

City of Moline

PLAN COMMISSION

Wednesday, March 22, 2017
4:00 p.m.
Council Chambers, 619 16th Street

AGENDA

1. Call to order
2. Reading and approval of minutes from November 9, 2016.
3. Public hearings
 - a. PC 17-01 – Public hearing and request from John Deere (Corporation) c/o Richard Roels for a variance to the Landscaping and Bufferyard standards at Sec. 35-5203-5204 to allow for reduced number of trees and to eliminate trees from interior parking lot islands and areas along the alley and 5th Avenue. (Shawn Christ, Land Development Manager)
4. Other business
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.

STAFF REPORT
Department of Planning and Development
PC 17-01
March 16, 2017

GENERAL INFORMATION

Owner/Applicant: John Deere (Corporation) c/o Richard Roels

Requested Action: Variance to the Landscaping and Bufferyard standards at Sec. 35-5203-5204 to allow for reduced number of trees and to eliminate trees from interior parking lot islands and areas along the alley and 5th Avenue as proposed.

Location: 1900 5th Ave and vicinity

Size of Tract: 2 tracts - 1.7 acres total

Existing Land Use: Commercial/vacant

Existing Zoning: B-2 Central Business District

Surrounding Land Use: Commercial

BACKGROUND

Deere & Company is working to replace lost parking at their downtown data center due to realignment of the I-74 bridge. Parking will not be allowed under or near the new bridge structure so Deere has been working with the Illinois Department of Transportation (IDOT) and the City to acquire and demolish buildings and assemble properties in the vicinity.

One parking lot was constructed immediately south of their building at 400 19th Street. Required tree counts at that location were reduced due to utility conflicts and IDOT involvement. Deere is planning to construct a second, larger lot east of 19th Street, south of 5th Avenue, and north of 6th Avenue. This parking lot will span an entire city block and public alley. The company would like to mimic the design of the first parking lot.

Richard Roels, a representative for Deere & Company, has applied for a variance to allow a reduced tree count and to eliminate trees from interior parking lot islands and areas along the area and 5th Avenue. A proposed landscaping plan for the proposed parking lot is provided for consideration.

ANALYSIS

The analysis below references the application and the variance approval criteria found at Section 35-2207 and on the attached application form. Note that a variance can be granted only when the applicant establishes that all of the approval criteria are satisfied.

1. **Hardship Unique to Property or Use, Not Self-Inflicted.** The application states interior trees will obstruct parking lot lighting, previous uses of the site and unknown contaminants will make it difficult for trees to survive without soil corrections, and interior parking lot islands are not large enough to support full-size trees. These are common conditions which can be mitigated through careful site design and construction. They apply generally to other land, are not unique to this site, and do not create an undue hardship only to this property.

The application further states interior trees will obstruct security cameras which are critical to security operations for this world-wide data center with 24/7/365 operations. Although security concerns are not unique to Deere, staff agrees this facility is critical to Deere's worldwide operations and consideration should be given for unusual circumstances. To be considered as an undue hardship, the applicant should provide strong evidence substantiating the unique security concerns. Here are some questions or observations to consider:

- What is the security concern; is it approaching vehicles? Pedestrians?
- Why must the applicant have clear visibility across the parking lot 550 feet (1.5 blocks) from the building? Is there a minimum clear distance to maintain security?
- There are existing trees, large generator units, and an accessory structure on the Deere property within 150 feet of the building which also block views.
- The LeClaire Apartments building is approximately 85 feet from the Deere building. It has a high occupancy of 112 apartments and approximately 175 residents.
- There are public sidewalks, local streets, a state highway, and an active rail line abutting or adjacent to the building.
- Can ground mounted cameras or other supplemental security systems be utilized?
- Can a partial shade tree (small leaf) species such as a thornless honey locust be utilized to meet the ordinance? These species would partially screen but not entirely block views.

