

March

**Rock Island Planning Commission
Regular Meeting
March 2, 2010
5:15 P.M.**

1. Roll Call
2. Procedural Explanation
3. Approval of Minutes of the regular meeting of July 7, 2009.
4. Public Hearing 2010-01 Valdom Corporation requests to revise an approved preliminary/final site plan for the Planned Unit Development to create 90 condominium “lots” to construct 90 condominium units grouped together in a total of 21 two story “townhouse” structures with either three, four, five or six units in each structure. A final site plan and plat is also proposed for a segment of Lot 6 of Blackhawk Landing Second Addition to consist of four two story townhouse condominium structures with four units each (total of 16 condominium units) at approximately 3200 Blackhawk Road.
5. Public Hearing 2010-02: Herman H. Segal Ltd. Pts.(Hy-Vee) requests to change the zoning from B-1 (neighborhood business) district to PUD (planned unit development) district and approve a final PUD site plan to remove the existing CVS drug store and consolidate the subject lot with the Hy-Vee property to the east and south in order to construct a 2,832 square foot convenience store with five gas pumps under a canopy area. (The request is also in conjunction with an alley vacation request for an 86 foot easterly segment of an east/ west alley to the south of the subject property.)
6. Public Hearing 2010-03: City of Rock Island requests to amend Article Eleven of the City Code of Ordinances regarding regulations for Flood Hazards. The proposed revisions include (among some definition and regulation changes) adopting new maps for the National Flood Insurance Program.
7. Other Business
8. Adjournment

A man-made fountain opposite the Gateway Arch in St. Louis is the world's highest geyser, at 600 feet.

MINUTES OF THE
ROCK ISLAND CITY PLANNING COMMISSION
Regular Meeting July 7, 2009 5:15 P.M.

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

Staff Present: Alan Carmen, Alan Fries and Doris Quigley

Chairman Levin called the meeting to order at 5:22 p.m.

Procedural Explanation

Chairman Levin explained the procedures for conducting the public hearing.

Approval of Minutes: Approval of Minutes of the special meeting of March 3, 2009.

Commissioner Peterson moved to approve the minutes as written. Commissioner Swanson seconded the motion and it carried unanimously.

Case 2008-03 – Review Site Plan Freestanding Sign at 3514 46th Ave (Blackhawk Road).

Alan Fries presented the staff report. Allied Home Mortgage Capital Corp. has filed a Riverfront Corridor Overlay District site plan review application for a new freestanding sign at 3514 46th Avenue (Blackhawk Road), zoned B-4 (highway business district).

The site has a total area of 12,000 square feet and has direct access via a driveway to Blackhawk Road. The existing structure is at street level, but the rear yard slopes downward approximately eight to ten feet towards the Rock River. There is a parking area that can accommodate approximately eight vehicles in the south rear yard.

The proposed freestanding sign will be approximately 24 square feet in area (3'1" x 8'1") and will be eight feet in total height from grade level to top of sign. The internally lighted sign will be situated perpendicular to Blackhawk Road and will be located approximately one foot from the property line in the north front yard. The proposed freestanding sign will replace a temporary attached banner sign located on the north façade of the structure.

The proposed sign meets the intent and standards of the Riverfront Corridor Overlay District, which allows only one freestanding sign per property. The proposed sign will be an attractive and efficient design that will identify the office from both directions along Blackhawk Road. The proposed sign will not have any negative effects on adjacent land use.

Staff recommends that the request be approved because it is an attractive sign that identifies the business and meets the intent and standards of the Riverfront Corridor Overlay District and the requirements in the Sign Ordinance.

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

As there were no questions for Mr. Fries, Chairman Levin invited the applicant to come forward. Theresa Jones, Allied Mortgage, 3514 46th Avenue, said that they had decided to change the location of the sign slightly, moving it closer to the building and the driveway (southeast of the location shown on the map).

Chairman Levin asked for questions from the Commissioners for the applicant.

As there were no questions for the applicant and no other citizens in the audience, Chairman Levin opened the floor for discussion by the Commissioners.

Commissioner Johnson moved that the request be approved noting the change in the location of the sign. Commissioner Oestreich 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, July 13, 2009 at 6:45 p.m.

Case 2008-04 – Consideration of Zoning Ordinance Amendment Regarding Regulations for Major Home Occupations

Alan Fries presented the staff report. The Assistant City Attorney contacted staff regarding contradictory language in Section 8.13 of the Zoning Ordinance regarding regulations for home occupations. The ordinance distinguishes between major and minor home occupations. Major home occupations require Special Use Permits, as they are more intense uses in residentially zoned areas with non-resident employees or customers coming to the property. Examples of major home occupations include single-chair beauty parlors, upholstery or dressmaking operations.

Minor home occupations are uses by right in all residential zoning districts, as they do not allow for non-resident employees or customers to come to the residence. Examples of minor home occupations include home offices, artist studios or telephone solicitation businesses.

The confusing language is located in Section 8.13A (1), which currently states that major home occupations “shall be conducted entirely within a dwelling unit and carried on by the inhabitants thereof and no other.” This statement is in error because major home occupations typically do have nonresidents coming to the property.

The ordinance must be amended to delete the phrase “and no other” from the end of the sentence in Section 8.13A (1) and replace it with the phrase “and their employees or customers.”

Staff recommends that the above stated revision be approved regarding regulations for major home occupations.

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

Commissioner Levin asked why two recent cases – a window washing business and a jewelry making/sales business - would be considered Major Home Occupations.

Mr. Fries replied that the window washing business had employees that came to the residence to pick up supplies and vehicles, and the jewelry business would likely have customers coming to the residence so both would be considered Major Home Occupations for those reasons.

Commissioner Oestreich asked why Minor Home Occupations were defined in the Ordinance if they are not regulated.

Mr. Fries stated that they were defined when the Unified Zoning Ordinance was established, with the inputs of other cities' planning departments, in order to eliminate incorrect interpretations of the intent of this section of the ordinance.

Commissioner Oestreich said that an artist, operating from home under the Minor Occupation as an artist studio, would hope to have an occasional customer in their home to purchase their artwork.

Mr. Fries said that, as an occasional happening, most neighbors would be unaware of the operation of a business from the home and not likely to complain about increased traffic in the neighborhood from the home occupation.

As there were no further questions for staff, Chairman Levin opened the floor for discussion by the Commissioners.

Commissioner Oestreich 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, July 13, 2009 at 6:45 p.m.

There was no other business.

Adjournment:

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

The meeting adjourned at 5:32 p.m.

Respectfully submitted,

Alan M. Carmen, Secretary
Rock Island Planning Commission

REPORT

To: Planning Commission

From: Planning and Redevelopment Division
Community and Economic Development Department

Date: February 16, 2010

Subject: Case #2010-01- Review of Revision to Preliminary/Final Site Plan for Planned Unit Development at approximately 3200 Blackhawk Road.

Valdom Corporation (Robert Buker) has filed an application to revise an approved preliminary PUD site plan and approve a final site plan for a segment of an approximate 14-acre total development site. Previously the applicant has submitted two separate and different site plans (the first site plan was for five large commercial structures and the second site plan was for six 12-unit, three story condominium structures and five smaller commercial structures). Mr. Buker now submits a revised preliminary site plan for "Beaver Landing", which includes 90 condominium units grouped together in 21 two story "townhouse" structures with either three, four, five or six units in each structure (see preliminary site plan and building elevation). On the revised preliminary site plan three commercial lots are also identified along Blackhawk Road, while the proposed residential development is identified on the south half of the development site.

A final site plan and plat are also proposed for a segment of Lot 6 of Blackhawk Landing Second Addition (see final site plan and condo plat drawing). The final plan identifies four two story condominium structures with four units each (total of 16 condominium units). This final site plan area is located to the south of the east/west private road that bi-sects the site and is also at the approximate center of the development.

Comprehensive Plan Designation:

The plan identifies the northern segment as office/service land use and the southern segment as park and recreation land use.

Size of Property:

The total site is approximately 14 acres. Proposed residential development area is 9.511 acre area of the total PUD development site. The total development site has 835 feet of frontage on Blackhawk Road and 210 feet of frontage on 30th Street.

Existing Land Use:

The site is currently undeveloped.

North: Memorial Park Cemetery, zoned R-2.

East: Single family residential, zoned R-1.

South: Single-family residences and undeveloped property located in unincorporated Rock Island County, zoned R-1. A single family residence located within the city of Rock Island, zoned R-1.

West: Office use (Dr. Viridi Eye Clinic), zoned B-4

Access:

The total site will have access via one access point to Blackhawk Road and one access point to 30th Street. The condominium units/lots will have access either via the existing east/west private road, or additional private roads identified on the site plan. No new access points onto public right-of-way are proposed.

Physical Characteristics:

The site has a gentle slope downward towards the Rock River. The developer has added fill dirt and graded the site so that the developed area of the site is generally level.

Parking:

The Zoning Ordinance requires two parking spaces per dwelling unit for residences (90 dwelling units requires a total of 180 off street parking spaces). Each condominium unit will have an attached two car garage off the rear of the dwelling and two additional spaces on the approach to the garage (four spaces total per dwelling). Two additional “community” parking areas are proposed. The first area is a six space parking lot adjacent to the “private park” located at the southeast corner of the development site, while the second area is a six space parking lot located adjacent to the proposed residential area at the northeast corner of the site. Total parking provided on the development site will be 372 parking spaces.

Utilities:

As part of a previously approved Development Agreement, the City has extended 30th Street to the south and constructed water and sewer services to the site. Since the site plan and plat have been changed the development will be required to meet City storm water retention requirements. The site plan identifies a water detention area in the approximate center of the residential site (identified as OutLot A in attached preliminary site plan)

Landscaping/Signs:

The only landscaping identified on the preliminary plan is located along the south property line adjacent to condominium lots 19 and 20 (center southerly segment of plan). Since the property is a medium density residential development (9.46 dwelling units per acre) as identified by standards in the Comprehensive Plan (medium density residential development is between 8.6 and 14.5 dwelling units per acre) a “Type A Bufferyard” should be located around the perimeter of the site. A Type A Bufferyard requires an eight foot wide landscaped edge with one canopy tree, one understory tree, six shrubs and two evergreen/conifers for every 100 feet of perimeter area. A detailed landscape plan should be submitted and approved by staff.

The final site plan area does not have perimeter frontage, so there are no specific landscape requirements for this segment of the development.

Analysis:

The preliminary site plan identifies a concept of townhouse type condominium development that the applicant intends to construct (applicant owns and operates Beaver Builders) and market at below \$150,000. The two story dwellings would have a full basement, rear attached two car garages and

approximately 1,420 square feet in living area. The second floor living space could be accommodated to have two or three bedrooms with either one and one-half or two bathrooms. There will also be a second floor laundry area. First floor space will have a breakfast/dining area adjacent to a kitchen and family room. Each condominium unit/lot will be 20 feet in width and approximately 46 feet in depth.

Mr. Buker indicates that this type of residential development have been successfully marketed to young families in both the Chicago and Des Moines areas. He indicates that there is not a similar type of residential development currently in the Quad Cities and believes that it will be an attractive development for young families either transitioning from leasing or to younger people moving into the area due to job transfers (e.g. military personnel coming to the Arsenal).

A previously mentioned “private park” is located in southeast corner of the residential site. This .98 acre park is located in a State identified restricted archeological area. The applicant intends to have playground equipment, but no structures. He believes that this amenity will also help attract young families with children to the development.

Staff believes that the preliminary and final site plans are appropriate for a PUD type development due to its unique location along Blackhawk Road and near the Rock River. The development meets the intent of the Riverfront Corridor Overlay District by “recognizing, preserving, maintaining and promoting economically viable uses that are a benefit to the city and is a physically attractive pattern of development for the general welfare of the city. The final site plan meets Riverfront Corridor Overlay District site plan performance standards by providing adequate parking and access for the residential development and is a compatible development with adjacent land uses.

