

Rock Island Planning Commission Agenda

Council Chambers (3rd Floor), City Hall

1528 3rd Avenue

December 6, 2023

5:30 PM



1. Call to Order and Roll Call
 - Mike Creger
 - Bruce Harding
 - Reshanda Johnson
 - Ted Johnson
 - Maureen Riggs
 - Sarah Wright
 - Norm Moline
 - David Parker
2. Public Comment
3. Opening Items
 - A. Approval of the Written Agenda for December 6, 2023
Recommended Motion: Move to approve the written agenda for December 6, 2023
 - B. Approval of the September 6, 2023 Meeting Minutes
Recommended Motion: Move to approve the meeting minutes for September 6, 2023.
4. Old Business
 - None*
5. New Business
 - A. 2023-10 Public Hearing: Etoka Abwe – Consider a Rezoning from R-2 (one- and two-unity residential) district to O-1 (small office) district to develop a church at 830 14 1/2th Street
Recommended Motion: Move to recommend the denial of the rezoning request.
 - B. 2023-11 Public Hearing: Jacob Meisenbach – Consider a Special Use Permit to operate mini-warehousing and outdoor recreation vehicle self-storage from the property at 1229 2nd Avenue in a B-3 (community business) district.
Recommended Motion: Move to recommend the denial of the Special Use Permit.
 - C. 2023-12 Public Hearing: Liam Hammond – Consider a Special Use Permit for a parking area for the outside storage of five (5) personal recreational vehicles (trailers and camper) on the property.
Recommended Motion: Move to recommend the denial of the Special Use Permit.
6. Other Business
7. Adjournment
 - Recommended Motion: Move to adjourn.*

Rock Island Planning Commission Minutes

Council Chambers (3rd Floor), City Hall

1528 3rd Avenue

September 6, 2023

5:30 PM



Voting Members

Present

Mike Creger
Bruce Harding
Norm Moline
Ted Johnson
Maureen Riggs

Voting Members

Absent

David Parker
Reshanda Johnson
Sarah Wright

Staff Present

Tanner Osing
Eunice Amisah-Mensah

Guests

Call to Order and Roll Call

Chair Creger called the meeting to order at 5:36 PM and read the roll call.

Public Comment

There were no members of the public who wished to comment.

Approval of the Agenda

Harding moved to approve the agenda for September 6, 2023. Riggs seconded the motion. The motion carried unanimously on a vote of 5 to 0.

Approval of the Previous Meeting Minutes

Moline moved to approve the minutes for August 2, 2023. T. Johnson seconded the motion. The motion carried unanimously on a vote of 5 to 0.

Old Business

None

New Business

2023-08 Public Hearing: Eugene Gaylord – Consider a Special Use Permit to operate an auto repair business in the driveway on the property at 812 44th Street in an R-2 (one-to-two unit residential) district.

Osing clarified the procedure for meeting and presented the staff report.

He noted that at present, the subject property has long been a single-family use with a two-story house and detached garage, and is surrounded by other residential properties zoned R-2. Additionally, the Zoning Code does not allow automobile repair businesses (major or minor) in any residential districts.

The applicant proposes to operate an automobile repair business that will involve general repair and tune-up service for passenger vehicles. Staff have also observed engines and other vehicles parts outside before, which indicate that major repair work has been previously done. The proposed hours and days of operation are from 9:00 a.m. to 5:00 p.m., Monday through Saturday, with the only employee being the property owner. The business is also planned to operate year-round. The applicant proposes to have a maximum of two (2) vehicles being worked on at a time in the driveway south of the house. However, staff have noticed up to four (4) vehicles during previous inspections. Additional storage of tools and parts is proposed to be provided underneath a tent in the driveway as well. Mr. Gaylord has expressed a desire to place a gate at the end of the driveway to enclose the business space. He also notes that he tries to help out people with lesser means who cannot afford to use a regular repair garage.

He noted that staff believes the proposal does not meet standards for approving a special use permit identified in the zoning ordinance and that staff recommend that the Planning Commission pass a recommendation to the City Council that the request be denied.

Chair Creger called for Eugene Gaylord, the applicant.

Eugene Gaylord made his case clarifying that he would have his garage cleaned out and would have one or two cars in his driveway. He would be able to park five (5) cars in his driveway when he cleans it out. He reasoned that people are being burdened by high prices for automobile repair work and that he would like to help his neighbors and anyone who needs help.

Interested party, Andy Boswell was called forward to cross examine the applicant. Andy asked if the applicant had any storage for oil and hazardous chemicals on site. The applicant stated he uses buckets to store and take out oils and chemicals. Andy Boswell asked what measures the applicant used to catch chemicals and prevent them from seeping into the ground. The applicant again responded that he uses buckets to take care of any chemical leaks.

Chair Creger asked about the storage of chemicals. Applicant clarified it was a sealed container to avoid spills.

Jim, a neighbor came forward to speak in favor of Eugene Gaylord's SUP proposal. Andy stepped forward to express concern for traffic and the effect such activities might have on property values as they have been going down over the years.

As there were no other questions or members of the public wishing to speak, Chair Creger called for a motion.

Recommendation for Case 2023-08

Norm Moline moved to recommend the denial of the Special Use Permit for operating an automobile repair business from a single-family residence at 812 44th Street, zoned R-2 (one-and-two residential) district. T. Johnson seconded the motion.

Chair Creger called for a vote. The motion carried on a vote of 5 to 0 (T. Johnson, Riggs, Harding, Creger and Moline).

2023-09 Public Hearing: Juan Salinas – Consider a Special Use Permit to operate a tire repair business from the property at 2626 7th Avenue in a B-1 (neighborhood business) district.

Osing presented the staff report.

He noted that historically, the subject property has long been a business use with a two-tenant commercial building to the south of the site and a parking lot on the north half. Previously, the property was used a convenience store and also an autobody repair and paint business, which was operating under a Special Use Permit. The business space was most recently a retail use that conformed to the B-1 zoning district. Auto-oriented uses, especially repair business, are generally not permitted in B-1 zoning districts. Staff believe that a tire repair use is a less intense than other types of repair uses, but is still generally consistent with higher intensity business zoning districts. The site does, however, lend itself to the use as it has garage access from the parking lot.

The applicant plans to run a tire repair and sales business for passenger vehicles. The hours for the business are proposed to be from 8:00 a.m. to 6:00 p.m., Monday through Saturday, with a maximum of two (2) employees. The applicant proposes to have one (1) to three (3) vehicles being worked on at a given time including using the existing garage space. Outdoor storage of tires awaiting disposal is proposed to be in an open space to the west of the building

He noted that staff recommend the Planning Commission pass recommendation that the City Council approve the request with stipulations because the proposed use meets the seven conditions for approving a Special Use Permit identified in Section 6.5 (G) of the Zoning Ordinance.

Moline asked for clarification on the area for outdoor storage and asked if people outside the property would see stacks of tires waiting to be disposed. Osing responded that it's stipulated in the ordinance that the tires will be in an enclosed container. He noted that screening requirements would also apply.

Chair Creger called for the applicant, Juan Salinas. Anel Salinas, daughter of the applicant, was present to provide interpretation.

Juan Salinas stated that he like to have the tire business and no other repair work would be done as he has been in the tire business a long time. He also noted that he understands concerns about tire clutter but would ensure it is not be visible.

Chair Creger asked if he would be installing brand new tires and if he would have the tires on site for sale. Juan Salinas mentioned plans to have the tires stored in the building and have the common sizes of tires on display.

As there were no other questions or members of the public wishing to speak, Chair Creger closed the public hearing and called for a motion.

Recommendation for Case 2023-09

Riggs made a motion to recommend approval of the Special Use Permit with the recommended stipulations. T. Johnson seconded the motion. The motion carried unanimously on a vote of 5 to 0.

Other Business

Discussion on the consolidation of Planning Commission and Board of Zoning Appeals

Osing introduced the discussion. He noted that language regarding the comprehensive plan was included in the ordinance.

T. Johnson expressed mixed feelings about the duration of terms noting that experience and history play a role in running the operations. Osing clarified that commissioners with experience will be mixed in with newer members

Creger asked if staff knew the number of people wanting to be part of the commission. Osing stated advertisement have not been put out. He also stated that members of the BZA and PC have expressed interest in filling out the new commission. The ordinance has been set up to take effect starting July 2024 and when the ordinance will pass.