Without additional evidence to clarify and confirm a unique hardship, staff feels the neighboring buildings and adjoining transportation routes pose security risks which equal or exceed any parking lot trees located further from the data center. (Not met)

2. **Special Privilege.** Without additional evidence to establish an exceptional condition or clear hardship (see #1 above) the variance would grant a special privilege to John Deere which is denied to other downtown properties. (Not met)

3. **Literal Interpretation.** Street trees and paved area landscaping standards are intended to improve community appearance, mitigate environmental and aesthetic impacts of new development, and encourage the use of stormwater best management practices. The proposed landscape plan is missing 3 street trees on 5th Avenue, 1 street tree on 6th Avenue, and 7 interior parking lot trees. The extent of how 11 trees will negatively impact safety and security in this parking lot hasn't been clearly defined. Staff finds that the literal interpretation of the applicable zoning regulations does not deprive the applicant of rights commonly enjoyed by other properties in this zoning district, and does not result in an unnecessary and undue hardship on the applicant. (Not met)
4. **Reasonable Use.** Interior parking lot trees are utilized at other Deere facilities such as John Deere Seeding Group and their worldwide headquarters building, where trees and sustainability of the natural landscape seem to be embraced rather than avoided. This is a highly visible corridor and gateway to downtown Moline. The City recently completed a streetscape enhancement project of the 5th Avenue corridor which terminates at this parking lot. It is important to consider the aesthetics and appeal of our central business district. Based on the evidence submitted, staff feels the applicant could derive a reasonable use of the property without the requested variance. (Not met)
5. **Minimum Necessary.** There has been no attempt to provide trees within this parking lot. Without a unique hardship or special circumstance, this request is not the minimum necessary to make possible the reasonable use of this property. (Not met)
6. **Compatible with Adjacent Properties.** The aesthetic appeal of this downtown gateway area would benefit from landscaping enhancements as properties are improved and/or redeveloped. A lack of landscaping would detract from the appeal of the new development and the 5th Avenue downtown corridor. (Not met)
7. **Conformance with the Purposes of this Code.** The proposal seems to conflict with the stated purpose of the landscaping and bufferyard standards at Sec 35-5200 of the Zoning Code. (Not met)

"The intent of this Division is to provide minimum landscaping, screening and buffering standards to protect and improve community appearance, mitigate the environmental and aesthetic impacts of new development, prevent the creation of nuisances and health hazards, encourage the use of stormwater best management practices, and improve quality of life in the City of Moline."
8. **Conformance with the Comprehensive Plan.** Granting this variance could conflict with the following goals and objectives in the 2001 Comprehensive Plan:

Chapter 5 – Public Participation, Stakeholder Interviews Summary

"Moline needs to upgrade its standards and encourage quality redevelopment."

Chapter 6: Critical Issues Report -- Quality of Life

“The public meetings of the plan have identified a keen interest in maintaining a high quality of life in the City of Moline. The vision for Moline as a preferred place to live and work focuses on two primary areas of concentration: neighborhoods and services. Concerning neighborhoods, the comprehensive plan presents opportunity to envision new ways of investing in older areas... Landscaping and beautification of areas should be included in enhanced regulations for review and approval of development proposals.”

Goal #6: Creating Quality Places

- *Promote the integrity of design in public and private places by following principles of good design.*
- *Develop design standards and site plan review criteria for office, commercial and industrial uses.*
- *Develop landscape standards for all new development and redevelopment projects.*

Additionally, the proposal conflicts with goals in the 2014 Comprehensive Plan Update for Moline Centre which encourages an expansion of streetscape improvements and landscaping enhancements adjacent to the 5th Avenue Corridor and also the former I-74 bridge corridor. (Not met)

