

# City of Moline

## Plan Commission

Wednesday, February 12, 2020  
4:00 p.m.  
Council Chambers, 619 16<sup>th</sup> Street

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### **AGENDA**

1. Call to Order
2. Approval of minutes
3. New Business
  - a. 2020 Topic List
4. Old Business
  - a. None
5. Public Comment
6. Adjourn

*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 Ryan Berger, Department of Planning & Development, 524-2030.*

## PLAN COMMISSION

### MINUTES

Wednesday, January 8, 2020

**Present:** Bill Fitzsimmons, Mike Crotty, Jeff Nelson, Victoria Graves, John Wetzel, Ashley Pankey, Dennis Kelly, Cindy Wermuth, Butch Trevor

**Absent:** Craig Mack, Peter McDermott

**Staff:** Ryan Berger, Jeff Anderson, Janine Hollembaek Parr, Derke Price

**Others:** Dan Dolan

#### 1. Call to Order

Chairman Fitzsimmons called the meeting to order at 4:02 PM.

#### 2. Approval of minutes

**Motion made by Commissioner Trevor; seconded by Commissioner Wetzel, to approve the minutes from December 11, 2019. Motion carried unanimously.**

Commission revisited the minutes as it was their intent from the last meeting to have the Cannabis Dispensary Overlay District on 15<sup>th</sup> Street from 13<sup>th</sup> Avenue South to 19<sup>th</sup> Avenue instead of 14<sup>th</sup> Avenue South to 19<sup>th</sup> Avenue.

**Motion made by Commissioner Graves; seconded by Commissioner Wetzel, to amend the minutes from December 11, 2019 reading 15<sup>th</sup> Street: 14<sup>th</sup> Avenue South to 19<sup>th</sup> Avenue to reflect 15<sup>th</sup> Street: 13<sup>th</sup> Avenue South to 19<sup>th</sup> Avenue. Motion carried unanimously.**

#### 3. New business

##### a. Public Hearing – Amending Division 6. Adult Cannabis Businesses.

Chairman Fitzsimmons opened the Public Hearing.

Mr. Berger went over the text changes made at the last meeting to “Division 6. Adult Cannabis Businesses.” These changes included: Adding the definitions sheet of cannabis use activities from the State Code, Cannabis Cultivation Centers Special Use was removed from Districts B-3 and B-4 under “Uses Permitted in Zones,” Cannabis Transporter will not be permitted in Districts B-3 and B-4 under “Uses Permitted in Zones,” Cannabis Dispensaries will only be allowed in the overlay districts created and all other Cannabis Use Activity will only be permitted in I-1 and I-2 zones. He clarified that the distances from pre-existing sensitive uses is 100’ in the Residential Zoning District. This means it is measured from the property line, not the building itself. The Commission discussed the pre-existing sensitive use distances. Mr. Berger clarified that the overlay district map illustrates the impact of the distances. When someone comes in with a cannabis use activity, the distances will be applied again in case property use has changed.

The Commission moved to the overlay district map where Corporation Counsel, Derke Price, expressed his appreciation on behalf of the Mayor and Council for the Plan

Commission's work on the text and overlay district map. Mr. Price explained that the Council may make text and overlay boundary changes but that does not mean they are not grateful for the work done. Mr. Berger and Mr. Price went over the Commission's questions regarding Cannabis Transporters, CBD oils, Special Use, tents as temporary structures, advertising and signage.

The Commission made the following text changes to the "Division 6. Adult Use Cannabis Businesses:"

Sec. 35-3603. Application Requirements.

(5) A floor plan **and elevations;**

(8) A site plan. A site plan for any Cannabis Dispensary use must show: adequate public access; the layout promotes the safe dispensing of cannabis; the location is sufficient in size, power allocation, lighting, parking, handicapped accessible parking spaces, accessible entry and exists as required by the Americans with Disabilities Act; product handling; and storage; and **advertising and signage; and**

Dan Dolan a property owner on Avenue of the Cities addressed the Commission in regards to size of dispensary facilities. He would like the Commission to take into consideration waiting room sizes to reduce lines of people waiting to get into the dispensary.

Chairman Fitzsimmons closed the Public Hearing.