Moline suggested some grammatical changes in the ordinance. He also asked for clarification on how the consolidated commission would work on different requests that would be received. Osing stated that the process for variances, zoning changes, and special use permits are in separate areas of the zoning ordinance and have general language within those sections on how they each have to be dealt with. Moline suggested to add a line about the role of the Comprehensive Plan for evaluating those requests. Riggs concurred with Moline.

Adjournment

Chair Creger asked for a motion to adjourn. Riggs made a motion to adjourn. T. Johnson seconded the motion. The motion carried unanimously on a vote of 5 to 0, and the meeting adjourned.

Minutes submitted by Eunice Amissah-Mensah and Tanner Osing.

DRAFT

Memorandum
Community and Economic Development Department

To: Rock Island Planning Commission

Subject: Rezoning at 830 14 1/2th Street

Date: October 27, 2023



Requested Action:

Etoka Abwe has filed an application to consider a rezoning from R-2 (one- and two-unit residential) district to O-1 (small office) district for the property at 830 14 1/2th Street (PIN 0735309047)

Legal Description of the property:

Lot 19 and the south 10 feet of Lot 20 of Ira Whitehead's Addition

Size of Property:

The property measure 55' by 105' feet for a total of 5,775 square feet.

Zoning History:

- Board of Zoning Appels Case 1971-02: A variance was granted to allow an attached sign on a nonconforming use (Office in residential zoning district).
- Planning Commission Case 1977-02: A special use permit to allow a restaurant to operate on the property was approved by the City Council despite being recommended for denial by the Planning Commission
- Planning Commission Case 1996-03: A special use permit to allow an apartment building with seven (7) dwelling units was approved.

History & Nature of the Use:

The subject property contains a two-story masonry building with 5,140 square feet of building space and a 4-car attached garage that is 722 square feet. Historically, the building was used for Larson's Confectionary that operated a soda fountain in the early-to-mid 1900s. Records also show that Project Now had office space in the building in the 1970s. In 1977, a Special Use Permit allowed a barbeque restaurant to operate on the property. The property underwent a rehabilitation project in the mid-1990s that converted the mixed use building into a seven (7) unit apartment building. Demising walls were added to the commercial/office area on the first floor to create three (3) apartments in addition to the four (4) on the second floor.

At present, the property was acquired for Jerusalem Free Methodist Church in hopes of developing a small church. The applicant plans to convert the first floor of the building to a church with an expected occupancy of 50 people. The first floor is proposed to have a fellowship hall, two bathrooms, kitchen, and an office as shown on the attached interior site plan. There is currently no development proposed for the second floor where there are four (4) existing apartments, which are unoccupied. A rezoning is required for the conversion to a church use since the first floor was previously used for apartments.

Religious institutions, such as churches, are permitted uses in O-1 (small office) districts.

Building Layout:

The existing structure sits near the property lines adjacent to 9th Avenue, 14th 1/2th Street, and the north-south alleyway. The main building is setback approximately twenty-five (25) feet from the neighboring residential property to the north and the garage area is setback approximately six (6) feet.

Parking & Access:

The Zoning Code requires religious institutions to have one (1) off-street parking space for every four (4) sanctuary seats. The applicant expects to have a congregation size not to exceed 50 people, so thirteen (13) parking spaces would be required for the church use. Additionally, if the upstairs apartments were reestablished, an additional two (2) parking spaces per dwelling unit would be required for a total of eight (8).

The property has four (4) off-street parking spaces. There is an existing four (4) car garage and accessory parking area to the east of the garage. This area would require stacked parking, which does not count towards the minimum requirement. Access is provided from the west off the alleyway and to the east from 14 1/2th Street. On-street parking exists near the building with nine (9) spaces directly to the south and one (1) accessible parking space to the east. The applicant is seeking a parking variance from the Board of Zoning Appeals at their meeting on November 8th.

Signage:

No signs are proposed for the use at this time. However, if the rezoning was approved, the Sign Ordinance allows for a maximum of 32 square feet for attached signs in O-1 districts and 32 square feet for freestanding signs. The short front yard setbacks would make it difficult to add a freestanding sign on the property since there is a ten (10) foot setback requirement.

Landscaping & Lighting:

The applicant has not submitted a plan for additional landscaping and lighting at this time. There is a grass strip and six (6) foot fence along the north side of the property. This area would allow for a Type A bufferyard as identified in the Zoning Ordinance, which is normally required between an O-1 and R-2 district.

Staff Analysis:

The subject property has a complicated zoning history. Based on past records, the property likely had a commercial zoning designation when established or predated traditional zoning. The property was zoned residential at some point, which created future nonconforming uses on the first floor that were later required to have Special Use Permit. In the Longview Neighborhood Plan (1996), the property is noted as having a "services/commercial" land use. Despite its past history being a commercial use, the property has been used for strictly residential purposes for the past 25 years.

The Comprehensive Plan identifies “Mixed Residential” land use for the property. The Mixed Residential category calls for a mix of residential types and also notes that some small public and institutional uses are appropriate, such as churches. Residential and Planned Unit Development zoning designations are identified as being most appropriate to facilitate this land use, not office zoning designations.

The O-1 district is intended to provide for low intensity office development including schools, religious institutions, community services, and professional offices. Other office uses exist nearby in the Longview neighborhood, such as Rock Island Academy and Greater Antioch Baptist Church. These uses are larger institutional uses that fit the O-1 zoning designation. There are also other nonconforming church uses near the subject property, which are zoned residential.

The first floor of the building lends itself to an office development with the lack of demising walls that were added for the previous apartments. However, staff believe that the previous action to convert the lower level into apartments was an appropriate project given the size of the property and the context of the residential neighborhood. A zoning action, such as expanding a nonconforming use, would allow for an expansion of the apartments.

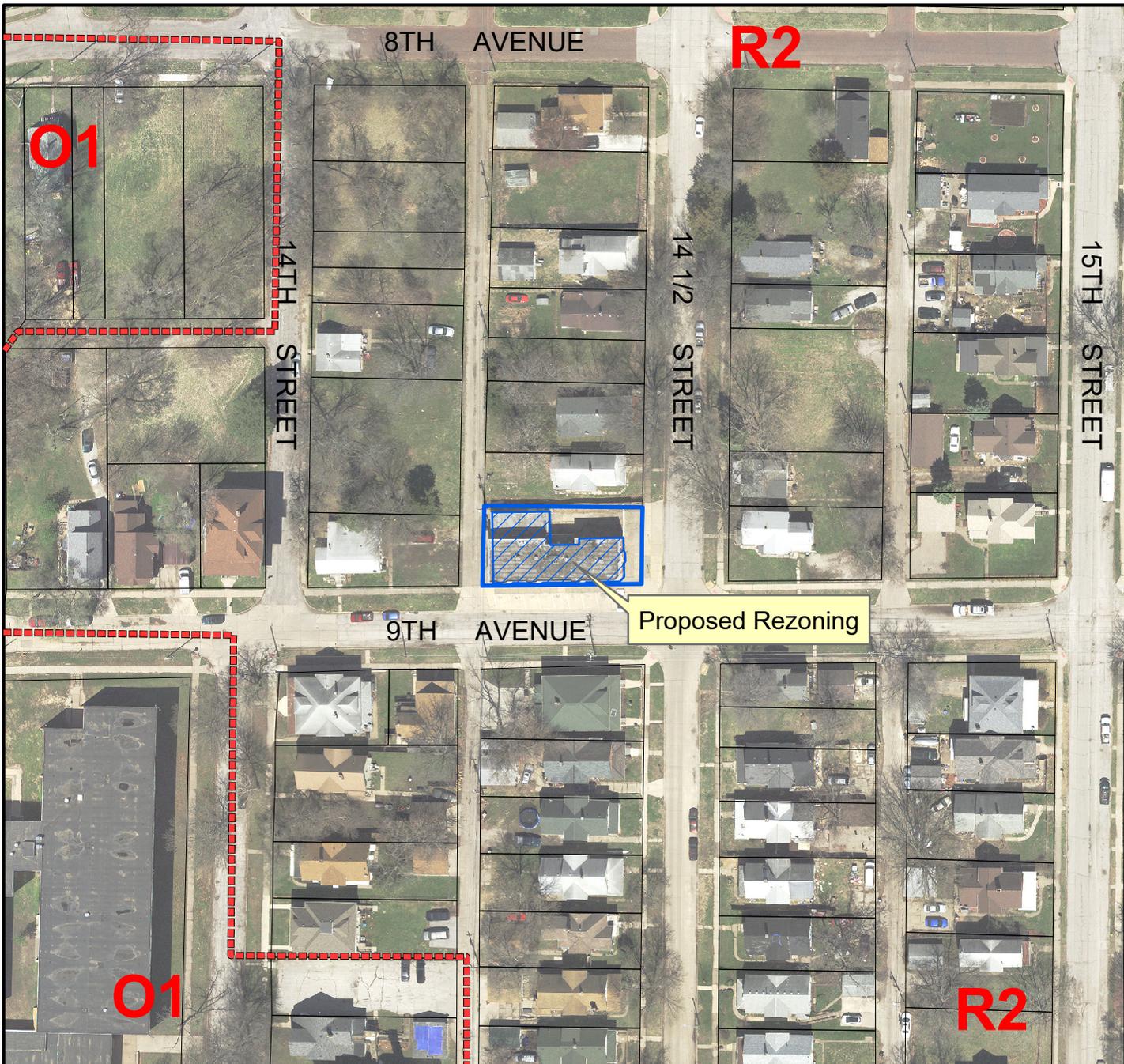
Lastly, the applicant has not submitted any plans regarding the second floor space. This creates some uncertainty for the proposed development and potential impact on adjacent residential properties. The building also needs rehabilitation work to be occupied. Staff is concerned that a rezoning may create a situation where the building sits empty without a clear path to become a usable office building if the necessary work falls through.