Recommendation:

That the attached Preliminary Site Plan for the Planned Unit Development be approved because it is a large and unique site along a major commercial corridor with close proximity to the Rock River.

Staff further recommends that the Final Site Plan for the four two story condominium structures with four units each (total of 16 condominium units) be approved because there is adequate parking and access and the proposed use is compatible with adjacent land use.

PRELIMINARY P.U.D. PLAN of BEAVER LANDING

Part of Lot 5 and Part of Lot 6 of Blackhawk Landing 2nd
Addition Doc. No. 2008-08853, City of Rock Island, Illinois.

OWNER/DEVELOPER

VAL DOM, INC.
ATTN: MR. BOB BUKER
3130 - 47th AVE.
ROCK ISLAND, IL 61201
309-785-1481

ATTORNEY

EAGLE & EAGLE
224 16TH STREET
ROCK ISLAND, IL 61201
(309) 785-7871

SURVEYOR

WAGLINE ENGINEERING
JIM W. AGREST, JR.
4700 KENNEDY DRIVE,
EAST MOORE, IL 61244
REG. NO. 35-2990
PHONE: 309-782-8350
FAX: 309-782-8374

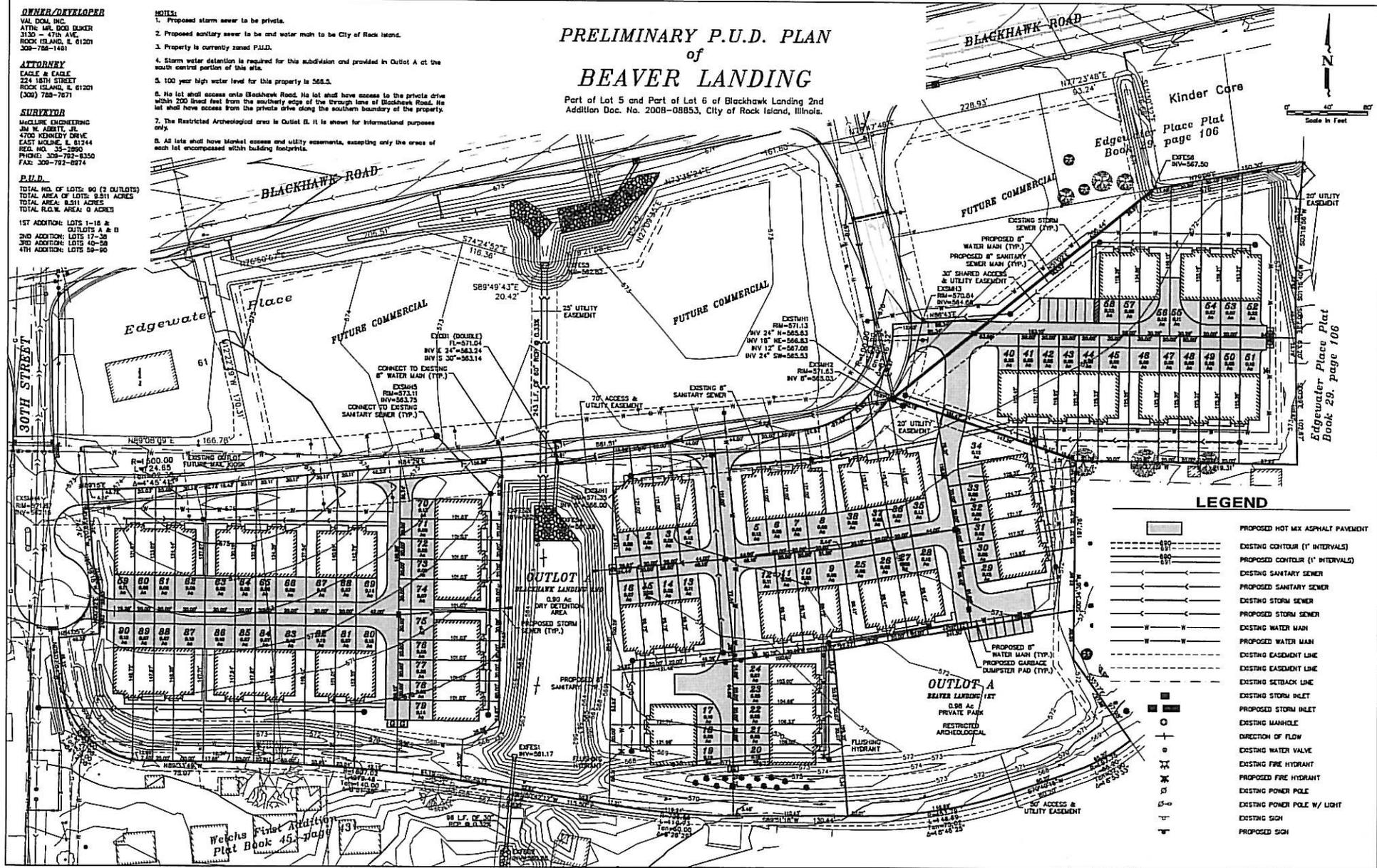
P.U.D.

TOTAL NO. OF LOTS: 90 (2 OUTLOTS)
TOTAL AREA OF LOTS: 9.311 ACRES
TOTAL AREA: 8.811 ACRES
TOTAL R.O.W. AREA: 0 ACRES

1ST ADDITION: LOTS 1-16 &
OUTLOTS A & B
2ND ADDITION: LOTS 17-38
3RD ADDITION: LOTS 39-58
4TH ADDITION: LOTS 59-90

NOTES:

1. Proposed storm sewer to be private.
2. Proposed sanitary sewer to be and water main to be City of Rock Island.
3. Property is currently zoned P.U.D.
4. Storm water detention is required for this subdivision and provided in Outlot A at the south central portion of this site.
5. 100 year high water level for this property is 568.5.
6. No lot shall access onto Blackhawk Road. No lot shall have access to the private drive within 200 feet from the southerly edge of the through lane of Blackhawk Road. No lot shall have access from the private drive along the southern boundary of the property.
7. The Restricted Archeological area in Outlot B. It is shown for informational purposes only.
8. All lots shall have blanket access and utility easements, excepting only the areas of each lot encompassed within building footprints.



| LEGEND | |
|----------|-----------------------------------|
| [Symbol] | PROPOSED HOT MIX ASPHALT PAVEMENT |
| [Symbol] | EXISTING CONTOUR (1' INTERVALS) |
| [Symbol] | PROPOSED CONTOUR (1' INTERVALS) |
| [Symbol] | EXISTING SANITARY SEWER |
| [Symbol] | PROPOSED SANITARY SEWER |
| [Symbol] | EXISTING STORM SEWER |
| [Symbol] | PROPOSED STORM SEWER |
| [Symbol] | EXISTING WATER MAIN |
| [Symbol] | PROPOSED WATER MAIN |
| [Symbol] | EXISTING EASEMENT LINE |
| [Symbol] | PROPOSED EASEMENT LINE |
| [Symbol] | EXISTING STORM INLET |
| [Symbol] | PROPOSED STORM INLET |
| [Symbol] | EXISTING MANHOLE |
| [Symbol] | DIRECTION OF FLOW |
| [Symbol] | EXISTING WATER VALVE |
| [Symbol] | EXISTING FIRE HYDRANT |
| [Symbol] | PROPOSED FIRE HYDRANT |
| [Symbol] | EXISTING POWER POLE |
| [Symbol] | EXISTING POWER POLE W/ LIGHT |
| [Symbol] | EXISTING SIGN |
| [Symbol] | PROPOSED SIGN |

BOB BUKER, VAL DOM, INC.
3130 47th Avenue, Rock Island, IL 61201

| REVISIONS | | |
|-----------|------|------|
| NO. | ITEM | DATE |
| | | |
| | | |

PLOTTING SCALE: 1" = 40'
DRAWN BY: GAN
CHECKED BY:
DATE: FEBRUARY, 2010



PRELIMINARY P.U.D. PLAN

BLACKHAWK LANDING TOWNHOMEZ

CITY, STATE

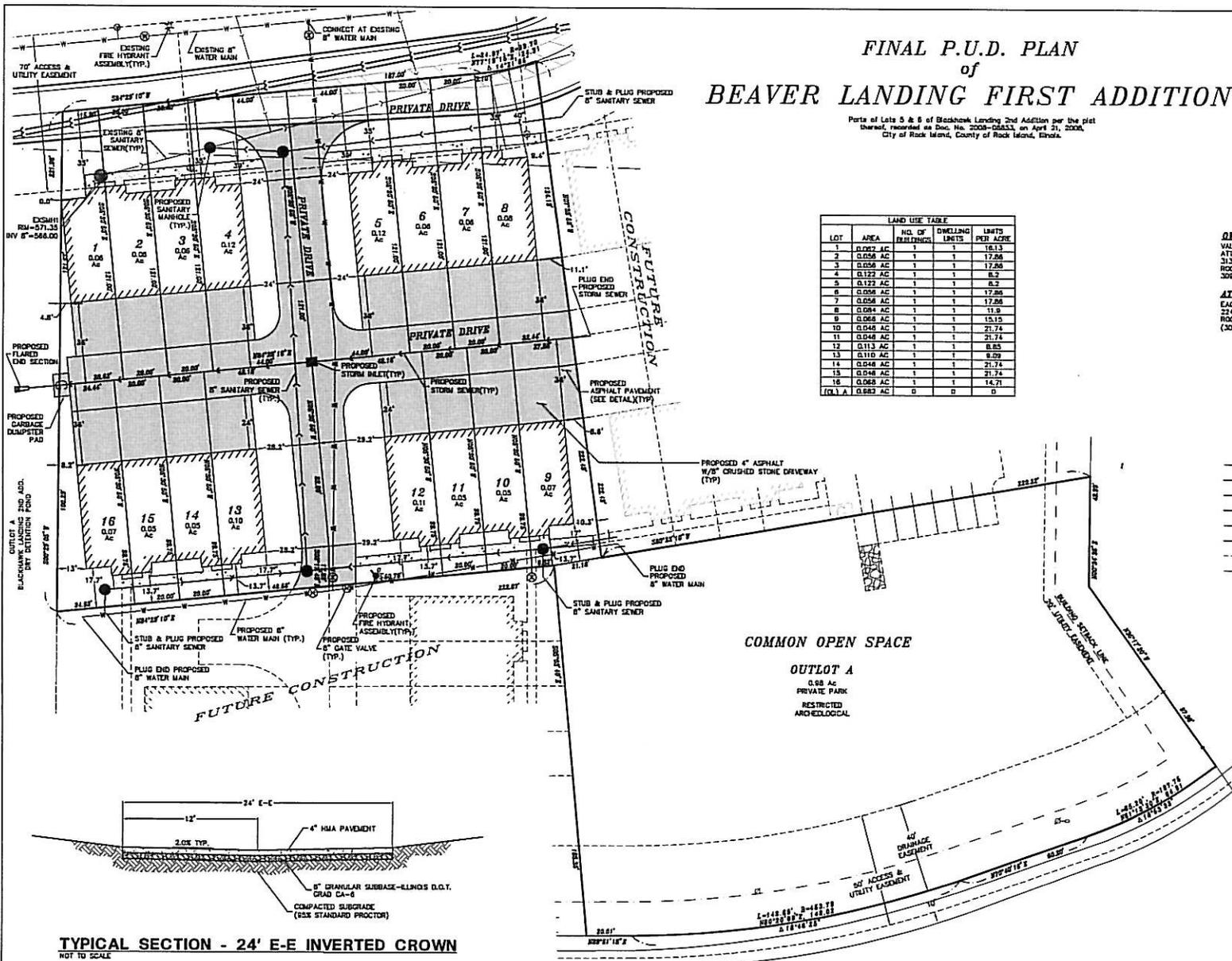
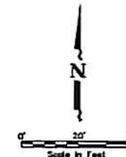
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JOB NUMBER: 01-13-10-028

