

April 13, 2016

**Rock Island Board of Zoning Appeals
Council Chambers—Third Floor—City Hall
1528 – 3rd Avenue
Regular Meeting Agenda
April 13, 2016
7:00 PM**

1. Call to Order and Roll Call
2. Approval of the Minutes of the regular meeting of March 9, 2016
3. Procedural Explanation
4. Public Hearing #2016-05: the applicant, Robert Gamrath (as attorney for Wal-Mart) has filed requests for the following for a proposed 189,541 square-foot Wal-Mart retail store and separate convenience store with gas pumps on the development site located in a B-4 (highway/intensive business) district at the site of the former Watch Tower Plaza, at approximately 3750 – 11th Street:
 - A. A special exception to approve an authorized use (convenience store with gas pumps);
 - B. A variance to allow more than one principal structure on one lot;
 - C. A variance of 1.5 of the 5.0 parking spaces per 1,000 gross square feet of floor area and one space for every two employees on a maximum shift requirement;
 - D. A variance of 1 foot in length from the 19-foot long parking space requirement;
 - E. A variance of 17 feet of the 25-foot maximum height for freestanding light poles within 500 feet of a protected residential property;
 - F. A variance of 1,231 square feet of the 500 square-foot maximum total sign area allowed; and
 - G. A variance of 60 square feet of the 160 square-foot maximum area allowed for total freestanding signs.
5. Other Business
6. Adjournment

**DRAFT MINUTES OF THE
ROCK ISLAND BOARD OF ZONING APPEALS**

Regular Meeting

7:00 p.m.

March 9, 2016

ATTENDANCE:	(x) Present	() Absent
(x) Kevin Day		(x) Karen Williams
(x) Dave McAdam		(x) Larry Tschappat
(x) Gary Snyder		() Robert Wild
(x) Faye Jalloh		

Staff Present: Brandy Howe and Alan Fries.

Chairman Snyder called the meeting to order at 7:00 p.m.

Approval of Minutes – Mr. Day made a motion to approve the Minutes of the January 13, 2016 meeting. Mr. Tschappat seconded the motion, and it passed unanimously.

Procedural Explanation – Chairman Snyder explained the procedure to be followed for the public hearing.

Public Hearing #2016-02 - Request from Andrew Parer and Andrea Bonner for a special exception to expand a non-conforming use in an I-1 (light industrial) district at 302 35th Avenue.

Mr. Fries presented the staff report. He explained that the zoning ordinance requires Board authorization to expand a non-conforming use (Section 5.12). The applicant proposes to construct a 1,450 square-foot second floor addition to the existing single-family residence.

The subject residence and adjacent residence to the south have been located in the area for over 35 years. The expansion for the subject property will not increase the building footprint, but will only add a second story to part of the structure. The floor plan indicates that the second floor expansion will include more bedroom space along with a two additional restrooms and a laundry room.

Chairman Snyder called for proponents.

Andrea Parer (Bonner), 302 35th Avenue, was sworn in. She said they want to expand their house to allow for more bedrooms to make the house more functional or a family. She said they want to improve the house so they can continue to live in Rock Island.

As no one else wished to speak, the public hearing was closed.

Decision Case #2016-02 – Ms. Williams made a motion to approve the request because:

1. The proposed special exception will improve the return on the property.
2. The proposed special exception will not alter the character of the neighborhood.

Ms. Jalloh seconded the motion, and it passed unanimously.

Public Hearing #2016-03 - Request from Peggy Crawford for a variance to allow three portable freestanding signs in a PUD (planned unit development) district at 2411 4th Avenue.

Mr. Fries presented the staff report. He explained that the sign ordinance prohibits portable signs (Section 11 a 5). The applicant proposes to erect three unlighted freestanding portable “flag” signs (2’ x 12’ and approximately 16 feet in height from grade to top of sign) in the south front yard of Jackson Square Apartments.

The apartment development has 30 total units and there are approximately four units vacant and available for lease. The applicant desires the three portable “flag” type signs to advertise they are “now leasing” apartments (see drawing of proposed flag signs). The applicant is asking to locate the three signs along the south landscaped area adjacent to 4th Avenue (see site map and site drawing supplied by applicant). The applicant has not given a time-frame to have the portable signs displayed, but obviously hopes to lease the apartments as quickly as possible.

Portable signs are defined in the Sign Ordinance as “any sign designed...to be self-supporting, self-contained, portable, and not permanently attached to the ground or other permanent structure...” They are popular with businesses and other uses because of their low cost and high visibility. Many sign ordinances regulate these types of signs because they can be easily damaged by weather conditions and can blow into other properties or public-right-of-way. The proliferation of portable signs also can add to the visual clutter of commercial properties and corridors as businesses tend to add more and more portable signs to compete with other businesses.