Recommendation:

Based on the staff analysis, the Community & Economic Development Department recommends that the Planning Commission pass a recommendation to the City Council that the rezoning request be denied.

Submitted by: Eunice Amisah-Mensah, Urban Planner
Tanner Osing, Planning & Zoning Manager

PLANNING COMMISSION



PLANNING COMMISSION 2023-10 Aerial

-  Subject Property
-  Parcels
-  Zoning District



0 25 50 100 150
Feet

City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment



Applicant's interior site plan

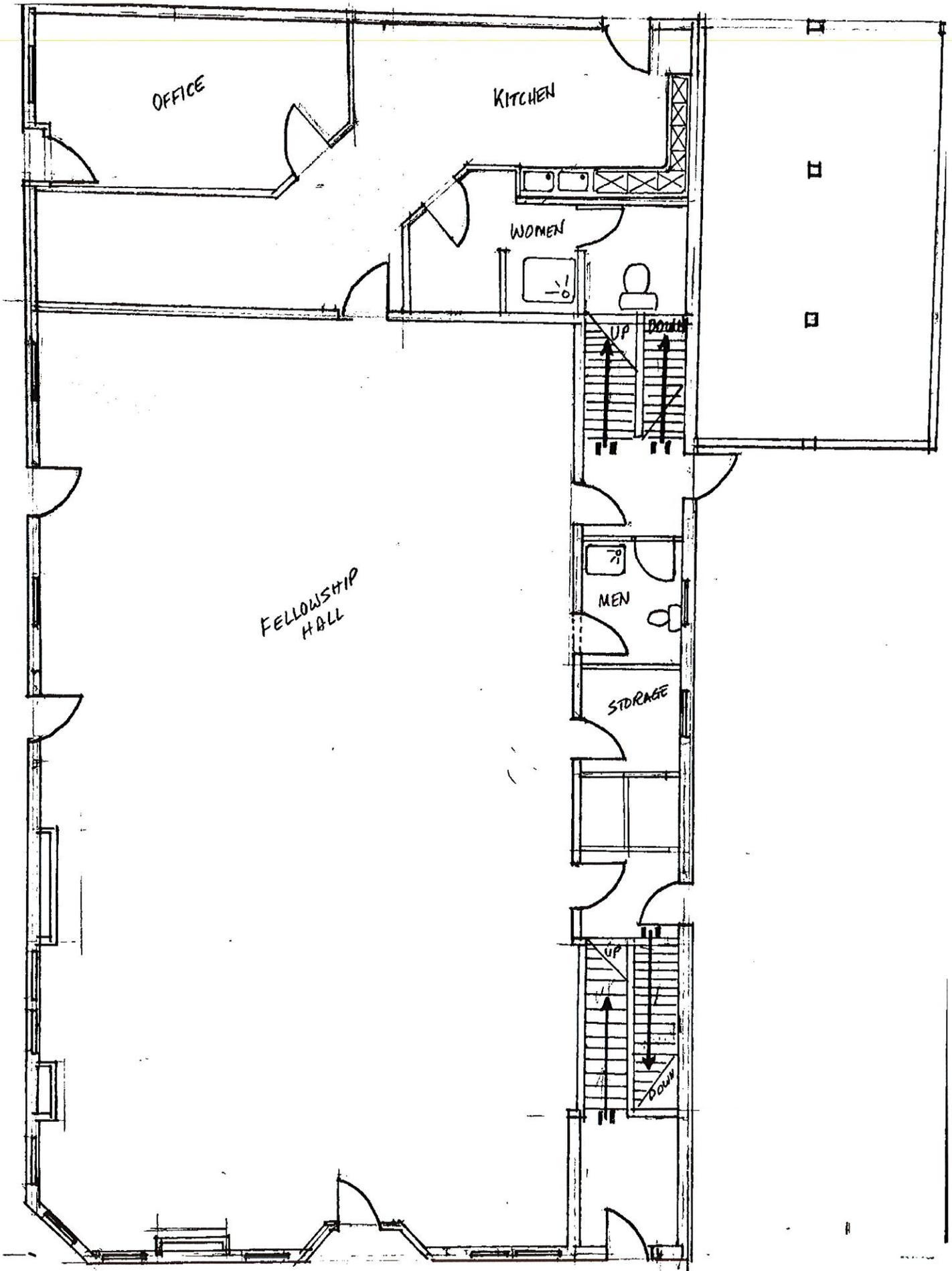




Figure 1: View of building from the intersection of 9th Avenue and 14 1/2th Street.



Figure 2: View of potential parking area and four (4) car garage looking west.



Figure 3: View of potential bufferyard area along the north property line.

Memorandum

Community and Economic Development Department

To: Rock Island Planning Commission

Subject: Special Use Permit for 1229 2nd Avenue

Date: September 29, 2023



Requested Action:

Jacob Meisenbach has filed an application for a Special Use Permit (SUP) to operate mini-warehousing and outdoor recreation vehicle (RV) self-storage from a commercial property at 1229 2nd Avenue (PIN 0735101007), zoned B-3 (community business) district.

Legal Description of the property:

Lot Eight (8) in Block Five (5) of Old Town, Township of Rock Island, County of Rock Island, State of Illinois and also the west 25 feet of vacated 13th Street that is easterly and adjacent to Lot 8.

History & Nature of the Use:

In April 2021, staff received a proposal from Mr. Meisenbach, owner of a small landscaping company called Outdoor Specialists. He proposed purchasing the City-owned property on 2nd Avenue and developing it as a site for his business to store equipment. In exchange for improving the site, he requested a reduced sale price of \$1. Staff was of the understanding that the only storage taking place on the property would be for Mr. Meisenbach's own equipment. In follow up conversations with staff, the applicant continued to describe his project in that way. A simple pole-barn type structure would be erected for his landscaping company's equipment.

Final approval of the sale with a simple redevelopment agreement was made by the City Council on September 27, 2021. Staff recall receiving questions from Council members concerned that mini-warehousing could take place. In the years prior, the Council had opposed the expansion of mini-warehousing in the City. The zoning code was even amended to restrict that use, which is now only allowed in industrial zoning districts. Previously, the use was considered an authorized use in B-4 (highway business) districts but never allowed in B-3.

Preliminary site and building plans were submitted by Mr. Meisenbach in September 2022. His plans showed a long pole-barn building at the rear of the site with egress onto the alleyway. Staff understood his intent to phase site improvements and that at a later time he would pave the southern part of the site for outdoor storage of his business equipment. Elevations of the proposed building showed also multiple garage doors but staff did not think anything of it because there were no interior partition walls. Businesses of this kind often have buildings with multiple bays to store different items. Mr. Meisenbach applied for a building permit in November 2022. In the application the project is described as "all steel building construction for shop and storage."

In August 2023, the building having been completed, staff became aware that Mr. Meisenbach was advertising on social media that the property was available for mini-warehousing (see attachments). The advertisement suggested that most of the building was available for rent to other people. The post also mentioned outside space for trailers and campers, which suggested that the southern portion of the site would be used for recreational vehicle storage. Since these uses are not permitted in the B-3 district, staff informed the applicant of that fact. Mr. Meisenbach, desiring to conduct the use, applied for a Special Use Permit (SUP).

