plats that do not require plan amendments or code waivers or modifications.

(e) **APPLICATION AND REVIEW PROCEDURES.** Application requirements and processing procedures are described in Table 35-2200.1 and Sec. 35-2201, with the following modifications:

- (1) **Effect of Approval.** Upon approval of the preliminary subdivision plat, the applicant may proceed with installation of or the posting of financial guarantees covering required infrastructure and improvements in accordance with the approved preliminary subdivision plat and the requirements of this Code. The applicant may also proceed with the preparation and submittal of the required final subdivision plat. Preliminary subdivision plat approval does not qualify a plat for recording.
- (2) **Validity.** An approved preliminary subdivision plat remains valid and effective for a period of 2 years from the date of approval. If a phasing plan was expressly approved as part of the preliminary subdivision plat approval the validity of the preliminary plat is governed by the approved phasing plan. The plan commission is authorized to grant a one-time extension of the period of validity, provided the extension request is filed before the preliminary plat's expiration date. Extensions may not exceed one year in duration. Once a preliminary plat expires, no final plat application may be accepted until a new preliminary plan is approved.

SEC. 35-2211. WAIVERS AND MODIFICATIONS.

(a) **PURPOSE.** The waiver and modification procedures of this section establish the process and review criteria for approval of waivers and modifications of infrastructure and public improvement standards, as distinct from "Variances."

(b) **APPLICABILITY.** All property owner requests for relief from strict compliance with the infrastructure and public improvement standards of Article IV, Division 2, must be processed as waiver or modification requests in accordance with the provisions of this section.

(c) **PROCESS.** Preliminary subdivision plats that include requests for waivers or modifications must be processed in accordance with Sec. 35-2210~~(4)~~**(e), including review and recommendation by zoning administrator, city engineer and Plan Commission and final decision by the City Council.** If preliminary subdivision plat approval is not required for the proposed ~~development infrastructure or public improvement~~, the waiver or modification request ~~must still~~**shall** be ~~processed in the same manner as a preliminary subdivision plat that includes requests for waivers and modifications (i.e., review and recommendation by the zoning administrator and the plan~~

MOLINE CODE OF ORDINANCES

~~commission and final decision-making by the City Council) decided by the City Council after application and review and recommendation by zoning administrator and city engineer.~~

(d) **APPROVAL CRITERIA.** In order to be approved, the applicant must demonstrate that the requested waiver or modification:

- (1) Will not be detrimental to the public safety, health or welfare, or injurious to other property or improvements in the neighborhood in which the subject property is located;
- (2) Is the result of conditions that are unique to the subject property, and that these conditions are not self-created, and that the applicant had no knowledge of the impact of the regulations on the development of the property at the time of the property's purchase.

(Ord. No. 3009-2015, Article II repealed in its entirety; new Article II enacted, 03/24/15)

ARTICLE III. ZONING

DIVISION 1. IN GENERAL

SEC. 35-3100. PURPOSE.

The area located within the jurisdiction of this Code (See Sec. 35-1109) is hereby divided into zoning districts of such number and community character as are necessary to achieve compatibility of land uses within each district, to implement the officially adopted City of Moline Comprehensive Plan, and to achieve the other purposes of this Code (See Sec. 35-1104).

SEC. 35-3101. RELATIONSHIP TO ILLINOIS QUAD CITIES UNIFIED ZONING CODE.

All but one of the zoning districts used in this Code are contained in the Illinois Quad Cities Unified Zoning Code (ILQCUZC); however, several of the districts found in the ILQCUZC are not included in this Code as they were found to be inconsistent with the adopted Moline Comprehensive Plan. Likewise, of those districts that are included some modifications have been made to the standards as necessary to achieve consistency with and fully implement the adopted Moline Comprehensive Plan. In some instances, these modifications are noted in this Code to assist readers who have familiarity with the ILQCUZC. Nevertheless, in every instance where there are differences between the codes, whether noted or not, the provisions of the Moline Zoning and Land Development Code shall prevail.

SEC. 35-3102. STANDARD ZONING DISTRICTS AND STANDARD ZONING DISTRICT CATEGORIES.

For the purpose of this Code, all areas within the jurisdiction of this Code are hereby divided into the following standard zoning categories, and standard zoning districts. The categories are listed in increasing order of intensity. Likewise, the districts within the categories are also listed in increasing order of intensity.