The property is located in the Riverfront Corridor Overlay District. This area is identified to “establish a physically attractive pattern of development for the general welfare of the City” according to the Zoning Ordinance. Ordinance regulations allow only one permanent freestanding sign per parcel to help provide an attractive site design for this important gateway area of the City near the Government Bridge (there is a monument type freestanding sign on the property adjacent to the parking lot). Staff recommends denial of the request because portable signs do not add to the physical attractiveness of this mixed use area and that allowing variances will alter the design and character of this gateway and corridor.

Chairman Snyder called for proponents.

Peggy Crawford, 219 21st Street and representing the owner of Jackson Square Apartments, was sworn in. She agreed that the portable signs were not very attractive, but that the owner of the property wants to lease the units and the signs are effective in helping do that. She said they now have six units for rent rather than four and they will take down the signs as soon as all units are

leased.

Mr. McAdam asked Ms. Crawford if she had an issue with a 60 day limit for the signs. Ms. Crawford replied that the property owner, but hopefully they will lease the units in that time period.

Ms. Williams asked if a smaller sign, perhaps attached to the existing freestanding sign, would be practical for the site. Ms. Crawford replied that she is not sure the owner would want that, but they might be able to put signs in the windows if the request was denied. It was noted that window signs would be significantly less visible than the requested freestanding flag signs.

As no one else wished to speak, the public hearing was closed.

Decision Case #2016-03 – Mr. Tschappat made a motion to approve the request because:

1. The proposed variance will improve the return on the property.
2. The property is unique and is located on a visible main street corridor.
3. The proposed variance will not alter the character of the neighborhood.

He stipulated that a 60 day time period be placed for the signs.

Ms. Williams said she will be voting against the approval motion because the building has architectural dignity and the signs will make the site look like a car dealership. She said the site would be better served with a “now renting” sign affixed to the existing freestanding sign.

Mr. McAdam said he is in favor of things being a success, so he will be supporting the motion. He said he also does not like the appearance of the signs, but they help to lease the property.

Mr. Day said he will be supporting the motion because the site is in a business district, not a residential area.

Chairman Snyder called for a vote on the motion to approve the request, and it passed with Mr. Day, Mr. McAdam, Ms. Jalloh, Mr. Tschappat and Chairman Snyder voting aye and Ms. Williams voting nay.

Public Hearing #2016-04 - Request from John Curtis for a variance of 280 feet of the 300 foot separation requirement between an existing Unrelated Group Family Use and a proposed Unrelated Group Family Use in an R-3 (one and two family residence) district at 721 29th Street.

Mr. Fries presented the staff report. He explained that the zoning ordinance requires that there be a 300-foot separation between Unrelated Group Family Uses (Section 4.6). The applicant proposes to establish an Unrelated Group Family Use for up to four residents at the site.

The closest identified existing Unrelated Group Family Use is located across the alley

approximately 20 feet to the east. Three other similar uses are also identified on the case map and are located southwest of the subject site. The Zoning Ordinance requires two off street parking spaces for any Unrelated Group Family Use. The site has a two car detached garage and space to park three to four additional vehicles on the driveway.

Chairman Snyder called for proponents.

John Curtis, 4008 Glendale Blvd. in Davenport, was sworn in. He said he has owned the property for 10 to 12 years and has rented to Augustana students in the past, but not more than three unrelated individuals at any one time. He said if neighbors have complaints about any of his properties they can call him. He said he has only had one complaint regarding his property in all the years he has owned it.

Mr. McAdam asked how many other properties he owns. Mr. Curtis replied 20 to 25 properties, of which 12 to 15 are college student residences.

Chairman Snyder called for opponents.

Pam Schaer, 813 29th Street, was sworn in. She said she does not want any more houses in her neighborhood with more than three Augustana students in them. She said she would provide a list to the City of houses in her neighborhood that had Augustana students living in them.

As no one else wished to speak, the public hearing was closed.

Decision Case #2016-04 – Mr. McAdam made a motion to approve the request because:

1. The proposed variance will improve the return on the property.
2. The proposed variance will not alter the character of the neighborhood.

Mr. Day seconded the motion, and it passed unanimously.

Other Business:

Mr. Fries said there is one case for the April meeting agenda. He reminded Board members to be mindful of any *ex parte* communications and to contact the Planning Office with any questions.

Adjournment:

Chairman Snyder adjourned the meeting at 7:45 p.m.

Respectfully submitted,

Alan Fries, Acting Secretary
Rock Island Board of Zoning Appeals

REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department
Planning and Redevelopment Division

DATE: April 4, 2016

SUBJECT: Case #2016-05- Request for special exception and variances for construction of new Walmart Supercenter Store and Convenience Store with gas pumps in a B-4 (highway/intensive business) district.