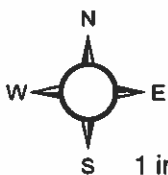
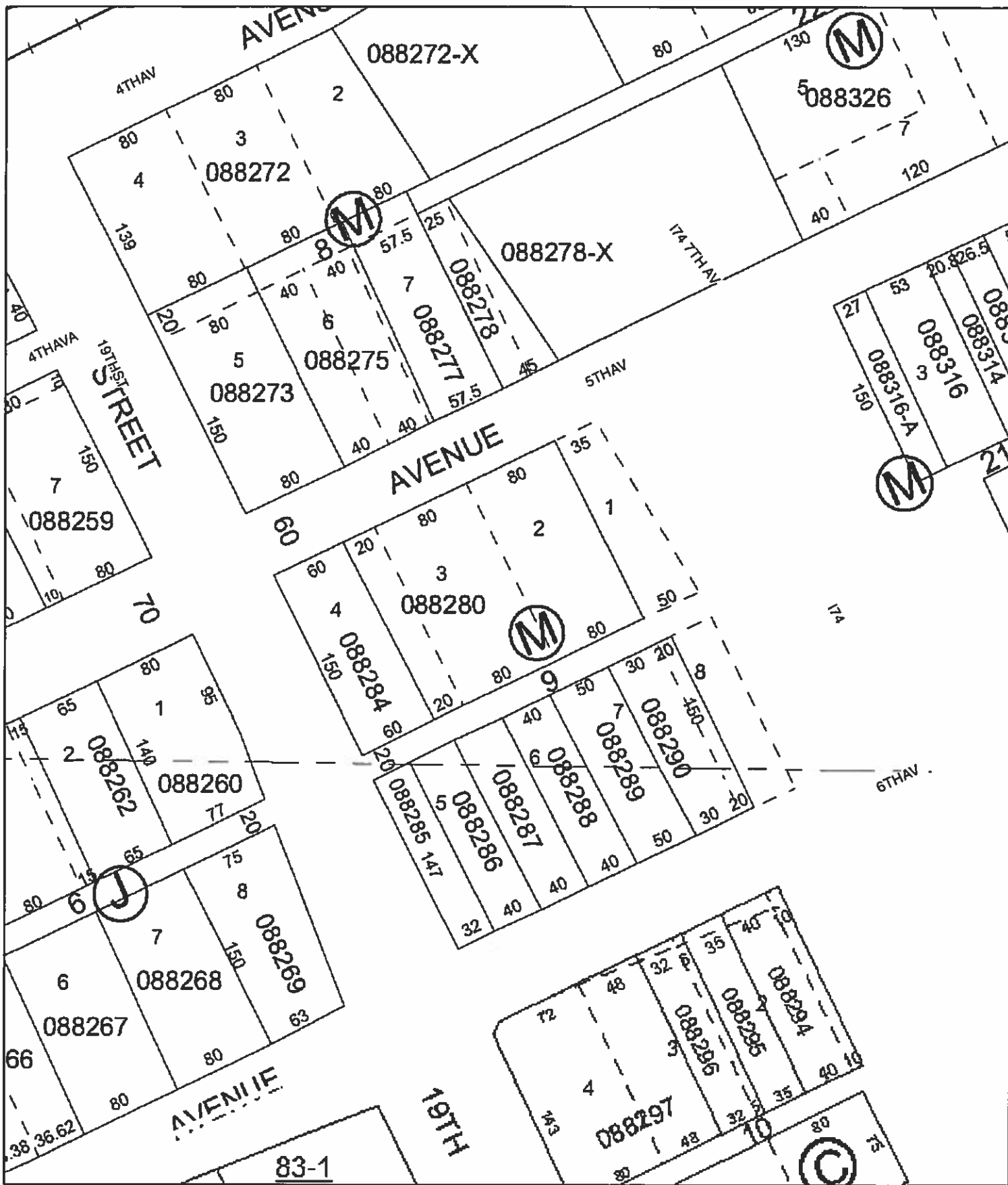
STAFF RECOMMENDATION

Based on the above findings that the required 8 review criteria are not met, staff recommends that the Plan Commission deny the variance application as presently proposed. If additional evidence is supplied by the applicant during the hearing, the evidence should be considered against each of the 8 criteria separately as part of the decision-making process.

The Plan Commission is authorized to decide this variance. If the Commission votes to approve the request, the vote must be supported by findings consistent with that vote.

