

## Rock Island Planning Commission Minutes

Council Chambers (3<sup>rd</sup> 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 44<sup>th</sup> 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 44<sup>th</sup> 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 7<sup>th</sup> 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.