Applicant:
Robert Gamrath (as attorney for Walmart)

Location:
3750 11th Street

Requests:
To allow special exception to approve an authorized use (convenience store with gas pumps) a variance to allow two principal buildings on one lot, a variance of 1.5 of the 5 parking spaces per 1,000 gross square feet of floor area and one space for every two employees on a maximum shift requirement, a variance of one foot in length from the 19-foot long parking space requirement, a variance of 17 feet of the 25 foot maximum height for freestanding light poles within 500 feet of a protected residential property, a variance 1,231 square feet of the 500 maximum total sign area allowed in a B-4 (highway/intensive business) district and a variance of 60 square feet of the 160 square-foot maximum total sign area allowed for freestanding signs in a B-4 (highway/intensive business) district.

Size of Property:
The property measures 1070.59' x 792.73' x 1085.70' x 823.26' (approximately 886,446 square feet, or 20.35 acres).

Zoning History:
Special Use Permit Case #97-6- Request from Nancy's Pies to allow a wholesale bakery manufacturing business at 3950 11th Street was approved.

Special Use Permit 2001-1- Request to amend approved Nancy's Pies Special Use Permit to allow an expanded loading dock was approved.

Existing Land Use and Zoning:
The site is primarily undeveloped. The only existing structure on the development site is the Pawn King store located at the southeast corner of the property. To the north is a proposed Out Lot (to be owned by Walmart), zoned B-4 and a multi-family residential use, zoned R-6 (to the north of the Out Lot are single family residences, zoned R-2 and R-3). To the east are single family residences, zoned R-2. To the south are commercial uses, zoned B-4 and Edison Junior High School, zoned R-3. To

the west is Hansen Elementary School and single family residences, zoned R-3; ARC of the Quad Cities office, zoned O-1; a vacant commercial use, zoned B-1 and single family residence, zoned R-4.

Topography:

The site is flat and slightly above street level.

Affected Requirements:

The Zoning Ordinance requires Board authorization for an authorized use (Section 28.4), a variance to allow two principal buildings on one lot (Section 8.17), five (5) off-street parking space per 1,000 square feet of gross floor area for a retail store (Section 8.14D [32]), a minimum parking space length of 19 feet (Section 8.14C [2]), freestanding luminaries of 25 feet in maximum height if located within 500 feet of a protected residential property (Section 35.3A [2]), a total sign area of 500 square feet allowed per property and a maximum freestanding area of 160 square feet (Section 9 [f] of the Sign Ordinance) . The applicant proposes to construct an approximate 189,541 square foot Walmart Supercenter store and a separate convenience store with gas pumps on the development site.

Conditions to Authorize Approval:

1. Reasonable Return: The proposed development will improve the return and condition of the property and will assist in the revitalization of the older commercial corridor.
2. Unique Circumstances: The commercial site is an infill development of a former major commercial site that has frontage on two main public streets.
3. Character Alteration: The proposed development will not alter the character of the neighborhood.

Analysis:

The site is an approximate 20 acre infill commercial property, which was the location of the former Watchtower Plaza retail development. The proposed variances include are from both the Zoning and Sign Ordinances.

Zoning Ordinance Variances:

The first Zoning Ordinance request is a special exception to approve an authorized use for a convenience store with gas pump use in the B-4 zoning districts. This use is identified as an authorized use in the B-1 (neighborhood business) district, but the ordinance language is not clear about whether this use is allowed as permitted principal of uses in the B-2, B-3 and B-4 districts. Staff has historically and consistently interpreted the general description of the three more intense business zoning districts to allow a convenience store with gas pumps without the need for zoning authorization, but the language in the ordinance is not specific (this and other ordinance language will be addressed in the comprehensive review and rewrite of the City's land development regulation ordinances currently underway). Through the years the City has allowed similar convenience store uses in the B-2, B-3 and B-4 zoning districts (e.g. Circle K and BP convenience stores with gas pumps on 11th Street), but the applicant requested to include the special exception request with the other variances proposed. Staff does not have an issue with including this request with the other variances.

The second zoning variance is to allow two principal buildings on one lot (superstore and

convenience store/fuel center). Walmart officials express the need for both uses to be part of the same commercial development site to provide for the most efficient use of the parcel as a single zoning lot, instead of making the convenience store/fuel center a separate zoning lot subject to separate setback, bulk and density requirements. Also, since there will be one owner and developer of both Walmart facilities, it is reasonable to allow both structures to be on one parcel.