- (1) **RESIDENTIAL DISTRICTS:**
 - a. "R-2" One-Family Residence District
 - b. "R-4" One to Six Family Dwelling District
 - c. "R-6" Multi-Family Residence District
 - d. "R-7" Mobile Home/Park District
- (2) **RESOURCE DISTRICTS:**
 - a. "C-2" Conservation District
 - b. "AG-2" General Agricultural District

STAFF REPORT
Department of Planning and Development
PC 16-05
November 11, 2016

GENERAL INFORMATION

Owner: Cardiovascular Properties LLC – Attn: Dr. Faraz Manazir

Applicant: Ryan Companies US, Inc – Attn: Brian Harry

Requested Action: Approval of a Special Use Permit to increase the maximum allowable building size from 20,000 SF to 24,000 SF

Location: 1100 36th Avenue (application states 1060 36th Ave)

Size of Tract: 2.86 acres

Existing Land Use: Vacant

Existing Zoning: O-1 Office District

Surrounding Land Use: Medical/professional office; retail/commercial; contractor shop; and single-family residential

BACKGROUND

Cardiovascular Medicine, PC is currently located near the Unity Pointe Trinity campus at the end of 3rd Street A. They wish to expand their practice by moving to a new facility to be constructed at 1100 36th Avenue. The property is zoned O-1 Office District which allows medical offices and clinics, however, the bulk standards for the O-1 District include a maximum building size of 20,000 square feet. The applicant has attempted to minimize the building size to meet the ordinance but proposes a 24,000 square-foot building to accommodate their practice.

Rather than require a variance application, the ordinance allows the Plan Commission to consider a special use permit for larger buildings (Table 35-3301.1, footnote #3).

ANALYSIS AND REVIEW CRITERIA (SEC 35-2206)

This site adjoins John Deere Road and is located at the edge of an office district which transitions to a residential neighborhood. Properties to the west have similar O-1 zoning and have developed as professional or medical offices over the last 30 years. These office uses primarily define the character of this area between John Deere Road and 36th Avenue (Blackhawk Road). There are two nonconforming land uses with O-1 zoning located east of the subject property: Blondell Plumbing and Fun Mart Cycle Center.

The project appears to be compatible with adjoining properties. The 20% size increase can be accomplished without sacrificing parking or exceeding the maximum site building coverage (50%). The proposal also meets the minimum landscape surface ratio (0.25). The building design is attractive and seems to compliment the adjoining office buildings. Access will be provided at two locations on 36th Avenue: the existing shared driveway at the northwest corner of the property and a new, secondary driveway at the northeast corner.

A sidewalk is not shown along 36th Avenue because the applicant has requested a variance to the sidewalk installation requirement. This application will be considered separately. If the City Council denies the request, a sidewalk will be provided.

