

**Memorandum
Community & Economic Development Department**



To: Thomas Thomas, City Manager
Subject: Rezoning request for 4530 24th Avenue
Date: September 4, 2015

At its September 2, 2015 meeting, the Planning Commission considered a request from Jerry Bergheger for a rezoning from R-2 (one family residence) district to R-3 (one and two family residence) district at 4530 24th Avenue. The applicant proposes to construct a two-unit residential condominium structure on a new platted lot on the northwest corner of the site and maintain the existing single family residence on a separated platted lot in the southern segment of the site. This proposal is a change the applicant identified just prior to the public hearing as the attached staff Planning Commission report identifies what was originally proposed (remove the existing single family residence and “center” the proposed two unit residence on the existing site). Staff informed the Planning Commission and the audience of the changes in the request at the public hearing. The Comprehensive Plan identifies “single family residential” land use for the site.

Public Hearing Comments:

Five people spoke in opposition to the request at the public hearing. Three of the speakers had submitted “Interested Party” statements prior to the hearing (Michael Hannah, 4512 24th Avenue; Perry Mason, 4542 25th Avenue; and Roger McKee, 4607 25th Avenue. Also speaking in opposition were Harold Walker, 4610 24th Avenue and Heinz Veigle, 4520 24th Avenue. Prior to the hearing Ms. Kelly Brinkman, 4531 25th Avenue called to express her opposition to the rezoning.

Based on the total property frontage identified by all the objectors to the request the Zoning Ordinance standard has been met where 20 percent or more of the immediately adjoining property owners are against a rezoning that approval requires a favorable vote of 2/3 (super majority) of all members of the City Council.

Planning Commission Comments & Recommendation:

The Planning Commission voted eight to zero (8-0) to recommend denial of the rezoning.

Recommendation: Planning staff recommends denial of the rezoning because it does not conform to the land use designation in the Comprehensive Plan, would create a situation of spot zoning and would set a precedent for similar future rezoning requests.

Legal Description of Subject Property:

Supervisor of Assessment Lot 103, Sheet 3A of South Rock Island Township, also known as 4530 24th Avenue, Rock Island, Illinois.

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: August 21, 2015

Subject: Case #2015-05- Request for Rezoning from R-2 (one family residence) district to R-3 (one and two family) district at 4530 24th Avenue.

Jerry Bergheger has filed an application for a rezoning from R-2 (one family residence) district to R-3 (one and two family residence) district at 4530 24th Avenue. The applicant proposes to remove the existing single family residence and construct a two-unit residential condominium structure on the site.

Size of Property to be Rezoned:
165' x 306' (50,490 square feet).

Existing Land Use: The site is occupied by a single family residence.
North: Single family residential, zoned R-2.
East: Undeveloped property and single family residential, zoned R-2.
South: single family residential, zoned R-2.
West: Single family residential, zoned R-2.

Zoning History
None.

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

Access:
The site has access to 24th Avenue.

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

Analysis:
The applicant is working with a developer/builder to construct the two-unit one-story condominium structure on the site. Each dwelling space will have two bedrooms, a two car attached garage and have an area of 1,387 square feet of living space. The dwellings will have a basement, but will be marketed to people who desire to have the wash/dryers located on the main level. Asking price will be in the range of \$200,000.

