

Memorandum Community & Economic Development Department



To: Thomas Thomas, City Manager
Subject: Rezoning request for 1826 31st Street
Date: October 6, 2014

At its October 1, 2014 meeting, the Planning Commission considered a request from Mr. Kevin Murphy (owner of McDonald's restaurant located at 1813 30th Street) for a rezoning from R-2 (one family residence) district to B-1 (neighborhood business) district at 1826 31st Street. The applicant has submitted a site and landscape plan to utilize the former residential structure on the site as a private McDonald's office and construct an 8-space employee parking lot. Mr. Murphy also said he would provide a revised landscape plan to include a privacy fence and at least a 5-foot wide landscaped area along the western property line as soon as it is available. The Future Land Use Map in the City's Comprehensive Plan identifies "single family residential" land use for the site.

Public Response Prior to Public Hearing:

Staff received a Statement of Interested Party (attached) from Dale and Angela Handley, 1823 30th Street. Staff also received a letter of support (attached) from Beth Mahlo, 1825 30th Street. Prior to the public hearing, staff received comments in opposition to the rezoning from Mr. Pernon Tew, 1851 30th Street, and Bill Sharp, speaking on behalf of his daughter (Jody Sharp of 1817 31st Street) with concerns about property values.

Public Hearing Comments:

Mr. and Mrs. Handley spoke in opposition to the rezoning citing the Comprehensive Plan Future land Use residential designation for the site. They also spoke in favor of a Special Use Permit or O-1 (office) zoning for the proposed use. Mr. Tew also spoke in opposition to the rezoning because it would be commercial expansion into the residential neighborhood. He said if the rezoning were approved it could result in further commercial expansion to the west and south of the subject property.

Based on the opposition from the Handleys and the Sharps, it will take a $\frac{2}{3}$ vote of all members of the Council to approve the rezoning request. Section 6.1 of the Zoning Ordinance requires this vote if objections are received from 20% or more of the property owners fronting or adjoining the subject property.

Planning Commission Comments & Recommendation:

The Planning Commission discussed the merits of rezoning to B-1 or O-1 and/or consideration of a Special Use Permit during its deliberation. They denied a motion to recommend approval of O-1 zoning (instead of the requested B-1 zoning) by a 4—3 vote. After further discussion, the Planning Commission recommended denial of the rezoning request to B-1 by a 5—2 vote, recommending instead that the Council consider a Special Use Permit, including a stipulation that the applicant provide a revised site/landscape plan identifying a privacy fence and at least a 5-foot wide landscaped area along the western property line.

Staff Recommendation:

Denial of the requested rezoning to B-1 and instead grant the applicant permission to seek a Special Use Permit at a public hearing before City Council at a future date to be determined.

Submitted by: Alan Fries, Urban Planner II
Ben Griffith, AICP, Planning & Redevelopment Administrator
Jeffery A. Eder, Assistant City Manager / CED Director

Approved by: Thomas Thomas, City Manager

REPORT

To: Planning Commission

From: Planning and Redevelopment Division
Community and Economic Development Department

Date: September 24, 2014

Subject: Case #2014-07- Request for Rezoning from R-2 (one family residence) district to B-1 (neighborhood business) district at 1826 31st Street.

Kevin Murphy (owner of McDonald's Restaurant located at 1813 30th Street) has filed an application for a rezoning from R-2 (one family residence) district to B-1 (neighborhood business district at 1826 31st Street. Mr. Murphy indicates he has purchased the property and proposes to utilize the former residential structure on the site as an office and construct an eight-space employee parking lot on the site.

Size of Property to be Rezoned:
84' x 145' (12,180 square feet).

Existing Land Use: The site is currently occupied by a former residence and a detached garage.
North: McDonald's Restaurant, zoned B-3.
East: Single family residence, zoned R-2.
South: Single family residence, zoned R-2.
West: Single family residence, zoned R-2.

Zoning History
None.

Comprehensive Plan Designation:
The recently approved Comprehensive Plan identifies single family residential land use for the site.

Access:
The site has access to 31st Street.

Physical Characteristics:
The site is flat and slightly above street level.

Landscaping, Lighting and Signs:
The applicant has submitted the attached landscape plan that identifies proposed landscaping adjacent to the eight parking spaces. There will be a row of 17 arborvitae trees along the western edge of the parking spaces along with 34 perennial plantings in the ten foot wide landscaped area to the south and east of the parking lot. An Autumn Blaze maple canopy tree will also be located

in the east yard area to further buffer the parking lot from residential uses to the east. Along the west edge there is already a fence along the neighbor's property line, but the applicant has indicated that he will add his own privacy fence and landscaping in an approximate five foot wide area adjacent to the property line.