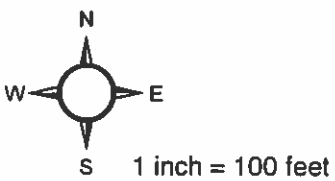
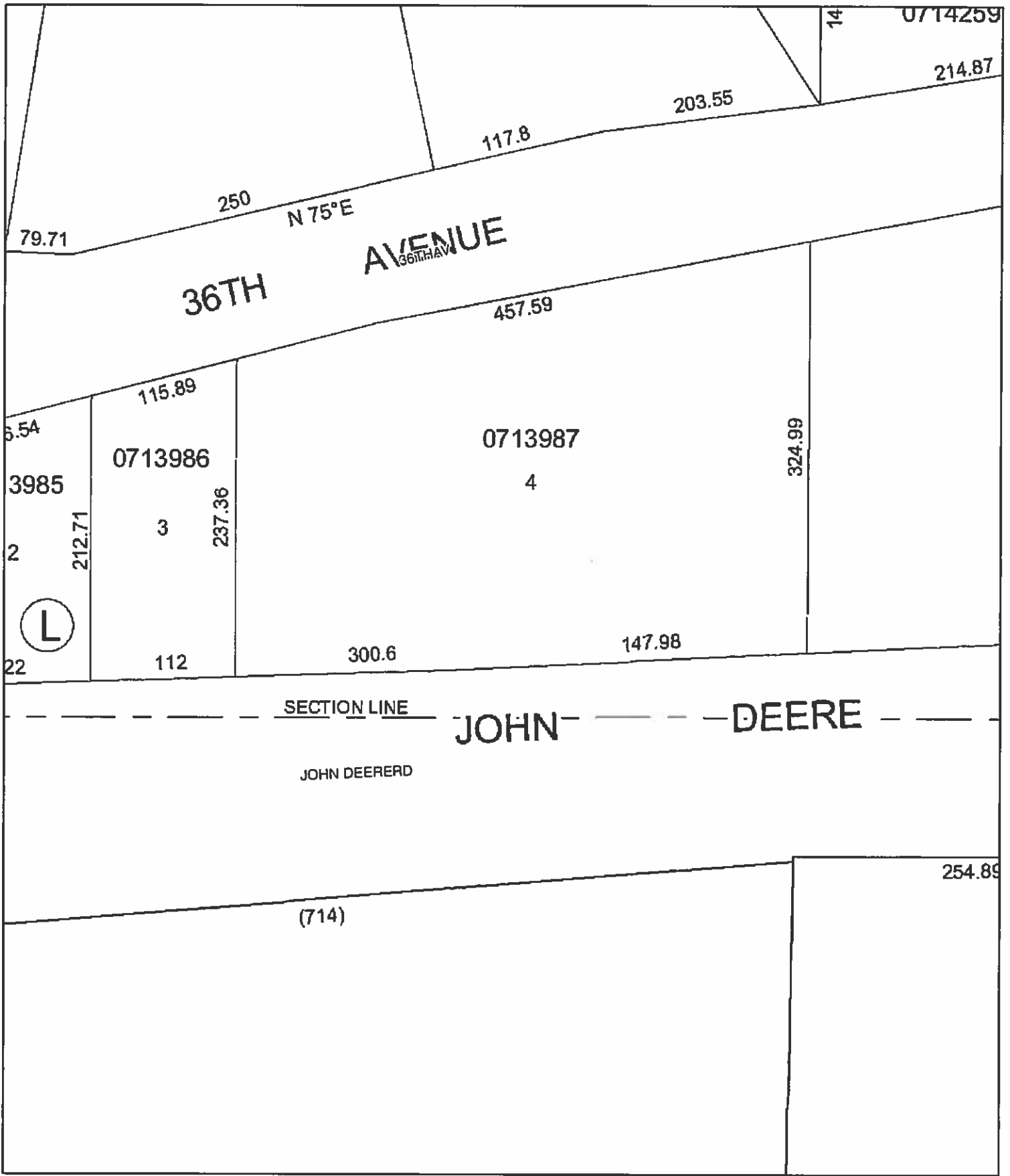
There were no staff review comments or concerns for this application. If Plan Commission approves the Special Use permit, additional site plans for landscaping and parking lot lighting will be required before a building permit will be issued for construction.