The Commission named the representative maps of the Cannabis Dispensary Overlay Districts as four corridors to be included in the "Division 6. Adult Cannabis Businesses:"

John Deere Road Corridor - John Deere Road: All of John Deere Road where the blue mapping allows excluding Black Hawk College.

Avenue of the Cities Corridor - Avenue of the Cities: 46<sup>th</sup> Street to the Eastern City border. 27<sup>th</sup> Street to 29<sup>th</sup> Street.

Uptown Corridor - 15<sup>th</sup> Street: 13<sup>th</sup> Avenue South to 19<sup>th</sup> Avenue.

Downtown Corridor - Downtown: 19<sup>th</sup> Street West to 12<sup>th</sup> Street including 4<sup>th</sup> Avenue South to 7<sup>th</sup> Avenue. I-74 Interstate East to 23<sup>rd</sup> Street including 4<sup>th</sup> Avenue South to almost 6<sup>th</sup> Avenue where the blue mapping area allows.

**Motion made by Commissioner Nelson; seconded by Commissioner Wermuth, to recommend to Council "Division 6. Adult Cannabis Businesses" with the text as amended along with the amended representative maps illustrating the corridors. Motion carried unanimously.**

**4. Old business**

None.

**5. Public comment**

None.

**6. Adjourn**

Mr. Anderson reminded the Commission of the IL-92 Study Public Workshop on Monday, January 13<sup>th</sup> from 5:30 pm to 7:00 pm in the Community Room at the Moline Police Department.

Chairman Fitzsimmons adjourned the meeting at 5:10 p.m.

Respectfully submitted,  
Fawn Schultz, Community & Economic Development Administrative Assistant  
Recording Secretary

**PLAN COMMISSION  
MINUTES**

Wednesday, January 22, 2020

- Present:** Bill Fitzsimmons, Cindy Wermuth, Butch Trevor
- Absent:** Mike Crotty, Jeff Nelson, Victoria Graves, John Wetzler, Ashley Pankey, Dennis Kelly, Craig Mack, Peter McDermott
- Staff:** Ryan Berger, Jeff Anderson
- Others:** Alex Elias – Renew Moline, Amanda Golden – Design Local (Renew Public Art Consultant)

**1. Call to Order**

Chairman Fitzsimmons called the meeting to order at 4:05 PM.

**2. Approval of minutes**

No quorum; unable to approve the minutes.

**3. New business**

**a. Art Plan Discussion.**

Amanda Golden, Managing Principal, of Designing Local was hired by Renew Moline to do the Public Art Master Plan. She gave a presentation on what public art is and why it is valuable to a community. Her goal is to create a robust program that will leave a legacy and will strengthen the quality of life in Moline. She explained the kickoff process has started and she is getting to know the leaders and stakeholders of Moline via one on one meetings, focus groups and presenting to various bodies. Next, will be community input gatherings and then a framework and recommendation of what was gathered. Lastly, will be the final recommendation and adoption of the Public Art Master Plan. More information can be found on Renew Moline’s website along with a survey. Ms. Golden and Ms. Elias answered questions and received feedback from the Commission.

**4. Old business**

None.

**5. Public comment**

None.

## **6. Adjourn**

Chairman Fitzsimmons and Mr. Berger gave an update to the Commission on the Committee of the Whole meeting and Council's discussion on Division 8. Adult Use Cannabis Businesses. The Commission also discussed their thoughts on the Comprehensive Plan and its future.

Chairman Fitzsimmons adjourned the meeting at 5:09 p.m.

Respectfully submitted,  
Fawn Schultz, Community & Economic Development Administrative Assistant  
Recording Secretary

# **Memo**

To: J.D. Schulte, Ryan Berger and Bill Fitzsimmons  
From: City Council  
Date: October 29th, 2019  
Subject: Plan Commission - Topic List 2020

The City Council would like to acknowledge the Plan Commission and the terrific work they have done for the City of Moline over the years. They have always stepped up to give valuable input on developments that have come before them as well as tweaks to our code of ordinances. The Council would like to encourage and empower the Plan Commission to become even more proactive in helping the City modernize our Code of Ordinances.