ATTACHMENTS

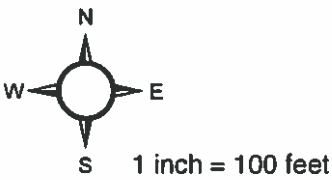
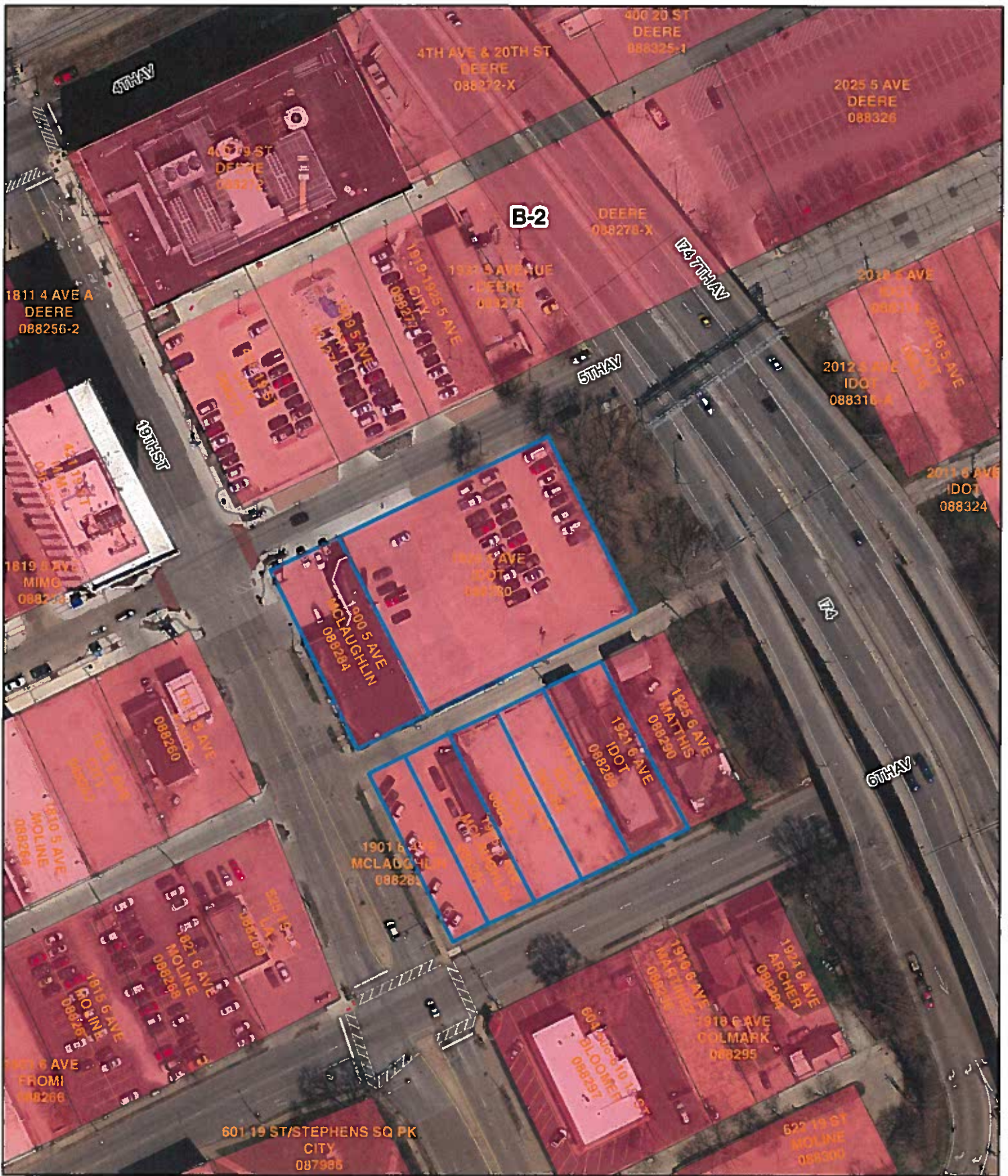
1. Tax parcel map
2. Surrounding zoning map
3. Application and proposed landscaping plan
4. Interested parties disclosure form



1 inch = 100 feet

PC 17-01

City of Moline, Illinois
 Planning & Development Department
 Land Development Division




VARIANCE APPLICATION REDUCE AND ELIMINATE TREES City of Moline, Illinois



Legend

 Requested variance area

0 50 100 Feet



Plan Commission Meeting: March 22, 2017
Applicant: John Deere Corporation
Owner: IDOT
Parcels: 08-8284; 08-8280; 08-8285;
08-8286; 08-8287; 08-8288; 08-8289

Prepared by the City of Moline
Planning & Development Department



APPLICATION Notice of Appeal and Request for Variance Plan Commission

For Staff Use Only
Date: 2-16-17
Case # 17-02
\$650.00 Application Fee
(NON-REFUNDABLE)

APPLICANT:

Name: John Deere (Corporation) Richard Roels Interest in Property: Representative
Address: One John Deere Place Moline, IL 61265
Phone: 309-765-5090 Email: RoelsRichardA@John Deere.Com

LEGAL DESCRIPTION OF PROPERTY (from deed or survey):

Parcel No. 2XRI065 - Tracts 1 & 2 (See Attached)

also known as 1900 5th Ave, Moline, IL 61265 and zoned B-2
(address)

APPLICANT REQUEST:

The applicant petitions the Plan Commission to consider an appeal for variance to the Zoning and Land Development Code of the City of Moline, Illinois.

