

## Rock Island Planning Commission Minutes

Council Chambers (3<sup>rd</sup> Floor), City Hall

1528 3rd Avenue

December 6, 2023

5:30 PM



### Voting Members

#### Present

Mike Creger  
Bruce Harding  
Norm Moline  
Maureen Riggs  
Reshanda Johnson  
Sarah Wright

### Voting Members

#### Absent

David Parker  
Ted Johnson

### Staff Present

Tanner Osing  
Eunice Amisah-Mensah

### Guests

Mayor Mike Thoms  
Alan Carmen

### Call to Order and Roll Call

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

### Public Comment

Mayor Mike Thoms and Alan Carmen, former Planning and Redevelopment Administrator expressed their gratitude to Commissioner Ted Johnson and Commissioner Norm Moline for their 40 plus years of service to the Planning Commission and to the City of Rock Island.

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

### Approval of the Agenda

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

### Approval of the Previous Meeting Minutes

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

### Old Business

None

### New Business

2023-10 Public Hearing: Etoka Abwe – Consider a Rezoning from R-2 (one- and two-unit residential) district to O-1 (small office) district to develop a church at 830 14 1/2th Street

Amissah-Mensah presented the staff report. She noted that 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.

She noted that 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.

She noted that staff recommends that Planning Commission pass a recommendation to the City Council that the request be denied.

Riggs asked if staff's recommendation change based on the parking variance the applicant received. Amissah-Mensah responded negatively.

Osing clarified that with the approval of the parking variance a stipulation was added that the applicant have a shared parking agreement with a nearby property owner before the use commences and staff received a copy of that agreement.

Chair Creger called for the applicant or representative. Mr. Carl Brannon, Superintendent of the North Central Conference of the Free Methodist Church, represented the applicant.

Carl Brannon stated that the church is an immigrant church and the purchases were made prior to the involvement of the Conference. They have been in possession of the property for a year and a half. He stated that the church, if developed, will be beneficial to the community.

R. Johnson asked what the timeline will be for the church development and what timeframe would the organization be able to provide plans for the second floor. Carl Brannon stated they will like to get the first floor operational and then they will sit with the group to decide the second floor's use.

Moline asked for clarification on the decision for the parking variance and what the objection will be if the parking arrangement changes in the future. Osing clarified that the parking variance was approved based the owner's having a shared parking agreement in place. He added that the concerns will be the uncertainty of what the second floor of the building will be put to.

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

#### Recommendation for Case 2023-10

Riggs made a motion to recommend approval of the Rezoning. Wright seconded the motion. The motion carried unanimously on a vote of 6 to 0.

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

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 2<sup>nd</sup> Avenue in a B-3 (community business) district.

Amissah-Mensah presented the staff report. She noted that 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.

She 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 the applicant, Jacob Meisenbach. Jacob Meisenbach was sworn in. Mr. Meisenbach stated that he had conversations with staff concerning the development of the property in question and received positive feedback from staff. He believes he has had a positive effect on the surrounding area. He has also provided egress and ingress to the building and the property. He would like his request approved so that he could continue with his business and recoup the investments made.

Riggs asked if Osing can provide insight to the conversation Mr. Meisenbach had with staff. Osing stated the conversations were had before he became a staff member but is confident in the information provided from other staff members.

Wright asked about concerns regarding self-storage. Osing clarified that it is the passive storage uses in business zoning district that do not have a retail or business component that is of concern.

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 2023-11

Moline made a motion to recommend denial of the Special Use Permit. Riggs seconded the motion. The motion carried on a vote of 4 to 2. (Aye - Moline, Riggs, Harding, Creger), (Nay - R. Johnson, Wright)

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.

Amissah-Mensah presented the staff report.

She noted that 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 25<sup>th</sup> Avenue, but is separated by 25<sup>th</sup> 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.

She 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 the applicant or a representative. Mr. Liam Hammond stood in for the request.

Liam Hammond stated that he moved with his family from Florida. He bought the property knowing the acreage within the City will be suitable for his family needs. The trailers have his personal belongings. He would also like to put up a 6-foot fence for his family's privacy

and safety. He stated he does not have room on his other property or garage to store any of his recreational vehicles. He also stated he hopes to develop living quarters on the property.

Amanda Buchanan spoke in favor of the applicants request. She stated that the use of the property does not affect the value of the property and surrounding properties.

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

Recommendation for Case 2023-12

Moline made a motion to recommend denial of the Special Use Permit. Riggs seconded the motion.

Chair Creger called for a vote. The motion carried on a vote of 4 to 2 (Aye - Riggs, Harding, Creger and Moline) (Nay - R. Johnson, Wright).

**Other Business**

None

**Adjournment**

Chair Creger asked for a motion to adjourn. The motion carried unanimously on a vote of 6 to 0, and the meeting adjourned.

Minutes submitted by Eunice Amisah-Mensah