At present, the applicant proposes to operate a mini-warehousing use with six (6) self-storage units from the existing building and for outside self-storage of trailers and recreational vehicles in the yard south of the building. That yard space is currently unimproved and would require paving, landscaping, and lighting at minimum. The applicant noted that the storage yard would likely not include larger motor homes and be limited to smaller RVs. The applicant also mentioned installing a fence with controlled access for the use. Additionally, the existing building also contains storage space for the applicant’s landscaping business, which is considered a permitted use in the B-3 district.

Parking:

The Zoning Code does not have a parking schedule for mini-warehousing or outdoor self-storage uses. The applicant has proposed long-term parking for the storage of recreational vehicles in the south yard of the property.

Signs:

The applicant has not proposed any signs for the business. Any signs, if provided, would follow the requirements of the Sign Ordinance for B-3 districts.

Standards for Approval & Analysis:

The Zoning Ordinance states that a Special Use Permit should only be recommended for approval if it meets all of the standards identified in Article 9, Section 7. The following table includes the standards for approval with the corresponding staff analysis and conclusion on if the standard is met.

Standards for Approval	Staff Analysis	Meets Standard (Yes/No)
A. That the granting of a Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.	Staff believe the mini-warehousing and outdoor self-storage use is not compatible with business zoning districts. The use is identified as an industrial use in the Zoning Ordinance due to the lack of services or retail element. The proposed outdoor storage operations will also likely impact adjacent properties and detract from commercial development efforts.	No

<p>B. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, not substantially diminish and impair property values within the neighborhood.</p>	<p>The properties in the immediate vicinity are zoned a mix of residential and business. The subject property is zoned B-3, which provides for a variety of services and retail uses characterized by indoor operations with limited outdoor activity. Staff believe that the proposed industrial use is not consistent with this description and will have a negative impact on the adjacent residences, especially considering the outdoor storage use.</p>	<p>No</p>
<p>C. That the establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.</p>	<p>The Comprehensive Plan identifies “urban mixed use” for the site and surrounding properties. That use category includes a mix of residential, offices, businesses, institutional, and indoor industrial activities with the intent to provide a transition between downtown and lower intensity uses. Staff believe that the use being strictly industrial in nature will impede future investments in nearby properties.</p>	<p>No</p>
<p>D. That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided.</p>	<p>The outdoor self-storage area is not yet developed. However, the applicant indicates a paved, fenced in storage area with lighting will be provided to the south of the existing building for RV storage. At a minimum the paved area will need to meet landscaping and illumination standards in Zoning Ordinance and any engineering or stormwater requirements. Staff generally caution against approval of SUPs that require significant site improvements or construction as it makes the property less likely to ever be dedicated to a permitted use.</p>	<p>No</p>
<p>E. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.</p>	<p>The property fronts along two City streets and has alleyway access adjacent to the proposed mini-warehouse building. Access appears to be adequate for the proposed use. However, the turning radius for RVs may be an issue if 13th Street is used as an access point.</p>	<p>Yes</p>

<p>F. Restrictions for the use should be consistent with the district in which the use would normally be located except as may be modified by the City Council.</p>	<p>Staff is recommending denial of the request. However, if the Planning Commission decides to recommend approval of the SUP, a draft ordinance that includes stipulations recommended by staff is provided.</p>	<p>n/a</p>
<p>G. That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by City Council.</p>	<p>The special use proposal will be required to comply with all other applicable City Ordinances if approved.</p>	<p>n/a</p>

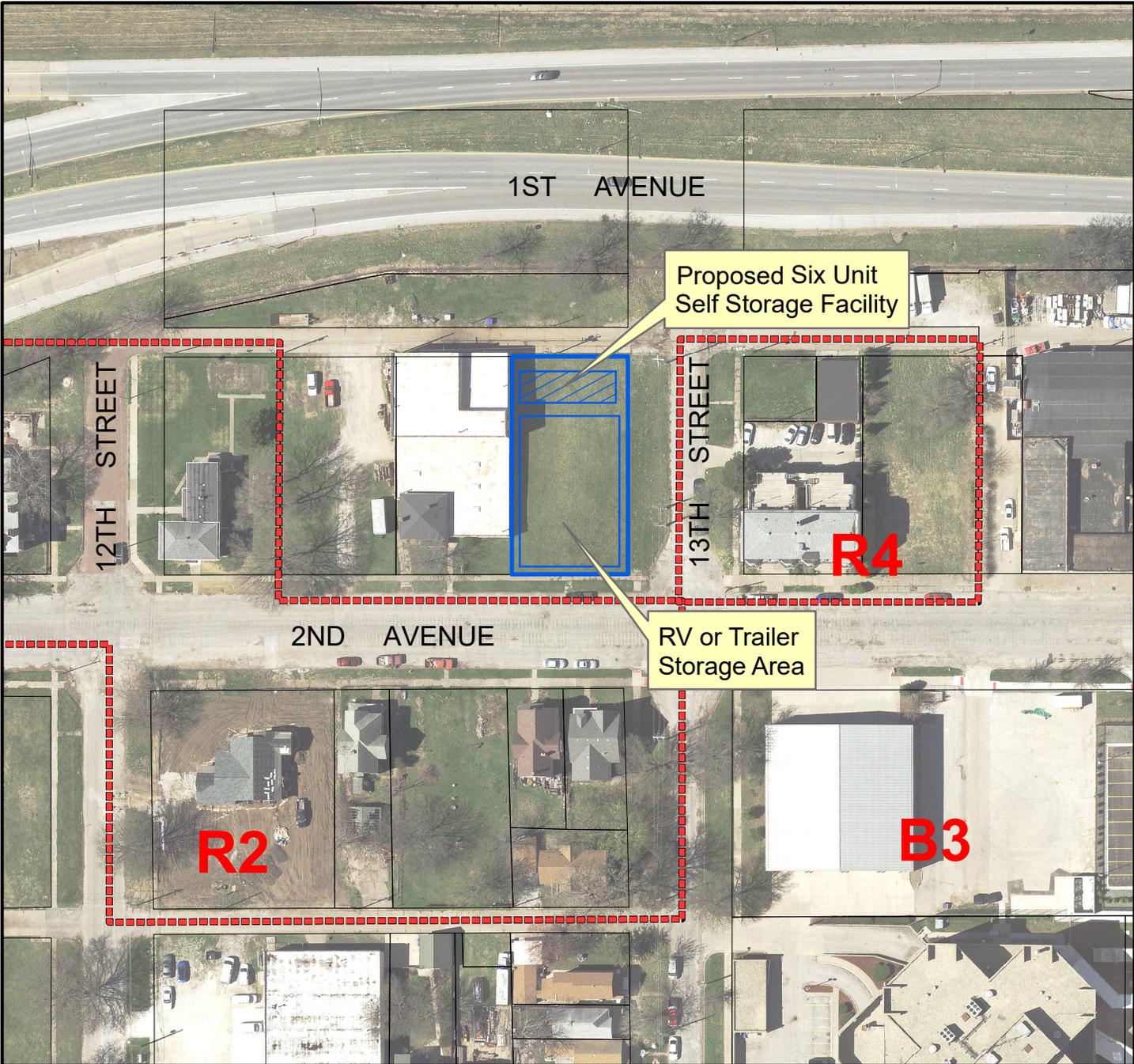
Based on the staff analysis, the SUP request does not meet the standards for approval. The building on the subject property was recently developed and has utility for the applicant’s landscaping and snow removal business, which was the original intended use. Multi-bay shop facilities are also common building types and the applicant could explore co-locating with another business rather than develop an industrial use in a mixed residential and commercial neighborhood. Because of this, staff believe that no unusual circumstances prevail that would necessitate approval of the request. The property being used for the applicant’s landscaping business will provide a reasonable return and also maintain compatibility with the surrounding properties.

Recommendation:

The Community and Economic Development Department recommends that the Planning Commission pass a recommendation to the City Council that the request for the Special Use Permit be denied since it does not meet the standards for approval.