^S The applicable section of the Zoning Ordinance is Sec. 35-5204 and requires 1 large deciduous tree and 60 points additional landscaping per 3,000 sf of paving

The request is a variance on the above property to reduce the number of trees required by the City of Moline and to eliminate trees from interior parking lot islands and areas along the alley and 5th Avenue as shown in the attached landscaping plan prepared by Uncommon Ground.

APPROVAL CRITERIA:

A variance is not a right. It may be granted to an applicant only if the applicant establishes that strict adherence to this Code will result in undue hardship because of site characteristics that are not applicable to most properties in the same zoning district. Such variances shall be granted only when the applicant establishes that all of the following criteria are satisfied (please respond to each of the following criteria):

1. **Hardship Unique to Property, Not Self-Inflicted.** There are exceptional conditions creating an undue hardship, applicable only to the property involved or the intended use thereof, which do not apply generally to the other land areas or uses within the same zone district, and such exceptional conditions or undue hardship was not created by the action or inaction of the applicant or the owner of the property, or any previous property owner.

1. Trees in the interior parking lot islands will obstruct security cameras and parking lot lighting.

These two items are critical to security operations given that this is a world-wide data center with 24/7/365 operations.

2. Previous uses of the site and unknown contaminants will make it difficult for trees to survive without substantial soil corrections and over-excavation at the root zone.

3. The interior parking lot islands are not large enough to support full-size trees. Upon maturity, the roots will cause damage to the paved areas and the tree will likely die.

2. **Special Privilege.** The variance will not confer on the applicant any special privilege that is denied to other lands or structures in the same zoning district.

There are several other surface parking lots in the immediate surrounding area (zoned B-2) that do not have tree counts that meet the current zoning requirements and/or have trees in interior islands. The existing Deere parking lot directly to the north (400 19th Street) is an example of the construction that is being matched (e.g. plantings, pavers, trees, etc.).

3. **Literal Interpretation.** The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship only on the applicant.

John Deere takes safety & security very seriously when it comes to employees & guests to our facilities; and have provided a landscaping plan that allows us to provide secure parking, while meeting most of the City of Moline's landscaping requirements.

4. **Reasonable Use.** The applicant and the owner of the property cannot derive a reasonable use of the property without the requested variance.

Trees in the interior parking lot islands will obstruct security cameras and parking lot lighting.

These two items are critical to security operations given that this is a world-wide data center with 24/7/365 operations.

5. **Minimum Necessary.** The variance is the minimum necessary to make possible the reasonable use of land or structures.

The existing trees were removed by IDOT during the demolition of the former McLaughlin and Berry Bearing facilities.

John Deere is proposing to provide new trees per landscaping plan (13 total); which is an improvement from the current tree count of zero. The interior islands will be landscaped with smaller plant material that will have a better chance of survival.

6. **Compatible with Adjacent Properties.** The variance will not be injurious to, or reduce the value of, the adjacent properties or improvements or be detrimental to the public health, safety or welfare, in granting a variance, the decision-maker may impose conditions deemed necessary to protect affected property owners and to protect the intent of this Code. The decision-maker may consider prospective financial loss or gain to applicant but consideration shall not be sole reason for granting a variance.

The parking lot project includes landscaping and streetscaping improvements which will dramatically improve the current condition of the site's current state (i.e. gravel subgrade with no landscaping).

The existing Deere parking lot directly to the north (400 19th Street) is an example of the construction that is being matched (e.g. plantings, pavers, trees, etc.).

7. **Conformance with the Purposes of this Code.** The granting of a variance will not conflict with the purposes and intents expressed or implied in this Code.

John Deere is proposing to provide new trees around the perimeter of the lot (13 total);
which is an improvement from the current tree count of zero. The interior islands will be
landscaped with smaller plant material.

8. **Conformance with the Comprehensive Plan.** The granting of a variance will not conflict with the goals and principles in the Comprehensive Plan.

John Deere is proposing to provide new trees around the perimeter of the lot (13 total);
which is an improvement from the current tree count of zero. The interior islands will be
landscaped with smaller plant material.

(If you have additional comments, please attach to the application.)