SHEET NO.
1
OF 1

FINAL P.U.D. PLAN of BEAVER LANDING FIRST ADDITION

Parts of Lots 5 & 6 of Blackhawk Landing 2nd Addition per the plat thereof, recorded as Doc. No. 2008-02633, on April 21, 2008, City of Rock Island, County of Rock Island, Illinois.



| LAND USE TABLE | | | | |
|----------------|----------|-----------------------|-------------------------|-----------------|
| LOT | AREA | NO. OF DWELLING UNITS | DWELLING UNITS PER ACRE | LIMITS PER ACRE |
| 1 | 0.062 AC | 1 | 1 | 161.5 |
| 2 | 0.056 AC | 1 | 1 | 172.6 |
| 3 | 0.056 AC | 1 | 1 | 172.6 |
| 4 | 0.122 AC | 1 | 1 | 82.2 |
| 5 | 0.122 AC | 1 | 1 | 82.2 |
| 6 | 0.056 AC | 1 | 1 | 172.6 |
| 7 | 0.056 AC | 1 | 1 | 172.6 |
| 8 | 0.084 AC | 1 | 1 | 119.9 |
| 9 | 0.068 AC | 1 | 1 | 151.5 |
| 10 | 0.048 AC | 1 | 1 | 217.4 |
| 11 | 0.048 AC | 1 | 1 | 217.4 |
| 12 | 0.113 AC | 1 | 1 | 88.5 |
| 13 | 0.110 AC | 1 | 1 | 92.9 |
| 14 | 0.048 AC | 1 | 1 | 217.4 |
| 15 | 0.048 AC | 1 | 1 | 217.4 |
| 16 | 0.062 AC | 1 | 1 | 161.5 |
| TOTAL | 0.682 AC | 0 | 0 | 0 |

OWNER/DEVELOPER
VAL DOM, INC.
ATTN: MR. BOB BUKER
3130 - 47th AVE.
ROCK ISLAND, IL 61201
309-786-1491

ATTORNEY
EAGLE & EAGLE
224 16TH STREET
ROCK ISLAND, IL 61201
(309) 788-7571

SURVEYOR
MCCLEURE ENGINEERING
JAN W. ARMIT, P.E.
4700 KNOWLEDGE DRIVE
EAST MOLINE, IL 61244
REG. NO. 35-2850
PHONE: 309-782-9250
FAX: 309-782-6974

P.U.D.
TOTAL NO. OF LOTS: 16 (AND 1 OUTLOT)
TOTAL AREA OF LOTS: 2,125 ACRES
TOTAL AREA: 2,125 ACRES
TOTAL A.C.M. AREA: 0 ACRES
1ST ADDITION: LOTS 1-16 & OUTLOTS A & B

LEGEND

- PROPOSED HMA PAVEMENT
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- EXISTING WATER MAIN
- PROPOSED WATER MAIN
- EXISTING EASEMENT LINE
- EXISTING SETBACK LINE
- EXISTING STORM INLET
- PROPOSED STORM INLET
- EXISTING MANHOLE
- EXISTING WATER VALVE
- EXISTING FIRE HYDRANT
- EXISTING POWER POLE
- EXISTING POWER POLE W/ LIGHT

TYPICAL SECTION - 24" E-E INVERTED CROWN
NOT TO SCALE

BOB BUKER, VAL DOM, INC.
3130 47th Avenue, Rock Island, IL 61201

| REVISIONS | | |
|-----------|-----|------|
| NO. | REM | DATE |
| | | |
| | | |
| | | |

PLOTTING SCALE: 1" = 20'
DRAWN BY: CAG/RMS
CHECKED BY:
DATE: FEBRUARY, 2013

McClure
Engineering Associates, Inc.
4700 Kennedy Drive
2280 7th Street
East Moline, Illinois 61244
Phone: 309-788-8814
Fax: 309-788-8814
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FINAL P.U.D. PLAN

BLACKHAWK LANDING TOWNSHIPS **CITY, STATE**

FILE NAME: R:\11110007\11110007-PUD-01.dwg JOB NUMBER: 01-13-10-008

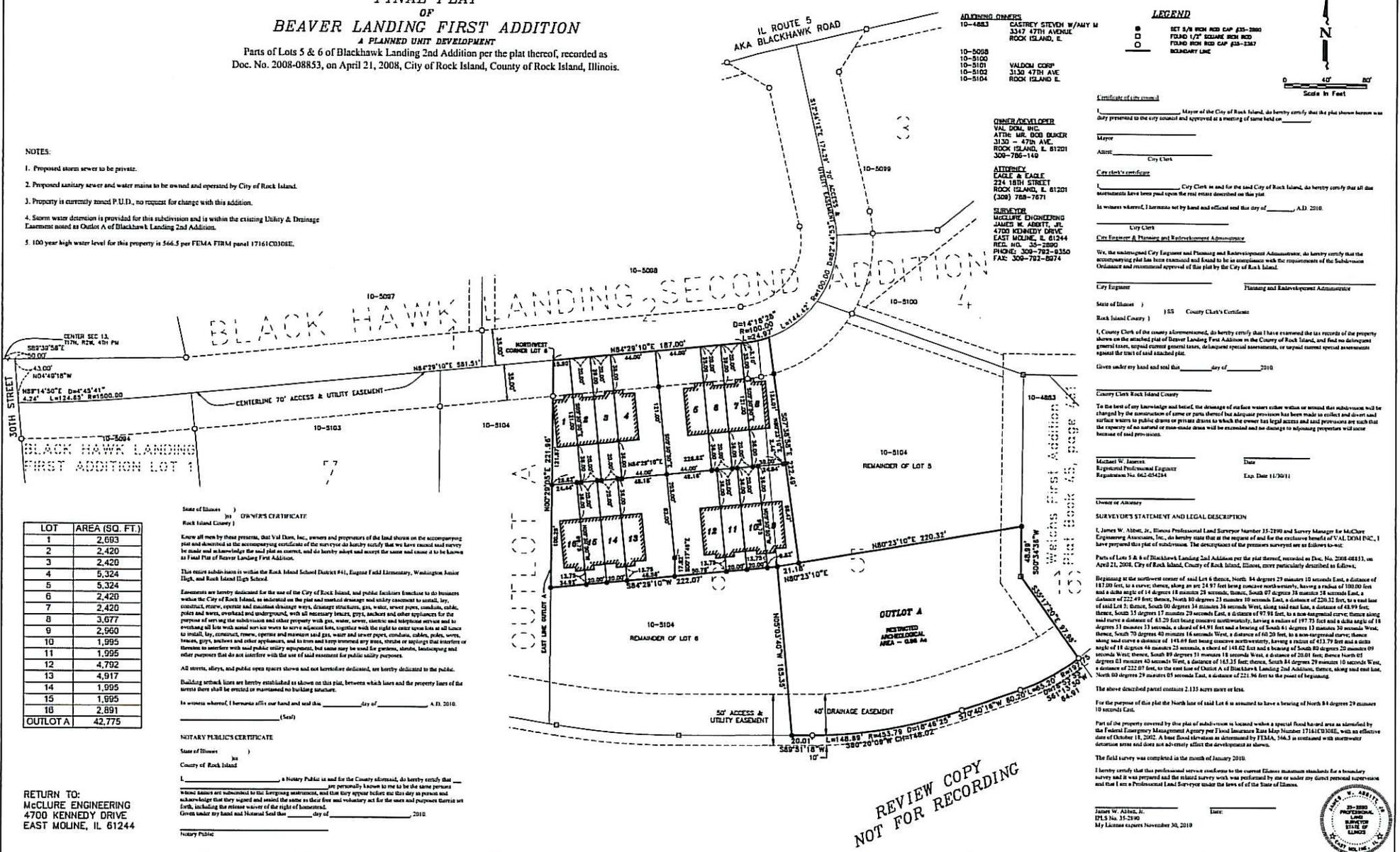
SHEET NO.
1
OF 1

FINAL PLAT
OF
BEAVER LANDING FIRST ADDITION
A PLANNED UNIT DEVELOPMENT

Parts of Lots 5 & 6 of Blackhawk Landing 2nd Addition per the plat thereof, recorded as Doc. No. 2008-08853, on April 21, 2008, City of Rock Island, County of Rock Island, Illinois.

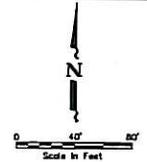
NOTES:

- Proposed storm sewer to be private.
- Proposed sanitary sewer and water mains to be owned and operated by City of Rock Island.
- Property is currently zoned P.U.D., no request for change with this addition.
- Storm water detention is provided for this subdivision and is within the existing Utility & Drainage Easement noted as Outlot A of Blackhawk Landing 2nd Addition.
- 100 year high water level for this property is 566.5 per FEMA FIRM panel 17161C0308E.



ADJOINING OWNERS
10-4883 CASTREY STEVEN W/MY LR
3347 47TH AVENUE
ROCK ISLAND, IL
10-5008
10-5100
10-5101
10-5102
10-5104
VALDOUH CORP
3130 47TH AVE
ROCK ISLAND IL

LEGEND
● SET 3/4" HIGH RED CAP 335-3300
○ FOUND 1/2" SQUARE SIGN RED
○ FOUND HIGH RED CAP 335-3307
— BOUNDARY LINE



OWNER/DEVELOPER
VAL DOM, INC.
ATTN: MR. BOB BUKER
3130 - 47TH AVE.
ROCK ISLAND, IL 61201
309-786-1149
ATTORNEY
LAGE & SAGLE
224 18TH STREET
ROCK ISLAND, IL 61201
(309) 788-7671
SURVEYOR
MCCLURE ENGINEERING
JAMES W. ABEL, JR.
4700 KENNEDY DRIVE
EAST MOLINE, IL 61244
TEL: 309-255-2590
PHONE: 309-782-8350
FAX: 309-792-8074

Certificate of Accuracy
I, _____ Mayor of the City of Rock Island, do hereby certify that the plat shown herein was duly prepared to the city council and approved at a meeting of same held on _____

City Clerk _____
City Clerk _____

| LOT | AREA (SQ. FT.) |
|----------|----------------|
| 1 | 2,893 |
| 2 | 2,420 |
| 3 | 2,420 |
| 4 | 5,324 |
| 5 | 5,324 |
| 6 | 2,420 |
| 7 | 2,420 |
| 8 | 3,077 |
| 9 | 2,950 |
| 10 | 1,995 |
| 11 | 1,995 |
| 12 | 4,792 |
| 13 | 4,917 |
| 14 | 1,995 |
| 15 | 1,995 |
| 16 | 2,891 |
| OUTLOT A | 42,775 |

State of Illinois)
County of Rock Island)
Know all men by these presents, that Val Dom, Inc., owners and preparers of the land shown on the accompanying plat and described in the accompanying certificate of the survey do hereby certify that we have caused said survey to be made and acknowledge the said plat as correct, and do hereby adopt and accept the same and cause it to be known as Final Plat of Beaver Landing First Addition.

The entire subdivision is within the Rock Island School District #41, Eugene Field Elementary, Washington Junior High, and Rock Island High School.

Easements are hereby dedicated for the use of the City of Rock Island, and public facilities franchise to its business within the City of Rock Island, as indicated on the plat and mentioned drainage and utility easement to install, lay, construct, remove, operate and maintain drainage, water, drainage structures, gas, water, sewer pipes, conduits, cables, poles and wires, overhead and underground, with all necessary brackets, guys, anchors and other appurtenances for the purpose of serving the subdivision and other property with gas, water, sewer, electric and telephone service and to providing all lots with aerial service wires to serve adjacent lots, together with the right to enter upon lots at all times to install, lay, construct, remove, operate and maintain said gas, water and sewer pipes, conduits, cables, poles, wires, brackets, guys, anchors and other appurtenances, and to erect and lay thereon any wires, cables or appurtenances that interfere therewith or interfere with said public utility appurtenances, but same may be used for gas, electric, drainage, landscaping and other purposes that do not interfere with the use of said easement for public utility purposes.

