

PLAN COMMISSION MINUTES

Wednesday, January 23, 2019

Present: Bill Fitzsimmons (Chairman), Mike Crotty, Alan Hon, Dennis Kelly, Craig Mack, Pete McDermott, Butch Trevor, Cindy Wermuth

Absent: Jeff Nelson (Vice Chairman), Matt Puck, John Wetzel

Staff: Chris Mathias, Jeff Anderson

Others: Dick Potter, Brett Fetter, Alex Elias

1. Call to Order

Chairman Fitzsimmons called the meeting to order at 4:00 p.m.

Those present with an expressed intent to testify as part of a public hearing were sworn in by Mr. Mathias.

2. Approval of the Minutes – December 12, 2018

Commissioner Trevor made a motion to approve the minutes for the December 12, 2018 meeting. Commissioner Mack seconded the motion and the minutes were unanimously approved.

3. New Business

- a. **PC 19-01 – Public Hearing and request from Adirondack RE, LLC for a variance to the Sign Code at Chapter 3, Sec.3-2105, Table 3-2105.2, to allow installation of a freestanding sign that is setback zero (0) feet from the front property line, five (5) feet closer than allowed at 4300 12th Avenue.**

Mr. Mathias stated that the public hearing notice had been published in the Dispatch and was included within the case file along with the agenda and staff report. Mr. Mathias referred the Plan Commission to the staff report and reviewed the applicant's specific request, Sign Code requirements, location, site characteristics, and zoning designation. Plan Commissioners had several questions pertaining to the location of the proposed sign and its relationship to the 12th Avenue right-of-way. Mr. Mathias referred the Commissioners to the site plans and sign graphics within the agenda packet. Mr. Brett Fetter spoke on behalf of the request and stated

that the property's ownership entity is interested in enhancing the property's appearance, which includes the proposed new sign. Commissioner Crotty asked if the old sign would be removed. Mr. Fetter responded that the old sign would be removed.

Commissioner McDermott motioned to approve the requested variance for the proposed sign. The motion was seconded by Commissioner Wermuth and the motion was unanimously approved.

- b. PC 19-02 - Public hearing and request from Shawn Larson, Big Dog Construction Co. Inc. for approval of a Special Use Permit for an In-Vehicle/Drive-Thru Use (Drive-thru coffee/smoothie shop) at 1806 15th Street Place.**

Mr. Mathias stated that the public hearing notice had been published in the Dispatch and was included within the case file along with the agenda and staff report. Mr. Mathias referred the Plan Commission to the staff report for specific details related to the request. Mr. Mathias stated that staff is still working with the applicant to revise the site plan in order to comply with City development criteria.

Commissioner Trevor motioned to continue the public hearing to the Plan Commission's regularly scheduled meeting to be held February 13th, 2019 at 4:00 p.m. in the City Council Chamber at Moline City Hall. The motion was seconded by Commissioner McDermott and unanimously approved.

- c. PC 19-03 - Public hearing to consider a request to amend Section 35-3108 of the City of Moline Code of Ordinances to allow for exceptions to the required front yard setback.**

Mr. Mathias stated that the public hearing notice had been published in the Dispatch and was included within the case file along with the agenda and staff report. Mr. Mathias reviewed the proposed Zoning Code text amendment language as well as the Plan Commission's discussion on the proposal from their previous meeting. Mr. Mathias shared a PowerPoint slide titled: "Exceptions for Required Front Setback When Established Setbacks are Less," which contained the aforementioned text amendment language and is attached to these Plan Commission minutes. Commissioner Wermuth affirmed that the proposed text amendment language presented by Mr. Mathias met the Plan Commission's intent.

Commissioner Wermuth motioned to approve the text amendment language as presented by Mr. Mathias. The motion was seconded by Commissioner Trevor and unanimously approved.

- d. PC 19-04 - Public hearing to consider a request to amend Sections 35-3401, 35-3419, and 35-5100 of the City of Moline Code of Ordinances in order to require the approval of PC 19-04 a Special Use Permit for the development of new or improvement of existing off-street parking within the B-2 (Central Business District) Zoning District.**

Mr. Anderson stated that the public hearing notice had been published in the Dispatch and was included within the case file along with the agenda, which included a memo from staff that summarized the background of the proposed text amendment and the amendment itself. As

part of the preceding statement, Mr. Anderson indicated that the proposed amendment originated with the City Council at their December 18th, 2018 meeting. Mr. Anderson explained that in light of the City Council's direction, staff elected to recommend that Sec. 35-3419 "GROUP DEVELOPMENTS," be amended to include the new language, whereby, new parking areas in the B-2 (Downtown) Business District would be considered a "Group Development" and require the approval of a Special Use Permit by the Plan Commission in order to authorize the parking area development activity. Mr. Anderson then reviewed the specific line by line changes to the Zoning Code. Mr. Anderson acknowledged that the City Council referred to the "Purpose and Intent" and "Defining Characteristics" sections of the B-2 Zoning District in regards to promoting the downtown as a high density, compact, pedestrian oriented area where most parking needs are met on-street or in public lots with some additional parking provided in the rear of the buildings or in structures.

Dick Potter addressed the Commission and spoke in favor of the proposed amendment citing the need to maintain an urban feel in the downtown. Mr. Potter added that it would be desirable to encourage shared parking when possible.

Alex Elias, Executive Director and CEO of Renew Moline, questioned several details of the proposed amendment and expressed concerns that the proposal may be at odds with the City's goal of being developer-friendly.

There was further discussion by the Commission in regards to what was the level of urgency for approval of the item and whether the proposal would benefit from further review and discussion. Commissioner Wermuth stated that she trusted staff's recommendation. Commissioner Crotty suggested that it may be a good idea to further consider the concerns noted by Ms. Elias of Renew Moline. Consequently, Commissioner Crotty questioned whether the item should be tabled to allow further analysis and refinement of the proposal. Ms. Elias stated that she would be available for any assistance that she and Renew Moline could provide.

Commissioner Crotty motioned to recommend approval of the proposed amendment to the City Council. The motion was seconded by Commissioner Kelly and unanimously approved.

4. Other Business

Zoning Code Update: Major Accessory Structure discussion

Mr. Mathias reviewed the information that staff had previously provided to the Commission on regulating the number and size of residential accessory structures. Mr. Mathias discussed staff's opinion that there should be a relationship between the size of the lot and the number and size of accessory structures allowed. Mr. Mathias referred the Commission to the Zoning Code Update PowerPoint presentation slide specific to the Major Accessory Structure item. Please see the attached PowerPoint presentation and the slides titled: "Residential Accessory Building – Existing Size Limitation." There was general discussion by the Commissioners on the topic, which concluded with a request for staff to move the item forward for a public hearing at a subsequent meeting of the Plan Commission.

5. Upcoming Business

Mr. Mathias stated that staff is still working with the applicant on his submittal for PC19-02 and will hopefully have a sufficiently finalized proposal to bring back for the Commission's next meeting. Mr. Mathias acknowledged that a proposed Zoning Code text amendment related to the regulation of residential accessory structures should be on the next meeting's agenda as well.

6. Public Comment

Commissioner Fitzsimmons stated that he would not be available for the next regularly scheduled meeting of the Plan Commission and that Vice Chairman Nelson should be contacted to determine his availability to Chair the meeting.

7. Adjourn

Being no further business the meeting was adjourned.

Respectfully submitted,

Jeff Anderson, AICP, City Planner
Recording Secretary Pro Tem