Signature of Applicant:



Date: 2/14/17

YOUR APPLICATION IS DUE BY 5:00 P.M. ON February 22, 2017 FOR THE March 22, 2017 MEETING.

John Deere Parking Lot Addition Legal Description

Parcel No. 2XR1065

Tract One

The westerly 30 feet of Lot 1 and Lots 2, 3 and 4 in Block 9 in Wood's Third Addition, the Plat of said Addition is recorded in Book "O" of Deeds, Page 561 in the Recorder's Office of Rock Island County, State of Illinois, containing 40,540 square feet, (0.931 acre), more or less.

Tract Two

Lots 5 and 6 and the west 50 feet of Lot 7 in Block 9 in Wood's Third Addition, the Plat of said Addition is recorded in Book "O" of Deeds, Page 561 in the Recorder's Office of Rock Island County, State of Illinois, except part of said Lot 5, described as follows; Beginning at the southwest corner of said Lot Five (5); thence northerly three (3.0) feet along the westerly line of Lot Five (5); thence southeasterly to a point on the southerly line of Lot Five (5) which is three (3.0) feet easterly from the southwest corner of Lot Five (5); thence westerly three (3.0) feet along the southerly line of Lot Five (5) to the Place of Beginning, containing 31,545 square feet, (0.724 acre), more or less.

Property subject to a reservation for green space of the easterly fifteen feet (15') of Tract Two.

CITY OF MOLINE
APPLICANT/OWNER INTERESTED PARTIES DISCLOSURE

Please acknowledge the relationship and specific interest of all interested parties to the requested zoning or subdivision action. If a trust, partnership, corporation or other legal entity is involved in the ownership of the subject property or will benefit or be affected via a pecuniary interest, you must disclose the beneficial owners, partners, corporate officers, or relevant interested parties respectively. Failure to provide a complete and accurate response may render the application incomplete and delay consideration.

Entity name (if applicable): John Deere Corporation

Name Richard A Roels
Address 2605-113th Avenue Crt W
City, ZIP Milan, IL 61264
Phone 309-314-4575 Title Project Manager
Ownership Percentage NA

Name Karl Kane
Address 1516-8th Street
City, ZIP Orion, IL 61273
Phone 309-314-3530 Title Facilities Manager
Ownership Percentage NA

Name _____
Address _____
City, ZIP _____
Phone _____ Title _____
Ownership Percentage _____

Name _____
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City, ZIP _____
Phone _____ Title _____
Ownership Percentage _____

Name _____
Address _____
City, ZIP _____
Phone _____ Title _____
Ownership Percentage _____



(revised submittal - unsigned)

APPLICATION
Notice of Appeal and
Request for Variance
Plan Commission

For Staff Use Only
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1. Trees in the interior parking lot islands will obstruct security cameras and parking lot lighting These two items are critical to security operations. given that this is a world-wide data center with 24/7/365 operations.
2. Previous uses of the site and unknown contaminants will make it difficult for trees to survive without substantial soil corrections and over-excavation at the root zone. 3. The interior parking lot islands are not large enough to support full-size trees. Upon maturity, the roots will cause damage to the paved areas and the tree will likely die.

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There are several other surface parking lots in the immediate surrounding area (zoned B-2) that do not have tree counts that meet the current zoning requirements and/or have trees in interior islands. The existing Deere parking lot directly to the north (400 19th Street) is an example of the construction that is being matched (e.g. plantings, pavers, trees, etc.).

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(If you have additional comments, please attach to the application.)

Signature of Applicant: _____

Date: 2/14/17

YOUR APPLICATION IS DUE BY 5:00 P.M. ON February 22, 2017 FOR THE March 22, 2017 MEETING.



Illinois Department of Transportation

Division of Highways / Region 2 / District 2
819 Depot Avenue / Dixon, Illinois / 61021-3500
Telephone 815/284-2271

PROGRAM DEVELOPMENT

Programming
Rock Island

March 13, 2017

Mr. Shawn Christ
City of Moline
619 16th Street
Moline, Illinois 61265

Dear Mr. Christ:

Thank you for the notification of an application for a variance to landscaping regulations. The property is located between Fifth and Sixth Avenues along 19th Street.