All streets, alleys, and public open spaces shown and not heretofore dedicated, are hereby dedicated to the public. Building setback lines are hereby established as shown on this plat, between which lines and the property lines of the lots there shall be erected or maintained no building structure.

In witness whereof, I hereunto affix our hand and seal this _____ day of _____ A.D. 2010.

(Seal)

NOTARY PUBLICS CERTIFICATE
State of Illinois)
County of Rock Island)
I, _____, a Notary Public in and for the County of Rock Island, do hereby certify that _____ personally known to me to be the same person whose names are subscribed to this foregoing instrument, and that they appear before me this day as persons and acknowledge that they signed and sealed this instrument as their free and voluntary act for the uses and purposes therein set forth, including the release waiver of the right of homestead.
Given under my hand and Notarial Seal this _____ day of _____ 2010.
Notary Public

RETURN TO:
McClure Engineering
4700 Kennedy Drive
East Moline, IL 61244

**REVIEW COPY
NOT FOR RECORDING**

The above described parcel contains 2.135 acres more or less.
For the purpose of this plat the North line of said Lot 6 is assumed to have a bearing of North 84 degrees 29' minutes 10 seconds East.

Part of the property covered by this plat of subdivision is located within a special flood hazard area as identified by the Federal Emergency Management Agency per Flood Insurance Rate Map Number 17161C0308E, with an effective date of October 15, 2002. A base flood elevation as determined by FEMA, 566.5 is contained with an identified detention basin and does not adversely affect the development as shown.

The field survey was completed in the month of January 2010.
I hereby certify that this professional survey conforms to the current Illinois minimum standards for a boundary survey and it was prepared and this final plat survey was prepared by me or under my direct personal supervision and that I am a Professional Land Surveyor under the laws of the State of Illinois.

James W. Abel, Jr.
DPLS No. 35-2310
My license expires November 30, 2010



BOB BUKER, VAL DOM, INC.
3130 47TH AVENUE, ROCK ISLAND, ILLINOIS 61201

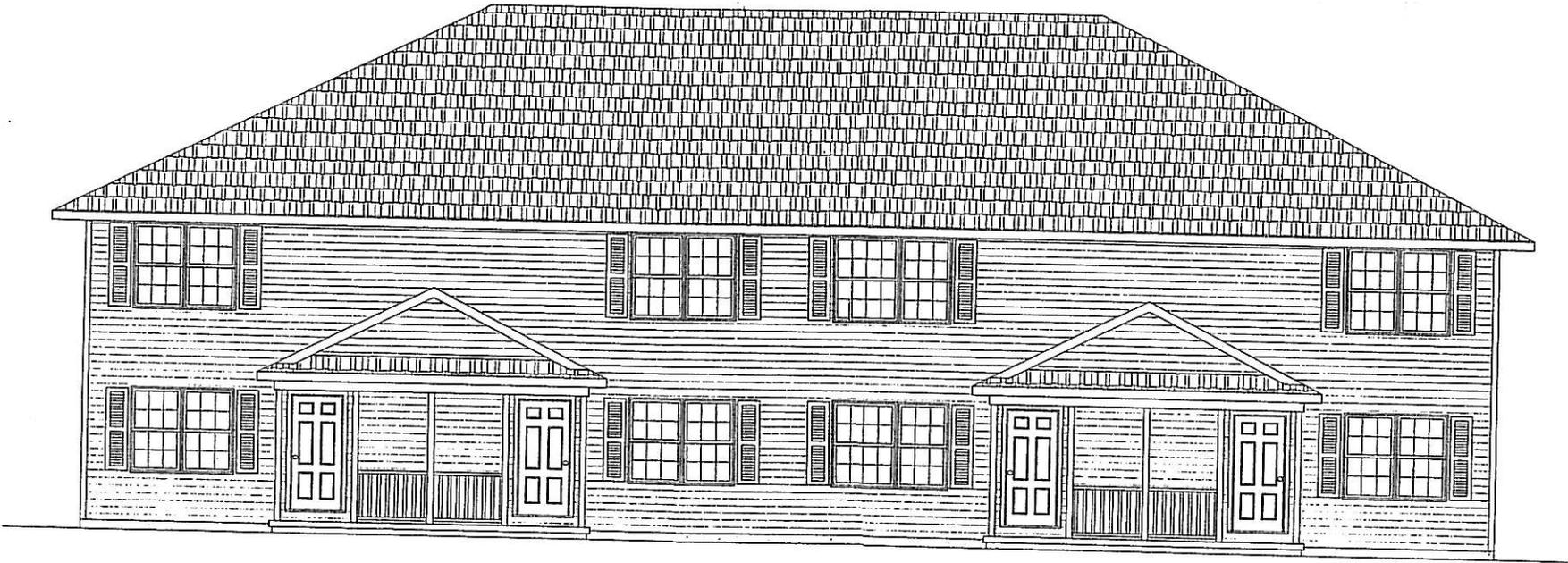
| REVISIONS | | |
|-----------|----------------|---------|
| NO. | ITEM | DATE |
| A | TYPING/REVISED | 2/21/10 |

PLATTING SCALE: 1" = 1'
DRAWN BY: LDM
CHECKED BY: JWA
DATE: 3/2/2010



FINAL PLAT OF SUBDIVISION
BEAVER LANDING FIRST ADDITION
Rock Island, Illinois
FILE NAME: D:\VH10.GDP\UNP\2008-47.dwg
JOB NUMBER: 01-10-10-020

SHEET NO.
1
OF 1



1 FRONT ELEVATION
A1 SCALE: 1/4"=1'-0"



1 REAR ELEVATION
A2 SCALE: 1/4"=1'-0"

REPORT

To: Planning Commission

From: Planning and Redevelopment Division
Community and Economic Development Department

Date: February 16, 2010

Subject: Case #2010-02 – Request from Herman H. Segal Ltd. Pts. (Hy-Vee) for Final Site Plan and Rezoning from B-1 (neighborhood business) district to Planned Unit Development (PUD) for a Proposed Hy-Vee convenience store with five gas pumps under a canopy area at approximately 2810 18th Avenue.

Herman H. Segal Ltd. Pts., on behalf of Hy-Vee inc. has filed an application for a final site plan and rezoning from B-1 (neighborhood business) district to Planned Unit Development (PUD) at approximately 2810 18th Avenue. Hy-Vee Inc. intends to remove the existing CVS drug store and construct a proposed 2,832 square foot convenience store structure with a covered canopy gas island with five gas pumps on the development site. Hy-Vee Inc. has an option on the property and would assume the CVS lease for a period of time to allow CVS time to relocate in Rock Island (time period likely to be up to two years for relocation and construction completion).

The development site will be incorporated with the Hy-Vee supermarket site to the east (segments of the proposed development extend over to the existing easterly Hy-Vee site), which is already zoned PUD. To accommodate development of the new site a vacation request of the east 86 foot segment of a dead-end east/west alley east of 28th Street (directly south of the development site) has also been requested. The City Council will separately consider this request at an upcoming meeting.

Size of Property:

The new development site has a dimension of 206.25' x 130' (approximately 26,813 square feet). The existing Hy-Vee supermarket site has a total area of 315,748 square feet, or 7.24 acres.

Comprehensive Plan Designation:

The Future Land Use Map identifies community commercial land use for the site (similar land use designation for the Hy-Vee supermarket site to the east).

Existing Land Use:

The site is currently occupied by the CVS drug store and parking lot.

North: Commercial uses, zoned B-1.

East: Hy-Vee supermarket site, zoned PUD.

South: Segment of Hy-Vee supermarket site, zoned PUD and a single family residence, zoned R-2.

West: Restaurants, zoned B-1.

Access:

The site currently has an access point on 18th Avenue and access via 28th Street to the west. The 18th Avenue access point will be eliminated and access from 28th Street will be limited to a new access point at the southwest corner of the development site. The development site will also utilize the existing Hy-Vee supermarket access point to the east, which already provides access to the supermarket.

The existing barricade blocking southbound traffic on 28th Street from the subject development site will be maintained. There is also a barricade at the existing end of the dead end public right-of-way edge of the east/west alley to the south of the site. This barricade is expected to be relocated to the west (at the new easterly edge of the alley right-of-way) as a result of Council approval the proposed vacation of the easterly alley segment.

Physical Characteristics:

The site is generally flat and slightly above street level.

Coverage and Setbacks:

The proposed PUD district applies the setbacks for the B-3 (community business) district for the proposed use since convenience store uses would normally be required to be located in a B-3 zoning district. The B-3 district requires a 20 foot front yard and 10 foot rear yard. The side yard setback is a “Type C Bufferyard” (using B-3 zoning adjacent to R-2 zoning), which is a 15 foot wide landscaped setback area.

The convenience store structure will be located to the south of the development site (the gas canopy will be located on the development site, while the convenience store will be located south of the vacated alley on the supermarket site). The proposed setbacks for the convenience store will be 155 feet from the north (front) property line and 28.86 feet from the west (side property line). Since the convenience store will be located on the larger supermarket site it will have significant setbacks from the south (approximately 400 feet) and east (approximately 300 feet) property lines.

The gas canopy edge will be located 43 feet from the north property line, 94 feet from the west property line and 30 feet from the south property line. The two proposed structures meet the building setback requirements for the B-3 zoning district.

Parking and Traffic:

The Zoning Ordinance requires two parking spaces per gas pump plus one per employee during a maximum shift. Based on five pumps and two employees on a maximum shift a total of 12 parking spaces are required. The site plan identifies a total of 46 spaces on the site plan, which does not count the spaces at the gas pumps. Ten of the identified spaces are adjacent to the convenience store structure, while there are 29 spaces along the north perimeter of the property and seven spaces along the west perimeter.

As previously indicated the existing access point along 18th Avenue for the CVS drug store will

be removed and the only direct access for the site will be located at the southwest corner of the site via 28th Street. The store will utilize interior parking lot access from the existing Hy-Vee supermarket driveway on 18th Avenue.

Landscaping/Lighting:

The site plan identifies only one canopy tree adjacent to the entrance on the ten foot wide west perimeter edge of the development. There is a five foot wide area adjacent to the parking lot on the north edge of the development. The Zoning Ordinance requires a ten foot wide landscape edge, so the north edge should be increased an additional five feet. After discussions with staff, the applicant has agreed to add low level shrubs and some trees with the desire of keeping the area “open” for visibility of the convenience store structure from 18th Avenue. A detailed landscape plan (identifying types of plantings in this and the western perimeter area will need to be submitted). In addition there should be one canopy tree for every five parking spaces (46 spaces requires nine canopy trees).

There is a six foot wide landscape edge along the 28th Street access point adjacent to the alley to the south of the site. This meets the Zoning Ordinance five foot wide requirement for a parking lot edge in a side and/or rear yard. The landscaping proposed for this area includes four canopy trees (Turkish Filbert and Honey Locust) and 25 Witch-hazel bushes.

In addition a “Type C Bufferyard” should also be located in the west side yard adjacent to convenience store and the single family residence to the west of the site. A Type C Bufferyard requires a 15 foot wide landscaped area with three canopy trees, two understory trees, 15 shrubs and five evergreens/conifers for every 100 feet of length of Bufferyard. The site plan identifies five Douglas Fir evergreen trees and 17 Spirea bushes in this area. There should be at least two canopy trees located in this area.

The applicant has also indicated that lighting for the store and gas canopy will meet City requirements of one foot candle of illumination at property lines.