The third and fourth zoning variances are connected with their relationship to off-street parking. The attached site plan identifies approximately 759 parking spaces. Ordinance parking ratio requirements are based on the gross square footage of the building(s) and number of employees on a maximum shift. Based on the proposed 189,541 gross square foot supercenter and estimated 100 employees on a maximum shift there should be 997 spaces provided for the site (convenience store/fuel center parking requirements are separate and meet Zoning Ordinance requirements).

Walmart officials indicate that this proposed superstore is the appropriate model size for the community and if not allowed would mean a reduction in the size of the supercenter and reduction of employment. The proposed total gross area for the supercenter is similar in size and scope to other Walmart supercenters in the Quad Cities. However, other comparable Walmart supercenters were developed more on the edge of its communities, where there was undeveloped land to be obtained and developed.

As Walmart has moved into more urbanized areas over the years, they have found that overly large parking areas were not actually needed, due primarily to the proximity of residential areas and availability of multiple transportation options for both customers and employees. The Rock Island supercenter is an infill development on a former existing major commercial site in a totally developed urbanized area. The site is limited in total area due to the location of adjacent existing commercial and residential developments and by its location between two major public streets. The site is located along two MetroLink bus routes and within walking distance from several adjacent residential neighborhoods, which should reduce the need for the number of off-street parking spaces on the site.

The Walmart site will also include an approximate 1.5 acre storm water detention basin and significant perimeter and interior landscaping. These areas reduce the space available for off-street parking. Similar large scale Rock Island commercial development sites (Rock Valley Plaza, K-Mart and Hy-Vee) were either developed prior to storm water and/or landscape requirements, or received variances to these requirements.

Walmart proposes to increase the width of the parking spaces from the required 8.5 feet to 9 feet based on its experience developing, constructing and operating over 4,000 stores nationally. The increased width reduces the number of spaces, but improves parking maneuverability for customers. A variance is also being requested for 1 foot of the Ordinance required 19-foot parking space length. Staff believes that this variance will not be an issue since the aisle width will be 25 feet (24 feet width is standard aisle width for 90-degree parking lot configuration). Finally, the site will also have two "drive-up and drive-off" facilities (prescription and on-line sales located at the east side of the supercenter) that will also reduce the need for some off-street parking spaces on the site.

The fifth zoning variance requests to increase the height for freestanding light poles. The site plan

identifies 16 freestanding light poles with three luminaires, 14 with double luminaires and 3 with single luminaires. The poles will be 42 feet in height from grade to top of pole. The luminaires will have a cutoff angle of 90 degrees to direct light mainly downward. The applicant submitted a lighting photometric plan that identifies that the site will meet Ordinance lighting requirements for foot-candle lighting levels at all property lines. The increased height is being requested to reduce the total number of light poles at the site to make more space available for parking spaces and landscaping.

Sign Ordinance Variances:

The first Sign Ordinance variance request is from the 500 square foot maximum total sign area requirement for a property in a B-4 zoning district. Walmart is proposing a total of 1,731 square feet of signs for the property. The second variance is to allow a total of 220 total square feet of freestanding signs as part of the 1,731 square foot total of all signs on the site.

There will be a total of three freestanding signs for the site: one 64 square foot pylon sign off of 11th Street and a second pylon sign off of 9th Street. There will also be a smaller directional sign adjacent to the convenience store and gas pumps. There will also be approximately 12 attached signs located on the supercenter and convenience store structures. The largest attached sign is a 554-square foot identification sign located on the south façade between the two entrances (see attached façade and pylon sign drawings). There are also smaller Walmart identification signs on the east and west facades of the supercenter building and also several attached signs on the east, west and south facades identifying several departments in the store (e.g. outdoor living center, auto center, pharmacy and on-line sales drive up).