Petitioners must apply to this office for an access permit for a new entrance or a modification to an existing entrance onto a State maintained road. Illinois 92 (Sixth Avenue) is a State maintained road. Therefore, if either of these is intended, please have the petitioners contact Mr. Jason Stringer, Acting Senior Permit Technician at (815) 284-5413 for access permit information.

Currently, the department has plans to reconstruct I-74 Bridge east of this permit location. This request for variance to landscaping regulations will not impact the I-74 project

Thank you for the opportunity to comment on the zoning notice. If you have any questions, please call Ms. Veronica Sarver, Systems Inventory Supervisor, at (815) 284-5447.

Sincerely,

A handwritten signature in black ink that reads "K. Marchek".

Kevin Marchek, P. E.
Region Two Engineer

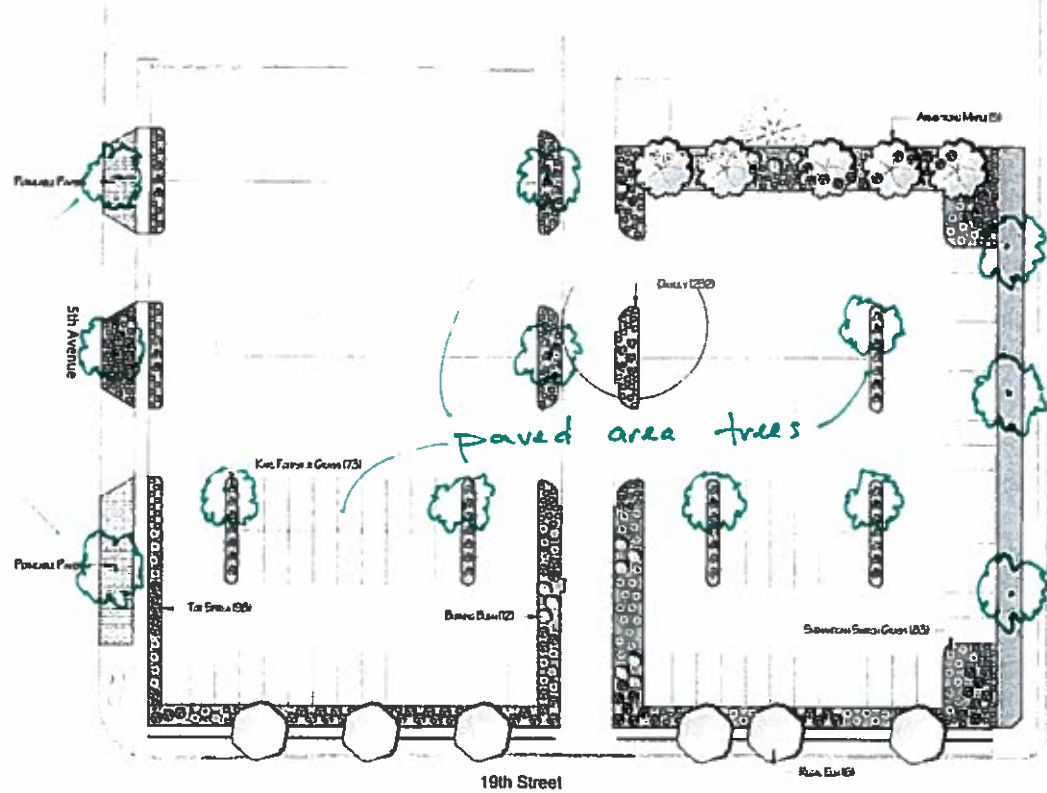
VS/fd

c: Jason Stringer

street trees

street trees

paved area trees



This design is an instrument of services and shall remain the property of Uncommon Ground. The use of this drawing and the concepts contained herein shall not be used beyond the original intent nor copied or retained without written permission of Uncommon Ground.



Revision #:

Scale:

Landscape Plan:

Landscape Design by: Chad Johnson

Date: 11/16/2016

1" = 20'

19th Street Parking Lot

Uncommon Ground

MEAI SHEET 12 OF 16

staff review copy



This design is an instrument of services and shall remain the property of Uncommon Ground. The use of this drawing and the concepts contained herein shall not be used beyond the original intent nor copied or retained without written permission of Uncommon Ground.



<p>Revision #: Date: 2/14/2017</p>	<p>Scale: 1" = 20'</p>	<p>Landscape Plan: 19th Street Parking Lot</p>	<p>Landscape Design by: Chad Johnson Uncommon Ground</p>
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