Signs:

The applicant proposed a monument sign to be located at the northwest corner of the site. There have been no specific drawings submitted for this sign as yet, but Hy-Vee will provide this prior to the Planning Commission meeting. It also seems reasonable that some types of attached signs will also be located on the canopy and structure. The Sign Ordinance will regulate sign location and total sign area allowances.

Utilities:

The convenience store structure will be located in an existing area used for storm water detention. The applicant is in the process of developing plans to modify their stormwater detention area that will meet City requirements. The applicant will be working with Engineering Division officials to in having the plans meet City requirements.

Analysis:

The grocery store is a 24 hour facility. The convenience store hours have yet to be determined. The proposed convenience store will have a 24-hour gas pump service (for credit card customers only after the store closes).

There is more than adequate parking for the proposed convenience store development. Staff believes that some of the parking on the north and west perimeter can be eliminated in order to provide adequate landscaping. The Zoning Ordinance only requires 12 spaces for the use. This requirement can be met by the ten spaces in front of the structure and ten spaces for the five gas pumps under the canopy. It is unlikely that many, if any, of the 36 spaces along the north and west property lines will be used as customers who get gas will remain parked at the pumps even if they choose to also go into the convenience store. The applicant has indicated that these perimeter spaces will be available to customers and/or employees. It is up to the individual store director to determine what spaces employees should park in.

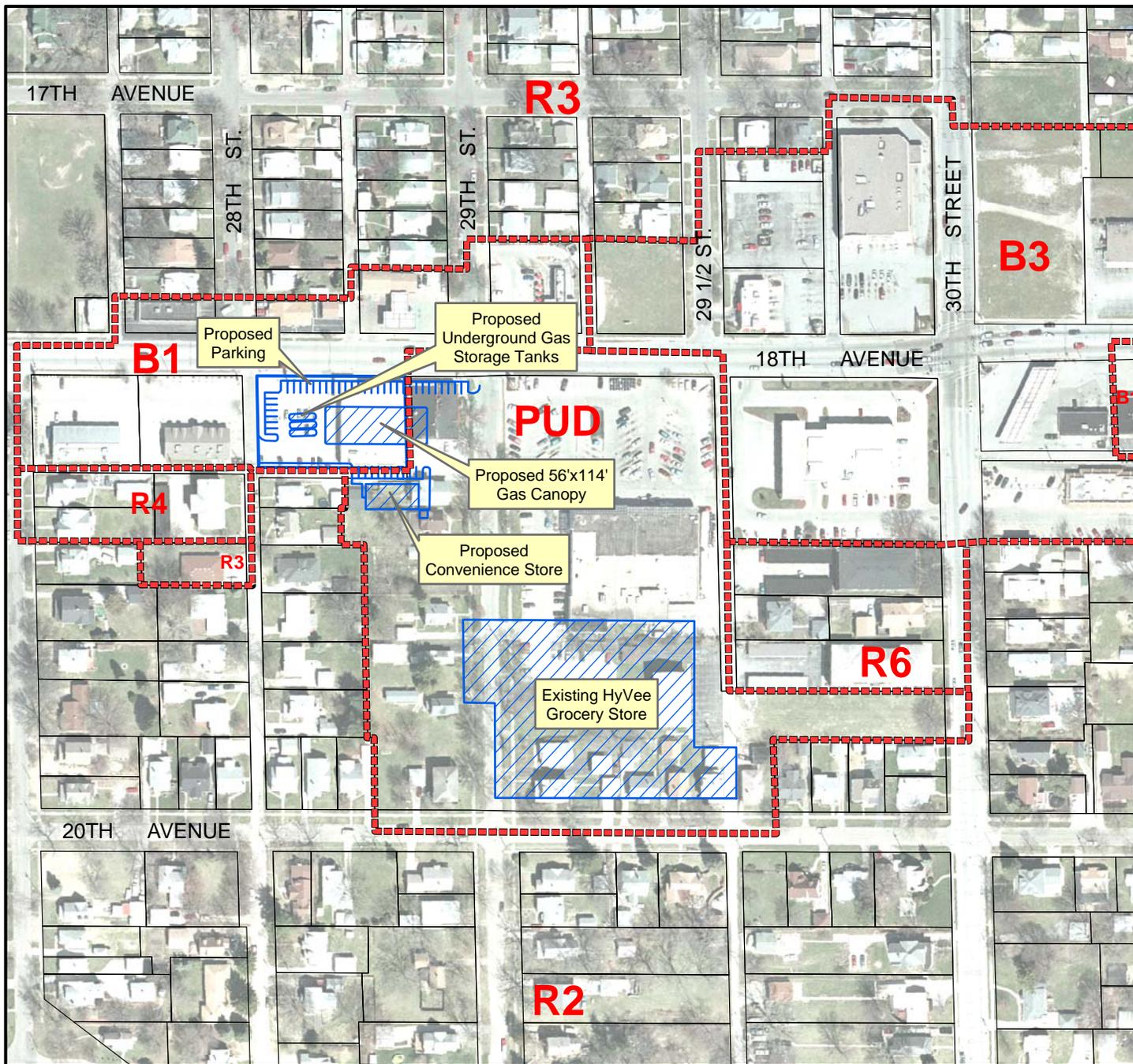
The PUD zoning district identifies eight findings for determining appropriateness of approving a Planned Unit Development zoning district. These include consistency with the purpose of the PUD district and land development issues such as, but not limited to density, dimension, bulk, use, traffic, economic development, tax base, economic well being of the entire community, surrounding neighborhood and the Comprehensive Plan. Staff believes that with adequate landscaping along the northern and western parking area and some additional canopy trees along the Bufferyard to the west of the convenience store that the expanded development meets the findings identified in the Zoning Ordinance, is consistent with the decisions made in 2004 and 2006 to approve sites plans to construct the Hy-Vee supermarket store. The proposed use will provide a significant economic development benefit through Hy-Vee's investment to improve and expand its Rock Island store.

Recommendation:

That the rezoning to PUD be approved because it meets the Comprehensive Plan/Future Land Use Map designation.

Staff also recommends the site plan be approved, subject to a detailed landscape plan for the areas to the north and west of the parking area and the west Bufferyard from the convenience store structure, because it meets the intent and standards of the PUD zoning district.

PLANNING COMMISSION



**PLANNING COMMISSION
2010-2 Aerial**

Legend

- Parcels
- Subject Property
- Zoning District Line

DR. BY: K. G. D.

APPR. BY: A.M.C./A.F.

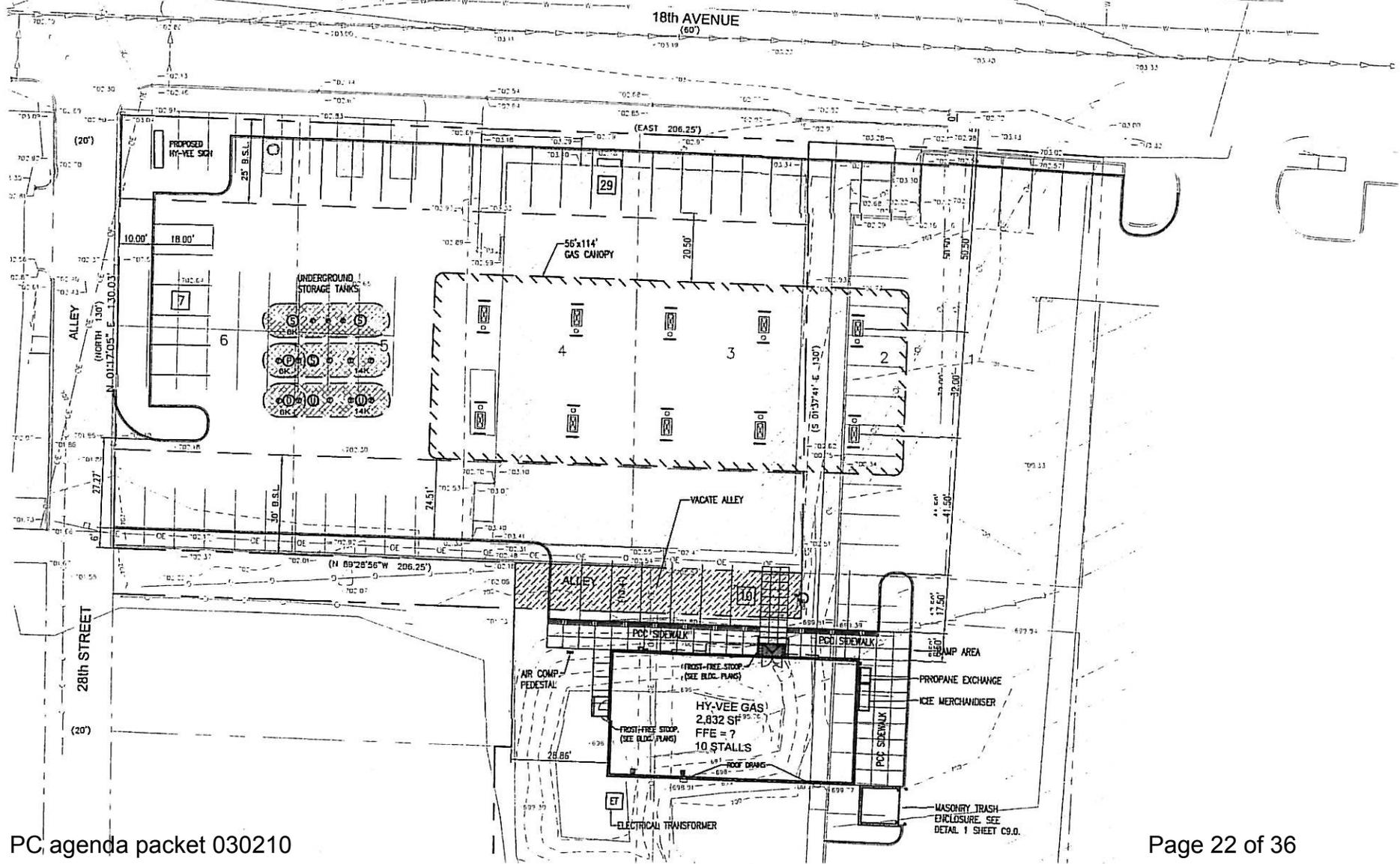
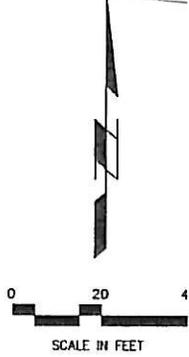




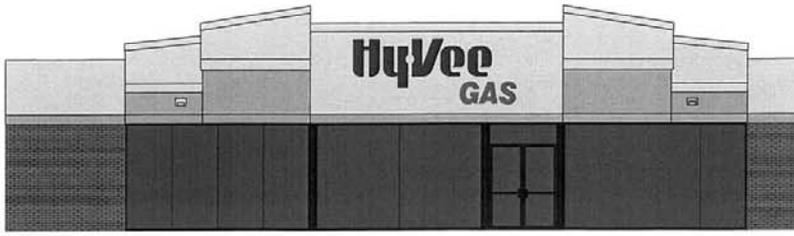
City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment

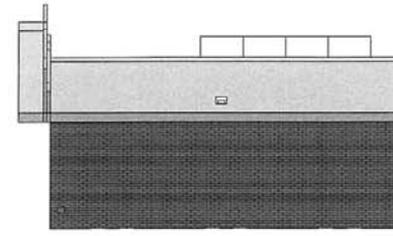




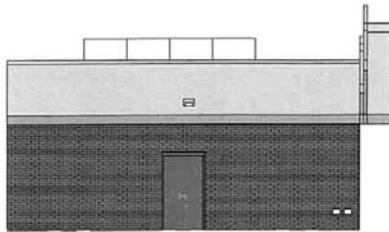
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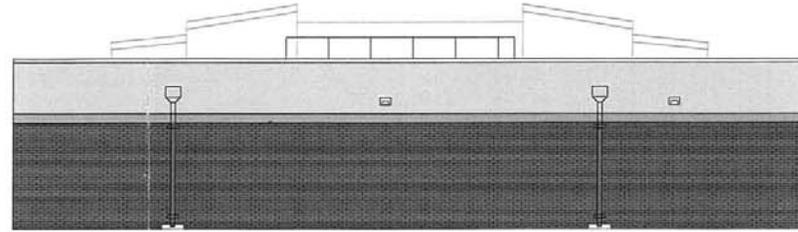
WEST ELEVATION
SCALE: 3/16" = 1'-0"