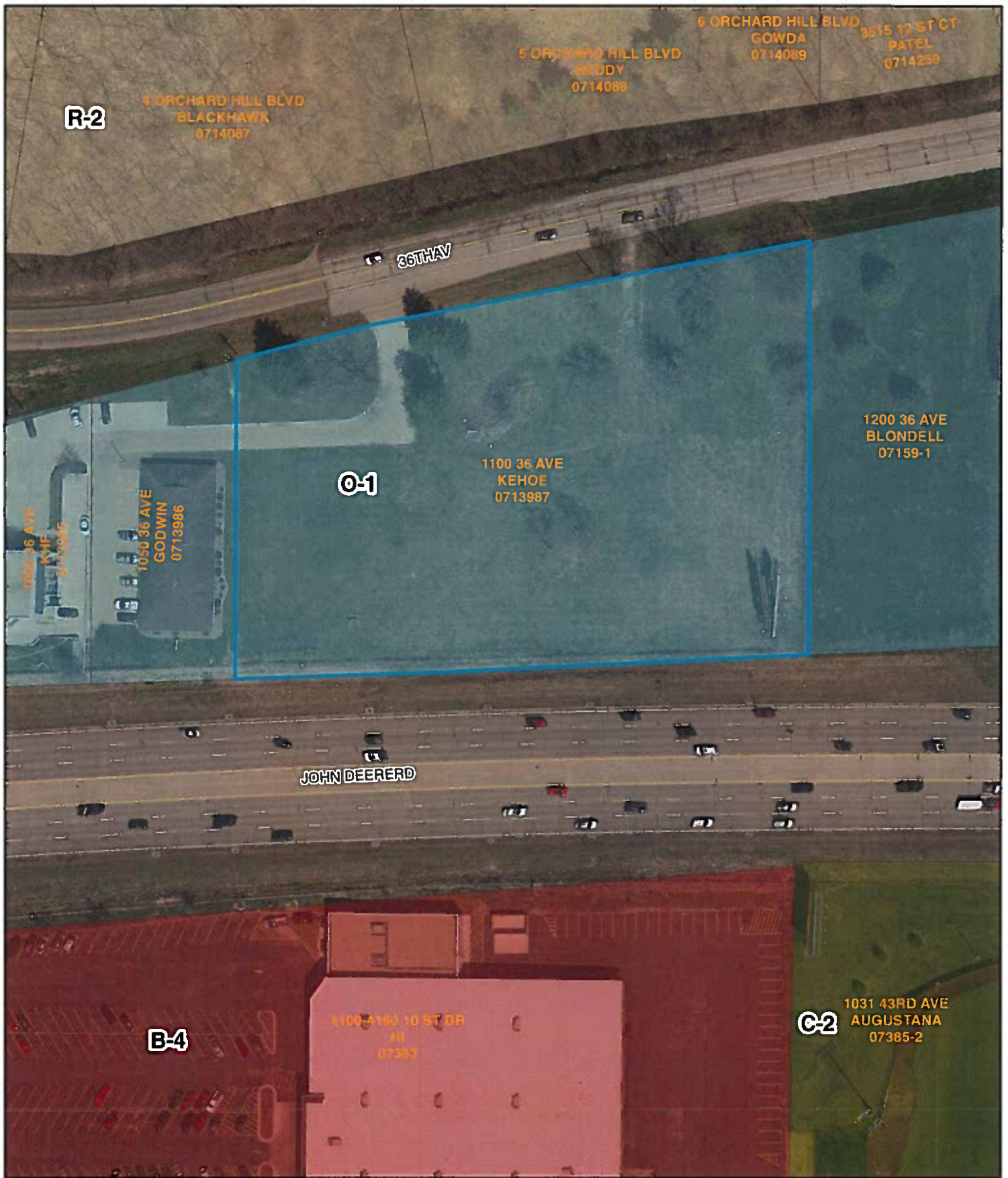
STAFF RECOMMENDATION

The proposal meets all applicable review criteria and standards, and seems compatible with adjoining properties. Staff recommends approval of the Special Use permit with no conditions.

Plan Commission is the decision maker on this application.

Attachments: Application materials; site and floor plans, elevation drawings; map exhibits





R-2

4 ORCHARD HILL BLVD
BLACKHAWK
0714087

5 ORCHARD HILL BLVD
RUDDY
0714088

6 ORCHARD HILL BLVD
GOWDA
0714089

3515 12 ST CT
PATEL
0714259

36TH AVE

C-1

1100 36 AVE
KEHOE
0713987

1200 36 AVE
BLONDELL
07159-1

1050 36 AVE
GODWIN
0713986

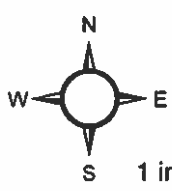
JOHN DEERE RD

B-4

4100 4160 10 ST DR
07383

C-2

1031 43RD AVE
AUGUSTANA
07385-2



1 inch = 100 feet



**APPLICATION FOR
SPECIAL USE PERMIT**

(For staff only) PC Case No. 16-05

Filing Date 10-11-16

\$650 Filing Fee (non-refundable) submitted: Yes

The undersigned Owner of Record or Agent requests that a Special Use be granted in accordance with the Zoning and Land Development Code of the City of Moline, Illinois.

Legal Description from Deed or Survey (attach additional sheets if necessary):

A tract of land located in the southwest Quarter of Section 8, Township 17 North, Range 1 West of the 4th Principal Meridian, City of Moline, Rock Island County, Illinois, more particularly described as Lot 4 of Blackhawk Property Addition.

Property Location (Street Address): 1060 36th Avenue, Moline, IL 61265

Total Area (Acres or Square Feet): 2.86 acres Zoning Classification: O-1

Proposed Special Use: Increase maximum allowable building size from 20,000 square feet to 24,000 square feet.