## **Expectations**

The Council would like to direct the Plan Commission to review and consider the following topics over the next year with the expectation that the Plan Commission/Staff would report back to the Council with recommendations on each topic throughout the year. Those recommendations could run the gamut from a complete overhaul of a code section, to a small tweak or maybe a recommendation of no change to the code at all. It might also merely be a clarification that will assist staff in implementation and enforcement of certain ordinances. The Council would like to further encourage the Plan Commission to develop a proactive plan of their own to address other issues in the code that need to be updated from time to time in order to have a robust and current Code of Ordinances.

## **Task List**

1. Form Based Code - Specifically in Downtown
2. Tiny Homes
3. Granny Flats
4. Sign Code Update
5. Complete Streets Code
6. Noise Ordinance
7. Fences

## **Focus of Review**

Below is a brief summary of each topic on the task list and the areas that the council would like the Plan Commission to explore. This list and scope is in no way all inclusive, and the Plan Commission may find it appropriate to expand the discussion, but the Council would like the items below to be considered and the Plan Commission to report back to the Council as topics are considered. By the end of 2020 it is the hope of the Council that all items will have been addressed. The Council understand that some of these topics may have already been considered, but no report/memo was delivered to Council for consideration.

### Form Based Code

Downtown Moline has been a continuous focus for development and growth in Moline and with the I-74 project it has been determined to ensure continuity of development downtown it would be prudent to update our code to have a Form Based Code Overlay of downtown. The PMT as well as the I-74 Realignment Zone Advisory Committee have both expressed their desire for the City to adopt a Form Based Code for downtown. It would be optimal if the Plan Commission could have some recommendations regarding Form Based Code for downtown for the ULI study that will take place early 2020.

### Tiny Homes

In recent years the “Tiny Homes” movement has been adopted in a number of progressive cities throughout the U.S. They are being sought out by millennials and other individuals that want to reduce their footprint on the earth by living a more minimalist life. They use less resources yet allow for increased density of population in our community. The loss of some population in Moline is concerning and the acceptance of Tiny Homes in our community is one way to utilize lots that might otherwise be too small for a traditional house, encourage the use of areas that have utilities but no current home, and to recruit new individuals to our area that might not otherwise consider it without this housing option.

### Granny Flats

Another movement in many cities is the acceptance of Granny Flats. Designed for one or two persons, a granny flat is a self-contained living area usually located on the grounds of a single-family home. A granny flat can be detached, or it can be attached to the other dwelling, sometimes called an accessory dwelling unit (ADU). This allows families to stay together whether it be elderly parent that might need some assistance to live close to their children, or Children that do not yet have enough funds to move out on their own to live with the family without being under the same roof. This can also be used as supplemental income for homeowners in which owner occupied main homes rent out the ADU to help supplement their mortgage payments. If adopted the council would like a provision that would prevent both the main house and the ADU from both being rented out.

### Sign Code Update

Over the past couple of years there has been a number of issues that have been brought up regarding signs in Moline, mainly focused on “Temporary Signs” and Banners, as well as placement of signs in the Right of Way (ROW). The Council would like the Plan Commission to work with Staff to determine what updates are needed for our current sign code.

### Complete Streets

The Council has recently voiced its preference for more complete street design in Moline, that would include bike facilities as well as narrower lane widths. It has also been suggested that this approach would include, where appropriate, and not in conflict with utilities (Water and WPC) the



planting of more Trees in our ROWs. The Council would like the Plan Commission to look Des Moines approach to complete streets as one option on how to move Moline forward.

### Noise Ordinance

There seemed to be some confusion on what was a Noise Ordinance Violation in Moline recently. We want a vibrant and dynamic downtown that is full of life, but also want a community where in residential neighborhoods people can expect quiet enjoyment of their property. Clearly this balance needs to be reviewed and the Council would like the Plan Commission to review the Noise Ordinance to determine if there are any changes that would be appropriate.

### Fences

It is the Council's understanding that there has been some consternation regarding fencing regulations in Moline especially on corner lots as well as the zoning process for fences to be built in Moline. There has also been some discussion on limitations of fences in front yards for properties on main thoroughfares in the City and the Council would like the Plan Commission to consider whether chain link fences or privacy fences should be allowed in the front yard of properties these properties or if they should be limited to decorative fencing.