

MINUTES OF THE
ROCK ISLAND CITY PLANNING COMMISSION
Regular Meeting November 2, 2010 5:15 P.M.

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|-------------------|-----------------------|----------------------------|
| (x) Mike Creger | (x) Jason Lopez | (x) Bruce Peterson |
| () Ed Hanna | (x) Tim Meegan | () Lorian Swanson |
| (x) Ted Johnson | () Norm Moline | () Berlinda Tyler-Jamison |
| (x) David Levin | (x) Diane Oestreich | |

Staff Present: Alan Carmen and Doris Quigley

Chairman Levin called the meeting to order at 5:15 p.m.

Approval of Minutes: Approval of Minutes of the regular meeting of September 7, 2010. Commissioner Oestreich moved to approve the minutes as written. Commissioner Creger seconded the motion and it carried unanimously.

Review of Elsberg Second Addition, two-lot subdivision with variances at 3700 11th Street.

Alan Carmen presented the staff report.

The proposed plat includes revisions made to the approved Elsberg Second Addition Final Plat (approved by the City Council on September 13th). The revised plat is still a two-lot minor plat located at 3700, 3704 and 3708 11th Street, zoned B-4 (highway business) district. The change in the plat enlarges the area of proposed Lot One from 11,030 to 18,943 total square feet.

Currently, there is a commercial structure located on the site. The property owner (Christine Elsberg) desires to subdivide the site so the rear commercial space (3708 11th Street, occupied by the Independent Living Center) will be located on a separate lot that can be sold to that organization for its potential future expansion. This revised lot split will require two variances since there will be a "zero lot line" in the rear yard of proposed Lot One and the front yard of proposed Lot Two (B-4 zoning requires a 20-foot front yard setback and a ten-foot rear yard setback).

Proposed Lot One will have an area of 18,943 square feet and a lot width of 91.01 feet. Ms. Elsberg's insurance office and a second commercial space will be located on this lot. The revised lot now extends it further to the west to include more of the existing asphalt parking area. There will still be parking and access cross-easement agreements with the new owners of proposed Lot Two.

Proposed Lot Two will have an area of 25,296 square feet and will have a 20.01' "flag" access to 11th Street. The new lot area will include less of the existing asphalt parking area, but there will still be parking, access and sign easements within the flag area of this lot. The proposed lot has room for future building and parking expansion to the west (rear) of the lot.

Although there are two variances being requested, the subdivision will allow for the future separate ownership and expansion of an existing office space. The City Engineer has approved the final plat.

Staff recommends the final plat be approved with the requested variances because it will allow for separate ownership and expansion of an existing office and provide adequate parking and access for both lots through access and parking cross-easements.

Chairman Levin asked for questions from the Commissioners for Mr. Carmen.

Commissioner Levin asked if there was a covenant in place to require future construction be consistent with the existing structure.

Mr. Carmen said that he did not recall a legal document stating that requirement, but knew there was an understanding between the current owner and the future owner of the second lot with that intent in mind.

Commissioner Creger asked if the single building on two lots would carry an agreement regarding building maintenance and repairs.

Mr. Carmen stated that each owner would be responsible for the maintenance of the section of the building that they own, and that 'common elements' would have some type of maintenance agreement.

Commissioner Peterson said that 'party-wall' agreements were standard on properties with zero-lot-line variances, requiring each owner to be responsible for their side of the wall. He then asked about the parking requirements for the two lots.

Mr. Carmen replied that the current parking lot with the cross-easement agreement exceeds the requirements for the two businesses at present and there is enough area for parking expansion to meet requirements when expansion takes place in the future.

As there were no additional questions for staff and no others in the audience to speak, Chairman Levin asked for discussion by the Commissioners.

Commissioner Johnson moved that the request be approved as recommended by staff. Commissioner Meegan seconded the motion.

Chairman Levin called for the motion and it passed on a unanimous vote.

The recommendation will be presented to City Council on Monday, November 10, 2010 at 6:45 p.m.

Other Business: Digital Sign Webinar

Mr. Carmen directed the Commissioner's attention to the materials provided in their packets regarding the Bi-State Regional Commission webinar on signage, digital signage in particular. National, state and local sign ordinances need to be evaluated to see if they have appropriate provisions to handle the advancing technology being used in the newest electronic digital signage. Neighboring cities such as Davenport and Bettendorf have been evaluating their sign ordinance at the present time. Rock Island's sign ordinance appears to be sufficient to handle the new technology at present, but future advances needs to be kept in mind for future revisions to the ordinance. Commissioner Meegan mentioned that, in the past, an establishment in the District projected signage across the alley onto another building and asked how that would be handled under the current ordinance. Mr. Carmen stated that the owner of the building that the sign was projected onto would be required to give permission to the business that projected the sign onto their building, and that both property owners would be involved in the 'legal' restrictions regarding the signage if this were to occur under the current sign ordinance.

There was conversation about political signs and restrictions controlling them. Mr. Carmen said signs on private property that are free-speech cannot be regulated on size, content, or location. Signs that are commercial in nature on private property can be regulated. Signs are not allowed on public right-of-way or city-owned property. It was mentioned that some political signs were illegally placed at polling places on election day and thrown away by election officials.

Commissioner Lopez said that he had not received any information from Bi-State regarding the current webinar offerings. Commissioner Oestreich said that she had not received anything either, but had found the information on Bi-State's website. Staff will provide an email to Commissioners with the link to the webinar offerings.

Adjournment:

Commissioner Meegan made a motion to adjourn. Commissioner Oestreich seconded the motion and it carried unanimously.

The meeting adjourned at 5:40 p.m.

Respectfully submitted,

Alan M. Carmen, Secretary
Rock Island Planning Commission