

City of Moline

PLAN COMMISSION

Wednesday, November 14, 2012

4:00 p.m.

Council Chambers

AGENDA

1. Call to Order and Approval of Minutes - July 11, 2012
2. Reports:
 - a. John Deere Road reconstruction (Scott Hinton, City Engineer)
 - b. Riverfront trail realignment from KONE Centre to I-74 (Scott Hinton, City Engineer)
 - c. Airport South District Concept Plan (Jeff Anderson, City Planner)
3. Presentation on development activity (Shawn Christ, Land Development Manager)
4. Open Meetings Act mandatory training
5. Appointment of nominating committee, election of officers
6. Review upcoming meetings
7. 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 Fran Frutiger, Department of Planning & Development, 524-2030.

PLAN COMMISSION MINUTES

Wednesday, July 11, 2012

PRESENT: Bill Fitzsimmons, Chairman, Dan McConaghy, Jeff Nelson, Matt Puck, Butch Trevor, Mike Wendt, Cindy Wermuth

ABSENT: Mike Crotty, Dennis Kelly, Pete McDermott, John Wetzel

STAFF: Shawn Christ, Jeff Anderson, Fran Frutiger

OTHERS: George Bialecki, Jr., Autumn Trails Senior Development, LLC; Mitch Carrell, Attorney for Autumn Trails Senior Development; Dave Bayles, CNL Lifestyle Properties, Inc.; James Schmidt, CNL Lifestyle Properties; Scott Verbeckmoes, representing applicant for PC 12-07

Chairman Fitzsimmons called the meeting to order at 4:00 p.m. and opened the public hearing for PC 12-06.

1. PC 12-06 Public hearing for a request from George Bialecki, Jr. and Helen Bialecki of Autumn Trails Senior Development, LLC for a Special Use Permit for an existing large institutional residential land use, Amber Ridge Memory Care, 221 11th Avenue.

Mr. Christ swore in those persons present who intended to provide testimony. He acknowledged that the publication for hearing notice PC 12-06 was published in the Dispatch on June 24. He also noted a correction on the Staff Report under Requested Action stating that the "R-2 zoning district" should read "R-4 zoning district." He then requested that the secretary enter the staff report and attachments for said item and all related documents and exhibits into the record. Continuing on, Mr. Christ relayed that a PUD plan and rezoning for Autumn Trails was approved in 2005; however shortly after PUD approval, in 2006, the "City completed a comprehensive update of its zoning code and zoning map , which effectively removed all prior PUD designations citywide and the Amber Ridge site reverted back to an R-4 zoning designation.

Amber Ridge is classified as a *Large Institutional Residential* land use which is now allowed only by Special Use permit in the R-4 district. This site does not have a Special Use permit because it was approved with the 2005 PUD rezoning under the prior zoning code and is legal nonconforming. The 41 units in this building exceed the apparent PUD approval for 25 units.

To resolve this situation, developer and (then) owner George Bialecki submitted an application for a Special Use permit. If approved, the density of the existing assisted living units will conform with Sec. 35-3405(m) of the zoning code which governs Large Institutional Residential land uses and requires only 800 square feet of gross site area for each occupant of the building. As such, the gross site area of the property is 50,526 square feet, which could potentially allow up to 63 occupants on this site with a Special Use permit.

The applicant proposes no changes to the building or site. If the Special Use permit is approved, the subject property will be in full conformance with applicable zoning regulations including the land use and the density.

In regards to the Analysis & Review Criteria, staff finds no conflicts with the existing facility or its relation to the zoning code and Comprehensive Plan.

Staff Recommendation: Mr. Christ relayed that staff recommended the Special Use application be approved as submitted, without conditions.

George Bialecki, Jr. , applicant and Mitch Carrell, attorney for Autumn Trails Senior Development, addressed the Commission stating that the new property owners (CNL Lifestyle Properties Inc.) want to bring the property into compliance and asked the Commission's support to allow for the continuation of the special use.

James Schmidt and Dave Bayles from CNL Lifestyle Properties, Inc. addressed the Commission stating that they were primarily health care real estate investors. They focus on taking care of seniors and the associates working at their facilities. They expressed their excitement about being in Moline and asked the Commission for their support for the request of the Special Use.

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

2. PC 12-07 Public hearing for a request from Todd J. Verbeckmoes of Quad City Tech, Inc. to rezone a tract of land from B-3 Community Business District to B-4 Highway/Intensive Business District located at 2800 46th Avenue.

Mr. Christ acknowledged that the publication for hearing notice PC 12-07 was published in the Dispatch on June 24th and requested that the secretary enter the staff report and attachments for said item and all related documents and exhibits into the record.

Continuing on, Mr. Christ stated that applicant Todd Verbeckmoes owns and operates a truck repair business at this location and wishes to expand by constructing a substantial building addition onsite. Quad City Tech specializes in the repair of trucks larger than 1 ton capacity and, by definition, is considered a *major vehicle repair and maintenance land use* under the Moline zoning code. Major vehicle repair is not permitted in the B-3 district, and therefore, expansion of a legal nonconforming land use is limited to 20% of the existing floor area. The proposed addition will nearly double the size of the existing building, so the owner has applied for a rezoning to B-4 to make the business and the proposed expansion conforming.

In reviewing the Analysis and Review Criteria, Mr. Christ stated that the proposed rezoning is compatible with the surrounding area and defining characteristics of the B-4 district. He said that the community would benefit from this rezoning, in accordance with its adopted plans and strategies, by encouraging business expansion and stabilization of the 27th Street corridor near South Park Mall. Mr. Christ noted that redevelopment of South Park has become a City Council priority. Consistent and proper zoning is needed in this area to encourage reinvestment, slow property decline, and increase the tax base for needed public improvements.

Staff Recommendation: Mr. Christ stated it was staff's recommendation that the Plan Commission recommend approval to the City Council to rezone the subject property from B-3 to B-4.

Scott Verbeckmoes, father of the applicant, addressed the Commission. He stated that his son was taking over the business which has been in operation for 10 years and wants to expand the business. He asked the Commission for their support and approval of the rezoning.

3. Approval of Minutes – May 9, 2012

Motion by Commissioner Wermuth, seconded by Commissioner Trevor, to approve the minutes for May 9, 2012. Motion carried unanimously.

4. Consideration

PC 12-06

Motion by Commissioner Wendt, seconded by Commissioner Puck, to approve the Special Use permit for an existing large institutional residential land use, Amber Ridge Memory Care, 221 11th Avenue. Motion carried with Commissioner Wermuth abstaining. Reason for abstention is that her firm has been involved with the Autumn Trails Development in the past.

PC 12-07

Motion by Commissioner Wendt, seconded by Commissioner Wermuth, to recommend approval to the City Council for the rezoning of a tract of land from B-3 Community Business District to B-4 Highway/Intensive Business District located at 2800 46th Avenue. Motion carried unanimously.

5. Other Discussion

Staff reported that the repair and painting of the elevated water tank located at 1531 17th Avenue has been delayed until next Spring.

6. Review upcoming meetings

Staff relayed that there was no business for the July 25th meeting so that meeting would be cancelled. The next regularly scheduled meeting would be August 8th.

7. Public Comment - None

There being no further business, the meeting adjourned at 4:37 p.m.

Respectfully submitted,

Fran Frutiger
Executive Assistant – Planning/Recording Secretary