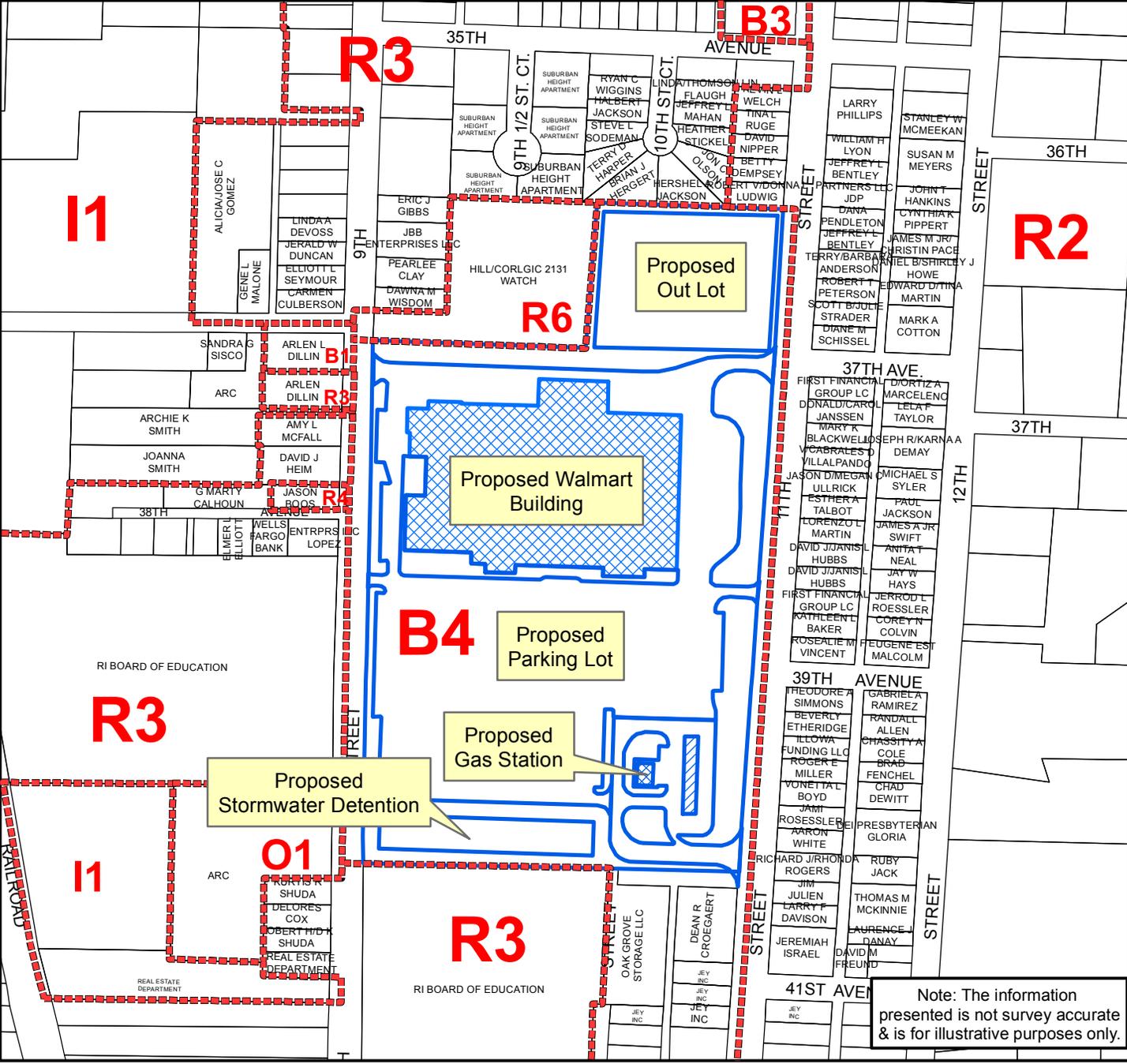
The site has frontage on two main public streets, so staff believes that the two sign variances are reasonable and justifiable. Approval of all the proposed signs for this previously developed commercial site will not alter the character of the neighborhood.

Finally, the existing freestanding Blackhawk “statue” will remain at its current location. Its total area is not calculated in the total signage for the site as it does not advertise Walmart. It will remain as an enduring long-term identification of the site and Rock Island.

Recommendation:

That the special exception and variances be approved because they will improve the return and condition of the property assisting to revitalize the older commercial corridor, the commercial site is an infill development of a former major commercial site that has access on two main public streets and will not alter the character of the neighborhood.

BOARD OF ZONING APPEALS



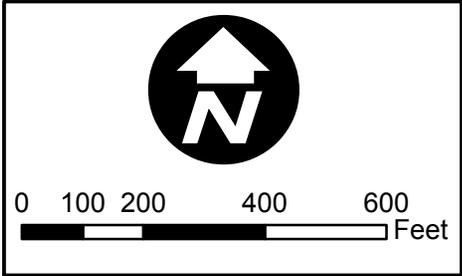
BOARD OF ZONING APPEALS
2016-5

Legend

- Parcels
- Subject Property

DR. BY: K.G.D.

APPR. BY: B.G./A.F.