Code Section: 35-3301

Owner Name: Cardiovascular Properties L.L.C. - Attn: Dr. Faraz Manazir

Owner Mailing Address: 350 John Deere Road, Moline, IL 61265

Owner Phone Number: 309-743-6700 Owner Email Address: manazir@cvmedpc.com

Applicant/Authorized Agent Name: Ryan Companies US, Inc. - Attn: Brian Harry

Applicant Mailing Address: 201 N. Harrison St., Ste. 400, Davenport, IA 52801

Applicant Phone Number: 563-823-8137 Applicant Email Address: brian.harry@ryancompanies.com

Signature of Owner of Record or Authorized Agent

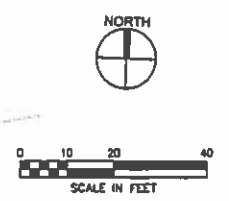
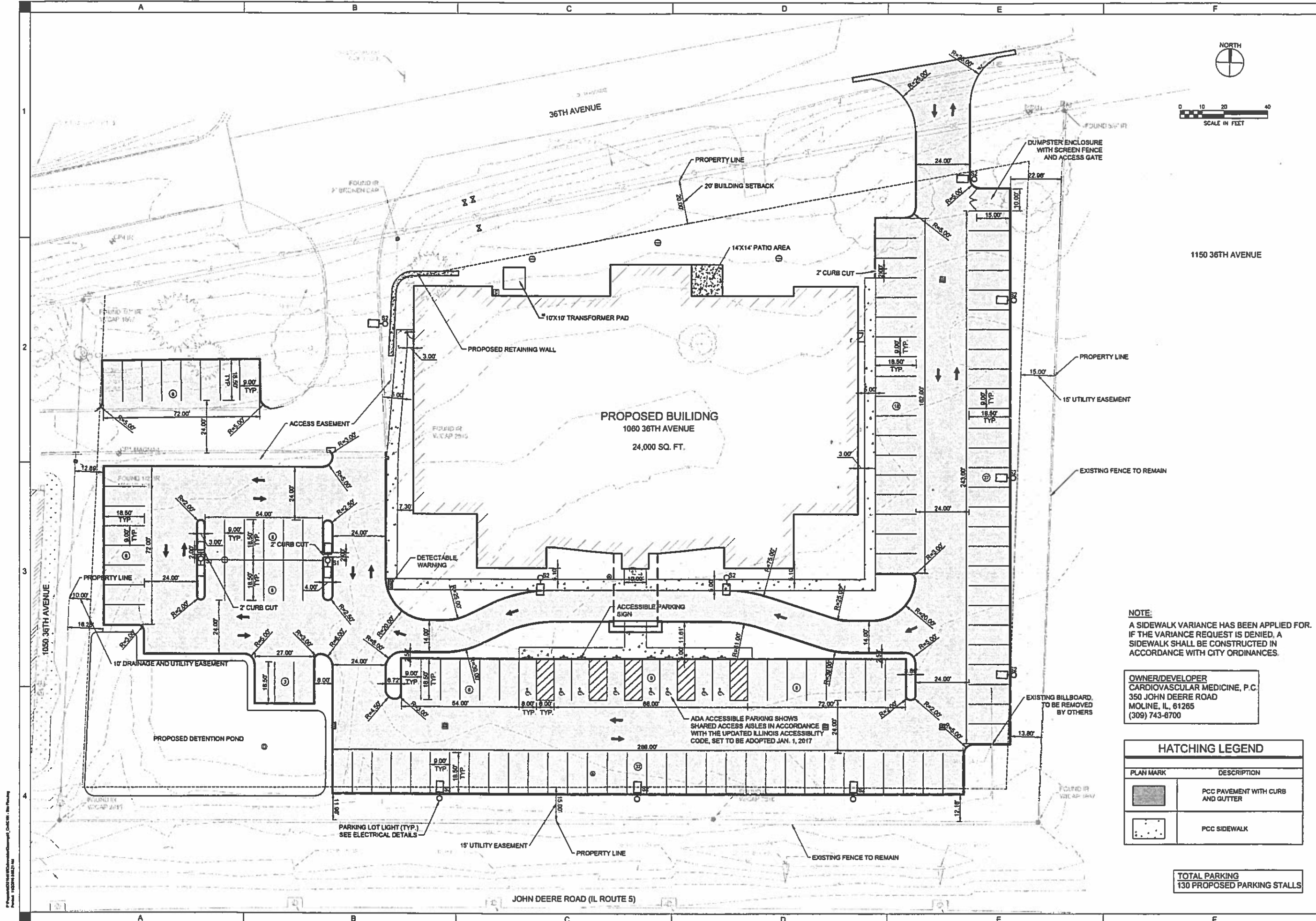
Note: Authorized Agent must attach written authorization from Owner of Record.