Submitted by: Eunice Amisah-Mensah, Urban Planner
Tanner Osing, Planning & Zoning Manager

SPECIAL USE PROPOSAL



PLANNING
COMMISSION
2023-11 Aerial

-  Subject Property
-  Parcels
-  Zoning District



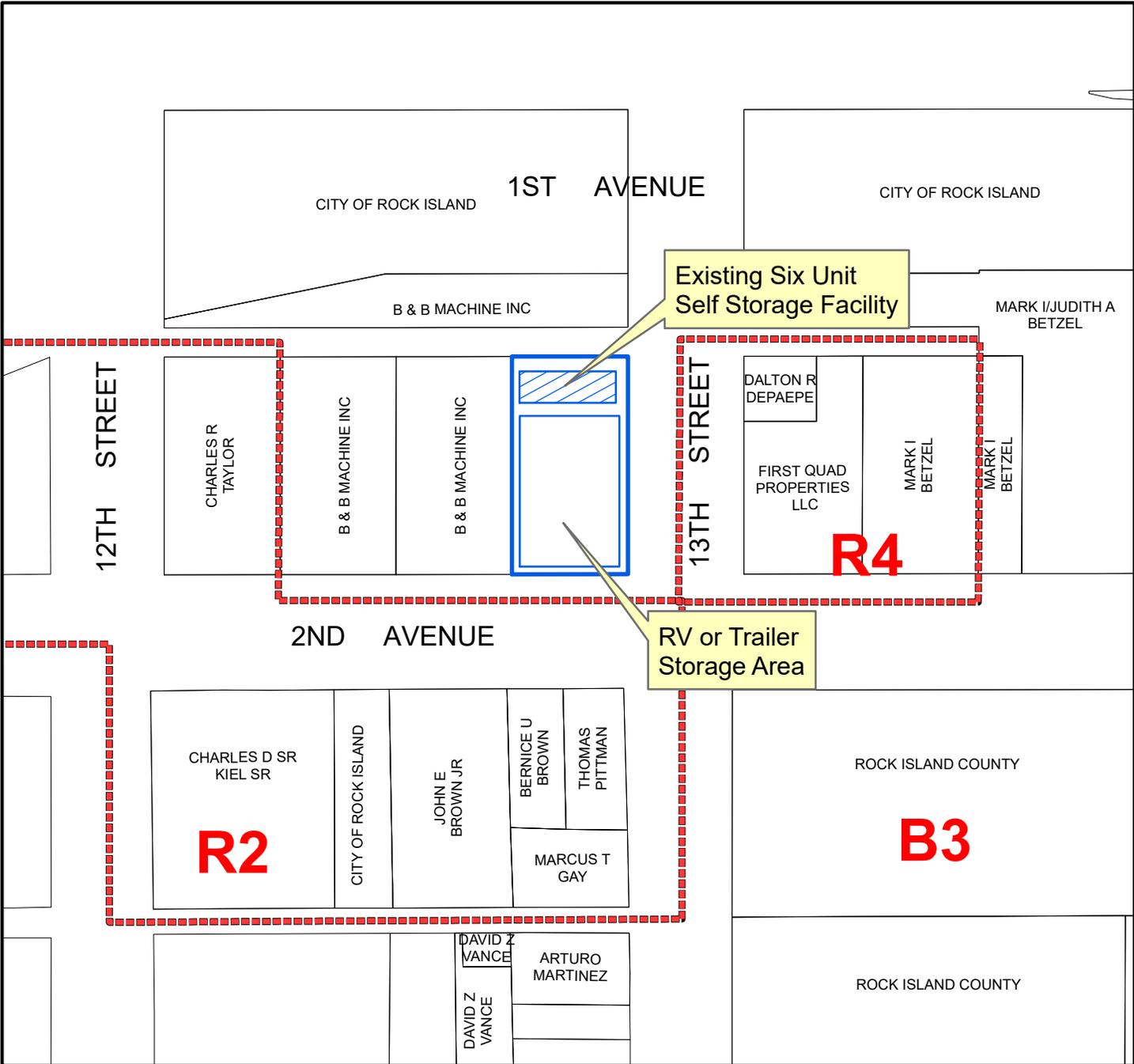
0 25 50 100 150
Feet

City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment



SPECIAL USE PROPOSAL



**PLANNING
COMMISSION
2023-11**

- Subject Property
- Parcels
- Zoning District





0 25 50 100 150 Feet

City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment



ROCK ISLAND
ILLINOIS



Figure 1: Photo of proposed mini-warehouse building looking southwest.



Figure 2: Photo of proposed self-storage yard for recreational vehicles looking northwest.



Outdoor Specialists LLC

5d · 🌐

I have six 10x24 self storage units available in Rock Island. Concrete floor, 10-14ft high. Access right of the Centennial Bridge. No foot traffic. Right next to Rock Island County Jail and Court House. RI Police department right down the street. Built last week. \$150/month. One month free with full upfront Payment. Also a few outside spaces for trailers or small campers. Message direct or call me. Ill pass my number along if you do not have it. Thanks.





Outdoor Specialists LLC
Jacob Meisenbach
Owner/Operator

Proposal for Purchase and Development of 1229 2nd Ave, Rock Island, IL 61201

April 7th, 2021

Dear Tarah Sipes and Council Members

It is my pleasure to submit this tentative proposal with the intent to purchase and develop the property located at 1229 2nd Ave, Rock Island, IL. I am the owner and operator of Outdoor Specialists LLC and have been in business since 2011. I do commercial and residential property maintenance. I was born and raised in Rock Island. I am also an employee of the Rock Island Fire Department. As discussed, the property has been owned by the City of Rock Island since 2016 and has collected zero dollars in property taxes all while paying an outsourcing landscaping company to maintain the land. With an estimated cost to maintain the property and not receiving property taxes, the city is losing approximately \$1,350.00 annually. In accordance with established practice, I would like to offer \$1.00 for the purchasing price, pay closing costs, assume property taxes, and maintain/develop the property.

Within the next five years, I would like to build some type of pole barn or large structure (30ft x 60ft) to accommodate all of my equipment. I may also use some of the property as outside storage if permitted. I would also like to fence in the property for added security if permitted. There would also be potential of blacktopping some of the area. I am very interested in the property and like the location. The location will assist me in growing my business and will generate revenue for the city. I am aware that the city acquired the property for approximately \$1,600.00 and would prefer to get that money back up front, however, if I can use that money to improve the property and build a structure, the City of Rock Island will collect more revenue even quicker as the property taxes would increase. Thank you for your consideration.

Respectfully,

Jacob Meisenbach

DEVELOPMENT AGREEMENT FOR 1229 2ND AVENUE

THIS AGREEMENT is entered into this 19th day of August, 2021 by and between Jacob Meisenbach ("DEVELOPER") and THE CITY OF ROCK ISLAND, ILLINOIS, an Illinois Municipal Corporation ("City").

WHEREAS, DEVELOPER intends to purchase and improve the property known as 1229 2nd Avenue for use as the location of their business Outdoor Specialists LLC, and;

WHEREAS, it is the intent of the City to support such a redevelopment pursuant to the following terms and conditions;

NOW THEREFORE, in exchange for the promises herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged the parties agree as follows:

1. DEVELOPER will purchase the real estate commonly known as 1229 2nd Avenue (PIN 0735101006, a copy of the legal description is attached hereto as exhibit A) from the City of Rock Island for \$1.00 and closing costs.
2. DEVELOPER agrees to install fencing around the site, create a paved parking area, and construct a storage and/or office building. All fencing, paving, signage, and landscaping as well as the overall site plan shall comply with the City's Zoning Code and shall be subject to the approval of the Planning and Redevelopment Administrator. The building will comply with all City building codes.
3. DEVELOPER will complete the above work within five years of the date of closing of this real estate transaction.
4. In the event that the agreed upon work is not completed within five years of the date of closing of this real estate transaction the DEVELOPER shall be required to pay the City one thousand six hundred fifty-eight dollars (\$1,658.00) for the property.
5. In the event of a default under this Agreement by either party hereto which default is not cured within thirty (30) days of the date of receipt of notice to the defaulting party specifying that said party has failed to perform a particular obligation, the other party shall have an action for damages or, in the event damages would not fairly compensate the non-defaulting party of this Agreement, the non-defaulting party shall have

perform a particular obligation, the other party shall have an action for damages or, in the event damages would not fairly compensate the non-defaulting party of this Agreement, the non-defaulting party shall have such other equitable rights and remedies as are available at law or in equity including but not limited to specific performance.