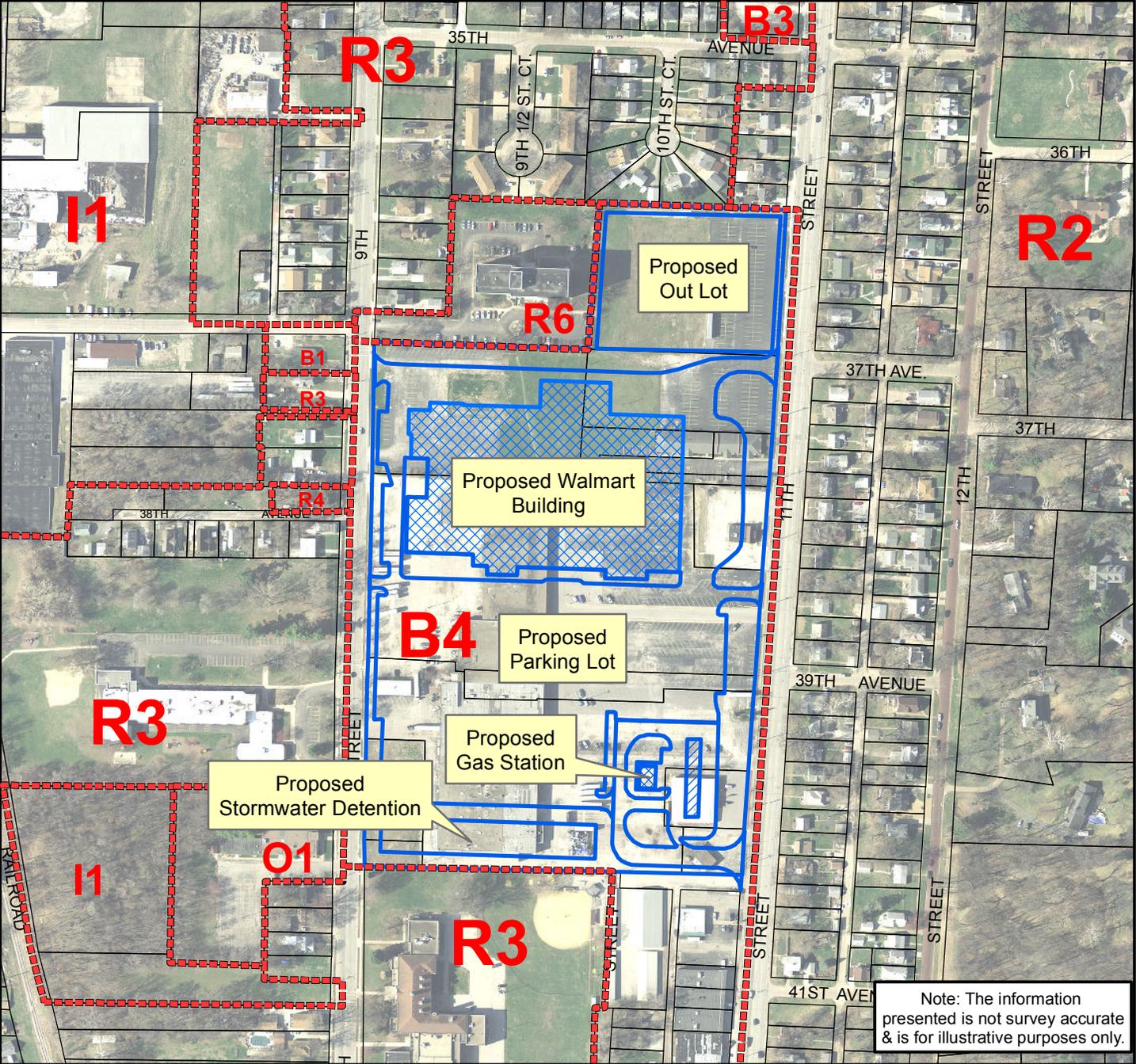
City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment

ROCK ISLAND
ILLINOIS

Note: The information presented is not survey accurate & is for illustrative purposes only.

BOARD OF ZONING APPEALS



BOARD OF ZONING APPEALS
2016-5 Aerial

Legend

- Parcels
- Subject Property

DR. BY: K.G.D.

APPR. BY: B.G./A.F.