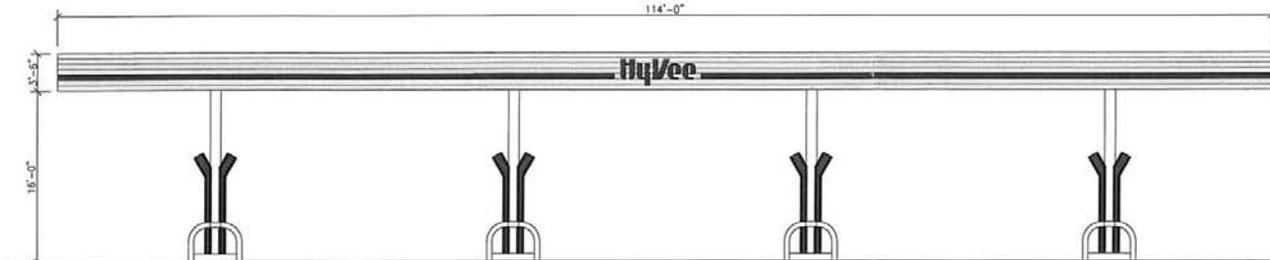
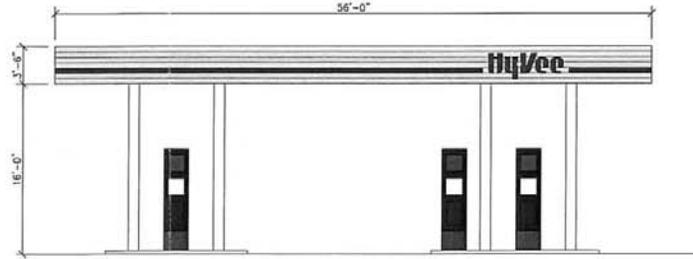
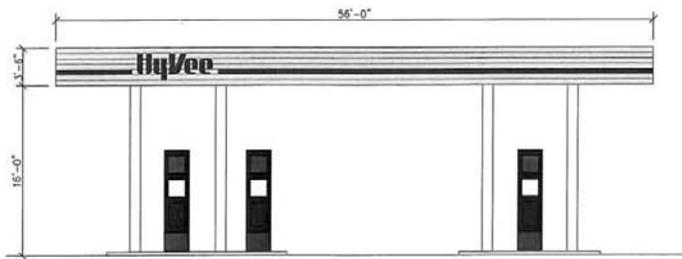
NORTH SIDE ELEVATION
SCALE: 3/16" = 1'-0"



SOUTH SIDE ELEVATION
SCALE: 3/16" = 1'-0"



EAST ELEVATION
SCALE: 3/16" = 1'-0"



CANOPY ELEVATIONS
SCALE: 3/16" = 1'-0"

| REVISION | DATE | BY |
|----------|------|----|
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LOCATION:
ROCK ISLAND, IL. GAS

HYVEE INC.
5500 WESTDOWN PARKWAY
MUSCATON, GA 30568
TELEPHONE: (770) 282-2800
FAX: (770) 287-2005

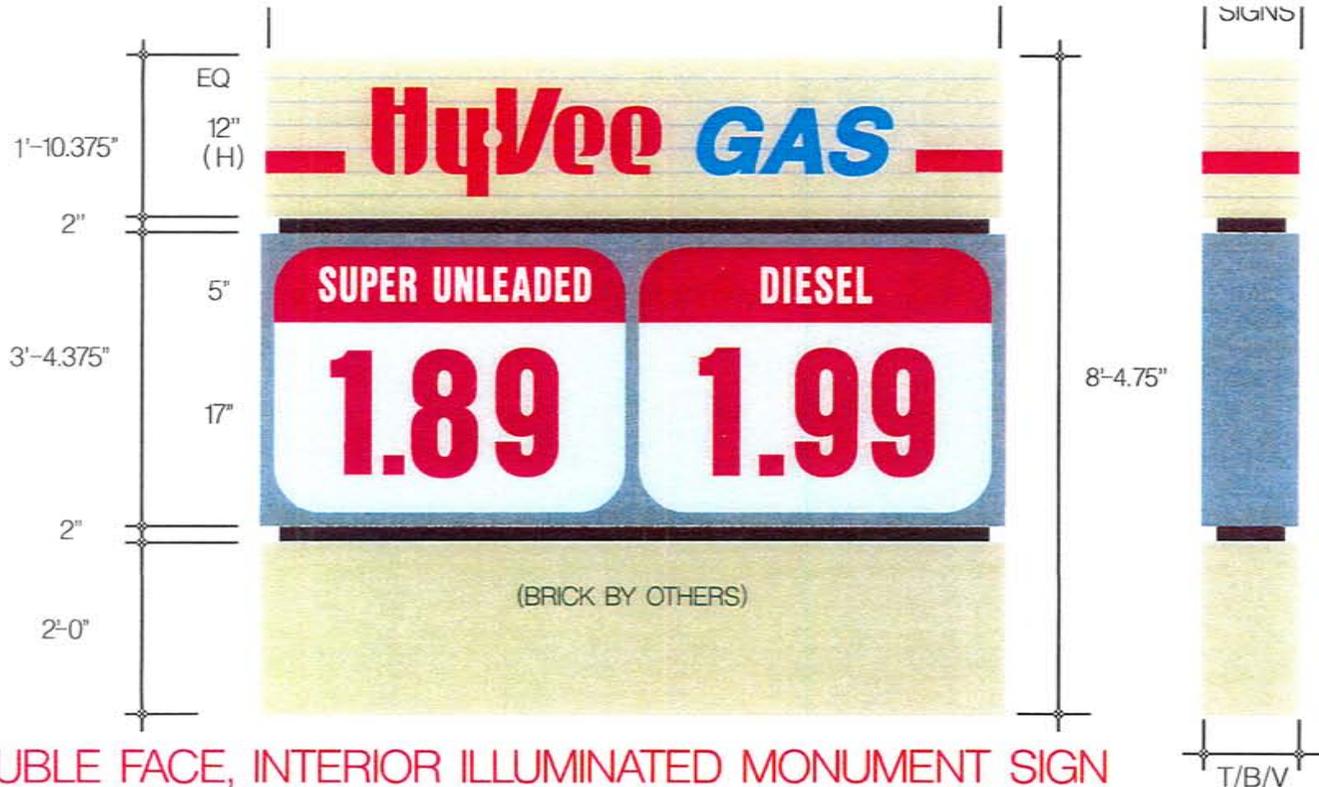
HyVee
EMPLOYEE OWNED

| |
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EXTERIOR
ELEVATIONS

| DATE | BY |
|------|----|
| | |

A3.0



DOUBLE FACE, INTERIOR ILLUMINATED MONUMENT SIGN

I/D PANEL: (BLEED FACE)
 LG EXTRUDED ALUMINUM CABINET FINISHED
 GLOSS POLYURETHANE ENAMEL (MATCH 230-149)
 FACE:
 WHITE PANAFLEX FINISHED IN 3M TRANSLUCENT
 VINYL IN HY-VEE GAS COLORS ACAP LT. BEIGE (230-149) BKGD
 STRIPS: SLATE GREY (230-61)
 WRAP AROUND IN HP VINYL IN LOGO COLORS
 NOTE: STRIP FORMAT TO MATCH CANOPY ACAP T/B/V
 COLUMN THRU ALL:
 4X4 .250 WALL STEEL SQ TUBE (13'-6" LONG)
 CONCRETE BASE:
 2' DRILL X 6" DEEP (.7YD)
 POWER TO SIGN BY OTHERS

HY-VEE GAS VINYL COLORS:
 RED (230-33)
 BLUE (230-167)
 LT BEIGE (230-149)
 GREEN (230-26)
 SLATE GREY (230-61)

PRICE CHANGE PANEL: (CABINET SLATE GREY (230-61)
 LG EXTRUDED ALUMINUM CABINET FINISHED STD
 FACES:
 WHITE LEXAN FINISHED IN 3M TRANSLUCENT VINYL
 NEW HY-VEE GAS COLORS T/B/V
 NUMERALS:
 17" CONDENSED
 REVEALS:
 TYP ALUMINUM FINISHED BLACK ENAMEL
 COLUMN COVER:
 BRICK BY OTHERS AFTER SIGN INSTALLED
 NOTE: BRICK MAY REQUIRE WIDER PROFILE
 (NARROW AS POSSIBLE PREFERRED)

**HY-VEE GAS
 VARIOUS LOCATIONS**

NESPER SIGN ADVERTISING

CEDAR RAPIDS BURLINGTON NATIONAL

REPORT

To: Planning Commission

From: Planning and Redevelopment Division
Community and Economic Development Department

Date: February 19, 2010

Subject: Case #2010-03- Review of Revisions to Ordinance regulating Development in Special Flood Hazard Areas.

New countywide floodplain maps have been produced for communities within Rock Island County. The new maps will become effective on April 5, 2010. In order to remain a participating community in the National Flood Insurance Program (NFIP), these new maps need to be adopted in the City's Floodplain Ordinance. If the City does not amend its ordinance and adopt the new maps, it would be subject to suspension of the NFIP. The proposed changes to the ordinance are attached (changes are highlighted and underlined).

Background:

The NFIP has two facets. The first is to provide federally subsidized insurance to compensate for flood damages. The second is to work with local governments to guide future development away from areas subject to flooding. The City of Rock Island has participated in the program since 1971.

In 1979 the City passed a Flood Ordinance in conformance with requirements from the NFIP. The Flood Plain Ordinance regulates development in areas designated by the Federal Emergency Management Agency (FEMA) as being subject to flooding. The Ordinance requires that all development in the designated areas must be reviewed by the Chief Building Official and that a permit must be issued. This goes beyond the building permit system in that such activities as road construction, grading and filling are also regulated.

Proposed Revisions:

Staff sent a copy of the City's current Flood Ordinance to the State Department of Natural Resources for review and comment. The Department provides assistance to Illinois communities in enacting and administering flood plain regulations in the NFIP. Along with adopting the new floodplain maps Department officials made other suggestions to bring the current Ordinance in conformance with other technical changes and definitions required by FEMA and other helpful administrative tools.

The Chief Building Official has also been in contact with Director of the Rock Island County Department of Zoning and Building Safety to discuss proposed changes identified by the State. The changes identified on the attached ordinance are consistent with changes identified in the County's proposed Flood Ordinance revisions (Rock Island County will be holding a public hearing on its Ordinance revisions on Wednesday March 3, 2010). Staff has consistently worked

with other County and Quad City municipal officials to have Illinois Quad City area wide ordinances be similar in its regulations (e.g. Unified Zoning and Subdivision ordinances).

No significant changes have been made to the flood hazard data on the City floodplain maps. The only significant change in the proposed ordinance is changing the definition of “Flood Protection Elevation” from an elevation of the base flood plus “two feet of freeboard at any given location in the floodplain” rather than the current regulation of only one foot elevation required. Both County and City officials believe this change is necessary. The Chief Building Official will be at the Planning Commission public hearing to answer any technical questions on the proposed revisions and administration of the Flood Ordinance.

Recommendation:

That the proposed revisions attached Flood Ordinance be approved.