The only lighting that will be provided will be motion detector lights on the rear side of the office structure and south side of the existing detached garage. These lights will be directed downward, so to not shine in neighbor's windows. No signs will be located on the property.

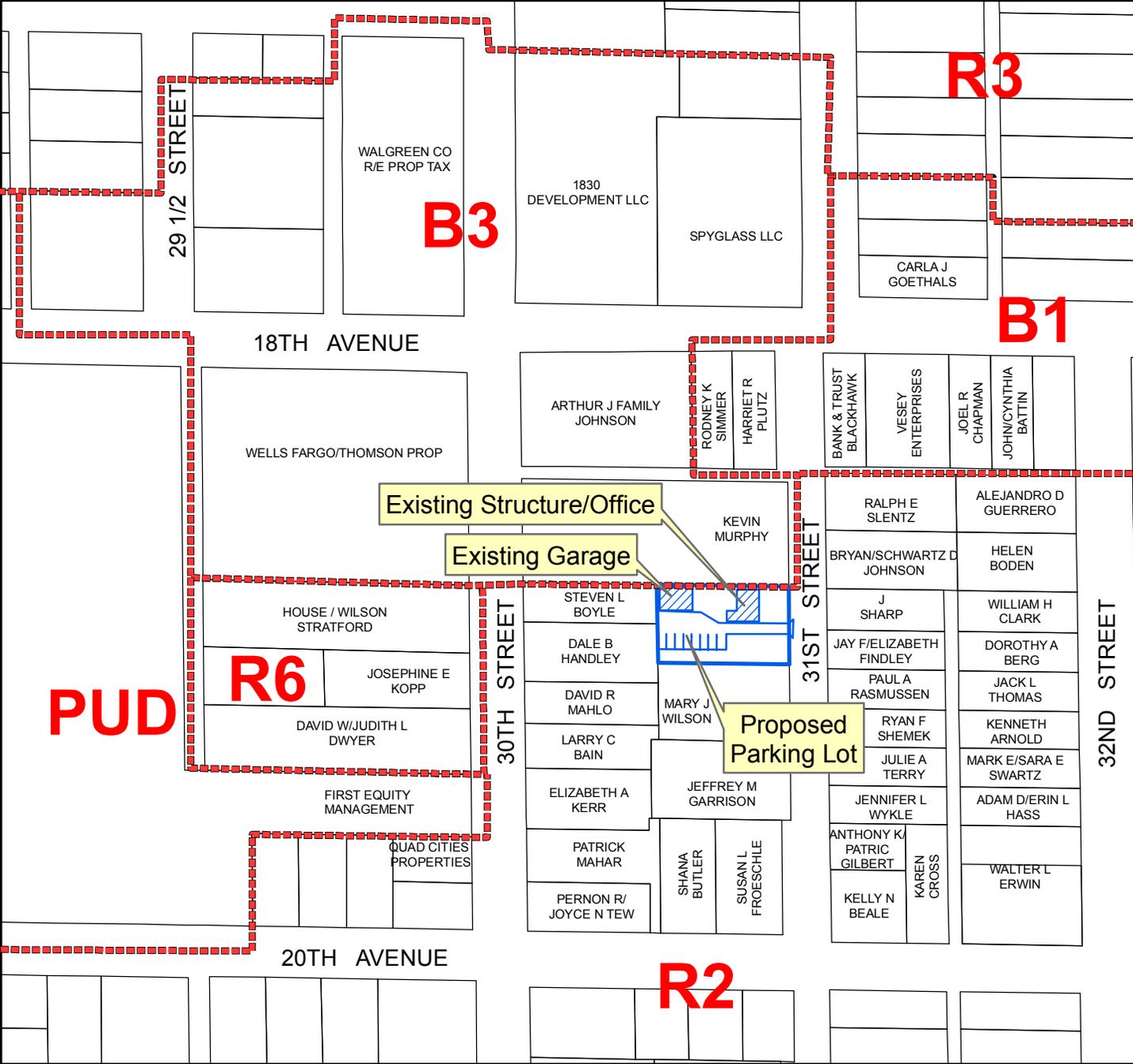
Analysis:

Staff believes that the rezoning to B-1 is a reasonable expansion of business zoning in the area due to its location adjacent to B-3 zoning to the north. The proposed use will be accessory to the restaurant use and will not over-develop the site with a large commercial use. The site will maintain much of its residential character as the residence will remain and the office will not be a public office. Also, there will not be any signs on the property to identify it as a non-residential use. The eight spaces will be improved and well landscaped to provide a buffer to adjacent residential uses. Any future commercial development would be limited by the 2,500 square foot maximum building size for the listed uses identified in the Zoning Ordinance (B-3 zoning does not have similar 2,500 square foot limitation).