6. The rights and obligations of DEVELOPER are fully assignable by means of written notice to the City, provided that no assignment shall be deemed to release DEVELOPER of its obligations to the City under this Agreement unless the consent of the City to release DEVELOPER's obligations is obtained.
7. Either party to this Agreement may elect to waive any remedy it may enjoy hereunder, provided that no such waiver shall be deemed to exist unless the party waiving such right or remedy does so in writing. No such waiver shall obligate such party to waive any right or remedy thereafter, nor shall it be deemed to constitute a waiver of other rights and remedies provided said party pursuant to this Agreement.
8. The terms and conditions of this agreement shall be severable. If any term or provision of this Agreement is held to be invalid or unenforceable, to any extent, the invalid or unenforceable portions shall be redacted from this agreement and the remainder of this Agreement shall continue to be fully valid and enforceable.
9. Notices, demands, consents, approvals or other instruments required to be permitted by this Agreement shall be in writing and shall be executed by the party or an officer, agent, attorney of the party, and shall be deemed to have been effective as to the date of actual delivery, if delivered personally, or as of the third day from and including the date on which it is mailed by registered or certified mail, return receipt requested, with postage prepaid addressed as follows:

To Developer: Outdoor Specialists LLC
309 West 6th Avenue Court
Coal Valley, IL 61240
Attn: Mr. Jacob Meisenbach

To City: City Clerk
City of Rock Island
1528 3rd Avenue
Rock Island, IL 61201

10. This Agreement shall be binding upon and inure to the benefit of the parties hereto, and their devisees, successors and assigns.
11. The preambles contained herein are incorporated in this Agreement by this express reference and made a part hereof.
12. This Agreement embodies the entire agreement between the parties and supersedes any written or oral agreement and may be amended or supplemented only by an instrument in writing executed by the parties hereto.

City of Rock Island



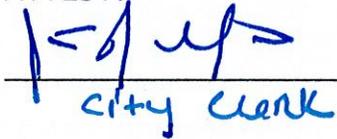
Randall Tweet, City Manager

Outdoor Specialists LLC



Jacob Meisenbach, Owner

ATTEST:



city clerk

EXHIBIT A

Legal Description for 1229 2nd Avenue (PIN 0735101006):

Lot Eight (8) in Block Five (5) of Old Town, Township of Rock Island, County of Rock Island, State of Illinois.

**A SPECIAL ORDINANCE AMENDING A SPECIAL ORDINANCE GRANTING A
SPECIAL USE PERMIT IN THE CITY OF ROCK ISLAND, ILLINOIS**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND,
ILLINOIS:

Section One: This ordinance grants and serves as a special use permit to Jacob Meisenbach for the property known as 1229 2nd Avenue (PIN 0735101007). The property is located in a B-3 (community business) zoning district. The property is legally described as:

Lot Eight (8) in Block Five (5) of Old Town, Township of Rock Island, County of Rock Island, State of Illinois and also the west 25 feet of vacated 13th Street that is easterly and adjacent to Lot 8.

Section Two: The property contains one storage building and an unimproved south yard. The uses granted by this special use permit shall be as follows.

1. North Storage Building: The north building shall have two uses. A maximum of six (6) mini-warehousing spaces are permitted in the building as well as storage for the applicant's business. The mini-warehousing use shall be allowed in the storage space with the largest overhead garage door. The building use shall correspond with the occupancy classification "Storage Group S-1" as identified in the building code.
2. South yard: The south yard shall have one use. Recreational vehicles (RVs) as defined by the Zoning Ordinance are permitted to be stored in the south yard.

Section Three: This permit is subject to the following additional stipulations:

1. No signage for the mini-warehousing and/or outdoor RV storage use shall be installed on the property. Signage for the applicant's landscaping business may be provided in accordance with the City's Sign Ordinance.
2. Any storage of RVs that are partially dismantled, wrecked, or unregistered is prohibited. RVs stored outdoors shall be in condition for safe and effective performance of the function for which it is intended.
3. Prior to the outdoor RV storage use commencing, the applicant shall improve the south yard in accordance with all applicable standards of the Zoning Ordinance including but not limited to landscaping, lighting, and fencing. In addition to those standards, a six foot solid fence, meeting intersection setbacks, shall be provided along the perimeter of the outdoor storage area. Landscaping required for the parking area shall be provided on the street side of the fence.
4. Within two years of approval, if the outdoor RV storage use has not been developed, the use granted by this ordinance shall be considered null and void.
5. The use shall meet all other applicable codes and ordinances.

Section Four: All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as they do so conflict.

Section Five: This ordinance shall be in full force and effect after its passage and approval, as required by law.

Mayor of the City of Rock Island

Passed: _____

Approved: _____

Attest: _____
City Clerk

Memorandum
Community and Economic Development Department

To: Rock Island Planning Commission
Subject: Special Use Permit for 2215 25th Avenue
Date: November 15, 2023



Requested Action:

Liam Hammond has filed an application for a Special Use Permit for a parking area for the outside storage of five (5) personal recreational vehicles (trailers and camper) on the property at 2215 25th Avenue (PIN 1611200006), zoned R-4 (multi-unit residential) district.

Legal Description of the property:

Supervisor Assist Map Lot 205-2 Sheet 19

History & Nature of the Use:

Staff investigated a complaint about the applicant storing trailers at their property and issued a notice of violation. Upon receipt of the notice, the applicant spoke to staff to find out what options or alternatives were available. Through the enforcement process, staff informed the applicant that a Special Use Permit from the Planning Commission would be needed to continue use. The applicant decided to apply for a Special Use Permit in order to keep parking his trailers at the property. A Special Use Permit is required because the use of the property as solely a parking area for the outside storage of recreational vehicles (RVs) is not allowed in residential zoning districts. However, the Zoning Ordinance does allow for RVs to be stored outside in conjunction with a permitted use, such as a house. The applicant does live directly south of the subject property at 2228 25th Avenue, but is separated by 25th Avenue.

The applicant proposes to park five (5) recreational vehicles intended for personal use at the property. These include a 12-foot grey enclosed trailer, a 28-foot white enclosed trailer, a 36-foot black enclosed trailer, a 28-foot multi-color camper and a 28-foot hauler. The applicant stated the recreational vehicles will be parked on concrete tire runs with a gravel driveway leading up to the parking area. The applicant also mentioned installing a 6-foot privacy fence and an electric sliding gate at the entrance of the property. The applicant also stated there are other recreational and motor vehicles inside the enclosed trailers that he wishes to have parked on the property.

Parking:

The Zoning Code requires that recreational vehicles be parked or stored on a concrete or asphalt pad in a side or rear yard on a residential property provided all yard setbacks are met. Currently, the RVs are properly located but are parked on grass. The applicant has proposed concrete tire runs with a gravel driveway for access and storage of the recreational vehicles on the property.

Signs:

No signs are proposed for the use.

Standards for Approval & Analysis:

The Zoning Ordinance states that a Special Use Permit should only be recommended for approval if it meets all of the standards identified in Article 9, Section 7. The following table includes the standards for approval with the corresponding staff analysis and conclusion on if the standard is met.

Standards for Approval	Staff Analysis	Meets Standard (Yes/No)
A. That the granting of a Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.	Staff believe that a property solely used for the outside storage of recreational vehicles is not compatible with the residential zoning districts. The use will likely impact adjacent properties and detract from property values.	No
B. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, not substantially diminish and impair property values within the neighborhood.	The properties in the immediate vicinity are zoned a mix of residential, business and offices. The subject property is zoned R-4, which provides for multiple unit housing opportunities at moderate to higher densities. Staff believe that the proposed use, as a personal storage lot, is not consistent with this description and will have a negative impact on the adjacent residences.	No
C. That the establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.	The Comprehensive Plan identifies “single family use” for the site and surrounding properties. That use category is intended for new and existing detached single-family homes and may include small public and institutional uses such as parks and schools. Staff believe that developing a small house is potentially the highest and best use and would be more compatible with the adjacent properties.	No
D. That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided.	The outside parking area is not yet developed. However, the applicant indicates a gravel driveway leading up to concrete tire runs which will serve as the parking areas for the trailers. The applicant will need to work with Public	No

	Works regarding driveway access off 25 th Avenue. Most of the driveway area would be within City right-of-way.	
E. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.	The property has frontage along 25 th Avenue, which appears to have adequate space for the proposed use. However, the size and shape of the lot may not be suitable for the internal turning movements of the RVs. This may create a situation where the RVs are backed up into 25 th Avenue.	No
F. Restrictions for the use should be consistent with the district in which the use would normally be located except as may be modified by the City Council.	Staff is recommending denial of the request. However, the Planning Commission decides to recommend approval of the SUP, a draft ordinance that includes stipulations recommended by staff is provided.	n/a
G. That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by City Council.	The special use proposal will be required to comply with all other applicable City Ordinances if approved.	n/a

Based on the staff analysis, the SUP request does not meet the standards for approval. The subject property has not been developed and has potential for a small house to be developed, which staff believe is likely the highest and best use that is compatible with the surrounding neighborhood. The applicant could explore storage facilities that can accommodate his recreational vehicles. Because of this, staff believe that no unusual circumstances prevail that would necessitate approval of the request.