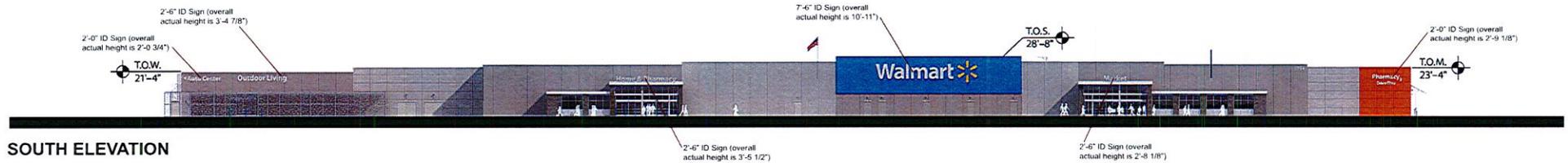

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 Feet

City of Rock Island

COMMUNITY AND ECONOMIC
 DEVELOPMENT DEPARTMENT
 Planning and Redevelopment


ROCK ISLAND
 ILLINOIS

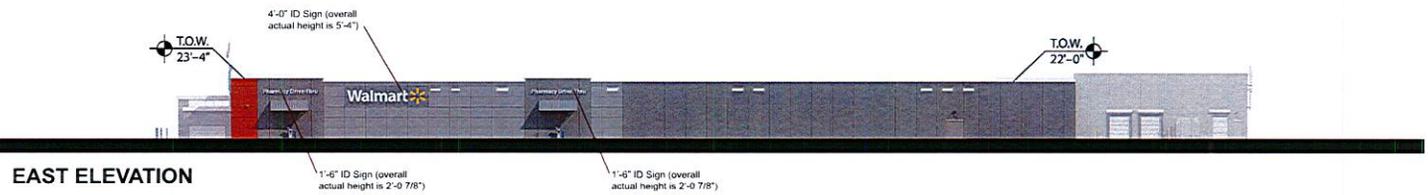
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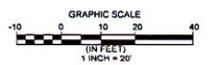
SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION

Sign	Qty.	Height	Area (S.F.)	Total S.F.
Walmart	1	4'-0 7/8 - 4"	216.34	216.34
Walmart	1	3'-0 7/8 - 4"	162.54	162.54
Walmart	1	7'-6 1/8 - 11"	554.04	554.04
Grocery	1	2'-6"	42.05	42.05
Home & Pharmacy	1	2'-6"	97.66	97.66
Outdoor Living	1	2'-6"	77.17	77.17
Auto Center	1	2'-0"	31.51	31.51
Auto Center	1	2'-0"	34.55	34.55
Pharmacy Drive-Thru	2	1'-6"	39.90	79.80
Pharmacy Drive-Thru	1	4'-7 1/2"	62.68	62.68
Total Building Signage				1,358.34

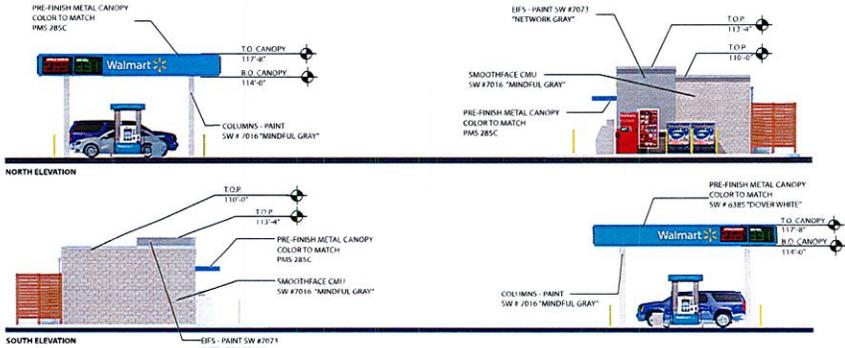
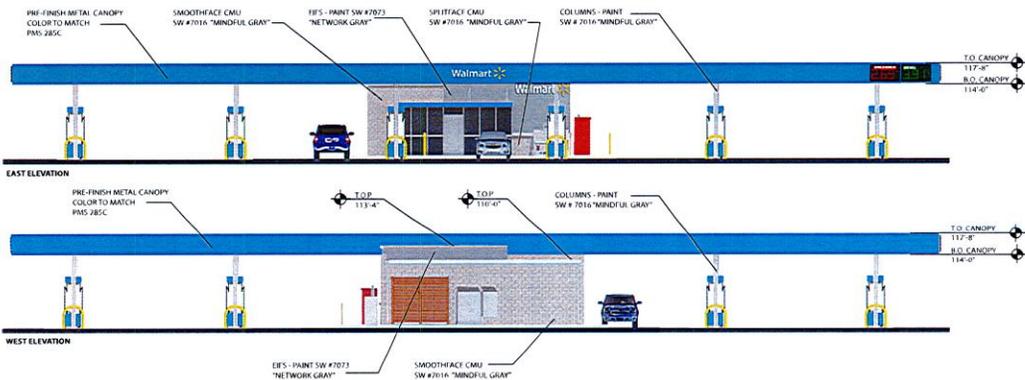
February 4th, 2016

Rock Island, IL

Proposed Elevations

1

DESIGN REPRESENTATION ONLY - NOT FOR CONSTRUCTION The building images shown are a representation of the current design intent only. The building images may not reflect variations in color, tone, size, form, shading, ambient light intensity, materials, textures, contrast, font style, construction variations required by building codes or inspectors, material availability or final design detailing.