Recommendation:

Staff recommends approval of the rezoning because it is a reasonable expansion of the business zoning for related use in the area due to its proximity to B-3 zoning and McDonald's Restaurant to the north.

PLANNING COMMISSION



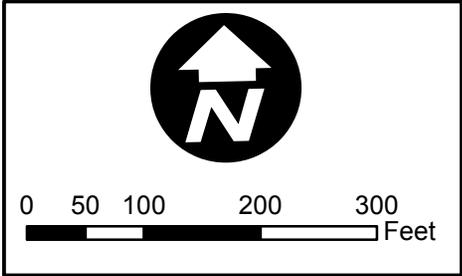
PLANNING COMMISSION
2014-7

Legend

- R.I. City Parcels
- Subject Property

DR. BY: K.G.D.

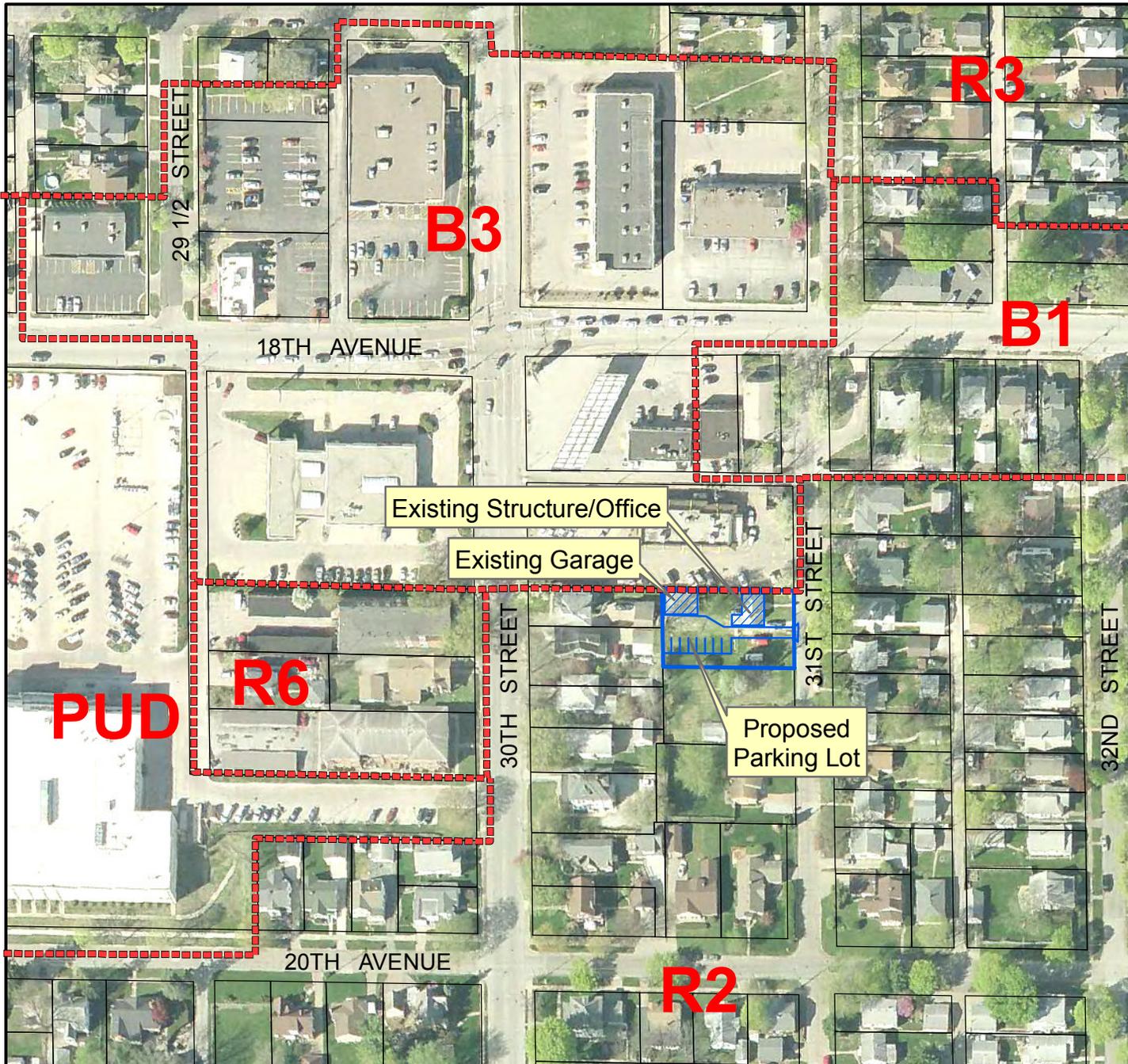
APPR. BY: B.G./A.F.



