



MEETING DATE: February 1, 2011 (SPH)
February 15, 2011 (HPH)
REQUESTED BY: Bill Connors

COUNCIL LETTER

ITEM TITLE: Resolution setting a date for public hearing date on a rezoning of 2540 State Street, C-3, General Business District to C-4, Automotive Service District, submitted by Premier Picks Auto Sales. (Case 11-003) (2/1/11)

Public hearing and first reading of an ordinance rezoning 2540 State Street; C-3, General Business District to C-4, Automotive Service District, submitted by Premier Picks Auto Sales. (Case 11-003) (2/15/11)

Explanation (Background and How it Responds to Vision, Mission, or Goals)

Premier Picks Auto Sales has submitted a rezoning request for 2540 State Street from C-3, General Business District to C-4 Automotive Service District to permit a used car lot (see Aerial Photo, Attachment A). The lot is located at the eastern one-way couplet of Grant and State Streets. The land use designation is Commercial throughout this area, with residential north and general industrial south. The zoning classifications in this area vary from C-2, C-3, PR-5, R-4, I-2, and C-4 (see Land Use and Zoning Maps, Attachments B and C). The petitioner has presented a concept plan for the site (see Concept Plan, Attachment D). The City offered up some expectations for this area with its Streetscape Downtown Master Plan (see Map and Description, Attachments E and F).

The Planning and Zoning Commission voted by a 3-1 margin to recommend denial of the rezoning at its January 19 meeting. Consult the staff report for further details.

If the matter is not budgeted in the current year, explain why funding is requested and the anticipated source:

N/A

List Attachments:

Resolution; Ordinance; Exhibit A; (A) Aerial Photo; (B) Land Use Map; (C) Zoning Map; (D) Concept Plan; (E) Map of Streetscape; (F) Streetscape Policy Statement; (G) Staff report to the Planning and Zoning Commission; (H) Planning and Zoning Commission report to the Mayor and City Council; (I) Excerpts from the Planning and Zoning Commission meeting minutes regarding this matter

RESOLUTION NO. _____ - 11

**RESOLUTION SETTING A DATE FOR PUBLIC HEARING
FOR REZONING OF 2540 STATE STREET
C-3, GENERAL BUSINESS DISTRICT
TO C-4, AUTOMOTIVE SERVICE DISTRICT**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF, IOWA, that a date for public hearing be set for February 15, 2011, at 7:00 p.m., City Hall Council Chambers, 1609 State Street on the matter of a rezoning from C-3, General Business District to C-4, Automotive Service District for 2540 State Street, legally described as:

See Exhibit A

PASSED, APPROVED, AND ADOPTED this 1st day of February, 2011.

Michael J. Freemire, Mayor

ATTEST:

Decker P. Ploehn, City Clerk

Exhibit A

GRANT-STATE STREET LEGAL DESCRIPTION

Part of the Southeast Quarter of Section 28, Township 78 North, Range 4 East of the 5th Principal Meridian, City of Bettendorf, County of Scott, State of Iowa, more particularly described as follows:

Commencing the Southeast Corner of Lot 14 in Block 2 of J.N.S. Coleman's Addition in the City of Bettendorf;

Thence North 83 degrees 00 minutes 33 seconds East along the Northerly Right of Way Line of State Street, a distance of 57.66 feet the East Line of the real estate conveyed to McDonald's Corporation in Warranty Deed recorded as Document Number 9474-82 in the Scott County Recorder's Office, and the POINT OF BEGINNING;

Thence North 01 degrees 59 minutes 06 seconds West along said East Line, a distance of 230.59 feet the Southwesterly Right of Way Line of Grant Street;

Thence Southeasterly along said Southwesterly Line, being non tangent curve to the right, a distance of 5.05 feet, said curve having a radius of 470.40 feet, a chord bearing of South 63 degrees 04 minutes 38 seconds East and a chord distance of 5.05 feet;

Thence South 62 degrees 46 minutes 27 seconds East along said Southwesterly Line, a distance of 353.29 feet to the Westerly Right of Way Line of said Grant Street;

Thence South 17 degrees 46 minutes 11 seconds East along said Westerly Line, a distance of 21.21 feet to the Easterly Right of Way Line of State Street;

Thence South 27 degrees 13 minutes 49 seconds West along said Easterly Line, a distance of 12.35 feet to said Northerly Right of Way Line of State Street;

Thence South 83 degrees 00 minutes 33 seconds West along said Northerly Line, a distance of 309.28 feet to the POINT OF BEGINNING.