Sign	Qty.	Height	Area (S.F.)	Total S.F.
Walmart	4	2'-0"	18.63	74.52
Canopy Price Sign	6	2'-9"	13.01	78.06
Total Building Signage				152.58

February 4th, 2016

Rock Island, IL

Fuel Center Elevations & Signage

Cree Edge™ Series

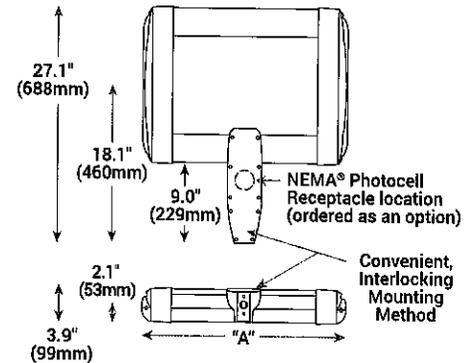
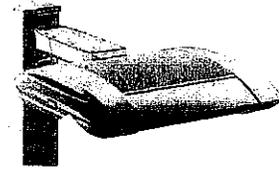
LED Area/Flood Luminaire

Product Description

The Cree Edge™ Series has a slim, low profile design. Its rugged cast aluminum housing minimizes wind load requirements and features an integral, weathertight LED driver compartment and high performance aluminum heat sinks. Various mounting choices: Adjustable Arm, Direct Arm, Direct Arm Long, or Side Arm (details on page 2). Includes a leaf/debris guard.

Applications: Parking lots, walkways, campuses, car dealerships, office complexes, and internal roadways

DA Mount



Performance Summary

Patented NanoOptic® Product Technology

Made in the U.S.A. of U.S. and imported parts

CRI: Minimum 70 CRI

CCT: 4000K (+/- 300K), 5700K (+/- 500K) standard

Limited Warranty*: 10 years on luminaire/10 years on Colorfast DeltaGuard® finish

* See www.cree.com/lighting/products/warranty for warranty terms

Accessories

Field-Installed	
Bird Spikes XA-BRDSPK	Backlight Control Shields XA-20BLS-4 - Four-pack - Unpainted stainless steel
Hand-Held Remote XA-SENSREM	
- For successful implementation of the programmable multi-level option, a minimum of one hand-held remote is required	

LED Count (x10)	Dim. "A"	Weight
02	12.1" (306mm)	21 lbs. (10kg)
04	12.1" (306mm)	24 lbs. (11kg)
06	14.1" (357mm)	27 lbs. (12kg)
08	16.1" (408mm)	28 lbs. (13kg)
10	18.1" (459mm)	32 lbs. (15kg)
12	20.1" (510mm)	34 lbs. (15kg)
14	22.1" (560mm)	37 lbs. (17kg)
16	24.1" (611mm)	41 lbs. (19kg)

Ordering Information

Example: ARE-EDG-2M-AA-12-E-UL-SV-350

AA/DL/SA Mount - see page 22 for weight & dimensions

Product	Optic	Mounting*	LED Count (x10)	E			Drive Current	Options
				Series	Voltage	Color Options		
ARE-EDG	2M Type II Medium 3MB Type III Medium w/BLS 4MP Type IV Medium w/Partial BLS 5M Type III Medium 5M Type V Medium 2MP Type II Medium w/Partial BLS 3M Type III Medium 4M Type IV Medium w/BLS	AA Adjustable Arm	02	E	UL Universal 120-277V UH Universal 347-480V	BK Black BZ Bronze SV Silver WH White	350 350mA 525 525mA 700 700mA - Available with 20-60 LEDs	DIM 0-10V Dimming - Control by others - Refer to Dimming spec sheet for details - Can't exceed specified drive current F Fuse - Refer to ML spec sheet for availability with ML options - Available with UL voltage only - When code dictates fusing, use time delay fuse HL Hi/Low (Dual Circuit Input) - Refer to HL spec sheet for details - Sensor not included ML Multi-Level - Refer to ML spec sheet for details - Intended for downlight applications at 0° tilt P Photocell - Refer to ML spec sheet for availability with ML options - Available with UL voltage only
		DA Direct Arm	04					
		DL Direct Long Arm	06					
		SA Side Arm	08					
		- Available with 20-60 LEDs	10					
			12					
			14					
			16					
		FLD-EDG	25 25' Flood 40 40' Flood 70 70' Flood SN Sign N6 NEMA® 6					

* Reference EPA and pole configuration suitability data beginning on page 19
NOTE: Price adder may apply depending on configuration



US: www.cree.com/lighting

T (800) 236-6800 F (262) 504-5415

Rev. Date: V3 10/15/2015

Canada: www.cree.com/canada



T (800) 473-1234 F (800) 890-7507



Pylon Sign with Fuel

	February 4th, 2016	Rock Island, IL
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DESIGN REPRESENTATION ONLY - NOT FOR CONSTRUCTION. The building images shown are a representation of the current design. The building is