 10/11/2016

Signature MARK KOVACH

Date

REQUIRED ATTACHMENTS: site plan(s), project narrative, building elevations and floor plans, Interested Party Disclosure



PROPOSED BUILDING
1060 36TH AVENUE
24,000 SQ. FT.

NOTE:
A SIDEWALK VARIANCE HAS BEEN APPLIED FOR. IF THE VARIANCE REQUEST IS DENIED, A SIDEWALK SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY ORDINANCES.

OWNER/DEVELOPER
CARDIOVASCULAR MEDICINE, P.C.
350 JOHN DEERE ROAD
MOLINE, IL, 61265
(309) 743-8700

HATCHING LEGEND	
PLAN MARK	DESCRIPTION
	PCC PAVEMENT WITH CURB AND GUTTER
	PCC SIDEWALK

TOTAL PARKING
130 PROPOSED PARKING STALLS

SHIVEHATTERY
ARCHITECTURE + ENGINEERING
1701 River Drive, Suite 200 | Moline, Illinois 61265
309.764.7650 | fax: 309.764.8815 | www.shivehattery.com
Iowa | Illinois | Indiana
Estate Firm Number: 194-000214

SEAL



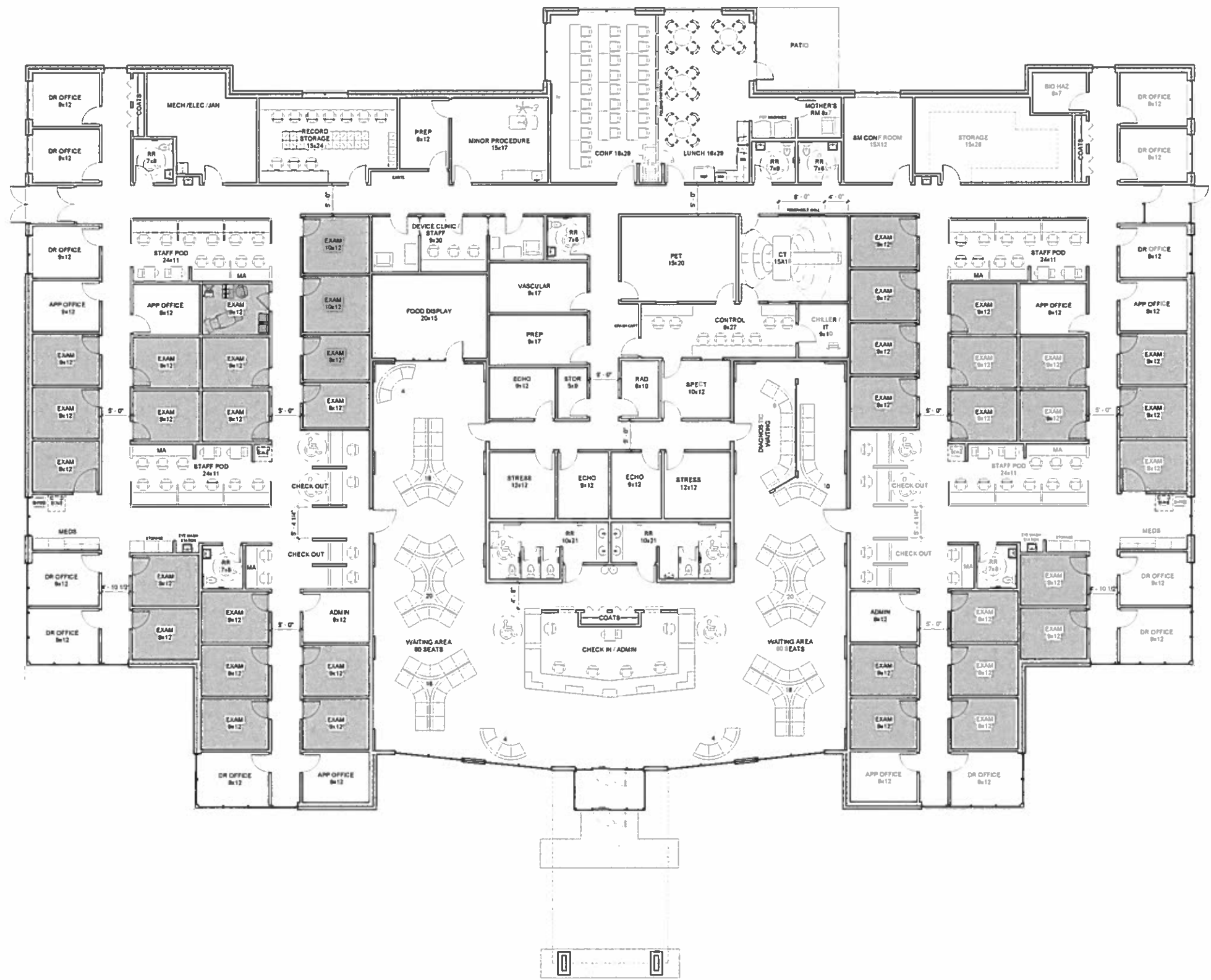
CVM, MOB

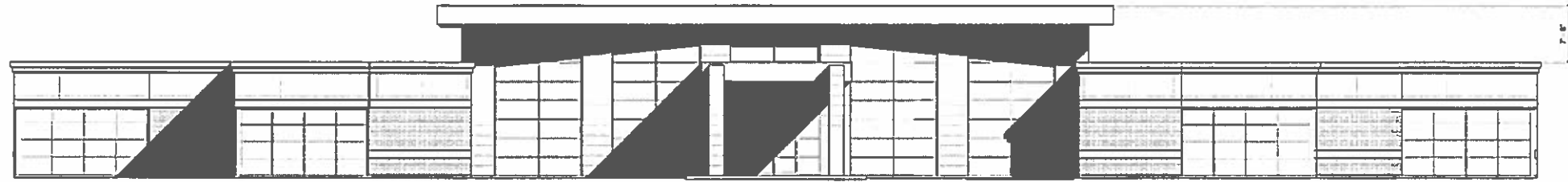
1060 36TH AVENUE
MOLINE, ILLINOIS, 61265

DATE: 11/02/2018	PROJECT NO: 318401.0
ISSUED FOR: BID	FIELD BOOK: 598
APPROVED: P.M.H.	CHECKED: S.M.P.
APPROVED: P.M.H.	CLIENT NO: 1

SITE PLAN

C101

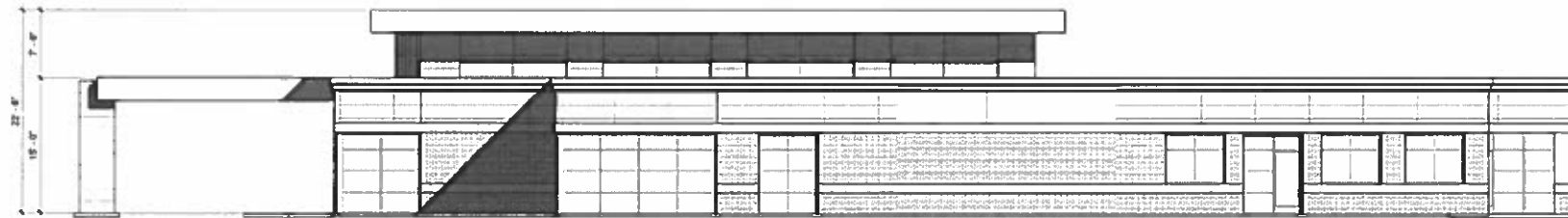




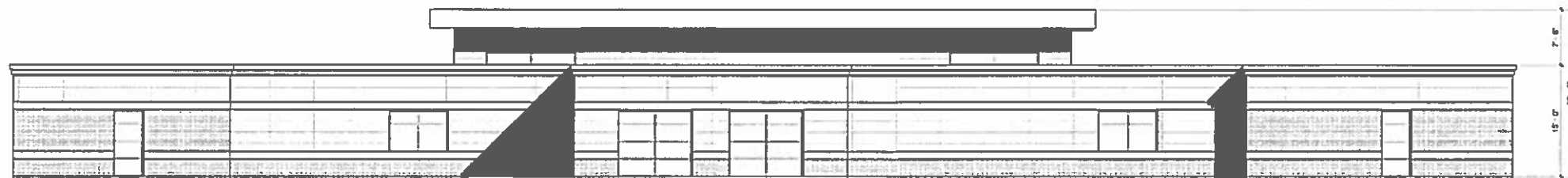
1 SOUTH BUILDING ELEVATION
002 1/8" = 1'-0"