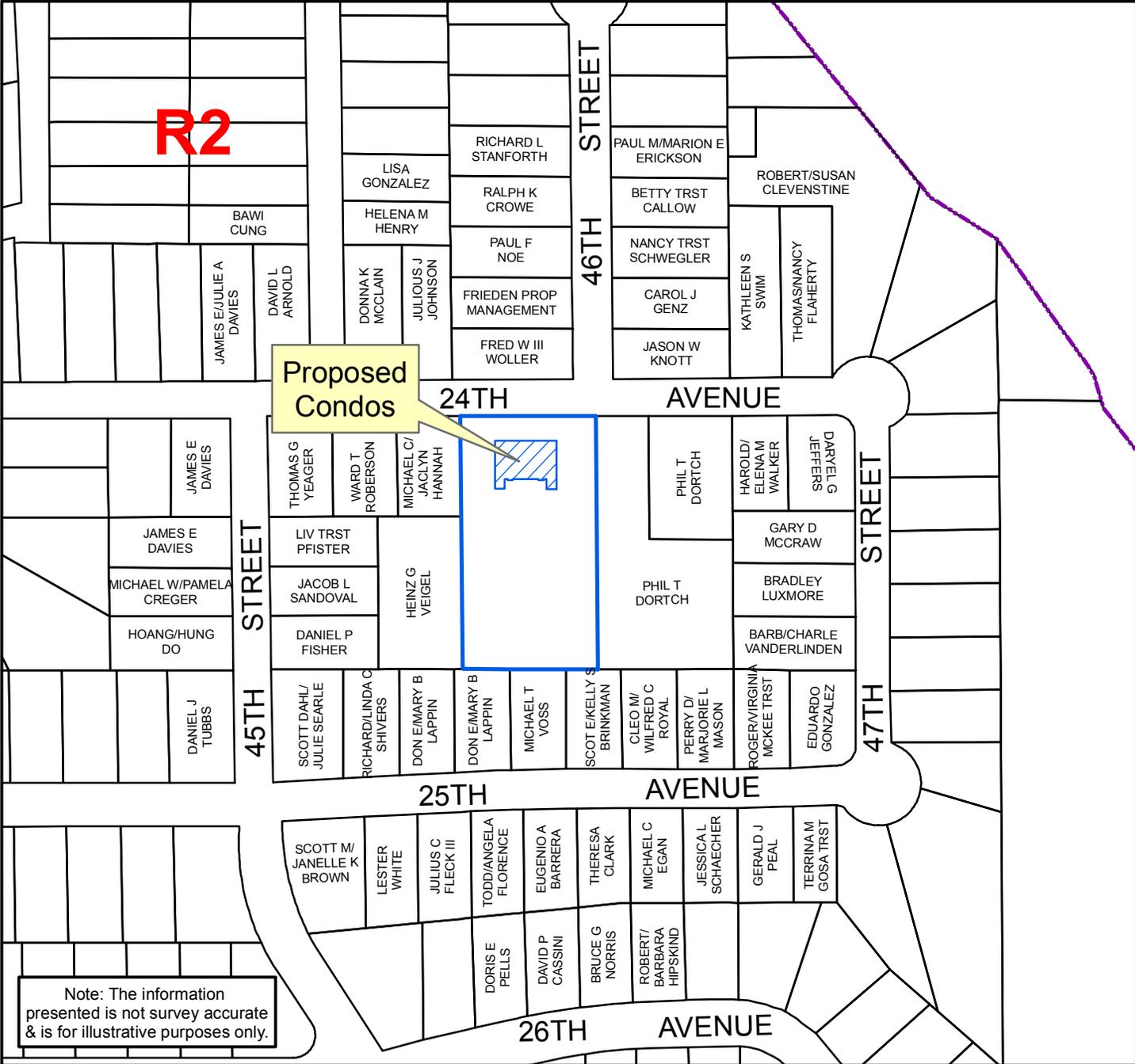
The Comprehensive Plan identifies single family land use for the site and surrounding neighborhood. Since the structure will be located with a common wall and on one parcel R-3 zoning for a “duplex” is required. There is no R-3 zoning in the area, so this site would be viewed as a “spot zoning”.

The applicant could subdivide the parcel into two lots and construct separate single family residences on each lot and maintain the R-2 zoning. The current Zoning Ordinance does not have a “townhouse” designation that typically allows for common wall dwellings, so each dwelling would need to be a separate structure and meet side yard setback requirements.

Recommendation:

Staff recommends denial of the rezoning because it does not conform to the land use designation in the Comprehensive Plan.

PLANNING COMMISSION



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

PLANNING COMMISSION 2015-5

Legend

- Municipal Boundary
- Parcels
- Subject Property

DR. BY: K.G.D.
 APPR. BY: B.G./A.F.