ORDINANCE NUMBER _____

**AN ORDINANCE AMENDING CHAPTER 11 OF THE CODE OF ORDINANCES OF THE CITY OF
ROCK ISLAND, ILLINOIS - REGULATING DEVELOPMENT IN FLOODPLAIN AREAS**

Be it ordained by the City Council of the City of Rock Island, Illinois as follows:

Section One. That Article IV of Chapter 11 of the Code of Ordinances is hereby amended by deleting Sections 11-71 through 11-84 in its entirety and by inserting in lieu thereof the following:

Section 11-71. Purpose.

This ordinance is enacted pursuant to the police powers granted to this City by the Illinois Municipal Code (65 ILCS 5/1-2-1, 5/11-12-12, 5/11-30-2, 5/11-30-8, and 5/11-31-2) in order to accomplish the following purposes:

- a. To prevent unwise developments from increasing flood or drainage hazards to others;
- b. To protect new buildings and major improvements to buildings from flood damage;
- c. To promote and protect the public health, safety, and general welfare of the citizens from the hazards of flooding;
- d. To lessen the burden on the taxpayer for flood control, repairs to public facilities and utilities, and flood rescue and relief operations;
- e. To maintain property values and a stable tax base by minimizing the potential for creating blight areas; and
- f. To make federally subsidized flood insurance available.
- g. **To preserve the natural characteristics and functions of watercourses and floodplains in order to moderate flood and stormwater impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits and enhance community and economic development.**

Section 11-72: Definitions.

For the purposes of this ordinance, the following definitions are adopted:

"Base Flood" The flood having a one-percent probability of being equaled or exceeded in any given year. The base flood is also known as the 100-year flood. The base flood elevation at any location is as defined in Section 11-73 of this ordinance.

"Base Flood Elevation" (BFE) The elevation in relation to mean sea level of the crest of the base flood.

"Basement"- That portion of a building having its floor sub-grade (below ground level) on all sides.

"Building" A structure that is principally above ground and is enclosed by walls and a roof including manufactured homes and prefabricated buildings. The term also includes recreational vehicles and travel trailers to be installed on a site for more than 180 days.

"Critical Facility"- Any facility which is critical to the health and welfare of the population and, if flooded, would create an added dimension to the disaster. Damage to these critical facilities can impact the delivery of vital services, cause greater damage to other sectors of the community, or can put special populations at risk.

Examples of critical facilities where flood protection should be required include: emergency services facilities (such as fire and police stations), schools, hospitals, retirement homes and senior care facilities, major roads and bridges, critical utility sites (telephone switching stations or electrical transformers, and hazardous material storage facilities (chemicals, petrochemicals, harardous or toxic substances).

"Development" Any man-made change to real estate including, but not necessarily limited to:

- i. Construction, reconstruction, or placement of a building, or any addition to a building, exceeding 70 square feet in floor area;
- ii. Substantial improvement of an existing building;
- iii. Installation of a manufactured home on a site, preparing a site for a manufactured home, or installing a travel trailer on a site for more than 180 days;
- iv. Installation of utilities, construction of roads, bridges, culverts or similar projects;
- v. Construction or erection of levees, dams, walls, or fences;
- vi. Drilling, mining, filling, dredging, grading, excavating, paving, or other alterations of the ground surface;
- vii. Storage of materials including the placement of gas and liquid storage tanks; and
- viii. Channel modifications or any other activity that might change the direction, height, or velocity of flood or surface waters.

"Development" does not include maintenance of existing buildings and facilities; resurfacing roads; or gardening, plowing, and similar practices that do not involve filling, grading, or construction of levees.

Existing Manufactured Home Park or Subdivision- A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed or buildings to be constructed (including, a a minimum, the installation of utilities, the construction of streets, and either final site grading of the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Expansion to an Existing Manufactured Home park or Subdivision- The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"FEMA" Federal Emergency Management Agency.

"Flood" A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.

"Flood Fringe" That portion of the floodplain outside of the regulatory floodway.

"Flood Insurance Rate Map" A map prepared by the Federal Emergency Management Agency that depicts the floodplain or special flood hazard area (SFHA) within a community. This map includes insurance rate zones and may or may not depict floodways and show base flood elevations.

Flood Insurance Study- An examination, evaluation and determination of flood hazards and if appropriate, corresponding water surface elevations.

"Floodplain" and "Special Flood Hazard Area (SFHA)" are synonymous. Those lands within the jurisdiction of the City, the extraterritorial jurisdiction of the City or that may be annexed into the City, that are subject to inundation by the base flood. The floodplains of the City are generally identified as such on the Countywide Flood Insurance Rate Map of Rock Island County prepared by the Federal Emergency Management Agency and dated **April 5, 2010.**

"Floodproofing" Any combination of structural or nonstructural additions, changes, or adjustments to structures, which reduce or eliminate flood damage to real estate, property and their contents.

"Floodproofing Certificate" A form published by the Federal Emergency Management Agency that is used to certify that a building has been designed and constructed to be structurally dry floodproofed to the flood protection elevation.

"Flood Protection Elevation" or "FPE" The elevation of the base flood plus **two feet** of freeboard at any given location in the floodplain.

Floodproofing Certificate- A form published by the Federal Emergency Management Agency that is used to certify that a building has been designed and constructed to be structurally dry flood proofed to the flood protection elevation.

"Floodway" That portion of the floodplain required to store and convey the base flood. The floodway for the floodplains of Coal Creek, Eckhardt Creek, Kyte Creek, Mississippi River, Old Channel of Mill Creek, Rock River, Sand Creek, Sylvan Slough, and Warren Creek shall be as delineated on the Countywide Flood Insurance Rate Map of Rock Island County prepared by the Federal Emergency Management Agency and dated **April 5, 2010**. The floodways for each of the remaining floodplains of the City, the extraterritorial jurisdiction of the City or that may be annexed into the City, shall be according to the best data available from federal, state, or other sources.

Freeboard- An increment of elevation added to the base flood elevation to provide a factor of safety for uncertainties in calculations, future watershed development, unknown localized conditions, wave actions and unpredictable effects such as those caused by ice or debris jams.

Historic Structure- Any structure that is:

- 1. Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.**
- 2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.**
- 3. Individually listed on the State inventory of historic places by the Illinois Historic Preservation Agency**
- 4. Individually listed on a local inventory of historic places that has been certified by the Illinois Historic Preservation Agency.**

"IDNR/OWR" Illinois Department of Natural Resources/Office of Water Resources.

Lowest Floor- The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor. Provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of section 7 of this ordinance.

"Manufactured Home" A structure transportable in one or more sections, that is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities.

"NFIP" National Flood Insurance Program.

"Repetitive Loss" Flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

"SFHA" See definition of floodplain.

Substantial damage- Damage of any origin sustained by a structure whereby the cumulative percentage of damage during a ten (10) year period equals or exceeds fifty percent (50%) of the

market value of the structure before the damage occurred regardless of actual repair work performed. Volunteer labor and materials must be included in this determination. The term includes "Repetitive Loss Buildings" (see definition).

"Substantial Improvement" Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either, (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred.

"Substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or (2) any alteration of a structure listed on the National Register of Historic Places or the Illinois Register of Historic Places.

"Travel Trailer" (or Recreational Vehicle) A vehicle which is:

- Built on a single chassis;
- 400 square feet or less in size;
- Designed to be self-propelled or permanently towable by a light duty truck; and
- Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Violation- The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the required Federal, State and/or local permits and elevation certification is presumed to be in violation until such time as the documentation is provided.

Section 11-73: Base Flood Elevation.

This ordinance's protection standard is the base flood. The best available base flood data are listed below. Whenever a party disagrees with the best available data, the party may finance the detailed engineering study needed to replace the existing data with better data and submit it to the Federal Emergency Management Agency for approval.

- a. The base flood elevation for the floodplains of Coal Creek, Eckhardt Creek, Kyte Creek, Mississippi River, Old Channel of Mill Creek, Rock River, Sand Creek, and Sylvan Slough shall be as delineated on the 100-year flood profiles in the Countywide Flood Insurance Study of Rock Island County prepared by the Federal Emergency Management Agency and dated **April 5, 2010.**
- b. The base flood elevation for each floodplain delineated as an "AH Zone" or "AO Zone" shall be that elevation (or depth) delineated on the Countywide Flood Insurance Rate Map of Rock Island County.
- c. The base flood elevation for each of the remaining floodplains delineated as an "A Zone" on the Countywide Flood Insurance Rate Map of Rock Island County shall be according to the best data available from federal, state, or other sources. Should no other data exist, an engineering study must be financed to determine base flood elevations.
- d. **The base flood elevation for the floodplains of those parts of unincorporated Rock island County that are within the extraterritorial jurisdiction of Rock Island, or that may be annexed into the city, shall be as delineated on the 100-year flood profiles in the Flood Insurance rate Study of Rock Island County prepared by the federal Emergency Management Agency and dated April 5, 2010.**

Section 11-74: Administration of this Ordinance.

In order to ensure that all development activities within the floodplains under the jurisdiction of the City meet the requirements of this ordinance, The Planning and Redevelopment Administrator and the Building Official shall be

responsible for the general administration of this ordinance. Specifically, the Building Official and Planning and Redevelopment Administrator shall jointly:

- a. Inspect all development projects and take any and all actions outlined in Section 11-81 as necessary to ensure compliance with this ordinance;
- b. Assure that applicants are aware of and obtain any and all other required local, state, and federal permits;
- c. Cooperate with state and federal floodplain management agencies to coordinate base flood data and to improve the administration of this ordinance; and
- d. Maintain for public inspection base flood data, floodplain maps, copies of state and federal permits, and documentation of compliance for development activities subject to this ordinance.

The Building Official shall:

- a. Process development permits in accordance with Section 11-75;
- b. Ensure that the building protection requirements for all buildings subject to Section 11-77 are met and maintain a record of the "as-built" elevation of the lowest floor (including basement) or floodproof certificate;
- c. Provide information and assistance to citizens upon request about permit procedures and floodplain construction techniques;

The Planning and Redevelopment Administrator shall:

- a. Ensure that all development in a floodway (or a floodplain with no delineated floodway) meets the damage prevention requirements of Section 11-76;
- b. Notify IDNR/OWR and any neighboring communities prior to any alteration or relocation of a watercourse;
- c. Assure that all subdivisions and annexations meet the requirements of Section 11-78;
- d. If a variance is requested, ensure that the requirements of Section 11-79 are met and maintain documentation of any variances granted;

Section 11-75: Development Permit.

No person, firm, corporation, or governmental body not exempted by state law shall commence any development in the floodplain without first obtaining a development permit from the Building Official. The Building Official shall not issue a development permit if the proposed development does not meet the requirements of this ordinance.

- a. The application for development permit shall be accompanied by:
 - i. Drawings of the site, drawn to scale showing property line dimensions;
 - ii. Existing grade elevations and all changes in grade resulting from excavation or filling;
 - iii. The location and dimensions of all buildings and additions to buildings; and
 - iv. The elevation of the lowest floor (including basement) of all proposed buildings subject to the requirements of Section 11-77 of this ordinance.
- b. Upon receipt of an application for a development permit, the Building Official shall compare the elevation of the site to the base flood elevation. Any development located on land that can be shown by survey data to have been higher than the base flood elevation as of the date of the site's first Flood Insurance Rate Map identification is not in the floodplain and therefore not subject to the requirements of this ordinance. The Building Official shall maintain documentation of the existing ground elevation at the development site and certification that this ground elevation existed prior to the date of the site's first Flood Insurance Rate Map identification.

Section 11-76: Preventing Increased Flood Heights and Resulting Damages.