Recommendation:

The Community and Economic Development Department recommends that the Planning Commission pass a recommendation to the City Council that the request for the Special Use Permit be denied since it does not meet the standards for approval.

However, if the Commission decides to approve the Special Use Permit with different findings, staff recommend the following stipulations be added to the approval.

1. Any storage of RVs that are partially dismantled, wrecked, or unregistered is prohibited. RVs stored outdoors shall be in condition for safe and effective performance of the function for which it is intended.
2. Prior to the RV storage use commencing, the applicant shall improve the parking area with an improved surface in accordance with Zoning Ordinance.
3. A six-foot fence shall be installed around the perimeter of the parking area within one (1) year of approval.
4. Access to the property (driveway) shall be provided by means of an improved surface (e.g. asphalt or concrete). The applicant shall pull any necessary permits with the City's Public Works Department and complete any flatwork before the use commences.
5. Before work commences, a site plan shall be submitted to the Planning and Zoning Division for approval based on the stipulations provided herein.
6. If the site has not been developed within one (1) year of approval, the use granted by this ordinance shall be considered null and void.
7. The use shall meet all other applicable codes and ordinances.

Submitted by: Eunice Amissah-Mensah, Urban Planner
Tanner Osing, Planning & Zoning Manager

SPECIAL USE PROPOSAL



**PLANNING COMMISSION
2023-12 Aerial**

-  Subject Property
-  Parcels
-  Zoning District

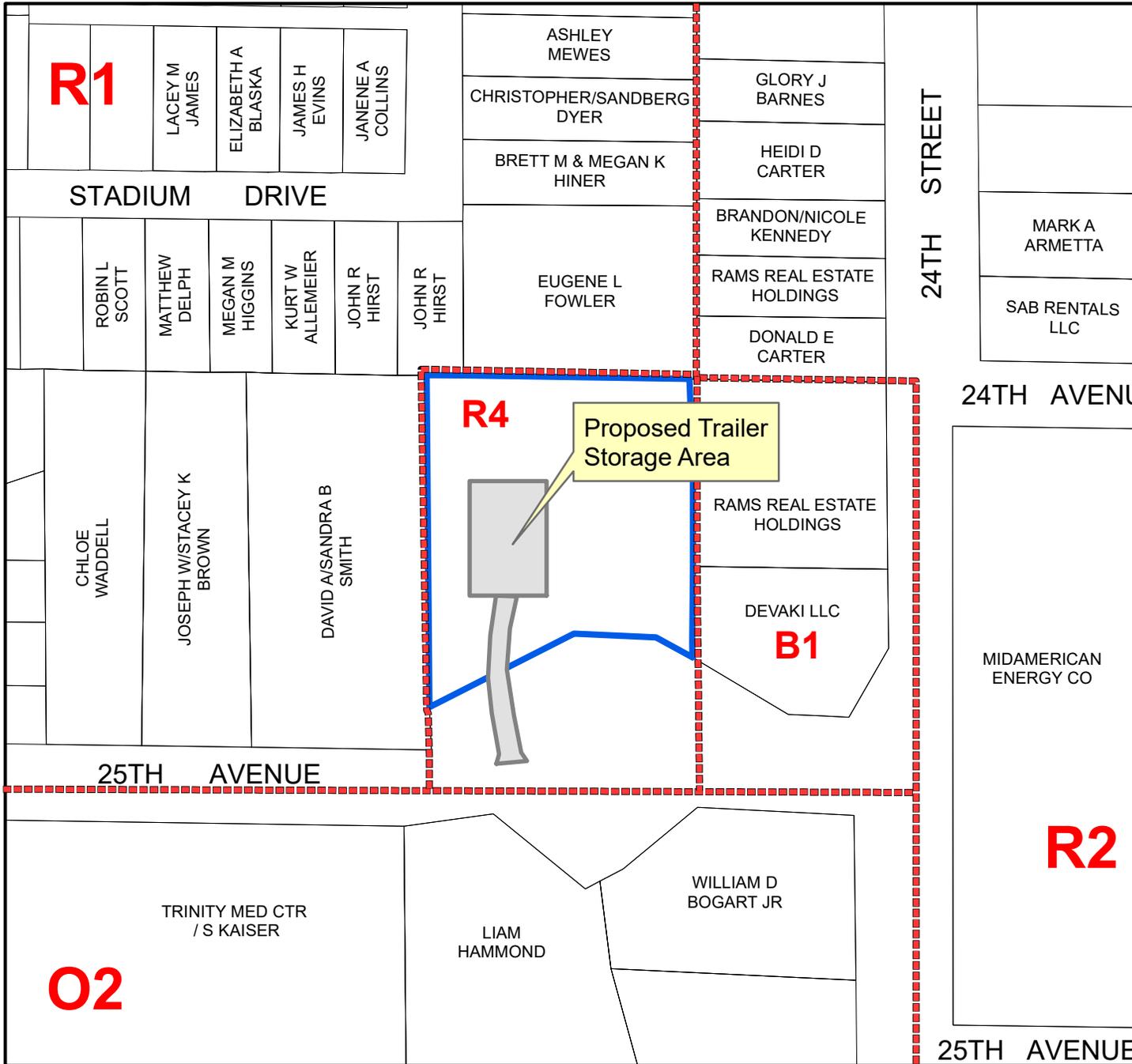


0 25 50 100 150 200 Feet

City of Rock Island
COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment



SPECIAL USE PROPOSAL



PLANNING COMMISSION 2023-12

- Subject Property
- Parcels
- Zoning District



0 25 50 100 150 200
Feet

City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment





Figure 1: Photo of trailers on lot taken from 25th Avenue.



Nov 28, 2023 at 4:07:41 PM
2228 25th Ave
Rock Island, IL 61201
United States

Figure 2: Another photo showing trailers on the lot from along 25th Avenue.