Containing 40,452 square feet or 0.929 acres, more or less.

For the purpose of this description the Northerly Right of Way Line of State Street has an assigned bearing of North 83 degrees 00 minutes 33 seconds East.

Return to: Sherry Hohenadel, City of Bettendorf, 1609 State Street, Bettendorf, IA 52722, (563) 344-4000

ORDINANCE NO. _____ - 11

**AN ORDINANCE AMENDING THE BETTENDORF, IOWA, ZONE MAP,
FOR 2540 STATE STREET
C-3, GENERAL BUSINESS DISTRICT TO
C-4 AUTOMOTIVE SERVICE DISTRICT**

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF, IOWA,

Section 1. That the Bettendorf, Iowa, Zone Map referred to in Section 4, and being a part of the Zoning Ordinance of the City of Bettendorf, Iowa, 1959, insofar as the said map pertains to the area legally described as follows:

See Exhibit A

and which is now zoned C-3, General Business District, is hereby repealed and said described land shall hereinafter be zoned C-4, Automotive Service District, and the following Zone Map, which is attached hereto and incorporated herewith and made a part thereof, as the same pertains to said area, is enacted as a substitute and in lieu of said District Map.

Section 2. Severability of Provisions. If any subsection, sentence, clause, phrase or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

Section 3. Full Force and Effect. This ordinance shall be in full force and effect from the date of passage and publication as required by law.

Section 4. Repealer. This ordinance shall be construed to repeal any prior ordinance inconsistent herewith.

Section 5. Municipal Infraction. Any person, persons, firm, partnerships, or corporation, whether acting alone or in concert with any other, who violates this ordinance shall be guilty of a municipal infraction, and shall be penalized as set forth in Section 1-9 of the Municipal Code of the City of Bettendorf, Iowa.

PASSED, APPROVED, AND ADOPTED this ___ day of _____, 2011.

Michael J. Freemire, Mayor

ATTEST:

Decker P. Ploehn, City Clerk

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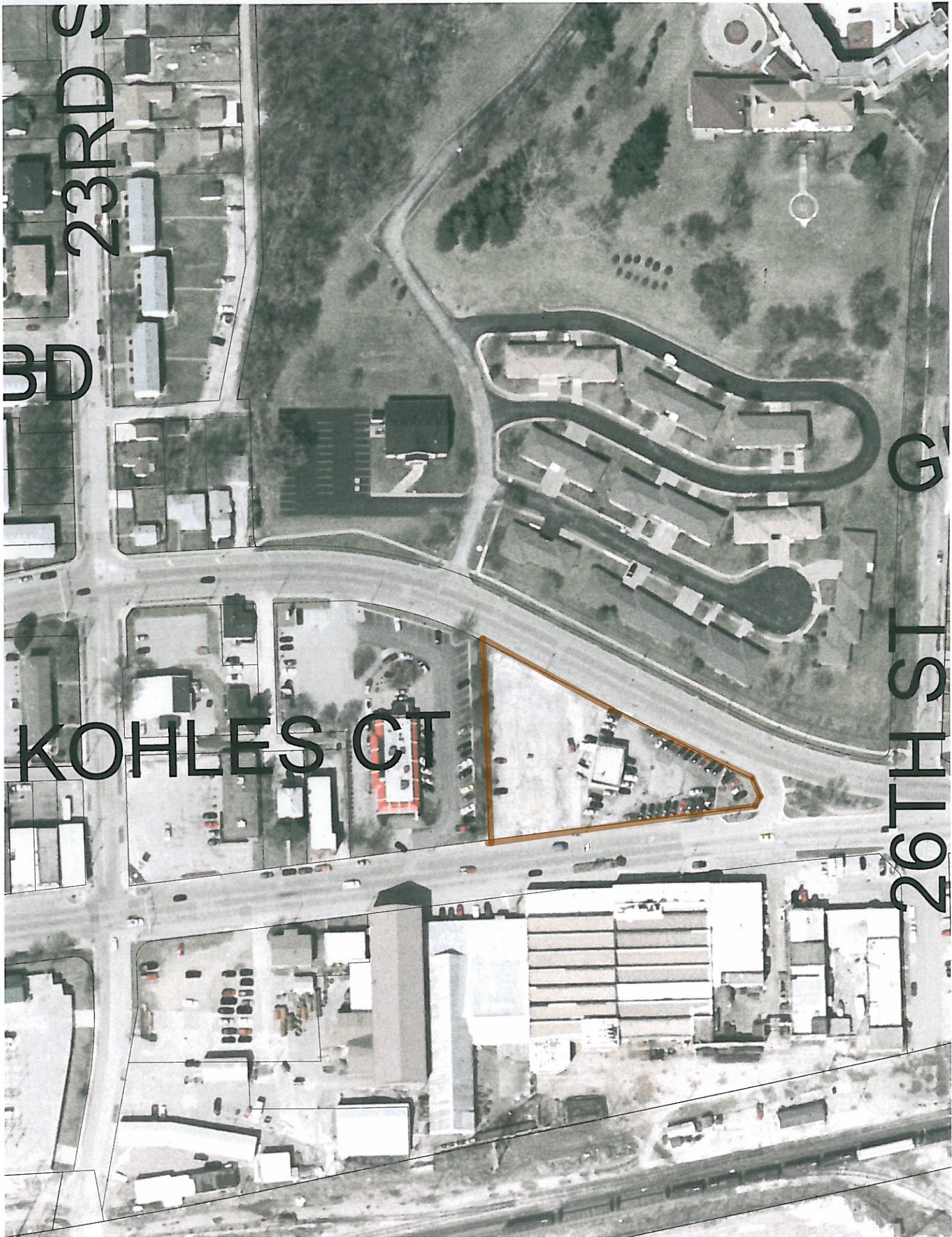
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23RD

BD

TRAD
RES

MEDIUM
DENSITY
RESIDENTIAL

COMMERCIAL

KOHLES CT

GENERAL INDUSTRIAL

GE

26TH ST

23RI

BD

2
3
rd
S
t
r
e
e
t

R-4

PR-5

Grant Street

C-3

KOHLES CT

C-3

C-4

State Street

I-2








GF

26TH ST

Existing Site



LEGEND

-  14 Ornamental Tree
Japanese Tree Lilac (2" - 2.5" cal.)
-  19 Shrubs / Ornamental Grass (5 gal.)
(9) Buffalo Juniper, (10) Karl Forester Orn. Grass
-  Perennials / Seasonal Color
-  Turf Areas - Irrigated & Sod unless noted as Seed.
-  Raised Planter (18" hgt.)
-  Accent Column (3' hgt.)
-  Seat Wall (24" hgt.)

Existing to Remain

Example of Seat Wall and Columns



Landscape Plan

Premier Picks Auto Sales



BITUMINOUS PAVEMENT
SCALE:
0' 20'-0" 60'-0"