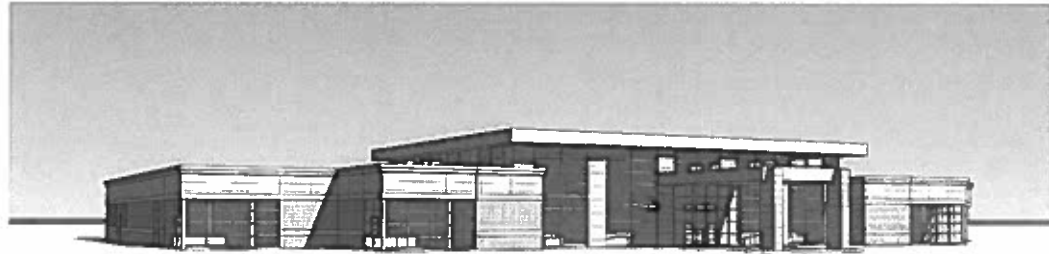
2 WEST BUILDING ELEVATION
002 1/8" = 1'-0"



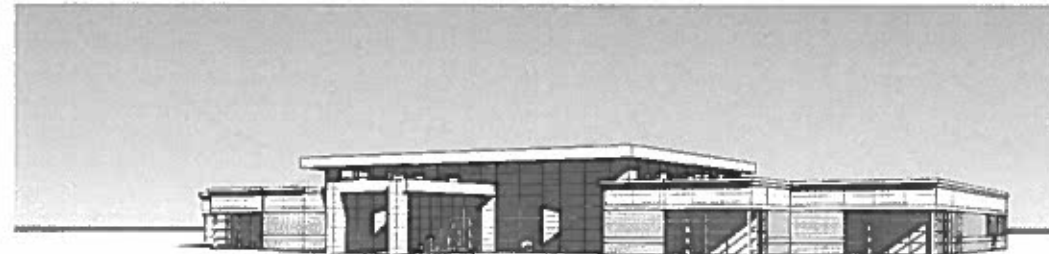
3 EAST BUILDING ELEVATION
002 1/8" = 1'-0"



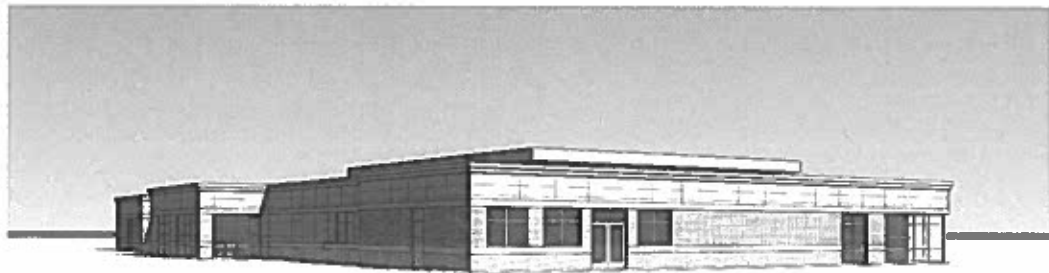
4 NORTH BUILDING ELEVATION
002 1/8" = 1'-0"



1
003 VIEW FROM SOUTHWEST



2
003 VIEW FROM SOUTHEAST



3
003 VIEW FROM NORTHWEST



4
003 VIEW FROM NORTHEAST



***Planning &
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Land
Development
524-2050

MEMORANDUM

TO: Plan Commission
FROM: Shawn Christ, Land Development Manager
SUBJECT: Announcements and agenda items – November 9 meeting
DATE: November 4, 2016

Development presentation

In keeping with past practice, I will give an overview of development activity which has occurred during the last year.

Election of Officers for 2017

The Plan Commission must nominate and elect a Chairman and Vice Chairman for 2017. The By-Laws state the Chairman cannot serve more than two consecutive terms (2 years). Cindy Wermuth has served two terms (2 years) as Chairman and a new chair must be elected. There is no term limit for Vice Chairman, currently Bill Fitzsimmons.