0 50 100 200 300 Feet



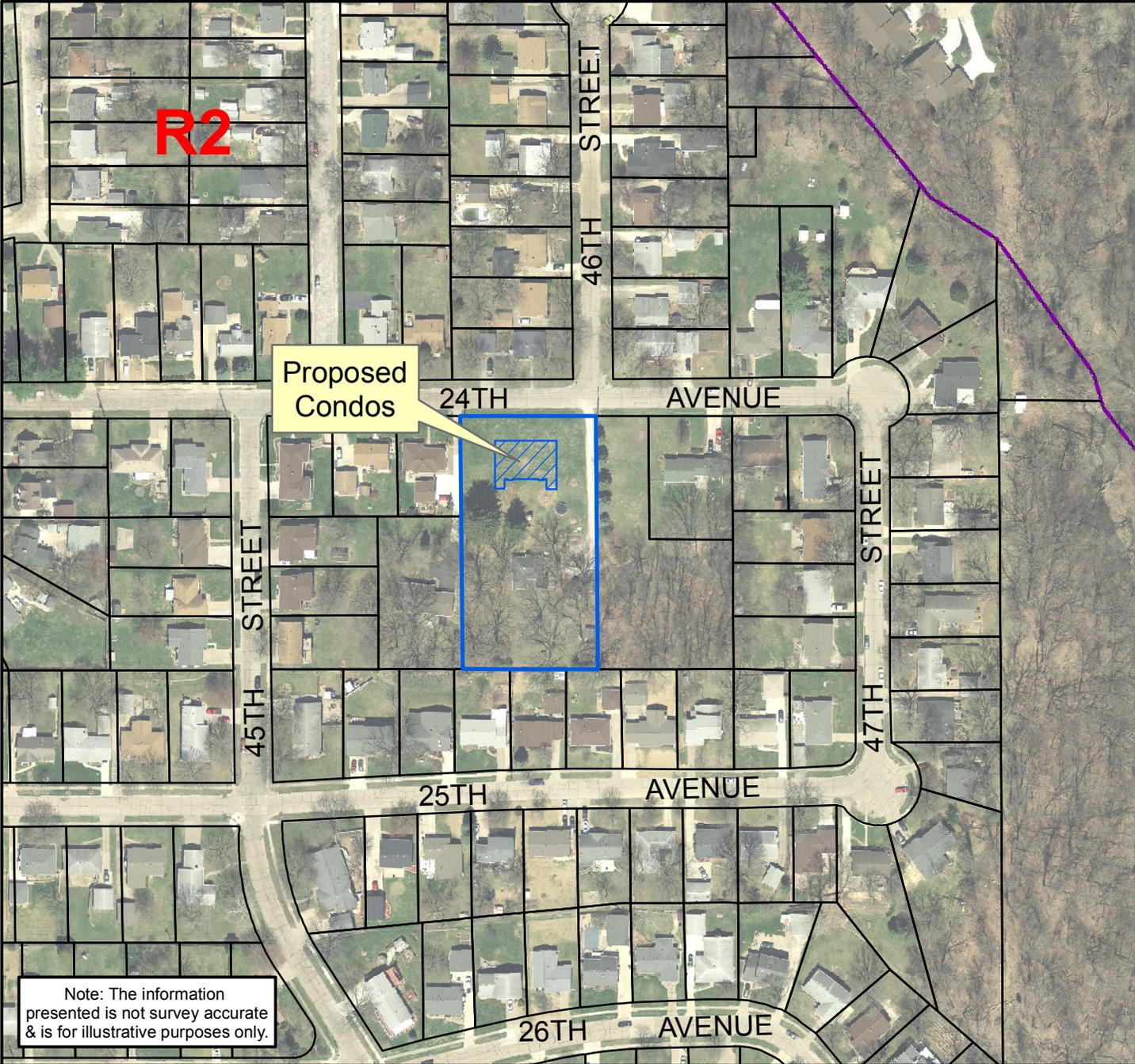
City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment



ROCK ISLAND
ILLINOIS

PLANNING COMMISSION



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PLANNING COMMISSION

2015-5 Aerial

Legend

- Municipal Boundary
- Parcels
- Subject Property

DR. BY: K.G.D.