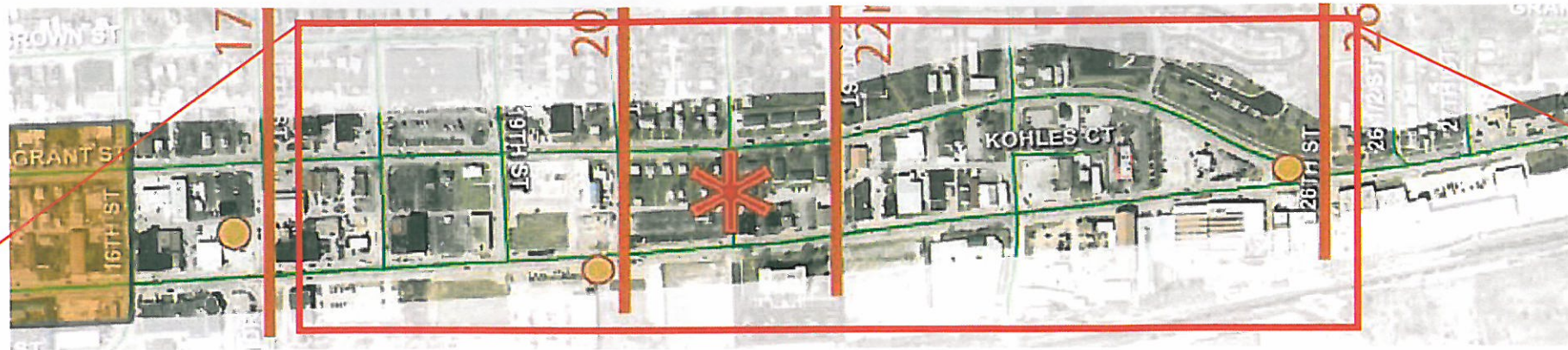
1.11.2011
MARK A. SLIFKA
REGISTERED LANDSCAPE ARCHITECT
ILLINOIS #157-000731 IOWA #00655



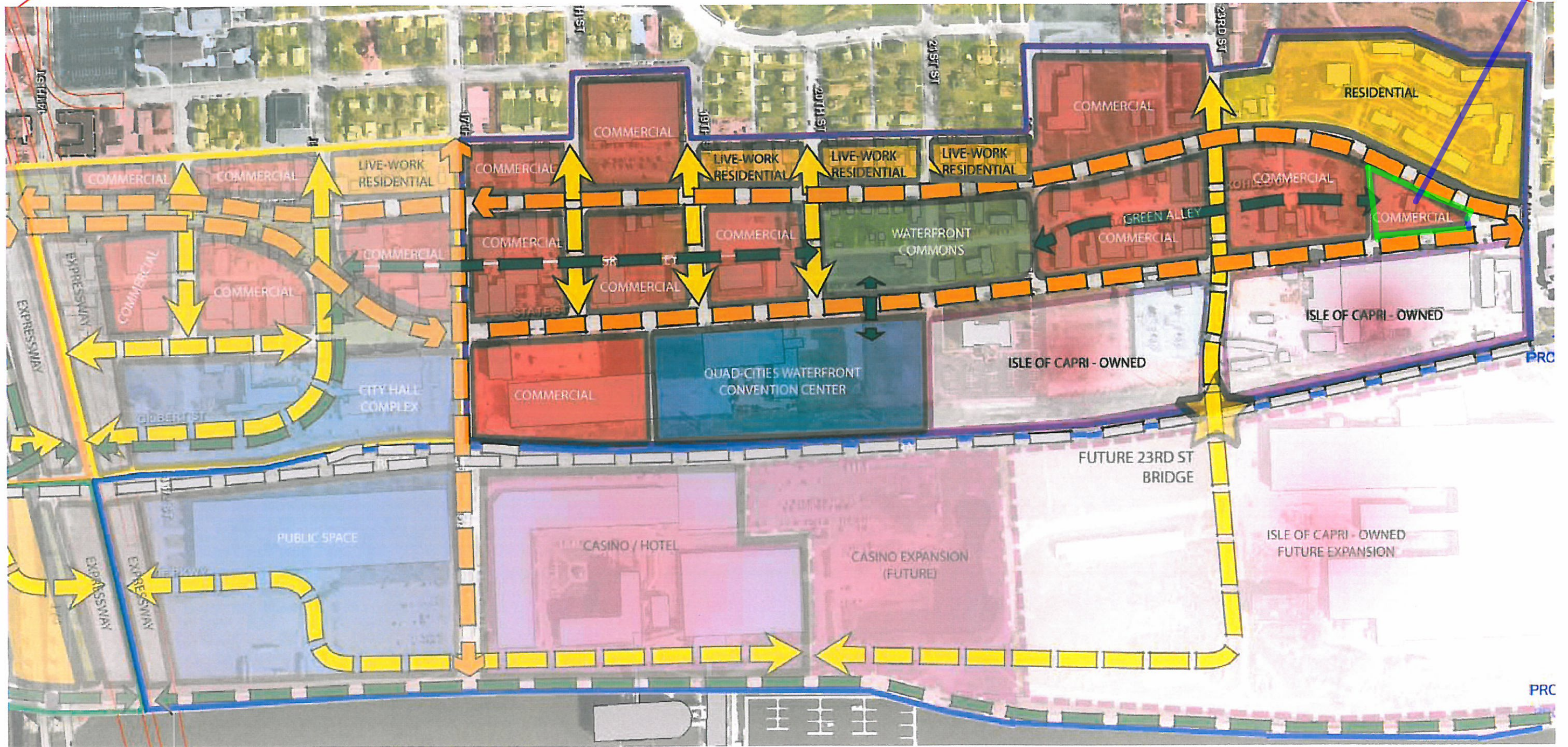
GREENSPACE ASSOCIATES
6749 VALLEY DR. BIETTENDORF, IOWA 52722
563-365-8148 563-365-8115 fax
sales@greenspaceassociates.com
LANDSCAPE DESIGN, INSTALLATION & MAINTENANCE