City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment

PLANNING COMMISSION



PLANNING COMMISSION 2014-7 Aerial

Legend

-  R.I. City Parcels
-  Subject Property

DR. BY: K.G.D.

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

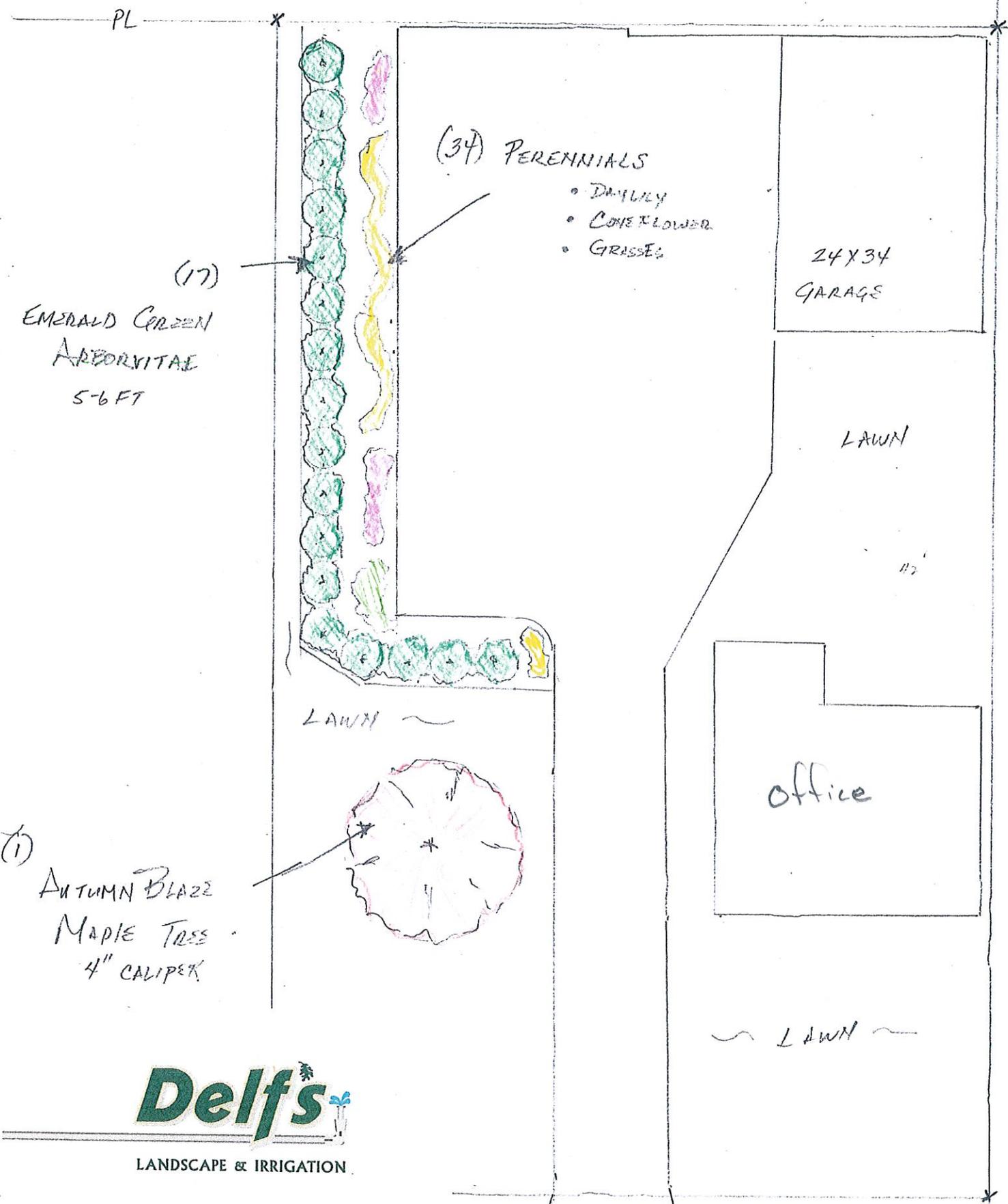


0 50 100 200 300 Feet

City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment





(17)
 EMERALD GREEN
 ARBORVITAE
 5-6 FT

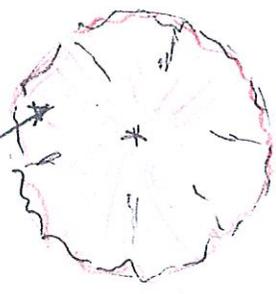
(34) PERENNIALS
 • DAYLILY
 • CONE FLOWER
 • GRASSES

24x34
 GARAGE

LAWN

LAWN

(1)
 AUTUMN BLAZE
 MAPLE TREE
 4" CALIPER



office

LAWN



LANDSCAPE & IRRIGATION

• Certified Toro Irrigation • Outdoor Lighting Systems •
 • Full Service Landscape Company •
 BY J. DELF 8-01-2014

1" = 15' SCALE





ROCK ISLAND
ILLINOIS

City of Rock Island – Statement as Interested Party

Please print legibly

Case Number: PC2014-07

Check One: Special Use Permit _____
Board of Zoning Appeals _____

Planning Commission X
Preservation Commission _____

Address of Property subject to public hearing: 1826-31st R.I

Your Name: DALE & ANGELA HANDLEY

Your Home Address: 1828-30th ST R.I

Your Phone Number (Daytime): 788-2613

Address of property you own, occupy or use that is affected by above case:
SAME

Statement of person wishing to qualify as an Interested Party (Please state reasons why you believe you and your property are affected by the Case specified above more than the general public. Use the space below. You can also attach additional sheets to provide more information. See the reverse side of this form for guidelines concerning an "Interested Party"):

Do NOT Agree WITH Rezoning Property FROM R-3
TO B-1 ONLY FOR A PARKING LOT.

Please identify any witnesses you intend to have in attendance, specify their, name, address, qualifications and the subject area they will cover:

ANGELA HANDLEY

SAME

Did you receive a notice from the City about this case? Yes X No _____

Dale Handley
Signature

Sept 22, 2014
Date

City Use Only

Received by City Clerk:

9-22-14
Date

10:35 am
Time

[Signature]
Signature

Received by Planning and Redevelopment Division:

9-22-14
Date

11:00 A.M
Time

[Signature]
Signature

Oct. 1 2014