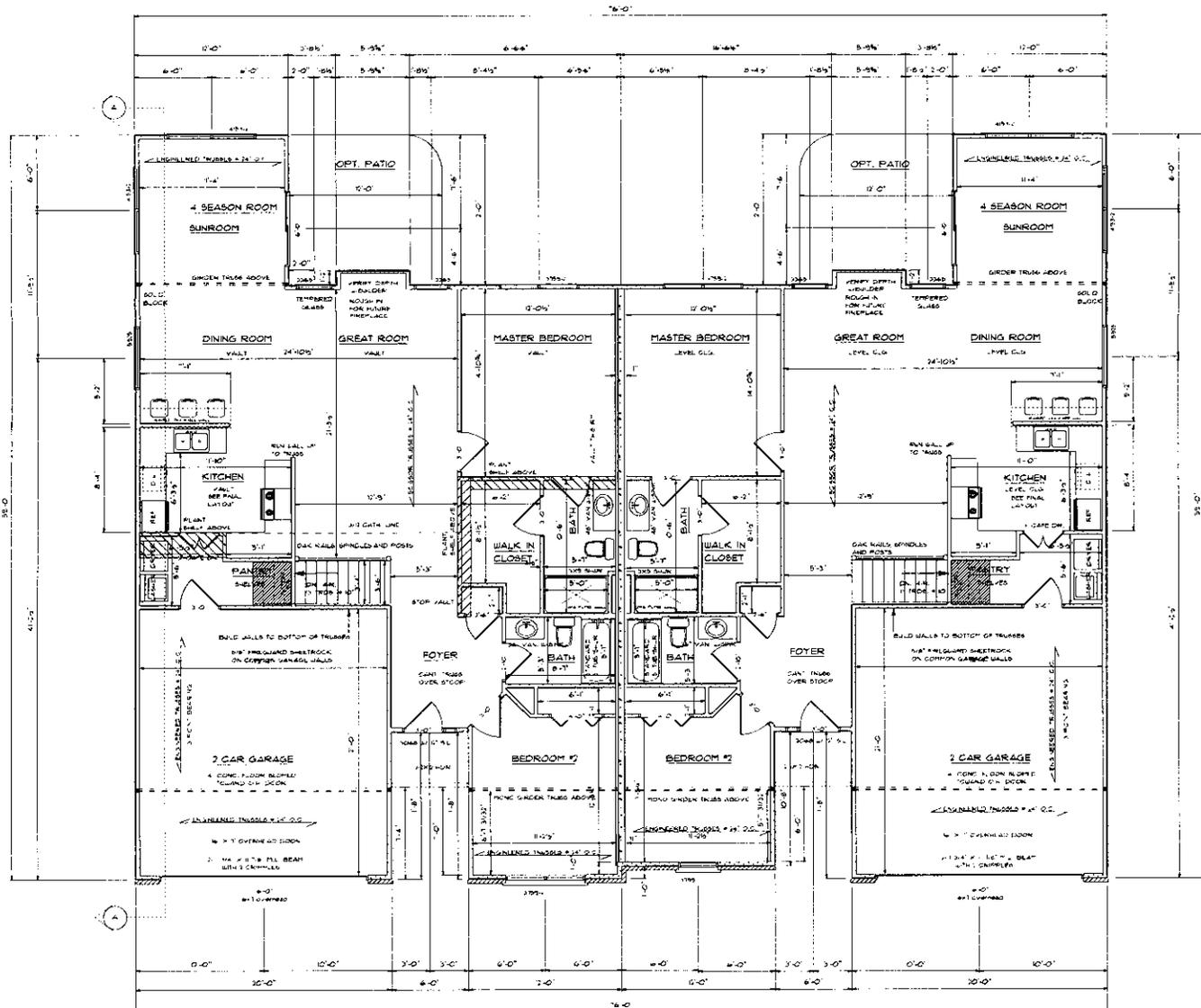
APPR. BY: B.G./A.F.

0 50 100 200 300 Feet

City of Rock Island

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning and Redevelopment

ROCK ISLAND ILLINOIS



TOTAL LIVING AREA + 1367 SQ. FT.

MAIN FLOOR PLAN

TOTAL LIVING AREA + 1367 SQ. FT.

- CLIENT NOTES**
- DESIGN LOAD FACTORS
FLOOR LOADS 30 TOTAL LBS. S.F.
ROOF LOADS 30 TOTAL LBS. S.F.
 - ALL DIM AND LAYOUTS FINISHING LAYOUTS SHALL BE BASED ON THE USE OF NO. 2 DOUGLAS FIR LARCH UNLESS NOTED OTHERWISE.
 - DOUBLE FLOOR JOISTS UNDER ALL PARALLEL FINISHINGS.
 - USE JOIST HEADERS OVER ALL EXTERIOR LOAD BEARING OPENINGS UNLESS OTHERWISE NOTED.
 - OPTIMIZE THE EXIST CABINET SIZE ON THE JOB AFTER THE WALL FINISH HAS BEEN APPLIED.
 - PATIENT WALL DIMENSIONS ARE TO OUTSIDE OF BRICK/CMU. INTERIOR DIMENSIONS DO NOT INCLUDE DRYWALL.
 - CONSIDER TO ALL DIMENSIONS INDICATED IN REFERENCE TO SCALED DIMENSIONS FROM THE BLUEPRINT.
 - IT IS THE RESPONSIBILITY OF THE SUPPLIER/INSTALLER IN THIS PROJECT TO MEET ALL BUILDING CODE REQUIREMENTS.
 - WALL EVENT AFTERNOON WAS TAKEN IN THE PREPARATION OF THIS PLAN TO AVOID INTERFERENCE WITH THE WORKER CONTRACT GUARANTEE AGAINST DELAY. THE OWNER/CONTRACTOR ON THE JOB MUST CHECK ALL DIMENSIONS AND DETAILS AND MUST BE RESPONSIBLE FOR DATE.
 - MUST BE SUFFICIENT TO HAVE FINAL SET ON NON-FLOOR LAYOUT AND HEIGHTS.
 - SOLID BLOCK ALL GIRDERS + BEAMS TO FOUNDATION.