Within the floodway identified on the Countywide Flood Insurance Rate Map of Rock Island County, and within all other floodplains where a floodway has not been delineated, the following standards shall apply:

- a. Except as provided in Section 11-76(b), no development shall be allowed which, acting in combination with existing and anticipated development, will cause any increase in flood heights or velocities or threat to public health and safety. The following specific development activities shall be considered as meeting this requirement:
 - i. Barge fleeting facilities meeting the conditions of IDNR/OWR Statewide Permit No. 3;
 - ii. Aerial utility crossings meeting the conditions of IDNR/OWR Statewide Permit No. 4;
 - iii. Minor boat docks meeting the conditions of IDNR/OWR Statewide Permit No. 5;
 - iv. Minor, non-obstructive activities meeting the conditions of IDNR/OWR Statewide Permit No. 6;
 - v. Outfall structures and drainage ditch outlets meeting the conditions of IDNR/OWR Statewide Permit No. 7;
 - vi. Underground pipeline and utility crossings meeting the conditions of IDNR/OWR Statewide Permit No. 8;
 - vii. Bank stabilization projects meeting the conditions of IDNR/OWR Statewide Permit No. 9;
 - viii. Accessory structures and additions to existing residential buildings meeting the conditions of IDNR/OWR Statewide Permit No. 10;
 - ix. Minor maintenance dredging activities meeting the conditions of IDNR/OWR Statewide Permit No. 11; and
 - x. Any development determined by IDNR/OWR to be located entirely in a flood fringe area.
- b. Other development activities not listed in 6(a) may be permitted only if:
 - i. A permit has been issued for the work by IDNR/OWR (or written documentation is provided that an IDNR/OWR permit is not required); and
 - ii. Sufficient data has been provided to FEMA when necessary, and approval obtained from FEMA for a revision of the regulatory map and base flood elevation.

Section 11-77: Protecting Buildings.

- a. In addition to the damage prevention requirements of Section 11-76, all buildings to be located in the floodplain shall be protected from flood damage below the flood protection elevation. This building protection requirement applies to the following situations:
 - i. **Construction or placement of a new building or alteration or addition to an existing building valued at more than one thousand dollars (\$1,000) or seventy (70) square feet.**
 - ii. **Substantial improvements or structural alterations made to an existing building that increase the floor area by more than twenty percent (20%) or equal or exceed the market value by fifty (50%). Alteration shall be figured cumulatively, during the life of the building. If substantially improved, the existing structure and the addition must meet the flood protection standards of this section.**
 - iii. **Repairs made to a substantially damaged building. These repairs shall be figured cumulatively during the life of the building. If substantially damaged the entire structure must meet the flood protection standards of this section.**
 - iv. Installing a manufactured home on a new site or a new manufactured home on an existing site (the building protection requirements do not apply to returning a manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage); and
 - v. Installing a travel trailer on a site for more than 180 days.
 - vi. Repetitive Loss to an existing building as defined in Section 11-72.
- b. Residential or non-residential buildings can meet the building protection requirements by one of the following methods:

- i. The building may be constructed on permanent land fill in accordance with the following:
 - 1. The lowest floor (including basement) shall be at or above the flood protection elevation;
 - 2. The fill shall be placed in layers no greater than one foot before compaction and should extend at least ten feet beyond the foundation before sloping below the flood protection elevation;
 - 3. The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or other structural measure;
 - 4. The fill shall be composed of rock or soil and not incorporate debris or refuse materials; and
 - 5. The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties and when necessary, stormwater management techniques such as swales or basins shall be incorporated; or

- ii. The building may be elevated in accordance with the following:
 - 1. The building or improvements shall be elevated on stilts, piles, walls, or other foundation that is permanently open to flood waters;
 - 2. The lowest floor and all electrical, heating, ventilating, plumbing, and air conditioning equipment and utility meters shall be located at or above the flood protection elevation;
 - 3. If walls are used, all enclosed areas below the flood protection elevation shall address hydrostatic pressures by allowing the automatic entry and exit of flood waters. Designs must either be certified by a registered professional engineer or by having a minimum of one permanent openings on each wall no more than one foot above grade. The openings shall provide a total net area of not less than one square inch for every one square foot of enclosed area subject to flooding below the base flood elevation;
 - 4. The foundation and supporting members shall be anchored and aligned in relation to flood flows and adjoining structures so as to minimize exposure to hydrodynamic forces such as current, waves, ice and floating debris;
 - 5. The finished interior grade shall not be less than the finished exterior grade;
 - 6. All structural components below the flood protection elevation shall be constructed of materials resistant to flood damage;
 - 7. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other service facilities may be located below the flood protection elevation provided they are waterproofed; and
 - 8. The area below the flood protection elevation shall be used solely for parking or building access and not occupied as habitable space.
 - 9. **In lieu of the above criteria, the design methods to comply with these requirements may be certified by a licensed professional engineer or architect.**

iii The building may be constructed with a crawlspace located below the flood protection elevation provided that the following conditions are met:

- 1. The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.**

- 2. Any enclosed area below the flood protection elevation shall have openings that equalize hydrostatic pressures by allowing for the automatic entry and exit of floodwaters. A minimum of one opening on each wall having a total net area of not less than one (1) square inch per one (1) square foot of enclosed area. The openings shall be no more than one (1) foot above grade.**

- 3. The interior grade of the crawlspace below the flood protection elevation must not be more than two (2) feet below the lowest adjacent exterior grade.**

- 4. The interior height of the crawlspace measured from the interior grade of the crawl to the top of the foundations wall must not exceed four (4) feet at any point.**

5. An adequate drainage system must be installed to remove floodwaters from the interior area of the crawlspace within a reasonable period of time after a flood event.

6. Portions of the building below the flood protection elevation must be constructed with materials resistant to flood damage, and

7. Utility systems within the crawlspace must be elevated above the flood protection elevation.

- c. Manufactured homes, or travel trailers to be installed on site for more than 180 days, shall be:
 - i. Elevated to or above the flood protection elevation; and
 - ii. Shall be anchored to resist flotation, collapse, or lateral movement by being tied down in accordance with the Rules and Regulations for the Illinois Mobile Home Tie-Down Act issued pursuant to 77 IL Adm. Code 870.
- d. Non-residential buildings may be structurally dry floodproofed (in lieu of elevation) provided a registered professional engineer or architect certifies that:
 - i. Below the flood protection elevation the structure and attendant utility facilities are watertight and capable of resisting the effects of the base flood;
 - ii. The building design accounts for flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effects of buoyancy, and the impact from debris and ice; and
 - iii. Floodproofing measures will be incorporated into the building design and operable without human intervention and without an outside source of electricity.

Levees, berms, floodwalls and similar works are not considered floodproofing for the purpose of this subsection.

Section 11-78: Subdivision and other Development Requirements.

The City Council shall take into account flood hazards, to the extent that they are known, in all official actions related to land management use and development.

- a. New subdivisions, manufactured home parks, annexation agreements, planned unit developments, and additions to manufactured home parks and subdivisions shall meet the damage prevention and building protection standards of Sections 11-76 and 11-77 of this ordinance. Any proposal for such development shall include the following data:
 - i. The base flood elevation and the boundary of the floodplain (where the base flood elevation is not available from an existing study, the applicant shall be responsible for calculating the base flood elevation);
 - ii. The boundary of the floodway when applicable; and
 - iii. A signed statement by a Registered Professional Engineer that the proposed plat or plan accounts for changes in the drainage of surface waters in accordance with the Plat Act (765 IL Compiled Statutes 205/2).
- b. Public health standards must be met for all floodplain development. In addition to the requirements of Sections 11-76 and 11-77, the following standards apply:
 - i. No development in the floodplain shall include locating or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the flood protection elevation unless such materials are stored in a storage tank or floodproofed building constructed according to the requirements of Section 11-77 of this ordinance.
 - ii. Public utilities and facilities such as sewer, gas, and electric shall be located and constructed to

- minimize or eliminate flood damage;
 - iii. Public sanitary sewer systems and water supply systems shall be located and constructed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
 - iv. New and replacement on-site sanitary sewer lines or waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding. Manholes or other above ground openings located below the flood protection elevation shall be watertight.
- c. All other activities defined as development shall be designed so as not to alter flood flows or increase potential flood damages.

Section 11-79: Carrying Capacity and Notification.

For all projects involving channel modification, fill, or stream maintenance (including levees), the flood carrying capacity of the watercourse shall be maintained.

In addition, the city shall notify adjacent communities in writing thirty (30) days prior to the issuance of a permit for the alteration or relocation of the watercourse.

Section 11-80: Variances.

Whenever the standards of this ordinance place undue hardship on a specific development proposal, the applicant may apply to the Board of Zoning Appeals for a variance. The Board of Zoning Appeals shall review and act upon the applicant's request for a variance.

- a. No variance shall be granted unless the applicant demonstrates that:
 - i. The development activity cannot be located outside the floodplain;
 - ii. An exceptional hardship would result if the variance were not granted;
 - iii. The relief requested is the minimum necessary;
 - iv. There will be no additional threat to public health or safety, or creation of a nuisance;
 - v. There will be no additional public expense for flood protection, rescue or relief operations, policing, or repairs to roads, utilities, or other public facilities;
 - vi. The applicant's circumstances are unique and do not establish a pattern inconsistent with the intent of the NFIP; and
 - vii. All other required state and federal permits have been obtained.
- b. The Board of Zoning Appeals shall notify an applicant in writing that a variance from the requirements of the building protection standards of Section 11-77 that would lessen the degree of protection to a building will:
 - i. Result in increased premium rates for flood insurance up to \$25 for \$100 of insurance coverage;
 - ii. Increase the risks to life and property; and
 - iii. Require that the applicant proceed with knowledge of these risks and that the applicant acknowledge in writing the assumption of the risk and liability.
- c. Variances to the building protection requirements of Section 11-77 of this ordinance requested in connection with the reconstruction, repair or alteration of a site or building included on the National Register of Historic Places or the Illinois Register of Historic Places may be granted using criteria more permissive than the requirements of Subsection 11-79 (a)(i-v).

Section 11-81: Disclaimer of Liability.

The degree of protection required by this ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes. This ordinance does not imply that development either inside or outside of the floodplain will be free from flooding or damage. This ordinance does not create liability on the part of the City or any officer or employee thereof for any flood damage that results from proper reliance on this

ordinance or any administrative decision made lawfully thereunder.

Section 11-82: Penalty.

Failure to obtain a permit for development in the floodplain or failure to comply with the conditions of a permit or a variance shall be deemed to be a violation of this ordinance. Upon due investigation, the Planning and Redevelopment Administrator or Building Official may determine that a violation of the minimum standards of this ordinance exists. The Planning and Redevelopment Administrator Building Official shall notify the owner in writing of such violation.

- a. If such owner fails after ten days notice to correct the violation:
 - i. The City shall make application to the circuit court for an injunction requiring conformance with this ordinance or make such other order as the court deems necessary to secure compliance with the ordinance;
 - ii. Any person who violates this ordinance shall upon conviction thereof be fined not less than twenty-five dollars (\$25.00) nor more than two-hundred dollars (\$200.00); and
 - iii. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.
- b. The Planning and Redevelopment Administrator or Building Official shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.

Nothing herein shall prevent the City from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

Section 11-83: Separability.

The provisions and sections of this ordinance shall be deemed separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

Sections 11-84 — 11-90 Reserved.

Section Two. All ordinances and parts of ordinances in conflict herewith are hereby repealed as they do so conflict. This ordinance repeals and replaces other ordinances adopted by the City Council to fulfill the requirements of the National Flood Insurance Program including: Ordinance Number 87-25, approved March 23, 1987. This ordinance does not repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where this ordinance and other easements, covenants, or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Section Three This ordinance shall be in full force and effect from and after its passage and approval and publication, as required by law.

MAYOR OF THE CITY OF ROCK ISLAND

PASSED: _____

APPROVED: _____

ATTEST: _____
CITY CLERK