Dear Members of the Rock Island Planning Commission,

I am unable to attend tonights meeting, but hope that you will read this letter into the record, and attach to the report for the review of the City Council when they consider this matter.

I am writing to you to lend my support to the request by Kevin Murphy for a rezoning of the property at 1826 31st St.

I also have had NO objection to any of his employees parking on this property.

We need to determine what is 'highest and best use' for this property.

For 30 years this property was a problem property when owned by the former Army Thrift Store owner, and was used for purposes of hoarding. At that time, the city spent many man hours visiting and citing, and eventually cleaning up said property.

It then became a rental property, and the gentleman who owned it made no bones about the fact that it was because of the 3 car garage and large yard that he had purchased it, not because of the one bedroom home which brought in minimal rent. Because he had additional multiple rental units and a business, he was content to own the home to have the storage space. He kept the property up well, but the property tax return was not equivalent to anything else in the neighborhood.

Next came a short term owner, who loved the yard for it's size. He left his large dog out 24/7, 365 days a year. Long nights of howling dog and torn up terrain followed. Also a pain in the neck for the city.

Mr. Murphy has since acquired this property. He finished the previous owners repairs, put up a beautiful tight wall fence, and retaining wall. He has not missed a week of mowing. For a short period of time some of his employees were parking there, which alleviated the limited on street parking areas in our neighborhood. It seemed like a good solution. But, I understand that a neighbor has complained about that solution, and so now we are at this juncture.

If this property is rezoned, the valuation of the property will go up. Good news for our tax base

If this property is rezoned, the employees will be able to use this as parking. Good news for those who park in the street.

Thank you for your time,

Beth Y. Mahlo

1825 30th St