

**PLAN COMMISSION
MINUTES**

Wednesday, May 26, 2021

Present: Craig Mack, John Wetzel, Butch Trevor, Zach Campbell, Brendan John, Cindy Wermuth, Jeff Nelson

Absent: Bill Fitzsimmons, Victoria Graves, Peter McDermott, Cal Lee

Staff: Martin K. Vanags, Fawn Schultz

Others: Jason Miller, Keith Curry

1. Call to Order

Chairman Mack called the meeting to order at 4:05 p.m. Meeting attendance was taken.

2. Approval of Minutes from March 24, 2021

Motion made by Commissioner Lee; seconded by Commissioner Nelson, to approve the minutes from February 24, 2021. Motion carried unanimously.

3. New Business

- a. Public Hearing – PC 21-03 request from Keith Curry for approval of rezoning from O-1 (Office District) to B-1 (Neighborhood Business District) to allow a laundromat at 4400-4450 12th Avenue.**

Mr. Vanags explained the subject property is currently vacant and not being used. The applicant would like to build a new laundromat there, however, the current O-1 zoning district does not allow for this use. Rezoning to a B-1 district would be required. The subject property is located mid-block on the south side of 12th Avenue between 41st Street and 48th Street. The existing O-1 zoning designation does not appear to be in error at the time of adoption. There has not been a change of character in the area or throughout the City due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc... Due to the surrounding zoning districts, the proposed B-1 rezoning is not compatible with the surrounding area. We have R-6 to the North, R-2 to the East and South and O-1 to the West. The proposal is also not in conformance with and in furtherance of the implementation of the goals and policies of the Comprehensive Plan where the proposed sites are classified as office with Low-Density Residential to the

South, High Residential Density to the North, Public/Semipublic to the East and West. This location is an infill site. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development in the proposed zone. It appears there is an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs. There does appear to be a need in the community for the proposal and it would benefit the community or area. This request could be considered spot zoning to move forward as presented. Consideration may be given if the properties to the west were also part of this request. Based on these findings, Staff recommendation is denial of PC 21-03 request from Keith Curry for the rezoning of 4400 - 4450 12th Avenue from O-1 to B-1.

Mr. Miller of Ruhl & Ruhl stated Ruhl & Ruhl is the listing agent for the property and he is representing the land owner, Keith Curry, and the buyer of the property. The buyer for the property is interested in putting building laundromat at the location. The property has been on the market for quite some time and has limited use. A laundromat seemed to be a good use and would serve the public well while not being a detriment to neighboring properties. Mr. Miller suggested alternatives he discussed with Dave Tallman of Shive-Hattery of adding laundromats as a permitted use in O-1 zoning or amending the Comprehensive Plan to allow the use. Mr. Miller also suggested a variance or special use permit could potentially be a way to gain approval. He wanted to offer these for considerations knowing staff's recommendation is for denial. Mr. Miller stated that Alderman Wendt is onboard with this request and those involved in the project have had only received positive feedback.

Chairman Mack read into the record public comment submitted by the Leadership Team of Pathway Church and Board of Directors on the behalf of Pathway Church of the Quad Cities located at 4330 12th Avenue. They stated they are deeply invested in continuing to see the City and its people thrive and develop into a place that is beneficial for all those inside of the community but felt the laundromat would not be the best use for this location based on it not being in alignment with the City's Comprehensive Plan, increased vehicle traffic on the sidewalk used by students of nearby schools, security risks at odd hours and the amount of laundromats already in the area.

Discussion was had. Mr. Nelson believed this was a spot zoning request and the rezoning is not for the laundromat but all uses that fall under B-1. Mr. Wetzel echoed Mr. Nelson's comments and add that he would be interested in looking into the other alternatives Mr. Miller provided. Mr. Vanags stated

he will schedule a meeting with the petitioner and look into every alternative to make this project work if possible.

Motion made by Commissioner Nelson; seconded by Commissioner Wetzell, to recommend to City Council denial of PC 21-03 request from Keith Curry for the rezoning of 4400 - 4450 12th Avenue from O-1 (Office District) to B-1 (Neighborhood Business District) based on nonconformance with the Comprehensive Plan and staff's recommendation. Motion carried unanimously.

A recommendation for denial shall require a two-thirds vote of the City Council to be approved.

4. Old Business

None

5. Public Comment

None

6. Adjourn

Chairman Mack stated a public hearing is scheduled for the June 23rd Plan Commission Meeting for another rezoning request. Mr. Vanags gave an update on mask and meeting protocols. He also gave an update on staffing for the Community & Economic Development Department.

Motion made by Commissioner Nelson; seconded by Commissioner Lee, to adjourn. Motion carried unanimously.

Meeting adjourned at 4:33 p.m.

Respectfully submitted,

Fawn Schultz, Community & Economic Development Administrative Assistant