USE OF THIS PLAN FOR BIDDING, PRICING, OR OTHER PURPOSES, WITHOUT THE WRITTEN CONSENT OF GREENSPACE ASSOCIATES, INC. IS PROHIBITED.

ATTACHMENT E



2540 STATE STREET



WATERFRONT CONVENTION CENTER DISTRICT

Nature of the District

The Waterfront Convention Center District comprises an area of approximately 22 blocks, bound on the south by the IC&E railroad tracks; on the west by 17th Street (the Civic Hub); on the north by residential and commercial development along Grant Street; and on the east by 25th Street. The prevalent development type within the district is "commercial," composed mainly of one-story "small box" stores. The new Bettendorf Event Center has been constructed between 19th and 21st Street south of State Street. The Isle of Capri owns the swath of land east of the event center, while a new retail/commercial strip development has been completed to the west.

The State and Grant Street one-way couplet causes the Waterfront Convention Center District to be trisected. Streets subdivide the middle portion of the District into regular city blocks and continue north into the adjacent residential developments. On the east end of the district, Grant and State Streets rejoin into US-67/State Street/The Great River Road, which continues east through Bettendorf toward I-80 and LeClaire. No green-space currently exists within the Waterfront Events Center District, although concepts have been discussed in previous planning efforts for some park area to be constructed between Grant and State Streets.



Approach

1. Improve the streetscape character throughout the District, particularly along State and Grant Streets, in conjunction with the Civic Hub District/new I-74 bridge planning and development, and ensure the District is walkable.
2. Develop a central green-space within the District adjacent to the convention center.
3. Develop green alleys within the spine of the district, to connect the Civic Hub, new park, Quad-Cities Waterfront Convention Center, and other commercial areas within the District.
4. Strengthen residential and commercial attributes of the District and buffer nearby residential neighborhoods, by encouraging live-work development along the north edge of the district.
5. Work with the Isle of Capri to develop firm plans for the aging and abandoned development under its control within the District.



Ways to Partner

1. Work with residents and businesses to create district-specific architecture and landscape guidelines, in hopes of creating a sense of visual identity within the District. In conjunction, develop a City-sponsored program to both implement public space improvements and subsidize related private improvements.
2. Acquire two blocks of land within the District and transform it into a central green-space. Close 21st and 22nd Streets to accommodate a central green-space development.
3. Develop an alleyway improvement program to make better use of underused spaces behind buildings as a de facto pedestrian-friendly greenway connecting the district to the convention center, new park, and the Civic Hub District.
4. Acquire existing residential parcels along Grant Street and consolidate them for redevelopment of a more urban (transitional zone) character.
5. Gain commitments from the Isle of Capri to develop its underutilized parcels within a fixed period of time, thereby reducing the "aging industrial" character of the southeast quad of the District.