Figure 3: Closer shot showing four (4) recreational vehicles parked on the lot

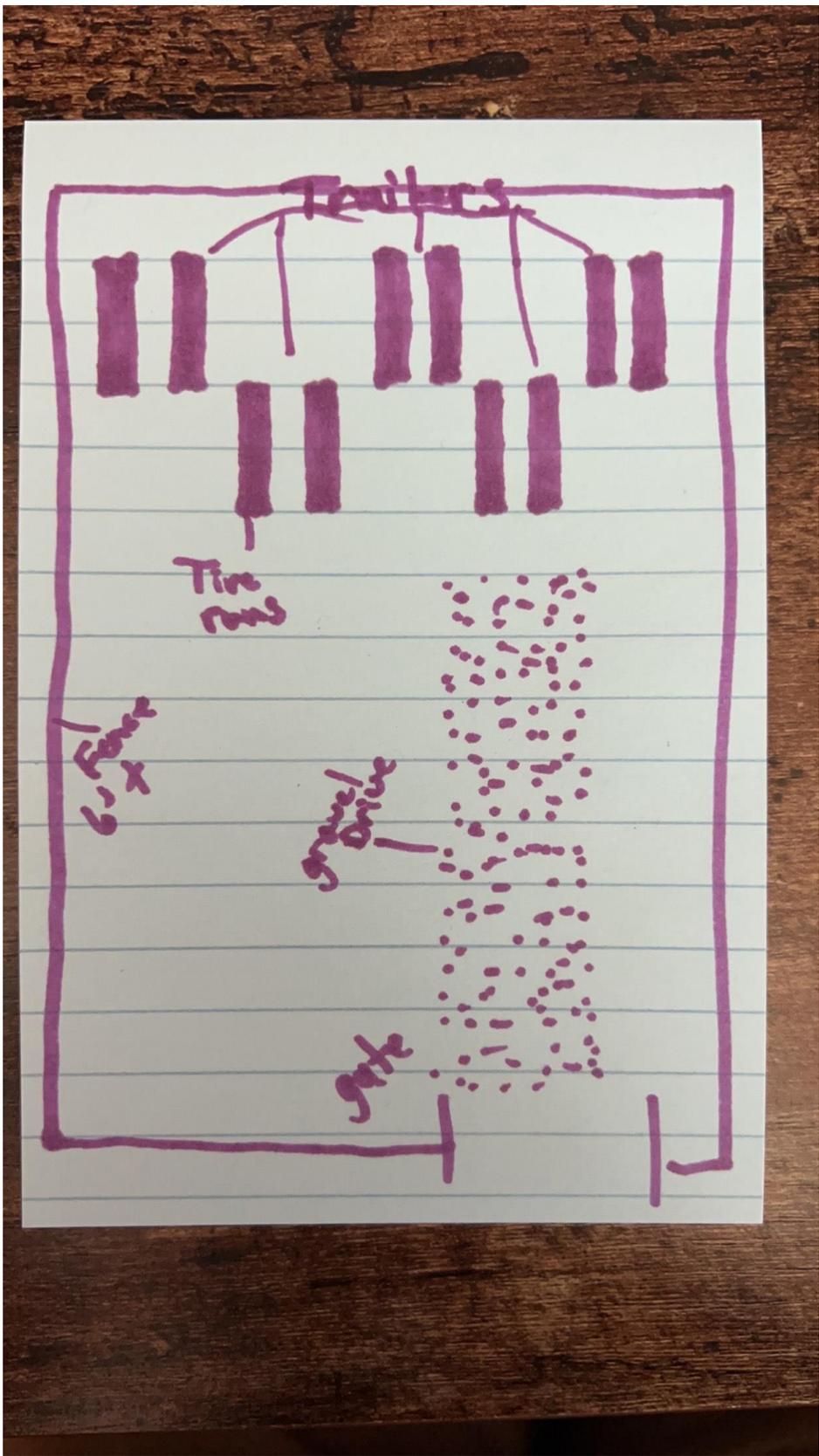


Figure 4: Applicants Sketch of Site Plan Details

Liam Hammond 2215 25th Avenue
28' toy hauler 2013
12' enclosed trailer / gray 2017
28' enclosed trailer / white 2023
36' enclosed trailer / black 2018
28' camper / multi blue, gray, white 2017
All personal parking/storing my own property
6' privacy fence wood/metal electrical skidus gate
curb cut / concrete on city side
concrete tire runs for trailers to sit on
I have rec toys & other vehicles inside the enclosed
trailers. want be parked on the grass.

Boards with living above garage space - Future build

Figure 5: Applicants Narration of existing conditions and proposed improvements

**A SPECIAL ORDINANCE AMENDING A SPECIAL ORDINANCE GRANTING A
SPECIAL USE PERMIT IN THE CITY OF ROCK ISLAND, ILLINOIS**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND,
ILLINOIS:

Section One: This ordinance grants and serves as a special use permit to Liam Hammond for the property known as 2215 5th Avenue (PIN 1611200006). The property is located in an R-4 (multi-unit residential) zoning district. The property is legally described as:

Legal description is attached as exhibit A.

Section Two: The property is an unimproved, vacant lot. The use granted by this special use permit shall be for the personal storage of up to five (5) recreational vehicles owned by the applicant. The recreational vehicles shall meet the definition as provided in the City's Zoning Ordinance.

Section Three: This permit is subject to the following additional stipulations:

1. Any storage of RVs that are partially dismantled, wrecked, or unregistered is prohibited. RVs stored outdoors shall be in condition for safe and effective performance of the function for which it is intended.
2. Prior to the RV storage use commencing, the applicant shall improve the parking area with an improved surface in accordance with Zoning Ordinance.
3. A six-foot fence shall be installed around the perimeter of the parking area within one (1) year of approval.
4. Access to the property (driveway) shall be provided by means of an improved surface (e.g. asphalt or concrete). The applicant shall pull any necessary permits with the City's Public Works Department and complete any flatwork before the use commences.
5. Before work commences, a site plan shall be submitted to the Planning and Zoning Division for approval based on the stipulations provided herein.
6. If the site has not been developed within one (1) year of approval, the use granted by this ordinance shall be considered null and void.
7. The use shall meet all other applicable codes and ordinances.

Section Four: All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as they do so conflict.

Section Five: This ordinance shall be in full force and effect after its passage and approval, as required by law.

Mayor of the City of Rock Island

Passed: _____

Approved: _____

Attest: _____
City Clerk

Exhibit A

Lot Number Four (4) in Ruby E. Penny's Addition to the City of Rock Island, Illinois.

Excepting that part conveyed to the City of Rock Island, by virtue of Warranty Deed, filed for record 05/13/1968 as Document Number 666679 in Book 386 at Page 325, in the Office of the Recorder, Rock Island County, Illinois.

and

That part of Lot Number 1, as per the Assessor's Plat of 1870 in the Northeast Quarter of Section 11, Township 17 North, Range 2 West of the Fourth Principal Meridian, described as follows:

Commencing 33 feet West of the Northeast corner of Section 11, Township 17 North, Range 2 West of the Fourth Principal Meridian in the City of Rock Island; thence run South, along the West line of 24th Street, 340.5 feet; thence Westerly 364.2 feet to a point 320.5 feet South of the North line of said Section 11; thence north 320.5 feet to the North line of said Section; thence East, along the North line of said Section, 363 feet to the West line of said 24th Street, being also the point of commencement of this description.

Excepting therefrom:

That part of Lot Number 1, Assessor's Plat of 1870 in the Northeast Quarter of Section 11, Township 17 North, Range 2 West of the Fourth Principal Meridian, described as follows, to-wit:

Commencing 33 feet West of the Northeast corner of said Section 11; thence running South, along the West line of 24th Street, 82 feet; thence Westerly 150 feet to a point 82 feet South of the North line of said Section 11; thence Northerly 82 feet to the North line of said Section 11, to a point 150 feet West of the place of beginning; thence Easterly, along the North line of said Section, 150 feet to the place of beginning.

Also excepting therefrom:

A tract of land located in Section 11, Township 17 North, Range 2 West of the Fourth Principal Meridian, described as follows:

Commencing at the Northeast corner of the Northeast Quarter of said Section; thence Westerly, along the North line of said Section 11, a distance of 33 feet to the Westerly right of way line of 24th Street; thence Southerly, along the Westerly right of way line of 24th Street, a distance of 82 feet to the point of beginning; thence South 00 degrees 28 minutes 00 seconds East assumed bearing, along the Westerly right of way line of 24th Street, a distance of 149 feet; thence South 23 degrees 34 minutes 03 seconds West a distance of 54.55 feet to the Northerly right of way of 25th Avenue; thence due West, along the Northerly right of way of 25th Avenue, a distance of 50 feet; thence North 59 degrees 02 minutes 10 seconds West, along the Northerly right of way of 25th Avenue, a distance of 91.15 feet; thence North 00 degrees 28 minutes 00 seconds West a distance of 151.82 feet; thence North 89 degrees 53 minutes 40 seconds East a distance of 150 feet to the point of beginning.

and excepting also therefrom, the following described premises:

That part of Lot Number 1 of the Assessor's Plat of 1870 in the Northeast Quarter of Section 11, Township 17 North, Range 2 West of the Fourth Principal Meridian, more particularly described as follows:

Beginning at the Northwest corner of Lot 4 of Ruby E. Penny's Addition in the City of Rock Island, Illinois; thence Southeasterly, along the North line of said Ruby E. Penny's Addition to a point in the Westerly right of way line of 24th Street; thence Northerly, along said Westerly right of way line to a point which is Northerly of and 80 feet normally distance from the center line of proposed improvement for 25th Avenue, said point being 33 feet normally distant from the center line of said 24th Street; thence Southwesterly in a straight line to a point which is Northerly of and 30 feet normally distant from said center line at station 26+00; thence Westerly in a straight line to a point which is Northerly of and 30 feet normally distant from said center line at station 25+50; thence Northwesterly in a straight line to a point which is Northerly of and 90 feet normally distant from said center line at station 24+50; thence Northwesterly in a straight line to a point which is Northerly of and 100 feet normally distant from said center line at station 24+00; thence Southwesterly in a straight line to a point in the Easterly line of Lot Number 1 of Brashar's Subdivision in the City of Rock Island, Illinois, said point being 21.0 feet North of the Southeast corner of Lot Number 1 of Brashar's Subdivision as measured along the Easterly line of said Lot Number 1; thence Southerly, along the Easterly line of Brashar's Subdivision, 56.0 feet to the point of beginning. As shown in Record Book 351 on Page 437 thereof, to the City of Rock Island.